

From: [J Damato](#)
To: [Hoffman, Paul \(Historical Commission\); Historical Commission](#)
Cc: [Withers, Brett \(Council Member\)](#)
Subject: 949 Russell Street - MHZC meeting 3/17/2021
Date: Monday, March 15, 2021 11:26:53 PM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Mr. Hoffman, Commissioners:

I support the Historic Zoning Commission staff recommendation regarding the demolition request for 949 Russell St. This property should not be demolished; it should be restored as a historic home in the Edgefield Preservation Overlay. Per the staff report the property owner has not provided the justification required to establish financial hardship. The burden of proof for financial hardship should be whether the home may be reasonably restored to market value as a private home – not whether the property would yield a higher return if the existing home were razed and the property redeveloped to maximize its investment potential. It would appear that this home has been purchased by a succession of developers looking to exploit the property for its location. The property has been neglected both before and after the March 3, 2020 tornado, and the current owner has made little attempt to protect the home even after its purchase by the current owner in August 2020. Perhaps the commission or staff could use some influence to address that matter with Metro Codes.

Thank you for your consideration, and for protecting preservation standards for historic buildings and historic neighborhoods.

Jim Damato
Historic Edgefield
800 Boscobel St.
Nashville, TN



From: [Brian Gibson](#)
To: [Hoffman, Paul \(Historical Commission\)](#); [Zeigler, Robin \(Historical Commission\)](#)
Subject: 949 Russell Street demo application
Date: Tuesday, March 16, 2021 12:44:16 AM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Greetings,

I'm writing to voice my Opposition to the property owner's request for demolition of 949 Russell Street which is before the Historic Zoning Commission.

I feel I have a unique perspective as in addition to being a resident in the Historic Edgefield Neighborhood, with immense appreciation for the historical importance for homes such as 949 and their contribution to the area, I'm also a licensed Property Insurance Catastrophe Adjuster - my professional work centers around assessing & handling residential damage claims for the largest insurance carrier in the world. Over the course of my career I've personally assessed, inspected, and prepared reconstruction/restoration estimates all across the country resulting from every conceivable type of property disaster one can imagine with about 80% of that work focused on homes impacted by water & wind related events such as 949 Russell has been impacted by. In fact my own home here on Russell Street had damage from the 3/3/20 tornado.

A few brief points:

- I was home at the time of the tornado on 3/3/20 and walked 949 that morning, including taking pictures, as I was making made an effort to provide my professional experience to my fellow neighbors to aid in the immediate aftermath of the disaster.
- I note that the prior owners of 949 Russell, in the immediate days following the 3/3/20 Tornado, appeared from my external viewing to have properly secured/"mitigated" the home from further wind/water damage via the use of tarps, window/wall board-up, etc. in a manner consistent with that which I would expect as a professional catastrophe adjuster charged with assessing such mitigation efforts.
- Based on my viewing of post-tornado listing photos, and verbal info from local real estate agents & prospective buyers, once 949 was offered for sale after the 3/3/20 event, that while the property needed significant repairs, primarily to the roof and rear portion/elevation it was most certainly worthy of the repair/restoration warranted of such a historic home.
- It appears that the current owner/developer's purchase bid for 949 won out against prospective buyers who with full knowledge of the tornado damage intended to restore and live in the home.
 - Visually I've certainly seen worse damage that still would fall into a repair vs. demo and replace scenario in my experience.
- Additionally appears that the current owner/developer has done a poor job of maintaining the roof & rear tarps in effort to prevent further intrusion & damage from weather elements since their summer 2020 purchase.
 - This failure to properly mitigate against further weather damage and contain future repair costs IS A SERIOUS AND SIGNIFICANT breach of the owner's fiduciary responsibility to this home - even more so given it's historic nature - AND from an insurance perspective WOULD be held AGAINST the owner in

any insurance claim - I would suggest it should also be held against the owner/developer in any claims of economic hardship presented to the Historic Commission as a justification for any demo permit.

- I did an basic exterior inspection of the property on 3/14/21 & viewing thru the windows to the extent possible - while there is certainly damage of a significant nature I personally saw nothing that in my professional experience handling structural catastrophe claims of a similar nature which is beyond the repair to restore a historic home.

I appreciate the Commission's time and consideration in this matter.

