

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES December 18, 2019

Commissioners Present: Chairman Bell, LaDonna Boyd, Leigh Fitts, Kaitlyn Jones, Ben Mosley, David Price Brian Tibbs

Zoning Staff: Sean Alexander, Melissa Baldock, Paul Hoffman, Melissa Sajid, Jenny Warren, Robin Zeigler (historic zoning administrator), Alex Dickerson (legal counsel)

Applicants: Katheryn Sullivan, Richard Carver, Edwin Willmore, Marcia Truitt and David Baird, Lucas Simington, Bill Johnson, Kaitlyn Smous, Michael Ward

Councilmembers: None

Public: Edwin Willmore

Chairman Bell called the meeting to order at 2:00 p.m.

Chairman Bell read information about the amount of time people have to speak, the process regarding the consent agenda, and the process for appeals.

I. ADOPTION OF AGENDA

NOTICE TO THE PUBLIC: Items on the agenda may be removed or moved at this time.

Staff member, Robin Zeigler, requested that the design guideline public hearing be moved to the end of the meeting. She said that two commissioners requested that 1502 Cedar Lane be removed from the consent agenda and she requested that 1022 Acklen Ave be removed from the agenda as the applicant submitted plans that could receive an administrative permit. In addition, the applicant for a violation at 1717 Villa Place requested a deferral. Public comment has been received for that project.

Ms. Zeigler said there had been interest from property owners in the Germantown neighborhood to speak to a previously approved case but since no one was present, the item was not added to the agenda.

Legal counsel, Alex Dickerson, explained that a policy should be set for a deferral for violations, so that applications are treated consistently. He said that 1717 Villa Place could remain on the agenda and the Commission could discuss whether or not to accept the deferral when the case came up.

Motion:

Commissioner Mosely moved to accept the revised agenda that would move the guideline public hearing to the end of the meeting, removed 1502 Cedar from consent for discussion and remove 1022 Acklen Ave from the agenda. Commissioner Jones seconded and the motion passed unanimously.

II. RECOGNITION OF COUNCILMEMBERS

There were no councilmember present.

III. APPROVAL OF MINUTES

a. November 20, 2019

Motion:

Commissioner Jones moved to approve the minutes as presented. Commissioner Price seconded and the motion passed unanimously.

IV. CONSENT AGENDA

b. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH

c. 924 MCFERRIN AVE

Application: New Construction—Addition
Council District: 05
Overlay: Greenwood Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#:T2019053300

d. 845 GLEN AVE

Application: New Construction—Addition
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#:T2019073672

e. 108 ROSEBANK AVE

Application: Setback determination
Council District: 06
Overlay: Eastwood Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#:T2019073685

f. 1312 SHELTON AVE

Application: New construction-Addition; Setback determination
Council District: 07
Overlay: Inglewood Place Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman Paul.Hoffman@nashville.gov
PermitID#:T2019074096

~~**g. 1502 CEDAR LN**~~

~~Application: New Construction—Addition; Partial Demolition
Council District: 18
Overlay: Belmont Hillsboro Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#:T2019073697~~

h. 1231 5TH AVE N

Application: New Construction—Addition and Outbuilding; Setback Determination
Council District: 19
Overlay: Germantown Historic Preservation Zoning Overlay
Project Lead: Sean Alexander sean.alexander@nashville.gov
PermitID#:T2019074218

i. 521 FATHERLAND ST

Application: Fence; Setback Determination
Council District: 06
Overlay: Edgefield Historic Preservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#:T2019074302

j. 2300 10th AVENUE SOUTH

Application: New Construction—Addition
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander sean.alexander@nashville.gov
PermitID#:T2019074217

Staff member, Paul Hoffman, presented the items on consent, noting that 1502 Cedar Lane has been removed from the consent agenda and will be presented at the end of the agenda.

Motion:

Commissioner Mosley moved to approve the consent items, with the exception of 1502 Cedar Lane, with their applicable conditions. Commissioner Jones seconded and the motion passed unanimously.

V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

k. CONSOLIDATION OF NEIGHBORHOOD CONSERVATION ZONING OVERLAY

[The discussion of the design guidelines consolidation was moved to the end of the agenda.]

VI. PREVIOUSLY DEFERRED/DECIDED ITEMS

Commissioner Boyd arrived at 2:09 p.m. and Commissioner Tibbs arrived at 2:13 p.m.

I. 1404 LILLIAN STREET

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#:T2019074215

Staff member, Sean Alexander, presented the case for infill at 1404 Lillian Street, a construction project at 14014 Lillian Street. The applicant proposes keeping portions of the existing foundation and the front and side walls, adding a new front porch, rear addition, and adding an upperstory. Because so much of the structure will be new, staff relied on the guidelines for Infill.

An identical application was reviewed in 2016 and approved with conditions.

The plans call for adding a full-width shed roofed porch on the front and expanding the footprint to the rear. Metro tax records have the structure as being twenty six feet (26') wide but the plans are for a twenty eight foot (28') wide house, so Staff asks that the width of the house be confirmed and the plans corrected, if necessary.

