

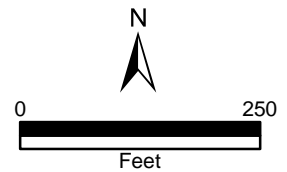
12-C-23-HZ
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS



1021 Tulip Ave. 37921
Mechanicsville H

Original Print Date: 12/15/2023
 Knoxville/Knox County Planning -- Historic Zoning Commission

Petitioner: Sam Daniel Jr





Staff Report

Knoxville Historic Zoning Commission

File Number: 12-C-23-HZ

Meeting: 12/21/2023
Applicant: Sam Daniel Jr
Owner: Sam Daniel Jr

Property Information

Location: 1021 Tulip Ave. **Parcel ID** 94 K G 017
District: Mechanicsville H
Zoning: RN-4 (General Residential Neighborhood)
Description: Craftsman, c.1920

One and one-half story frame with weatherboard and vinyl siding wall covering. Side gable roof with front gable dormer and asphalt shingle roof covering. Enclosed full front porch with original brick columns exposed. Double hung six over six replacement windows. Brick foundation. Rectangular plan.

Description of Work

Level II Major Repair or Replacement

Installation of sections of new vinyl siding. New vinyl siding is proposed for sections that are currently exposed as sheathing, to include the front dormer, sections of the left side elevation, and the upper gable field of the right side elevation. New vinyl soffit and fascia are proposed in sections where currently missing.

Applicable Design Guidelines

Mechanicsville Design Guidelines, adopted by the Knoxville City Council on September 20, 2011.

E. Rules for Wood Wall Coverings

1. Synthetic siding is inappropriate and is not allowed either as replacement siding on existing buildings or new siding in new construction.
3. Replacement siding must duplicate the original. Replacing trim and patterned shingles must also duplicate the original material.
11. If artificial siding is present on any elevation of a building and must be removed in order to repair the building structurally, it can be replaced on the building if no more than 25% of any elevation's artificial siding is removed. If more than 25% of the artificial siding on any elevation is removed for repair, it cannot be replaced.

Comments

N/A

Staff Findings

1. 1021 Tulip Ave is a contributing resource to the Mechanicsville National Register Historic District and local overlay.

2. Responding to a letter from Neighborhood Codes Enforcement, the applicant is proposing to install vinyl siding on sections of the building where siding is currently missing. The open sections of exterior wall show plywood sheathing, asphalt shingles, and small sections of wood lap siding.
3. The applicant made a similar request to the HZC in March 2012. The staff recommendation stated "since not all original wood siding is intact, and there is a variety of siding materials on the house, including vinyl on the outer layer, the existing vinyl siding stay in place until such time as the owner is able to replace it with wood siding. On the east side where new vinyl is partially installed, complete the installation in order to prevent further moisture from entering into exposed parts of the house. [...] This option is recommended only because existing vinyl is on the house and the recommendation should not be construed as approval of vinyl siding on houses with intact wood siding." The Commission ultimately denied the installation of vinyl siding and requested the applicant submit a new plan. The applicant did not submit a follow-up application.
4. The design guidelines state that "synthetic siding is inappropriate as replacement siding on existing buildings," and "replacement siding must duplicate the original." The guidelines also state that "if artificial siding is present and must be removed to repair the building structurally, it can be replaced if no more than 25% of the siding is removed. If more than 25% of the artificial siding on any elevation is removed, it cannot be replaced." The siding is not proposed to be installed for structural purposes. The siding proposed to be installed on each elevation is under or close to 25% of the wall area on the three involved elevations (front and sides).
5. There is not a substantial amount of intact wood siding beneath the wood siding; the vinyl siding is applied above asphalt shingles, wood siding, and sheathing. The applicant did not follow up with the Historic Zoning Commission after the 2012 review and the same sections of sheathing appear open to the elements as discussed in 2012. Recognizing the minor scope of the repairs, measuring under 25% of each wall area, and the lack of original siding on the building, the installation of small sections of vinyl siding will not further detract from the house's architectural integrity. Moreover, the existing sheathing and framing underneath should be made watertight to ensure the house's continued conditions until a current or new owner initiates a full siding replacement/exterior rehabilitation project.

Staff Recommendation

Recognizing the condition of the house, the lack of original siding materials on the house, and the minor scope of work proposed, staff recommends approval of Certificate 12-C-23-HZ as proposed.



