

**MINUTES  
KNOXVILLE HISTORIC ZONING COMMISSION  
KNOX COUNTY HISTORIC ZONING COMMISSION  
MEETING MARCH 17, 2016**

<b>Knoxville Historic Zoning Commission</b>				
<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>	<b>Arrived</b>
Sean Bolen, Vice Chair	x			
Bart Carey	x			
Steve Cotham			x	
Faris Eid			x	
Lorie Matthews, Chair	x			
Melissa McAdams	x			
Sandi Swilley	x			
Jason Woodle	x			8:47 am
open				

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

<b>Staff/Others Present</b>	<b>Affiliation</b>
Crista Cuccaro	City Law Department
Marty Clay	City Plans Review and Inspections
Dori Caron	MPC
Scott Elder	City Plans Review and Inspections
Kaye Graybeal	MPC
James Pierce	Old North Knoxville Neighborhood Representative
Arin Streeter	Fourth and Gill Neighborhood Representative
Matthew Sturgill	Applicant
Phil Bonifacio	Acadia Landscape Co./Applicant
Jamie Huffaker	Applicant
Nick Shaffer	Applicant
John Holmes	Applicant
Clint Wyrick	Applicant
Carl Lansden	Applicant
Carol Montgomery	Old Concord Neighborhood Representative

Knoxville Historic Zoning Comm. Chair Matthews called the meeting to order at 8:34 am. Roll call was taken and it was noted there was a quorum. Comm. Chair 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. Comm. Chair Matthews then swore in all Applicants and visitors that planned to speak on any Agenda item.

**Action: A Motion was made by Comm. McAdams to approve the February 4, 2016 Minutes. The Motion was seconded by Comm. Carey. The Motion carried unanimously.**

**Result: Approved.**

**Reports to Commission:** There were no reports to Commission.

**Staff Report:** Ms. Graybeal reviewed the Level I Certificates approved since the last meeting.

Knoxville HZC Chair Matthews turned the meeting over to Knox County HZC Chair Butler.

## **CERTIFICATES OF APPROPRIATENESS**

### **Concord HZ**

10913 Gilian Ln - New construction (3-G-16-HZ)

**Discussion:** Ms. Graybeal noted a more contemporary style house is allowed as this house would be in a transition area. As proposed it meets most of the design and setback guidelines and would be compatible with neighboring houses. She also noted the Old Concord Residents Association has reviewed the proposal and their alternative proposal includes a planted buffer area between the historic house to the east (Threlkeld property) and the new house (Sturgill property) and had no recommendations specific to the proposed house but they would like to keep the well. The Applicant, Matthew Sturgill was present and agreed with placing a window on the east side of the structure as well as agrees to the suggested planted buffer (offering Leland Cypress). A discussion ensued regarding the well house. Neighborhood representative Carol Montgomery noted the neighborhood would very much like to keep the well / well house and are supportive of the buffer proposed by staff and agreed evergreens would be appropriate. Ms. Graybeal suggested that the details of the buffer would be best worked out between the Applicant and Concord residents. It was clarified that the Commission does not have the purview to require that the wellhouse be kept. Mr. Sturgill was open to Concord residents coming to dimension [document] the wellhouse.

**Action: Comm. Ewart moved that the application submitted for 10913 Gilian Lane be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation including the 3 conditions and with a 4<sup>th</sup> condition that the Applicant plant an evergreen buffer along the property line next to the Threlkeld property. The Motion was seconded by Comm. Belser. The Motion carried unanimously.**

**Result: Approved per staff recommendation with 4 conditions.**

Knox County HZC Chair Butler turned the meeting over to Knoxville HZC Chair Matthews.

#### **Fourth and Gill H-1**

706 Luttrell St - Construct carport (3-F-16-HZ)

**Discussion:** Applicant Phil Bonifacio was present and had nothing further to add. Discussion ensued with regards to adding interest/embellishment in the gable (a round vent/small square window) as well as the overall design of the proposed carport. It was noted the top of the structure would be used for storage. Comm. Bolen expressed concern that carports are not addressed in the guidelines. Ms. Graybeal noted that although they are not addressed in the guidelines two carports have been approved in Fourth and Gill and briefly discussed their approval, noting the neighborhood has determined that carports are a better alternative to enclosed buildings. Arin Streeter, neighborhood representative noted they have not objected to carports in the past as they have been fairly minimal structures. He recognized a discrepancy in the proposed size of the structure and did not feel he could speak for the neighborhood today as they received renderings with different dimensions.

