

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

STAFF RECOMMENDATION 1512 Dallas Ave March 17, 2021

Application: Demolition; Show Cause
District: Belmont-Hillsboro Neighborhood Conservation Zoning Overlay
Council District: 18
Base Zoning: R8
Map and Parcel Number: 11704012300
Applicant: Paul Martin
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

Description of Project: The applicant requests demolition of a contributing building, demolished without a permit. Staff requests a show-cause hearing for Permit #202003693, issued on June 15, 2020.

Recommendation: Staff recommends the consideration of three votes.

Demolition: Staff recommends disapproval of demolition; finding that demo does not meet section III.B.

Show Cause: Staff recommends that the Preservation Permit for an addition be rescinded, finding that demolition took place outside of the scope of the permit.

Reconstruction: Staff recommends the building be fully documented and reconstructed using original materials and historic images following the detailed direction of this report and with the following conditions:

1. Plan for removal, storage and reuse of salvage materials be submitted with 15 days;
2. Dimensions of all features be submitted within 15 days;
3. Plans for reconstruction of the house with details on its features and the results of conditions 1-2 be submitted prior to issuance of demolition and new construction permits; and,
4. No additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building;

finding that reconstruction meets section II.A.4. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

Attachments

- A:** Photographs
- B:** Applicant's Email
- C:** Preservation Permit #202003693

Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

II. NEW CONSTRUCTION AND ADDITIONS

A. PRINCIPLES

4. Reconstruction may be appropriate when it accurately reproduces a no-longer existing building on its original site, if the building (1) would have contributed to the historic and architectural character of the area; (2) will be compatible in terms of style, height, scale, massing, and materials with the buildings immediately surrounding it; and (3) is accurately based on documentary, physical, or pictorial evidence.

III.B DEMOLITION GUIDELINES

Demolition is not appropriate

- a. if a building, or major portion of a building, contributes to the architectural or historical significance or character of the district.
- b. if a building, or major portion of a building, is of such old or unusual or uncommon design and materials that it could not be reproduced or be reproduced without great difficulty and expense.

Demolition is appropriate

- a. if a building, or major portion of a building, does not contribute to the architectural or historical character or significance of the district; or
- b. if a building, or major portion of a building, has irretrievably lost its physical integrity to the extent that it no longer contributes to the district's architectural or historical character or significance; or
- c. if the denial of the demolition will result in an economic hardship on the applicant as determined by the MHZC in accordance with section 17.40.420, as amended, of the historic zoning ordinance.

Applicable Ordinances:

17.40.420 Preservation permit.

D. Determination of Economic Hardship. In reviewing an application to remove an historic structure, the historic zoning commission may consider economic hardship based on the following information:

- 1. An estimated cost of demolition and any other proposed redevelopment as compared to the estimated cost of compliance with the determinations of the historic zoning commission;
- 2. A report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of the subject structure or improvement and its suitability for rehabilitation;
- 3. The estimated market value of the property in its current condition; its estimated market value after the proposed undertaking; and its estimated value after compliance with the determinations of the historic zoning commission.
- 4. An estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure.
- 5. Amount paid for the property, the date of purchase, and the party from whom purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased, and any terms of financing between the seller and buyer.
- 6. If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period.
- 7. Any other information considered necessary by the commission to a determination as to whether the property does yield or may yield a reasonable return to the owners.
- 8. Hardship Not Self-Imposed. The alleged difficulty or hardship has not been created by the previous actions or inactions of any person having an interest in the property after the effective date of the ordinance codified in this title.