DESIGN REVIEW REQUEST

- DOWNTOWN DESIGN (DK)
- HISTORIC ZONING (H)
- INFILL HOUSING (IH)

Sam Daniel , Jr

Applicant

11/28/2023

December 21, 2023

12-C-23-HZ

Date Filed

Meeting Date (if applicable)

File Number(s)

CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Owner
- Contractor
- Engineer
- Architect/Landscape Architect

Sam Daniel ,Jr

Name

Company

311 B Arthur St

Address

City

State

Zip

865-661-9088

samdanieljr55@gmail.com

Phone

Email

CURRENT PROPERTY INFO

311 B Arthur St

865-661-9088

Owner Name (if different from applicant)

Owner Address

Owner Phone

1021 Tulip Ave

094KG017

Property Address

Parcel ID

Mechanicsville

o-1

Neighborhood

Zoning

AUTHORIZATION

Lindsay Crockett

Lindsay Crockett

12.4.23

Staff Signature

Please Print

Date

Sam Daniel Jr

SAM DANIEL JR

11-28-23

Applicant Signature

Please Print

Date

REQUEST

DOWNTOWN DESIGN

Level 1:

- Signs Alteration of an existing building/structure

Level 2:

- Addition to an existing building/structure

Level 3:

- Construction of new building/structure Site design, parking, plazas, landscape

See required Downtown Design attachment for more details.

Brief description of work: _____

HISTORIC ZONING

Level 1:

- Signs Routine repair of siding, windows, roof, or other features, in-kind; Installation of gutters, storm windows/doors

Level 2:

- Major repair, removal, or replacement of architectural elements or materials Additions and accessory structures

Level 3:

- Construction of a new primary building

Level 4:

- Relocation of a contributing structure Demolition of a contributing structure

See required Historic Zoning attachment for more details.

Brief description of work: Replace areas of damaged vinyl siding with new vinyl siding

INFILL HOUSING

Level 1:

- Driveways, parking pads, access point, garages or similar facilities Subdivisions

Level 2:

- Additions visible from the primary street Changes to porches visible from the primary street

Level 3:

- New primary structure
 Site built Modular Multi-Sectional

See required Infill Housing attachment for more details.

Brief description of work: _____

STAFF USE ONLY

ATTACHMENTS

- Downtown Design Checklist
 Historic Zoning Design Checklist
 Infill Housing Design Checklist

ADDITIONAL REQUIREMENTS

- Property Owners / Option Holders

Level 1: \$50 • **Level 2:** \$100 • **Level 3:** \$250 • **Level 4:** \$500

FEE 1:		TOTAL:
100.00		
FEE 2:		
FEE 3:		



Sam Daniel, Jr.

Tue, Nov 28, 1:45 PM

to me

I have attached the photos of the building. On the front , just the dormer siding and soffit , on the side with the stairs, starting at the elevation of the bottom of the window in the door go right to the bottom of the first window, then up to the spot where the existing siding has been blown off, then from the bottom of the middle window over the the corner piece between the windows, about 120 sq ft.. In the back repair /replace a small section of soffit on the right side and a small section on the right.. On the other side install siding to the top, +/- 150 sq ft, install soffit and fascia









**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF MARCH 15, 2012**

City HZC Present

Sean Bolen
Faris Eid
Sandra Martin
Andie Ray
Jason Woodle
Melissa McAdams
Melynda Whetsel

County HZC Present

Steve Cotham
Kenneth Gresham
Carol Montgomery
Linda Claussen

Others Present:

Mark Donaldson
David Kerns
Russ Davidson
Arin Streeter
James Pierce
Tom Reynolds
Sam Daniel, Jr.
Melvin Wright
Lisa Hatfield

Members Absent

Scott Busby
Lorie Huff

Members Absent

Charles Faulkner

Commission Vice-Chair Sandra Martin called the meeting to order and noted that she would be chairing the meeting as Commission Chair Scott Busby was absent. Dori Caron, Administrative Assistant, announced the roll call for the Commissioners.

Vice Commission Chair Martin reviewed new procedures that are now in effect:

- Anyone from the public that wish to speak at the meeting will be sworn in first and also must sign the “Sign Up To Speak” sheet. Comm. Vice-Chair Martin performed the swearing in of those attendees wishing to speak.

There were no visitors to introduce.

There were no reports to the Commission by either Melvin Wright or Lisa Hatfield.

Kaye Graybeal reviewed the Level I Certificates. There was no discussion.

Vice Comm. Chair Martin turned the meeting over to the Knox County Historic Zoning Commission Chair, Kenneth Gresham.

