

D O C K E T

10/4/2018

1:00 P.M.

**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. DAVID TAYLOR, Vice-Chair
MS. ALMA SANFORD**

CASE 2018-479 (Council District - 19)

REGIONS BANK, appellant and **PRIM ONE NASHVILLE PLACE, LLC**, owner of the property located at **150 4TH AVE N**, requesting an Item A appeal, challenging the zoning administrator's issuance of a sign permit in the DTC District. Referred to the Board under Section 17.40.180 (A). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Commercial

Map Parcel 09306110300

RESULTS: Deferred 11/1/18

CASE 2018-480 (Council District - 7)

JOHN PIRTLE, appellant and **EASTLAND DEVELOPMENT, LLC**, owner of the property located at **1301 C PORTER RD**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex without constructing sidewalks or paying into the sidewalk fund. 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-Two Family

Map Parcel 083031F00100CO

RESULTS:

CASE 2018-484 (Council District - 31)

NORA EL-CHAER, appellant and **KIMBERLY & CHARLES WARDEN**, owner of the property located at **6391 PETTUS RD**, requesting a special exception in the AR2A District, to operate a kennel. Referred to the Board under Section 17.16.175 (a). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-Kennel

Map Parcel 18100022500

RESULTS:

CASE 2018-501 (Council District - 5)

JAY FULMER, appellant and **KEY MOTEL, LLC**, owner of the property located at **1414 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to renovate an existing hotel without updating the sidewalks. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Hotel

Map Parcel 07111000500

RESULTS: Deferred 10/18/18

CASE 2018-503 (Council District - 15)

JAY FULMER, appellant and **HJL PROPERTIES, GP**, owner of the property located at **2414 LEBANON PIKE**, requesting a variance from sidewalk requirements in the CL District, to construct an addition to an existing restaurant without building sidewalk or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-RESTAURANT

Map Parcel 09504000300

RESULTS:

CASE 2018-504 (Council District - 2)

PHILIP NEAL, appellant and **METRO DEE PARTNERS**, owner of the property located at **2030 ROSA L PARKS BLVD**, requesting variances from sidewalk and landscape requirements in the CS District, to construct two commercial buildings without upgrading the existing sidewalks. Referred to the Board under Section 17.24.240 and 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map Parcel 08104022900

RESULTS:

CASE 2018-507 (Council District - 19)

WILLIAM REDFORD, appellant and **NORMAN, ROBERT K.**, owner of the property located at **614 GARFIELD ST**, requesting a variance from sidewalk requirements in the R6-A District, to conduct interior rehabilitation to an existing market without building new sidewalks or paying into the sidewalk fund. 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-Convenience Market

Map Parcel 08108041400

RESULTS:

CASE 2018-513 (Council District - 34)

BAIRD GRAHAM, appellant and **HAUCO, LLC**, owner of the property located at **3501 TRIMBLE RD**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence without building sidewalks. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 13105002000

RESULTS:

CASE 2018-515 (Council District - 25)

URBAN DEVELOPMENT, appellant and **SHORTWAVE, LLC**, owner of the property located at **2034 CASTLEMAN DR**, requesting a variance from sidewalk requirements in the R15 District, to construct a duplex. 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-Two-Family

Map Parcel 131060L00100CO

RESULTS:

CASE 2018-517 (Council District - 3)

DBS and Associates, appellant and **CHURCH ON THE ROCK OF NASHVILLE TN, INC.**, owner of the property located at **1304 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to construct a religious institution without building sidewalks or paying into the sidewalk fund. 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-Religious Institution

Map Parcel 03300024100

RESULTS:

CASE 2018-518 (Council District - 15)

608 HOTELS, LLC, appellant and owner of the property located at **608 MCGAVOCK PIKE**, requesting a variance to reduce landscape buffer yard from 20' to 12', and a variance from height and sky plane restrictions in the CL District, to construct a hotel. Referred to the Board under Section 17.24.240C (c-3) 17.12.020 C. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-HOTEL

Map Parcel 09511019000

RESULTS:

CASE 2018-519 (Council District - 23)

KIM SHINN, appellant and owner of the property located at **884 RODNEY DR**, requesting variances from side and front setback requirements in the RS40 District, to construct a 900 sq ft addition along the north side of existing single family residence. Referred to the Board under Section 17.12.030.c.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 11505006700

RESULTS:

CASE 2018-520 (Council District - 5)

FOWLKES, EARL M., appellant and owner of the property located at **1075 ZOPHI ST**, requesting a variance from front setback requirements in the R6 District, to construct a new front porch on an existing residence over the existing landing. Referred to the Board under Section 17.12.030. C.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use- SINGLE FAMILY

Map Parcel 07206016800

RESULTS:

CASE 2018-521 (Council District - 13)

PLEASANT HILL CHURCH OF CHRIST, appellant and **ROBERT WALDEN, ET AL, TRS.**, owner of the property located at **3354 BELL RD**, requesting a special exception in the R15 District, to construct a religious institution. Referred to the Board under Section 17.16.170 (E). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-RELIGIOUS INSTITUTION

Map Parcel 10800014700

RESULTS:

CASE 2018-522 (Council District - 17)

THE MC2 GROUP, INC., appellant and owner of the property located at **1704 CARVELL AVE**, requesting a variance to allow front loading garage in the R6-A District, to construct a single-family residence with front loading garage. Referred to the Board under Section 17.12.020 (A). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10511019200

RESULTS:

CASE 2018-525 (Council District - 15)

WILLIAM BLANTON, appellant and owner of the property located at **2333 REVERE PL**, requesting a variance from height requirements in the RS20 District, for garage built over maximum allowed height.. Referred to the Board under Section 17.12.060 (B). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08415013000

RESULTS:

CASE 2018-526 (Council District - 5)

MELISSA CHAMBERS, appellant and owner of the property located at **1219 N 7TH ST**, requesting a variance from front setback requirements in the RS5 District, to construct a front porch on existing single family residence. Referred to the Board under Section 17.12.035. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 07116025100

RESULTS:

CASE 2018-527 (Council District - 26)

GLADU, FRANCIS X. & PATRICIA M., appellant and owners of the property located at **5136 COCHRAN DR**, requesting a variance from side setback requirements in the RS20 District, to construct a 12'x20' screened porch off south side of a single family residence. Referred to the Board under Section 17.12.020 a. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 16101000500

RESULTS:

CASE 2018-529 (Council District - 34)

JEFF KINMAN, appellant and owner of the property located at **4009 COPELAND DR**, requesting variances from setback requirements and height restrictions in the RS20 District. Referred to the Board under Section 17.12.020 and 17.12.060 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 11616003800

RESULTS:

CASE 2018-530 (Council District - 15)

HUNTER HAKANSON, appellant and owner of the property located at **251 FAIRWAY DR**, requesting two setback variances in the RS10 District, to construct an addition to the house and construct a detached shed. Referred to the Board under Section 17.12.020 and 17.12.040. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 09507003800

RESULTS:

CASE 2018-531 (Council District - 17)

MARK WALLACE, appellant and **RISE DEVELOPMENT, LLC**, owner of the property located at **1108 WADE AVE**, requesting variances from minimum lot area restrictions and sidewalk requirements in the RM20 District, to construct 3 residential units without updating sidewalks or contributing to the sidewalk fund. Referred to the Board under Section 17.12.020 B and 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Multi-Family

Map Parcel 10505026900

RESULTS:

CASE 2018-532 (Council District - 2)

SEAN ROBERGE, appellant and **JOSEPH PIERCE, JOSEPH & WILLIAM LUCAS**, owners of the property located at **1020 B ALICE ST**, requesting a variance from front setback requirements in the R8 District, to construct a single family residence. Referred to the Board under Section 17.12.030 (c) 3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 070070M00200CO

RESULTS:

CASE 2018-533 (Council District - 2)

SEAN ROBERGE, appellant and **JOSEPH PIERCE, JOSEPH & WILLIAM LUCAS**, owners of the property located at **1020 A ALICE ST**, requesting a variance from front setback requirement in the R8 District, to construct a single family residence. Referred to the Board under Section 17.12.030 (c) 3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 070070M00100CO

RESULTS:

CASE 2018-534 (Council District - 17)

JOSH HELLMER, appellant and **H.C. DUKE**, owner of the property located at **0 SHEPARD ST**, requesting variances from lot size and front setback and sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.40.670 , 17.12.030 C3 and 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10504012700

RESULTS:

CASE 2018-536 (Council District - 20)

Lauren Harris, appellant and **BELLS BLUFF, LLC**, owner of the property located at **7600 CABOT DR**, requesting sign variances from height, size, and internal illumination restrictions in the RM20 District, to construct a new sign. Referred to the Board under Section 17.32.080 B 5, 17.32.080 B, 17.32.080 C1. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-MULTI-FAMILY

Map Parcel 10200001800

RESULTS:

CASE 2018-537 (Council District - 16)

BAKER DONELSON, appellant and **KNESTRICK PROPERTIES HOLDINGS, LLC**, owner of the property located at **2615 GRANDVIEW AVE**, requesting a variance from sidewalk requirements, requesting not to build or pay into the sidewalk fund in the IWD District, to construct a 4000 sf 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-Warehouse

Map Parcel 11905012900

RESULTS:

CASE 2018-541 (Council District - 17)

Josh Hellmer, appellant and **SAMUEL BUCHANAN, ET AL**, owners of the property located at **16 CLAIBORNE ST**, requesting a variance from side street setback requirements in the R6 District, to build two single family homes with garage door facing side street at 8' setback. Referred to the Board under Section 17.12.030 C2, 17.20.060 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two Family

Map Parcel 10504001000

RESULTS:

CASE 2018-545 (Council District - 7)

MARGARET PARRISH, appellant and **CHARLES ROGERS HOLMES**, owner of the property located at **1315 OTAY ST**, requesting a variance from sidewalk requirements in the R6 District, to construct a new duplex. 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-Two-Family

Map Parcel 07210025600

RESULTS:

SHORT TERM RENTAL CASES

CASE 2018-272 (Council District - 19)

DIANA CATANIA, appellant and **THE DIANA CATANIA TRUST**, owner of the property located at **508 A BUCHANAN ST**, 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-A District, to obtain a short term rental 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 Parcel 081082000100CO

RESULTS:

CASE 2018-419 (Council District - 8)

SCARLET WEIR & MARK HIRST, appellant and **SARAH RODMAN**, owner of the property located at **812 JONES PL**, 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 Parcel 06016030800

RESULTS:

CASE 2018-421 (Council District - 6)

MACDONALD, GREGGORY J., appellant and owner of the property located at **924 DALEBROOK LN**, 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 Parcel 08308003300

RESULTS:

CASE 2018-514 (Council District - 17)

MCDONALD, ROBERT BRANDON, appellant and owner of the property located at **1067 B 2ND AVE S**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant continued to operate after transfer of ownership, in violation 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 Parcel 105030I00400CO

RESULTS:

CASE 2018-528 (Council District - 15)

KELLIE VONSCHIPMANN, appellant and owner of the property located at **149 SPRING VALLEY RD**, 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 Parcel 09508011200

RESULTS:

CASE 2018-535 (Council District -20)

LAUREN HARRIS, appellant and owner of the property located at **1503 JEFFERSON ST**, 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 Parcel 10200001800

RESULTS:

2018-272

Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210
615-862-6530



Appellant : Diana Catania
Property Owner: Diana Catania
Representative: Diana Catania
Council District 19

Date: 4-24-18
Case #: 2018-272
Map & Parcel 081082000100CO

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.
Activity Type: Short Term Rental
Location: 508 A Buchanan St.

This property is in the R6-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

•Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant is not eligible for 2nd STRP permit on HPR property.

Section(s): 17.16.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

P. David L. Roberts 4.24.18
Completed and witnessed, Date

Diana Catania
Name (Please Print)

dcatania@comdevindustries.com

Applicant's e-mail address

Signature

(949) 939-9909

Applicant's phone

508 A Buchanan St.

Mailing Address

Nashville, TN 37208

City, State, Zip Code

(949) 939-9909

Phone Number

This will also serve as a receipt of (cash) (check) to partly compensate for the expenses under this appeal.

Appeal Fee: \$ 100.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3487706

**ZONING BOARD APPEAL / CAAZ - 20180022835
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 081082000100CO

APPLICATION DATE: 04/24/2018

SITE ADDRESS:

508 A BUCHANAN ST NASHVILLE, TN 37208
UNIT A THE ELEMENT AT BUCHANAN

PARCEL OWNER: CATANIA, DIANA M. 2008 REVOCABLE TR

CONTRACTOR:

APPLICANT:

PURPOSE:

****4-24-18**** Permit application is being generated to allow applicant to appeal to BZA due to zoning examiner rejecting applicants request for STRP permit on HPR property with existing STRP permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

Braisted, Sean (Codes)

From: Jamie Hollin <j.hollin@me.com>
Sent: Monday, June 18, 2018 11:29 AM
To: Lifsey, Debbie (Codes)
Subject: Re: Diana Catania

Thank you!!!

Please defer to August 2, 2018 meeting.

On Jun 18, 2018, at 11:27 AM, Lifsey, Debbie (Codes) <Debbie.Lifsey@nashville.gov> wrote:

From: Jamie Hollin [<mailto:j.hollin@me.com>]
Sent: Monday, June 18, 2018 11:25 AM
To: Lifsey, Debbie (Codes)
Subject: Fwd: Diana Catania

Can you please send me the dates available for July and August?

I need to pick a date to defer this case again. I am sure it is set for June 21, but need to move it.

Thank you, Jamie

Begin forwarded message:

From: Jamie Hollin <j.hollin@me.com>
Subject: Diana Catania
Date: May 24, 2018 at 12:57:54 PM CDT
To: "Lifsey, Debbie (Codes)" <Debbie.Lifsey@nashville.gov>

Hi Debbie! Hope you're well on this election day!

I represent the property owner Diana Catania. Her BZA appeal is set for June 7, and I need to respectfully request a one-meeting deferral.

Additionally, can you please send me all the necessary information to get the sign, mailer, etc. completed for this case?

Thank you very much, Jamie

Jamie Hollin

Attorney at Law
615-870-4650
j.hollin@me.com

IMPORTANT: This communication from the Law Office of Jamie Hollin is covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contains information that may be confidential and privileged. Be advised that if you are not the intended recipient(s), any dissemination, distribution or copying of this communication is prohibited. Please notify the undersigned immediately by telephone or return e-mail.

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Jamie Hollin
Attorney at Law
615-870-4650
j.hollin@me.com

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<2018- Zoning Appeal Dates.pdf>

Jamie Hollin
615-870-4650

Braisted, Sean (Codes)

From: Jamie Hollin <j.hollin@me.com>
Sent: Thursday, August 16, 2018 9:52 AM
To: Lifsey, Debbie (Codes)
Subject: Re: Appeal 2018-272

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Debbie: I believe this is the 508A Buchanan Street property. I need to defer this case for two meetings. The reason is because there's a case pending in court, which will likely be outcome determinative in this matter. Thank you very, very much.

Have an awesome day at BZA!

Jamie

On Aug 10, 2018, at 1:37 PM, Lifsey, Debbie (Codes) <Debbie.Lifsey@nashville.gov> wrote:

Jamie,

No payment has been made for appeal (2018-272) if not received by end of day we will have to defer the case until further notice.

Thank you,

Debbie Lifsey
Administrative Services Officer III
800 2nd Avenue South 1st Floor
Nashville, TN 37210
Office: (615) 862-6505
Fax: (615) 862-6514

Jamie Hollin
Attorney at Law
615-870-4650
j.hollin@me.com

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2018-272
oppose

31 July 2018

Metro Board of Zoning Appeals
P.O. Box 196300
Nashville, TN 37219-6300

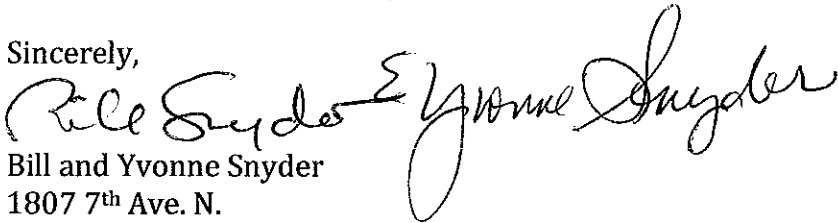
To Whom It Concerns:

We are writing to express our opposition to the appeal by Diana Catania challenging the zoning administrator's denial of a short-term rental permit for her property at 508A Buchanan Street.

We already have enough vacation rentals by owners in our neighborhood. It is our experience that the properties are often unkempt, and renters are often noisy and take up all of the parking spaces on the street.

Thank you for your consideration.

Sincerely,


Bill and Yvonne Snyder
1807 7th Ave. N.
Nashville, TN 37208

Judy Byrne-Mainord
1330 Derby Lane
Cookeville, TN 38506

August 07, 2018

Metropolitan Government of Nashville
Department of Codes & Building Safety
P.O. Box 196300
Nashville, TN 37219-6300

Re: Diana Catania Zoning Appeal
508A Buchanan Street
Appeal Case Number: 2018-272

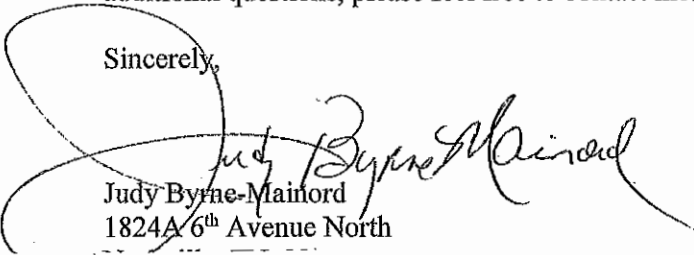
Dear Metropolitan Board of Zoning Appeals:

I would like to thank you for giving me the opportunity to respond. I am empathetic to Ms. Catania's situation, **but I am of the opinion the zoning board's denial should stand as denied.** Ms. Catania knew the requirement when she chose to operate a STRP without the required permit. As a STRP owner, I followed the required regulations and after months of waiting for a permit to become available, the board issued me the required permit.

Ms. Catania appears to have circumvented the rules, regulations, and requirements by operating without the required permit. He was able to avoid the application process as well as not paying the monthly required taxes. **I request that the board's ruling stand as denied.**

I realize you have a different job, but I do appreciate all you do for the City of Nashville. If you have any additional questions, please feel free to contact me.

Sincerely,



Judy Byrne-Mainord
1824A 6th Avenue North

Braisted, Sean (Codes)

From: Karen Light <karen@geekrealm.org>
Sent: Wednesday, August 8, 2018 9:07 AM
To: Board of Zoning Appeals (Codes)
Subject: Appeal Case #2018-272

Please add the following correspondence to the formal record regarding this case.

