

**CASE NO. BOA 14-18 CITY**

**AGENDA ITEM # 1**

**E-MAILS RECEIVED –  
NEWEST E-MAILS FIRST**

**COPY OF 1948 BOA FILE**

## Jones, Donald

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**From:** Patrick McCabe [plmccabe@live.com]  
**Sent:** Sunday, July 13, 2014 7:27 AM  
**To:** Jones, Donald  
**Subject:** Proposed Construction at Nelson and Barksdale

Dear Mr. Jones,

I live just down the street from the corner Nelson and Barksdale, and pass by the proposed site for a multiunit structure almost daily.

Mr. Saffarini's proposal to build, I believe it is, four units on this corner, is in my opinion, objectionable for several reasons. First, the proposed structure looks like it belongs in a newly built, current decade suburb, and not in one of the historic areas of midtown. Second, from looking at the original and current submissions for variance, it is my opinion that keeping the cost of construction at a minimum is the property owners primary drive, with quality of construction and aesthetics being giving at best a passing nod. Third, to maintain the unique flavor of the Cooper-Young, Central Garden's. etc., neighborhoods, it is important that ALL new structures being built bear some resemblance to the architecture of these neighborhoods. Finally, we who live here (surrounding neighborhoods) are very much opposed to this construction - it adds nothing to the neighborhood in which we live.

I would submit that this project be rejected unless, and until the owner comes up with a, at most, two unit plan that looks something like the majority of residences in the surrounding neighborhoods.

Thanks for listening...

Patrick L. McCabe  
1905 Central Ave (Corner of Barksdale and Central)

**Jones, Donald**

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**From:** Tracy Wiswall [twiswall@aol.com]  
**Sent:** Sunday, July 13, 2014 11:57 AM  
**To:** Jones, Donald  
**Subject:** Barksdale Market Project

I would like to express an opinion on this project. I do not see any benefit to our neighborhoods by allowing a multifamily housing development to be built on a lot that is identical to single family housing that surrounds the property. In my opinion the location should be redeveloped into a local neighborhood grocery or the like or back into a single family residence. In the event that a multi-family development is approved at this site, my opinion is that the current design is not in keeping with the overall look and feel of the area at all. I would not approve of this design.

Tracy Wiswall  
1488 Vinton Ave  
Memphis, TN 38104  
901-248-7847  
twiswall@aol.com

**Jones, Donald**

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**From:** Gordon Alexander [carlstebbins@msn.com]  
**Sent:** Sunday, July 13, 2014 11:46 AM  
**To:** Jones, Donald  
**Subject:** Proposed Barksdale Condos

Dear Mr. Jones:

I plan to come to the BOA hearing on July 23rd, but I would like to state my opposition to the proposed condos in their current form at the southwest corner of S. Barksdale and, I believe it is Nelson, site of the old Barksdale Market. This design is certainly not in the spirit either of the Midtown Overlay or the small town feel of Cooper-Young and I oppose it on the grounds of its basic design, which esthetically would be a better fit for a suburban area like Cordova or Germantown. I hope the developer will heed our concerns and resubmit a design more suitable to the architectural integrity of the surrounding neighborhood.

Regards,

Gordon Alexander  
*Midtown Action Coalition*  
*Save Overton Square*

7/18/2014

883 Barksdale feedback- 2-units

From: Shannon Dixon [Shannon@ShannonMBDixon.com]

Sent: Friday, July 11, 2014 1:44 PM

To: Jones, Donald

Cc: Kristan Huntley

Subject: 883 Barksdale feedback

Hello Mr. Jones,

I have owned and lived at 2037 Nelson for 10 years. I have reviewed the developer's new plans for 883 Nelson and still am opposed to allowing variances on this property. I participated in the community meeting where he asked for our feedback and aside from changing the number of units, he ignored the rest of the feedback. I understand that Cooper Young doesn't have any design controls beyond zoning however, I do not support allowing variances for buildings that are so out of character for our neighborhood. I don't think these units will sell or be desirable rentals and will thus become eyesores. People move to Cooper Young for the character and this design has none of our character.

