

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC)

MINUTES September 15, 2021

Commissioners Present: Chair Bell, Vice-Chair Stewart, Leigh Fitts, Mina Johnson, Kaitlyn Jones
Zoning Staff: Sean Alexander, Melissa Baldock, Kelli Mitchell, Joseph Rose, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Meredith Funderburk (intern), Alex Dickerson (legal counsel)
Applicants: Dr. Gregory, Katie Austin, Gary Everton, Scott Aleridge, Craig Kennedy, Pamela Vaziri, Forrest Gray, Paul Boulifard, Van Pond, John Wagman, Raz Ohanessian
Councilmembers: Brett Withers, Kathleen Murphy
Public: Katie Lamb, David Dipersio, Linda Luther, Julie Hagan

Chair Bell called the meeting to order at 2:04 p.m.

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

I. MHZC BUSINESS

A. ADOPTION OF AUGUST 18, 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

Robin Zeigler, historic zoning administrator, provided the following changes to the agenda:

- Applicants requested to remove 1010 Forrest Avenue, 1406 5th Ave N and 308-310 Broadway
- 1533 Douglas Avenue is removed from the agenda as they made changes that resulted in a project that could receive an administrative permit.

Motion:

Vice-Chair Stewart moved to accept the minutes as presented. Commissioner Johnson seconded and the motion passed unanimously.

C. COUNCILMEMBER PRESENTATIONS

Councilmember Murphy spoke in favor of the expansion of the Bowling House District. She explained the process for sharing information and learning about the desires of the property owners. She said there is a high percentage of support.

Chair Bell asked if another meeting would be useful and Councilmember Murphy said that with a seventy-four percent (74%) response rate, it is ready to go forward, but there will be time for another informational meeting if needed. Opposition is eleven percent (11%).

Councilmember Withers spoke in favor of demolition at 1212 Holly Street. He noted that he provided written comment regarding 1204 Russell Street and 1609 Douglas Avenue.

II. CONSENT AGENDA

Staff member Jenny Warren read the cases for the consent agenda.

D. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

E. 207 BROADWAY

Application: Signage
Council District: 19
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021055839

F. 908 MCCARN ST/201 ROSEBANK

Application: New Construction—Outbuilding
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021055846

G. 224 CHEROKEE RD

Application: New Construction—Addition; Setback Determination
Council District: 24
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021055860

H. 1417 HOLLY ST

Application: New Construction—Addition; Setback Determination
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021055889

I. 915 GILMORE AVE

Application: New Construction—Addition and Outbuilding (DADU); Partial Demolition
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2021055898

J. 2400 OAKLAND AVE

Application: New Construction—Addition; setback determination
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021055915

K. 601 PRESS PL

Application: Alteration - Mural
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: Jenny Warren Jenny.Warren@nashville.gov
PermitID#: T2021056061

L. 2810 BELMONT BLVD

Application: New Construction—Addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren jenny.warren@nashville.gov
PermitID#: T2021056372

M. 926 BRADFORD AVE

Application: New Construction – Addition
Council District: 07
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Joseph Rose Joseph.Rose@nashville.gov
PermitID#: T2021056820

N. 1903 HOLLY ST

Application: New Construction—Outbuilding
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander, sean.alexander@nashville.gov
PermitID#: T2021056820

O. 2906 BELMONT BLVD

Application: New Construction—Addition
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2021057529

P. 200 BROADWAY

Application: New Construction - Rooftop Addition, Window and Storefront Alterations
Council District: 19
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Jenny Warren Jenny.Warren@nashville.gov
PermitID#: T2021056168

Motion:

**Commissioner Fitts moved to approve all consent agenda items with their applicable conditions.
Commissioner Johnson seconded and the motion passed unanimously.**

III. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

Q. BOWLING HOUSE DISTRICT EXPANSION

Application: Expansion of Neighborhood Conservation Zoning Overlay
Council District: 24
Overlay: Bowling House District Neighborhood Conservation Zoning Overlay
Project Lead: Robin Zeigler robin.zeigler@nashville.gov

Meredith Funderbunk, who led the Architectural Resource Survey for this project, presented the application.

The request is to expand the Bowling House District. Councilmember Murphy hosted virtual community meetings on June 21 and August 23, 2021.

The Bowling House District is a part of the greater Sylvan Park neighborhood that was established as a neighborhood conservation zoning overlay in 2017. The expansion area is similar to the existing overlay in that it is residential buildings constructed primarily between 1900 and 1950. The styles are also similar to the existing district, but the forms differ slightly in that the buildings are all one and one- and one-half story simple cottages and bungalows.

The expansion meets criterion 1 as a prime example of the suburban development and growth of Nashville. It meets criterion 3 as an excellent collection of turn-of-the-20th-Century residential buildings.