(Ord. BL2012-88, § 1, 2012; Ord. 96-555 § 10.9(C), 1997)

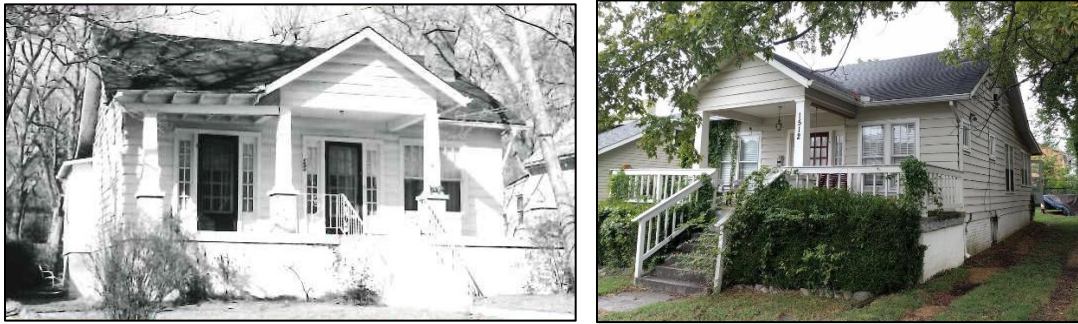
Applicable Rules of Order and Procedure:

X. ENFORCEMENT PROCEDURES

In cases of non-compliance with historic zoning regulations and preservation permits the staff will follow these general steps as appropriate until compliance has been reached.

- A. Request the Department of Codes Administration to post, a Stop Work Order if work is in progress.
- B. Notify the owner of the violation in writing through US mail, email or hand-delivery, and provide the opportunity for the owner to appear before the Commission on the issue of the violation within 30 days.
- C. If the violation remains and the matter is not brought into compliance, Staff shall cite the applicant to a court of competent jurisdiction or issue a Show Cause Order on behalf of the Commission.
- E. Show Cause Hearing. In cases where violations persist and a Show Cause Order has been issued, the applicant shall be required to appear before the Commission and show cause as to why any original Preservation Permits should not be revoked by the Commission.

Background: 1512 Dallas is a c. 1920, one-story, lap sided, contributing home in the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay. It has a bungalow form that the National Register nomination for Belmont-Hillsboro calls out as the most common building form in the district. The nomination states that the bungalow form “helps to impart the middle-class ambiance” of the district. The nomination also notes that the bungalows come in a variety of designs but provides a consistency of scale that visually ties the area together.



Figures 1 and 2: 1512 Dallas Ave in 1968 and September 2018.

According to Metro records, the building was remodeled with usable space added to the attic in 1992. A Preservation Permit for an addition was administratively issued in 2018 but never constructed. The permit was revised and administratively reissued (#202003693) on June 15, 2020. No alterations, beyond window replacement, were noted on the plans.

On February 9, 2021, while conducting requested inspections in the area, the MHZC inspector saw that all the house had been demolished, except for the front wall and porch. Neighbors also contacted MHZC staff concerned about the level of demolition.



Figures 3: The house as seen on February 9, 2021.



Figures 4: The house as seen on February 26, 2021.

Analysis and Findings:

Demolition

The building was historic and contributed to the neighborhood. (See “Background.”) For that reason, demolition meets section III.B (c) for inappropriate demolition and does not meet section III.B (a) for appropriate demolition.

Staff recommends disapproval of demolition; finding that demo does not meet section III.B.

Show-Cause

The applicant states that the demolition happened when two chimneys collapsed after selected demolition of the portions of the house that were approved as part of the permit. The applicant did not contact the MHZC to inspect and revise their permit but instead removed all but the front wall of the house. (See attached email.) The applicant does not provide a date for when the chimneys fell. The violation was discovered while conducting requested inspections elsewhere in the neighborhood. All Preservation Permits include the following sentence. “Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken.” If staff had been notified there may have been portions of the building that could be saved and there could have been materials salvaged.

Since the demolition was accomplished outside the scope of work for the permit and a revision of the permit was not requested, staff recommends that permit #202003693, for an addition, be rescinded.

Reconstruction

If demolition is found to be inappropriate, then the violation still exists and needs to be addressed. Staff recommends the building be fully documented and reconstructed using original materials and historic images. Section II.A.4. of the design guidelines allows for reconstruction if the building was contributing, it had an appropriate massing and scale for the neighborhood and is based on documentary evidence. The building was contributing and was an appropriate massing and scale for the district. There is photographic evidence of earlier conditions and there is an opportunity to fully document at least the front wall and porch. The design guidelines also assume that a building is “no longer existing” as a condition for allowing reconstruction and all that remains is the front wall and porch. Staff recommends the following conditions.

