

**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF AUGUST 21, 2008**

City HZC Present

Nic Arning
Sean Bolen
Duane Grieve
Melissa McAdams
Sandra Martin
Finbarr Saunders
Melynda Whetsel

Members Absent:

Scott Busby (ex.)
Herb Donaldson (ex.)

County HZC Present

Linda Claussen
Kenneth Gresham
Charles Faulkner
Carol Montgomery

Members Absent:

Steve Cotham (ex.)

Others Present:

Forest Kirkpatrick
Andy Basler
Randall DeFord
Robert Marlino
Gregor Smee
Robert Moyers
Forest Kirkpatrick
Charlie Richmond
David Kerns
Dan Tankersly
John Craig
Jamie Rowe
James Pierce
Ann Bennett
Charlotte West

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

- Approval of Minutes – July 17, 2008, meeting

MOTION BY SAUNDERS AND SECOND BY CLAUSEN TO APPROVE THE MINUTES. THE MOTION CARRIED UNANIMOUSLY.

Arning stated that Ft. Higley was saved. A group is working to find and preserve the Admiral Farragut birthplace.

- Discussion of Working Draft, Market Square Sign Guidelines Revision

Bennett stated that Market Square Draft Guidelines are being worked on. The Market Square Association met to change the sign designs. When finished they will come before the commission.

- Staff Report (Level I Certificates): Ann Bennett

4450 Maryville Pike – General - RAAECO/Charlie Richmond – Certificate No. 71008BGEN - Install two terra cotta tile roofs, one to replace the roof on the penthouse of the main building, which is now asphalt shingles but was originally terra cotta tile, and the second to replace the roof on the garage, which is now terra cotta tile.

109 Gill Avenue - General, Ted and Tricia Stuth – Certificate No. 71008GEN - Replace metal roof in kind, install half-round gutters and round downspouts; repair fascia and soffit in kind as necessary.

1730 Washington Avenue - Edgewood/Park City, Mike Anderson – Certificate No. 71608EDG - Restore front porch; repair or replace wood siding in kind as necessary; repair or replace gutters as necessary; repair masonry, using Preservation Brief No.2 (low Portland content mortar); repair or replace wood trim in kind.

1708 Jefferson Avenue - Edgewood/Park City, Milton Mallernee, M&M Builders – Certificate No. 72108EDG - Repair existing metal landing and stairs that access second (upstairs) unit, replacing metal with wood with skirt board on landing to mask appearance of boards, with trim strip at top of skirt board.

2314 Jefferson Avenue - Edgewood/Park City, Carla Ellis – Certificate No. 72908EDG - Replace or repair wood siding, fascia and porch decks in kind; install new roof in kind; install gutters; install color clad storm windows, or window screens; repoint chimneys using low-Portland content mortar.

501 E. Oklahoma Avenue - Old North Knoxville, Judy Gerstmyer – Certificate No. 72508ONK- Exterior repair in kind, as needed; repair foundation; rebuilding rear foundation and currently enclosed rear porch, eaving second story addition intact and rebuilding portion of enclosure visible from Harvey, with remainder of rear porch to be unenclosed, or enclosed only with screen. (NOTE: the unenclosed or screened portion is on the north and west elevations of the property and is not visible from Oklahoma or Harvey.)

- Certificates of Appropriateness

KNOXVILLE HISTORIC ZONING COMMISSION

Old North Knoxville H-1

1409 Grainger Avenue – Forest Kirkpatrick (Owner/Applicant) – Certificate No. 71108ONK

Work Description

Replace currently deteriorated foundation at same elevation, jacking up house and using concrete block faced with original brick laid with low-content Portland mortar to protect the original bricks. Insert wood awning windows on side elevations. Install garage door on rear and 36" access door on rear side.

Staff Recommendation

APPROVE Certificate No. 71108ONK. Proposed foundation work is necessary to stabilize building, and will not be visible from Grainger Avenue. The foundation height will be fixed at the existing level, consistent with the adopted design guidelines.