A new half upperstory will also be constructed with a taller roof and a gabled front dormer. The front dormer as proposed would stack directly over the primary front wall, whereas dormers are typically required to be stepped back at least two feet.

Historically, on a side-gabled house with a shed-roofed porch, the porch roof is framed over the lower end of the primary roof rafters, meeting it up and back a few feet from the front wall. This point where the pitch changes is usually where the interior kneewall is, and is where a dormer is typically located.

This is very typical of this house form, with rare exceptions appearing to be non-historic or altered, or in high-style ornamental (not functional) designs.

The porch has been framed with its roof meeting the primary roof up the rafters and back from the front wall, as is typical of side gabled houses with shed-roofed porches. Staff recommends that the dormer shall be located there, in keeping with the form.

When the application was reviewed in 2016, it was approved with conditions, one of the conditions was that the dormer step back.

The window patterns on the side elevations differ from the existing window patterns, but the applicant stated that the side walls will not change. Staff asks that the discrepancies in the depictions of window sizes and locations be corrected.

Staff recommends approval of the proposed construction of a new one and one-half story house with the following conditions:

1. The front dormer shall be stepped back two feet (2') from the wall below;
2. The rhythm and proportion of windows shall be typical of historic buildings with the first story windows generally as large or larger than those of the upperstory;
3. Staff shall approve window and door selections, and roof color; and,
4. The applicant shall clarify any discrepancies and submit corrected drawings, if applicable, with final review of any changes by MHZC staff.

Meeting those conditions, the proposal will meet the design guidelines for New Construction in the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Mr. Alexander noted that some of the confusion might be from trying to make stock plans fit an existing building that does not match the plans.

Katheryn Sullivan, owner, provided background on why the project was delayed from when the original permit was issued. She requested that the front dormer be stacked on the front wall to accommodate head room and because the front wall is the only solid and secure wall on the building. She is also seeking the dormer location because the delay is costing her money. Ms. Sullivan provided handouts.

Commissioners asked questions of staff regarding the 2016 proposal, the current proposal, and details regarding the requests.

Commissioner Mosley asked if the rear dormer could be stacked on the back wall. The applicant was invited back and explained that they added additional concrete on the rear to support the dormer on the back. Commissioner Mosley stated that he struggled to understand why the rear dormer is planned to be stepped back but the front dormer cannot be setback. He suggested that the rear dormer could be flush with the wall below to provide additional interior space and the front dormer be stepped back to meet the requirement.

Commissioners expressed concern that the drawings didn't match existing conditions that appeared to be desired to be retained. Commissioner Price suggested the applicant defer and come back with corrected drawings; however, the applicant was concerned about additional delay.

In answer to Commissioner Mosley's question, the applicant said that all the windows will remain in the same place with the exception of two and all the rear windows.

Commissioner Tibbs abstained since he missed part of the presentation. Commissioner Price concurred with the decision from 2016 and stated that there was no evidence provided that showed that a different decision should be made, from the 2016 decision.

Motion:

Commissioner Price moved to approve construction of a new one and one-half story house with the following conditions:

- 1. The front dormer shall be stepped back two feet (2') from the wall below;**
- 2. The rhythm and proportion of windows shall be typical of historic buildings with the first story windows generally as large or larger than those of the upper story;**
- 3. Staff shall approve window and door selections, and roof color; and,**
- 4. The applicant shall clarify any discrepancies and submit corrected drawings, if applicable, with final review of any changes by MHZC staff;**

finding that with those conditions, the proposal 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 with Commissioner Tibbs abstaining.

VII. PRELIMINARY & FINAL SP REVIEW

None

VIII. VIOLATIONS/ ALTERATIONS TO PREVIOUS APPROVALS/ SHOW CAUSE

~~m. 1022 ACKLEN AVE~~

~~Application: Violation/Show Cause; New Construction—Addition
Council District: 17
Overlay: Waverly Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren, jenny.warren@nashville.gov
PermitID#: 2018038724~~

[1022 Acklen Avenue was removed from the agenda as the applicant submitted a plan that could receive an administrative permit.]

n. 1628 SHELBY AVE

Application: New Construction—Outbuilding; Setback Determination
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#:T2019073680

Staff member, Melissa Sajid, presented the case for a carport at 1628 Shelby Avenue.

This is an application for an outbuilding that was constructed prior to obtaining a preservation permit or building permit. The project includes a setback determination to reduce the street side setback from ten feet (10') to five feet (5'). The house located at 1628 Shelby Av was constructed c. 1904 and contributes to the historic character of the Lockeland Springs-East End

Neighborhood Conservation Zoning Overlay. There were several additions to the house in the 1980s before this property was included in the overlay in 2014.

As constructed, the carport does not meet the design guidelines for the street side setback, separation from the principal structure, and roof shape. The carport is located approximately five feet (5') from the left side property line and five feet (5') from the rear of the house, not including eave overhangs. Staff does not recommend approval of the side setback determination since there is room to shift the outbuilding closer to the right-side property line and meet both side setbacks.

