

The regular meeting of the Historic District Commission was held on Thursday, June 22, 2023, at 4:00 p.m. in the James H. Lewellen Board Chambers at Town Hall.

The following Staff members were present: Interim Development Director, Mr. Adam Hamric; Town Planner, Mr. Jaime Groce; Assistant Town Planner, Ms. Donquetta Singleton; Planner, Mr. Josh Hankins; Planner, Ms. Nabanita Nira; Administrative Specialist Sr., Ms. Lynette Denzer.

**Pledge of Allegiance**

Commissioner Hall led the Pledge of Allegiance.

**Roll Call:**

Chairman Lee asked Ms. Denzer to call the roll to confirm a quorum.

Cox	Hall	Brooks	Walker	Lee	Kelsey	Rozanski
Absent	Present	Present	Absent	Present	Present	Absent

**Quorum present.**

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**Approval of Minutes**

Chairman Lee asked if there were any corrections to the minutes from the May 25, 2023, meeting.

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

*Motion by Commissioner Kelsey, and seconded, to approve the minutes from the May 25, 2023, meeting.*

**Roll call:**

Kelsey	Brooks	Hall	Walker	Rozanski	Cox	Lee
Yes	Yes	Yes	Absent	Absent	Absent	Yes

**Motion Approved.**

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**Approval of the Agenda**

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

Mr. Groce stated there were no changes to the agenda.

*Motion by Commissioner Hall, and seconded, to approve the agenda.*

**Roll call:**

Hall	Kelsey	Brooks	Walker	Rozanski	Cox	Lee
Yes	Yes	Yes	Absent	Absent	Absent	Yes

**Motion Approved.**

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**FORMAL AGENDA**

**6. a. Case #231379 – Cooper College Subdivision, Lot 3 – 185 Cooper Street – Request for a Certificate of Appropriateness for an accessory structure.**

Ms. Donquetta Singleton reviewed the Staff Report, which is an exhibit for the record. The applicant is requesting approval of a Certificate of Appropriateness (CofA) for an accessory structure at 185 Cooper Street. The property is Lot 3 of Cooper College Subdivision, approved in 2006, it is outside the National Historic District. The HDC approved a CofA for a fence in 2022.

The proposed structure would be 2 ft from the west property line, 6 ft from south property line. The structure is 7.5 ft in height which requires a 7.5 ft setback. Zoning Ordinance states in no case should an accessory structure be located closer than 5 ft from a property line or structure.

The applicable Historic District Guidelines were reviewed. The HDC should determine if this type of accessory structure (metal pergola with louvers) is appropriate within the Historic District, if the structure is an open-air arbor, and whether it is appropriate within close proximity of the property line.

Private design review for Cooper College Subdivision has been approved for the requested design of this structure. The Applicant is not in agreement with Condition 2.

Chairman Lee asked if there were any questions for Staff.

Questions and discussion ensued about the Code definition of open-air structure, existing metal or wood pergolas, and other existing accessory cases.

Hearing no further questions, Chairman Lee asked the applicant to come forward.

Mr. Donmark McCulloch, 185 Cooper Street, came forward. Mr. McCulloch brought up that newer types of pergolas and accessory structures may not be addressed by the existing code. The intent is to be consistent with the color of the home. Neighbors have been contacted and are ok with the look and design.

Discussion ensued about setbacks for enclosed accessory structures vs open-air pergolas/garden elements without solid roofs. An accessory structure with a solid roof would not fit in the area with the required setbacks.

Hearing no further questions or discussion, Chairman Lee called for a motion.

Discussion ensued about the style and material of the element/structure, design and setback, requirements for an open-air arbor, possible issues with insects/bees and existing wood structures, and that private approvals do not change the HDC's oversight, and they can be more restrictive than private design review if it chooses.

***Motion made by Commissioner Kelsey, and seconded, to approve a Certificate of Appropriateness for an accessory structure (Exhibits 2 & 3) at 185 Cooper Street, subject to the conditions in Exhibit 1.***

**EXHIBITS**

The staff report and the following:

1. Conditions of Approval (6/16/23)
2. Applicant's Cover Letter & Email (5/5/23)
3. Pergola Renderings & Specifications (5/5/23)
4. Pergola Site Layout (5/5/23)
5. Excerpt from Historic District Guidelines

Conditions of Approval from Exhibit 1:

1. Any changes/deviations from the approved plans will require staff and/or HDC approval.
2. The accessory structure is not considered an open-air arbor and shall be no closer than 7.5 feet from all property lines, any other setback encroachment shall be approved by the Board of Zoning Appeals.