Staff suggests the Commission recommend the expansion of the Bowling House District to Metro Council finding the properties to meet the criteria of section 17.36.120 (A)(1) and (3) of the ordinance and recommends adoption of the existing guidelines finding it meets the requirements of the Secretary of Interior Standards.

Speaking in favor of the overlay: Katie Lamb, 4400 Nebraska; David Dipersio, 4913 Wyoming Ave; Linda Luther, 443 Utah.

The resident of 4408 Colorado Avenue spoke in opposition to the overlay.

Commissioner Johnson said that after reading the support, hearing the Councilmember's explanation, and knowing the additional steps necessary for the project to be approved, she is in support of the project. Vice-chair Stewart said he was impressed with the high level of support. Commissioner Jones agreed and stated she was also in favor.

Motion:

Vice-chair Stewart moved to recommend the expansion of the Bowling House District to Metro Council finding the properties to meet the criteria of section 17.36.120 (A)(1) and (3) of the ordinance and recommends adoption of the existing guidelines finding it meets the requirements of the Secretary of Interior Standards. Commissioner Johnson seconded and the motion passed unanimously.

IV. PRELIMINARY & FINAL SP REVIEW

None.

V. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS/ SHOW CAUSE

R. 1609 DOUGLAS AVE

Application: New Construction-Addition; Violation/Show Cause
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Kelli Mitchell, kelli.mitchell@nashville.gov
PermitID#: 2021036910

Staff member Kelli Mitchell presented the case for 1609 Douglas Avenue, a non-contributing house located in the Eastwood Neighborhood Conservation Zoning Overlay. An administrative permit was issued for an addition on June 11, 2021. The permit was for a two-story rear addition that was proposed to be no taller than the existing structure. A rear uncovered porch was included in the permit.

An inspection in July found that the project extended beyond the scope of work for the permit. The building is taller than what was permitted, the footprint is larger, and a dormer, which had not been requested, was constructed.

Staff suggested three different solutions for this project, but the applicant chose to request to keep the addition as constructed.

The applicant provided as-built drawings as per the commission's request. Based on these plans, the width and length of the addition is appropriate because the building is non-contributing. It also meets the guidelines for setbacks and for window proportions and openings.

The height of the structure, however, creates a form that is not seen historically and contributes to a roof form that is not proportionate with the existing structure and that does not fit the historic context. The dormer is also sitting too high on the roofline and appears to be sitting between two floors, which could make it unusable.

Staff recommended several design solutions for this project and has determined that Option B best met the design guidelines. This plan would alter the existing roofline so that it is not one long slope, allowing the building to better fit in with surrounding context while also allowing the applicant to keep the two-story addition. It also moved the dormer down on the roofline to better fit the historic context and to make the dormer operable.

Staff recommends disapproval of the new addition as-is at 1609 Douglas, finding that the project does not meet Section IV for materials and VI for additions. Staff recommends approval of staff-provided Option B, with the condition that all materials are administratively approved and partial-demolition to meet Option B takes place within 60 days; finding that Option B meets the design guidelines for additions.

Dr. Gregory requested to keep the addition as currently constructed.

Julie Hagan, neighbor, said the violation is a misunderstanding. She and the neighbors support the project.

Vice-chair Stewart thanked the applicant for working with staff. He explained that violations are difficult and that he feels that information is clear, based on the documentation. He said that Option B allows the majority of what has been built to be kept. The issue with allowing it as-is, is that it can set a precedent for other projects.

Commissioner Johnson said that Option B will not require the applicant to lose a bedroom and will be a better fit for the neighborhood. She asked if the dormer could be removed, so it would not have to be reconstructed, and Ms. Zeigler said that it could since the original approval did not include a dormer.

Commissioner Fitts agreed that violations are difficult but if they do not enforce the design guidelines anything can be built. She felt that Option B is a good compromise.

Commissioner Jones agreed with the difficulty of dealing with violations. She noted that she has not seen staff create drawings in the past, which shows her that staff really tried to find solutions.

Motion:

Vice-chair Stewart moved to disapprove the new addition as-is, at 1609 Douglas finding that the project does not meet Section IV for materials and VI for additions. Vice-Chair Stewart moved to approve the staff-provided Option B, with the condition that all materials are administratively approved and partial-demolition to meet Option B takes place within 60 days; finding that Option B meets the design guidelines for additions. Commissioner Johnson seconded and the motion passed unanimously.

Vice-chair Stewart encouraged the applicants and everyone listening to return to staff for changes, prior to doing work.

