

JOHN COOPER  
MAYOR



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

## METRO HISTORIC ZONING COMMISSION (MHZC)

### MINUTES November 17, 2021

**Commissioners Present:** Chair Bell, Vice-Chair Stewart, Leigh Fitts, Mina Johnson, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, Dr. Lea Williams

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

**Applicants:** Martin Wieck, Jimmy Granberry, David Bailey, Jose Hurtado, Kimberly Faye, Joanna Yates, BJ Bush, Shawn Henry, Ryan Holmgren, John Rankin, Van Pond, Taylor Hendon, Eric Braiser

**Councilmembers:** None

**Public:** Gary Gaston, Teresa Blackburn, Berdelle Campbell, Helen Mrazek, Jeanne Seals, Darden Copeland, John Rankin

Chair Bell called the meeting to order at 2:05 p.m.

Chair Bell read information about the procedures for the meeting and process for appealing a decision.

#### I. MHZC BUSINESS

##### A. ADOPTION OF OCTOBER 12, 14 and 20, 2021 MINUTES

**Motion:** Vice Chair Stewart moved to approve the minutes as presented. Commissioner Johnson seconded and the motion passed unanimously.

##### B. ADOPTION OF AGENDA

Zeigler informed the commission that there was a request to remove item F. for 3612 Central from the consent agenda so that case would be heard at the end of the meeting and that item K. for the tax abatement program is deferred and the applicant for item S. 1803 Ashwood requested a deferral.

**Motion:**

**Vice chair Stewart moved to accept the revised agenda. Commissioner Johnson seconded, and the motion was passed unanimously.**

##### C. COUNCILMEMBER PRESENTATIONS

No councilmembers were present.

#### II. CONSENT AGENDA

Staff member, Jenny Warren, presented the items on the consent agenda. As notice to the public, she explained that 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. We will read each case out, one-by-one, if you are in opposition of the project, please raise

your hand when we call out the case you want heard. Items removed from the consent agenda will be heard at the end of the agenda.

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

**E. 2619 ESSEX PL**

Application: New Construction—Addition  
Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov  
PermitID#: T2021069894

**F. 3612 CENTRAL AVE**

Application: New Construction—Addition and Outbuilding  
Council District: 24  
Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov  
PermitID#: T2021069994 and T2021070001

**G. 110 S 16<sup>TH</sup> ST**

Application: New Construction—Addition; Setback Determination  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander Sean.Alexander@nashville.gov  
PermitID#: T2021071353

**H. 821 SETLIFF PL**

Application: New Construction – Addition, Outbuilding Alterations, Setback Determination  
Council District: 06  
Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren Jenny.Warren@nashville.gov  
PermitID#: T2021070117

**I. 1402 CEDAR LN**

Application: New Construction – Addition and Outbuilding (DADU)  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Joseph Rose Joseph.Rose@nashville.gov  
PermitID#: T2021069756 and T2021070120

**J. 2610 SUNSET PL**

Application: New Construction--Addition; Setback Determination  
Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov  
PermitID#: T2021070288

**Motion:**

**Vice-chair Stewart moved to approve all applications with their applicable conditions and with the exception of 3612 Central. Commissioner Johnson seconded and the motion passed unanimously.**

### III. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

#### K. HISTORIC TAX ABATEMENT PROGRAM REVISIONS

Council District: All

Overlay: All

Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

Deferred.

### IV. PRELIMINARY & FINAL SP REVIEW

#### L. 943 S DOUGLAS AVE (945 S DOUGLAS AVE #8)

Application: New Construction - Infill

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021070135

Staff member Jenny Warren presented the case. 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 1-7. Today, we will look at unit #8.

The majority of street-facing houses in this development are limited to one and a half stories, but to increase variety on the site, two units were approved to be a full two stories tall, Unit #1 and this unit, #8. The proposed design uses dormers in the tall, hipped roof which staff finds creates a partial third floor. The dormers -one situated over the stair- and the tall roof, create a form that reads as two and a half stories. Staff understands the applicant's argument that many four-square style homes have this two and a half story form, but as the SP limits this structure to two stories, perhaps a four square is not appropriate here. Staff recommends that the roof be lowered by one foot and the dormers be removed to create a true two-story form.

This unit was approved at two stories with a maximum ridge height of thirty-five feet (35') and an eave height of nineteen feet, eight inches (19'8"). The proposed height meets these parameters. As you can see here, 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. While the height itself may be appropriate, in this instance, it is allowing for an extra half story not permitted by the SP. Staff recommends reducing the height by one foot.

The width here was approved at thirty-two feet (32'). This is what is proposed. However, the second floor includes five projecting bays on side elevations (as well as one each on the front and rear elevations), that measure one and a half feet (1'6") in depth. While small bays with similar dimensions are frequently seen on historic houses, there are rarely this many, except on very grand high-style houses.

These cantilevers are in addition to maxing out both the proposed width and depth. The houses of this development are close together. As such, staff finds the cantilevers to be inappropriate.

The design guidelines state that porches should have posts that include bases and capitals. Staff recommends that bases should be added to the porch columns.

On the right front corner there is an open-air porch at the second level. The design includes openings that mimic the dimensions of paired windows on both the front and right-side elevations. While this feature is not common in the historic context, staff finds that it could be appropriate, as it continues the proportion and rhythm of openings. The proposal includes railings in the voided openings. Staff recommends that these be removed and instead that the

ledge be raised to create a knee wall.

Staff recommends approval with the following conditions:

1. Staff shall review and approve final brick, the vertical cladding material, the porch roofing, front porch floor and step material, doors, garage doors and walkway material, prior to purchase and installation;
2. A base shall be added to the porch columns;
3. The cantilevered bays on the second floor shall be removed;
4. The roof dormers shall be removed;
5. The ridge height shall be lowered approximately one foot (1');
6. The railings on the second level porch shall be replaced with kneewalls;
7. 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;

[Commissioner Mosley arrived at 2:13 p.m.]

Martin Wieck, architect for the project, said he does not understand why the railing has to be removed or why the columns need bases. He provided evidence of historic masonry posts that do not have bases. He argued that the bays help to break up the side walls and he was open to lowering the depth. He argued that lowering the height by one foot, does not meet the maximum he feels he is allowed and is consistent with historic buildings. Other homes in this development do not max out what is allowed. He agreed that the SP only allows for 2 stories but argued that it is not MHZC's place to prevent a 3<sup>rd</sup> half story.

There were no requests from the public to speak.

Commissioner Fitts said she was compelled by some of the applicant's arguments such as the porch post not needing a base and the retention of the roof dormer and she is open to discussion about the decreasing the depth of the bays. Warren explained that the cantilevered second level porch combined with the railing started to read like a projecting balcony.

Commissioner Mosley agreed that the porch post base is not needed for a masonry post. He agreed with the applicant that keeping the openings on the open second level porch is more appropriate than removal of the railing for a knee wall. Because this site is not a single site, the grade has been manipulated throughout, so the perception of the height could be lowered with a retaining wall. Commissioner Jones agreed. She added that the width is maxed, the height is maxed and now bays are added and that all, together, may be too much.