The property has been in terrible condition for sometime and that has not changed since this developer started controlling the property. The roof was removed early on, the weeds are high, construction materials are behind the leftover walls and open to weather conditions that will cause decay. Some neighbors knowledgeable about construction question the quality of the construction thus far. Other neighbors have said that despite a stop work order issued by Code Enforcement, the developer continued to build. All of this leaves me with a lack of confidence in this developer and a lack of willingness to support variances.

We thank you for your hard work on this case, Mr. Jones,

Shannon Dixon  
2037 Nelson

**Jones, Donald**

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**From:** Paula Kovarik [paula@sogray.com]  
**Sent:** Saturday, July 12, 2014 9:47 AM  
**To:** Jones, Donald  
**Subject:** 883 S Barksdale

Mr. Jones,

Please do not approve the development plan for the property at 883 S Barksdale. The corner of Barksdale and Nelson is in the heart of a neighborhood filled with gracious homes—with welcoming front porches, distinctive architectural details that reflect the eras of 1910 - 1920 and brick, stone and wood materials that reflect the quality of craftsmanship necessary to maintain historic charm. These elements are critical to the consistent quality of the homes in the neighborhood.

We have worked hard in our neighborhood to respect the architectural beauty and history of our properties. Personally, we have been residential owners on Nelson since 1984, and commercial property owners on Cooper since 1993. Over these years we have seen this neighborhood transform from a downtrodden dangerous collection of houses and businesses to a sparkling and vibrant home for a diverse population. It is truly a success story. We do not want to see these efforts denigrated by poor design choices.

To begin, the drawings we have at our disposal for the two proposed condo units are incorrect. The North Elevation is labeled incorrectly which goes to the credibility of an architect or builder. In addition, they do not provide details about exterior and interior details, which are so critical to our neighborhood. I fear that this plan will disrupt the look of the neighborhood and may lower property values in the surrounding homes.

Please do not allow this developer to construct these condos on this corner without further considerations. Adding two condos that bear no relation to the quality and history of this important neighborhood will only serve to downgrade our neighborhood.

Paula and James Kovarik  
901-725-0308

7/18/2014

**Jones, Donald**

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**From:** Peter Owen [peter.owen@gmail.com]  
**Sent:** Wednesday, May 21, 2014 4:55 PM  
**To:** Jones, Donald  
**Subject:** 883 S. Barksdale

Mr. Jones,

I'm a resident who has direct site of the 883 S. Barksdale building from my house (1915 Oliver Ave.). I am pretty concerned after looking at the plans that the condominiums which Mr. Saffarini has planned to build on the site would not be the highest and best use of the location. My concern is also that the current design would not fit into the neighborhood's current style of architecture and style. As you probably know there are already condominiums at 2263 Young called the Pie Factory condos. As a resident, I would prefer to keep the commercial zoning and have some sort of coffee shop or small store or if it must be re-zoned, then a duplex or a house. Thanks for your time and consideration.

Sincerely,  
Peter Owen

5/23/2014

## Jones, Donald

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**From:** Sanne Roijmans (srijmans) [srijmans@memphis.edu]  
**Sent:** Wednesday, May 21, 2014 5:52 PM  
**To:** Jones, Donald  
**Subject:** 883 S. Barksdale

Dear John Jones,

As a member of the Cooper Young Community Association and a home owner residing on the 1800 block of Nelson Avenue I am writing you this email about the 883 S. Barksdale application. Traveling out of country makes me unable to attend the scheduled meeting, but hopefully this e-mail will correctly express the concerns that I have after seeing mr. Saffarini's proposal.

In addition to the concerns CYCA's president June Hurt has already stated in her letter to the Office of Planning and Development on May 14, 2014 I want to express my personal concerns as well.

As many neighbors and CYCA members have been openly concerned with the future of the respective dwelling, I find it highly unacceptable that mr. Saffarini has not taken the opportunity to talk with us and hear our opinions, despite the fact that he had promised to do so.

