



Meeting Agenda

Design Review Committee

Monday, January 22, 2024

4:00 PM

Training Room

Notice is hereby given that a meeting of the Design Review Committee will be held on the date and time listed above at 109 3rd Ave. S., Franklin, TN 37064. You may call 615.791.3212 for additional information. For accommodations due to disabilities or other special arrangements, please contact the Human Resources Department at 615.791.3216 at least 24 hours prior to the meeting. The typical process for discussing an item in this meeting setting is as follows: 1. Applicant / staff presentation, and 2. DRC comments. Accommodations have been made to ensure that the public is able to view the meeting. The public may view the meeting in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Attend in person in the Board Room. The public may also watch the meeting on the TV in the lobby.

CALL TO ORDER

CITIZEN COMMENTS (Open for citizens to be heard on any issue or concern, including those related to items on the agenda. Please submit a Speaker Card at the beginning of the meeting if you would like to address the Commission. If you would like to speak on an agenda item, the Chair will hold your comment until the public comment period associated with the item. As provided by law, the Commission shall make no decisions or consideration of action of citizen comments for items not on the agenda, except to refer the matter to the Planning Director/Staff for administrative consideration, or to a schedule the matter for consideration at a later date. Those addressing the Commission are requested to come to the microphone and identify themselves by name and address for the official record. The Chair may restrict the period for public comment, including the length of the public comment period, the number of individuals who can speak and the length of time each individual may speak. When time allows, the standard individual public comment time is two minutes.)

Comments on agenda items may be made in person at city hall or by emailing planningintake@franklintn.gov before noon on the day of the meeting. Emailed comments will be provided to the Commission and included in the minutes, but not read aloud in their entirety during the meeting.

APPLICATIONS

1. Discussion Of Alterations (Site Elements) At 239 Franklin Rd. (The Park at Harlinsdale Farm); David Hodnett, City Of Franklin, Applicant.
2. Discussion Of Alterations (Principal) At 221 Lewisburg Ave.; Madeleine Wyatt, Applicant.
3. Discussion Of Alterations (Accessory Structure) At 117 Third Ave. N.; Brandon Priddy, Applicant.

4. Discussion Of Signage (Way Finding Signage) At 230 Franklin Rd.; Nick Redford, Applicant.
5. Discussion Of Demolition (Principal) At 1309 Adams St.; Brandon Priddy, Applicant.

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.







221 Lewisburg Ave

Permitting Proposal

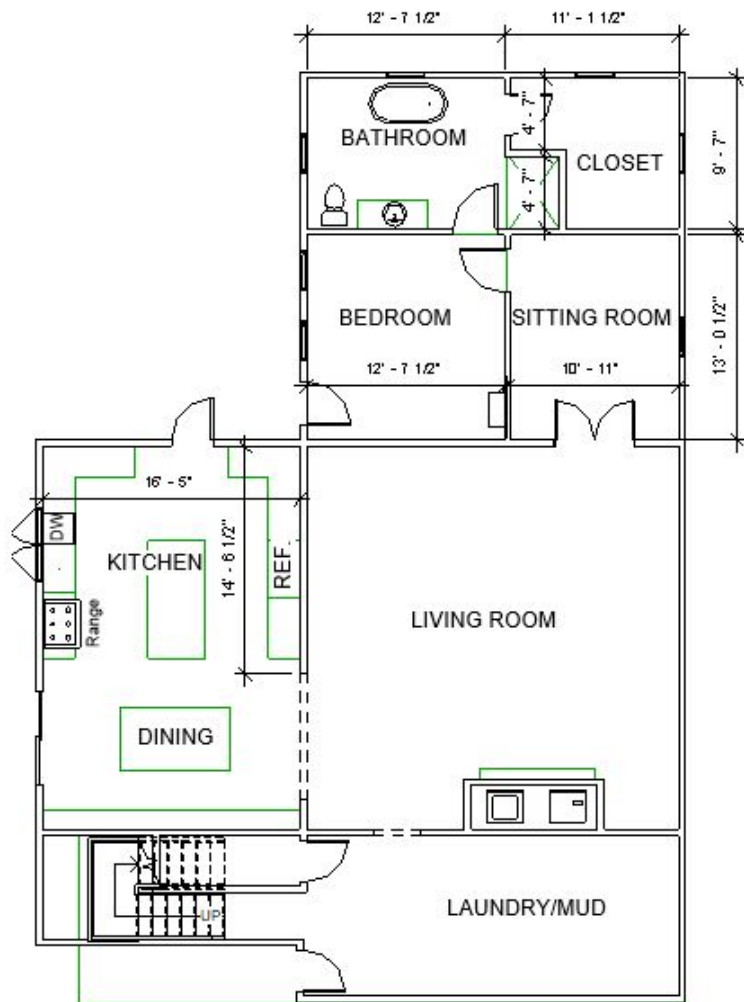


221 Lewisburg Ave: Plot

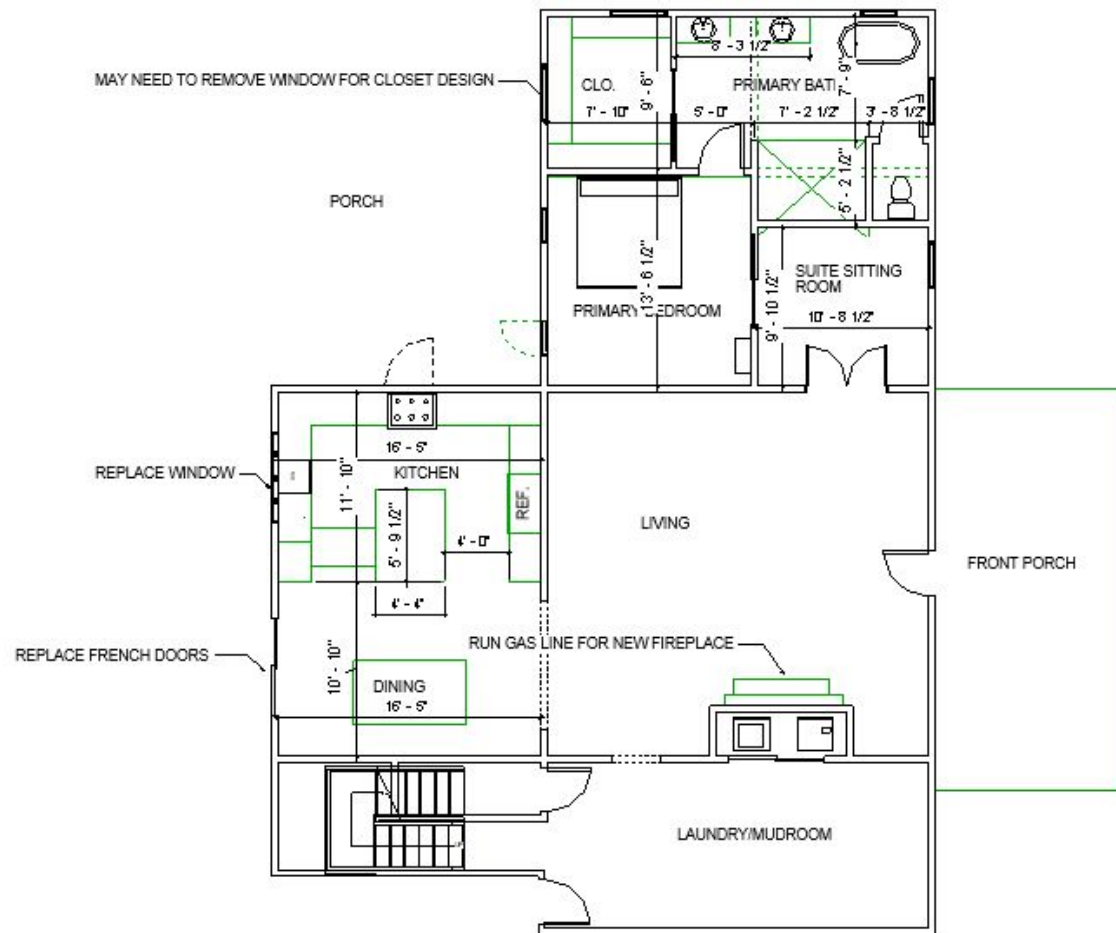
No changes will be made to the footprint of the home.



EXISTING LAYOUT



NEW PROPOSED LAYOUT



Kitchen Scope: Stage 1

We will be updating the kitchen with new cabinets, paint, electrical and running a new gas line to the new stove. All plumbing to be left in the same locations, moving plumbing is not necessary for the new design. One of the many existing doors leading to the porch will need to be removed to allow a better flow of the kitchen space. Right now there are several access points to the back porch and the door removal in the stove location is necessary for this new design. My clients would like to replace the window over the sink and french door in dining room with a newer ones in the same locations, specifications to meet the historic design guidelines and attached for review. Post renovation the dining room french doors would be the main access to the rear porch area.

any other material.

- If enclosure of porches on side or rear facades is desired, use screen or glass panels with the minimum number of vertical and horizontal framing members needed to support the screening and recess panels behind existing porch columns and rails. Use wooden frames only, and do not remove any historic elements to accommodate enclosure.
- Avoid installing porch railings on porches where railings were not historically present unless required for safety or access reasons. Required railings should be simple in design with square balusters.
- Avoid adding architectural features that are not original to the historic porch. These features include alterations such as the addition of limestone caps to steps, pilasters, and decorative molding.
- Preserve and maintain original concrete, brick, or wooden stairs. If needed, repair or replace original wooden, brick, or concrete stairs with matching materials. If pre-cast or pre-formed concrete stairs are desired, use them only where not readily visible from the street.
- Avoid enclosing a Porte cochere, as it changes the overall character of the building.



Foundations

- Preserve and maintain original foundations.
- Avoid obscuring historic foundations or applying artificial materials such as stone veneers, aluminum, or vinyl siding.
- If the building has piers and enclosure is desired, enclose foundations with masonry to match the original, but leave the original piers visible.

Materials & Exterior Finishes

Wood

- Maintain and preserve historic wood siding, shingles, weatherboard, board-and-batten, and other historic wooden elements. Do not cover or conceal historic wooden elements.

- Paint, repair, and provide other regularly needed maintenance. Should historic exterior wood siding require repair or replacement, the resulting materials, profiles, and designs should match the historic configuration.
- Minimize the replacement of wood siding to elements that are so severely damaged that replacement is the only option. If only a small area of siding or ornamentation is deteriorated, repair or replace only the damaged section rather than an entire board or architectural detail. Do not replace more than 25 percent of the facade's total square footage of siding unless significant deterioration can be demonstrated.
- Replace deteriorated siding with siding that matches the original siding. Do not install vinyl or other synthetic siding. Smooth cement board siding may be appropriate for replacement of deteriorated wood siding on rear facades.
- Remove synthetic siding and restore the original siding materials.



Paint

- Maintain painted surfaces of historically painted buildings or features.
- Avoid painting historically unpainted buildings.
- If paint removal is desired, use hand scraping or non-abrasive methods like chemical cleaning or electric head guns or plates. Use the latter with caution due to the fire hazard they possess. Avoid paint removal if it is protecting damaged bricks or other materials.
- Use paint colors and schemes typical of the age and style of the building. Paint color selection is not reviewed by the HZC.

Masonry

- Preserve and maintain original masonry walls and details.
- Repair and replace damaged masonry with new masonry that matches as closely as possible the historic color, texture, and profile of the original.
- Do not paint masonry walls or foundations that have not been previously painted. The HZC may consider painting when they have had extensive patching or re-pointing, resulting in a patchwork of masonry surfaces.
- Clean masonry using only the least abrasive methods possible, preferably detergent or steam cleaning. Chemical cleaning may be used if detergents and steaming are ineffective. Use low-pressure water

RESIDENTIAL BUILDINGS

HISTORIC RESIDENTIAL BUILDINGS

- Use designs appropriate for the style and age of the building for replacement doors and avoid modern solid-core wooden doors, doors with similar variations, and doors with ornate designs of wrought-iron or similar metals.
- Avoid adding new entrances to front facades or where highly visible from the street.

Screen and Storm Doors

- Preserve and maintain historic wooden screen doors. Leave unpainted doors unpainted.
- If new screen doors are desired, match screen and storm doors to the design of the entrance, such as matching the rail and stile arrangement of the original door.
- Use wood or aluminum screen doors with anodized or baked enamel finishes, or that have been primed and painted a color to complement the entrance.
- Design with large expanses of screening or glass to maintain visibility of the original door.

Windows

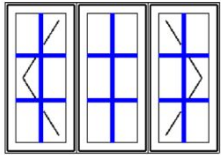
- Preserve and maintain historic windows and historic window openings.
- Avoid adding new windows to the front facade or readily visible facades.
- Design new or replacement windows to have historic profiles and dimensions and a double-hung appearance. Use true divided-light (TDL) or simulated divided-light (SDL) windows rather than snap-in muntins or grids between the glass (GBG) styles.
- Design new or replacement windows to match the historic materials found on the building.
- Use clear glass in replacement panes on the front facade and where highly visible from the street.
- Minimize the visual impact of storm windows by designing them so that they appear to be part of the window. Use a full view storm window design to allow the viewing of the original window from the street.



Proposed Window Replacement

Line 1

Rough Opening : 60 3/4 X 42 3/4



Viewed from Exterior. Scale: 1/2" = 1'

SWC2042-3

Frame Size : 60 X 42

(Outside Casing Size: 63 X 44 7/16),

Siteline Wood Casement, Auralast Pine, 3 Wide

Flanker= 20 ,

Primed Exterior,

Primed Interior,

Brickmould, Standard Sill Nosing, DripCap, Brilliant White Drip Cap,

4 9/16 Jamb, 4/4 Thick,

Left/Stat/Right,

Nesting Crank Handle, White Hardware,

US National-WDMA/ASTM, DP 35,

Insulated SunResist Annealed Glass, Protective Film, Black Spacer, Argon Filled, Traditional Glz Bd,

Primed Wood SDL, 7/8" Bead SDL w/Perm Wood Trad'l. Bead Int BAR,

Light Bronze Shadow Bar, Colonial All Lite(s) 2 Wide 3 High

BetterVue Mesh Brilliant White Screen,

This mull configuration complies with AAMA 450 standards and is professional engineer-approved.