Commissioner Johnson expressed concern with the height, as seen from the front, even if it is meeting the maximum allowed by SP. In answer to Commissioner Johnson's question about how the height compares to the other buildings that have already been approved, Warren and Wieck provided information from the SP and the final individually approved units.

Wieck confirmed that the second level openings would have trim similar to the windows. Commissioner Mosley said the addition of the trim will make the railing less noticeable.

**Motion:**

**Vice-chair Stewart moved to approve with the following conditions:**

1. **Staff shall review and approve final brick, the vertical cladding material, the porch roofing, front porch floor and step material, doors, garage doors and walkway material, prior to purchase and installation;**
2. **The cantilevered bays shall be no more than one-foot in depth; and,**
3. **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 the project meets the design guidelines. Commissioner Mosley seconded and the motion passed unanimously.**

[Commissioners Mayhall and Williams arrived at 2:48 p.m.]

## **M. 416 JEFFERSON ST**

Application: New Construction--Infill

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

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

PermitID#: T2021071364

Staff member Sean Alexander presented a proposal for infill construction, the development of an entire block on the southern edge of the Germantown neighborhood. The project does not meet the current base zoning, so the applicant is seeking a rezoning to SP, or Specific Plan. The Commission's procedure for reviewing properties in historic districts that are also being rezoned SP is to first review the site plan and massing of the project only, and then after the Planning Commission approves the rezoning application, to review the project again for compatibility of details and materials.

The development will have multiple components, - described as 1 through 5 in the staff recommendation

Two thirds of the block is in the Jefferson Street Development Zone of the Germantown Overlay, the remaining third is in the East Development Zone. The two zones have different height limits in the design guidelines.

Component 1, in the Jefferson Street Zone, has several elements, ranging from single story to four stories. On 4<sup>th</sup> and 5<sup>th</sup> Avenue the building will extend to the build to line, the Jefferson Street façade stepped back behind a patio area that tapers from twenty-two feet (22' wide to eight feet (8'). The one-story component will be twenty-five feet (25') tall to the top of the wall – the plans show a roof deck above. The upper stories step back from 4<sup>th</sup> Ave and Jefferson. The top of the 4 Story element is sixty-nine feet (69') tall.

This exceeds the sixty-one feet (61') permitted by the guidelines for Jefferson Street – but staff finds it to be appropriate considering the context of what is adjacent across 4<sup>th</sup>, 5<sup>th</sup>, and Jefferson, and because the building is only four stories whereas five would be permitted. The first story space is intended for a grocery store, which has particular needs for ceiling height, services, and mechanicals.

Staff finds the façade to be sufficiently articulated which meets section E(4) of the guidelines, and also reduced the height and volume of the building's massing.

Components 2 and 3 are in the east zone, for which the guidelines allow up to two stories and thirty feet (30') tall for flat roofed buildings. The proposed buildings will be three-stories, forty-five feet (45') tall. Staff found the additional height to be appropriate in the context of surrounding buildings. Proposed components 2 and 3 are depicted without recessed entrances, which is a requirement of the design guidelines. Staff recommends that this the storefront configuration and stairwell locations be discussed and reviewed when you see this application again with the Part II proposal.

Component 4, facing Madison Street, is a row of nine townhouses. The townhouses are two-stories with a façade height of thirty-one feet, six inches (31'6"), with enclosed stair towers that extend to thirty-nine feet (39'). The townhouses also have a rooftop pergola, stepped back twelve feet (12') from the front wall. Rooftop decks are permitted in the East zone but to date, pergolas have not been approved. Staff finds the additional height and pergola to be appropriate because of the context of surrounding buildings.

The townhouse component meets sections E(3) and E(7) of the design guidelines

Lastly component 5 is a multi-level parking deck in the interior of the lot. This component sits within the commercial and residential forms on the street, with only having frontage at the driveway and service entrances. Staff finds this component to meet section E(15) of the design guidelines.

Staff recommends approval of the scale and massing of the proposed infill with the conditions that:

1. The commercial entrances for the storefronts on Components 2 and 3 and the location of stairwells not be approved with Part I to allow discussion regarding the design guideline requirements;
2. If the SP is approved by the Planning Commission, the applicant will return to the Historic Zoning Commission for review of materials, material color and texture, windows and doors, proportion and rhythm

of openings, porches, entries and stoops, fences and walls, roof top decks, balconies, and pergolas, stair tower locations and detailing, appurtenances and utility locations, and the overall detailing of the proposal.

With these conditions, Staff finds the scale and massing of the project meet the design guidelines for new construction in the Germantown Historic Preservation Zoning Overlay.

Commissioner Jones asked for clarification of the context that staff considered, which Alexander explained. Chair Bell pointed out that the two-story green building was the only historic building in the immediate context.

Applicant, Jimmy Granberry, explained the process of developing the project, meeting the design guidelines and meeting with the neighborhood association and the neighborhood association's development committee. David Bailey, architect for the project, explained the design process and proposal. He provided some additional drawings to explain the project and provided an overview.

Gary Gaston, a member of the Germantown Development Committee, said that the neighborhood is in favor of the project and the use but is concerned about the additional height on Madison. He explained that the guidelines were updated by the neighborhood to disallow more than two stories on Madison because the neighborhood did not want to see more of the same type of developments that have happened previously. Commissioners Mosley and Johnson asked questions about the two-story height limit and if there were recommendations or a height maximum from the neighborhood. Gaston provided information on the design guidelines.

Teresa Blackburn (1204 5<sup>th</sup> Ave N), Berdelle Campbell (1217 5<sup>th</sup> Ave N) Helen Mrazek 1313 5<sup>th</sup> Ave N, and Jeanice Seals (1216 5<sup>th</sup> Ave N) spoke in favor of the project with the condition that the Madison side of the project meet the design guidelines.

Commissioner Fitts noted that the development has not maxed out the potential and the design breaks up the project. She understands the public comment but is compelled by the existing development and the non-historic context surrounding the site. Commissioner Jones agreed and feels the proposal works well for this specific site and transitions well into the smaller scale of the interior of the neighborhood.

Commissioners asked for clarification of different components, which were answered by the design team. He noted that at 5<sup>th</sup> and Madison, the project was only two feet taller than allowed by the design guidelines; however, that corner is set back further than the build-to line.

Commissioner Johnson argued that this is the southern edge of the neighborhood and so does not affect the interior of the neighborhood. In addition, the neighborhood is supportive of the overall project. She noted that there will be two more public hearings for this project which would allow the design team more time to come up with a compromise.

Commissioner Mosley said that the applicant proposes sixteen (16) flats and the request was to lower the number by half to eight (8). He suggested dropping a single unit at the corners so that the entire façade on Madison could read as two-stories with rooftop decks. Commissioner Jones agreed with Vice-chair Stewart agreed that there may be a compromise possible.

