

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF AUGUST 17, 2006

Members Present:

Nic Arning
Scott Busby
Kenneth Gresham
Duane Grieve
Lila Wilson
Melynda Whetsel
Carol Montgomery
Steve Cotham
Charles Faulkner
Finbarr Saunders
Sandra Martin

Others Present:

Sharon Boyce
Tom Reynolds
Aaron Cate
Steve Muehler
Dan Brewer
Jamie Rowe
Scott Keeney
Lee Ingram
Sean Martin
Dwight Guinn
Ann Bennett
Charlotte West

Members Absent:

Linda Claussen (ex.)
William Hoehl (ex.)
Herb Donaldson (ex.)

Arning called the meeting to order. He asked Commissioners if there were any conflicts with agenda items.

MOTION BY SAUNDERS AND SECOND BY WILSON TO APPROVE THE JULY 20 MINUTES. THE MOTION CARRIED UNANIMOUSLY.

- Reports to Commission: Tom Reynolds, Sharon Boyce, Chairman Nic Arning

Tom Reynolds, Chief Building Inspector for the City of Knoxville, stated that Plante, who lives at 238 E. Oklahoma, has paid his taxes and a rehab specialist has looked at his house. Saunders asked about Plante and when something might be done to the house. Reynolds hopes he will begin work within the next few months. Rehabilitation plans will be completed after an inspection of the interior. Reynolds and Bennett met with Bernadette West regarding the windows that were installed at 36 Market Square and told her the windows were not permissible a stop work order has been issued. There was a complaint from the fire department regarding 37 Market Square; a large volume of stored material on the second floor created excess weight that endangered the building. The fire department ordered the building vacated, and a stop work order was issued. A structural engineer looked at the roof and flooring and declared they are safe, but the second floor cannot be used. Arning asked how they will enforce the condemnation of the second floor on 37 Market Square. Reynolds stated that the fire department regularly checks the property.

One of the carport problems on Tazewell Pike has been rectified. The other problem concerns a canvas awning. Reynolds has given them a stop work order with seven days to remove the awning or be cited to court. The Lord Lindsey building will be stabilized; the building department is waiting for the final plans.

- Staff Report (Level I Certificates): Ann Bennett

The Level 1 certificates that Bennett has previously approved are:

1704 Jefferson – Edgewood-Park City – Kent Kendrick – 71306EDG – repair roof, siding and chimney.

827 Morgan – Fourth & Gill – Beth Stivers – 801064&G – Chimney repair.

612-614 Luttrell – Fourth & Gill – A-1 Adv. Contr. – 714064&G – Rear – add French doors & carriage doors.

1339 Grainger – Old North Knoxville – Laura Green – 73106ONK – Reroof.

1330 Grainger – Old North Knoxville – Johnny Roads – 72606ONK – Reroof.

224 Leonard Place – Old North Knoxville – Johnny Lane – 72506ONK – Correct improperly done porch railing, columns, porch floor and windows to meeting design guidelines.

501 Arthur – Mechanicsville – Michael Elliott & Kathleen Hurley – 72406MEC – Install three over one double hung windows.

Saunders asked why the 224 Leonard Place application is not a Level II. Bennett explained that the process generally was to allow demolition so the owner could better determine the original design; at the time of designation, the front porch of 24 Leonard Place was enclosed. If the owner then reinstalls an original porch, or windows that respect the original sizes and pane configuration, it is still considered a repair.

- Certificates of Appropriateness

KNOXVILLE HISTORIC ZONING COMMISSION

Fourth & Gill H-1

1014 Eleanor, Sean Martin (Architect/Applicant)

Description of Work: Complete permanent enclosure of rear porch, using 4" lap siding with corner boards, retaining current roof structure, and adding one over one or three over one double hung wood windows and full view entry door; add wood deck at rear of enclosed rear porch, 8-15-1/2 supported by wood piers and approximately 3-1/2' off ground, using wood posts with steel cables as a railing. Rear porch enclosure and deck will not be visible from public streets.

Staff Recommendation: APPROVE Certificate No. 803064&G. Proposed construction is at rear of house, not visible from Eleanor, with already altered rear porch. Pg. 18 of guidelines #1& #4 recommend exterior additions at rear, limited in size and scale. Proposed addition also meets #3 (differentiated from historic building but compatible), #7 (does not duplicate exact form, material or detailing) and #8 (creates no loss of historic character).

Sean Martin of 1121 Eleanor Street stated that he is the designer of the porch. The owners want to put in insulation and more efficient windows and enclose a space for a bath. Wood siding and wood windows will be used. Whetsel asked about the windows on the north elevation and whether they can be seen from the street, and he stated they are not visible from the street.

MOTION BY GRIEVE AND SECOND BY WHESEL TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.