S. 1417 RUSSELL ST

Application: New Construction-Infill; Violation/Show Cause

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Kelli Mitchell Kelli.Mitchell@nashville.gov

PermitID#: 2021006638

Staff member, Kelli Mitchell, presented the case for 1417 Russell Street, located in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. The original home was contributing to the district, but was approved for demolition in October 2020, due to storm damage. The MHZC approved infill and a DADU on February 21, 2021. The permits were issued in March of 2021. The applicant requested revisions, and the permits were revised in July 2021.

During an inspection, it was found that the foundation, as constructed, was too tall and did not match what was permitted. Staff recommended bringing the foundation down by four blocks.

The applicant provided a new set of plans that conformed with staff's recommendations. The foundation was brought down by four blocks from the midpoint forward, which also reduced the overall height of the building. The front elevation and stairs along with the interior floorplan were adjusted to accommodate the resulting change in foundation and overall height.

The left elevation from the midpoint forward reflects the four-brick reduction in height.

The proposed changes allow the structure to be more compatible and to scale with surrounding buildings on Russell Street.

Staff recommends approval of the foundation and ridge heights in the revised plans finding that it meets Section V(A)(1) of the guidelines for height.

Katie Austin, manager for the architecture and design team, requested approval of the revision.

There were no requests from the public to speak.

Motion:

Vice-chair Stewart moved to approve the foundation and ridge heights in the revised plans finding that it meets Section V(A)(1) of the guidelines for height. Commissioner Fitts seconded, and the motion passed unanimously.

T. 316 BROADWAY

Application: Addition-Violation

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

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

Staff member, Melissa Sajid, presented the case.

In May 2021, a wood side wall was installed without a permit on the roof where the building abuts 318 Broadway. Around that time, staff was working with the owners of 312 Broadway on a similar violation. The owners of 312 Broadway, however, have withdrawn their application to permit a rooftop wall in the step-back area and agreed to remove the existing wall by September 17, 2021.

The construction does not meet Section III.I for rooftop additions which states that rooftop additions should be stepped back a minimum of thirty feet (30') from the main façade of the building, and the wall appears to be located within thirty feet (30') of the front wall.

This case is similar to the wall proposed by Moxy at 215 Broadway in May 2021 that the Commission disapproved. In both cases, staff suggested the use of landscaping features to address the situation, specifically dense and spikey plants in a horizontally oriented planter or as green wall that would discourage unwanted activity. Tin Roof at 312 Broadway has indicated that they intend to use this solution to replace their wall. Staff recommends a similar solution to the owner and/or tenant of 316 Broadway.

Staff recommends disapproval of the wood side wall, finding that the work does not meet Section III.I.2 of the Broadway HPZO design guidelines for additions to existing buildings, and recommends that the violation shall be removed within thirty (30) days.

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

Motion:

Vice-chair Stewart moved to disapprove the wood side wall, finding that the work does not meet Section III.I.2 of the Broadway HPZO design guidelines for additions to existing buildings, and recommends that the violation shall be removed within thirty (30) days. Commissioner Fitts seconded, and the motion passed unanimously.

U. 308-310 BROADWAY

Application: Violations
Council District: 19
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Melissa Sajid, Melissa.sajid@nashville.gov

[Deferred at the request of the applicant.]

VI. MHZC ACTIONS

V. 1406 5TH AVE N

Application: Demolition
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: Joseph Rose Joseph.Rose@nashville.gov
PermitID#: T2021056815

[Deferred at the request of the applicant.]

W. 1212 HOLLY ST

Application: Demolition
Council District: 19
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov
PermitID#:

Historic Zoning Administrator Robin Zeigler presented the case. This is a request to demolish 1212 Holly, the East End United Methodist Church that was severely damaged in the tornado. Based on two engineer reports, the building cannot be rehabilitated, it would instead need to be deconstructed and reconstructed. Whether you are looking at new construction or reconstruction the cost is in excess of 11 million for a building that's post-rehabilitation value is estimated at five hundred and six thousand dollars (\$506,000). They have exhausted all their potential funding sources and would still be in the red. Immediately after the storm, work was done to protect the building. Prior to the storm, the building was well maintained so lack of maintenance did not further exacerbate the damage.

Staff finds that once the building is reconstructed, there will no longer be a historic building. Reconstruction is cost prohibitive, and the owner has not contributed to the issue through a self-imposed hardship.

Staff recommends that it is appropriate for the commission to consider economic hardship in this case. Staff finds that demolition meets section III(B)(2)(a) and section 17.40.420 of the zoning ordinance for the reasons discussed in the report and the project meets section III(B)(2)(b) as the extent of work needed will result in a non-historic building.

Gary Everton, architect for the project, introduced those on his team available for questions. Scott Aleridge, pastor, and Craig Kennedy, on the church's building committee, introduced themselves. Everton explained that there is a salvage portion to the demolition.

There were no requests from the public to speak.

