

Historic Preservation Commission

CITY OF LEBANON HISTORIC PRESERVATION COMMISSION
Regular Meeting – August 8, 2023

Attendees

John Foutch	Phillip Allison	David Taylor	Wayne Oakley
Marilyn Bryant			
Kristy Barhite	Kathleen Vail		

Call to Order

Vice Chairman John Foutch called the meeting to order at 5:02 PM and read the Chairman's Comments.

Public Comments – None.

Changes to the Agenda

There are no changes to the agenda. However, there is a supplemental report that will be addressed with Case 23-18 - the request by Robert and Kristy Zink for a Certificate of Appropriateness for work being done at 112 South Hatton Avenue.

Old Business

1. *Case 22-15 Request by Alberto Forero of Shaar Forero Properties Inc. for a Certificate of Appropriateness for work being done at 109 North Cumberland Street (Tax Map 68E Group O Parcel 29) zoned CD in Ward 3*

The applicant is requesting a Certificate of Appropriateness for work being done at 109 North Cumberland Street. Per the application, they are requesting to propose new signage on the building with 3 farmhouse lamps for lighting of the signage.

Staff recommended the following based on Historic Preservation Guidelines:

Staff recommended approval of the signage as shown at the 20 square feet size with the change in color of the lettering from yellow to white and with the addition of the three farmhouse style lamps onto the front façade of the building, as it would not compromise the historic character of the district.

The applicant, Alberto Forero was available.

A motion was made by Marilyn Bryant and seconded by Phillip Allison for approval of the Certificate of Appropriateness as presented. Motion carried 5-0.

2. *Case 23-17 Request by Annie White for a Certificate of Appropriateness for work being done at 130 ½ Public Square (Tax Map 68E Group Q Parcel 6) zoned CD in Ward 3*

The applicant is requesting a Certificate of Appropriateness for work being done at 130 ½ Public Square. Per the application, the applicant is requesting a new projecting arm sign on the building, or an optional wall sign on the second story.

Staff recommended the following based on Historic Preservation Guidelines:

The proposed sign is 18" by 18" for total square footage of 2.25 sf. This is less than the maximum allowed (4.5 sf). Per the Guidelines and now, the updated City Sign Ordinance (adopted in July), projecting arm signs must be mounted at least 8' high. The proposed sign hangs down to about 6.5' from the sidewalk. Other

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awnings in the immediate area, or arms holding up the awnings, hang down even lower than the sign proposed here.

The optional wall signage proposed for the 2nd floor is not a commonly placed signage location on the Square and would need to be 9 sf max in size. Staff does not recommend the optional wall sign placement on the second story of the building.

The projecting arm sign can be granted HPC approval pending Board of Zoning Appeals (BZA) approval of a variance to the Code. Staff recommended approval of the initial submittal, pending BZA approval of a Sign Code variance or if the sign can be hung near the front door but at least 8' minimum from the ground.

The applicant, Annie White was available. She explained that the base of the blue awning measures 8ft and there is no where to put the sign on either side because the awning spans the whole building and the sign would have to come out from under that awning to be visible. She said that she would do whatever the commissioners wanted including coming back next month with another sign design because she just wanted a sign.

Commissioner John Foutch said he loved the photo that had she sent with the application showing the height of the sign in relationship to her height. He said that he was concerned at the last meeting not knowing the height, he was comparing it to the height of a standard doorway. He said that he no longer has any problem with it.

Commissioner David Taylor said that 98% of the population is not going to knock their heads on it anyway and people who are taller than that are well used to ducking their heads.

Commissioner Wayne Oakley asked to see the adjacent awnings and after looking at some pictures it was decided that they were lower.

A motion was made by David Taylor and seconded by Marilyn Bryant for approval of the Certificate of Appropriateness as presented at 6.5ft and with the variance from the Board of Zoning Appeals. Motion carried 5-0.

Wayne Oakley asked for clarification regarding the sign ordinance; is the sign hung with the bottom at 8ft now in the sign code.

Staff said yes and that last month this sign could have been approved.