**Motion:**

**Vice-Chair Stewart moved to approve the scale and massing of the proposed infill with the conditions that:**

- 1. The commercial entrances for the storefronts on Components 2 and 3 and the location of stairwells not be approved with Part I to allow discussion regarding the design guideline requirements;**
- 2. The applicant continues to work with staff and the neighborhood on compromises for the height on Madison that currently exceeds the design guidelines; and**
- 3. If the SP is approved by the Planning Commission, the applicant will return to the Historic Zoning Commission for review of materials, material color and texture, windows and doors, proportion and rhythm of openings, porches, entries and stoops, fences and walls, roof top decks, balconies, and pergolas, stair tower locations and detailing, appurtenances and utility locations, and the overall detailing of the proposal;**

**finding that with these conditions, the scale and massing of the project meet the design guidelines for new construction in the Germantown Historic Preservation Zoning Overlay. Commissioner Williams seconded and the motion passed unanimously.**

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

### **N. 1512 DALLAS**

Application: New Construction— Reconstruction; Addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov  
PermitID#: 2020036693 and 2021020759

Staff member, Kelli Mitchell, presented the case for 1512 Dallas, which is a c. 1920, one-story contributing home in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Based on Metro records, the building was remodeled in 1992, and a preservation permit for an addition was administratively issued in 2018. The latter was never constructed. The preservation permit was revised and administratively reissued on June 15, 2020. No alterations, beyond window replacement, were noted on the plans.

On February 9, 2021, it was found that the house had been demolished, except for the front wall and porch.

The project was heard by the Commission on March 12, 2021, as a show cause hearing. The permit for the addition was rescinded and the applicant was required to reconstruct the historic building.

The reconstruction permit was issued in April 2021. Staff has been monitoring the project and conducted multiple inspections. All materials have been approved by staff.

The historic house has been reconstructed according to the approved plans with the exception of the rear wall, which was not required since an addition is planned.

The windows, door, and roof shingles have yet to be installed. Staff will monitor the project and confirm that the approved materials are installed prior to approving the final inspection.

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.

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

#### **Motion:**

**Vice-chair Stewart moved to reissue the permit for an addition. Commissioner Johnson seconded and the motion passed unanimously.**

### **O. 1204 RUSSELL**

Application: Reconstruction (Progress Update)  
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 an update for the project at 1204 Russell Street. The Commission first saw this project in July 2021 for a Show Cause hearing after the scope of an administrative permit was exceeded, and it has returned in August, September, and October for follow up reviews as things have gotten off track. At the last meeting, the Commission instructed the applicant to

- Reconstruct the cross-gable and porch exactly as shown in HCP 2021052924 (reconstruction permit) and photographs, with approved materials, within the next sixty (60) days;
- Install wider corner boards to match the plans and photographs within the next sixty (60) days;
- Provide a complete application for the partially constructed outbuilding so that the project may be reviewed; and
- Provide a summary at each subsequent MHZC meeting until reconstruction is complete.
- And to submit a site plan and other information necessary to review an outbuilding that had been started without permits.

The applicant is here again to report on the reconstruction since that time. They have made alterations to the front porch that staff would describe as not perfect but a huge improvement. (Returned the porch to its original size, taken down a brick wall that encapsulated the foundation and re-parged the block foundation and repoured concrete steps and floor slab.

On the front porch, staff does not think they reconstructed the gable, but they have raised the height of the bay, so the eaves are in line with the primary eaves. They have replaced the narrow cornerboards with wider cornerboards more like the original. Again it is not perfect, but the appearance is much improved.

The applicant's architect told staff that they have the site plan for the outbuilding ready to submit but they were waiting to get an all-clear on the house first.

Staff recommends that the applicant continue with reconstruction in accordance with permit HCP 2021052924 and the conditions of the MHZC's October 20 decision, and, if necessary, to continue reporting their progress to the MHZC at future meetings until reconstruction is complete. Additionally, staff recommends that the site plan for the outbuilding be submitted within thirty (30) days, or that it be removed within sixty (60) days.

Alexander, in answer to Chair Bell's question, said that staff is going by the project at least weekly, and Hurtado is working with staff.

Hurtado asked if he could get his rear addition permit reissued. Staff recommended that it wait since staff still does not have a complete application for the outbuilding constructed without a permit.

There were no requests from the public to speak.

**Motion:**

**Commissioner Mosley moved that the applicant continue with reconstruction in accordance with permit HCP 2021052924 and the conditions of the MHZC's October 20 decision, and that the permit for the addition be reissued once staff finds that all conditions have been met and a complete application for the outbuilding that meets the design guidelines has been submitted. In addition, the site plan for the outbuilding be submitted within thirty (30) days, or that the outbuilding be removed within sixty (60) days. Commissioner Mayhall seconded, and the motion passed unanimously.**

**P. 308-310 BROADWAY**

Application: Alterations-Violation

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

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

Staff member, Melissa Baldock, presented the violation. The building that houses the Candy Kitchen is a brick commercial building, constructed in 2011. In 2015, the Metro Historic Zoning Commission approved an addition to this structure which finished out the second level and included a recessed third floor. The business to the right of the Candy Kitchen uses the second level and rooftop that is above the Candy Kitchen. The applicant altered windows, added lighting, and installed signage without a permit.



Windows were installed on the second level of the front façade without a permit and include fixed and roll up windows. The applicant has requested to keep the windows as currently installed. According to Section II.A.4, replacement windows should have single-light or multiple-light clear-glass panes to match the style and period of the building. In this case, a single or double hung window would be appropriate for the style of the building. Roll up doors on upper levels are not seen in the district historically, and the Commission has not approved such windows for upper levels, or for Broadway facing elevations, in the past.

Poles and string lighting have been added to the stepback of the rooftop. Design guideline III(A)(2) states that rooftop additions should be stepped back thirty feet (30') and so the Commission has not approved construction, even as simple as poles, in this area. Options for lighting that might meet the design guidelines include bollard and recessed deck lighting, lighting on the inside of the parapet, wall lighting on the rooftop addition, and table lighting. Because the wall of the addition is stepped back thirty-seven feet (37') rather than just thirty feet (30'), the applicant's letter proposes to allow poles and string lighting in the seven-foot (7') area outside of the stepback area, but no drawings have been presented.

In addition, all lighting should be simple and unobtrusive in both material and appearance and should be directed towards the façade rather than outwards, according to Section II.M of the guidelines. The string lights are located in a highly visible location on the rooftop addition. While they are made from a dark material as the guidelines suggest, they are overall not appropriate due to their location. The lighting and associated poles also do not comply with Section III.A.2 as they are located in the thirty-foot (30') stepback area where there should be no construction in order to lessen the visual impact of the rooftop addition.

Two menu boards, each measuring twenty-four inches by fifty inches (24" x 50"), or approximately eight square feet (8 SF), have been added to the storefront on the ground-level. For this type of signage, the Commission has allowed for a maximum of five square feet (5 SF) without the menu signs counting toward the signage allotment. The total area of menu signs installed is approximately sixteen square feet (16 SF) Staff recommends that the menu sign not exceed a total of five square feet (5 SF), and the applicant has agreed to replace the menu signs to meet this requirement.

