

**FRANKLIN HISTORIC ZONING COMMISSION
MINUTES
NOVEMBER 9, 2020**

The Franklin Historic Zoning Commission its regular scheduled meeting on Monday, November 9, 2020, at 5:00 pm in the City Hall Boardroom at 109 Third Avenue South.

Members Present: Kelly Baker
Susan Besser
Jeff Carson
Mike Hathaway
Brian Laster
Lisa Marquardt
Mary Pearce (joined after Minutes vote)
Jim Roberts
Ken Scalf

Staff Present: Amanda Rose, Planning & Sustainability Department
Kelly Dannenfeler, Planning & Sustainability Department
Kelli Gibson, Planning & Sustainability Department
Maricruz Fincher, Law Department

Call to Order

Chair Roberts called the November 9, 2020, meeting to order at 5:00 pm.

RESOLUTION 2020-228

Consideration of Resolution 2020-228, “A Resolution Declaring That The Historic Zoning Commission Shall Meet On November 9, 2020, And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare of Tennesseans In Light Of The COVID-19 Outbreak”

Ms. Marquardt moved to approve Resolution 2020-228. Mr. Scalf seconded the motion and the motion carried 8-0.

Chair Roberts read the following:

The City will restrict physical access in the meeting room to a small number of staff members due to current limitations on public gatherings to prevent further spread of COVID-19 and to protect the health, safety, and welfare of City of Franklin officials, staff, and citizens. Accommodations have been made to ensure that the public is still able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • The

public may call in to the conference meeting 1-312-626-6799; Meeting ID: 917 4713 5941; Password: 572017. Callers will be unmuted and given the opportunity to comment during the meeting at specific times. • Limited viewing will be available in the lobby of City Hall to watch the live video. • The public may email comments to planningintake@franklintn.gov to be provided in full to the Commission and included in the minutes but not read aloud in their entirety during the meeting. Emailed comments will be accepted until 12:00pm noon on the day of the meeting. • Share your official comment with the agenda item number specified in the comment section of the Facebook or YouTube live videos.

Minutes: October 12, 2020

Ms. Besser moved to approve the October 12, 2020 minutes as submitted. Mr. Laster seconded the motion, and the motion carried 8-0.

Consideration of Requests to place non-agenda emergency items on the agenda.

Ms. Rose stated there is an applicant who would like the commission to consider a non-agenda item. Ms. Rose explained the process to add a non-agenda item to the agenda, stating that it must be an emergency item and that a unanimous vote from the commission is required in order for the item to be added to tonight's meeting agenda.

Mr. Neil Paez stated he is the pastor of My Father's House on South Margin and Fourth Avenue. Mr. Paez stated they got excited and decided to paint the church, which is made out of bricks. Mr. Paez stated it is an old church and that they decided to beautify it and thus decided to paint the brick. Mr. Paez stated they forgot completely about getting a Certificate of Appropriateness from this Commission and that they then received an order to stop the work. Mr. Paez stated to try and reverse the painting is nearly impossible and that they are over fifty percent complete with the priming process. Mr. Paez stated they consider this a situation that they must solve due to it getting closer to winter, and he stated that they cannot postpone it due to the weather. Mr. Paez stated he wanted to submit this request to see how the City can help him to solve the problem. Mr. Paez stated they did not request permission, or a certificate, and they are halfway through priming the building. Mr. Paez stated he was open to any questions.

Chair Roberts asked Mr. Paez to confirm that they were over fifty percent through with priming the building.

Mr. Paez stated that was correct and that they started on October 31st.

Chair Roberts asked if they are trying to get this done before winter sets in and if that is the reason for the emergency.

Mr. Paez stated exactly.

Chair Roberts stated he would entertain a motion.

Mr. Carson moved to allow this item as an emergency item on tonight's agenda. Ms. Marquardt seconded the motion.

Ms. Baker requested to know how delaying this would harm the building.

Mr. Paez stated they have a stop order, and if they go through the regular procedure, it will be too cold.

Ms. Baker stated she is just not familiar with leaving partially painted brick unpainted as a problem. Ms. Baker stated that the bylaws state we would approve adding the item to the agenda if it would prevent unwanted damage but that she does not see what the damage is.

Ms. Besser stated the building has been primed or mostly primed, and our ordinance states that you are to not to paint brick that has not previously been painted. Ms. Besser stated what we are talking about here is if this primer can be removed and take the building back to what it was. Ms. Besser requested to know if there is something they can do, and otherwise, she is not sure this is something the commission needs to consider.