The CYCA and home owners such as myself are working really hard on community and neighborhood development; property prices are rising as a result of increasing home ownership and the renovations of buildings in the original 1920's craftsman or Victorian style. This, and all the additional benefits such as safety, increased sense of community, and new business development make that neighbors are proud to call themselves 'Cooper-Youngians'.

Therefore, the proposal to build 4 condominiums on the 883 S. Barksdale lot is completely out of line with the culture, history, and vision of Cooper-Young. A multi-tenant building with extremely limited green space built very close to the street is far out of style with the -mostly single family- houses with big front and back yards and nice, characteristic front porches of the houses on Nelson Avenue and the rest of Cooper-Young.

The architectural design of the proposed building is highly inappropriate. Synthetic stucco, artificial stacked stones, a cupola and the facade decoration is more resembling the suburban-style buildings in Germantown or Collierville rather than a 1920's-style craftsman bungalow, Victorian-style house or Foursquare home.

Moreover, the lot is clearly not sufficient for a multi-tenant building. Besides the extreme lack of green space and limited amount of proposed parking lots, the windows of the south elevation of the condominiums will directly face the 6ft-fence of the neighbor. This is extremely bad architecture and a shame to even propose, let alone to actually built it.

The proposal shows a great lack of knowledge, understanding, and care for both the neighborhood and possible future residents of the building. Cooper-Young is clearly not a neighborhood for condominiums - a single family dwelling or perhaps a duplex with yard space and maybe even a front porch would be much more in line with the history and character of our street and rest of the neighborhood.

It is my opinion that accepting this proposal as is would be a form of disrespect towards the hard work of the CYCA as well as homeowners and residents of Cooper-Young, as it does not seem to factor in the history, culture, and style of the neighborhood.

Please feel free to contact me and my partner with any questions regarding this e-mail.

With best regards,  
Sanne Roijmans



**From:** Jonathan Cole [jmcole1970@gmail.com]  
**Sent:** Thursday, May 22, 2014 10:47 AM  
**To:** Jones, Donald  
**Cc:** CYCA Profile; cyca.june@att.net; Whitehead, Josh  
**Subject:** 883 S. Barksdale Application  
Dear Mr. Jones,

I am writing with serious concerns about the 883 S. Barksdale Variance Application which is scheduled for Public Hearing on Wednesday, May 28th.

I oppose this project for the following reasons:

1. A 4 unit apartment at this location will have a detrimental impact to property values in this immediate neighborhood. The proposed design does nothing to conform to surrounding residential architecture. Any new structure built at this site must integrate well with existing nearby residences and meet any and all of the higher standards of the Midtown District Overlay and the requirements of the Unified Development Code.
2. The site's preliminary construction is evidence that the builder is attempting to salvage remnants of the previous building structure to cut costs for a quick turn of the property. I do not see this as an improvement to the value of property at this location. It appears that this construction is being done on the cheap.
3. For the past 10 plus years this property has been a continuous eye-sore in this neighborhood and the source of numerous crime scenes. I do not want to see a new eyesore contribute to continued blight at this street corner.
4. Any attempt to squeeze 4 residences into this landlocked space that has no on-site/off-street parking makes no logical sense. Street/curb parking along Barksdale already makes cross traffic dangerous when parked cars block visibility of on-coming traffic on Barksdale. I have nearly been hit by cars parked at the corner who park too close to the corner. Inadequate parking at this corner lot will increase the risk of serious accidents at the corner of Barksdale and Nelson.
5. The south property line is adjacent to the alley entrance that must not be blocked at anytime. With limited parking, frequent or infrequent attempts to park in this space, will restrict utility access to this important common space.
6. I also agree with the concerns expressed by the Cooper Young Community Association of which I am a member. These concerns are expressed here: <http://cooperyoung.org/wp-content/uploads/2014/05/Barksdale-Market-Comments.pdf>

The owner and developer of this property must address these concerns before proceeding with any construction on the property.

Thank you for your consideration.