In conclusion, staff recommends disapproval of the windows and lighting, finding that they do not meet Section II and Section III. of the design guidelines for Rehabilitation. Staff recommends that the unpermitted windows and lighting with the associated poles be removed and the menu signs changed to not exceed a total of five square feet (5 SF) within sixty (60) days of the Commission's decision.

Kimberly Faye, representing the applicant, agreed that the menu signs will be changed. They could move the string lighting back to meet the stepback requirement but have not submitted drawings. They are requesting that the windows remain as-is or they be given more than sixty (60) days to make the correction.

There were no requests from the public speak.

Commissioner Mayhall asked for how much time is needed for replacement of the windows. The applicant did not specify a time period.

**Vice-chair Stewart moved to disapprove the windows, lighting and poles, that the menu sign shall not exceed five square feet (5 SF), and the applicant shall have window replacements approved and evidence of purchase, a contract and a schedule for installation all submitted within sixty (60) days and that the lighting and poles be removed within sixty (60) days. Commissioner Mayhall seconded, and the motion passed unanimously.**

#### **Q. 600 FATHERLAND**

Application: Alterations & Repairs-Violation

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Kelli Mitchell, [kelli.mitchell@nashville.gov](mailto:kelli.mitchell@nashville.gov)

600 A/B Fatherland is a non-contributing duplex in the Edgefield Historic Preservation Zoning Overlay. The current infill was approved by the Commission on July 16, 2014 and permitted the same month. The permit included a wood rear yard fence and no front yard fencing.

The current fences were constructed without a permit. This issue was on the agenda last month but deferred by the applicant to this month.

While the fences meet section IV(1)(a) of the guidelines for height, they do not meet sections IV(1)(c) and III(B)(g) for materials. The front fence is constructed of black aluminum. According to the guidelines, iron fences are only appropriate for pre-1900s homes. Front fences should be constructed of wood.

The rear fence is vinyl, which is not a historic material and not allowed to be used for other architectural features in this district. The guidelines for this district specify that rear fencing may be wood or certain types of chain link.

The applicant proposes placing a faux wooden fence in front of the vinyl fence facing South 6<sup>th</sup> Street and retaining the aluminum fence. Staff does not recommend this solution as the vinyl will likely still be visible and the aluminum fence will not be corrected.

Staff recommends that the rear and front yard fencing be removed within sixty days (60) from the Commission's decision, finding that it does not meet section IV for fencing material and section III for materials of the design guidelines.

Denial of the fencing would not preclude the applicant from submitting a new application for replacement fencing.

Joanna Yates, owner of the B side of the duplex, said she would be representing both owners. She explained the reason for the design and materials: security, aesthetics, there are other aluminum fences. She said she was willing to hear options that would prevent full replacement.

Darden Copeland, 708 Boscobel, said he encouraged the applicant to defer last month to speak to the neighborhood association and the councilmember. He claims a number of property owners are in favor of retaining the fence or a compromise.

Chair Bell said she understands that neighbors are supportive of their neighbors and it is the neighbors who have created the design guidelines. When the design guidelines are so specific, the commissioners are beholden to follow the guidelines.

Commissioner Mosley said that it appeared that the guidelines only allow for wood front-fencing but was unclear. All agreed that the vinyl fencing did not meet the design guidelines. Commissioner Johnson questioned if aluminum could be appropriate for new construction in the district. Commissioner Mosley added that it could be appropriate at this single location because it is on the edge of the district, as well as being new construction.

**Motion:**

**Commissioner Mayhall moved to remove the rear and front yard fencing within sixty days (60) from the Commission's decision, finding that it does not meet section IV for fencing material and section III for materials of the design guidelines. Commissioner Williams seconded the motion with Commissioners Jones and Johnson in opposition.**

[The Commission took a break at 4:41 and returned at 4:52].

**VI. MHZC ACTIONS**

**R. 1900 FORREST AVE**

Application: Economic Hardship

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Joseph Rose Joseph.Rose@nashville.gov  
PermitID#: T2021070083

Staff member, Joseph Rose, presented the case for demolition.

The house at 1900 Forrest Avenue is a circa 1926 contributing home in the Lockeland Springs – East End Neighborhood Conservation Zoning Overlay. The house was constructed by Church L. Sexton and his wife, Nora Hurst Sexton and served as their country home, which they named “Lake Hurst.” Church L. Sexton was a prolific developer in the area and was responsible for the development of much of the Little Hollywood neighborhood of East Nashville.

The applicant has provided two engineering reports. The reports state that the home has issues with sagging floor joists, improper supports, over-spanned floor joists, and improper framing. They point out issues with moisture intrusion/damage, microbial growth, rot and termite damage, unconventional construction methods and atypical repairs in the foundation that have led to instances of structural movement, sheer cracking in foundation walls, as well as possible asbestos on duct work.

Staff recently visited the home and observed many of the issues noted in the provided reports. Staff found most of these issues to be issues commonly found in structures of this age. Repairs and reinforcing are often necessary but rarely require full demolition of the structure. While there is no doubt that there are issues with this home, largely due to its age and recent years of neglect, staff finds that the issues have not risen to such a level where the home is beyond reasonable repair. Staff did not observe anything unusual for a structure of this age that typical repairs and restoration could not fix. Furthermore, while the engineering reports were helpful in identifying issues that may need to be addressed, they also provided many reasonable solutions, indicating to staff that repair and rehabilitation of the structure is far from impossible.

Along with the engineering reports, the applicant has submitted an estimated cost of demolition of \$17,550 and an estimated cost of compliance of \$250,000-\$300,000. When considering economic hardship, the MHZC looks at those costs needed to make the building usable, not at proposed new construction or additional costs that a user of the building may want but that are not necessary for occupation. For that reason, staff finds that some of the line items included in the cost of compliance estimate could be reduced or eliminated altogether. Therefore, the cost to rehabilitate the home may even prove lower than indicated.

The applicant also estimates a market value of \$200,000-\$300,000 in the home’s current condition and estimates a market value of \$300,000-\$400,000 after restoration. A report from Realtracs showing median home sales prices was included to support this estimate, but contextual information used to generate the report was not provide so it is not known whether the property is being compared to historic homes, homes of a similar age, homes within the overlay or the time period. It is the responsibility of the applicant to provide detailed information regarding comps, but staff reviewed some information readily available on the Assessor of Property’s website. Since January of this year, the average sales price within .1 miles of 1900 Forrest has averaged at approximately \$351 per square feet. Not counting porches, garage space and potential second level space, 1900 Forrest has a footprint of approximately 1600 square feet, which could result in a sales price of approximately \$560,000. This does not include the possibility of additions and how that could add to the value.

Staff also notes that the home sits on a lot that is over five acres, much of which is not developable; however, there is the possibility of a lot to the west of the property (right side) that could be subdivided and meet the development pattern of the neighborhood. Sale of the lot, improved or not, could fund rehabilitation of this house.