Ms. Rose stated the Commission must consider approval or denial of the action due to the reasons Mr. Paez stated. Ms. Rose noted she is researching to see if primer can be removed from brick.

Chair Roberts stated we must decide whether to put the item on the agenda or not.

The motion was denied due to a 6-3 vote, with Mr. Laster, Ms. Pearce, and Mr. Scalf voting no.

Citizens Comments on Items Not on the Agenda

Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Historic Zoning Commission shall make no decisions or consideration of action of citizen comments, except to refer the matter to the Planning Director for administrative consideration, or to schedule the matter for Historic Zoning Commission consideration at a later date.

No one requested to add anything to the Agenda.

Item 1:

Consideration of Recommendation Request for Proposed Revision to the Huffines Property PUD Subdivision, located at 1343 Huffines Ridge Dr.; Gamble Design Collaborative, Applicant.

Ms. Rose stated the applicant is requesting a recommendation from the Historic Zoning Commission concerning a proposed revision to the Huffines Property PUD Subdivision, located at 1343 Huffines Ridge Dr. Ms. Rose stated the property is in the Historic Preservation Overlay (HPO) due to its association with the historic John Henry Carothers House. Ms. Rose stated the requested recommendation will be forwarded to the Franklin Municipal Planning Commission

(FMPC) and the Board of Mayor and Aldermen (BOMA) for its consideration. Ms. Rose stated the applicant appeared before the Design Review Committee to discuss the proposal at its October 19, 2020 meeting.

Ms. Rose stated a development plan has been approved for the Huffines Property, which includes the John Henry Carothers House. Ms. Rose stated the Carothers House is a ca. 1937 stone farmhouse that is listed on the National Register of Historic Places as an excellent example of a residence built by an African American Tennessee farmer. Ms. Rose stated it also represents local adaptation of stock building plans using native materials. Ms. Rose stated at the time of that the development plan was considered and approved, a previous version of the Franklin Zoning Ordinance was in place, so the development plan is vested under that document. Ms. Rose stated the Historic Zoning Commission (HZC) considered Section 5.7 of the document, which pertains to Protection of Historic Lands and Structures. Ms. Rose stated the purpose of the section is to protect freestanding historic lands and structures typically located outside of historic districts from negative visual impacts associated with new development occurring in their proximity. Ms. Rose stated the standards apply to new development on lots containing or adjacent to National Register-listed or eligible properties. Ms. Rose stated the standards require that a landscape buffer or an Integration Approach treatment be included.

Ms. Rose stated the development includes a mix of uses, with a hotel, office space, and residential and retail components. Ms. Rose stated it also maintains the existing trees within the Hilltop Hillside Overlay (HHO). Ms. Rose stated because preservation and maintenance of the historic Carothers House is of utmost importance, the property owner agreed to rezone the historic house and identified property around it to HPO as part of the existing development plan approval. Ms. Rose stated the property owner has also agreed to dedicate this land to the City of Franklin for the creation of a public park. Ms. Rose stated while the new buildings are not proposed to be architecturally sensitive to the historic house, the applicant is proposing to lessen parking areas near the historic house. Ms. Rose stated interpretative signs are proposed to be installed to celebrate the history of the Carothers property. Ms. Rose stated stone walls are proposed to be restored and maintained where possible. Ms. Rose stated ultimately, the HZC approved the preservation strategy, as proposed, as it found that it constituted a combination of the approaches outlined in Section 5.7 and was most appropriate for the site, given its topographic constraints and consistency with Envision Franklin.

Ms. Rose stated due to some infrastructure issues involving a water utility district, the applicant is seeking to alter the alignment of the secondary access that was approved originally on the site. Ms. Rose stated this access, as approved, roughly aligned with the original driveway of the Carothers House and connected to Huffines Ridge Dr. Ms. Rose stated the issue will not allow for an improved full connection between this street and Huffines Ridge Dr. at this time, so the applicant is proposing to alter the roadway alignment, which would result in the creation of a hammerhead or “T” near the historic house.

Ms. Rose stated the applicant has worked with staff to outline several options to address the issue while maintaining sensitivity to the historic site and setting of the Carothers House. Ms. Rose stated while staff is hopeful that an agreement can be made with the third party at some point in

order to allow the full connector, it finds that the proposed solution is the most respectful to the site as can be configured while maintaining the intent of the HZC's previous approval and while also continuing to implement necessary important life safety and traffic functionality considerations.

