

**BZA Results**

**9/20/2018**

**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**

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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 2018-316 (Council District - 20)**

**Cleveland Bain**, appellant and **JOHNSON, ROBERT L. ETUX**, owner of the property located at **439 W BEND DR**, requesting a variance from sidewalk requirements in the R8 District, to construct a single family residence 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-single family construction

Map Parcel 09113021000

**RESULT - WITHDRAWN 9/19/18 case withdrawn by applicant and Cleveland Bain**

**CASE 2018-318 (Council District - 15)**

**LIZAR, CRAIG M.**, appellant and **LIZAR, CRAIG M.**, owner of the property located at **3117 PENN MEADE WAY**, 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 RS10 District, to obtain a permit. Referred to the Board under Section 17.16.250 (E). The appellant alleged the Board would have jurisdiction under Section 17.40.180().

Use-Short Term Rental

Map Parcel 052130B42400CO

**RESULT - UPHeld** Able to apply for a permit on 11/24/18

**CASE 2018-454 (Council District - 19)**

**LANDMARK HOMES OF TN**, appellant and **PAYNE, GREGORY SCOTT**, owner of the property located at **921 13TH AVE S**, requesting variances from garage orientation requirements and driveway size requirements in the R-6A District, to construct 2 single family residences on one lot. Referred to the Board under Section 17.12020A B.2 and B.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two-Family Residence

Map Parcel 10501007000

**RESULT - BZA\_DENIED** Appellant not present for two meetings.

**CASE 2018-482 (Council District - 35)**

**THURLEY, RODERICK DOUGLAS & DAWN JANENE**, appellant and **THURLEY, RODERICK DOUGLAS & DAWN JANENE**, owner of the property located at **7668 OLD CHARLOTTE 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 in the AR2A District, to obtain a 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 Parcel 11400031400

**RESULT - UPHELD** Able to apply for a permit on 9/21/18

**CASE 2018-485 (Council District - 7)**

**Angelina Agin**, appellant and **AGIN, ANGELINA M. & ADAM & DUFRESNE, ANNA M.**, owner of the property located at **2226 SCOTT AVE**, 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 R6 District, to obtain a 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 Parcel 07210025100

**RESULT - WITHDRAWN**

**CASE 2018-486 (Council District - 20)**

**DANKO, ANNE MARIE**, appellant and **DANKO, ANNE MARIE**, owner of the property located at **5636 KENDALL DR**, requesting a variance to accessory building floor area in the RS7.5 District, to construct a 14 x 18 Ft screened porch addition to detached garage. Referred to the Board under Section 17.12.050. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10306001000

**RESULT - GRANT\_COND** granted on the condition that the appellant never encloses the porch

**CASE 2018-487 (Council District - 21)**

**JEFF STROMATT**, appellant and **WOODBINE COMMUNITY ORGANIZATION WCO INC**, owner of the property located at **2508 FINLAND ST**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section . The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08110015000

**RESULT - GRANT\_COND granted on the condition that the appellant follows planning's recommendation**

**CASE 2018-488 (Council District - 23)**

**PRESTON QUIRK**, appellant and **COUZINS, JOHN F.**, owner of the property located at **1020 DAVIDSON RD**, requesting a variance from front setback requirements in the RS40 District, to construct a 9x31.5 front porch. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Porch

Map Parcel 11503010600

**RESULT - GRANT\_COND granted on the condition that the porch is never enclosed**

**CASE 2018-489 (Council District - 5)**

**BUBIS, RACHEL**, appellant and **BUBIS, RACHEL**, owner of the property located at **1218 LISCHY AVE**, 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 District, to obtain a 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 Parcel 07115046800

**RESULT - UPHELD Able to apply for a permit on 9/20/18**

**CASE 2018-490 (Council District - 21)**

**MONTY, AARON & RIENKS, REBECCA**, appellant and **MONTY, AARON & RIENKS, REBECCA**, owner of the property located at **1815 12TH AVE 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 in the R6 District, to obtain a 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 Parcel 08107035100

**RESULT - UPHELD** Able to apply for a permit on 10/9/18

**CASE 2018-491 (Council District - 17)**

**KEN BAKER**, appellant and **DUKE, KEVIN E.**, owner of the property located at **1989 GATLIN DR**, requesting a variance from street setback requirements in the R8 District, to construct a covered front porch. Referred to the Board under Section . The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Covered Porch

Map Parcel 10614002000

**RESULT - GRANTED**

**CASE 2018-492 (Council District - 6)**

**REMICK MOORE**, appellant and **MURPHREE, MOLLIE & BENOLD, LAURA**, owner of the property located at **2505 EASTLAND AVE**, requesting a variance from street setback requirement in the R10 District, to construct an addition to the front and side of existing single family residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08312015600

**RESULT - GRANTED**

**CASE 2018-493 (Council District - 17)**

**ADAM SEGER**, appellant and **1700 8TH AVE, LLC**, owner of the property located at **1700 8TH AVE S**, requesting an Item D appeal, for a change in the legally non-conforming use on this lot. in the CS District, the parking lot can be used for a new vehicular rental business. Referred to the Board under Section 17.40.180 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180(D).

