

**MINUTES**  
**KNOXVILLE HISTORIC ZONING COMMISSION**  
**KNOX COUNTY HISTORIC ZONING COMMISSION**  
**MEETING OF MAY 18, 2006**

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**Members Present:**

Nic Arning  
Scott Busby  
Linda Claussen  
Steve Cotham  
Charles Faulkner  
Kenneth Gresham  
Duane Grieve  
William Hoehl  
Finbarr Saunders  
Lila Wilson

**Others Present:**

Sharon Boyce  
Tom Reynolds  
Dwight Guinn  
Shawn Martin  
John Chandler  
Scott Schimmel  
Tara Sharp  
Chad Kennedy  
Patricia Long  
Robert Marlino  
Diane Owen  
Ann Bennett  
Charlotte West

**Members Absent:**

Herb Donaldson (ex.)  
Carol Montgomery (ex.)  
Melynda Whetsel (ex.)  
Art Clancy (ex.)

Arning called the meeting to order and asked if there were any conflicts.

**MOTION BY WILSON AND SECOND BY CLAUSSEN TO APPROVE THE APRIL 20, 2006 MINUTES. THE MOTION CARRIED UNANIMOUSLY.**

Reports to Commission:

Tom Reynolds, Chief Building Inspector for the City of Knoxville, stated that at 37 Market Square, Gus's Restaurant, there was a complaint that a wall has collapsed onto the adjoining building. Richard Bender has been contracted to repair the wall. They plan to shore the wall up and do exploratory demolition as soon as possible. At 621 Hill Street, Lord Lindsey's, the proprietor asked for a building inspection. Reynolds stated that the building is in very bad shape, and the electrical was disconnected. It is also padlocked, and Reynolds ordered no one go in except a professional.

Saunders asked if this would be demolition by neglect for Lord Lindsey's and wants the commission to consider it. The owner should be encouraged to repair it before it collapses. Reynolds will report back to the commission next month.

Staff Report (Level I Certificates): Ann Bennett

Bennett distributed a memo from Richard Bender, who is a structural engineer. The owners of 37 Market Square asked him to help them with the repair of their building where the wall has partially failed and collapsed onto the adjoining building. They would like to obtain a permit for the shoring and demolition. Bennett stated she will issue a Level 1 certificate for repair. The Level II certificate should be before the Commission at their June meeting.

**Level 1 Certificates**

- 42606BGEN            Demolish existing deck system and stairs that adjoin original rear porch at 1012 and 1016 Laurel.
  
- 42606AGEN            1060 World’s Fair Park. Demolish deck and steps added on east elevation in preparation for new construction previously approved by HZC; demolish cooling tower and related HVAC equipment on roof.
  
- 504064&G            1226 Luttrell. Install new roof, repair fascia and siding in kind as necessary; install gutters and downspouts or repair as needed.
  
- 504064&GB            706 Luttrell. Repair porch structure, including floor, roof and ceiling, with original beadboard and tongue in groove floor; repair siding in kind as necessary; repair gutters and fascia as necessary.

**KNOXVILLE HISTORIC ZONING COMMISSION**

**Fourth & Gill H-1**

**709 Eleanor**, Jan Goble (Owner/Applicant)

**Description of Work:** Reconstruct front porch with square posts, hipped roof, and sawn wood balustrades as previously approved (Certificate #410034&G has expired); reinstall Eastlake patterned window in kitchen on rear elevation (window discovered when artificial siding removed); install gutters.

**Staff Recommendation:** APPROVE Certificate No. 410064&G. A portion of this application includes work previously approved under Certificate No. 410034&G; the installation of the window found under vinyl siding (now removed) would return an original feature to the house.

All of the work to the front porch included with this application was previously submitted and approved under Certificate No. 410034&G, and represents a carefully researched reconstruction of the original front porch as required in the adopted 4th & Gill design guidelines (pg. 12, Porches, #1). The adopted design guidelines also recommend the reuse of original windows (pg. 11, Windows, #2). The previous certificate has expired.

