

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING DECEMBER 20, 2012

City HZC Present

Sean Bolen
Scott Busby
Faris Eid
Sandra Martin
Melissa McAdams
Andie Ray
Melynda Whetsel
Jason Woodle

County HZC Present

David Butler
Linda Claussen
Bart Carey
Steve Cotham
Carol Montgomery

Others Present:

Kaye Graybeal
Arin Streeter
John Sanders
Beth Eason
Dan Tankersly
Amy Tankersly
Scott Elder
Ann Bennett
Lisa Hatfield
Melvin Wright
Dori Caron

Members Absent

Lorie Matthews (Excused)

Members Absent

none

Commission Chair Scott Busby called the meeting to order and noted there was a quorum. Roll call was taken. Comm. Chair Busby stated that the meeting was being televised and recorded. He also asked that speakers limit their presentations to 5 minutes. Comm. Chair Busby then swore in all visitors and applicants that planned to speak on any Agenda item.

Kaye Graybeal introduced Bart Carey as the newly appointed MPC representative to the Commission per recently updated legislation. Comm. Carey spoke briefly about his background and interest in preservation.

Action: Comm. Eid moved to approve the November 15, 2012 Minutes. The Motion was seconded by Comm. Whetsel. The Motion carried unanimously.

Lisa Hatfield, City Law Department, had no report. Melvin Wright, City Plans and Review and Inspections had no report. Mr. Wright introduced Scott Elder, the new City Zoning Coordinator. He noted one of Mr. Elder's responsibilities will be code enforcement and hoped that the department would be able to make better progress on outstanding issues on file.

Kaye Graybeal, MPC Historic Preservation Planner, reviewed Level 1 Certificates approved by staff this month.

CITY of KNOXVILLE HISTORIC ZONING COMMISSION

Fourth and Gill Neighborhood (H-1)

924 Eleanor Street #110512FG

Install new porch balustrade to meet building code

Discussion: Neighborhood representative, Arin Streeter, stated the neighborhood is in agreement with staff recommendation and asked Melvin Wright to comment on the remedial nature of the code regarding requirements for stair rails in situations where the house has no history of a rail. Mr. Wright stated that when an existing element, which is required by code, is removed and replaced, the replacement element must meet code regardless of whether or not it had previously met code. If there was no rail there previously, the code does not dictate that one be installed, but installed, it must meet code. In clarifying why rails were installed on this house when none were present previously, David Kerns, contractor, stated the house was condemned and the City codes department office required the rails to “uncondemn” the property and to proceed with supplying power to the house which was necessary for completion of the loan process. He further noted that he had agreed to make any changes to the rails with Ms. Graybeal pursuant to the decision of the Commission. Comm. Whetsel noted there was no documentation of a baluster and anything put there should reflect the historic nature of the house and district. Substantial discussion ensued regarding to the need to meet code when it conflicts with the historic nature of the house/district and subsequently neighborhood design guidelines and Secretary of Interior Standards for Rehabilitation. Discussion further ensued with regards to restrictions attached to a condemned property. Discussion continued involving working with the Codes office to formulate a compromise going forward.

Action: Comm. Bolen moved to allow rails up to 36 inches with the condition to work towards a compromise with the Codes office to allow 24 in rails, and also to allow both spun and rolled rails. There was no second and the Motion died.

Melvin Wright noted an Applicant could apply for a building waiver through the Building Board of Adjustments and Appeals, though it was noted that historically it has been difficult to have a waiver approved if it deviated from the minimum standard.

Comm. Whetsel stated that in the Motion, the Commission should state what they feel needs to be maintained with regard to the height of railings within historic districts; therefore, making the Codes office aware of what would be considered historically accurate.

Action: Comm. Eid moved that the submitted application be denied without prejudice based on the design guidelines and the evidence submitted as stated in the staff report and that the Applicant works with the Codes office to develop an agreement for a more appropriate solution for this situation. The Motion was seconded by Comm. Ray. The Motion carried unanimously.

Comm. Chair Busby noted concern on whether or not the Commission can legally recommend something that violates a life safety code. Comm. Eid suggested the Commission formally request a variance in historic districts from the Board of Adjustments and Appeals under certain parameters where the porch height could be reduced. This would alleviate recommending something that was not code compliant.

Market Square (H-1)

34 Market Square #111912MKT

Facade renovation and installation of new storefront

Discussion: Ms. Graybeal noted a correction to the staff report via new information that the second-story windows were original.

She clarified that in order to make the windows operable certain elements would need to be redone or replaced and that according to the Applicant restoring the windows would not be economically feasible. Ms. Graybeal stated that evidence is needed to show that the windows are deteriorated beyond repair for replacement to be allowable. John Sanders, owner representative, stated they were proponents of keeping everything original when possible. He further stated he felt that the windows would not survive being restored as the glass is very fragile and stated the owners are looking for sound quality and energy efficiency as well. The proposed replacements are very close to in-kind and confirmed that the proposed window replacements would be true-divided light. Discussion ensued around installation of the luxfer prism glass and Mr. Sanders noted they are looking to source that presently. There was no neighborhood representative present.