601 Gill, Dave Hooper (CAC) Contractor/Applicant

Description of Work: Construct 5'x6' deck at rear door (visible from Eleanor), 28" off ground with pressure treated planks or tongue in groove flooring, railing to be 2"x2" balusters set in to top and bottom rail.

Staff Recommendation: APPROVE Certificate No. 803064&GB. Proposed rear deck addition, although visible from Eleanor, will provide accessible approach to existing rear door, and utilizes appropriate materials and railing design (pg. 18, #2, #7 and #8).

Bennett stated that the deck could be removed if needed.

Aaron Cate, from CAC representing Dave Hooper and the owner, stated that the owner wants a landing and then steps because she had an accident on the old steps. Grieve stated there are no drawings of what the deck, steps and railings will look like, and they will be seen from Eleanor. Bennett stated CAC would have to hire an architect to draw detailed plans. Reynolds stated if he makes any changes, he has to comply with building codes. There could be a setback problem with the property line. Cate passed around a drawing. Martin has talked to the neighbors, and they are not concerned about the deck because of the hedge that is there. Arning reminded the commission that if they are denied, they cannot come back for a year, but if they are denied without prejudice, they can come back in one month. Gresham stated that he would hate for her to have to wait and have another accident. Cate stated the railing will be built the height that code requires. Reynolds stated that if the porch is less than 30", a railing is not required.

MOTION BY BUSBY AND SECOND BY WILSON TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.

Description of Work: (Level I) Repair side chimney retaining its present height, or (Level II) lower the chimney halfway to its intersection with the roof, stockpiling the brick and repairing remaining chimney as necessary. For either repair, use low Portland content mortar mix.

Staff Recommendation: DENY Level II (removal of portion of chimney). Level I Approved and Issued. (4th & Gill Design Guidelines, pg. 15, #2 - identify and preserve masonry features that define be the historic character, & #9 - chimneys should not be removed or altered.) The exterior side chimney leans substantially. The house inspection recommended that the chimney repaired or removed to remove the safety hazard created by the chimney. This exterior side chimney is a defining characteristic of Craftsman design. Purchasers of the house wish to retain this original feature, although rebuilding it may not be their primary concern following purchase. Commission may wish to work with them to determine a time frame for removal and rebuilding of the chimney, allowing them to mitigate the current hazard by a partial removal; however, that negotiation should occur with the new owner.

Bennett stated that Commission approval would be required for chimney removal. Mr. Muehler wants to take the chimney down to the eaves and build it back to at least 4' up. The guidelines provide that chimneys should not be removed or altered.

Steve Mueler of 827 Morgan Street stated that he had experts look at the chimney. They will remove it and rebuild it up to 4'. An additional 3' will be added later. Bennett stated that a certificate is only good for 2 years, and Mueler wants to wait 3 years to finish it. He can come back and she can reissue a certificate. Martin stated that the neighbors had no problem with it unless it is not done in 3 years. Reynolds stated all the H-1 provisions are in the zoning rules. If the commission can approve this, the building permit will show what work will be done. A zoning complaint could be issued. Grieve stated that the commission wants the chimney put back to the original height and asked that they give him a timeline of 2 years.

MOTION BY GRIEVE AND SECOND BY SAUNDERS TO APPROVE THE REMOVAL AND REBUILDING OF THE CHIMNEY WITHIN A 2-YEAR TIME PERIOD AND INCLUDE REPAIR OF THE FASCIA AND SIDING. THE MOTION CARRIED UNANIMOUSLY.

Old North Knoxville H-1

1349 Armstrong, Dennis and Patty Earl (Owner/Applicants)

Description of Work: Construct new frame 1-1/2 story garage with weatherboard wood siding, double hung one over one wood windows, brick foundation, hip roof with 9/12 pitch, dormer with Palladian style one over one window with gabled roof with cedar shakes and partial cornice return, corner boards and frieze to match existing house at 1349, door on east elevation, paired garage doors. Garage to be constructed on vacant lot that has been incorporated into residential lot currently addressed at 1349 Armstrong.
Site plan submitted with this month's application shows location of proposed garage at rear of lot, in location where garage was prior to demolition of house and garage.

Staff Recommendation: APPROVE Certificate 70706ONK. Proposed garage is consistent in appearance with carriage houses in the historic district and with the house at 1349 with which it is associated.

Wilson noted she had talked to Kilgore and the neighborhood has no objection. Grieve's concern is in developing a standard for site plans. Arning asked Grieve to chair and Busby, Montgomery, Whetsel and Bennett to be on a committee to study this. Concerns over the need for specific, consistent information were expressed by Commissioners; audience members expressed their interest in having filing requirements as uncomplicated as possible. Arning asked Grieve to appoint committee members who are not historic zoning commissioners.

