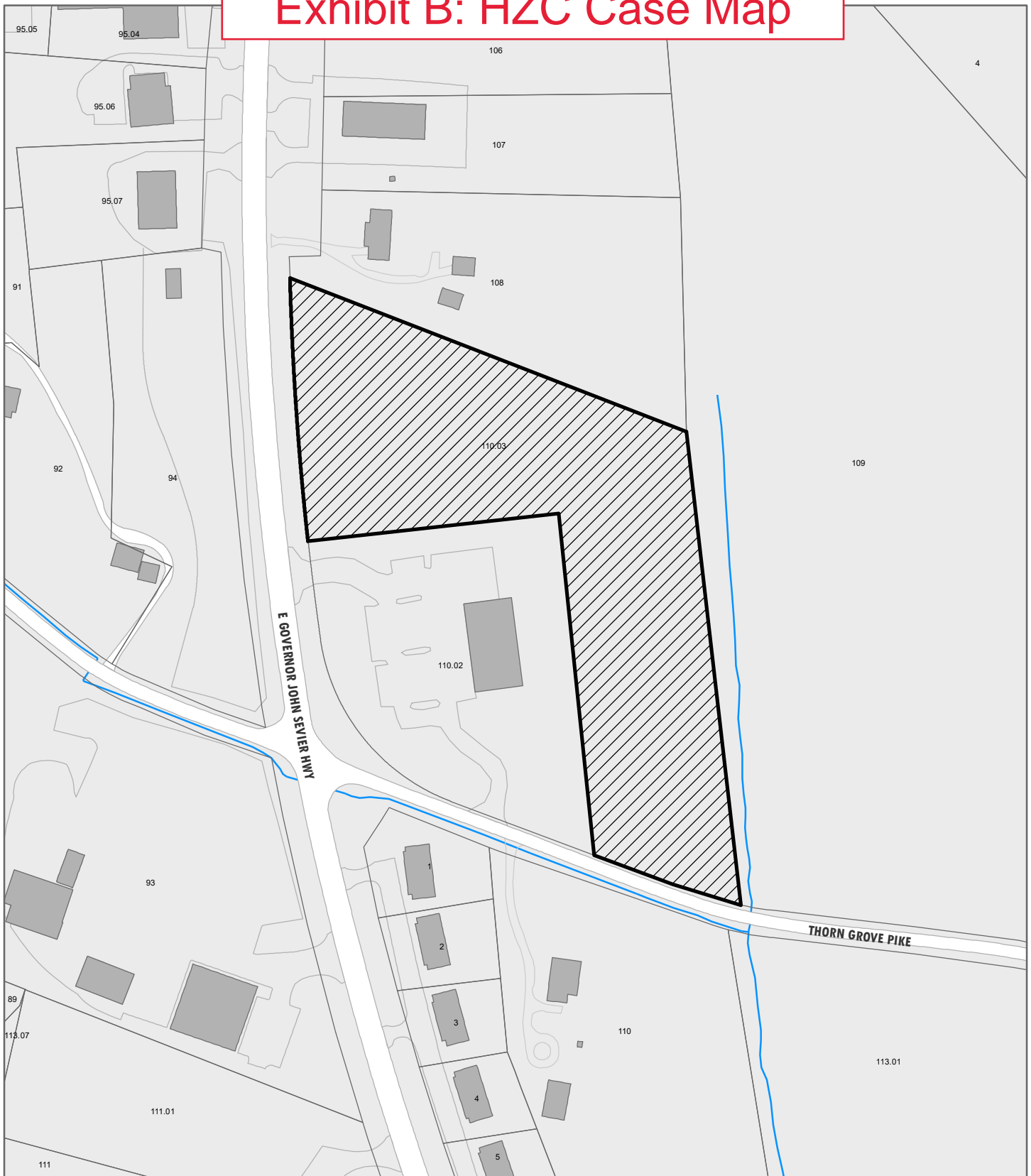


Exhibit B: HZC Case Map



10-B-23-HZ
APPLICATION FOR CERTIFICATE OF APPROPRIATENESS



3220 Governor John Sevier Hwy. 37914
Ramsey House H

Original Print Date: 10/4/2023
Knoxville/Knox County Planning -- Historic Zoning Commission

Petitioner: William Rhoton

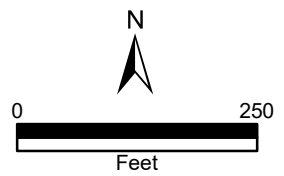


Exhibit C: HZC Staff Report



Staff Report

Knox County Historic Zoning Commission

File Number: 10-B-23-HZ

Meeting: 10/19/2023
Applicant: William Rhoton
Owner: KME Development LLC

Property Information

Location: 3220 Governor John Sevier Hwy. **Parcel ID** 96 11003
District: Ramsey House H
Zoning: A (Agricultural)
Description: n/a
5.77-acre vacant parcel originally associated with the Historic Ramsey House.