All features of the building be documented with photographs and measurements of their dimensions and locations, including, but not limited to:

- depth and slope of overhang
- exposed rafter tails (including measuring spacing)

- front windows and doors including measurements and designs of casings
- porch pedestals and posts
- lap siding reveal
- heights from grade (at multiple points) for foundation, eave, and ridge

Historic materials shall be salvaged and reused:

- Sidelights and trim
- Porch posts and pedestals
- Front siding

Reconstruction shall follow historic documentation in the following ways:

- Replacement windows shall have the original 3/1 design
- Lap siding shall have mitered corners as it did originally
- The most recent railing and the one from the 1960s were not original so a new railing of a simple design shall be included on plans.

Staff recommends that the following information and actions be submitted and taken within 15 days of the decision. (The reason for the tight turn-around is because the building may collapse before the measurements can be taken.)

- Plan for removal, storage, and reuse of salvaged materials
- Dimensions of all features

Staff further recommends no additional Preservation Permits be issued until the reconstruction has been inspected and reviewed by the Commission as to whether or not it is a true reconstruction of the historic building.

Recommendation:

Staff recommends the consideration of three votes.

Demolition:

Staff recommends disapproval of demolition; finding that demo does not meet section III.B.

Show Cause:

Staff recommends that the Preservation Permit for an addition be rescinded, finding that demolition took place outside of the scope of the permit.

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finding that reconstruction meets section II.A.4. of the design guidelines for the Belmont-Hillsboro Neighborhood Conservation Zoning Overlay.

ATTACHMENT A: PHOTOGRAPHS

Photographs provided by applicant on February 12, 2021



Photographs from 2018











From: Paul Martin <paulmartin@indwellrealty.com>
Sent: Friday, February 26, 2021 3:50 PM
To: Hoffman, Paul (Historical Commission) <Paul.Hoffman@nashville.gov>
Subject: 1512 Dallas Ave

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

`During the process of the Historic and Metro approved demolition at 1512 Dallas Avenue, a chimney fell and collided with another chimney destroying rafters, bracing, some walls, subfloor, and floor joists. The approved demolition included the removal of the rear rafters behind the ridge which were removed. The front rafters, porch, chimney and walls which were to remain, were braced. After removing the rear rafters, all of the shingles, and final section of roof decking on the remaining braced roof portion, the chimney on the east wall collapsed. The chimney collapsing destroyed the rafters, bracing, a large portion of the walls, and went through the subfloor and floor joists. This caused a second chimney to also collapse smashing through bracing and forcing the walls on the west side to fall towards the neighbors home and driveway. Once these chimneys collapsed the broken hanging front rafters, bracing, and the leaning walls became a safety concern for the surrounding neighbors. Because the safety of the surrounding neighbors and their pets was top priority, the demo crew removed what was smashed or leaning out away from the house and re-braced the front wall and porch roof. It was extremely unfortunate that both chimneys collapsed and combined caused such damage. This was in no way what was intended nor could have predicted. It is our intention and desire to put everything back exactly to the specification of what was originally there, to complete the plans that have already been approved by the historic commission, and in no way deviate from those approved plans. Please see attached pictures.







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METRO HISTORIC ZONING COMMISSION

Sunnyside at Sevier Park
3000 Granny White Pike
Nashville TN 37204
(615) 862-7970
historicalcommission@nashville.gov

HISTORICAL COMMISSION PERMIT - 2020036693

Entered on: 15-Jun-2020

Site Address

1512 DALLAS AVE
NASHVILLE TN, 37212

Historic District: Belmont-Hillsboro NCZO

Parcel Owner

FORMBY, CHANCE & RHONDA M.
930 A KIRKWOOD AVE
NASHVILLE, TN 37204

Purpose: Construct rear addition.

This permit replaces HCP 2018056990 to update expired permit with applicant information.

ROOFING

- Roofing material shall be asphalt composite shingles. Color shall match existing or if not, it shall be approved by the MHZC prior to purchase.
- Gutters shall be simple metal gutters.

