

DAVID
BRILEY
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park

**METRO HISTORIC ZONING COMMISSION (MHZC)
MINUTES**

July 18, 2018

Commissioners Present: Chair Menie Bell, Vice Chair Cyril Stewart, LaDonna Boyd, Kaitlyn Jones, Elizabeth Mayhall, Ben Mosley, David Price, Brian Tibbs,

Zoning Staff: Sean Alexander, Melissa Baldock, Jessica Reeves, Melissa Sajid, Jenny Warren, Susan Jones (city attorney)

Applicants: Brian Galati, Roger Potter, Chris Goldbeck, John Root, Lynn Taylor, Manuel Zeitlin

Councilmembers: Kathleen Murphy, John Cooper

Public: Glenda Bell Newton, Tom Pennington, Mandy Young, Steven Young.

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 of the consent agenda and the process for appeals.

I. ADOPTION OF AGENDA

Ms. Baldock noted that there are two changes to the agenda. 2020 10th Avenue South, application for demolition, was deferred at the request of the applicant. 2018 10th Avenue South has been removed from the agenda. The applicant met staff's recommendations, and staff was able to accept the changes to the proposed infill administratively.

Motion:

Commissioner Stewart moved to approve the revised agenda. Commissioner Boyd seconded and the motion passed unanimously.

II. RECOGNITION OF COUNCILMEMBERS

Council Member Kathleen Murphy and Council Member John Cooper were in attendance, but they stated that she would speak during the public hearing for the houses on Woodlawn Avenue.

III. APPROVAL OF MINUTES

a. June 20, 2018

Motion:

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

IV. CONSENT AGENDA

b. 1513 WOODLAND ST

Application: New Construction--Detached Accessory Dwelling Unit
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2018038677

c. 1022 ACKLEN AVE

Application: New Construction--Addition and Outbuilding; Partial Demolition; Setback determination
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Paul Hoffman paul.hoffman@nashville.gov
PermitID#: T2018038724 and T2018038733

d. 1013 PARIS AVE

Application: New Construction—Addition
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Jenny Warren Jenny.Warren@nashville.gov
PermitID#: T2018038738

e. 1703 FORREST AVE

Application: New construction - Addition
Council District: 06
Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2018038828

f. 935 SILVERDENE PL

Application: New Construction - Addition
Council District: 05
Overlay: Maxwell Heights Neighborhood Conservation Zoning Overlay
Project Lead: Sean Alexander sean.alexander@nashville.gov
PermitID#: T2018039141

Motion:

Commissioner Stewart moved to approve all items on the consent agenda with their applicable design guidelines. Commissioner Mayhall seconded and the motion passed unanimously.

V. OVERLAY RECOMMENDATIONS & DESIGN GUIDELINE ADOPTIONS

None

VI. PREVIOUSLY DEFERRED ITEMS

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

g. 2801 27TH AVE S

Application: New construction-infill
Council District: 18
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2018032356

Staff member Melissa Baldock presented the case for new infill at 2801 27th Avenue South. 2801 27th Avenue South is currently a vacant lot, and the application is to construct infill. The proposed infill will meet all base zoning setbacks. Its front setback will be approximately thirty feet (30'), which is approximately twelve feet (12') forward of the historic house next door at 2805 27th Avenue South. Staff finds this to be appropriate because this side of 27th Avenue South does not have a consistent front setback line, as you can see in this site plan. The proposed front setback will transition from the corner lot facing Woodlawn to the historic house next door at 2805 27th Avenue South to the unusually deep front setback at 2807 27th Avenue South. Vehicular access to the site will be via a new curb cut, which staff finds to be appropriate since the site lacks alley access. Staff recommends inclusion of a front walkway from the street to the front porch.

The proposed infill is one-and-a-half-stories in height at the front. It has an eave height of approximately ten feet (10') at the front from the foundation line and a ridge height of approximately twenty-four feet, six inches (24' 6") from the foundation line. Staff finds that the infill's height meets the historic context. The infill has a width of twenty-eight feet, five inches (28' 5") at the front. This width is very similar to the width of the historic house directly next door at 2805 27th Avenue South, which has a width of twenty-eight feet (28'). Towards the back, the infill extends wider than the main form of the house by six feet, six inches (6' 6") on the right side. The wider part of the infill is two feet (2') shorter than the historic house and is pushed back over ninety feet (90') from the front wall of the infill, helping to reduce its impact. Next door at 2805 27th Avenue South, the Commission approved an addition to the historic house that extended wider, and this infill will be similar. Staff therefore finds that the width meets the historic context.

The site slopes towards the back so at the rear there is an occupied basement level. The infill includes an attached garage on the right side, at the basement level. The design guidelines state that attached garages can be appropriate when they are located at the basement level and when they are located in areas where an outbuilding would have been historically. The proposed garage is inset six feet (6') from the main wall of the house, and it is located approximately fifty-seven feet back from the front wall of the house. It will not be highly visible from the street.

