



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
1614 Benjamin Street
November 14, 2012

Application: Demolition of contributing building
District: Eastwood Neighborhood Conservation Zoning Overlay
Council District: 06
Map and Parcel Number: 08306003300
Applicant: Daryl Watson
Project Lead: Robin Zeigler, robin.zeigler@nashville.gov

<p>Description of Project: Applicants propose to demolish a contributing building based on economic hardship.</p> <p>Recommendation Summary: Staff recommends disapproval of the request for demolition as the building meets section II.B.2.a for inappropriate demolition and the project does not meet the requirements for economic hardship since the repair costs do not exceed the value.</p>	<p>Attachments A: Photographs B: Site Plan C: Elevations</p>
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Vicinity Map:



Aerial Map:



Applicable Design Guidelines:

III.B.1 Demolition is Not Appropriate

- a. if a building, or major portion of a building, is of such architectural or historical interest and value that its removal would be detrimental to the public interest; or
- 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.

III.B.2 Demolition is Appropriate

- a. if a building, or major portion of a building, has irretrievably lost its architectural and historical integrity and significance and its removal will result in a more historically appropriate visual effect on the district;
- b. if a building, or major portion of a building, does not contribute to the historical and architectural character and significance of the district and its removal will result in a more historically appropriate visual effect on the district; 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 91.65 of the historic zoning ordinance.

Background: 1614 Benjamin is a contributing building to the Eastwood Neighborhood Conservation Zoning Overlay. It is a one-story bungalow with a cut-away porch and two primary entrances. The dormer is not original and there is one small shed roof rear addition. The dwelling was constructed c.1925 and the rear accessory structure was constructed in 2006.

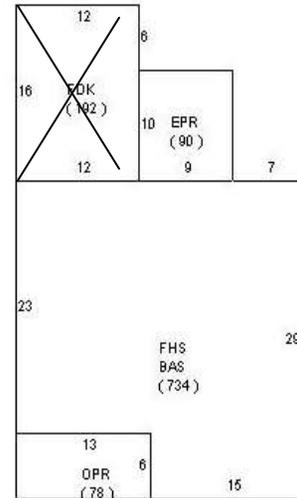


Analysis and Findings:

The applicant proposes to demolish the house due to needed foundation repairs. Demolition of the primary building is inappropriate because the building is a historic dwelling that retains the majority of its original historic features and form. The house meets section III.B.1 for inappropriate demolition. Therefore the applicant wishes to make the case for economic hardship.

The existing portion of the house with a previous rear portion already removed and not including the front porch is eight hundred and twenty four square feet (824 sq. ft.), according to the property assessor. (Applicant estimates the square footage at 800 square feet.) The upper floor has been improved but, due to the low pitch of the roof and the steep staircase without adequate headroom at the top, it is not considered usable space and not included in the square footage calculation.

Based on recent sales in the Lockeland Springs area, staff finds that small homes are valued at between \$150-190 per square foot, which places a value on the property of between \$123,600 and \$156,560. The most recent sale was in May of this year for \$90,000. The applicant provided recent sales for the area that ranged between \$161,505 and \$192,038 but the square footage of these buildings is unknown.



The applicant’s primary concern is with the foundation that they estimate to cost \$57,780 to replace. Recent requests for demolition included foundation repair estimates of between \$20,000 and \$40,000 for buildings in far worse condition. Staff requested an estimate from an independent contractor who specializes in foundation repairs. The estimate provided was \$17,000-\$21,000 and included associated interior floor repairs.

The roof framing is the other item mentioned in the engineer report but there is no indication that a roof replacement is required. The report states that “the roof framing system will require the removal of the roof decking and installation of No. 2 2x8 southern pine rafters paced 16” apart,” but does not mention any decay or damage. The Codes Department does not require that old buildings be reconstructed to meet modern codes. A simple roofing shingle replacement would also not necessitate that the roof form be reconstructed to meet modern Codes.

The applicant provides estimates for demolition, interior rehab/repair and constructing a new building. The cost of demolition and construction of a new building are not relevant to the analysis of economic hardship for the existing house. Staff did not find the \$110 per square foot to rehab/repair the interior as relevant since interior repairs were not noted in the engineering report or during inspections. Determination of economic hardship is based on bringing the building up to codes as necessitated by the amount of work conducted. It does not include improvements or reconstructing every portion of a building to meet modern code requirements.

Based on the purchase price of \$90,000 and the high-end estimate of \$21,000 for foundation and floor repairs, repair costs would not exceed the low-end estimated value of \$123,600.

