

# Demolition Request

## 2130 New Main Street

On 21 April 2022 Landmarks Commission adjourned with questions and concerns still on the table. This supplemental presentation answers and informs those questions. This information is organized primarily by timeline, with listed topics interwoven.

This process began in 2019 - four years ago.

With the goal of wrapping up the process today, we are erring on the side of thoroughness in addressing

Questions / Topics / Concerns.

Many questions have been posed in the past four years.

Questions / Topics / Concerns.

Topography (surface water runoff and groundwater); inferior brick and concrete; lack of foundation footings; water damage (mildew, mold, rot) to wood studs, plates, floor joists, siding, trim, etc.; water damage to masonry; uneven floors; termite damage; condition of structure at purchase; measures taken to protect structure (tarps, drying out); danger to work crews; clashing architectural forms with no transitional buffer; building immediately adjacent to shotgun sets up rooftop water drainage issues and denies maintenance access to both structures; rentability (uninhabitable at purchase and now, cost

of rehab); impracticability of moving the structure; denial of permission to demo denies ownership the ability to maintain the shotgun and the USPO; arbitrariness of protecting one history at the expense of another history; “denial of the owner’s request to demolish or build deprives the owner of any reasonable beneficial use”; PVA at \$0.00; greenspace plan is compatible with neighborhood sideyards; vandalism and theft; false accusations (rooftop drainage from USPO, demolition by neglect, bad neighbor / property violation notices); and owners history with historical structures.

