

BZA Docket

8/2/2018

1:00 P.M.

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

Meeting at the MNPS Board of Education Meeting Room  
2601 Bransford Avenue

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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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**Previously Heard Cases Requiring Board Action:**

**Case 122 (4804 Dakota Avenue)** – Setback and height variances for a detached garage.  
Previously heard on 7/5/2018.

**Results**

**Cases 352, 353, and 354 (3236, 3240, & 3242 Hummingbird Drive)** - Street setback,  
height, and square footage variances for single family residences. Previously heard on  
7/19/2018.

**Results**

**Case 363 (1907 A&B 9<sup>th</sup> Avenue N.)** – Sidewalk variance. Previously heard on  
7/19/2018.

**Results**

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CASE 2018-252 (Council District - 17)

**Joni Elder**, appellant and Duina Norman & Pia Stratton, owners of the property located at **1802 8th Avenue South**, requesting a special exception and a variance from minimum separation requirements in the CS District, for use as a kennel. Referred to the Board under Section 17.16.175. The appellant alleged the Board has jurisdiction under Section 17.40.180(B&C).

Use-Kennel

Map 105-1 Parcel(s) 102

**RESULT**

CASE 2018-334 (Council District - 17)

**Charles McTorry**, appellant and owner of the property located at **207 Mildred Shute Drive**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence without sidewalks. Referred to the Board under Section 17.12.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

**RESULT**

CASE 2018-343 (Council District - 09)

**Lonnie Harper**, appellant and Mule Train Farms, owner of the property located at **222 Myatt Drive**, requesting a variance from sidewalk requirements in an SP District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 431-1 Parcel(s) 37

**RESULT**

CASE 2018-366 (Council District - 18)

**Ethan Colclasure**, appellant and Gina Napoli, owner of the property located at **2812 Hillside Drive**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a single family residence without sidewalks. Referred to the Board under Section 17.12.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 104 Parcel(s) 209

**RESULT**

CASE 2018-375 (Council District - 24)

**Bailey Neal**, appellant and owner of the property located at **5535 & 5533 Kendall Drive**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family residences without constructing updated sidewalks or paying into the sidewalk fund. 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 103-6-1 Parcel(s) 1-CO

**RESULT**

CASE 2018-377 (Council District - 02)

**Chelsea Hannan**, appellant and Woodford Construction, owner of the property located at **2125 24th Avenue N.**, requesting a variance from sidewalk requirements in the R6 District, to construct a Multi-Family residence without building sidewalks along 24th Avenue North. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-multi family

Map 81-2 Parcel(s) 120

**RESULT-WITHDRAWN**

CASE 2018-379 (Council District - 34)

**Tracey Little**, appellant and Janet Hardin, owner of the property located at **4019 Vailwood Drive**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence without constructing sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 117-13 Parcel(s) 43

**RESULT**

CASE 2018-380 (Council District - 17)

**Duane Cuthbertson**, appellant and Aspen Construction, owner of the property located at **851 Clayton Avenue**, requesting a variance from side setback requirements in the R10/UDO District, to keep the existing residence at the current setback. Referred to the Board under Section 17.12.020(A). The appellant alleged the Board has jurisdiction under Section 17.40.180 (B).

Use-Single Family

Map 118-5-S Parcel(s) 2-CO

**RESULT**

CASE 2018-381 (Council District - 08)

**Ryan Sanchez**, appellant and owner of the property located at **1024 W. Kirkland Avenue**, requesting a variance from sidewalk requirements in the OR20 District, to construct a commercial 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 72-2 Parcel(s) 39

**RESULT**

CASE 2018-385 (Council District - 01)

**Amanda Villalobos**, appellant and owner of the property located at **3804 Fairview Drive**, requesting a variance from sidewalk requirement in the RS15 District, to construct a single family residence. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-single family

Map Parcel(s)

**RESULT**

CASE 2018-386 (Council District - 17)

**Jeffrey Hearington**, appellant and Willie Cross, owner of the property located at **1812 Beech Avenue**, requesting a variance from sidewalk requirements in the R8 District, to construct a two-family residence and contribute to the sidewalk fund rather than constructing new sidewalks. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-two family

**RESULT**

CASE 2018-393 (Council District - 21)

**Christian Dalton**, appellant and Hospital Hospitality, owner of the property located at **214 Reidhurst Avenue**, requesting a variance from sidewalk requirements in the MUG-A District, to construct an addition to a commercial building without meeting the sidewalk requirements. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

**RESULT**

CASE 2018-402 (Council District - 20)

**George Lauderbeck**, appellant and owner of the property located at **1502 57th Avenue N.**, requesting a variance from rear setback requirements in the R6 District, to construct a single family residence. 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 91-6 Parcel(s) 192

**RESULT**

CASE 2018-406 (Council District - 10)

**Jimmy F. Sawyers**, appellant and owner of the property located at **1609 Springfield Highway**, requesting a special exception in the AR2a District, to use part of property for a Kennel. Referred to the Board under Section 17.16.175(A). The appellant alleged the Board has jurisdiction under Section 17.40.180(C).

