

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES

October 18, 2017

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

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

Applicants: Brad Sanderson, Mark Robin and John Powers, Garry and Autumn Andrady, Mary Margo Turner, Donald and Erin Denbo, Michael Marchetti and Dave Goetz

Councilmembers: None

Public: Tommy Lerner, Elizabeth Horton

Chairman Tibbs called the meeting to order at 2:05 p.m.

Ms. Zeigler noted that 1621 Forrest was deferred at the request of the applicant. Commissioner Stewart moved to approve the agenda. Vice-chair Bell seconded and the motion passed unanimously.

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.

I. RECOGNITION OF COUNCILMEMBERS

There were no councilmembers present.

II. APPROVAL OF MINUTES

a. September 20, 2017

Motion:

Vice-chair Nielson moved to approve the minutes as presented. Commissioner Stewart seconded and the motion was approved unanimously.

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.

a. **719 SHELBY AVENUE**

Application: New construction-infill

Council District: 06

Overlay: Edgefield Historic Preservation Zoning Overlay

Project Lead: Jenny Warren

b. 0 MURPHY ROAD

Application: New construction-infill
Council District: 24
Overlay: Richland-West End Addition Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander

c. 2709 BELMONT BOULEVARD

Application: New construction-outbuilding
Council District: 18
Overlay: Belmont-Hillsboro Neighborhood Zoning Overlay
Project Lead: Melissa Sajid

Motion:

**Commissioner Stewart moved to approve the consent agenda items with their applicable conditions.
Commissioner Nielson 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.

d. 1621 FORREST AVENUE

Application: Demolition-economic hardship
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Zoning Overlay
Project Lead: Paul Hoffman

Item deferred at the request of the applicant.

VI. PRELIMINARY & FINAL SP REVIEW

None.

VII. VIOLATIONS

e. 412 BROADWAY

Application: Signage and Alteration
Council District: 19
Overlay: Broadway Historic Preservation Zoning Overlay
Project Lead: Paul Hoffman

Staff member, Paul Hoffman, presented the case for signage and a mural at 412 Broadway. 412 Broadway has added wall and painted signs to the front and side of the rooftop addition without obtaining permits.

The guidelines allow 2 square feet of signage per linear foot of street façade. With the building’s 42 square feet, it is permitted 84 square feet for signage. The projecting sign installed in 2001 is 60.3 square feet, leaving 23.7 square feet remaining. The neon wall sign added to the front façade of the rooftop addition is 9 feet by 4 ½ feet for a total of 40.5 square feet, exceeding the allowed sign area by 16.8 square feet.

Section IV for signs also states that a wall sign shall be located lower than the window sills of the top floor for multi-story buildings, and no portion of a wall sign may extend above the roof line, or above a parapet wall of a building with a flat roof. Therefore the sign also does not meet the guidelines for location.

A painted sign is allowed up to 125 square feet. The exact dimensions are not known, but the applicant has told staff that it exceeds 125 square feet, as drawn. The location and design are compatible.

Staff recommends disapproval of the wall sign with the condition that it be removed within 30 days, finding that it does not meet section 4 for Signage due to its location and exceeding the sign area allowed.

Staff recommends approval of the painted sign with the conditions:

1. That the paint is not metallic, fluorescent or day-glow;
2. The staff review drawings showing dimensions;
3. And that the sign is not to exceed 125sq.ft.

With these conditions the painted sign will meet section 4 of the design guidelines for Signage.

Commissioner Mayhall recused herself because of a close personal relationship with the property owners. She did not participate in the discussion.

Brad Sanderson, co-owner of the property, said that they did not intend on not following the requirements. He made the argument that the rules are not to change the historic appearance of the building and that the changes made are not visible. The logo of the mural meets the requirements but the artwork doubles the requirement, however it is a small percentage of the wall size. It's a beautiful mural and doesn't go overboard on advertising the business.

There were no requests from the public to speak.

Commissioner Nielson said that they have set standards for signage and any exceptions made opens up issues for future review. Commissioner Mosley agreed, stating that he was involved in the writing the requirements, not just for the historic district, but the entire downtown area. The line was drawn at a particular place and with particular calculations and it is their duty to apply those design guidelines. Commissioner Nielson noted that they have been warned by the state that too much change could jeopardize the NR status of the district. Chairman Tibbs noted that both signs are highly visible from the street.

