

The regular meeting of the **Historic District Commission** was held on Thursday July 28, 2016, at 5:00 p.m. in the Board Chambers of Town Hall, 500 Poplar View Parkway.

The following Staff members were present: Town Planner, Mr. Jaime Groce; Assistant Town Planner, Mrs. Nancy Boatwright; Planner, Mr. Matthew Wilkinson; and Administrative Specialist, Mrs. Sandi Robbins.

Pledge of Allegiance

Commissioner Kelsey led the Pledge of Allegiance.

Roll Call:

Chairman Lee asked Mrs. Robbins to call the roll to see if there was a quorum.

Kelsey – present, Cox – present, Brooks – present, Lee – present, Todd – absent, Rozanski – absent, Walker – absent.

Quorum present.

Approval of Minutes

Chairman Lee asked if there were any corrections to the minutes from June 23, 2016 meeting.

Hearing none, Chairman Lee called for a motion to approve the minutes as presented.

Motion by Commissioner Cox, and seconded, to accept the minutes from the June 23, 2016 meeting.

Roll Call:

Cox – yes, Brooks – yes, Kelsey – yes, Lee – yes.

Motion approved.

Approval of the Agenda

Chairman Lee asked if there were any changes to the agenda.

Mr. Jaime Groce stated there are no changes. There may not be a representative present tonight for item HDC16-19 – 274 W. Poplar Avenue.

Motion by Commissioner Kelsey, and seconded, to approve the agenda as presented.

Roll Call:

Cox – yes, Brooks – yes, Kelsey – yes, Lee – yes.

Motion Approved.

Consent Agenda:

Chairman Lee asked if there were any questions of staff, or if there was any one present who wished to have this item heard.

Hearing no further comments, he called for a motion to approve the Consent Agenda as presented.

Motion by Commissioner Brooks, and seconded, to approve the Consent Agenda with the conditions of approval as attached to each staff report.

HDC16-31– Stratton Heights SD Lot 7– Request for a Certificate of Appropriateness for Fencing

To approve the request for a Certificate of Appropriateness for fencing (Exhibits 2, 3 and 4) at 220 Natchez Street (Stratton Heights Subdivision, Lot 7) subject to the following conditions.

1. Any deviations from the approved Certificate of Appropriateness shall require the approval of the HDC and/or staff prior to beginning work.
2. A fence permit, with exhibits consistent with the HDC’s Certificate of Appropriateness, must be obtained before construction of the fencing begins.

- | EXHIBITS |
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| 1. Applicant’s cover letter (received 7/7/16) |
| 2. Site plan with fence location (received 7/7/16) |
| 3. Elevations showing proposed fencing (received 7/7/16) |
| 4. Photo of proposed ornamental fence style (received 7/7/16) |
| 5. Wide Board Fence Examples in the Historic District |

Roll Call:

Cox – yes, Brooks – yes, Kelsey – yes, Lee – yes.

Motion Approved.

Formal Agenda:

HDC16-19 – 274 W. Poplar Avenue – Request for a Certificate of Appropriateness for Fencing

Mr. Matthew Wilkinson was prepared to give the staff presentation as outlined in the staff report; however, the owner or applicant were not present to answer any questions the HDC may have.

Chairman Lee did have questions about the transition of the fencing in that particular design from 4’ to 6’ in height. He suggested that the item be deferred to the next HDC meeting so the owner or applicant may be able to address his questions.

Motion by Commissioner Kelsey, and seconded, to defer item HDC 16-19 274 W. Poplar to the August HDC meeting.

- | EXHIBITS |
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| 1. Application (6/7/16) |
| 2. Site plan with fence location |
| 3. Photo of proposed crossbuck fence style (6/7/16) |
| 4. Photos of fencing location on property (6/7/16) |
| 5. Example of proposed column with proposed brick (7/20/16) |
| 6. Staff Photos of the property |

Roll Call:

Cox – yes, Brooks – yes, Kelsey – yes, Lee – yes.

Motion Approved.

HDC16-33 – 269 South Center Street – Request for a Certificate of Economic Hardship

Commissioner Kelsey recused himself at this time.

