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MAYOR



## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

### METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

January 17, 2018

**Commissioners Present:** Chairman Brian Tibbs, Vice-Chair Menié Bell, LaDonna Boyd, Eric Brown, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, Cyril Stewart

**Zoning Staff:** Sean Alexander, Melissa Baldock, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Quan Poole (city attorney)

**Applicants:** Allison Edwards

**Councilmembers:** None

**Public:** None

Chairman Tibbs called the meeting to order at 2:06 p.m.

#### I. ADOPTION OF AGENDA

**NOTICE TO THE PUBLIC:** Items on the agenda may be removed or moved at this time. New items will not be added.

Ms. Zeigler noted that 209 S 5<sup>th</sup> Avenue, 422 Broadway, and 1218 6<sup>th</sup> Ave N were removed from the agenda. A new application is expected for 209 S 5<sup>th</sup> in the future and 1218 6<sup>th</sup> Ave N was administratively approved.

#### I. RECOGNITION OF COUNCILMEMBERS

There were no councilmembers present.

#### II. APPROVAL OF MINUTES

a. December 20, 2017

**Motion:**

**Commissioner Stewart moved to approve the minutes as submitted. Vice-chairman Bell seconded and the motion passed unanimously.**

Chairman Tibbs explained the public hearing and appeals processes.

#### III. CONSENT AGENDA

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

b. **1430 B GREENWOOD AVE**

Application: New construction-infill (revision to previous approval)

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

**c. 1205 FOURTH AVENUE NORTH**

Application: New construction-alteration  
Council District: 06  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Melissa Sajid

**d. 2510 BELMONT BOULEVARD**

Application: New construction-addition and outbuilding/detached accessory dwelling unit; Setback determination; Partial demolition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid

**e. 1513 ELMWOOD AVENUE**

Application: New construction-addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Paul Hoffman

**f. 1400 ORDWAY PLACE**

Application: New construction-infill; Setback determination (revision to previous approval)  
Council District: 06  
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

Sean Alexander presented the cases proposed for the consent agenda. There were no requests from the public to remove items from the consent agenda.

**Motion:**

**Commissioner Stewart moved to approve all the consent items with their conditions; finding that each meets the applicable design guidelines. Commissioner Boyd seconded and the motion passed unanimously.**

**IV. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS**

**None**

**V. PREVIOUSLY DEFERRED ITEMS**

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

**a. 209 SOUTH 5<sup>TH</sup> STREET**

Application: New construction-addition; Partial Demolition  
Council District: 06  
Overlay: Edgefield Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock

*This item was removed from the agenda at the request of the applicant.*

**VI. PRELIMINARY & FINAL SP REVIEW**

None.

## VII. VIOLATIONS

### b. 131 2<sup>nd</sup> AVENUE NORTH

Application: New construction-alteration

Council District: 19

Overlay: Second Avenue Historic Preservation Zoning Overlay

Project Lead: Paul Hoffman

Staff member, Robin Zeigler, explained that the storefront in existence at the time of issuance of the permit was not original and so approved to be replaced with a series of French doors as seen elsewhere on Second Avenue—an example is the bottom photo.

Historically bulkheads or the lower panels of doors, were all in one plane, just above a stone sill. The design guidelines allow for replacement storefronts and display windows when the original does not exist but requires storefronts to use the “arrangement, features, materials, and proportions typically found on buildings of the same style and period of the building” and for replacement display windows to “be appropriate for the building’s style and period.” As constructed, the multiple planes of the lower portion of the storefront do not match historic configurations.

The project was approved with the low bulkhead as existing but with a simpler design and French doors above; however the bulkhead area was constructed as a step with a second step added above. Because the two steps are not consistent with the historic storefronts or with this particular building’s storefront seen to the right of brick pillar (see figure 3) staff finds that it does not meet section II.A.3 and II.C.3.

Staff recommends disapproval, finding the project does not meet sections II.A.3 and II.C.3 and that a storefront, matching the 2014 permit drawings, be constructed within 90 days.