# Objective: Urban Greenspace 2130 New Main Street

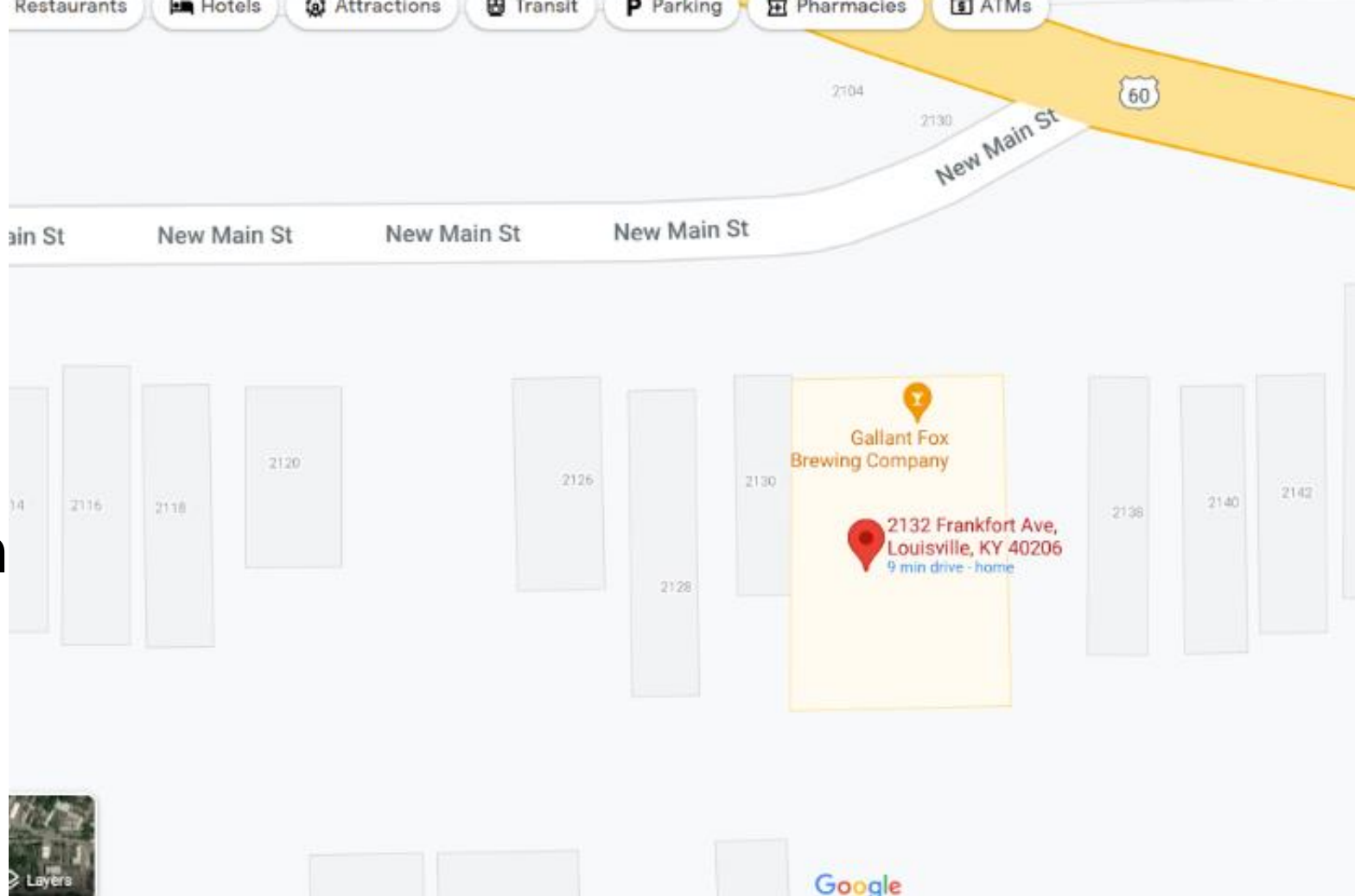


The  
structure in  
question, at  
purchase,  
March 2019.

The  
location...



New Main  
intersects  
Frankfort  
Avenue  
at the RR  
crossing.  
2130 is on  
the south  
side of  
New Main





2130 is the light gray roof to the left/west of the big white roof and to the right/east of the long darker gray roof. South of the little gray roof are two additions and the garage at the alley - all three now demolished,





The topography... the lots slope down from north to south / road to alley. There is a 5' drop from the front of the shotgun to the original back brick wall. The flow of water is a significant factor in the damage to masonry and wood walls.



Not only are the sidewalk and road a higher elevation than the 2130 lot, so are the two neighboring lots, and the alley. The lot is a bowl collecting surface and groundwater from all directions.



# The Timeline - short story

@ 1900 - clapboard shotgun constructed

@ 1920 - two rooms added to the south end of shotgun and a garage off the alley

@ 1930 - exterior skin added covering the original clapboard,

@ 1950 - USPO builds adjacent to (two inches from) the shotgun

@ 1990 - aluminum siding wrapped three sides of the shotgun and additions

2019 - shotgun is purchased by current owner, permission was granted to demo garage, measures taken to rent and protect structure, termite & structural reports

2020 - granted permission to demo two additions, later followed by permission to gut shotgun's interior, COVID, demonstrations/riot

2021 - finished demo of two additions, CARC again denied permission to demo shotgun, COVID

2022 April - Landmarks adjourned without a decision

The events of the past three years document efforts to improve the property.

@ 1900 - the clapboard, framed shotgun was constructed on brick foundation walls with no “indication of footings ever having been constructed under any of the foundation walls” (structural engineer’s report - page 3, #4)







The structural engineer elaborated on the brick foundation walls.

“The sandy nature of this concrete is indicative of the type of low strength concrete hand mixed onsite that was used to construct the foundation walls of this building. Our conclusion regarding the concrete used is that it was an uncontrolled mix, likely made with unwashed river gravel and sand without the benefit of mix control. These conditions normally result in weak concrete that will deteriorate quickly when exposed to weather and stress loading.” (page 3, #5)



This is the interior of the south/back wall. It serves as the rear foundation of the shotgun. Humidity, inferior material, time, weight and severa; decades of neglect have taken a toll. This damage predates new ownership by decades.



This is the exterior of the same south/back wall. It became an interior wall when the addition was built.

Note the condition and quality of the brick and mortar in the top right hand corner. That is the indoors base of a chimney.



Water damage is not limited to the back wall. This 2019 image in the basement, before the demolition of the additions, shows standing water. That is light from the window reflecting off the water.



“...water seepage damage/deterioration begins at grade and has progressed to weakening the foundation of the front wall.” (p.2, #1)





@ 1950, fifty years after construction of the shotgun, the USPS built a PO adjacent to the shotgun. The distance between the two structures is about two inches.



“The physical placement of the adjacent building...is tight against the front East corner (of the shotgun) ...its narrow condition preclude(s) doing any restoration work directly to the wall(s).”  
(page 2, #1)

We will consider later the damage done to the USPS building. It is noteworthy that according to National Park Service guidelines, the USPO, like all properties 50 years old, is eligible for National Register listing.

For decades the slope of the shotgun's roof directed rainwater into the gap between the two structures.







From the roof of the shotgun. The block wall to the east/right is the west wall of the USPO. The valley formed by the wall and roof collected leaves. Any water not soaked up by the leaves flowed on down between the two structures.

The USPO's parking lot was raised, increasing the water directed to the shotgun. Damage to wood and masonry of both structures will be discussed later.



