

DAVID BRILEY  
MAYOR



## METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission  
Sunnyside in Sevier Park

### METRO HISTORIC ZONING COMMISSION (MHZC) MINUTES August 15, 2018

**Commissioners Present:** Chair Menie Bell, Vice Chair Cyril Stewart, LaDonna Boyd, 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), Susan Jones (metro legal counsel)

**Applicants:** Sonya Smith, Kyle Kramer, Martin Wieck, Will Jenner, Tyler LeMarinel, Lynn Taylor, Yancy Lovelace, Sean Marshall

**Councilmembers:** None

**Public:** Kendra Thompson, Dr. Sekou Franklin, Barbara Caruthers, George Thompson, Newton Holiday, Reverend Enoch Fuzz, Yvette Jones, William Gafney, Aigner George, Jeff Meltesen, Sarah Wells, Carole Ashworth

Chairman Bell called the meeting to order at 2:02 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

Mr. Hoffman noted that there are two changes to the agenda. 2020 10<sup>th</sup> Avenue South, application for demolition, was deferred at the request of the applicant. 1620 Russell Street has been removed from consent and will be heard at the end of MHZC Action items.

**Motion:**

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

#### II. RECOGNITION OF COUNCILMEMBERS

None present.

#### III. APPROVAL OF MINUTES

- a. July 18, 2018

**Motion:**

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

#### IV. CONSENT AGENDA

**b. 748 ROYCROFT PL**

Application: New Construction—Addition  
Council District: 17  
Overlay: Woodland-in-Waverly Historic Preservation Zoning Overlay  
Project Lead: Melissa Baldock, melissa.baldock@nashville.gov  
PermitID#: T2018045489

**c. 1725 LINDEN AVE**

Application: New Construction—Addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock, melissa.baldock@nashville.gov  
PermitID#: T2018045503

**d. 1405 DALLAS AVE**

Application: New Construction—Addition  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Baldock, melissa.baldock@nashville.gov  
PermitID#: T2018045516

**e. 1115 GREENWOOD AVE**

Application: New Construction—Outbuilding; Setback Determination  
Council District: 06  
Overlay: Eastwood Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid, melissa.sajid@nashville.gov  
PermitID#: T2018045572

**f. 1014 PETWAY AVE**

Application: New Construction—Addition; Partial Demolition  
Council District: 05  
Overlay: Greenwood Neighborhood Conservation Zoning Overlay  
Project Lead: Melissa Sajid, melissa.sajid@nashville.gov  
PermitID#: T2018045588

**g. 2602 ESSEX PL**

Application: New Construction—Addition  
Council District: 18  
Overlay: Hillsboro-West End Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren, Jenny.Warren@nashville.gov  
PermitID#: T2018045654

**h. 1714 5TH AVE N**

Application: New Construction—Addition and Outbuilding; Setback Determination  
Council District: 19  
Overlay: Salemtown Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2018045724

**i. 4407 PARK AVE**

Application: New Construction—Addition  
Council District: 24  
Overlay: Park and Elkins Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2018045727

**j. 4411 PARK AVE**

Application: New Construction—Addition  
Council District: 24  
Overlay: Park and Elkins Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2018045728

**k. 2302 BELMONT BLVD**

Application: New Construction—Addition and Outbuilding  
Council District: 18  
Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay  
Project Lead: Sean Alexander, sean.alexander@nashville.gov  
PermitID#: T2018045729

~~**l. 1620 RUSSELL ST**~~

~~Application: New Construction—Addition  
Council District: 06  
Overlay: Lockeland Springs East End Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren, jenny.warren@nashville.gov  
Permit ID#: T2018045644~~

**m. 313 WILSON BLVD**

Application: New Construction – Addition; Setback Determination  
Council District: 24  
Overlay: Cherokee Park Neighborhood Conservation Zoning Overlay  
Project Lead: Jenny Warren, [jenny.warren@nashville.gov](mailto:jenny.warren@nashville.gov)  
Permit ID#: T2018045650

There were no requests from the public to remove any items from the consent agenda.

**Motion:**

**Commissioner Stewart moved to approve all items on the consent agenda with their applicable design guidelines. Commissioner Jones 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.

**n. 2020 10<sup>th</sup> AVE S**

Application: Demolition

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Robin Zeigler, [robin.zeigler@nashville.gov](mailto:robin.zeigler@nashville.gov)

PermitID#: T2018039146

The case was deferred at the request of the applicant prior to the meeting.