**Action: Comm. Bolen moved that consideration of the application submitted for 706 Luttrell Street be postponed for 30 days to allow the Applicant to submit dimensioned drawings. The Motion was seconded by Comm. Carey. The Motion carried unanimously.**

**Result: Postponed for 30 days.**

622 Deery St - Window replacement (3-B-16-HZ)

**Discussion:** Applicant Jamie Huffaker was present and noted as they progressed into the window replacement project that they found an increasing number of windows that were in significant disrepair. The issue of custom windows arose when they realized the windows they were replacing had been shimmed to fit the original openings and replacement windows would need to be custom. She noted they are passionate about preserving the house as much as possible but having custom windows built would be cost prohibitive, further noting they have done extensive research on replacement windows. Arin Streeter, neighborhood representative stated it is his recollection that the neighborhood has only approved vinyl windows once, a long while ago when they touched the ground at a crawl space and wooden windows were continuously rotting out. It was clarified that economic hardship is only considered when a house under Demolition by Neglect. He then noted that the neighborhood would never, in any normal circumstance, approve vinyl windows on a house. A discussion ensued regarding potential replacement options/manufacturers. It was clarified that if the vinyl windows are denied today City Plans Review and Inspections would give them a time frame for their removal. It was noted the Applicant has removed the request pertaining to the louvered vent.

**Action: Comm. Bolen moved that the application submitted for 622 Deery Street be denied for vinyl windows based on the evidence submitted and the information provided in the staff report, and to approve replacement with wooden windows of the same size and scale as the original openings. The Motion was seconded by Comm. Woodle.**

**Further Discussion:** Ms. Huffaker asked for guidance concerning replacement of existing non-original bathroom windows on the second level.

**Action: Comm. Bolen withdrew his Motion. Comm. Woodle declined to withdraw his second.**

**Comm. Chair Matthews called for a vote on the floor. The Motion failed with Comm. Woodle voting yes and Comms. Bolen, Carey, Matthews, McAdams and Swilley voting no.**

**Comm. Bolen moved that the application submitted for 622 Deery Street be denied for vinyl windows as submitted but approved for replacement with wooden windows installed in the original openings, with the exception of the [second story] bathroom windows such that the Applicant can replace them on the condition that she bring appropriate documentation [of the original framing] to staff for approval. The Motion was seconded by Comm. Carey. The Motion carried unanimously.**

**Result: Denial of vinyl windows, approval of windows installed in the original openings, staff approval required for replacement of bathroom windows.**

### **Old North Knoxville H-1**

517 E Oklahoma Ave - Construct accessory structure (12-H-15-HZ)

**Discussion:** It was clarified that the submittal is basically unchanged from the December submittal except that the proposed garage has been moved back from the property line by a foot, and that the Applicant no longer proposes to use metal windows. There was a discussion surrounding the size of the lot being designated as a “small lot of record” and Mr. Shaffer noted he is addressing the zoning issue by removing the kitchen from the proposed structure therefore it would not be considered a dwelling unit. There was also discussion surrounding the overall size of the structure. Mr. Shafer noted he was open to using siding on the front of the structure that would match the house. Neighborhood representative James Pierce stated that wood lath or board and batten siding should be used on the auxiliary building completely, and that if fiber cement board were proposed for the dormers only they would want evidence that it would hold up better. He then noted they continue to assert that there be appropriately scaled windows on the south elevation, especially on the lower level, and that the neighborhood agrees with staff recommendation of a size reduction [to the 25% to 35% of the footprint of the main house]. Further, they would like to see the porch cement pad footprint be included in that calculation. Lastly the neighborhood would like for consideration to be given to having the rear stairs have as limited visibility from the front as possible. Mr. Shaffer stated the garage as proposed would be 40% of the house footprint square footage as proposed.