Use-Kennel

Map 7 Parcel(s) 168

**RESULT**

CASE 2018-407 (Council District - 05)

**Baker Donelson**, appellant and April Nava, owner of the property located at **407 Douglas Avenue**, requesting a special exception from sky plane restrictions in the RM20-A District, to construct the proposed townhome. Referred to the Board under Section 17.12.035. The appellant alleged the Board has jurisdiction under Section 17.40.180(C).

Use-Townhomes

Map 711-6 Parcel(s) 176

**RESULT**

CASE 2018-408 (Council District - 01)

**Stephen K. Camp**, appellant and owner of the property located at **4738 Whites Creek Pike**, requesting a variance from side setback requirements in the AR2a District, to construct a detached garage. 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-Detached Garage

Map 3 Parcel(s) 173

**RESULT**

CASE 2018-409 (Council District - 35)

**Smith-Packet**, appellant and V.C. Daugherty, Etux, owner of the property located at **8234 Highway 100**, requesting a variance from floor area restrictions in the AR2A District, to construct an Assisted Care Living Facility. Referred to the Board under Section 17.12.020 B. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Assisted Care

Map 155 Parcel(s) 109

**RESULT-Deferred to 8/16/2018**

CASE 2018-410 (Council District - 26)

**William Haynes**, appellant and owner of the property located at **521 Arrowwood Drive**, requesting variances from rear setback and maximum height restrictions in the RS20 District, to construct a detached garage to rear of residence. Referred to the Board under Section 17.12.020 (a) and 17.12.060 (b). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-single family

Map 146-11 Parcel(s) 97

**RESULT**

CASE 2018-413 (Council District - 06)

**Manley Seale**, appellant and Robert Acuff, owner of the property located at **912 Main Street**, requesting variances from sidewalk and parking requirements in the MUG-A District, to rehab existing building for a proposed bar. Referred to the Board under Section 17.20.120 and 12.20.030. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Bar

**RESULT**

CASE 2018-414 (Council District - 05)

**Ben Kelly**, appellant and owner of the property located at **220 and 222 Duke Street** requesting a variance from sidewalk requirements in the R6-A District, to construct two houses on one parcel. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use- Two Family

**RESULT-Deferred 9/6/2018**

CASE 2018-416 (Council District - 21)

**Keith Dowd**, appellant and Mark Lynn, owner of the property located at **3168 Parthenon Avenue**, requesting a variance from sidewalk requirements in the RM20 District, to construct two duplexes without constructing sidewalks or paying into the sidewalk fund. 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 104-2 Parcel(s) 52

**RESULT**



CASE 2018-417 (Council District - 21)

**Keith Dowd**, appellant and Dowd Development & Design, LLC, owner of the property located at **4313 Albion Street**, requesting a variance from sidewalk requirements in the IR District, to construct an office building without constructing sidewalks or paying into the fund. 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 91-8 Parcel(s) 231

**RESULT-Deferred 8/16/2018**

**SHORT TERM RENTAL PERMIT APPEALS**

CASE 2018-200 (Council District - 17)

**Alicia Gardner**, appellant and owner of the property located at **492 Southgate 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

**RESULT**

CASE 2018-271 (Council District - 07)

**Julia Trehy**, appellant and owner of the property located at **1927 Riverwood 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

**RESULT**

CASE 2018-291 (Council District - 29)

**Martin Rule**, appellant and owner of the property located at **288 Clearlake Drive W.**, 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 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 136-6 Parcel(s) 131

**RESULT**

CASE 2018-340 (Council District - 06)

**Sheetal Jhaveri**, appellant and owner of the property located at **1101 Shelby 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 0831-3 Parcel(s) 22

**RESULT**

CASE 2018-376 (Council District - 07)

**Joel Hood**, appellant and owner of the property located at **1626 A Northview 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

**RESULT**

CASE 2018-382 (Council District - 30)

**Barrett Wilson**, appellant and owner of the property located at **3745 Faulkner 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 147-8 Parcel(s) 135

**RESULT**

CASE 2018-387 (Council District - 03)

**Mi'kael Reed**, appellant and owner of the property located at **3240 Doverside 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 5-14 Parcel(s) 82

**RESULT**

CASE 2018-390 (Council District - 02)

**Dora Moore**, appellant and owner of the property located at **908 A Youngs Lane**, 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 has jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 7007 Parcel(s) 500

**RESULT**

CASE 2018-391 (Council District - 19)

**Natalie Hannigan**, appellant and owner of the property located at **1109 Jackson 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 92-4 Parcel(s) 234

**RESULT**

CASE 2018-392 (Council District - 15)

**John Graham**, appellant and owner of the property located at **2104 Elm Hill Pike**, 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 95-14 Parcel(s) 74

**RESULT**