As a nearby resident of this home, I recommend to the board that the permit be denied. This neighborhood continually sees numerous violations of short term rental rules and if the rules are not enforced across the board people will continue to try to take advantage. We must continue to set a precedence that if you operate outside of the governance you will not be allowed to operate at all.

Full time residents are working hard to create community in our urban neighborhood. We have so many non-owner occupied short term rentals and when just one throws a weekend long party it can be disruptive, create trash issues and often times are inappropriate around neighborhood children (drinking, loud offensive singing, etc.). The unit attached to this one is a known party house short term rental that has been a continuing nuance to the neighborhood. The unit in question in this case has been for sale for almost a year and cannot be sold because of that attached unit; no one wants to live full time to next to it proving that short term rentals negatively impact property values. Yet another party house next door will only hurt the neighborhood and this person clearly cannot follow rules and does not have the best interest of the neighborhood in mind.

Karen Light
1812A 6th Ave N

2018-272
oppose

Melinda Quinn
509 Buchanan Street
Nashville, TN 37208
615-653-1093
MLNDKQNN@GMAIL.COM

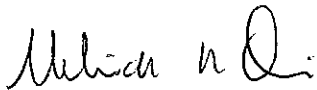
July 31, 2018

Department of Codes
PO Box 196300
Nashville, TN 37219-6300

To Whom it May Concern:

I am writing in regards to the zoning appeal filed by Ms. Catania on 508A Buchanan Street, appeal case number 2018-272. I was disappointed to hear that this active short-term rental has been operating for such a long time without a permit. This home is filled most weekends with a large number of guests. I would like to encourage the board to deny this appeal since the owner failed to follow documented protocol for the operation of a short term rental.

Thank you for your consideration,



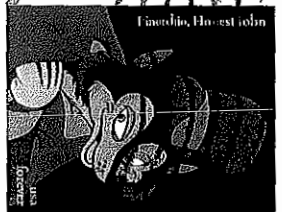
Melinda Quinn

Quinn
509 Buchanan St
Nashville TN 37208

NASHVILLE TN 370

RECEIVED 31 JUL 2018 PM 5 L
Office Administration

JUL 31 2018



DEPARTMENT OF CODES

P.O. Box 196300

Nashville, TN
37219-6300

37219-630000

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2018-272
OPPOSE

ESTEEMED MEMBERS OF THE BOARD :

I REQUEST THAT YOU DENY THE APPELLANT'S REQUEST. TO DO OTHERWISE IS TO CONDONE ILLEGAL BEHAVIOR AND TO CONTINUE THE DEGRADATION OF OUR SENSE OF COMMUNITY AND NEIGHBORLINESS.

WE ARE SURROUNDED BY AIR BNB "DEGRADATIONS," THEIR PARTY "BARGES," AND THEIR CONSTANT WHOOPING AND DRINKING GAME TOMFOOLEY FROM THE ROOFTOP DECKS, ENOUGH ALREADY, PLEASE DENY APPEAL 2018-272.

THANK YOU FOR YOUR TIME,

R.A. Hill

Ruth Hill

2018-419

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210
615-862-6530



Appellant : Scarlett Weir & Mark Hirst

Date: 6-19-18

Property Owner: Sarah Rodman

Case #: 2018-419

Representative: Scarlett Weir & Mark Hirst

Map & Parcel 06016030800

Council District 08

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

Location: 812 Jones Pl.

This property is in the RS10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

•Reason: 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.

Section(s): 17.16.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

P. Daniel Sealant 6-20-18
Completed and witnessed, Date

Scarlett Weir & Mark Hirst
Name (Please Print)

scarlett@managemusiccityproperty.com
Applicant's e-mail address

Scarlett Weir
Mark Hirst
Signature

(615) 294-8890
Applicant's phone

812 Jones Pl.
Mailing Address

Nashville, TN 37207
City, State, Zip Code

(615) 294-8890
Phone Number

This will also serve as a receipt of (cash) (check) to partly compensate for the expenses under this appeal.

Appeal Fee: \$ 100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3526844

ZONING BOARD APPEAL / CAAZ - 20180035827
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 06016030800

APPLICATION DATE: 06/20/2018

SITE ADDRESS:

812 JONES PL NASHVILLE, TN 37207
LOT 6 JONES VILLAGE

PARCEL OWNER: RODMAN, SARAH

CONTRACTOR:

APPLICANT:

PURPOSE:

****6-20-18**** Permit application is being generated to allow applicant to appeal to BZA for advertising/ operating a STR without a permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING--3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

*Mark Hunt
6/20/18*

Rental Unit Record

812 Jones Pl, Nashville, TN 37207, USA

Active ●
Identified ✓
Compliant X

PRINT

Airbnb - 23456146



Matched Details

Analyst CDZT

Explanation

Exterior matches in street view. The Nashville records and map confirm the location and address and show APN 06016030800. <http://prmtscr.com/jjn2en>

Listing Photos

Matching 3rd Party Sources



Same exterior. Same two trees.

Zip Code Match

City Name Match

Identified Address

812 Jones Pl, Nashville, TN 37207, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.216337, -86.757717

Parcel Number

06016030800

Owner Name

RODMAN, SARAH

Owner Address

812 Jones Pl
Nashville, TN 37207, US

Timeline of Activity

View the series of events and documentation pertaining to this property

First Warning - No STR or Tax: Delivered June 9th, 2018

First Warning - No STR or Tax: Sent


Listing Details

Listing URL	— https://www.airbnb.com/rooms/23456146	June 1st, 2018
Listing Status	● Active	📅 4 Documented Stays May, 2018
Host Compliance Listing ID	— air23456146	✓ Listing air23456146 Identified May 24th, 2018
Listing Title	— East Nashville Cottage "The Jones Place"	📅 1 Documented Stay April, 2018
Listing Info Last Captured	— Jun 17, 2018	✳ Listing air23456146 First Crawled March 27th, 2018
Screenshot Last Captured	— Jun 17, 2018	● Listing air23456146 First Activity March 27th, 2018
Price	— \$150/night	
Cleaning Fee	— \$150	

Information Provided on Listing

Contact Name	— Scarlett
Latitude, Longitude	— 36.217014, -86.758027
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 4
Number of Reviews	— 5
Last Documented Stay	— 05/2018

Listing Screenshot History

 [View Latest Listing Screenshot](#)

April 4

May 5

June 4

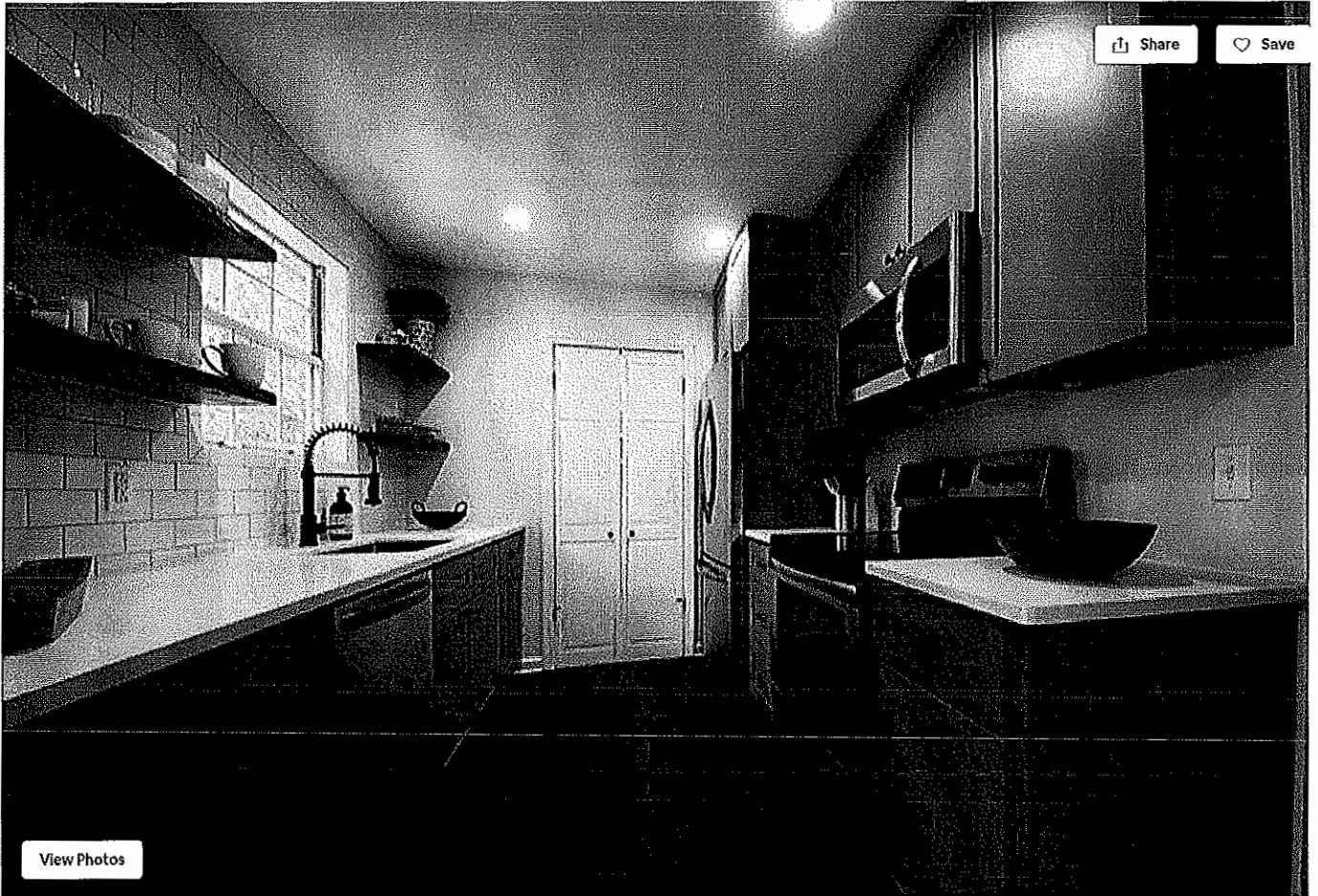
June 12, 2018 - 11:22AM America/Chicago



Anywhere

Become a host Earn credit Help Sign up Log in

Jun 12, 2018 11:22am America/Chicago



Share

Save

View Photos

ENTIRE HOUSE

East Nashville Cottage "The Jones Place"

Nashville



Scarlett

4 guests 2 bedrooms 2 beds 2 baths

HOME HIGHLIGHTS

Great check-in experience - 100% of recent guests gave this home's check-in process a 5-star rating.

Helpful · Not helpful

Scarlett is a Superhost - Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Helpful · Not helpful

Self check-in - Easily check yourself in with the keypad.

Helpful · Not helpful

Great LocationCute Cottage in Hip East Nashville, beautiful yard and deck on the back for sipping drinks and enjoying sunsets. Two beautiful bedrooms each with their own bath. The kitchen has open concept ,new appliances wonderful counter space with open shelves. The home is incredibly decorated and furnished, minutes to downtown.

The space

This home is 10 min to downtown , 15 min from the airport, 5 min to Grocery, 5 min to nightlife and food.

Hide ^

\$150 per night

★★★★★

Dates

Check In



Check Out

Guests

1 guest



Book

You won't be charged yet

Report this listing


Contact host


Amenities

- Free parking on premises
- Iron
- Kitchen
- Laptop friendly workspace
- Wifi
- TV

Show all 23 amenities

Sleeping arrangements


Bedroom 1
 1 queen bed


Bedroom 2
 1 queen bed

House Rules

- No smoking
- Not suitable for pets
- No parties or events
- Not safe or suitable for children (0-12 years) - This is an adult home set up for business professionals, couples and singles to enjoy Nashville for pleasure or work.
- Check-in is anytime after 3PM
- Self check-in with keypad

- Quiet hours after 12 midnight

You must also acknowledge

Surveillance or recording devices on property - This home has a ring door bell system in place

Hide rules ^

Cancellations

- Flexible
- Cancel up to 24 hours before check in and get a full refund (minus service fees). Cancel within 24 hours of your trip and the firs...Read more

Get details

Availability

2 nights minimum stay · Updated today

← June 2018						July 2018 →							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
29	30						29	30	31				

5 Reviews ★★★★★

Search reviews

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check-in	★★★★★
Cleanliness	★★★★★	Value	★★★★★



Lisa
May 2018

This house was adorable! It's very comfortable for 4 people. The place was spotless, communication was easy, there is parking, laundry, a gorgeous kitchen. I definitely suggest bringing a car since it's a bit off the beaten path, but you wouldn't have any issues getting an Uber/Lyft either. Highly recommend this place- it's Everything you need for a long weekend!



Elizabeth
May 2018

Scarlett and Marks place was on a dead end block about 10-15 min from downtown. It was perfectly homey, super clean and even had a washer and dryer for us keep looking sharp! Scarlett was incredibly easy to communicate with even after we had travel issues and arrived a day late. We highly recommend this home to any one visiting and cannot wait to come back and visit ourselves soon!!



Blake
April 2018

This place is a gem and rare find. Secluded, quiet, the neighbors are fantastic. If you get the chance to stay here, DO IT! It is just a special place, located at the end of a cul-de sac, in a beautiful area. We were so sad to leave. We stayed here for 4 weeks. We love it and will be back!



Response from Scarlett:
Thank you Blake please do come back and see us!
April 2018



Deanna
May 2018

This home was a great fit for our trip to Nashville. A nice home in a quiet neighborhood and only a quick \$10.00 Lyft/Uber ride to the city center.



Janelle
May 2018

We loved staying at the Jones place in Nashville. Location was very central to everywhere we wanted to go. House had all the amenities needed and it was nice to sit on the back deck in the afternoon sun. Perfect for two couples or a family. Quiet nice neighborhood.

This host has 47 reviews for other properties.

[View other reviews](#)

Hosted by Scarlett

Nashville, Tennessee, United States · Joined in September 2015



★ 52 Reviews

Scarlett is a Superhost · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Hi Guests, I am a Nashville native I love to host parties with friends and family. *She loves people, encouraging and helping others *She loves to laugh and enjoy life *She loves to travel *She is inspiring and caring Idealist *She is a mother to a wonderful daughter Mackenzie The Beach is her happy place!

Response rate: 100%

Response time: within an hour

[Contact host](#)

Always communicate through Airbnb · To protect your payment, never transfer

money or communicate outside of the Airbnb website or app. [Learn more](#)

About the home

When you stay in an Airbnb, you're staying in someone's home.

This is Scarlett's place.



Mark helps host.



The neighborhood

Scarlett's home is located in Nashville, Tennessee, United States.

Things to do in Nashville

Exact location information is provided after a booking is confirmed.

Explore other options in and around Nashville

More places to stay in Nashville: Apartments · Bed and breakfasts · Lofts · Villas · Condominiums

2018-421

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210
615-862-6530



Appellant : Greggory MacDonald

Date: 6-20-18

Property Owner: Greggory MacDonald

Case #: 2018-421

Representative: Greggory MacDonald

Map & Parcel 08308003300

Council District 6

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

Location: 924 Dalebrook Ln.

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 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.

Section(s): 17.16.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

P. David Trubitt 6/20/18
Completed and witnessed, Date

Greggory MacDonald
Name (Please Print)
[Signature]

mac.gregg@hotmail.com
Applicant's e-mail address

Signature

(615) 843-2040
Applicant's phone

924 Dalebrook Ln.
Mailing Address

Nashville, TN 37206
City, State, Zip Code

(615) 843-2040
Phone Number

This will also serve as a receipt of (cash) (check) to partly compensate for the expenses under this appeal.

Appeal Fee: \$ 100.00

MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING - 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

[Handwritten Signature] 06/20/18



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3526957

**ZONING BOARD APPEAL / CAAZ - 20180035902
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08308003300

APPLICATION DATE: 06/20/2018

SITE ADDRESS:

924 DALEBROOK LN NASHVILLE, TN 37206

LOT 37 ROSEBANK MEADOWS PHASE 2

PARCEL OWNER: MACDONALD, GREGGORY J.

CONTRACTOR:

APPLICANT:

PURPOSE:

****6-20-18**** Permit application is being generated to allow applicant to appeal to BZA for advertising/ operating a STR without a permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

Rental Unit Record

924 Dalebrook Ln, Nashville, TN 37206, USA

Removed ✗
Identified ✓
Compliant ✓

PRINT

Airbnb - 19626532

Airbnb - 24246119



Identified Address

924 Dalebrook Ln, Nashville, TN 37206, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.183966, -86.720477

Parcel Number

08308003300

Owner Name

MACDONALD, GREGGORY J.

Owner Address

2840 Williams Farm Dr
Dacula, GA 30019, US

Timeline of Activity

View the series of events and documentation pertaining to this property

✗ Listing air19626532 Removed
June 17th, 2018

Matched Details

Analyst

CDZT

Explanation

This is a new house that's not visible in street view. A photo shows #924, zoomed in. <http://prntscr.com/jjkzfs> The house and tree next door match in street view. The exterior matches in 3D aerial view. The Nashville records and map confirm the location and address and show APN 08308003300. <http://prntscr.com/jj127k>

Listing Photos

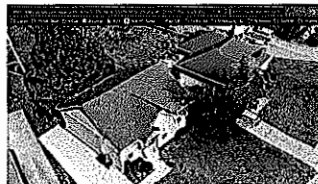


Same house and tree next door.



Same exterior. Same driveway, walkway and stairs.