New Business

1. *Case 23-18 Request by Robert and Kristy Zink for a Certificate of Appropriateness for work being done at 112 South Hatton Avenue (Tax Map 68F Group D Parcel 8) zoned RD9 in Ward 3*

The applicant is requesting a Certificate of Appropriateness for work being done at 112 South Hatton Avenue. Per the application, they are requesting to replace metal railings with decorative wood railings on their front porch.

Staff recommended the following based on Historic Preservation Guidelines:

The existing porch and metal railing is not original to the home. Staff recommended approval of the wooden railing as proposed.

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The applicants, Robert and Kristy Zink were available. They said that the fence would not be “aged” like the example picture that was supplied with the application.

A motion was made by Phillip Allison and seconded by David Taylor for approval of the Certificate of Appropriateness for the fence as presented. Motion carried 5-0.

In addition to the proposal for the front porch railing at 112 South Hatton Avenue, the applicant applied for a second COA at the same time and subsequently, was somehow lost in Staff’s email inbox. The application materials were sent on July 11, 2023 in time for the August meeting. This proposal is to create a detached 2-car garage with an accessory dwelling unit above it. This type of accessory dwelling unit is allowed in the RD9 zoning district. This new structure will be located to the side and rear of the primary structure. The front façade of this structure will be seen from the street, hence the COA application.

Regarding the detached garage, once the applicant receives COA approval, the proposal will be reviewed by Staff for compliance with all building and zoning codes prior to issuance of building permits. Staff recommended approval.

The Zink’s described what they were doing by using the pictures sent in with the application of the approximate size of the garage. They also mentioned that the porch size was not finalized either. They said that they will be at the August Board of Zoning Appeals to determine the final location as well.

Side setbacks were discussed however it is not an item the commission reviews.

Commissioner Wayne Oakley asked what material the structure would be utilizing.

Staff said that they would be using Hardie siding, and they will try to match the color as close as possible to the primary residence.

There was a discussion regarding the Hardie.

A motion was made by David Taylor and seconded by Marilyn Bryant for approval of the Certificate of Appropriateness for the garage as presented. Motion carried 5-0.

2. Case 23-19 Request by Kelly Orlowski of Sunday Farm for a Certificate of Appropriateness for work being done at 117 East Main Street (Tax Map 68E Group O Parcel 10) zoned CD in Ward 3

The applicant is requesting a Certificate of Appropriateness for work being done at 117 East Main Street. Per the application, they are requesting to install new signage, add second story window flower boxes, and add hanging plants to the street facade.

Staff recommended the following based on Historic Preservation Guidelines:

The maximum square footage of signage allowed on this building is 28.5 square feet. The signage as proposed meets this requirement. The Historic District Guidelines do not regulate hanging plants or window boxes in the non-residential districts. Staff recommended approval.

The applicant was unavailable, the building owner Nettie Boyle was available.

Commissioner Wayne Oakley stated that he met with the applicant regarding architectural services for the interior buildout.

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A motion was made by Phillip Allison and seconded by Marilyn Bryant for approval of the Certificate of Appropriateness as presented. Motion carried 5-0.

3. *Case 23-20 Request by James and Debora Lancaster for a Certificate of Appropriateness for work being done at 619 West Spring Street (Tax Map 68F Group A Parcel 24.02) zoned RD9 in Ward 3*

The applicant is requesting a Certificate of Appropriateness for work being done at 619 Spring Street. Per the application, they are requesting to add privacy fencing to enclose their residential back yard.

Staff recommended the following based on Historic Preservation Guidelines:

Staff is not opposed to the installation of the composite fencing to enclose the back yard. The visible portion of the fence from the road will be a 14-foot gated entrance on the west side of the home and the 12-foot section of fence that closes off the backyard on the east side of the house. This is a wood-like composite fence that will be painted gray to match the exterior trim of the home. Staff recommended approval, as it does not compromise the historic character of the district.

The applicant, James Lancaster was available. He said that this fence has a 25-year warranty and wood fences seem to deteriorate so quickly.

A motion was made by David Taylor and seconded by Wayne Oakley for approval of the Certificate of Appropriateness for the fencing as presented. Motion carried 5-0.

