



# Meeting Minutes

Historic Zoning

August 20, 2020

4:00 P.M. | Telemeeting via Zoom

A video of this meeting will be available in the meeting archive pages here:

<https://knoxmpc.org/historic/>

KNOX COUNTY HISTORIC ZONING COMMISSION				
Commissioner	Present	Absent	Excused	Arrived
Bill Belser	N/A			
Mike Crowder	N/A			
George Ewart, Chair	N/A			
Kim Isenberg	N/A			
Scott Smith, Vice Chair	N/A			

There is no County Business this month.

Staff/Others Present	Affiliation
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

## STAFF REPORTS

None

## REPORTS TO COMMISSION

None

## Knox County Certificates of Appropriateness

None

## Other Business

None

<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>
Lindsay Crockett	Knoxville-Knox County Planning
Laura Edmonds	Knoxville-Knox County Planning
Amy Brooks	Knoxville-Knox County Planning
Christina Magrans	City Law Department
Lisa Hatfield	City law Department
Peter Ahrens	City Plans Review and Building Inspections
Bryan Berry	City Plans Review and Building Inspections
Paul Murphy	Owner/Applicant
Declan Marmion	Owner/Applicant
David Nix	Edgewood-Park City Neighborhood Representative
David Grant	Owner/Applicant
Trenton Smith	Owner/Applicant
Bob Whetsel	Fourth & Gill Neighborhood Representative
Josh Henson	Owner/Applicant
Steve Young	Oysk3 Architects
Melinda Whetsel	Fourth & Gill Neighborhood Resident
Arin Streeter	Fourth & Gill Neighborhood Representative
Adrienne Webster	Ft. Sanders Neighborhood Representative
Scott Angelius & Kelly Arsenault	Owner/Applicant
Aaron Pennington	Owner/Applicant
Sam Evans	Owner/Applicant

Knoxville Historic Zoning Comm. Chair Bart Carey called the meeting to order at 8:30 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. 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. Eid moved to approve the July 16, 2020 Knoxville Historic Zoning Commission Minutes. The Motion was seconded by Comm. Blackburn. The Motion carried unanimously.***

**RESULT:** Approved 7-0.

### **STAFF REPORTS**

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

### **REPORTS TO COMMISSION**

There was no report to Commission.

## **Knoxville Certificates of Appropriateness**

### **George Taylor House Individual H Landmark**

3128 Kingston Pk. / Parcel ID 108 H C 007 – Construction of secondary structure (8-D-20-HZ)

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

Paul Murphy, 3128 Kingston Pike, was present to discuss the application for review and made himself available for any questions or concerns the Commission may have.

**Action:** *Comm. Blackburn moved that the application submitted for 3128 Kingston Pike be approved as proposed and per staff recommendation. The Motion was seconded by Comm. Swilley.* A roll-call vote was taken. *The Motion carried unanimously.*

**Result:** Approved 7-0.

### **Edgewood-Park City H**

1708 Jefferson Ave. / Parcel ID 82 P H 003 – Demolition and reconstruction of chimneys (8-A-20-HZ)

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

Declan Marmion, 1433 Superior St., Newport Beach, CA, was present to discuss the application for review. Mr. Marmion briefly explained why the historic chimneys were removed in the first place along with his intentions to fully reconstruct them as necessary to match the original design of the house.

David Nix, 2413 E. Fifth Avenue, Edgewood-Park City Neighborhood Representative, was also present to discuss the application for review. Mr. Nix stated that the neighborhood is happy to hear that Mr. Marmion is in agreement with the request to reconstruct the chimneys. Mr. Nix would also request that the applicant submit plans of the proposed chimney reconstruction to be reviewed before final approval.

**Action:** *Comm. Eid moved that the application submitted for 1708 Jefferson Avenue be approved as proposed and per staff recommendation with the following condition: To require drawings showing details resubmitted to staff and reviewed by the neighborhood to show the final design intent for approval. The Motion was seconded by Comm. Mitchell.* A roll-call vote was taken. *The Motion carried unanimously.*

**Result:** Approved 7-0.

### **Edgewood-Park City H**

2036 Jefferson Ave. / Parcel ID 82 J T 002 – Installation of solar panels (8-H-20-HZ)

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

David Grant, 2036 Jefferson Avenue, was present to discuss the application for review. Mr. Grant did not have anything to add to the Staff Report or recommendation.