**VII. PRELIMINARY & FINAL SP REVIEW**

None.

**VIII. VIOLATIONS**

None.

**IX. MHZC ACTIONS**

**o. 2300 10<sup>th</sup> AVENUE SOUTH**

Application: Demolition

Council District: 17

Overlay: Waverly-Belmont Neighborhood Conservation Zoning Overlay

Project Lead: Robin Zeigler, [robin.zeigler@nashville.gov](mailto:robin.zeigler@nashville.gov)

2300 10<sup>th</sup> Avenue South is a contributing building in the Waverly-Belmont Neighborhood Conservation Zoning Overlay. It was constructed c.1930 and is a one-story home with a recessed corner porch.

Staff member, Robin Zeigler, presented the case for demolition of 2300 10<sup>th</sup> Avenue South based on economic hardship. She explained that there is public comment in your staff recommendation and additional comment was sent to you this morning after the staff report was published. Councilman Sledge has also asked me to let you know that he is not in favor of demolition.

This is a case to demolish a historic building based on economic hardship. Economic hardship is not about the financial hardship of the property owner but the economic viability of the building. In this case, the engineer's report, provided by the applicant, states that the building is in "good condition" and is "stable." He further states that "when viewed as a whole there is opportunity to both improve the quality of the existing structure while retaining as much of the existing structure as possible to satisfy the existing Neighborhood Conservation Zoning Overlay." Since the engineer did not find that the building is inhabitable or dangerous and did find that any repairs desired could be done in a manner that meets the design guidelines, economic hardship does not exist.

The applicant also provided several estimates for repair and new construction as well as value. In this case, since rehab is not necessary to make the building habitable or usable those numbers don't have much meaning in an economic hardship case; however, staff reviewed the estimates provided anyway. No matter how the numbers are run, the applicant can make a profit on the property; therefore, economic hardship does not exist.

It is Staff's understanding that the applicant wishes to demolish the building in order to construct two homes; however, according to the Codes Director, two homes would not be allowed on this substandard lot if the building is demolished. The owner currently has the ability for two units as a non-conforming use, but if the building is demolished that use is lost. This has nothing to do with the overlay but with the size of the lot.

Staff recommends disapproval of the application for full demolition finding that it does not meet Section III.B.2.c for economic hardship.

We also recommend that the owner continue to work with Staff on the design of an addition or a DADU if there is a desire to move the current 2<sup>nd</sup> unit out of the basement.

Sonya Smith, family owner of the property, provided some background on the family's ownership and the process for trying to subdivide or rezone the lot.

Kendra Thompson, 2300 10<sup>th</sup> Ave S; Dr. Sekou Franklin; Barbara Caruthers, 912 Waldkirch; George Thompson, 1326 Rosa L. Parks Blvd; Newton Holiday, 2533 Shreve Lane; Reverend Enoch Fuzz, 903 33<sup>rd</sup> Ave N; Yvette Jones, 302 Deerpoint Dr, Hendersonville; William Gafney, 210 Middleton St; and Aigner George, 210 Middleton St spoke in favor of the project.

Jeff Meltesen, 2026 10th Avenue South, Sarah Wells, 908 Bradford, and Carole Ashworth, 919 Caruthers spoke against demolition.

Ms. Smith rebutted that the house has no historic value. She said she asked to demolish the house prior to the overlay.

In her presentation Ms. Smith played a recording of a voicemail left by Melissa Sajid. After the presentation, Ms. Sajid explained that the recording was from when she worked with the Planning Department.

Commissioner Tibbs asked for clarification of the issues presented by the applicant. Ms. Zeigler said that most of what was presented had to do with other departments so she was limited in her ability to explain them. She said that Staff first heard from Ms. Smith in 2015, when she asked for a "rezoning" and a "UDO" so she sent her to Planning and Codes as those are not actions that historic zoning can assist with. Bill Herbert issued a letter dated 2/24/16 that states that the lot has a legally nonconforming duplex. In April 2016, staff received rough drawings from Preston Quirk. Staff told Mr. Quirk that he was headed in the right direction for an addition and provided some advice on changes to ensure approval; however, an application was never received.

Commissioner Mosley said he doesn't feel qualified to adjudicate what has come before other departments but only what is presented to them which is a case for economic hardship. Vice-chairman Stewart said he understands the applicant's frustration but the Commission has no ability to change existing zoning or laws. The house is historic and the reports show that it doesn't meet economic hardship, which is all they can rule on.