Ms. Rose stated it is recommended that the Historic Zoning Commission provide a favorable recommendation to the FMPC and BOMA for the proposed revision to the Huffines Property PUD Subdivision, with the following:

1. The applicant should utilize landscape around the hammerhead in order to soften its appearance from the historic house and from Huffines Ridge Dr.

Chair Roberts requested to know if the applicant would like to speak on behalf of the item.

Mr. Jeff Rosziak thanked everyone. Mr. Rosziak shared his screen and stated Ms. Rose did a great job presenting and that he would be brief. Mr. Rosziak stated they have before the Commission as a last-resort kind of scenario where we started coordination with the utility districts some twenty months ago and had hoped to resolve the water line issue well before now, but we have been unable to do so. Mr. Rosziak stated he would briefly explain the development plan and stated you can see the approved master plan and kind of center of the site, and we have highlighted the infrastructure that is going through the site and connecting to the adjacent sites. Mr. Rosziak stated this is the approved development, which was projected. Mr. Rosziak stated it was important to note we are not asking for any revisions to the entitlements approved as the development plan stands today. Mr. Rosziak stated it is a six story apartment building, parking building with a parking deck, office building, hotel, and of course, this development plan established the ten-acre park that has been granted in the HPO as well, and we are still proposing all the improvements to the John Carothers house.

Mr. Rosziak stated that the development plan itself is not changing, but as we move through the development plan process and into the site plan process, a couple of issues were discovered, the first being that the intersection of Ezell and our proposed connection through the site to Huffines and through another approved connection to Carothers Parkway, called Southstar Drive. Mr. Rosziak stated that those were deemed to be too close together, so in our site plan, we proposed a revision that made that connection an emergency connection only, as you can see on the south side of our site, and sort of flip-flopped the site, so you could see the connection from Aureum to Huffines was north of the building. Mr. Rosziak stated as we moved to that solution, we discovered that the installation of a Milcrofton waterline, and the elevation of which that waterline was installed created a problem with the engineering of Huffines Ridge, where we really couldn't make that connection and make the required K values, which are the speed over the crest of the hill that Huffines creates at this intersection. Mr. Rosziak stated we couldn't meet engineering standards and not impact the water line. Mr. Rosziak stated we have worked for a long time to realign the water line but it just became impossible, and so what we have before you today is this development plan revision that eliminates that connection and creates a hammerhead, a "T" intersection, and we hope this may become a temporary condition but we are presenting it as a development plan revision. Mr. Rosziak stated that in the event it might be a

permanent condition—as we continue to work on this and hope this is not the end solution—but this is the proposed development plan revision that is before you. Mr. Rosziak stated that one item he did want to point out is in the process of the several development plans that have come in from south to north, being Carothers Crossing West or our site Aureum Drive, and that has become clearly a major connection and he thinks that has reduced the need of our connection to Huffines Ridge, so we think that makes this solution a little bit more palpable. Mr. Rosziak stated he just wanted to point out that context. Mr. Rosziak stated he was happy to answer any questions and that Mr. Evan Vlaeminck was on the line as well to answer any questions.

Chair Roberts requested to know if there were any citizen comments, and there were none.

Mr. Laster moved that the Franklin Historic Zoning Commission recommend the proposed revision to the Huffine property PUD with staff comments. Ms. Pearce seconded the motion.

Ms. Baker stated she appreciates the problems that have been encountered and the applicant's designs to fix the issue by coming up with something feasible with City staff. Ms. Baker stated her concern is that this really reduces access to the historic resource and reduces the visibility and prominence that we had hoped for it, and so even though she appreciates the infrastructure considerations, part of her is very conflicted because it seems to be at the cost of the historic resource.

Ms. Besser stated she would second Ms. Baker's concerns.

Mr. Laster stated sometimes that sometimes places are pass-throughs and sometimes they are destinations. Mr. Laster stated there could be a positive benefit in the way that it is now designed, as the John Henry Carothers property becomes a destination rather than something that is just passed through.

The motion carried 7-2, with Ms. Baker and Ms. Besser voting no.

Item 2:

Consideration of Rear Deck at 319 N. Margin St.; Chris Jones, Applicant.

Ms. Gibson stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of a rear deck at 319 N. Margin St. Ms. Gibson stated the proposed deck will be composed of waterproof trex material due to its location in the floodplain. Steps will connect the rear door to the deck area.