The carport as constructed also does not meet the required twenty feet (20') of separation from the principle structure. The purpose of the separation requirement is to provide for open space and to prevent the appearance of an attached garage. Since the subject property is mostly flat and has a typical lot depth, an attached garage would not meet the design guidelines at this location. In this case, the proximity of the carport to the primary structure creates the appearance of an attached garage. Also, while the previous rear additions were constructed prior to the overlay, they more than doubled the footprint of the historic house and included both an attached garage and carport before those elements were converted to living space. The two existing curb cuts along the South 17th Street frontage were likely in the locations of those elements.

The carport has a 3/12 pitch, and the design guidelines for outbuildings state that the roof slope should typically be a minimum of 4/12. The outbuilding does not meet the design guidelines for roof form.

Staff recommends disapproval of the application and setback determination, finding that the project does not meet Sections II.B.2. (Scale), II.B.8.a. (Roof Shape), and II.B.8.b. (Setbacks) of the *Lockeland Springs-East End Neighborhood Conservation District: Handbook and Design Guidelines*.

Chairman Bell acknowledge the receipt of public comment.

Richard Carver, owner, said that he called Metro Codes and Public Works for guidance on constructing a carport. It is put together with screws. He has security camera footage of a Codes inspector watching him.

Chairman Bell confirmed with the applicant that he did not go to Codes for a building permit until after he constructed it. He provided a copy of his permit application.

Edwin Willmore, 1626 Shelby Ave, stated that the carport meets the spirit of the design guidelines and so should be approved. They are long-term residents of the neighborhood and should not be required to spend any additional money on the project.

Commissioner Jones said she understands that work was done without a permit, but she finds the structure to be appropriate since it is a carport rather than an enclosed outbuilding.

Commissioner Price said that the design guidelines have consistently been upheld, even in cases where work was done without a permit.

Commissioner Mosley explained that he would not want to reward an applicant who does work without a permit; however, he is not sure that a new application would be noticeably different. If it were enclosed it would be a different project and a greater roof pitch would make it more noticeable. Chair Bell expressed concern that it would be enclosed at a later date.

In answer to Commissioner Tibbs question, Ms. Sajid explained that the location of the building could be moved and meet the setbacks.

Commissioner Fitts has issues with the amount of built-out space but at the same time but finds that it could be appropriate because its an open carport rather than an enclosed garage. Commissioner Boyd agreed with previous comments, the structure is not obtrusive.

Motion:

Commissioner Jones to approve the project as constructed. Commissioner Fitts seconded the motion and the motion passed with Commissioner Price in opposition.

o. 1717 VILLA PLACE

Application: Partial Demolition; New Construction—Addition

Council District: 17

Overlay: Edgehill Neighborhood Conservation Zoning Overlay

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

PermitID#: T2019074220

The Commission discussed whether or not to accept a deferral, requested because of a sick child. Mr. Alexander pointed out that public comment had been received and asked if there was anyone present who wished to speak and there was not.

Commissioner Jones spoke against offering a deferral and motion to discuss since work was done without a permit.

Commissioner Jones made a motion to not defer and then withdrew her motion. Commissioner Mosley and Metro Legal discussed time-line issues regarding violations. Commissioner Tibbs explained that if the applicant had simply not shown up, which would show negligence, he would feel differently, but since they requested a deferral in advance, they should have an opportunity to present their case. Commissioner Fitts agreed and added that one deferral seemed reasonable.

Chairman Bell requested deferral requests in writing. Mr. Alexander noted that the deferral request was provided via email.

Motion:

Commissioner Tibbs moved to accept one deferral, until the next meeting, based on the fact that the applicant should have the opportunity to make their case. Commissioner Price seconded and the motion passed unanimously.

IX. MHZC ACTIONS

p. 1521 WOODLAND ST

Application: New Construction—Infill; Setback Determination

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#:T2019073698

Staff member, Melissa Staff, presented the case for 1521 Woodland and noted that public and councilmember comments were received via email.

This is an application to construct a two-story infill on a vacant lot at 1521 Woodland Street. The subject property is located at the northwest corner of North 16th Street and Woodland and is one of the narrower lots on the block at forty-seven feet, six inches (47'6") wide. The infill requires a side setback determination from twenty feet (20') to ten feet (10') on the North 16th Street property line.

The proposed infill has a two-story form. Staff finds that a two-story form does not meet the immediate historic context. While there are examples of two-story houses on the 1400 and 1600 blocks of Woodland Street, the 1500 block of Woodland, where this site is located, is predominately one and one-and-a-half stories in height. The applicant has provided a streetscape.

In the submission, the applicant cites the approval of the infill at 1705 Woodland Street as a reason why two-story infill could be appropriate at this location. That project was approved by the commission in 2013 and looked to historic homes on neighboring blocks of Forrest Avenue and Holly Street for context. Since that time, the commission has recognized concerns from neighborhoods over the increasing scale of projects and directed staff to look to a more immediate context. So, that is why for this project, staff looked to the 1500 block of Woodland Street and found there to be a strong context of one and one-and-a-half historic homes. In addition, the lot is on the narrower end of the context; therefore, a massing larger than neighboring buildings on wider lots will not provide for a cohesive look and does not meet Sections II.B.1 and II.B.2 of the design guidelines for height and scale.

