

**MINUTES**  
**KNOXVILLE HISTORIC ZONING COMMISSION**  
**KNOX COUNTY HISTORIC ZONING COMMISSION**  
**MEETING OF AUGUST 18, 2011**

**City HZC Present**

Scott Busby  
Faris Eid  
Lorie Huff  
Sandra Martin  
Andie Ray  
Finbarr Saunders  
Melynda Whetsel

**Members Absent**

Sean Bolen (ex.)  
Melissa McAdams (ex.)

**County HZC Present**

Steve Cotham  
Charles Faulkner  
Kenneth Gresham  
Carol Montgomery

**Members Absent**

Linda Claussen (ex.)

**Others Present:**

Lisa Hatfield  
Melvin Wright  
Mike Reynolds  
James Pierce  
Arin Streeter  
Jamie Rowe  
Noel Hudson  
Tom Brechko  
Joe McDonald  
Christopher King  
Carol Johnson  
Arthur Seymour  
Brad Salsbury  
Kimberly Davis  
Ann Bennett  
Charlotte West

Vice Chair Scott Busby called the meeting to order for Chair Finbarr Saunders who has to leave early. Busby reminded members regarding conflicts of interest.

**MOTION BY SAUNDERS AND SECOND BY EID TO APPROVE THE JULY 21 MINUTES. THE MOTION CARRIED UNANIMOUSLY.**

Staff Report (Level I Certificates and other): Ann Bennett

**222 E. Oklahoma Avenue**, Old North Knoxville H-1, JTI Construction LLC/Jake Iglehart, Certificate No. 71111ONK - Repair siding and trim in kind with like materials, as necessary. Repair porch ceiling, capitals, columns, and flooring, if necessary, using like materials and design.

**221 E. Oklahoma Avenue**, Old North Knoxville H-1, Jessica Hay, Certificate No. 72811ONK - Replace existing garage door with garage door of identical design. (Old door is in such poor repair it will not open. Garage is in rear yard; door is not visible from Oklahoma.)

**718 Wells Avenue**, 4<sup>th</sup> & Gill H-1, John Wampler, High Oaks Construction, Certificate No. 715114G Repair roof damage from falling tree, replace roof using asphalt shingles; repair wood trim in kind; replace gutters as necessary; repair soffits and fascia as necessary.

**11 Market Square**, Market Square H-1, Signco, Inc. (Keith Pankey), Certificate No. 80211MKT - Studio Visage signage applied to existing Salon Visage signage consisting of a 1'10" by 3'3" hanging sign and a 6'7" signboard sign.

Bennett stated that at the July meeting the commission discussed moving the blade sign for the Oliver Hotel from its approved corner location to a location on the south elevation. The architect for the owners of the Oliver has contacted the staff and indicated that an application for a Certificate for the sign in its new location will be made for the September 15, 2011 meeting.

The location of the ATM in the Miller's Building for Regions Bank on Gay Street was discussed at the March meeting of the Commission. At that time the Commission approved location of the ATM within the recessed opening on the Gay Street elevation. They did not specify which wall of the recess the ATM would be located on, but did discuss the difficulty of placing it on the side wall where the night deposit was located; it was explained that a side location would make the ATM very difficult to refill. The Commission approved the request for modification to allow the recessed entry, and did not specify the wall where the ATM was to be located except to say that it could not be located on the exterior Gay street façade.

As for the rooftop addition on Preservation Pub, 28 Market Square, the matter was heard at the February meeting of the Commission. At that meeting, Ms. West, the applicant, stated that it was understood that no awnings or umbrellas could be used. The Certificate issued following that meeting contains the following language: "Modifications were made at the 2/17/2011 Knoxville Historic Zoning Commission meeting to disallow the installation of awnings, umbrella tables or planters or other improvements that would be visible from the street level of Market Square . . . .".

The Commissions also asked that the Certificate of Appropriateness language reflect the need to consult the respective Commissions before changing the construction as approved by the Commission. The language on the Certificates now states

*Any change in the work described on this Certificate requires additional review and approval by the historic zoning commission.*

The statement is in 12-point type, and could be modified to be more obvious if that is the wish of the commissions.

Bennett stated that regarding the Preservation Pub, there has not been an application filed regarding installation of awnings, umbrellas or planters that should not occur. Saunders stated he received a call regarding a stop work order for them. Bennett responded they need to apply, but the commission did not intend for them to have a stop work order. Ray asked if once a certificate has been issued, if an inspector has a copy. Melvin Wright stated his office uses it for the building permit.