The USPS's construction decision not only created maintenance problems for both structures, but it also inflicted 1950s strip mall architecture on the neighborhood without offering a transitional buffer between the two architectural forms.





The aesthetic assault on the neighborhood was so ugly, that the neighbors to the east (Gallant Fox Brewery) took measures to create their own transitional buffer.



They built a wall in an attempt to hide from the eyes of their customers the jarring transition.





Fast forward  
from 1950  
seventy years  
to the purchase  
March of 2019  
and the timid  
removal of  
aluminum siding  
to determine the  
condition of the  
shotgun.





We might shortcut this discussion with the words of the structural engineer:

“...we cannot recommend that you renovate the building....Elimination of the moisture related mold, mildew, and rot within the structure may require a virtual replacement of all wood members. (page 4, #5) The performance of virtually any work on the premises could jeopardize the safety of the work crew due to the decayed status of the property.”

(p 5)

The south/back chimney at floor level illustrates the hazard created by time, weight and inferior brick. The north side of chimney foretells a collapse.





The east side of  
the chimney  
confirms the  
coming collapse.

The west side of the chimney echos. This damage to an interior chimney is not damage due to recent neglect. This damage is a result of weight over a period of 120 years compressing inferior bricks and mortar.





The interior base of that chimney is visible in the top right hand corner above the exterior of the south/back wall. This wall became an interior wall when the addition was built.



# Graph

Additional Comments

⊗ = Damage

Address of Property Inspected  
8130 New Main St  
Lou. Ky 40206  
File Number:

⊗ = Termite + Moisture Damage  
to floor joist, sill plate, foundation  
subfloor, window sills, wall studs  
paint + dry wall, term, ground terming

Possible Hidden Damage



The termite and moisture inspection graph indicates termite damage throughout the perimeter. Note how much damage is along the east/left wall, adjacent to the USPO, and inaccessible.



We should place in chronological context the structural engineering & termite inspection reports. In 2019, the same year of the purchase, CARC granted permission to demo the garage, and denied permission to demo the shotgun. Tarps were hung to protect the damaged front window. 'For Rent' advertising was begun. And the two reports were secured in August and October at CARC's suggestion before revisiting the demo question. In this period some of the aluminum siding was removed so the structure could be examined. Later, all the aluminum siding was removed.



“... moisture related mold, mildew, and rot within the structure may require replacement of all wood members.”  
(p.4, #5)



This is the SW (back) corner of the second addition, after removing some aluminum siding in 2019.





This SW corner was the newest, the highest and the driest corner of the structure. Clearly the mold, mildew and rot predate 2019.



This next images were taken early in 2019 before the aluminum siding was fully removed. The images illustrate the condition at purchase of the front wall and floor joists. Note the damage below the east/left window. The crowning above the window fell off soon after this picture was taken. A tarp was then hung to protect the wall.



“The front exterior wall (North Face) of the structure is especially deficient. The wall contains rotted lumber. This wall is not in contact with the existing foundation at the front of the house and appears to be hanging from the roof structure. Daylight can be observed between the base of the wall and the foundation wall below. Loose bricks have been inserted at the top of this (brick foundation) wall, never mortared and not in contact with the base of the front wall.” (p.3, #3)

The referenced bricks support the floor joists.

“The floors are soft and uneven within individual rooms.... This condition is indicative of the lack of uniform support overall for the building walls and floors.” (p.3, #4)

The NW  
corner of the  
shotgun.

“Rot”.

2019





The other corner of the storm door. The wall stud has rotted. The plate it rested on has rotted and blown away.



The same stud. The bricks behind the stud are holding up the floor joists. The neglect of the structure clearly pre-dates 2019.





Early 2019



Note the  
lack of  
mortar  
between  
bricks.





Note the  
bricks  
supporting  
the floor  
joists.





More rotted studs, no plate, and bricks supporting the floor joists.



“This wall  
hangs  
from the  
roof  
structure.”  
(p.3, #3)





Early 2019.



Even the floor joists are rotted away, left suspended above the well intentioned brick.







“This wall  
is not in  
contact  
with the  
existing  
foundation”  
(p.3, #3)



This  
damage  
predates  
2019 by  
several  
decades.







The  
remains of  
the NE  
corner of  
the shotgun  
hang a foot  
lower than  
the USPO.





The N wall hangs, suspended in mid air. Removal of the aluminum siding to the east/left of the window revealed the interior lathing and plaster.





Again, all these images of 2019 firmly establish complete structural decay before purchase.