Regards,
Brian Gibson
820 Russell Street, Nashville TN

From: [Peter D Greaves](#)
To: [Zeigler, Robin \(Historical Commission\)](#)
Subject: Re: 949 Russell Street
Date: Monday, March 15, 2021 7:30:20 PM
Attachments: [file.pdf](#)

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Ms Zeigler,

It has since been brought to my attention that the property at 449 Russell was transferred to a Wisconsin based LLC in 2020 with a stated value of 335k. Since that price is almost half of the amount I had seen (625k) that makes the case for economic hardship that much lower. I am sure the corrected value has been brought to the commission's attention, if not I would like it to be added.

Pete Greaves

On Sun, Mar 14, 2021 at 8:57 AM Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov> wrote:

Thank you for your comments. I will forward to the Commission.

Robin

Robin Zeigler

Historic Zoning Administrator

Metro Historic Zoning Commission

3000 Granny White Pike

Nashville, TN 37201

615-862-7970

www.nashville.gov

From: Peter D Greaves <[\[REDACTED\]](#)>
Sent: Saturday, March 13, 2021 10:00 AM
To: Zeigler, Robin (Historical Commission) <Robin.Zeigler@nashville.gov>; Historical

Commission <historicalcommission@nashville.gov>

Subject: 949 Russell Street

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

I would like to voice my objection to the requests for demolition of 949 Russell Street due to economic hardship and would like to note the following points:

- a) The new owners clearly knew of the historic zoning status before purchasing the property
- b) The owners appear to have deliberately left the property empty for months in the hopes of deteriorating the building to the point it can't be saved.
- c) The current EN market is such that they could clearly restore and sell and still make a profit, and this would have been even more so if they had started the work when they could have rather than allowing it to deteriorate.
- d) The building is a gateway building to Edgefield and sets the tone of what you see when you come into the neighborhood.
- e) The house was bought for 625k and could easily be resold even in the current condition for that. Additionally houses are going for over \$300 per square foot, so restored it could sell for 839k plus.
- f) Most of the property damage was there before the tornado.
- g) The damage caused by the tornado was far less than many historic homes 11th Ave South that were able to be repaired at a reasonable amount and the owners insurance should cover the damage (as it did with my house).

I am a resident and strongly object to a trend I see of owners buying historic homes, leaving them empty and then claiming hardship to tear them down. Apart from the historic significance of the house, the owners would almost certainly try to build two houses on the lot out of character with the existing homes in terms of size, or apply for rezoning.

I would like to ask the historic commission to refuse the request. and also ask if anything can be done to stop the owners from simply leaving the house empty until it falls down and paying any fines. I am happy to come to the meeting if it helps.

Regards

Peter Greaves

913 Fatherland Street



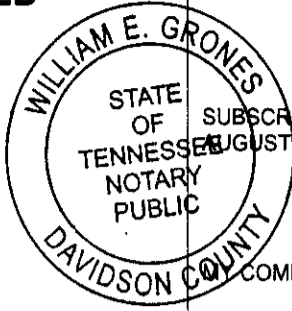
WARRANTY DEED

Karen Johnson Davidson County
 Batch# 473495 DEEDWARR
 09/10/2020 01:41:24 PM 2 pgs
 Fees: \$13.00 Taxes: \$1,239.50



20200910-0103302

P-FSBO-20-949



STATE OF TENNESSEE
 COUNTY OF DAVIDSON

THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER,
 FOR THIS TRANSFER IS \$335,000.00

Robert Huggins
 Affiant

SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 31 DAY OF
 AUGUST 2020.

William E. Grones
 Notary Public

COMMISSION EXPIRES: 03/07/2023
 (AFFIX SEAL)

THIS INSTRUMENT WAS PREPARED BY

Rudy Title and Escrow, LLC
 2012 21st Avenue South
 Nashville, TN 37212

| ADDRESS NEW OWNER (S) AS FOLLOWS: | SEND TAX BILLS TO: | MAP / PARCEL NUMBER (S) |
|--|----------------------|-------------------------|
| Robert Huggins and JTRE1, LLC | New Owner | |
| (NAME) | (NAME) | 082-12-0-383.00 |
| 949 Russell Street | | |
| (ADDRESS) | (ADDRESS) | |
| Nashville, TN 37206 | | |
| (CITY) (STATE) (ZIP) | (CITY) (STATE) (ZIP) | |