Mr. Jaime Groce gave the staff presentation as outlined in the staff report. He presented items HDC 16-33 & HDC 16-34 together. He stated the Bank of Fayette County (David Robertson) requested in June four Certificates of Appropriateness for demolitions at the July HDC meeting. The HDC approved Certificates of Appropriateness for demolition for two of the structures and denied Certificates of Appropriateness for the other two. By denying those requests, the HDC found those two structures to have local historic significance. He stated the property is in the Historic overlay, but not in the National Register District. The property is zoned Central Business which allows a wide variety of uses.

He gave a brief overview about the HDC’s decision at the last meeting regarding the approval of two out of four demolition requests. He stated, because the HDC denied two of the demolition requests, the applicant has the ability to come back to the HDC and request an Economic Hardship. This is a rare request in Collierville’s Historic District. Staff found no instances of Economic Hardship requests in the Town’s records. This request is not about the historic significance, but more about proving economic hardship. He stated there is a test in the zoning ordinance for Economic Hardship. The HDC must determine through this test if the structure is incapable of earning a reasonable equate return. It is the responsibility of the applicant to show the burden of proof to the HDC with such a claim.

Staff does not believe, by denying the Certificates of Appropriateness to demolish the structures at the June 2016 HDC meeting, the Town has denied all reasonable use of the property. In 1994 a demolition request was submitted to demolish the house but not granted. After that, the house was used as office space and used for many years as an attorney’s office. There is evidence that proves this property was used for office space. In 2007 there was a site plan approved by the Planning Commission, but never formerly submitted to the HDC, that would have preserved the Fleming/Houston House and would have developed the property as mixed use development. Office uses are allowed for the current zoning of this property, along with a wide variety of other uses. The 2010 Downtown Collierville Small Area Plan acknowledges single family dwelling could also be an option for this property.

Mr. Groce stated the HDC does not look at uses. Their purview is over the historical integrity of structures and the design of structures, but he thought it was important for this case to note all of the reasonable uses that are available for this property.

It was made clear at the June 2016 meeting that the applicant would like to remove all structures to try and sell the property. One of the options they were considering was selling to someone that would put in 13 lots with single family dwellings. Even with the decision from the HDC meeting last month there is still a

EXHIBITS

1. Annotated topo map of subject property
2. HDC Applications for:
 - a. 269 South Center Street (HDC 16-33)
 - b. 279 South Center Street (HDC 16-34)
3. Substitute Trustee’s Deed, received 7/11/16
4. Inspection Report by Carson Looney for 269 and 279 Center Street, 6/10/16
5. Commercial Property Evaluation Report for 269 Center Street, received 7/11/16
6. Property Tax Data, received 7/11/16
7. Remodeling estimate for 269 Center Street, received 7/11/16
8. Remodeling estimate for 279 Center Street, received 7/11/16
9. Office Feasibility Report for 269 Center Street, received 7/11/16
10. 2007 Site Layout from PC 07-80
11. Factors for Determining if a Site is Incapable of Earning a Reasonable Economic Return, July 2016
12. Certificate of Economic Hardship Process from §151.199 of the Zoning Ordinance
13. Draft HDC Minutes from June 2016
14. Conceptual Lot Layout, received 6/7/16
15. Uses allowed in CB: Central Business Zoning, July 2016
16. Downtown Collierville Small Area Plan Place Type and Special Area Policies, 2010
17. Letter from TN Historical Commission State Historic Preservation Office 7/25/16
18. Additional exhibits from applicant (7/25/16)

scenario where a single family subdivision developed, but just on the portion where the other two buildings to be demolished are located.

The applicant, a bank, does not intend to replace the historic buildings with buildings of comparable size and architectural character. The applicant has made it clear they are not in the developing business and that they want to sell the property to someone who would want to develop this site. The HDC will have a chance to review any construction proposed for this property.

It is still unclear based on the information provided if the buildings are incapable of earning a reasonable economic return. There are other alternatives, not fully explored, that may allow for the preservation of these structures and provide the bank a reasonable economic return. This is a bank owned property acquired in early 2016 when the previous owner defaulted on a loan. The bank claims they were not aware this property was located in a historic overlay, which means when they issued the loan on the property they were unaware about it being in the local Historic Overlay. The Shelby County Assessor states the entire property values at \$475,000. The applicant provided a private market valuation of the property at \$540,000. Architect Carson Looney of Looney Ricks Kiss cites there are excessive costs need to restore the building the 269 and 279 buildings for residential uses. There were estimates on the cost of repair. The applicant had submitted some exhibits to back Mr. Looney's claim that the property is not economically viable for office uses. They have provided contractor estimates that state it would take \$214,187.50 to improve the Houston/Fleming House and \$76,593.75 to improve the shotgun dwelling. The combined costs to repair these structures for office use is about 49% of the total value of the property.