The foundation height is shown as minimal at the front and gets taller further back on the site because of the slope. Staff recommends approval of the foundation height and first floor framing height in the field to ensure that the foundation and floor heights are compatible with the immediate historic context. The infill will have a depth of one hundred and seven feet (107'), not including the front porch, which is eight feet (8') deep. Although the infill is deep, staff finds its scale to be appropriate because the lot is unusually deep and large. The lot is two hundred and twenty-five feet (225') deep and eleven thousand, two hundred and fifty-square feet (11,250 sq. ft.) in area.

All of the known materials meet the design guidelines, and staff recommends approval of all final material choices. The side elevations contain wall dormers, which are not typically approved. Staff, however, finds these wall dormers to be acceptable, in this instance, because they are located over fifty-six feet (56') back from the front wall of the house and will not be highly visible.

Staff recommends approval of the project with the following conditions:

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. Staff approve the front setback in the field after staking;
3. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;
4. Staff approve brick and stone samples;
5. Staff approve the material of the front porch floor and steps;
6. Staff approve the roof shingle color, material, and texture;
7. A walkway be included from the street to the front porch, and staff approve the walkway material;
8. All double window openings have a four to six inch (4"-6") mullion in between them; 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.1. of the Hillsboro-West End Neighborhood Conservation Zoning Overlay.

Applicant Manuel Zeitlin indicated that he was in agreement with the staff's recommendation. There were no requests from the public to speak.

Motion:

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

- 1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
 - 2. Staff approve the front setback in the field after staking;**
 - 3. Staff approve the final details, dimensions and materials of windows and doors prior to purchase and installation;**
 - 4. Staff approve brick and stone samples;**
 - 5. Staff approve the material of the front porch floor and steps;**
 - 6. Staff approve the roof shingle color, material, and texture;**
 - 7. A walkway be included from the street to the front porch, and staff approve the walkway material;**
 - 8. All double window openings have a four to six inch (4"-6") mullion in between them; and**
 - 9. The HVAC be located behind the house or on either side, beyond the mid-point of the house;**
- finding that with these conditions, the project meets the Hillsboro-West End Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Boyd seconded and the motion passed unanimously.**

h. 934 McFERRIN AVE

Application: New construction-infill

Council District: 05

Overlay: Greenwood Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018025033

Staff member Melissa Baldock presented the application for infill at 934 McFerrin Avenue. 934 McFerrin Avenue is located at the northeast corner of Seymour Avenue and McFerrin Avenue. The lot one hundred and fifty feet wide (150') along Seymour Avenue and one hundred and sixty-eight feet (168') deep along McFerrin. Historically, this was three lots, facing Seymour Avenue. Currently on the lot is a c. 1948 house that does not contribute to the historic character of the Greenwood Neighborhood Conservation Zoning Overlay. MHZC staff issued a preservation permit for the demolition of the existing house in March 2018.

The applicant is proposing six residential structures, each with two residential units, for a total of twelve residential units. This meets the base zoning for the lot. In March 2018, the Historic Zoning Commission disapproved a similar, but larger, proposal for twelve residential units on this site. This application represents a revised proposal.

The proposed development will be largely oriented to face Seymour Avenue, which is appropriate. There will be three duplex structures facing Seymour Avenue. At the back, there will be three smaller structures also containing two residential units each. Vehicular access to the site will be via new curb cut and shared driveway off of McFerrin, towards the back of the lot, in between the two sets of structures. The driveway is approximately twenty-two feet (22') at the street. Typically the Commission has not allowed for driveways that exceed twelve feet (12') in width. Because of the density of the lot, staff finds the wider drive to be necessary but is concerned about its visual impact on the historic neighborhood. Each unit will have attached parking, which is not typically allowed for the front units, but staff finds it to be appropriate in this instance because of the density of the site.

The front setbacks of the houses facing Seymour are proposed to be twenty-nine feet (29'). This is forward of the neighboring house at 846 Seymour Avenue. However, since 846 Seymour Avenue and the other houses on the 800 block of Seymour Avenue are all non-contributing, staff finds the proposed front setback to be appropriate. The units will be a minimum of five feet (5') from the interior property line and twenty feet (20') from the rear property line. Along McFerrin Avenue, the new structures will be a minimum of thirteen feet (13') from the McFerrin side property line. Staff finds this side setback to be appropriate.

The units facing Seymour Avenue are largely spaced ten feet (10') apart. However, at the rear, the units widen and the structures are just six feet (6') apart. The reason for the extra width at the rear is that the rear attached garages need a minimum width of forty feet (40') for four cars. For Units 1, 2, 3, and 4, the rear bump outs are two-stories in height, whereas the main form of these units is one-and-a-half stories. Staff recommends that for these units, the extra width be only one story in order to keep the overall scale appropriate for the context and provide more spacing between the residential units. For Units 5 and 6, the main form of the house is two stories, and staff therefor finds the two-story form is appropriate for the extra width.