For and in consideration of the sum of TEN DOLLARS, cash in hand, paid by the hereinafter named Grantee(s), and other good and valuable consideration, the receipt of which is hereby acknowledged, **1101E56, LLC, A WASHINGTON LIMITED LIABILITY COMPANY**, hereinafter called the Grantor(s), has/have bargained and sold, and by these presents do/does transfer and convey unto **ROBERT HUGGINS AND JTRE1, LLC, A WISCONSIN LIMITED LIABILITY COMPANY**, hereinafter called the Grantee(s), his/her/its/their heirs, successors and assigns, that certain tract or parcel of land in **DAVIDSON COUNTY, STATE OF TENNESSEE**, described as follows, to wit:

Land in Davidson County, Tennessee, being Lot No. 27 on the Plan of Greenwood Paynes Addition to East Nashville, formerly Edgefield, now in the Eighteenth Ward of the City of Nashville, Tennessee, of record in Plat Book 21, Page 70, in the Register's Office for Davidson County, Tennessee, to which Plan reference is hereby made for a more complete description of the property.

Said Lot No. 27 fronts 50 feet on the Northerly side of Russell Street, beginning at a point 150 feet West of Tenth Street, and extending back Northerly 170 feet to an alley on which it fronts 85 feet, and being known by City No. 949 Russell Street, in Nashville, Tennessee

Being the same property conveyed to Music City Holdings, LLC, A Texas limited liability company by Warranty deed from Harold G. Johnson, Jr and Sharon G. Johnson of record in Instrument No. 20190819-0082530 Register's Office for Davidson County, Tennessee, dated August 14, 2019 and recorded on August 19, 2019.

Being the same property conveyed to 1101E56, LLC, a Washington Limited Liability Company by Warranty deed from Music City Holdings, LLC, a Texas limited liability company of record in Instrument No. 20190819-0082531 Register's Office for Davidson County, Tennessee, dated August 14, 2019 and recorded on August 19, 2019.

This conveyance is subject to:

- Davidson County Property Taxes for the year 2020, and any subsequent year, a lien not yet due and payable.
- All matters shown on the Plan of record in Plat Book 21, Page 70, Register's Office for Davidson County, Tennessee.
- Any and all existing easements and restrictions as shown of record not stated herein

This is improved property known as: **949 Russell Street, Nashville, Tennessee 37206.**

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEE(S), their heirs and assigns forever; and we do covenant with the said GRANTEE(S) that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEE(S), their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness our hand(s) this the 20th DAY OF AUGUST, 2020.

1101E56, LLC, a Washington Limited Liability Company

BY: [Signature]
Steven Gough
Chief Executive Manager

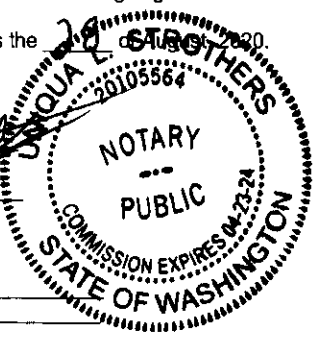
BY: [Signature]
Vince Silveira
Manager

STATE OF WA
COUNTY OF King

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, STEVEN GOUGH, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who acknowledged himself to be the CHIEF EXECUTIVE MANAGER of 1101E56, LLC, A WASHINGTON LIMITED LIABILITY COMPANY the within named bargainer, a limited liability company, and that he/she as such CHIEF EXECUTIVE MANAGER executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal, this the 20 of August, 2020.

[Signature]
Notary Public
My Commission Expires: 4/23/24
(SEAL)



STATE OF WA
COUNTY OF King

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, VINCE SILVEIRA, to me known (or proved to me on the basis of satisfactory evidence) to be the person described in and who acknowledged himself to be the MANAGER of 1101E56, LLC, A WASHINGTON LIMITED LIABILITY COMPANY the within named bargainer, a limited liability company, and that he/she as such MANAGER executed the foregoing instrument for the purpose therein contained.

Witness my hand and official seal, this the 28 of August, 2020.