Mr. Groce introduced Exhibit 17 a letter from Tennessee Historical Commission State Historic Preservation Office stating they do not believe the applicant meets the local requirements for an economic hardship claim.

Mr. Groce stated, once improved, the value of the office space should increase. The applicant claimed the costs to repair the inside of the structures but the Historic District only regulates the outside. Strict application of the Guidelines would not result in peculiar and practical difficulties or undue economic hardship, as the Guidelines only apply to the exterior of the structures.

He stated the previous owner was aware the property was in the historic district but there was a pattern of the properties not being well cared for over the years. The HDC should generally be concerned if neglect is used as a claim for economic hardship. Anyone can have a historic home and opt out of taking care of it and then claim they need to demolish it due to its horrible condition. Collierville would lose a bit of its historical culture and local heritage if these buildings were removed. That would be detriment to the public good of the Town of Collierville.

He stated there is no analysis of how the sale of a portion of the property could generate money to fix up the historic buildings. The bank has not provided list prices for the sale or rent of the structures. The bank has informed him that even though the property has been used as office space since 1994 the person who rented it out did have records for rental income as the owner occupied the property. There are no indications the property is currently listed for sale. There is no analysis of how the bank could use the 20% income tax credit to try and rehabilitate the structure. There are not valuations that show other income uses they could use on this property such as a bed and breakfast or town houses.

He explained the next steps for the item if the HDC grants the request which includes the needs to obtain demolition permits from the Codes Division. He stated their decision on economic hardship is final, but if the applicant finds more information, they could come back and request it again.

Chairman Lee asked if there were any questions of staff.

Hearing no further questions, Chairman Lee called the applicant to the podium.

Mr. Rick L. Winchester, Jr., Winchester Law Firm, 6060 Poplar Avenue, Ste. 295, Memphis, TN, stated at the last meeting the HDC determined these houses to be historically significant. He can't say that was not accurate, at least with regard to the big house. He takes issue with improper speculation about what might be done in the future or what could be done. All of that is an expensive long term process that might or might not yield fruit. They do not have an analysis of the demand and revenue generated from a bed and breakfast. They have looked to the issue of revenue that might be generated from office rent because that's how the property has recently been used. They have even looked at it from a single family residence view since that's what the house was originally. He stated the overall property is one parcel. There was discussion about a mixed use development that was approved some years ago but was abandoned. He guessed the abandoning of that project was due to economic reasons. He stated the house faces north and if there is anything done to the north of this property then you block the front façade from public view. The public will see the side facade and not the interesting features. He explained the issues with the interior of the shotgun house. The estimate to bring this shotgun house up to habitability is \$76,000 (\$176,000 if you include real estate). He stated if you wanted to get it historically accurate you would need to remove the addition which is the bathroom. He stated by time you have fixed up the shotgun house you would have to rebuild it in an expensive manor. He believes by rebuilding it you wouldn't have anything original left. He understands wanting to have a historically significant structure. He stated the bank didn't buy this property as an investment to make a lot of money. This was a collateral property and they were unaware this was located in the Historic District. He referred to Mr. Bill Powell who spoke about a fair return on an investment and if the 269 house were brought up to code it would cost \$214,000 (\$314,000 if you include real estate). Mr. Winchester stated he had looked up uses allowed in Central Business for this property and he thinks there were 50 or 60 uses, but the previous owner apparently thought the house was best used for as office space. He stated that in Mr. Powell's report it said if you use this property as office space you will only generate about \$17,000 a year. Mr. Winchester suggested that the bank would be committing \$300,000 just to get that \$17,000 a year income. He wanted to clarify that the Houston/Fleming home has been there since the late 1800s and the shotgun house was there since early 1910 and the bank is a new comer owner. He doesn't want to give the HDC the impression that these properties are in this bad condition because of the current owner. The bank is not the culprit for the bad shape. He explained there is nothing valuable or original in the 269 house.