Ms. Gibson stated the applicant appeared before the Design Review Committee at its October 19, 2020 meeting to discuss the proposal. Ms. Gibson stated that some DRC members spoke favorably of the placement of pervious, at-grade pavers with a landing and steps in place of a deck. Ms. Gibson stated the *Guidelines* support the placement of porches or decks on rear or less visible elevations, but also recommend that lot coverage not exceed 35 percent in specified residential zoning districts, including OR, as measured by building footprint (p.55, #5 and p. 79, #7 and #9). Ms. Gibson stated the existing building coverage on the subject property is 42.6

percent, and the addition of the proposed rear deck would increase coverage to 47.7 percent. Ms. Gibson stated as the existing lot coverage exceeds the coverage recommended in the *Guidelines*, any deck addition would be higher than the recommendations for total lot coverage. Building codes require a form of rear egress with steps and a landing. Ms. Gibson stated Staff consulted with Building and Neighborhood Services (BNS) and determined that the use of pavers would not be approved for a permit due to the property's location in the FFO and the fact that it currently exceeds the required Landscape Surface Area percentage. Ms. Gibson stated due to these reasons, a deck or landing with steps is the most viable option for the applicant.

Ms. Gibson stated Building and Neighborhood Services staff has advised that a guardrail will be required, and the deck must allow water to flow through or will be required to include vents. Additionally, BNS staff recommended that the deck be freestanding (not attached to the structure) but secured to prevent flotation and give the appearance of being attached to the house. Ms. Gibson stated the proposed deck material (Trex) meets the requirements for rot-resistant materials. The proposed plan presents the most viable option due to the floodplain limitations and code requirements for the property.

Ms. Gibson stated it is recommended that the Historic Zoning Commission approve the proposed rear deck, as follows:

1. The required guardrail must be composed of rot-resistant material.
2. The application must meet all the requirements of the Building & Neighborhood Services Department, and any changes must be returned to the Historic Zoning Commission for review and approval.

Mr. Hathaway recused himself from this item.

Chair Roberts requested to know if the applicant would like to speak on behalf of the item.

Mr. Jones stated he believed Ms. Gibson did a great job summarizing the application. Mr. Jones stated he was happy to answer any questions and stated the pictures were the best overall of what the deck would look like as proposed to having a traditional deck that sat up thirty inches and had traditional hand rails. Mr. Jones stated they went with something of a little bit lower profile since they are exceeding the guidelines as far as square footage versus the lot size.

Chair Roberts stated for the commission's purposes, the photographs are more reflective of what is intended than what the drawings in the packet show, which were not revised.

Mr. Jones stated that was correct.

Chair Roberts requested to know if there were any citizen comments, and there were none.

Ms. Besser move to recommend the Historic Zoning Commission approve the proposed rear deck with the required guard rail being composed of rot-resistant material. Mr. Scalf seconded the motion.

Ms. Pearce stated she would like to offer an amendment that the design of the deck come back to staff for approval. Mr. Scalf seconded the motion, and the motion carried 8-0.

With the main motion having been made and amended, the motion carried 8-0.

Item 3:

Consideration of Alterations (Accessory) at 419 Boyd Mill Ave.; Durden Architecture, Applicant.

Ms. Gibson stated the applicant is requesting a Certificate of Appropriateness (COA) for alterations to the accessory structure at 419 Boyd Mill Avenue, as follows:

- Roof material alteration on the garage accessory structure and approved garage addition
- Replacement of the garage doors
- Addition of an upper-story window and pergola on the garage façade.

Ms. Gibson stated the applicant appeared before the Design Review Committee at its October 19, 2020, meeting.

Ms. Gibson stated the applicant is requesting to add standing seam metal roofing to the garage accessory structure and approved garage addition. Ms. Gibson stated the garage is modern and non-contributing to the historic district. Ms. Gibson stated the *Guidelines* state that architectural details on accessory structures should complement, but not visually compete with, the character of the principal structure (p.64, #4). Ms. Gibson stated standing seam metal is an appropriate roof material for both the garage and the approved garage addition, as the roof material would allow the entire structure to appear more subordinate and does not historicize the building (p.64, #4 and p. 48, #3).

