



**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING AUGUST 21, 2014**

City HZC Present

Scott Busby
Steve Cotham
Faris Eid
Sandra Martin
Lorie Matthews
Melissa McAdams
Andie Ray
Jason Woodle

County HZC Present

Bill Belser
David Butler
Bart Carey
Mike Crowder
Carol Montgomery

Others Present

Randall DeFord
Rick Gentry
Tim Hill
David Kerns
Kevin Murphy
Daniel Parker
Dave Russell
John Sanders
Bernadette West

City HZC Absent

Sean Bolen (Excused)

County HZC Absent

none

Staff Present

Dori Caron
Crista Cuccaro
Scott Elder
Kaye Graybeal
Melvin Wright

Comm. Chair Busby called the meeting to order and noted there was a quorum. He stated that the meeting was being televised and recorded. He also asked that speakers limit their presentations to five minutes and to sign in when they reached the podium. He also noted that any appeals to Commission 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. Roll call was taken. There were no visitors to introduce. It was clarified after roll call that Comm. Bolen's absence is excused.

Action: Comm. Woodle moved to approve the July 17, 2014 Minutes. The Motion was seconded by Comm. Ray. The Motion carried unanimously.

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

Reports to Commission:

National Register of Historic Places nomination

Murphy Springs Farm – Kevin Murphy

Kevin Murphy was present and shared a brief overview and history of the property noting he had

authored the nomination. The nomination involves 13 parcels totaling 205 acres and represents what remains in the Murphy family of some acreage originally acquired by Robert Murphy beginning in May 1797. He noted the family feels there are two criteria that make a strong case for the nomination; the original Gothic Revival architecture and the settlement patterns.

He then spoke of how the still intact farm has evolved over the years. Mr. Murphy noted he had spoken with Dr. Charles Faulkner about the possibility of UT archeology graduate students doing an excavation at the farm sometime in the future. It was clarified that the nomination was advertised as required and the Tennessee Historic Preservation Office will conduct a public meeting and will be responsible for notifying the public accordingly. It was also noted there was no one in attendance that voiced opposition to the nomination.

Action: Comm. Montgomery moved to recommend approval of the National Register of Historic Homes nomination for the Murphy Springs Farm to the Tennessee Historic Preservation Office. The Motion was seconded by Comm. Belser. The Motion carried unanimously.

The meeting was turned over to the Knoxville Historic Zoning Commission Chair, Scott Busby.

Historic Preservation Fund

City of Knoxville - Becky Wade, Director of Community Development

Ms. Wade noted there was a public meeting in late July regarding the new Historic Preservation Fund which was approved by Mayor Rogero and City Council, and was effective July 1st. She noted the Mayor included \$500,000 in the FY 2014-2015 budget for historic preservation. These funds will be administered by the Community Development Department. They seek community input to help design a program that will govern how the funds will be allocated, and this was the focus of the public meeting. Ms. Wade gave a brief overview of existing City programs, Blighted Property Redevelopment Program, Commercial Façade Improvement Program and Demolition by Neglect (actually a City Ordinance), offering examples throughout the City where these have been an effective means to enhance preservation. She then briefly reviewed some of the feedback received at the public meeting. Ms. Wade stated the City is still taking feedback and is in the process of distilling it down to administer the funds. She noted that she was unsure if this program would be re-funded next year.

Staff Reports: Kaye Graybeal reviewed the Level One Certificated approved this month.

CERTIFICATES OF APPROPRIATENESS

Ft. Sanders NC-1

1717 White Ave - Demolition of contributing residential structure (8-A-14-HZ)

Discussion: Kaye Graybeal reviewed the applicable guidelines and staff findings identified in the staff report which includes supporting information for staff recommendation to deny the request for demolition. Rick Gentry, owner representative, had no further information. Randall Deford, neighborhood representative, noted the neighborhood association supports staff recommendation to deny the request for demolition. Mr. DeFord noted an added comment from the association was that if there was a reason that the property was structurally unsound and needed to come down, and as it has been in the overlay for 14 years, that it would be then Demolition-by-Neglect on the part of the owner, and it should be repaired/rehabilitated. He noted an email had been received by himself, staff and the neighborhood association president from a neighbor, **Kathy Irwin**, who supports staff recommendation to deny the request for demolition, and read her email into the recorded record. Her email noted further concern surrounding what would be built in its place given its proximity/contiguous placement with respect to surrounding contributing structures. Ms. Graybeal noted the decision rendered by the Commission would be based solely on the demolition request itself and not influenced by the potential for future structures.