Commissioner Jones stated that it is hard to be objective when there are wonderful people speaking but this Commission doesn't have purview over many of the issues that the applicant and others brought up. The home is historic and she didn't see that there is a hardship.

Commissioner Boyd understood the applicant's argument; however, she wanted to know if there have been steps taken to address the mold issues, as a home should be safe for the occupant. She did not support demolition but she does support the applicant's desire to add a second unit and to make the building safe.

Commissioner Price noted that the building is historic and he didn't see a reason for approving demolition.

**Motion:**

**Commissioner Mosley moved to disapprove full demolition finding that the property does not meet Section III.B.2.c for economic hardship. Commissioner Stewart seconded and the motion passed unanimously.**

**p. 1105 CLAYTON ST**

Application: New Construction—Addition

Council District: 07

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren, [jenny.warren@nashville.gov](mailto:jenny.warren@nashville.gov)

Permit ID#: T2018045672

Staff member, Jenny Warren, presented the case for an addition at 1105 Clayton Street.

The house at 1105 Clayton Avenue is a circa 1941 house that contributes to the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. This application is for a rear addition, inclusive of a ridge raise, and changes to the previously enclosed screen porch. In terms of depth and height, the proposed addition is modest. This design could almost be approved on the staff level, however the applicant is requesting a rear addition and ridge raise without the use of the required side insets.

Here is the front elevation as proposed, using a two foot (2') ridge raise. Two foot (2') ridge raises are permitted on side gabled houses such as this one, however, a two foot (2') inset on either side is required where a ridge raise is used. Staff recommends that a two foot (2') inset be utilized, as per the guidelines, to demarcate the original ridge line and to differentiate the original house from the new construction. To date, the Commission has not deviated from this inset requirement with ridge raises.

Here is the rear elevation and second floor plan showing no insets. The side walls should be inset at least one foot (1') on the first floor and two feet (2') on the second floor. Other than the lack of inset,

staff finds the proposal to be appropriate in terms of height, scale, massing, roof form, design, location, removability and materials.

Moving on to the front elevation... This picture from the 1960s shows that the house originally had an open front porch. This porch was enclosed with windows and glass block prior to the creation of the overlay. The applicant proposes to replace the existing glass block with siding, further enclosing the porch. Staff would recommend leaving the front wall of this former porch as transparent as possible, to retain the appearance of a porch. Staff has no objection to the existing glass being replaced, but would recommend against installing an opaque material. One possible solution would be to install windows that are approximately six feet (6') tall, with a trim board beneath.

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

1. The first floor addition will be inset by a minimum of one foot (1') and the second floor, inclusive of the ridge raise, will be inset a minimum of two feet (2'); and
2. The front wall of the enclosed porch shall use windows approximately six feet (6') tall with a trim board below; and
3. Staff shall approve the final foundation material, roofing color and windows, prior to purchase and installation; and
4. 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 addition meets Sections II.B.1 and II.B.2 of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Kyle Kramer, architect for the project, in answer to Commissioner's Mosley's question said that the front door is not moving. His client wants the glass block removed and more privacy added to that area. They respect the needs for the insets but they do not agree with the condition regarding the insets. They could do some privacy treatments on the window but they don't think that will be consistent with the look of the building.

There were no requests from the public to speak.

Commissioner Jones and Tibbs said the design guidelines require the insets, they haven't deviated from it before and so they don't see a reason not to require it now.

Commissioner Stewart asked if they approve with the proposed conditions can the applicant still work with Staff to work out solutions.

**Motion:**

**Commissioner Stewart moved to approve with the conditions:**

- 1. The first floor addition will be inset by a minimum of one foot (1') and the second floor, inclusive of the ridge raise, will be inset a minimum of two feet (2'); and**
- 2. Applicant work with staff on a solution for the front porch that maintains transparency; and,**
- 3. Staff shall approve the final foundation material, roofing color and windows, prior to purchase and installation;**

**4. The HVAC shall be located behind the house or on either side, beyond the midpoint of the house;**  
**finding that the project meets Section III of the *Waverly-Belmont Neighborhood Conservation District: Handbook and Design Guidelines*. Commissioner Tibbs seconded and the motion passed unanimously.**

**q. 2310 BELMONT BLVD**

Application: New Construction—Addition and Outbuilding (Detached Accessory Dwelling Unit);  
Partial Demolition

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018045582 and T2018045586

Staff member, Melissa Sajid, presented the case for 2310 Belmont Blvd.