Matching 3rd Party Sources



Zip Code Match

City Name Match

Listing Details

Listing URL	-- https://www.airbnb.com/rooms/19626532
Listing Status	● Inactive
Host Compliance Listing ID	-- air19626532
Listing Title	-- 924 Dalebrook rooms
Listing Info Last Captured	-- Jun 06, 2018
Screenshot Last Captured	-- Jun 08, 2018
Price	-- \$119/night
Cleaning Fee	-- \$20

Information Provided on Listing

Contact Name	-- Gregg
Latitude, Longitude	-- 36.183141, -86.719673
Minimum Stay (# of Nights)	-- 2
Max Sleeping Capacity (# of People)	-- 4
Number of Reviews	-- 4
Last Documented Stay	-- 06/2018

Listing Screenshot History

View Latest Listing Screenshot

April (4)

May (5)

June (2)

- Listing air24246119 Removed
June 17th, 2018
- First Warning - No STR or Tax: Delivered
June 9th, 2018
- 1 Documented Stay
June, 2018
- First Warning - No STR or Tax: Sent
June 1st, 2018
- 3 Documented Stays
May, 2018
- Listing air19626532 Identified
May 24th, 2018
- Listing air24246119 Identified
May 24th, 2018
- 4 Documented Stays
April, 2018
- Listing air19626532 First Crawled
April 7th, 2018
- Listing air24246119 First Crawled
April 7th, 2018
- Listing air19626532 First Activity
April 7th, 2018
- Listing air24246119 First Activity
April 7th, 2018

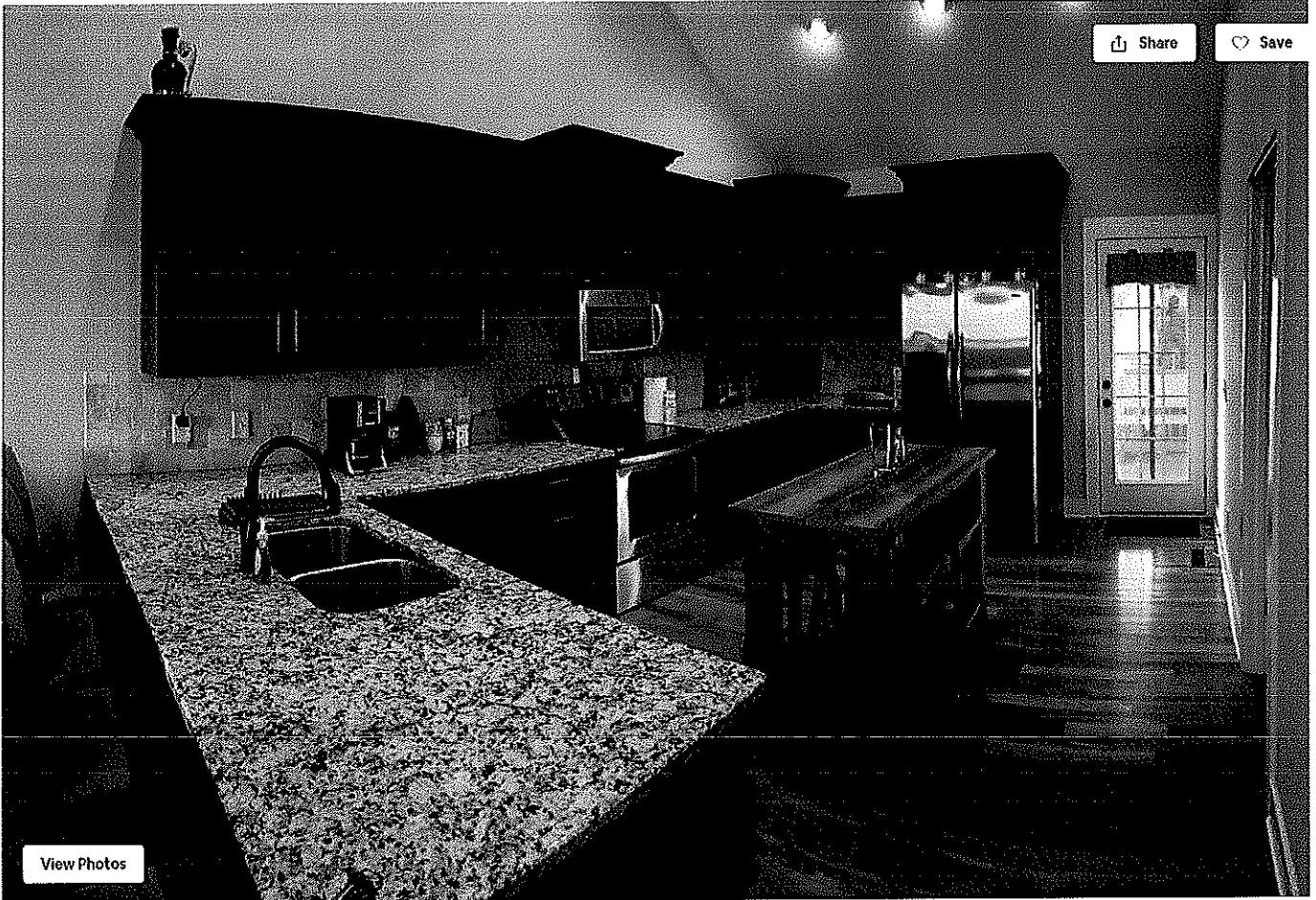
June 08, 2018 - 04:32PM America/Chicago



Anywhere

Become a host Earn credit Help Sign up Log in

Jun 8, 2018 4:32pm America/Chicago



Share

Save

View Photos

PRIVATE ROOM IN HOUSE

924 Dalebrook rooms

Nashville



Gregg

4 guests 2 bedrooms 2 beds 1 private bath

HOME HIGHLIGHTS

Great location · 100% of recent guests gave this home's location a 5-star rating.

Helpful · Not helpful

Sparkling clean · 3 recent guests have said that this home was sparkling clean.

Helpful · Not helpful

Great check-in experience · 100% of recent guests gave this home's check-in process a 5-star rating.

Helpful · Not helpful

10 minutes to downtown/Broadway.

Help yourself to any food or beverage in the house, seriously.

Home has extremely fast Wi-Fi and each bedroom has an HDTV with over-the-air HD channels (ABC, CBS, NBC, FOX) and Roku to stream your favorite shows after you're tired from your run around Nashville.

If you're interested in the whole home, click my profile for my other listing.

The whole home adds a king bed and private master bath with dual vanity.

The space

This listing is for 2 bedrooms and guest bath of the 3-bedroom, 2-bath home.

If you're interested in the whole home, click my profile for my other listing.

\$119 per night

★★★★★ 4

Dates

Check In → Check Out

Guests

1 guest

Book

You won't be charged yet

Report this listing

Guest access

All spaces are available to guests excluding the master bedroom and bath.

Interaction with guests

You'll be able to access the home whether I am there or not we meet prior to check-in. I tend to work evenings and will be out of your way. However, I'll happily offer suggestions.

Hide ^

Contact host

Amenities

- Free parking on premises
- Iron
- Kitchen
- TV
- Wifi
- Dryer

Show all 29 amenities

Sleeping arrangements

 Bedroom 1 1 queen bed	 Bedroom 2 1 queen bed
-------------------------------------	-------------------------------------

House Rules

- No smoking
- Not suitable for pets
- Check-in time is flexible
- Check out by 12PM (noon)

Please place dirty dishes in dishwasher.

You must also acknowledge

- Security Deposit - if you damage the home, you may be charged up to \$100
- Surveillance or recording devices on property - Nest Hello doorbell will be active upon entry/exit.

Hide rules ^

Cancellations

Flexible

Cancel up to 24 hours before check in and get a full refund (minus service fees). Cancel within 24 hours of your trip and the first...Read more

Get details

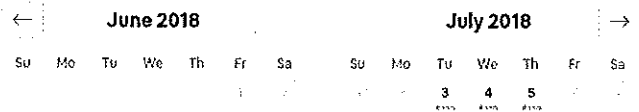
Accessibility

- Step-free access to the bathroom
- Step-free access to the bedroom

Show all

Availability

2 nights minimum stay · Updated today



	8	9								
	\$191	\$194								
10	11	12	13	14	15	16				
\$119	\$119	\$119	\$119	\$119	\$129	\$129				
17	18	19	20							
\$119	\$119	\$119	\$119							
24	25	26	27				29	30	31	
\$119	\$119	\$119	\$119				\$119	\$119	\$119	

4 Reviews ★★★★★

- Accuracy ★★★★★
- Communication ★★★★★
- Cleanliness ★★★★★
- Location ★★★★★
- Check-in ★★★★★
- Value ★★★★★

 Sean
June 2018
★★★★★

Great location, comfortable space. The host is accomodating.

 Alexandra
May 2018
★★★★★

Gregg was really helpful and always made certain we had everything we needed to be comfortable and enjoy our stay. Also, the beds were literally the best ever haha! Great experience!

 Anna
April 2018
★★★★★

Fantastic place only about 15 minutes from downtown. Quiet neighborhood and a wonderful back porch with a gorgeous magnolia tree in the middle. The place was clean, spacious and with very comfortable bed and furniture. Me, my fiancé and our two friends all ended up falling asleep on the couches at one point. Could not have asked for a better stay!

 Gaslm
April 2018
★★★★★

Great home and friendly host.

This host has 4 reviews for other properties.

[View other reviews](#)

Hosted by Gregg

Nashville, Tennessee, United States · Joined in June 2015



★ 9 Reviews

Response rate: 100%

Response time: within an hour

[Contact host](#)

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

The neighborhood

Gregg's home is located in Nashville, Tennessee, United States.

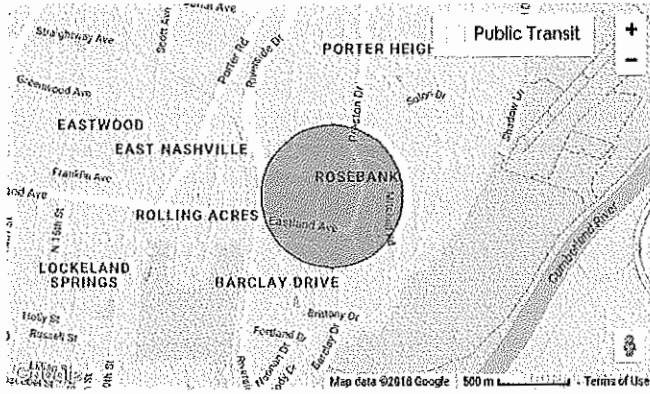
1 mile from Eastland Cafe and Rosepepper.

Getting around

Uber and Lyft are the way to go. The driveway also allows for plenty of parking.

Hide ^

Things to do in Nashville



Exact location information is provided after a booking is confirmed.

Explore other options in and around Nashville

More places to stay in Nashville: Apartments · Bed and breakfasts · Lofts · Villas · Condominiums

Dauphin Island Vacation Rentals
 Weston
 Puyallup
 St Louis
 Memphis
 DeFuniak Springs

Catskill Vacation Rentals
 Louisville
 Reno
 Englewood
 Wallace
 Clear Lake Shores

Asheville Vacation Rentals
 Atlanta
 Lynnwood
 Midland
 Biddeford
 Nashville

Airbnb

Discover

Hosting



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Regions Bank Date: 7/24/18
Property Owner: Primor Nashville Case #: 2018-479
Representative: Juneid Oclubeko Map & Parcel: 93-6-1 103.00

Council District 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: BLDG - Sign Permit 18-05002
was not issued in compliance with
DTC

Activity Type: Office Bldg Sky Line Sign

Location: 150 4th Ave N, N.T. 37219

This property is in the DTC Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A

Section(s): 17.40.180A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Regions Bank
Appellant Name (Please Print)

Address

City, State, Zip Code

Phone Number

Email

Juneid Oclubeko
Representative Name (Please Print)

Bradley Arcant Boul + Cummings LLP
Address

1600 Division St Suite 700
City, State, Zip Code

615-252-4635
Phone Number

joclubeko@bradley/
Email con.

Appeal Fee: 2000



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3538143

**ZONING BOARD APPEAL / CAAZ - 20180043188
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09306110300

APPLICATION DATE: 07/24/2018

SITE ADDRESS:

150 4TH AVE N NASHVILLE, TN 37219
LOT 1 ONE NASHVILLE PLACE

PARCEL OWNER: PRIM ONE NASHVILLE PLACE, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

BZA--ITEM A APPEAL....CONCERNING ZONING ISSUANCE OF WEWORK SKY LINE SIGN.

POC: JUNAID ODUBEKO

615-252-4635

jodubeko@bradley.com

see permit 2018-005002:

SIGN PERMIT FOR WEWORK...."Sign permit for WeWork..... Request two skyline signs at 49'x5' each in DTC approved under 2017-010076 and approved again using an alternate square footage calculation approved by MDHA DRC on February 20, 2018....."

1....SEE DRC APPROVAL: MDHA: PARKER BROWN..615-252-3750.

2...EXTERNAL ILLUMINATION NOT ALLOWED.

3...ul numbers....E 72418982 - 995.

4....*** NEED TO COMPLY WITH MDHA APPROVED PLAN.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING / NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for this request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of a non-conforming or non-complying structure, it is your job to explain to the Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.


APPELLANT

7/24/18
DATE



Junaid Odubeko
jodubeko@bradley.com
615.252.4635 direct

July 24, 2018

Jon Michael
Secretary
Metropolitan Board of Zoning Appeals
800 Second Avenue South
Nashville, Tennessee 37210

Re: Proposed Skyline Signage at 150 4th Avenue North (Parcel ID # 09306110300)

Dear Jon:

I represent Regions Bank, an Alabama state banking association (“Regions”), in connection with the issuance of a Building Sign Permit, CASN 2018005002, issued on February 21, 2018 (the “Permit”), by the Department of Codes and Building Safety (“Metro Codes”). A copy of the Permit is attached hereto as **Exhibit A**. The Permit authorizes the placement of two 49' by 5' 10" skyline signs for WeWork on the One Nashville Place building located at 150 4th Avenue North, Parcel ID # 09306110300 (the “Subject Property”). Regions appeals the decision by Metro Codes to issue the Permit pursuant to Section 17.40.180A of the Zoning Code and Tennessee Code Annotated 13-7-207.

Facts

Regions has leased the Subject Property since 2013. As a tenant, Regions obtained a building-sign permit for two skyline signs totaling 990 square feet of signage.

WeWork became a tenant at the Subject Property in 2017. On February 13, 2017, WeWork first applied for a permit to erect two 45' by 11' skyline signs. The application for a permit was denied in part by Metro Codes because the signage required approval of the design review committee established by the Metropolitan Development and Housing Agency (“MDHA”) and because the signage exceeded the design standards for skyline signs because they exceeded 60% of the width of the building façade. MDHA’s design review committee reviewed and approved the initial WeWork signage on May 16, 2017. On August 4, 2017, Regions appealed the issuance of the permit to WeWork before the Board of Zoning Appeals. In the appeal, Regions argued that the initial permit was issued in error, as the WeWork signage did not comply with the applicable sign standards. The Board of Zoning Appeals heard Regions’ appeal on September 21, 2017. After hearing testimony from both sides, the Board decided that Regions had demonstrated that the permit was issued in error. A copy of the Board’s Order is attached hereto as **Exhibit B**.

Litigation regarding the Board's decision is currently pending in the Chancery Court for Davidson County.

On January 29, 2018, WeWork filed a second application with Metro Codes for approval of two skyline signs. The original application notes that the size of the signs would be 49' by 5' 10" each. WeWork's application was approved by MDHA's design review committee and the Permit was issued by Metro Codes on February 21, 2018.

Regions is aggrieved by the approved issuance of the Permit authorizing the placement of the WeWork Signage on the Subject Property. There is no relationship between Regions and WeWork besides being co-tenants at the Subject Property. However, the combination of the Regions and WeWork signage on the Subject Property will cause public confusion about the relationship between the two companies. To the public, the co-branding of the Subject Property with skyline signs of the same size will signal a business relationship between Regions and WeWork that would be misleading and damaging to Regions' brand.

The WeWork signage Does Not Comply with Section V of the DTC

In approving the WeWork signage, the MDHA's design review committee determined that, under the applicable provisions of the Downtown Code, attachment to Ordinance No. BL 2009-586, as adopted on February 2, 2010 (the "DTC"), the total allowable skyline signage area for the Subject Property is sufficient to allow the addition of the WeWork signage. MDHA's design review committee apparently based its conclusion in part on its interpretation of the DTC as allowing the consideration of non street-facing building facades of the Subject Property in computing the total allowable signage area. This interpretation is in error, however, as it contravenes the plain language of the applicable Code as to what areas an applicant can consider in computing allowable signage area.

Regulation of signage on the Subject Property falls under Section V ("Sign Standards") of the DTC. Under Section V, the Regions signage and the WeWork signage would be classified as skyline signage. Pursuant to Section V, buildings are entitled to 720 square feet of skyline signage per street-facing frontage. The DTC provides, at pages 109 and 110, tables organized by street types. Each street is classified as a street type and is shown on the map entitled "signs: Map of Street Types for Signage Standards" on page 107 of the DTC (the "map"). According to the Map, Commerce Street and 4th Avenue North are both classified as "Pedestrian Street." Notably, the Map shows that the portion of Printer's Alley abutting the Subject Property is not classified as a street type. At page 106, the text of the DTC makes it clear that the "Printer's Alley" street type is limited to the "public, pedestrian-only street with businesses on the ground floor and upper floors." The portion of Printer's Alley that abuts the Subject Property does not fit the description, as it is open to vehicular traffic and does not contain businesses on the ground floor. Consequently, for purposes of calculating the maximum allowable skyline signage allowable for the Subject Property, only two street frontages (Commerce Street and 4th Avenue, North) should have been considered. Relevant portions of Section V of the DTC, including the Map, are attached hereto as Exhibit C. Thus, the maximum allowable skyline signage on the Subject Property is 1,440 square feet (720 square feet per Pedestrian Street multiplied by two qualifying Pedestrian Streets). The

Regions signage currently utilizes 990 of the permitted square footage, and only 450 square feet of additional skyline signage is available for future use at the Subject Property.

In its second permit application, WeWork contended that the total allowable signage space available on the Subject Property was 1,751 square feet, as opposed to 1,440 square feet. WeWork calculated this total square footage by including area for non street-facing signage, as provided on page 105 of the DTC. According to the DTC, non street-facing building facades are allocated 1 square foot of sign area per 1 linear foot of building façade, to a maximum of the sign area permitted for the primary street frontage. Here, the increase in the total signage area would increase the allowable signage to a total of 731 square feet, which would permit the addition of the 587 square feet of the WeWork signage. WeWork's argument on including area for non street-facing signage is clearly in error. Page 117 of the DTC provides for the design standards for skyline signage. The standards clearly limit the maximum area of skyline signage to the tables contained on pages 109-110 of the DTC. The tables found at pages 109-110 do not list non street-facing facades as area allowed in computing total allowable signage. Indeed, the non street-facing provisions are found on page 105—a totally different, and inapplicable, section of the DTC. Thus, to the extent the MDHA's design review committee accepted this interpretation of the permissible signage for the Subject Property, it ignored the plan language of the DTC.

WeWork also argued that the size of the signage should be computed using the method for building-mounted signs found in Section 17.32.160(D) of the Metropolitan Code of Laws, which applies to signs directly attached to facades, windows, doors or marquees. The WeWork Signage is skyline signage and therefore must be computed using the requirements for skyline signs found in Section 17.32.160(C) of the Metropolitan Code of Laws. Section 17.32.160(D) of the Metropolitan Code of Laws allows an applicant to use a combination of shapes to measure the size of a sign, as opposed to using the smallest area of a single shape—as required by Section 17.32.160(C) of the Metropolitan Code of Laws. Measuring the signage by using Section 17.32.160(D), WeWork contended that the size of each sign was 223 square feet (a total of 446 square feet for both signs). By using the appropriate computation method for skyline signs from Section 17.32.160(C) of the Metropolitan Code of Laws, each sign would measure 49' by 5' 10", or 587 square feet—137 square feet more than permissible under Section V. WeWork's permit application makes clear that it is applying for skyline signage and not a building-mounted sign. Therefore the MDHA's design review committee ignored the correct method for computing the size of the signage to the extent it accepted WeWork's argument that the area should be computed under Section 17.32.160(D) of the Metropolitan Code of Laws. A copy of the relevant Code is attached as **Exhibit D**.