Damage to property is not limited to the shotgun. The west wall of the USPO has suffered damage resulting from years of exposure to water coming off the roof of the shotgun.





Again, the distance between the two structures is about two inches. It takes little imagination to determine the flow direction of rainwater falls on the east/left half of the shotgun's roof.





Note the green growth and damage to the mortar and limestone in the next couple of slides.





Replacing the missing mortar can be done only on the accessible north wall. The west wall damage is inaccessible.







The damage to the north wall of the USPO is mostly cosmetic. Let's take a look at the west wall above the roofline.



Now we are on the roof of the shotgun. The block wall to the east/right is the west wall of the USPO. The valley formed by the wall and roof collected leaves. Any water not soaked up by the leaves flowed on down between the two structures.



Seventy years of water between the two structures resulted in visible damage to the USPO wall and invisible damage to the walls and foundations below the 'valley'.





Damage  
visible  
behind  
spring  
foliage at the  
front corner  
of the USPO

This image was taken after removing accumulated debris and installing flashing. You can see a week's worth of fall maple leaves in the 'valley'. While leaf removal is a weekly contest in autumn, the bigger issue is the damage to the shifting wall, and possibly to the foundation of the USPO.







This close up shows a horizontal line of roofing tar running parallel with the roof line of the shotgun. That tar line suggests some structural feature - an earlier effort to protect from water damage. A failed effort.





The west wall and foundation of the USPO need to be accessible below the 'valley'. The only way to gain access is by demolishing the east wall of the shotgun.



The valley on the roof is not the only source of water flowing to the shotgun.

Water is also introduced to the site from the surrounding properties. The sidewalk, the road and the alley are all a higher elevation than the 2130 lot.





Compare the height of the window sill to the threshold of the USPO door. The parking lot of the USPO is a foot higher than the front yard of 2130. The sidewalk and the road are eight inches higher. The front yard of 2128 (to the west/right) is a bit higher. All that rain and melted snow find their way to the lowest spot - the front yard of 2130 New Main Street. Then the water begins a surface and underground migration into the shotgun's basement.



A closer view for comparison between the height of the window sill and the threshold of the USPO door. The latter is a foot higher.





The bottom of the USPO door is the shiny horizontal line seen between the fence slats. Note how low the yard is.





There are two four inch steps on this side of the front gate stepping up to the sidewalk on the other side of the gate. The road is the lighter color beyond - clearly higher.



The front yard has begun to sink lower than the walk leading to the front door. Along with the rain and melted snow, the soil is infiltrating the basement.





The topography of the area subjected, subjects and will subject the lot at 2130 New Main Street to groundwater and surface runoff.

The lot is better used as greenspace.





Let's revisit the timeline.

2019 - shotgun was purchased, permission was denied to demolish the shotgun, permission was granted to demo garage, tarps were hung to protect damaged window, 'For Rent' advertising was begun, aluminum siding was removed, reports from the structural engineer and termite inspection were obtained

2020 - granted permission to demo two additions, then granted permission to gut shotgun, the three sequential demolitions (and COVID, and the delays of the riot/protest chaos) resulted in notices of property violations - all the notices were addressed

2021 - the demolitions and gutting were completed and CARC again denied permission to demo the shotgun

There is currently no gentle transition between the USPS's commercial 1950s strip mall architecture and the row of 1900 residences. The incompatibility of the two is abrasive.



It was suggested that removing the shotgun diminishes the fabric of the neighborhood. The next few slides are a review of the neighborhood. Two of the immediate neighboring houses (2126 and 2120 New Main Street) have side yards. Replacing a jarringly juxtaposed structure with greenspace is very much in character with the neighborhood. The new greenspace will provide a lovely transitional buffer between the 1950s commercial strip mall architecture and the residential elements of New Main.