The current owner has only owned the property since May and so is not responsible for the disrepair and deterioration of the home. However, the home has experienced neglect for a number of years. The disrepair of the home due to neglect is evident from just a simple walk-through and it is incumbent on the applicant to make an informed purchase. Staff finds that the cost proposed for rehabilitation is not uncommon for a home of this age and is often understood as a possible obstacle that comes with the risk of purchasing an old home, especially one that has experienced a period of neglect.

It is the Commission's primary goal to ensure the preservation of historic buildings. Demolition requests are reviewed by staff in detail providing not only an analysis of the information given but an analysis of what questions remain. It is the responsibility of the applicant to prove hardship rather than for staff to disprove hardship. Economic Hardship is not based on the personal hardship of the owner, whether or not new construction would be cheaper, or the ability of the property owner to realize the highest and best use of the property.

Staff recommends denial of demolition of 1900 Forrest Avenue finding that the project does not meet Section III(B)(2)(a) nor 17.40.420 E of the zoning ordinance for economic hardship and does not meet Section III(B)(2)(b) as the building is contributing.

BJ Bush, with Powell, the architecture firm representing the client, explained that there was not time to inspect the house prior to purchase and their original intent was to rehabilitate the home. They do not intend to develop the property and would construct a replacement house of a similar size to the historic building. It is not possible for them to abate hazardous materials and he claimed staff misrepresented the reports provided.

There were no requests from the public to speak.

Commissioner Fitts said that she and Commissioner Price visited the building. She agreed it is deteriorated however the structural report provides remedial actions for every issue.

Commissioner Johnson said she needed a detailed comparison between new construction and rehabilitation, which was not provided. She went through each criteria, stating that not enough information was provided for #1, for #2 the experience of the estimators was with heavy industrial and not historic, a cost comparison was not provided for #2 or 3, #4 is an opinion rather than data provided by an expert, the cost of purchase for #5 doesn't meet economic hardship, #6 and #7 are not applicable. In terms of #8, it was up to the purchaser to have the building inspected. She found a video online of the interior of the house that shows the condition it is in. She supports the staff recommendation as not enough detailed information is provided to make the argument for economic hardship. Commissioner Jones agreed the application is incomplete. Vice-chair Stewart said the structural report provided remedies for each issue, which was compelling to him.

**Motion:**

**Vice-chair Stewart recommends denial of demolition of 1900 Forrest Avenue finding that the project does not meet Section III(B)(2)(a) nor 17.40.420 E of the zoning ordinance for economic hardship and does not meet Section III(B)(2)(b) as the building is contributing. Commissioner Mayhall seconded, and the motion passed unanimously.**

**S. 1803 ASHWOOD AVE**

Application: New Construction—Infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021069975

Deferred at the request of the applicant.

**T. 2410 9TH AVE S**

Application: New Construction—Addition and DADU

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021069982 and T2021069986

Melissa Baldock presented the addition and DADU proposed at 2410 9<sup>th</sup> Avenue South. 2410 9<sup>th</sup> Avenue South was constructed c. 1940-41, as the house first appears in the City Directory in 1941. The house contributes to the

historic character of the Waverly-Belmont Neighborhood Conservation Zoning Overlay. The stone veneer on the front and the front porch are not original to the house; they were added in the 1950s.

The applicant intends to remove the existing six foot by ten foot (6'x10') front porch and construct a full width front porch. The applicant also proposes to remove the non-historic stone on the front façade and the vinyl siding on the side facades and replace these materials with brick. Originally, the house did not have a front porch. On the left is the 1957 Sanborn map, which shows the house and does not show a front porch. On the right is the c. 1968 Property Assessor photocard and footprint which does show the six foot by ten foot (6'x10') front porch. The front porch was added between 1957 and 1968.

A lack of a front porch was a common feature of minimal traditional houses constructed in the 1940s, like 2410 9<sup>th</sup> Avenue South. In fact, the earliest Sanborn map for this area showing the houses on this block (the 1951 Sanborn map) shows that most houses did not have a front porch historically (porches are usually indicated with dotted lines and are shown as protrusions off the front façade with dotted lines, like the one at 2412 9<sup>th</sup> Avenue South).

The design guidelines state that “Adding front porches to contributing houses that did not have a front porch historically is not appropriate.” Because there is an existing, non-historic front porch that dates to the mid 1950s, staff finds that replacing the existing front porch with a new porch that has the same footprint to be appropriate. Staff, however, does not find that expanding the footprint of the porch to span the entire main front façade of the house to be appropriate because that creates a false sense of history and changes the style of the house from a minimal traditional style to a craftsman bungalow style. Staff therefore recommends that the footprint of the new porch be no larger than six feet deep and ten feet wide (6'x10') to match the existing, or less. This will ensure that the house remains close to its original form.

The applicant also intends to remove the stone on the front façade and the vinyl on the side facades. Neither materials are original, and they can be removed. The 1957 Sanborn map shows that the house is clapboard. While staff finds that the removal of the stone veneer on the front façade and the vinyl siding on the rear facades meets the design guidelines, staff finds that the proposed brick for the historic house does not meet the design guidelines.

Staff recommends review of the material extant under the existing vinyl siding to see if any of the historic siding and other material remains and can be retained. On the side facades, staff recommends that if the historic siding cannot be retained, then the new materials should replicate the historic materials. On the front façade, it is likely that there is not siding in good condition under the stone façade, and staff therefore recommends that the cladding material be a wood or fiber cement lap siding with maximum reveal of seven inches (7”).

The addition will meet all base zoning setbacks. The addition’s footprint will more than double the footprint of the historic house, which staff finds to be appropriate for several reasons. First, the lot is unusually large at fourteen thousand, seven hundred and twenty-three square feet (14,723 SF). Second, the addition’s footprint is similar the footprint of the addition MHZC approved at this site in 2020. Lastly the addition is shorter than the historic house, does not include a ridge raise, and is no wider than the historic house. The overall scale is therefore compatible to the historic house and site.

The applicant is also proposing a DADU. The proposed outbuilding/DADU includes wall dormers on both its east and west facades. The design guidelines only allow for wall dormers on one façade of the structure and limit the dormer widths to fourteen feet (14’) each. These dormers are wider at approximately twenty feet (20’). Staff recommends that both dormers be reduced in width to be no wider than fourteen feet (14’) and that one of the dormers be inset two feet (2’) from the wall below in order to meet the design guidelines.

#### **RECOMMENDATION:**

Staff recommends approval of the project with the following conditions:

1. A partial-demo and shoring plan be reviewed prior to permitting;
2. Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;

3. The new front porch has a footprint that is no larger than the six foot by ten-foot (6' X 10') footprint of the existing front porch;
4. MHCZ inspect after the vinyl siding on the side facades is removed to assess whether or not there is historic siding remaining that can be retained;
5. The proposed primary cladding material for the historic house be a lap siding with maximum reveal of seven inches (7") where remaining historic siding cannot be retained and reused;
6. The secondary cladding material for the gable fields on the historic house replicate whatever material may be extant under the vinyl siding if that siding cannot be retained and reused;
7. On the outbuilding, both dormers be reduced in width to be no wider than fourteen feet (14') and that one of the dormers be inset two feet (2') from the wall below,
8. Staff approve all final materials, including a brick sample, all windows and doors, the roof shingle color, the metal roof color and specification, and the front porch floor and steps prior to purchase and installation; and
9. The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building.