BZA Has Jurisdiction to Hear the Appeal

The Board of Zoning Appeals is authorized by statute to hear and decide this appeal. Tennessee Code Annotated Section 13-7-207 gives the Board of Zoning Appeals the power to "hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, permit, decision, or refusal made by the municipal building commissioner or any other administrative official in the carrying out or enforcement of any provision of any ordinance enacted pursuant to this part and part 3 of this chapter." Regions asserts that issuance of the Permit

of error for which the Board of Zoning Appeals is granted authority to consider under Tennessee Code Annotated Section 13-7-207. Therefore, the Board of Zoning Appeals is authorized to hear and decide this appeal.

As discussed above, the WeWork Signage as approved, does not comply with the skyline signage requirements in Section V of the DTC. Therefore the Board of Zoning Appeals should find that the permit was issued in error and should be revoked by the Zoning Administrator.

Sincerely,

James Murphy w/ permission by J.O.

James L. Murphy, Jr.

Junaid Odubeko

Junaid A. Odubeko



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3441940

BUILDING SIGN PERMIT / CASN - 2018005002

ISSUED ON: 2/21/2018

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

[Signature]
DAVID LAZZARZ

Approval (Where Required)

Date

SITE ADDRESS:

150 4TH AVE N NASHVILLE, TN 37219
LOT 1 ONE NASHVILLE PLACE

PARCEL: 09306110300
Tax District: CBID
Census Tr: 37019500

PARCEL OWNER:

PURPOSE:

SIGN PERMIT FOR WEWORK....

****REQUEST TWO SKYLINE SIGNS AT 49'X5' EACH IN DTC.....REMOVE THE TWO 45'X11' SKYLINE SIGNS APPROVED UNDER 2017-010076 AND APPROVED BY MDHA DRC.....AND REPLACE WITH 49' X 5'...IN SAME LOCATION.

****ALSO SEE PERMIT 2013-07460 FOR TWO 45'X11' SKYLINE SIGNS FOR REGIONS...APPROVED BY DRC.

- 1....SEE DRC APPROVAL: MDHA: PARKER BROWN..615-252-3750.
 - 2....SKYLINE...PEDESTRIAN STREET TYPE...EXCEED SKYLINE DESIGN STANDARDS C...MAX WIDTH ALLOWED 60% OF FACADE...REQUEST 100%
 - 3...ALSO RACEWAYS ARE NOT PERMITTED.
 - 4...EXTERNAL ILLUMINATION NOT ALLOWED.
 - 5...ul numbers....E 72418982 - 995.
- POC: CALVIN LEE 646-776-2273
calvin.lee@wework.com
***TO COMPLY WITH MDHA APPROVED PLAN.
MEGAN ADAMSKI 217-522-8417 EXT 156
megan@acesignco.com

CONTRACTOR:

JARVIS AWARD SIGN AND FLAG CO
310 MADISON ST

APPLICANT:

61701 STBC-27 JARVIS AWARD SIGN AND FLAG CO

RODNEY JARVIS - QA
MADISON, TN

6158656062

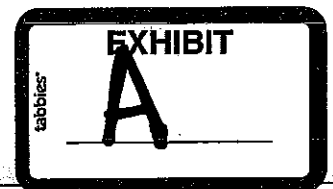
MADISON, TN

PERMIT DETAILS:

Estimated Value: \$160,000.00
Const Type:
Sq Footage:
Parking Required: N
Parking Provided: N
Sprinklers? N
Metro Water:
Public Constr? N

Number of Floors:
Sewer or Septic:
Total # Buildings:
Total # Units:
Garage: N
Number of Bedrooms:
Number of Kitchens:

F



BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Regions Bank APPEAL CASE 2017-232
150 4th Avenue North
Map: 93-61 Parcel: 103
Zoning Classification: DTC

ORDER

This matter came to be heard in public hearing on 9/21/2017, before the Metropolitan Board of Zoning Appeals, upon application for an Item A appeal, challenging the issuance of building permit 2017010076 to stop construction.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.
- (3) The appellant HAS DEMONSTRATED that the Zoning Administrator erred in application of law with this issuance of the subject permit.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: David Harper

Seconded by: David Ewing

Ayes: David Taylor, Alma Sanford, Cynthia Chappell, Christina Karpynec

Nays:

Abstaining:

Absent:

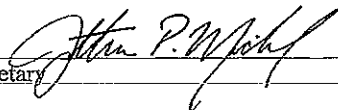
ENTERED THIS 4th DAY OF October, 2017

METROPOLITAN BOARD OF ZONING APPEALS

Chair



Secretary



Section V: Sign Standards

Introductory Provisions

Intent

The purpose of these regulations is to set specific sign standards that accomplish the following:

- Establish reasonable and improved standards for Downtown business identification;
- Encourage creative and innovative approaches to regulating signs consistent with the principles of the Downtown Community Plan;
- Promote economic vitality in Downtown;
- Enhance the overall visual environment in Downtown by discouraging signs that contribute to the visual clutter of the streetscape;
- Ensure signs are designed for the purpose of identifying a business in an attractive and functional manner; and
- Ensure signs reinforce the existing and envisioned character and are complementary to the architectural design of Downtown.

Applicability

- These sign regulations apply to all properties zoned DTC and are not in an Historic Zoning Overlay. See map on Page 107.
- In addition to the standards set forth within this section, the following Sections of the Metro Zoning Code shall apply to all regulated signage within the DTC.
 - Section 17.04.06 - Definitions of general terms
 - Within Chapter 17.32 SIGN REGULATIONS:
 - Section 17.32.020 - General Provisions
 - Section 17.32.040 - Signs allowed without a permit
 - Section 17.32.050 - Prohibited signs
 - Section 17.32.060 - Permitted on-premises temporary signs
 - Section 17.32.145 - Landmark signs
 - Section 17.32.160 - Computations
 - Within Article XI. Sign Procedures
 - 17.40.490 - Permits and compliance tag
 - 17.40.510 - Unsafe, illegal, dilapidated and abandoned signs

Sign Permit Applications

Applications for sign permits shall be made with and reviewed by the Codes Department. All sign applications that do not involve Modifications shall only require Codes Department approval, regardless of whether the property is subject to additional design guidelines (e.g. MDHA redevelopment districts).

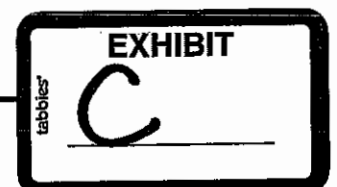
Applicants for sign permits shall submit the following information. Incomplete applications will not be accepted.

- Design and details of the signage depicting size and shape (including height, width and depth), anchoring, materials, lighting and other data necessary to determine compliance with the requirements of this section and with the requirements of the Metropolitan building code and the Metropolitan electrical code. Additional information may be required by Codes.
- Drawings and specifications, including building elevations or artist's rendering depicting the sign faces, and dimensions indicating sign placement on the building.
 - For ground signs and signs seeking a ROW encroachment, the distance of the signs from the corner of the building or property line should be included.
- A site plan, drawn to scale, depicting the location of the proposed signage and all relevant features of the site, including location and size of other regulated signs.
- The property address, applicant and sign designer's name and contact information.

Common Sign Plan

A common signage plan regulates signage for multiple businesses or tenants within one building or complex. A common sign plan is mandatory for all new developments and sign Modifications.

- A common signage plan shall provide for consistency among signs with regard to at least four of the following: materials; location of each sign on the building; sign proportions; color scheme; lighting; lettering or graphic style.
- The common signage plan shall establish an allowable area of signage for existing and future tenants with regard to all allowed signs types.
- The common signage plan shall indicate existing nonconforming signs as well as the amount and location of on-premises signage to be allocated to each tenant under the new plan.



Section V: Sign Standards

Modifications

Sign Permit Modifications

Requests for modifications to sign standards are reviewed through the process outlined on pages 14 and 15.

Modifications are reviewed by Planning staff and either the MDHA Design Review Committee or the DTC Design Review Committee.

The applicant may appeal a decision through the process described on pages 14 and 15.

All sign Modifications are Major Modifications. Two additional types of Modifications for signage related permits may be requested and are outlined below.

Modifications for Exceptional Design

Creative signage that does not fit the specific regulations of this section may be considered by the appropriate reviewing body (listed above), based on its merits, as they relate to all of the following design criteria:

- architecture
- the configuration or location of the building or property
- building scale
- legibility
- technical competence and quality in design, construction and durability

Applications for this type of Modification require submittal of a common sign plan for the property in question. Approval of any related structures (i.e. canopy) will require review by all applicable agencies. Exceptional design modifications shall not permit electronic changeable copy where it is otherwise not permitted.

Modifications for Tourist-oriented Businesses

Tourist-oriented businesses within DTC zoning may receive Modifications to allow greater sign area and use of digital technology. To qualify as a tourist-oriented business a business shall:

- have a minimum permanent fixed seating capacity of 500; and
- offer lawful activities or services to the general public of cultural, historical, recreational, educational, or entertainment purposes.

Applications for this type of Modification require submittal of a common sign plan for the property in question. Approval of any related structures (e.g. canopy) will require review by all applicable agencies. Tourist-oriented business Modifications shall be reviewed according the design criteria listed under Modifications for Exceptional Design, above, in addition to the following:

- Large electronic or illuminated signs shall not adversely impact residential or hotel uses.
- All signs shall conform to the lighting standards of the DTC.
- See page 119 for additional information on changeable copy.

Right-of-way Encroachments

Where a sign is proposed to encroach into the public right-of-way an application shall be made with the Public Works Department in addition to the sign permit application with the Codes Department. Both applications shall include the requirements of the Public Works Department available at their website: <http://www.nashville.gov/pw/permits.asp>, in addition to the submittal requirements listed on the previous page.

Nonconforming Signs

Nonconforming Signs

Sections 17.40.660 and 17.40.690 of the Metro Zoning Code apply. This section further clarifies them.

Building Signs

A sign shall be brought into compliance with the provisions of the above mentioned sections if a sign permit is required to rebuild the sign. This does not include a panel change in a non-conforming cabinet sign, which shall be permitted. All new panels shall conform to all illumination standards herein.

Ground Signs

An existing ground sign may change the face or panel of a sign that does not meet the area or height standards within this section. However, in no instance shall there be an increase in the degree of nonconformity. All new panels shall conform to all illumination standards herein.

A sign shall be brought into compliance with the provisions of this title if at any time the sign is altered, repaired, restored or rebuilt to the extent that the cost exceeds fifty percent (50%) of the estimated replacement cost of the sign (in current dollar value). All permits within any six consecutive calendar months shall be aggregated for purposes of measuring the fifty percent standard.

Repair and Maintenance

If the alteration or repair is caused by involuntary damage or casualty, the sign may be altered or repaired to its pre-damaged condition.

A sign may be removed and taken off-site for repair and maintenance. The sign must be returned to the original location within 120 days of removal.

Section V: Sign Standards

General Standards

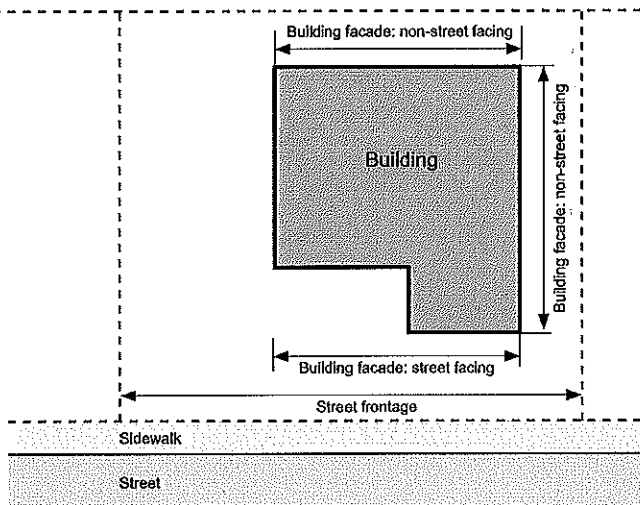
Materials

All permanent, on-premises signs shall be constructed of a rigid, weatherable material such as hard plastic, wood, MDO plywood, aluminum, steel, PVC, glass and/or Plexiglas. On-premises, permanent signs shall not be constructed of nonrigid materials including, but not limited to, vinyl, fabric, canvas, or corrugated plastic. The provisions of this subsection shall not apply to approved, permitted canopies, awnings, and porticoes.

Voluntary Removal of a Legally Non-conforming Ground Sign

Any property voluntarily removing a legally non-conforming ground sign shall be permitted to a bonus to one hundred fifty percent (150%) of the building signs allocated to the property. For example, if a property is allocated 200 sq ft of building signs, the property will be allowed 300 sq ft of buildings signs if a legally non-conforming ground sign is removed.

Building Facade and Street Frontage Measurement



Other Sign Types

Non Street-Facing Signs

Non street-facing building facades and alley frontages, not otherwise regulated, are allocated 1 square foot of sign area per 1 linear foot of building facade, to a maximum of the sign area permitted for the primary street frontage.

This includes lots adjoining open spaces, pedestrian walkways, or parking areas. Ground signs are not permitted on non street-facing building facades or alley frontages.

Temporary Signs

Temporary signs shall follow the standards of 17.32.060.

Murals

Only the company name, text relating directly to products or services sold on site, and logos shall count toward the sign area allocation. Otherwise, murals are exempt from this code.

Auto-oriented canopy/awning Signs

The allocation of signage for auto-oriented canopies and awnings shall be measured as walls signs and shall only be used on the canopy/awning. See the Auto-oriented Canopies and Awnings section of the Downtown Code for information on the design of canopies and awnings.

Parking Lot Signs

A pole-mounted projecting sign is allowed for surface parking lots with no associated building. One sign per street frontage is allowed. The maximum size shall be 36 square feet per sign. The side of the sign shall be attached to the pole, and the pole will be considered the "building facade". All projecting sign standards shall apply (Page 114); parking lot signs shall follow the standards of a 1-story building.

Section V: Sign Standards

Street Types

Pedestrian Streets

- Pedestrian streets are roadways with high pedestrian activity and slower moving vehicular traffic. Buildings along these streets are located at the back of the sidewalk creating a streetscape with active uses including retail, office and entertainment businesses.
- Pedestrian streets are generally located in the Downtown core, where more of the original street wall remains intact, and less opportunities exist for surface parking.
- Some streets outside of the Downtown core, such as Korean Veterans Boulevard (KVB), require Pedestrian designation. The MDHA and UDO standards for KVB require pedestrian-focused building design and streetscape. The standards for Pedestrian Street signage allow greater flexibility for such streets.

Gateway Streets

- Gateway streets are wider roadways that serve pedestrians, but focus primarily on automobile traffic and typically carry traffic at higher speeds than Pedestrian Streets.
- Generally located on the fringe of Downtown, Gateway streets serve as the key automobile entry points into Downtown.

Transitional Streets

- Transitional streets currently contain a mix of different building characters, transitioning from more auto oriented buildings and uses to a more mixed use pedestrian environment.
- As these street redevelop, buildings will be sited close to the sidewalk with a more pedestrian focus.

Interstate

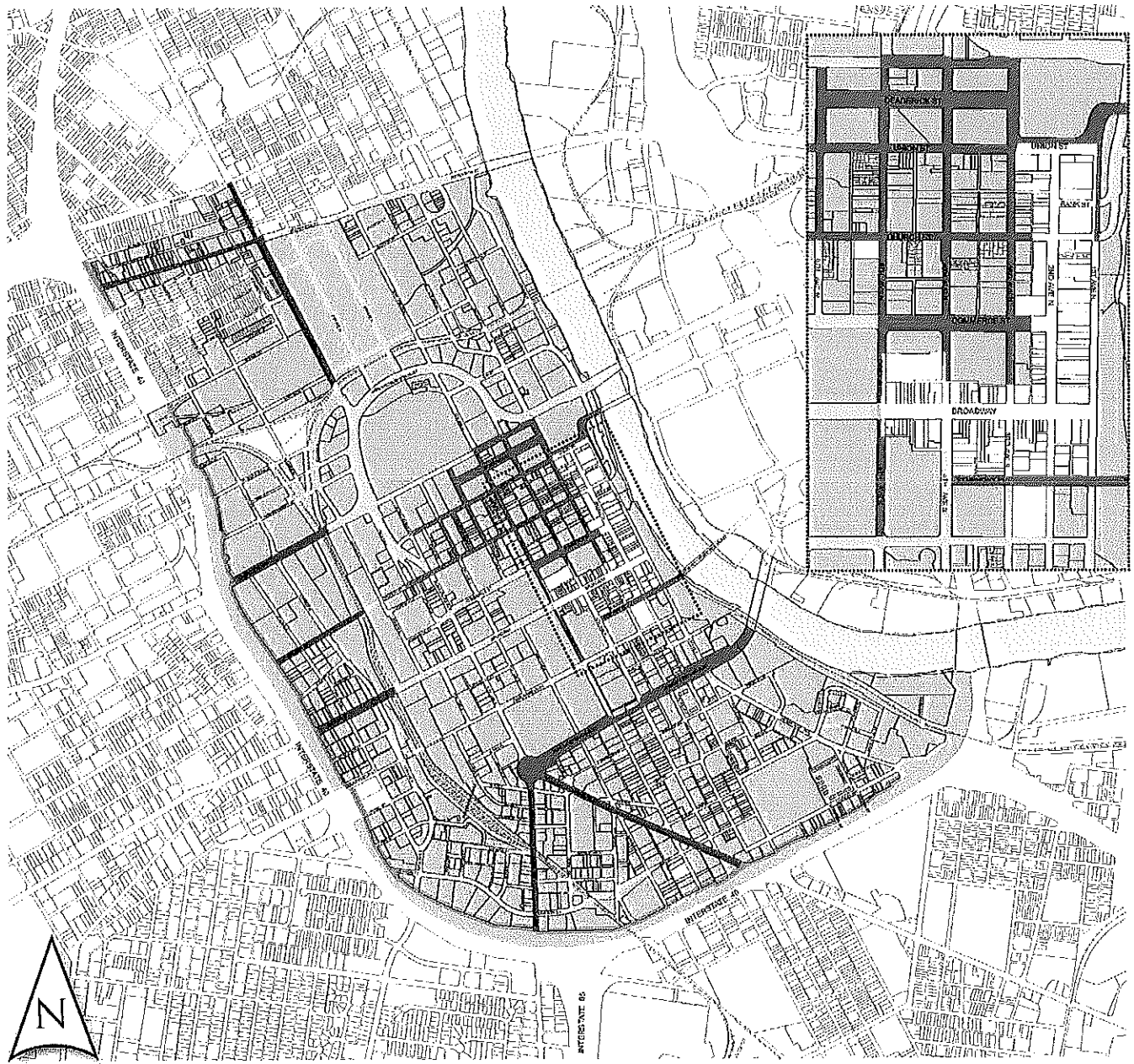
- Many properties are visible from the interstate loop which moves vehicles into and through Downtown.
- The opportunity to advertise to the interstate must be balanced with the safety of drivers and preservation of Nashville's iconic skyline.

