

MINUTES

KNOX COUNTY HISTORIC ZONING COMMISSION  
KNOXVILLE HISTORIC ZONING COMMISSION

November 21, 2019

Knox County Historic Zoning Commission				
Commissioner	Present	Absent	Excused	Arrived
Bill Belser	X			
Mike Crowder	X			
George Ewart, Chair	X			
Kim Isenberg	X			
Scott Smith, Vice-Chair				X

Staff/Others Present	Affiliation
Amy Brooks	Knoxville-Knox County Planning
Lindsay Crockett	Knoxville- Knox County Planning
Laura Edmonds	Knoxville- Knox County Planning
Christina Magrans	City Law Department
Peter Ahrens	City Plans Review and Building Inspections
Bryan Berry	City Plans Review and Building Inspections
Carol Montgomery	Owner/Applicant

Knox County Historic Zoning Commission Chair George Ewart called the meeting to order at 8:30 a.m. Roll call was taken and it was noted there was a county quorum. Comm. Ewart stated that the meeting is being televised and recorded. He also asked that speakers limit their presentations to five minutes and to sign in when they reach the podium. Applicants or members of the public who wished to speak on an Agenda Item were sworn in. He further noted that any appeals to Commission decisions can be taken to Chancery Court if appealed within 60 days.

**Result:** Approved.

**Staff Reports**

None

**Reports to Commission**

There was no report to Commission.

**KNOX COUNTY CERTIFICATES OF APPROPRIATENESS**

**Concord Village HZ Overlay District**

1005 Olive Rd. / Parcel ID 153 G A 005 - Installation of solar panels (11-B-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

Carol Montgomery, 1005 Olive Road was present and made herself available for any questions or comments the Commission may have.

**Action: Comm. Crowder moved that the application submitted for 1005 Olive Road be approved based on the evidence submitted, the information provided, and per staff recommendation. The Motion was seconded by Comm. Isenberg. The Motion carried unanimously.**

**Result:** Approved.

**Other Business**

None

**Action: With there being no further business, the Knox County Historic Zoning Commission meeting adjourned at 8:36 A.M.**

<b>Knoxville Historic Zoning Commission</b>				
<b>Commissioner</b>	<b>Present</b>	<b>Absent</b>	<b>Excused</b>	<b>Arrived</b>
Rick Blackburn	X			
Bart Carey, Chair	X			
Faris Eid	X			
Casey Fox	X			
Dasha Lundy			X	
Lorie Matthews	X			
Dationa Mitchell, Vice-Chair	X			
Sandi Swilley	X			
Stanton Webster	X			

<b>Staff/Others Present</b>	<b>Affiliation</b>
Amy Brooks	Knoxville-Knox County Planning
Lindsay Crockett	Knoxville- Knox County Planning
Laura Edmonds	Knoxville- Knox County Planning
Christina Magrans	City Law Department
Peter Ahrens	City Plans Review and Building Inspections
Bryan Berry	City Plans Review and Building Inspections
Adrienne Webster	Ft. Sanders Neighborhood Representative
Kenneth R. Hamilton	Good Guys Construction, Inc.
William Wilson	Owner/Applicant
Alice Basler	Owner/Applicant
John Holmes	Owner/Applicant
Todd Morgan	Knox Heritage

Knoxville Historic Zoning Comm. Chair Bart Carey called the meeting to order at 8:36 a.m. Roll call was taken and it was noted there was a city quorum. Comm. Carey stated that the meeting is being televised and recorded. He also asked that speakers limit their presentations to five minutes and to sign in when they reach the podium. Applicants or members of the public who wished to speak on an Agenda Item were sworn in. He 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 October 17, 2019 Knoxville Historic Zoning Commission Minutes. The Motion was seconded by Comm. Matthews. The Motion carried**

**unanimously.**

**Result:** Approved.

**Staff Reports**

Lindsay Crockett reported the Level 1 Certificates approved since the last meeting.

**Reports to Commission**

There were no reports to Commission.

**KNOXVILLE CERTIFICATES OF APPROPRIATENESS**

**Morton McCrary Motors H-1 Individual Landmark**

835 N. Central St. / Parcel ID 94 D Q 032 - Full exterior rehabilitation (11-H-19-HZ)

Comm. Faris Eid recused himself from Agenda Item 11-H-19-HZ due to his architectural firm representing the proposal.