Description of Work

Level III

Applicant is initiating the process to remove the HZ overlay on an approximately 5.77-acre parcel at the intersection of E. Gov. John Sevier Highway and Thorn Grove Pike. The parcel has an HZ overlay associated with the Ramsey House.

Applicable Design Guidelines

Secretary of the Interior's Standards for Rehabilitating Historic Buildings.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Comments

N/A

Staff Findings

1. The Ramsey House was listed on the National Register of Historic Places in 1969 and received a historic (HZ) overlay in 1988.
2. Review of the HZ overlay's removal by the Historic Zoning Commission is the first step in the process. The County HZC is charged with providing a recommendation to the Planning Commission to approve, approve with conditions, or deny the removal of the overlay. The Planning Commission is the body which will vote on the overlay's removal, along with any additional zoning changes. The HZC's purview is to evaluate how removing the historic overlay would affect the integrity of the Ramsey House overall (see Exhibit E: Definition of integrity).
3. The property is currently zoned A (agricultural). Per Section 5.80.01 of the Knox County Zoning Code, the HZ overlay does not regulate uses and does not prohibit development on the site. The HZ overlay is intended to "designate areas and structures of sufficient historical and cultural significance to warrant public protection" and "require that new construction ... be appropriate to their character."
4. Section 5.80.05 of the HZ code notes that "the historic zoning commission may recommend establishing a zone boundary around structures warranting public protection which includes adjoining property having a conspicuous visual relationship to the historic structure and which boundary may extend up to one-quarter mile from the property line of the land pertaining to any such historic structure." The zone boundary was not specifically referenced in the 1988 rezoning but is relevant to the discussion.
5. In 2014, the Historic Ramsey House board subdivided approximately 9.11 acres on the west side of the property into one 5.77-acre parcel and one 3.34-acre parcel (see Exhibit C, 2014 plat). The Historic Zoning Commission reviewed the removal of the overlay on the 3.34-acre parcel in April 2014 (see Exhibit D, HZC Minutes). The HZC recommended the HZ overlay be removed on the 3.34 parcel.
6. In May 2014, the Planning Commission reviewed the parcel's rezoning request from A/HZ to CA (General Business). Instead of the CA zoning, the Planning Commission approved PC (Planned Commercial) zoning, "because of the site's proximity to the Ramsey House and grounds" and because PC Zoning would allow the Planning Commission "to review a development plan for the site, at which time staff may recommend appropriate landscaping, lighting, access, and signage in order to remain compatible and functional with the Ramsey House property." The Planning Commission also removed the HZ overlay at this meeting. The site was ultimately developed by the buyer/current owner/seller of the parcel in question for a Dollar General. (See Exhibit F: Rezoning report)
7. The applicant for the HZ removal and the rezoning in 2014 was the APTA/Ramsey House. In 2014, the Ramsey House Board and APTA (Association for Preservation of Tennessee Antiquities) supported the removal of the HZ overlay and the rezoning request, as they were selling the property. The applicant for HZ removal in 2023 is the potential buyer of the property. Per a letter from the Historic Ramsey House current staff and Board of Directors, the Ramsey House does not support the removal of the HZ overlay.
8. There are no historic structures on the site. There is a 50' stream buffer on the east side of the parcel, along with a 3,441 sq. ft. recorded wetland area on the adjacent 3.34 acre parcel, at the center of the overall site. Per the 2014 HZC review, no archaeological resources have been found on the site, though details of any archaeological surveys were not submitted.
9. The NPS defines integrity by seven aspects, including setting (the character of the place where the historic

resource is located, including natural and manmade features such as vegetation, open space, and viewsheds); feeling (surviving physical features that express the site's historic character and help the visitor experience an awareness of its history); and association (the relationship between a historic event or person and the property, which "can occur only if the property's historic physical features, or character, survive"). [See Exhibit E: National Register 101: Seven Aspects of Integrity]