Printers' Alley







- Printers' Alley is a unique, iconic alley in Downtown. As a public, pedestrian-only street with businesses on the ground floor and upper floors, unconventional standards apply to this street only.

Section V: Sign Standards

Signs: Map of Street Types for Signage Standards



Legend

	Transitional Street		Interstate
	Pedestrian Street		Printers' Alley
	Gateway Street		Applicable properties

- New streets that are not in existence as of the adoption of this ordinance shall be categorized as Transitional Streets.
- Properties within an Historic Zoning Overlay and/or with SP zoning are not subject to the sign standards of DTC zoning.

Section V: Sign Standards

Determining Sign Entitlements

Use this page as a guide to determine the sign entitlements of a property. You will need to know the length of the building on all street frontages, the length of alley frontages, and the length of all interior property lines.

STEP 1

What Street Types is the property on? Page 107

- Pedestrian
- Transitional
- Gateway
- Interstate
- Printers' Alley

STEP 2

How much square footage of signage is allowed? Pages 109-110

- Pedestrian
 - Building _____
 - Ground _____
 - Skyline _____
- Transitional
 - Building _____
 - Ground _____
 - Skyline _____
- Gateway
 - Building _____
 - Ground _____
 - Skyline _____
- Interstate
 - Building _____
 - Skyline _____
- Printers' Alley
 - Building _____
 - Skyline _____

STEP 3

What are the standards for the signs? Pages 111-117

STEP 4

What are the illumination standards for signs? Pages 118-119

STEP 5

Is changeable copy allowed? Page 119

STEP 6

- For a multi-tenant development: submit a Common Sign Plan to the Codes Department. Page 103
- For an individual tenant: submit a Sign Plan Proposal to the Codes Department. Page 103
- Additional types of signs may be allowed, depending on site conditions. Page 105

KEEP IN MIND

- There is no limit to the number of Building Signs per property.
- Sign entitlements are limited only by the total amount of square footage of signs allowed on the property, the maximum sizes of signs and the required placement of signs.
 - For example, if a building is allowed 100 sq ft of Building Signs, that can be used in one 100 sq ft sign or in five 20 sq ft signs. The only limit is the maximum dimensions of the sign type.
- Non street-facing facades are allowed signs. Page 105
- Contact the Codes Department with questions.

Section V: Sign Standards

Allocation of Sign Area by Street Type

The maximum sign area for each type of sign is determined by the Street Type and is established in the following tables. Specific requirements for each sign type are shown on the subsequent pages.

For each cell in the table below, there is a maximum allowed sign area that may be utilized with any combination and any number of signs associated with that cell, unless otherwise noted.

The measurements for "linear feet" shall be at grade.

Pedestrian Street Type		Transitional Street Type	
Building Signs		Building Signs	
Wall Sign	1.5 square foot of sign area per 1 linear foot of building facade or 36 square feet, whichever is greater.	Wall Sign	1.5 square foot of sign area per 1 linear foot of building facade or 36 square feet, whichever is greater.
Awning Sign	When a Projecting Sign is used on the building, an additional 0.5 square feet of sign area per 1 linear foot of building facade shall be permitted, for a total of 2.0 square feet per 1 linear feet of building facade.	Awning Sign	Where no ground sign exists, an additional 0.5 square feet of sign area per 1 linear foot of building facade shall be permitted for a total of 2.0 square feet per 1 linear feet of building facade.
Canopy Sign		Canopy Sign	
Projecting Sign		Projecting Sign	
Shingle Sign	9 square feet per sign	Shingle Sign	9 square feet per sign
Ground Signs		Ground Signs	
Monument Sign	24 square feet	Monument Sign	32 square feet Properties with 300 or more feet of frontage are allowed one additional monument sign of an additional 32 square feet
Skyline Signs - area determined by average height of building		Skyline Signs - area determined by average height of building	
75' to 100'	480 square feet	75' to 100'	480 square feet
101' - 200'	600 square feet	101' - 200'	600 square feet
201' and taller	720 square feet	201' and taller	720 square feet
Gateway Street Type			
Building Signs			
Wall Sign	1.5 square foot of sign area per 1 linear foot of building facade or 36 square feet, whichever is greater.		
Awning Sign	Where no ground sign exists, an additional 0.5 square feet of sign area per 1 linear foot of building facade shall be permitted, for a total of 2.0 square feet per 1 linear feet of building facade.		
Canopy Sign			
Projecting Sign			
Shingle Sign	9 square feet per sign		
Ground Signs			
Monument Sign	64 square feet Properties with 300 or more feet of frontage are allowed one additional monument sign of an additional 64 square feet		
Skyline Signs - area determined by average height of building			
75' to 100'	480 square feet		
101' - 200'	600 square feet		
201' and taller	720 square feet		

**** More Street Types on next page****

Section V: Sign Standards

Allocation of Sign Area by Street Type

The maximum sign area for each type of sign is determined by the Street Type and is established in the following tables. Specific requirements for each sign type are shown on the subsequent pages.

For each cell in the table below, there is a maximum allowed sign area that may be utilized with any combination and any number of signs associated with that cell, unless otherwise noted.

The measurements for "linear feet" shall be at grade.

Interstate Street Type	
Building Signs	
Wall Sign	1 square foot of sign area per 1 linear foot of street frontage
Awning Sign	
Canopy Sign	
Projecting Sign	
Shingle Sign	9 square feet per sign
Ground Signs	Not allowed
Skyline Signs - area determined by average height of building	
75' to 100'	480 square feet
101' - 200'	600 square feet
201' and taller	720 square feet

Printers' Alley Street Type	
Building Signs	
	Ground floor: 2.0 square foot of sign area per 1 linear foot of street frontage
Wall Sign	Second floor: 1.5 square foot of sign area per 1 linear foot of street frontage
Awning Sign	Upper floors: 1 square foot of sign area per 1 linear foot of street frontage Signage allowed for each floor shall be used on that floor and shall not be redistributed to other parts of the building.
Canopy Sign	
Projecting Sign	
Shingle Sign	
Ground Signs	Not allowed
Skyline Signs - area determined by average height of building	
75' to 100'	480 square feet
101' - 200'	600 square feet
201' and taller	720 square feet

Section V: Sign Standards

Skyline Sign

Description

A building sign is attached flat to or mounted away from the building facade. Sign may be parallel to the building facade or vertical. Located on the upper band of a building.

General Standards

- A skyline sign is only allowed on buildings greater than 75 feet in height.
- A skyline sign must be located within the top third of the building.
- No portion of a skyline sign may extend above the roof line or above a parapet wall of a building with a flat roof.
- No more than one skyline sign per facade is allowed. However, additional skyline signs may be allowed as a Modification for Exceptional Design. See additional information on page 104.
- Raceways are not permitted on skyline signs.
- A skyline sign can be internally (but not externally) illuminated in accordance with page 118.

Design Standards

- | | |
|----------------------------------|-------------------|
| Ⓐ Area (max) | See pages 109-110 |
| Ⓑ Height (max) | 14 feet |
| Ⓒ Width (max % of facade length) | 60% |



17.32.160 - Computations.

The following determinants shall control the calculation of sign area, height, and placement.

- A. Distance Between Signs. The minimum required distance between signs shall be measured along street rights-of-way from the closest parts of any two signs.
- B. Facade Area. The facade area for the purpose of calculating permitted on-premises building sign area may be determined as follows:
1. When architectural elevations are provided that accurately and to scale depict the facade of the structure, the area of the facade shall be calculated as the true structural building facade exclusive of roofs, parapets, and false facia. Parapets of a uniform height on three sides of a structure and of a similar and uniform building material may be included in the facade areas, but decorative parapet extensions of irregular height are excluded.
 2. When architectural plans are not provided, it shall be assumed that the height of the facade of the first floor is twelve feet, and that the height of the facade of all stories above the first floor is ten feet per floor. Facade area shall be calculated based on the following formula:
$$[\text{Facade length} \times 12 \text{ ft. (first floor)}] + [\text{facade length} \times 10 \text{ ft. per each additional floor}] = \text{facade area}$$
- C. Sign Area. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall, when such fence or wall otherwise meets the provisions of this title, and is clearly incidental to the display itself.
- D. Building-Mounted Letters and Pictures. Where a sign is composed of letters or pictures attached directly to a facade, window, door or marquee, and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle or combination thereof, the sides of which touch the extreme points of the letters or pictures.
- E. Four-Sided On-Premises Sign. Where four sign faces are arranged in a square, rectangle or diamond, the area of the on-premises sign shall be the area of the two largest faces.
- F. Triangular On-Premises Sign. Where the inside angle of the edge nearest the street is greater than twenty degrees, the area of the sign shall be the area of the two largest faces.
- G. Multiple-Face On-Premises Sign. For a multiple-faced on-premises sign, the sign area shall be computed by including all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such signs are part of the same sign structure and not more than forty-two inches apart, the sign area shall be computed by the measurement of one of the faces. If the forty-two inch space is used for any message, it will be counted as a sign face.
- H. Height. Sign height shall be computed as the distance from the base of the sign at the normal grade to the top of the highest attached component of the sign, or the nearest curb level of the surface street providing access to the site, whichever provides the greatest height. Normal grade shall be construed to be the existing grade prior to construction or the newly established grade after construction exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.
- I. Maximum On-Premises Sign Area. The permitted sum of the area of all individual on-premises signs on a lot shall be computed by applying the formula under each district to the lot frontage or ground floor area, and building facade, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted on-premises ground



sign area for each street frontage; however, the total on-premises ground sign area that is oriented toward a particular street may not exceed the portion of the lot's total on-premises ground sign area allocation that is derived from that street or from the total ground floor area.

Figure 17.32.160-1
FACADE AREAS CALCULATED FOR SIGNAGE

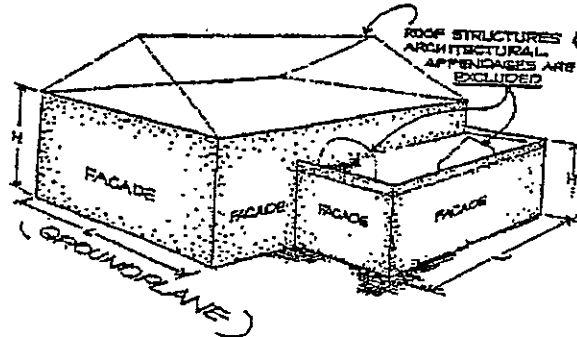
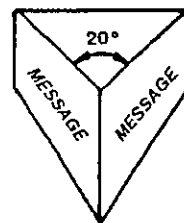


Figure 17.32.160-2

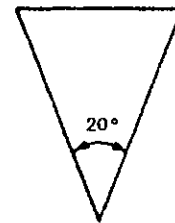
TRIANGULAR SIGN

Where the inside angle of the edge nearest the street is greater than 20 degrees, the area of the sign shall be the area of the two largest faces.



STREET SIDE

ELEVATION VIEW

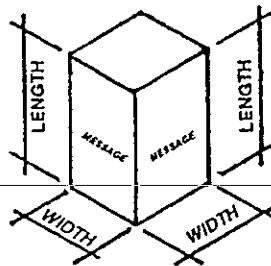


STREET SIDE

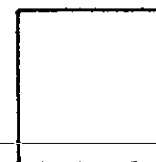
PLAN VIEW

FOUR-SIDED SIGN

If four sign faces are arranged in a square rectangle, or diamond they shall be counted as two signs.



ELEVATION VIEW



PLAN VIEW

(Ord. BL2016-309 § 5(Exh.), 2016)

8-20-18
2018-479
OPPOSE

TO: METROPOLITAN BOARD OF
ZONING APPEALS:

RECEIVED
CODES ADMINISTRATION

SUBJECT: APPEAL CASE # 2018-479

AUG 24 2018

I WOULD LIKE YOU TO DENY REGION
FINANCIAL BANKS REQUEST/APPEAL FOR A
SIGN PERMIT.

THE REASON IS THE SAME AS
BEFORE WHEN THEY VIOLATED THE LAW.

THE REQUESTED SIGN IS TO
BRIGHT AND TO CLOSE TO MY BUILDING
THE VISION CONDOS AND SHINES INTO
MY UNIT WHICH AFFECTS MY QUALITY
OF LIFE AND OTHERS.

PLEASE MAKE REGIONS ADHERE TO
PRESENT LAW, RULES AND ORDINANCES
LIKE EVERYONE ELSE HAS TO !!

ADDRESS:

2403 CHURCH ST.
UNIT #2403
NASHVILLE, TN. 37219

THANK-YOU
J. Rieger
JAMES L. RIEGER

October 1, 2018

Mr. Jon Michael
Secretary
Metropolitan Nashville Board of Zoning Appeals
800 Second Avenue South
Nashville, TN 37210

Re: **CASE 2018-479 (Council District - 19)**—Appeal filed by Regions Bank and Concerning Building Permit CASN 2018005002 for Skyline Signage at 150 4th Avenue North (Parcel ID #09306110300)

Dear Mr. Michael:

This firm represents 150 4th Ave N Tenant LLC, dba “WeWork” (hereinafter “WeWork”) with regard to the above appeal filed by Regions Bank,¹ which is set for hearing before the Board of Zoning Appeals (“Board”) on Thursday, October 4 at 1:00 P.M. WeWork objects to the Board’s considering this appeal at this time because all of the issues raised in this appeal and upon which the Board’s decision would be based have been raised or could have been raised before the Davidson County Chancery Court in the case of *150 4th Ave N Tenant LLC DBA WeWork v. the Metropolitan Board of Zoning Appeals*, No. 17-1287-I. That case concerns the same signs, was argued on August 14, 2018, and the parties await the Court’s decision. The Board should stay consideration of this appeal pending the Court’s forthcoming decision, because doing otherwise risks creating inconsistent or contradictory judgments concerning the same signs. If, however, the Board elects to consider this appeal, the appeal should be dismissed because it lacks any legal or factual basis.

FACTS

Regions’ statement of the facts and procedural history is accurate, but omits a critical and dispositive piece of information. When WeWork submitted its application for the second permit, that application was supported by two relevant sets of calculations. (Exhibit 1, attached)

¹ The Board’s agenda lists the appellants as Regions Bank and Prim One Nashville Place, LLC. However, there is no indication in the appeal itself that the latter is an appellant.

One calculation made use of the 155.5 feet of additional sign area available for an alley-facing sign. Under this calculation, with two signs, the total available square footage for signage on the building, when added to the 1,440 square feet allocable to street frontage of Commerce and Fourth, was 1,751 square feet. WeWork chose not to make this argument in the Chancery Court and does not rely upon this argument here. More important and indeed determinative are the supporting calculations in the application showing that the total sign square footage of WeWork's signs, when measured according the correct ordinance standard, i.e. by the total square footage of the letters, was only 446 square feet.

When the second permit was issued on February 20, 2018, it contained this language:

SIGN PERMIT FOR WEWORK. . .

*****REQUEST TWO SKYLINE SIGNS AT 49'X5' EACH IN DTC...REMOVE THE TWO 45'X11'SKYLINE SIGNS APPROVED UNDER 2017-010076 AND APPROVED BY MDHA DRC...AND REPLACE WITH 49'X5'...IN SAME LOCATION.

WeWork's undersigned attorney sought clarification of this ruling, because it seemed to presuppose the wasteful and unnecessary removal and remounting of the two existing signs. On March 13, 2018, the Codes Department sent the following clarification:

SIGN PERMIT FOR WEWORK. . . "Sign permit for WeWork...Request two skyline sings at 49'x5' each in DTC approved under 2017-010076 and **approved again using an alternate square footage calculation approved by MDHA DRC on February 20, 2018....**" (Exhibit 2, attached (emphasis added))

A copy of this March 13, 2018 email was immediately forwarded to Regions' counsel. (Exhibit 3, attached)

LEGAL ARGUMENT

1. *The issues raised in this appeal are currently pending before the Davidson County Chancery Court.*

Although this case deals with a new sign permit in which the sign size is calculated under a different Zoning Ordinance provision than the Board applied to WeWork's first permit concerning the same signs, the issues raised by Regions have been argued (or could have been argued) before the Chancery Court. These issues include: (1) the appropriate method of calculating total square footage for signage allowed on the building, including whether Printers' Alley should be treated as a street for purposes of

such calculation; and (2) which provision of the Zoning Ordinance applies to the calculation of the signs' square footage.

The Chancery Court's ruling on these issues will be binding on the parties (subject of course to appeals) and on this Board. The Court may rule entirely in one party or the other's favor, in which case the losing party will either accept the Court's ruling or appeal. Another possibility is that the case will be remanded to this Board for further hearing consistent with the Court's ruling. If that is the case, then only at that time will it be appropriate for this Board to decide further issues concerning WeWork's signs. For this Board to make any rulings now will be duplicative of what the Chancery Court is already doing and would run the risk of procedural confusion and inconsistent adjudications.

The Board's attention is directed to the well-established legal doctrine of "prior suit pending." This means that when two actions involving the identical subject matter have been filed and are between the same parties, the court will dismiss or stay the second suit, while the first is pending. This doctrine applies here.

Without waiving to any extent its argument that the Board's consideration of this appeal is premature and inappropriate, WeWork attaches as Exhibit 4 hereto portions of its Brief filed in the Chancery Court concerning the issues identified above.

2. If the Board considers the appeal, it should uphold the DTC and the Codes Department.

First, Regions' argument that WeWork improperly calculated the total allowable square footage for signs on the building misinterprets the decision and rationale of the Codes Department in issuing the second permit, as evidenced in the March 13, 2018, email of Richard Thomopolous, the official issuing the permit. The Codes Department simply recalculated the square footage of the existing signs using the proper measure. The most straightforward way to explain the Codes Department's decision is that when the total square footage of WeWork's signs is calculated using only the area around the letters, as it should be, pursuant to Section 17.32.160 (D) of the Zoning Code, the total area of each sign is only 223 square feet, giving WeWork 446 square feet of signage. Thus, Regions' argument is a complete red herring: Even if the Board adopts Regions' view that only 1,440 square feet of signage is allowed on the building, the total square footage of WeWork's signs, properly calculated, and Regions' signs (990 square feet total), is **1,436** square feet and within that limit.