Use-Commercial

Map Parcel 10506020000

**RESULT - GRANT\_COND** granted on the condition that no chain length fence be installed along the property line adjacent to R6 zoning and that an opaque fence be used along the east and south side of the property

**CASE 2018-494 (Council District - 7)**

**TREHY, KEITH**, appellant and **TREHY, KEITH**, owner of the property located at **2400 PAFFORD 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 in the R10 District, to obtain a 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 Parcel 08304007300

**RESULT - WITHDRAWN** no response from appellant

**CASE 2018-495 (Council District - 16)**

**CAPRICE PALMER**, appellant and **PALMER, CAPRICE & CAMPBELL, DEBORAH**, owner of the property located at **518 ELGIN ST**, requesting a variance from setback requirements in the RS7.5 District, to construct a single family 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 Parcel 13301036700

**RESULT - GRANTED**

**CASE 2018-496 (Council District - 24)**

**WEAVER, JONATHAN B.**, appellant and **WEAVER, JONATHAN B.**, owner of the property located at **3614 NORMANDY PL 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 in the RS5 District, to obtain a 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 Parcel 09213046000

**RESULT - UPHELD** Able to apply for a permit on 9/24/18

**CASE 2018-497 (Council District - 20)**

**ROSE BOWE**, appellant and **BOWE, ROSE UTLEY & DAVID L.**, owner of the property located at **524 SNYDER AVE**, 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 R8 District, to obtain a 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 Parcel 09110026400

**RESULT - UPHELD** Able to apply for a permit on 11/15/18

**CASE 2018-499 (Council District - 20)**

**ROGER POTTER**, appellant and **O.I.C. HOMES AT 5804 MORROW ROAD**, owner of the property located at **5804C MORROW RD**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex without building sidewalks or contributing 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-Two-Family

Map Parcel 091062G90000CO

**RESULT - GRANT\_COND** Approved on the condition that the appellant builds a 4' grass strip and a 5' sidewalk along Morrow and 58th.

**CASE 2018-500 (Council District - 17)**

**TOM FERRELL**, appellant and , owner of the property located at **2154C BYRUM AVE**, requesting a variance from driveway number and width restrictions in the R6-A District, to construct a duplex with two driveways of 22.5' each. Referred to the Board under Section 17.12.020 B. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map Parcel 105112G90000CO

**RESULT - GRANT\_COND** granted on the condition that the appellant constructs one driveway up to 20ft in width and creates to parking pads that are able to go into the side setback.

**CASE 2018-502 (Council District - 21)**

**JAY FULMER**, appellant and **CHABAD JEWISH STUDENT CENTER AT VANDERBILT, INC.**, owner of the property located at **111 23RD AVE N**, requesting variances from setback, drive isle width and parking requirements in the MUG-A District, to construct a cultural center. Referred to the Board under Section 17.12.020 (d), 17.12.030, 17.12.060. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-CULTURAL CENTER

Map Parcel 09215014500

**RESULT - GRANTED**

**CASE 2018-505 (Council District - 17)**

**KELLY KELLEGG**, appellant and **COTTRELL, ANTHONY W.**, owner of the property located at **1995 GATLIN DR**, requesting a variance from sidewalk requirements in the RS10 District, to restore a fire damaged single family residence without installing sidewalks or contributing to 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 Parcel 10614008200

**RESULT - GRANT\_COND** Granted on the condition that the appellant follows planning's recommendation



**CASE 2018-506 (Council District - 26)**

**WILLIAM HAYNES**, appellant and **HAYNES, WILLIAM J. & LYNCH, JEFFREY C.**, owner of the property located at **521 ARROWWOOD DR**, requesting a variance from maximum height restrictions in the RS20 District, to construct a detached garage. Referred to the Board under Section 17.12.060 (b). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Accessory Dwelling

Map Parcel 14611009700

**RESULT - GRANTED**

**CASE 2018-508 (Council District - 5)**

**TRIPP SMITH**, appellant and **RHYTHM HOMES AND DEVELOPMENT, LLC**, owner of the property located at **849 CHEROKEE AVE**, requesting a variance from landscape buffer requirements in the RM 20-A District, to construct 13 residential units. Referred to the Board under Section 17.24.240 b 26. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map Parcel 07209000300

**RESULT - GRANTED**

**CASE 2018-509 (Council District - 23)**

**CIVIL ENVIRONMENTAL CONSULTANTS**, appellant and **HILLWOOD COUNTRY CLUB**, owner of the property located at **6201 HICKORY VALLEY RD**, requesting a variance from sidewalk requirements in the RS40 District, to construct an addition to a country club without building 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-Country Club

Map Parcel 11601001000

**RESULT - GRANT\_COND granted on the condition that the appellant must follow planning's recommendation**

**CASE 2018-510 (Council District - 23)**

**DARBY BROWN**, appellant and **IROQUOIS PLAZA, LLC**, owner of the property located at **5115 HARDING PIKE**, requesting a variance from sidewalk and bike lane requirements in the CS District, to construct a medical 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-MEDICAL OFFICE

Map Parcel 11613010100

**RESULT - GRANT\_COND** **Granted on the condition that the appellant follows planning's recommendation.**

**CASE 2018-511 (Council District - 17)**

**GREEN HOME**, appellant and **BLOCK, PATRICK & ERIN**, owner of the property located at **908 HALCYON AVE**, requesting Item D appeal in the R8 District, to construct an addition to rear of the existing legally nonconforming structure. Referred to the Board under Section 17.40.660 (c). The appellant alleged the Board would have jurisdiction under Section 17.40.180(D).

Use-SINGLE FAMILY

Map Parcel 11801032800

**RESULT - GRANTED**

**CASE 2018-512 (Council District - 6)**

**SCOTT SMITH**, appellant and , owner of the property located at **2105 EASTLAND AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex without building 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 Parcel 083073C00100CO

**RESULT - GRANT\_COND** **granted on the condition that the appellant follows planning's recommendation**