**KNOXVILLE HISTORIC ZONING COMMISSION**

**Old North Knoxville H-1**

**222 E. Oklahoma Avenue** – JTI Construction LLC (Jake Iglehart) - (Applicant) - Martha Olson (sold to Avigil Sachs - Owner) - Certificate No. 71111ONK

**Work Description**

Alter (shorten) side window to accommodate kitchen counters. Window is behind bay window, not visible from Oklahoma.

NOTE: Informed contractor today by phone that shortening the side window back of the bay was acceptable per site visit and e-mail conversation with James Pierce, ONK representative. Delaying until August meeting was going to pose undue hardship on new owner, who had missed deadline date for July meeting by a matter of hours

**Staff Recommendation**

APPROVE Certificate No. 71111ONK as follows: 1) APPROVE repairing siding, trim and porch ceiling, capitals, columns, and flooring in kind with like material and design, if necessary. (Certificate 7111ONK issued for Level I on 7/11/2011).

**Additional Comments**

2) APPROVE Shortening side window to accommodate kitchen counters.

The proposed altered window is behind a bay window on the south elevation and is not visible from Oklahoma. After a site visit and e-mail conversation with James Pierce, ONK representative, staff informed the contractor by site visit that shortening the side window back of the bay was acceptable. Delaying until the August meeting would have posed a hardship on the new owner, who had missed the filing deadline for the July meeting by a matter of hours. Although the design guidelines recommend that the original opening be maintained in full height and width, this alteration is necessary to accommodate essential kitchen functions, and any interior alteration to accommodate the kitchen would have erased interior history.

James Pierce, 122 Leonard Place, stated that the neighborhood does not want to set a precedent because this is not in keeping with our design guidelines. We do not want another one to come up and automatically approve this type of window.

**MOTION BY SAUNDERS AND SECOND BY WHETSEL TO APPROVE THE STAFF RECOMMENDATION BUT NOT TO SET A PRECEDENT. THE MOTION CARRIED UNANIMOUSLY.**

*318 E. Oklahoma Avenue* – Andie Ray and Noel Hudson (Applicant/Owner) – Certificate No. 80211ONK

**Work Description**

Install shed roofed portico with metal standing seam roof covering above French doors on southeast facing balcony.

**Staff Recommendation**

APPROVE Certificate No. 80211ONK. The proposed changes are consistent with the architectural designs in Old North Knoxville and with the expected architectural features on French Eclectic Revival architecture.

Bennett stated the commission has previously approved the balcony with French doors, but the owners want to protect the doors by installing a roof over the balcony. It is a new house, which makes a difference in approving.

Noel Hudson, 27 Market Square, who is the owner along with his wife Andie Ray, stated that the builder wanted to protect the stained wood on the French doors.

James Pierce stated that the neighborhood agrees with the staff recommendation.

**MOTION BY EID AND SECOND BY MARTIN TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED WITH BUSBY AND RAY RECUSING.**

*226 West Glenwood Avenue* – Kimberly Davis and Fred Sahms (Applicant/Owner) – Certificate No. 80411ONK

**Work Description**

Replace existing Masonite siding on one wall of c.1950 garage to rear of house.

**Staff Recommendation**

APPROVE Certificate No. 80411ONK - Although the proposed work is not consistent with the Wall Coverings section (pg. 20-22) of the Old North Knoxville Design Guidelines, the Masonite siding replaces the original siding material in kind.

**Additional Comments**

The non-contributing structure is not visible from West Glenwood.

Kimberly Davis, 226 W. Glenwood, stated she is just replacing the Masonite on one side of the garage, painting the block below and will paint the other sides.

James Pierce stated that this is not the typical Old North garage, and the neighborhood agrees with the staff recommendation.

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

*510 E. Scott Avenue* – Tom Brechko (Applicant/Owner) – Certificate No. 80411ONKB

**Work Description**

Replace siding, fascia, soffit and trim boards in kind, as necessary; replace two basement doors, neither original, with appropriate replacement doors (not visible from Scott); install new wood windows (three) in rear wall to replace three windows (central fixed pane); install new wood window in rear gable (window would be casement with appearance of one over one double hung); install utilities underground Install 8'x8' deck on side of house behind lattice screen with deck elevation to be no more than 2'; install wood screen/storm door at front entry using antique grille.