The house next door and those directly across Woodland are all either one or one-and-a-half stories in height. Urban Cowboy, the large historic building located directly across North 16th Street at 1603 Woodland St, is predominantly one-and-a-half stories with primarily one-story eave heights.

The infill is oriented to Woodland Street and meets all setbacks except the right-side setback along North 16th St. That street side setback is twenty feet (20') since North 16th is a collector street. The applicant has requested to reduce it from twenty feet (20') to ten feet (10'). Staff finds that a ten foot (10') right-side setback could be appropriate in this location since it is consistent with other primary structures on nearby corner lots and also allows for a building width that is appropriate for the historic context. However, since the overall massing and two-story form are not appropriate for the historic context, staff cannot recommend approval of the setback determination for the project as proposed.

The infill is shown as brick to grade with a soldier course delineating the foundation line. The Commission has typically required a change in material at the foundation level in order to meet Section II.B.2 of the design guidelines. The infill also includes a partial width front porch that is a couple of inches shy of the minimum depth of six feet (6'). The applicant has indicated that they are willing to use a different foundation material and extend the porch to meet these guidelines.

The left-side elevation includes several small, square windows that do not meet the historic proportion of windows. Since this is not the side façade facing North 16th Street, it may be appropriate to incorporate some small, square windows near the rear. Staff would, however, recommend that the upper level window nearest to the front be twice as tall as it is wide. The applicant has indicated that they are willing to work with staff to address the windows as well.

In conclusion, staff recommends disapproval of the project, finding that the proposed infill does not meet Sections II.B.1. (Height), II.B.2. (Scale), II.B.3. (Setback & Rhythm of Spacing), II.B.6. (Orientation), and II.B.7. (Proportion and Rhythm of Openings) of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay design guidelines.

Marcia Truitt, owner, said that they have the support of their neighbors and she provided hand-outs. They asked for support of the project based on it being a corner lot, the small footprint of the proposal which will allow the preservation of trees, the fact that there are forty-two (42) two-story homes sprinkled through the neighborhood, and because of 1419 Woodland Street, which is two-story home in the immediate context, and the commercial structures in the neighborhood.

David Baird, architect for the project, showed that the street slopes down to the left and they are trying to keep the height similar to the Urban Cowboy at 1603 Woodland St. The lot is unique in that it has beautiful trees, the width is appropriate, and the width of the lot is not that much less than other lots in the neighborhood. For all these reasons the house will meet the rhythm of the street. This lot is unique and needs to anchor the other building across the street.

There were no requests from the public to speak.

Commissioner Jones said she appreciated the work put into the presentation and she agrees with the staff recommendation, the neighborhood association and the councilmember. She noted that the commercial buildings read smaller than the proposal and Urban Cowboy reads as a one and one-half story home rather than a two-story. Commissioner Tibbs agreed and expressed concern about precedent if it were approved. Commissioner Fitts stated that holding the massing to one

and a half stories is important but that it might be possible to have less of a side-setback providing more buildable area.

Motion:

Commissioner Tibbs moved to disapprove the project, finding that the proposed infill does not meet Sections II.B.1. (Height), II.B.2. (Scale), II.B.3. (Setback & Rhythm of Spacing), II.B.6. (Orientation), and II.B.7. (Proportion and Rhythm of Openings) of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Jones seconded and the motion passed unanimously.

The Commission took a break at 3:38 p.m. and returned at 3:48 p.m.

Alex Dickerson, referencing the 1717 Villa Place case, explained that if next month the Commission would like to change the period of correction from 60 days to 30 days, they could do that.

q. 1620 SUMNER AVE

Application: New Construction - Addition to Existing Outbuilding

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

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

PermitID#:T2019074135

Staff member, Jenny Warren, presented the case for an addition to an outbuilding at 1620 Sumner. The circa 1935 house contributes to the character of the Eastwood Neighborhood Conservation Zoning Overlay. The house sits on a large, irregular-shaped lot. It faces Sumner Avenue and there is an alley along the back and the left side of the lot. An existing garage is accessed by a driveway from Sumner and one from the side alley. The application is to demolish a portion of the existing outbuilding and construct additions.

The existing shed roofed additions will be demolished. Staff routinely approves the demolition of outbuildings and finds this demolition work to be appropriate.

The proposed design is one story tall and meets the guidelines for height, square footage, roof form and materials. The proposed design includes a side-gable that will face the alley. The slope of this roof is 3/12, while the guidelines require at least 4/12. Staff finds that this reduced roof slope could be appropriate in this instance as it allows the ridge height to remain consistent with that on the existing portion of the garage.

