

BZA Results

2/1/2018

**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 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 2017-240 (Council District - 01)

Kathryn Murray Mayes, appellant and owner of the property located at **208 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 has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 69-2 Parcel(s) 94

**RESULT-Denied, However the appellant will be able to apply for a permit on
February 10, 2018**

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CASE 2017-259 (Council District - 19)

Germantown Commons HOA, appellant and **Germantown Phase II, LLC**, owner of the property located at **1318, 1322 & 1326 6th Avenue**, requesting Item A appeal, challenging the zoning administrator's interpretations that there is only one bar on the premises and that parking requirements are met in the MUL-A District. Referred to the Board under Section 17.40.180(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Commercial

Map 82-9 Parcel(s) 54

RESULT-Withdrawn

CASE 2017-327 (Council District - 24)

Steve Hatcher, appellant and **Rajesh Nair**, owner of the property located at **446 37th Avenue North**, requesting 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 92-9 Parcel(s) 204

RESULT-Deferred 2/15/18

CASE 2017-397 (Council District - 24)

Andy Hirt, appellant and **BMP,LLC**, owner of the property located at **4500 Harding Pke**, requesting change in non-conforming use in the MUL District, to replace a 14 x 48 static billboard with new digital billboard. Referred to the Board under Section 17.40.180(A), 17.40.650(C)(4). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A&D).

Use-Digital Sign

Map 116-3 Parcel(s) 5

RESULT-Upheld the Zoning Administrator

CASE 2017-398 (Council District - 15)

Aaron Smith, appellant and owner of the property located at **2210 Mecca Drive**, requesting variance from restrictions on size of structure in the RS10 District, to construct a 19 x 42 addition to side of garage. Referred to the Board under Section 17.12.040(D). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Garage

Map 84-1 Parcel(s) 48

RESULT-Denied

CASE 2017-407 (Council District - 05)

Sterling Abernathy, appellant and owner of the property located at **95 Oneida 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 7112 Parcel(s) 201

RESULT-Denied, However the appellant will be eligible to apply for a permit on February 2, 2018

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 requirement 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-Granted

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-Withdrawn

CASE 2017-422 (Council District - 20)

West Nashville Living, LLC, appellant and owner of the property located at **6212 B Morrow Road**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Residential

Map 91-1-P Parcel(s) 2-CO

RESULT-Deferred 2/15/18

CASE 2017-424 (Council District - 35)

David Bishop, appellant and owner of the property located at **1616 Glenridge Drive**, 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 142-13-A Parcel(s) 8-CO

RESULT-Denied, However the appellant will be able to apply for a permit on March 12, 2018

CASE 2017-425 (Council District - 02)

Jason Oggs, appellant and owner of the property located at **2312, 2314, & 2316 Whites Creek Pike**, requesting a variance from sidewalk requirements in the R6 Zoning District, to construct three duplexes. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 7-4 Parcel(s) 189

RESULT-Denied, appellant will need to work with planning on an alternate sidewalk plan or pay into the sidewalk fund.

CASE 2017-426 (Council District - 07)

Christie Wisner, appellant and owner of the property located at **2235 Stratford 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 72-8 Parcel(s) 15

RESULT-Denied, However the appellant will be able to apply for a permit on September 11, 2018

CASE 2017-428 (Council District - 02)

Bonita Dudley Scott Parker, appellant and owner of the property located at **1611 Baptist World Center 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 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 71-9 Parcel(s) 11

RESULT-Denied, However the appellant will be able to apply for a permit on March 12, 2018

CASE 2017-429 (Council District - 05)

Jacob Hurt, appellant and owner of the property located at **729 Douglas 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 in the SP zoning district. 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 711-6-A Parcel(s) 4-CO

RESULT-Denied, However the appellant will be able to apply for a permit on December 13, 2018

CASE 2017-431 (Council District - 19)

Caprisha Hudson, appellant and owner of the property located at **1020 10th Avenue N.**, 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 811-6 Parcel(s) 67

RESULT-Denied, However the appellant will be able to apply for a permit on March 18, 2018

CASE 2017-432 (Council District - 06)

Hunter Moore, appellant and owner of the property located at **708 Glenview 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 93-8 Parcel(s) 36

RESULT-Denied

CASE 2017-435 (Council District - 25)