Add 24'x24' accessory structure (garage/workshop with 12'x20' carport addition) with hip roof with lower cross gables and shed roof addition, facing northwest, with overhead "carriage house style" door, central plank entry door, and board and batten wall covering with four light window. Projecting front gable supported by sawn wood brackets, with full cornice return and shingled gable. Accessory structure to be located at rear of building, accessible from alley.

**Staff Recommendation**

APPROVE Certificate No. 80411ONKB. The changes proposed to the primary structure are consistent with the Old North Knoxville Design Guidelines, and duplicate work previously allowed but not yet completed. APPROVE proposed new construction.

**Additional Comments**

The proposed garage's roof shape is consistent with the primary structure on the lot. However, the design guidelines specify that the roof slope should be 12/12 pitch. In this case, the garage is not visible from Scott and the restrictions should not apply because of the roof slope.

Bennett stated that most of this information has been approved in the past, and now Mr. Brechko has changed the garage to accommodate a workshop. The structure is appropriate to his house and the neighborhood.

Tom Brechko, 510 E. Scott Avenue, stated he is hoping to be able to move forward on the garage and installing the new windows on the back of the house. All the other windows in the house are one over one.

James Pierce stated the neighborhood is pleased and wishes it was move visible because of the design.

**MOTION BY WHETSEL AND SECOND BY MARTIN TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.**

**236 E. Scott Avenue** – Vaughn Nave (Applicant/Owner) – Certificate No. 80411ONKC

### **Work Description**

Repair wood siding, trim, fascia and soffits in kind, as necessary; replace basement windows with wood windows that replicate the design of the originals; replace two wood windows on second story (Northeast and southwest elevations) with identically sized wood windows matching originals; Install new wood exterior door at upper elevation on northwest façade; repair remaining doors; Tuckpoint foundation as necessary, using Preservation Brief No. 2; Repair chimneys, removing brick and relaying if required or tuckpointing as necessary, using Preservation Brief No. 2; Install new porch railing on west end of front porch, matching railing at 228 E. Scott; Reroof, replacing asphalt shingles in kind. (NOT REPLACING FRONT PORCH ROOF); Install ridge vents as required; Install guttering and downspouts; Install trim at junction of front porch and house wall.

### **Staff Recommendation**

APPROVE Certificate No. 80411ONKC with the exception that the added porch rail should be 2"x2" sawn wood balusters set into the top and bottom rails on 3-4" centers, duplicating the railing at 121 E. Scott rather than 228 E. Scott.

### **Additional Comments**

The majority of proposed changes are consisted with the adopted design guidelines with the exception of the proposed railing; that deficiency can be corrected by adopting the railing design described above.

The front porch roof is fairly new, but they may still be planning to replace it.

James Pierce stated the neighborhood is excited to see this home being restored. David Massey from the City has been very helpful and will work with Community Development on the project. They are concerned about the screen door on the balcony and do not want it lost. They want to know what the front door on the balcony is being replaced with and want them to use something appropriate. They want as much preserved as possible and will help as a neighborhood. The chimneys have to be reworked, and they want to be sure they are maintained and not lost.

Joe McDonald, Community Development, stated he is helping Mr. Nave with rehab. The front door will be salvaged and will have a storm door. The screen door on the balcony can be saved, but the door has lead paint and will have to be replaced. Whetsel would like to see the lead removed and save the door. McDonald responded he has to follow federal guidelines.

James Pierce added that if there is anything the neighborhood can do, and if it is beyond his means to salvage pieces, they need to know how to help.

**MOTION BY WHETSEL AND SECOND BY EID TO APPROVE THE STAFF RECOMMENDATION. THE COMMISSION WOULD LIKE TO SUGGEST THAT DURING THE REPAIR AND REUSE, INCLUDING REFINISHING OF THE BALCONY DOOR, ANYTHING THAT CAN BE SALVAGED SHOULD BE, IF POSSIBLE.**

## **4<sup>th</sup> & Gill H-1**

*1123 Luttrell Street* - Christopher King (Applicant/Owner) – Certificate No. 804114G

### **Work Description**

Construct second story addition; new roof to copy existing roof (hipped, 6/12 slope, exposed rafter tails). Relocate attic dormer to new roof in similar position. Windows will be wood double hung duplicating existing windows and trim. Wood shingles on second story with large trim band between floors. Extend existing chimney with matching stucco finish and new chimney cap. Construct shed roofed porch over existing exterior cellar steps with square wood columns and exposed rafter tails.