David Nix, 2413 E. Fifth Avenue, Edgewood-Park City Neighborhood Representative, stated that the neighborhood did not have any concerns with the proposed solar panels since they are not visible from the street or a permanent addition.

Commissioner Blackburn asked the applicant if they have someone in mind for the installation of the solar panels or if they plan to install them himself. Mr. Grant stated that he plans to do most of the installation himself but does plan to get an electrician involved for final review. Lastly, Comm. Blackburn inquired about whether or not the solar panels will supplement or replace the power supply to this house. Mr. Grant answered by stating that the solar panels will subsidize his power supply by roughly a 1/3 to 1/2.

**Action:** *Comm. Swilley moved that the application submitted for 2036 Jefferson Avenue be approved as proposed per staff recommendation. The Motion was seconded by Comm. Mitchell.* A roll-call vote was taken. *The Motion carried unanimously.*

**Result:** Approved 7-0.

#### Fourth and Gill H

820 N. 3rd Ave. / Parcel ID 81 M K 017 - Construction of a new house (3-G-20-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation

Trenton Smith, 708 E. Woodland Avenue, was present to discuss the application for review. Mr. Smith briefly touched on some of the comments provided by staff and the Fourth and Gill neighborhood such as front and rear setbacks, the addition of a chimney, and the alternate side view showing the gable roof on the back as recommended by staff.

Melinda Whetsel, 1015 Luttrell Street, was present to discuss the application. Ms. Whetsel stated that the Fourth & Gill Neighborhood is opposed to this application because they do not feel that the proposed house is appropriate for the historic district. Mrs. Whetsel went on to explain specific guidelines that she feels are not being met with the construction of this new house. Ms. Whetsel noted that the proposed design does not meet either of the previously stated requirements and requests that the Commission deny the request in order to uphold the Historic Guidelines and support the Fourth and Gill Neighborhood.

Arin Streeter, 925 Eleanor Street, neighborhood liaison to the HZC, was present to discuss the application on behalf of the neighborhood. Mr. Streeter stated that there are many details involved on new construction applications and it can sometimes become overwhelming to review. Mr. Streeter went on to say that the main concern arising from this application is whether or not a house this scale is appropriate in this location. Lastly, Mr. Streeter shared specific elements of the Infill Construction section of the Guidelines that should be taken into consideration during the decision-making process.

Bob Whetsel, 1015 Luttrell Street, Fourth & Gill Neighborhood Representative, was present to discuss the application for review. Mr. Whetsel wanted to highlight one more concern which is the approval of this new construction would lead to creating a new development pattern on this alley, and potentially three more houses being building on this alley, facing the fences and backing up to the interstate which would result in crowding. Therefore, Mr. Whetsel is requesting that the Commission deny the request without prejudice and ask that the applicant return with a design that is more appropriate for this location.

Lisa Hatfield, City Law Department, was present to discuss the application. Ms. Hatfield wanted to clarify that this location is an alley, even though it's named a street. Ms. Hatfield explained that there are no engineering-related restrictions on houses having their primary right-of-way access from the alley. The engineering standards do not describe the only access being from an alley, but there is no black and white restriction on the sole access being from an alley. Whether such a unique construction itself is consistent with the neighborhood guidelines is the question before the Commission, but there is no restriction on building on this property related to right-of-way access.

***Action: Comm. Blackburn moved that the application submitted for 820 N. 3<sup>rd</sup> Avenue be denied without prejudice. The Motion failed due to a lack of a second motion.***

Commission Eid wanted to recognize 829 N. 3<sup>rd</sup> Drive as a remnant house that used to face N. Third Avenue before the interstate was widened and that the house appears to be set back roughly 35-40 ft. from the alley. Mr. Eid noted that there's also another house nearby at 611 Gill Avenue which sits roughly 15-20 ft. from the alley. Mr. Eid explained that both houses are two-story houses and they appear to be about the same height, width, and massing of the proposed residence. Mr. Eid proposed that the applicant move the house back to be more closely aligned with 829 N. 3<sup>rd</sup> Drive where an original structure would have been placed before the construction of the interstate.