Commissioner Stewart said that to be consistent with past decisions, they should follow the design requirements.

Motion:

Commissioner Stewart moved to disapprove the wall sign with the condition that it be removed within 30 days, finding the project does not meet Section IV for Signage due to the sign's location and to approve the painted signage with the conditions that:

- 1. The paint not be metallic, fluorescent or day-glow;**
 - 2. A drawing be submitted showing the dimensions of the painted signage prior to a permit being issued; and,**
 - 3. The size of the painted sign not exceed one hundred and twenty-five square feet (125 sq. ft.);**
- finding that with those conditions the painted signage meets the design guidelines for painted signage. Commissioner Nielson seconded and the motion passed with Commissioner Mayhall recusing.**

VIII. MHZC ACTIONS

f. 120 2ND AVENUE SOUTH

Application: New construction

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander presented the case for a substitute material at 120 2nd Ave South.

The applicant has submitted a follow up on a six-story brick building that was approved in April of 2015, with revisions approved by the Commission in 2017. The request today is a proposal to clad portions of the exterior walls with a material that has not been approved by the MHZC. Unchanged from the previous approval, the materials on the front facade of the first story and mezzanine are stone and an artificial stone which has been previously approved, with brick on stories three through five.

The sixth story is to be clad with an Exterior Insulation and Finish System, essentially a thin stucco applied over a foam panel. The texture and color will be made to resemble stone. Staff finds that the visibility and impact of EIFS in this location will be minimal because of the height. Staff finds this EIFS to be appropriate.

On the left side there will also be the stone mimicking EIFS on the sixth story and above the mezzanine, with brick on the third through fifth stories. The lower walls however will be clad with EIFS with a brick patterned finish.

The right elevation will be similar but with the brick patterned EIFS on the third through fifth stories. Section III.F.2 of the Broadway design guidelines allows for “contemporary materials” if they “possess characteristics similar in scale, design, finish, texture, durability and detailing to historic materials.” The primary considerations for reviewing new materials are the appearance and functionality. Other important considerations include the availability and quality of historic materials, the availability of knowledgeable craftsmen and laborers, safety and sustainability concerns, and cost.

Appearance – It doesn’t really look like brick. Even in mass production, traditional brick has inherent variation because of the clay composition, kiln firing, and installation by hand. The EIFS material is homogenous and flat. Additionally the foam substrate has size limitations and expansion requirements that result in joints or seams in the surface, which would not be characteristic of traditional masonry.

Functionality – It is Staff’s opinion that the durability and workability of the material is very different from brick. The durability of brick is well established, which accounts for its ubiquity throughout the downtown district on most of the historic buildings, and the oldest ones in the area in particular. Brick is low maintenance, but when needed repairs are typically simple – either repointing or replacing individual bricks or sections as needed.

Availability of material – If an historic material cannot be located, then a substitute may be appropriate. Brick is readily available.

Availability of Craftsman - If no one with experience or knowledge to install an historic material can be located, then a substitute may be appropriate. There are many masons in the area who regularly construct new buildings with brick.

Safety and Sustainability - If using an historic material would create a potential life safety hazard or an environmental concern, using a substitute material may be appropriate. No such hazard is known to be present regarding traditional masonry.

Cost - If the cost of producing or acquiring a traditional material is prohibitively expensive, then a substitute material may be appropriate. Brick is readily available and is used regularly on buildings throughout Nashville. The applicant has not demonstrated that brick or another traditional material cannot be used.

Staff did not find the brick patterned EIFS to meet any of the criteria that would demonstrate that it is an appropriate substitute for brick.

Staff recommends approval of a smooth finished EIFS on the 6th floor and disapproval of the Custom Brick EIFS finding that it does not meet section III.F.2 of the design guidelines for the Broadway Historic Preservation Zoning Overlay.

Commissioner Jones arrived at 2:28pm, prior to the completion of the staff presentation.