### **Staff Recommendation**

DENY Certificate No. 804114G. The proposed changes are not consistent with the New Additions section (pg. 18-19) of the adopted Fourth & Gill Design Guidelines.

### **Additional Comments**

Although the proposed redesign is appropriate in the neighborhood, the guidelines state that new additions should be to the rear or inconspicuous side of the house, and that differentiation should be made between what is historic and what is new. The guidelines further state that it is best not to add additional stories.

Busby stated that the designer works for his firm so he recusing himself.

Christopher King, 1416 Hannah, representing the homeowners, stated this has never been attempted in an H-1. The second story would be as sensitive as possible. They considered the small size of the lot, which would make a rear addition to require variances. A full set of stairs exists in the house now. If you ordered the plans from a catalog when the house was built, you could add a second story. This style would be more sensitive to the design of Craftsman houses. There were two-story Craftsman in that era. The adjacent houses are both two-story. It is the only one-story on the block. If this was an infill it would be consistent. All the neighbors have voiced their support. They have considered how this would affect the neighborhood.

Arin Streeter, 120 S. Gay Street, stated that the neighborhood agrees with the staff recommendation to deny. The guidelines stated to locate a second story at the rear or be inconspicuous. This would be fine for an infill but not for a historic house. It would then be noncontributing.

Whetsel, who is a member of the board, stated she met with the Murrays. The design is great but does not meet the guidelines. Every time the guidelines are to be changed, we are asked to interpret them. The guidelines need to be honored. This house will go from contributing to noncontributing if this is done. We have to honor the guidelines and their board agrees.

Gresham asked if most of the neighborhood approves could the guidelines be changed. Whetsel responded they will work on revising the guidelines. Bennett stated these are set up based on *Secretary Standards* and what the neighborhoods want. If the neighborhood wants to change the guidelines, there are some things that cannot be regulated or altered, and this would be one of them.

Busby asked if the option is to vote to deny, can they wait a year to come back or should we deny without prejudice and let them come back in 30 days.

Eid asked Bennett to read from the guidelines about adding second story additions. No. 10 applies here.

Gresham asked if a neighborhood can adopt guidelines that ignore the *Secretary Standards*. Bennett responded that our guidelines are reviewed by the state, if the second story was built, we would receive a warning, and they would remove us as being a certified local government. The job of the guidelines is to protect historic structures, and if you make a structure a noncontributing, you can lose national register certification.

Whetsel stated there are other options for adding a second story. Ray stated to the applicant that she knows they had a vision when they came before this body. She suggested denying without prejudice and added they could build the second story and make it less conspicuous.

Bennett there was an addition on Deaderick where the front section was left and an addition was added on the back. There may be a way to do this.

**MOTION BY EID AND SECOND BY RAY TO APPROVE THE STAFF RECOMMENDATION TO DENY THE ADDITION BECAUSE OF NOT FOLLOWING THE GUIDELINES. THE MOTION CARRIED WITH BUSBY RECUSING.**

### **Mechanicsville H-1**

**507 Arthur** - Marvin Lopez (Applicant/Owner) – Certificate No. 80211MEC

#### **Work Description**

Original structure was l-shaped, with large shed roofed addition to rear and wrap around l-shaped front porch, which are in structural failure. Applicant proposes to remove both of the additions, repair the original structure as necessary, and rebuild the front porch to be structurally sound, in the same footprint. The rear addition will also be rebuilt, but may be reduced in size. It will not exceed the original footprint. Included in the repair will be siding and trim repair, with like materials, as necessary, reroofing, installing new gutters and downspouts if necessary, repairing the masonry foundation if necessary, and repairing windows and doors as necessary.

If it is necessary to replace windows and doors, the applicant understands that the Historic Zoning Commission will need to perform an additional review.



**Staff Recommendation**

APPROVE Certificate No. 80211MEC. The proposed changes are consistent with the Mechanicsville Design Guidelines.

**Additional Comments**

See Design Guidelines, Roofs (page 6), Porches (page 7) and Masonry (page 12).

Carol Johnson, 3924 Beverly Place, representing Mechanicsville, stated the neighborhood has no objections.

**MOTION BY EID AND SECOND BY WHETSEL TO APPROVE THE STAFF RECOMMENDATION. THE MOTION CARRIED UNANIMOUSLY.**

*1103 Oak Avenue* – Jo Stephens (Applicant/Owner) – Certificate No. 80411MEC

**Work Description**

Remove existing masonry chimneys below roof line; reroof using 3-tab shingles.