Cody Rau, Design Innovation Architects, 402 S. Gay Street, was present to discuss the application for review. Mr. Rau briefly reiterated the scope of work and design elements of the project. Mr. Rau made himself available for any questions or concerns the Commission may have regarding the project.

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

**Action: Comm. Blackburn moved that the application submitted for 835 N. Central Street be approved based on the evidence submitted, the information provided, and per staff recommendation. The Motion was seconded by Comm. Swilley. The Motion carried 7-0.**

**Result:** Approved.

**Old North Knoxville H-1**

404 E. Oklahoma Ave. / Parcel ID 81 L P 008 - Rear addition; porch modifications; replacement of front door; window modifications (11-G-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

Kenneth R. Hamilton, Good Guys Construction, Inc., 1333 Gatewood Lane, was present to discuss the application for review. Mr. Hamilton stated that he was hoping to be able to move forward with construction on the addition.

Comm. Carey explained to the applicant that the Commission needs more information on the porch construction, railing design, and placement and measurements of windows and the overall addition before making a recommendation.

Lindsay Crockett made note that she received correspondence from the Old North Knoxville Neighborhood Representative stating that the neighborhood is in agreeance with staff recommendation to postpone the request. The neighborhood would like to see drawings that better relate the work or scale. They also relayed that the proposed porch elements would not be supported by the neighborhood without conclusive proof that those porch elements were original to the home.

Brief discussion ensued amongst Commissioners.

**Action: Comm. Eid moved that the application submitted for 404 E. Oklahoma Avenue be postponed for 30 days until the December 19, 2019 Historic Zoning Commission Meeting. The Motion was seconded by Comm. Blackburn. The Motion carried unanimously.**

**Result:** Postponed.

**Ft. Sanders NC-1**

110 13th St. / Parcel ID 94 L M 012 - Construction of a new house (11-C-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

William Wilson, 120 Suburban Road, Suite 102, was present to discuss the application for review. Mr. Wilson stated that he is in agreeance with staff recommendation and made himself available to answer any questions or comments the Commission may have regarding the proposal.

Comm. Carey inquired if there's a sidewalk in front of the property along with the condition of the retaining wall and steps.

Comm. Eid requested that the Commission consider the windows directly to the left and right of the chimney be the same size, preferably larger in size and also aligned.

Ms. Crockett explained to the Commission that the applicant has already submitted revised plans in response to staff recommendation.

Adrienne Webster, 1528 Highland Avenue, Ft. Sanders Neighborhood Representative, was present and stated that the neighborhood is support of the project and in agreeance with staff recommendation. Ms. Webster also wanted to verify that an appropriate amount of parking will be provided for the number of tenants living in the proposed home.

**Action: Comm. Eid moved that the application submitted for 110 13<sup>th</sup> Street be approved based on the submitted application, per staff recommendation, adding a condition that the final window design be approved by staff, further clarifying that the design and site plan are being approved based on the guidelines. The Motion was seconded by Comm. Swilley. The Motion carried unanimously.**

**Result:** Approved.

**Ft. Sanders NC-1**

208 13th St. / Parcel ID 94 L M 032 - Demolition of non-contributing garage; rear addition; removal and reconstruction of front porch (11-F-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval. Ms. Crockett made note that the applicant has already submitted a revised rendering showing the offset in roof and exterior walls as requested in the staff report.

Alice Basler, 208 13<sup>th</sup> Street, was present and made herself available to any questions or concerns the Commission may have.

Adrienne Webster, 1528 Highland Avenue, Ft. Sanders Neighborhood Representative was present to the discuss the application for review. Ms. Webster stated that the neighborhood is in support of the project and in agreeance with staff recommendation.

**Action: Comm. Webster moved that the application for 208 13<sup>th</sup> Street be approved based on the staff findings, per staff recommendation for the offset of the rear addition and the additional window placement with approval of final window replacement by staff. The motion was seconded**

by Comm. Mitchell. The Motion carried unanimously.