WINDOWS & DOORS

- Windows shall have single-light or fully-simulated, divided-light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin, and a spacer within the double-paned glass. Window manufacturer and type must be approved by MHZC staff prior to installation. Double and triple windows shall have a 4" to 6" mullion between.
- Door manufacturer and type must be approved by MHZC staff prior to installation.
- Four (4) inch (nominal) wood casings are required around doors, windows, and vents within clapboard walls.
- Windows on clapboard structures shall not have brick-mold.

SIDING & TRIM

- Siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). If siding exposure is not matched to that of the existing house, then it shall have a maximum reveal of five (5) inches.
- 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.

HVAC

- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.

GENERAL SPECIFICATIONS

- Alterations to be constructed in accordance with attached elevations. Any deviation from the approved plans could result in changes being reversed to reflect the approved drawings. Please note: MHZC staff may have added notes to the submitted drawings.
- All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
- Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken.

- The work items listed are approved in accordance with the adopted design guidelines and are NOT applicable beyond the unique facts and circumstances of this particular application.

- This permit becomes invalid TWELVE months after issue date.Expired permits must be reissued prior to work being undertaken.
- Removal of cladding, windows and roofing on the existing building all-togetheris “partial-demolition” and must be reviewed by the MHZC prior to work taking place.

Approval of design should not be considered approval of a particular use. - THIS IS NOT A BUILDING PERMIT. No work can begin without the appropriate review and approval by the Metropolitan Department of Codes Administration: Howard School Building Campus (615) 862-6500.

APPLICANT: Paul Martin

Activities to be Completed - Call: (615) 862-7970 or Email: historicalcommission@nashville.gov

REVIEWS REQUIRED:

ROOFING COLOR APPROVAL PRIOR TO INSTALL - HZ

WINDOWS APPROVAL PRIOR TO INSTALL - HZ

DOOR APPROVAL PRIOR TO INSTALL - HZ

MASONRY APPROVAL PRIOR TO INSTALL - HZ

HVAC LOCATION - HZ

INSPECTIONS REQUIRED:

