

**MINUTES  
KNOXVILLE HISTORIC ZONING COMMISSION  
KNOX COUNTY HISTORIC ZONING COMMISSION  
MEETING  
AUGUST 17, 2017**

<b>Knoxville Historic Zoning Commission</b>				
<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>	<b>Arrived</b>
Rick Blackburn				
Bart Carey, Vice Chair				
Steve Cotham				
Faris Eid			X	
Dasha Lundy				
Lorie Matthews, Chair				
Melissa McAdams				
Sandi Swilley			X	
Stanton Webster				

<b>Knox County Historic Zoning Commission</b>				
<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>	<b>Arrived</b>
Bill Belser	N/A			
Mike Crowder	N/A			
George Ewart, Chair	N/A			
Kim Isenberg	N/A	X		
Scott Smith, Vice Chair	N/A			

<b>Staff/Others Present</b>	<b>Affiliation</b>
Crista Cuccaro	City Law Department
Kaye Graybeal	MPC
Dori Caron	MPC
DeAnn Bogus	City Plans Review and Building Inspections
Scott Elder	City Plans Review and Building Inspections
Sara Martin	Applicant representative
Arin Streeter	Fourth and Gill Neighborhood Representative
Jennifer Torgeson	Applicant
Taylor Grills	Applicant
Lynne Sullivan	Homeowner/PCO
Sally Seraphin	Homeowner - Citizen
Kennie Riffey	Homeowner - Citizen
David Nix	Homeowner – Citizen/PCO
Kim Trent	Knox Heritage

Knoxville Historic Zoning Comm. Chair Matthews called the meeting to order at 8:36 am. City roll call was taken and it was noted there was a City quorum. There was no County business therefore the Knox County Historic Zoning Commission did not convene. Comm. Matthews stated that the meeting is being televised and recorded. She also asked that speakers limit their presentations to five minutes and to sign in when they reach the podium. She further noted that any appeals to Commission decisions can be taken to Chancery Court if appealed within 60 days.

## Approval of Minutes

**Action:** Comm. Blackburn moved to approve the July 20, 2017 Historic Zoning Commission Minutes. The Motion was seconded by Comm. Carey. The Motion carried unanimously.

**Result:** Approved.

**Staff Reports:** Ms. Graybeal reviewed the Level 1 Certificates approved since the last meeting.

## **KNOXVILLE HISTORIC ZONING COMMISSION**

### **CERTIFICATES OF APPROPRIATENESS**

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

1019 Eleanor St. – Construction of an outbuilding (7-M-17-HZ)

**Discussion:** Ms. Graybeal reviewed the staff report and staff recommendation noting this application was postponed from the July 20, 2017 meeting. She noted the project will require both height and lot coverage variances and is scheduled to go before the BZA this afternoon. Ms. Graybeal stated the reduced size now meets the 30% of the main house requirement noting the proposal is now for a 25 x 25 ft. structure. Ms. Graybeal also highlighted two enhanced photographs at the end of the submittal showing the difference in how much of the garage would be visible from the street with both a side and centered placement. Applicant representative Sara Martin was present and noted that the preferred structure has an 18 ft. 4 in. average roof height. In addition to the 17 ft. 6 in. version discussed at last month's meeting, they also have an option for the standard height of 15 ft., which further truncates the roof and lowers the eaves, and is the least of their preferences. Ms. Martin noted they have added three widows on the south elevation, also discussed at the meeting last month, as they are now proposing a more centered placement of the structure. She then noted a surveyor was retained to identify the actual property lines. The surveyor located pins that showed that both neighbors' 6-ft. fences were actually 2 ft. into the Torgeson's lot, taking the effective visual width of the property down from 50 ft. to 46 ft., noting there is one precedent in the neighborhood on very narrow lots of accessory structures not necessarily being placed to one side or the other. Applicant Jennifer Torgeson was present and noted initially they wanted to locate the structure to one side, however; that placement impeded visibility when [driving] turning in from the alley, especially with the placement of the fences, hence the now proposed center placement. Neighborhood representative Arin Streeter was present and noted he did not receive any further comments since last month, which mostly noted the overall large size, which has been reduced and the originally proposed placement very close to the property lines which has been taken off the table. He feels the neighborhood now agrees that this current proposal is acceptable. There was further discussion surrounding the final garage placement. There was then consensus that the proposed centered placement would be acceptable.