Staff recommends disapproval of the request for demolition as the building meets section II.B.2.a for inappropriate demolition and the project does not meet the requirements for economic hardship since the repair costs do not exceed the value.

Note: The applicant's images are not included in this staff recommendation as the low quality of the majority of the images left them unreadable once copied.



The area was subdivided in 1923. 1614 Benjamin is lot #40.





DWC

General Contractor
Custom Builder & Renovator
1605 Indian Creek Circle
Franklin, TN 37064

Estimate

DATE
10/16/2012

NAME / ADDRESS
Jay Podolsky 1614 Benjamin St. Nashville, TN

ITEM	DESCRIPTION	TOTAL
01 Plan-Perm	Building Permits	450.00
02 Site Work	Demolition, Lifting house for repairs	27,500.00
03 Excavation/Site P...	Rough and Final grading, excavation material, Utility Ditches, Drainage	3,000.00
04 Foundation	Footing Mat & Labor, Block Mat & Labor, Waterproofing, Cleaning	9,300.00
06 Framing	Framing Material & Labor	5,500.00
23 Disposals	Port-0-Jon, Dumpsters	1,800.00
30 Utilities	Water, Electric Utilities	600.00
Contractor Fee	Contractor Fee	9,630.00
TOTAL		\$57,780.00

Daryl Watson
1605 Indian Creek Cir
Franklin, TN 37064

darylwatson@comcast.net
Cell 615-714-6454
Fax 615-791-1765

Metro Historic Zoning Comm.
3000 Granny White Pike
Nashville, TN 37204

October 19, 2012

RE: 1614 Benjamin

To Whom It May Concern,

I, Daryl Watson, a licensed contractor by the state of Tennessee, have been retained by Jay Podolsly, owner of 1614 Benjamin Street. The owner purchased the property in the spring of 2012 for the use of his son for \$90,000. The property was occupied for a short time. The owner's son found the home to be in subpar condition and in need of major repair. The house is currently vacant. The owner requested that I repair or replace the home and bring it up to suitable living condition, preferably expanding the home to approximately 2,200 square feet.

Metro Historic Zoning was contacted and at that time the house was determined to be contributing. A house with up to 2,400 square feet was determined as feasible by a member of MHZC.

An engineer from Testing & Engineering Consultants, LLC was recently retained. The engineer's report and findings are attached. The engineer has uncovered multiple structural issues such as poor original construction, inappropriate repairs, deterioration from termite damage and wood rot. Based on his findings and an extensive on site examination by myself a cost estimate was prepared to correct only the foundation and floor framing system. This cost does not consider roof repairs or interior repairs, both of which would need to be addressed prior to returning the house to a habitable state.

Currently the home is approximately 1100 sq. ft., including the upstairs bedroom, which is recovered attic space. After reviewing the cost to repair and maintain the upstairs bedroom, it would be more cost effective to return it to attic space and abandon the upstairs bedroom. The engineer concurs but for reasons other than cost. To do so would reduce the square footage by approximately 300 square feet, rendering this a 800 sq ft house.

Daryl Watson1605 Indian Creek Cir
Franklin, TN 37064

darylwatson@comcast.net

Cell 615-714-6454

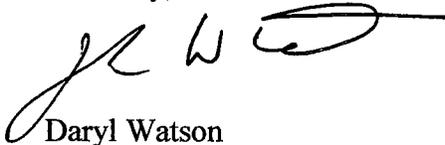
Fax 615-791-1765

The cost to rehab the 800 sq ft house and keep it a 800 sq ft house would include \$57,000 for foundation and floor system repair, and approx \$110 per square foot to repair and rehab the inside including the roof for a total of \$145,000. Adding this cost to the original purchase price of \$90,000 would bring the price for this 800 sq ft house to a grand total of \$235,000. Below is a cost breakdown of all three options.

Sq Ft	800 Orig house	800 Orig House + 1400 New	2200 New
Market Value	\$120,000	\$330,000	\$350,000
Demo Cost			\$15,000
Repair/Rehab Foundation	\$57,780	\$57,780	
Repair/Rehab House \$110/sf	\$88,000	\$88,000	
Build New \$85/sf		\$119,000	\$187,000
Orig Purchase Price	\$90,000	\$90,000	\$90,000
Totals	\$235,780	\$354,780	\$292,000
Ending Price per sq ft	\$294 per SF	\$161 per SF	\$132 per SF

It is my request that the current house be demolished and the owner be allowed to construct a new primary residential building based on economic hardship.