Second, Regions' argument that WeWork relied on the improper provision of the Zoning Code to calculate the square footage of its signs is meritless. Specifically, Regions argues that WeWork improperly relied on Section 17.32.160, D of the Zoning Code because that provision only applies to "building mounted" signs and WeWork

applied for a “skyline sign and not a building-mounted sign.” Regions’ construction of the DTC and Zoning Ordinance to suggest that a “skyline sign” and a “building mounted sign” are mutually exclusive categories is nonsensical.

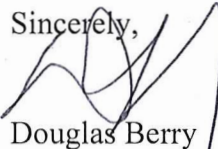
The DTC adopts by reference the provisions of the Zoning Ordinance relating to signs. (See DTC, at page 12, Exhibit 5 attached) Provisions of statutes or ordinances are to be construed to harmonize them. Further, zoning ordinances are to be construed to allow the free use of one’s property.

Sections 17.32.160, C and D both sit within Section 17.32.160 of the Metro Code, titled “Computations”—thus, both subsections on their face are what the statute says they are: computational methods, and not independent sign categories.

Section 17.32.160, D provides that for signs consisting of “Building-Mounted Letters and Pictures”—like WeWork’s signs—the computation of sign square footage is the “area within the smallest rectangle, parallelogram, triangle, circle or semi-circle or combination thereof, the sides of which touch the extreme points of the letters or pictures.”

For *types* of signs, one must consult the Sign Standards, located in Section V of the Downtown Code. “Building-mounted sign” does not exist as an independent category of sign in that provision, or any other provision in the Downtown Code. Regions’ argument that WeWork should have applied for one is asking the impossible. Rather, a “building-mounted sign” is described by the Downtown Code as a type of “Skyline Sign.” Indeed, at page 117 of the DTC, a skyline sign is specifically described as “a **building sign** . . . attached to or **mounted** away from the building façade or vertical” and “[l]ocated on the upper band of the building.” “Skyline” is just a way of describing where the sign is located with reference to the vertical dimension of the building. Clearly, such a sign could be either “attached to” or “mounted away” from a building, and consist of letters only, like the WeWork signs, or letters against a background, like the Regions signs.

The second permit is therefore valid. If the Board reaches this issue, it should uphold the decision of the Codes Department.

Sincerely,

Douglas Berry

Mr. Jon Michael
October 1, 2018
Page 5

Cc:

Clients

Opposing attorneys

DB/dw

Enclosure

* See Page 2 for Additional Details

THE CODE OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE

Section 17.32.160 - Computations

D. Building-Mounted Letters and Pictures. Where a sign is composed of letters or pictures attached directly to a facade, window, door or marquee, and the letters or pictures are not enclosed by a border or trimming, **the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle or combination thereof, the sides of which touch the extreme points of the letters** or pictures.

Section 17.37 - Nashville Downtown Code

Attachment to Ordinance No. BL2009-586 as adopted on February 02, 2010

Section V - Sign Standards:

Non Street-Facing Signs

Non street-facing building facades and alley frontages, not otherwise regulated, are allocated 1 square foot of sign area per 1 linear foot of building facade, to a maximum of the sign area permitted for the primary street frontage. This includes lots adjoining open spaces, pedestrian walkways, or parking areas. Ground signs are not permitted on non street-facing building facades or alley frontages.

THUS, the northwest and northeast facades MAY only allowed 155.5 square feet of signage on each facade.

Allocation of Sign Area by Street Type

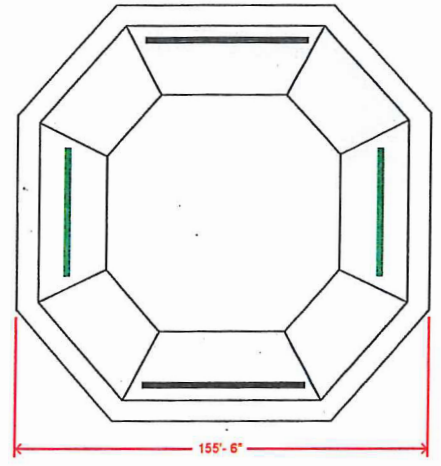
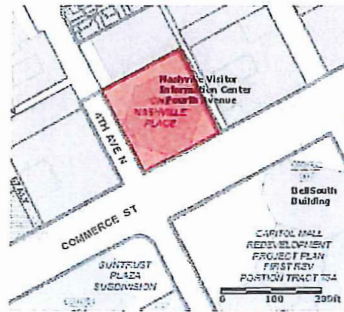
- The maximum sign area for each type of sign is determined by the Street Type and is established in the following tables. Specific requirements for each sign type are shown on the subsequent pages.
- For each cell in the table below, there is a maximum allowed sign area that may be utilized with any combination and any number of signs associated with that cell, unless otherwise noted.
- The measurements for "linear feet" shall be at grade

Skyline Sign

Design Standards:

Max Height: 14 ft.

Max Width: 60% of Facade Width = 93'-3" (155'-6")

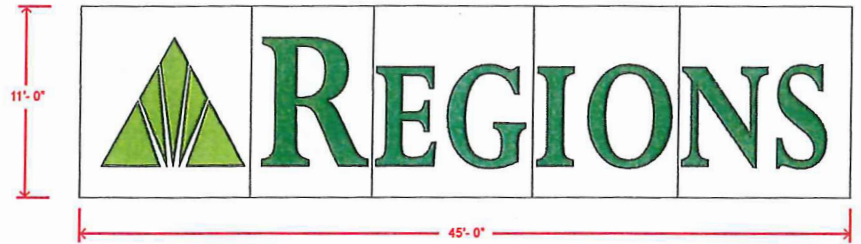


Pedestrian Street Type	
Building Signs	
Wall Sign	1.5 square foot of sign area per 1 linear foot of building facade or 36 square feet, whichever is greater.
Awning Sign	
Canopy Sign	
Projecting Sign	
Shingle Sign	9 square feet per sign
Ground Signs	
Monument Sign	24 square feet
Skyline Signs - area determined by average height of building	
75' to 100'	480 square feet
101' - 200'	600 square feet
201' and taller	720 square feet

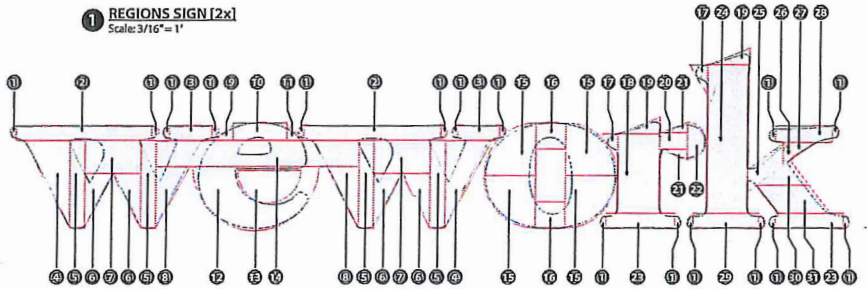


Zone ID	Qty.	Shape	Dim 1 (in.)	Dim 2 (in.)	Calculation	Area (Sq. Ft.)	Total (Sq. Ft.)
1	16	Half-Circle	r=4.5"	-	$(\pi r^2)/2$	0.2209	3.5342917
2	2	Rectangle	96	10.5	a*b	7	14
3	2	Rectangle	29.75	10.5	a*b	2.1692708	4.3385417
4	2	Triangle	32.5	60.75	$(b*h)/2$	6.8554688	13.710938
5	4	Rectangle	10.5	60.75	a*b	4.4296875	17.71875
6	4	Triangle	20.375	38	$(b*h)/2$	2.6883681	10.753472
7	2	Rectangle	40	23	a*b	6.388889	12.777778
8	2	Triangle	22.875	42.625	$(b*h)/2$	3.3855794	6.7711589
9	1	Triangle	15	10.5	$(b*h)/2$	0.546875	0.546875
10	1	Rectangle	37.75	12.375	a*b	3.2441406	3.2441406
11	1	Triangle	11.5	10.5	$(b*h)/2$	0.4192708	0.4192708
12	1	Half-Circle	r=44.5"	-	$(\pi r^2)/2$	21.6012	21.601177
13* (Subt)	1	Half-Circle	r=22.25"	-	$(\pi r^2)/2$	-5.4003	-5.4002941
14	1	Rectangle	142.375	18.25	a*b	18.044054	18.044054
15	4	Quarter-Circle	r=36.5"	-	$(\pi r^2)/4$	7.2663	29.065186
16	2	Rectangle	21	18.25	a*b	2.6614583	5.3229167
17	2	Triangle	12.75	21.375	$(b*h)/2$	0.9462891	1.8925781
18	1	Rectangle	28	55	a*b	10.694444	10.694444
19	2	Triangle	29	11.5	$(b*h)/2$	1.1579861	2.3159722
20	1	Rectangle	19.5	11.75	a*b	1.5911458	1.5911458
21	2	Triangle	19.5	7.125	$(b*h)/2$	0.4824219	0.9648438
22	1	Half-Circle	r=26"	-	$(\pi r^2)/2$	7.3740	7.3740161
23	2	Rectangle	47.625	10.5	a*b	3.4726563	6.9453125
24	1	Rectangle	28	103	a*b	20.027778	20.027778
25	1	Parallelogram	15.5	12.5	a*h	1.3454861	1.3454861
26	1	Triangle	7.5	15.5	$(b*h)/2$	0.4036458	0.4036458
26	1	Triangle	22.5	9.75	$(b*h)/2$	0.7617188	0.7617188
28	1	Rectangle	40	11.875	a*b	3.2986111	3.2986111
29	1	Rectangle	45.375	10.5	a*b	3.3085938	3.3085938
30	1	Triangle	36.5	17.625	$(b*h)/2$	2.233724	2.233724
31	1	Parallelogram	24.375	19.25	a*h	3.2584635	3.2584635

TOTAL SQ. FT. = 222.86



1 REGIONS SIGN [2x]
Scale: 3/16" = 1'



2 WEWORK SIGN [2x]
Scale: 1/4" = 1'

Parcel Zone Code:
Street Type (SW and SE):
Street Type (NE and NW):
Sign Types:
Building Height:
Max. Sign Area Per Pedsetrian Facade:
Max. Sign Area Per Alley Facade:

DTC
Pedestrian
Non, Alley Frontage
[4x] Skyline
201' and Taller
720 Sq. Ft.
155.5 Sq. Ft.

Regions Sign Area: — 495 Sq. Ft.
wework Sign Area: — 223 Sq. Ft.
Total Sign Area: 1436 Sq. Ft.
Total Allowed Skyline Sign Area: 1751 Sq. Ft.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3441940

**BUILDING SIGN PERMIT / CASN - 2018005002
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09306110300

APPLICATION DATE: 01/29/2018

SITE ADDRESS:

150 4TH AVE N NASHVILLE, TN 37219
LOT 1 ONE NASHVILLE PLACE

PARCEL OWNER: PRIM ONE NASHVILLE PLACE, LLC

CONTRACTOR:

APPLICANT: JARVIS AWARD SIGN AND FLAG CO

JARVIS AWARD SIGN AND FLAG CO 61701 STBC-27

MADISON, TN 6158656062

PURPOSE:

SIGN PERMIT FOR WEWORK...."Sign permit for WeWork..... Request two skyline signs at 49'x5' each in DTC approved under 2017-010076 and approved again using an alternate square footage calculation approved by MDHA DRC on February 20, 2018....."

- 1....SEE DRC APPROVAL: MDHA: PARKER BROWN..615-252-3750.
- 2...EXTERNAL ILLUMINATION NOT ALLOWED.
- 3...ul numbers....E 72418982 - 995.
- 4...*** NEED TO COMPLY WITH MDHA APPROVED PLAN.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

Commercial Building Final	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Footing	(615)862-6550 John.Puckett@nashville.gov
Building Framing - Ceiling	Charles.Hayes@nashville.gov
Building Final	Charles.Hayes@nashville.gov
Building Floor Elevation	Charles.Hayes@nashville.gov
Building Footing	Charles.Hayes@nashville.gov
Building Foundation	Charles.Hayes@nashville.gov
Building Framing	Charles.Hayes@nashville.gov
Building Framing - Wall	Charles.Hayes@nashville.gov
CA Building Progress Inspection	Charles.Hayes@nashville.gov
Building Slab	Charles.Hayes@nashville.gov
Electrical Sign Final	Jeremy.Barber@nashville.gov
Non-Electrical Sign Final	Jeremy.Barber@nashville.gov
U&O Property Standards Zoning	862-6590
U&O Zoning Final	(615)862-6550 John.Puckett@nashville.gov

Inspection requirements may change due to changes during construction.



Doug Berry

From: Doug Berry <Doug.Berry@millermartin.com>
Sent: Wednesday, March 14, 2018 1:58 PM
To: 'Murphy, Jim'; Fox, Lora (Legal)
Cc: Emily Meyers; Benjamin Wolfert
Subject: WeWork v. Regions and Metro [M&M-content.29926.0001]
Attachments: Building Permit 20180005002.PDF

Lora and Jim. On March 13, 2018, the Codes Department issued the attached permit, which computes the sign square footage according to the requirements of Section 17.32.160D of the Zoning Ordinance, resulting in a total square footage of the two signs of 490 square feet, which has also been approved by the Design Review Committee of the MDHA. It is my client's position that this should resolve all outstanding issues concerning the signs. Please call me at your convenience if you wish to discuss. Doug

Douglas Berry



d (615) 744-8620
f (615) 744-8635
Suite 720 | 401 Commerce Street | Nashville, TN 37219



CONFIDENTIALITY NOTICE

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if it undermines the statute's or ordinance's validity.” *Whittemore v. Brentwood Planning Comm’n*, 835 S.W.2d 11, 15-16 (Tenn. Ct. App. 1992).

Courts apply the same rules in construing zoning ordinances as they do in interpreting other statutes. The courts will read all sections of the ordinance dealing with the same subject matter *in pari materia* and construe them together to ascertain the intention of the legislative body. *Lions Head Homeowners Ass’n. v. Metro. Bd. Of Zoning Appeals*, 968 S.W.2d 296, 301 (Tenn. Ct. App. 1997). They will seek the interpretation that is most consistent with the ordinance’s general purposes, and will resolve ambiguities in favor of the property owner's right to the unrestricted use of its property. *See SNPCO v. City of Jefferson City*, 363 S.W.3d 467, 474 (Tenn. 2012); *421 Corp. v. Metro. Gov’t. of Nashville & Davidson County*, 36 S.W.3d 469, 475 (Tenn. Ct. App. 2000).

IV.

ARGUMENT

A. THE BOARD OF ZONING APPEALS ACTED ARBITRARILY AND CAPRICIOUSLY WHEN IT OVERTURNED THE INTERPRETATION OF THE DOWNTOWN CODE BY DRC AND THE ZONING ADMINISTRATOR.

Regions argued, and the Board agreed, that the portion of Printers’ Alley adjacent to the Building should not constitute a street frontage for purposes of calculating the total allowable square footage for skyline signs on the Building. But a review of the entire DTC reveals that the Board acted arbitrarily in interpreting the DTC in this manner.³

³ The DTC is part of the Zoning Ordinance. *See* Zoning Ordinance, Section 17.37.010, Appendix 1. Appendix 1 contains all provisions of the Zoning Ordinance relied upon in this Brief and Appendix 2 contains the cited and relevant provisions of the DTC, including the illustrative maps relied upon by the Board. Citations to the Zoning Ordinance will be to the Section. Citations to the DTC, which are codified entirely under Section 17.37 of the Zoning Ordinance, will be to the Section number of the DTC and page number. *Id.* will be used where appropriate. The Court may take judicial notice of the Zoning Ordinance and DTC under Rule 202 of the Tennessee Rules of Evidence. (Hereinafter “Tenn. R. Evid. ____”).



1. Applicable Regulations

The Building is located within the “Core Historic Subdistrict.” The Core Historic Subdistrict is shown on the map at page 22 of Section II of the DTC. The DTC describes the Core Historic Subdistrict as follows:

The Core Historic neighborhood has two historic urban spaces – the Arcade and Printers’ Alley. This neighborhood is comprised [sic] several historic buildings, many of which have been recently renovated. The height maximums for this subdistrict reflect historic urban design features – lower buildings mid-block and taller buildings to “book-end” the blocks at the corners. The adaptive reuse of historic buildings is encouraged and new construction should be of appropriate scale and detailing, maintaining the existing storefront rhythm. Pedestrian comfort and safety should be prioritized with an interesting sidewalk realm, activity on the ground level of buildings, and controlled vehicular access.

Id.

The DTC “Sign Standards” are at Section V. Allowable square footage for skyline signs is determined by reference to the “Street Types” that the relevant building fronts. This section describes Printers’ Alley as follows:

Printers’ Alley is a unique, iconic alley in Downtown. As a public pedestrian-only street with businesses on the ground floor and upper floors, unconventional standards apply to this street only.

DTC, Section V, at page 106. “Pedestrian Streets” is also defined. *Id.* at 105.

The “Map of Street Types for Signage Standards,” relied upon by the Board, is at page 107 of the DTC. An enlargement of a portion of this map included as an insert to the right of the main map appears to depict Printers’ Alley colored in green from Union Street to Church Street. There is no dispute that Commerce Street and Fourth Avenue are classified on this map as “Pedestrian Streets.” *Id.*

Section V of the DTC at page 109 provides under “Allocation of Sign Area by Street Type” that “(t)he maximum sign area for each type of sign is determined by the Street Type and is established in the following tables.” For both “Pedestrian Street Type[s]” *and* “Printers’ Alley

Street Type[s],”—and, for that matter, every type of street type referenced in Section V of the DTC—the area of “skyline signs” is determined by the average height of the building according to the following formulas:

75’ to 100	480 square feet
101’ to 200’	600 square feet
201’ and taller	720 square feet

Id. at 109-10.

Finally, Section V of the DTC describes the standards for “skyline signs.” *Id.* at 117. Such signs are, among other things, allowed only on buildings greater than 75 feet in height. *Id.*

- 2. The Board ignored the plain language of the Downtown Code and Zoning Ordinance when it ruled that Printers’ Alley between Church and Commerce should not be counted as a street for purposes of sign face computation.**

The Board based its decision on findings that (i) only the “historic” portion of Printers’ Alley between Church and Union with “pedestrian traffic, . . . ground floor retail, restaurant, bar, (and) nightclub use” should be treated as a street for purposes of calculating allowable skyline sign square footage, and not the portion of Printers’ Alley between Church and Commerce that is adjacent to the Building; and (ii) the “historic” portion of Printers’ Alley is identified with green highlighting on an enlarged portion of the “Map of Street Types for Signage Standards” at page 107 of the DTC. (*See* AR 143, lines 7-19). In doing so, the Board ignored the plain text of the DTC, and disregarded well-established principles of statutory interpretation.