Ms. Gibson stated the proposed alterations also include the replacement of the garage doors with wooden carriage style doors, the addition of an upper story window, and the addition of a pergola located on the façade above the garage doors. Ms. Gibson stated the material of the proposed pergola was not specified in the application documents. Ms. Gibson stated the proposed replacement garage doors are consistent with the *Guidelines*, which state that garage doors should have similar proportions and materials as those traditionally found within the historic district (p. 64, #6.). Ms. Gibson stated the applicant is proposing a different window style to the one previously approved. Ms. Gibson stated the proposed window is consistent with the *Guidelines*, which recommend that windows for infill structures should relate to the architectural style of the structure or those found on neighboring buildings. Ms. Gibson stated the proposed pergola does not occupy a significant amount of space on the building and will not be highly visible from the street. Ms. Gibson stated for these reasons, the proposed pergola is consistent with the recommendation that accessory structures be designed simply (p. 64 #4).

Ms. Gibson stated it is recommended that the Historic Zoning Commission approve with conditions the proposed alterations as follows:

1. The garage pergola should be composed of wood for consistency with the *Guidelines*.
2. The application must meet all the requirements of the Building & Neighborhood Services Department, and any additional changes to the approved plans must be returned to staff or the Historic Zoning Commission for review and approval.

Chair Roberts requested to know if the applicant would like to speak on behalf of the item.

Mr. Durden stated thank you for seeing us again and stated they had a good meeting last month, but when we took off the overhang and added the double hung window, it just looked too big on that blank façade of the garage. Mr. Durden requested the existing design be projected and stated the idea was that when we took that off the owner's den looked right into this, and they wanted the scale played down a little bit and we were talking about putting an overhang over it, and when it was brought to the Design Review Committee, we wanted an overhang and so everyone saw a pergola that we had a photograph of so the landscape architect suggested adding the pergola. Mr. Durden stated it sounded like everyone wanted the pergola and not the overhang. Mr. Durden explained the owners wanted the landscape to start in their driveway so the pergola seemed like a good idea, so they submitted the pergola, and then the owners were out walking the other night and saw a historic site on Third and South Margin with an overhang over their garage, and the owners wanted to know why they couldn't have an overhang over their garage. Mr. Durden stated they thought the overhang looked better than the pergola because it wasn't so lazy and arbor-like. Mr. Durden stated now they are kind of back thinking can we put, if you can imagine, a standing seam on the brackets instead of that being a pergola. Mr. Durden questioned if they could we go to an overhang, with like a standing seam metal on it. Mr. Durden stated he knows they did not present it, but it was after the fact. Mr. Durden requested to see the picture of Third and South Margin. Mr. Durden stated from this photo you can kind of see in the back of this house that was kind of the entry they want. Mr. Durden stated the owners brought this picture to him and he told them they already turned in the pergola and knew it was going to be a conflict but we have already applied for the permit so we could work the details out with staff if the commission thinks it is a good idea we could go with an overhang like this without the curve and the swoop or not the hips but very simple. Mr. Durden stated with it not being a historic garage we are wondering if we could do something very similar to this and very similar to the pergola but go with a standing seam metal.

Mr. Durden stated the window is just a little bit more proportioned than the big double hung window. Mr. Durden stated the standing seam they are talking about was already approved from the previous submittal when the roof was approved. Mr. Durden stated they are trying to get the cedar shingles but at the DRC meeting no one thought that was a good idea, so we did not even propose it and that they are leaving it as a standing seam metal. Mr. Durden stated he just wanted to clear the standing seam roof up.

Chair Roberts requested to know if the standing seam roof was already approved.

Mr. Durden stated yes.

Ms. Gibson stated one of the conditions of approval was that the applicant work with staff to choose an appropriate roofing material such as standing seam metal or asphalt shingle. Ms. Gibson stated it was not directly approved but the applicant could work with staff to select an appropriate material.

Chair Roberts stated so that is not part of what we are dealing with right now. Chair Roberts stated we are looking at the pergola, change in the garage doors, and the change in the window.

Mr. Durden stated correct, and the one change you are seeing is the pergola, and we would like to see if we can put a standing seam roof on the pergola. Mr. Durden stated it would look very similar but with a metal roof.

Chair Roberts stated they must deal with what has been put before us tonight.

Mr. Durden stated okay.

Chair Roberts requested to know if there were any citizen comments, and there were none.

Ms. Baker moved to approve with conditions a Certificate of Appropriateness for the proposed alterations. Mr. Carson seconded the motion.

Ms. Baker made it clear she was basing her motion on what was presented from the staff report in the packet.

Ms. Pearce requested to know if it would be appropriate that we could offer an amended motion that instead of the pergola, there be a simple shed with a metal roof that goes across the top, and that it be brought to staff for approval.

Chair Roberts stated we needed to vote on the existing and then if the applicants want to modify it, they can do that separately at a separate meeting.