Sincerely,

Jonathan Cole  
1889 Nelson Avenue  
Memphis, TN 38114  
901-301-3306

November 16,

Docket No. 48-104

Filed Nov-16-48 1948

Notices 11-19-48

**BOARD OF ADJUSTMENT  
CITY OF MEMPHIS  
Room 26, Police Headquarters**

Disposition Dec. 8, 1948

Granted Nov. 26, 1948

NOTICE—This APPLICATION must be TYPEWRITTEN, filed in duplicate within 15 days of the date of the order, or rejection, accompanied by necessary data on sheets 8 inches by 10½ inches in size. (See reverse side of this sheet.)

## Application for Variation from the Requirements of the Zone Ordinance

### NAMES AND ADDRESSES

Applicant: Benjamin P. Baker	Address: 833 So. Barksdale
Owner: Benjamin P. Baker	Address: 833 So. Barksdale
Lessee:	Address:

To the Chairman, Board of Adjustment: Application is hereby made for a variation from the requirements of section 3, Zone Ordinance, under the discretionary power vested in your Board by Section 17 to permit

~~erection~~  
~~alteration of~~  
~~maintenance~~  
~~conversion~~ } in accordance with the plans filed under application for building permit dated \_\_\_\_\_ 19\_\_\_\_

by \_\_\_\_\_ for \_\_\_\_\_

**PREMISES AFFECTED** is situated on the West side of Barksdale distant 100 feet of the corner formed by the intersection of Barksdale and Nelson and known as Number 893 Street (Avenue)

Attached hereto is copy of the decision rendered by the Commissioner of Public Service on \_\_\_\_\_ 19\_\_\_\_ (Give date of order or rejection)

### DESCRIPTION OF ~~EXISTING~~ PROPOSED BUILDING

(1) **Size of Building:**

At street level:	Forty	feet front:	Fifty	feet deep.
At typical floor level:	forty	feet front:	fifty	feet deep.
Height:	One	stories		feet.

(2) **Occupancy:** (of each floor)

- (a) Number of Families: (If any part is used as dwelling).
- (b) Number of Persons Employed: (If industrial or commercial).

(3) **a. Use District:**

(4) **Date of Erection:**

**b. Height and Area District:**

(5) **Character of Construction:**

Frame: Ordinary Brick: and Fireproof: CON. Blocks

(6) **Fire District:** { ~~Fire Proof District:~~  
~~Inner Fire District:~~  
Outer Fire District:

(7) **Has Any Application or Appeal Been Heretofore Filed With This Board on These Premises?** no

(8) **Is There a School, Hospital, Playground, Public Library, Church, Children's or Old People's Home, or other similar Institution in the Same Street—Block, or Within 200 Feet of the Premises in Question?** no

(OVER)

I inquired on \_\_\_\_\_ from the Secretary of the Board of Adjustment whether there was any petition pending to change the district regulations affecting the block on which these premises are located.

I was informed there was { no such petition pending. / a petition pending to make the block \_\_\_\_\_

**ATTACHED HERETO AND MADE A PART OF THIS APPLICATION, I SUBMIT THE FOLLOWING:**

Note—All these papers must be submitted with the application:

- (a) COPY OF DECISION OR ORDER OF COMMISSIONER OF PUBLIC SERVICE, on which application is based, AND TWO (2) COPIES EACH OF THE FOLLOWING:
- (b) A TYPEWRITTEN STATEMENT of the principal points on which I base my application, with description of proposed work, if any.
- (c) SET OF DRAWINGS, all on sheets 8 inches by 10½ inches in size, including:
  - A block diagram with street numbers and street frontage, showing the character and occupancy of all property affected with points of compass indicated.
  - A plot plan.
  - A ground and typical floor plan of building with all necessary measurements.
  - A front and side elevation with heights marked thereon.

(NOTE—If premises are not a corner lot a diagram showing all lots in the block on the same side of the street will be required. If requested by Secretary, applicant shall also furnish diagram of block on opposite side of street, and may also require diagram of block on parallel street in rear of premises. Where lot is corner lot diagram must include premises on all four (4) corners.)

