

BZA Results

9/7/2017

**METROPOLITAN BOARD OF ZONING APPEALS
P O BOX 196300
METRO OFFICE BUILDING
NASHVILLE, TENNESSEE 37219-6300**

**Meetings held in the Sonny West Conference Center
Howard Office Building, 700 2nd Avenue South**

**MS. CYNTHIA CHAPPELL
MR. DAVID EWING, Chairman
MR. DAVID HARPER
MS. CHRISTINA KARPYNEC
MR. RICHARD KING
MR. DAVID TAYLOR, Vice-Chair
MS. ALMA SANFORD**

CASE 2016-127 (Council District - 1)

Brenda Smith, appellant and **Terry and Janet Wilkes**, owners of the property located at **5056 Pine Valley Road**, requesting a special exception for camp use in the Ar2a District.

Referred to the Board under Section 17.16.220 and 17.40.280. The appellant alleged the Board has jurisdiction under Section 17.40.180 (C).

Use - Camp

RESULT-Granted with Conditions

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CASE 2017-126 (Council District - 33)

Kim Patterson-Rummage, appellant and Calpurnia Weathersby, owner of the property located at **4100 Philhall Parkway**, requesting a special exception for day care use in the R10 District. Referred to the Board under Section 17.16.170, 1 thru 7. The appellant alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-Day Care

Map 15-4 Parcel(s) 124

RESULT-Dismissed failure to appear

CASE 2017-160 (Council District - 12)

Brandon Williams, appellant and New Beginnings International Ministry, Inc, owner of the property located at **3179 Earhart Road**, requesting Special Exception and a variance from sidewalk requirements in the RS15 District, to construct a new 14,400 square foot Church. Referred to the Board under Section 17.16.170(E)(3),17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B&C).

Use-Religious Institution

Map 98 Parcel(s) 208

RESULT-Deferred 10/5/2017

CASE 2017-188 (Council District - 19)

Vista Outdoor Advertising, appellant and Charles Hardy, owner of the property located at **884 Elm Hill Pike**, requesting a variance from height of a billboard in the IWD District, to erect a 75 foot tri-panel double faced billboard. Referred to the Board under Section 17.32.150(B)(6). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Billboard

Map 106 Parcel(s) 151

RESULT-Granted, subject to the following conditions: applicant reduced the requested height to 65' and BZA Granted the appeal.

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CASE 2017-190 (Council District - 5)

Sean Roberge, appellant and RSC, LLC, owner of the property located at 1344 Stainback Avenue, requesting a side setback variance in the RS-5 zoning district. Referred to the Board under Section 17.12.020. The appellant alleged the Board has jurisdiction under Section 17.40.180 (B).

Use - Single Family

RESULT-Granted

CASE 2017-191 (Council District - 06)

Adeel Mohammad, appellant and Adeel Mohammad, owner of the property located at **1009 A & B Shadow Lane**, requesting variances from sidwal requirements, garage door orientation, driveway width, and front setback requirements in the R10 District and in a Contextual Overlay District, to construct two single family houses. Referred to the Board under Section 17.36.470(D)(2)(b), 17.36.470(D)(1)(d), 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 84-1-I Parcel(s) 1,2-CO

RESULT-Granted driveway width

CASE 2017-198 (Council District - 17)

Matt Shields, appellant and Andrew and Wendi Lundberg, owners of the property located at 2423 Elliott Avenue, requesting an Item A appeal of the zoning staff's denial of a short term rental permit based on prior short term rental operation without the required permit. Referred to the Board of Section 17/16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40180 (A).

Use - Short Term Rental

RESULT-Upheld Zoning Administrator, However the appellant will be allowed to apply for a permit six (6) month from the date of this hearing.

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CASE 2017-205 (Council District - 32)

Karen Fairbend, appellant and owner of the property located at **312 Clark Hill Xing**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally permit. Referred to the Board under Section 17.40.080(A), 17.16.250(E). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 164-13 Parcel(s) 74

RESULT-Deferred 10/5/2017

CASE 2017-214 (Council District - 14)

Nicholas Hollenbeck, appellant and owner of the property located at **1809 Lincoya Bay Drive**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250E(2)(a). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 109-5-D Parcel(s) 167-CO

RESULT-Upheld the Zoning Administrator- However the appellant shall be eligible for a permit application immediately.