Kim Trent, Knox Heritage, stated that they support staff recommendation to deny the request for demolition and echoed the neighborhood association's comments. She noted further concern that more demolition in Fort Sanders could endanger its National Register designation, already in a tenuous position in the neighborhood, and all of the incentives for rehabilitation that comes with that designation.

Action: Comm. Ray moved that the application submitted for 1717 White Ave. be denied based on the evidence submitted and the information provided in the staff report. The house is listed as a contributing structure in the Fort Sanders Neighborhood Conservation Overlay (NC-1), the exterior perimeter foundation framing wall is in good condition according to the submitted Engineer's report, the non-original front enclosure could be removed thereby re-establishing the essential form and integrity of the house, and there is a reasonable remedy for the structural unsoundness of the wood floor framing. The Motion was seconded by Comm. Martin.

Further Discussion: Bernadette West, a resident of the neighborhood since 1987, noted her support for staff recommendation to deny the request for demolition. It was clarified that the University of Tennessee, being a state entity, is exempt from local zoning codes and receives approval at the state level.

Comm. Chair Busby called for a vote. The Motion carried unanimously.

Market Square H-1

28 Market Square - Proposed wooden storefront cornice (8-I-14-HZ)

Discussion: Owner Bernadette West was present and noted that they have recently replaced the rotten wood and repainted the façade and while doing those repairs noted the transom windows were buckling from water damage and actually being held in by shelving on the other side. The front of the building takes the brunt of any bad weather. She noted they have already had the cornices built and they are awaiting approval today to have them installed. She noted they feel the proposed cornices would blend in on the square. She clarified they will be installed right on top of the transom windows across the existing wood panel above the windows. She noted the cornices will mostly cover the 30- inch panel, with perhaps approximately 5 inches remaining visible. There was no representative from the Market Square District Association present.

Action: Comm. Eid moved that the application submitted for 28 Market Square be approved based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.

Mechanicsville H-1

1601 Western Ave - (8-G-14-HZ)

Discussion: John Sanders, Applicant, noted that the existing windows are not original and further, are an inferior product. He noted they are requesting the metal clad wood windows due to the extreme south face of the building at Western Avenue. It was clarified that this structure is one of the few commercial buildings in the District. Mr. Sanders noted that they are now seeking Historic Tax Credits and may subsequently be governed by that body and its subsequent standards. There was no neighborhood representative present. Comm. Busby noted the location of this building at Western Avenue along with its being a commercial structure, could support the proposed windows.

Comm. Eid moved that the application submitted for 1601 Western Ave. be approved based on the evidence submitted and the information submitted in the staff report, clarifying that if the Historic Tax Credits are received and replacement with wooden windows would subsequently be required, they are also approved. The Motion was seconded by Comm. Martin.

Further Discussion: There was discussion surrounding the Mechanicsville guidelines recommending the use of wood for replacement windows. Kaye Graybeal noted, in response to Comm. Woodle's question

about deviation from the guidelines, that the Commission can deviate from the guidelines with a finding of fact that supports the deviation. In this case the finding of fact is that the building is a brick commercial building on the edge of the district facing an automobile-oriented rather than pedestrian-oriented commercial street. Mr. Sanders noted the windows will have a profile appropriate to the building and will be custom built. Ms. Graybeal noted, that per a newly established procedure with Plans Review and Inspections Department she will sign off on required construction documents [for projects within with Historic overlays] before a building permit is issued.

Comm. Chair called for a vote. The Motion carried with Comms. Ray and Woodle voting no.