Ms. Dannenfelsler stated she would like to get Ms. Fincher's opinion on the possible amendment and asked the question.

Ms. Fincher stated that she is not being familiar with the architectural significance or logistically how that works, and she asked if the pergola part of the original application.

Chair Roberts stated it is part of this application tonight.

Mr. Durden stated the standing seam was part of the original application.

Ms. Fincher requested to know if the amendment was to change an aspect of the pergola.

Chair Roberts stated it is to change the pergola to a different type of awning.

Ms. Fincher stated she believes an amendment can be done since it is part of the same application.

Chair Roberts stated then it will be permissible to present it to staff for approval.

Ms. Fincher asked if the nature of the application is being changed.

Chair Roberts stated yes.

Ms. Fincher stated that staff has not been able to evaluate or provide a recommendation on that change. Ms. Fincher directed her statement to Ms. Rose.

Ms. Rose stated they could provide a little bit of background and stated the application originally included the overhang, and it was recommended the overhang be removed, and that is what the commission approved. Ms. Rose stated now the applicant is requesting a pergola-type structure in lieu of an overhang within tonight's application, and Ms. Pearce is asking if it is possible to amend the existing motion on the floor so that instead of a pergola it is an overhang, an awning-type overhang.

Ms. Fincher stated an amendment can be made if Ms. Rose can comment on as far as whether it meets the guidelines or not. Ms. Fincher stated if staff can provide comment, the amendment can be made, if in agreement by staff.

Ms. Gibson stated a few months ago, the applicant submitted the half-story addition with an overhang, which the applicant is requesting now. Ms. Gibson stated a condition of approval was to remove the overhang because staff felt it was not consistent with the guidelines. Ms. Gibson stated at this point staff cannot recommend approval of the overhang.

Chair Roberts stated the keyword here is simple, and it has been discussed at a couple of DRC meetings. Chair Roberts stated they thought the pergola would be a softening type of structure, or awning, if you will, and that is where we are tonight.

Mr. Durden stated they have made simplifications from the original denied awning. Mr. Durden stated so with the pergola, we are talking about raising the standing seam just a little bit, not as high as the other one we just showed you, and so it has been very simplified. Mr. Durden stated from the street, he doesn't think you can tell if it is a pergola or a metal roof. Mr. Durden stated the overhang would do the same thing as the pergola.

Ms. Pearce moved to amend the motion to have staff review a simple metal awning for approval. Mr. Laster seconded the motion, and the motion carried.

Ms. Besser stated this is so similar to what they brought before, and we asked them to change it, and she stated it bothers her that we are going back to that in the middle of a Historic Zoning meeting. Ms. Besser stated she cannot support this.

Mr. Laster stated he appreciated Ms. Besser's comment but that these homeowners obviously love their historic home, and if we support them in what they want and it meets the guidelines, he is for it.

The amendment carried with a vote of 7-2, with Ms. Baker and Ms. Besser voting no.

With the main motion having been amended, it carried 9-0.

Item 4:

Consideration of Fencing at 902 W. Main St.; Dan Apple, Applicant.

Ms. Gibson stated the applicant is requesting a Certificate of Appropriateness (COA) for the construction of fencing at 902 W. Main St. Ms. Gibson stated the proposal consists of wooden plank fencing along the property line located on the south side of the parcel. Ms. Gibson stated the fencing will begin at the rear corner of the existing porte cochere and is recessed 16 feet behind the plane of the primary façade of the dwelling. Ms. Gibson stated the proposed fencing measures 6 feet in height and is composed of cedar. Ms. Gibson stated the proposed fencing style (wooden plank privacy fencing) is consistent with the *Guidelines*, which recommend that fence materials be compatible with the surface materials of the building and maintain the range of materials historically present in the district (p.58, #6). Ms. Gibson stated the height of the fencing (6 feet) is also consistent with the *Guidelines*. Ms. Gibson stated the location of the fencing (16 feet from the plane of the residence's primary façade) is not consistent with the *Guidelines*, which recommend that wooden plank fences be recessed 20 feet from the plane of the residence's primary façade (p. 59, #8). Ms. Gibson stated the intent of the *Guidelines* is to prevent the placement of wooden plank fencing in primary yards and other areas readily visible from the street. Ms. Gibson stated the proposed fencing would begin in the side yard of the property behind the porte a cochere and would extend into the rear yard. Ms. Gibson stated the fencing as proposed would be recessed from public view and the location aligns well with the architectural features of the principal structure.