Staff's only concern with the proposal is the siting. The guidelines require that outbuildings be twenty feet (20') from the primary structure. The front corner of the existing garage sits eighteen feet, five inches (18'5") from the back corner of the house. This condition can remain. However, the applicant would like to construct an addition in front of the existing garage, creating a fifteen foot (15') long area where the house and garage are only separated by eighteen feet, five inches (18'5"). Further, the guidelines state that outbuildings should be located close to the alley, at the rear of the lot. The new construction is occurring in front of the existing

outbuilding, beside the house, rather than behind it. The Commission has approved outbuildings in side yards, and outbuildings closer than twenty feet (20') to primary structures, in situations where lot constraints prevent appropriate siting. This lot has plenty of square footage where the outbuilding could be constructed and still meet the guidelines. The applicant could meet the guidelines by adding the new construction beside and behind the existing portion of the garage.

Staff recommends disapproval of the proposed outbuilding, finding that it does not meet Section II.B.1.h.(2) of the Eastwood Neighborhood Conservation Zoning Overlay design guidelines.

Applicant Lucas Simington explained the project and the reason for the request.

Commissioner Tibbs asked questions regarding the logistics of the plan. Commissioner Price asked if there was a consideration of placing all the new construction behind the garage. Mr. Simington said that could be done but it would cause them to lose half the back yard. Commissioner Mosley said the result creates a long uninterrupted front and so asked if a portion could be stepped back.

There were no requests from the public to speak.

Commissioner Jones said that it could be appropriate because it is a true one-story garage. Commissioner Fitts said that the lot is large enough that the carport section could be moved to the rear and still maintain a generous yard. Commissioner Mosley felt like eighteen feet, five inches (18'5") is close enough to the required twenty feet (20'), and the proposal is a very small, low, utilitarian building on a large lot. He recommended a T-shape to address the flat front façade and be more in keeping with the site.

The applicant was invited back, and he stated that he was amenable to a T-shape for the outbuilding.

Motion:

Commissioner Mosley moved to approve the project with the condition that the front façade be articulated to complete the gable end and create a "T," such that the front facing facade is more architecturally articulated rather than having a continuous eave line. There should be a corner board and minimum of eighteen inches (18") of separation between the side facing gable and the front. Based on the small size of the building, the low height, and matching the existing building he finds that the project does not contrast greatly with the design guidelines. Commissioner Price seconded and the motion passed unanimously.

r. 1311 LILLIAN ST

Application: New Construction—Infill

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Sean Alexander

PermitID#:T2019074216

Staff member, Sean Alexander presented the case for 1311 Lillian Street.

There is a contributing house on this lot facing Fatherland, and while a house behind a house would not be appropriate in most situations, this lot has two frontages on established streets. Here infill will be sited and oriented toward Lillian Street. The infill will be compatible with the setbacks and rhythm of spacing on the street.

The height and width of the infill will be compatible with surrounding houses. The grade of the lot is so steep that there will be almost a full basement level open on the front. A walk-out basement is not common on front elevations, but the grade is so steep that it is possible without making the foundation taller than it needs to be, so staff finds it appropriate. Early on staff encouraged the applicant to screen the lower level to help the main level read as the primary entrance, which is reflected in the proposal.

The materials will be cement-fiber siding, split-faced block foundation, asphalt and metal roof. All are appropriate. Staff needs to approve the roof colors and the window and door selections. Staff recommends approval of the proposed one and one-half-story infill at 1311 Lillian Street with conditions that:

1. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
2. The front setback shall be consistent with the setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;
3. The window and door selections shall be approved by MHZC Staff; and
4. The roof color shall be approved by MHZC Staff; and
5. The utility connections and HVAC units shall be located behind the midpoint of the building on a non-street facing façade.

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.

Bill Johnson, architect for the project said he agreed with the conditions and was available for any questions.

There were no requests from the public to speak.

Motion:

Commissioner Mosley moved to approve the proposed one and one-half-story infill at 1311 Lillian Street with conditions that:

- 1. The finished floor height shall be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. The front setback shall be consistent with the setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 3. The window and door selections shall be approved by MHZC Staff; and**
- 4. The roof color shall be approved by MHZC Staff; and**
- 5. The utility connections and HVAC units shall be located behind the midpoint of the building on a non-street facing façade;**

finding that with those conditions the project meets the design guidelines for new construction in the Lockeland Springs East-End Neighborhood Conservation Zoning Overlay. Commissioner Fitts seconded and the motion passed unanimously.

s. 105 S 12TH ST

Application: New Construction—Addition; Partial Demolition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

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

PermitID#:T2019073705

Staff member, Melissa Baldock, presented the case for 105 South 12th Street. 105 South 12th Street is a c. 1911 folk Victorian frame house. The house's lot was cut off from the back of 1200 Woodland Street. The lot is just fifty-nine feet (59') along South 12th Street, and fifty feet (50') deep, and is under three-thousand (3000) square feet. The back of the house sits on or close to on the rear property line. Because of the shape and size of the lot, adding onto the house is a challenge. The applicant seeks to use some of the square footage in the roof for living purposes since the small site does not allow for a rear addition which makes adding onto the house challenging. The historic house's main roof form is a hip.