FIELD STAKING INSPECTION - HZ

FOUNDATION CHECK INSPECTION - HZ

ROUGH FRAMING INSPECTION - HZ

PROGRESS INSPECTION – HZ

FINAL INSPECTION - HZ

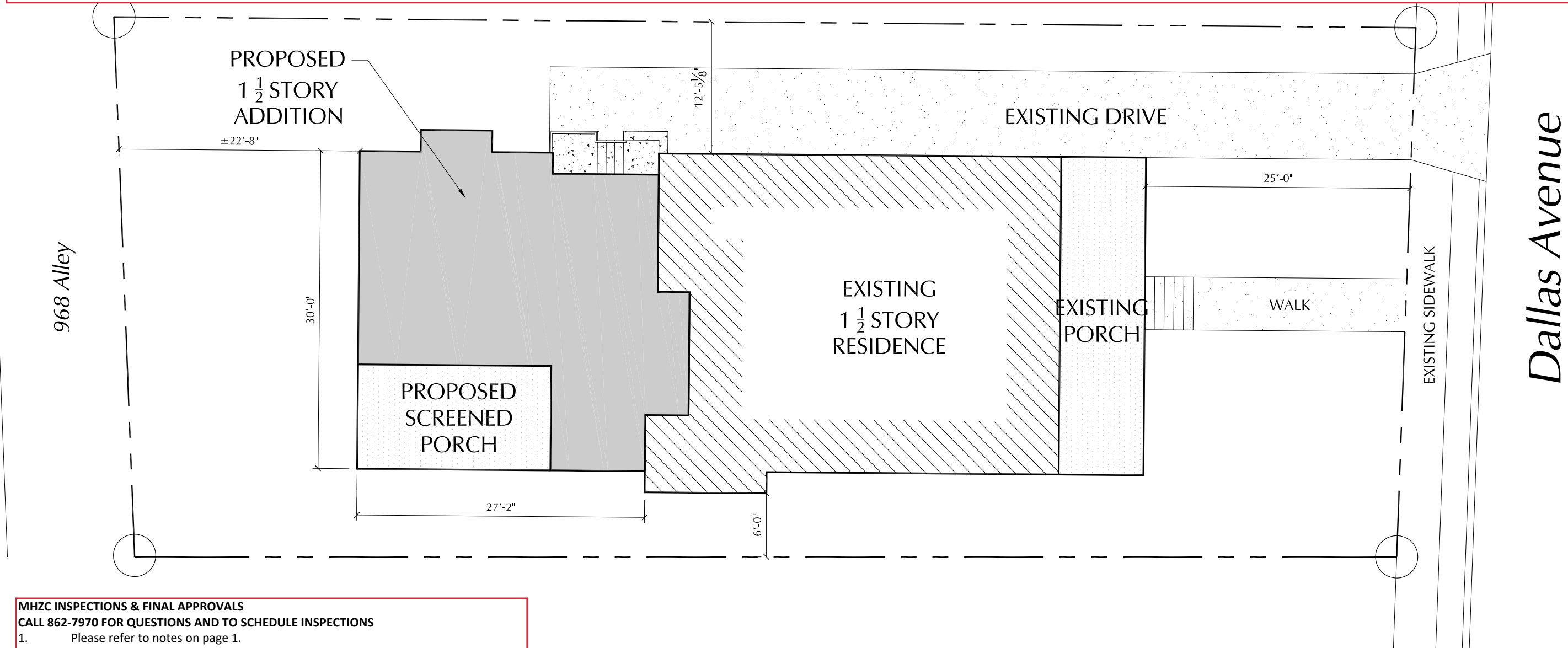
Issued Date: 15-Jun-2020

Issued By: Melissa Baldock

MHZC NOTES; CALL (615) 862-7970 FOR QUESTIONS

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2. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
3. Exterior finish materials shall be trim grade (smooth and square). Stud wall lumber or embossed wood grain is not appropriate.
4. Windows shall be single-light or fully simulated, divided light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin and a spacer bar within the double paned-glass. Snap-in or between the glass muntins are never appropriate. Double and triple windows shall have 4" to 6" mullions between.
5. Four (4) inch (nominal) wood casings are required around doors, windows and vents within clapboard walls. Windows on clapboard structures shall not have brick-mold.
6. Removal all of the cladding, windows, doors and roofing on a contributing house is considered partial demolition and must be reviewed by the MHZC. Removal of one of these items alone, in a neighborhood conservation zoning overlay, is not reviewed.
7. Retention of original casings and replacement of just window sashes is encouraged where window replacement is necessary.
8. Alteration of original windows sizes is considered partial demolition and must be reviewed by the MHZC.
9. HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.
10. For non-masonry buildings, siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). If siding exposure is not matched to that of the existing house, then it shall have a maximum reveal of five (5) inches.
11. For non-masonry buildings, 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.

MHZC APPLICATION SUBMITTAL



MHZC INSPECTIONS & FINAL APPROVALS
CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on page 1.
2. Staff must approve the construction progress at the following points:
 - a. After the building footprint has been field staked
 - b. After the foundation wall has been constructed
 - c. After the rough framing has been completed
3. The following must be submitted for final approval before purchase:
 - a. Windows and doors
 - b. Roof color

Additions and Renovations to:
1512 Dallas Avenue
1512 Dallas Avenue
Nashville, Tennessee 37212