Mr. Carson Looney, Looney Ricks Kiss, 175 Toyota Plaza, Ste. 500, stated the 269 house is a cool looking old house and has heard the term cute used to describe the shotgun house. He appreciates the house and its architecture. When he walked in the 269 house, there was nothing inside of any value other than its space. He stated when they gutted it they replaced it with really cheap stuff. In his professional opinion he thinks the estimated repair numbers are low. He stated renovations typical end up costing a fair amount over the original quoted amount. He stated the numbers just don't work. You have to balance how much you purchase for the land and how much improvements are. He believes the functional and economic obsolescence of this property is obvious and it hurts him to say this because he really appreciates the façade of the 269 structure. He stated the foundation is next to impossible to work underneath. He explained the extent of the work that would have to be done just to replace the foundation. He stated it's a tough renovation job and explained how tough it would be to add installation without tearing up the walls. The underlining value of the property itself, located where it is, adjacent to the Town Square, is extremely valuable. The bank just needs to get their money back. If Collierville has a program that offers a tax freeze or a TIF that could be used and could help alleviate the burden. The Town could place a program like that on the houses they see as valuable but are burdens to the owner. He stated that it works in other municipalities. He stated there is a need and market for smaller homes. He explained how there are no working systems in the shotgun house. He stated you can tear the whole thing down and rebuild it for about \$100 per foot. It would be almost a replica and the same thing could be done for the big house. He doesn't necessary advocate this because typically people forget the details when the rebuild a structure, but there is not a detail on either one of these properties that is hard to do.

Mr. Pat Mahoney, Remodeling Consultants, 2034 Exeter, Germantown, stated he worked up the cost numbers which were really put on there as a band aid prices just to fix up the houses. He explained all the issues and repairs that needed to be done to the 269 & 279 houses. He stated usually these prices tend to run more and the prices he worked up were on the conservative side. He doesn't think it is wise for someone to rebuild it because there is nothing that is desirable on the floor plan.

Mr. David Robertson, Bank of Fayette County, 1265 Hwy 57 E, stated he wanted to correct the statement saying they had no offers on the property. When they foreclosed on property, they have taken into consideration for closing cost and costs to sell. They don't typically list anything right as soon as they take it in until they have the chance to evaluate it and see how much interest there is in it. He did place a for sale or lease by owner sign up. He had shown the property 7 times and everyone who looked at it were interested to use it for offices. Everyone's first question was how much work you will do to fix it up so they could use it. At that time he took the sign down because at that point they thought it would be better land use for residential type homes. They do have some interest but most people have a stipulation before they want to do a contract and that's the buildings bring no value to the property. He provided Exhibit 18 to the HDC to show the recent offers.

Chairman Lee asked if there were any questions of applicant.

There was a discussion over the amount the property was worth per acre.

Chairman Lee asked if they have considered since they have permission to demolish the other two houses, to get a significant part of their value back by subdividing that property for development.

Mr. Robertson stated they have and it's something they will look at after tonight. The decision made tonight will drive that since of urgency to look at that further.

Commissioners Cox asked how long they have owned the property.

Mr. Robertson stated they took it back in February of this year (2016).

Commissioner Cox asked what the term reasonable fair return meant.

Mr. Robertson stated he is not qualified to answer that. They took this as a foreclosure. They didn't buy this property as an investment. When they foreclose on a property typically they are already taking a loss when they bid it in. They took a substantial loss when they bid this one in.

Commissioner Cox stated you are claiming a fair reasonable return as justification for the economic hardship claim, so he wants to what his definition is of a fair reasonable return.

Mr. Robertson stated they would go by the appraised value on this property, and a fair and reasonable return would be something where they can sell this property and get their money back. They are not in the retail business, rental business, or property managers. The two offers that were submitted to you, are both offers that want to use the land as infill. It would be townhouse type homes or single family homes similar to the Natchez Subdivision. He has not gotten any interest from someone who wants to do mixed use or other CB uses. The only interest he has gotten are from developers who want to build houses. He can't give an answer on reasonable return because that would mean the bank would be investing in the properties trying to fix these places up so they can rent them out, but again they are not property managers.

Commissioner Cox clarified that when Mr. McCullar got an approval for mix use development on this property, he abandoned the idea because he went back to get an extension for contracting purposes from Mr. Hodum, but Mr. Hodum wouldn't give him one. He didn't abandon it because it was a bad investment.

Mr. Winchester stated he understands the Certificate of Appropriateness procedure within the Historic District. If the HDC would grant the requests tonight, there would never be a structure of any kind built on this 3 acres that wouldn't come before the HDC for them to examine in detail.