Hearing no further discussion, Chairman Lee asked Ms. Denzer to call roll.

**Roll call:**

Hall	Cox	Brooks	Walker	Rozanski	Kelsey	Lee
No	Absent	No	Absent	Absent	No	No

Staff explained next steps could be to meet with BZA and discuss variances, or appeals of staff interpretations of the zoning ordinance.

**Motion Denied.**

**6. b. #231684 – 365 College Street – Request for a Certificate of Appropriateness for an accessory structure.**

Ms. Nabanita Nira reviewed the Staff Report, which is an exhibit for the record. The applicant is requesting approval of a Certificate of Appropriateness (CofA) for an accessory structure at 365 College Street. The proposed prefabricated structure will have wood-based engineered product siding and dimensional shingles to match the principal structure. The property is in the Collierville Local Historic District. The fence was approved by the HDC in August of 2018, and the proposed accessory structure will have limited visibility from College Street due to the large setback.

EXHIBITS
The staff report and the following:
1. Conditions of Approval (6/16/23)
2. Cover Letter (6/16/23)
3. Site Plan (6/16/23)
4. Proposed Accessory Structure (6/16/23)
5. Applicant's Photo (6/16/23)
6. HDC Guidelines on Garage, Carports and Outbuildings (6/16/23)

Chairman Lee asked if there were any questions for Staff.

Hearing none, Chairman Lee called for a motion.

***Motion made by Commissioner Hall, and seconded, to approve a Certificate of Appropriateness for an accessory structure, subject to the conditions in Exhibit 1.***

Conditions of Approval from Exhibit 1:

1. The shingles shall be dimensional/architectural to match the principal structure.
2. Any changes/deviations from the approved plans will require staff and/or HDC approval.

Hearing no discussion, Chairman Lee asked Ms. Denzer to call roll.

**Roll call:**

Brooks	Cox	Hall	Walker	Rozanski	Kelsey	Lee
Yes	Absent	Yes	Absent	Absent	Yes	Yes

**Motion Approved.**

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## Other Business

### 7.a Review and discuss Ordinance 2023-08, an Ordinance to Amend Title XV, Chapter 151, §151.195 through §151.205 Related to the Historic Zoning District and Demolition by Neglect.

The HDC will not be asked to make a formal recommendation on the draft amendments at this meeting. Staff suggests continuing to review the drafts. Mr. Groce addressed some questions from previous sessions.

Mr. Groce will be scheduling a meeting with Columbia, TN on how their community handles public and private sidewalk maintenance. Other topics were the definition of “economic hardship”, and the relationship of the Town’s existing property maintenance code and a proposed Demolition by Neglect code. Some members of the HDC said they would like to further review the existing property maintenance code to address this concern.

Mr. Groce also answered questions from the HDC regarding who can order changes to or removal of a structure. According to Town Code, the Building Official and Fire Marshall have authority to enforce property maintenance.

Discussion ensued regarding how the existing Town Ordinance says property owner consent is required for changes to the to the Local Historic District overlay. The BMA can be asked to amend the Ordinance to remove or alter this consent requirement. A draft of the ordinance for HDC vote will be added to next agenda.

Mr. Groce provided an update to the HDC 2023 goals and timelines: Demolition by Neglect Ordinance, and the expansion of the Local Historic District Overlay. The Commission indicated the timeline presented is acceptable.

The Tennessee Historic Commission (THC) will be providing training on July 14 at 1 PM at the Morton Museum. Training topics will include Demolition by Neglect and the purpose of Historic Overlays. This session will be recorded.

The next regularly scheduled HDC meeting is July 27, 2023. Possible agenda items are a Demolition by Neglect Ordinance & subdivision plat for the sale of UofM Building to Collierville Schools.

Mr. Groce gave an update on applications Administratively approved since the last meeting and on active development applications within the Local Historic Overlay.

With no further business, Chairman Lee adjourned the meeting at 4:52 p.m.

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Secretary, Chad Kelsey