

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF DECEMBER 20, 2007

City HZC Present

Nic Arning
Sean Bolen
Scott Busby
Herb Donaldson
Melissa McAdams
Sandra Martin
Finbarr Saunders
Melynda Whetsel

County HZC Present

Linda Claussen
Kenneth Gresham

Others Present:

Sharon Boyce
Jason DeBord
Rhonda Spurgeon
David Brace
James Pierce
Jamie Rowe
Ann Bennett
Charlotte West

Members Absent:

Duane Grieve (ex.)

Members Absent:

Steve Cotham (ex.)
Charles Faulkner (ex.)
Carol Montgomery (ex.)

Arning (Knoxville HZC Chairman) called the meeting to order and asked if there were any conflicts.

- Approval of Minutes – November 15, 2007, meeting

MOTION BY SAUNDERS AND SECOND BY WHETSEL TO APPROVE THE NOVEMBER 15 MINUTES. THE MOTION CARRIED UNANIMOUSLY.

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

Bennett stated that Tom Reynolds, Building Chief, does not want to open up the whole city to fencing. She needs statements from neighborhood boards if they want fencing added to their guidelines. Sharon Boyce stated the commission needs to do that and send a resolution to City Council for approval of the requirements.

- Staff Report (Level I Certificates): Ann Bennett

1026 Luttrell Avenue - 4th & Gill, Hunter Jackson, Certificate No. 1102074&G - Replace tongue & groove porch floor with tongue & groove flooring; repair any wood siding or trim, as needed, with like materials and same design.

1511 Fremont - Old North Knoxville, Rhonda Spurgeon, Certificate No. 110607ONK - Repair shingles, siding and wood trim with identical designed materials, as needed; repair windows.

6341 Middlebrook Pike - General, Tom Weiss, Certificate No. 120507GEN - Point brick and rebuild chimneys, matching mortar; reroof replacing asphalt shingles in kind; repair porch in kind using identical materials and design.

MOTION BY MARTIN AND SECOND BY BOLEN TO APPROVE THE LEVEL ONE CERTIFICATES. THE MOTION CARRIED UNANIMOUSLY.

- Certificates of Appropriateness

KNOXVILLE HISTORIC ZONING COMMISSION

Old North Knoxville H-1

1511 Fremont – Rhonda Spurgeon (Owner/Applicant) – Certificate No. 110607ONK

Description of Work

Replace windows, as necessary, with wood double hung windows to match the original. Rebuilding front steps using wood risers and treads. Install pipe rail. Rebuild rear porch and basement shelter with shed roof, approximate depth of basement shelter and combined width of shelter and rear porch, enclosing either with weatherboard and windows or with screening. Remove rear chimney vent.

Staff Recommendation

APPROVE Certificate No. 110607ONK. Proposed work is consistent with adopted design guidelines.

Additional Comments

The Old North Knoxville Design Guidelines, Section E, #3 calls for replacement siding that duplicates the original, including patterned shingles; E, #5 requires wooden features to be repaired. Windows, B, #1 requires reusing and repairing original windows if possible, while B, #2 & #3 call for exact replacement of original windows using true divided lights.

Rhonda Spurgeon, 1511 Fremont Place, stated she wants to fix the house to the standards of the neighborhood.

James Pierce, 122 Leonard Place, stated that the neighborhood is in agreement.

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

Fort Sanders NC-1

110 Thirteenth Street – David Brace, Codes Enforcement (Owner/Applicant) – Certificate No. 112607FTS

Description of Work

Demolition of a condemned, vacant, fire damaged structure.

Staff Recommendation

APPROVE Certificate No. 112607FTS. At the time of designation, buildings in Ft. Sanders that were designated non-contributing, as this one was, were considered likely candidates for demolition.

