

**MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION
MEETING AUGUST 18, 2016**

Knoxville Historic Zoning Commission				
Commissioner	Present	Absent	Excused	Arrived
Sean Bolen, Vice Chair	x			
Bart Carey			x	
Steve Cotham	x			
Faris Eid	x			
Lorie Matthews, Chair	x			
Melissa McAdams	x			
Sandi Swilley	x			
Stanton Webster			x	
Jason Woodle	x			

Knox County Historic Zoning Commission				
Commissioner	Present	Absent	Excused	Arrived
Bill Belser	N/A			
David Butler, Chair	N/A			
Mike Crowder	N/A			
George Ewart, Vice Chair	N/A			
Scott Smith	N/A			

Staff/Others Present	Affiliation
Crista Cuccaro	City Law Department
Marty Clay	City Plans Review and Inspections
Scott Elder	City Plans Review and Inspections
Kaye Graybeal	MPC
Dori Caron	MPC
Arin Streeter	Fourth and Gill Neighborhood Representative
Bob Whetsel	Applicant
Butch and Malinda Morrow	Applicants
Benjamin Auerbach	Applicant
Chris Eliza	Aries Energy
Jenny Wright	Fourth and Gill Historic Neighborhood Organization

Knoxville Historic Zoning Comm. Chair Matthews called the meeting to order at 8:30 am. City roll call was taken and it was noted there was a City quorum. It was then noted there was no County business and the Knox County Historic Zoning Commission would not convene. Comm. Matthews swore in all Applicants and visitors that planned to speak on any Agenda item. Chairman Matthews stated that the meeting was being televised and recorded. She also asked that speakers limit their presentations to five minutes and to sign in when they reached the podium. She then noted that any appeals to Commission decisions can be taken to Chancery Court if appealed within 60 days.

Approval of Minutes

Action: Comm. Bolen moved to approve the July 21, 2016 Historic Zoning Minutes. The Motion was seconded by Comm. Eid. The Motion carried unanimously.

Result: Approved.

Staff Reports:

Ms. Graybeal noted the Commission was in receipt of a nomination for the Giffin Grammar School, located at 834 Beech Street, to the National Register of Historic Places. She noted the application was submitted by Red Chair Architects. Ms. Graybeal noted the Commission is charged with making a recommendation to the Tennessee Historical Commission that the school is historically significant enough to be considered for the National Register. She then reviewed the historic significance of the school.

Action: Comm. Eid moved that the Commission recommend approval of the nomination of the Giffin Grammar School to the National Register of Historic Places. The Motion was seconded by Comm. Cotham. The Motions carried unanimously.

Result: Recommend the nomination

Ms. Graybeal stated she will forward the Commission's recommendation to the Tennessee Historical Commission.

Ms. Graybeal reviewed the Level 1 Certificates approved since the last meeting.

CERTIFICATES OF APPROPRIATENESS

Fourth and Gill H-1

1019 Eleanor Street – Rear façade modifications (8-I-16-HZ)

Discussion: Ms. Graybeal reviewed the staff report and staff recommendation. Applicant Bob Whetsel was present and had nothing to add to the staff report and noted they were taking the house back to a single family dwelling. He agreed that the two stairwell windows that appear off centered could be centered and made larger but they have not pursued that due to cost (It was stated that these are existing). He clarified that the upper level window on the staircase side will remain. There was brief discussion surrounding the history of the alterations on the house over the years. Neighborhood representative Arin Streeter noted the neighborhood is in agreement with staff recommendation with the stated condition but they request the double windows being replaced on the lower level have the same sill and casing size as was in the original configuration. He noted that Mr. Whetsel has indicated to them that is his intention.

Action: Comm. Bolen moved that the application submitted for 1019 Eleanor Street be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation with the following condition: 1) that a trim piece equal to the existing corner board be retained in the location of the right-hand side of the upper-level rear access to indicate where it was originally located. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.