PEV 2023.3.0.4399/PDV 7.119 (09/06/23)NW



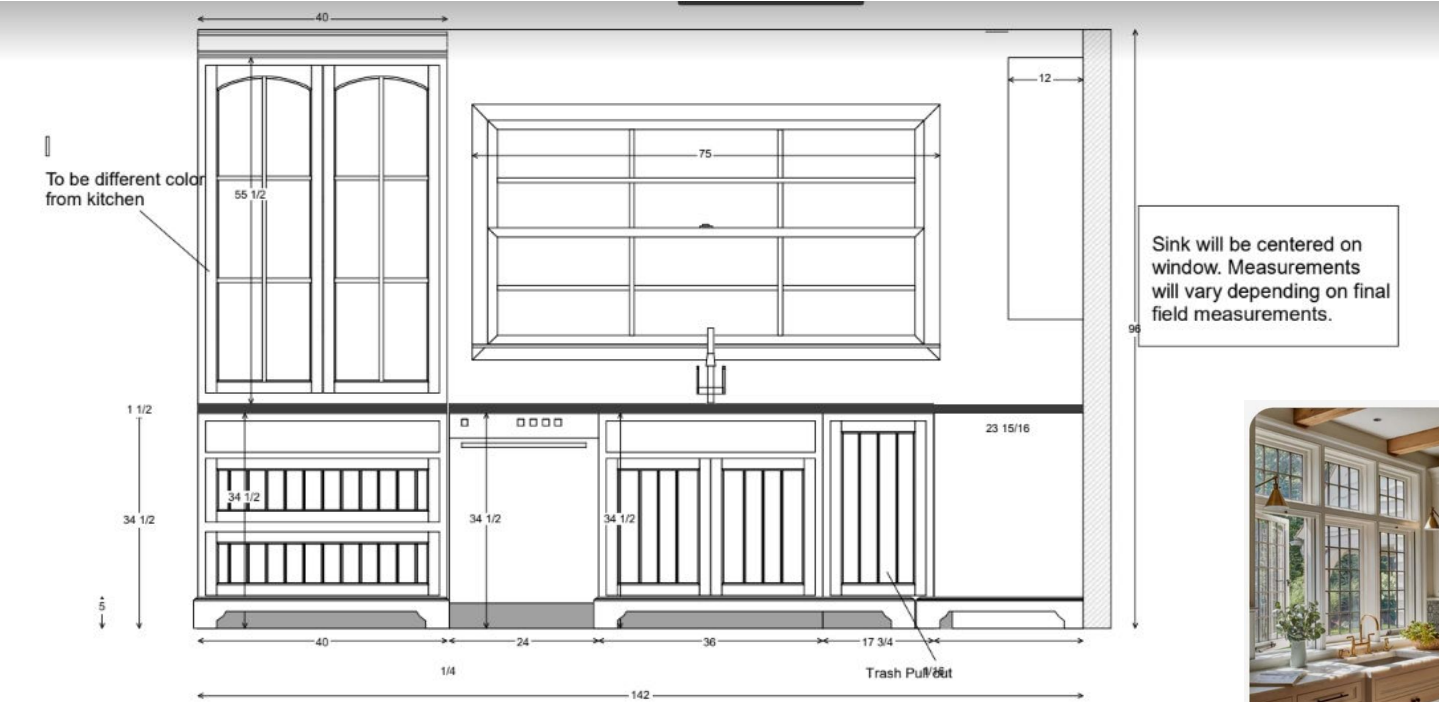
Proposed Dining Room Door Replacement



Kitchen Door Removal Request



Kitchen Cabinets



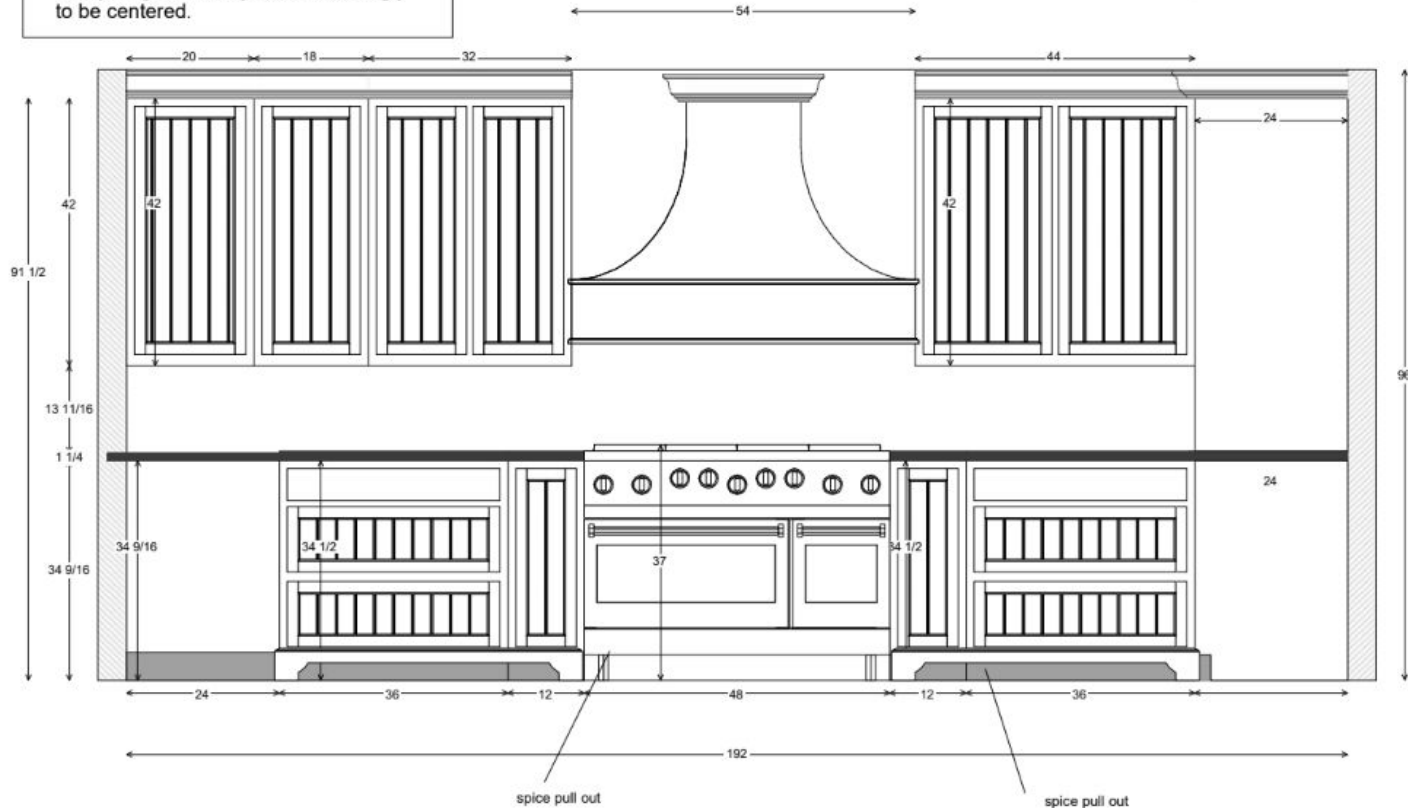
Kitchen - Wall 3

Not To Scale

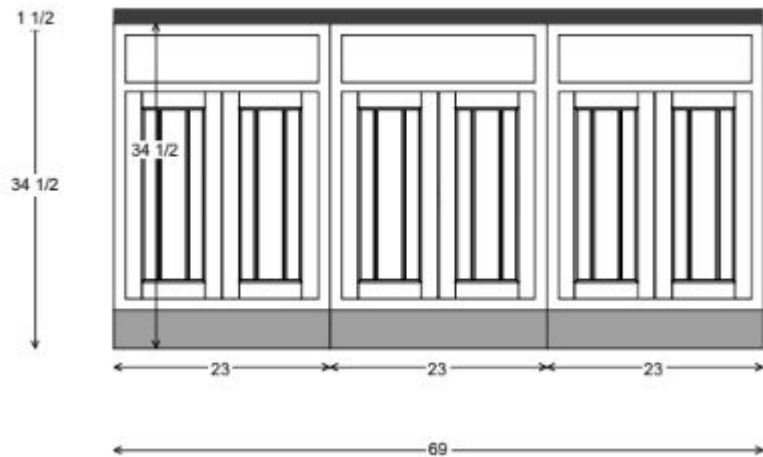
Open with ▼

Doors: Inset shaker doors
with beadboard
Finish: Painted
Soft close glides
soft close hinges

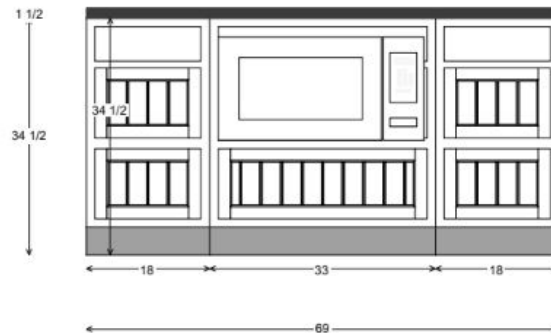
Measurements will vary
depending on actual wall measurements.
Everything will be adjusted accordingly
to be centered.







Island stained maple
Doors: shaker with beadboard
soft close glides
Soft close hinges



Primary Suite Renovation : Stage 2

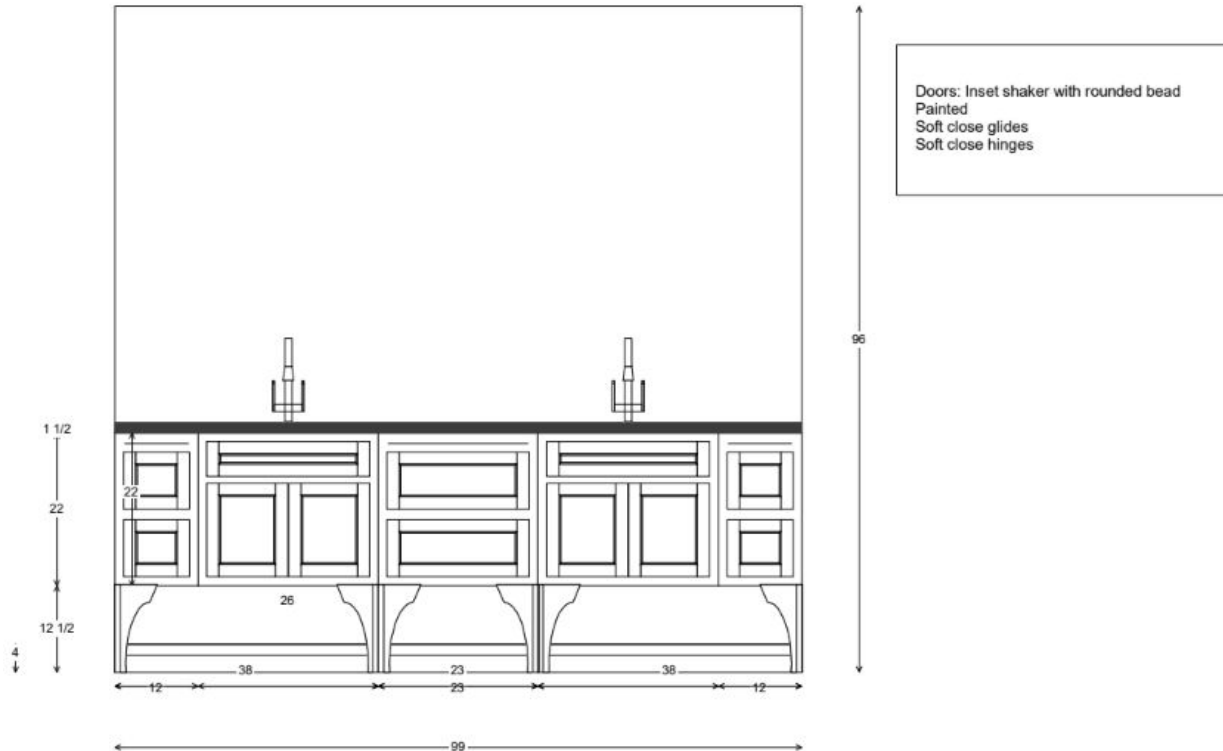
The primary suite renovation will include moving the vanity, toilet and shower towards the front of the home to allow for a better layout and flow. Walls will be adjusted and added using 2x4 16" O.C. No load bearing walls will be removed. Please see the attached plans above for more clarification of the existing space vs what we are proposing. Depending on the new closet layout the back window facing the backyard may need to be removed to provide functional storage. If not able to remove then we can try and work around the window. In the bedroom there is a door leading to the back porch and my clients would love to turn that into a window allowing them more safety and privacy. We will be lightly adjusting electrical as needed for this portion of the project.