CASE 2017-215 (Council District - 24)

Carl Bell, appellant and Sylvan Station, LLC, owner of the property located at **4100 Charlotte Avenue**, requesting variances from front and side setback requirements in the MUL-A District, to install a ground sign. Referred to the Board under Section 17.32.110, 17.32.070. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Sign

Map 91-16 Parcel(s) 162

RESULT- Granted

CASE 2017-216 (Council District - 02)

Faith United Baptist, appellant and owner of the property located at **2740 Whites Creek Pike**, requesting special exception for religious institution use in a residential district as well as a variance from street setback requirements in the R6 District, to construct a fellowship hall expansion. Referred to the Board under Section 17.16.170(E), 17.16.030(B), 17.16.030(B). The appellant alleged the Board has jurisdiction under Section 17.40.180(B&C).

Use-Religious Institution

Map 59 Parcel(s) 177

RESULT -Granted

CASE 2017-217 (Council District - 16)

Katie Orlofske, appellant and owner of the property located at **3228 Holbrook Dr.**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.40.180(A), 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 133-3 Parcel(s) 42

RESULT-Upheld Zoning Administrator-Appellant shall be eligible for a permit application immediately.

CASE 2017-219 (Council District - 19)

Gong-Yu Hsu, appellant and Grand 7 Development, LLC, owner of the property located at **1305 Grand Avenue**, requesting variance from front setback requirements in the R6-A District, to construct a 3,548 square foot single family residence. Referred to the Board under Section 17.12.030A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Single Family

Map 105-11F Parcel(s) 1-CO

RESULT-Denied

CASE 2017-221 (Council District - 23)

Tammy Jackson, appellant and Bates & Jackson Living Trust, owner of the property located at **225 Hillwood Blvd.**, requesting a variance from rear setback requirements in the RS40 District, to construct a 10 X 26 square foot roof over existing patio kitchen. Referred to the Board under Section 17.12.020 A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Single Family

Map 103-14 Parcel(s) 72

RESULT-Granted

CASE 2017-222 (Council District - 24)

Joyce Shulman, appellant and owner of the property located at **612 Estes Road**, requesting a variance from rear setback requirements in the R10 District, to construct a sunroom addition. Referred to the Board under Section 17.12.020(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 116-4-B Parcel(s) 1-CO

RESULT-Granted

CASE 2017-223 (Council District - 17)

Jack Hughes, appellant and Richard Perkerson, owner of the property located at **43 Industry Street**, requesting a variance from sidewalk requirements in the IWD District, to construct a new warehouse. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Warehouse

Map 105-8 Parcel(s) 175

RESULT-Granted, subject to the following conditions: Appellant shall provide the dedicated right of way for future sidewalk, and is allowed to pay into the sidewalk fund.

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CASE 2017-224 (Council District - 25)

Midtown Fellowship, Inc., appellant and owner of the property located at **3410 Granny White Pike**, requesting a variance from sidewalk requirements in the R10 District, to complete the surface parking lot. Referred to the Board under Section 17.20.120, 17.24.150. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Religious Institution

Map 118-9 Parcel(s) 33

RESULT-Deferred date not set at this time

CASE 2017-225 (Council District - 24)

Catharine Hollifield & Phyllis Avant, appellants and owners of the property located at **204 Cantrell Avenue**, requesting variances from side setback and allowable footprint requirements in the R8 District, to construct a carport addition. Referred to the Board under Section 17.12.050(A), 17.12.040(B). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Carport

Map 104-13 Parcel(s) 18

RESULT-Granted

CASE 2017-226 (Council District - 21)

Phillip Piercy, appellant and HCA Realty, INC., owner of the property located at **2555 Park Plaza**, requesting variances from sidewalk and landscape perimeter requirements in the MUG-A District, to complete the renovated parking structure. Referred to the Board under Section 17.20.120, 17.24.150. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Office Building

Map 92-14 Parcel(s) 41

RESULT-Denied, subject to the following conditions: remove trees and construct sidewalk per Planning Department recommendations.

CASE 2017-228 (Council District - 06)

Dean Design Group, appellant and Lyla Tov Hospitality, owner of the property located at **809 Main Street**, requesting a variance from parking requirements in the MUG-A District, to allow the applicant to construct commercial space with reduced parking. Referred to the Board under Section 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Retail

Map 82-12 Parcel(s) 28

RESULT-Deferred

CASE 2017-230 (Council District - 03)

John Stancil, appellant and Anchor Property Holdings, LLC, owner of the property located at **7435 Old Hickory Blvd.**, requesting a variance from sidewalk requirements in the CS District, for an existing 60x200 building with 10 bay doors. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Auto Repair

Map 31 Parcel(s) 68

RESULT-Deferred 10/5/2017