

MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING FEBRUARY 21, 2013

City HZC Present

Sean Bolen
Faris Eid
Sandra Martin
Lorie Matthews
Melissa McAdams
Melynda Whetsel

County HZC Present

David Butler
Steve Cotham

Others Present

Steve Causey
Beth Eason
Jessica Hay
Michelle Mauer
James Pierce
Arin Streeter
Mahasti Vafaie
Joshua Wright

City HZC Absent

Scott Busby (Excused)
Andie Ray (Excused)
Jason Woodle (Excused)

County HZC Absent

Bart Carey (Excused)
Linda Claussen
Carole Montgomery (Excused)

Staff Present

Kaye Graybeal
Robert Moyers

Commission Vice Chair Martin called the meeting to order and noted there was a quorum for the City. Roll call was taken. Comm. Vice Chair Martin stated that the meeting was being televised and recorded. She also asked that speakers limit their presentations to 5 minutes and to sign in when they reached the podium. She also notes that any appeals can be taken to Chancery Court within 60 days. Comm. Vice Chair Martin then swore in all visitors and applicants that planned to speak on any Agenda item.

Action: A Motion was made and seconded to approve the January 17, 2013 Minutes. The Motion carried unanimously.

Reports to Commission: Chair and Vice Chairs, Lisa Hatfield, Melvin Wright. There were no reports this month.

Staff Reports: Kaye Graybeal, MPC Historic Preservation Planner. Ms. Graybeal reviewed the Level 1 Certificates approved by staff this month, noting that the Level II 27 Market Square Certificate never came to fruition for this meeting.

CITY of KNOXVILLE HISTORIC ZONING COMMISSION
Certificates of Appropriateness

Market Square (H-1)

12-14 Market Square #120312MKT (postponed from the January 17, 2013 meeting)
Façade renovation and installation of new storefront and awning; installation of side exit

Discussion: Ms. Graybeal reviewed the changes to the original application. It was clarified that the submitted drawings do not reflect all of the staff recommendations. The proposed exit will require additional City approvals for the encroachment into the pocket park. Beth Eason, Elizabeth Eason Architecture, was present. Ms. Eason noted they were not proposing to make

any changes to the historic front of the building (14 Market Square) and stated it will be left exactly as it is. She clarified that at the location of the proposed exit into the pocket park, the brick wall facing the park is not original brick, having been replaced earlier. She noted that they had come before the Commission a few years ago attempting to create a similar egress for safety purposes. That proposal was withdrawn as it described seating which was not a popular concept, but they left that meeting with the feeling that the seating, not the door/egress itself, was the issue. She further noted that a precedent had been set by Café 4 which has a door into that same pocket park. Mahasti Vafaie, Tomato Head, stated that the proposed door would not be used on a daily basis, just for emergency egress.

Ms. Eason noted that with regards to the awning, they are proposing a metal awning for durability and ease of care, and that it will maintain its look over a longer period of time. She felt canvas is not as easy to maintain and deteriorates more quickly. She further noted that there are newer awnings on Market Square that are not canvas and actually vinyl that looks like canvas. She also noted they wanted to maximize comfortable seating for outside patrons.

Discussion ensued regarding possible ways to further distinguish the awnings across the two different buildings. Ms. Eason noted that they had not yet gotten into the engineering details of the awnings but noted they could explore using different tiebacks/different heights for the tiebacks across the 2 buildings etc. They are also proposing a deeper color to the indented portion, and also pushed it in further than originally proposed. She also stated they were not opposed to a pitched awning as opposed to the flat ones proposed but noted that would decrease the amount of reveal on the Tomato Head building. Comm. Eid asked if they could add a canvas skirt on the façade and she noted they could explore that as well. Ms. Vafaie stated that the awning on Café 4 is practically yellow in the spring from pollen and further noted that due to water drainage issues on Market Square, one cannot simply take a hose and clean their awnings. Ms. Eason clarified that the proposed awning would be a powder coated seamless metal which although called a semi-gloss is actually more of a matte finish due to a slight texture. Discussion moved onto the concrete steps. Ms. Eason stated they could use brick steps and add some additional landscaping. It was clarified that the Market Square guidelines do not specifically state that metal awnings are not allowed but that would not necessarily open a carte blanche opportunity to install them. The Commission can still review what is and is not appropriate given the historic character of the structure and context.