Mark Robin, architect for the project, handed out photographs and brought samples of the requested product. He explained their reasons for the request, such as the design guidelines have not changed. He claimed that the federal guidelines allow for EIFS as a substitute for stucco. This is more appropriate than brick because it's more feasible, helps to meet modern energy requirements, and increased public safety. The soil of this site is fill from previous structures, fill that they are not able to remove because of the foundations on either side of them. This site context restricts the side elevation visibilities so the material will not have a negative effect on the district.

John Powers, from Rushville, Indiana, national technical director for Dryvit explained how the manufacturing of the product has changed since the material's earliest years. The custom brick and mortar can be made any color. The standard warranty is 10 years but if certain guidelines are followed, it can be unlimited. In that way, it is not different from brick.

Commissioner Mosley asked about colorfastness and how the darker reds hold up over time. Commissioner Stewart noted that at Vanderbilt they used the material near a true brick wall and it has weathered differently than the brick, it has not held up as well. Mr. Powers explained that red doesn't fade as much as other colors. There is an innovative pigmentation that extend the life of the color. In many cities environmental dirt is an issue but will be less of an issue with this product.

Mr. Robin explains that real brick is on the front and back and turns the corner and EIFS brick is proposed for the side elevations.

The cost issue isn't between brick and EIFS but the cost of the structural actions that would need to take place to hold the weight of real brick. Mr. Robin said if the brick isn't approvable, they could use the EIFS stucco product.

There were no requests from the public to speak.

Commissioner Jones agrees with staff because of the aesthetics of the material. She didn't think the weight should be an issue as there are other downtown infill buildings that have used brick and had historic buildings on either side.

Commissioner Mosley noted that masonry is durable and long lasting. The use of brick doesn't preclude you from constructing a wall with the same energy performance as what is proposed. Brick has a better long-term maintenance of pigmentation than EIFS and he is not convinced the brick EIFS does, based on other projects he has seen change over time. Imitation of something else can be difficult to achieve. The product may be appropriate as a substitute for stucco or stone but he doesn't think it is affective for brick.

Commissioner Bell stated that the district is a historical district and the product would diminish the historic context and if others are approved it could jeopardize the overall historic status of the district.

Commissioner Stewart acknowledged that the product has improved over the years. They are in an industry that most of the applicants are salesman. This commission is in it for the long-haul and it is their charge to make sure it is as good 100 years from now as it is now and he is not convinced that the product meets that requirement.

Commissioner Stewart said that there are a number of buildings that are stucco on the sidewalls.

Motion:

Commissioner Stewart moved to approve a smooth finished EIFS on the 6th floor and side walls with staff's approval of details, colors and finishes, finding that the project meets section III.F.2 of the design guidelines for the Broadway Historic Preservation Zoning Overlay. Commissioner Mayhall seconded and the motion passed unanimously.

g. 2107-2115 WHITE AVENUE

Application: New construction-infill

Council District: 17
Overlay: Woodland-in-Waverly Historic Preservation Zoning Overlay
Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for infill on White Avenue.

2107, 2111, and 2115 White Avenue were constructed c. 1977 and do not contribute to the historic character of the Woodland-in-Waverly Historic Preservation Zoning Overlay. They are located mid-block along White Avenue, in the heart of the Woodland-in-Waverly Historic Preservation Zoning Overlay. Staff finds that their demolition meets the design guidelines.

In spring 2013, a Specific Plan (SP) zoning was enacted for this site, allowing for the construction of a cottage development with eight (8) detached single family homes. The Metro Historic Zoning Commission did not have the opportunity to formally review and vote on the SP prior to its enactment, as at the time, the SP process did not include an initial review of site plan and massing by the MHZC. The SP ordinance for the site stipulates that the architectural plans for the site must be approved by the Metro Historic Zoning Commission.

In August of 2014, MHZC reviewed the project and approved it with several conditions. In October of 2014, the then-applicant submitted revisions, and MHZC staff determined that the revised drawings met the conditions of the Commission's approval. MHZC staff issued the preservation permit for the project in October 2014. Over the next 12 months, the applicant did not start construction on the project. MHZC preservation permits are valid for one year, so the preservation permit for the project expired in October 2015 after no work had started on the project.

The applicant is applying for a preservation permit to construct the 8 single family residences, as approved in October 2014. Even though the project has not changed, Staff is now recommending disapproval of the project because the height and scale of the rear structures are not sufficiently subordinate to the houses facing White Avenue.