- (d) A full list of NAMES and ADDRESSES of owners of all property shown on block diagram and indicating property owned by sufficient identification.
- (e) Duly acknowledged consents, given by such property owners when required by zone ordinance.
- (f) When requested by Secretary, one (1) set of unmounted photographs, illustrating physical situation of premises shown on diagram. Photographs shall be marked to identify premises in question. Photographs shall be unmounted, 8 inches by 10½ inches in size, and shall become a part of the record.
- (g) Duplicate copy of notice to the Commissioner of Public Service that I have appealed.

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn to before me this 16th day of November, 1948 by Olyce Rosen, N.Y. Benjamin P Baker (Applicant to sign here.)

**AFFIDAVIT OF OWNERSHIP**

STATE OF TENNESSEE, }  
COUNTY OF SHELBY. } ss. \_\_\_\_\_ being duly sworn, deposes and says that he resides at \_\_\_\_\_, in the City of \_\_\_\_\_, in the County of \_\_\_\_\_, in the State of \_\_\_\_\_, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the City of Memphis aforesaid and known and designated as Number \_\_\_\_\_ and that he hereby authorizes \_\_\_\_\_ to make the annexed application in his behalf and that the statements of fact contained in said application are true.

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_ (Sign Here.)

**DEPARTMENT OF PUBLIC SERVICE**

Building Division  
MEMPHIS, TENNESSEE

Permit No. \_\_\_\_\_  
Date 11-8 1948

Location 823 S. Barkdale

\_\_\_\_\_ Feet of \_\_\_\_\_

Lot No. \_\_\_\_\_ Block \_\_\_\_\_ of \_\_\_\_\_ Subdivision \_\_\_\_\_

Owner Benjamin P. Baker Address Mr. 8, 1948

Architect-Engineer \_\_\_\_\_ License from performing

Contractor \_\_\_\_\_ Address in rear yard

Is hereby permitted to:

USE OF BLDG. Store Bldg. 3rd W. 5 Ave  
Description of Work erect addn to existing  
Bldg. 'A' Res. zone

- Install
- Apply
- Erect
- Alter
- Repair
- Move
- Demolish

- Frame
- Brick Veneer
- Conc. Block
- Speedbric
- Ord. Masonry
- Steel Frame
- Metal clad
- Fireproof

**ESTIMATED COST**  
General

Heat: Hot Water  Steam  Warm Air  Floor Furnace

Garage: Frame  Br. Veneer  Conc. Block  Brick

Plumbing: Value \$ \_\_\_\_\_; Permit No. \_\_\_\_\_; Wiring Value \_\_\_\_\_; Permit No. \_\_\_\_\_

VALUE <u>8500<sup>3</sup></u>	FEE \$ _____
VALUE \$ _____	FEE \$ _____
VALUE \$ _____	FEE \$ _____

**CHECKING LIST**

Plans Required Yes  No

RESIDENTIAL: Use Zone A, B, B-1, C, D, E Area Zone A, B, C, C-1, D, E. FIRE DIST. Outer  Inner  Fireproof

No. of rooms \_\_\_\_\_ No. of toilets or bathrooms \_\_\_\_\_ No. of Apts. \_\_\_\_\_  
No. of rooms per apt. \_\_\_\_\_ No. of Stories \_\_\_\_\_ Kind of Heat \_\_\_\_\_  
Kind of vent or chimney \_\_\_\_\_ No. of sq. ft. floor space \_\_\_\_\_  
Over 3,000 sq. ft. requires Fire Wall. Over 3 stories must be fireproof.  
Is street to be widened? Yes  No  Is setback O.K.? Yes  No   
Side Yard Yes  No  Rear Yard Yes  No  Bldg. to be occupied by White  Colored

REMARKS \_\_\_\_\_

COMMERCIAL: Use Zone B-1, C, D, E Area Zone A, B, C, C-1, D, E. FIRE DIST. Outer  Inner  Fireproof

Size \_\_\_\_\_ x \_\_\_\_\_ Sq. ft. floor space \_\_\_\_\_ Fire walls required Yes  No   
Sprinkler required Yes  No  No. of toilets \_\_\_\_\_ No. of exits \_\_\_\_\_  
No. of stairs \_\_\_\_\_ No. of Elevators \_\_\_\_\_ No. of Fire Escapes \_\_\_\_\_