Ms. Eason was asked if the fencing [around the outdoor café] could be slightly different for each building. She noted that these two buildings actually have a significant amount of differentiation from eye level. It was noted that the proposed awnings are to be red. Ms. Eason stated for clarification that they would be looking at differentiating the tiebacks and slightly sloping the awnings, but not so much as to significantly increase their visibility from across the square. The Commissioners agreed to separate this application into two motions. Ms. Eason clarified that the side egress was not required to be accessible or for fire egress and further stated the front entrances are handicap accessible.

It was also noted by Chyna Bracken, Market Square District Association president, that the Association has no opposition to the awning as designed or being metal.

Action 1: Comm. Bolen moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report for the awnings and fencing; with the conditions that there be a slight slope to the awnings, that there be further delineation between the buildings for the awnings as well as for the fencing, and that staff

can approve those additional delineations. Ms. Eason asked for further clarification: **The awning can be metal but with different heights/designs of the tiebacks. Comm. Eid seconded the Motion. The Motion carried with Comm. McAdams voting no.**

Action 2: Comm. Bolen moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report for the side egress/fire exit as proposed with the modification that the steps be brick and conform to the exact dimensions proposed. A further condition is that the step railings be detailed appropriately to the building and district, with staff being able to approve a revised detail of the railings. Comm. Eid seconded the Motion. The Motion carried with Comms. McAdams and Whetsel voting no.

407 Union Avenue #020413MKT

Modifications to balcony floor and installation of hanging sign

Discussion: Joshua Wright, owner representative, Joshua Wright Architects, was present. Mr. Wright had no additional comment.

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

Old North Knox (H-1)

230 E. Oklahoma Avenue #020413ON

Construction of tool shed in rear yard

Discussion: Ms. Graybeal noted there would need to be BZA approval for a reduced side setback. The owner, Jessica Hay was present. Ms. Hay had no additional comment. The neighborhood representative, James Pierce, was present and stated the neighborhood was in agreement with staff recommendation to approve and thanked the owners and architect for proposing a very well designed and aesthetically appropriate shed.

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

Fourth and Gill Neighborhood (H-1)

719 Gratz Street #011513FG

Replacement of front porch columns and installation of balustrade. Construction of rear deck. Alterations to rear porch.

Discussion: The owner, Steve Causey, was present and had no further additions to the description of work. He clarified that both the front and rear porch decking would be tongue-and-groove. Discussion ensued regarding the side steps (which was where an accessible ramp was located) and that they would not be high enough to require a balustrade, although Mr. Causey noted he would install one if the Commission felt it would be aesthetically appropriate.

It was further noted that his insurance company is now requiring him to continue his home owner's policy. Further discussion involved the placement of non-historic fabric and design elements on the houses that that did not have them originally. Additionally, newer requirements from City Building Inspections note that rails must be 36 inches in height for a 30-inch drop or greater. Comm. Whetsel noted that in the past the inspectors allowed variances for lower rails on

houses where they were historically appropriate. The work on the front porch that is being currently proposed at this address does not require that rails be installed. Mr. Causey stated he would be fine without balustrades. If his insurance company required them he would certainly prefer ones lower than 36 inches as they would be more appropriate. It was noted he could use a simple pipe rail on the front stairs to meet insurance requirements if needed. Arin Streeter, neighborhood representative, stated that the neighborhood does not have any particular problems with the overall scope of the work proposed in the back yard, and they felt that if the front porch columns were to be round that they be tapered, a moot point if they will be square. The neighborhood's preference is to not have a balustrade if there is no evidence that one ever existed. Mr. Causey asked for clarification for the two side steps that will need to be replaced, and noted he would like to have the option of using removable concrete steps. He did not feel wood would be a good option without a balustrade. He would also like the option to have his brick contractor create ones to match the front brick stairs.

Action: Comm. Whetsel moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report for the addition of 6 x 6 inch square wood porch columns, replacement of the tongue-and-groove porch decking, construction of a wood deck to extend from the south side around existing screen porch, steps and a screen door, screening in the bottom half of the rear porch, construction of the front porch side steps of either concrete or brick, preferably matching what is on the front façade. Comm. Bolen seconded the Motion. The Motion carried unanimously.

Mr. Causey asked for clarification of the balustrade issue as it now stands. It was noted that they are not to be installed unless he presents proof the insurance company is requiring them to be installed. If so, he is to contact staff.