The eight (8) single-family houses proposed for the three lots will be arranged so that three houses (Units 1, 2, and 3) will face White Avenue. The submitted site plans do not show the front setbacks of the adjacent properties, but the front setback for the historic house at 2105 White Avenue, to the north, seems to be approximately forty feet (40'). Without adequate information regarding the front setbacks of adjacent and nearby historic houses, staff cannot determine if the proposed setback is appropriate.

The other five units (Units 4 through 8) will be located behind Units 1, 2, and 3, and will face an internal courtyard, which is thirty-seven feet square.

Staff finds that the project's layout and setbacks do not meet the design guidelines for two reasons. First, the applicant did not provide adequate information regarding the front setbacks of the historic houses on this side of White Avenue. Staff is not able to analyze whether or not the proposed front setback is appropriate. Adjusting the front setbacks of Lots 1, 2, and 3 by just a few feet could radically affect the rest of the project. Staff therefore cannot recommend approval without knowing for certain that the front setback is appropriate.

Second, the site layout shows that Units 4, 5, 7, and 8 have widths that match those of Lots 1, 2, 3. The design guidelines state that, "*Interior dwellings should be subordinate to those that front the street. Subordinate generally means the width and height of the buildings are less than the primary building(s) that face the street.*" The guidelines further state, "*Interior dwellings should be "tucked-in" behind the buildings facing the street.*" Because the rear units have widths that match the widths of the street-facing houses, staff finds that the site layout does not meet the design guidelines. Staff finds that the project does not meet Sections III.B.2.c. and III.B.2.j. of the design guidelines.

Staff finds that the widths, heights, and scale of Lots 1, 2, and 3, which face White Avenue at the front of the lot, meet the historic context and the design guidelines. However, staff finds that the rear units, Units 4 – 8, are not sufficiently subordinate in height, width, and overall scale to the White-Avenue-facing houses.

All of the rear units are two-stories in height and, on average, all are approximately just one foot (1') shorter in

height than the front units. For lots 4, 5, 7, and 8, their widths, as defined by the façade that faces White Avenue, either match or are just a few inches narrower than the front houses. Staff finds that these rear units are not “tucked in,” as the design guidelines state they should be. Staff further finds that rear units that are two stories in height and just an average of one foot (1’) shorter than the front houses are not subordinate. If constructed, there will not be a discernable difference between the heights and scales of the front houses and those in the middle and at the rear. Staff does not find it to be appropriate to enlarge the White-Avenue-facing houses in order to make the rear houses subordinate. The rear units need to be reduced in height and scale.

The Commission and MHZC staff did determine that these same drawings met the design guidelines three years ago. However, in that time, the Commission has become more concerned and has learned more about the effect that larger developments, particularly cottage developments, can have on historic, mid-block, residential neighborhoods like this one. Staff now finds that eight, two-story houses do not meet the historic context and the design guidelines.

In conclusion, Staff recommends disapproval, finding that the height and scale of the rear structures are not sufficiently subordinate to the three White Avenue-facing houses. Staff finds that the project does not meet Sections III.B.2.a, III.B.2.b., III.B.2.c., III.B.2.e., III.B.2.f., and III.B.2.j. of the design guidelines.

Autumn Andrady handed out information. Gerry Andrady, property owner, covered each design guideline and how the proposed design addressed it. He noted that the guidelines have not changed since the project was first approved. The rear buildings are subordinate by being 1’ shorter and he maintains that is enough to be subordinate.

Autumn Andrady said she has renovated more than 50 historic homes and won awards for her work. This project isn’t just good for their company but for the neighborhood.

Tommy Lerner, 2215 Grantland Avenue, said he has lived in the neighborhood since 1981. The neighborhood did not have input into the SP. Eight homes are too much, the orientation does not meet the street for all 8 buildings and the permit has expired.

Elizabeth Horton, 726 Benton, said that cluster housing is not historic. She explained that the councilmember in place at that time said that she would take into account the neighborhood’s desires if a petition was created. A petition was put together showing that only 1 person was in favor of the project. (Petition was provided to commission at the beginning of the meeting.)

Mr. Andrady said that the setback matches the previous approval and the front setback of 2105 White Avenue.