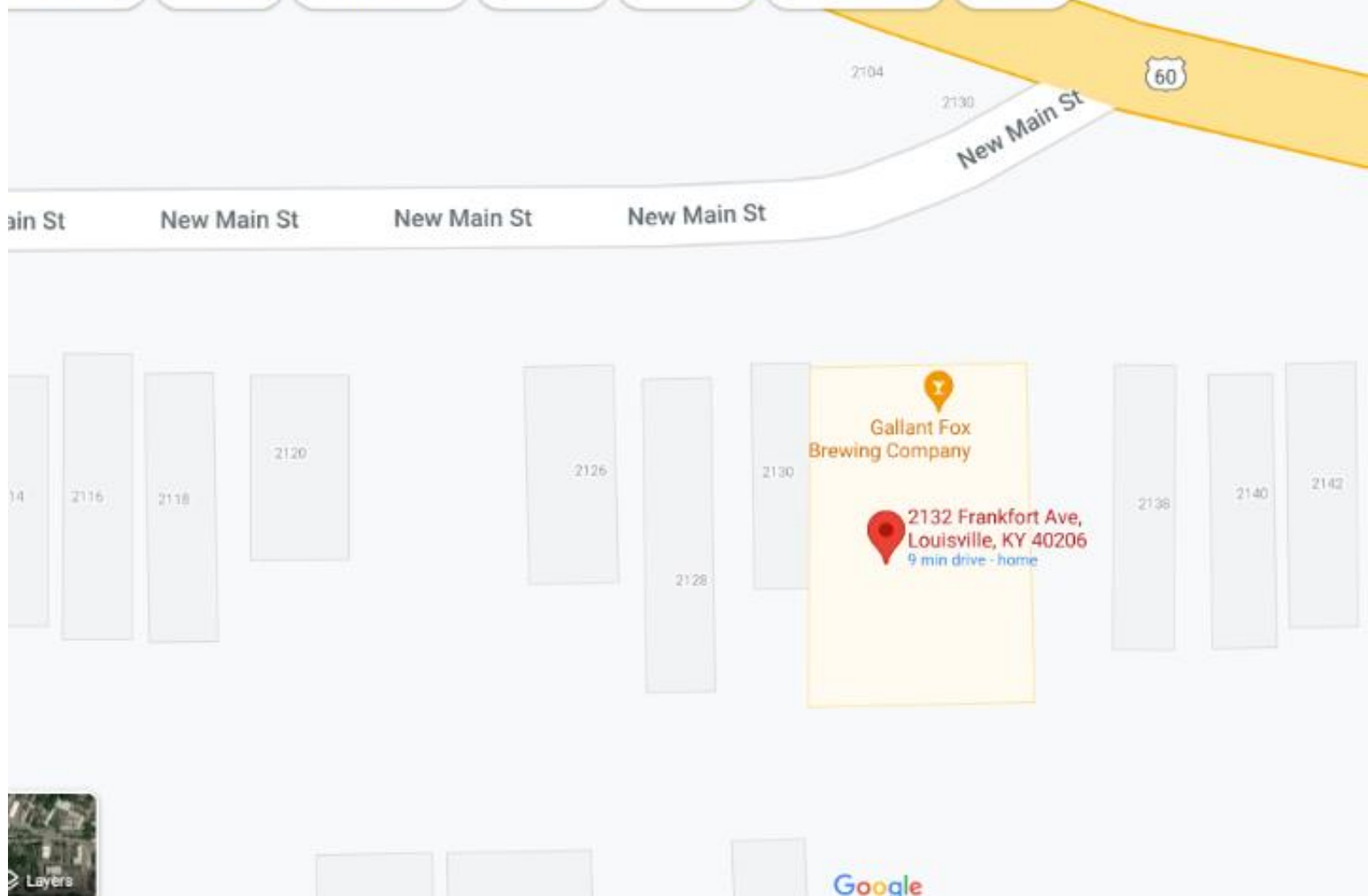


The Area  
Site Map  
shows the  
side yards of  
2120 and  
2126 New  
Main Street.

2126 New  
Main Street



Note the  
two  
adjacent  
side yards  
between  
2120 and  
2126 New  
Main



The left/west edge of this areal shows the side yard adjacent to 2026 New Main Street. West of that side yard is a second side yard - that of 2020 New Main.





2120 New  
Main Street



The two side  
yards between  
2126 (left) and  
2120 (right)  
New Main  
Street



The addresses  
of the two side  
yards would be  
2124 and 2122  
New Main  
Street





The two side  
yards between  
2126 and 2120  
New Main  
Street



The tarp placed to protect the decayed wall and window, and opening the base of the shotgun to air circulation is not demolition by neglect.



## **LINK TO ESTIMATE ON REHAB / REBUILD COSTS**

**<https://docs.google.com/spreadsheets/d/1HvVyxmJwTBLKaqGTjVSfGkH4NPzAnD9y7lj9rMupqrc/edit#gid=0>**

**Due to the condition of the shotgun's foundation and the lack of footers, rehabbing the shotgun in place requires replacing the foundation and everything above the foundation in order to rebuild the foundation. Only then can the 'above foundation rehab' begin. This alternative makes no sense financially, still perpetuates the denial of maintenance access to the 2132 & 2130 adjacent walls, and fails to provide the transitional buffer between the 1950s strip mall architecture and the 1900 neighborhood.**



**To provide enough space to allow maintenance of both structures (shotgun and USPO) it was suggested the shotgun be moved at least two feet westward toward our neighbor's house. This too is not a good idea for several reasons. The cost is prohibitive. Moving the shotgun within the width of the lot will result in narrowing the west walkway and crowding Tommy and Theresa's house. Plus, the neighborhood will still lack the needed transitional buffer. All to keep 705 sq ft of interior residential space.**

Three different signs and several listings on Facebook, Craigslist and other online platforms produced a lot of residential and commercial interest, until the discussion turns to the cost of rehab, square footage, compliance with the historical standards, and the lack of commercial zoning.