It was noted the Applicant would need a variance for the proposed height and side setback but could otherwise build the structure as proposed according to City Plans Review and Inspections. There was further discussion that the structure was compatible both architecturally and to the overall average size for Old North Knoxville.

**Action: Comm. Carey moved that the application submitted for 517 E. Oklahoma Avenue be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation and 6 conditions. The Motion was seconded by Comm. McAdams.**

**Further Discussion:** Mr. Shafer noted he was fine with not having the brick façade and that he could reduce the length of the structure but did not want to have to reduce the width. There was a brief discussion surrounding windows on what is actually the southwest façade [adjacent to the existing brick wall]. It was clarified that although the applicant does not intend to remove the brick wall he did not need to come before the Commission to do so. The garage doors are proposed to be salvaged rolling barn doors.

**Comm. Carey amended his Motion to include an additional condition that the Applicant include either a window or closed/faux shutters to imply a window, to be approved by staff, on the southwest façade [facing the existing brick wall]. Comm. McAdams seconded the Amended Motion.**

**A call for a vote on the Amended Motion on the floor resulted in a decision to take a roll call vote:**

**Comm. Carey: Yes                      Comm. Bolen: No**  
**Comm. McAdams: Yes                Comm. Woodle: No**  
**Comm. Matthews: Yes**  
**Comm. Swilley: Yes**

**The Motion carried.**

There was continued discussion surrounding the overall size and the now approved condition that the footprint be reduced by 5%. It was noted that the Applicant could work with staff to finalize a reduced size design.

**Result: Approved per staff recommendation and 7 conditions.**

129 E Oklahoma Ave - Window and door replacement, rear addition (3-E-16-HZ)

**Discussion:** Ms. Graybeal noted there had been extensive work done on this house over the years although she was only able to locate one building permit from many years ago. Applicant David Holmes was present and noted the request to enclose the rear porches is to address storm water drainage issues and further noted there has been extensive settling at the rear porch. It was clarified that the yard does slope towards the house. He also noted he had submitted additional renderings of the proposed rear porch with the lower level appearing more open/transparent. After a discussion regarding the proposed diamond window to the right of the front door there was consensus that there is no evidence that one existed there historically. Mr. Holmes noted he would be fine with just having siding to the right of the front door. There was substantial discussion about the transom ultimately supporting that there was justification for a transom and sidelights. Mr. Holmes noted they intend to bring any proposed front door to staff for approval. Neighborhood representative James Pierce noted the neighborhood supports staff recommendation for not infilling the 2 rear porches as they contribute the character of the home. Although they have been considerably altered, the neighborhood asks that they be considered for rehabilitation to as close as what was originally there. Although their guidelines do allow for rear porch enclosures as noted by Comm. Bolen, Mr. Pierce noted the guidelines require that the enclosure represents the porch by leaving it more transparent and clear that it was a porch. It was also noted that the HZC does not have evidence of the actual original porch. There was discussion surrounding the porch being more open and transparent. Mr. Holmes was asked to propose a more open design for the 2 rear porches to the Commission. Mr. Pierce noted the neighborhood also agrees with any replacement windows being of the original size and configuration and that they ask that any replacement front door/sidelight(s) and transom be dictated by the original size. It was noted that it is not known if there were 2 equal sidelights or just one. Without evidence of an additional window to the right of the front door they would support that area remaining as siding. It was noted by Comm. Bolen that a single-paned gable window is not appropriate. Mr. Holmes noted he have the gable window configuration approved by staff. It was clarified that the existing windows are grandfathered in (size and material) and only need to be replaced if the Applicant chooses to do that. At that point, replacement would be conditioned. It was noted by Ms. Graybeal that any drawings submitted in the future need to be dimensioned.

**Action:** Comm. Bolen began a Motion that was not seconded and withdrew it shortly thereafter to better clarify his intent.

