

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OF MARCH 19, 2009

City HZC Present

Nic Arning
Sean Bolen
Scott Busby
Duane Grieve
Melissa McAdams
Melynda Whetsel

County HZC Present

Linda Claussen
Steve Cotham
Charles Faulkner
Kenneth Gresham
Carol Montgomery

Others Present:

Sharon Boyce
Tom Reynolds
Charles Richmond
Jared Brewster
James Pierce
Cynthia Stancil
Ethiel Garlington
Lauren Rider
Ann Bennett
Charlotte West

Members Absent:

Herb Donaldson
Sandra Martin (ex.)
Finbarr Saunders (ex.)

Whetsel called the meeting to order and reminded members regarding conflicts of interest.

Grieve stated that Scenic Knoxville is asking for support of an ordinance that is coming before City Council for a second reading on Tuesday, March 24. It bans any new EMCs and regulates the existing ones. If anyone is interested and feels strongly about the issue, please contact City Council members and voice your concerns.

Arning introduced Ethiel Garlington, who is a new member of Knox Heritage. He stated that Knox Heritage has received a grant to help surrounding counties with preservation issues. He is helping them with National Register nominations and organization.

- Approval of Minutes – February 19, 2009, meeting

MOTION BY MCADAMS AND SECOND BY FAULKNER TO APPROVE THE FEBRUARY 19 MINUTES. THE MOTION CARRIED UNANIMOUSLY.

- Staff Report (Level I Certificates): Ann Bennett

1319 Grainger Avenue - Old North Knoxville H-1 - Chet Kilgore (Owner) or Delmar Hubbard (Contractor) – Certificate No. 22609ONK. Repair of porch flooring, porch spindles and columns, weatherboard, trim boards and other architectural elements as necessary and in kind, prior to repainting. Repair of gutters and downspouts, if necessary. Repair of roof, if necessary. Repair of masonry, if necessary, using Preservation Brief No. 2.

- Certificates of Appropriateness

KNOXVILLE HISTORIC ZONING COMMISSION

Market Square H-1

36 Market Square – Scott Busby, Smee & Busby Architects (Applicant), The Gallery Group, LLC (Owner) – Certificate No. 30509MKT

Work Description

Remove existing deteriorated exterior masonry façade wall facing Market Square and along the angled wall at the corner to a point at the east side of the existing pilaster at the corner on Wall Avenue. Existing windows are to be removed, stored and reinstalled with new wall.

Construct new masonry façade wall with metal stud back up to replicate the existing wall configuration from above the existing ground floor storefront to the metal roof coping. New steel columns and beam structure will be installed at the ground level in approximately the same location as existing.

The design of the ground floor storefront along Market Square and Wall Avenue will be submitted to the Knoxville HZC at a later date. Addition work to exterior brick, including tuck pointing, cleaning, etc., to be submitted at a later date. New brick to be painted once full design and construction is completed.

Two structural engineers have recommended that this wall be removed. A temporary construction wall will be built out to the ten foot limit and around the side to just past the limit of construction.

Staff Recommendation

APPROVE Certificate No. 30509MKT. The west façade of the building at 26 Market/320 Wall has been subjected to a number of ineffective structural repairs since Market Square H-1 was designated; the structural problems have not been corrected.

Additional Comments

Past attempts to correct the structural problems with the west wall of this building have failed. Mr. Busby has reported that the bricks making up the west wall of the building are being held in tension rather than compression, and subject to complete structural failure. His proposal to rebuild the west façade, duplicating the existing structure as much as possible, is necessary to make the building safe, and to preserve it. For that reason, the recommendation is to allow the work to proceed as proposed.

Bennett stated that the commission has approved shoring up of the wall several times. The application is to take the wall down and put it back up. It needs to be reconstructed so it will not be a public hazard.

Bennett received an email from John Craig, President of the Market Square District Association (MSDA). He stated that he had discussed the item with the owner, architect and City Codes officials, and MSDA is very supportive of the replacement of the west façade in light of the safety issues with the current structure.