At purchase, currently and at all times in between the house was and is (in the words of the structural engineer) “in an unlivable condition”. (p.1)

”...we cannot recommend that you renovate the building.”  
(p.4)





How does one lease a structure valued by PVA at \$0.00?

Why would one sale a 705 sq ft property whose highest return is as another unwelcomed Airbnb?

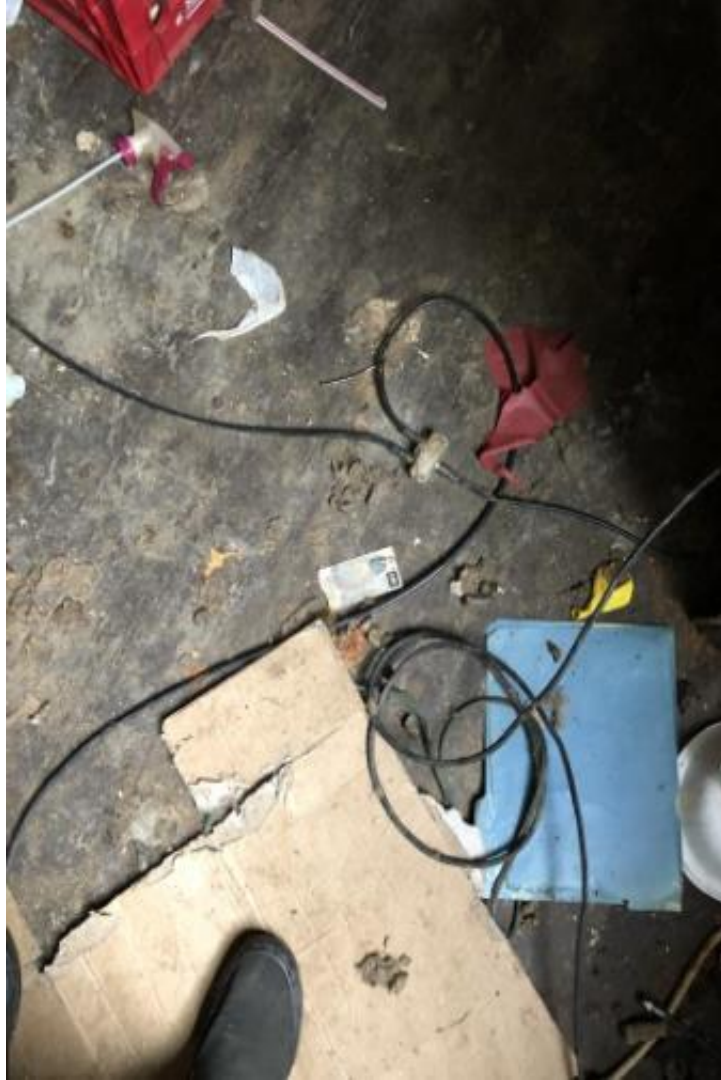


The condition of the structures at purchase raises the question: “Why buy structures in such poor condition?”. The previous owners approached me asking me to buy the property. We had been neighbors for 10 years. I own the property next door at 2132 New Main - the old USPO, the current Gallant Fox. The previous owners were both in terrible health and were about to lose their property to the bank. None of their relatives wanted anything to do with the property. So they turned to me for help in clearing the bank and back taxes. I bought the property, paid mortgage and taxes due, covered legal fees and closing costs, without ever having been inside the structures. “Why buy structures in such poor condition?”

- 1- to gain access to the west wall of the USPO, thus limiting the damage done to the USPO,
- 2- to replace the woefully neglected structures with greenspace,
- 3- to help a neighbor in need.



The left image is of the front room. The right image is in the doorway of the first bedroom. . The floor, cardboard and items are covered with cat feces. The reek of cat feces, some of it fresh, some months or years old, permeates the house. Still.





First bedroom.





Second Bedroom

Still in the second  
bedroom.