First, the Board ignored the plain text of the DTC in adopting Regions’ definition of what constitutes the “historic” portion of Printers’ Alley. Indeed, the portion of Printers’ Alley within the Core Historic District (*see* AR 076) is larger than the “historic” portion of Printers’ Alley running from Union to Church described by the Board and includes sections of Printers’ Alley

that have no pedestrian oriented retail businesses.⁴ For example, the Regulating Plan for the Core Historic District also includes four (4) properties that are south of Church Street. The fact that the Core Historic District includes sections of Printers' Alley without pedestrian oriented retail businesses belies the Board's conclusion that "pedestrian traffic, . . . ground floor retail, restaurant, bar, (and) nightclub use" are the *sine qua non* of what constitutes "historic."

Second, the Board acted arbitrarily and capriciously in adopting Regions' argument that the definition of Printers' Alley in the DTC warrants treating portions of Printers' Alley differently than any other pedestrian street type for purposes of skyline signs. The DTC defines Printers' Alley as a "unique, iconic alley" warranting "unconventional standards" due to it being a "public, pedestrian-only street with business on the ground floor and upper floors." *See* DTC, Section V, at page 109-10. Far from providing blanket authorization to treat Printers' Alley differently for purposes of skyline signs, this definition clearly provides an explanation as to why Section V of the DTC contains certain "unconventional" standards for Printers' Alley. The only ways in which Section V of the DTC actually treats Printers' Alley in an unconventional manner,

⁴ Just as the Board effectively took judicial notice of the character of certain segments of Printers' Alley, so too may this Court. Under Tenn. R. Evid. 201 (a) the Court may take judicial notice of an adjudicative fact when it is "not subject to reasonable dispute, in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." *See, e.g., Chandler v. Edgar W. Long, Inc.*, 623 F.2d 1139, 1142 (6th Cir. 1980) ("whether an automobile accident was in the residential or commercial part of the city"); *Clariday v. State*, 552 S.W.2d 759, 770 (Tenn. Crim. App. 1976) ("that the intersection of Lakeland Drive and McGavock Pike lies within the boundaries of Davidson County"); *Laughter & Fisher v. McLain*, 229 F. 280, 282 (W.D. Tenn. 1916) ("that the laws of Tennessee, establish public schools, and also of the fact that within four miles of the plaintiff's place of business at No. 520 South Main street in Memphis, there are several schoolhouses, both public and private, wherein schools are kept"); *Creative Restaurants, Inc. v. City of Memphis*, 795 S.W.2d 672, 676 (Tenn. Ct. App. 1990) ("This Court can certainly take judicial notice of the fact that Beale Street in times past enjoyed a cultural and historical reputation nationwide[.]"); *State v. Kimbrough*, No. M2003-00719-CCA-R3-CD, 2005 WL 292419, at *11 n.2 (Tenn. Crim. App. Jan. 31, 2005) ("The trial court took judicial notice of the fact that 'Old Hickory Boulevard becomes Bell Road in the Antioch area, and that the Antioch area is relatively small[.]'").

however, have nothing to do with skyline signs, and everything to do with building signs and other street-level activity. For example, no “Ground Signs” are allowed in Printers’ Alley, though they are allowed for all other street types. The obvious reason for this is that ground signs would interfere with pedestrian traffic. In addition, Printers’ Alley is the only type of street for which “Building Signs” are allowed on the “ground floor.” *Id.* Printers’ Alley is also the only type of street for which wall, awning, and canopy signs are regulated by which floor the sign is on. No other street type has such classifications. *Id.* The patent reason for these more liberal standards is that the restaurants and nightclubs on the alley have long relied on such signs.

Nowhere does the DTC instruct, however, that skyline signs fronting onto Printers’ Alley be treated differently than those fronting elsewhere. Critically, Section V of the DTC at 109-10 on its face applies the *exact same* numerical standards for skyline signs fronting Printers’ Alley as it does for every other type of regulated street type.

Based on the plain text of the regulations read as a whole, it is clear that the unique pedestrian nature of Printers’ Alley warrants different and generally more liberal standards for building signs and other street level activity. Treating Printers’ Alley differently for skyline signs hung 200 feet above street level, however, bears no support in logic or the DTC.

Third, the cornerstone of Regions’ argument and the Board’s decision—that the “green line” drawn on the map at page 107 of the DTC is intended to depict the lone “historic” portion of Printers’ Alley intended to qualify as a street frontage—is completely unsupported by the DTC. Such interpretation is inconsistent with other maps included in the DTC, and contrary to the present-day reality of the relevant portions of Printers’ Alley. For example, the Core Historic Subdistrict includes four properties to the north of an unnamed alley (hereinafter “the east-west alley”) running parallel to and south of Union Street and north of Church Street that, like the

portion of Printers' Alley adjacent to the Building, also have no ground-floor retail businesses, restaurants, bars or nightclubs fronting Printers' Alley, but nevertheless are highlighted green on the map that the Board found conclusive.⁵ Further, no portion of Printer's Alley lying south of Church Street is colored green, even though this segment includes the four (4) properties that are within the Core Historic Subdistrict. Because there is no support for the conclusion that the green highlighting indicates the "historic" portion of Printers' Alley, there is no legislative intent discernible from this miniscule green line that the Metro Council intended to exclude any portion of Printers' Alley from consideration in calculating the allowable sizes for skyline signs.

Fourth, the Board's decision, and Regions' argument, makes no allowance for the possibility that building owners along those stretches of Printers' Alley that *presently* have no retail businesses might *in the future* renovate their buildings to provide for such. It is illogical and unworkable to adopt an interpretation of land use regulations that changes depending on the fleeting intent of individual building owners.

Fifth, the Board's size restrictions on skyline signs make no sense, furthermore, when read *in pari materia* with the other restrictions for Printers' Alley. The height restrictions on buildings in Printers' Alley's historic core are six (6) stories for the mid-block area and ten (10) stories for the corners. Yet, skyline signs for buildings with frontage on Printers' Alley are permitted for buildings that clearly exceed six (6) or even ten (10) stories: 480 square feet for a 75 to 100 foot building, 600 square feet for a 101 to 200 foot building, and 720 square feet for a building 201 feet and taller. The *only* building adjacent to Printers' Alley that is 201 feet or taller is, in fact, the Building. It is not credible to assume that the Metro Council would have

⁵ The facts as they relate to the nature of businesses within the Core Historic Subdistrict are not subject to reasonable dispute, are generally known within the territorial jurisdiction of the trial court and are capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. *See* cases cited *supra*, at note 4.

granted a building of this size with frontage on Printers' Alley the right to have a 720 square foot sign if the frontage on Printers' Alley did not count in the computation.

Sixth, the Board erred by refusing to defer to the DRC's interpretation of the DTC. The DRC is the sole agency charged with interpreting the DTC. DTC, Section I, pages 13-14. The Board acted outside of its authority, and contrary to the intent of the DTC, in overturning the DRC's interpretation.

Finally, had the Council intended to exclude the portion of Printers' Alley not colored in green, or any other portion of the alley, from consideration in computing street frontage for sign square footage, it could have easily done so with one sentence of text. It chose not to do this.

3. **The Board acted arbitrarily by ignoring the fact that, under calculation methods mandated by the Zoning Ordinance, which are incorporated into the DTC, the signs are compliant even under Regions' theory of the case and the Board's interpretation of the DTC.**

Even assuming the Board was correct in its argument as to how Printers' Alley should be treated, which the Petitioner, of course, does not concede, the Board also ignored appropriate square footage calculation methods prescribed by the Zoning Ordinance in determining that Petitioner's signs are too big.

The DTC expressly incorporates by reference Chapter 17.32 of the Zoning Ordinance, titled "SIGN REGULATIONS." *See* DTC, p. 12 (listing sections of the Zoning Ordinance that apply "in addition" to the standards set forth in the DTC). That provision of the Zoning Ordinance prescribes the methods for calculating a sign's area. It is clear from the face of the Zoning Ordinance that sign area is calculated differently depending on whether or not the lettering is enclosed by a border or trimming (like Regions' signs) or is "attached directly to a façade" and "not enclosed by a border or trimming" (like WeWork's).

With respect to signs, like Regions', where the lettering sits atop a rectangular background, the area is computed as follows:

- C. Sign Area. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed,

Chapter 17.32.160.C. The WeWork signs, however, have no background and consist only of letters. A separate provision of the Zoning Ordinance governs such signs:

- D. Building-Mounted Letters and Pictures. Where a sign is composed of letters or pictures *attached directly to a façade . . .*, and the *letters or pictures are not enclosed by a border or trimming*, the sign area shall be the area within the smallest rectangle, parallelogram, triangle, circle or semicircle or combination thereof, the sides of which touch the extreme points of the letters or pictures.

Id. § D (emphasis added).

Petitioner has attached as Exhibit 8 to the Petition a graphic showing the calculation of the area of the WeWork signs according to this formula. Measured this way, the square footage of each WeWork sign is only 223 square feet per sign. Thus, even if the Board was correct in its ruling and there was only 450 square feet of remaining available signage, the WeWork signs would fit within that area.

Petitioner did not rely upon this provision of the DTC in its application, nor did the DRC or Zoning Administrator apply it. WeWork used the same method of computing the sign square footage that Regions used, because even if that method produced an exaggerated square footage calculation, it placed the signs well within the total square footage that WeWork interpreted the regulation to allow. Indeed, all parties and the Board treated the signs as if they were like Regions' signs and governed by Section 17.32.160, C., "Sign Area."

Despite this, the Court may still find that the Board acted arbitrarily in failing to account for the appropriate method of calculation. *See* Tenn. Code Ann. § 27-9-111(b) (in reviewing board’s decision, “[t]he hearing shall be on the proof introduced before the board or commission contained in the transcript, and upon such other evidence as either party may desire to introduce.”). Courts have allowed the introduction of evidence not presented to the Board to determine “whether the Board exceeded its jurisdiction or acted illegally, arbitrarily or capriciously.” *Weaver v. Knox Cnty. Bd. Of Zoning Appeals*, 122 S.W.3d 781, 786 (Tenn. Ct. App. 2003); *City of Knoxville v. City of Knoxville Pension Bd.*, No. E2012-00703-COA-R3-CV, 2012 WL 6477024, at *5 (Tenn. Ct. App. Dec. 14, 2012). Petitioner, moreover, has not waived this issue, because the issue is purely legal and does not add new facts to the record. *See O’Bryan v. Holy See*, 556 F.3d 361, 375, n.5 (6th Cir. 2009); *Bryant v. Dollar Gen. Corp.*, 538 F.3d 394, 400 (6th Cir. 2008); *Scottsdale v. Flowers*, 513 F.3d 546, 552 (6th Cir. 2008).

Here, there can be no dispute that the Board acted arbitrarily and capriciously in failing to calculate WeWork’s signs as though they were “Building-Mounted Letters and Pictures” pursuant to Chapter 17.32.160.D. It was arbitrary and capricious for the Board to ignore a “plainly relevant part” of the Zoning Ordinance. *Cf. Arkansas v. Oklahoma*, 503 U.S. 91, 113, 112 S.Ct. 1046, 1060, 117 L.Ed. 2d 239 (1992).

B. THE BOARD EXCEEDED ITS JURISDICTION AND FAILED TO PROVIDE A FAIR HEARING BY CONSIDERING IRRELEVANT TESTIMONY FROM THE VIRIDIAN RESIDENTS CONCERNING THE BRIGHTNESS OF THE SIGNS.

The Board exceeded its jurisdiction in considering and basing its decision in part on the testimony of the Viridian residents concerning the brightness of Petitioner’s signs.

The Court, in reviewing agency action under a common law writ of certiorari, must reverse the agency’s decision if it determines the agency followed “an unlawful procedure.”

Section I: Introduction

Application of the DTC

General Provisions

If necessary, to adhere to the laws and regulations of Federal, State, or local departments or agencies, the regulations in this chapter may be modified. Such modifications may be approved by the Planning Commission, the DTC Design Review Committee or Planning Staff, in accordance with the Modifications section of this Chapter.

To the extent that the provisions of the Downtown Code is inconsistent or in conflict with the provisions of the Gateway Urban Design Overlay District that is also zoned DTC, the provisions of the DTC zoning shall be controlling; however, any provisions of the Gateway UDO may be used provided that the standards of the DTC zoning are met.

Applicable Chapters and Sections of the Zoning Code

In addition to the standards set forth within this document, the following Chapters and Sections of the Metro Zoning Code shall apply to properties with DTC zoning.

- All of Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS
- Within Chapter 17.08 ZONING DISTRICTS AND LAND USE TABLES
 - Section - 17.08.010 Zoning districts established.
 - Section - 17.08.020 Zoning districts described.
- All of Chapter 17.16 LAND USE DEVELOPMENT STANDARDS
- Within Chapter 17.20 PARKING, LOADING AND ACCESS
 - Section - 17.20.050 Handicapped parking.
 - Section - 17.20.060 Parking area design standards.
 - Section - 17.20.070 Queuing requirements for drive-through facilities.
 - Section - 17.20.130 Loading space requirements.
- Within Chapter 17.24 LANDSCAPING, BUFFERING AND TREE REPLACEMENT
 - Section - 17.24.010 Purpose and intent.
 - Section - 17.24.020 Landscape plan required.
 - Section - 17.24.030 Standards for form and quality of plants.
 - Section - 17.24.040 Spacing standards.
- Article II. Tree Protection and Replacement
 - Section - 17.24.090 Removal of protected trees.
 - Section - 17.24.100 Replacement of trees.
 - Section - 17.24.110 Protection of trees during development activities.
 - Section - 17.24.120 Less desirable trees.
 - Section - 17.24.160 Interior planting requirements.
 - Section - 17.24.170 Nonconforming parking areas.
- All of Chapter 17.28 ENVIRONMENTAL AND OPERATIONAL PERFORMANCE STANDARDS
- All of Chapter 17.32 SIGN REGULATIONS
- All of Chapter 17.36 OVERLAY DISTRICTS, except Article XII, Urban Zoning Overlay (UZO) District.
- All of Chapter 17.40 ADMINISTRATION AND PROCEDURES, except as otherwise provided for within this document.



2018-480

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: John Pirtle
Property Owner: Eastland Development
Representative: John Pirtle

Date: 7-24-18
Case #: 2018-480
Map & Parcel: 083031F0010000

Council District 7

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:
to construct a new duplex

Activity Type: Duplex - Sidewalks Required + Not Allowed to Contribute

Location: 1301 C Porter Rd

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Variance from side walk requirements

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

John Pirtle
Appellant Name (Please Print)

Same
Representative Name (Please Print)

708 Brackten St
Address

Address

Lebanon, TN. 37087
City, State, Zip Code

City, State, Zip Code

615 425 6599
Phone Number

Phone Number

jpirtle@msn.com
Email

Email

Appeal Fee: 100.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3538140

ZONING BOARD APPEAL / CAAZ - 20180043187

ISSUED ON:

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

Approval (Where Required)

Date

SITE ADDRESS:

1301 C PORTER RD NASHVILLE, TN 37206
UNIT C 1301D PORTER ROAD TOWNHOMES

PARCEL:

083031F00100CO

Tax District:

USD

Census Tr:

37011400

PARCEL OWNER:

PURPOSE:

per METZO section 17.20.120, requesting a sidewalk variance for proposed HPR duplex.

PERMIT DETAILS:

Estimated Value:

Number of Floors:

Const Type:

Sewer or Septic:

Sq Footage:

Total # Buildings:

Parking Required: N

Total # Units:

Parking Provided: N

Garage: N

Sprinklers? N

Number of Bedrooms:

Metro Water:

Number of Kitchens:

Public Constr? N

ZONING ASSIGNMENTS:

OV-COD CONTEXTUAL OVERLAY DISTRICT
OV-UZO URBAN ZONING OVERLAY
R6 ONE&TWO FAMILY 6,000 SQUARE FOOT LOT

Third Coast Builders

708 Brockten St, Lebanon, TN. 37087 615-425-6599

jtpirtle@msn.com TN. Lic # 60437

To Whom It May Concern,

I am requesting relief from building a sidewalk, or contributing to the sidewalk fund for property at 1301 Porter Rd. Nashville, TN. 37206.

The lot is a corner lot and a sidewalk is existing on the portion of the lot that fronts Porter Rd. There is no existing sidewalk on the portion of the lot that fronts Carter Ave. or for that matter, there are no sidewalks on any of the lots on Carter Ave.

The reason for my request is that in order to install a sidewalk that is in compliance with the current metro code, I would be required to remove a significant number of trees, which would alter the overall picturesque scene of this area of east Nashville. In addition, I would be required to change the grade of the existing lot, which would also affect the existing lots and make this lot seem "out of place."

Please consider my request and grant a variance from the metro code for this lot.

Sincerely,

John Pirtle

jtpirtle@msn.com

615-425-6599

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

7/24/18
DATE

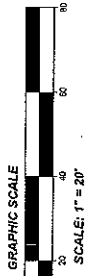
In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

In order to comply with current standards a significant amount of trees would need to be removed which would take away from natural beauty of the area and natural borders. In addition to significant grading and inconsistency w/ surrounding area.