**Action:** Comm. McAdams moved that the application submitted for 1019 Eleanor Street be approved based on the evidence submitted, the information provided in the staff report, the Fourth and Gill Guidelines and per staff recommendation and with the following conditions: 1) Corner trim boards similar to those on the main house be added; and 2) Final approval of the plans is contingent on Board of Zoning Appeals (BZA) approval for the height and lot coverage increase. Should the BZA deny the height variance to increase to 18'- 4" to the average roof pitch, then the lower height of 15' to the average roof pitch (which is required by the underlying R1-A zoning) is also recommended for approval by the HZC. The Motion was seconded by Comm. Carey. The Motion carried unanimously.

**Result:** Approved with conditions.

629 Luttrell Street – Installation of front entry elements and balustrade (8-1-17-HZ)

**Discussion:** Ms. Graybeal reviewed the staff report and staff recommendation. Applicant Taylor Grills was present and noted they apologized for not following proper procedure. He stated they accept and agree to staff

recommendation to bring the balustrade to code [and to remove the molding]. He then noted they are going to get a new door that will fit the opening and will bring any door to staff for approval.

Neighborhood representative Arin Streeter was present and noted the neighborhood is fine with staff recommendation and Mr. Grills' proposed remediation.

**Action: Comm. Carey moved that the application submitted for 629 Luttrell Street be approved based on the evidence submitted, the information provided in the staff report and per staff recommendation for the installation of a wooden balustrade and step rail with the following conditions: 1) Height to be at 36-inches and to have a baluster spacing of 4 inches on center; and 2) remove the egg-and-dart molding.**

**Approval of Mr. Grill's remediation that they will replace the existing door [and hardware] with one that fits the opening and will seek staff approval [prior to its purchase and installation]. The Motion was seconded by Comm. Cotham. The Motion carried unanimously.**

**Result:** Approved with conditions.

## **OTHER BUSINESS – CITY OF KNOXVILLE**

The Agenda as written has the review and recommendation of the Edgewood-Park City Expansion listed first, before the review and recommendation of the Design Guidelines Update.

**Action: A Motion was made by Comm. McAdams to hear comments on the Guidelines Update first. The Motion was seconded by Comm. Carey. The Motion carried unanimously.**

Ms. Graybeal gave an overview of the events that have led to the proposal of an expansion of the H-1 Overlay for the Edgewood-Park City Historic District. She reviewed the Historic Zoning Commission's (HZC) role in this rezoning process, which is that of an advisor to City Council and to make recommendations based on the historic merit and worthiness of the architecture and development history of the area to become a historic district, based on the HZC's expertise. The HZC's recommendation will move on to City Council but will be presented to the Planning Commission first. The Planning Commission will consider any impact on land use and the appropriateness of zoning for the area. She then noted the updated guidelines, if adopted, would apply to both the existing district and the expanded district as well, if approved. She reviewed the designation report for the proposed expansion area in detail, which supports MPC staff's decision to recommend approval of this expansion. She noted the majority of these properties are already included in the National Register of Historic Places. Ms. Graybeal presented slides that summarized the entire overlay process, purpose, and purview of an historic overlay. She reviewed a list of opportunities provided for public/neighborhood input for the guidelines update and proposed overlay expansion. The presentation on the Overlay Expansion and design guidelines is available online and is located here:

<http://archive.knoxmpc.org/historic/comm/agendas/Aug2017/edgewood-parkcity-expansion.pdf>