KNOX COUNTY HISTORIC ZONING COMMISSION

Village of Concord HZ

10817 Third Drive – Gene Mac Abel (owner) – 020612CON

Minutes 3-15-12

Knoxville Historic Zoning Commission

Knox County Historic Zoning Commission

Work Description:

Replacement/Repair resulting from April 27, 2011 hail storm. Remove aluminum siding that was installed in 1973 to cover asbestos shingles installed in 1945 which cover the original wood siding. The asbestos shingles will be left intact. Install fiber cement board that is the same exposure as original siding and retain window and door surround detail. Remove and replace shingled roof in-kind. Replace damaged aluminum shutters with louvered wood shutters of the appropriate dimension for the windows.

Staff Recommendation: Approval based on Concord Village Design Guidelines

Discussion: Comm. Gresham noted that the Concord Village guidelines were ultimately a form of compromise to preserve the village feel of Concord Village with narrow streets and without sidewalks. With regards to the appearance of the buildings, the guidelines were more general in nature.

Comm. Montgomery noted she was in favor of this proposal. It was clarified that the Applicant was replacing damaged aluminum shutters with wood louvered shutters with the appropriate dimension to the windows.

There was not a representative from Concord Village who wished to speak.

Action: A move was made by Comm. Montgomery that the Knox County Historic Zoning Commission approve the Applicant’s proposal for 10817 Third Drive based on the compatibility of the project with the adopted design guidelines and the Secretary of Interior’s Standards for Rehabilitation. It was seconded by Comm. Claussen. The motion carried unanimously.

County Comm. Chair Gresham turned the meeting back over to the City.

KNOXVILLE HISTORIC ZONING COMMISSION

Old Mechanicsville H-1

1021 Tulip Avenue — Sam Daniel (owner) – 020712 MEC

Work Description:

Level II: Replace 13 aluminum windows (25 years in age) with one-over-one vinyl-clad windows. A total of six windows have already been replaced on the back and one side of the house. Four bedroom windows have been added within existing non-historic openings with 8" of added height to allow for legal egress. Replace existing vinyl siding with new vinyl siding to match existing 6"-exposure. Existing vinyl siding is covering a variety of earlier siding material including areas of wood siding, asphalt shingles, plywood, and felt blackboard.

Level I: Replace asphalt shingles roofing in-kind.

Staff Recommendation: Approval: Level I asphalt shingle roof replacement with in-kind material. Denial: Level II replacement of vinyl siding and windows with vinyl.

Discussion: The Applicant, Sam Daniel was present. Mr. Daniel stated he is the property owner. Mr. Daniel noted his intent when he began the work was a 3 fold, or “win, win, win” situation: to improve the property for himself economically, to give his tenants a safer, more attractive and more energy efficient residence by adding egress windows which are currently not up to code. Mr. Daniel stated at this point that this is a 3 unit property. Mr. Daniel noted that the property on Tulip had one third of its siding missing 25 years ago and that it was in a state of disrepair.

Mr. Daniel feels he is spending more than he needs to. Mr. Daniel disagrees with the staff recommendations that the existing blue siding be left as is because it has large holes in it. He showed the Commissioners a sample of the siding he wants to use called “Prodigy” and discussed its benefits. Mr. Daniel is not suggesting the guidelines be changed but that this is taken into consideration on a case-by-case basis.

Comm. Whetsel stated that the Commission does not rule on an individual basis but on a district as a whole to maintain a unified neighborhood. Mr. Daniel stated that he felt the restrictions were accomplishing the opposite because of the cost to renovate properties is unrealistic.

Ms. Graybeal stated that the guidelines were written before the product he wants to use was developed. Comm. Eir asked Mr. Daniel if he was aware of the fact that the Mechanicsville Historic Guidelines applied to this property. Mr. Daniel stated he was aware of the Guidelines themselves but not aware of whether or not they applied to his property.

Upon questioning from the Commission, Melvin Wright, City of Knoxville Building Codes and Plan Review, stated that this project did in fact require a building permit. Mr. Daniel did not obtain a building permit prior to beginning the work and therefore a Certificate of Appropriateness was not generated. Mr. Daniel noted he had received a “Stop Work” order.

Comm. Bolen thanked Mr. Daniel for the work he has done, but stated had he pulled a building permit, as the property is located in the historic overlay, it would have been flagged for a Certificate of Appropriateness. Comm. Bolen further stated that when one does not pull a building permit they risk having to suffer the consequences of not having done so. Comm. Bolen noted the Commission’s purpose is to ensure adherence to the historic guidelines. Mr. Daniel noted he should have pulled permit.

Mr. Daniel noted that there are a lot of properties in the neighborhood that are in disrepair because the guideline’s restrictions make repairs are so costly. Comm. Bolen stated that if Mr. Daniel wants to challenge the guidelines he needs to go before the Mechanicsville Board. Comm. Bolen further noted the Mechanicsville guidelines were updated last year and were actually made stricter. He then noted that the Commission’s purpose was to enforce the guidelines, which are now law. Comm. Bolen again stated that Mr. Daniel did not pull a permit prior to beginning the work and that there are now consequences.