Commissioner Mosley noted that the project was approved based on the process in place at that time. The SP process has been changed but that doesn’t allow them to change the number of units.

Ms. Zeigler said that they could reduce the number of units since the SP say “up to 8 units.” She agreed that the design guidelines have not changed but the commission and staff grow and learn with every project, and their interpretation of the design guidelines has changed since then. In addition, because of the SP process in place at that time, they felt pushed to recommend approval. She explained that the original intent of cottage developments was for the rear buildings to be subordinate in the same manner that an outbuilding is subordinate to a principal dwelling, more like a garage apartment.

Commissioners asked questions clarifying the previous process and timing of the proposal.

Commissioner Mosley noted that smaller units are a positive attribute to the neighborhood. In this case the preservation permit has expired and so what they said before is not relevant to the project today; however, he stands by his particular comments from that time. Chairman Tibbs said that the project could work in the neighborhood but since the SP says “up to 8” they could drop a unit. He finds the 1’ shorter homes towards the back is enough to be subordinate. Commissioner Neilson said that “subordinate” should take into account width as well as height.

Commissioner Stewart found the development to be pleasing and he applauded the applicants but he struggles when trying to apply the design guidelines. The project does not meet the requirements for orientation. This is a different concept than what was envisioned when the neighborhood developed and when the design guidelines were created.

Commissioner Stewart read the design guidelines for cottage developments that specified that rear units should be subordinate in both width and height.

Commissioner Jones also expressed concern about orientation and the fact that the rear buildings are not subordinate. It reads as 8 of the same-size homes.

Commissioner Mayhall said that the rear structures are subordinate since the design guidelines don't provide specific measurements as to what is "subordinate."

Motion:

Commissioner Stewart moved to renew the 2014 permit. The motion passed with Commissioners Jones and Bell in opposition.

h. 1408 PARIS AVENUE

Application: New construction-addition and outbuilding; Setback determination

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Sajid

Staff member, Melissa Sajid, presented the case for 1408 Paris. The house located at 1408 Paris Ave was built c. 1930 and contributes to the character of the Belmont-Hillsboro neighborhood. The application is for alterations to the historic house that are considered partial demolition, an addition, and a detached accessory dwelling unit that includes a setback determination. We'll start with the proposed alterations which include altering the existing stoop covering, replacing the brackets, demolishing the existing enclosed rear porch, enclosing the existing side porch, altering windows, and replacing the existing siding. The photo on the left is the earliest known photo of the house and dates to c. 1968 and the photo on the right is more recent. Both photos show the existing covered stoop configuration and side porch. There is no physical evidence of a larger stoop covering with a different pitch than the existing covering. In addition, the stoop brackets appear to be the same as those in the 1968 photo and may be original to the house.

The application proposes to alter the slope of the stoop overhang and extend it out farther and to replace the existing brackets. Porches and primary entrances are typically "character defining features" which the Secretary of Interior Standards requires be preserved. For this reason, alteration of the existing stoop overhang does not meet Section V.2 for demolition. Staff recommends that brackets be retained rather than replaced with longer brackets as proposed.

The applicant also proposes to demolish an existing enclosed rear porch. The porch was originally an open covered porch as indicated by the 1957 Sanborn map, which is shown here on the right. Staff finds that the addition's date of construction, location at the rear of the house, roof form, materials, and design do not contribute to the historic character of 1408 Paris Avenue or to the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

The plan also proposes to enclose the existing open porch on the left side façade with windows, which could be appropriate as the floor to ceiling windows create a sense of openness on the side porch.

The plan proposes to replace two sets of paired windows on the left side façade of the historic house with a sliding glass door shown here on the right. Staff finds that the proposed door opening is a type of opening that is more often found on rear façades and is too large for the proposed location. While windows are considered character defining features of historic homes, the Commission has permitted the alteration of windows on the side façades of the house beyond the midpoint. In this case, the proposed window alteration is not beyond the midpoint. Given the location and size of the proposed opening, staff finds this window alteration to be inappropriate and to not meet Section V.2 for demolition.

The applicant also requests to replace the existing siding and other windows. Staff finds replacement of the existing siding to be appropriate as the current siding is painted asbestos shingle siding that is not original to the house. The other windows to be replaced will retain their existing dimensions and grid patterns. Staff would recommend also retaining the original window casings.