Randall Roberts, appellant and Ira Shivitz, owner of the property located at **3706 Estes Road**, requesting a variance from sidewalk requirements in the R20 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-Duplex

Map 116-12 Parcel(s) 109

RESULT-Granted with Condition, appellant shall pay into the sidewalk fund

CASE 2017-436 (Council District - 16)

Konrad Norris, appellant owner of the property located at **409 A McIver Street**, 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 133-1-C Parcel(s) 1-CO

RESULT-Denied, However the appellant will be eligible to apply for a permit on March 15, 2018

CASE 2017-437 (Council District - 17)

Yancy Lovelance, appellant and LL & E Holdings, LLC, owner of the property located at **407 Humphreys Street**, requesting a variance from sidewalk requirements in the MUL District, for renovation of office space. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Office

Map 105-7 Parcel(s) 28

RESULT -Granted, Appellant agrees to Planning's recommendations to pay into the sidewalk fund

CASE 2017-438 (Council District - 08)

Vanessa Brown, appellant and owner of the property located at **2900 Highland Drive**, 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 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 6-12 Parcel(s) 7

RESULT-Denied, However the appellant will be able to apply for a permit on February 2, 2018

CASE 2017-439 (Council District - 28)

Steve Sanders, appellant and Golden Tuch, LLC, owner of the property located at **4601 Billingsgate Road**, requesting a variance from sidewalk requirements in the R15 District, to construct a 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 149-1-B Parcel(s) 2-CO

RESULT -Granted, Appellant must follow planning's recommendation to pay into the sidewalk fund, but only for the Billingsgate Road Frontage

CASE 2017-440 (Council District - 21)

Brian Watkins, appellant and, owner of the property located at **907 A&B 32nd Avenue**, requesting a variance from sidewalk requirements in the R15 District, to construct a single family residence on each lot. 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 92-5 Parcel(s) 210/344

RESULT-Granted, the applicant shall contribute in-lieu of construction of the property frontage

CASE 2017-441 (Council District - 05)

Devon MacPherson, appellant and Holtkamp Property Holdings, LP, owner of the property located at **1431 Lischey Avenue**, requesting an Item A appeal, challenging the zoning administrator's revocation of a short term rental 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 711-2 Parcel(s) 335

RESULT-Granted, revocation will be overturned

CASE 2017-442 (Council District - 06)

Mitchell Designs, appellant and owner of the property located at **318 Rosebank Avenue, Unit C**, requesting a variance from sidewalk requirements in the R10 District, to construct a duplex. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 83-3-4H Parcel(s) 9-CO

RESULT -Withdrawn

CASE 2017-443 (Council District - 17)

Jeff Seal, appellant and owner of the property located at **925 Archer Street**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 105-2 Parcel(s) 524

RESULT-Granted, appellant shall pay into the sidewalk fund for the 70 ft. frontage

CASE 2017-444 (Council District - 31)

Laura Rios, appellant and Hector Martinez, owner of the property located at **209 Ash Grove Drive**, requesting variances from height and from rear setback requirements in the AR2A District, to construct a detached garage. Referred to the Board under Sections 17.12.060(B) & 17.12.020(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Detached Garage

Map 162 Parcel(s) 214

RESULT-Granted

CASE 2017-445 (Council District - 31)

Trans Canada, appellant and Columbia Gulf Transmission, LLC, owner of the property located at **992 Barnes Road**, requesting a variance from sidewalk requirements in the AR2A District, to construct a new compressor station. 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 173 Parcel(s) 16

RESULT-Will remain open for 30 days since 4 affirmative votes were not cast for any motion on this case

CASE 2017-446 (Council District - 06)

Anis Maif, appellant and owner of the property located at **1211 Calvin 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 83-5 Parcel(s) 7

RESULT-Denied, However the appellant will be able to apply for a permit on March 19, 2018

CASE 2017-448 (Council District - 10)

Mike & Kathryn Strickland, appellants and owners of the property located at **2314 Spring Branch Drive**, requesting an Item A appeal, challenging the zoning administrator's revocation of a short term rental 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 261-6 Parcel(s) 53

RESULT-Granted, The June 2017 violation will not count toward the three strikes provision of the STRP. The STRP will be reinstated