With these conditions, staff finds that the proposed addition and DADU meet sections III. (Demolition), IV. (Materials), VI. (New Construction-Additions), and VII. (New Construction-Detached Outbuildings & Garden Structures) of Part I and the Waverly-Belmont chapter of Part II of the design guidelines for Turn-of-the 20<sup>th</sup>-Century Districts.

Shawn Henry, representing the property owner, explained that the owner will use this property as his primary residence. He explained that the design guidelines give the commission the discretion to consider their proposal and the existing porch is not historic. Their plan will improve the style of the home, the full porch is more consistent with the neighborhood and there are no porches across the street to mirror.

John Rankin, 1709 Woodland, the porch is not historic and if a small porch is allowed then a full-width porch should be allowed too. He provided addresses of homes with full-width porches and claimed it is a hardship to not have a full-width porch.

In answer to Vice-chair Stewart's question, Rankin said they are not asking to alter the location of windows or doors.

There were no requests from the public to speak.

Commissioner Fitts explained that the Commission takes the front facades of homes very seriously and rarely allow any modifications to the front. The Sanborn maps show that there was not a porch to begin with, so it is a fairly gracious offering to allow for a new porch at all. The other porches referenced are different styles and scale from this particular house. Vice Chair Stewart said they are bound to follow the Secretary of Interior Standards that allow for them to pick the time period to be represented and that staff's recommendation is within the charge they have. He agreed that the style is different from the other buildings on the street.

**Motion:**

**Vice-chair Stewart moved to approve the project with the following conditions:**

- 1. A partial-demo and shoring plan be reviewed prior to permitting;**
- 2. Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;**
- 3. The new front porch has a footprint that is no larger than the six foot by ten-foot (6' X 10') footprint of the existing front porch;**
- 4. MHCZ inspect after the vinyl siding on the side facades is removed to assess whether or not there is historic siding remaining that can be retained;**
- 5. The proposed primary cladding material for the historic house be a lap siding with maximum reveal of seven inches (7") where remaining historic siding cannot be retained and reused;**
- 6. The secondary cladding material for the gable fields on the historic house replicate whatever material may be extant under the vinyl siding if that siding cannot be retained and reused;**

7. **On the outbuilding, both dormers be reduced in width to be no wider than fourteen feet (14') and that one of the dormers be inset two feet (2') from the wall below,**
8. **Staff approve all final materials, including a brick sample, all windows and doors, the roof shingle color, the metal roof color and specification, and the front porch floor and steps prior to purchase and installation; and**
9. **The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building;**

**finding that with these conditions, the proposed addition and DADU meet sections III. (Demolition), IV. (Materials), VI. (New Construction-Additions), and VII. (New Construction-Detached Outbuildings & Garden Structures) of Part I and the Waverly-Belmont chapter of Part II of the design guidelines for Turn-of-the 20<sup>th</sup>-Century Districts. Commissioner Jones seconded and the motion passed unanimously.**

#### **U. 1417 CALVIN AVE**

Application: New Construction--Addition and Outbuilding (DADU)

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021069714 and T2021069733

Staff member, Joseph Rose, presented the case to construct a rear addition that extends taller than the historic house. The project also includes an outbuilding that is a detached accessory dwelling unit (DADU). The house at 1417 Calvin Avenue is a c. 1940 side-gable home that contributes to the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay because of its age and architectural character.

The addition is located at the rear of the historic house, as required by the design guidelines. The addition is no wider than the historic house, however, it does extend two feet (2') taller than the historic house with a ridge raise. Staff finds this taller extension to meet the design guidelines.

The addition's eave heights exceed the eave heights of the historic building. Therefore, they do not meet section VI(B)(8) of the design guidelines. In order to achieve compatibility of mass and scale, staff recommends either that the eave heights of the side gable portion of the addition be brought down to align with the eaves of the side gable of the historic house on both sides of the addition, or that the side gable portion of the addition step in two feet (2') on both sides, so that every location with taller eave heights is inset from the historic house. There is also a connector portion of the addition with eave heights that are taller than the eaves of the historic house, however, staff finds these eave heights acceptable as they are fully inset behind the historic house, thus minimizing their visibility. With the condition that the eave heights of the addition's side gables match those of the historic house or step in two feet (2'), staff finds that the proposed addition meets section VI(B)(2-11) for scale.

Staff finds that the addition meets the design guidelines for siting, setbacks, location, massing, parking and driveways, and proportion and rhythm of openings.

Staff finds that the known materials of the project meet the guidelines, but additional information is needed on other selections. With staff review of final material selections, staff finds that the project meets the design guidelines for materials.

The footprint of the outbuilding is approximately seven hundred and seventeen square feet (717 SF), thereby, not exceeding the seven hundred and fifty square feet (750 SF) maximum established by the guidelines for lots that are less than ten thousand square feet (10,000 SF). The proposed outbuilding is one-and-one half stories, which does not exceed the number of stories of the historic building, and the ridge height is eighteen feet, six inches (18'6") from tallest point of existing grade, which does not exceed the maximum ridge height of twenty-five feet (25'). Staff finds the outbuilding to meet the guidelines for footprint and height, massing, and siting & setbacks. With the reduction of all hoods/awnings to meet the three feet (3') maximum depth, staff finds the outbuilding to also meet all guidelines for add-on features.

Staff recommends approval of the project with the following conditions:

1. The eave heights of the side gable portion of the addition be brought down to align with the eaves of the side gable of the historic house on both sides of the addition, or that the side gable portion of the addition step in two feet (2') on both sides of the addition;
2. All hoods/awnings be reduced to meet the three feet (3') maximum depth;
3. A partial-demo and shoring plan be reviewed prior to permitting;
4. Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;
5. 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; and,
6. Staff approve all material selections for cladding, windows, doors, and driveway materials prior to purchase and installation.

With these conditions, staff finds that the proposed addition and outbuilding meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Van Pond, architect for the project, stated that he feels that lowering the eave is not desirable, but his client has instructed him to agree to the change.

**Motion:**

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

1. **The eave heights of the side gable portion of the addition be brought down to align with the eaves of the side gable of the historic house on both sides of the addition, or that the side gable portion of the addition step in two feet (2') on both sides of the addition;**
2. **All hoods/awnings be reduced to meet the three feet (3') maximum depth;**
3. **A partial-demo and shoring plan be reviewed prior to permitting;**
4. **Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;**
5. **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; and,**
6. **Staff approve all material selections for cladding, windows, doors, and driveway materials prior to purchase and installation;**

**finding that with these conditions, the proposed addition and outbuilding meet the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Johnson seconded and the motion passed unanimously.**

**V. 3516 RICHARDSON**

Application: New Construction – Addition

Council District: 25

Overlay: Elmington Place Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren [Jenny.Warren@nashville.gov](mailto:Jenny.Warren@nashville.gov)

Permit ID#: T2021068755

Staff member Jenny Warren presented the case. 3516 Richardson is a circa 1915 house that contributes to the Elmington Place Neighborhood Conservation Zoning Overlay. This is an application for the construction of a rear addition that is neither taller nor wider but lacks the required insets and proposes two story eaves on the back of a one and a half story house.