Sean Martin of 1121 Eleanor Street representing 4<sup>th</sup> and Gill, stated that the neighborhood has no problem with it.

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

**Edgewood-Park City H-1**

*2307 Jefferson*, Dana Chandler (Owner/Applicant)

**Description of Work:** Install gutters and downspouts as necessary; repair windows; repoint masonry using mortar with low content of Portland; replace wood siding with Hardi-plank (area to be west side elevation, approximately 12' wide and 10' high, approximately 25% of the wall).

**Staff Recommendation:** APPROVE Level I portion; DENY Level III portion (or Approve with modification to wood siding) of Certificate No. 41006EDG. Installation of gutters and downspouts, window repair and repointing of mortar meet the adopted design guidelines.

Window repair (pg. 16, #1, Gutters, pg. 15 and Masonry (pg. 25, #5) as consistent with the adopted design guidelines. Repair of wood siding (pg. 23, #4) does allow for the use of compatible substitute materials. However, Hardiplank's thickness generally does not duplicate the dimensions of wood siding, and additionally, does not move at the same rate or the same amount as wood siding. Replacing a portion of the wall siding could cause a situation where the original wood siding and the replacement are difficult to seal and maintain over time. Also see pg. 23, #7, where an entire wooden feature that is "too deteriorated to repair . . . Must be replaced in kind" and #6, which states "Replace only

the deteriorated wood." The use of wood siding that duplicates the dimensions of the original, regardless of the species of wood, would be acceptable. The use of Hardiplank should be approved only if the dimensions are identical and the applicant can demonstrate that the swelling and contracting of the two materials is the same.

Bennett stated that the guidelines say "replacement siding shall duplicate the original if it is not a new house."

John Chandler of 2307 Jefferson Avenue stated that he wants to put Hardiplank on the house and that the contractor allows for expansion when it is installed.

Dwight Guinn of 1249 Monroe Street, representing Park Ridge, stated the neighborhood agrees with the staff recommendation.

**MOTION BY SAUNDERS AND SECOND BY GRIEVE TO ACCEPT THE STAFF RECOMMENDATION AND ENCOURAGE CHANDLER TO USE WOOD INSTEAD OF HARDIPLANK.**

**General H-1**

*Judge Taylor House, 3128 Kingston Pike, Ron Hutchins (Designer).*

**Description of Work:** Construct new combination garage/poolhouse to rear of existing dwelling, meeting HZC requirements for massing, height, size, scale and exterior finishes to blend appropriately with existing dwelling. New building to be wood sided, with "carriage house" garage doors, one over one windows and pyramidal hipped roof with dormers. Building will not be visible from Kingston Pike due to slope of lot; building will be located on south side of ridge overlooking Lake Loudon. Roof slope will be 14/12 to mimic existing house, with brick covered foundation, one over one double hung windows, and a size adequate to match the existing house.

**Staff Recommendation:** APPROVE Certificate No. 5306GEN. Proposed outbuilding is of sufficient scale, roof slope and appropriate materials to meet Secretary of Interior's Standards 9 and 10. Secretary's Standard 9 requires " . . . The new work shall be . . . Compatible with the massing, size, scale and architectural features to protect the historic integrity of the property and its environment." Standard 10 provides that " . . . New additions and related new construction shall be undertaken in such a manner that if removed in the future, the historic form and integrity of the historic property and its

environment would be unimpaired." Clustering the needed additional space in one new building, unconnected to the original house, with sufficient roof height and slope and the use of consistent materials and design, meets both of these standards.

Bennett discussed the garage with him before he applied for the H-1 and explained the need to build an outbuilding of a scale and with design details to blend with the existing house. The submitted plans carry the scale and level of design that will be appropriate to the lot and to the historic house.

Saunders stated that when the original overlay came up, the outbuilding was discussed.

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

*Lones-Dowell House, 6341 Middlebrook Pike, Tom Weiss (Owner/Applicant).*

**Description of Work:** General repair to prevent unauthorized entry, including boarding up windows; demolition of non-contributing c.1960 east wing on main building, which has collapsed; demolition of non-contributing outbuildings.