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

Commissioner Mayhall asked if staff asked to check beneath the boarding over of the window since it was in place for so long. Ms. Zeigler said that they did not know that any work was taking place.

Commissioner Stewart said that the drawings do not meet the intent of the design guidelines. He recommended that drawings showing the correction be more detailed.

#### **Motion:**

**Commission Stewart moved to disapprove the project finding the project does not meet sections II.A.3 and II.C.3 and that a storefront, matching the 2014 permit drawings be constructed within 90 days.**

**Commissioner Jones seconded and the motion passed unanimously.**

### c. 422 BROADWAY

Application: New construction-signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Robin Zeigler

*Deferred at the request of the applicant.*

## VIII. MHZC ACTIONS

### d. 1304 GARTLAND AVENUE

Application: New construction-outbuilding/conversion to detached accessory dwelling unit; setback determination

Council District: 06

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

Staff member, Jenny Warren presented the case for the conversion an outbuilding to a detached accessory dwelling unit. 1304 Gartland Ave is a circa 1904 Victorian cottage that contributes to the Lockeland Springs Neighborhood Conservation Zoning Overlay. The one-story house sits mid-block between 12<sup>th</sup> and 14<sup>th</sup> Streets.

At issue today is an existing outbuilding which appears to have been on the lot since at least 1969, if not earlier. The owner would like to legally convert this outbuilding to a detached accessory dwelling unit. In order to receive a DADU permit, the structure must meet the DADU requirements or be approved by this Commission. Staff could not administratively approve the DADU conversion due to issues with materials, roof slope and side setback, thus we have brought it before you today.

Here is the existing outbuilding as viewed from the back yard. The outbuilding is approximately 320 sq ft, (420 sq ft including the porch). At the highest point it is approximately 10 feet tall, with an eave height of about 7 ½ feet. Staff finds that the structure meets the DADU guidelines in terms of size and massing.

The unit has a shed roof, sloping back toward the alley. The roof slope is approximately 1/12. While this form and slope are appropriate and common for an outbuilding in the immediate area, the DADU guidelines require a roof slope of 4/12. Staff finds that the roof slope does not meet the DADU requirements.

In terms of materials, the outbuilding is clad in T1-11 siding, which is specifically listed in the guidelines as an unapproved material. Further, the windows are unapproved windows. The installation of these materials on an existing outbuilding is not something that MHZC reviews. However, in order to receive a DADU permit, those materials are now subject to review. Staff finds that the outbuilding does not meet the guidelines in terms of materials.

Seen here in yellow, the outbuilding sits about 42ft from the main house, 5ft from the rear property line and 28 ½ft from the west property line. All of these distances meet the setback requirements. However, the outbuilding sits only one foot from the east property line. The guidelines require a three foot side setback.

You should have all received a letter of support from the adjacent neighbor at 1306 Gartland Ave. As referenced in that email, the applicant and the neighbor constructed this fence together several years ago on the property line. Here you can see the distance from the fence to the side of the outbuilding.

In conclusion, the existing outbuilding has been on the lot for nearly fifty years. The neighboring property owners do not object to its proximity to their side lot line. The applicant is willing to modify the unit to receive approval for a DADU permit and has even agreed to re-clad the outbuilding in an approved material. However, because the DADU requirements and design guidelines require a three-foot side setback, Staff recommends disapproval of the application, finding that the outbuilding does not meet the requirements of the Ordinance or the design guidelines in terms of side setback.

Allison Edwards, owner, asked that the project be approved since her neighbor was in support of the conversion and the building has been in place for so long. It was renovated for use as an apartment in 2010, before she purchased it.

There were no requests from the public to speak to the project.

Commissioner Mosley asked about use and Mr. Poole explained that they will not review use but they will review the exterior design requirements associated with that use.