Sincerely,


Daryl Watson

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Real Estate Look Up Address 1614 BENJAMIN ST Property Listing

**1614 BENJAMIN ST
NASHVILLE, TN 37206**

2 bedroom, 1.0 bathroom, 0.0 partial bath, 1,101 square feet, Single Family

[View Map](#) [Print](#)

Lot Size: 7,841

Year Built: 1928

Neighborhood: Eastwood

School District: Nashville-Davidson County School District

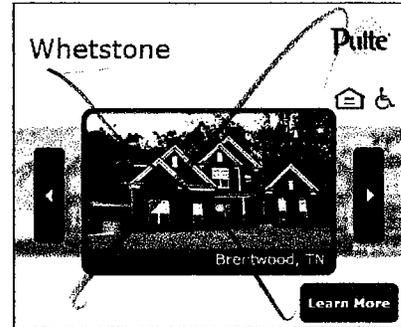
FIPS: 47037

APN: 083-08-0-033-00

Source: Public Records

Walk Score®: 57 [See local info >](#)

Recently Sold: \$90,000
Last sold on 05/11/12



Please sign in or register to view photos of this property

This is a Single Family home located at 1614 BENJAMIN STREET, NASHVILLE, TN. 1614 BENJAMIN STREET has 2 bedrooms, 1.0 full bathrooms, 0.0 partial bathrooms, and approximately 1101 square feet. The property has a lot size of 7841 square feet and was built in 1928.

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Nearby Homes For Sale

Houses for sale near 1614 BENJAMIN ST

Within: 1/2 mile 1 mile 2 miles 5 miles

Resource Center

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See your Credit Score Instantly!- \$0

Amazingly Low Mortgage Rates.

Putting off your repairs too long? Click here.

Free online moving quote. Best price guaranteed!

Price History for 1614 BENJAMIN ST

Date	Event	Price	Source
05/11/12	Sale	\$90,000	Public Records
08/31/06	Sale	\$171,900	Public Records

Schools Information for 1614 BENJAMIN STREET

From Public Records:

School District: Nashville-Davidson County School District 4.2

Nearby schools

School Name	Distance	Score
COTTON ELEMENTARY SCHOOL	0.6 miles	1.0
LOCKELAND ELEMENTARY DESIGN CENTER	0.7 miles	9.5
ROSS ELEMENTARY SCHOOL	1.1 miles	1.5
STRATFORD COMPREHENSIVE HIGH SCHOOL	1.6 miles	2.5

[See nearby schools](#)

Maps

[See larger map](#)

freecreditscore.com

Your Estimated Score is:

654

Do you have a mortgage? No Yes

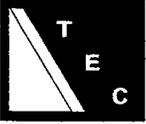
Do you have any delinquent accounts now? No Yes

[Check Your Score!](#)

Just For Fun Blog Posts

Five Spooky Decor Ideas for...
Sarah Green 10/12/12





TESTING & ENGINEERING CONSULTANTS, LLC

Phone: 615-887-0300
Fax: 931-840-9882

45 Oak Valley Drive
Spring Hill, TN 37174

E-mail: jkarp@bellsouth.net

October 15, 2012

Mr. Daryl Watson
1605 Indian Creek Circle
Franklin, TN 37064

**RE: 1614 Benjamin
Nashville, Tennessee
TEC Proj. No. 12-E071**

At the request of the client TEC has performed a visual structural review of the residential house located at the above referenced address. During this review numerous structural deficiencies were observed in the structure. The deficiencies are discussed below.

Observations

- The foundation wall was observed to consist of a clay brick wall only 1 brick wide(4 inches). The concrete footing was also observed to be less than 6 inches in thickness. The perimeter foundation wall was observed to be rotating and had several cracks in several areas. These two issues have allowed the perimeter foundations to fail resulting in settlement of the perimeter footings.
- The first floor framing system was reviewed and observed to consist of southern pine 2x8's spaced 18 inches on center and spanning 13' 9". These floor joists are spanning greater than the maximum allowable span for their type and size.
- The sags in the interior floors of the structure indicate the failure of the foundations and excessive span of the floor framing system due to the unevenness of the floors.
- The floor framing system has had steel posts installed in the crawl space to aid in support of the floor framing system. These posts are not bearing on a concrete footing.
- The exterior band for the first floor framing system was also observed to have extensive termite damage.
- The decking and framing in the bathroom floor area was observed to have extensive rotten wood.