This is a request to construct a rear addition and detached accessory dwelling unit at 2310 Belmont Blvd. The plan includes demolishing an existing rear addition and converting an existing door on the front façade to a window. The house was built circa 1915 and contributes to the character of the Belmont-Hillsboro neighborhood.

The application proposes to convert the existing door on the right of the front façade to a window and infill the area below with brick the same as the windows on both sides of the door. The width of the opening will not change. Staff finds this to be appropriate as research indicates that the house was initially single family before it was converted to an apartment.

The application also includes demolishing a rear addition that was constructed after 1957 as it did not appear on the 1957 Sanborn map. Staff finds removal of the addition to be appropriate since it is a non-contributing addition.

The proposed addition is located at the rear of the historic house and sets in two feet (2') from the rear corners, which meets the design guidelines. The addition does not more than double the footprint or depth of the house and meets all setbacks. The addition is a two story addition behind a two story house, and it is neither taller nor wider than the historic house. The addition will be clad in Hardie Plank siding with a Hardie shingle accent. The siding will have reveals of five inches (5") and twelve inches (12"). Staff finds that the proposed twelve inch (12") reveal could be appropriate since it is an accent material and will be minimally visible from the street.

The proposed DADU is located at the rear of the lot and meets all setbacks. The proposed outbuilding is seven hundred seventy-five square feet (775 sq. ft.), which exceeds the maximum allowance of seven hundred fifty square feet (750 sq. ft.) for the lot. The footprint is labeled as seven hundred forty-five square feet (745 sq. ft.) on the site plan, but staff calculated the footprint to be higher when measuring from exterior wall to exterior wall and including the projecting bay window on the rear façade.

Second-level projections are included in the footprint since they increase the massing of the proposal and create covered space on the ground level. Although the bay is minimal, it could set a precedent



for future projecting and cantilevered upper levels which would undermine the overall maximum massing that the guidelines are attempting to control. Staff recommends that the footprint of the proposed DADU be reduced to a maximum of seven hundred fifty square feet (750 sq. ft.).

The proposed outbuilding is two stories with a maximum height of twenty-seven feet (27') feet tall. The overall height exceeds the guidelines for height. Staff recommends reducing the overall height so that it does not exceed the maximum of twenty-five feet (25') tall. The two-story DADU will have an eave height of seventeen feet (17'), which meets the design guidelines and is appropriate since the historic house is two stories. The materials for the DADU are similar to those proposed for the addition.

Staff recommends approval with the following conditions:

1. Staff approve the masonry, roof color, trim, door, and rear porch materials of the addition and partial demolition prior to purchase and installation,
2. The footprint of the proposed DADU shall not exceed seven hundred fifty square feet (750 sq. ft.);
3. The overall height of the DADU shall not exceed twenty-five feet (25');
4. Staff approve the foundation material, roofing color, doors, and garage door materials of the DADU prior to purchase and installation; and
5. The HVAC be located on the rear façade, or on a side façade beyond the midpoint of the house.

With these conditions, staff finds that the application meets the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines II.B.1 and II.B.2 for New Construction and Additions.

Commissioner Mosley asked if the cantilever was removed would the project meet the square footage requirement and Ms. Sajid said that it would be about seven (7) square feet over the maximum allowed.

Martin Wieck, architect for the project, said that they can meet the height requirement. He explained that their calculation is different than Staff's and he asked why a cantilever is included in the footprint, especially since Codes doesn't calculate the projection.

There were no requests from the public to speak.

Commissioner Jones asked why the bay is considered in the calculation. Ms. Zeigler explained that any projections are a part of the massing of the structure and to ensure that outbuildings remain subordinate to the historic building, any upper level projections are included in the calculation.

Commissioner Mosley said that projecting bays are used historically and is a way to break up facades. He did not see a problem with a one foot (1') projection and didn't think it would contrast greatly with the historic character of the property. Something more than two feet (2') starts to get beyond what typical requests are likely to be.

Commissioner Tibbs agreed with Commissioner Mosley. Commissioner Stewart expressed concern with approval as it would create a gray area for design professionals and would impact the staff's ability to provide guidance. Chairman Bell agreed with both sides.