Result: Approved with condition

817 Deery Street – Infill construction of addition (8-J-16-HZ)

Discussion: Ms. Graybeal reviewed the staff report and staff recommendation after passing out an updated design proposed by the Applicants with modifications as the Applicants have been working to address issues, concerns and comments and have refined their application. Based on the recent refinements Ms. Graybeal noted she had revisions to the conditions for approval and they are now: 1) (no change) provide further details and images for the shed-roofed “hood” over the bank of second-level bank of windows, or some other method of adding size to the widows, 2) (no change) provide a sample for any material proposed if other than wood or metal cable for the balustrade or wood for the posts in the rear porch, 3) (new) modify the proposal for boxed-in eaves to open eaves and add exposed rafter tails on the porches, porte-cochere and rear porch, as shown on the drawings received 8-17-16, 4) (new) add windows on southeast and northwest elevations as shown on the drawings received 8-17-16 and 5) (new) add windows to the front and rear second elevations as needed improve the balance of the facades. She noted the Applicant has added a vent on the rear façade to add interest. She noted that although not typical of the Fourth and Gill neighborhood, and although somewhat of a hybrid as presented, it is staff’s opinion that a Craftsman style house could be accommodated there with a balance of traditional details.

Applicant Butch Morrow was present and added they want to change the two lateral second level dormers to shed dormers, not peaked, adding exposed rafters as well, consistent with the front porch and carport. They are also proposing to use the same type of windows on the side elevations that are shown on the upper level front elevation, all wood with 3 divided [panes]. He then noted they hoped they would not have to add windows on the rear elevation as the interior roof is at an angle that it would be an odd place for a window. When questioned on any potential limitations regarding time for the public to review any changes to an application/changes to a staff recommendation, Ms. Cuccaro clarified that the purpose of public notice is to let interested members of the public know that an application is being heard, further noting modifications are routinely made at the meetings. Neighborhood representative Arin Streeter noted he felt that the neighborhood did not have sufficient time to review and comment on the revisions and requested a postponement. Comm. Bolen noted he was in agreement with postponement to adequately review and digest all of the proposed changes.

Mr. Streeter reviewed comments received from the neighborhood noting the design guidelines are loose to allow flexibility on how new infill construction can be designed (these are bulleted). They also give the Commission the leeway to ask for design modifications. He noted while reviewing these that some of them were addressed by the additional conditions.

- The massing and proportion of the house does not relate particular to the other houses on the street due to its width.
- Craftsman houses almost nearly always have exposed rafter tails.
- The boxed soffits are a more modern detail, open eaves are better.
- Agglomeration of roof directions and pitches does not give a good sense of style consistency.
- The extended second story explained as an airplane bungalow would call for additional windows (typically they have a lot of windows).
- The height appears out of proportion with the house and the manner in which it comes directly off the walls below is inconsistent with the style (airplane).
- Objection to the idea of having a carport on the front of the house. They have typically been approved as exceptions and in back yards. He noted the neighborhood does not allow garages that face the street and doesn’t understand why they would approve a carport in the front of the house that faces the street. He also noted that as a design element the porte-cochere would be appropriate if they could make that distinction of it being more of a design element.

Ms. Graybeal noted she refers to this piece of the design as a carport in her staff report, although it may allude to a porte-cochere.

- Concern was noted about the depth of the porch noting that there was depth subtracted by the columns.
- The side dormers do not look like Craftsman [style].
- The blank gables at the side of the house.

Comm. Bolen noted that even with shed roofs, the side dormers appear too narrow.

Mr. Streeter also questioned the front room fireplace with no associated chimney. If it is to be vented out the side wall he is unaware of that ever being approved in the neighborhood as chimneys are important design elements

- The application notes the front porch columns are fiberglass and he does not believe the guidelines allow that.

Mr. Streeter reiterated his statement about the neighborhood not being able to adequately review all of these changes discussed today and again requested postponement so the design can be further refined.