**Staff Recommendation:** APPROVE Certificate No. 50406GEN. Addition is not contributing and not historically or architecturally significant. Remainder of requested items will be temporary and will assist in eventual rehabilitation.

Faulkner stated that he has done archaeology work on the property.

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

**Market Square H-1**

*29 Market Square, Scott Schimmel (Applicant)*

**Description of Work:** Install signboard-type sign above storefront at 29 Market Square.

**Staff Recommendation:** APPROVE Certificate No. 41806MKTA. The proposed sign fills in the space reserved for the sign board above the storefront window in a creative, unique way.

One hallmark of signs on Market Square is their unique approach. That approach adds to the character and attractiveness of the Square with elements that, while they are very obvious, are replaceable and do not alter the basic character of the buildings. This sign design fits those criteria, but is a departure from past signs.

**24 Market Square, Scott Schimmel (Applicant)**

**Description of Work:** Install signboard-type sign above storefront at 24 Market Square.

**Staff Recommendation:** APPROVE Certificate 41806MKTB, with modifications. While unique, the design of the sign meets the Market Square Design Guidelines (pg. 19, D1). For modifications, see below.

The sign as it is currently designed will be mounted directly on the brick, which in this case is discolored and unfinished. Staff recommends a backer board, painted to match the storefront, of a height and width to cover the brick where the original signboard occurred, be placed under the proposed sign.

Bennett asked that the commission hear each of these applications together.

Scott Schimmel, 225 Oklahoma, stated that he wants a nice permanent sign to replace the banners that are there now.

Busby asked why the original brick would be covered with a backer board. Bennett stated that it was covered by a sign at one time. Busby noted that the sign could appropriately be revealed.

Arning asked about the size of the sign. The backer board would make the sign look larger. Bennett stated that the guidelines say a wall sign should be flush mounted below a second story, and the lettering should be no more than 18" high and not cover more than 65% of the cover board.

Saunders added that the sign is fine without a backer board.

**MOTION BY GRIEVE AND SECOND BY BUSBY TO ACCEPT THE SIGNS AS PRESENTED WITHOUT THE BACKER BOARD ON BOTH ADDRESSES. THE MOTION CARRIED UNANIMOUSLY.**

**Old North Knoxville H-1**

*1203 Harvey*, Tara Sharp (Owner/Applicant)

**Description of Work:** Vinyl banner to be installed on side of house, 3' x 1' high, white with purple lettering "Pups and Pals Pet Grooming."

**Staff Recommendation:** APPROVE Certificate No. 41706ONK with a size modification to 2 square feet. Sign provisions in the Knoxville Zoning Ordinance (Art. 5-10, 15) call for a sign of 2 square feet.

She applied for a Use on Review through MPC and it was approved.

Tara Sharp, 1203 Harvey, stated that she would like to make the sign out of wood instead of vinyl.

**MOTION BY SAUNDERS AND SECOND BY WILSON TO APPROVE THE SIGN SUBJECT TO MODIFICATION TO MAKE IT OUT OF WOOD INSTEAD OF VINYL. THE MOTION CARRIED UNANIMOUSLY.**

*1430 Grainger*, Segundo Properties LLC (Owner/Applicant)

**Description of Work:** Replace c.1970s window on west elevation, not visible from 4th or Grainger, with shortened one over one double hung wood window to accommodate interior kitchen space.

**Staff Recommendation:** APPROVE Certificate No. 50406ONK. Proposed change to window is on a rear addition made to the building c. 1960. A realignment of the windows will not affect historic fabric, nor will it affect the architectural integrity of the original building.