Additional Comments

The majority of the buildings on the north side of Grainger were built with raised basements at the rear elevation, or have modified existing foundations to incorporate raised basements, since the lots slope so markedly down to First Creek. The applicant proposed to perform much needed structural work, and the final basement reconstruction will conform this home to others on the street. It will not be visible from Grainger.

James Pierce, 122 Leonard Place, stated that the neighborhood agrees with the staff recommendation and thanked Mr. Kirkpatrick for restoring the original brick. They would like for the owner to remove the railing on the front porch because it is not appropriate. Mr. Kirkpatrick stated he will take care of it after this work is done.

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

229 E. Scott Avenue - Charles Richmond (Applicant), Steven and Lauren Rider (Owner) – Certificate No. 71708ONK

Work Description

Rebuild wooden front steps as concrete steps with sloping brick buttresses down each side and wrought iron railing, either one central or two (one on each buttress); install 42" wrought iron porch railing on front porch.

Staff Recommendation

APPROVE Certificate No. 71708ONK. Proposed improvements are consistent with adopted design guidelines (see Entrances, pg. 19, #4.)

Additional Comments

The wood steps accessing the front porch were repaired when the house was rehabilitated a few years ago, and have already deteriorated through exposure to the weather. The installation of concrete steps and brick buttresses, which are consistent in size, material and design with other front steps in the district, will correct an ongoing maintenance problem. The front porch does not have a railing; installation of a simple wrought iron railing is not only appropriate for the house's style, but is also the least obvious solution to the safety issue of a tall front porch without a protective railing.

Bennett stated that the owner has not worked out a design for the railing on the steps and the porch. Richmond, 428 E. Scott Avenue, stated explained they will reapply with the railing design and a garage to be built in the spring. The buttress will be brick.

James Pierce stated that the Old North Knoxville neighborhood appreciates what everyone involved has done to restore the house, and they agree with the staff recommendation.

MOTION BY GRIEVE AND SECOND BY WHETSEL TO APPROVE THE STAFF RECOMMENDATION WITH AN AMENDMENT THAT THE HANDRAIL ON THE STEPS BE WROUGHT IRON. THE MOTION CARRIED UNANIMOUSLY.

4th & Gill H-1

1116 Luttrell Street – David Kerns (Applicant), Lois Presser (Owner) – Certificate No. 806084&G

Work Description

Convert covered porch at rear, right corner of house, not visible from Luttrell, replace with enclosed room. Exterior of wood lap siding, three over one windows, reusing existing roof with repairs to roof if necessary, reuse existing foundation. Install corner boards.

Staff Recommendation

APPROVE Certificate No. 806084&G. Proposed work will not be visible from Luttrell. Design guidelines recommend locating exterior additions at the rear of historic buildings (pg. 18, New Additions, #1).

Additional Comments

The rear porch is not a defining architectural element.

Bolen stated that he has a conflict.

David Kerns, 410 Locust Hill Drive, is the contractor. Whetsel has talked to the owner about the concern she has about the windows. Mr. Kerns stated the windows will have a three pane top sash over a one pane bottom sash.

MOTION BY WHETSEL AND SECOND BY MARTIN TO APPROVE THE STAFF RECOMMENDATION. BOLEN RECUSED HIMSELF.

1065 Scenic Drive – Vern Patterson (Applicant), Richard & Deborah Whipple (Owner) – Certificate No. 73108SCN

Work Description

Construct one room, second story addition on rear of house above flat roofed garage, using slate roof to match existing, wood siding, and existing brick wall. Shallow slope to one side will be copper roof. Existing window on rear of house will be removed. New window will be added to rear wall. Footprint of house will not change; change will be in rear of house only, with intersecting cross gable roof replacing existing flat roof over garage.

Staff Recommendation

APPROVE Certificate No. 73108SCN. Proposed changes will not change appearance of house from Scenic Drive.