Drawings:
Site Layout Plan
Date:
11.15.18

AS1.0



1

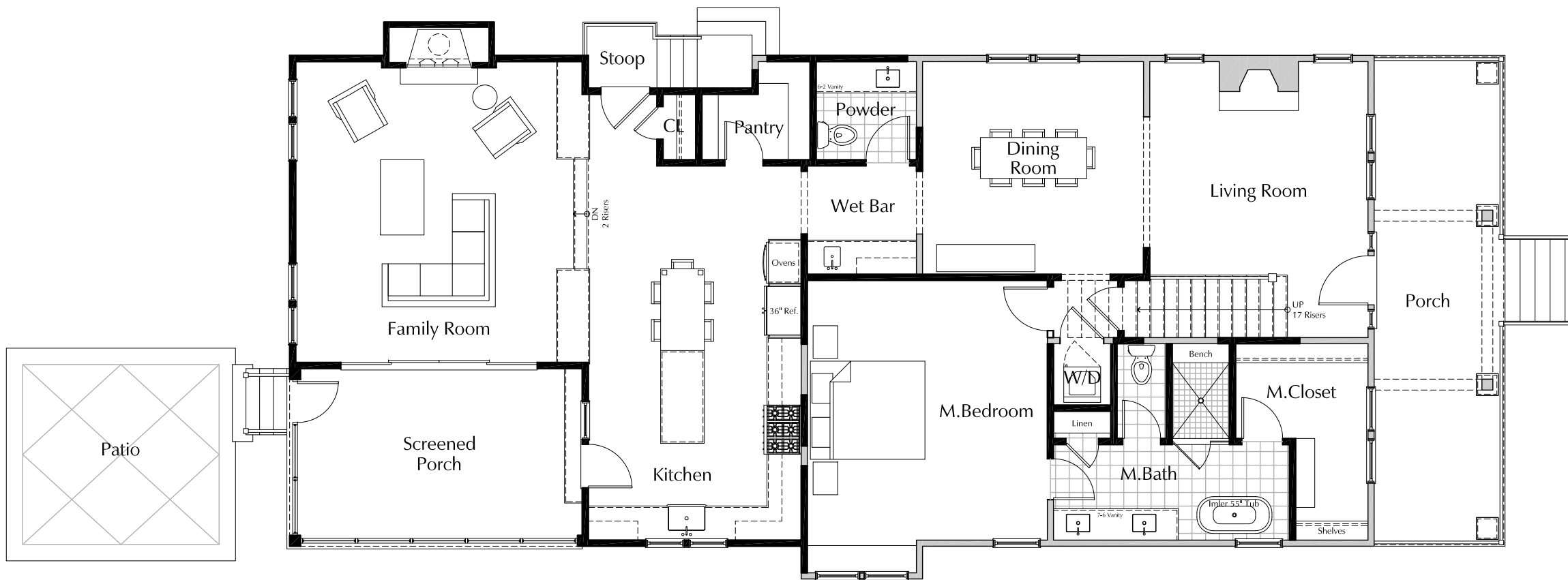
Site Layout Plan



Scale: 1" = 10'-0"

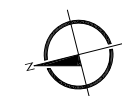
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11. For non-masonry buildings, 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.



**MHZC INSPECTIONS & FINAL APPROVALS
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 - b. Roof color



1

First Floor Plan

Scale: 1/8"=1'-0"

Additions and Renovations to:

