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May 8, 2020

VIA Electronic Mail & US Mail

J. Brooks Fox
Attorney for the Metropolitan Government
108 Metropolitan Courthouse
P.O. Box 196300
Nashville, Tennessee 37219-6300

RE: Josh Duckworth v. Metro-Nashville Historic Zoning
Davidson County Chancery Court Docket No. 200302-Part IV

Dear Mr. Fox,

As I know you aware, on March 3, 2020, a very destructive tornado hit parts on Middle Tennessee, including several areas of Nashville-Davidson County. In the path of the tornado were several historic homes/sites in and around the Lockeland Springs- East End Neighborhood Conservation Zoning Overlay District in East Nashivlle. Several properties were significantly damaged, and others destroyed.

In December 2019, my client requested a demolition application for the property located at 1501 Fatherland Avenue, Nashville, Tennessee, and on February 19, 2020, the Metropolitan Historic Zoning Commission (MHZC) denied his request. It our position that there has been a significant change in circumstances since my client's hearing on February 19, 2020 resulting from the tornado that struck the area. While we understand and appreciate the MHZC's desire to preserve historic properties in order for protect uniformity with other contributing historic properties, given that many of the historic contributing structures must have significant reconstruction work done, or have to be replaced entirely, demolishing and rebuilding my clients property in conformity with the historic characteristics would not alter or change the historic nature of the area.

It is imperative that my client and I stress that we are not trying to use such a terrible incident to our advantage, but merely identify the realities that exist after its occurrence.

For these reasons, I am requesting that the MHZC staff reevaluate our case based on these changes of circumstances and re-submit our application to the full Commission for a reconsideration hearing.

Thank you in advance for your attention and cooperation. If you have any questions, or need additional information, do not hesitate to contact our office.

It is with best regards that I am,

Respectfully Yours,

Cleveland D. Bain

cc: file, C. Pham