815 N. 4th Street #020413FG

Construct brick-enclosed concrete stair to 2nd level on east side of house. Rebuild rear 2nd-level porch. Includes other related and miscellaneous renovations and alterations.

Discussion: Ms. Graybeal noted the Applicant [Kenn Davin] was unable to attend but did send a representative. City Building Inspections has asked the Applicant to stop work. Mr. Davin has requested that he be able to work with staff to be able to continue working on the property. The Applicant's representative, Michelle Mauer, was present and was sworn in by Comm. Vice Chair Martin. She brought with her a new proposal. Mr. Davin's main concern is safety for his children who live there. His daughter has come home to find vagrants sitting on the stairwell. Ms. Graybeal noted the brick enclosure needs to be more delineated from the original structure. Ms. Mauer stated Mr. Davin desires very simple columns on the rear porch. Ms. Graybeal stated that the Commission is not in the position to design the stairwell enclosure at the meeting. It was clarified that the Commission did not present a design for the proposed second-level rear porch.

Action: Comm. Eid moved that the submitted application be denied without prejudice based on the evidence submitted and the information provided in the staff report until complete drawings/designs are submitted. Comm. Whetsel seconded the Motion.

Further Discussion: Comm. Eid stated that he felt that the massing of the stair encasement detracts from the character of the house. Its design needs to be adjusted to be appropriate to the house. The proposed roof line and massing also detracts from the house. He stated the Commission needs more clarity as to the design of the proposed rear porch. The wall around the HVAC unit needs to be redesigned as well into more of a minimal screen wall. Comm. Bolen stated he had concerns about the additional proposed doors exiting out the side with an added

stoop. He noted that any additions that can be seen from the public right-of-way needs to be approved by the Commission. Ms. Mauer clarified that the opening on the 3rd floor addition is actually a window, not a door. Ms. Mauer further clarified the flat roof [depicted in the drawings] is the roofing of the proposed porch.

Further Action: The seconded Motion on the floor carried unanimously.

Edgewood – Park City (H-1)

2016 Jefferson Avenue #020713EDG

Level IV. Demolition: Demolish deteriorated dwelling

Discussion: Ms. Graybeal noted this Item came before the Commission in February of 2012 in which the Applicant requested approval to restore the house. It was approved with conditions. These owners did not retain ownership of the house for long and under the new, out-of-town ownership, deterioration has accelerated. She also noted that based on the Neighborhood Code Enforcement Officer’s Inspection Report dated 1-23-13, the Better Building Board is requesting demolition. The City simply does not have the resources to implement Demolition by Neglect for every house deemed appropriate for that course of action and subsequently, this house has not been stabilized under those auspices. Robert Moyers, Code Enforcement Officer for the City of Knoxville, was present and spoke. He stated he believed in and actively supports historic preservation but with this house, collapse is imminent and it has become a neighborhood hazard. Mr. Moyers clarified that the owner will be billed for the demolition and if the bill is not paid, a lien would be placed on the property. Mr. Moyers further stated most of the load bearing lumber is rotted. He clarified that should the owner not pay the demolition bill, the City could ultimately acquire the lot via a tax sale. It was also noted that any new construction on the lot would need to meet H-1 standards. Mr. Moyers stated he would be willing to explore avenues whereby the City acquisition of the lot could be expedited.

Action: Comm. McAdams moved that the submitted application be approved based on the evidence submitted and information provided in the staff report. The Motion was seconded by Comm. Whetsel. The Motion carried with Comm. Bolen voting no.

Other Business: Ms. Graybeal noted she had been able to secure a meeting with Melvin Wright and Scott Elder, the City’s new Zoning Coordinator, with Tom Reynolds sitting in on part of the meeting, to discuss balustrades. She noted they stated the International Building Code for Existing Buildings does not apply to residential properties, only to commercial or multi-family residences. Therefore, there are no exceptions for the guardrail height for single-family residential use. It was stated in the meeting that if the guard rails are only temporarily removed for repair, they can be put back at the same height, but newly constructed guard rails need to meet the 36 inch/30 inch-drop standard. Ms. Graybeal stated that until there is a way to have lower rails approved we need to work with applicants to implement designs that can reduce the appearance of a 36-inch rail height. Ms. Graybeal does have photos/designs of rails that appear lower and will share them with the Commission.

There was no further business and the meeting was adjourned.