Vice-chair Stewart and Commissioner Johnson agreed that demolition is a difficult decision to make but necessary. Commissioner Johnson elaborated on how the project met the ordinance for economic hardship. Commissioners thanked the applicants for a thorough application.

Motion:

Commissioner Fitts moved that it is appropriate for the commission to consider economic hardship in this case and that demolition meets section III(B)(2)(a) and section 17.40.420 of the zoning ordinance for the reasons discussed in the report and the project meets section III(B)(2)(b) as the extent of work needed will result in a non-historic building. Vice-chair Stewart seconded, and the motion passed unanimously.

X. 1010 FORREST AVE

Application: New Construction – Addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021056152

[Removed at the request of the applicant.]

Y. 409 TAYLOR ST

Application: Alteration—Windows

Council District: 19

Overlay: Germantown Historic Preservation Zoning Overlay

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

PermitID#: T2021056374

409 Taylor Street

Staff member Sean Alexander presented the application to replace the windows on a house that is not historic (non-contributing), as it was built in 2002. On contributing houses in the Germantown Historic Preservation Zoning Overlay, replacing windows is only appropriate when the original windows are unable to be restored, and then only historically appropriate materials would be permitted (generally limited to wood windows).

Replacement of windows on non-contributing houses is reviewed more like new construction, the house is not historic therefore the windows are not historic, so windows may be replaced. And as with new construction, materials other than wood have been approved.

In addition to wood windows, contemporary alternatives may also be used if the “materials, texture, details and material color” are found to be “visually compatible with and similar to or shall not contrast conspicuously with those of adjacent historic buildings.”

We have reviewed many proposed non-wood window selections and at various times approved several, finding them to be compatible. Some of the things we look for in evaluating compatible appearance is

Joining.

- Historic wood windows are typically constructed with mortise and tenon joints at the corners. Aluminum and fiberglass clad usually have this appearance but can come with a mitered corner as well. While mitered corners would not be typical of historic windows, if the seams are tight and flush, they generally are not visible.
- Vinyl windows usually are made with fusion-welded corners that are more pronounced, which has been found not to be sufficiently compatible. Vinyl windows that we have approved, have a mortise and tenon look or inconspicuous seams that sufficiently resemble wood.

Profile.

- Wood windows typically consist of sashes, blind stops, and either brick mold trim or flat casing trim, with the plane of the sash sitting inside the window opening. Aluminum and fiberglass windows have similar profiles, as do vinyl windows that we have approved.
- The way vinyl windows are assembled typically equates to more seams, and windows sitting flush or proud of the wall with raised and beveled transition around the frame. These features are not typical of historic windows.

Sheen.

- Wood windows are paintable, and therefore can take on any color. Paints can be made in many levels of finish gloss (matte, eggshell, satin, semi-gloss and high gloss), but typically exterior paints are on the low end (eggshell, satin) of glossiness. Aluminum and fiberglass windows are also paintable or can come with imbedded color and sheen, comparable to wood. Vinyl typically has a higher gloss than is typical of wood windows and is generally not paintable.

The Commission has approved most aluminum-clad windows, and later fiberglass-clad windows and a handful of vinyl windows. The window selection proposed by the applicant for 409 Taylor Street, however, has mitered corners, pronounced raised elements in the construction of the framing, and has a higher sheen than is typical of wood windows. Staff finds that they are not a compatible substitute for wood windows.

Staff recommends disapproval of the application to install Window World brand vinyl windows, finding them not to be an acceptable substitute for wood windows and not meeting section III.E(5)(i) of the design guidelines for the Germantown Historic Preservation Zoning Overlay.

Pamela Vaziri, owner, explained that the current windows are failing, which is the reason for replacement. She has chosen the Window World windows because of the quality for the price, their customer service, and because she has worked with them in the past on previous houses.

Raz Ohanessian, Window World representative, brought a window sample and explained that it is paintable with paint made for vinyl. The existing exterior trim will remain for his window. Other windows that have been approved, will require the trim be removed. He explained the details.

Commissioner Johnson expressed concern about precedent set if the windows were approved. Vice-chair Stewart noted that the proposed muntins also did not meet the design guidelines, but it was unclear if they were requested as a part of the application. Raz said they are not requested.

Ohanessian explained that no grids are requested, and he explained their warranty, how well insulated they are and that there is no maintenance. They are similar to vinyl windows that have been approved.

Commissioner Fitts said that there are so many windows that are already allowed. She expressed concern with the corners, stating that the quality does affect the look.

Motion:

Vice-chair Stewart moved to approve the windows with the condition that they have clear glass (no tint), no-muntins, the welds be flush, 4” casings and it be painted with a non-gloss paint with the specifications given to staff prior to submitting and with the intent that this approval does not set a precedent for any future projects. Commissioner Johnson seconded and the motion passed unanimously.