[Signature]
Notary Public
My Commission Expires: 4/23/24
(SEAL)



RETURN TO:
Rudy Title and Escrow, LLC
2012 21st Avenue South
Nashville, TN 37212

From: [Layne, Lois](#)
To: [Zeigler, Robin \(Historical Commission\)](#)
Cc: paul.hohhman@nashville.gov; [Withers, Brett \(Council Member\)](#)
Subject: 949 Russell Street: Disapprove demolition.
Date: Tuesday, March 16, 2021 11:26:08 AM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Dear Commissioners,

I hope you will support the MHZC staff recommendation to disapprove the demolition of 949 Russell St. This is a Historic house in a Historic Preservation Neighborhood. The first and only priority for this house should be to preserve and restore it.

Many homes in Historic Edgefield which were in worse condition have been restored. While the cost of construction has increased, so has the value of homes on Russell Street. Surely the buyers were aware of these factors at the time of purchase in August 2020.

I appreciate the Metro Historic Zoning Commission's dedication to saving our historic neighborhoods and the hard work that goes into it. Those of us who own historic homes are stewards, committed to preserving and maintaining our homes for future generations.

We can't do it without your help. Without continuous vigilance, today's pressures for growth and profit will gradually erode and destroy our small, unique neighborhood.

Lois Layne, Board Member
Historic Edgefield Neighbors
817 Russell St.
Nashville, TN 37206

Sent from my iPad

From: [Pamela Lucas](#)
To: [Hoffman, Paul \(Historical Commission\)](#); [Zeigler, Robin \(Historical Commission\)](#)
Subject: Request to deny demolition of 949 Russell Street home
Date: Tuesday, March 16, 2021 7:14:12 AM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

To whom it may concern,

I am writing to plead with you to disapprove of the measure to allow demolition of the historic house at 949 Russell Street in East Nashville. This house was knowingly bought in a historic district *after* the March 3rd tornado. Damage occurred to the house, and the owners bought the property at a discount, knowing it was in a historic neighborhood. They took no measures to minimize the damage, and allowed this once beautiful structure to sit open to the elements and rot. They never intended to preserve this structure, and their actions have shown this intention. They are claiming economic hardship, although historic homes are selling for record highs in our neighborhood and extremely desirable.

Our neighborhood is beautiful, charming, and has a long history. This house sits at opening to our beautiful neighborhood and should be a welcoming peek along the streets, inviting people to wander. There is history in our tiny area, such as the house Jessie James lived in. If we lose these structures, they and their history are forever gone. That is what we want to save.

On a personal note, my historic home at 910 Fatherland Street was condemned for two years before the previous owners bought and lovingly preserved it. Glenn Durdin the former owner has conveyed to me that when they bought my house, it was in such a state of disrepair that you could stand in the living room and see "both the ground and the sky". There was a 5 foot opening in the roof and no floor. Now, all five fireplaces are original, massive American Chestnut doors are everywhere (which is an extinct species of wood, so the doors are irreplaceable), and the house has been called the gem of the neighborhood. These houses *can* be saved, loved, and add value to the neighborhood, which is the goal.

Sadly, the owners of the 949 Russell Street clearly want to demolish, scrape the lot, and flip with new infill. That is against the neighborhood's mission to preserve these structures, and it was the mission when the 949 Russell owners bought the house. Again, I am writing to ask you to disapprove of the demolition of 949 Russell so we can save the charm in Edgefield.

Pamela Lucas

910 Fatherland Street, Nashville

From: [Marsha Mullin](#)
To: [Zeigler, Robin \(Historical Commission\)](#)
Subject: 949 Russell street
Date: Monday, March 15, 2021 10:37:14 PM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hello,

I want to state my support for the DENY recommendation for the demolition of 949 Russell Street. This home is on a prominent corner of Edgefield (10th and Russell) and to allow a demolition there would reflect badly on the entire historic Edgefield District. The property owners knew of Edgefield being a National Register and local historic district at the time of purchase, yet decided to pursue "demolition by neglect" in order to claim hardship for financing repairs. Considering the cost of housing for contributing structures in historic districts, their claim of cost of repairs exceeding value of property has no validity.

I encourage the commissioners to vote to Deny this permit. I have been an Edgefield resident for 34 years.

Marsha Mullin
922 Boscobel St.