Brief discussion ensued amongst Commissioners on the recent naming of the alley, and the difference in setback requirements between the original houses along the alley versus the newly proposed construction.

Trenton Smith wanted to touch base on the concern that the construction of this house would create a new development pattern along the alley. Mr. Smith pointed out that there are no other lots that sit along the alley that meet the requirements to build on. Therefore, that leaves only two lots that could be purchased and combined in order to make it acceptable to build on. One more additional house being built would not result in congestion along the street as mentioned by the Neighborhood. Mr. Smith finished by saying that he feels that good efforts have been made to work with the neighborhood organization, Planning Staff, Codes, and would like to see the project move forward.

Comm. Blackburn wanted to remind the Commission that if this new construction is approved, a significant precedent will be set and the Commissioners will be bound to approve additional potential houses along this street.

***Action: Comm. Eid began his motion by noting that for the application submitted for 820 N. 3<sup>rd</sup> Avenue, the application has unique situation, wherein if this property was facing a main street and the interstate had not taken this portion of the property, then the discussion would be different. Therefore, recognizing the unique situation of this property, that the design be approved with the following conditions: The rear setback of the house from the rear property line (interstate sound wall) be waived from 25 ft. to 10 ft. – the house would move roughly 15 ft. towards the interstate, putting it***

*a closer in alignment with the house at 829 N. 3<sup>rd</sup> Ave. Referring to the applicable design guidelines, Comm. Eid quoted, new construction “should be sensitive to the patterns already in the environment and should not destroy historic relationships in the neighborhood.” Comm. Eid feels that this would not be destroying historic relationships, as the property is unique and significantly away from the other main roads. In this scenario, the new pattern was created by the construction/widening of the interstate. Also, the size of the house and massing is similar to other houses in the area which contributes to its appropriateness. Lastly, Comm. Eid reiterated that the new construction will still be respectful of the current historic relationships, as it’s such a unique situation off of the neighborhood’s main streets. Comm. Eid explained that he would rather see a house developed on this property rather than the properties remaining vacant. The Motion was seconded by Comm. Mitchell.*

Lindsay Crockett clarified that the Commission does not have the capacity to waive the setbacks requirements, and that will require the applicant to seek a variance from the BZA.

**Comm. Eid reiterated that his motion is based on the 2<sup>nd</sup> Rear (East) Elevation Alternate design for the rear porch. The Seconded Motion was confirmed by Comm. Mitchell.**

Trenton Smith stated that he understands the Commission’s thought process behind the proposed motion. However, Mr. Smith explained that he is concerned with the variance process since he’s been thought the BZA process before and they emphasized that they’re looking to meet the setback requirements of the base zoning. Therefore, Mr. Smith is worried about repeating the process and getting shuffled from Commission to Commission with an end result of denial.

Christina Magrans, City of Knoxville Attorney, briefly summarized the BZA process and how the applicant would move forward if the proposed motion is approved.

Comm. Eid added a clarification point that the distance from the N. 3<sup>rd</sup> Avenue alley to the back of the houses at 918 and 920 Eleanor Street is roughly 40 ft, so with the move of the house further towards the interstate and away from the alley, the separation will end up being the same range of about 40 ft. Chair Carey explained that rear yards are traditionally larger than the front yards in the Fourth and Gill Neighborhood.

Trenton Smith questioned whether moving the house effects the visibility of the new construction within the neighborhood and if there’s a need for it.

Comm. Eid amended his motion to clarify that the motion is based on the applicant’s ability to obtain a variance on the reduction of the front set-back facing Interstate 40 from 25 ft. down to 10 ft. and moving the house accordingly by 15 ft. If the variance fails, the motion becomes void.

Lindsay Crockett explained that since Comm. Eid’s motion is contingent on BZA’s approval, the motion would become void and Mr. Smith would have to submit a new application to come back before the Historic Zoning Commission.