**Staff Recommendation**

DENY Certificate No. 80411MEC. The removal of chimneys that are visible from the street is not consistent with the Masonry, Chimneys and Foundations section (pg. 12-13) of the adopted Mechanicsville Design Guidelines.

Bennett stated that the applicant at 1103 Oak Avenue has requested permission to demolish the two chimneys on the house to below the roofline to allow decking and roofing to be installed over the chimney bases. She cannot afford to rebuild the tops of the chimneys, which were stuccoed and damaged in the recent storms. The mortar has turned to sand and the bricks need to be relaid or removed, which the owner cannot afford to do. Staff recommendation is to deny.

Bennett stated that the owner is not financially able to replace the roof and wants to remove the chimneys.

Bennett stated that the commission received a letter from Cathy Gonzalez stated that tearing the chimneys down would be a huge mistake. One of the things that add value to this historic house is the widow's walk that would be demolished if the owner removed the chimneys.

Bennett also received a letter from the applicant, Jo Stephens, stating that the hail storm damaged the roof and chimneys. The stucco was beaten off, and the mortar underneath is now sand. The bricks are unstable and need to be relaid or removed, and she does not have the funds to rebuild the chimneys.

Bennett recommends approving her application to reroof, but not the chimney demolition.

Carol Johnson stated that the neighborhood supports the staff recommendation.

**MOTION BY WHETSEL AND SECOND BY RAY TO APPROVE THE ROOF REPAIR AND DENY REMOVAL OF THE CHIMNEYS. THE MOTION CARRIED UNANIMOUSLY.**

**General**

*9320 Kingston Pike* – Kingston Pike LLC (Applicant/Owner) – Certificate No. 80411GEN

**Work Description**

Demolition of non-contributing portions of designated structure, including block and frame garage and connector at rear of house and non-contributing, enclosed porch on rear ell, east elevation. The original structure, rear ell, and west wing, all of load-bearing brick construction, are to remain intact, as if the original front porch. Owner will exercise care in demolition in order not to undermine the original portions of the building.

**Staff Recommendation**

APPROVE Certificate No. 80411GEN. The proposed limited demolition will remove sections of the building that are in collapse, and make it possible to more thoroughly secure the house until a purchaser is found.

**Additional Comments**

Owner also intends to remove overgrown weed trees and other growth around the house, some of which threaten the original structure, and all of which lend to its unkempt, vacant appearance and make the house more difficult to market. The contact for this application is Brad Salsbury, Cannon and Cannon, Inc., 8550 Kingston Pike, Knoxville 37919 (865/250-4463).

Bennett stated that the roof needs to be replaced so they can find a buyer. A tree will have to come down. Since the owner is doing these things, a demolition by neglect is not necessary.

Arthur Seymour, Jr., 550 W. Main Avenue, is the attorney representing the owner and Brad Salsbury is representing Cannon and Cannon and are here to answer any questions. Mr. Seymour stated he talked to Ron Whitley, attorney for owners, and they are working on a contract for a buyer. Bennett stated that the house is listed on the local register but not on the national register. She will help on getting it on the national register.

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

**Other Business**

Mechanicsville Draft Design Guidelines Revision. Bennett stated that the Metropolitan Planning Commission (MPC) approved the guidelines at their meeting last week. Whetsel stated the guidelines are very good. Fourth and Gill needs to use these as an example for revising theirs. Bennett thanked Carol Johnson for reviewing them.

**MOTION BY EID AND SECOND BY RAY TO APPROVE THE MECHANICSVILLE DESIGN GUIDELINES. THE MOTION CARRIED UNANIMOUSLY.**

Busby asked Mr. Wright if an inspector on the job site has to have a copy of the certificate of appropriateness. Mr. Wright responded that the certificate of appropriateness has to be attached to the certificate of occupancy.

Mr. Wright stated there has been a stop work order on Preservation Pub. The owner is being given time to come into compliance and if they do not, they are issued a citation and would have to go to court and will be fined. The West's are intending to come back to the board for clarification. Compliance is supposed to be immediate. They would have to apply by September 1 for what they intend to do on the roof.

Busby announced that Bennett is retiring on September 2 with MPC and thanked her for her 29 years of service.

There being no further business, the meeting was adjourned.