Z. 1500 HOLLY ST

Application: New Construction - Outbuilding/DADU

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021056043

Staff member Jenny Warren presented the case. This is an application for the construction of a DADU at 1500 Holly Street. The Commission approved infill for this lot back in July. The proposed DADU meets the design guidelines for massing, form, siting and setbacks. With staff approval of the final selections, it will also meet the guidelines for materials.

The one issue is a proposed add-on feature. The applicant intended for this feature to meet the guidelines for the add-on oriel feature. The proposed feature is not deeper than two feet (2'), not taller than ten feet (10') in wall height, as illustrated in the diagram, it is no wider than ten feet (10') and there is only one on the building. The diagram in the design guidelines shows the oriel on the ground level and the applicant is proposing it be cantilevered.

Staff's interpretation of the guidelines is that projecting oriel add-ons were intended to be at the ground-level. Thus, staff finds that this feature does not meet the guidelines. In conclusion, staff recommends approval with the following conditions:

1. The cantilevered oriel feature shall be removed; and
2. Staff shall approve the final materials 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*.

Craig Kennedy, applicant, provided his definition of an oriel and requested the project be approved as presented.

There were no requests from the public to speak.

Commissioner Fitts said that her understanding of an oriel is that it sits below the roofline but does not necessarily go to the ground. She is concerned that it too similar to a wall dormer and doesn't meet the insets typically required of dormers.

Vice-chair Stewart read the Oxford Dictionary's definition of oriels, which states that it is a projection from a wall, not from a roof.

Commissioner Johnson said that a projecting bay above the ground on a wall would meet the guidelines, but that the proposed design does not meet the guidelines. Commissioner Jones agreed that the oriel feature does not meet the design guidelines.

Motion:

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

- 1. The cantilevered oriel feature shall be removed; and,**
- 2. Staff shall approve the final materials 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*. Vice-Chair Stewart seconded and the motion passed unanimously.

AA.1533 DOUGLAS AVE

Application: New Construction—Addition

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021055931

[Removed from agenda. Changes made to meet the requirements of an administrative permit.]

BB. 1627 FATHERLAND ST

Application: Partial Demolition; New Construction—Addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021056373

Staff member Sean Alexander presented the application for partial demolition and new construction of an addition. The scope includes removal of non-contributing portions of the building – a non-historic carport, a non-historic rear addition, and an original rear dormer. The rear dormer is historic, but because it is at the rear and its removal does not impact the historic character of the house as viewed from the front.

Following the partial demolition, the proposal is to construct a new rear addition with a first story component and a rear dormer. Both components of the addition are appropriately located, appropriately scaled, and clad with appropriate exterior materials (with the condition that window and door selections be approved).

The proposal also includes replacing the original wood siding with cement-fiber clapboard.

Siding contributes as a major component of a building’s appearance generally, but this siding is particularly significant because of its narrow reveal and a beaded bottom edge on each board.

Staff visited the property to inspect the siding and found it to have some areas of deterioration and some loose or broken boards, and other places where repair is necessary, but overall to be in good condition and repairable.

Replacing wood siding is an action that is now reviewed in Neighborhood Conservation Zoning Overlays under the updated guidelines that were adopted in April and went into effect in May of this year. This is the first time the Commission has reviewed an application to replace siding under the new guidelines. Staff finds that replacing the distinctive original wood siding would diminish the historic character of the building.

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

1. The original wood siding is to be retained. Deteriorated portions may be repaired, and sections of siding beyond repair may be replaced with approval of MHZC;
2. The partial demolition is accomplished manually, and the applicant be required to submit a demolition and shoring plan;
3. The window and door selections are approved prior to installation.
4. The HVAC units are located on the rear façade, or on a side façade beyond the midpoint of the house; and
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.

Meeting those conditions, staff finds that the proposal meets the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

The applicant, Forrest Gray, provided an engineer’s report and a copy of his power point presentation. He provided information to explain why the siding needs to be replaced and gave a summary of the engineer’s report.

In answer to Vice-chair Stewart’s question, Mr. Gray said they would bring out the window casements to match existing conditions.

Commissioner Jones said she was swayed by the applicant’s presentation.

Vice-Chair Stewart said that historically the buildings were not insulated and designed to breath and dry out after some water comes in. When you add insulation and over seal the house it can destroy the old system of ventilation that tended to work. Vapor barrier is needed. He agrees with staff that the siding is a character-defining element of the house, but is also swayed by the evidence provided.

Commissioner Fitts said that the applicant’s presentation was thorough and she agreed it needs to be replaced. It

will be difficult to save the siding and insulate and waterproof the home.

Commissioner Johnson noted the dilemma that if everything is removed, nothing is left but the skeleton. The siding is a character-defining feature.

