

**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING JULY 18, 2013**

City HZC Present

Sean Bolen
Scott Busby
Faris Eid
Sandra Martin
Lorie Matthews
Melissa McAdams
Melynda Whetsel
Jason Woodle

County HZC Present

David Butler
Bart Carey
Mike Crowder
Carol Montgomery

Others Present

Randall DeFord
D. Scott Duckett
JMike Grossman
Brett Honeycutt
Ron Macejewski
James Pierce
Lauren Rider
Jonas Riley
Arin Streeter
John Underwood
Kelly Vickroy

City HZC Absent

None

County HZC Absent

None

Staff Present

Dori Caron
Kaye Graybeal
Lisa Hatfield
Melvin Wright

Commission Chair 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 and to sign in when they reached the podium. He also noted that any appeals can be taken to Chancery Court within 60 days. Comm. Chair Busby then swore in all visitors and Applicants that planned to speak on any Agenda item.

Action: Comm. Woodle moved to approve the June 2013 Minutes. The Motion was seconded by Comm. Matthews. The Motion carried unanimously.

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

Staff Reports: Kaye Graybeal, MPC Historic Preservation Planner, reviewed the Level 1 Certificates approved this month.

NEW BUSINESS

Election of Knox County Historic Zoning Commission Vice Chairman

The meeting was turned over to Comm. Butler, Chair, Knox County Historic Zoning Commission.

Action: Comm. Chair Butler nominated Comm. Montgomery for Vice Chair. The Motion was seconded by Comm. Carey. The Motion carried unanimously.

CERTIFICATES OF APPROPRIATENESS

4th and Gill (H-1)

1302 Luttrell Street 060313FG

Window replacement

Discussion: Owner Dwight Guinn was present and noted that the 14 windows were repaired rather than replaced due to financial restraints in the earlier renovation as it was extensive and expensive. He also noted some sashes are red oak which does not weather well. He also noted how warped many sashes are which makes them virtually impossible to seal. Regarding the interstate and Hall of Fame Drive, TDOT did not afford this area the same sound abatement as they considered that part of the road a state and not federal highway and therefore did not need to follow the federal sound abatement guidelines. Mr. Guinn stated he felt the windows' warping is beyond repair at present. Ms. Simpson, co-owner of the property, showed cotton batting used to fill the irregular gaps in the windows to insulate them. She said the windows were beyond repair and should have been replaced during the original renovation but there was simply no budget. She stated there were rooms in the house that were very loud mostly due to motorists accelerating up the hill to enter I-40. Arin Streeter, neighborhood representative, stated the neighborhood's concern with what establishes a "similarly situated property" and that the application does not clearly state that the windows are irreparable and the recommendation appears to be written as is this would be a deviation from the guidelines. The neighborhood would like there to be a measurable baseline for noise for "similarly situated properties" when exemption or deviation from the guidelines is granted. Mr. Streeter did note that they are aware the home is insulated. He stated it would be helpful to know what other neighborhoods across the country have established regarding federally mediated sound. He said the neighborhood appreciates the sound issue but wants the Commission to establish more specific guidelines on when window replacement can occur. Ms. Graybeal noted the guidelines are always coupled with findings of fact and that occasionally findings of fact will support approving a deviation from the guidelines, and further, this is why these requests are heard on a case-by-case basis. Further discussion noted the guidelines also state that windows can be replaced if not repairable. Discussion ensued noting the Commission would not establish a specific distance from I-40 or Hall of Fame that affected properties must fall within.

Action: Comm. Whetsel moved that the submitted application be approved based on the evidence submitted and information provided in the application such that the windows and sashes are so warped that they need to be replaced, and the owner has already tried to repair them, further noting the house itself is already insulated. The Motion was seconded by Comm. Martin. The Motion carried unanimously.

710 Luttrell Street 062513FG

Remove and rebuild extended rear deck with new roof and entry doors

Discussion: Jonas Riley, contractor and owner representative, noted the intent of the proposed work. Arin Streeter, neighborhood representative stated the neighborhood was in agreement with staff recommendation to approve the application.

Action: Comm. Martin moved to approve the submitted application based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. Whetsel. The Motion carried unanimously.