Bedroom Door Removal Request

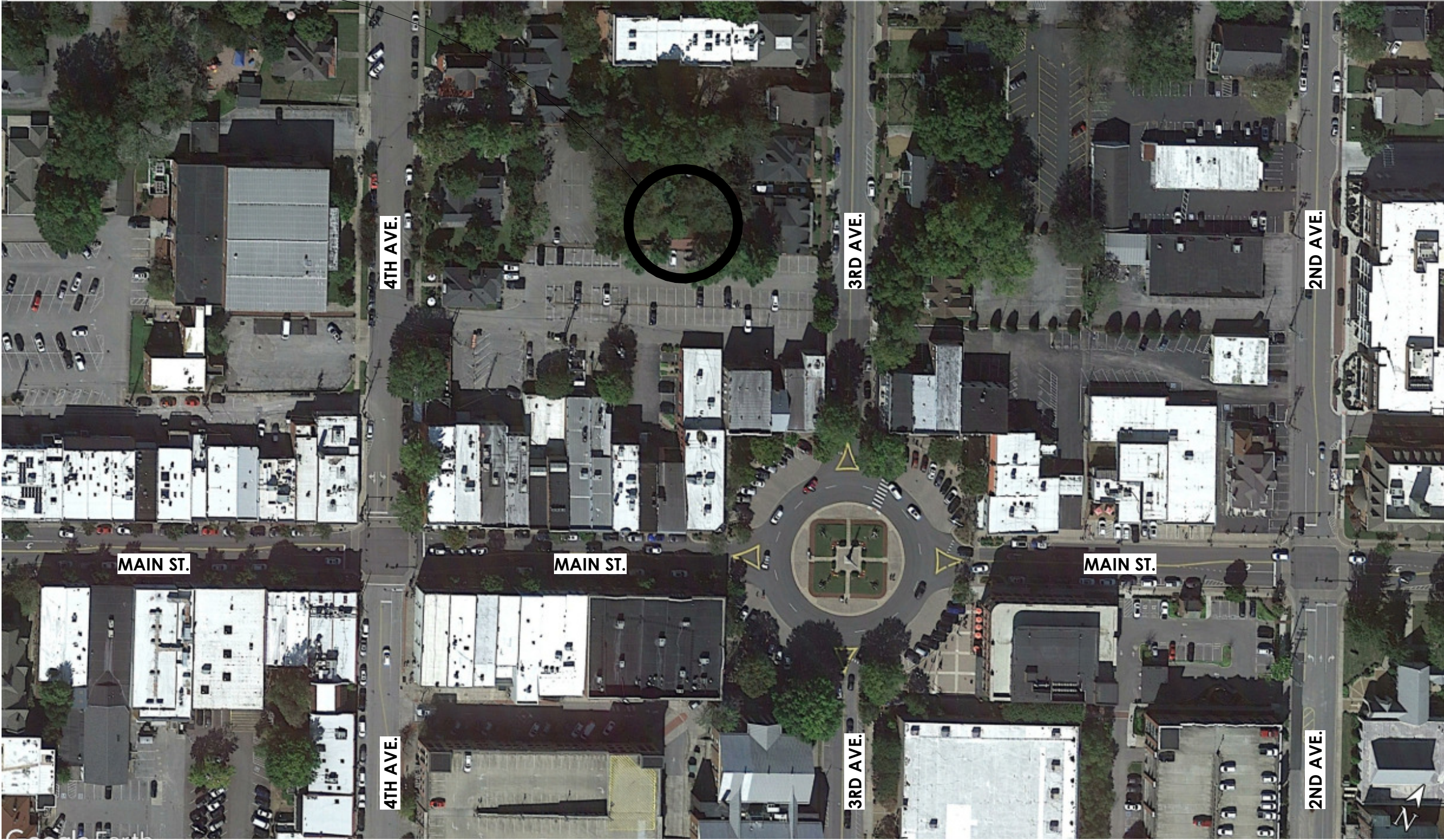


Would remove window to the left and replace door with a windows to meet egress.

PRIMARY BATH VANITY



PROJECT LOCATION

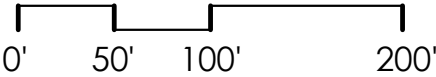


SITE PLAN
1" = 100'-0"

ARCHITECTURE

906

1/8/2024

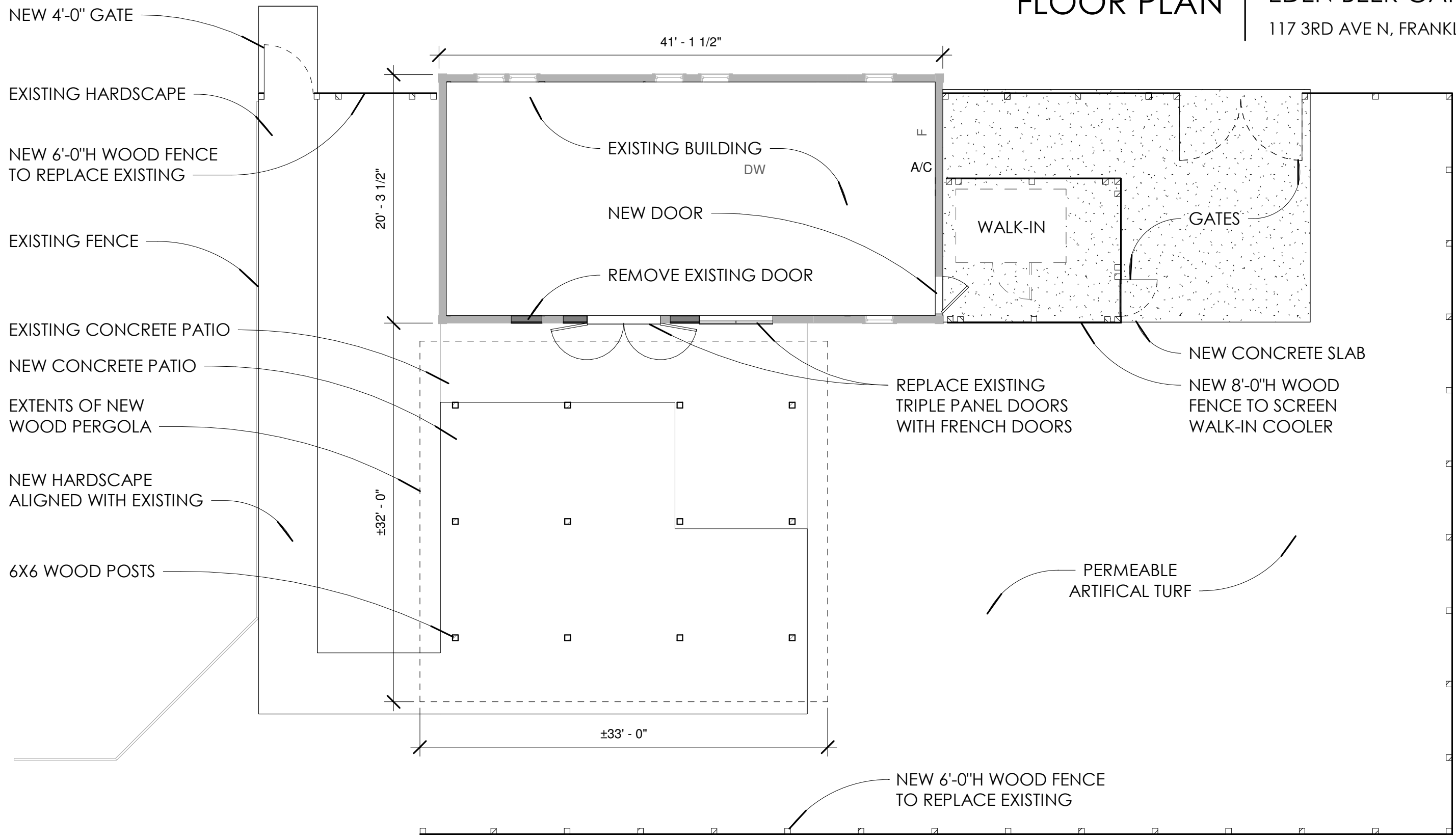




PARCEL SQUARE FOOTAGE:	12,929 SF
MAIN STRUCTURE:	3,490 SF
ACCESSORY STRUCTURE:	820 SF
EXISTING PERGOLA:	390 SF
NEW PERGOLA:	1,055 SF
INCREASE IN SIZE:	665 SF

FLOOR PLAN

EDEN BEER GARDEN
117 3RD AVE N, FRANKLIN, TN

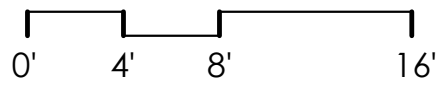


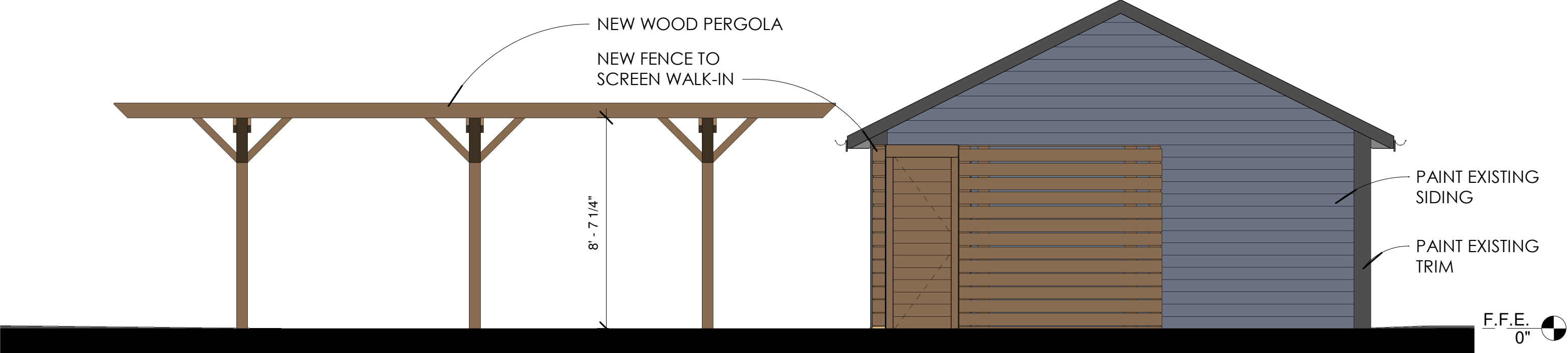
FLOOR PLAN
1/8" = 1'-0"

ARCHITECTURE



1/8/2024

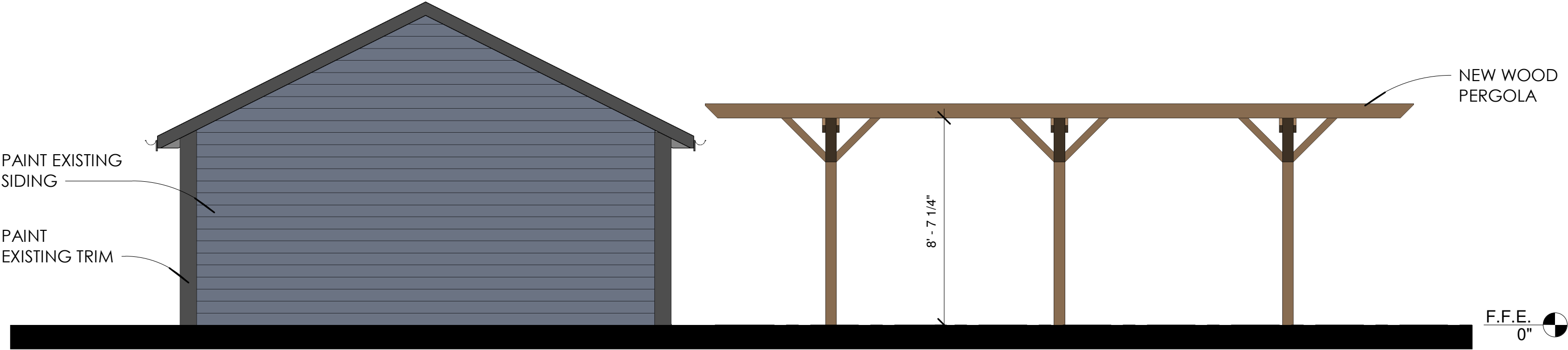




SOUTHWEST



SOUTHEAST



NORTHEAST



NORTHWEST



NORTH PERSPECTIVE



WEST PERSPECTIVE



NORTH



NORTHWEST



WEST



SOUTHWEST



SOUTH



EAST (SOUTHEAST FACADE)



EAST



EAST (NORTHEAST FACADE)