Jenny Wright noted the Fourth and Gill Historic Neighborhood Association is very excited about this infill project but on behalf of the Association also asked the Board to defer their decision until this proposal can be further detailed.

Mr. Morrow noted they are open to the open eaves and could work out that detail with Ms. Graybeal. Regarding the front roof pitches, they feel it broke up the front of the house giving it interest and appeal. Regarding the carport, they would prefer rear alley access but it not available for them to use. They felt the carport as designed adds interest as well. Addressing the porch depth concern, he noted porch depth it is 6 feet (by 28 x long) except for the columns that sit on 8 or 9 inches at 3 points (1.3 % of the porch). They feel that it is OK as presented. He agreed the side dormers are better as shed formers. The fireplace does not need a chimney as it will be vent less.

Comm. Bolen has the following comments:

- This design is not a pure style and this should be considered as this is a “stew” of styles.
- Overall inconsistent theme.
- The proposed design lacks windows.
- Sizing of all of the windows.
- The side gables are too narrow (can make them double wide with a shed roof). Reshaping of the gables and their width
- The second story window facing the street (front) is lower than is typically seen, as well as concern with the shed roof above it.
- The front door is not a craftsman style.

He then noted he felt that the best course of action in complying with the guidelines is to “go back to the drawing board” so that this new infill home fits well into the neighborhood.

Mr. Morrow noted this is a small lot of record. Comm. Eid noted it was difficult to relate the overall height of the structure relevant to the adjacent structures. What would be helpful to the Commission would be straight-on pictures of the neighboring houses on the street where the Commission could evaluate the proposed structure relevant to the existing houses. Comm. Eid also requested that if the side dormers do become shed-roofed that the Applicant include the materials to be used and to also note their pitch.

Recapping his concerns, Comm. Bolen added:

- The carport is a concern (as proposed it does not meet the architectural style). He noted they are allowable.
- [Lack of] A street drawing to demonstrate how the house will relate to the other houses nearby
- Metal cables for the back porch

Action: Comm. Bolen moved that the application submitted for 817 Deery Street be postponed until the September meeting based on the requested changes suggested during today's meeting. Comm. Bolen suggested the Applicant make appointments with staff and the neighborhood representatives as soon as possible in order to expedite the process, before revisiting a final design with his architect. Crista Cuccaro clarified that per state law and interpretations that the Applicant cannot speak to any of the Commissioners [outside of a public meeting] between now and the next meeting. There was a brief discussion surrounding finding accurate evidence that the smaller windows would be historically accurate. Staff's above-stated three new conditions were also reviewed. There was discussion surrounding exploration of being able to access the property via the alley which is under the purview of the City of Knoxville's Engineering Department. There was also discussion surrounding holding a public workshop at the site which could be very beneficial to the Applicant and this process as they could get feedback from the Commission prior to the next meeting. **The Motion was seconded by Comm. Eid.** He then noted that the guidelines do not dictate that a certain style be built and in fact, discourage designs that replicate an older house. Ms. Graybeal agreed and noted that the Commission is tasked with deciding the appropriate balance of details to allude to the style.

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

Result: Postponed until the September meeting

813 Deery Street - Installation of solar panels (8-K-16-HZ)

Discussion: Ms. Graybeal reviewed the staff report and recommendation. Chris Eliza from Aries Energy noted they did not choose to place any panels on the rear porch roof due to efficiency concerns regarding shading (later citing structural integrity issues as well). They can revisit rear porch placement if necessary. He noted these panels will look the same as those on Three Rivers Market. Neighborhood representative Arin Streeter noted that the neighborhood did revise the guidelines with respect to solar panels at the request of the City and that Fourth and Gill is likely the most lenient of the 3 neighborhoods that were asked to do so. He noted that interpreting the intent of the guidelines revision, the roof over the stairs to the house would be considered a forward facing roof and therefore none of the panels forward of that point would be allowable. He noted the north south face of the district drives rear and side placement. He stated there is some conflict in the neighborhood regarding restricting them at all because they want to also support conservation efforts. He then reiterated that anything beyond the front roof peak (at the inner corner of the projecting bay) would be allowable, anything in front of it would not, clarifying that the proposed 12 panels at the front would not be allowable under the guidelines, and the proposed 6 at the rear, and any others they could mount on the rear, would be allowable.

