

BZA Results

3/15/2018

**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 2017-417 (Council District - 06)

Grant Maxwell, appellant and owner of the property located at **1610 Forrest 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 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 104-9 Parcel(s) 112

RESULT-Denied, However appellant may apply for a permit on May 22, 2018

CASE 2018-020 (Council District - 17)

Gary Wisniewski, appellant and O.I.C 1001 Summit Avenue, owner of the property located at **1001 C Summit Avenue**, requesting a variance from sidewalk requirements in the District, to construct two single family residences, without construction of updated sidewalk. 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 105-54 Parcel(s) H9-CO

RESULT-Denied

CASE 2018-036 (Council District - 33)

Gary Bull, appellant and Tandem Investments, LLC, owner of the property located at **1436 Heil Quaker Blvd.**, requesting variance from sidewalk requirements, but not eligible to pay into the sidewalk fund in the IR 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 183-0 Parcel(s) 37

RESULT-Granted

CASE 2018-038 (Council District - 20)

Joshua Bronleewe, appellant and Joshua Bronleewe, owner of the property located at **905 47th 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 91-11-W Parcel(s) 1-CO

RESULT -Granted, subject to the following conditions: The variance is granted for the portion of the frontage on 47th Avenue from the alley on the north end of the lot, down to the third of the three large trees along 47th Avenue. The variance is denied on the remaining frontage of the property.

CASE 2018-039 (Council District - 6)

Vincent Morelli, appellant and Pantheon Development, LLC, owner of the property located at **114 Lindsley Park Dr.**, requesting variance from sidewalk requirements, requesting not to construct or contribute into the sidewalk fund in the R6 District, to construct two single family residences. 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 83-9 Parcel(s) 45

RESULT-Denied

CASE 2018-040 (Council District - 23)

Preston Quirk, appellant and David & Kay Cook, owner of the property located at **757 Darden Place**, requesting a variance from front setback requirements in the RS40 District, to construct a 460 sq ft carport addition to side and 310 sq ft addition to front of existing residence. Referred to the Board under Section 17.12.030(C)(3). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 102-16 Parcel(s) 54

RESULT-Granted

CASE 2018-041 (Council District - 19)

Kim Eldridge, appellant and owner of the property located at **834 1st Avenue North**, 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 82-14-A Parcel(s) 63-CO

RESULT-Denied, However the appellant will be able to pull a permit on April 8, 2018

CASE 2018-042 (Council District - 21)

Chad Robbins, appellant and Bemsee, LLC, owner of the property located at **503 Spruce Street**, requesting a variance from sidewalk requirements in the OR20 District, to construct a 1629 square foot second floor addition. 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 92-1 Parcel(s) 51

RESULT-Granted

CASE 2018-043 (Council District - 12)

Blake Moore, appellant and owner of the property located at **613 Topeka**, 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 75-7 Parcel(s) 97

RESULT-Denied, However the appellant is able to pull a permit on April 26, 2018

CASE 2018-046 (Council District - 06)

Allison Edwards, appellant and owner of the property located at **1304 Gartland Avenue**, requesting variances from side setback and roof pitch requirements in the R6 District, to renovate and use existing structure for a Detached Accessory Dwelling Unit. Referred to the Board under Section 17.12.020A, 17.16.030 G8A. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 83-9 Parcel(s) 7

RESULT-Granted

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CASE 2018-047 (Council District - 17)

Grover Collins, appellant and Victoria Fields, owner of the property located at **2225 10th Ave. S Units 201, 202, 203, 207**, requesting Item A appeal, appealing the cancellation short term rental permits (STRP) 2016071326, 2016071327, 2016071328 and 2016071335 based on the terms of the SP zoning district, which does not allow STRP uses. 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 105-13 Parcel(s) 245

RESULT-Deferred April 5, 2018

CASE 2018-048 (Council District - 15)

Josh Randolph, appellant and Josh Randolph, owner of the property located at **294 B Mc Gavock Pike**, requesting variance from sidewalk requirements in the R20 District, to construct a second unit of 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-New construction residential

Map 95-11 Parcel(s) 43

RESULT-Granted

CASE 2018-049 (Council District - 05)

Brandon Mc Donald, appellant and OIC, owner of the property located at **2 Fern Ave. A and B**, requesting variance from side setback requirements in the RM20-A District, to construct a two duplex development with four single family residences. Referred to the Board under Section 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Duplex

Map 711-4 Parcel(s) 19-CO

RESULT-Granted

CASE 2018-051 (Council District - 09)

Andrew Wolthers, appellant and Richland South LLC, owner of the property located at **526 Myatt Dr.**, requesting special exception to allow a waste transfer station in the IR District. Referred to the Board under Section 17.16.210(C). The appellant alleged the Board would have jurisdiction under Section 17.40.180(C).