3RD AVE. PERSPECTIVE



PARKING LOT ENTRY PERSPECTIVE

CLIENT

The Factory
at Franklin

PROJECT

Exterior
Wayfinding

VERSION

02



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Monument Signs

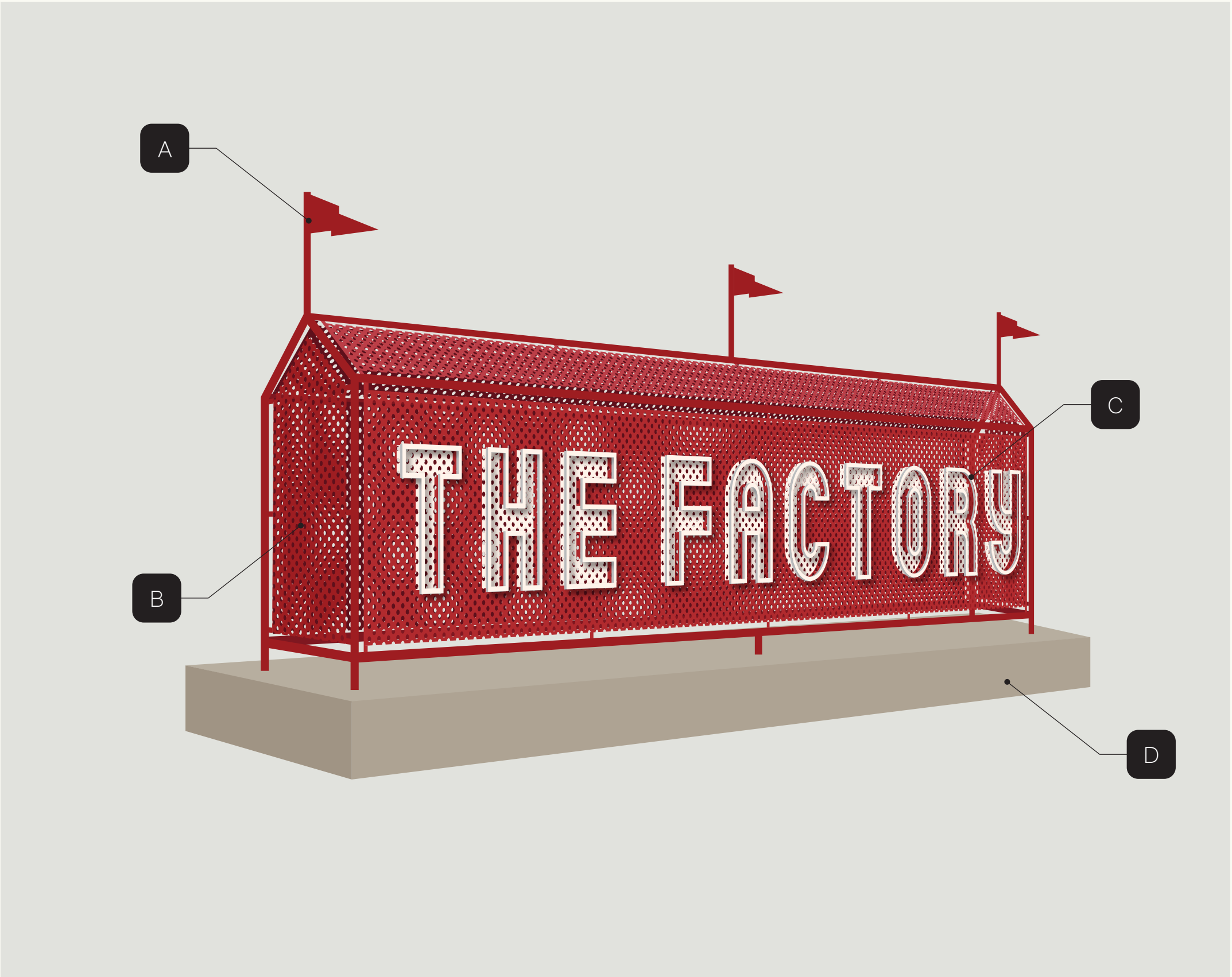
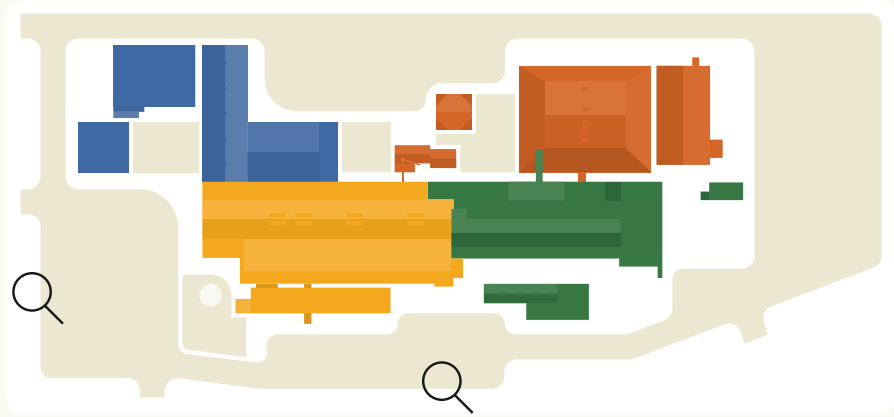
QTY: 2 signs total. One located off Liberty Pike and the other off Franklin Road. Signs are single-sided and face the road.

(KEY)

- A → FORMED METAL FLAGS
- B → PERFORATED ALUMINUM
- C → RAISED METAL LETTERING
- D → CEMENT BASE

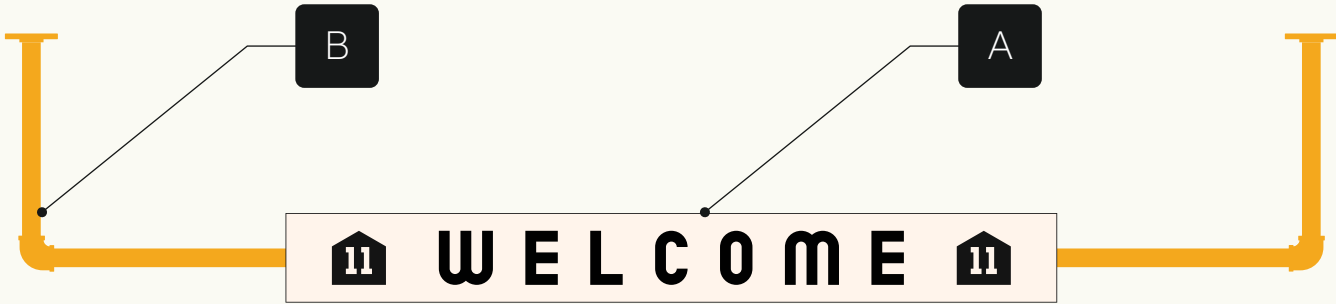
(NOTES)

1 → SIGNAGE AREA ≤ 32 SQ FEET



Entrance Sign — Building 11

Located above entrance to Grand Hall.

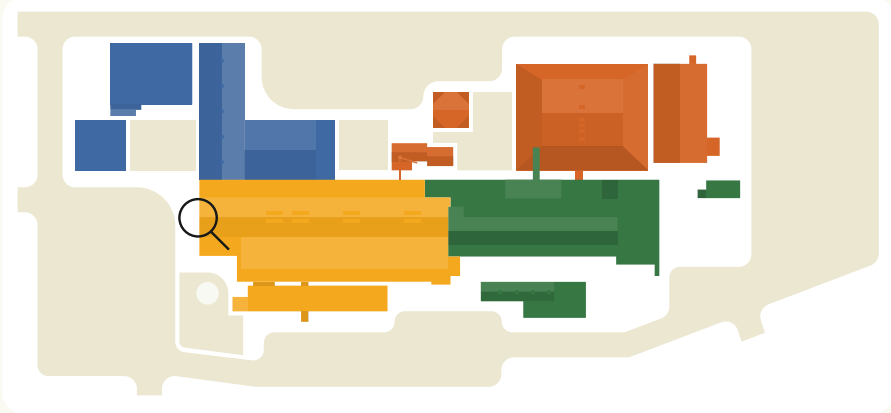


(KEY)

- A → ALUMINUM SQUARE TUBING WITH APPLIED VINYL
- B → PAINTED STEEL PIPE BOLTED TO WALL

(NOTES)

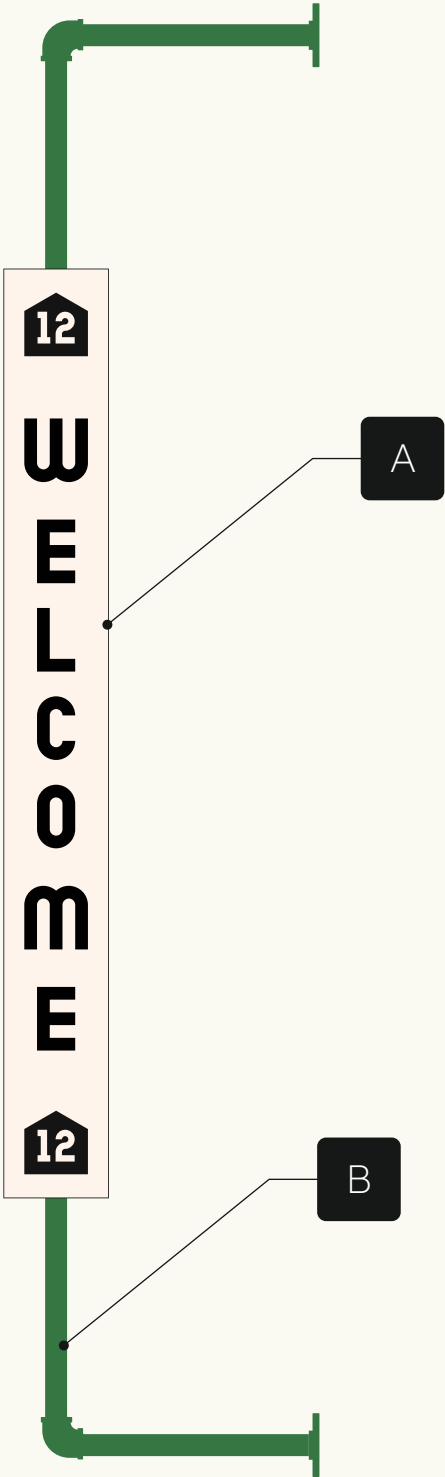
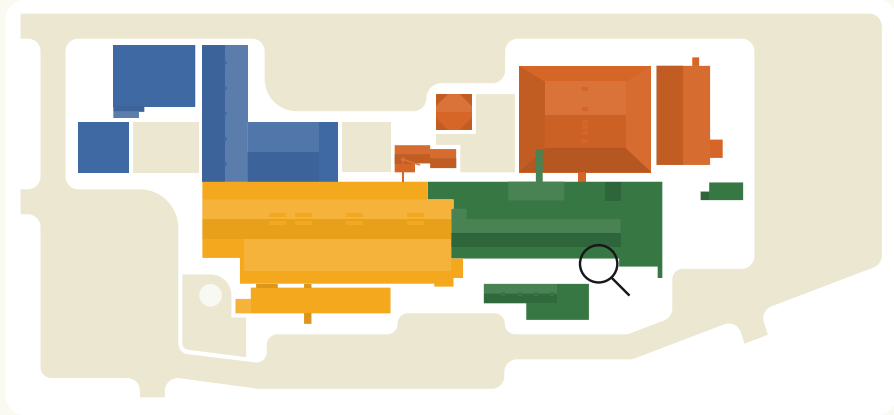
1 → SIGNAGE AREA = 6 SQ FEET



Entrance Sign — Building 12

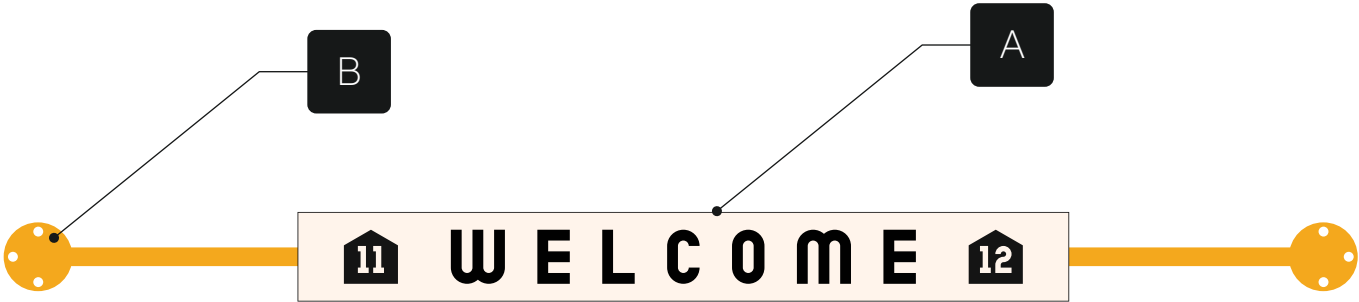
Located near entrance to Liberty Hall.

- (KEY)
- A → ALUMINUM SQUARE TUBING WITH APPLIED VINYL
 - B → PAINTED STEEL PIPE BOLTED TO WALL
- (NOTES)
- 1 → SIGNAGE AREA = 6 SQ FEET



Entrance Sign — Building 11

Located near entrance to Liberty Hall.

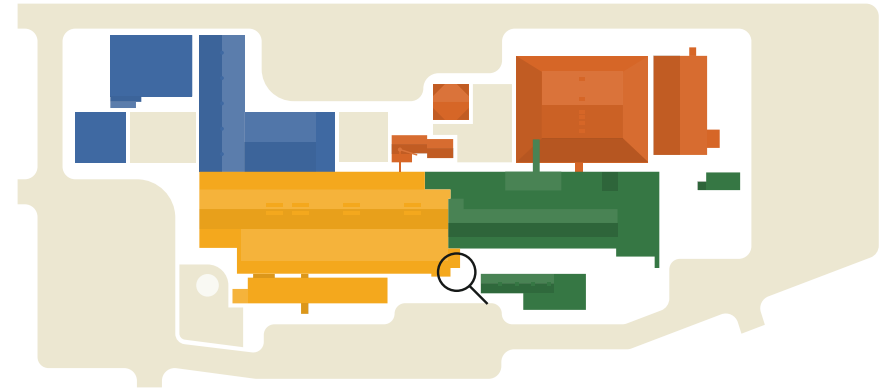


(KEY)

- A → ALUMINUM SQUARE TUBING WITH APPLIED VINYL
- B → PAINTED STEEL PIPE BOLTED TO WALL

(NOTES)