1512 Dallas Avenue

1512 Dallas Avenue
Nashville, Tennessee 37212

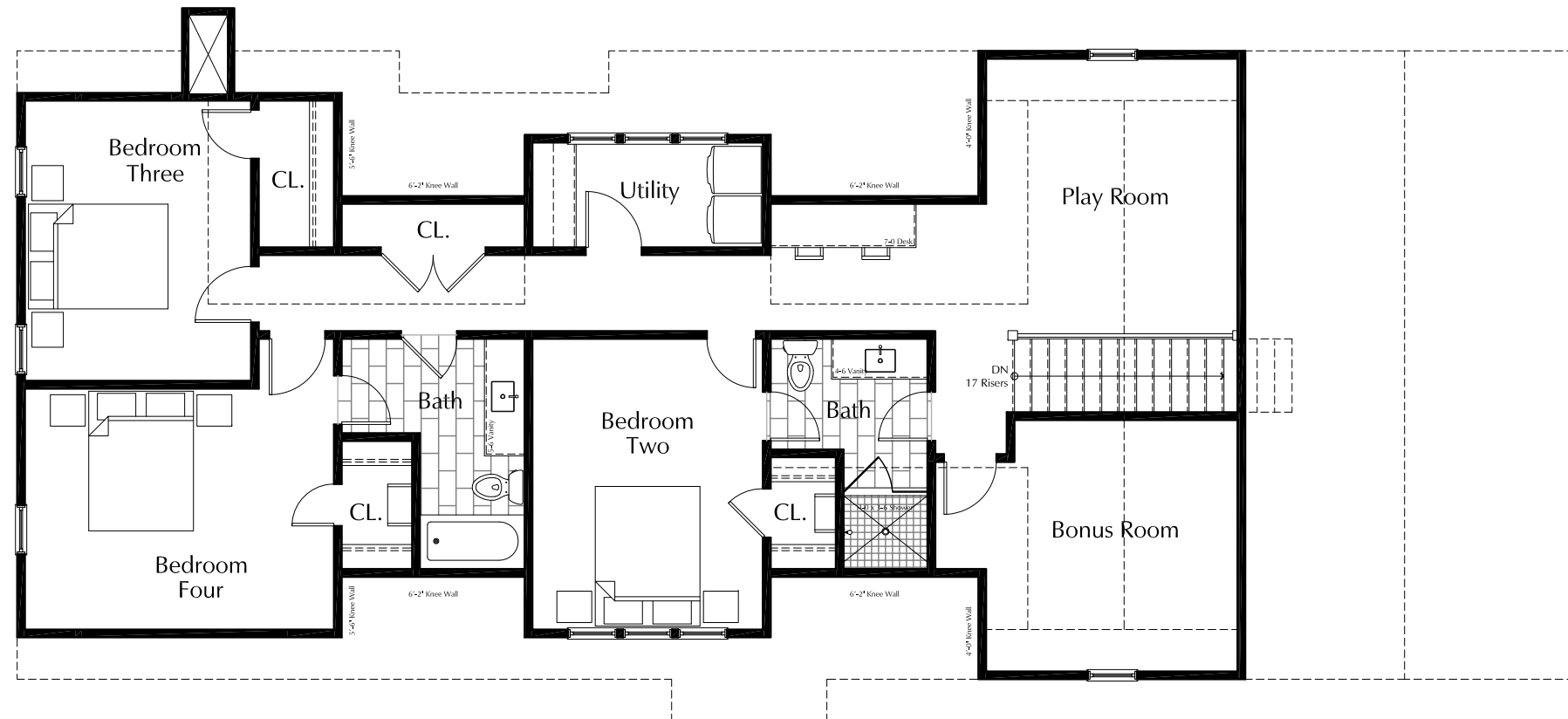


Drawings:
First Floor Plan
Date:
11.15.18

A1.1

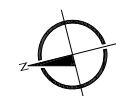
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1

Second Floor Plan

Scale: 1/8"=1'-0"

Additions and Renovations to:
1512 Dallas Avenue
 1512 Dallas Avenue
 Nashville, Tennessee 37212