The proposed addition is no taller or wider than the historic house. However, the addition does not have the appropriate insets. On the south side, the addition will be constructed flush with the existing side wall of the house on both the first and second floors. On the north side, the side wall of the dormer addition is proposed to be flush with the historic side wall. Staff recommends that the side walls be inset two feet (2') from the historic side walls.

Here is the second-floor plan, where the addition appears to inset a little over a foot, though this does not show on the rear elevation. Also, on the left side, it steps back out, while a second story addition should be two feet inset for



the full depth.

The proposed addition has eaves that are more than eighteen feet (18') tall, while the eaves on the historic house are about nine feet (9') tall, making this a two-story addition onto a one and a half story house. Staff recommends that the applicant bring the eaves height down to match that of the historic house and utilize dormers for second floor space.

The applicant proposes to infill the rear of the south elevation, which is currently lap siding, with matching brick. Staff finds that this could be appropriate, as it is far to the back of the structure and will simply re-clad an existing enclosed area.

The applicant proposes to remove a paired window on the right side, near the rear corner. Staff finds this alteration to be inappropriate because the removal of this opening will create a seventeen-foot (17') span of blank wall with no opening, which does not meet the historic proportion and rhythm of openings and removes a historic feature. Staff finds that an alteration to the opening could be appropriate since it is located well beyond the midpoint on a side elevation. Staff recommends either shortening the existing windows, and leaving a panel beneath, converting the paired window into a single window, or back-painting the glazing black and wall boarding the interior.

Staff recommends approval of the proposed addition with the following conditions:

1. The addition shall be inset two feet (2'),
2. The eaves shall be lowered to match the eave height of the historic house,
3. The window proposed for removal on the north side shall remain an opening – though it may be altered as approved by staff,
4. The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building; and,
5. Staff shall review and approve the brick, foundation material, cladding, roofing, trim, porch materials, windows and doors, prior to purchase and installation

With these conditions, staff finds that the proposed addition meets sections III. (Demolition), IV. (Materials) and VI. (New Construction-Additions) of Part I and the Elmington chapter of Part II of the design guidelines for Turn-of-the 20<sup>th</sup>-Century Districts.

Warren noted that the Commission had received a letter of support from a neighborhood leader.

Taylor Hendon, owner, explained there is a sewer easement on the back of the lot which prevents them from building back further. They would like to keep the HVAC and the parking where they are currently, but which means the addition cannot set in as required. He explained the thought behind the design. He argued that the addition is minimally visible.

There were no requests from the public to speak.

Commissioner Jones agreed with staff recommendations as there were no conditions of the lot that were driving the need for a two-story addition on a one and a half story house. Commissioner Mosley said they are maxing out the depth of the width of the addition and he is concerned how they would obtain usable second level space if the eaves are dropped. Commissioner Fitts agreed with lowering the eave height but said she would feel comfortable dropping the first condition based on the fact that the easement does not provide them much room. Commissioner Mosley agreed.

**Motion:**

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

1. **The eaves shall be lowered to match the eave height of the historic house;**
2. **The window proposed for removal on the north side shall remain an opening – though it may be altered as approved by staff;**
3. **The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building; and,**

**4. Staff shall review and approve the brick, foundation material, cladding, roofing, trim, porch materials, windows and doors, prior to purchase and installation; finding that with these conditions, the proposed addition meets sections III. (Demolition), IV. (Materials) and VI. (New Construction-Additions) of Part I and the Elmington chapter of Part II of the design guidelines for Turn-of-the 20<sup>th</sup>-Century Districts. Commissioner Johnson seconded and the motion passed unanimously.**

#### **W. 308 BROADWAY**

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

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

PermitID#: T2021070303

Commissioner Fitts recused herself. Staff member, Melissa Baldock, presented the request.

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. The proposed sign meets all guidelines, but it includes flashing lights which must be approved by the Commission as a modification.

The applicant has requested to allow 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 3 seconds. With the condition that the timing of the flash of the lights not be less than 3 seconds, staff finds that the flashing lights can be appropriate. Also, given the active violations for this building, staff recommends that a preservation permit not be issued until those violations are corrected.

In conclusion, staff recommends approval of the projecting sign with the following conditions:

1. The timing of the flash of the lights shall not be less than 3 seconds;
2. A preservation permit shall not be issued until violations are corrected; and
3. The sign shall be inspected prior to installation.

With these conditions, staff finds that the sign meets Section IV. of the design guidelines for the Broadway Historic Preservation Overlay.

The applicant was present but did not speak. There were not requests from the public to speak.

#### **Motion:**

**Commissioner Stewart moved to approve the projecting sign with the following conditions:**

1. The timing of the flash of the lights shall not be less than 3 seconds; and,
2. The sign shall be inspected prior to installation;

**finding that with these conditions, staff finds that the sign meets Section IV. of the design guidelines for the Broadway Historic Preservation Overlay. Commissioner Mosley seconded and the motion passed unanimously.**

#### **X. 2215 WHITE AVE**

Application: Demolition; New Construction - Infill

Council District: 17

Overlay: Woodland-in-Waverly Historic Preservation Zoning Overlay

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

PermitID#: T2021070074 and T2021070114

Staff member, Joseph Rose, presented the case to demolish a non-contributing duplex at 2215 White Avenue and construct infill. The duplex located at 2215 White Avenue was constructed c. 1971. 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

Woodland-in-Waverly Historic Preservation Zoning Overlay and its demolition meets the design guidelines. MHZC issued a permit for partial demolition of the duplex in August 2021 following storm damage. The applicant now requests full demolition of the structure in order to build a new single-family infill on the lot.

The proposed infill is oriented toward White Avenue with a front setback that is consistent with the historic houses on the street. The infill is two-and-one-half stories with an overall height of thirty-five feet (35') from grade and an overall width of thirty-five feet (35'). Staff finds that the infill's height and width meet the historic context where houses range in height from twenty-two feet (22') to forty feet (40') from grade and range in width from thirty feet (30') to forty feet (40') on lots that are all fifty feet (50') wide, just as the lot at 2215 White Avenue. There is a two-and-one-half story historic house immediately adjacent to 2215 White Avenue at 2217 White Avenue with a ridge height of forty feet (40') from grade.

Staff finds the proposed infill meets all the guidelines for height & scale, setback & rhythm of spacing, form, orientation and proportion and rhythm of openings. Staff finds that the known materials of the project meet the guidelines, but additional information is needed on other selections. With staff review of final material selections, staff finds that the project meets the design guidelines for materials.

A proposed future garage is shown on the site plan. Plans for the garage were not submitted with this application and so is not part of this review.