Scott Busby recused himself.

Grieve asked Busby if the decorative plates are going back on. Busby stated they are not, but will be recycled in some way, or returned to the previous owners. The windows will be reused. Bolen stated that since painting the brick was usually not an option, he would like to add the option of leaving the brick unpainted.

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

Old North Knoxville H-1

428 E. Scott Avenue – Charles Richmond (Applicant), The Scott Project (Owner) – Certificate No. 30409ONK

Work Description

Subdivide existing parcel (addressed at 428 E. Scott) into two parcels with one containing a commercial building and rear parking lot and the other containing the house and parking to one side at street (Scott) level.

Staff Recommendation

APPROVE Certificate No. 30409ONK. The proposed subdivision reintroduces the consistency of lot width typical of this historic district.

Additional Comments

At some time prior to adoption of the Old North Knoxville H-1 Historic Overlay, three 50' lots on E. Scott in Old North Knoxville were given one address (428 E. Scott). On 2/19/2009, the Knoxville Historic Zoning Commission determined that, as a result of removal of the façade added when the lots were combined prior to designation, the buildings had been returned to a status of contributing to the historic district.

The subdivision contemplated by this application will protect the separation achieved in the recent rehabilitation, and will reintroduce appropriately scaled lot widths for the two remaining historic buildings, in support of pgs. 26 and 27 of the adopted Old North Knoxville Design Guidelines, and particularly of pg. 29, G.4.

Melissa McAdams recused herself.

Charles Richmond, 428 E. Scott Avenue, stated that when he and his partner bought this property, it was one building encased in a false front, including a commercial building and a house. The buildings have been returned as close as he could to the original through removal of the artificial roof and some separations at the rear of the house and commercial building. Arning asked if the commission is voting on subdividing and Bennett said we are. Grieve asked if there were originally three lots and Bennett said there were. The residence does not have a back yard. Bennett explained that excavation had been accomplished many years ago, so that the back yard would have to be filled to create anything resembling a rear yard. Bennett does not think it could be done because the commercial building has to have parking spaces. Mr. Richmond stated that the house does have a side yard. Busby asked why the retaining wall is not on the property line. Mr. Richmond explained that he intends to use the space in the rear yard nearest the elevation change as parking.

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

208 W. Glenwood Avenue – Jeff Burkhart (Owner/Applicant) – Certificate No. 30209ONK

Work Description

Garden Shed: Repair and reduce size of existing carriage house, in rear yard not visible from streets, using wood lap siding, asphalt shingled 5/12 or 6/12 pitch; doubled doors with x-bracing facing Glenwood, if windows, wood double hung one over one. Final product will be a 10'x8' to 10' (approximate size) garden shed with wood siding and possibly a pergola facing rear of house.

Primary structure: Reroof with dimensional shingles, repair gutters, repair siding, fascia and soffit in kind if necessary.

Staff Recommendation

APPROVE Certificate No. 30209ONK. Reroofing and general repair are consistent with adopted design guidelines. Former carriage house/garden structure is extremely deteriorated and dangerous in its present condition.

Additional Comments

Applicant's proposal will result in a secondary structure, in a rear yard, that is consistent with the design guidelines. (pg. 29, 1-4).

James Pierce, 122 Leonard Place, stated that the neighborhood would like to see what the finished shed will look like and would agree if he follows the staff recommendation.

MOTION BY BOLEN AND SECOND BY MCADAMS TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.

1417 Cornelia Avenue – Jared Brewster (Owner/Applicant) – Certificate No. 30509ONK

Work Description

Demolish existing deteriorated, fire-damaged building. Construct new house, virtually identical in appearance on the exterior, using wood siding, wood two sash one over one windows appropriately sized, wood soffit and wooden front door. Roof covering of dimensional asphalt shingles on hip roof with lower cross gables and front gable 12/12 pitch, masonry foundation, square wood porch posts, shingled front gable with scalloped bracket, wood tongue in groove porch floor, brick chimney. Overall width of house to duplicate existing.