- The roof rafters were observed to consist of 2x4's in excess of allowable span lengths for their type and spacing.
- The room upstairs was previously attic space. The ceiling joists that are supporting the floor of this room are not of sufficient size to support residential live loads. Additionally the stairs do not meet the current code rise over run requirements for safety along with the ceiling height for occupied space.

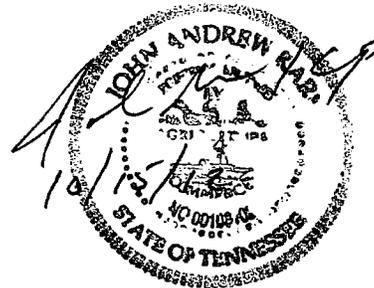
Recommendations

- The inadequate foundations, foundation wall, and interior steel support posts in the crawl space will require the removal and replacement of the foundation to properly support the loads of the structure and to prevent future failure of the single wide clay brick foundation wall. The removal and replacement of the foundation system will require shoring of the existing structure during this process. The foundations are recommended to be constructed per the current International Residential Building Code (IRC).
- The excessive span conditions for the floor framing system will require No. 2 2x8 southern pine joists be installed on 12 inch centers to support the current spans.
- The roof framing system will require the removal of the roof decking and installation of No. 2 2x8 southern pine rafters spaced 16 inches on center.
- The rotted wood in the bathroom floor area and the termite damaged exterior perimeter band are recommended to be removed and replaced with materials meeting the current IRC.
- The room upstairs has several issues. This room is recommended to be abandoned or a ladder installed so the room can be used for storage only.

Please contact this office if you have any questions.

Sincerely,


John A. Karp, P.E.



TESTING & ENGINEERING CONSULTANTS, LLC

45 Oak Valley Drive · Spring Hill, TN 37174 · Phone: 615-887-0300 · Fax: 931-840-9882 · E-mail: jkarp@bellsouth.net

**Department of Commerce and Insurance
Julie Mix McPeak, Commissioner**

VERIFY.TN.GOV - License Search and Verification

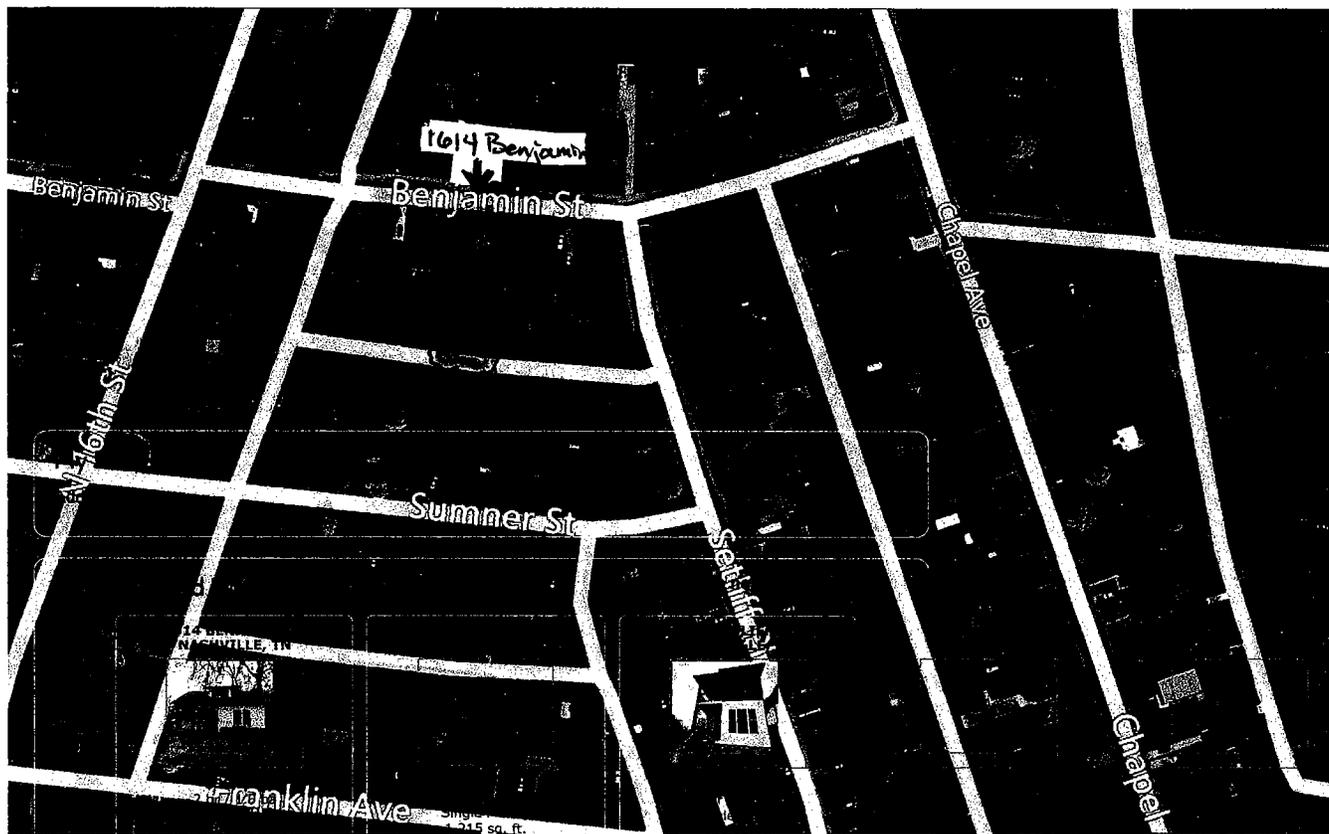
- You can use this website to verify the license status of people in dozens of professions, including home improvement contractors, real estate agents, security guards and cosmetologists. For more information about how to use Verify.TN.Gov, **please read our FAQ's Page by Clicking Here.**
- VERIFY.TN.GOV only provides verification for licenses that are required by Commerce and Insurance. If you need to find other license verification services for other state agencies (e.g. health, medical, etc.), please do a search for those services by clicking here.
- Insurance Division Information is located here: [Insurance Division Online Data and Tools](#)
- After you submit the search form, your results will appear below the form in this window (the form will remain for your reuse)...if you cannot see the results below, please scroll further down the search form.