10. The HZC should determine if the parcel in question contributes to the setting, feeling, and association of the overall Ramsey House property. In the opinion of staff, the 2014 rezoning to PC and the development of the 3.34 acre parcel at the southwest corner of the property to a Dollar General detracts from the overall integrity of the Ramsey House, which was originally a large agricultural and residential property, with land both cleared and covered with trees. At present day, the existing vegetation buffer does provide a visual buffer between the Ramsey House property and development fronting E. Governor John Sevier Highway, though site clearing and additional impervious surface may affect the adjoining vegetation and wetlands.

11. At the date of the agenda posting (10/11/2023), the applicant and the Ramsey House Board have not actively communicated. Some compromise may be possible to retain the HZ overlay on the rear portion of the parcel, which features the wetlands and stream buffer and adjoins the Ramsey House property.

Staff Recommendation

Staff recommends the Historic Zoning Commission determine that removing the HZ overlay on the entire 5.77-acre parcel would have an adverse effect on the historic integrity of the Ramsey House property.

Exhibit D: April 2014 HZC Minutes



MINUTES
KNOXVILLE HISTORIC ZONING COMMISSION
KNOX COUNTY HISTORIC ZONING COMMISSION

MEETING APRIL 17, 2014

<u>City HZC Present</u>	<u>County HZC Present</u>	<u>Others Present</u>
Sean Bolen	Bill Belser	Jerry Caldwell
Scott Busby	David Butler	Art Clancy
Steve Cotham	Bart Carey	Helen Bryenton
Faris Eid	Mike Crowder	Connie Decker
Sandra Martin	Carol Montgomery	Wayne Decker
Lorie Matthews		John Lyle
Melissa McAdams		Gayle Mantler
Andie Ray		Fiona McAnally
		Rebecca Ridner

<u>City HZC Absent</u>	<u>County HZC Absent</u>	<u>Staff Present</u>
Jason Woodle	None	Dori Caron
		Crista Cuccaro
		Kaye Graybeal
		Melvin Wright

Comm. Chair Busby called the meeting to order and noted there was a quorum. He stated that the meeting was being televised and recorded. He also asked that speakers limit their presentations to 5 minutes and to sign in when they reached the podium. He also noted that any decisions can be taken to Chancery Court if appealed within 60 days. Comm. Chair Busby then swore in all visitors and Applicants that planned to speak on any Agenda item. Roll call was taken. There were no visitors to introduce. Comm. Chair Busby introduced and welcomed Steve Cotham as a newly seated Knoxville Historic Zoning Commissioner.

Action: Knoxville Comm. Chair Busby handed the meeting over to the Knox County Comm. Chair David Butler.

Request for removal of HZ Overlay by Association for the Preservation of Tennessee Antiquities (APTA)

Recommendation for Ramsey House property– (5-G-14-RZ)

Discussion: Ms. Graybeal reviewed the zoning history of the Ramsey House property. A 3.37 acre portion of the 9.41 acres is proposed to be rezoned to allow for potential commercial development, including removing the Historic overlay from this piece of the parcel as well the remainder of the 9.41 acres added in 1986. Maps were handed out to assist with visualizing the proposal. Ms. Graybeal read the proposed Findings of Fact into the record. The portion of the parcel proposed to be rezoned was clarified. A power point presentation was viewed assisting with the clarification. She noted there is nothing historic on the proposed parcel to be rezoned. Further she noted there was a vegetation buffer which would prevent being able to see the proposed commercial development, this buffer being owned by APTA thus them ensuring it would remain intact. The additional 9.41 acres was granted an historic overlay at the request of former board members to protect the Ramsey House context from inappropriate development. The concern is whether additional commercial development will further detract from the Ramsey property. The purview of the Commission today is to forward an opinion to the Knox County Commission on whether lifting the historic overlay will be a detriment to the historic integrity of the Ramsey property. Ms. Graybeal noted that staff identifies that there is already commercial development in the area. It was clarified that under the current HZ overlay, the exterior of any new construction would need to come before the HZC for review.