With a motion and second on the floor, a roll-call vote was taken. ***The Motion carried unanimously.***

**Result:** Approved 6-1 (Rick Blackburn No).

***The Historic Zoning Commission took a short break and returned at 10:15 a.m.***

### Fort Sanders NC

1702 Highland Ave. / Parcel ID 94 N L 016 – Exterior rehabilitation; additions (8-J-20-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 Mrs. Crockett explained the proposed work very well and made himself available for any questions the Commission may have. Mr. Holmes offered his appreciation to the Commission for visiting the property to view the deteriorating condition of the interior of the house. He went on to say that it's been condemned by City of Knoxville and does a demolition order on it, which is currently on hold. However, Mr. Holmes feels that the property is salvageable and several elements of the house can be restored such as the original brick and openings on the prominent front porch.

Adrienne Webster, 1428 Highland Avenue, Fort Sanders Neighborhood Representative, was present to discuss the application. Mrs. Webster asked how many rooms the applicant is proposing. Mr. Holmes answered by saying that he not sure how many rooms there will be as they are still working on the floor plan. However, he did say that the house will only be two apartments instead of the six apartments it previously was. Mr. Holmes stated that there will be six parking spaces in the rear of the apartment along the alley way, which is two more than the four spaces that's required.

Comm. Matthews stated that she's pleased to see that Mr. Holmes plans to restore the character defining wrap-around porch on the house.

**Action:** *Comm. Eid moved that the application submitted for 1702 Highland Avenue be approved as proposed and per staff recommendation. The Motion was seconded by Comm. Matthews.* A roll-call vote was taken. **The Motion carried unanimously.**

**Result:** Approved 6-0. *Commissioner Mitchell was away from the computer.*

### Fort Sanders NC

1720 Laurel Ave. / Parcel ID 094 N K 012 – Construction of a new house (8-L-20-HZ)

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

Josh Henson, 3640 Rankin Ferry Loop, was present to discuss the application for review and stated that he's excited to move forward with the project.

Adrienne Webster, 1428 Highland Avenue, Fort Sanders Neighborhood Representative, was present. Mr. Webster explained that she did not have any questions on the proposed project.

Chair Bart Carey began the discussion by saying that it may have been beneficial for the applicant to have held a workshop prior to coming before the Commission for final review since it's a new construction and there are several aspects being reviewed that may not be appropriate in this historic neighborhood.

Brief discussion ensued amongst Commission on whether or not the proposed basement is appropriate for this house and located.

Steve Young, Oysk3 Architects, 1545 Western Avenue, was also present. Mr. Young clarified that the basement level of the house is at-grade, so they did not build it up. Mr. Young further explained the proposed exterior elevations and the grade level of the house.

Chair Bart Carey raised some concerns about the pitch of the roof, number of dormers, and the location and scale of the dormers on the roof.

Commissioner Eid suggested the applicant hold a workshop to further compare the dimensions of the grade at street level and house level up to the eave lines to better determine the massing of the house. Mr. Eid recommended that the Commission use the workshop to discuss further details of the new construction such as the topography, berm, and potential use of window wells, to help the overall massing be more in line with the adjoining houses and surrounding area.

**Action:** *Comm. Eid moved that the application submitted for 1720 Laurel Avenue be denied without prejudice allowing the applicant to schedule a workshop. The Motion was seconded by Comm. Blackburn.* A roll-call vote was taken. *The Motion carried unanimously.*

**Result:** Approved 7-0

**Comm. Eid left the meeting at 10:50 a.m.**

#### **Old North Knoxville H**

417 E. Oklahoma Ave. / Parcel ID 81 L W 020 – Exterior rehabilitation; additions (8-J-20-HZ)

**Discussion:** Lindsay Crockett reviewed the staff report and staff recommendation of approval. Ms. Crockett informed the Commission that the Applicant will not be present today. Ms. Crockett read a written letter of support from James Pierce, Old North Knoxville Neighborhood Representative expressing his support of staff’s findings for approval of the window repair.

**Action:** *Comm. Blackburn moved that the application submitted for 417 E. Oklahoma Ave. be approved as proposed per staff recommendation. The Motion was seconded by Comm. Fox.* A roll-call vote was taken. *The Motion carried unanimously.*

**Result:** Approved 6-0

#### **Old North Knoxville H**

215 E. Oklahoma Ave. / Parcel ID 81 L S 019 – Porch flooring replacement; porch column repair (8-B-20-HZ)

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

Scott Angelus & Kelly Arsenault, 215 E. Oklahoma Avenue, were present to discuss the application for review. Mr. Angelus did not have anything to add to Lindsay’s review but made himself available for any questions the Commission may have. Mr. Angelus briefly stated that he does not feel comfortable painting the second level porch flooring especially since it’s not visible from the street and based on prior experience, the paint would deteriorate quickly due to the exposure of the outdoor elements.