Commissioner Comments – None.

Planning Comments

- 124 S Hatton Ave Fence and 107 S Hatton Ave Fence

Staff said that recently noncompliant fencing is being installed in the historic districts. Staff has been working with the individuals after the fact and they are trying to come into compliance. A lot of the fencing companies are not being good at coming into compliance with some of these units. We have had some requests to amend out Zoning Code. One request is to abolish the fence rule of the finished side of the fence facing outward and another to amend it. (See Exhibit A)

There was a discussion regarding fences in the guidelines or whether to make it city wide.

- Signs on the Square

The history of the signs is prior to the district being established, Burger King and the Capitol Theatre had illuminated signs. There were other signs, but Staff was unable to determine which ones were lighted from photo records.

Commissioner John Foutch said that Poppies, the Urban Mill, and some others on that corner were beforehand.

Staff said that only one that was approved was the Trammel Building sign. An additional note is that all the hanging arm signs are 8 feet from the bottom of the signs, and it is now in the new sign code it is required.

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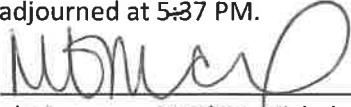
- Design Guidelines Comments

Commissioner Wayne Oakley submitted written comments and mentioned that they needed hyperlinks in the document to the city website as well as to the Historic Guidelines and Zoning Code and hyperlinks where another chapter is referenced. And he emphasized that there needed to be a lot more pictures.

Additionally, materials (example Windows) all need to be together especially if doing a PDF search, the chapters need to be shifted around, the residential and commercial need to be separated. Better photos of the area and if necessary, the commissioners can provide some.

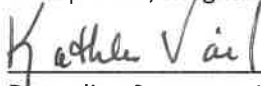
Adjourn

A motion was made by John Foutch and seconded by David Taylor to adjourn the meeting. The meeting was adjourned at 5:37 PM.



Chairperson, Meghan Michel

10/10/2023
Date



Recording Secretary, Kathleen Vail

10/10/2023
Date

Historic Preservation Commission

Exhibit A

Kristy Barhite

From: Paul Corder
Sent: Monday, July 24, 2023 7:38 AM
To: Joshua Stahl; Kristy Barhite
Cc: Kathleen Vail; Patsy Anderson; Danny Raines
Subject: FW: The abolishment of Ordinance NO. 21-6173 section 14.805

Follow Up Flag: Follow up
Flag Status: Flagged

fyi

Paul Corder, AICP
Planning Director
200 North Castle Heights Ave
Lebanon, TN 37087
Phone: 615-444-3647 x2321
paul.corder@lebanontn.org

From: Paden Robertson <padenutk20@gmail.com>
Sent: Saturday, July 22, 2023 8:47 AM
To: Paul Corder <paul.corder@lebanontn.org>
Subject: The abolishment of Ordinance NO. 21-6173 section 14.805

I am writing this email to request that ordinance NO 21-6173 be abolished: specifically Title 14 section 14.805 subsection G. The language used in this specific section, "Any fence being constructed shall have the finished side facing outward away from the property. The structural rails and posts should not face outside the fenced area, except in cases of hardship or special circumstances," is subjective and open to misinterpretation. I myself recently built a fence and was informed that it was not up to the correct codes. I met with a local office member overseeing the enforcement of said codes and discussed what needed to be done to fix my fence. I then finished two sections of my fence and sent pictures from different angles of the updated sections to the aforementioned office member, requesting verification that I was within compliance. She emailed me back and said that I was, and thanked me for making the effort. Based off of this exchange I then completed the rest of my fence only to be told that it wasn't compliant. I know that this specific section of the code has not always existed and has been removed in the past. There are also several houses in my neighborhood and the surrounding area that have fences constructed very similarly to mine. Because of this I am asking that this section of the code be removed. Please let me know anything that I can do to help in this process. I can also attach any emails discussed prior or anything else needed. Thank you for your time.

-Paden Robertson

Historic Preservation Commission

Case # 23-15

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission

Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 109 North Cumberland Street

Tax Map/Group Number: 68E 0 Parcel 29

Historic District: Public Square

Applicant

Name: Alberto Forero of Shaar Forero Properties, Inc.