Staff finds that the heights and scales of the new houses generally meet the historic context, with a few exceptions. For Units 1 & 2, the main form of the house is one-and-a-half stories. At the rear, the wider portion of the house, which is forty feet (40') wide in order to accommodate the garage, is two stories in height. Staff finds that the forty foot (40') wide portion of the house should be limited to one-story only on these units because this width generally does not meet the historic context and is only acceptable on the ground floor because it provides the necessary width for four cars. These forty foot (40') wide portions of these units sit just six feet (6') from the neighboring house. Keeping the wider bays to one story will ensure that the height, scale, and rhythm of spacing of the development remains appropriate.

Units 3 & 4 have a similar configuration – a two-story rear bay behind a one-and-a-half story house that extends the width to 40' and creates just six feet (6') of space in between the structures. Staff recommends that for Units 1, 2, 3, and 4, the forty foot (40')-wide portions be limited to one-story in height. Units 3 and 4 also share the same porch roof, but have porch floors that are separated by two feet, eight inches (2'8"). In looking at historic duplexes, typically, either the porches shared the same floor and the same roof or the porch roofs and the porch floors were entirely separate. Staff finds that the separate porch floors under the continuous porch roof increase the perceived width of the houses and are not appropriate. Staff recommends that Units 3 and 4 have a continuous porch floor or separate porch roof forms. Staff also recommends that the doors on these units be at least half glass.

The three rear units are identical, and staff finds that they are sufficiently subordinate to the Seymour-facing structures. On Unit 6, staff recommends that the horizontal window opening be either square or vertically oriented.

Staff recommends approval of the project with the following conditions:

1. The finished floor heights be consistent of finished floor heights of neighboring historic houses, to be verified in the field;
2. The rear, wider portions of Units 1, 2, 3, and 4 be one story in height;
3. Units 3 and 4 have a continuous front porch floor;
4. The horizontal window opening on Unit 6 be either square or vertically oriented;
5. Staff approve a brick sample;
6. Units 1, 2, 3, 4, 5, and 6 have front doors that are at least half glass, and staff approve all windows and doors prior to purchase and installation; and
7. Staff approve the locations of the HVAC units and utilities.

With these conditions, staff finds that the project meets Section II.B.1. of the Greenwood Neighborhood Conservation Zoning Overlay.

Applicant John Root asked for the Commission's consideration regarding the two-story massing at the wider portion of the house at the rear. He is supportive of staff recommendation, except for the condition regarding reducing the size of the rear portion of the house to just one story. He mentioned that they have worked out with public works the side walks along McFerrin and Seymour. He also stated that he prefers the craftsman doors for units 1 -4, but for 5-6 he agrees with half-glass door because that is more Victorian in design.

There were no requests from the public to speak.

Commissioner Tibbs asked for clarification on the staff's position on the extra width at the rear. Melissa Baldock explained that the concern was the overall massing and the fact that the rear portions are just six feet (6') apart at the rear. Staff understands that additional width is needed but the amount of additional width combined with the height is too much massing for the historic context.

Commissioner Tibbs stated that he found the rear massing to be appropriate based on a different project, outside of the overlay, where the buildings were only five feet (5') apart. Commissioners Boyd, Mosley and Jones agreed. Commissioner Jones stated that the design helps to keep the scale appropriate and that there is not a lot of immediate historic context. The rear units are sufficiently subordinate and the scale is appropriate given the zoning. She also agreed the craftsman style door is appropriate in this location.

Commissioner Mosley reiterated that for a craftman style house a craftsman style door with less than half-glass is appropriate.

Commissioner Stewart stated that the increased density can be challenge and he thinks the applicant has done a good job getting an appropriate scale. Commissioner Mosley noted that the base zoning isn't something that the Commission controls; therefore he agreed with Commissioner Stewart.

Commissioners Price and Mayhall agreed with the comments of the other commissioners.

Motion:

Commission Stewart moved to approve the infill with the following conditions:

- 1. The finished floor heights be consistent of finished floor heights of neighboring historic houses, to be verified in the field;**
- 2. Units 3 and 4 have a continuous front porch floor;**
- 3. The horizontal window opening on Unit 6 be either square or vertically oriented;**
- 4. Staff approve a brick sample;**
- 5. Staff approve the locations of the HVAC units and utilities;**

finding that with these conditions, the project meets the Greenwood Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Boyd seconded and the motion passed unanimously.

VII. PRELIMINARY & FINAL SP REVIEW

None.

VIII. VIOLATIONS

i. 114 2ND AVE S

Application: Signage

Council District: 19

Overlay: Broadway Historic Preservation Zoning Overlay

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

PermitID#: T2018032517

Staff member Melissa Sajid presented the violation at 114 2nd Avenue South.

Wall signage was installed without a preservation permit. The signs were installed over boarded up windows as seen here on the right and subsequently were covered with Plexiglas and new trim boards, without a preservation permit.

114 2nd Avenue South was constructed circa 1910 and contributes to the historic character of the Broadway Historic Preservation Zoning Overlay. Masonry repair was permitted administratively in 2016, and the existing projecting sign was permitted administratively in 2017.