Owner Ben Auerbach agreed that front solar panels can detract from the neighborhood's architecture and the home's architectural style. He noted they have tried to minimize the visual impact working with color and minimal pitch. He then noted their concern about installation only at the rear will not produce an effective yield and requested that 4 or 5 remain as proposed upfront noting they could move some more to the rear, proposing a compromise. It was noted that the design guidelines do not allow the proposed front placement. There was continued discussion surrounding whether or not a strictly rear placement would warrant proceeding with the system installation.

Comm. Eid noted that there may be leeway for some front ones as the front facing roof is not a full height roof but a smaller lower roof. He suggested there may be a way for perhaps 5 panels to be placed as far as 2/3 of the way to the front of the higher roof. Mr. Streeter felt, based on the guidelines, that perhaps a maximum of 2 could be placed up front. He noted that due to the front facing (lower) roof [the higher] it does not fall under the 1/3 – 2/3 rule. Ms. Graybeal clarified that proposed guidelines would consider the roof identified as the small triangular shape on Appendix A a forward-facing roof pitch. Without that part

of the roof Commission would consider the next forward roof peak as the cut-off, yielding room for perhaps 2 more panels up front. Mr. Auerbach noted the house will be getting a new black roof that is very similar in color to the proposed panels. There was continued discussion surrounding possible configuration of a more limited number of panels. It was noted that any new configuration would come back for staff approval prior to installation.

Action: Comm. Eid moved that the application submitted for 813 Deery Street be approved based on the evidence submitted and the information provided in the staff report and his interpretation of the guidelines, with the following conditions: 1) that none of the panels are to be forward of the front upper edge of the roof peak. Comm. Eid added a recommendation that once the Applicant develops a reconfigured layout that will fit they get with the neighborhood and share it with them, noting the neighborhood may be more open to a more forward layout that may in fact lessen the impact of their visibility. **He further moved to approve any placement of the panels in the rear porch as long as they are not visible from Deery St., and that any new configuration needs to come back for staff approval. The Motion was seconded by Comm. Bolen.** It was clarified that 4 forward panels would be allowable but the configuration would be varied. **The Motion carried unanimously.**

Result: Approved with conditions

Other Business:

- Ms. Graybeal noted she attended the National Alliance for Preservation conference in Mobile, Alabama and co-presented on Political Demolition by Neglect. Expanding on the topic she noted that once a district is established there still needs to be ongoing discussions and education of the community about what it takes to keep the community supportive of maintaining the district and keeping people engaged in understanding the nature of the district.
- Ms. Graybeal also discussed writing into HZC procedure that a workshop is either suggested, or perhaps even required, with applications for new construction and/or with a complex design. It was noted these are often held by other Boards and can be quite helpful. These are publicly advertised meetings that are open to the public, there is no vote taken-- just open discussion; therefore, a quorum is not required.
- Crista Cuccaro noted the City is in receipt of a lawsuit from Atty. Steve Wise who has sued the Commission based on its denial [of demolition] on the 1717 White Avenue property. They continue to work with the interested parties regarding the lawsuit involving the enclosed sunroom at 1709 Jefferson Avenue where they are striving to reach a solution.

Ms. Graybeal noted she will work towards identifying a time for a workshop with the Applicants from 817 Deery St.

Action: Comm. Woodle moved to adjourn the meeting. The Motion was seconded by Comm. Bolen. The Motion carried unanimously and the meeting was adjourned.