

**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING OCTOBER 17, 2013**

City HZC Present

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

County HZC Present

Bill Belser
David Butler
Bart Carey
Mike Crowder
Carol Montgomery

Others Present

Courtney Garrison
Christopher King
Cynthia Stancil

City HZC Absent

Sean Bolen (Excused)
Lorie Matthews (Excused)

County HZC Absent

None

Staff Present

Dori Caron
Christa Cuccaro
Kaye Graybeal
Lisa Hatfield
Melvin Wright

Comm. Chair Busby called the meeting to order and noted there was a quorum. Roll call was taken. He 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 decisions can be taken to Chancery Court if appealed within 60 days. Comm. Chair Busby then swore in all visitors and Applicants that planned to speak on any Agenda item.

Knox County Historic Zoning Commission Chair Butler introduced Bill Belser, a newly appointed Commissioner for the County. Mr. Belser is a general contractor who has been actively involved historic preservation work. Comm. Chair Butler noted Mr. Belser's experience will be a great asset to the Commission.

Action: Comm. Eid moved to approve the September 19, 2013 Minutes. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.

Reports to Commission: Chair and Vice Chairs, Lisa Hatfield, Melvin Wright.

Discussion: Lisa Hatfield asked that the Individual Landmark H-1 designation proposal for Kern's Bakery be postponed until the November meeting.

Action: Comm. Whetsel moved that the submitted application for the Individual Landmark H-1 designation proposal for Kern's Bakery be postponed until the November meeting. The Motion was seconded by Comm. Butler. The Motion carried unanimously.

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

Cynthia Stancil, a Parkridge neighborhood resident and a historic zoning representative for that neighborhood, asked to speak to the Commission regarding the Level 1 Certificate issued to the owners of 2000 Washington Avenue. Ms. Stancil noted the neighborhood feels the design guidelines have not been upheld. She noted this was a Queen Anne cottage and they feel the door that was approved should not have been approved. She stated she was here to ask the Commission to speak to City Council members and advocated for the neighborhood as their design guidelines are not being upheld. She stated they felt the owners knew this was an inappropriate door and that they were in an H-1 overlay district. They are requesting that someone from the City come out to the neighborhood and tell the owners the City made a mistake and to replace the door with one that meets the guidelines. She noted the owners have been told they can keep the door. She also noted this Certificate was issued in Kaye Graybeal's absence. Ms. Stancil stated the neighborhood wants the City to correct their "mistake". Lisa Hatfield noted she would speak to Ms. Stancil and that she would report back to the Commission and Ms. Stancil next month.

CERTIFICATES OF APPROPRIATENESS

Village of Concord HZ – WITHDRAWN

10800 Third Drive – rear addition

Scenic Drive (NC-1)

1079 Scenic Drive – rear additions and detached carport (10-I-13-HZ)

Discussion: There was no owner nor neighborhood representative was present however the neighborhood representative Nancy Vills did provide a statement to Kaye Graybeal that the neighborhood supports this application.

Action: Comm. Ray moved that the submitted application for 1079 Scenic Drive be approved based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. McAdams. The Motion carried unanimously.

Fourth and Gill (H-1)

611 Gill Avenue – carport and accessory structure (10-G-13-HZ)

Discussion: Ms. Graybeal handed out photos and drawings for a revised proposal. Approval of the carport would require a waiver from the guidelines as the proposed structure is on the side, not the rear, of the house. This is due to the unusual shape of the lot. Ms. Graybeal stated the Applicant has agreed to reduce the area of the garage to 24 x 24, although staff recommends as small as 20 x 20. The Applicant did submit revised drawings showing a hipped roof. The Applicant has also stated that she would paint the shed roof metals supports to look like wood. The Applicant has also stated if the gabled roof is approved she would use fiber cement board on the gable to match what is on the house. Owner Courtney Garrison was present and stated she prefers a gabled roof as opposed to hipped roof for budget and aesthetic reasons. She felt a hipped roof on the garage would not be as aesthetically pleasing. Arin Streeter, neighborhood representative, was not able to attend; however, had conveyed to Ms. Graybeal that the neighborhood prefers a hipped roof on the garage.

Comm. Whetsel noted the home is located at a significant entry point into the neighborhood and encourages staff recommendation for a 20 x 20 (between the columns) floor plate with a hipped roof. It was clarified the height of the fence in front of the carport would be 7 feet.

Comm. Eid offered that as the roof line of the proposed carport is more in line with the front porch on the house that the Commissioners consider that in their discussion. It was also noted that the neighborhood was more concerned with the pitch of the carport roof rather than the actual final height. It was also clarified that the neighborhood understands the unusual configuration of the lot which does not allow for a rear location, and as long as there were mitigating factors incorporated, as discussed, they would support its proposed location (lower pitched, hipped roof, it is placed as far to the rear of the lot as possible, and that the size be limited to a maximum of 24 x 24. ft. Comm. Eid felt that the original request for the carport to be 26 ft. deep would be acceptable.

Action: Comm. Eid moved that the submitted application for 611 Gill Avenue be approved based on the evidence submitted and the information provided in the staff report with the following conditions: The roof pitch of the carport match that of the front porch, the overhang, the soffit, the fascia and the beam below the front porch be duplicated on the garage addition, that the size of the garage footprint match what has been requested, 24 ft. wide by 26 ft. deep, using 6 x 6 wood post columns, and that the wood is painted, the fence as requested be at 7 ft. in height (subject to building and zoning requirements, and the proposed the shelter/enclosure in the back be approved as presented but with wood posts or posts painted to look like wood. The Motion was seconded by Comm. Whetsel.