**Action:** Comm. Bolen moved that the application submitted for 129 E. Oklahoma Avenue be approved based on the evidence submitted and the information provided in the staff report and with the following revisions to staff recommendation that: 1) the front door replacement be appropriate for the period, style, and scale of the house with emphasis on correct size based on the evidence of any original provided to staff for approval; 2) the replacement of the windows on the southwest and northeast sides with wood double-hung 1-over-1-windows must utilize their original opening size with the exception of the northwest kitchen window which may utilize the existing opening size; 3) the rear window replacements may utilize their current size ; and 4) the front gable not be of a single pane but be similar nearby gable windows and be approved by staff. Denial of enclosing the upper and lower rear porches as proposed and installing a diamond-shaped window on the front porch wall. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.

**Result:** Approved with revisions to staff recommendation/conditions.

1400 Grainger Ave - Window replacement (3-H-16-HZ)

**Discussion:** Applicant Clint Wyrick was present and noted that there appears to be 3 different colors of brick and even with cleaning them, painting would look better and would be his preference over parging them. Mr. Wyrick noted they only need to repair the 2 outside brick columns which he clarified are not original to the house. Neighborhood representative James Pierce noted the neighborhood agrees with staff recommendation for window replacement adding that the first level replacements should include trim that matches other original windows [as it is missing now], and further expressed that that may include resizing so that the trim width can be included with the opening size. He noted they looked at the brick foundation on the porch and sides and acknowledged that there is severe settling and some serious disrepair. However the neighborhood feels there is enough of the original foundation in the brick finish that it is worth repairing and re-pointing as opposed to covering them up. They feel the current finish on the brick is character defining. Mr. Peirce stated they feel the piers/columns need to be properly repaired, along with whatever it is supporting, with staff approval. It was noted staff's recommendation is that the columns be repaired/replaced in-kind. It was noted that the guidelines do not allow for painting of a brick foundation that has never been painted. Mr. Wyrick clarified there are 6 x 6 posts inside the columns.

**Action:** Comm. Bolen moved that the application submitted for 1400 Grainger Avenue be approved based on the evidence submitted and the information provided in the staff report and per staff recommendation with the following additional conditions: The trim on all the windows is to match the original, existing trim on the house, no brick is to be stuccoed, if any brick is found to be so significantly damaged such that some sort of coating may need to be applied to the brick the Applicant needs to come back before the Commission for approval to proceed [with any kind of repair], and any posts that are replaced must be replaced in-kind. The Motion was seconded by Comm. McAdams. The Motion carried unanimously.

**Result:** Approved with additional conditions.

227 Leonard Pl - Construct rear roof addition (8-F-15-HZ)

**Discussion:** Ms. Graybeal clarified that the City Plans Review and Inspections does not require dimensioned construction drawings for a proposed dormer and none were submitted with the permit application. She noted that going forward Plans Review and Inspections will require dimensioned drawings and labeled photographs for any addition/dormer that will come before the Commission. Applicant Carl Lansden was present and agreed with staff's recommended modifications. Neighborhood representative James Pierce noted the neighborhood does not accept this violation of the original Certificate and that it was the Applicant's responsibility to request an amendment. They feel the Applicant should have to submit new detailed drawings for reconstruction that brings this dormer and its design to where it meets the design guidelines. He further noted that it appears that the new [lower] window is not appropriate as well and that a matching 2 over 2 one be installed in its place. Mr. Pierce stated he felt the neighborhood may support an addition if the original roof ridge lines were maintained, not extending above the them, hence the top would need to come down and it should have balanced windows, not one to the side. There was discussion surrounding how to mitigate the overall dominant appearance of this addition. There was consensus that the Applicant would need to come back before the Commission with alternative and dimensioned drawings.

**Action: Comm. Bolen moved that consideration of the application submitted for 227 Leonard Place be postponed for 30 days. The Motion was seconded by Comm. Carey. The Motion carried unanimously.**

**Result: Postponed for 30 days.**

**Recommendation on Rezoning to H-1**

953 Moody Ave. – South High School

(Portion requested for rezoning is 2.28 acres along Baker Ave.)

**Discussion:** There was no discussion.

**Action: Comm. McAdams moved to recommend to City Council that the 2.28-acre parcel along Baker Avenue at 953 Moody Avenue receive an H-1 overlay designation. The Motion was seconded by Comm. Woodle. The Motion carried unanimously.**

There was no further business and the meeting was adjourned at 12:31.PM