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

**Mechanicsville H-1**

*237 Deaderick*, Smee and Busby Development LLC (Owner/Applicant)

**Description of Work:** New two story dwelling with hip roof, lower cross gables, brick foundation with wood lattice panels at porches, wood lap siding (4" lap), corner entry

with front door with transom and sidelights, single, paired and tripled one over one windows, porch rail on hipped roof rear porch of 2x2 balusters on 4-5" centers set into top and bottom rail, squared porch columns with recessed panels, balcony over front entry porch with paneled balustrade, squared three window bay on Deaderick Avenue elevation with beadboard panels and shed roof, stuccoed detail in gable, corbelled brick chimney with brick insets and brick chimney pots. Height of foundation 18-24", height to front porch soffit 9' above foundation, height to lower roof line 18' above foundation, 34'1" to lower ridge line. 12/12 roof with standing seam metal roof. Irregular plan. Overall dimension 36' wide. West side setback 2'3", front setback from Deaderick 48'6", Dora Street setback 0" front right of way, 10'2" from existing lot line.

**Staff Recommendation:** APPROVE Certificate No. 50306MECA. Proposed structure is consistent in height, materials, design details and lot placement with Mechanicsville Design Guidelines for new construction pgs. 6, 7, 9, 10, 11, 12, 13 and 14.

Developer has met with Old Mechanicsville Neighborhood Interests, which has reviewed the proposed drawings, and is in support of the proposal.

Robert Marlino of Smee and Busby, 118 Fronda Lane, stated that poplar or cypress siding will be used. They do not want stucco on the gables. 237 has been amended on the site plan. Did not have to do a right of way dedication and were able to move the house to the center of the lot. 7' side setbacks. He received an approval letter from the neighborhood.

**MOTION BY GRIEVE AND SECOND BY SAUNDERS TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED WITH BUSBY RECUSING.**

**1416 Hannah**, Smee and Busby Development LLC (Owner/Applicant)

**Description of Work:** Construct new 1-1/2 story house with jerkin head cross gable roof with standing seam metal roof, exposed rafter tails, wood lap siding (4" lap), 18-24" brick foundation with lattice inserts, one story hipped roof wrap around front and east elevation porch with square wood columns with sawn wood brackets, central entry with transoms and sidelights, exterior side corbelled brick chimney, with chimney pots. One over one double hung windows, paired at either side of front entry. Unroofed rear deck with lattice inset panels. Tripled one over one double hung windows at front gable with hood brackets and beadboard inset panels. Height to soffit 11', height to ridge line 25'. 2' roof overhang. Front setback 24' (consistent with 1412 Hannah), side setbacks 7'5" on west and 9' on east. Possible concrete parking pad at rear alley.



**Staff Recommendation:** APPROVE Certificate No. 50306MECB. Proposed structure is consistent in height, materials, design details and lot placement with Mechanicsville Design Guidelines for new construction pgs. 6, 7, 9, 10, 11, 12, 13 and 14.

Developer has met with Old Mechanicsville Neighborhood Interests (OMNI), which favors the proposal.

**MOTION BY SAUNDERS AND SECOND BY WILSON TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED WITH BUSBY RECUSING.**

**229 Deaderick**, Smee and Busby Development LLC (Owner/Applicant)

**Description of Work:** Construct new two story house with hip roof with lower cross gables and front gablet, standing seam metal roof covering, stuccoed gable and gablet with applied half-timbering, hipped three-quarter roofed front porch with brackets, square porch posts with sawn wood brackets, t&g porch floor, 4" wood lap siding, tripled window square bay with inset bead board panels at top and bottom, paired one over one windows on front and side elevations, one over one windows throughout, one story hip roofed rear section with unroofed rear stoop, brick foundation, corbelled brick chimney with chimney pots. Foundation height 18-24". Porch soffit elevation - 10'. Second story soffit elevation 14'6". Ridge line elevation of 12/12 roof, 34'6". Eave overhang - 2'. Distance from curb on Deaderick - 48'6" to be in line with 233 Deaderick (existing). 9' setback on each side to duplicate existing houses on Deaderick.

**Staff Recommendation:** APPROVE Certificate No. 50306MECC. Proposed structure is consistent in height, materials, design details and lot placement with Mechanicsville Design Guidelines for new construction pgs. 6, 7, 9, 10, 11, 12, 13 and 14.