On the right side of the hip, the applicant is proposing a side dormer. The design guidelines state that *"The ridge of a side dormer should be at least 2' below the ridge of the existing building; the cheeks should be inset at least 2' from the wall below or adjacent valley; and the front wall of the gable should setback a minimum of 2' from the wall below."* The proposed dormer does not meet these requirements, as it is just six inches (6") off of the ridge, is not set back two feet (2') from the wall below, and is just a few inches from a valley. Staff finds in this instance that an exception could be made for this side dormer because its size and location are necessary in order to add a staircase to the second level. The dormer is larger than what the Commission would typically approve in that it is not adequately set off from the ridge, valley, and wall below. However, because there is no way to add on to the rear, as there is with almost every other house in this and other historic and conservation overlays, staff finds that that flexibility with the design guidelines is appropriate in this instance. Overall, the dormer's scale is not overly large and is designed to be the minimal size it can be while still serving as a way to obtain a staircase to the second level.

On the rear, the applicant plans to add a gabled extension. On the right/alley side, the gable portion of the roof is offset from the roof six inches (6"), allowing the house's original roof form to still be identified. However, on the left side, this gabled addition at the rear will not inset and will eradicate the rear hip roof form.

While staff understands the challenges of this site and its lack of a rear yard for a rear addition, staff finds that completely removing the back hip portion of the roof is not appropriate. It alters the primary roof form, which is a significant architectural feature, in a manner that does not allow the existing roof form to be discerned. The proposed changes to the roof are also not reversible; if the addition were to be removed in the future, nothing would remain of the hip on

this back left side of the house. Staff finds that the alterations to the roof form on the left side are not appropriate partial demolition.

A shed dormer is also approved for the back part of the left façade. While the dormer is offset from the ridge and inset three feet (3') from the wall below, staff finds that it is not appropriate because the dormer can only be constructed if the inappropriate alterations to back hip of the roof are constructed.

The applicant also plans to alter a window opening on the right façade, which is considered partial demolition. Staff is not supportive of altering this window opening, as it is highly visible from the street, it is not in the back half of the house, and the new window opening will not be an appropriate size and will not have the appropriate vertical or square proportions that historic window openings had.

Staff recommends approval of the right side dormer, with the condition that staff approve the window and roof shingle selections, finding that it meets Section II.B. of the design guidelines.

Staff recommends disapproval of the alterations to the roof on the left side of the house, finding that this proposed partial demolition and alterations to the roof form do not meet Sections II.B. and III.B. of the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Kaitlyn Smous, architect for the project, explained the proposal and the challenges of the lot. The proposal is pulled off the hip to the left as it will be the least visible side from the two streets, will allow for usable space upstairs, and will not completely change the original roof form. She pointed out that the proposal is less obtrusive than a similar project approved in August.

There were no requests from the public to speak.

Commissioner Tibbs acknowledged the challenges of the house and the effort that went into planning something that would work but agrees with staff's recommendation.

Commissioner Price asked if the gable could be inset six inches (6") and the applicant said it could be would be difficult to accomplish structurally. He pointed out that the he did not like the example brought up by the applicant but they did it because of a tree and this is a more challenging lot.

Commissioner Mosley said revisions to the design would likely result in unusable space. Not approving the project might result in the proposal of a side addition that would be more inappropriate than the proposal.

Commissioner Fitts agreed with Commissioner Tibbs that the proposal is too obtrusive but that the side-dormer is appropriate.

Motion:

Commissioner Tibbs moved to approve the right-side dormer, with the condition that staff approve the window and roof shingle selections, finding that it meets Section II.B. of the design guidelines and to disapprove the alterations to the roof on the left side of the house, finding that this proposed partial demolition and alterations to the roof form do not meet Sections II.B. and III.B. of the design guidelines for the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Fitts seconded. The motion passed with Commissioners Jones and Mosley in opposition.

g. 1502 CEDAR LN

Application: New Construction—Addition; Partial Demolition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

PermitID#:T2019073697

Staff member, Melissa Baldock, presented the case for 1502 Cedar Lane and pointed out that public comment was received via email. 1502 Cedar is a c. 1930 frame and stone bungalow that contributes to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. The applicant proposes to construct a rear addition that is wider than the historic house. The application also involves removing an existing rear addition, side patio, and columns, and altering window and door openings, which is considered partial demolition.

The applicant proposes several changes to the historic house, which are considered partial demolition. First, the applicant proposes to demolish an existing rear addition. The date of construction of the existing rear addition is not known, but it does not appear on the 1950s Sanborn maps (Figure 3). Staff finds that the rear addition's date of construction, roof form, and overall design do not contribute to the historic and architectural character of the historic house and finds its removal to be appropriate.