Ms. Gibson stated it is recommended that the Historic Zoning Commission approve the proposed fencing, as follows:

1. The application must meet all the requirements of the Building & Neighborhood Services Department, and any changes must be returned to the Historic Zoning Commission for review and approval.

Chair Roberts requested to know if the applicant would like to speak on behalf of the item.

Mr. Apple stated he had nothing to add but was happy to answer any questions.

Chair Roberts requested to know if there were any citizen comments, and there were none.

Ms. Marquardt moved to approve a Certificate of Appropriateness for the proposed fencing. Mr. Carson seconded the motion, and the motion carried 9-0.

Item 5:

Consideration of Addition (Principal), Additions (Accessory: Lower & Upper Level), Alterations (Accessory: Windows, Doors) at 208 Lewisburg Ave.; Brian Miller, Applicant.

This item was pulled from the agenda by the applicant.

Item 6:

Consideration of New Construction at 325 Fair Park Ct. (Lot 2); 906 Studio Architects, LLC, Applicant.

Mr. Hathaway recused himself from this item.

Ms. Rose stated the applicant is requesting a Certificate of Appropriateness for the construction of a two-story principal structure with attached 1-½ story garage at 325 Fair Park Ct. (Lot 2). Ms. Rose stated the residence is proposed to be situated to front Fair Park Ct. and back against floodplain areas visible from Highway 96W. Ms. Rose stated the applicant received a COA for the scope of work at the January 14, 2019, Historic Zoning Commission meeting; the COA has since expired. Ms. Rose stated the applicant appeared before the Design Review Committee to discuss the proposal at its September 21, 2020 meeting.

Ms. Rose stated the Hincheyville Historic District consists primarily of single-family residential buildings ranging in construction from ca. 1828 to the 1950s and represents influences of Greek Revival, Gothic Revival, Queen Anne, Italianate, Tudor Revival, Colonial Revival, and Craftsman, among others. Ms. Rose stated buildings range from one to two stories, and historic garages and outbuildings are common. Ms. Rose stated the *Guidelines* recommend that new construction is designed to be compatible in massing, height, proportions, scale, size, and architectural features of adjacent buildings and that new construction complement rather than detract from the character of the historic district. Ms. Rose stated compatibility is generally achieved by building within 10 percent above or below the average height of the buildings on the same block face on the same side of the street, and the height of infill buildings on newly created streets should be compatible with the building heights on the nearest block face within the established historic district (p.66, #4-5).

Ms. Rose stated the proposed scale of two stories is appropriate for the Hincheyville Historic District. Ms. Rose stated the massing of the proposal, however, is not entirely consistent with the context of the district. Ms. Rose stated the residence is proposed as two primary masses as viewed from the street—a main principal form and a front-loaded, two-bay garage. Ms. Rose stated the *Guidelines* recommend that “in areas where historic garages are generally detached, new garages should appear to be detached. Ms. Rose stated attached garages should be designed in such a way that they are located at traditional locations behind the rear plane of the main form of the house or otherwise not be visible from the street” (p.68, #22). Ms. Rose stated the Hincheyville Historic District features more detached accessory structures than attached garages. Ms. Rose stated most of the lots in Fair Park, however, are configured in such a manner as to limit their abilities to accommodate a detached accessory structure well. Ms. Rose stated because the subject property backs to Highway 96W and is not adjacent to historic structures, the

massing relationship to the Hincheyville Historic District is less critical than any proposed infill construction on the Fair Park lots on the opposite block face.

Ms. Rose stated the height of the proposal, at 29'-11 ½", may not be entirely consistent with the *Guidelines*. Ms. Rose stated the *Guidelines* state that infill construction height compatibility is generally achieved by building within 10 percent above or below the average height of the buildings on the same block face on the same side of the street. Ms. Rose stated the *Guidelines* also state that the height of infill buildings on newly created streets should be compatible with the building heights on the nearest block face within the established historic district (p.66, #4-5). Heights range along the neighboring portion of Fair Street (from approximately 24' to approximately 30'. Ms. Rose stated the adjacent building on the block face was approved at 32'-8" (Lot 4). Ms. Rose stated the subject property abuts Highway 96W and is not immediately adjacent to historic structures, so its height relationship to the Hincheyville Historic District, while important, is less critical than that of any proposed infill construction on the Fair Park lots on the opposite block face.