- o Review and recommendation on Edgewood-Park City H-1 Historic Zoning Overlay Design Guidelines Update to apply to both the existing H-1 overlay and proposed expansion area

**Discussion:** Ms. Graybeal reviewed the purpose of the Guidelines noting they are intended to be helpful to property owners and the HZC members as well as staff. The guidelines are not regulated by ordinance, only the requirement to obtain a Certificate of Appropriateness. Ms. Graybeal noted that guidelines, which are just that, not rules, regulations or requirements, are not prescriptive and are applied on a case-by-case basis to maintain compatibility, not to create a museum district. She further stated that the HZC has the authority to waive a guideline for unique situations where findings of fact

justify considering other options. She then noted historic overlays do not supersede the underlying zoning and use of property. She further noted the process to update the guidelines began at Parkridge neighborhood meetings back in 2014. The MPC obtained a grant from the Tennessee Historical Commission to update the design guidelines. Ms. Graybeal then presented slides which outlined a draft and highlights of the guidelines and updates in detail.

Overview of the Enhancements to the Design Guidelines includes:

- An updated history of the development of the Edgewood-Park City district
- A more detailed description of the design review process
- Recommendations for considering alternative/synthetic construction materials
- Expanded explanation of Levels of Work
- Information and recommendations concerning energy and efficiency and sustainability measures
- Information boxes that contain pointers on how to preserve and repair materials and features
- More flexibility and a checklist for Infill-construction of primary buildings and additions
- Illustrations to assist with explaining design concepts and types of architectural features
- List of Frequently Asked Questions
- List of resources
- Simplified, consistent, and more clear language

Substantive discussion ensued with HZC commissioners and community members weighing in with regards to the design guidelines update. Individuals offered an array of potential issues, challenges and opportunities pertaining to the guidelines and their proposed update.

Public Comment:

Members of the community who spoke in opposition:

Sally Seraphin, homeowner in proposed expansion area

Kennie Riffie, homeowner in proposed expansion area

Members of the community who spoke in support:

David Nix, homeowner, owns and resides in a house in the proposed expansion area, VP of Parkridge Community Organization

Lynne Sullivan, homeowner in existing district, Parkridge Community Organization Treasurer

Kim Trent, Knox Heritage, noted they have been working with the neighborhood to try and find a balance for the guidelines. They have also offered to pay for Level 1 and 2 applications to reduce any potential economic hardships. They feel that the major goal with these guideline is “do no further harm” and maintain a baseline.

Crista Cuccaro suggested that the comments and necessary clarifications heard today would likely necessitate a further internal review which may require that edits be made which would then be brought back before the HZC for consideration with these potential additional amendments. This also allows further opportunity for the HZC to weigh in on the guidelines update.

There was further discussion and clarification on the process and possible timelines for adoption of the guidelines and subsequent rezoning for the expansion. Ms. Cuccaro noted there would be two recommendations that would go to City Council: 1) a recommendation from the HZC on the historic worthiness of the proposed area for adding an H-1 Overlay and the Design Guidelines Update and 2)

a recommendation from the Planning Commission on the rezoning for the proposed expansion. She additionally noted that City Council has final legislative authority on the boundary expansion and on the adoption of the guidelines. She further clarified that although review of the guidelines update is important for the Planning Commission in their consideration on the overlay expansion, it is not required by the local code that that the Planning Commission make a recommendation on the guidelines. Further, only the HZC and the City Council actually weigh in on the guidelines update, and all three bodies weigh in on the rezoning.

Ms. Graybeal noted that Knox Heritage is planning another neighborhood meeting on the guidelines update.

The Draft Design Guideline Update presentation is available online and is located here:  
<http://archive.knoxmpc.org/historic/comm/agendas/Aug2017/edgewood-parkcity-guidelines.pdf>

**Action: Comm. Blackburn moved that the Knoxville Historic Zoning Commission postpone consideration of adoption of the Edgewood-Park City H-1 Historic Overlay Design Guidelines Update to apply for both the existing H-1 overlay and the proposed Expansion Area to the September 2017 meeting to allow for additional community input and to revisit the guidelines update per today's discussion as noted below. The Motion was seconded by Comm. Carey.**

In summary: Staff will revisit the draft Design Guidelines Update as written with regards to the talking points generated in the discussion as noted above.