Address: 4313 Belle Mina Lane, Franklin, TN 37064

Telephone: 615 818 4329 Email Alberto@shaarforero.com

Owner (If not the applicant)

Name: -SAME-

Address: _____

Telephone: _____ Email _____

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved Denied _____ Approved with Conditions _____

If approved with conditions, state the conditions: _____

R _____

(continued on back)

Reasoning of the Commission: _____

[Signature]

Chair

7-11-23

Date

Historic Preservation Commission

Case# 23-15

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission
Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 109 North Cumberland Street

Tax Map/Group Number: 68E 0 Parcel 29

Historic District: Public Square

Applicant

Name: Alberto Foreiro

Address: 4313 Belle Mina Lane, Franklin, TN 37064

Telephone: 615 818-4329 Email: Alberto@shaarforeiro.com

Owner (If not the applicant)

Name: SAME

Address:

Telephone: Email

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved [X] Denied Approved with Conditions

If approved with conditions, state the conditions:

(continued on back)

Reasoning of the Commission:

[Signature]
Chair

8/18/23
Date

Historic Preservation Commission

Case 23-17

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission

Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 130 1/2 Public Square

Tax Map/Group Number: 68E Q Parcel 6

Historic District: Public Square

Applicant

Name: Annie White

Address: 719 Farmington Dr., Lebanon, TN 37087

Telephone: 615-509-4711 Email annie@therefinerytn.com

Owner (If not the applicant)

Name: Buck Snyder

Address: 2610 Westwood Dr., Nashville, TN 37204

Telephone: 615 473-4746 Email buck@centralbuildersllc.com

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved [X] Denied _____ Approved with Conditions _____

If approved with conditions, state the conditions: _____

(continued on back)

Reasoning of the Commission: _____

[Signature]
Chair

8/8/23
Date

Historic Preservation Commission

Case 23-18

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission
Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 112 South Hatton Avenue

Tax Map/Group Number: 68F D Parcel 8

Historic District: Cumberland University

Applicant

Name: Robert and Kristy Zink

Address: 112 S Hatton Ave, Lebanon, TN 37087

Telephone: Email rkzink@gmail.com

Owner (If not the applicant)

Name: SAME

Address:

Telephone: Email

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved Denied Approved with Conditions

If approved with conditions, state the conditions:

(continued on back)

Reasoning of the Commission:


Chair

8/8/23
Date

Historic Preservation Commission

Case 23-19

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission

Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 117 East main Street

Tax Map/Group Number: 6BE 0 Parcel 10

Historic District: Public Square

Applicant

Name: Kelly Orłowski - The Sunday Farm

Address: 1522 Spain Hill Rd, Lascassas, TN 37085

Telephone: 602 677-0127 Email kellyorłowski@gmail.com

Owner (If not the applicant)

Name: Nettie Boyle - NGB Property Management

Address: 207 Moore Haven Cir, Lebanon, TN 37087

Telephone: Email ngbpropertymanagement@gmail.com

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved [X] Denied ___ Approved with Conditions ___

If approved with conditions, state the conditions: _____

(continued on back)

Reasoning of the Commission: _____

[Signature]
Chair

8/18/23
Date

Historic Preservation Commission

Case 23-20

CITY OF LEBANON, TENNESSEE

Lebanon Historic Preservation Commission

Application for Certificate of Appropriateness (COA)



Project Location

Project Address: 619 West Spring Street

Tax Map/Group Number: 68F A Parcel 24.02

Historic District: Cumberland University

Applicant

Name: James and Debora Lancaster

Address: 619 W. Spring St., Lebanon, TN 37087

Telephone: 615 476-1160 Email jim.lancaster1960@gmail.com

Owner (If not the applicant)

Name: SAME

Address:

Telephone: Email

To be completed by the Commission Chair

The Certificate of Appropriateness is hereby:

Approved [X] Denied Approved with Conditions

If approved with conditions, state the conditions:

(continued on back)

Reasoning of the Commission:

Chair [Signature]

Date 8/18/23