

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF JANUARY 17, 2008

City HZC Present

Nic Arning
Scott Busby
Herb Donaldson
Duane Grieve
Melissa McAdams
Finbarr Saunders
Melynda Whetsel

County HZC Present

Linda Claussen
Steve Cotham
Charles Faulkner
Kenneth Gresham
Carol Montgomery

Others Present:

Sharon Boyce
Patrick Hunt
Ken Mills
Dave Cook
Spartacus Jordon
John Stancil
Ann Bennett
Charlotte West

Members Absent:

Sean Bolen (ex.)
Sandra Martin (ex.)

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

- Approval of Minutes – December 20, 2007, meeting

Whetsel stated there were corrections that needed to be made to the minutes and explained the changes.

MOTION BY SAUNDERS AND SECOND BY BUSBY TO APPROVE THE MINUTES WITH THE CORRECTIONS. THE MOTION CARRIED UNANIMOUSLY.

- Staff Report (Level I Certificates): Ann Bennett

36 Market Square - Market Square H-1, Ken Mills (M&W Properties), Certificate No. 121307MKT - Replace flat roof with membrane roof.

Bennett distributed draft copies of the proposed draft guidelines for Island Home Park.

Arning stated that Patrick Hunt missed the deadline to be heard today for a Levels 1 and 2 certificate. Patrick Hunt, 1111 Luttrell Street, 4th and Gill, stated that the house has aluminum siding, which will come off and wood will be put back. The current one over one, double hung windows have been modified with tilt windows. He wants to install double pane wood windows for energy efficiency. All existing trim will be repaired. He wants to repair an arched wooden portico covering over the basement door that has brackets that match the front of the house. The siding is off and repair has started. Whetsel has talked to him and the neighborhood is

in favor. She feels it is fine to let the contractor begin the work on the windows. Bolen was out of town, but had indicated no reservations with the project, asking that they store the windows.

- Certificates of Appropriateness

KNOXVILLE HISTORIC ZONING COMMISSION

Market Square H-1

17 Market – Knoxville Area Chamber Partnership (Diana Pacey), (Applicant) – Certificate No. 121607MKT

Description of Work

Install weather camera on roof of building.

Staff Recommendation

APRPROVE Certificate No. 121607MKT. The Market Square Design Guidelines do not address the placement of remote control cameras. However, the rooftop location and the presence of a parapet wall will mitigate negative visual effects.

Additional Comments

The camera and its support are not a structural modification and will be easily removable in the future. The Secretary of Interior's Standards, which form the foundation of the Market Square Design Guidelines, provide that "Whenever possible, new additions or alterations to structure shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired." (Standard #10).

Bennett stated that the guidelines were not written to include remote control cameras. Grieve stated that he has a problem with the project because he does not know what visual effect the installation will have and would like more information in order to approve. Busby agrees with Grieve. Arning stated that we might want to set parameters to be sure no one else installs something like this.

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

36 Market – Ken Mills (M&W Properties) (Owner/Applicant) – Certificate No. 121307MKT

Description of Work

Install wood windows, rectangular to base of arch which will be solid infill (Pella architect series). (application on 1/03/08).

Staff Recommendation

APPROVE Level II portion of Certificate No. 121307MKT. Proposed windows are wood and are designed to completely fill opening, with a solid infill making the segmental arched top.

Additional Comments

See Market Square Design guidelines, pg. 18, #2.

Bennett stated that this building was formerly owned by Scott and Bernadette West, who installed vinyl windows. They have been removed and Ken Mills, the new owner, wants to install wood windows.

Ken Mills, 11103 Copper Ridge Road, President of M&W and Dave Cook, 160 Country Walk Drive, explained that the new windows would be wood, two over two, made by Pella Windows. Spartacus Jordon, Clinton, discussed the proposed installation of the windows. Mills has searched for pictures and is trying to replicate the original windows, but has not found any pictures yet.

MOTION BY GRIEVE AND SECOND BY BUSBY TO ACCEPT THE TWO OVER TWO WINDOWS. THE MOTION CARRIED UNANIMOUSLY.

1625 Washington Avenue – Perry & Brandi Hodson (Owner/Applicant) – Certificate No. 10208EDG

Description of Work

Replace existing one over one double hung windows with vinyl, low E one over one double hung windows. In the alternative, replace with wood, one over one, double pane, low E windows. Replace existing wood siding with wood siding, same profile and exposure. Repair or replace wood trim in kind. Replace asphalt shingle roof in kind. Replace tongue in groove porch flooring in kind.

Staff Recommendation

APPROVE all items on Certificate 10208EDG except replacement of windows with vinyl. Vinyl replacement window sashes do not have the same profile, width, or depth as wood windows. Other work items are consistent with the adopted design guidelines.

Additional Comments

In referring to the recommendation for window replacement, see Windows, pg. 17, 3 and 5; Roof, pg. 15, #4 and #3; Wood siding, wall coverings, pg. 23 #3, #4, and #5; Porch floor, pg. 10, #1.