Old North Knoxville H-1

311 E. Scott Ave - (8-F-14-HZ)

Discussion: It was noted during initial discussion that there is a typographical error in the ONK guidelines which currently indicate that a 12/12 pitched roof is required on outbuildings. It was clarified that that pitch is NOT required since it is very steep and not typical of outbuildings. David Kerns, contractor for the project, spoke and noted they now have an earlier photo showing the original placement of the garage, directly back from the driveway, and the owner would now like to locate it there. It was noted that would be a more typical historic location for the garage. Mr. Kerns stated the setbacks would be 5 feet from the fence and approximately 150 feet back from the street. It was noted the overall rehabilitation of the house has been well done. He noted the dormer was for looks and the steeper roof pitch would be to allow for standing room beneath them. There was discussion of the height of the garage, the pitch of the roof and the ceiling height. Mr. Kerns noted he needed the steeper pitch to keep the dormer roof from being too close to the ridge of the roof. Comm. Eid noted concern that without proper elevations he was not able to accurately visualize or effectively comment on the overall design. It was clarified that the Applicant needs to submit proper elevations/scaled drawings showing the roof and dormers. Ms. Graybeal further reiterated that staff would review and sign off on construction documents prior to Plans Review and Inspections issuing a building permit, as previously noted this morning. The Applicant agreed to have the wall height of the first floor be 7 feet, the roof pitch be at 10/12 and to match the dormer on the front of the house a (single hipped roof dormer). The neighborhood representative was not present; however, Ms. Graybeal did receive an email from James Pierce, who noted the neighborhood supports staff recommendation for a lower pitched roof and wood clapboard siding.

Action: Comm. Eid moved that the application submitted for 311 E. Scott Avenue be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation, with the following conditions: the trim around the doors, windows and corners, as well as soffits and fascia are to be installed to match the house, for the final roof pitch to be approved by staff upon the submission of a to scale drawing [or dimensional drawing] showing the roof pitch, dormers and walls, approval of a single hip or shed roof dormer at the front and/or at the back to be approved by staff. The Motion was seconded by Comm. Ray.

It was clarified that a 12/12 pitch is NOT approved. It was clarified that the side door/window is approved per staff recommendation. It was further clarified the roof be pitch be a maximum of 10/12. The Motion carried unanimously.

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

Village of Concord HZ

10721 Third Drive - New house construction (8-D-14-HZ)

Discussion: The Applicant has already agreed to replace the fan light transom over the front door with a plain rectangular transom. The Applicant is also proposing vertical board shutters, not the raised panel as indicated on the drawing. They also propose 6 x 6 or 8 x 8 wood square porch columns, not the round tapered ones shown. The Applicant is applicant proposed 2 x 2 square porch balusters on both the front and rear porches. They also propose a brick chimney. Kaye Graybeal noted the placement of the houses is laid out in the guidelines and denote respecting the building placements using consistent setbacks with new

structures, maintaining the visual pattern. She noted the Applicant intends to subdivide the lot into 2 parcels and build on the larger 2/3 parcel, possibly building on the smaller parcel in the future.

Ms. Graybeal noted with regards to the windows that the simulated divided lights (1/1, 2/1 or 2/2) have shadow bars between the panes, with muntins on the outside. Ms. Graybeal noted the Applicant will need to submit a design for the balustrade that meets the building code height requirement of 36 inches, as well as a specification of the standing seam metal porch roofs if that is acceptable to the Commission as well as the Applicant. The Applicant, Lucas Moersdorf was present and noted yes they will use a rectangular transom over the front door or go with a larger door and no transom, which they would prefer. He noted they would like to keep the setback closer to the road matching the neighboring house to the east. The house would be equi-distant from the property line or approximately 60 feet over. He noted they are looking at 8 x 8 porch posts. He noted they are still exploring the use of either shingles or standing seam metal on the porch roofs, based on cost. Mr. Moersdorf noted the rear porch would be 10 feet, not 6 as noted on the drawing. He clarified that they were open to a mix of shingles and standing seam and agreed it would make for a nice look. The discussion moved onto the window configuration and the Applicant would really prefer 6-over-6 windows, also noting the exact size would need to be explored. The Applicant noted he was aware that the fiber cement board would need to be smooth and not wood-grained. Neighborhood representative David Russell was present and noted the neighborhood was in favor of the proposal. He noted the neighborhood supports staff recommendation with regard to window configuration.

Action: Comm. Crowder moved that the application submitted for 10721 Third Drive be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation with the following conditions: the setback is a minimum of 60 feet to a maximum of 100 feet. The Motion was seconded by Comm. Carey. It was clarified that the staff recommendation includes that the Applicant work with staff to determine the window configuration as well as the balustrade configuration. It was also clarified that staff recommendation includes a more appropriate single light paneled door as opposed to the craftsman style one submitted, and the Applicant agreed to work with staff on the front door configuration as well. The Motion carried unanimously.