Commissioner Cox stated if people don't keep all the old houses and part of the draw of the Square with the antique homes because it would be better to tear them down so they could make more money, then in 25 years it will just be some other spot and there wouldn't be anything special about it. He understands the problem but, if the HDC isn't careful they will end up with place that is no longer special.

Mr. Winchester stated he agrees but he thinks the HDC needs to look at these things case by case.

Chairman Lee stated one of the requirements to grant a Certificate of Economic Hardship is the requirement to replace the building with similar structures. The conceptual plan that was presented last month showed this as simply infill does not take that into account at all. If they approve the Economic Hardship the HDC no longer has control over what gets built except the ability to not approve something. It seems to him, it would be better if the property owner came to the HDC with a plan to replace those houses that they can approve as part of a condition to demolish them. He has trouble overlooking that part of the requirement. If they granted the applicant's request and they have no clear plan to develop the property then the HDC would have lost the ability to control one of those key requirements of the zoning ordinance.

Mr. Winchester stated, unfortunately, the applicant is not a developer. He stated he thinks the HDC is allowed to approve a Certificate of Appropriateness for demolition based on an Economic Hardship with conditions. He hopes they wouldn't place rebuilding the shotgun house as a condition, but it is a possibility that is available to you.

Chairman Lee asked if anyone from the public would like to speak.

Glenda Peterson, 270 Carolton Cove, stated her house backs up to the subdivision they are referring to. She several things have wanted to be built at that property but sadly none of them were ever accomplished there. She believes it is really sad that there are two buildings that are in the Historic District as well as on the National Register that they want to tear down. The homes are old and haven't been taken care of and the only thing she hears tonight is let's get rid of them and put in something new. She came to Collierville because of the small community and its history. She doesn't want this property to be filled with new houses squished together.

Chairman Lee stated he believes there are a couple of major issues independent from the 20% tax break brought up by Staff. Without having the property listed for sale you don't know if there is a better use for it other than tearing it down and selling it as vacant land. He thinks giving approval to demolish the property, even with some conditions, that if they aren't dealing with a property owner who has a clear plan to replace these houses, the HDC will have lost their control of it. He doesn't believe there have been enough investigations into other potential uses of the property to warrant an Economic Hardship.

Commissioner Cox stated some of these historic properties require a little more imagination to develop. He won't say he will never vote for these houses to be demolished, but he doesn't think the bank has fully attempted to try and find a solution. If there was a use for the big house part of a development, he wouldn't object if the shotgun house was to be moved or tore down for parking or whatever that space was needed for. He believes someone can create a plan that would be viable for this property.

Chairman Lee indicated that there are options available for endangered historic homes such as nominating it for the "Top 10 Endangered Properties List". The implication is that such a designation would open up the property to a state-wide audience that might not only want to use it as office use but may want to invest to

restore it just for its historical significance. He would think that would encourage people other than just residential property infill developers to look at this property. It might be something we can encourage Main Street or the Town to do for this house, if the bank would be agreeable, to a broader advertisement of this property.

Commissioner Brooks stated she doesn't think she could say any more than what Commissioner Cox and Chairman Lee have already said. She agrees with them.

There was a discussion over whether the HDC should defer or vote on the item.

Hearing no further comments, Chairman Lee called for a motion.

Motion by Commissioner Cox, and seconded, to approve a Certificate of Economic Hardship for the residential structure located at 269 South Center Street, which allows for its demolition, subject to the following conditions:

1. The property shall be seeded or sodded, as appropriate, to create a lawn area similar to other properties in the community.
2. A demolition permit shall be obtained from the Building Official prior to any demolition.
3. Any new construction shall be reviewed and approved by the Historic District Commission and a building permit shall be obtained prior to construction; however, any infill development on the subject property shall include a structure that replicates the Fleming/Houston House via a building of comparable size and architectural character (I-House).
4. Any changes/deviations from the approved plans will require staff and/or HDC approval prior to construction.

Chairman Lee stated if there is no other discussion then he will call for a vote.

Roll Call:

Cox – no, Brooks – no, Kelsey – recused, Lee – no.

Motion Denied.

HDC16-34 – 279 South Center Street – Request for a Certificate of Economic Hardship.

Commissioner Kelsey also recused himself on this item.

Hearing no further comments, Chairman Lee called for a motion.