License Details

License Status	ACTIVE - FULLY LICENSED
License #	108102
License ID	108102
Expiration Date	Dec 31 2013
Original Date	Dec 17 2003
Profession Code	1202
Profession Name	Engineer
First Name	JOHN
Middle Name	ANDREW
Last Name	KARP
City	SPRING HILL
State	TN
Zip Code	37174
Rank	Engineer
License Activity Description	NOT APPLICABLE

<< [Click Here To Go Back To The Search Page](#)

- Department of Commerce and Insurance
- 500 James Robertson Pkwy
- Nashville, TN 37243-0565
-
- Ask.TDCI@TN.Gov



Price Trends

Chart:
 Property:

Range: 1 Year | 2 Years | 5 Years | Max

Estimates
\$161,505
 (\$127,589 - \$229,337)
\$175,224
 (\$161,206 - \$189,242)
\$192,038
 (\$163,232 - \$220,844)

Recently Viewed Homes

1614 BENJAMIN ST NASHVILLE, TN 37206

Local real estate services provided by:

Bob Parks Realty
 8119 Isabella Lane
 Brentwood, TN 37027

Website owned and operated by ZipRealty, Inc.

Please contact us with any technical
 issues or questions about our services.

Friday, October 19, 2012

1614 Benjamin St, Nashville, TN 37206-2512
Davidson County, TN parcel# 083-06-0-033.00

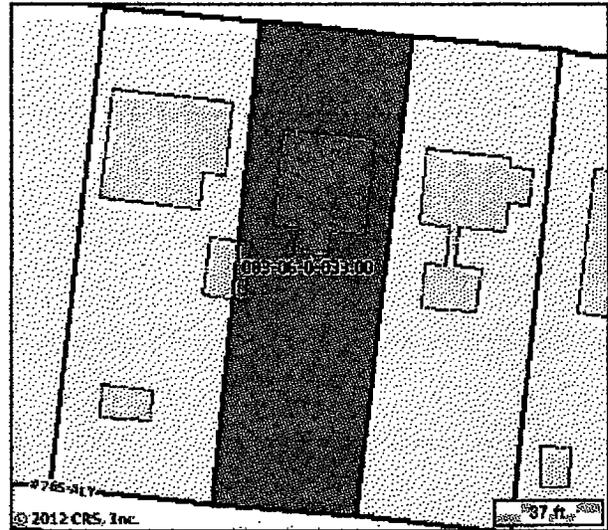
Property Report

Location
Property Address 1614 Benjamin St
Nashville, TN 37206-2512
Subdivision Weakley Home Place
County Davidson County, TN