Vice-Chair Stewart moved to approve the proposed addition with the following conditions:

1. Siding may be replaced with a material that meets the design guidelines;
2. The partial demolition is accomplished manually, and the applicant be required to submit a demolition and shoring plan;
3. The window and door selections are approved prior to installation;
4. The HVAC units are located on the rear façade, or on a side façade beyond the midpoint of the house; and
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;

finding that the proposal meets the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Jones seconded. Chair Bell and Commissioner Johnson voted in opposition and the motion failed.

Commissioner Johnson moved to rehear the case. Vice-chair Stewart seconded and the motion passed unanimously.

Vice-Chair Stewart said it is more challenging because of the character of the beaded-siding and if the applicant was willing to use the same detail, it would be easier. The applicant agreed that was a fair compromise as long as its readily available and does not delay construction.

Motion:

Vice-Chair Stewart moved to approve the proposed addition with the following conditions:

- 1. Siding may be replaced with a material that meets the design guidelines and applicant is encouraged to use beaded siding to match the existing;**
- 2. The partial demolition is accomplished manually, and the applicant be required to submit a demolition and shoring plan;**
- 3. The window and door selections are approved prior to installation.**
- 4. The HVAC units are located on the rear façade, or on a side façade beyond the midpoint of the house; and**
- 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;**

finding that the proposal meets the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Jones seconded and the motion passed unanimously.

CC.1907 18TH AVE S

Application: New Construction—Infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021056745

Staff member Melissa Baldock presented 1907 18th Avenue South, an application for infill. Currently on the site is a c. 1961 non-contributing brick duplex that does not contribute to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay due to its materials, form/style and date of construction. MHZC staff issued an administrative permit for the structure’s demolition in September 2021.

The lot is flanked by a one-and-a-half story historic house to its left and larger apartment developments that are outside the overlay to its right. Across the street, are one two-story historic house, one two-story infill, and more one and half story houses.

The applicant proposes infill that is one-and-a-half stories in scale with a maximum height of approximately thirty feet (30’) from grade. Staff finds this to match the historic context. The house’s width will be approximately thirty-

four feet (34'), which also meets the historic context. The infill's design is inspired by a Sears catalogue house from the early 20th century. The infill meets all base zoning setbacks, and its front setback will line up with the front setback of the historic house to its left. Staff recommends construction of a front walkway from the sidewalk to the front porch.

The left side elevation has a wall space of over twenty-three feet (23') without a window or door opening. Staff recommends that the applicant add to this front area at least one vertically oriented window that is at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field. On the right façade, the windows on the ground floor are shorter than those on the second level in the gable field. Because historically, window openings on the ground floor were the same or larger than those on the upper floors, staff recommends that the two window openings at the front be enlarged so that they are at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field. On both side facades, staff also recommends that the gabled portion of the dormers be inset two feet from the main side wall of the house.

Staff recommends approval of 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. The dormers on the side elevations be inset a full two feet (2') from the walls below;
3. On the left façade, the applicant adds to the front area at least one vertically oriented window that is at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field;
4. On the right façade, the applicant enlarges the windows at the front so that they are at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field;
5. The applicant adds a walkway from the sidewalk to the front porch;
6. Staff approve the roof shingle color, all windows and doors, the walkway material, and masonry samples prior to purchase and installation; and
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.

With these conditions, staff finds that the proposed infill meets Section II.B. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

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

Motion:

Vice-chair Stewart moved to approve 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. **The dormers on the side elevations be inset a full two feet (2') from the walls below;**
3. **On the left façade, the applicant adds to the front area at least one vertically oriented window that is at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field;**
4. **On the right façade, the applicant enlarges the windows at the front so that they are at least two feet, eight inches wide by five feet, six inches tall (2'8" x 5'6"), matching the size of the windows in the gable field;**
5. **The applicant adds a walkway from the sidewalk to the front porch;**
6. **Staff approve the roof shingle color, all windows and doors, the walkway material, and masonry samples prior to purchase and installation; and**
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;**

finding that with these conditions, the proposed infill meets Section II.B. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Commissioner Jones seconded and the motion passed unanimously.

DD. 1204 RUSSELL ST

Application: New Construction—Addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2021043020

Staff member, Melissa Sajid, presented the request. The house located at 1204 Russell Street was built circa 1890 and is a contributing building in the Lockeland Springs-East End Neighborhood Conservation Overlay. The Commission last reviewed this case at the July 2021 meeting for partial demolition that exceeded the scope of a preservation permit issued to demolish non-contributing rear additions and to repair the foundation. Since that time, plans were submitted, and a preservation permit was issued for the reconstruction of the historic house.