Additional Discussion: There was additional discussion with Melvin Wright regarding two issues: the shelter in the rear as presented does not meet code in that the concrete planters as footers would not comply and the Applicant would not be able to obtain a building permit roof. It was established that the Applicant would need to revisit using the planters as footers. Secondly, regards to the 7 ft. fence, as it is unclear on the proposed site plan, a fence of that height would need to be at least 25 ft. of the front property line. If not, it would need to be 42 inches or lower or the Applicant would need to get a variance from the Board of Zoning Appeals. Further, Ms. Graybeal noted Ms. Garrison has proposed a topper on the fence to create design features. It was clarified that fences are not within the purview of the Commission. It was also clarified that the Applicant was seeking approval of design concept, and for the Applicant to proceed she would need to obtain the appropriate building permits. The Applicant indicated she felt this was a good compromise.

Comm. Chair Busby called for vote on the Motion on the floor. The Motion carried unanimously.

609 Caswell Avenue – window sash reconstruction (10-H-13-HZ)

Discussion: There was no substantial discussion. Comm. Whetsel noted the evidence clearly indicates the windows need to be replaced.

Action: Comm. Whetsel moved that the submitted application for 609 Caswell Avenue be approved based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. Martin. The Motion carried unanimously.

Old North Knox (H-1)

248 Oklahoma Avenue – remove porch knee wall and piers; replace with relocated wood posts; relocate sidewalk (10-J-13-HZ)

Discussion: Comm. Chair Scott Busby disclosed that Christopher King, the architect of record and the owner representative, works for his firm but that this project was done strictly for Mr. King's friends and has no connection to Comm. Chair Busby's firm. Comm. Ray disclosed that Mr. King designed her home, that she was walking by the site inspection and immediately left and thirdly, that when this project came up at the neighborhood meeting, she left immediately as well.

It was noted staff has done further research since the staff reports went out last week. Ms. Graybeal met with the Applicant, the neighborhood representative and the architect at the house. The Applicant proposes to remove what has been determined to be non-original shingle porch piers and knee walls and to replace them with 3 square wood columns. Additionally, the sidewalk would need to be re-aligned to match the newly configured approach to the front porch. It was clarified that this is a four square house. Ms. Graybeal noted that upon physical inspection they were unable to determine if the original configuration of the porch piers was 3 or 4. James Pierce, neighborhood representative noted he concurred that the entry of the porch remain where it is with 4 posts in the same location as the current supports as opposed to the proposed 3, as well as the sidewalk remaining in its current location as this would be more historically correct.

Mr. King stated the current porch is not in concert with the very symmetrical house and that their proposal is restoring the house to its original configuration based on the physical evidence. He noted that in the absence of being unable to find the original posts they propose to use very non-conjectural posts. He noted they want to bring out the best architectural feature of the house, the front door, which is currently very recessed and covered up. Ms. Graybeal also noted that the Applicant will build the fence to be the same height and general configuration and the adjacent fences but with a different design such that it is congruent with the adjoining fences but not exactly the same such that it doesn't appear to be one long fence in front of the 3 houses. Discussion ensued regarding different variations of offset entry doors / sidewalks with foursquare houses, and further three verses four columns being more appropriate. It was again reiterated that they were unable to determine at the sight inspection whether or not the original configuration had 3 or four columns. Mr. King stated that the owner and he are amenable to 4 columns and that the main purpose was to simplify. Ms. Graybeal read James Pierce's email which stated that the balustrade was not original to the home, and that its poor construction has contributed to deterioration of the house and that it was not contributing the architecture. She stated the email noted the census of the neighborhood board was to support removal of the existing shingles piers and balustrade, and further that reinstallation of the 3 columns and a redirected entry per the application was discussed. Mr. Pierce's email stated that reinstallation of 4 columns with the entry remaining as it is currently was the best received change. He further states that they recommend that piers or half columns be set into the front wall at each end aligning with the front corner column. Ms. Graybeal note staff did not support that recommendation unless there was evidence of that being on the house originally. They agreed that the project need to remain simple. It was noted that per code, the balustrade did not need to be reinstalled and the neighborhood agreed with that as well. The owner indicated he was OK with using four columns as they do not necessarily want the expense of relocating the sidewalk.

Action: Comm. Whetsel moved that the submitted application for 248 Oklahoma Avenue be approved based on the evidence submitted and the information provided in the staff report, using four columns per staff recommendation, in addition to the use of four columns being the owner's and neighborhood's preference, as well as that is more in line with what is was previously there. The Motion was seconded by Comm. McAdams. The Motion carried unanimously.

Individual Landmark (H-1)

Kerns Bakery – 2110 Chapman Highway - H-1 designation proposal

Postponed until November 2013 meeting. See above.

Additional Business: Ms. Graybeal noted that staff received a letter dated October 2, 2013 from Patrick McIntyre, the state historic preservation officer, stating that the state review board did approve the determination of eligibility for the National Register for Frazier Bend on September 25. That approval will be forwarded to the National Register office. If the national Register office agrees that there was not sufficient support then it will be listed only as eligible but not listed in the National Register. Ms. Graybeal noted Mr. McIntyre stated that unfortunately there appears to be a misunderstanding about what listing in the National Register means and he included a brochure on what it mean to be listed. The State is sending them out to the property owners. He further stated that his office received letters of opposition from a majority of owners in this potential district, which he stated this marks the first time since 1997 that this situation has occurred. Ms Graybeal read the remainder of Mr. McIntyre's letter clarifying how listing on the Nation Register should not to be confused with local historic overlays.

Action: Comm. Eid moved to adjourn the meeting. The Motion was seconded by Comm. Whetsel and the meeting was adjourned.