Staff recommends approval of the project with 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, the shingle and the metal roof color; porch materials, including porch floor and steps and cladding material and dimensions, all before final purchase and installation;
3. Paired and ribbons of multiple windows should have a four inch to six-inch (4" to 6") mullion in between each window; 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 with these conditions, staff finds that the project meets Section III.B.2 of the Woodland-in-Waverly Historic Preservation Zoning Overlay design guidelines for new construction and Section V.B.2 of the design guidelines for appropriate demolition.

The applicant was present but did not speak. 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 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, the shingle and the metal roof color; porch materials, including porch floor and steps and cladding material and dimensions, all before final purchase and installation;**
3. **Paired and ribbons of multiple windows should have a four inch to six-inch (4" to 6") mullion in between each window; 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 with these conditions, staff finds that the project meets Section III.B.2 of the Woodland-in-Waverly Historic Preservation Zoning Overlay design guidelines for new construction and Section V.B.2 of the design guidelines for appropriate demolition. The project does not meet Section V.B.1 of the design guidelines for inappropriate demolition. Commissioner Johnson seconded and the motion passed unanimously.**

**F. 3612 CENTRAL AVE**

Application: New Construction—Addition and Outbuilding  
Council District: 24

Overlay: Richland-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov  
PermitID#: T2021069994 and T2021070001

Melissa Baldock presented 3612 Central Avenue, a c. 1918 frame craftsman bungalow that contributes to the historic character of the Richland-West End Neighborhood Conservation Zoning Overlay.

The applicant is proposing both a rear addition and a garage. The applicant is also proposing a new front dormer. No dormer exists and one does not appear on the 1968 photo, but interior framing indicates that a central front dormer was once located on the roof plane. Although photos were submitted, the dimensions of the openings shown in the photos were not indicated. Staff recommends that the applicant submit images showing the dimensions of the former dormer opening and that the new front dormer be no wider than what the former opening was.

The framing on the interior also does provide evidence for how tall the dormer was, nor what its roof shape was. Staff finds that the proposed new front dormer is taller than what it would have been typically, especially since the windows in the dormer are taller than the windows on the front façade of the house. In addition, typically, front dormers were set off of the roof ridge by at least two feet (2'). Staff recommends that the dormer's height be reduced so that the dormer is primarily glazing, the heights of the windows are no taller than the heights of the windows on the ground floor of the house, and the ridge of the dormer is at least two feet (2') down from the roof ridge.

The house has a series of rear additions that have been added over the years. The applicant intends to keep the footprint of the existing additions and add ½ floors to them, and further extend the house to the rear and the right side. Because the lot is unusually large, it is eligible for a wider addition. That said, staff recommends that the wider portion of the addition be pushed back from the existing historic side bay by a minimum of six feet (6').

On the left side of the house, there is an existing addition that is not inset from the back corner of the historic house. After this existing addition, the newer portion of the rear addition is inset one foot (1'), which meets the design guidelines. This facade contains two dormers. Although the second-floor plan shows that the dormers are inset two feet (2') from the wall below, their wall sizes are taller than historic dormers. Historically, dormer walls are significantly shorter than the walls on the main floor of the house. Staff recommends the side wall heights of the dormers on the left façade be more akin to the height and scale of the dormer on the right side of the addition and be no taller than six feet (6').

The addition's footprint approximately doubles the footprint of the historic house. The existing house has a footprint of approximately two thousand, two hundred and forty-six square feet (2,246 SF). Some of that includes the existing addition from 2003. The Property Assessor card from c. 1968 indicates that fifty years ago, the footprint was approximately two thousand square feet (2,000 SF.). After the proposed addition is constructed, the house with the addition will have a footprint of approximately four thousand and thirty square feet (4,030 SF) – which is about double the footprint of the house in 1968. Staff finds this to meet the design guidelines.

The lot does have a significant slope, which allows for the basement level garage. It also means that the detached outbuilding has a one-story form facing the house/street but a two-story form facing the alley. Staff finds that the outbuilding's height, scale, materials, form and setbacks all meet the design guidelines. However, the interior floor plan shows what seems to be a dwelling unit. This lot is zoned RS7.5, which is a single-family zone. The main floor plan of the outbuilding shows a full kitchen, full bath, and a bedroom, indicating that the applicant intends for the outbuilding to be used as a dwelling unit, which is not typically allowed on lots zoned single family. Ownership, occupancy, use of the property and the number of units shall be reviewed by the Codes Department. A covenant shall be collected by the Codes Department.

Staff recommends approval of the project with the following conditions:

1. A partial-demo and shoring plan be reviewed prior to permitting;
2. Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;

3. The wider portion of the addition be pushed back a minimum of six feet (6') from the edge of the side bay;
4. The applicant submits evidence of the former front dormer's width, the new dormer be no wider than historic dormer width, the dormer's height be reduced so that the dormer is primarily glazing, the heights of the windows are no taller than the heights of the windows on the ground floor of the house, and the ridge of the dormer is at least two feet (2') down from the roof ridge;
5. The side wall heights of the dormers on the left façade be no taller than six feet (6');
6. Staff approve all masonry samples, windows and doors, the roof shingle color, and the side porch railing; and
7. The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building.

With these conditions, staff finds that the proposed addition meets Section II.B. of the design guidelines for the Richland-West End Neighborhood Conservation Zoning Overlay.

Eric Braiser, the owner's representative, explained the function of the outbuilding will be for a pool house. To that end they will remove the kitchen range and interior walls.

Metro legal counsel Ann Mikkelson, in answer to Vice-chair Stewart's question, explained that the commission does not have any purview over use of the building.

There were no requests from the public to speak.

**Motion:**

**Vice-chair Stewart moved to approve the project with the following conditions:**

1. **A partial-demo and shoring plan be reviewed prior to permitting;**
2. **Partial-demolition be accomplished manually and not begin until a partial-demo and shoring plan has been approved and the building has been shored;**
3. **The wider portion of the addition be pushed back a minimum of six feet (6') from the edge of the side bay;**
4. **The applicant submits evidence of the former front dormer's width, the new dormer be no wider than historic dormer width, the dormer's height be reduced so that the dormer is primarily glazing, the heights of the windows are no taller than the heights of the windows on the ground floor of the house, and the ridge of the dormer is at least two feet (2') vertically down from the roof ridge;**
5. **The side wall heights of the dormers on the left façade be no taller than six feet (6');**
6. **Staff approve all masonry samples, windows and doors, the roof shingle color, and the side porch railing; and**
7. **The HVAC shall be located behind the house or on either side, beyond the midpoint of the house, and utility meters be located on the side of the building;**

**finding that with these conditions, the proposed addition meets Section II.B. of the design guidelines for the Richland-West End Neighborhood Conservation Zoning Overlay. Commissioner Fitts seconded, and the motion passed unanimously.**

Vice-chair Stewart requested that the owner/applicant be informed that a DADU is not allowed at this location.

**OTHER BUSINESS**

Meeting adjourned at 6:14 p.m.

**RATIFIED BY COMMISSION 12/15/2021**