Motion by Commissioner Brooks, and seconded, to approve a Certificate of Economic Hardship for the residential structure located at 279 South Center Street, which allows for its demolition, subject to the following conditions:

1. The property shall be seeded or sodded, as appropriate, to create a lawn area similar to other properties in the community.
2. A demolition permit shall be obtained from the Building Official prior to any demolition.
3. Any new construction shall be reviewed and approved by the Historic District Commission and a building permit shall be obtained prior to construction; however, any infill development on the subject property shall include a structure that replicates the shotgun-style tenant house via a building of comparable size and architectural character.
4. Any changes/deviations from the approved plans will require staff and/or HDC approval prior to construction.

Chairman Lee stated if there is no other discussion then he will call for a vote.

Roll Call:

Cox – no, Brooks – no, Kelsey – recused, Lee – no.

Motion Denied.

Commissioner Kelsey joined the HDC at this time.

There was a discussion over adding these houses to the Top Ten Endangered Historic Properties List to see if they can expand the awareness of this issue.

Motion by Commissioner Cox and seconded, to request nominating this property to Top Ten Endangered Historic Properties List in Tennessee.

Chairman Lee stated if there is no other discussion then he will call for a vote.

Roll Call:

Cox – yes, Brooks – yes, Kelsey – yes, Lee – yes.

Motion Approved.

HDC16-30 – Williams Re-Subdivision Lot 6B – Request for a Certificate of Appropriateness for new residential construction

Commissioner Brooks recused herself at this time.

Mr. Matthew Wilkinson gave the staff presentation as outlined in the staff report. The property is not located on the National Register District but it is in the Town’s Historic District. In November 2014, the HDC approved the lot configuration and setbacks for this infill lot in the Williams Re-Subdivision. At that time, the applicant indicated that they would be seeking a sidewalk wavier. The proposed Williams Re-Subdivision has not been finalized and will need to be formerly reviewed by the Planning Commission.

- | EXHIBITS |
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| 1. Cover Letter (7/5/16) |
| 2. Sketch Plan (7/5/16) |
| 3. Existing Conditions Photographs (7/5/16) |
| 4. Renderings & Material Examples (7/5/16) |
| 5. Floor Plan (7/5/16) |
| 6. Elevations (7/5/16) |
| 7. Roof Plan (7/5/16) |
| 8. November 2014 HDC meeting minutes |
| 9. Historic District Boundaries Map |
| 10. Staff Photo of Driveway |

He explained the setbacks that were approved for this property in 2014. The sidewalk will not extend to College Street, it will extend to the breezeway. The architectural style of the proposed house is described by the home designer as having a farmhouse feel. Staff’s interpretation of the home design could be southern vernacular featuring some aspects of Colonial Revival in the symmetry of the front windows and doors, as well as, Cape Cod architecture in the steepness of the roof and the protrusion of the front gables from the roof. The house is similar in design and materials to other infill houses in the area including 179 Cooper Street and 362 W. College Street. While there are other homes that have a similar material make up and style to this home in the area (179 Cooper Street and 362 W. College), the overall design of the home will be unique to College Street and the surrounding neighborhoods. He explained the elevations and materials the applicant is proposing to use.

The HDC Guidelines state that transoms are appropriate and encouraged for entrances to buildings, but give no guidance on their appropriateness for windows. The transoms above the 1st floor 2 over 1 windows will be 12” tall and feature a matching muntin bar aligned with the window below. There are no other houses in the vicinity that have transoms over the windows. The HDC should consider the appropriateness of the

proposed windows given how the Guidelines are not clear. The Guidelines state that window types should be compatible with those found in the district, which are typically some form of double-hung sash windows. The window styles along College Street are eclectic. While there are no examples of 2 over 1 windows, the house at 262 W. College Street has 2 over 2 windows and the house at 349 W. College Street has 4 over 1 windows, which are similar enough to the proposed divided light configuration to prevent the proposed configuration from standing out on the street.

Mr. Wilkinson explained the next steps for the applicant if the HDC approves their request.

Chairman Lee asked if there were any questions of staff.

Commissioner Cox asked if there were any other homes the HDC has approved that are that close to an existing house.

Mr. Groce state the HDC created the building envelope in 2014 and set the minimum spacing at that time. If you are concerned about the house's placement within this building envelope you could place a condition about moving the building envelope to one side or the other. That's the reason why these infill subdivisions come before the HDC, so you may review the setbacks.