The plan proposes a rear addition that is both taller and wider than the historic house which is outlined in gold and also includes a single-story side addition on the right side façade which is outlined in purple. The footprint of the additions more than doubles the footprint of the historic house. The addition extends all the way to the rear minimum building setback line and extends to the right side minimum setback line. At one hundred thirty feet (130') deep, the lot is somewhat shallower than lots that often are before the Commission, but is typical of lots on this block of Paris Avenue and so is not an unusual condition.

The plan proposes a rear addition that incorporates a ridge raise and will be both taller and wider than the historic house. The ridge raise will be inset two feet (2') from the side walls of the historic house and will increase the roof by two feet (2') vertically, which meets the design guidelines. The addition extends wider than the historic house on the right side by five feet (5'), and the wider portion incorporates the additional height provided by the ridge raise. An addition that is wider than the historic house could be appropriate in this instance because the primary massing of the house is relatively narrow and is shifted to the right of the lot. However, the design guidelines state that *"In these cases, an addition may rise above or extend wider than the existing building; however, generally the addition should not be higher and extend wider."* Staff finds the portion of the addition that is five feet (5') wider than the historic house and two feet (2') taller than the historic house to be inappropriate. Also, an addition that is both taller and wider does not meet the stated purpose of the ridge raise, which *"is to allow for conditioned space in the attic and to discourage large rear or side additions."*

The plan also proposes a single-story addition on the right side. A side addition could be appropriate in this case since the lot is wider than sixty feet (60'). The proposed side addition is single-story, located beyond the midpoint of the historic house, narrower than half of the historic building width, and has a side gabled roof form. However, the roof of the side addition is attached to the portion of the rear addition that extends beyond the right side-wall, creating a corner wrapped addition that the Commission has disapproved in the past.

The plan also proposes a detached accessory dwelling unit that meets the design guidelines and ordinance for everything except the left side setback and separation between the primary structure and DADU. Here are the elevations for the DADU.

The minimum left side setback is 5', and the applicant has requested a setback determination to permit a 3' side setback. The minimum distance between the primary structure and outbuilding is 20', and the plan proposes a 6' separation. Staff finds that the proposed left side setback and reduced distance between the DADU and the addition are inappropriate and are driven by the scale of the proposed addition rather than by site conditions. As stated previously, the lot is somewhat shallow compared to other lots that come before the Commission, but the depth is typical of lots on this block of Paris Avenue and so is not unusual. A separation between the DADU and the addition of less than twenty feet (20') may be appropriate, but staff finds that the proposed six feet (6') is driven by the depth of the proposed addition. In the past, the commission has required at least 10' between outbuildings and principal buildings.

Staff finds that the proposed three foot (3') left side setback and the six foot (6') distance between the house and the DADU do not meet Section II.B.i.2 of the design guidelines and 17.16.30.G. 4 of the ordinance but could meet the design guidelines and ordinance with a condition that the left side setback be increased to five feet (5') and the distance between the DADU and addition be increased to ten feet (10').

Staff recommends disapproval of the addition, finding that that the addition's height, scale, and rhythm and proportion of openings do not meet Sections II.B.1.a, b, e, and g and Sections II.B.2.a, e, and f of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines. Furthermore, staff recommends disapproval of the proposed changes to the existing covered stoop, brackets and side windows on the historic house as they do not meet Section V.1 for appropriate demolition and do meet Section V.2 for inappropriate demolition.

Although alterations to meet the design guidelines could be simple changes, staff is recommending disapproval as there are multiple solutions any of which could change the overall design of the addition.

Staff recommends approval of the detached accessory dwelling unit with the following conditions:

1. The left side setback be increased to five feet (5');
2. The distance between the house and DADU be increased to ten feet (10'); and
3. The restrictive covenant for the DADU be submitted prior to issuance of the preservation permit.

Staff finds that, with these conditions, the DADU meets Section II.B.1.i of the design guidelines and ordinance 17.16.030.

Public comment was received in opposition to the setback determination but there were no comments at the meeting.

Commissioner Mosley noted that there is a brick-based porch that extends the full width of the porch. Ms. Sajid said an extension of the porch floor alone, would be something that would not be reviewed.