Wayne Decker, the president the Ramsey House Board, also the vice-president of APTA. He stated the APTA owns the Ramsey House facilities and noted their (APTA) Board has voted to approve the sale of this parcel. Mr. Decker gave a brief overview of the history of the Ramsey House. With the sale of this parcel, they can increase their endowment, the revenues from which will go a long way in support of their mission, the educational programs they provide as well as enhance the facilities. He touched on the tree line and also noted the buffer zone is wetlands upon which there can be no development, which they consider a benefit to their property. Gayle Mantler, representing the Broadway group, respectfully asked on their behalf that the Commission remove the historic overlay (HZ) on all 9+ acres if possible. She noted they only want the other zoning changes on the smaller parcel they want to subdivide (3.37 acres). Mr. Decker noted they did not realize the full future development ramifications of an HZ overlay. Mr. Decker noted that maintenance of the buffer and wetlands is part of their contract with the buyer as an additional level of protection. Ms. Graybeal noted that MPC planning staff found that commercial zoning of this proposed parcel was compatible with the surrounding area and current zoning there. Significant discussion regarding the opinion that retaining the HZ overlay would be very restrictive for most commercial development, as it would require a significantly more substantive process to obtain approvals and permitting for development.

Tim Morris, civil engineering and landscape architecture representative for the Applicant was also present. It was clarified that the design criteria for this parcel would be found in the Secretary of Interior Standards for Rehabilitation, which are overall less specific than local design guidelines, but would curtail most typical commercial development. Mr. Decker again stated the protection is there for the Ramsey House regardless of the historic overlay. He noted their Board would never do anything that would be detrimental to the Ramsey House. They feel this proposed subdividing and sale of the smaller parcel is

not an important part of the property.

Fiona McAnally, was Executive Director for Ramsey House from 2001 to 2004. Ms. McAnally also resided on the property. She is requesting that the Commission postpone any decision today until there can be further discussion about this community asset. She noted the property became the flagship of the newly formed Association for the Preservation of Tennessee Antiquities (APTA). She offered additional historic perspectives to bring the property to a total of 100 acres. She stated she drives through the intersection regularly and that the land around the area has many residences and described that in some detail. She thought initially that this proposal was due to financial hardship of the nonprofit overseeing the property. She again restated she would like to see organizations and entities that have donated to and supported this property be given times to explore alternative strategies. Elaine Clark, president of the French Broad Preservation Association, noted they oppose the zoning change for two reasons: the historic overlay is there to protect its visibility and the property itself and also the community has a sector plan (East County Sector Plan) in force which does not include the recommendation for commercial zoning.

Mr. Decker clarified their contract with the proposed buyer of the parcel contains language that the historic property signage in place be kept intact. Knox County Chair David Butler clarified the role of the Commission today was to determine if this parcel being sold affects the integrity of the Ramsey House as an historic property.

Dr. Charles Faulkner noted he had taught historical archeology at UT. He noted he had surveyed and performed archaeological excavations at the property over many years. Dr. Faulkner stated in his opinion was such that this parcel does not contain anything historically or architecturally relating to the Ramsey House.

Connie Wallace, Ramsey House Board member, reiterated that TDEC would not allow the buffer/wetland area to be developed. She stated they have no interest in ever clearing that area and the only value of this land to the Board and Ramsey House is its monetary value. Mr. Decker closed by noting that the Ramsey House is on a solid financial foundation.

Action: Comm. Montgomery moved that the Commission recommend denial of lifting the A / HZ overlay but to allow the additional commercial overlay. The Motion failed due to lack of a Second.

Action: Comm. Belser moved to recommend that the HZ overlay be lifted on the 3.37 acre parcel only. The Motion was seconded by Comm. Chair Butler. The Motion carried unanimously.

Staff member Kaye Graybeal noted the Commissioners had been given a copy of the Annual Report to the Mayor and invited feedback. There was no further business.

Action: Comm. Montgomery moved to adjourn the meeting. The Motion was seconded by Comm. Carey. The Motion carried unanimously and the meeting was adjourned.

Exhibit E: National Register 101

From the

LOUISIANA State Historic Preservation Office

Office of Cultural Development,
Department of Culture, Recreation and Tourism

National Register 101

Seven Aspects of Integrity

By Patricia L. Duncan
National Register Coordinator, Division of Historic Preservation

A CANDIDATE MUST MEET three requirements to qualify for the National Register of Historic Places, as explained in the February issue of *Preservation in Print*. Two of these essentials — significance and age — were covered in that issue. The third qualification — integrity — is the topic of this and the following installments of National Register 101.