Staff finds that the location and materials of the unpermitted signs do not meet the Broadway design guidelines. The windows were boarded up before the applicant acquired the building. The signage was installed over boarded up windows without a permit. The Plexiglass over the signs along with trim were installed later, without a permit, after notification of the violation. In the provisions for wall signs, the design guidelines states that "a wall sign cannot

cover windows or architectural details.” In this case, the signs cover the window openings and are inappropriate in the current location, whether or not the windows are boarded up.

Materials for the signs and trim were not provided. The signage is likely paper, vinyl or cloth, which are not appropriate signage materials. Plexiglas with trim of an unknown material has been installed over signs. Plexiglas is not an appropriate material for a window and trim material was not provided. The overall design of trim and Plexiglas do not meet the design guidelines for a replacement window.

Staff recommends disapproval with the condition that the unpermitted signage be removed within 30 days, finding the project does not meet Section IV for Signage. Also, this decision would not keep the applicant from applying for additional signage and/or replacement windows that meet the design guidelines, but would correct the violation.

Owner, Brian Galati, stated that the plywood is existing and was like that when he purchased it. They have spent more than 1.5 million dollars to repair the building and that none of the existing conditions met the design guidelines. The materials on the exterior came from the interior of the property from a chicken coop and are historic. There is a kitchen behind the windows. There used to be three different style windows in the window openings and one had plywood behind it. He said it has never been a window, and he does not understand why he now needs to make it a window. Everything he has is in this place and he does not have money for new windows.

In answer to Commissioners Mayhall and Jones, Ms. Sajid explained that the applicant was not asked to remove the boards over the windows. That condition could have continued but once they want to make a change, which they did, then the change would need to meet the design guidelines.

Commissioner Stewart asked if the signage would meet the allotment and Ms. Sajid responded that the applicant did not submit information regarding dimensions.

Commissioner Mosely said that any alterations made needed to bring the building more into compliance rather than less and this is less. There was no requirement to improve the existing condition of the plywood but if an alteration is made then the change needs to be in compliance. Commissioner Jones agreed.

In answer to Commissioner Mayhall’s question regarding options, Ms. Sajid said that they have two options. Once is to install a window that meets our standards, and then install signage behind the windows or they could put back the condition of the plywood.

Commissioner Mosley summarized that signage is not reviewed behind a window. In this case, a window doesn’t exist as Plexiglass with a reclaimed wood frame is not a window.

Chair Bell reminded the Commission that the application is for unpermitted signage.

Motion:

Commissioner Jones moved to disapprove with the condition that the unpermitted signage be removed within 30 days, finding the project does not meet Section IV for Signage of the Broadway Historic Preservation Zoning Overlay Design Guidelines. Commissioner Boyd seconded and the motion passed unanimously

IX. MHZC ACTIONS

j. 2020 10th AVE S

Application: Demolition

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018039146

2020 10th Avenue South was deferred at the request of the applicant.

k. 2018 10TH AVE S

Application: New construction - infill
Council District: 17
Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Sajid Melissa.Sajid@nashville.gov
PermitID#: T2018032477

2018 10th Avenue South was removed from the agenda. Staff issued the permit administratively.

l. 3956 WOODLAWN DR

Application: New Construction—Infill and Outbuilding
Council District: 24
Overlay: Woodlawn West Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2018038683 and T2018038699

m. 3960 WOODLAWN DR

Application: New Construction--Infill and Outbuilding
Council District: 24
Overlay: Woodlawn West Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2018038704 and T2018038710

n. 3964 WOODLAWN DR

Application: New Construction--Infill and Outbuilding
Council District: 24
Overlay: Woodlawn West Neighborhood Conservation Zoning Overlay
Project Lead: Melissa Baldock Melissa.Baldock@nashville.gov
PermitID#: T2018038716 and T2018038719

Staff member Melissa Baldock presented the three cases for infills and outbuildings at 3956, 3960, and 3964 together. Until recently, the site for the three infills, seen here on the map, had the address 200 Ensworth. There was one house on the site, and it was oriented towards Ensworth Avenue. The existing house is a ranch that does not contribute to the historic character of the Woodlawn-West Neighborhood Conservation Zoning Overlay. MHZC staff issued an administrative permit to demolish it in June 2018. Although the three lots have long been deeded together, when they were originally plotted for development in 1926, three separate lots were created. The applicant has re-established the lot lines of the three lots. In 1929 or 1930, the lot at the corner of Woodlawn and Ensworth was bisected by a diagonal extension of Ensworth Avenue. This created an unusual triangular piece of land that is actually part of the lot.

The houses are all oriented to face Woodlawn Drive, which staff finds to be appropriate for several reasons. First, historically, houses were oriented towards the narrower side of the lot – and the Planning Department requires that the “front” of any lot generally be the narrower side. In this case, for all those lots, that is Woodlawn Drive. For the lot at the corner of Montgomery Bell, there are not houses that face Montgomery Bell Avenue for the entire length of the street, so it doesn’t make sense to orient a house to Montgomery Bell. The center lot has to be oriented towards Woodlawn Avenue, as it lacks a side street. For the lot at the corner of Ensworth, it would be difficult, if not impossible, for an infill to have an appropriate front setback from Ensworth and have a usable depth. Staff therefore finds that the orientation towards Woodlawn Drive is appropriate. Each lot will have a detached garage, connected to the primary structure with a breezeway that is open on both sides. The Commission has approved similar breezeways in the past.