The applicant also proposes to remove a side patio and columns. It is not clear if the side patio and columns are original to the house or if they ever had a roof on them. The patio is not shown on the 1950s Sanborn maps, and if it had a roof at that time, it should be on the maps. The design of the side porch is unusual, and staff finds it likely that it is not original to the house. In addition, technically, the Commission does not review uncovered patios and decks in neighborhood conservation zoning overlays like this one. Staff therefore finds that the removal of the side patio and columns is not an action MHZC needs to review.

The applicant also proposes to alter window and door openings on the front and side façades, which is considered partial demolition. On the front façade, the applicant intends to shift the front door to the right so that it is centered on the façade. Typically, MHZC staff is not supportive of moving window and door openings on the front façade unless there is evidence that they were formally different. In this case, the c. 1968 Property Assessor photo shows the front door in its current location. Staff finds, however, that it is more than likely that the front door would have been centered to the façade and the center porch stairs originally. The front façade is symmetrical; when off-centered doors were part of an historic design, their overall facades were

not symmetrical and stairs might also be off-center. Staff finds that relocating the door to the center of the front façade meets the design guidelines.

On the left façade, at the back of the historic house, the applicant intends to change a door opening into a paired window opening, and to slightly alter the size of a window opening to its right. Staff finds these changes to be appropriate because they are located at the back of the historic house, where they will not be highly visible from the street.

On the right façade, the applicant is planning to alter several window openings in the back half of the house. This includes removing a door opening between the first and second floors that is no longer accessible and shifting a window at the very back of the house. It is clear on this façade that the window and door openings have been altered over the years. Because the openings are in the back half of the house, not highly visible from the street, staff finds the proposed changes to be appropriate.

The addition will extend wider than the historic house. Staff finds this to be appropriate because the lot is unusually wide at over seventy-three feet (73'). The Commission has approved wider additions on wider lots in the past. The wall of the addition will be inset one foot by four feet (1' x 4') before extending wider.

The floor plan shows that while the wall of the addition is inset one foot by four feet (1' x 4'), there is a side porch with a roof that is not inset. Staff finds this to be appropriate because the existing addition that will be removed is not inset. On the right side, the addition steps out after an inset to line up with a side bay on the historic house.

Recommendation Summary: Staff recommends approval of the addition and partial demolition with the following conditions:

1. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
2. Staff approve the roof color, dimensions and texture; and
3. 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 propose addition and partial demolition meet Sections II.B. and V. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Commissioner Price asked if there was physical evidence to show that the door location was changed. Michael Ward, architect for the project, said that the house was 3-4 different apartments and many changes were made to locations of windows, doors and staircases. They have not done any selected demolition to find more specific physical evidence.

There were no requests from the public to speak.

Motion:

Commissioner Price moved to approve the project with the conditions that:

1. Staff approve the final details, dimensions and material of windows and doors prior to purchase and installation;
2. Staff approve the roof color, dimensions, and texture; and,
3. The HVAC shall be located behind the house on either side, beyond the midpoint of the house;

finding that with these conditions, the project meets Sections II.B and V of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Commissioner Boyd seconded and the motion passed unanimously.

V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

CONSOLIDATION OF NEIGHBORHOOD CONSERVATION ZONING OVERLAY

Just as reminder, the Historic Zoning Commission received funding from the Tennessee Historical Commission for a design guideline consolidation project. The project began in January 2019, and the grant period ended on September 30, 2019. A draft came to the Commission on September 18, 2019 and was deferred until March 2020.

The staff report available online and at the Nashville.gov website provides more in-depth information about the project and the process, for anyone that may be unfamiliar with it. Previous public hearings where introductory information was given are also available to be viewed on YouTube.

The project was first presented to the Commission in three parts. Part I is a consolidation of all the neighborhood conservation design guidelines into one universal set of design guidelines, with Part II being individual chapters for each district. All the neighborhood conservation design guidelines are already very similar, but the consolidation will provide an opportunity to reorganize and add clarifying language. The third component is to create new design guidelines and a plans book for outbuildings, to provide more flexibility in terms of size and design and clearer guidance.

As a reminder, last month you voted to remove Part III, the form book, from consideration and to break the discussion up into different sections at each meeting.

Some things to keep in mind...

These are design guidelines and not hard and fast rules, so the language here does not preclude you from continuing to make decisions on a case by case basis based on the physical conditions of the site.

We continue to take public comment. We will not make a recommendation until March. That does not mean that we are not listening to comments but are collecting ALL comments to make a final recommendation to you.

There are multiple ways the public can continue to participate. They can attend these public hearings, send emails to staff or send snail mail to the office—all will be shared with all of you.

We recommend that you now take public comment on any portion of the design guidelines and then I have some information to guide your discussion on just some sections of Part I.

Martin Wieck, stakeholder, explained that he sent a letter but wanted to reiterate several points. The demolition section has a new line that states that a primary purpose of the guidelines is to prevent demolition, which seems reactionary and a problem with the document overall. The existing design guidelines already control demolition. The commission should be allowing for new development that meets modern needs.

Kaitlyn Smous spoke against the added guideline for reviewing exterior cladding. It was not a part of the initial design guidelines and should not be now. The proposal is an overreaction based on a few cases. She agreed with no longer reviewing roof color.