Beyond the quilt  
nailed over the  
doorway is the  
kitchen.







Bowls of cat  
food left on  
the kitchen  
floor







Every room was graced  
with cat food and cat  
feces.

The kitchen sink.

And the fridge? !!!!



The bathroom  
floor had a  
'clean' trail  
worn thru the  
cat feces.





Though investing in the property has been hampered by the delay of uncertainty, much capital and sweat equity has been invested. The front chain link fence has been hidden with hedges. Mowing occurs frequently. Bushes, perennial flowers, peach, fig, persimmon, and paw paw trees have been planted. Mishapen trees have been pruned. And \$6,000 were spent in saving the long neglected and LG&E-tortured sugar maple dominating the front yard.





< The back yard at purchase.  
v The back yard today.



Gallant Fox (and perhaps Tommy and Theresa) would love to open that west concrete block wall with huge windows overlooking a beautiful garden. Losses due to denial are not limited to financial losses. The space, beauty, peace, foliage and greenery of the desired garden are also losses. Not being allowed to use the lot as garden complementary to the adjacent building is a loss. The greenspace is a “reasonable beneficial use”

In addition to the aforementioned sweat equity invested in the garden, other investment in the property includes: 1) the demolition of the garage and the two additions, 2) the gutting of the shotgun, 3) preparing for and meeting with CARC and Planning & Design, and 4) cleaning up behind vandals.

The vandalism is linked to one of the false accusations made by a citizen in opposition to the demo. He cited several violation notices from Codes and Regulations as evidence our being a bad neighbor. Vandals and thieves have repeatedly broken windows and pushed in doors, resulting in notices. Other notices were results of the sequential demolitions of the garage and the two additions.

We were also accused of draining rainwater from the roof of the USPO onto the shotgun. All water from the USPO has always drained either directly into MSD or to the east and south parking lots - never westward.



One more difficult word of realism regarding vandals and thieves.

Because the cost of rebuilding the foundation and the exterior walls, and finishing the 705 sq ft interior space as a residence cannot be justified, the interior of the shotgun will not be finished. It will not be occupied. As such, it will remain a vacant target for vandals, graffiti 'artists' and thieves. Past vandalism and theft prove the shotgun unfit even as storage.

The next slides document ownership's 40+ years of respect for and stewardship of historical structures.