Commissioner Mosley said the projection makes the west elevation look better than it would look without it. He argued for good architecture over specific measurements. Commissioner Jones agreed with Commissioner Mosley. It is a small architectural feature for a small amount of usable space. Commissioner Mosley said if the bay were larger and extended the entire length he would not agree with a bay being added.

Ms. Zeigler reminded the commission that they received funding from the State to create a plan book for outbuildings that may solve some of the problems created by simply following basic measurements and explained that to say that this bay is appropriate but another might not be leaves the Staff unable to provide good direction to applicants. To that end, Commissioner Mosley said that a bay can be up to two feet (2)' deep if does not exceed fifty percent (50%) of the width of the façade on which it is placed and that there is not a bay on every side of the building.

Commissioner Price said that he deferred to the guidelines as they are written now rather than making them up ad hoc at the meeting.

**Motion:**

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

- 1. Staff approve the masonry, roof color, trim, door, and rear porch materials of the addition and partial demolition prior to purchase and installation,**
- 2. The footprint of the proposed DADU shall not exceed seven hundred fifty square feet (750 sq. ft.);**
- 3. The overall height of the DADU shall not exceed twenty-five feet (25');**
- 4. Staff approve the foundation material, roofing color, doors, and garage door materials of the DADU prior to purchase and installation; and**
- 5. The HVAC be located on the rear façade, or on a side façade beyond the midpoint of the house;**

**finding that with these conditions, staff finds that the application meets the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay design guidelines II.B.1 and II.B.2 for New Construction and Additions. Commissioner Stewart seconded. Commissioner Stewart, Price and Boyd voted in favor of the motion. Commissioners Jones, Mosley and Tibbs voted against the motion. Chairman Bell voted in favor of the motion, providing the four concurring votes needed for the motion to pass.**

**r. 505 BUCHANAN ST**

Application: New Construction—Infill

Council District: 19

Overlay: Salemtown Neighborhood Conservation Zoning Overlay

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

PermitID#: T2018045726

Mr. Alexander presented a summary of the application to construct a new house on a vacant lot at 505 Buchanan Street.

The house will be two stories, with a hipped roof and a full width front porch on the first story with a partial width uncovered balcony on the second. The building will be brick with asphalt shingle roof and a stone veneered foundation.

The building will be thirty-one feet (31') tall, with an eave height of nineteen feet (19'). The building will be thirty-three feet (33') wide and seventy feet (70') deep front to back including the six foot (6') deep front porch and a ten foot (10') rear deck.

The massing, materials, and overall character of the building will be similar to infill that was proposed on the adjacent lot to the left, which was approved in May of this year.

The two buildings differ in that the roof height on the current proposal is two feet (2') lower, the eaves are also two feet (2') lower; other differences include the porch columns and the porch roof, also the window pattern on the sides and different types of back porches.

Staff recommends approval of the proposed infill at 505 Buchanan Street 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 nearby historic houses, relative to natural grade, to be verified by MHZC staff in the field;
3. A window opening shall be added on the right side on the upperstory, toward the front;
4. Brick and stone samples shall be approved by MHZC Staff; and
5. The window and door selections shall be approved by MHZC Staff;
6. The roof color shall be approved by MHZC Staff;
7. The material of the front walkway and rear driveway shall be approved by MHZC Staff; and,
8. 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.

**Motion:**

**Commissioner Stewart moved to approve the proposed infill at 505 Buchanan Street 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 nearby historic houses, relative to natural grade, to be verified by MHZC staff in the field;**
- 3. A window opening shall be added on the right side on the upperstory, toward the front;**
- 4. Brick and stone samples shall be approved by MHZC Staff; and**
- 5. The window and door selections shall be approved by MHZC Staff;**
- 6. The roof color shall be approved by MHZC Staff;**
- 7. The material of the front walkway and rear driveway shall be approved by MHZC Staff; and,**
- 8. 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.**

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

**s. 1902 BERNARD AVE**

Application: New Construction—Infill

Council District: 18

Overlay: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock, melissa.baldock@nashville.gov

PermitID#: T2018045525

Staff member, Melissa Baldock, presented the case for infill at 1902 Bernard Avenue. 1902 Bernard is a c. 1973 brick ranch that does not contribute to the historic character of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. MHZC staff issued a demolition permit administratively for the house in August 2018. The lot is at the corner of Bernard Avenue and 19<sup>th</sup> Avenue South. Although the existing house is oriented towards Bernard Avenue, new development should be oriented towards 19<sup>th</sup> Avenue South in order to meet the historic context.