Staff Recommendation

APPROVE Certificate No. 30509ONK. Demolition is very undesirable, but the extreme deterioration and damage to this building, combined with the applicant's willingness to construct an appropriate replacement, make demolition the only option.

Additional Comments

Applicant purchased the building after the fire, and after it had been empty and deteriorating for several years, with the intention of rehabilitating it. Although other fire-damaged buildings in Old North Knoxville have been rehabilitated, they were in better condition than this one, and they were redone by individuals and a non-profit who have all reported that they did not make a profit on any of the projects. This building has also suffered a series of inappropriate alterations and changes to windows and other elements prior to being included in the Historic Overlay, meaning that there is less architectural significance for this building than for the others that were rehabilitated following fires.

The applicant has indicated an interest in constructing an appropriate infill building, and the combination of fire damage and deterioration make it very unlikely that this building can be rehabilitated.

Bennett stated that this house is damaged more than any she has seen through the years and does not look repairable. She believes that tearing it down is the best thing to do. It has been vacant for a long time. She has received emails that support and refute that opinion.

Jared Brewster, 1808 Jefferson, stated that he owns this house. He bought it with the intention of rehabilitating it, but contractors who have seen it have suggested tearing down the house. There is mold and water damage. The mold was there when he bought the house.

James Pierce, 122 Leonard Place, stated that the Old North Knoxville neighborhood cannot support demolition of the house. They have tried to get the house stabilized, and the owner has not done what was asked. This should not be done for profit and will be more history lost in the Old North Knoxville District. If demolition is approved, it constitutes a reward for neglecting the building. There are no plans or proof of financial commitment. This house can be brought back to its original look.

Lauren Rider, 229 E. Scott, stated that she lives in a house that was about to be torn down, but it was saved. The historic zoning commission is charged with upholding the guidelines. She received an email from Bob Whetsel stating he thought the house was salvageable. The hole that the firemen made has gotten bigger and caused the roof to collapse. Mr. Brewster should not be trying to make a profit on the house. This is a dangerous precedent to set. She is concerned it will become an empty lot.

Grieve asked Bennett if the commission had to require a structural engineer to review demolitions in Fort Sanders before one could be torn down. She believes either an engineer or an architect looked at the properties first. Grieve stated that we need documentation that it cannot be saved.

Arning is concerned whether the front could be saved with the newer additions torn down. Brewster does not know. The main damage was at the back of the house. He has owned it since November 2007. He has put tarpaulins on the roof but water still got in.

Bennett explained that Brewster is indicating he will reproduce the present appearance of the house, he wants to reproduce what was original, and the house has been altered considerably. Grieve stated that he should have a plan to show the commission and a timeline. He cannot support demolition if he does not have any plans to look at. Bolen stated that we have allowed demolition by neglect. There is mold and water damage, but the cost is because of the owner's neglect. Bennett went with codes before the fire and has been in there since the fire, and the mold was already there.

Arning stated that traditionally this commission has not decided issues like this on whether it is profitable or not. It has been our duty to uphold the neighborhood guidelines. We need to reevaluate the guidelines about demolition. He is concerned it would be torn down and the lot might sit empty.

Pierce stated that if an engineer looks at the house, representatives from Old North would like to participate in the process.

MOTION BY BUSBY AND SECOND BY GRIEVE TO DENY WITHOUT PREJUDICE AND HAVE THE OWNER PRESENT A WRITTEN REPORT AND DRAWINGS TO THE COMMISSION FROM A STRUCTURAL ENGINEER AS TO THE STATUS OF THE HOUSE. THE MOTION CARRIED UNANIMOUSLY.

Other Business

There being no other business, the meeting was adjourned.

The next meeting of the Knoxville and Knox County Historic Zoning Commissions will be held on April 16, at 8:30 a.m. in the Small Assembly Room of the City-County Building.