At that time, the Commission advised the applicant to stop working on the addition and outbuilding. Work, however, has continued. Work is underway for the reconstruction, but additional demolition has taken place including removal of all window casings on the house except for the one on the front bay. The applicant has also continued to work on the addition even though staff has repeatedly told the applicant to stop since work on the addition and outbuilding is not approved. The photo on the left is the addition prior to the July meeting, and the photo on the right was taken on Monday. A stop work order was placed on the property this past Friday at the request of MHZC staff.

Elevations for an outbuilding were submitted after the application deadline, but a site plan has not been submitted for the outbuilding.

The application is for a 1.5 story addition to a one story historic house. As proposed, the addition is no wider than the historic house and does not more than double the footprint that was in place before the non-contributing additions were removed. The addition extends two feet (2'), and the taller portion's side wall on the left side will line up with the side wall of the historic house while the taller portion on the right side is set in one foot, five inches (1'5") from the side wall of the historic house. Although, typically taller portions of an addition should be inset two feet (2') from the side walls of the historic house, staff finds the proposed configuration to be appropriate since the additional height is such a small portion of the addition, the additional height is located approximately eighty feet (80') behind the front wall of the historic house, the addition incorporates eaves that sit below those of the historic house, and the addition ties in approximately thirty inches (30") below the ridge of the historic house while maintaining the unique roof form that is original to the house. The addition is inset at least two feet (2') from both rear corners of the historic house and can meet all of the other design guidelines.

There is no change to the front elevation from what was permitted with the reconstruction. Staff found evidence that the small front dormer was added sometime after 1968, so permitted its removal with the reconstruction.

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

1. Staff approve all windows, doors, and the roofing material details prior to purchase and installation;
2. No additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building; 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.

With these conditions, staff finds that the proposed addition meets Sections IV (Materials) and VI (Additions) of Part I of the design guidelines for the turn of the 20th century districts and the Lockeland Springs-East End chapter of Part II of the design guidelines.

Paul Boulifard, architect for the project, read a statement from the owner, Mr. Hurtado. In the statement Mr. Hurtado said he takes responsibility for his actions. He promised to reconstruct the house as it was and requested to be able to construct the addition as he reconstructs the home.

There were no requests from the public to speak.

Commissioner Fitts said that she feels the commission was extremely generous with the concessions previously given and the fact that the applicant has continued work makes her leery of allowing them to continue work on the addition. Commissioner Johnson agreed that they have already compromised so now the applicant needs to do his part and follow the rules. Commissioner Jones agreed and said that the good-faith effort on their part is done and they need to see the rules are followed before allowing for anything else. Vice-Stewart said the presence of multiple stop-work-orders is concerning and it is their charge to ensure the guidelines are followed.

Motion:

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

- 1. Staff approve all windows, doors, and the roofing material details prior to purchase and installation;**
 - 2. No additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building; 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 that with these conditions, the proposed addition meets Sections IV (Materials) and VI (Additions) of Part I of the design guidelines for the turn-of-the-20th century districts and the Lockeland Springs-East End chapter of Part II of the design guidelines. Commissioner Johnson seconded and the motion passed unanimously.**

EE. 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

PermitID#: T2021012217 and T2021013043

Staff member, Melissa Sajid, presented the application to construct infill and an outbuilding at 1015 Halcyon Ave. The site is currently a vacant lot. In March 2021, the Commission approved infill and an outbuilding for the site that was not constructed.

The subject property is situated between two non-contributing houses that were constructed prior to the adoption of the Waverly-Belmont Neighborhood Conservation Zoning Overlay district. While there are several non-contributing houses on this block, there is also a distinct historic context. Four nearby historic homes can be found on similarly sized lots. All four of these historic homes are a modest 1.5 stories with the maximum height of approximately twenty-seven feet (27') from grade and width of thirty-six feet (36').

The proposed infill is approximately twenty-seven feet (27') tall from grade and thirty-six feet (36') wide at the front. The infill, however, widens to thirty-nine feet (39'), approximately twenty-five feet (25') beyond the front wall. The new construction reads as a tall one and one-half stories at the front with a front-gabled element.

While the side elevations read more as a full two-stories given the eave heights and wall dormer on the left-side façade. Staff finds that the overall height and width, which are at the high end of the historic context, along with the scale of the side elevations push the overall scale to a large one and one-half story infill that is inappropriate for the historic context.

The applicant has submitted a revision that he will present that includes removing the additional width bump out on the right-side façade as well as setting the front dormer in further to reduce the scale. Staff finds that these changes, however, may not address the overall scale issues since the infill would still max out the height and width of the historic context while including two story elements on the side façades.

The proposed infill meets all base zoning setbacks, and the project includes an outbuilding. The outbuilding meets all guidelines except that part of it is less than twenty feet (20') from the rear of the house. The applicant has submitted a revision that would maintain the twenty foot (20') separation between the house and outbuilding.