There are no houses in the overlay that front Woodlawn Drive, so staff looked to the houses on Kimpalong and Ensworth for context.

Staff does have some concerns about the proposed parking. There is no street parking on Woodlawn, Ensworth, or Montgomery Bell, so the applicant wants guest parking. Staff finds that the proposed guest parking that is towards the front of the house is not appropriate, as the Commission does not typically allow front yard parking. Staff recommends that the guest parking be located behind the midpoint of the house, in the approximate area shown on this plan. The applicant has agreed to relocate the guest parking as suggested.

The submitted site plan shows that the house that is at the corner of Montgomery Bell Avenue and Woodlawn Drive and its outbuilding as not meeting the twenty foot (20') side setback from the side street. The applicant does not intend to ask for setback determination and has agreed to shift the house and the outbuilding over to meet the twenty foot (20') setback. By shifting the house and the outbuilding, the applicant will still be meeting the side setback from the interior side property line.

The houses are one and a half stories in height and in the twenty-nine to thirty-five foot (29'-35') height range, which staff finds to be appropriate. The historic houses along Kimpalong Avenue are largely one and one-and-a-half stories in height, while the historic houses along Ensworth Avenue are largely two-stories in height. Overall, in the district, the houses range from nineteen to thirty-six feet (19'-36') in height.

The houses will be between fifty-seven and seventy-two feet (57' and 72') wide. Staff finds this to be appropriate because the lots are wide. The two lots on the right are one hundred feet (100') wide, and the lot on the right is seventy-nine feet (79') wide at the front and two hundred feet (200') wide at the back. The widths of historic houses on similarly-sized lots on Kimpalong Avenue range from fifty-feet to sixty feet (50'-60'). On Ensworth Avenue, the historic houses are as wide as seventy-five feet (75').

3956 Woodlawn is the house at the corner of Montgomery Bell Avenue. The primary material for all the houses is painted brick with cedar siding and hardie siding accents. Staff finds this to be appropriate. This particularly house has brick to grade. Typically, the Commission requests a change in material from the foundation to the wall above. For this house, the slope is such that the foundation will be need to be taller. The applicant has agreed to revise the plans to have a change in material at the foundation level. The infill will have a depth of eighty-five feet (85') along Montgomery Bell Avenue, which staff finds to be appropriate because the lot is two hundred feet (200') deep. The overall footprint of the house is approximately four thousand, one hundred square feet (4,100 sq. ft.). The house sits on a lot that is twenty thousand square feet (20,000 sq. ft.). Staff therefore finds that its height and scale meet the historic context.

3960 Woodlawn is the middle lot. In this case, the applicant is showing brick to grade. Staff finds that brick to grade is appropriate for this house because it will be set lower to grade and there will not be a significant expanse of brick at the front. The infill is proposed to be fifty-seven feet, two inches (57'2") wide at the front, and it will have a maximum width of sixty-three feet (63') further back. The infill will have a maximum depth of eighty feet (80') on the right side, which staff finds to be appropriate because the lot is two hundred feet (200') deep. The overall footprint of the house is approximately four thousand square feet (4,000 sq. ft.). The house sits on a lot that is twenty thousand square feet (20,000 sq. ft.).

3964 Woodlawn Drive is the house at the corner of Ensworth. The infill is proposed to be fifty-six feet, four inches (56'4") wide at the front. The infill's width expands to sixty-five feet (65') and then to seventy-two feet (72') further back. Staff finds this to be appropriate because the main portion of the lot is oddly shaped due to the diagonal of Ensworth Avenue, which bisects the lot. The main portion of the lot is seventy-nine feet (79') wide at the front and two hundred feet (200') wide at the back. The large width of the lot towards the rear makes the proposed width of the infill appropriate. Like the middle lot, staff is fine with the brick to grade on this house because it will sit low to the ground at the front. The infill will have a maximum depth of seventy-seven (77'), which staff finds to be appropriate because the lot is two hundred feet (200') deep. The overall footprint of the house is approximately four thousand, two hundred and forty-nine square feet (4,249 sq. ft.). The house sits on a portion of the lot that is close to twenty-eight thousand square feet (28,000 sq. ft.); including the triangular portion of the property, the lot is over thirty thousand square feet (30,000 sq. ft.).

In conclusion, for all three houses, Staff recommends approval of the infill and outbuilding with the following conditions:

1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
2. The cedar siding be smooth;
3. The stairs and floor of the front and side stoops be wood or concrete;
4. Staff approve a brick sample, the roof shingle color and texture, and all windows and doors prior to purchase and installation;
5. The HVAC be located behind the house or on either side, beyond the mid-point of the house.