MOTION BY SAUNDERS AND SECOND BY GRIEVE TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.

Mechanicsville H-1

1014 Oak Avenue, Lee Osborne (Applicant)

Description of Work: Construct two story frame house, Neoclassical Revival, with one over one windows, 8/12 hip roof with fiberglass shingle covering, one over one wood windows, wood 4" lap wood siding, brick foundation, round two story columns, with either Doric or more elaborate capitals supporting extended gabled two story portico 26' wide, broken pediment above paired front entry doors, rear brick fireplace, dentil molding on cornice, shaped wood brackets. Footprint of entire house approximately 39 feet wide and 45' feet deep. Side yard setbacks - 5' on east, 7' on west and 25' on front, lot coverage greater than 30%. Proposed design is derived from building housing Lord Lindsey's on Hill Avenue. Construct two story wood frame, hipped roof garage with wood lap siding, one over one wood windows, brick foundation.

Staff Recommendation: APPROVE Certificate No. 80206MEC. Proposed design meets requirements for lot placement (pg.15), and design. The north side of Oak Street across from the proposed infill is a two story house of neoclassical design, which is consistent with this one. The applicant intends to construct a building that draws from the Hill Street property currently occupied by Lord Lindsey's. The design is appropriate for Mechanicsville, and complements the Neoclassical house across the street from this one, adding to the varied architectural styles on Oak Street.

Bennett talked to Chris Kinser and the neighborhood is pleased with the plans.

MOTION BY GRIEVE AND SECOND BY WILSON TO APPROVE THE STAFF RECOMMENDATION. THE MOTIOIN CARRIED UNANIMOUSLY.

Tazewell Pike NC-1

4105 Tazewell Pike, Dan Brewer (Owner/Applicant)

Description of Work: Demolition: c. 1950 rental house with side gable roof, asphalt shingle covering, six over six windows, shed roof 3/4 front porch with square boxed columns, central horizontal paneled door; c. 1920 shed with v-crimp metal roof, paired six light carriage doors, side gable roof, vertical board siding. NOTE: Both buildings to be demolished are at rear of lot; neither is listed as contributing buildings.

Subdivision of existing parcel to create rear lot accessed by extension of existing driveway.

Construction of new residence on created rear lot: Two story frame with stacked stone front and side elevations, base walls and entrance, cedar shingles on rear and upper walls, side gable roof with shed end extensions, gabled dormers, front exterior stone chimney.

Staff Recommendation: APPROVE Certificate No. 80106TAZ. Non-contributing buildings proposed for demolition are at rear of lot, not visible from Tazewell Pike.

Proposed subdivision meets adopted design guidelines pg. 6(1) and pg. 10. On Page 6, #1 and pg. 10 require that if an existing lot is subdivided, the new lot should be located to the rear of the contributing house and should utilize a shared driveway.

The proposed new house contains dormers, a porch, wings and roof shapes found along Tazewell Pike, with shingled and stone wall covering as provided on pg. 7 & 8 of design guidelines.

Bennett stated that this application incorporates three subjects of application. The first is to demolish the outbuildings; second is to subdivide the existing parcel; and third to construct a new residence on the newly created rear lot.

Dan Brewer of 4105 Tazewell Pike stated that he is proposing to take the two buildings down at the rear of the property and is applying for a demolition permit. He wants to keep the large open lot look for the NC-1 on Tazewell Pike.

Jamie Rowe of 4215 Tazewell Pike stated that the neighborhood feels it will be an asset to the neighborhood.

MOTION BY BUSBY AND SECOND BY MARTIN TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.

- Other

Discussion of potential move for house at 106 Armstead Place

Bennett stated that this is within the boundaries of the Old North Knoxville neighborhood, but not within the Old North Knoxville H-1.

Scott Keeney from Farmers Mutual of Tennessee stated he has come before the commission to ask for help and guidance regarding the Wampler House. He purchased the house in 1999 for a future office building. Farmers Mutual is going to build a 6,000 sq. ft building on Wells. The house was abandoned when they bought it, and it has no street frontage. They have met with the Old North Knoxville neighborhood. Their options for the house are moving it, using it as storage building or restoring it where it is. He showed pictures of the house to the commissioners. Kilgore had stated the community did not want the house moved. Farmers Mutual will pay to move it, and Charles Richmond is interested in buying it, if a lot could be found. Bennett stated that the neighborhood meeting is next week and they would like for Keeney to be there. Bennett stated the H-1 designation would still be on the lot even if the house were moved.