Old Mechanicsville Neighborhood Interests (OMNI) has reviewed and approves the design of this infill house.

Marlino stated that the gable will not be made out of stucco but will be smooth.

**MOTION BY SAUNDERS AND SECOND BY WILSON TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED WITH BUSBY RECUSING.**

Grieve stated that today the commission has looked at new homes in neighborhoods that need to be revived, ones that have different types of guidelines, and they came together and decided what they wanted. We have had two separate H-1 overlays where individuals with a vision wanted to be sure their properties were saved. Market Square commercial district is another area where the owners have gotten together to revive it. These all go across many overlay districts, and the commission has not hindered any of them.

**KNOX COUNTY HISTORIC ZONING COMMISSION**

**Village of Concord HZ**

*921 Lourdes*, Chad and Jennifer Kennedy (Owner/Contractor/Applicant)

**Description of Work:** Construct new single family home, consistent with homes previously constructed in Turnberry. Home will be two-story frame with brick veer first floor and siding on second story and on one story side entry garage. Paired six over six windows on garage and six over six on second story with central arched window with applied keystone. Nine over nine double hung windows with transoms flanking double entry doors with fanlight and arched pediment. One story full hipped roof front porch with round columns with Doric capitals. Exterior side brick chimney with corbelling. Full return central gable with 8/12 roof pitch. Shed roof dormer over garage.

**Staff Recommendation:** APPROVE Certificate No. 50406CON which is consistent with adopted design guidelines, pg. 44, Nos. 1-10. The infill design is consistent with other houses that make up the Turnberry Subdivision, with this being the last buildable lot in the subdivision.

Chad Kennedy, 10927 Alvaros Lane, stated that he is the owner of the property.

**MOTION BY CLAUSSEN AND SECOND BY FAULKNER TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.**

Request for H-1 Designation by Knoxville Historic Zoning Commission, 1302 White Avenue called the Cooper D. Schmitt Residence. Bennett stated that the house is in the Ft. Sanders NC-1. The owners, represented by Diane Owen of 1302 White Avenue, stated that they would need an H-1 overlay put on the house to open it as a bed and breakfast. They will rehab the house, and it will have six bedrooms.

**MOTION BY GRIEVE AND SECOND BY SAUNDERS TO APPROVE THE DESIGN GUIDELINES AND H-1 DESIGNATION. THE MOTION CARRIED UNANIMOUSLY.**

Bennett distributed a color map of the Scenic Drive NC-1 area showing a tally of positions by parcel. These are people who are for or against the NC-1 designation.

Patricia Long, attorney representing property owners on Scenic Drive opposed to the overlay, gave Bennett another person who is opposed. City Council postponed hearing the rezoning to NC-1 at their April 9 meeting. Jim Bletner, who is representing the Sequoyah Hills Neighborhood Association, suggested a compromise that would allow residents to determine whether they wanted NC-1 designation or wanted to place their property under deed restrictions. There is no position in the restrictions for demolition or new construction. If City Council determines that the compromise and changing boundaries substantially alter the proposed district, they may send it back to MPC for re-examination. MPC at their option may send it back to the Historic Zoning Commission. Long sent out notices of intent to all homeowners who were interested in placing deed restrictions on their property. As Long explained the Notice of Intent, owners who do not indicate a willingness to place their property under deed restrictions will automatically be included in the NC-1 overlay.

Bennett stated that an NC-1 should have significance from an overall setting. If there is not a majority of properties being designated, there may be a need to abbreviate or deny the district; the Historic Zoning Commission may be called on to render an opinion.

Saunders asked about 37 Market Square. Bennett said it may be heard at the June or July meeting. She will issue a Level 1 certificate today.

Sharon Boyce, from the City Law Director's Office, stated that the city has put out a lot for sale for an infill house on Dwight Street. It can be found on the City Purchasing Agent's website.

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 June 15, 2006 at 8:30 a.m. in the Small Assembly Room of the City-County Building, 400 Main Street, Knoxville, TN.