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## Historic Landmarks and Preservation Districts Commission

# Report of the Committee - DENIAL

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To: Jackie Green  
Thru: Clifton Architectural Review Committee  
From: Bradley Fister, Historic Preservation Specialist  
Date: January 04, 2022

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**Case No:** 21-COA-0266  
**Classification:** Committee Review

### GENERAL INFORMATION

**Property Address:** 2130 New Main St.

**Applicant:** Jackie Green  
107 W. Market Street  
Louisville, KY 40202  
502.298.3341

**Owner:** Dan Spitler  
Concept Architects  
1621 Windsor Place  
Louisville, KY 40204  
502.494.6221  
[dan@conceptarcs.com](mailto:dan@conceptarcs.com)

**Estimated Project Cost:** TBD

### Description of proposed exterior alteration:

The applicant requests approval to demolish the house by removing the walls and roof. The applicant proposes to retain the brick foundation walls, to create a landscaped park area with trees and seating.

### Communications with Applicant, Completion of Application

The application was received on November 29, 2021. The application was determined to be complete and classified as requiring Committee Review at that time.

The case was scheduled to be heard online via WebEx, by the Clifton Architectural Review Committee meeting on Wednesday, January 12, 2022 at 5:30PM.

The Clifton Architectural Review Committee (ARC) met on January 12, 2022 at 5:30 pm via WebEx web conference to hear the case. Committee members in attendance were Dave Marchal, committee chair Edie Nixon, Phil Samuel, Pam Vetter, Lori Stahlgren, and Jessica Murphy. Joseph Haberman, Cynthia Elmore, and Brad Fister, Landmarks Staff; Daniel Spitler, the architect (1621 Windsor Place); and Jackie Green, the applicant (107 W. Market St.) were also present. The case was heard second on the agenda.

Mr. Fister presented the staff report which recommended denial of the project. Mr. Spitler then presented a slideshow and summarized the proposal and reasons for demolition. He stated the changes will be an improvement to the property, and the Clifton Preservation District as a whole.

Ms. Nixon opened the hearing for public comment. Matthew Bielanski (2120 New Main St.) spoke in favor of the proposed demolition, and new use for the lot. Michael O'Leary, Clifton Neighborhood President (1963 Payne St.), spoke in opposition of the demolition, citing other instances where similar buildings had been restored. Ms. Nixon read into the record a written comment in favor of the project (Teresa & Tom Vail, 2128 New Main St.).

Ms. Nixon asked if the applicant or his representative would care to respond to the public comments made. Mr. Green thanked the neighbors for their support of the project. Mr. Spitler commented on the level of repairs that would need to be made to the building to make it habitable. He also spoke to the fact that it was always Mr. Green's intent when he purchased the property to turn it into open green space as he has proposed in the application.

Ms. Nixon asked if the committee would like to comment or discuss the proposal. Mr. Samuel stated that you should not be allowed to demolish a building because you have neglected it. Ms. Nixon agreed with Mr. Samuel. Ms. Murphy and Ms. Vetter stated that they agreed with the staff report and findings. Mr. Marchal said he thought that the building being so close to the neighboring building is a real structural concern. He also said that the engineer report explains the level of damage that has happened over the long-term impact of water. He said that he feels that there is enough evidence to support demolition. Ms. Nixon stated that she understands but as a trained engineer she feels it is demolition by neglect. Ms. Murphy stated that it is hard to tell if the applicant had made some of the suggested changes if the outcome would have been different. She stated that the close proximity to the neighboring building is a real concern.

Ms. Vetter made a motion to accept the staff report as the report of the committee and deny the application. The motion was seconded by Mr. Samuel. Committee members Vetter, Nixon, Samuel, Murphy, and Stahlgren voted yes while Committee member Marchal voted no. The motion to deny the demolition passed (5 yes and 1 no). Thus, the application for a COA was denied. The meeting was adjourned at 7:28 PM.

## **FINDINGS**

### **Guidelines**

The following design review guidelines, approved for the Clifton Preservation District, are applicable to the proposed exterior alteration: **Demolition**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

### **Site Context/ Background**

The property is located on the south side of the intersection of New Main Street and Frankfort Avenue. A public alley runs behind the building on the south property line. The building is zoned R-5A and is located in a Traditional Marketplace Corridor Form District. The surrounding building stock is comprised of a one- to two-story wood frame shotgun and camelback houses that serve residential uses and a one-story Mid-century commercial structure that is adjacent to the main house on the subject property.

On July 10, 2019 the Clifton ARC approved demolition of the rear non-contributing garage building only as the property owner withdrew his request to demolish the entire shotgun structure (19COA1164).

The property owner reapplied for the demolition of the entire shotgun structure (19-COA-0113). The property owner had provided a structural report along with documentation concerning the termite damage. On November 20, 2019 the ARC denied an application for demolition.

A subsequent COA was approved at staff level on January 13, 2020 to demolish non-contributing rear porch additions (19-COA-0173).