**Result:** Approved.

**Ft. Sanders NC-1**

203 16th St. / Parcel ID 94 N E 016 - Rear addition (11-D-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

John Holmes, 5914 Gray Gables Drive, was present to discuss the application for review. Mr. Holmes stated that he is in agreeance the condition associated with the staff recommendation that the footprint of the proposed rear addition match that of the historic sunporch.

Comm. Blackburn raised concern as to why the proposed work is being brought before the Commission after the work has already started.

Christina Magrans, City Attorney, reiterated Mr. Holmes' comment that the Historic Preservation Planner has changed over the last year. Ms. Magrans explained to the applicant that the City is in the process of updating the plans and procedures for how things are handled within the purview of the Historic Zoning Commission. Even though in the past, the City may have not requested review of this type of project, it is required per City Code. Ms. Magrans read out the Citations which may be beneficial for Mr. Holmes to further review the policy and procedures for HZC: Appendix B, Section 5, Historic Overlay 5.1.I, NC Overlay 5.2.F. Ms. Magrans offered to sit down with Mr. Holmes outside of the meeting to further discuss any comments or questions he may have in regards to process and procedure.

Comm. Blackburn inquired if the work was done within the past 30 days, specifically since the last Historic Zoning Commission Meeting to which Lindsay Crockett answered yes. Ms. Crockett noted that the pictures projected during the meeting were not provided by the applicant but instead the City Plans Review Inspectors. Comm. Blackburn stated that the applicant has been before the Commission multiple times and should be well-versed and know not to do work without permission or prior approval from the Commission.

Ms. Crockett noted that the demolition of the sunporch was not submitted to staff as a Level I, or on the front end. The work was done without any prior approval.

Mr. Holmes assured the Commission that the addition as presently built will be torn down and rebuilt to include the six-inch offset as shown on the approved plans.

**Action: Comm. Eid moved that the application for 203 16<sup>th</sup> Street be approved based on the evidence submitted, the information provided, and per staff recommendation recognizing that this project is being approved after-the-fact and further suggesting that the Applicant seek guidance from the City Law Department to ensure compliance with the Historic Design Guidelines. The motion was seconded by Comm. Swilley. The Motion carried 7-1 (Mitchell No).**

**Result:** Approved.

**Ft. Sanders NC-1**

1610 Forest Ave. / Parcel ID 94 N E 015 - Demolition and reconstruction (11-E-19-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval.

John Holmes, 5914 Gray Gables Drive, was present to discuss the application for review. Mr. Holmes stated that the interior of the home is not under review by the Commission, and the only work that was

done without prior approval was the replacement of the foundation for the 33ft section verses the proposed repair. Mr. Holmes further explained that the replacement siding and installed sheeting was constructed per the approved elevations. He also went on to say that once construction began, it became clear that the foundation was in poor condition and non-salvageable.

Christina Magrans, City Attorney, briefly pointed out that the former application was approved for major repairs, and instead ended in full demolition. Ms. Magrans acknowledged that when working on historic homes, it's common to find structural damage once you begin the construction process. However, in the Law Department's opinion, when there was nothing left on the home besides the roof being held up by temporary brackets, the work became a demolition. This severed the prior Certificate of Appropriateness and the re-construction of the home was also not approved under the COA. With the significant damaged to this home, it's safe to say that the Commission is no longer reviewing repairs.

Lindsay Crockett reiterated that the Commission is not considering the reconstruction of the home at this date, but more so the application presented by the applicant, and the fact that the demolition completed was not covered in the July 2019 Certificate of Appropriateness.

John Holmes stated that he was under the impression that demolition was not an option in a historic district.

Gerald Green, Knoxville-Knox County Planning Director, noted that structures proposed for demolition by Ft. Sanders Hospital were granted approval for demolition earlier this year.

Comm. Webster seconded Mr. Green's comment and reiterated that the Commission has approved demolition in the Ft. Sanders neighborhood. He also pointed out that Mr. Holmes comments were not accurate or factual, and requested that the applicant use true statements moving forward in the discussion of this case. Comm. Webster inquired if there was a stop work order on the property.

Peter Ahrens, City Inspections and Review Director, answered by saying that due to safety concerns, Inspections allowed the applicant to construct a solid foundation to ensure safety of the compromised roof, but no further building permits were issued beyond stabilizing the foundation.