1 → SIGNAGE AREA = 6 SQ FEET



Convenience Signs

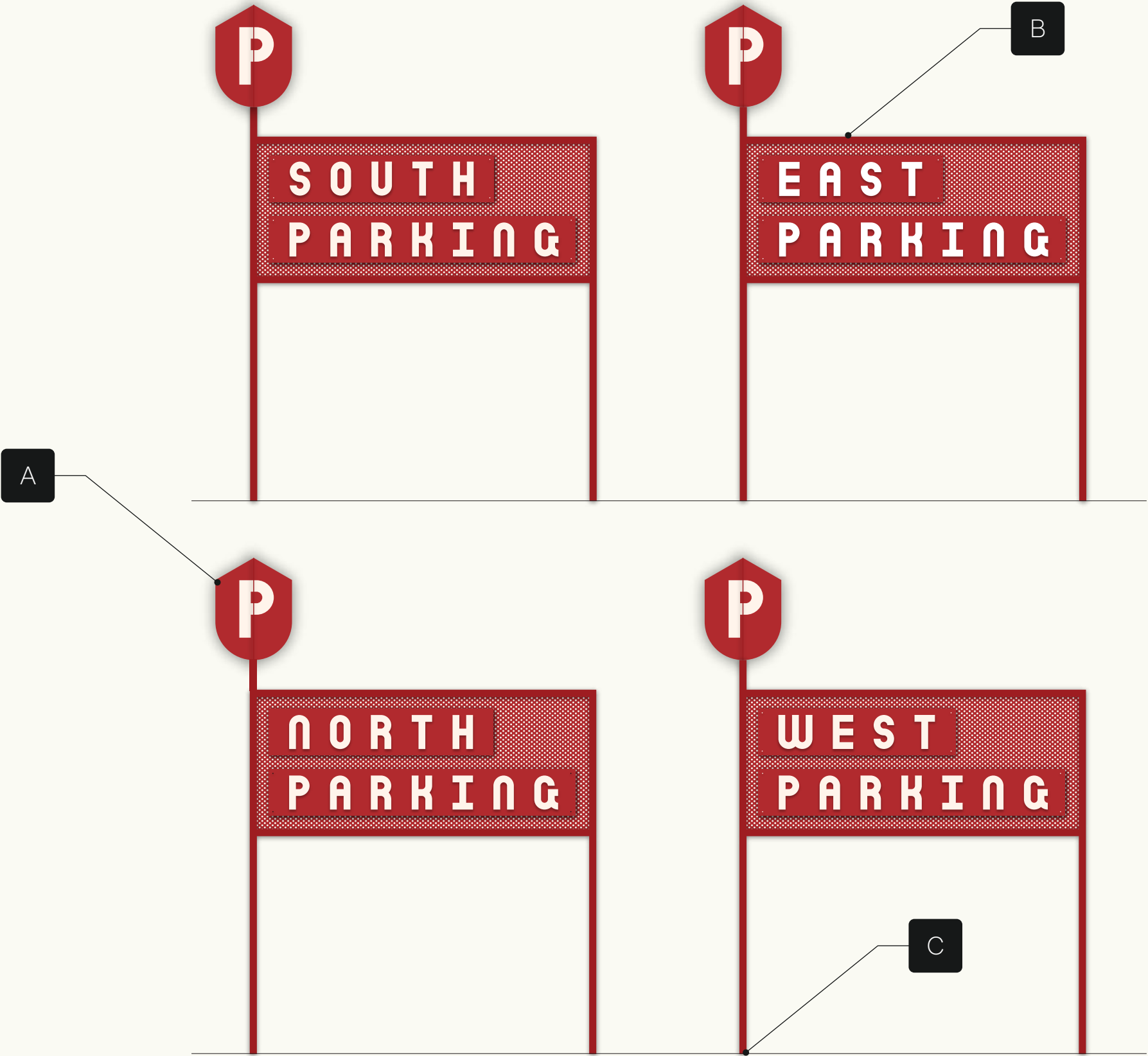
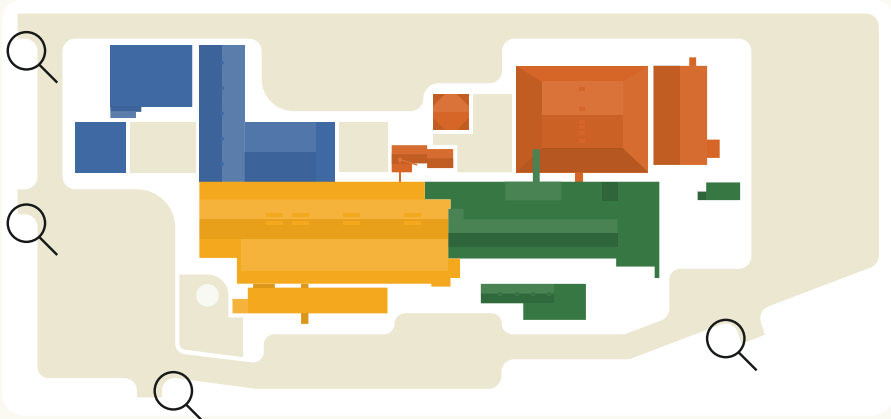
QTY: 4 signs total. One sign located at each parking lot entrance. Signs double-sided and for two-way visibility.

(KEY)

- A → PARKING BEACON
- B → STEEL TUBE FRAMING
- C → POLES EMBEDDED IN CEMENT

(NOTES)

- 1 → SIGNAGE AREA ≤ 4.5 SQ FEET



Building ID's

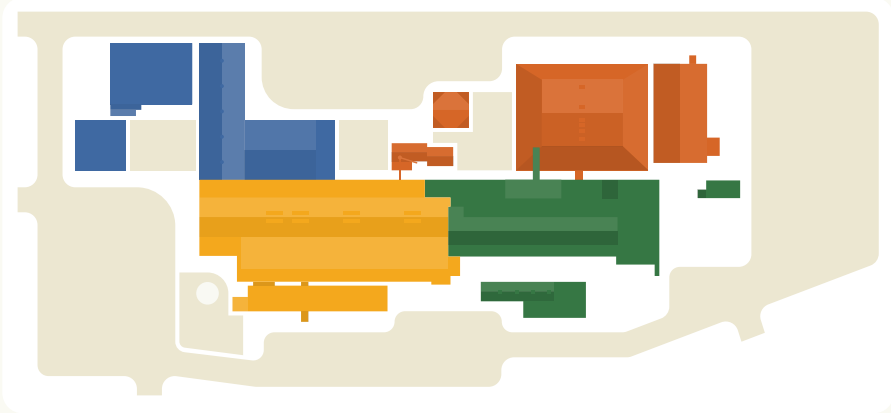
QTY: 16 signs total. 1-2 per building depending on req'd visibility. Hand-painted on brick. Letters/numbers color coded to correclate with campus map.

(KEY)

A → PAINTED METAL PANELS

(NOTES)

1 → SIGNAGE AREA = 5 SQ FEET (EA)



QUESTIONS?

WE'RE HERE FOR YOU

Here to help!

nick@heyfortify.com

fortify

THOMPSON BURTON PLLC
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A PROFESSIONAL LIMITED LIABILITY COMPANY

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January 8, 2024

VIA ELECTRONIC SUBMISSION

Franklin Historic Zoning Commissioners

Bob Barrett
Josh Denton
Kathy Worthington
Tyler Lemarinel
Mary Pearce

Susan Besser
Brian Laster
Lisa Marquardt
Michael Orr

Re: Application for demolition at 1309 Adams Street

Dear Commissioners,

On behalf of Ms. Rachel Calloway Felix, Thompson Burton submits this letter and the attached documents in support of her request to demolish a primary structure at 1309 Adams Street under Chapter 10 of the Franklin Historic District Design Guidelines. For the reasons stated herein, Ms. Felix's demolition application should be approved.

Introduction

The home located at 1309 Adams Street has a long and complicated history which ends in Ms. Rachel Calloway Felix inheriting a house with substantial structural deterioration due to both poor construction and neglect. As soon as Ms. Felix obtained title and was legally able to evict the existing occupants, she hired professional contractors to begin repairing the property with hopes of bringing it into code compliance. Unfortunately, the professional advice she obtained indicated that there was no way to rehabilitate the house because of significant foundation issues due to poor construction and damage that had occurred over time due to neglect. Her only option was to demolish the house. If her demolition application is granted, Ms. Felix plans are to construct her new primary residence on this lot.

Ownership History of 1309 Adams Street

Property history is not always relevant to an application for demolition. Here however, because the poor condition of the structure is partially due to neglect, it is particularly important that the Commission understand its past ownership and tenancy.

Mr. Robert C. Godsey was the original owner of the home, where he lived with his wife, Ms. Christine Scruggs Godsey. Mr. Godsey died in 1997 with a will, leaving the home to Mr.

Christopher A. Brown with a life estate to Ms. Godsey for possession of the property. Mr. Brown's will then left the property to Ms. Felix while Ms. Godsey remained in possession of the property.

Ms. Godsey's life estate possession of the house was a disaster. She failed to pay taxes on the property and allowed the house to fall into substantial physical disrepair. Mr. Brown attempted to purchase her interest in the property to ameliorate the effects of Ms. Godsey's tenancy, but she refused. Ms. Godsey even attempted to force the sale of the property in 2013. The Williamson County Chancery Court denied this request, as it was a lifetime estate that would return to the remainderman, Ms. Felix, upon Ms. Godsey's death. See Williamson County Chancery Case No. 32603, Aug. 15, 2013 Order, attached as **Exhibit A**.

Ms. Godsey's family members lived at 1309 Adams with her. In 2017, after Ms. Godsey passed away, her family members remained in the home and refused to leave or to allow Ms. Felix – the now rightful owner of the property – to have access to make any repairs. Meanwhile, Ms. Felix received multiple complaints from neighbors about the condition of the house, including chipped paint, visible mold on the walls and ceilings that could be seen through the windows, foam sprayed in holes in the wall, and obvious foundation settling issues. After several failed attempts to remove the family, in April of 2018, the Godsey family was finally evicted. See Williamson County Court of General Sessions Case No. 2018-CV-322, April 30, 2018 Judgment, attached as **Exhibit B**.

Ms. Felix gained unencumbered possession of 1309 Adams Street in July or August of 2018. Immediately, she procured multiple contractors to give construction estimates to begin renovating the house. Each contractor who looked at the home recommended that the property be torn down due to the foundation issues and dilapidated condition of the home. One contractor noted the following conditions:

- The house was built, in part, directly on the ground, with no foundation on half of the house. It remains in that condition today;
- Multiple severe cracks in the block foundation of the house, indicating problems with the footers of the house;
- Grading failure at the rear of the house, which allowed water to pool at the house, which could have caused the foundation issues;
- Damage to roof ridge and ridge rafters that had allowed moisture to enter the house and would require complete replacement;
- Damage to flooring and floor joists from moisture and settling that would require complete replacement. In some places, the floor had completely collapsed to the ground;
- Bowed walls, indicating damage to the house framing, which would require partial or complete replacement;
- Severe terminate damage and rodent infestation;
- Damage to the front porch of the house due to settling

See Floyd Beech Letter, attached as **Exhibit C**.

For these reasons, no contractor would take on the project as a renovation. Predictably, later in 2018, the property was condemned by the city. The property has remained in an uninhabitable condition since that time.

The accompanying demolition application is an attempt to take the next step to both resolve the City's concerns about the existing conditions at 1309 Adams Street while also allowing Ms. Felix to use the property to build a proper residence that complies with the Adams Street Historic District design guidelines.

Demolition Approval Criteria

The Commission has the authority to approve demolition under any of three conditions:

1. If a building has lost its architectural and historical integrity and its removal will not adversely affect the district's historic character. Loss of integrity must be substantiated with photographic documentation and a physical description of the property that addresses relevant issues;
2. If the denial of the demolition will result in an unreasonable economic hardship on the applicant as determined by the HZC. Please refer to the Economic Hardship Considerations Section. The HZC will use this information to assist with the review of economic hardship claims; or
3. If the structural instability or deterioration of a property is demonstrated through a report by a structural engineer or architect with demonstrated experience working with historic structures. Such a report must clearly detail the property's physical condition, reasons why rehabilitation is not feasible, and cost estimates for rehabilitation versus demolition and construction of a comparable structure. In addition to this report, there should be a separate report that details future action on the site.

The primary structure at 1309 Adams Street meets all three conditions for demolition.

1. Loss of Architectural or Historical Integrity

As the attached architectural report of 906 Studio shows, unlike many surrounding properties, the primary structure at 1309 Adams Street has minimal existing architectural and historical integrity that would contribute to the character of the Adams Street Historic District. Whatever minimal contributing that exist have deteriorated to the point that those features would have to be replaced. Finally, the reconstruction efforts that would be required to restore this house far outweigh any value that the house provides. The 906 Studio report is attached as **Exhibit D**.

2. Unreasonable Economic Hardship

When determining whether an application amounts to economic hardship, the HZC may consider the property's value, its ability to generate income, and the feasibility of alternative uses. A report of the factors contained in the design guidelines is attached as **Exhibit E**.

In summary, the financial prospects for maintaining the existing structure on this property are bleak. The property currently has no economic return and has not produced any income during the entire time in which Ms. Felix has owned the property. It has not been listed for lease, sale, or rent, as it remains condemned and uninhabitable. As the architectural report of 906 Studio and the structural engineer report of SE&I demonstrate, the building is not structurally sound or suitable for rehabilitation or alternative uses. Finally, as the report of the Gregg Homebuilding Company show that the cost of renovation will be anywhere from \$375,000-\$490,000 while demolition and building a new residence will cost \$220,000-\$295,000. The Gregg Homebuilding Company report is attached as **Exhibit F**.

3. Structural Instability and Deterioration of the Property

Structural Engineering & Inspections, LLC, a structural engineer, has evaluated the structural instability and deterioration of the property. Consistent with the observations of Mr. Beech back in 2018, the report from SE&I notes that the foundation no longer supports the home, the floor framing no longer supports the loading, the wall, ceiling, and roof framing is defective, and the structural defects of the home appear to be a safety concern. The home is unsafe for human habitation and cannot be rehabilitated without demolishing and constructing a new foundation. The SE&I report is attached as **Exhibit G**.

Demolition Considerations

The Franklin Historic District Design Guidelines also includes considerations for approving demolition of a property in a historic overlay. While demolition is only permitted in extraordinary circumstances, Ms. Felix's application satisfies that standard under the guideline considerations, as follows:

1. Determine the significance of the historic structure. An analysis should be undertaken to determine if the historic structure maintains its integrity.

See Part 1 of the 906 Studio report, Ex. D. Aside from its age, the structure has minimal architectural detailing which would contribute to the overlay as being historically significant. Few original elements remain and those that do are severely deteriorated.