Ms. Rose stated the proposed materials of the proposed new construction are not listed, though it appears to consist primarily of a brick foundation and lap siding. Ms. Rose stated window and garage door specifications have not been provided. Ms. Rose stated the proportion and rhythm of window openings are consistent with the *Guidelines*, which recommend maintenance of the rhythm and spacing of window and door openings of adjacent structures (p.68, #17).

Ms. Rose stated the proposed chimney shape is not entirely consistent with that seen on historic equivalents. Ms. Rose stated the *Guidelines* state that "new chimneys should be compatible in size, height, and massing to existing chimneys on neighboring houses" (p.68, #26). Ms. Rose stated the chimney approved for the adjacent infill building at Lot 4 is tapered at the top.

Ms. Rose stated the proposed building coverage is approximately 35 percent, which is consistent with the *Guidelines*. Ms. Rose stated the *Guidelines* recommend that maximum building coverage not exceed 35 percent in specified residential zoning districts, as measured by building footprint (p.67, #10). Ms. Rose noted that the applicant included an uncovered rear patio within the lot coverage calculation listed on the plan set; uncovered areas, including those with pergolas with no hard tops, are not calculated as building coverage as defined for this particular guideline.

Ms. Rose stated it is recommended that the Historic Zoning Commission approve with conditions the proposed new construction with the following:

1. In accordance with the *Guidelines*, the chimney shape must be altered to be "compatible in size, height, and massing to existing chimneys on neighboring houses" (p.68, #26). The chimney alteration must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
2. The applicant must utilize a smooth-faced wood or cementitious siding with a historically appropriate lap reveal (between 4"-5") for consistency with the *Guidelines* (p.83, #4-5).

3. The roofing specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
4. The windows must have historic profile and dimension and consist of either wood or a composite material with the appearance of wood. The window specifications must be approved by the Preservation Planner or the HZC prior to issuance of a building permit.
5. The rear patio must remain uncovered for consistency with the *Guidelines*; as such, the pergola may not feature a hard top or any surface that would impede its ability to allow water to penetrate it.

Chair Roberts requested to know if the applicant would like to speak on behalf of the item.

Mr. Hathaway stated as Ms. Rose mentioned, this was a previously approved application, and we did a lot of work to get the height down as much as we could. Mr. Hathaway stated they lowered the crawl space and some other things, so we took that into account. Mr. Hathaway stated they agree with staff's comments relative to the tapered chimney, as it should have been tampered, and that is something we missed, and he would be glad to work with Ms. Rose on that design. Mr. Hathaway stated the siding was intended to be cementitious siding at five-inch exposure, and we are glad to do that, and the specs for the roof are asphalt shingle. Mr. Hathaway stated he would appreciate the commission's approval and looks forward to any questions.

Chair Roberts requested to know if there were any citizen comments, and there were none.

Ms. Marquardt moved to approve with conditions a Certificate of Appropriateness for the proposed new construction, based on the Staff Analysis and Recommendation dated November 9, 2020. Mr. Laster seconded the motion.

Chair Roberts requested to know from Mr. Hathaway if he was okay with the pergola.

Mr. Hathaway stated yes, it was covered at first, but then we took the roof off.

Ms. Pearce requested to know if it would be possible for the dormers on the garage to be on rear as opposed to on the front.

Mr. Hathaway stated he thinks so and stated they were trying to reduce the impact of the roof on the front of the garage, so part of that was the dormers and getting light into that space above the garage. Mr. Hathaway stated it all had to do with the massing and not wanting to have a larger roof, but he does not see why that couldn't be an option if that was a concern.

Ms. Pearce asked if it too much roof or if it be simplified to read more as a simple garage, given that the house has several roof changes.

Mr. Hathaway stated the only concern is that at looking at the rear of that perspective is that in the upper left hand corner, is if we put dormers back there, it we will be in conflict with the secondary roof that is over the back piece there and mess that up.

Ms. Pearce stated okay, and because of where it is located, she let go of that idea.

Ms. Besser stated she thought they had talked about the massing of that garage and having it be lessened, and she doesn't think that has happened and that it concerns her a bit.

Mr. Hathaway responded by stating this was the same garage submitted before that was approved. Mr. Hathaway stated he thought she may be thinking about lot 6, of which we are looking at that to reduce that massing.

Ms. Besser stated okay and thank you.

The motion carried 8-0.

Other Business.

Ms. Rose noted the DRC has a large number of items of twelve or so.

Ms. Pearce requested a five-minute break or something for such a long agenda.

Adjourn.

With no further business, the meeting was adjourned at 6:28 p.m.



Acting Secretary