Commissioner Jones said that they have been careful to treat all outbuildings the same; however, since the building has been there so long, she is not concerned about setting precedent and that the issue with this building is not the same as more recent buildings that have been constructed to follow design guidelines rather than conditions of the ordinance.

Commissioner Stewart agreed that the structure is old enough that the setback and roof slope is not a concern but that the siding is not old and should be a more appropriate material. Commissioner Mosley agreed with Stewart and Jones adding that the intent of the guidelines is to ensure that an outbuilding is subservient to the principal building, which is the case here.

**Motion:**

**Commissioner Stewart moved to approve the project with the condition that the exterior siding be replaced with a siding that meets the design guidelines, finding that it meets the intent of section II.B.8. of the Lockeland Springs-East End Neighborhood Conservation zoning overlay design guidelines in terms of side setback and roof pitch. Commissioner Mosley seconded and the motion passed unanimously.**

**e. 1218 6<sup>TH</sup> AVENUE NORTH**

Application: New construction-outbuilding/revision to previous approval  
Council District: 19  
Overlay: Germantown Historic Preservation Zoning Overlay  
Project Lead: Sean Alexander

*Removed from the agenda as changes were made that allowed the project to receive an administrative permit.*

**f. 1715 SWEETBRIAR AVENUE**

Application: New construction-infill  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock

Melissa Baldock, staff member, presented the case for 1715 Sweetbriar, which is an application for demolition of the existing house and construction of new infill. The existing house at 1715 Sweetbriar Avenue was constructed c. 1950, later than the historic houses in the immediate vicinity. This block of Sweetbriar Avenue largely developed from 1900 to the 1930s. This house is the only house on this block that was built from the 1940s through the 1950s. As such, it is an anomaly for this part of Sweetbriar. In addition, the house's materials, form, and architectural details do not meet the historic context. Staff finds that 1715 Sweetbriar Avenue does not contribute to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay and finds that its demolition meets the design guidelines.

The new proposed infill will meet all base zoning setbacks. Its front setback will be similar to the front setback of the existing structure on the site. This proposed front setback is approximately thirty-three feet, eight inches (33'8") from the front property line, and is in between the front setbacks of the two adjacent houses. Staff recommends inclusion of a front walkway from the sidewalk to the infill's front entryway.

The proposed infill is one and a half stories, which staff finds to be appropriate since to the left of the site is a true one-story house and to the right is a two-story house. The height of the infill is proposed to be twenty-eight feet, six inches (28'6") above the foundation, which staff finds to be appropriate. In the immediate vicinity, heights of contributing houses range from twenty-two to thirty-seven feet (22'-37'). The known materials meet the design guidelines, with staff's final approval of all material choices.

The site slopes steeply. The steep slope of the site allows for an attached garage at the rear at the basement level. This garage meets the design guidelines.

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. Front walkway be added, leading from the sidewalk to the front stoop, and staff approve the material of the walkway;
3. Staff approve the materials of the front stoop steps and stairs;

4. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
5. Staff approve the roof color; and
6. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house

With these conditions, staff finds that the project meets Sections II.B.1. and V. of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Vice-chairman Bell asked how old a building needs to be to be contributing. Ms. Baldock explained that contributory factor was based on the development of the neighborhood and the historic context. This building might be considered contributing in some areas and some neighborhoods, but not in this area.

The applicant was not present and 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. **Front walkway be added, leading from the sidewalk to the front stoop, and staff approve the material of the walkway;**
3. **Staff approve the materials of the front stoop steps and stairs;**
4. **Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
5. **Staff approve the roof color; and**
6. **The HVAC shall be located behind the house or on either side, beyond the mid-point of the house;**

**finding with these conditions that the project meets Sections II.B.1. and V. of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Vice-chairman Bell seconded and the motion passed unanimously.**

**IX. OTHER BUSINESS**

**g. CLG TRAINING**

Robin Zeigler presented training regarding reading plans and infill design.

**X. ADMINISTRATIVE ACTIONS & UPDATES**

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