Additional Comments

The designation of non-contributing is explained in the designation report as applying to properties that may be " . . . Structurally questionable, or isolated and not supported by adjacent historic buildings." Although there has been one Certificate of Appropriateness approved for this property that involved window replacement and repair of the front porch, that work was apparently never completed. Since that Certificate was issued (9/24/2002) the property has continued to deteriorate, and recently burned. It does not appear to be a likely candidate for rehabilitation. Any new construction in this location would be reviewed using the adopted Ft. Sanders Design Guidelines. HFSNA has requested that any salvage material be offered to Knox Heritage.

Bennett distributed a memo from Randall DeFord stating during the two months that the certificate was postponed, the HFSNA representative met with representatives of the City of Knoxville and discussed the project with a family member of the property owner. The neighborhood had hoped the house could be saved, but the current owner does not appear to be able or willing to maintain the residence or restore it to a safe and livable condition. They reluctantly are unable to oppose the City of Knoxville's request to demolish it.

Bennett stated that Historic Zoning Commission designates contributing or noncontributing structures. Bennett, Arning, Threlkeld drove the neighborhood before the HC-1 overlay was approved and saw this building was not able to be rehabbed.

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

General

602 S. Gay Street – Michael Brady, Inc. (Applicant), Jason DeBord (Owner) – Certificate No. 120407GEN

Description of Work

Install balconies at several locations on south and east building facades, as shown on attachments. Balconies to be tube steel, suspended with cables from sides of building, requiring window removal and installation of full glass door to gain access to balcony. Width of balconies to encompass width of two windows on east elevations.

Staff Recommendation

APPROVE Certificate No. 120407GEN with modifications that would 1) refuse the installation of balconies on the south elevation nearest Gay Street, 2) require removed windows to be stored, and 3) specify color of balconies match fire escape.

Additional Comments

The east facing elevations of the building, highlighted by common red brick, do not contain significant design elements; the same is true for the south facing elevation at the rear of the building, which is set in from the Gay Street façade and is also built of common red brick. On those elevations, balconies will not be apparent, and will not significantly alter the overall architecture of the building. The commissioners may want to recommend that if original windows are removed from the openings, they be stored in the building to facilitate a reversal of the balconies in the future. Commissioners may also want to be sure that the materials used to construct the balconies match in coloration and design the recently installed fire escape on the rear of the building.

Five balconies are proposed for the south façade nearest Gay Street, and could be visible from Gay Street. They are also proposed for the portion of the building that is surfaced in buff colored brick, and contains cornice elements that wrap around from the Gay Street façade; the designers of that 1928 addition to the Burwell understood that that portion of the building would be visible from Gay Street. The east facing elevations of the building, highlighted by common red brick, do not contain significant design elements; the same is true for the south facing elevation at the rear of the building.

The Secretary of Interior's Standards are used as the guidelines for this building. Two of the Standards address the installation of balconies on the south elevation nearest Gay Street:

#5 - Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

#9 - New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property . . .

The proposed balconies on the south elevation nearest Gay Street would result in a modification of the original design, and would also alter historic materials that characterize the property. Balconies on that portion of the elevation are not recommended.

Bennett asked that the developer check with each owner requesting balconies. She suggested that the color of the balconies match the fire escape color.

Jason DeBord, 812 Clinch Avenue, who is the developer, stated that this building has come from deteriorating office space and been turned it into residential space. This has been a success. He does not agree with Bennett regarding denying the south balconies. The city added H-1 on the whole block. The Holston will have balconies, but it is not in the H-1 overlay. The owners facing Gay Street and Clinch Avenue were not allowed to have balconies. On the south side he can make them not as visible and blend in. They did not apply for balconies at the beginning because they wanted to discuss it with the owners.

Saunders stated that the issue of the balconies on the south could be solved with internal balconies. DeBord stated that this would cut into the units' square feet, and he would have to make cuts and openings. He does not want aluminum fire stairs. The color is not an issue. Saunders asked what size they would be. Bennett stated that the size is shown on the drawing. DeBord stated that he will use balconies that are appropriate for the building. The same company is doing Brownlow, Candy Factory and did the Fire Street Lofts.