REMARKS \_\_\_\_\_

INDUSTRIAL: Use Zone D, E Area Zone A, B, C, C-1, D, E. FIRE DIST. Outer  Inner  Fireproof

Size \_\_\_\_\_ x \_\_\_\_\_ Sq. ft. floor space \_\_\_\_\_ Fire Walls required Yes  No   
Sprinkler required Yes  No  No. of toilets \_\_\_\_\_ No. of exits \_\_\_\_\_  
No. of stairs \_\_\_\_\_ No. of Elevators \_\_\_\_\_ No. of Fire Escapes \_\_\_\_\_

REMARKS \_\_\_\_\_

FOOTING INSPECTION REQUIRED YES  NO  PHONE 37-8621—Station 24

NOTE: Issuance of Building Permit SHALL NOT be held to permit or to be an approval of the Violation of any provisions of any City Ordinance or State Law.

O.K. to issue Permit  Do not issue Permit  Permit held up for following reasons: Need Plumbing Permit   
Electrical Permit  Heating Permit  Sprinkler Permit  Checking location in field  Checking Plans .

I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all City Ordinances and State Laws regulating building construction.

SIGNATURE OF OWNER OR AUTHORIZED AGENT B.P. Baker

APPROVED: \_\_\_\_\_ Date \_\_\_\_\_ 19 \_\_\_\_\_

Inspector \_\_\_\_\_

Memphis, Tennessee

November 12th, 1948

To The Commissioner of Public Service,  
Memphis, Tenn.

Sir:

The main reason in wanting to make the addition to my existing store building, is because of the fact, that, I am almost compelled to carry along with my line of groceries, a line of household, variety and hardware goods, which I now carry in a limited way.

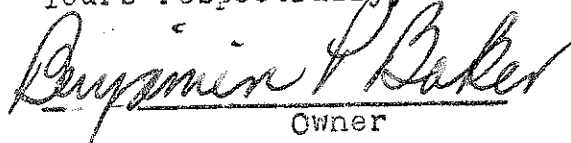
Since my space for groceries is limited, I want this additional building space to move this said stock, as well as to add to same, as there is no store of this kind within six to ten blocks either way from my store.

The filling station, which I want to remove is some what of an eye sore, and of course does not add to the value of the surrounding property as much as the additional building I wish to erect.

In so far as the alley is concerned, there would be more room left for it with this additional building than there is with the now existing filling station.

Thanking you for your earnest consideration of my application. I am

Yours respectfully,

  
Owner



Memphis, Tennessee

Nov. 11, 1948

TO WHOM IT MAY CONCERN:-

We the undersigned property owners adjacent to the Store Building, of Mr. Benjamin P. Baker, wish to advise, that, it meets with our approval for Mr. Baker to remove the existing Filling Station, and make an extention of his Store Building.

SIGNED

NUMBER

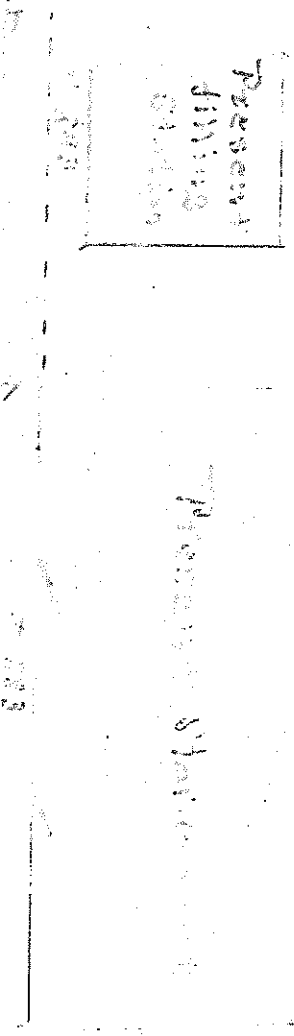
STREET

✓ Fred Hogan	1902	Oleiss
✓ Mrs. L. G. Abney	1914	Olive
L. G. Abney	1914	Olive
✓ Paul L. Dancy	1899	Nelson
✓ Mrs. Myrtle Schauf	1915	Nelson
✓ Kathryn Moore & E. Audrey Moore	-	1915 Nelson