818 Loop Road - Demolition and new construction (8-E14-HZ)

Discussion: It was noted the Applicant has been working with the neighborhood and has already agreed to relocate the proposed driveways to the rear. It was noted the village residents have asked the Applicant to vary the style of each structure so as to reduce the appearance of a multi-family complex and look more single family houses built over time. Samples of most materials proposed were available to attendees and Commissioners. It was noted this proposal backs up to a newer subdivision. Kaye Graybeal noted the family that owned the existing house has stated in writing that they have no interest in restoring the house and feel it has deteriorated beyond what they would consider undertaking. Ms. Graybeal noted that the historical significance of the house is not architectural so much it could be representative of African American settlement in the area as it was owned by an African American family. The condition of the house is not good; however, the cement block could be retained. It was clarified that the cement blocks were hand-poured, and most likely original. The Applicant, Daniel Parker was present and noted he has already built similar property on Concord Road and currently leases them primarily to seniors as they typically like one floor living. This proposal is to create similar housing opportunities. He noted their process is threefold; to contact the Homeowners' Association and get their support, then to come before the Commission in preliminary fashion, then move to the Metropolitan Planning Commission to request subdivision of the lots. He noted they have had several meetings with the neighborhood and as a result, they have made multiple changes including the driveways and adding dormers. He noted they drew one building as a model and would come back before the Commission for approval of the final design of each of the proposed duplexes if successful at the MPC with the subdividing of the lots. He noted they received positive feedback from the neighborhood and then went to staff. At that point they began to assemble sample materials.

Mr. Parker noted it is apparent that the property has a tendency to flood and after consulting with an engineer realized they can berm the front which they will be doing. Mr. Parker then noted he received pushback from staff with regards to the demolition of the house. He also noted that without MPC approval to subdivide, they will not proceed with the project. Mr. Parker noted they want to subdivide into four lots as they want the flexibility for an owner to purchase one entire unit and rent out one side.

Discussion moved to the pole barn and the possibilities of relocating it or reusing the poles for a pavilion. Mr. Parker noted he had not had full blown engineering studies done, for example, as he did not want to proceed that far without support of the HZC and approval to subdivide for the MPC. Mr. Russell stated the process has been anything but adversarial. He noted that Mr. Bacon, the original owner, was a huge proponent of the overlay and wanted the village preserved. He then noted this area of Loop Road is historically African -American with 2 African- American churches there, one of which also served as a school, organized as early as 1883. Mr. Parker noted they wanted to have their concern with demolishing the house as part of the record today. He stated the neighborhood would like to house to be kept. He then noted that if the Commission allows the demolition they would prefer a lesser dense 3 duplexes, not 4, maintaining the rural feel of the village. It was clarified that Mr. Bacon was a mason himself, and as there were groups of African -American masons in the area, that may lend additional significance to the African- American history.

Mr. Parker stated that they had already developed a “Plan B”. He noted there were several homeowners that were interested in restoring the house. He then noted that although they would prefer to build 4 duplexes, they are open to building 3 duplexes and keep the existing house. He then presented a rendering of what the subdivision would look like for 3 duplexes and maintaining the house, and it was entered into the record officially as “Exhibit - Plan B”. There was a brief discussion on the level restoration needed in the existing house.

Action: Comm. Carey moved that the portion of the application submitted for 818 Loop Road for any demolition of existing structures be denied without prejudice based on the evidence submitted and the information provided in the staff report. The Motion was seconded by Comm. Montgomery. The Motion carried unanimously.

It was clarified the pole barn has been so altered that it is no longer contributing. It was noted that the well pump would be worthy of saving and the Applicant noted he heartily agreed.

Action: Comm. Montgomery moved that “Exhibit Plan B” submitted for 818 Loop Road be approved based on discussion today and support of the neighborhood with the condition that the Applicant bring back a more detailed proposal once they were in a position to do so (MPC approval to subdivide). It was clarified that “Exhibit Plan B” denoted subdividing the parcel into 4 parcels, for 3 duplexes, not 4, and the original existing house, relocating the driveways into the rear.

After a brief discussion the Motion was amended to note that the existing outbuilding would not remain as indicated on “Exhibit Plan B” and can be removed. It was again clarified the barn will remain at this juncture. It was noted that the Motion would include that the Commission supports subdividing the parcel into 4 lots, one for each duplex and one for the existing house. Comm. Montgomery accepted the Amended Motion. The Motion was seconded by Comm. Chair Butler. The Motion carried unanimously.

Action: A Motion was made by Comm. Ray to adjourn the meeting. The Motion was seconded by comm. Carey. The Motion carried unanimously and the meeting was adjourned.