2. Consider the impact of removing the historic structure relative to its context.

According to the Franklin Historic Preservation website, the Adams Street Local Historical District contains dwellings constructed primarily between 1890 and 1940. The majority of homes built in this area are Folk Victorian forms with Queen Anne and Italianate detailing.

As Part 1 of the 906 Studio report, Ex. D, demonstrates, 1309 Adams was built in approximately 1915 in a Folk Victorian form, but the subsequent addition to the house is inconsistent with the original design. Later additional design elements, including vinyl siding and trim elements, are also inconsistent with the original design. Even a well-maintained original section of the house would not have contributed significantly to the overlay, but this inconsistent hybrid structure that this house has become over time makes it noncontributing in character.

3. Consider the condition of the structure in question. Demolition may be more appropriate when a building is deteriorated or in poor condition.'

See Structural Engineer Report of SE&I, Ex. G. The structure is in unquestionably poor condition.

4. Consider the project proposed to replace the structure proposed for demolition and the future utilization of the site.

Ms. Felix plans to remove this deteriorated, noncontributing structure and replace it with a new primary residence that complies with the design guidelines. While a final new construction permit would have to be approved by this Commission, a rendering of the proposed residence by 906 Studio is attached to this letter as **Exhibit H**.

5. Consider that no historic structure shall be demolished for the purpose of providing a surface parking lot, per Zoning Ordinance.

The existing dwelling will be replaced by a dwelling that conforms with the applicable design guidelines.

6. Determine that the proposed redevelopment is consistent with the guidelines for new buildings.

While the full details of the redevelopment are not yet before this Commission, a rendering of Ms. Felix's proposed residence is attached as Exhibit H. The Commission will determine whether the new residence fully comports with the design guidelines before a building permit can be issued.

Conclusion

When Ms. Felix inherited the Property, she intended to renovate the home to bring it back to its original condition. Unfortunately, by the time she gained legal possession, the house was in too poor of a condition to renovate. No contractor would take on the project, and all recommended demolition. The house is currently condemned and uninhabitable. Far from contributing to the historic character of Adams Street, the house at 1309 Adams is a blight that the owner wishes to remedy for herself and for the benefit of her neighbors and the city. Because the property satisfies each of the three conditions for demolition approval, as well as the demolition consideration factors, Ms. Felix respectfully requests that her application for demolition be approved by this Commission.

Sincerely,



Alex Dickerson
Counsel for Ms. Felix

RECEIVED BY
Judges' Chambers
Date: 8-23-13

EXHIBIT A

IN THE CHANCERY COURT FOR WILLIAMSON COUNTY, TENNESSEE
TWENTY-FIRST JUDICIAL DISTRICT, AT FRANKLIN

FILED
WILLIAMSON COUNTY
CLERK
2013 AUG 15 AM 9:07

ENTERED 8-26-13

CHRISTINE SCRUGGS GOSEY,

**Plaintiff and Current
Counter-Defendant/Counter-Plaintiff,**

v.

**EMILY BROWN, administrator of the Estate
of Christopher A. Brown (Remainderman);
AMY BROWN CALLOWAY, Executrix
of the Estate of COLEMAN BROWN; and
AMY BROWN CALLOWAY,**

**Defendants and Current
Counter-Plaintiffs/Counter-
Defendants.**

Case No. 32603

ORDER GRANTING MOTION TO DISMISS AND AWARDING FEES AND EXPENSES

This matter came to be heard before the Honorable Timothy L. Easter upon the motion of Defendants Emily Brown, Administrator of the Estate of Christopher A. Brown (Remainderman); Amy Brown Calloway, the Executrix of the Estate of Coleman Brown; and Amy Brown Calloway ("Defendants"), to dismiss the petition to quiet title or for sale filed by plaintiff Christine Scruggs Gosey ("Plaintiff") for failure to state a claim upon which relief can be granted and for an award of fees and expenses pursuant to T.C.A. § 20-12-119. Plaintiff failed to file a response in opposition to the motion, but, through counsel, appeared at the hearing to oppose it.

The Court has thoroughly reviewed the entire record in this matter. Based upon the petition, motion to dismiss, supporting memorandum of law, argument of counsel, and the entire record in this cause, the Court finds that the claims asserted in Plaintiff's petition to quiet title or for sale are barred by the doctrine of *res judicata*, as this Court previously held in its

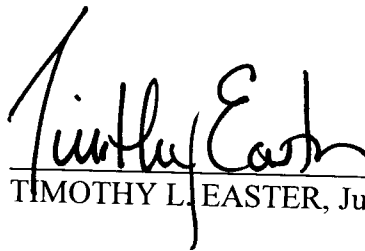
memorandum opinion entered on April 4, 2007. The Court further finds that an award of fees and expenses to Defendants is appropriate under T.C.A. § 20-12-119.

It is accordingly, **ORDERED** as follows:

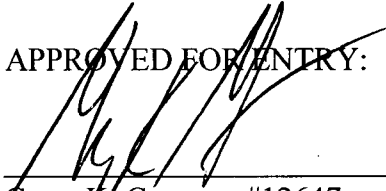
1. Defendants' motion to dismiss for failure to state a claim is granted, and Plaintiff's petition to quiet title or for sale is dismissed with prejudice.

2. The Court further grants Defendants' motion for an award of attorney's fees and expenses. Defendants' counsel shall submit an affidavit establishing those fees and expenses and a proposed order awarding the fees sought. Following receipt of Defendants' counsel's affidavit, Plaintiff shall have five (5) days to object to the reasonableness of those fees and expenses. In the event an objection is filed, the Court will resolve the objection based upon the record without additional argument from counsel. In the event that no objection is filed, the order shall be entered.

It is so **ORDERED**.

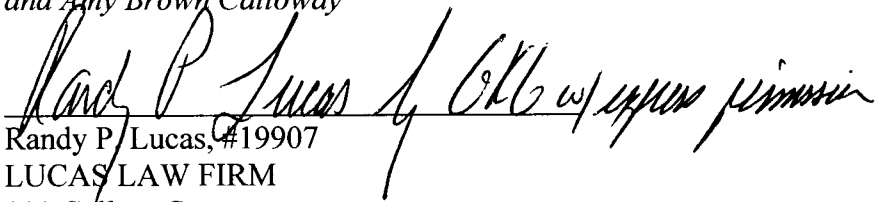
 8/26/2013
TIMOTHY L. EASTER, Judge

APPROVED FOR ENTRY:



Garry K. Grooms, #12647
STITES & HARBISON, PLLC
401 Commerce Street, Suite 800
Nashville, TN 37219
615-782-2200

*Counsel for Defendants Emily Brown
and Amy Brown Calloway*



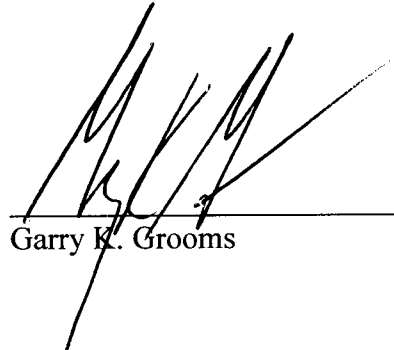
Randy P. Lucas, #19907
LUCAS LAW FIRM
111 College Street
Gallatin, TN 37066
615-451-1013

Counsel for Plaintiff Christine Scruggs Gosey

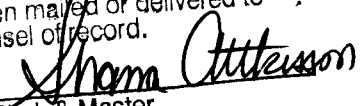
CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of August, 2013, I mailed a true and correct copy of the foregoing *Order* to the following:

Randy P. Lucas, Esq.
LUCAS LAW FIRM
111 College Street
Gallatin, TN 37066
Counsel for Plaintiff



Garry K. Grooms

CLERK'S CERTIFICATE
I hereby certify that a true and exact copy of
foregoing has been mailed or delivered to
all parties or counsel of record.
8/28/13 
Date Clerk & Master

STATE OF TENNESSEE, COUNTY OF WILLIAMSON

DETAINDER
SUMMONS

To Any Lawful Officer To Execute and Return: Summon each Defendant to appear before the Judge of the General Sessions Court of Williamson County, on Monday, February 26, 2018 at 9:00 A.M.

To be held in WILLIAMSON COUNTY JUDICIAL CENTER (Court Room) A
135 FOURTH AVENUE SOUTH, FRANKLIN, TENNESSEE 37604 (Address)

to answer the claim by Plaintiff(s) for a money judgment for costs and for possession of property Plaintiff claims that Defendant(s) wrongfully possesses in this county having a street address, or otherwise described as: 1309 Adams Street, Franklin, Tennessee 37064. Defendant's initial possession was based on permission from prior owner of life estate, now deceased and the right to possession has now terminated because of death of deceased life tenant.

☒ Written ☐ Oral notice to vacate was given to Defendant(s) on or about December 12, 2017 and January 10, 2018. Plaintiff holds \$0 paid as a damage/security deposit. Plaintiff asks for possession of the property and all court costs and litigation taxes.

Issued 1-26-18

Tittam Wood

Clerk/Deputy Clerk

☒ Judgment is granted to Plaintiff(s) against Defendant(s) _____ in the amount of \$ Possession and all costs and taxes, and for possession of the described property for which a writ of possession shall be issued on Plaintiff's request. This judgment is based on:

☒ Default of Defendant(s) ☐ Agreement of Parties ☐ Trial in Court

☐ Case is dismissed and all costs and taxes are to be paid by Plaintiff, for which execution may issue. Dismissal is based on:

☐ Failure to prosecute the suit by Plaintiff(s) ☐ Non-suit by Plaintiff, requested by:

☐ Finding in favor of Defendant(s) after trial

Date: April 30, 2018

Judge: Pennington Div I

JUDGMENT

EXHIBIT B

Case No. 2018CV 322

Emily Brown, Amy Brown Calloway and Rachel Calloway
Plaintiffs

c/o Garry Grooms, Burr & Forman LLP, 222 Second Avenue
South, Suite 2000, Nashville, Tennessee 37201

Address

(615) 724-3229

Phone

vs.

Charles Scruggs or other resident(s)

Defendant

1309 Adams Street, Franklin Tennessee 37064

Address

Defendant

Address

DETAINDER SUMMONS

Court of General Sessions

Debbie M. Barrett, Clerk

By Tittam Wood, Deputy Clerk

Issued 1-26, 2018

Set for 2-26-18 at 9:00

Reset for _____

Served Upon ☐ All Named Defendants

☒ All Defendants

Except: _____

Served 2/10, 2018

Sheriff/Constable (Process Server)

Garry Grooms, Burr & Forman LLP, 222 Second Avenue
South, Suite 2000, Nashville, Tennessee 37201

Attorney for Plaintiff

Telephone 615-724-3229

Attorney for Defendant

Telephone _____

RECEIVED

JAN 26 2018

GENERAL SESSIONS

16115733
16115733
16115733

We, _____, Principal, and _____, Surety, do hereby bind ourselves, our heirs and assigns to said Defendant(s), to pay all costs and damages which shall accrue to said Defendant(s), for the wrongful prosecution of this suite.

BOND

Date: _____

Principal _____

Surety _____

ORDER

This the _____ day of _____, 20____.

Judge _____

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

AFFIDAVIT

Attorney for Plaintiff or Plaintiff

Christina C. Nolan
Notary Public
My Commission Exp. 9/7/2020



TO THE DEFENDANT(S):

Failure to appear and answer this summons may result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption as well as a homestead exemption from execution or seizure to satisfy a judgment. The amount of the homestead exemption depends upon your age and the other factors which are listed in TCA § 26-2-301. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.



Legal Authority: TCA §29-18-112

Rev. 8/10

ADA: If you need assistance or accommodations because of a disability, please call _____, ADA Coordinator, at () _____

January 8, 2024

Dear Commissioners:

My name is Floyd Beech. I have been a construction contractor since 2007 in and around the Franklin area. In 2018, I was a remodeling construction contractor with SSK Builders in Franklin, which is where I work today. It was during that time that I was contacted by Ms. Rachel Calloway. Ms. Calloway was requesting a quote for renovations at a house at 1309 Adams Street in Franklin. I visited the property and discussed with her the prospects of renovation.

Based on my observations at that time, the house had severe foundation and framing defects that would prevent any attempts at remodeling. These included the following:

- The house was built, in part, directly on the ground, with no foundation on half of the house. It remains in that condition today.
- Multiple severe cracks in the block foundation of the house, indicating problems with the footers of the house
- Grading failure at the rear of the house, which allowed water to pool at the house, which could have caused the foundation issues
- Damage to roof ridge and ridge rafters that had allowed moisture to enter the house and would require complete replacement
- Damage to flooring and floor joists from moisture and settling that would require complete replacement. In some places, the floor had completely collapsed to the ground.
- Bowed walls, indicating damage to the house framing, which would require partial or complete replacement
- Severe terminate damage and rodent infestation
- Damage to the front porch of the house due to settling

It was my opinion at the time that the foundation had deteriorated to such a point that it could not support a structure of any kind. Moreover, because the house is not built to current code requirements, the house cannot be renovated in any way to satisfy current codes standards. It was my advice to Ms. Calloway that she should not attempt to remodel the house

given the structural problems. I recommended to her at that time that the house be demolished.

Sincerely,

Floyd Beech 1.4.24

Floyd Beech

906

An Evaluation of the Structure at 1309 Adams Street

January 8, 2024

The purpose of this report is to provide a comprehensive evaluation of the existing residential structure sited at 1309 Adams Street in Franklin, TN. This evaluation will be comprised of two parts. Part I is a study of the historical integrity and character of the building's architectural character and the condition of surviving original elements. Part II is a study of the physical integrity of the structure itself including what if any repairs would be necessary to restore it to a habitable condition and make it suitable for occupancy along with associated costs.

The report will conclude with our professional recommendation of the best path forward for this structure.