Old North Knox (H-1)

221 E. Oklahoma Avenue 070113ONK-B

Install front porch balustrade

Discussion: Owner, Catherine Shteynberg confirmed that the top rail was 7 inches higher than the second rail at 29 inches, for a total of 36” in height for the front porch balustrade. She noted this was the second insurance company that told them they must install a porch railing. Comm. Bolen disclosed that he discussed the application with the Applicant prior to its submission. Comm. Ray noted she had shared emails with regards to previous owners not needing to have insurance. Nick Arning, Insurance Agent of Record for the Shteynbergs, noted all of the companies he represents are safety- and maintenance-conscious. He noted many insurance companies do not want to insure houses in historic overlays due the restrictive guidelines. He further stated this was a new trend and that companies now send out appraisers who will identify any safety concerns. He also stated insurance companies don’t care about design, color etc. Kaye Graybeal stated that the Commission supports meeting the building code for safety reasons. Discussion ensued around insurance companies and preservation overlays having some compromise between safety and preservation. Mr. Arning again clarified that this is a new trend. James Pierce, neighborhood representative, stated the neighborhood supports staff recommendation to approve the application and noted that this is clearly driven by safety and the Applicant being able to insure their home.

Action: Comm. Bolen moved to approve the submitted application based on the evidence submitted and the information provided in the staff report specifically noting the findings of fact. The Motion was seconded by Comm. Ray. The Motion carried unanimously.

134 Leonard Place 070113ONK-C

Replace front porch balustrade and install new side/rear windows

Discussion: Owner representative, contractor John Underwood, had nothing further to add to staff’s report. He noted they may want to add another bath and bedroom upstairs. He noted the proposed window on the side which has the louvered vent would be located to the left of that louver to give more light to the bedroom. Both of the proposed windows would be for the one upstairs bedroom, on each side of the house on the second story. It was clarified the second story is not original to the house so saving the louvered vent would not be required; however, the opening should remain. It was also clarified that to put a window where the vent is now would place it in the bathroom, not the intended bedroom location. Mr. Underwood did not know the date of the addition of the second story. Ms. Graybeal stated the drawings submitted are not fully accurate and that the Commissioners should refer to the submitted photos. It was clarified that a chimney does exist, just not on the submitted elevations. The chimney will be re-pointed and capped. The louver’s function will be eliminated. James Pierce, neighborhood representative, stated the neighborhood supports staff recommendation although there is some concern about the west gable and vent issue. The neighborhood feels replacing the vent opening with a fixed pane window would maintain a historical look. They feel that if egress is an issue it would be acceptable to eliminate the vent altogether as it is not visible from the street and placing a window where appropriate on that gable would be acceptable. They would not support having two windows next to each other. Mr. Pierce volunteered to work with the owners to assist with the design of the porch railings and balusters.

Action: Comm. Eid move to approve the submitted application based on the evidence submitted and the information provided in the staff report with findings of fact with the condition that on the west elevation the louvered vent has either glass installed inside it or it is removed and replaced with a new window that would open into the bedroom on the gable, and that the porch balustrade be of a sawn wood design to be

approved by staff. The Motion was further clarified to ensure the front and rear doors would be half-lite without muntins. The Motion was seconded by Comm. Bolen. The Motion carried unanimously.

229 E. Scott Avenue 070113ONK-A

Construct new garage

Discussion: Owner, Lauren Rider noted the porch railings were repaired/ replaced in-kind in 2001; however, they were not treated/only pre-primed and such have begun to rot and need to be re-done properly. She stated she did not think there was any previous exterior structure on the property. Ms. Rider further noted they will probably take 2 years to construct the garage/carriage house. Ms. Graybeal stated that James Pierce has noted in an email that the neighborhood endorses staff recommendation to approve construction per submitted drawings. Comm. Ray disclosed she was on the Old North Knoxville Neighborhood Board.

Action: Comm. Ray 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. Bolen. The Motion carried unanimously.

Fort Sanders (NC-1)

1511 Clinch Avenue 070113FS

Construct multi-family housing project

Discussion: Kaye Graybeal noted that residents from the Fort Sanders neighborhood have been working closely with the developer and although porches are encouraged in infill situations, the neighborhood did not want them on Laurel Avenue, the more residential side of the project. Their thinking was that allowing porches/entry from the Laurel Avenue Side would encourage gathering, additional noise as well as increased litter. She noted the developer proposed raised planting beds to add attractiveness to the streetscape and to allude to porches with projections and that large windows on the bottom to allude to entry doors would be included. She noted that the guidelines recommend stepping back after 35 feet in height, but on the top levels of the Clinch Avenue elevation, the developer is proposing to eliminate that stepback. Ms. Graybeal also stated the guidelines state that brick, wood and stucco are the most frequently used material with stone not being typically used other than for accents. Neighborhood representative Randall DeFord stated the neighborhood supports approval based on the staff recommendation. Mr. DeFord reiterated the neighborhood's concern about the originally proposed porches. He also noted the Applicant has been great to work with. Arthur Seymour, Jr. introduced the Applicant representatives. Scott Duckett, principal developer, spoke about the company and their commitment to the students and their residential communities. Ron Macejewski, developer, noted this has been a truly collaborative effort and briefly reviewed the process taken to produce the design now before the Commission. JMike Grossman, architect, briefly reviewed the drawings and design for the Commission. The difference in land elevation was also reviewed. Further discussion ensued regarding the use of a combination of brick and stone with the stacked stone being used more as accents. The neighborhood and developer agreed to work together and with staff to identify a specific pattern brick and stone. It was clarified that the proposed parking was going before the BZA this afternoon and that they were asking for a variance to count the tandem spaces as two instead of just one. Should that not pass, their back up will be for offsite parking. Comm. Bolen expressed that we were sacrificing guidelines for multiple parts of this design for this structure that will occupy an entire city block. Comm. Chair Busby stated that he was not sure when the guidelines were written, but felt the authors more than likely did not envision a project of this scope.