2833  
South  
Fourth  
Street

at  
purchase



**We restored  
the facade,  
put a corner  
business in  
the building,  
and later  
painted the  
building.**



107 W Market Street  
- two weeks after  
purchase and  
removal of window  
bars and some signs



**107 West  
Market -  
facade  
restored,  
new  
windows  
installed,  
painted,  
occupied  
by  
business.**

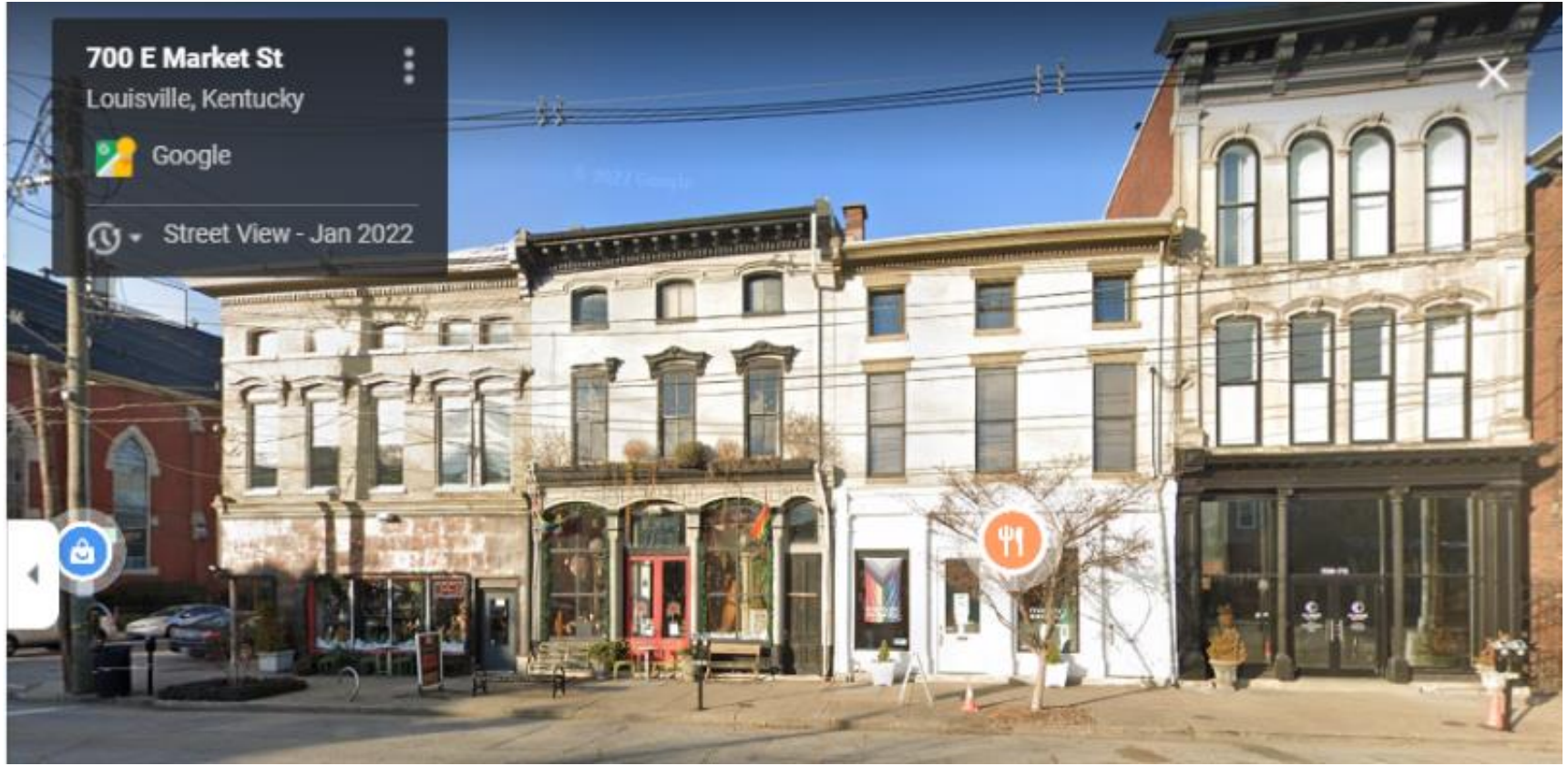






**Our refusal to  
sell 107 W  
Market St  
saved all four  
of these  
buildings from  
a large  
development's  
wrecking ball.**

1980 - purchased 4 buildings, rehabbed them and lived in 705 E Market Street - 30 yrs pre-NULU







When we rehabbed the facade in this project we acquiesced to a bad decision regarding history.



Originally the facade's first floor door was at the sidewalk - just like the door leading up to the second floor. @ 1950 the front door was set back four feet beyond the original plane of the store front. When the facade was rehabbed in 2003, Richard Jett & Deborah Richards Harlan insisted that the door remain set back honoring the 1950s architecture rather than the 1880s architecture. The result was the creation of a semi-private outdoor toilet, the increase of heat loss surfaces, and the creation of a hiding place for thieves as they break into the bike shop. Despite my respect for both Richard and Deborah, I have cursed that decision every time I cleaned up feces or swept up glass. The lesson learned was not to accept arbitrary decisions based on picking one history over another. The USPO should not be risked in an effort to save the shotgun.

This raises yet another question. Perhaps the county attorney's office might inform the question. Denying permission to demo the shotgun in effect denies permission to maintain the west wall of the USPO. Is it within the law to deny permission to maintain a structure?



## Guidelines of Economic Hardship

“In order to show that beneficial use of the Property or Structure cannot be obtained, the applicant must show that:

1. the Property or Structure cannot now be put to any beneficial use; and
2. bona fide efforts to sell or lease the Property or Structure have been fruitless; and
3. it is not economically feasible to rehabilitate the Property or Structure.”



“The test for economic hardship is not whether demolition or proposed new construction provides a better use or return, but whether denial of the owner’s request to demolish or build deprives the owner of any reasonable beneficial use.”

As you deliberate upon the fate of this lot, please consider the list of Questions / Topics / Concerns.

Questions / Topics / Concerns.

Topography (surface water runoff and groundwater); inferior brick and concrete; lack of foundation footings; water damage (mildew, mold, rot) to wood studs, plates, floor joists, siding, trim, etc.; water damage to masonry; uneven floors; termite damage; condition of structure at purchase; measures taken to protect structure (tarps, drying out); danger to work crews; clashing architectural forms with no transitional buffer; building immediately adjacent to shotgun sets up rooftop water drainage issues and denies maintenance access to both structures; rentability (uninhabitable at purchase and now, cost

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And if yet another slide is  
not too much,

thank you.

# 2130 New Main Street Urban Greenspace