Although the outbuilding can meet the design guidelines with conditions, it is not known how it will compare to a revised infill design if the current proposal is disapproved. In addition, Codes will not allow for the construction of an outbuilding without a primary building. For those reasons, staff recommends disapproval of the outbuilding as well.

In conclusion, staff recommends disapproval of the proposed infill and outbuilding, finding that the project does not meet Sections V.A (Massing and Scale) and V.B (Form) of Part I of the consolidated design guidelines for the turn-of-the-20th-century neighborhood conservation zoning overlays.

Van Pond, architect for the project, explained that the proposal is consistent with the non-historic buildings to either side. He explained the changes they made to address staff's initial comments.

There were no requests from the public to speak.

Commissioner Jones said she compared the current proposal to the March design. The previous reads as a true one and one-half story but this one is larger and deeper. Commissioner Johnson said that infill should not be compared to non-historic buildings. The massing and form is not in keeping with the historic context.

Commissioner Fitts said she is compelled by the applicant's argument since the majority of the block is not historic and the height and width are not exceeding the context, just meeting the maximum.

Vice-chair Stewart and Commissioner Fitts stated that it is the east elevation that needs the work.

Motion:

Vice-chair Stewart moved to disapprove the proposed infill and outbuilding, finding that the project does not meet Sections V.A (Massing and Scale) and V.B (Form) of Part I of the consolidated design guidelines for the turn-of-the-20th-century neighborhood conservation zoning overlays. Commissioner Johnson seconded and the motion passed unanimously.

FF. 1808 HOLLY ST

Application: New Construction—Infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#: T2021056362

Staff member Alexander presented the case. A non-contributing duplex building previously occupied the lot and was destroyed by the tornado in March of last year. The commission approved a two-story infill duplex in May. This is a new application with a new owner - a proposal to construct a new one and one-half story duplex building.

The building is proposed to be thirty-three feet (33') wide and twenty-five feet (25') tall. The house will have a side gabled form with a pair of front gabled porches and a pair of shed-roofed dormers. With some modifications, staff finds that the form and overall scale is compatible with the historic context.

Staff recommends that the drawings be corrected to show the lot sloping down from the alley to the street; that the finished floor level should be consistent with that of an adjacent historic house to the left and that the ridge height not exceed twenty-six feet (26') tall from grade. Additionally, the front dormer should step back and be reduced in width to be not more than half of the width of the house combined.

The proposed materials are generally appropriate as well, with some clarification needed.

Staff recommends approval of the proposed one and one-half-story duplex construction at 1808 Holly Street with conditions that:

1. The plans are revised to accurately depict the grade;

2. Staff verifies that the front setback is in line with the historic house to the left at the start of construction;
3. The finished floor height matches that of the adjacent historic house to the left;
4. The ridge height shall not exceed twenty-six feet (26') from grade;
5. The dormers are reduced to have a combined width not more than half the width of the building and are stepped back at least two feet (2') from the first story front wall;
6. Staff shall approve the window and door selections and the brick selection prior to installation;
7. A trim band is added at the second-floor level;
8. The HVAC units and utility connections are located on the rear façade, or on a side façade beyond the midpoint of the house; and,
9. 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.

With those conditions met, staff finds that the project will meet the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay.

John Wagman, applicant, stated that he agreed with recommendations and submitted revisions today, with the exception of condition of #5. He proposed that each dormer be ten feet wide, instead of following staff's recommendation.

There were no requests from the public to speak.

Vice-chair Stewart said that it is a lot of house for the lot and appears top-heavy. He recommends that the dormers have a maximum of eight feet (8') of width. Commissioner Jones agreed the proposal is not consistent with the context.

Motion:

Commissioner Johnson moved to approve the proposed one and one-half-story duplex construction at 1808 Holly Street with conditions that:

1. **The plans are revised to accurately depict the grade;**
2. **Staff verifies that the front setback is in line with the historic house to the left at the start of construction;**
3. **The finished floor height matches that of the adjacent historic house to the left;**
4. **The ridge height shall not exceed twenty-six feet (26') from grade;**
5. **The dormers are reduced to have a combined width not more than half the width of the building and are stepped back at least two feet (2') from the first story front wall;**
6. **Staff shall approve the window and door selections and the brick selection prior to installation;**
7. **A trim band is added at the second-floor level;**
8. **The HVAC units and utility connections are located on the rear façade, or on a side façade beyond the midpoint of the house; and,**
9. **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 those conditions met the project will meet the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay. Commissioner Jones seconded and the motion passed unanimously.

VII. OTHER BUSINESS

Meeting adjourned at 5:22 p.m.