Mr. DeFord stated that in his opinion, the proposal meets the guidelines with the exception of the setbacks. He further stated that the bays give the Laurel Avenue elevation the look of glassed-in porches. With regard to the roof, the Clinch Avenue elevation needs to look more institutional and on the Laurel Avenue elevation it should

reflect the more residential character of the neighborhood, and therefore he supported the different ones proposed, and further noted that the differences actually strengthen the guidelines.

Comm. Eid agreed and stated that on both Clinch and Laurel there are existing historic buildings with flat roofs. Comm. Chair Busby noted the pedestrian scale at the street level is a difficult issue with a project of this size. It was clarified that the Clinch elevation arched openings would be kept consistent and will vary with the change in land elevation.

The developers were asked to consider revisiting the gables facing Laurel Avenue being higher to minimize the impact of the massive roof on the Laurel elevation, perhaps with a steeper pitch, that would work proportionately with the roof.

Ms. Graybeal clarified again the developers have agreed to use whatever combination of materials that would meet the guidelines and that the Commission feels are appropriate, and noted she steered the applicants toward the guidelines which recommend the use of brick with stone used only as accents. She noted where the guidelines would be waived in approval of this project is with the stepbacks and the porches. Further discussion continued about how and where to use the stone and again that it would just be used as accents. Fiber cement board and shingles and stucco may also be used. The developer noted they were flexible with regard to colors used as well.

Motion: Comm. Eid moved that the submitted application be approved based on the evidence submitted and the information provided in the staff report with the conditions that the fine-tuned details relevant to the extent of brick and stone, siding and entrances collectively be agreed upon between staff, neighborhood and developer; the arched openings will be smaller, the front gables on Laurel Avenue to intersect higher on the hipped roof instead of side gables, ensuring the addition of a hip roof on the Laurel Avenue side per neighborhood request, with the assumption that a good quality final design will be coming out. The Motion was seconded by Comm. Chair Busby. The Motion carried with Comm. Bolen abstaining.

Market Square (H-1)

32 Market Square 070113MKT

Construct new façade

Discussion: Owner representative Brett Honeycutt proposed the storefront design which was revised from the last submittal. There was no Market Square representative present. Comm. Chair Busby noted new bricks will most likely be needed and would need to be painted. Mr. Honeycutt noted the owner does not want to paint and will find salvaged bricks to use and a mock-up of these would be submitted for staff approval. It was clarified that this building has never had a recessed balcony. He further noted that the guidelines are very clear with regards to having recessed entry doors and a representation of what would be the exit door from the outside. The glass transom would meet guidelines. Comm. Busby felt that the proposed first floor façade would simply not meet the guidelines. Discussion noted that any similar existing glass storefronts on Market Square were there before the H-1 overlay and would not constitute a precedent. Mr. Honeycutt noted that if there is no existing historic fabric one can do something contemporary. It was clarified that if neighborhood guidelines do not have clarification on an issue, the Commission reverts to the Secretary of Interior Standards which do state that. However, this neighborhood has guidelines that are very clear that this design would not be compatible with the Market Square guidelines. Ms. Graybeal noted that in order to return with another application within the year, the proposal would need to be substantially different.

Action: Comm. Bolen moved to approve the cornice configuration and installation but to deny without prejudice the remainder of the application, including the second-story window and balcony proposal as

well as the Nana-wall proposal for the first floor, based on the evidence submitted and the information provided in the staff report. The Motion was modified to approve brick replacement with salvaged bricks to be approved by staff. The Motion was seconded by Comm. Eid. The Motion carried unanimously.

Ms. Graybeal noted that Knox Heritage completed a windshield survey to update buildings throughout the City and County of pre-1865 houses so that there is an updated record of their exact location. This will hopefully prevent any accidental issuance of permits to demolish these houses. This data is now imputed into our local GIS mapping system. Staff is working to get this database to interface with the KGIS mapping system so the public will have this information as well.

Action: There was no further business and Comm. Chair Busby adjourned the meeting.