

Robin Zeigler
Historic Zoning Administrator
Metro Historic Zoning Commission
3000 Granny White Pike
Nashville, TN 37204

Re 3707 Richland Avenue

Dear Ms. Ziegler

The Board of Directors of the Richland West End Neighborhood Association is writing on behalf of the Association to oppose the issuance of a demolition permit for 3707 Richland Avenue.

There are two reasons we oppose issuing the permit:

First, the permit is based on the purported economic hardship to Mr. Huffstutter, the property owner. We do not feel that is a valid reason. The purported economic hardship is the cost to repair damage to the foundation caused by Mr. Huffstutter's attempts to dig out the basement to increase the size of the house. We will discuss this further below.

Second, the permit seeks to demolish the house with no conditions on the structure that Mr. Huffstutter intends to rebuild on the site. We will also discuss this further below.

The conservation overlay has been in effect for the Richland West End Neighborhood for about 25 years. During that time many houses have been modified and rebuilt. The overlay has two benefits to the neighborhood—a ban on demolition of our historic houses and restrictions on the design of new construction.

Mr. Huffstutter bought the house at 3707 Richland about five years ago. Mr. Huffstutter has never lived in the house. Mr. Huffstutter is a lawyer and was aware of the overlay when he bought the house.

We understand Mr. Huffstutter first attempted to obtain a permit to expand the house by adding a rear addition that included a roof line on the addition that was higher than that allowed by the guidelines. That permit was denied.

We understand Mr. Huffstutter then got a second permit to add an addition to the rear of the house with no change in the roof line. This addition is partially constructed and is now covered by a tarp.

We understand Mr. Huffstutter continued to want more vertical space in the addition (and perhaps the old house). Since he could not raise the roof line, he decided to go down by digging out the basement.

This was a risky solution.

Mr. Huffstutter apparently understood the risk as he retained an engineer to analyze the feasibility of such a project. The engineer apparently gave Mr. Huffstutter a plan on how to reinforce the foundation and dig out the basement.

Our read of the letter from the engineer to Mr. Huffstutter that was filed in support of the demolition permit is that Mr. Huffstutter or his contractor failed to follow the engineer's recommendations resulting in the foundation shifting.

Based on the engineer's letter, there is no dispute the foundation has shifted and it will cost many dollars to correct the problem. The hardship, however, is of Mr. Huffstutter's making. That should not be the basis for the demolition permit. Mr. Huffstutter can repair the problem. The bids he submitted show how much the repairs will cost. He just does not want to spend the money to correct his mistake.

Irrespective of the cause of the problem, the permit sought by Mr. Huffstutter seeks to demolish the house with no discussion of what would be built in its place. Our fear is that a two to three story house would be constructed, designed to have the maximum square footage allowed by front, side and rear setbacks.

To allow this will gut the demolition restriction in the overlay. That will create a precedent for future developers to buy a house, create a "hardship" through some action on their part, and then use that to justify tearing down the house. This is not what the neighborhood envisioned 25 years ago when we overwhelmingly supported adoption of the overlay with its demolition restrictions.

There are two solutions that are consistent with the overlay.

The first is to require Mr. Huffstutter to repair the house consistent with the bids he submitted with his application so that the house is structurally sound. While repairing the foundation, he can also dig out the basement. He can also continue with his addition on the back that has the same roof line. These would all be consistent with the overlay.

The second is to allow Mr. Huffstutter to demolish the house on the condition that he rebuild the new house with the roof design, elevation and front and side walls **identical** to the existing house (including taking the stone veneer off the house and reinstalling it). Mr. Huffstutter could also add an addition to the back, consistent with the height and other restrictions in the overlay. This is essentially what Lou Ann and Gary Brown did with their house, which is also in the 3700 block of Richland Avenue.

We will be happy to answer any questions you may have.

Very truly yours

Richland West End Neighborhood Association

By: _____
James Kelley, Member of Board of Directors

From: [Carter Baker](#)
To: [Historical Commission](#)
Cc: [Hoffman, Paul \(Historical Commission\)](#); [Zeigler, Robin \(Historical Commission\)](#); [Murphy, Kathleen \(Council Member\)](#); michael.lindseth@comcast.net; jkelley@nealharwell.com
Subject: 3707 Richland Avenue Application for Demolition
Date: Monday, March 15, 2021 12:27:03 PM

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Historic Zoning Commissioners and Others:

I live across the street and am opposed to the demolition of 3707 Richland. I support the findings of the MHZC staff and the recommendations of the Richland-West End Neighborhood Association who outlined several reasons why this should not be approved. There are two houses on Richland - 3720 and 3726 - which the Commission required the street facade to be rebuilt exactly as it was before and this is what I am requesting you do for 3707.

I spoke at the original meeting where the owner asked to raise the roof. I opposed it then, as did the Staff, and I was pleased to hear the Commissioners reject the proposal. Richland-West End is a rare place as it still appears much as it did 100 years ago. We have had conservation zoning since 1994 or 95 and anyone who buys here is certainly on notice of the restrictions for houses built before 1940.

Thank you for your consideration.

Carter G. Baker
3708 Richland Avenue
Homeowner since 1970