### **Conclusions**

The house maintains its historic form and massing. There have been some modifications over time including the installation of Insulbrick and aluminum siding over the original wood lap-siding. The house still has the original windows and doors and some decorative trim work on the front façade. There has been severe water damage to wood elements at the southwest corner of the house and to portions of the front façade. The lot sits lower than the public sidewalk and the adjacent parking area east of the property. These conditions perpetuate water draining toward the house. This has deteriorated the wood elements near the ground and northeast corner portion of the façade. The foundation has a parged coating. The east façade is in such close proximity to the adjacent building it is difficult to accurately evaluate the condition. There is some damage to wood elements near the ground consistent with the water damage sustained by other parts of the house. These conditions have not substantially changed since the 2019 review, and it is unknown whether there have been efforts to repair deteriorated fabric.

The Demolition Design Guidelines state, “Unless the City (Metro Louisville Government) has determined that it poses an imminent threat to life or property, do not demolish any historic structure or part of a historic structure that contributes to the integrity of any historic district, or any individual landmark or part of an individual landmark unless:

- 1) “The demolition will not adversely affect the landmark’s distinctive characteristics taken as a whole, retained over time.”
- 2) “The demolition will not adversely affect the district’s importance as a unified entity composed of interrelated resources united historically or aesthetically by plan or physical development.”
- 3) “The proposed replacement structure and development will strengthen the viability of the district as a whole.” (See attached *Economic Hardship Exemption and Guidelines for Demolition*.)

Though there is severe deterioration on portions of the building likely due to the specific site conditions that have exacerbated water infiltration, the overall structure maintains its form, massing, and historically significant details on the exterior. It is a part of a row of shotgun houses of similar size along New Main Street which is distinctive area in the Clifton Preservation District. The proposal to remove the house and leave the foundation as a seating area could only be considered if demolition of the house is granted.

## DECISION

On the basis of the information furnished by the applicant and staff, the Clifton Architectural Review Committee **denies** the application for a Certificate of Appropriateness to demolish the house.

## Demolition

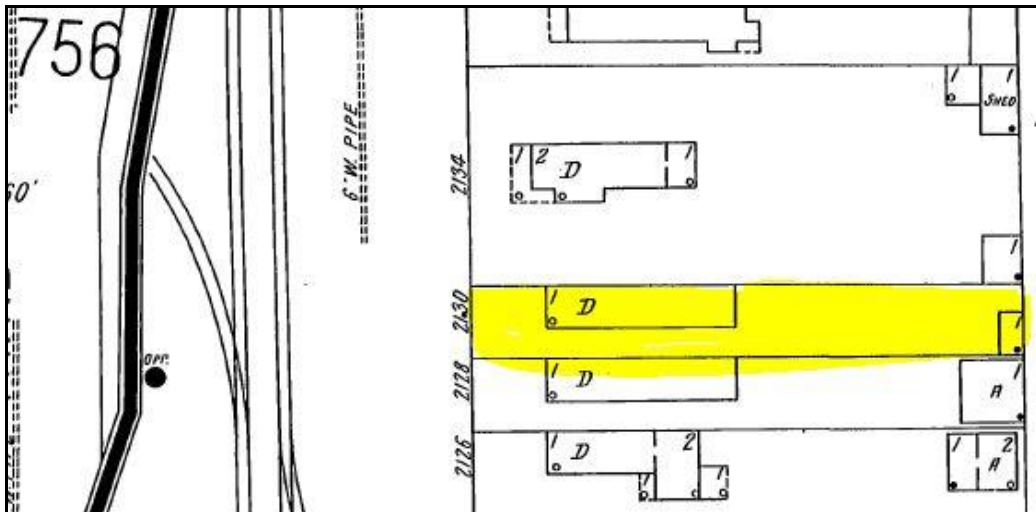
Clifton Design Guideline Checklist

+	Meets Guidelines	NA	Not Applicable
-	Does Not Meet Guidelines	NSI	Not Sufficient Information
+/-	Meets Guidelines with Conditions		