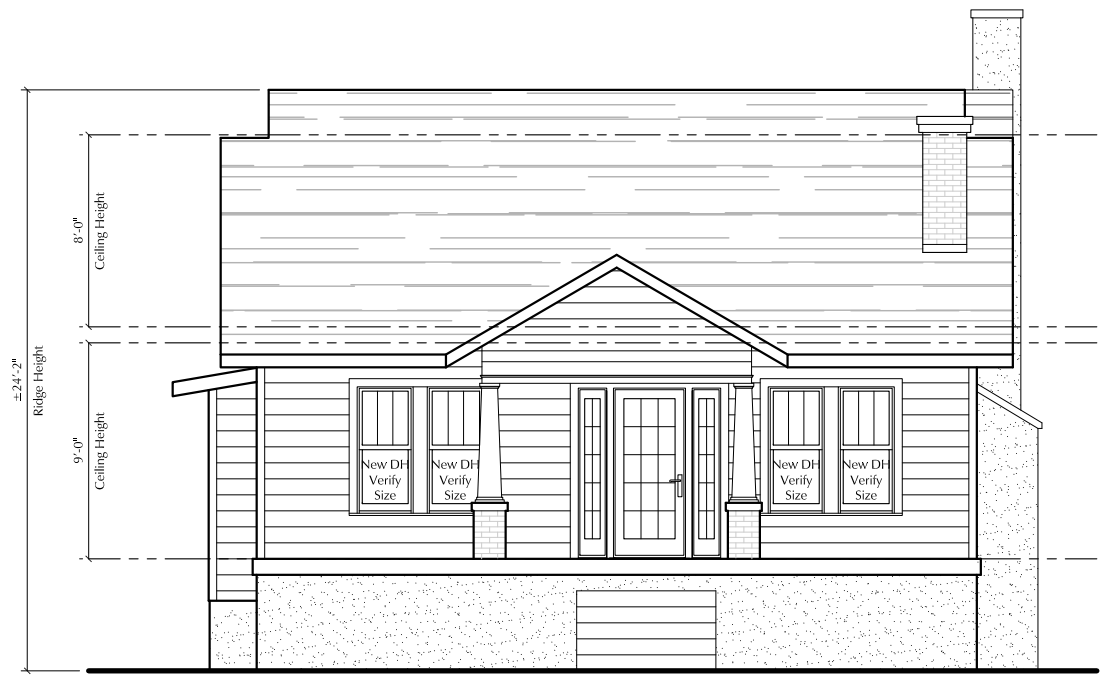


Drawings:
 Second Floor Plan
 Date:
 11.15.18

A1.2



② East Elevation
 Scale: 1/8"=1'-0"



① South Elevation
 Scale: 1/8"=1'-0"

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MHZC INSPECTIONS & FINAL APPROVALS

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Additions and Renovations to:
1512 Dallas Avenue
 1512 Dallas Avenue
 Nashville, Tennessee 37212



Drawings:
 Elevations
 Date:
 11.15.18

A2.1



MHZC NOTES; CALL (615) 862-7970 FOR QUESTIONS

1. Structure to be constructed in accordance with attached scaled site plan and elevations. Any deviation from the approved plans could result in **changes being reversed** to reflect the approved drawings. Any alterations, whether or not approved by other Metro Departments, must be communicated to MHZC for a revision of the permit prior to construction or material purchase.
2. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
3. Exterior finish materials shall be trim grade (smooth and square). Stud wall lumber or embossed wood grain is not appropriate.
4. Windows shall be single-light or fully simulated, divided light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin and a spacer bar within the double paned-glass. Snap-in or between the glass muntins are never appropriate. Double and triple windows shall have 4" to 6" mullions between.
5. Four (4) inch (nominal) wood casings are required around doors, windows and vents within clapboard walls. Windows on clapboard structures shall not have brick-mold.
6. Removal all of the cladding, windows, doors and roofing on a contributing house is considered partial demolition and must be reviewed by the MHZC. Removal of one of these items alone, in a neighborhood conservation zoning overlay, is not reviewed.
7. Retention of original casings and replacement of just window sashes is encouraged where window replacement is necessary.
8. Alteration of original windows sizes is considered partial demolition and must be reviewed by the MHZC.
9. HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.
10. For non-masonry buildings, siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank). If siding exposure is not matched to that of the existing house, then it shall have a maximum reveal of five (5) inches.
11. For non-masonry buildings, 4 inches (nominal) wood corner-boards are required at the face of each exposed corner.

MHZC INSPECTIONS & FINAL APPROVALS

CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on page 1.
2. Staff must approve the construction progress at the following points:
 - a. After the building footprint has been field staked
 - b. After the foundation wall has been constructed
 - c. After the rough framing has been completed
3. The following must be submitted for final approval before purchase:
 - a. Windows and doors
 - b. Roof color

2 East Elevation
 Scale: 1/8"=1'-0"
 2' 1' 0' 2' 4' 6' 8' 12'



1 North Elevation
 Scale: 1/8"=1'-0"
 2' 1' 0' 2' 4' 6' 8' 12'

Additions and Renovations to:
1512 Dallas Avenue
 1512 Dallas Avenue
 Nashville, Tennessee 37212



Drawings:
 Elevations
 Date:
 11.15.18

A2.2