Additional Comments

The home has a large setback from Scenic Drive, and the rear ell is not visible from Scenic at the present time. The added second story, with details that are consistent with the design of the existing house, will also not be visible from Scenic.

Bennett stated that the representative from Scenic Drive sent her an email, and the neighborhood concurs with the recommendation.

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

Ft. Sanders NC-1

1644 Clinch Avenue – Alice Basler (Owner/Applicant) – Certificate No. 80508FTS

Work Description

Demolish existing two story building, which is structurally compromised.

Construct new two story bungalow with lap siding, front gable roof with shingled front gable and exposed rafter tails, one story gabled front porch with kingpost, exposed trusses, and square wood posts on brick piers, sawn wood side rails, brick buttresses, eight over one windows, tripled on front elevation, rear cottage window with transom and one over one side windows, and tripled eight pane attic windows, brick foundation. New structure 16' from Clinch (with 10' deep front porch), 8' in each side yard, and a 31' rear setback with a 16' deep rear deck. Roof slopes and window measurements are not included on the submitted materials.

Staff Recommendation

APPROVE Certificate No. 80508FTS as to demolition of building; DENY construction of new building as submitted, subject to some modifications as discussed below.

Additional Comments

The demolition of the existing building is allowed under pg. 22 of the design guidelines, paragraph J.1, which notes that "the HZC may allow demolition if a building has been condemned by the City of Knoxville for structural reasons . . ." The building that still stands at 1644 Clinch was apparently condemned by the City of Knoxville in 1998, although it continued to house tenants until 2006. Housing Codes Enforcement officials have indicated that structural issues are a part of the reason the building was condemned.

The applicant has also requested approval for construction of a new two story building of frame construction with Hardi-plank wall covering and shingles. The following points should be considered in discussing the proposed new design:

- 1) Hardi-plank wall covering is allowed under the design guidelines 9, pg. 9, #2, that allowed clapboard or clapboard-like and shingle or shingle-like materials.
- 2) The proposed Craftsman style is one of the historic building forms found in Ft. Sanders.
- 3) The applicant proposes a front gable roof that does include typical Craftsman style ornamentation. The Ft. Sanders Design Guidelines, B. Roofs, pg. 7 discuss the steep roofs, dormers, hipped roofs and other variations that are common in Ft. Sanders, while B2 calls for "variations in the form of the roof about the second story such as gables at different angles, hipped roofs and dormers". The roof slope in the submitted materials is not known, but appears to be 5/12 or 6/12.
- 4) Building height is appropriate.
- 5) Although the proposed infill building's front porch contains typical Craftsman-era detailing, the porch could be improved by increasing its width on the front façade. Typical porch width in Ft. Sanders is generally greater than the width of the porch on the proposed infill.

- 6) The proposed infill shows windows of varying size, but all are fairly small. The appearance of the building could be enhanced by small increases in the height and width of the windows, particularly on the second story.
- 7) The front setback for new buildings should be the same distance as the majority of pre-1940 houses on the block. (See pg. 16, I.1.) In this case, the setback for the original building was approximately 21 feet, which mimics the house next door to the east and a majority of the other houses on the block. The front porch, which is shown to extend ten feet into the front yard, may continue to extend into the front yard under the adopted design guidelines (see pg. 16, I. 3.) If a modification is made to the submitted design to allow for an increased setback, other elements of the design would be acceptable. The rear yard would be reduced by moving the building back on the lot, from 31 feet to approximately 26 feet.

Andy Basler, 2017 Montrose Lane, stated that they bought the house not knowing it had been condemned for structural reasons. They want a replacement structure that will be appropriate to the neighborhood and improve the appearance of this highly visible corner.

Randall DeFord, 1511 Laurel Avenue, representing Historic Ft. Sanders, stated that the neighborhood is not opposed to demolition but has problems with the design of the replacement house. The neighborhood would like a setback consistent with the other houses and setback on 17th same as it is now. They would also like to see an elevation drawing. The porch should take up three-fourths of the front façade. It may need a bay window to look better on the side and the material would look better as shake or siding at the first floor and shake at the second floor. The windows seem too small or too few. The rear deck needs brick or stucco peers to help tie in to the house.