Further discussion ensued amongst the Commission on the work that has been done versus what was approved in the Certificate of Appropriateness.

Peter Ahrens, Chief Building Official, stated that based on the picture provided, he feels comfortable saying that this is a demolition. The application before the Commission is for repairs, which at this point in time is no longer needed because everything has been demolished besides roofing. In order to move forward, the house needs to be acknowledged as a demolition and a new application needs to be filed to rebuild. However, neither a demolition or rebuild application is before the Commission today.

Adrienne Webster, Ft. Sanders Neighborhood Representative, explained that the neighborhood would like to see the applicant held accountable for his actions, particularly for this after-the-fact demolition. Mrs. Webster went on to explain that this is the eighth contributing structure that the neighborhood has lost in 2019 alone. Ms. Webster asked the Commission how we can prevent this from happening again the future.

Comm. Blackburn answered by saying that this particular situation can be prevented from happening again if Mr. Holmes would become more engaged with the resources he's been provided with. Comm. Blackburn went on to say that either Mr. Holmes doesn't understand the process or he doesn't respect it.

Mr. Holmes stated that he felt it would be beneficial if the Commission did site visits to see the condition of the homes that he's working with. The Commission explained that they do visit the sites that come before them and if the proper paperwork is done, they would be willing to come look at items

more closely than what's visible from street view. However, it's not beneficial for the Commission to visit sites after-the-fact.

Peter Ahrens explained that a majority of historic houses are constructed with studs as framing and employ the original wood siding as both sheathing and a structural member. Once the structural siding is removed and all that remains is studs, it then becomes a demolition not a repair. Mr. Ahrens went on to say that approval of siding repair or replacement is strictly for the exterior cladding, not the removal of structural siding. When the Historic Zoning Commission approves the replacement of siding, they are under the assumption that it's the exterior cladding and not the house's structural members. Mr. Ahrens stated that the correct path forward is for Mr. Holmes is to pull an interior demolition permit, so he can start removing interior finishes to see the type of structure and level of deterioration he's dealing with. Then, when Mr. Holmes applies for a COA, the condition of the structure has already been documented and can be presented to the Commission. Mr. Ahrens stated that the path forward for Mr. Holmes is to respect the process, present staff and the Commission with accurate information, and work with them, and not around them.

Todd Morgan, Executive Director of Knox Heritage, was present to discuss the application for review. Mr. Morgan stated that the Ft. Sanders neighborhood is very important to Knox Heritage, not only because they are the Preservation Organization for the community but that they are also property owners in this neighborhood. Mr. Morgan described Ft. Sanders as the City's most stressed historic neighborhood. However, it is included on the National Register for a reason and it's extremely important to the community. Therefore, his organization looks to the community for solutions and resolutions on how to move forward with projects. Mr. Morgan explained that it was completely unnerving to drive by and see a roof with temporary bracing and everything obliterated underneath. He stated that if Mr. Holmes had reached out to the neighborhood organization with a structural report demonstrating significant damage and proposed that it be reconstructed to look similar to the historic house, then they would have been in support of the proposal. Mr. Morgan knows that the builders cannot save everything, and recognized the necessity to take a very practical approach to things. Mr. Morgan finished up by saying that Knox Heritage would be happy to provide support to Mr. Holmes and assist in finding a solution.

The Commission reiterated that they want to work together with the applicant as a team on projects. However, Mr. Holmes needs to follow due process and this is a perfect example of how things should be handled differently. If there was significant structural damage, both Lindsay Crockett and the Historic Zoning Commission should have been notified before proceeding with any further work.

Comm. Eid made note that he has experience in the renovation of historic structures and stated that the key to a successful renovation is understanding when things change in a project that may be different from what was approved and then having a discussion with staff officials before it gets any further.

**Action: Comm. Eid moved that the application for 1610 Forest Avenue be denied as submitted. The motion was seconded by Comm. Mitchell. The Motion carried unanimously.**

Result: Denied.

**Action: Comm. Blackburn moved to adjourn the Knoxville Historic Zoning Commission meeting at 10:02 A.M. The Motion was seconded by Comm. Matthews. The Motion carried unanimously and the meeting was adjourned.**