The application is to construct new infill development. The infill is oriented towards 19<sup>th</sup> Avenue South, which is appropriate. The proposed infill meets all base zoning setbacks. The front setback will be approximately twenty-three feet, four inches (23'4") from the front property line. This is to match the front setback of the historic house next door at 2017 19<sup>th</sup> Avenue South, although staff will want to confirm the setback in the field. The proposed infill is one and one-half stories at the front with a height of twenty-seven feet, five inches (27'5"). Staff finds this to meet the historic context, where historic houses in the immediate vicinity are predominantly one-and-a-half stories in height, with heights between twenty-two and thirty feet (22'-30'). All of the known materials meet the design guidelines, as do the roof form, fenestration pattern, and orientation.

Staff recommends approval of the infill 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 staking to ensure that it matches the front setback of the house next door at 2017 19<sup>th</sup> Avenue South;
3. A walkway leading from 19<sup>th</sup> Avenue South to the front porch be added;
4. Staff approve a brick sample, all windows and doors, and the shingle selection prior to purchase and installation of these materials; and
5. The HVAC be located behind the house or on either side, beyond the mid-point of the house.

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

Tyler LeMarinel, architect for the project, said that they agree with all conditions.

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 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 staking to ensure that it matches the front setback of the house next door at 2017 19<sup>th</sup> Avenue South;**
3. **A walkway leading from 19<sup>th</sup> Avenue South to the front porch be added;**
4. **Staff approve a brick sample, all windows and doors, and the shingle selection prior to purchase and installation of these materials; and**
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 proposed infill meets Section II.B. of the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. Commissioner Tibbs seconded and the motion passed unanimously.**

**t. 403 SCOTT AVE**

Application: New Construction—Infill

Council District: 06

Overlay: Eastwood Neighborhood Conservation Zoning Overlay

Project Lead: Melissa Baldock [Melissa.Baldock@nashville.gov](mailto:Melissa.Baldock@nashville.gov)

PermitID#: T2018045481

Staff member, Melissa Baldock, presented the case for infill at 403 Scott Ave. 403 Scott Avenue is currently a vacant lot. In November 2017, this lot was created by subdividing off a rear portion of the lot at 1929 Greenwood Avenue, which is located at the corner of Scott Avenue and is highlighted with the red box. This lot marks the northern boundary of the Eastwood Neighborhood Conservation Zoning Overlay; the other houses that face this block of Scott Avenue are outside of the overlay. On this map, the areas shaded green are within the overlay, and all the others are outside of the overlay. This application is to construct duplex infill. The proposed infill meets all base zoning setbacks. The house is shifted towards the left/south side of the lot to allow for driveway access on the right/north side of the lot. This is appropriate, as the site lacks alley access.

The front setback is shown as twenty feet (20') to the front porch, twenty-seven feet (27') to the front wall of the house. The house to the right/north of 403 Scott has a front setback of approximately twenty-one feet (21') to the front wall (it does not have a porch). Staff finds that the front setback is appropriate given the placement of the house at 405 Scott Avenue; the infill's front porch will be approximately one foot (1') forward of 405 Scott's front wall, but its front wall will be a few feet back from the front wall of No. 405. Staff will want to confirm the front setback in the field to ensure compatibility.

The proposed infill is one-and-half-stories, with a height of approximately twenty-seven feet (27'6") from the foundation line. Staff finds the proposed height to meet the historic context, where historic houses range in height from twenty-two to thirty-one feet (22'-31'). Both entries are oriented towards Scott Avenue, which is appropriate. All of the known materials meet the design guidelines, as do the roof forms, fenestration pattern, and orientation.

Staff recommends approval of the project with the following conditions:

1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;
2. The front setback be checked in the field at the staking check to ensure it is compatible with the front setback of the house next door at 405 Scott Avenue;
3. Staff approve the window and door selections, the roof shingle selection, a stone sample, and the materials of the driveway and walkways prior to purchase and installation; and
4. The HVAC be located behind the house or on either side, beyond the mid-point of the house.

With these conditions, staff finds that the proposed infill meets Section II.B.1. of the design guidelines.

Lynn Taylor, designer for the project, said she agreed with all the conditions.

There were no requests from the public to speak.