Arning stated that balconies have become controversial lately. He thanked DeBord for his cooperation. He stated that he and Bennett are still receiving complaints about the Candy Factory balconies. We try not to set a precedent. The balconies on the Burwell Building are not equal or consistent. DeBord stated that they could go back to the owners and talk about putting balconies on entire side for uniformity. Whetsel stated that looking at the guidelines, they state not to change the historical significance. Bennett added that this makes physical changes on a historic building. Saunders asked if there is coordination between the Design Review Board and Bennett. Bennett explained that there is not an overlapping review. If an area is designed as H-1, only the Historic Zoning review is required. For D-1 areas, the guidelines are based on the Secretary of Interior's *Standards*, but are not reviewed by the Historic Zoning Commission. Claussen asked if balconies will be considered only once. DeBord stated that if the balconies on the south side are approved, the entire side would be done at the same time, not just a few at a time. Saunders stated that the role of this commission is to help development happen.

MOTION BY SAUNDERS AND SECOND BY MARTIN TO APPROVE WITH THE ADDITION OF SEVEN BALCONIES ON THE RED BRICK PART AS SUBMITTED BUT OMIT ON THE LOWER FLOOR ON THE SOUTH SIDE TO MAKE UNIFORM ADDING TWO BALCONIES MODIFYING THE STAFF RECOMMENDATION. THE MOTION WAS DENIED ON A ROLL CALL VOTE (ARNING – NO; BOLEN – NO; BUSBY – NO; DONALDSON – NO; MCADAMS – NO; WHETSEL – NO. MARTIN – YES; SAUNDERS – YES).

Bennett asked if a pane division could be placed in the doors that mimics the windows. DeBord stated he could make the doors look like a window. He will amend the deed for storing items on the balconies. Whetsel stated that she is for the balconies, but the recommendation from staff is to deny. Bennett stated that some of the windows have been replaced anyway. Replacing the glazed brick would be harder than the red brick. Arning asked if there is any urgency to this item being resolved today or if it could it wait 30 days, which would give more time for HZC review and let DeBord contact the other

owners. DeBord stated that the cost of installing the balconies would have to be done all at one time.

MOTION BY BUSBY AND SECOND BY SAUNDERS TO DENY THE CERTIFICATE WITHOUT PREJUDICE. THE MOTION CARRIED UNANIMOUSLY.

Martin stated that we need to find out who is interested in serving as chair of the commission for 2008, and the Commission should consider making the chairman's position a rotating one. If that change is to be made it should be prepared and considered in January, when the elections are held. Whetsel stated that last year she questioned why we have two chairs. Bennett explained that the two commissions are not legally combined. Boyce stated that the two boards need to be separated. If there was an appeal, it needs to be within that jurisdiction. Gresham stated that the commission needs separate officers for the city and county.

Martin stated that the Commission should consider term limits. Boyce stated that if you appoint someone for a 2-year term, you have to be sure they have that much time left on their term. Arning stated that there is a lot of work as chair, but if someone wants it, they should try for it. Busby stated that normally you nominate at one meeting and 30 days later you vote. Martin noted that the Commission should consider a bylaws change that would retain the one-year terms for officers, with a two year maximum, and a provision that the Vice Chairman succeed to the Chairmanship. Bolen suggested that votes for officers should also be possible by proxy. Bennett will draft bylaws changes and will send them in the next packet, and Commission will vote on the officers next month. Martin asked if we could vote by email for internal operations.

Bennett will include the election on the January agenda because nominations and bylaws have to be 30 days before. The vote will then be postponed to the February meeting, and term limits will be set. It should be stated in the bylaws that the Vice Chair automatically moves up to the Chair, with the qualification that the Vice Chair must serve one year before being elected Vice Chair.

Gresham stated his term ended last March. Arning has asked County Mayor's office to replace him. Saunders stated that years ago, we talked about combining the two commissions. Bennett stated that the state enabling legislation allows a maximum nine member commission and requires an architectural historian, architect, attorney and a member of the planning commission, along with a representative of local historic group. There would be very few positions left for general historic district or community representatives.

- 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 January 17, 2008, at 8:30 a.m. in the Small Assembly Room of the City-County Building.