For 3956 Woodlawn, Staff recommends approval with these additional conditions:

1. There be a change in material from the foundation to the wall above, and staff approve the foundation material;
2. The guest parking area be located to in the rear half of the lot; and
3. The infill and outbuilding meet the base zoning setbacks on Montgomery Bell Avenue.

For 3964 Woodlawn, Staff recommends approval with this additional condition:

1. The guest parking area be located to in the rear half of the lot; and

With these conditions, staff finds that the proposed infills and outbuildings at 3956, 3960, and 3964 Woodlawn meet Section II.B. of the design guidelines for the Woodlawn-West Neighborhood Conservation Zoning Overlay.

Commissioner Stewart asked Baldock about how the front setback was determined. She responded that the other houses in the vicinity have deeper lots and are not nearby. The underlying zoning requires a forty foot (40') setback and staff thought that to be appropriate since there wasn't much to compare it to.

Chairman Bell noted that the three projects would be voted on separately.

Chris Goldbeck, architect for the project, stated that he is in agreement with staff's recommendation, and that he worked with staff thorough out the process to get a design that staff finds meets the design guidelines.

Regarding 3956 Woodlawn, Mr. Goldbeck stated that he was given the guidance of forty feet (40') but he has pushed it back to 53' to get it further from the street. He met with Councilmember Murphy and neighbors last Saturday to introduce the project and there was concern with the curb cut. He agrees with moving the guest parking towards the rear. He is requesting a second curb cut at the rear for guest parking.

Councilmember at-large John Cooper stated that he was present as a neighbor on Woodlawn. He stated that the lots are not large for the area, and asked that the setback along Woodlawn be kept consistent with the setback initiated down the street. There are no entrances from Montgomery Bell on this side. It is a challenging street when school is in, in terms of traffic.

Commissioner Stewart asked Councilmember Cooper what the setbacks along Woodlawn but he did not know.

Glenda Bell Newton, 3950 Woodlawn, said she will be directly affected. She is sickened and dismayed by the proposal as she wants one house there, not three. She noticed that houses on Woodlawn have larger front setbacks.

Mandy Young, 132 Ensworth, stated that she submitted comments via email on behalf of herself and her husband. Regarding 3956 Woodlawn, there are no driveways on Montgomery Bell on that side. In addition, this area has two schools impacting it with young drivers so an additional parking egress is adding to traffic concerns and safety. If 3964 Woodlawn is oriented to Woodlawn, it will be the only house on Ensworth not oriented to Ensworth. She provide pictures of homes impacted by the project. She suggested closing Ensworth Avenue.

Steven Young, 132 Ensworth Avenue, stated that there are nine houses on Ensworth with large setbacks. If the entrance to the corner house doesn't face Ensworth Avenue it will be an anomaly. This is an elegant street with wonderful history. He suggested closing Ensworth Avenue.

Tom Pennington, 202 Craighead Avenue, said his family owns property on Woodlawn Drive. He spoke in favor of the project. He argued that the project is not a subdivision, as the three lots already exist, and the applicant has

worked within the parameters of the design guidelines.

Councilmember Murphy expressed concern over the assumption that the sewer easements will be abandoned. She explained that the former owner owns the triangle of property created by the additional leg of Ensworth and he tried to get that section of the road closed. The non-contributing house that was there was angled to face where Ensworth and Woodlawn connect. She suggested that 3964 Woodlawn be cattycorner or face Ensworth. Adding curb cuts and secondary parking is not needed as people park on MBA for the games and there is parking on Ensworth to accommodate guest parking. The homes are too large for these lots given the character and context of the neighborhood. She asked the Commission to defer or deny.

Commissioners and Councilmember Murphy discussed sidewalks and the history of the road.

Commissioner Jones asked the Councilmember why an orientation to Ensworth is preferred over Woodlawn. Councilmember Murphy explained that with a Woodlawn orientation, the house would be the only one on Ensworth not facing Ensworth and now three houses will back up to another homes side with car lights into their windows.

Chris Goldbeck explained that the lots legally exist. The corner lot needs a curb cut and guest parking, as others have. They are allowed a forty foot (40') setback but pushed it back to fifty-three feet (53'). He claimed the sewer easement abandonment was approved by City Works and they did not receive information that it would have to go through Council. He suggested that the 3964 Woodlawn could be deferred.

Commissioner Price asked him to address the orientation for 3964. Mr. Goldbeck explained that the ordinance requires houses to be oriented to the narrower side of the lot. Additionally, if the house matches Ensworth setbacks as well as meets the twenty foot (20') rear setback, the result is a long skinny house with a front-loading garage.

The Commission began deliberation of 3956 Woodlawn first. The Commission began with a debate on the appropriate setback. Commissioner Price noted that the lots are deeper on the other side. Commissioner Tibbs agreed with continuity of the setbacks along Woodlawn Street and believes the homes should be pushed back to match the setbacks on rest of Woodlawn. Commissioner Mosley stated that the because of the unique conditions of the lot the proposed setback is appropriate and Commissioner Stewart agreed. Commissioner Jones stated that the setback did not need to match the homes across Montgomery Bell. Ms. Baldock clarified how staff found the setbacks to be appropriate and explained that the lots are deeper on the other side of Montgomery Bell.