Grieve asked if they are saving the front door, and Mr. Basler answered that they are.

Faulkner asked if they are going to use the same footprint. Mr. Basler stated they will use the same footprint, but it will be 2' narrower on the side. Faulkner stated that this house is sitting on the location of Ft. Sanders, and there may be archeological items there. Mr. Basler stated there will not be much earth moved. Faulkner asked if it was possible to take a closer look at this area because there may be items that pertain to the battle of Ft. Sanders. He noted that archeologists and historians would like a chance to take a look at the land and learn more about the fort. Arning asked if the owner would be willing to let Dr. Faulkner conduct preliminary investigations of the property; Basler agreed to work with Dr. Faulkner.

Grieve asked when the overlay was put on Ft. Sanders if they looked at demolition. Randall DeFord disagrees with the interpretation, and did work with his structural engineer to determine that demolition should be agreed to. DeFord feels that demotion must be based on an assessment from an architect or structural engineer. Robert Moyers, City Codes, feels the house should be torn down.

MOTION BY GRIEVE AND SECOND BY SAUNDERS TO APPROVE THE STAFF RECOMMENDATION TO APPROVE THE DEMOLITION BUT NOT THE DESIGN OF THE NEW HOUSE. THE MOTION CARRIED UNANIMOUSLY.

Mr. Basler stated that the house will be used as a duplex. Whetsel stated that this is large for a Craftsman house, and the porch is too small. Because it is visible from Seventeenth and the quality does not seem to be what it should, she suggested adding another porch or making the proposed porch bigger. Grieve stated he is concerned about the design of the Seventeenth Street elevation.

MOTION BY GRIEVE AND SECOND BY WHETSEL TO DENY THE NEW PLAN WITHOUT PREJUDICE. THE MOTION CARRIED UNANIMOUSLY.

Market Square H-1

4 Market Square – Robert Marlino (Smee Busby, Applicant) - 4MCLLC (Owner) – Certificate No. 80508MKT

Work Description

Install two signs. 1) hanging sign, sized 2'6" x 3'7", two sided, from simple bracket; 2) hanging blade sign on side wall, approximately 170.58" long x 32.63 wide (14'2" x 2'7" with a 6" projection from the building, internally lit (using LED illumination) with outline of white light bulbs on perimeter and centered letters internally illuminated in white, and with blue outline on perimeter and flat edge on side and an arrow at bottom to resemble neon sign.

Staff Recommendation

APPROVE hanging sign (first portion of 80508MKT), which is consistent with adopted Market Square Design guidelines (see Design Guidelines, D.2.) APPROVE blade sign (second portion of 80508MKT).

Additional Comments

The proposed blade sign is located on the walkway, off the frontage of Market Square, and uses modern lighting to replicate a neon blade sign typical of the 1920s when the Vogue Building was constructed. Its coloration, shape and lighting will enhance the historic character of Market Square, and will not set a precedent for the remainder of the buildings on the Square since none of them has access to a location removed from the front elevation of the buildings. Neon is discussed as an appropriate lighting for Market Square signs (see Signs, D.5.) NOTE: The size of the blade sign has been reduced to a 2'7" width and a 14'2" height, approximately, to address concerns about the size of the proposed sign.

Gregor Smee, 29 Market, stated that there is a total of 50 sq. ft. including both signs. They have met with Anita Cash, Tom Reynolds and the Market Square Association.

John Craig, 12226 Brighton Court, stated that we appreciate the architects and owners working with the Market Square Association. We feel the proposed sign fits within the guidelines and support the sign.