Bennett discussed a memo from her to the commission dated August 7 regarding the application filed by Brewer, Ingram and Fuller in July to install a semaphore in an area behind and separate from the James Park House. The guidelines approved for the house are identical to the ones used by the Tennessee Historical Commission and the Secretary of Interior's *Standards*, which are the locally adopted design guidelines for the Park House and are used by the National Park Service to determine if a project is eligible for the preservation tax credits. The Tennessee Historical Commission and the National Park Service both approved installation of the semaphore. The addition to the house is a noncontributing structure. It originally faced Market Street. Wilson stated that this semaphore shows that a railroad office is in the building and the decision made by the Historic zoning Commission in July should stand. Arning stated that if there were any commissioners who voted against the semaphore who want it reheard, then it can be. Montgomery asked if this decision means we cannot have any more artwork anywhere. Whetsel stated that it is on historic property and they have to get a building permit.

MOTION BY WHETSEL AND SECOND BY MARTIN TO BRING THE PARK HOUSE APPLICATION BACK UP TO BE DISCUSSED. THE MOTION CARRIED UNANIMOUSLY.

Lee Ingram, who is the architect for the project, explained his reasons for endorsing the project. An antique railroad signal is appropriate to show a railroad office will be in the building and the size is appropriate. The building is 40' tall. The placement is in front of the noncontributing addition. He showed a drawing of the buildings and where the building was removed that was noncontributing. The semaphore is centered with the addition. He brought a landscape plan that includes parking, walkways, and the semaphore will be located within a vegetable and flower garden. It can be removed if need be. He talked to Guy Lapsley from the National Park Service about Lapsley's logic of approving this. The placement has no negative influence on the historic structure. The National Park Service approved it because it met the Secretary's *Standards*. Ingram stated that he would not have brought this before the Commission if he did not feel it was appropriate. Arning stated that he had also talked to Lapsley. Grieve quoted what Busby stated in the July minutes that "we do not impose our judgment, just whether it meets the guidelines." It is a much smaller building than what was there and the semaphore is centered in front of the smaller addition. The owners should be commended for what they have done to the building. Busby stated when the Commission voted, we voted with the information we had on hand. The *Standards* say you cannot add architectural elements from another building. Ingram stated that is for the building itself and is not going to affect the integrity of the structure. Arning had called Lapsley and asked why they agreed to accept the application. Arning wanted to know how it met the *Standards* because it is an industrial feature not in an industrial area, and recounted that Lapsley said this is a tax credit project that the Park Services wants to go through. Arning stated the commissioners should read the *Standards*. He is concerned whether it meets the *Standards*, and we are setting a precedent of rehearing something that we never have done before.

Gresham stated that are we enforcing the guidelines. We did not know at the previous meeting what the guidelines were, since then the Park Service has told us this does not violate the guidelines. Now we know that it does not. How can we reject these?

Whetsel stated she understands about setting a precedent, but this application should be rethought because of the guidelines that we know about now. The Commission should reconsider the application because we voted on landscaping based on the guidelines. Now there are three guidelines that make sense. Based on what she is reading now, and it has been approved by the Tennessee Historical Commission and National Park Service, she is willing to change her vote. Saunders stated that there has been a substantial change since last month. The Commission has never considered landscaping. We are concerned with structures, and he hopes the Commission will consider this favorably. Busby stated that he is not happy with the position the Commission was put in and felt it would have been

appropriate to have the National Park Service ruling at the July meeting. Wilson said that she feels it is a sign designating what office is there.

MOTION BY GRIEVE AND SECOND BY MARTIN TO APPROVE THE ERECTION OF A SEMAPHORE ON THE PROPERTY AT 422 W. CUMBERLAND AVENUE. THE MOTION CARRIED WITH WILSON, ARNING AND BUSBY OPPOSED.

Report on City Council action: Scenic Drive NC-1

Bennett stated that City Council adopted the NC-1 on first reading, but if the other properties have not filed deed restrictions in 30 days those properties will revert to NC-1. If they have filed and are not included in NC-1, then the matter should come back before Commission with a revised map. Boyce stated that to create an NC-1, it required that the Historic Zoning Commission and City Council review the boundaries. Because 33 properties want out, the Commission has to reconsider this and send it to City Council.

Bennett discussed the memo she sent the commission regarding the Downtown Design Guidelines. In the process for setting up design guidelines, they have taken into account that some structures should have an H-1 overlay on them. Saunders asked about windows or additions to top of buildings. Bennett stated that there has not been any negative discussion about this. The people working on this have a concern about vacant lots close to existing buildings. Grieve stated that he would like to see Emory Place included in the downtown area.

Jamie Rowe of the Tazewell Pike neighborhood stated that there has been a house condemned at the corner of Tazewell Pike and Beverly Road that she wanted the commission to be aware of.

There being no further business, the meeting was adjourned.

The next meeting of the Knoxville and Knox County Historic Zoning Commissions will be held on September 21, 2006 at 8:30 a.m. in the Small Assembly Room of the City-County Building, 400 Main Street, Knoxville, TN.