Ms. Jones clarified that in terms of context, legally they only had to consider those properties in an overlay; however, they were within their right to include properties outside of the overlay as well. She also explained that the applicant must agree to a deferral, the Commission cannot vote on that issue themselves.

Commission debated deferral, parking areas, and curb cuts. Commissioner Stewart noted that they will continue to have development challenges because of the large lots and the fact that much of the neighborhood is not in an overlay.

Commissioner Tibbs moved to disapprove 3956 Woodlawn based on front setback and rhythm of space and the relation to Montgomery Bell. Commissioner Mayhall seconded. Commissioners Jones, Boyd, Stewart, Mosley and Price opposed and the motion failed.

Motion:

Commissioner Mosley moved to approve the infill and outbuilding at 3956 Woodlawn with the following conditions:

- 1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. There be a change in material from the foundation to the wall above, and staff approve the foundation material;**
- 3. The cedar siding be smooth;**
- 4. The stairs and floor of the front and side stoops be wood or concrete;**
- 5. Staff approve a brick sample, the roof shingle color and texture, and all windows and doors prior to purchase and installation;**

6. The guest parking area be located to in the rear half of the lot;
7. The infill and outbuilding meet the base zoning setbacks on Montgomery Bell Avenue; and
8. The HVAC be located behind the house or on either side, beyond the mid-point of the house;
finding that with these conditions, the infill and outbuilding meet the Woodlawn-West Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Price seconded the motion. Commissioners Boyd, Jones, Mosley, Price and Stewart voted in favor of the motion; Commissioners Mayall and Tibbs voted in opposition. The motion passed with five concurrent votes.

Motion:

Commissioner Price moved to approve the infill and outbuilding at 3960 Woodlawn with the following conditions:

1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
2. The cedar siding be smooth;
3. The stairs and floor of the front and side stoops be wood or concrete;
4. Staff approve a brick sample, the roof shingle color and texture, and all windows and doors prior to purchase and installation;
5. The HVAC be located behind the house or on either side, beyond the mid-point of the house;

finding that with these conditions, the infill and outbuilding meet the Woodlawn-West Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Boyd seconded the motion. Commissioners Boyd, Jones, Mosley, Price and Stewart voted in favor of the motion; Commissioners Mayall and Tibbs voted in opposition. The motion passed with five concurrent votes.

Motion:

Commissioner Stewart moved to accept the applicant's request to defer 3964 Woodlawn Drive, and Commissioner Jones seconded. The motion passed unanimously.

o. 4406 ELKINS AVE

Application: New Construction - Infill and outbuilding

Council District: 24

Overlay: Park and Elkins Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018038804 and T2018038807

Staff member Jenny Warren presented the proposed infill and outbuilding at 4406 Elkins Avenue. The house at 4406 Elkins Ave is a non-contributing structure that sits mid-block in the Park-Elkins Neighborhood Conservation Zoning Overlay. A staff permit has been issued for its demolition. The proposed infill is a one-and-a-half story front-gabled house with shed dormers on either side.

This block of Elkins Avenue contains one-story houses, all of which are considered contributing. The three houses seen here are across the street. This house sits to the immediate right of the subject property and is oriented to the corner. The back of that side addition, to the far left, will face the new construction. These three houses sit to the immediate left of the subject property. They are all very similar in terms of height, width, depth, form and setback.

We happened to have scaled drawings of the house at 4412 Elkins Ave on file due to a recent renovation. When you compare the width, as seen here and the depth, as seen here, the proposed infill is appropriate. Staff's primary concern is with the height. I've tried to create an accurately scaled streetscape here, showing the scale of the three small houses at 4412, 4410 and 4408 here on the right, then the proposed infill, and on the left, we have the approximate height of the gable end of the corner property, which has a tall addition. We try not to bog you down with too many numbers during the hearing – those are all in your report, but I wanted to try to give you a visual of the impact of the height on the streetscape. At the proposed height, the infill will be about nine feet (9') taller than the three houses to the left and an estimated two and a half to three feet (2'6" -3') taller than the non-historic side addition of the property on the right. Staff would like to see the overall height pulled down to at least twenty-six feet (26').

On the left elevation, one of the dormers is only about half glazing, the guidelines require that dormers be primarily

glazing, so Staff recommends that a second window be added in this location. Further, all groups of windows should be separated by four to six inch (4"-6") mullions

Now moving on to the outbuilding: the height, square footage, design, and roof all meet the guidelines. Staff recommends staff-level approval of the materials prior to purchase and installation.