Grieve stated he has discussed the plans with Mr. Smee. Grieve asked if they have they talked to KUB or Image Point. They have talked to KUB but not Image Point. Grieve understands they need a sign to show the side entrance. This walkway was supposed to be a quiet area. The history of the old Miller's building had an annex on Market Square and connected to the Miller's Building. It was also intended to have artifacts placed there from city buildings. It takes away

from the Trompe l'oeil and from the arch. The commission is setting a precedent putting a sign there. The adjacent property owner might also request an entrance on that side. Tomato Head does want access to the park and may put a sign on that side. KUB and Image Point could also put signs there. The sign should be on the front and in keeping with the other signs on Market Square.

Saunders stated that he appreciates Grieve's remarks. The guidelines need to be changed. The lights will not be on during the day. They will come on at dusk and go off at midnight. Bennett asked if the proposed guidelines revisions for Market Square include a provision that a sign should only be lit when there is a performance. Mr. Craig stated they are entitled to have it on every night but not lit all night.

Arning asked if the Square Room goes out of business and another business goes there if they can have the same size sign. Bennett stated that this is a performing arts space' that use guides the design the sign. If the business wants another sign, the commission should look at the type of business and whether a blade sign is appropriate. As Bennett understands it, as the sign ordinance goes, Market Square is not a public street. The 50 sq. ft. maximum sign size is an interpretation of the building official. Arning appreciates the two opposing parties discussing the situation. He asked why the sign has to be that big and if it could work at a smaller size. Mr. Smee stated that the proposed size is accurate for what used to be on Market Square; a reduction in size would be too small on the building. This sign is appropriate for this performance space, and it is not on Market Square. Smee indicated that they would not have made the request for a sign this size being installed on a front façade of a Market Square building.

Whetsel asked about the performance space in World Grotto. Bennett explained that the sign meets the guidelines. Bolen stated that the commission should not delay this any longer. Grieve stated they could put a small sign there now. Mr. Smee stated they are opening November 1. Gresham stated that this building is on Market Square, and the guidelines should apply.

Bennett received a letter from Lisa Starbuck, Vice President of Scenic Knoxville, requesting that they go on record as opposing signage that is larger than those signs currently on the Square. Their board feels that a larger sign placed along the side of the building is not in keeping with the scale and proportion of the other hanging signs on Market Square. Another concern is that a precedent would be set, thus permitting the adjacent property owner on the other side of the park to install a sign. A sign of this size (with lighting) will unnecessarily detract from the beauty of the quiet park designed specifically for this space. Support for consistency in signage sizes will prevent this issue from coming up repeatedly from other businesses who may want to enlarge their signs in the future.

MOTION BY SAUNDERS AND SECOND BY MARTIN TO ACCEPT THE STAFF RECOMMENDATION IN REGARD TO BOTH SIGNS WITH THE EXPRESS STATEMENT THAT THE COMMISSION IS NOT SETTING A PRECEDENT. THE MOTION CARRIED WITH GRIEVE OPPOSING.

Arning turned the meeting over to County Chair Kenneth Gresham.

Village of Concord H-1

1100 Church – Dan Tankersley (Owner/Applicant) – Certificate No. 80408CON

Work Description

Repair or replace wood siding in kind; install appropriate windows (usually two sash multi-panes) corresponding to appropriate construction period; install new three panel door with 6 light one-quarter windows, to be installed at either end of front elevation facing Second; install two new windows facing Second; replace existing overhead garage door with carriage style garage door; replacing siding door with French doors; replace basement access plank door on east elevation (not visible from Second or Church); remove window on east elevation, not visible from Second or Church.

Staff Recommendation

APPROVE Certificate No. 80408CON. The building has had numerous changes over time. The proposed alterations will unify many of those changes, making the interior spaces more livable and creating a unified and appropriate exterior appearance.

Dan Tankersly, 1100 Church Street, is the owner and applicant. Montgomery stated that the Concord residents approve.

Faulkner stated he is interested in the remodeling of old houses. If Mr. Tankersly finds out how the house was built originally, he should let the association know.

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

Bennett stated that because of the Election Commission's need to use the Small Assembly Room, the September 18 meeting will be held in the Main Assembly Room at 8:30 a.m. in the City/County Building.