Ms. Crockett read a written letter from James Pierce, Old North Knoxville Neighborhood Representative expressing his support of staff's findings for approval of this application. They did want to note that this flooring material does remain experimental and are interested to see how this flooring appears in the future and how this material will reflect the appearance of natural wood floors.

**Action:** *Comm. Matthew moved that for the application submitted for 215 E. Oklahoma Ave., be approved as submitted and per staff recommendation, but removing the condition that the composite flooring material be painted to reduce sheen. The Motion was seconded by Comm. Swilley.* A roll-call vote was taken. **The Motion carried unanimously.**

**Result:** Approved 6-0

### Old North Knoxville H

215 W. Glenwood Ave. / Parcel ID 81 L F 027 – Addition; modifications to outbuilding (8-K-20-HZ)

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

Aaron Pennington, 935 Eleanor Street, was present to discuss the application for review. Mr. Pennington stated that Ms. Crockett did an excellent job summarizing the modifications to the carriage house and addition. However, Mr. Pennington wanted to reiterate that the main modification being made to the carriage house is the addition of the single dormer that faces out towards the alley. Their goal is to try to bring more natural light into the interior of the carriage house.

Ms. Crockett read a written letter from James Pierce, Old North Knoxville Neighborhood Representative expressing his support of staff's findings for approval of this application. The neighborhood wanted to verify that there would be some offset or vertical trim to distinguish the addition from the original structure. There were additional comments on how the metal roof will join the existing roof. Lastly, Mr. Pierce stated that the plans show careful thought and attention to the scale, massing and character of the addition relating to the main structure.

Brief discussion ensued amongst Commission on the concerns brought to attention by the neighborhood.

**Comm. Lorie Matthews left the meeting at 11:17 a.m.**

**Action:** *Comm. Blackburn moved that the application submitted for 215 W. Glenwood Avenue be approved as proposed and per staff recommendation. The Motion was seconded by Comm. Fox.* A roll-call vote was taken. **The Motion carried unanimously.**

**Result:** Approved 5-0.

### Old North Knoxville H

1232 Armstrong Ave. / Parcel ID 81 L M 012 – Removal of chimney (8-M-20-HZ)

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

Sam Evans, 1232 Armstrong Avenue, was present to discuss the application for review. Mr. Evans wanted to reiterate what the contractor said which is repairing the foundation for the chimney at this point would cause other foundation problems. Since the house was built in the 1920's, quotes given by local contractors to stabilize the foundation for the chimney is extremely costly and not safe. Mr. Evans explained that there is also issues with the stabilizing equipment not being compatible with the house due to its age. Therefore, the applicant is requesting the removal of the chimney since stabilizing it could impact the entire house.

Mrs. Crockett read a written letter from James Pierce, Old North Knoxville Neighborhood Representative expressing his support of staff's findings and recommendation of denial of this application. Mr. Pierce stated that the neighborhood would like to see the chimney retained.

Chair Bart Carey asked Staff if the applicant could still maintain the exterior architectural integrity of the chimney by creating a false chimney from framing and synthetic brick veneer, and if it could be constructed in order to meet the guidelines. Mrs. Crockett confirmed that option would be appropriate.

Brief discussion ensued amongst Commissioners on the possible reconstruction of a false chimney.

The applicant stated that he's in agreeance with removing the chimney below the roof line and putting a façade up to maintain the front facing chimney's view from the house.

***Action: Comm. Blackburn moved that the application submitted for 1232 Armstrong Avenue be approved based on the removal of the chimney below the roof line and to replace it with a same size in dimension and height chimney with appropriate synthetic nonstructural brick to meet the neighborhoods request. The Motion was seconded by Comm. Fox. A roll-call vote was taken. The Motion carried unanimously.***

**Result:** Approved 5-0.

***Action: Comm. Blackburn moved to adjourn the Knoxville Historic Zoning Commission meeting at 11:26 a.m. The Motion was seconded by Comm. Fox. The Motion carried unanimously and the meeting was adjourned.***