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

1. The height of the house shall be reduced to a maximum of twenty-six feet (26');
2. The front setback of this house shall be halfway between the historic home to the left and the side-elevation of the corner historic home on the right. This setback must be verified by Staff after field staking, prior to pouring the foundation;
3. 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;
4. A second window shall be added to the dormer on the left elevation which currently contains only one window;
5. Staff approve the final roofing color, trim material, front & rear porch steps and flooring material, rear porch post material, windows and doors, driveway and walkway materials
6. Staff approve the final foundation, cladding, roofing and trim materials, and the final window and door selections for the garage, prior to purchase and installation;
7. All grouped windows shall be separated by shall be separated by four to six inch (4"-6") mullions;
8. The HVAC shall be located behind the house or on either side, beyond the mid-point of the house;

Applicant Roger Potter declined to speak and indicated he is in agreement with staff's recommendation. There were no requests from the public to speak.

Motion:

Commissioner Tibbs moved to approve the infill and outbuilding at 4406 Elkins Avenue with the following conditions:

1. **The height of the house shall be reduced to a maximum of twenty-six feet (26');**
2. **The front setback of this house shall be halfway between the historic home to the left and the side-elevation of the corner historic home on the right. This setback must be verified by Staff after field staking, prior to pouring the foundation;**
3. **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;**
4. **A second window shall be added to the dormer on the left elevation which currently contains only one window;**
5. **Staff approve the final roofing color, trim material, front & rear porch steps and flooring material, rear porch post material, windows and doors, driveway and walkway materials**
6. **Staff approve the final foundation, cladding, roofing and trim materials, and the final window and door selections for the garage, prior to purchase and installation;**
7. **All grouped windows shall be separated by shall be separated by four to six inch (4"-6") mullions;**
8. **The HVAC shall be located behind the house or on either side, beyond the mid-point of the house;**

finding that with these conditions, the infill and outbuilding meet the Park and Elkins Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Stewart seconded and the motion passed unanimously.

p. 1723 FIFTH AVE N

Application: New Construction - Infill

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018039148

Staff member Sean Alexander presented the proposed infill at 1723 Fifth Avenue North. The application is for infill, replacing a non-contributing house that has been administratively approved for demolition.

The new building will be two-stories, and the total height roof-to-grade will be thirty-one feet, six inches (31'-6") tall. The primary mass of the building will be twenty-nine feet, six inches (29'-6"), with projecting sections on both sides increasing the maximum width to thirty-five feet (35').

Staff recommends that the Commission would consider as conditions of approval:

The front setback shall be consistent with setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;

The finished floor height shall be consistent with the finished floor heights of the nearby historic houses, relative to natural grade, to be verified by MHZC staff in the field;

The roof will be hipped, with gable accents on the front, two porches: one gabled one shed roof.

The total depth is 87 feet, but the sides are broken up by articulating and projecting bays, and the two halves of the building are offset to reduce the perceived massing.

The materials include a split faced block foundation, cement fiber siding with reveals of 6" & 4", and an asphalt shingle roof.

Staff recommends that the Commission would consider as conditions of approval:

The window and door selections shall be approved by MHZC Staff;

The roof color shall be approved by MHZC Staff;

A front walkway shall be added, the material to be approved by MHZC Staff; and

The utility connections and HVAC units shall be located behind the midpoint of the building on a non-street facing façade.

Recommendation Summary: Staff recommends approval of the proposed two story infill at 1723 5th Avenue North with the following conditions:

1. The front setback shall be consistent with setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;
2. The finished floor height shall be consistent with the finished floor heights of the nearby historic houses, relative to natural grade, to be verified by MHZC staff in the field;
3. The window and door selections shall be approved by MHZC Staff;
4. The roof color shall be approved by MHZC Staff;
5. A front walkway shall be added, the material to be approved by MHZC Staff; and
6. 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 Salemtown Neighborhood Conservation Zoning Overlay.

In response to Chairman Bell, Mr. Alexander clarified that Salemtown allows two stories no matter the context.

Applicant Lynn Taylor chose not to speak and indicated that she agrees with staff's recommendation.

Motion:

Commissioner Stewart moved to approve the infill 1723 Fifth Avenue North with the following conditions:

1. **The front setback shall be consistent with setbacks of the adjacent historic houses, to be verified by MHZC staff in the field;**
2. **The finished floor height shall be consistent with the finished floor heights of the nearby historic houses, relative to natural grade, to be verified by MHZC staff in the field;**
3. **The window and door selections shall be approved by MHZC Staff;**
4. **The roof color shall be approved by MHZC Staff;**
5. **A front walkway shall be added, the material to be approved by MHZC Staff; and**

6. The utility connections and HVAC units shall be located behind the midpoint of the building on a non-street facing façade. finding that with these conditions, the infill meets the Salemtown Neighborhood Conservation Zoning Overlay design guidelines. Commissioner Tibbs seconded and the motion passed unanimously.

Commissioner Tibbs announced the passing of Michael Emrick, one of Nashville's key historic preservationists. Chairman Bell added that he was an institution.

Chairman Bell closed the public hearing at 4:22 pm.

X. OTHER BUSINESS

q. CLG TRAINING

Staff member Jessica Reeves provided training to the Commissioners on the Secretary of Interior Standards.

r. ADMINISTRATIVE ACTIONS & UPDATES

s. ADMINISTRATIVE PERMITS ISSUED FOR PRIOR MONTH