

**BZA Results**

**1/18/2018**

**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 2<sup>nd</sup> Avenue South**

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

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**CASE 2017-327 (Council District - 24)**

**Steve Hatcher**, appellant and Rajesh Nair, owner of the property located at **446 37th Avenue North**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 92-9 Parcel(s) 204

**RESULT -Deferred 2/1/18**

CASE 2017-347 (Council District - 05)

**Shaw Construction, LLC**, appellant and Hufiz Yafai, owner of the property located at **1431 Dickerson Pike**, requesting a varaince from sidewalk requirements in the CL/UDO District, to complete interior renovations to Apple Market due to fire damage. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 711-11 Parcel(s) 35

**RESULT-Granted, Appellant does not have to construct sidewalks or pay into the sidewalk fund.**

CASE 2017-367 (Council District - 5)

**Triple 4 Homes, LLC**, appellant and owner of the property located at **805 Cherokee Ave.**, requesting variances from buffer, build-to zone and parking requirements in the RM20 District, to construct 6 single family units in one building. Referred to the Board under Section 17.24.250(E), 17.12.020(D), 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 7112 Parcel(s) 80

**RESULT-Granted variances from buffer and build-to zone.**

CASE 2017-381 (Council District - 06)

**Marchelle Bradanini**, appellant and owner of the property located at **1202 Calvin Avenue**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated on an expired permit. Referred to the Board under Section 17.40.180(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 83-5 Parcel(s) 314

**RESULT-Granted**

CASE 2017-401 (Council District - 05)

**Kevin Smith**, appellant and owner of the property located at **203 Queens Lane Court**, 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 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 69-2 Parcel(s) 111

**RESULT-Upheld the Zoning Administrator, However the appellant is eligible to apply for a permit on May 22, 2018**

CASE 2017-402 (Council District - 13)

**Stacey Cox**, appellant and Highmark BP Developers, LLC, owner of the property located at **0 Massman Drive**, requesting a variance from sidewalk requirements in the RM20 District, to construct apartments. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Multi Family

Map 107 Parcel(s) 182

**RESULT-Granted with Conditions: Appellant agrees to pay into the sidewalk fund.**

CASE 2017-403 (Council District - 01)

**Toby Standefer**, appellant and owner of the property located at **405 Clarksville Pike**, requesting variance from sidewalk requirements in the RS40 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 59 Parcel(s) 9

**RESULT-Granted, Appellant does not have to construct sidewalks or pay in the sidewalk fund.**

CASE 2017-404 (Council District - 16)

**Kurt Lammers**, appellant and Jeffrey Whitmore, owner of the property located at **3325 Dumas Drive**, requesting a variance from sidewalk requirements in the R10 District, to build two houses. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Residential

Map 133-7 Parcel(s) 149

**RESULT -Deferred 2/15/18**

CASE 2017-406 (Council District - 17)

**Bethel Coleman**, appellant and owner of the property located at **541 Wedgewood Avenue**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required short term rental permit in the R6 District, to obtain a permit. Referred to the Board under Section 17.16.250 E.1.a. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (A).

Use-Short Term Rental

Map 105-11-3A Parcel(s) 1-CO

**RESULT-Upheld the Zoning Administrator, However the appellant will be eligible to apply for a permit on January 19, 2018**

CASE 2017-408 (Council District - 01)

**Robert Crutcher**, appellant and Robert Crutcher, owner of the property located at **3209 W. Hamilton Avenue**, 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 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 7-1 Parcel(s) 57

**RESULT-Upheld the Zoning Administrator, However the appellant will be eligible to apply for a permit on March 30, 2018**

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CASE 2017-409 (Council District - 08)

**Jordan Berlin**, appellant and owner of the property located at **1006 Broadmoor 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 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 61-7 Parcel(s) 122

**RESULT-Upheld the Zoning Administrator, However the appellant will be eligible to apply for a permit on February 1, 2018**

CASE 2017-410 (Council District - 06)

**Dan Heller**, appellant and McGavock Pike Partners, owner of the property located at **900 Main Street**, requesting a variance from sidewalk requirements in the MUG-A District, to construct two stories above existing brewery for a total of three stories. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map 82-12 Parcel(s) 323

**RESULT-Granted with conditions. Appellant agrees to make all necessary repairs to existing sidewalk and coordinate with Public Works for the installation of tree wells.**

CASE 2017-411 (Council District - 06)

**Lynn Taylor**, appellant and owner of the property located at **1906 Shelby Avenue**, requesting an Item A appeal, challenging the zoning administrator's interpretation of Type 1 permit eligibility at this duplex property in the R6 District, to obtain a Type 1 short term rental permit for a duplex unit in which she does not reside. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 94-25 Parcel(s) 151

**RESULT-Withdrawn**

CASE 2017-412 (Council District - 24)

**Bradley Bork**, appellant and Kimbro Equities, owner of the property located at **204 White Bridge Pike**, requesting a variance from rear setback requirements in the CS District, to construct a 4,000 square foot convenience store with four fuel dispensing islands. Referred to the Board under Section 17.12.020(C). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map 103-6 Parcel(s) 154

**RESULT-Deferred 2/1/18**

CASE 2017-413 (Council District - 17)

**Sherif Tadros**, appellant and Ambrosia Catering TN Corp., owner of the property located at **2211 B Gladstone Avenue**, requesting a variance from sidewalk requirements in the IWD District, to construct a new kitchen for catering to restaurants. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Catering Business

Map 118-4 Parcel(s) 4201

**RESULT-Deferred 2/1/2018**

CASE 2017-418 (Council District - 11)

**McDonald's Corporation**, appellant and owner of the property located at **4734 Lebanon Pike**, requesting a variance from sidewalk requirements in the R10 District, to renovate a lobby for a McDonalds. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial Renovation

Map 64-16 Parcel(s) 29

**RESULT-Granted, Appellant agrees to pay into the sidewalk fund, but will not dedicate right away.**

CASE 2017-420 (Council District - 20)

**James Wallner**, appellant and owner of the property located at **5511 California Avenue**, requesting a change in non-conforming use in the R6 District, to construct an addition to existing non-complying structure. Referred to the Board under Section 17.40.660. The appellant alleged the Board would have jurisdiction under Section 17.40.180(D).

Use-Residential

Map 91-2 Parcel(s) 316

**RESULT-Granted**

CASE 2017-421 (Council District - 05)

**Allen Collins**, appellant and owner of the property located at **823 Meridian Street**, requesting a variance from parking requirements in the CL District, to convert non-residential building to restaurant. Referred to the Board under Section 17.20.080(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Restaurant

Map 82-7 Parcel(s) 135

**RESULT-Denied**

CASE 2017-423 (Council District - 31)

**Steve Mishu**, appellant and Concord Baptist Church, Inc., owner of the property located at **6820 Nolensville Pike**, requesting a variance from sign restrictions in the AT2A District, to replace existing sign with digital sign. Referred to the Board under Section 17.32.050(G). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Religious Institution

Map 181 Parcel(s) 51-1

**RESULT-Granted**