Use- Waste Transfer Station

Map 34 Parcel(s) 5

RESULT-Denied

CASE 2018-052 (Council District - 20)

Michael Connerth, appellant and Connerth Construction, owner of the property located at **4920 Indiana Ave**, requesting a variance from side setback requirements in the R6 District. The request is to reduce the required 6' setback to a 4'6" side setback for the single family residence currently under construction.. 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 911-1-R Parcel(s) 2-CO

RESULT-Granted

CASE 2018-053 (Council District - 15)

Michael and Karen Angarole, appellants and owners of the property located at **2124 Wooddale Lane**, requesting variance from sidewalk requirements in the R15 District, to construct 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 52-13 Parcel(s) 275

RESULT-Deferred

CASE 2018-054 (Council District - 11)

Nancy Nygaard, appellant and owner of the property located at **477 General Kershaw Dr.**, 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 64 Parcel(s) 71

RESULT-Granted

CASE 2018-055 (Council District - 16)

Mike Donoho, appellant and International Church of foursquare gospel, owner of the property located at **2949 Nolensville Pike**, requesting a variance from sidewalk requirements in the CS District, to rehab an office building. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-sidewalk

Map 119-13 Parcel(s) 97

RESULT-Granted

CASE 2018-056 (Council District - 05)

Invent Communities, appellant and Invent Communities, owner of the property located at **908 Lischey Ave**, requesting a variance from sidewalk requirements in the SP District, to allow construction of townhomes. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Sidewalk variance

Map 82-3 Parcel(s) 399

RESULT-Granted

CASE 2018-057 (Council District - 19)

Liz Sauer, appellant and Susan and Willad Radford, owner of the property located at **856 1st Ave N**, 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 82-14-A Parcel(s) 92-CO

RESULT-Denied, However the appellant will be able to apply for a permit on March 16, 2018

CASE 2018-058 (Council District - 07)

Russell Rorie, appellant and owner of the property located at **1130 Kirkland 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 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 72-7 Parcel(s) 78

RESULT-Denied, However the appellant will be able to apply for a permit on April 30, 2018

CASE 2018-059 (Council District - 19)

Willow Street Partners, appellant and owner of the property located at **65 Willow Street**, requesting a variance from sidewalk requirements in the OV-UZO, IR District, to construct a 4,000 square foot 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 94-9 Parcel(s) 28

RESULT-Granted

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CASE 2018-060 (Council District - 22)

Brendan Boles, appellant and Michael D. Shmerling Partners, owner of the property located at **7025 Charlotte Pike**, requesting a variance from sidewalk requirements in the R40 District, for multifamily construction. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-sidewalk variance

Map 102-13 Parcel(s) 2

RESULT-Granted

CASE 2018-061 (Council District - 23)

Stephen Gallant, appellant and Jeffery Czischke, owner of the property located at **528 Harpeth Trace Drice**, requesting an Item A appeal, appealing the zoning staff's decision to revoke a short term rental permit based upon multiple violations of law. 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 143-2-A Parcel(s) 27-CO

RESULT-Deferred April 5, 2018

CASE 2018-062 (Council District - 20)

Jeff Parnell, appellant and Brian Chandler, owner of the property located at **525 Basswood Avenue**, requesting a variance from sidewalk requirements in the IWD District, for proposed boat storage facility. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Storage Facility

Map 9-8 Parcel(s) 186

RESULT-Granted

CASE 2018-063 (Council District - 18)

Dewey Engineering, appellant and All Sevens, LLC, owner of the property located at 2909 12th Ave. S, requesting a variance from sidewalk requirements in the OR20 District, to construct a yoga studio. Referred to the Board under Section 17.020.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Studio

Map 118-1 Parcel(s) 94

RESULT-Deferred April 5, 2018

CASE 2018-064 (Council District - 24)

Dewey Engineering, appellant and EBO PROPERTIES, GP, owner of the property located at 3813 ELKINS AVE, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.020.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single family

Map 92-13 Parcel(s) 208

RESULT-Granted with Conditions: Granted variance for frontage on Elkins, but required payment into the sidewalk fund for 39th Avenue as indicated in Planning's recommendations