Comm. Bolen clarified that both the windows and siding need be addressed and that the Commission needs to discuss what the consequences are. He voiced a possible proposal to correctly replace everything on the fully exposed side of the building, leaving the rear of the building as is, and lastly that it be allowed for replacement of the small swath of siding needing to be replaced with the proposed vinyl siding.

Commissioners Eid and Whetsel felt that the guidelines need to be enforced.

Ms. Graybeal clarified that the Commission does look at each application individually. She stated that in each case there is a specific set of characteristics that are present in each case and that with regard to “precedent setting” for approval or denial of future applications, they would have to match the exact parameters of the project that was approved in order to use that as a precedent for approval of their application.

There was no neighborhood representative present.

Rick Joyner stepped forward as a property owner in Mechanicsville. He felt the integrity of the neighborhood needs to be kept at all costs. He has come before the Commission before and been denied several items on a home he was building. However, that said, Mr. Joyner stated he knew what he was “getting into” when he decided to build a home in an historic area.

Action: A motion was made by Comm. Eid that the Knoxville Historic Zoning Commission deny the Applicant’s proposal for 1021 Tulip Avenue requesting the replacement of the vinyl siding and vinyl windows based on the incompatibility of the project based with the adopted design guidelines and the Secretary of Interior’s Standards for Rehabilitation. The motion was seconded by Comm. Whetsel.

Comm. Bolen noted that we are delaying the situation for Mr. Daniel and without modification of the Motion he will need to come back. Ms. Graybeal stated that the Applicant must agree to any modification made or appear before the Commission with a new Application.

Action: Comm. Bolen made a substitute motion and moved the Knoxville Historic Zoning Commission deny the Applicant’s proposal for 1021 Tulip Avenue requesting the installation of vinyl windows and siding based on the incompatibility of the project with the adopted design guidelines and the Secretary of Interior’s Standards for Rehabilitation, and modify the proposed work to state that the 3 sides of the property (the 2 sides not facing the main artery and the rear of the property) be sheathed with wood siding in addition to the vinyl windows being withdrawn and replaced with wooden windows in respect to the guidelines.

Ms. Graybeal asked for confirmation that Comm. Bolen’s modification included the replacement of the 6 windows already replaced with vinyl ones and Comm. Bolen stated that was correct. Comm. Bolen noted that Mr. Daniel had not touched the front of the house and was not responsible for making any changes to that side of the house.

Tom Reynolds, Deputy Director, Building Inspections for the City of Knoxville, stated that with regard to the issue of replacement of windows in a bedroom, they must be a certain size for emergency egress. Mr. Reynolds further stated that in the past, if a building exists legally, they have allowed replacement of windows with energy efficient ones. Mr. Reynolds also noted that before a permit is issued on a “triplex” it would need to be determined that it exists legally.

Mr. Daniel stated that the windows are being replaced because they do not meet code for egress. Comm. Whetsel noted that if they are being replaced they still need to meet the guidelines. Comm. Bolen stated that the size of the windows, which includes ones large enough to meet code would be compatible but that they would need to be wood windows in order to further meet guidelines.

There was no second on the substitute motion. Comm. Vice-Chair Martin called for a vote on the original motion. The motion carried unanimously.

Comm. Bolen clarified for Mr. Daniel that the current Stop Work Order now in place remains effective and that he will need to submit a new application that does meet the guidelines for approval next month. Comm. Vice-Chair invited Mr. Daniel to work with Ms. Graybeal.

Fourth and Gill H-1

810 Deery Street – (David) Kerns Construction Company (owner’s agent) – 0109124G

Work Description:

- 1) Replace all early/original windows (6 one-over-ones and 10 two-over-twos) with new double-insulated one-over-one wood windows.

- 2) Mount a second floor fascia board (strap) across the front gable to match the existing fascia board on the house, and replace the existing fiber cement board and Masonite siding in the front gable with cedar shake or shingles. Additionally, replace the siding in the upper section of the west-side front addition just below the roof with the same type of shakes or shingles.

- 3) Reconstruct front entrance to add a sidelight on the east (right) side of the door to match the existing one on the west (left) side if it is supported by physical evidence or photo-documentation.

Staff Recommendation: Approval (with conditions) to replace early/original windows with 1-over-1 wood windows to match, except 4 original front- and SE-facing 2-over-2 windows on upper story to be replaced with 2-over-2 simulated divided light windows with shadow bars.