Mary Margo Turner, homeowner, provided information on why the design was as presented.

In answer to Ms. Zeigler's question, the architect for the project agreed that changing the design of the garage to have just one door rather than two would enable the building to meet the 5' side setback requirement.

Commissioner's Mosley and Stewart stated that each of the issues individually were perfectly reasonable but taken in totality they were too much.

Motion:

Commissioner Stewart moved to disapprove the addition, finding that that the addition's height, scale, and rhythm and proportion of openings do not meet Sections II.B.1.a, b, e, and g and Sections II.B.2.a, e, and f of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines and disapproval of the proposed changes to the existing covered stoop and brackets and side windows on the historic house finding that they do not meet Section V.1 for appropriate demolition and meet Section V.2 for inappropriate demolition. He moved to approve the detached accessory dwelling unit with the following conditions:

1. **The left side setback be increased to five feet (5') by implementing a single door rather than two separate doors;**
2. **The distance between the house and DADU be increased to ten feet (10'); and**
3. **The restrictive covenant for the DADU be submitted prior to issuance of the preservation permit;**

finding the project to meet the DADU meets Section II.B.1.i of the design guidelines and ordinance 17.16.030. Commissioner Nielson seconded and the motion passed unanimously.

i. 202 MOCKINGBIRD ROAD

Application: New construction-addition

Council District: 24

Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander

Staff member, Sean Alexander, presented the case for 202 Mockingbird. The applicant is proposing to alter the front facade of the building, altering the roof of two existing dormers and adding a classical front portico.

Removal or alteration of historic features is generally not appropriate, however inside the attic there is evidence that these dormers are not original or they have been altered. The rafter lumber is much newer than the majority of the attic framing. Because the dormer roofs are not original and the alteration will be more appropriate for the building than the existing shed roofs, staff finds that the alteration to front-facing gables is appropriate.

The proposal also includes the addition of a classical front portico. Although this type of portico is not atypical of the style and form, there is a substantive difference from the dormers in that there is no indication that there had ever been any portico other than the arched pediment over the door now, which is also very typical of the style of house. This addition does not meet the guidelines or the SOI Standards, especially Standard 3 which says that conjectural features should not be added.

Staff recommends approval of the application to alter the roofs of the two existing dormers, finding that the proposal meets the Design Guidelines for the Cherokee Park Neighborhood Conservation Zoning Overlay.

Staff recommends disapproval of the front portico addition and alteration of the front door, finding that it does not meet the Design Guidelines for the Cherokee Park Neighborhood Conservation Zoning Overlay

Property owner Donald Denbo handed out photographs.

Erin Denbo explained the changes of the home over time and the reasons for the request.

There were no requests from the public to speak.

Ms. Denbo, in answer to Commissioner Mayhalls's question, explained that the screen door does not provide protection to the door and that the sidelights are also failing and not keeping water out.

Commissioner Mosley noted that the design guidelines are specific that conjectural details are not appropriate; however, the applicant has proven that the existing elements are not original. He recommended the applicant conduct additional research so that the appropriate alteration is made rather than a conjectural design. Chairman Tibbs agreed.

Commissioner Stewart said that he was glad there was someone there to love the home. Unfortunately, the secretary of interior standards and the design guidelines simply don't allow for changes to the design of the front of the house but the entrance could be replaced with the same design in a different material. The issues they are dealing with are difficult but not unique to this house.

Motion:

Commissioner Stewart moved to approve the project to alter the roofs of the two existing dormers, finding that the proposal meets the Design Guidelines for the Cherokee Park Neighborhood Conservation Zoning Overlay. He moved to disapprove the front portico addition and alteration of the front door, finding that it does not meet the Design Guidelines for the Cherokee Park Neighborhood Conservation Zoning Overlay. Commissioner Nielson seconded and the motion passed unanimously.

j. 215 MAYFAIR ROAD

Application: New construction-addition and outbuilding

Council District: 24

Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock

Staff member, Melissa Baldock, presented the case for 215 Mayfair Road. 215 Mayfair Avenue is a c. 1932 stone Tudor Revival house that contributes to the architectural character of the Cherokee Park Neighborhood Conservation Zoning Overlay. The application before you today is to construct a rear addition and an outbuilding.