Action: Comm. Bolen moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. Whetsel. The Motion carried unanimously.

12-14 Market Square #120312MKT

Façade renovation and installation of new storefront and awning

Discussion: Ms. Graybeal noted the main concern with this project was the design of the awning. She noted buildings on Market Square are generally taller than they are wide where a long linear awning across 2 building fronts would not be appropriate. The proposed awning does have a matte as opposed to shiny metal finish. Beth Eason owner representative noted that the owners would have liked to be present at the meeting however had a scheduling conflict. She stated they will be happy to do some things to break up the line of the awning. She further noted the owner really wants to have a metal awning and have kept it to a low profile to minimize visibility. Ms. Eason noted canvas awnings are very difficult to maintain. She also stated the awning will have a long lasting matte finish however the exact awning material has not yet been selected and offered to work with staff in the selection process. Discussion ensued regarding it being important to differentiate between the two individual buildings the awning will span. It was also noted that other than one awning that did not come through the Commission for approval, all awnings on Market Square were canvas. Ms. Eason agreed to work with staff to differentiate the awning between the two buildings. Ms. Eason notes she would be in agreement to postpone a vote on the awning at today's meeting and return to the Commission in January with a sample of the proposed awning. She clarified that the two buildings had been combined into one lot.

Ms. Eason noted that one other change that has occurred is that the transom above the awning on the Market Square side was found to have some structural issues and those windows will now need to be repaired. She also noted the look of the windows will be the same but they will not have clear glass. Ms. Eason also clarified that the existing stucco is what will be painted, not the existing brick.

One other change is transom above awning /windows will need to be repaired and the glass will be different. Comm. Bolen asked that they revisit painting the brick. There could be a wooden signboard in that space as an option. Ms. Eason clarified that they want to paint the existing stucco, not the existing brick.

Action: Comm. Bolen moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report with the Amendment that anything in the application pertaining to the awning itself and above the awning is excluded from this application and denied without prejudice with the Applicant returning to the Commission at a future time to discuss. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.

Concord Village (HZ)

1100 Church Street #113012CON

Remodeling of a residential structure

Discussion: Owner representatives Dan and Amy Tankersly were present. Ms. Graybeal noted that although the house is documented as having been built in 1910 at the time of the historic resource survey (which would place it in the period of historic significance for Concord, c. 1860- c. 1935), the Tankerslys have provided evidence that the home was actually constructed in 1943 with materials salvaged from a nearby house (placing it outside of the period of historic significance). Mr. Tankersly stated that he found things incompatible with the county record stating the building was built in 1910. The daughter of the original builder stated to Mr. Tankersly that she moved into the building when she was 3 which she stated was 1943. He noted the building was originally a marble shop and there are still marble walls in the crawl space as well as an older foundation that currently does not support anything. Mr. Tankersly noted the present foundation is made of brick and matches the brick in the chimney which would have been added when the house was built in 1943.

Evidence also exists that the house has been altered several times since it was built and subsequently, staff feels the current building is non-contributing. Comm. Montgomery stated that the Village of Concord has only offered positive responses to both the Concord projects before the Commission today. Ms. Ann Bennett, former MPC Historic Preservation Planner, was present and is in agreement with the Applicants about the actual age of the house and that it was built in 1943. She had worked with the former owner and at that time could not place the house back to 1910. Ms. Graybeal noted no materials of historical significance would be removed and/or lost during the renovation.

The Tankerslys stated their intent was to add some square footage and give the house a more “whole” look. They noted they are happy to comply with staff recommendation to add a contemporary architectural or material element to the design to delineate the new construction.

Action: Comm. Butler moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report with the condition noted on the staff report that a contemporary architectural or material element be added as approved by staff. The Motion was seconded by Comm. Montgomery. The Motion carried unanimously.

1009 Olive Road #111612CON

Attached rear structure for use as a sheep shelter

Comm. Montgomery, as the applicant, recused herself.

Discussion: It was clarified that the structure would not be permanently attached to the house. The construction details of the actual plans have not yet been finalized.

Action: Comm. Cotham moved that the submitted application be approved based in the evidence submitted and information provided in the staff report. The Motion was seconded by Comm. Claussen. The Motion carried unanimously.

Comm. Chair Busby noted that business per Agenda items was now concluded.

Comm. Chair Busby noted there were two Commissioners whose terms had expired and thanked them for their years of dedication to the Commission.

Mr. Ken Gresham was presented with a Certificate of Appreciation. It was noted Mr. Gresham served from 2002 to 2012. Mr. Gresham spoke and thanked the Commission for the opportunity to participate and noted he had learned much throughout his years on the Commission. Ms. Graybeal noted Mr. Gresham was instrumental in establishing the Village of Concord as an historic district.

Comm. Chair Busby also noted a Certificate of Appreciation would be presented to Dr. Charles Faulkner, also moving off the Commission, who was unable to attend today. Dr. Faulkner served from 2005 to 2012. Ms. Graybeal noted Dr. Faulkner was still available for consultation with regard to archeological information.

There was no further business and the meeting was adjourned.

Meet and greet holiday reception hosted by the Historic Zoning Commission in the Small Assembly Room immediately following the meeting.