John TeSelle stated that the Hillsboro-West End and Belmont-Hillsboro overlay voted against the project and wants to opt out. The project is unnecessary and harmful. They object to the process.

The sections you voted on last month to discuss at this public hearing are all in Part I and include Principles, Demolition and Materials.

Ms. Zeigler explained that the current language is confusing because in one place it sounds like only portions seen from the public right-of-way are reviewed but in another it says that portions not seen shall be treated differently. Since the creation of the first overlay, all new construction and demolition have been reviewed but those portions not seen given more leeway for change. We recommend new language that clarifies that policy. Staff recommends removing an image that is in all the neighborhood conservation zoning overlay guidelines as it is confusing. It often reads as showing the only location where an addition would be possible when its purpose was to show if an addition fit into this area it would not need review. We recommend a list of items that do not need review. Most of the list just reiterates policy for several decades with some exceptions.

Commissioner Jones stated that the proposal is a positive change.

Staff recommends no longer reviewing solar panels. The technology has changed, and they are less visually jarring than they used to be, and the technology continues to improve. They require several small holes in the roof and so are easily reversible. They need to be where they need to be to work; therefore, review is not really necessary.

Commissioner Mosley said he would be more comfortable with administrative review rather than no review of solar panels as there may be proposals that have not been considered, such as a “super-structure” of panels. Commissioner Jones, Boyd, and Tibbs agreed. Commissioners suggested that there could be language that explains what is reviewed to ensure that worst-case scenarios are still reviewed. Commissioner Fitts said there is no concern about the typical

proposal, just the worst-case-scenario. Commissioner Mosley pointed out that most solar panel requests are likely approved immediately, and do not come to the Commission, but there is a concern about the worst-case-scenario.

Staff recommend not reviewing skylights that meet certain design stipulations as they do not have a major impact on the historic character of a building.

Commissioner Price recommended conditions be added to the type of skylights or solar panels allowed to prevent the worst-case-scenario.

Staff recommend no longer requiring a specific reveal for new lap siding. Historically, lap siding came in a variety of reveals.

Commissioner Price said the proposal made sense. Commissioner Mosley said that there would still be language in the design guidelines about new construction “not contrasting greatly” with historic context so that the Commission could address any type of request that they might not be contemplating now. Ms. Zeigler suggested rather than removing the five inch (5”) but saying that the reveal would still be reviewed, that a new maximum be provided so people are not wondering on each case what might be allowed.

Staff recommended not reviewing roof color. There are currently no guidelines regarding roof color. Historically asphalt shingle came in a variety of colors. The worse-case scenarios, would be an all-white roof or one of multiple colors. Since roofing materials are not a permanent change to a historic building, staff recommends not reviewing roof color.

Commissioner Jones agreed.

Zeigler explained that the Demolition section has changed to include policies that the commission has followed for decades, such as clarification of “partial-demolition” and how non-contributing buildings are treated. The major change here is the recommendation to add the removal of siding as a “partial-demo” action. This is very different than what has been done in the past.

Commissioner Price spoke in favor of adding cladding as partial-demolition as weatherboard is often a character-defining feature. Commissioner Jones expressed concern about adding a new guideline that is more restrictive than what the districts originally agreed to. Commissioner Fitts said she struggled as they saw a case last month where removal of the cladding was part of what ultimately led to demolition of the structure. Commissioner Fitts also recommended removal of the side-bar providing education about wall insulation.

Commissioner Mosley asked why Staff was recommending review of replacement siding. Zeigler said that it started from public comments. There are situations where people have taking all the siding, trim, windows and doors and neighbors have called concerned that it is essentially full demolition. Rather than try to review all replacement materials, staff thought siding had the greatest impact and so recommended review in the draft. Commissioner Mosley said that removal of cladding can add up to many other changes that were initially unintended.

Commissioner Fitts said that she is behind the reason for it but wonders if there is a better way to address the issue. Commissioner Mosley acknowledged that if someone removes siding without a permit, then there would be no way to rectify the violation, except with new siding.

Chairman Bell said to review replacement siding is not unreasonable. Commissioner Mosley said he understands both the fears of the neighborhoods that feel that are losing historic buildings and those of developers, who wonder what will be required.

Lastly, Ms. Zeigler noted that the material section is primarily an italicized list of appropriate and inappropriate materials. It is not best practices to include specific materials in the design guidelines as they change so rapidly; however, we thought it would provide better guidance to applicants to list them. Since they are italicized, the list can be easily revised as materials change or new materials are available.

Commissioner Mosley requested language be added to explain why the material section is italicized. Commissioner Jones said additional clarity is a positive.

Ms. Zeigler reminded the Commission that for next month, they have on their schedule to discuss New Construction for infills and additions and then in February they will discuss outbuildings.

Commissioner Tibbs asked if the comments could be grouped together.

v. ADMINISTRATIVE ACTIONS & UPDATES

Commissioner Price left at 5:20 p.m.

Melissa Baldock presented training for the MHZC.