- Clarifying the fiber cement board exposure, what widths are available in order to achieve a 4.5 inch exposure
- Extensive scaffolding being erected for chimney repair and whether or not that should not be the threshold in determining the feasibility of chimney repair; how to assess what is reasonable for chimney repair or rebuilding
- Pressure-treated wood should be allowable on the public right-of-way side as long as it is tongue-and-groove boards
- Include the pre-application review process in the guidelines
- Include a map of the district in the guidelines
- Further clarify whether there is an economic hardship provision
- Add wording in the materials section, or in each section on materials clarifying that in instances where there is a unique material that there be more specific language to allow for consideration of alternative materials that are compatible yet more available and feasible to utilize

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

**Result:** Postponed until the September 2017 meeting.

- Review and recommendation on Edgewood-Park City H-1 Historic Overlay Expansion

**Discussion:** Ms. Graybeal reviewed the 5 criteria necessary for a district being worthy [of an H-1 overlay] as indicated in the ordinance: it meets one or more of the following:

- That it is associated with an event that has made a significant contribution to our history

- That it includes structures associated with the lives of persons significant in our history
- That it contains structures or groups of structures which embody the distinctive characteristics of a type, period or method of construction or that represent the work of a master or possesses high artistic values, represent a significant and distinguishable entity whose components lack individual distinction,
- Archeological potential
- Listed in the National Register of Historic Places

She noted the two criteria that this area definitively meets are that 1) the structures represent distinctive characteristics of a type, period or method of construction, and 2) it is listed in the National Register of Historic Places.

Public comment:

Those members of the community who spoke in opposition:

Sally Seraphin, homeowner in proposed expansion area

Kennie Riffie, homeowner in proposed expansion area.

Those members of the community who spoke in support:

David Nix, lives and owns a house in the proposed expansion area, VP of Parkridge Community Organization

Lynne Sullivan, homeowner in existing district, Parkridge Community Organization member

Kim Trent: Knox Heritage also had a consultant [John Wampler of High Oaks Construction] price out potential projects in the district and will share that document with those interested. They are trying to offer homeowners in the district a starting point on what projects may cost.

Ms. Graybeal stated that the HZC members' role as appointees does not include assessment of the economic impact of the overlay, just the historical significance of the houses within the proposed expansion area.

*In today's discussion surrounding the guidelines update and the proposed expansion:*

Opposition centered primarily on concern about costs associated with meeting the proposed overlay guidelines and current homeowners being able to maintain their homes on lower fixed and/or very limited budgets, that all homes in the proposed expansion area are not necessarily contributing and/or significantly historic, and concern that the overlay may force current/long term owners to move out of the area.

Support centered on maintaining the neighborhood, minimally, as is, keeping absentee/other landlords/owners to a minimum level of sustainable repair, protecting the history and at least the existing value of the neighborhood as a whole.

**Action: Comm. McAdams moved that the Knoxville Historic Zoning Commission recommend approval of the Edgewood-Park City H-1 Historic Overlay Expansion to City Council as it meets the criteria of being a historic neighborhood that needs protection and currently has National Register recognition. The Motion was seconded by Comm. Cotham. The Motion carried 6-1 with Comm. Lundy voting no.**

**Result:** Recommend approval of the Edgewood-Park City H-1 district expansion to City Council.

It was noted the recommendation will go forward to City Council. Crista Cuccaro clarified that City Council would likely hear both the expansion and the design guidelines update at the same meeting.

**Action: Comm. Cotham moved to adjourn the Historic Zoning Commission meeting. The Motion was seconded by Comm. Blackburn. The Motion carried unanimously and the meeting was adjourned.**