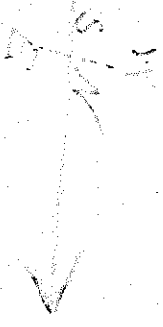
84 feet

1500 ft

1500 ft



1500 ft



1500 ft

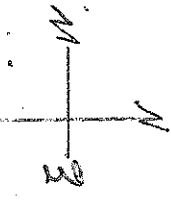
1500 ft

(2)



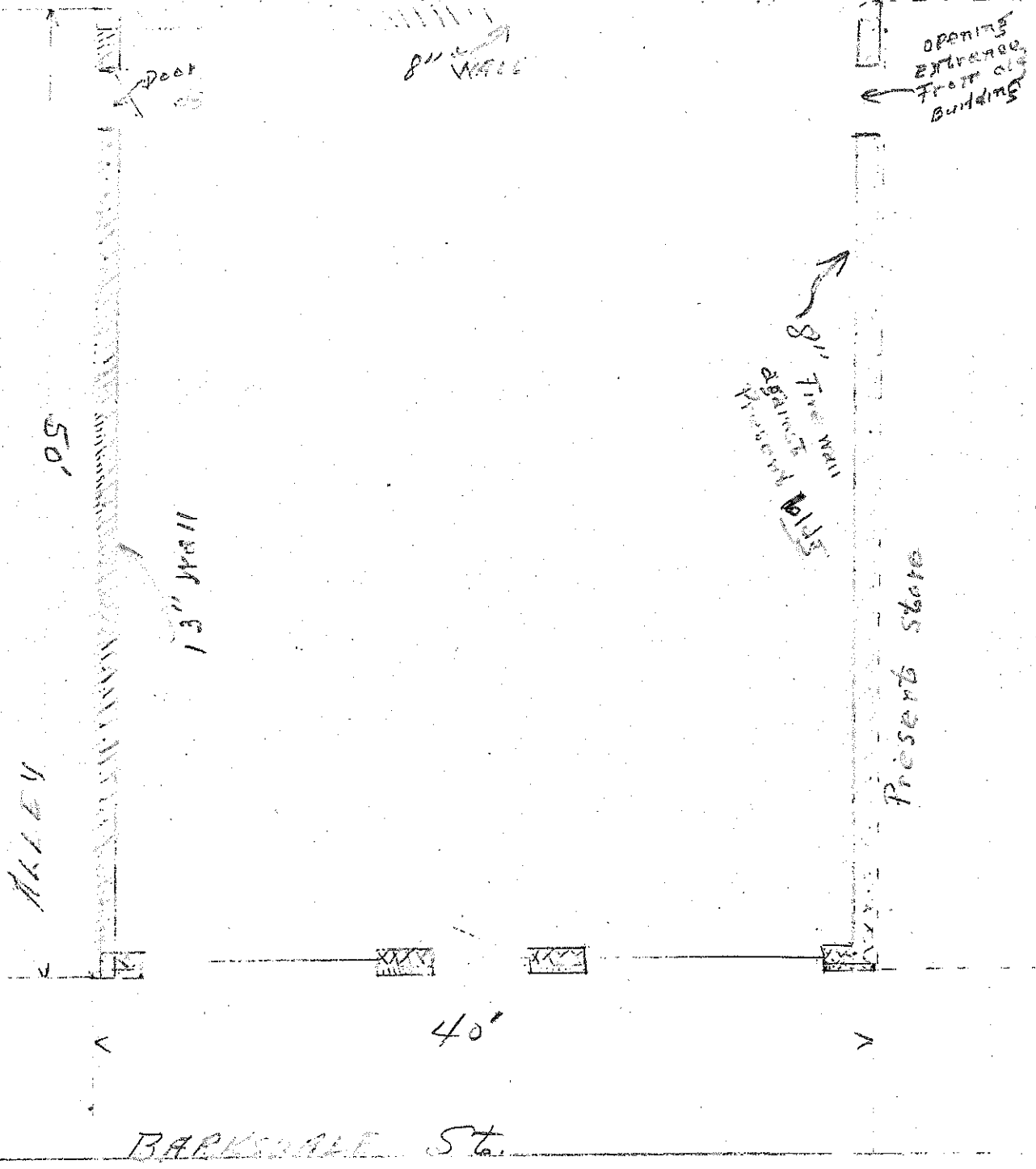
# Floor Plan

Scale  
1/4" = 1'



Sealed off  
8" WALL

A small diagram showing a section of a wall with diagonal hatching, labeled 'Sealed off' and '8" WALL'.



# Front Elevation

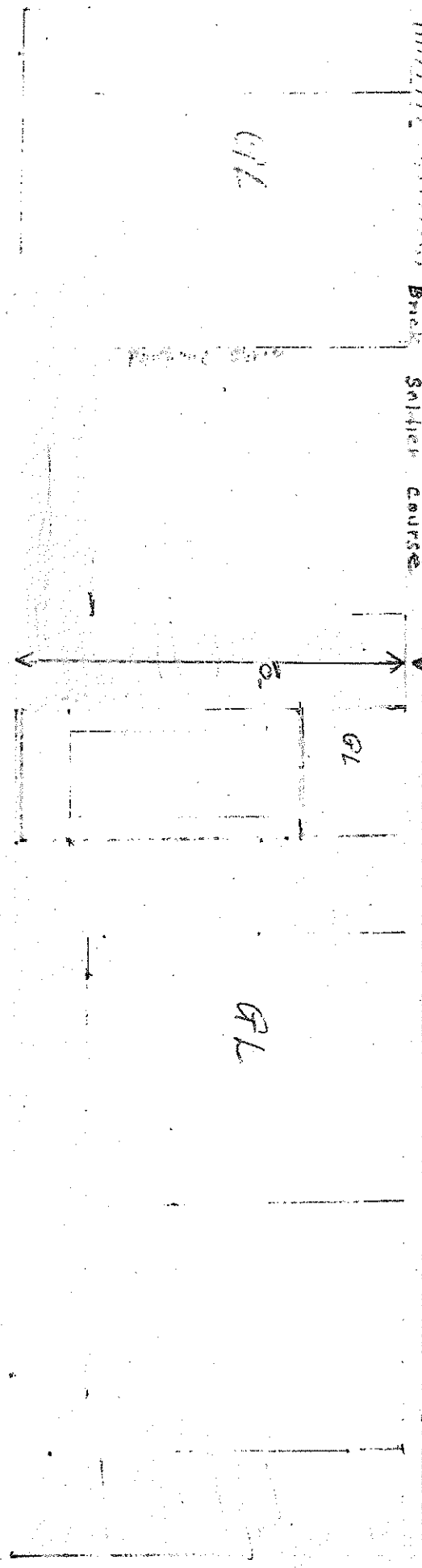
Scale 1/4" = 1'

cut Stone coping

Brick Soldier course

Brick

com. block base



Side Walk



# NOTICE OF APPEAL

BOARD OF ADJUSTMENT  
CITY OF MEMPHIS  
Room 26, Police Headquarters

Memphis, Tenn. Nov. 12 19 48

TO THE COMMISSIONER OF PUBLIC SERVICE,  
MEMPHIS, TENN.

Sir:

You will please be advised that on November 30 19 48 I

appealed ~~XXXX application for variation~~ } because of your { ~~order~~ rejection } with reference to ap-  
determination

plication for building permit dated 11/6 1948, for ~~errection of a addition~~  
~~to existing~~

The secretary of the Board of Adjustment advises me that the hearing will be held on

Wednesday, Nov. 17, 1948.

Respectfully,

*Benjamin P Baker*  
Applicant

883 Barkdale Address