The National Register defines integrity as the ability of a property to convey its significance. However, “integrity” is a word generally used to describe a person’s honesty and sincerity. So, why is a word usually associated with humans used to designate a National Register eligibility requirement? The answer can be found in *Webster’s New World Dictionary*, which adds “completeness” to integrity’s definition. Under this broader explanation, buildings, structures, districts, sites and objects can also have integrity.

Of the three Register eligibility requirements, integrity is probably the most complicated and difficult to understand. To simplify things, the National Register staff sometimes tells applicants that integrity means the candidate still has to look historic. However, there are actually seven factors, or “aspects,” that must be evaluated to determine if that historic look survives. These aspects are location, setting, design, materials, workmanship, feeling and association.

LOCATION is the easiest element of integrity to understand. For National Register purposes, location is the particular point or position where the historic property was constructed, the significant person made his/her contribution, or the historic event occurred. Sometimes the relationship between a building and its history is lost if that building is moved from its original site. This is why it is harder to list moved properties on the National Register. To qualify moved candidates must be important to a broader region or group than those associated with the original site. The National Park Service consid-

ers original locations so important that it automatically delists (removes from the Register) properties moved to new sites subsequent to their listing.

SETTING refers to the character of the place where the historic resource is located. It includes natural and man-made features and how those features relate to the candidate. Items to consider include buildings, dependencies, roads, paths, fences, vegetation, open space, topographical characteristics and view sheds. The latter include the views from the candidate as well as of the candidate from nearby properties. For a setting to have integrity for National Register purposes, it should appear much as it did historically.



The tower on this Lake Charles Victorian residence is an important part of its design. Were it to be lost, the home’s National Register design integrity would be severely compromised.

DESIGN is broadly defined by the National Register as “the combination of elements that creates the form, plan, space, structure, and style of a property.” Elements the Register considers when evaluating design integrity include function, structural systems, other technologies, spatial organization, massing, proportion, scale, materials, color, texture and fenestration patterns. Design is not limited to the work of architects. Community planners, engineers and landscape architects have also created designs that might be Register-eligible. If enough of the resource’s original



Here, the setting (tombstones, paths, fences and trees) reinforces an observer’s sense that Grace Episcopal Church in St. Francisville is indeed historic.

design has been lost, the property will not meet this aspect of integrity.

MATERIALS are “the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.” This definition is complicated because it has to cover archaeological as well as architectural and historical candidates. For the purposes of nominating buildings, materials should be defined as the original wood, nails, shingles, tiles, glass, and/or other substances the builders used to create the historic resource. To have integrity, a property must retain its character-defining exterior materials. Sometimes interior integrity of material is needed as well.

WORKMANSHIP “is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory,” according to the Register. A craft is an occupation requiring special skill, and workmanship refers to the quality of the craftsman’s product. Extraordinary workmanship might be evident in tooling, carving, painting, graining, turning or joinery. It can be found in vernacular as well as high style resources and can include the product of one or multiple craftsmen. Finally, it can apply to an entire resource or any of its parts.

FEELING is a “property’s expression of the aesthetic or historic sense of a

particular period of time.” To have the aspect of feeling, a candidate must have surviving physical features that express its historic character and help the visitor experience an awareness of its history and importance.

ASSOCIATION is defined by the National Register as “the direct link between an important historic event or person and a historic property.” Association relies upon two factors. First, the site must be the actual place where something happened. Second, that relationship must be evident when a visitor observes the site. This connection can occur only if the property’s historic physical features, or character, survive.

Only when one understands the seven aspects of integrity can one determine if a candidate has enough integrity to qualify for Register listing. However, evaluating these factors is more complicated than their definitions might suggest. Next month’s article will discuss applying the aspects to conduct an integrity evaluation.

Much of this article is based upon the National Register Bulletin titled “How to Apply the National Register Criteria for Evaluation,” which is available online at <http://www.nps.gov/history/nr/publications/bulletins/pdfs/nrb15.pdf>.



This stained glass window is proof of the skill and talent of the craftsman who designed, assembled and installed it in Lake Charles’s Temple Sinai c. 1903. Since it is unaltered, it retains its integrity of workmanship.



The Ascension Parish home of 20th-century literary figure Robert Penn Warren has integrity of association because he lived there during what scholars regard as a critical period in his life and career.