John Stancil, 2003 Washington Avenue, stated that they seem to be following the guidelines except for the vinyl windows. He will talk to the owners and give them the design guidelines.

MOTION BY SAUNDERS AND SECOND BY WHETSEL TO APPROVE THE STAFF RECOMMENDATION WHICH INCLUDES NOT APPROVING VINYL WINDOWS. THE MOTION CARRIED UNANIMOUSLY.

Amendment to Administrative Rules

Following the discussion of last month, Bennett has drafted and distributed a proposed change to both the city and county Administrative Rules. The change would create term limits and set out a succession policy for both the city and county chairs. The Commissions may want to eliminate the succession policy, because appointments are staggered as to year and as to month, and could limit someone's ability to serve as chair.

Bennett pointed out that Commissioners Martin and Bolen had indicated support for provisions that would allow absentee voting, and that idea had been discussed with Sharon Boyce, city attorney's office. Martin and Bolen, who could not be here, want provisions set up for a proxy. Sharon Boyce stated that this board, like all public boards, comes under the public records act, which prohibits proxies or absentee voting. The commissioners are considering what item is before them, and gathering testimony at the meeting, and voting by proxy would prohibit those activities.

Gresham stated that because the county has five members and two out of the five are officers, any three members can choose their chair and vice chair. He sees no reason to change the rules for the county.

MOTION BY MONTGOMERY AND SECOND BY CLAUSSEN THAT THERE NOT BE ANY CHANGE TO THE EXISTING COUNTY ADMINISTRATIVE RULES. THE MOTION CARRIED UNANIMOUSLY.

Busby stated that there will be a lot of confusion if you are on a five-year term and have served maybe three years and your term will run out. The commission can nominate a new person every year.

Whetsel stated that it looks like the commission is dissatisfied with the chair, but this is not the case. Encouraging a succession in leadership is a training device for commission members. Busby stated that if someone wants to be nominated, they could make that known. Bennett asked if the Administrative Rules should be modified to require advance notice of elections. There is no advance notice for nomination of officers presently.

MOTION BY BUSBY AND SECOND BY WHETSEL TO REJECT THESE CHANGES TO BYLAWS AND NOMINATE AND VOTE ON OFFICERS IN FEBRUARY. THE MOTION CARRIED UNANIMOUSLY.

Arning stated that the commission has had elections since he was elected chair. He had been under the impression that no one wanted this job. There is a lot of work to the job. He will be glad to help anyone who wants to be chair. The commissioners want to do what is best for the neighborhoods. The chair's job is to take tough stances, to know all the details before coming to a meeting to vote, and to answer complaints and explain why the commission voted the way they did.

Whetsel agreed that the chair carries a heavier work load than other commissioners, and noted that if the position of chair rotated among the members, they would all gain information and improve the understanding and knowledge they need to use in voting. It is a shared leadership position. Saunders stated that it is healthy to rotate the leadership. Citizens can contact any members of the commission. From an administrative standpoint the chair should be rotated. Gresham stated that based on the public notice, can we vote today or do we wait until next month.

MOTION BY MONTGOMERY AND SECOND BY COTHAM TO NOMINATE GRESHAM FOR CHAIR. THE MOTION CARRIED UNANIMOUSLY.

MOTION BY CLAUSSEN AND SECOND BY FAULKNER TO NOMINATE MONTGOMERY FOR VICE CHAIR. THE MOTION CARRIED UNANIMOUSLY.

Election of Officers

Knoxville Historic Zoning Commission officers will be voted on next month.

Discussion of Fencing Addition to Design Guidelines

Bennett stated that a version of the draft letter submitted in this month's packets will be mailed to the historic representatives under the commission's signature. Whetsel asked how many residents have to be queried; she noted that the letter should include a response deadline. She thought the historic zoning commissioners were making a suggestion that the fencing issue be approved by the commission, MPC and City Council. She asked if two or three neighborhoods could request this together. Bennett stated that an amendment to neighborhood guidelines starts with the neighborhood but has to be approved by the commission, MPC and City Council. Gresham stated that you cannot have an overall fence ordinance for all neighborhoods. Boyce explained that the guidelines would be changed only for the neighborhoods that requested it, and City Council approval would be necessary. Grieve stated that this would be a good time to send the letter to the neighborhoods to suggest they might want to review their whole guidelines not just fencing. Bennett will redraft the letter and email it to the commission.

Arning asked if there should be a snow policy for commission meetings. Boyce stated that the state law states that if an item is not voted on, the item would automatically be approved. She suggested to immediately reschedule another meeting to vote on the items. You would not have to worry about the 12-day notice again, but if one person shows up they could put up a notice when another meeting would be set. If it has not been 30 days since the person has filed, it could be heard at the called meeting. Busby asked if the weather had been bad, would we have been expected to show up. Bennett explained that commissioners should use their own judgment if weather is bad.

Bennett distributed a draft of the Island Home Park NC-1 designation draft to the commissioners.

- 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 February 21, at 8:30 a.m. in the Small Assembly Room of the City-County Building.