Current Owner
Name Podolsky Daniel Podolsky Jay S
Mailing Address 1614 Benjamin St
Nashville, TN 37206-2512

Property Summary
Property Type Residential
Land Use Single Family Dwelling
Improvement Type Single Fam
Square Feet 1101 sf

General Parcel Information
Parcel/Tax ID 083-06-0-033.00
Alternate Parcel ID
Account Number
District/Ward USD
2010 Census Trct/Blk 117.00/2



Sales History through 09/27/2012

Date	Amount	Buyer/Owners	Buyer/Owners 2	Instrument	Quality	Book/Page or Document#
05/09/2012		Podolsky Daniel		Quit Claim Deed		201205210043913
05/01/2012	\$90,000	Podolsky Daniel		Special Warranty Deed		201205110041078
01/30/2012	\$150,000	Federal Home Loan Mtg Corp		Substitute Trustee's Deed		201202060010443
08/29/2006	\$171,900	Gresham David & Rebecca		Warranty Deed	Completely Qualified	200608310107354
03/28/2002	\$65,000	Moss Lara A		Warranty Deed		200204220049322
03/17/2000	\$87,000					200110230115528
05/20/1998	\$57,000					10959/824
08/13/1993	\$38,200					9048/984
12/08/1992	\$18,000					8809/16
07/07/1992						8670/621
07/07/1978	\$15,000					5309/449
01/25/1977						5127/235
05/03/1923						620/73

Tax Assessment

Appraisals	Amount	Taxes	Amount	Jurisdiction	Rate
Tax Year	2011	City Taxes	\$203.63	Urban Service District	\$0.57
Appraised Land	\$40,200	County Taxes	\$1,271.81	General Service District	\$3.56
Appraised Improvements	\$102,700	Total Taxes	\$1,475.44		
Total Tax Appraisal	\$142,900	Exempt Amount			
Total Assessment	\$35,725	Exempt Reason			

Mortgage History

Date	Loan Amount	Borrower	Lender	Book/Page or Document#
1/6/2007	\$25,000	Gresham Rebecca C Gresham David D	Bank Of America	200701290011629
8/29/2006	\$163,305	Gresham David Gresham Rebecca	Countrywide	200608310107355
1/5/2004	\$72,520	Moss Lara A	Indymac Bank Fsb	200401130005421
4/8/2003	\$16,000	Moss Lara A	Amsouth Bank	200304240055584
8/5/2002	\$10,000	Moss Lara A	Amsouth Bank	200302210023653
3/28/2002	\$63,050	Moss Lara A	Countrywide	200204220049323
3/17/2000	\$60,900	Givens William T Jr	American National	200003220028940
5/20/1998	\$57,311	Jefferson William E	First City Financial Corp	10959/824

Property Characteristics: Building

Building #	Type	Condition	Sq Feet	Year Built	Effective Year	BRs	Baths	Rooms	Stories	Units
1	Single Fam		1101	1928	1985	2	1	5	1.5	1

Building Square Feet (Living Space)	Building Square Feet (Other)
First Story (Base)	734

Construction	
Quality	
Shape	
Partitions	
Common Wall	
Foundation	Crawl/Raised
Floor System	
Exterior Wall	Frame/Shingle/Siding
Structural Framing	
Fireplace	
Other	
Occupancy	Building Data Source

Property Characteristics: Extra Features

Feature	Size or Description	Year Built	Condition
Half Story Fin	367		
Encl Pch	90		
Finished Deck	192		
Open Pch	78		
Half Story Unf	367		

Property Characteristics: Lot

Land Use	Single Family Dwelling	Lot Dimensions	50 X 160
Block/Lot	B/40	Lot Square Feet	7,841
Latitude/Longitude	36.186238°/-86.739254°	Acreage	0.18

Property Characteristics: Utilities/Area

Gas Source		Road Type	
Electric Source		Topography	
Water Source		District Trend	
Sewer Source		Special School District 1	
Zoning Code	R6: One And Two Family - (6,000 Square Foot Lot) Multi-Ovly: Multi-Ovly	Special School District 2	
Owner Type			

Legal Description

Subdivision	Weakley Home Place	Plat Book/Page	
Block/Lot	B/40	Description	Lot 40 Resub 6 8 10 Pt 7 13 14 Blk B C Weakley Home Place Neighborhood Code And Name: 2726 Eastland Park-Bailey Jr High
District/Ward	USD		

Friday, October 19, 2012

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Davidson County, TN parcel# 083-06-0-033.00