**Motion:**

**Commissioner Stewart moved to approve the project with the following conditions:**

- 1. The finished floor height be consistent with the finished floor heights of the adjacent historic houses, to be verified by MHZC staff in the field;**
- 2. The front setback be checked in the field at the staking check to ensure it is compatible with the front setback of the house next door at 405 Scott Avenue;**
- 3. Staff approve the window and door selections, the roof shingle selection, a stone sample, and the materials of the driveway and walkways prior to purchase and installation; and**
- 4. The HVAC be located behind the house or on either side, beyond the mid-point of the house;**

**finding that with these conditions, staff finds that the proposed infill meets Section II.B.1. of the design guidelines. Commissioner Price seconded and the motion passed unanimously.**

**I. 1620 RUSSELL ST**

Application: New Construction—Addition

Council District: 06

Overlay: Lockeland Springs-East End Neighborhood Conservation Zoning Overlay

Project Lead: Jenny Warren, jenny.warren@nashville.gov

Permit ID#: T2018045644

Staff member Jenny Warren presented the case for an addition at 1620 Russell Street.

The house at 1620 Russell Ave was constructed circa 1920 and contributes to the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. The application is for a rear addition. The proposed addition is shorter and narrower than the historic house, it has a minimal connection which disturbs as little historic fabric as possible. Staff finds that the addition meets the guidelines in terms of height, scale, massing, location, removability and design. Staff

members have worked with the applicant throughout the design process and overall we find the proposed design to be appropriate.

The one issue where we were unable to reach an agreement with the applicant is the siding. Prior to purchase by the current owner, the siding on the house was replaced. In a conservation overlay, such as Lockeland Springs-East End, Metro Historic does not review the replacement of siding, windows, roofing, etc. The then-owner installed a cement fiberboard lap siding with a simulated wood grain texture. This work was completed legally.

The applicant would like to match this textured siding on the proposed addition. The design guidelines clearly call for smooth finished siding. The Commission has never approved textured siding in staff's collective memory, and have in fact, required its removal and replacement when it was installed illegally. In order to comply with the guidelines, and to respect precedent, Staff recommends that smooth siding be required on the addition.

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

1. The siding shall be smooth in texture; and
2. Staff shall approve the roofing color, the deck materials and the windows and doors prior to purchase and installation; 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 proposed project meets Sections II.B and II.B.2 of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay.

Yancy Lovelace, representing the design-build firm, explained that the existing siding is about six (6) years old and could last up to fifty (50) years. For design continuity, they would like to match the existing siding. In his opinion, it will look like a mistake and drastically stand out.

Sean Marshall, owner, said it is important to them to maintain the character of the district.

There were no requests from the public to speak.

Commissioner Stewart noted that they are required to follow the Secretary of Interior Standards and the smooth siding is consistent with that; however, they are also able to make different decisions in unique cases. Although he would never recommend use of the textured siding he thinks it is warranted to match the existing product. Commissioner Tibbs agreed and did not feel that it would set a precedent.

Commissioner Mosley expressed concern about not holding all applicants to the same standard. Approving something that is moving away from compliance rather than towards it is a concern.

Commissioner Price recognized the desire for the materials to match; however, on historic buildings, additions often were a different type of siding. Commissioner Jones stated that additions are supposed to be different and not be perfect matches, according to the design

guidelines. Commissioner Price qualified that the Standards ask for differentiation from historic materials and in this case both materials are new materials.

Commissioner Mosley said that simulated materials often do not fit into a historic neighborhood and a faux wood grain is not something that would be appropriate in a historic district and moves the property towards less compliance rather than more compliance.

Commission Stewart noted that the smooth cement-fiber is to simulate sawn wood. He reiterated that it will look like a mistake since the two types of finishes are not different enough. Commissioner Boyd said that the two sidings should match and expressed concern that the different finishes will cause them to wear differently.

**Motion:**

**Commissioner Stewart moved to approve the project with the following conditions:**

- 1. Staff shall approve the roofing color, the deck materials and all windows and doors prior to purchase and installation; and**
- 2. The HVAC shall be located behind the house or on either side, beyond the midpoint; finding that with these conditions, staff finds that the proposed project meets Sections II.B. and III.B.2. of the Lockeland Springs-East End Neighborhood Conservation Zoning Overlay. Commissioner Stewart noted that this is a unique situation that should not be considered precedent setting. Commissioner Tibbs seconded with Commissioners Price and Mosley voting in opposition.**

**X. OTHER BUSINESS**

**u. ADMINISTRATIVE ACTIONS & UPDATES**

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

The meeting adjourned at 3:59pm.