This report has been assembled by Brandon Priddy of 906 Studio, PLLC. Mr. Priddy is a licensed architect in the state of Tennessee who has done extensive work in the Franklin area including historic preservation, including the Main Barn and Hayes House at Harlinsdale Park.

This report is divided into four Parts:

- I. Historical Character and Integrity**
- II. Physical Integrity of Structure**
- III. Scope of Work to Repair**
- IV. Conclusion**

I. Historical Character and Integrity

The primary home was constructed in approximately 1915 with alterations and additions made at various times over the years. It is difficult to tell as the home has been modified over time with much of the original detailing lost, but it appears to be in the “Folk Victorian” style popular at the end of the nineteenth and into the early twentieth century. These homes are noted for their simple massing and embellishment with decorative trim. They represent a simplified subset of Victorian architecture, notable for their simple plans and lack of elaborate detailing.

Upon first impression, there is minimal architectural detailing which would distinguish this home within the surrounding area as being historically significant. While the homes to either side of this property as well as a majority of the homes along the street are characterized by features such as dormers, unique windows, column profile and stone bases which contribute to create the unique architectural character of Adams Street, very little if any of this detailing is to be found at 1309. The home seems to have been exceedingly simple in its original conception and alterations over the years have only further diluted this character. Below are some relevant points to a discussion of the building’s architecture:

- The original structure is a simple gable facing the street with another simple gable volume perpendicular to it.
- At least one addition was added, a large low-slope volume to the rear. This addition doesn’t seem to have taken into account the existing architecture as it is comprised of a low-slope and window and eave detailing are dissimilar from original house, without any of the minimal ornamentation which is found on the front and sides
- Vinyl siding has been added over the original wood siding. Limited ability to observe the condition of the original wood siding shows deterioration in multiple areas.
- Vinyl non-operable shutters have been added over the vinyl siding. These shutters are in poor condition and would most likely need to be replaced.
- Windows and trim have significant deterioration in multiple locations and would most likely need to be replaced in several locations.
- Ornamental spindles which are not original nor period-appropriate have been added above the head of the porch.
- Front door is not original
- It is unknown how much if any of the eave detailing is original – it has significant deterioration in many areas
- An octagonal attic vent which is neither original nor period appropriate has been added to

the main front gable

- Wood detailing in the gable eave seems to be original but does not continue to the top

The following images provide a comprehensive understanding of both the architectural character and the current state of the structure.



Image 1 - Front of the home as seen from Adams Street



Image 2 - Right side (from standing at the front) view of the home



Image 3 - Rear view of the home



Image 4 - Left side (from standing at the front) view of the home



Images 5 & 6 - Front gable has minimal ornament – scrolled rafter extensions & octagonal vent which has been added and is not period appropriate



Image 7 - Porch has minimal detailing – overhead spindles are not original



Images 8 & 9 - Porch railing is plain and not original – posts have begun to deteriorate at base



Images 9 & 10 - Vinyl siding & non-operable vinyl shutters have been added around window trim and poor detail has caused deterioration



Image 11 - Windows at rear addition do not match vertical proportion of original windows and have no trim detail



Images 12 & 13 - Left image: Original rafter extensions with scroll detail
Right: rafter extensions at rear addition (no scrolled detail)



Image 14 - Rear addition has no distinctive detailing



Image 15 - Severe deterioration to fascia where addition joins with original structure



Image 16 - No distinctive brick detailing at chimney



Image 17 & 18 - Severe deterioration at eave

II. Physical Integrity of Structure

Eric Ivey, PE, a structural engineer licensed in the State of Tennessee prepared a full structural evaluation report regarding this building for the Owner on June 2nd, 2023. The following information represents an overview of this report's findings taken in conjunction with the Architect's site observations.

Overall:

The structure is in very poor condition with significant deterioration in a variety of different structural elements from the foundation up through floor framing and into to ceiling rafters. In all areas framing is non-compliant with current building codes and would need to be significantly supplemented in order to meet current structural codes governing loading and deflection.

Foundation:

- House foundation is a combination of concrete masonry units (CMU) and stone perimeter foundation walls with dry-stacked CMU piers to the crawlspace interior supporting floor framing. Cracking in the foundation walls was observed. The presence of a footing could not be determined.
- Soil within the crawlspace appeared to be damp in places
- In some areas floor framing has deflected to the extent that framing appears to bear on earth within the crawlspace



this image shows the deterioration of floor joints (see cracks in upper right hand corner)

Floor Framing:

- Floor framing appears to be of rough sawn lumber joists and girders. Several members were observed to have deteriorated and fractured.
- Floors throughout the home undulate, creating dips in the floor of 6" +/- in places with visible moisture deterioration. In addition to these dramatic dips, floors were largely un-level throughout.
- As seen in the following photographs, deep floor depressions (6"+) in multiple rooms demonstrates failure of the supporting joists.

Interior Walls & Ceiling Framing:

- Walls and door frames throughout the home were observed to be out of plumb
- The right exterior wall was observed to be bowing outward horizontally. Spray foam had been injected into the space between the wall and the floor.
- Ceiling rafters throughout the home were observed to be deflecting downward (sagging).
- Water staining in the drywall ceiling and deterioration of the visible wood framing in the back left bedroom was observed.



In this room a depression in the middle measured at 6" – 8" demonstrated a failure of the floor joists



In this room a depression in the middle measured at 4" – 6" demonstrated a failure of the floor joists



In this room a depression in the middle measured at 5" – 7" demonstrated a failure of the floor joists



Significant water damage in the ceiling and sagging of 2" – 4" shows partial failure of ceiling structure

Structural Engineer Findings Summary:

- The perimeter foundation walls and piers do not appear to be structurally adequate to provide continued support of the home.
- The floor framing is severely deflected and in it's current condition does not appear to be structurally adequate to support continued loading.
- The conditions observed appeared to be evidence of structural defects and present a safety concern. In the current condition the home appears to be unsafe for human habitation.
- Recommendations for repair:
 - Expose all wall, ceiling and roof framing for observation so that damage and / or deterioration can be identified
 - Demolish the existing foundation and construct a new code compliant foundation system
 - Demolish the existing floor framing system and construct a new code compliant floor framing system and secure the floor framing to the new foundation
 - Remove and replace wall, ceiling and roof framing members and sheeting found to be damaged, excessively deflected, deteriorated or otherwise structurally inadequate to supporting the required loadings.
 - Return all walls to a plumb condition, secure in place and install sheathing or bracing on exterior walls as required.
 - Re-grade the area immediately adjacent to the home in order to provide for surface water flow away from the foundation.

III. Scope of Work to Repair

The below scope of work was prepared by the Architect based on the Structural Engineer's recommendations and the Architect's site observations. It is intended to describe what would be necessary to fully repair the existing building framing system and envelope as necessary to provide a fully secure and enclosed "building shell" that would be compliant with all current applicable structural codes and ready for full installation of new interior finishes including new electrical and heating and air systems. This scope of work was provided to a general contractor to serve as the basis for the cost estimate that has been provided in section IV.

Foundation

1. Temporary support and shoring for existing wood frame structure to allow for installation of new pier supports.
2. Installation of new perimeter pier bearing system: CMU blocks on concrete footings
3. Regrade & fill existing crawl space as necessary to avoid moisture ponding or infiltration – would recommend gravel fill throughout & installation of min. 60 mil vapor barrier on top of new gravel/dirt fill to mitigate moisture infiltration
4. Repair of existing stacked stone wall to fill all voids and areas of damaged wall, including installation of fill at areas where existing wall support has eroded
5. Regrade of entire area immediately surrounding the structure to provide positive drainage and avoid a repetition of the current problems
6. Treat entire site for termite prevention

Floor Framing

1. After removal of entirety of interior floor finish to provide full visibility to subfloor, perform a detailed study of the existing wood, removing entirety of existing subfloor which has been damaged by moisture
2. After removal of damaged subfloor, perform a full study of existing joists to determine necessary repairs to provide compliance with current structural codes; either replace joists fully or "sister" existing joists with new wood structural members which will bear on new footings. Shim or repair existing joists as necessary to provide a level and plumb substructure for installation of new subfloor.
3. Replace entirety of subfloor with a new 'Advantec' or similar moisture-resistant material

Interior Work

1. Remove all interior finishes including (but not limited to) drywall (floor & ceiling), floor finishes, baseboard, interior doors & trim (salvaging as possible for re-installation), cabinets & casework
2. After removal of finishes, perform a review of wall framing members & remove all damaged pieces. Provide new framing in all areas where necessary to provide a flat, plumb floor, wall & roof condition

Roof & Roof Framing

1. Remove entirety of existing shingle roof, felt & flashing to allow or re-installation of entirely new roofing system as well as gutter system.
2. Review entirety of roof decking/sheathing & remove all damaged areas (approximately 60%)
3. Once damaged decking has been removed, review all existing rafters to determine what must be repaired, supplemented or replaced to provide a flat, plumb roof structure
3. After all structure and sheathing has been repaired or replaced to provide a secure, plumb condition which is compliant with all applicable structural codes, provide a new roofing, flashing and gutter/downspout system

IV. Conclusion

In conclusion, it is our professional opinion that the contribution of this current structure to the surrounding neighborhood fabric is minimal and the impact its removal would have on the overall historical character of the area is negligible. This is due almost entirely to the distinct lack of remaining original distinguishing characteristics. Unfortunately, modifications made over time by previous owners have so diluted the original character of the structure as to render any effort at historical restoration difficult to the point of impossibility. In addition, the condition of the underlying structural “bones” of this building are so deteriorated that any effort at “repair” of foundations, floor joists and ceiling rafters would simply amount to a rebuild. When this is considered alongside the necessity for new siding, trim, windows, roof, etc. the sum total of the effort becomes a “new” structure, defeating the entire purpose of a restoration.

Another significant factor which influences this opinion is a knowledge of what the owner would plan to build back in place of this structure. It would not be of a use type and size as to “stick out” and create an abrupt interruption to the pleasant historic fabric of the community. Instead the proposed home would be an appropriately detailed and scaled structure that by staying within Franklin Historic District Design Guidelines would enrich and maintain the community character that has been established and celebrated for decades.

We understand that removal of a historic structure is not a decision to be taken lightly and we do not make our recommendation without careful consideration, but we feel that when taken as an overall decision within the context of the community, the removal of this structure and replacement with a new one of similar use and character will be an appropriate and helpful course of action for both the Owner and the larger Franklin community.

Economic Hardship Considerations

In support of an application for relief on economic hardship grounds, , the HZC may consider economic hardship based on the following information:

1. Current level of economic return

- Amount paid for the property, date of purchase, party from whom purchased, and relationship between the owner of record, the applicant, and person from whom the property was purchased;
 - **The property was inherited by Ms. Felix from Mr. Christopher A. Brown.**
- Annual gross and net income from the property and the previous three years; itemized operating and maintenance expenses for the previous three years, and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 - **The property has not produced any income since Ms. Felix inherited it.**
- Remaining balance on the mortgage or other financing secured by the property and annual debt services, if any during the prior three years;
 - **There is no mortgage on the property.**
- Real estate taxes for the previous four years and assessed value of the property according to the two most recent assessed valuations;
 - **2019 – Property taxes were \$1,542.00.**
 - **2020 – Property taxes were \$3,126.00.**
 - **2021 – Property taxes were \$3,902.00. The tax assessed value of the property, including the land and improvement, was \$573,600.00.**
 - **2022 – Property taxes were \$3,902.00. The tax assessed value of the property, including the land and improvement, was \$573,600.00.**
- All appraisals obtained within the last two years by the owner or applicant in connection with the purchase, financing, or ownership of the property;
 - **Because the property has not been sold or financed, there are no appraisals for this property.**
- Form of ownership or operation of the property, whether sole proprietorship, for-profit or not-for-profit corporation, limited partnership, joint venture, or other;
 - **Ms. Felix owns the property individually.**
- Any state or federal income tax returns relating to the property for the last two years.
 - **There are no income tax returns relating to the property.**

2. Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents regarding:

- Any real estate broker or firm engaged to sell or lease the property;
- Reasonableness of price or rent sought by the applicant;
- Any advertisements placed for the sale or rent of the property.
 - **The property has not been listed for lease, sale, or rent since Ms. Felix inherited it.**

3. Feasibility of alternative uses for the property that could earn a reasonable economic return:

- Report from a licensed engineer or architect with experience in rehabilitation as to the structural soundness of any buildings on the property and their suitability for rehabilitation;
 - **See reports from 906 Studio, Exhibit D to letter, and from SE&I, Exhibit G to letter, demonstrating that the structure is unsuitable for rehabilitation.**
 - Cost estimates for the proposed construction, alteration, demolition, or removal, and an estimate of any additional costs that would be incurred to comply with the requirements for a certificate of appropriateness;
 - **See report of the Gregg Homebuilding Company, Exhibit F to letter, showing that the cost of renovation will be anywhere from \$375,000-\$490,000 while demolition and building a new residence will cost \$220,000-\$295,000.**
 - Estimated market value of the property: (a) in its current condition; (b) after completion of the proposed alteration or demolition; and (c) after renovation of the existing property for continued use.
 - **There has been no formal appraisal performed on the property, though the Williamson County property assessor values the property at \$573,600.00.**
4. Expert testimony or opinion on the feasibility of rehabilitation or reuse of the existing structure by an architect, developer, real estate consultant, appraiser, and/or other real estate professional experienced in historic properties and rehabilitation.
- **See reports from 906 Studio, Exhibit D to letter, and from SE&I, Exhibit G to letter, demonstrating that the poor condition of the structure and lack of feasibility of rehabilitation or reuse.**



November 13, 2023

Per the request of Studio 906 Architects, the following estimates have been prepared to evaluate the construction costs associated with work on the property located at 1309 Adams Street in Franklin, TN. The residence located on the property is in very poor condition and is currently a hazard for anyone to go inside the existing structure.