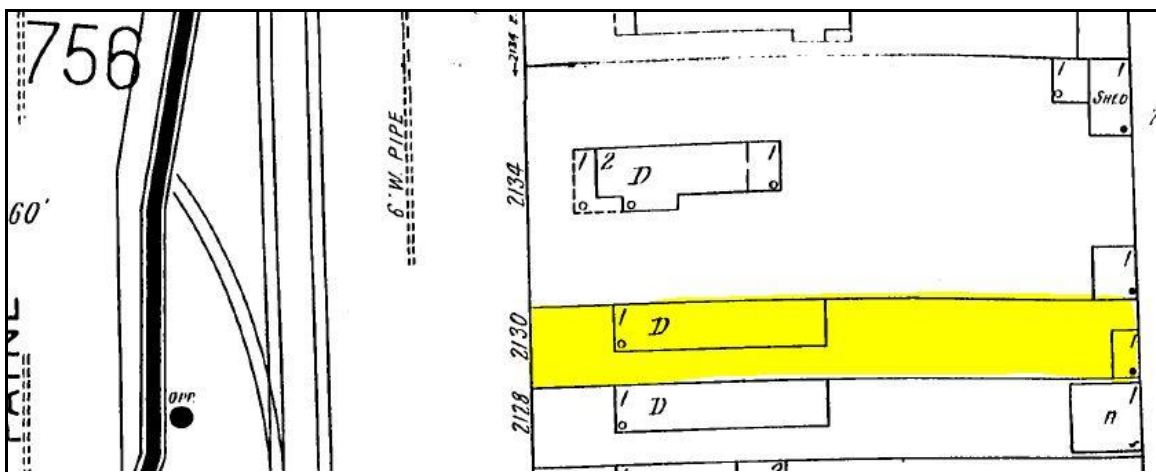
	Guideline	Finding	Comment
	The Metro Landmarks Standard Design Guidelines for Economic Hardship Exemption and Guidelines for Demolition also apply to an application for a Certificate of Appropriateness for demolition within the Clifton Preservation District, and associated application for an economic hardship exemption, with the following exception:  The Standard Design Guidelines for Demolition DE1-DE6 are replaced in their entirety with the following:		
DE1	Any structure in part or in whole 50 years old or older within the Clifton boundary should be preserved. The Landmarks staff will evaluate the demolition request. All demolition proposals must include photographic documentation by the property owner as part of the application submitted to Landmarks. Historic elements cannot be removed until after approval has been obtained.	-	The house is over 50 years old.
DE2	With approval, when demolishing a non-historic structure or	NA	

	Guideline	Finding	Comment
	addition, the existing non-historic building or addition should not be demolished in a manner that will threaten the structural integrity of any existing historic structure.		
DE3	With approval, when demolishing an addition to an historic structure, be mindful that a wall of the existing structure will be left exposed visually, and to the deteriorating effects of weather. Take steps to insure the structural integrity of this newly exposed wall.	NA	
DE4	With approval, when demolishing an addition to an historic structure, a wall that was once an interior wall may be exposed. Remove the interior finishes and make the wall suitable to be an exterior wall that matches the historic exterior of the structure.	NA	
DE5	With approval, when demolishing an addition to an historic structure, interior openings (such as door openings) will be revealed to the exterior. Retain evidence of exterior door, window openings, or architectural features not incorporated into the interior of the addition. Leave the window or door frame intact. Compatible exterior construction materials should be used.	NA	
DE6	The approved removal of a non-historic structure or an addition to an historic structure will create a new land area as a result of their demolition. Take steps to grade and landscape according to the existing topography and landscaping of the historic property and to be consistent with the slope and grade of adjacent properties.	NA	
DE7	The approved removal of an addition to an historic structure may change the look of the street-facing façade of the existing historic structure. Take measures to re-establish the street-facing wall through the use of low fences, walls, and/or vegetation.	NA	
DE8	<p>Where demolition of an historic structure has been approved, or in the event of an emergency Metro-ordered demolition, documentation of the structure to be demolished will be required. The staff or ARC may set the degree of documentation required according to several factors: primary vs. secondary structure, historic value, and historic contribution to the Clifton neighborhood. Documentation may be subject to the following requirements:</p> <ol style="list-style-type: none"> <li>1. Measured floor plans for the first and each additional story, and drawings of exterior elevations showing views of the front and one side. These drawings shall be drawn at the standard architectural scale of 1/4 or 1/8 inch per foot. Measurements should be accurate to the nearest 1/4 inch and should indicate rough openings. Representative examples of original trim and other finish details shall also be measured. Drawing shall be on acid-free paper and indicated original vs. added construction. Additions 50 years old or older shall be shown by dashed lines for exterior walls only. If a primary structure has been approved for demolition, the ARC may require the above. If this is the case, the applicant is advised to hire a professional to fulfill these requirements. If a secondary structure is approved for demolition, the ARC may amend these requirements to require less-stringent documentation (examples: property-owner supplied drawings, drawn by hand).</li> <li>2. Digital photographs showing: the physical relationship to surrounding resources (streetscape); each façade; typical exterior details (e.g., moldings, brackets, rafter ends, brick patterns); typical interior details (e.g., door/window surrounds, staircases, mantels); typical construction details where visible; exterior landscape features; and outbuildings. A contact sheet shall be printed from the digital files on archival paper and</li> </ol>	NA	

	Guideline	Finding	Comment
	submitted (along with the digital files on acceptable electronic media) to the Metro Landmarks Staff. If a primary structure has been approved for demolition, the committee may require the above. If this is the case, the applicant is advised to hire a professional to fulfill these requirements. If a secondary structure is approved for demolition, the ARC may amend these requirements to require less-stringent documentation (examples: property-owner generated digital photographs in an acceptable electronic media).		



Sanborn map 1928-41



Sanborn map 1928-51