In addition to the addition and outbuilding, the applicant is seeking to alter the window openings on both of the side facades; alterations to window openings are considered partial demolition. The right façade is shown here. The window opening on the left will be removed and the window opening on the right will be enlarged.

On the left elevation, the applicant is proposing to keep the existing windows, but add in two additional windows. Staff is not supportive of altering the window openings on the side facades as they are character defining features of the building. Cutting the existing stone for new openings and patching the stone to remove existing openings will have a detrimental affect on the historic character of the house. It is difficult to cut stone without creating a scar, and it is also hard to find appropriate stone to fill in the existing window opening. Although the windows are not highly visible, the fact that the house is stone ensures that the alteration of the window openings will negatively affect the house's historic character. Staff finds that the alteration of the window openings does not meet Section III.B.2 for appropriate demolition. Staff therefore recommends that the window openings on the side façade remain as they are and not be altered.

The back of the addition and the outbuilding will be connected with a covered walkway that is open on both sides. Staff has approved such walkways in the past. The addition and the outbuilding meet the established appropriate setbacks.

At the back of the house, the addition is inset six inches (6") from the back corners. Typically, MHZC requires that a one-story addition be inset one foot (1') from the back corner of the house. However, MHZC has permitted one-story additions to be inset just six inches (6") when there is a change in material and when the addition's depth is shallow. In this case, there is a change in materials, as the house is stone, and the new addition will be stucco board-and-batten; however, the addition's depth is large. On the right side, its total depth is nearly fifty feet (50'), and is deeper than the historic house. On the left side, its depth is over thirty-three feet (33'). Because of the size of the addition's footprint, staff recommends that the addition be inset a minimum of one foot (1') from each of the back corners of the house.

The addition will be one story and significantly shorter in height than the historic house. Its eave height will match that of the historic house. Its ridge height will be twenty feet (20'), which is about ten feet (10') shorter than that of the historic house. The addition is large in footprint, and approximately doubles the footprint of the house. Because the addition is one story and significantly shorter in height, staff finds that the addition's footprint is appropriate, if it is inset one foot (1') from both of the back corners.

The outbuilding will not contain a dwelling unit. Staff finds that the outbuilding's height, scale, location, setbacks, and materials all meet the design guidelines.

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

1. The window openings on the historic stone house remain unaltered;
2. The addition be inset one foot (1') from each the back corners of the house;
3. Staff approve a stone sample;
4. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
5. Staff approve the roof color, dimensions and texture;
6. Staff approve the material of the side entry stair;
7. Staff approve the floor and stair material of the rear porch;
8. Staff approve the driveway material; and
9. 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. and III.B. of the design guidelines.

Michael Marchetti, architect and builder for the project, handed out some photographs and a footprint. He explained that they want to reuse windows from the rear wall on the side. The stone used to close up the existing window would be provided by a mason who can match it exactly and they will salvage stone from the rear wall demo. The

area where the window alterations would take place is hidden by the right side porch. The drawings show the setback between the new and old is shown as 6” but that is the foundation, the wall is actually a 1’, as required.

Dave Goetz is a co-owner. He feels that by reusing the materials from the back will make the changes appropriate for the neighborhood. They are happy to meet all the conditions, except for 1 and 2, which they ask be removed.

There were not requests from the public to speak.

Commissioner Mosely stated that he believed the intent of the 1’ setback was met with the 6” inset for the foundation and the 1’ inset for the walls. He said that side windows have been altered on historic homes in the past and this request is appropriate since it is reusing existing materials and will be recreated with the original design.

Motion:

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

1. Staff approve a stone sample;
2. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
3. Staff approve the roof color, dimensions and texture;
4. Staff approve the material of the side entry stair;
5. Staff approve the floor and stair material of the rear porch;
6. Staff approve the driveway material; and
7. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house;

finding the project meets Sections II.B. and III.B. of the design guidelines. Commissioner Mayhall seconded and the motion passed unanimously.

X. OTHER BUSINESS

- k. **CLG TRAINING**
Deferred.

XI. ADMINISTRATIVE ACTIONS & UPDATES

I. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

Meeting adjourned at 5:05pm.