This evaluation aims to compare the costs of rehabilitation and restoration of the existing structure versus demolishing the structure and building a new structure.

Scenario #1 will consider estimated costs:

- Remove the vinyl siding, roofing materials, rotted exterior trim, drywall, etc.
- Raise the existing structure and relocate on-site to a temporary location
- Excavate any old foundation elements and install new footings and foundation
- Reset the existing structure on the new foundation
- Remove all existing floor structures and rotted framing members
- Install new framing components
- Install replacement windows and doors
- Install new fiber cement siding and trim
- Rough-in new plumbing, HVAC, and electrical components

Scenario #2 will consider estimated costs:

- Demolish and haul off the existing structure
- Excavate any old foundation elements and install new footings and foundation
- Frame new structure
- Install new windows and doors
- Install new fiber cement siding and trim
- Rough-in new plumbing, HVAC, and electrical components

Scenario #1 - Rehabilitate and Restore Existing Structure: \$375,000-\$490,000

1. Demo: \$40,000-\$55,000
2. Raise, Relocate, & Reset Structure: \$75,000-\$100,000
3. New Foundation: \$20,000-\$25,000
4. Framing Material & Labor: \$90,000-\$115,000
5. New Roof: \$30,000-\$45,000
6. Replacement Windows & Doors: \$45,000-\$55,000
7. New Siding and Exterior Trim: \$25,000-\$35,000
8. Rough-In new mechanical, plumbing, & electrical: \$50,000-\$60,000

Scenario #2 - Demo Existing Structure & Build New Residence: \$220,000-\$295,000

1. Demo: \$20,000-\$25,000
2. New Foundation: \$20,000-\$25,000
3. New Framing Material & Labor: \$60,000-\$85,000
4. New Roof: \$15,000-\$25,000
5. New Windows & Doors: \$40,000-\$50,000
6. New Siding and Exterior Trim: \$25,000-\$35,000
7. Rough-In new mechanical, plumbing, & electrical: \$40,000-\$50,000



Structural Engineering & Inspections, LLC
Knowledge • Experience • Integrity

P.O. Box 2485
Brentwood, TN 37024
Office: (615) 819-0029
Fax: (615) 819-0297

June 2, 2023

Rachel Felix
405 Digaetano Terrace
West Orange, New Jersey 07052

SUBJECT: Residential Opinion Letter
1309 Adams Street, Franklin, TN
SE&I Project No: 23-0999

SCOPE OF WORK

At your request, Structural Engineering & Inspections, LLC (SE&I) visited the residential property located at the address referenced above on Wednesday, May 24, 2023. According to our signed agreement, you've asked that we provide our professional opinions concerning the following conditions:

- Cursory assessment of the structural condition of the foundation of the residence.
- Observe the current condition of the property.

SE&I's basic scope of services includes a limited site assessment of the finishes and exposed structural elements in the areas that pertain to the conditions noted above. The information gathered and utilized in rendering our opinions is documented below. This letter contains a summary of our observations and professional opinions related to the conditions noted above, as well as generic recommendations for proper repair of identified deficiencies.

In accordance with our signed agreement, any review of documents you provided, performance of calculations or analysis necessary to properly evaluate the conditions, or detailed specifications for repair of identified deficiencies is considered an extra service.

OBSERVATIONS & OPINIONS

Our observations are limited to visible evidence in interior and/or exterior finishes and cursory examination of exposed structure in areas related to the items listed above. For purposes of this report, all directions (left, right, front, back, etc.) are taken from the viewpoint of the observer standing in front of and facing the residence. Specific comments may refer to left-hand or right-hand and are taken as facing the object.

The information described below has been relied upon in forming our professional opinions concerning the condition of the home. The conclusions to follow are based on the prescriptive requirements of the local building code, standards of best practice for residential construction,

on-site cursory assessment of the existing conditions, and/or analyses performed in accordance with accepted engineering practice. Our findings are not intended to provide a warranty, guarantee or certification of future performance of the structure and/or its individual components.

I. General and Anecdotal Information

1. The subject structure is a one (1) story wood framed residence constructed atop a crawlspace foundation and clad with vinyl siding and asphalt composition shingles.
2. The following information was provided by you and has been considered in the formation of our conclusions, opinions, and recommendations:
 - a. The home was constructed in approximately 1915 and is in a historic overlay district.
 - b. The City of Franklin has condemned the home. A City of Franklin Building Official has advised you that the structure of the home is approximately 60% deteriorated beyond repair.
 - c. Currently, you are attempting to secure a permit to raze the home.
 - d. It is planned to construct a new home of similar design on the site.
 - e. The home has been uninhabited for approximately three (3) years.
3. 110 photographs are on file, are included in this report by reference, and are available upon request.

II. Condition of the Structure

1. Observations

- a. The original portion of the home appears to be the front portion with a reverse gable roof.
- b. Subsequent multiple additions appear to have been constructed at the back including a kitchen, bedrooms, and the enclosure of the back porch.
- c. A sign posted on the front entry door states that The City of Franklin has deemed the building unsafe for human occupancy.
- d. Regular maintenance of the home does not appear to have been occurring.
- e. The crawlspace was partially excavated approximately 2'-3' below grade at the back left of the home.
- f. The foundation of the home was observed to be a combination of concrete masonry units (CMU) and stone masonry perimeter foundation walls with dry stacked CMU piers supporting the framing on the interior of the crawlspace. Cracking in the foundation walls was observed. The presence of a footing could not be determined.

- g. Some piers were located near the edge of the excavated portion of the crawlspace.
- h. The soil within the crawlspace appeared to be damp in the excavated portion.
- i. The floor framing appeared to be rough sawn lumber joists and girders. The joists were observed to be spanning the front-back direction in the front of the home and in the left-right direction in the back of the home.
- j. Fractured and deteriorated framing members were observed.
- k. The floors throughout the home were observed to undulate and were measured to be out of level. Localized areas of the floor appeared to be deflected such that the framing was bearing on the earth floor of the crawlspace.
- l. Walls and door frames throughout the home were observed to be out of plumb.
- m. The right exterior wall was observed to be bowing outward horizontally. Spray foam had been injected into the space between the wall and the floor.
- n. The condition of the wall framing could not be observed due to the presence of interior wall finishes.
- o. The ceiling finishes were partially removed in the back right of the home exposing the roof structure.
- p. The rafters and ceiling joists were observed to be rough sawn lumber spaced approximately 24" on center. The rafters were observed to be deflected downward.
- q. The ceilings throughout the home were observed to be deflecting downward (sagging).
- r. The roof decking consists of 1x boards installed perpendicular to the rafters.
- s. Water staining in the drywall ceiling and deterioration of the visible wood framing in the back left bedroom was observed.

2. Discussion

- a. Excessive deflection of wood framing members between supports is a condition often referred to as long-term deflection or "creep". Long-term deflection, or "creep", is common in older wood frame structures. As the structure ages, the wood floor framing members will deflect under the sustained load of the items kept, stored, or used in the structure. As the wood framing members support the loads for a long period of time, the floor will continue to deflect.
- b. In some cases, excessive deflection can occur in structures where wood framing members are exposed to excessive moisture for extended periods of time, such as crawlspaces. The moisture causes high relative humidity, which in turn increases the moisture content of the wood framing members. Extended periods of elevated moisture content can lead to wood decay and overall weakening of the wood framing member. As the lumber deteriorates and weakens it is no longer capable of supporting the same load and will begin to deflect.
- c. When the foundation of a structure begins to settle, tensile stresses begin to develop in the masonry. Masonry materials (brick, concrete block, stone, and mortar) are brittle

and therefore have very little tensile strength to resist the developing stresses. As the tensile stresses increase a stair-stepping crack will form through the mortar joints and, occasionally, through the brick, stone, or concrete block.

- d. Some amount of foundation settlement is expected when a site is improved. Soil acts like a spring and is compressed when loaded. Design of a structure should account for or anticipate some settlement. Differential settlement occurs when one area of soil compresses more than another area. This occurs where there are changes or variations in the soil subgrade, where the weight of the structure changes, or where soil erosion has occurred.
- e. Foundation settlement can be caused by one, or a combination of, several things:
 - i. The weight of a structure can cause poorly compacted soils in the footing subgrade to slowly consolidate. The site may contain naturally occurring soils that are not very consolidated. Some sites are modified to create a flat building site and the built-up soils may not have been properly compacted.
 - ii. The presence of water in the soils around or underneath the foundation can cause the soil to consolidate and even erode the soil from beneath the footings. Improperly graded yards can cause surface water runoff to flow toward the foundation of the structure. Water discharging from downspouts may also collect adjacent to the foundation rather than flow away from the structure. The water flows along the exterior foundation walls and/or seeps into the ground softening the soils adjacent to the foundation.
 - iii. The subgrade soil type can contribute to seasonal foundation movement. Some clayey soils in the Middle Tennessee area are mildly plastic and exhibit some shrink-swell characteristics in response to seasonal water table fluctuations. During extended dry seasons or drought conditions, the subgrade soils will shrink causing the foundation to settle. Conversely, during wet seasons the soil will swell or expand pushing the foundation upward.

3. Conclusion

In our professional opinion:

- a. The foundation cracks appear to be the result of differential foundation settlement.
- b. The perimeter foundation walls and piers do not appear to be structurally adequate to provide continued support of the home.
- c. The floor framing is severely deflected as a result of differential foundation settlement, and creep deflection with localized areas of deterioration. In the current condition, the floor framing does not appear to be structurally adequate to support continued loading.
- d. The wall framing is out of plumb and deflected, however, the condition of the wall framing members and the associated connections could not be observed. Further investigation into the condition of the wall framing members is required.
- e. The ceiling and roof framing members are deflected as a result of creep deflection with localized areas of deterioration. Further investigation into the condition of the roof and ceiling framing members is required.

- f. The conditions observed appeared to be evidence of structural defects and presented as a safety concern at the time of our site visit. In the current condition, the home appears to be unsafe for human habitation.

4. Recommendations

- a. Restoring the structural load carrying elements of the subject home will require, at a minimum, the following:
 - i. Expose all wall, ceiling, and roof framing for observation so that damage and/or deterioration can be identified.
 - ii. Demolish the existing foundation and construct a new code compliant foundation system.
 - iii. Demolish the existing floor framing system and construct a new code compliant floor framing system and secure the floor framing to the new foundation.
 - iv. Remove and replace wall, ceiling, and roof framing members and sheathing found to be damaged, excessively deflected, deteriorated, or otherwise structurally inadequate to supporting the required loadings.
 - v. Return all walls to a plumb condition, secure in place, and install sheathing or bracing on exterior walls as required.
 - vi. Regrade the area immediately adjacent to the home in order to provide for surface water flow away from the foundations.

LIMITATIONS

SE&I has performed a limited site survey of the existing conditions of the residence in an attempt to gather adequate information to form professional opinions concerning the conditions described by our client.

SE&I has relied upon the information gathered during our review and survey of the residence to develop our opinions, and recommendations. In existing construction, many of the structural components and systems are covered by interior and exterior finishes that prevent observation and assessment of their condition. We have not been authorized to perform any destructive (or nondestructive) evaluation or testing unless specifically noted above. A detailed evaluation and analysis of every structural member, even where visible, is beyond the scope of services for this report.

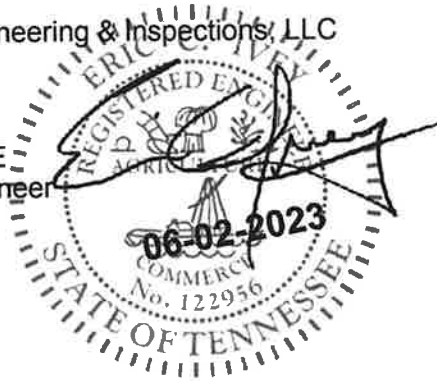
Although our report may be considered "final", additional information may become available from other sources for many reasons, including receipt of other's reports or additional investigative activities. Newly discovered evidence and information can affect the opinions stated within this report. Therefore, we reserve the right to amend the report to the extent dictated by the new information.

If I can be of any further assistance, please do not hesitate to call.

Respectfully submitted,

Structural Engineering & Inspections, LLC

Eric C. Ivey, PE
Structural Engineer

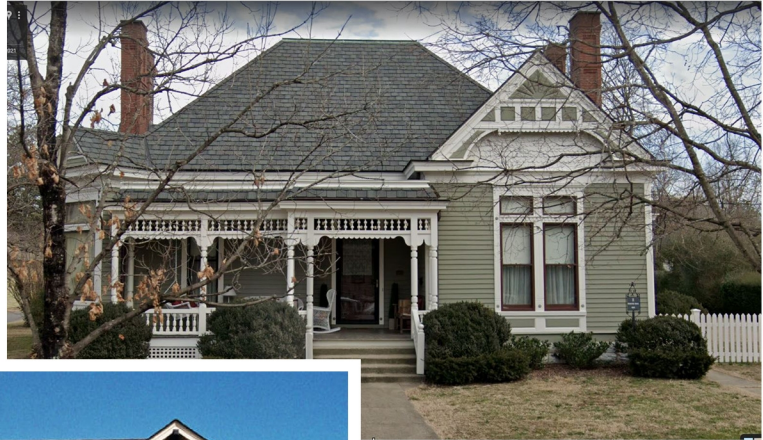


ANTICIPATED FUTURE SINGLE-FAMILY HOME:

APPROX. 2,000 - 3,000 SF

2 STORIES IN THE CRAFTSMAN OR BUNGALOW STYLE

CONFORM TO LANDSCAPE AREA REQUIREMENTS AS WELL AS
DESIGN GUIDELINES FOR THIS HISTORIC OVERLAY AREA





1309 ADAMS ST. CONCEPT SKETCH

906 STUDIO ARCHITECTS 12.11.23