Commissioner Cox stated he had some questions for the applicant regarding their future plans for the old magnolia trees on the property.

Mr. Groce stated the Town does not regulate removal of trees on a single family lot less than one acre.

Hearing no further questions for Staff, Chairman Lee called the applicant to the podium.

Mr. Nick Robbins, 296 DeLoach Ln, stated this is the most unfortunate thing about the whole thing because it is the tree that he actually likes and it is right smack in the way. They really considered trying to keep it, but the problem is the root structure cutting across the land and has gotten out of control.

Chairman Lee stated he is concerned about how the applicant is using the transoms over windows and finds it too inconsistent with Collierville's historical styles.

Mr. Christopher Speltz, Renaissance Group, 1133 Polo Drive, #105, stated they are hanging all the doors and windows at 8'. They were trying to get more natural light in the house. If you would like for us to go to a 6' window and take the transoms out they will be fine with that condition.

Chairman Lee stated it seemed the way it was done in the past, and to be consistent with past architecture, it would need to have a taller window with the top is consistent with the top of the door with the transom above it. If the applicant would agree to those changes than he will get into other issues if there are any.

Mr. Robbins stated he does like the design with the transoms. He feels like he had seen them in the Historic District and was wondering if he could show evidence of it.

There was a discussion over the use of transoms on the proposed house.

Commissioner Cox asked if the applicant was going to tear down the garage on the existing home.

Mr. Robbins stated in the most current plat they have presented, they have now met requirements for the setback on the lot fronting on Poplar Avenue with leaving the existing garage.

A discussion ensued over possible future issues with the shared driveway and how the applicant plans on solving those issues with a possible easement and the knowledge that the other house will have access to Poplar and not exclusively College Street.

Chairman Lee stated he thought as part of this re-subdivision they would tear down the existing garage to allow for a 30' setback for each back yard.

Mr. Robbins stated that was correct. In 2014 it was shown encroaching into the setbacks. They have modified the home design and plat so that it no longer encroaches into the setbacks.

Chairman Lee asked as part of this new construction, are they will tearing down the garage.

Mr. Robbins stated he is not sure how far they go on that property versus what they are doing on this property. He thinks in the future, they will be back in front of the HDC for a Certificate of Appropriateness on their design and plans for the existing house.

There was a discussion over the location of the lot lines and the conditions that were approved in the 2014 November HDC meeting.

Chairman Lee stated he is okay with this request as long as they get rid of the transoms on the front of the house.

Commissioner Cox stated the applicant really needs to redesign the house so that it goes around the magnolia tree.

Hearing no further comments, Chairman Lee called for a motion.

Motion by Commissioner Cox, and seconded, to approve the applicant's request for approval of a Certificate of Appropriateness for new residential construction at Lot #6-B of Williams Re-Subdivision (per Exhibits 2, 4, 5 & 6), subject to the following conditions:

1. Any changes or deviations from the approved plans will require staff and/or HDC approval prior to construction.
2. Either true or simulated divided light (with real wood exterior grids) shall be used on the windows visible from public streets. The finish, sash, depth of reveal and muntin (grid) configuration shall closely resemble recently approved simulated divided light windows in the District. Product details shall be provided with the building permit application to ensure that what is to be installed matches the plans.
3. The new pavement associated with the driveway extension shall match the existing driveway in material. The front walk will either match the existing pea gravel aggregate drive or the proposed brick front porch in construction material shall be provided over a minimum distance of 8 feet or 4:1 ratio" (§151.006(C)(7)).
4. The transoms above the windows shall be removed and the windows shall be replaced with either 6' or 8' windows at the applicant's discretion.

Chairman Lee stated if there is no other discussion then he will call for a vote.

Roll Call:

Cox – yes, Brooks – recused, Kelsey – yes, Lee – yes.

Motion Approved.

Other Business

Chairman Lee asked if there was any other business.

Mr. Jaime Groce stated there is an all-day Historic District Commissioner workshop in Franklyn, TN on August 19, 2016. He stated there will likely be a special PC meeting before the HDC meeting on August 25, 2016 to consider a site plan for a 2-story building between Fire Hall #1 and 148 N. Main Street.

With no further business, Chairman Lee adjourned the meeting at 6:59 p.m.

Secretary, Laura Todd

DRAFT