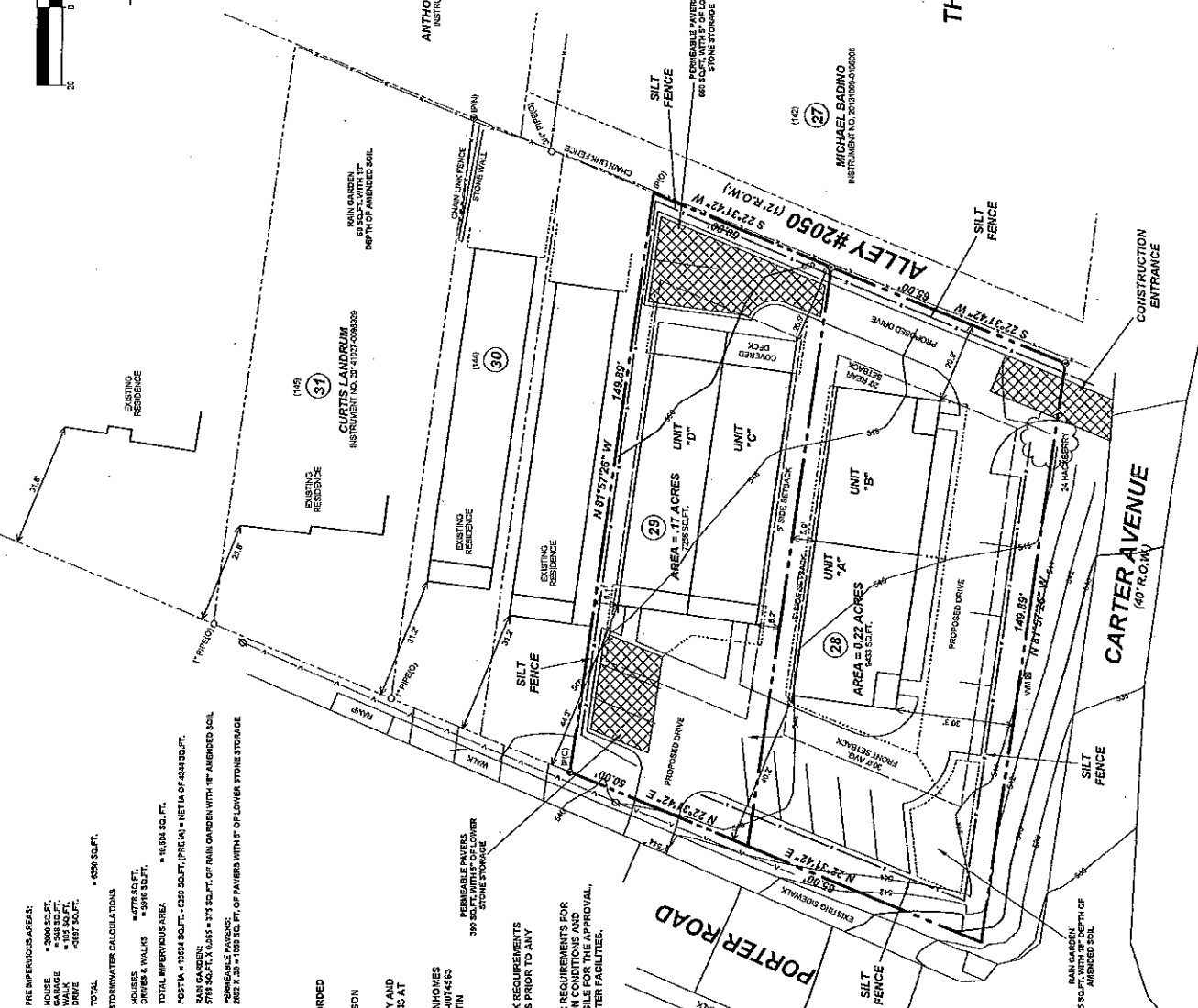
- LEGEND**
- BOUNDARY LINE
 - IRON PIN NEW
 - IRON PIN OLD
 - EASEMENT LINE
 - POWER POLE
 - IP(N)
 - IP(O)
 - IP(S)
 - IP(W)

SEE NOTE NO. 1
NORTH

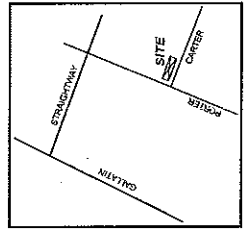
SITE PLAN
LOT 28 & 29
THE PLAN OF MRS. MINNIE E. MARTIN SUBDIVISION
1351 PORTER ROAD TOWNHOMES
FOR
ED GAW

PROPERTY ADDRESS:
1301 PORTER ROAD
NASHVILLE, TN. 37206
07TH COUNCIL DISTRICT
NASHVILLE, DAVIDSON COUNTY
TENNESSEE
DATE: JUNE 26, 2018
JULY 10, 2018

JOB NO. 16-410

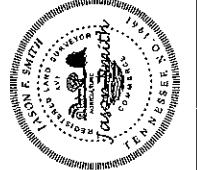


- PER IMPERVIOUS AREAS:**
- HOUSE = 2000 SQ.FT.
 - DRIVE = 1500 SQ.FT.
 - WALK = 1000 SQ.FT.
 - DRIVE = 4887 SQ.FT.
- TOTAL = 6387 SQ.FT.**
- STORMWATER CALCULATIONS**
- ROOFS = 4778 SQ.FT.
 - DRIVES & WALKS = 4209 SQ.FT.
 - TOTAL IMPERVIOUS AREA = 8987 SQ.FT.
 - POST 'A' = 10584 SQ.FT. (PRE-PAV) = NET I.A. OF 4244 SQ.FT.
 - RAPI GARDEN: 5718 SQ.FT. X 0.655 = 3745 SQ.FT. OF RAIN GARDEN WITH 18" AMBISHED SOIL.
 - PERMEABLE PAVERS: 2022 X 20 = 1059 SQ. FT. OF PAVERS WITH 5" OF LOWER STONE STORAGE



- NOTES**
1. BEARINGS BASED ON 1351 PORTER COTTAGES, AS RECORDED IN INSTRUMENT NO. 20165025-001694.
 2. PARCEL NUMBERS SHOWN THUS (00) PERTAIN TO DAVIDSON COUNTY TAX MAP NO. 182-4-0.
 3. I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS AT LEAST 1:10,000 AS SHOWN HEREON.
 4. PROPERTY DEED REFERENCE: 1351 PORTER ROAD TOWNHOMES PLAN OF MRS. MINNIE MARTIN INSTRUMENT NO. 20163720-0074583 PLAY BOOK 647 PAGE 137
 6. ZONING: R-6

OWNER / DEVELOPER MUST VARYIFY MINIMUM BUILDING SETBACK REQUIREMENTS AND CONSTRUCTION OF ANY NEW STRUCTURES. DESIGN OR CONSTRUCTION OF ANY NEW STRUCTURES. STORMWATER CALCULATIONS BASED ON METRO STORMWATER REQUIREMENTS FOR IMPERVIOUS AREAS AND WERE TAKEN FROM PRE-CONSTRUCTION CONDITIONS AND POSSIBLE FUTURE DEVELOPMENT IS NOT RESPONSIBLE FOR THE APPROVAL, DESIGN, INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.



JASON F. SMITH, T.N. SLS NO. 1861
SMITH LAND SURVEYING, LLC
1550 PINEWOOD
TULLOCH, TN 37203
SMITHLANDSURVEYING@COMCAST.NET

Benjamin Fowler
2101 Creighton Ave
Nashville, TN 37206
717-380-4778
Bfowler1994@gmail.com

14 August 2018

Board of Zoning Appeals
Metro Office Building – 3rd Floor
800 Second Avenue, South
Nashville, TN 37210

RE: Appeal Case Number 2018-480
1301C Porter Rd
Map Parcel: 083031F00100CO
Zoning Classification: R6
Council District: 7

Dear Board of Zoning Appeals,

I am writing in opposition to the request for a variance from sidewalk requirements as requested by John Pirtle for the above property. As a homeowner who lives in East Nashville quite near the property in question, I believe that continuity of sidewalks and appearance is an important part of maintaining the character of the neighborhood. Sidewalks improve safety for pedestrians and provide a buffer keeping houses from looming over the road and obscuring the view around corners for drivers. Additionally, I myself utilize the sidewalks frequently to patronize the numerous local businesses within walking distance, instead of contributing to congestion and environmental impacts by driving around Nashville. In light of these views, I would like any new construction to follow the zoning rules and install conforming sidewalks as well as contributing to the sidewalk fund. I encourage the Board to deny this appeal.

Thank you,



Benjamin Fowler

From: Jerry Vandiver
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal case number 2018-480
Date: Monday, August 27, 2018 2:05:09 PM

Hello,

As a nearby property owner I would like to write in opposition to the request for variance from the sidewalk requirements on this development. I feel this developer should follow all the rules every other developer has and there should be no exception here.

I also feel that not putting in a sidewalk for this development would be a detriment to the character of the neighborhood.

Do I need to write a separate formal letter regarding my opposition or will this email suffice?

Thank you,
Jerry Vandiver
2112 Creighton
Nashville, TN
615-414-8356

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Nora El-Chaer

Date: 7-26-2018

Property Owner: Charlie Warden

Case #: 2018-484

Representative: Jason Holleman

Map & Parcel: 181-0-225

Council District 31

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

Special Exception to allow Kennel in AR2A. Previously granted on 6-7-18 case # 2018-225

Activity Type: Kennel

Location: 6391 Pettus Rd.

This property is in the AR2A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Special Exception

Section(s): 12.16.175(A)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Nora El-Chaer
Appellant Name (Please Print)

Jason Holleman
~~Nora El-Chaer~~
Representative Name (Please Print)

4800 Charlotte Ave
Address

4800 Charlotte Avenue
Address

Nashville, TN 37209
City, State, Zip Code

Nashville, TN 37209
City, State, Zip Code

(615) 942-6812
Phone Number

(615) 942-6812
Phone Number

Nora@westshvillelaw.com
Email

jason@westshvillelaw.com
Email

Appeal Fee: 200.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3539164

**ZONING BOARD APPEAL / CAAZ - 20180043969
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 18100022500

APPLICATION DATE: 07/26/2018

SITE ADDRESS:

6391 PETTUS RD ANTIOCH, TN 37013
LOT 1 HAWKINS SUBD

PARCEL OWNER: WARDEN, KIMBERLY M. & CHARLES L., JR

CONTRACTOR:

APPLICANT:

CONTACT: Jason Holleman
4800 Charlotte Ave
Nashville, TN 37209

PURPOSE:

special exception to allow kennel in AR2A. previously granted on 6-7-18, case no. 2018-225.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Notices will be sent to the district councilmember, *The Tennessean*, and the neighboring property owners within 300 feet of the property. The neighbor notices will be mailed approximately twenty-three (23) days prior to the public hearing.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.


Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.


APPELLANT

7/25/18
DATE

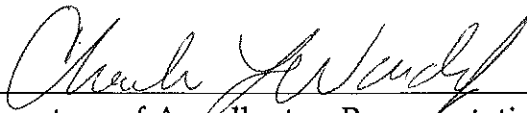
SPECIAL EXCEPTION REQUESTS

On May 1, 2003, the Board of Zoning Appeals approved a new condition/requirement for all special exception applications. It reads as follows:

"BZA Rules of Procedure Item 9. (2) e In the interest of having informed stake holders in special exception cases, it is required that the appellant make contact with the district councilperson and neighbors within 300 feet of the subject property from a mailing list provided by the board staff. Information to be furnished by the applicant shall include a contact person and include a reasonable representation of your proposal and hold a meeting at a geographically convenient place, date and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

In other words, we will provide you a mail list of those persons within 300 feet of the location designated for a special exception permit. We are required by law to notify these people (within 300 feet) of your request. The Board requires that you contact those persons on the mail list, give them a date, time, place to meet with you and discuss your request. If there is opposition, this will give you a chance to address their concerns prior to the public hearing.

You must make documentation to present to the Board concerning your efforts to contact these people. Failure to do so can result in a deferral or denial of your request.



Signature of Appellant or Representative

**METROPOLITAN BOARD OF ZONING APPEALS,
METROPOLITAN GOVERNMENT OF
NASHVILLE & DAVIDSON COUNTY, TENNESSEE**

IN RE: 6391 PETTUS ROAD)
ANTIOCH, TN 37013)
SPECIAL EXCEPTION) CASE NO. _____
KENNEL)
)
)
OWNER: Charlie Warden)
)
)

BRIEF IN SUPPORT OF SPECIAL EXCEPTION REQUEST

Comes now, Applicant Charlie Warden (“Owner”), owner of certain real property located at 6391 Pettus Road, Antioch, TN 37013 (“the Property”), and requests that the Metropolitan Board of Zoning Appeals (“BZA”) renew his special exception permit to operate a kennel, pursuant to in M.C.L. §17.16.175 and M.C.L. §17.40.280, for a term of at least one (1) year.

BACKGROUND

On or around June 14, 2018, the BZA granted Owner a special exception to operate a kennel in the AR2A zoned property. As part of this special exception permit, the BZA established the following site-specific conditions: A) pick up and drop off of animals may only occur between 7:00 a.m. and 7:00 p.m.; B) no more than ten (10) dogs may be outside at any one time; C) no dogs may be allowed outside of the kennel between 7:00 p.m. and 7:00 a.m.; and D) that sound insulation must be installed inside the kennel to reduce the noise emitted from the kennel. In order to be able to monitor the implementation of these conditions, the BZA further ordered the initial term of the kennel special exception permit to expire on September 7, 2018. As such, Owner, herewith, has submitted an application to renew his kennel special exception permit.

CURRENT STATUS AND LEGAL ANALYSIS

As discussed at the June 14, 2018, M.C.L. §17.16.175 provides specifically the conditions to be met for a kennel special exception permit, and Owner irrefutably demonstrated at that time that he met all such conditions with the present facilities. M.C.L. §17.16.175 provides:

A. Kennel/Stable.

1. Setback. No part of any building or structure in which animals are housed shall be closer than two hundred feet, and no kennel run shall be located within one hundred feet, from any existing residence, other than one owned or occupied by an owner or operator of the kennel or stable. In the event more than ten horses are boarded on five acres or more, the building setback shall increase to two hundred feet from the property line.
2. Building Temperature. Enclosures must be provided which shall allow adequate protection against weather extremes. Floors of buildings, runs and walls shall be of an impervious material to permit proper cleaning and disinfecting.
3. Cages. For a kennel, each animal shall have sufficient space to stand up, lie down and turn around without touching the sides or top of cages. Cages are to be of material and construction that permits cleaning and sanitizing. Cage floors of concrete, unless radiantly heated, shall have a resting board or some type of bedding.
4. Runs. For a kennel, each run must have at least a six-foot high fence completely surrounding it. Fences must be maintained in escape-proof condition. Runs shall provide an adequate exercise area and protection from the weather. All animal quarters and runs are to be kept clean, dry and in a sanitary condition...
5. Watering of Animals. All animals shall have fresh water available at all times. Water vessels shall be mounted or secured in a manner that prevents tipping and shall be of the removable type.


Owner continues to meet the foregoing conditions. Further, Owner has complied throughout the term of the special exception permit with conditions (A) – (C), and he has also installed sound insulation. By separate filing, Owner will file prior to the BZA hearing copies of decibel readings to demonstrate the current volumes at the property line of the Property.

CONCLUSION

The BZA has the authority, pursuant to M.C.L. §17.40.280 to grant a special exception permit for a kennel in an AR2A zoned property. The Owner has demonstrated compliance with the conditions set forth for such use by special exception. Where the owner has already shown compliance with the zoning requirements, as well as with the additional conditions placed upon the Owner in the initial special exception permit, the BZA should grant Owner's request and grant a special exception permit for the use of kennel facilities for a term of at least one (1) year.

Respectfully Submitted:

West Nashville Law Group, PLLC



Jason D. Holleman
BPR No. 19608
4800 Charlotte Avenue
Nashville, Tennessee 37209
(615) 942-6812: Office
(615) 383-7128: Facsimile
jason@westnashvillelaw.com

From: [Michael, Jon \(Codes\)](#)
To: [Shepherd, Jessica \(Codes\)](#)
Subject: Fw: Dog Kennel
Date: Thursday, September 6, 2018 5:44:17 AM

Lets make sure the CM's email gets to the Board members.

Sent from my Verizon LG Smartphone

----- Original message-----

From: Fabian Bedne
Date: Wed, Sep 5, 2018 5:17 PM
To: Michael, Jon (Codes);Jason Holleman;Shawn R. Henry;
Cc:
Subject:Dog Kennel

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Chairman David Ewing
Metropolitan Board of Zoning Appeals
Via email: jon.michael@nashville.gov
BZA Secretary and Zoning Administrator

RE: Case No. 2018-484
Proposed Dog Kennel at 6391 Pettus Road


Dear Chairman Ewing:

I have decided to oppose this application moving forward. I have recently been made aware of another dog kennel operating or proposed to operate nearby. I believe that in light of this new developments this is an unwelcomed pattern that needs to be stopped immediately.

Respectfully,

Fabian Bedne

Metro Councilmember District 31, Metropolitan Nashville

Tel:  615.829.6226 - fbedne@gmail.com

Please subscribe to the District 31 e-newsletter [here](#)
To learn about beautification in District 31 like this [page](#)



From: June Kaye
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case Number 2018-484
Date: Tuesday, September 4, 2018 6:19:47 PM

To: Zoning Board of Appeals Members
Re: Case Number 2018-484

I live at 6309 Pettus Road and I am unable to attend the Sept. 6 BZA appeal hearing on this case. I enjoy walking every day but, while walking in our neighborhood, all I can hear is constant annoying barking coming from that kennel.

It's so loud, it makes my dog bark and a relaxing walk turns in to one where I'm having to reprimand my dog. I love dogs but I definitely can understand why anyone living anywhere near that annoying barking noise would be apposed to the Zoning Board approving the Warden's special exception permit to AR2A zoning. I thought that Metro Codes had regulations that make this kind of animal noise unlawful since it disturbs people living nearby. The Wardens should find a different location for their kennel - not a peaceful neighborhood. Please reject the Warden's request for a special exception to AR2A.

Thank you,
June Kaye

From: KRISTINE KAYE
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Special Exception case # 2018-484
Date: Tuesday, September 4, 2018 1:50:38 PM

Dear Metro Nashville Board of Zoning Appeals Members,

This letter is to express my opposition to the “special exception” zoning request by our neighbor Charlie Warden at 6391 Pettus Road. He’s been actively running a busy dog kennel business for quite some time and the noise is very disruptive. Since sound travels a long distance in this neighborhood, the incessant barking can even be heard 1/2 mile away. It appears Mr Warden has no regard for his neighbors' peace and quality of life.

We understand Mr Warden was required to soundproof the indoor kennel facility. If he has done so, it wasn’t successful because we still hear the barking. The most annoying noise, however, is when the dogs are in the outdoor runs/play areas where, obviously, there is no soundproofing. We can’t enjoy sitting outside, playing in our yard and our dogs, who have been trained to be calm, hear the kennel dogs barking and start barking themselves.

A dog kennel business should be located in a non-residential area, where it doesn’t disrupt other people's lives. I realize AR2A zoning allows dog kennels outside 200 feet of homes, but I’m hoping you will consider that the families who live in this neighborhood are being forced to listen to incessant barking day and night. We plan to own our home for the remainder of our lives and it isn't right that our quality of life be diminished because our neighbor is too selfish to find a more appropriate location for his dog kennel business. Seriously try to imagine a dog kennel next to your home with dogs barking 24/7.

I realize it probably isn't your responsibility to enforce Metro Codes, but we're hoping the following regulation regarding 'animals that disturb the peace' will help protect our 'comfort and repose'.

Chapter 8.12 - MISCELLANEOUS ANIMAL CONTROL REGULATIONS

Sections:

8.12.010 - Keeping of animals that disturb the peace.

A.

It is unlawful for any person to keep any animal, dog, bird or fowl which, by causing frequent or loud continued *noise*, disturbs the comfort or repose of any person in the vicinity.

B.

Violation of this section shall be declared to be public nuisance which violation may be enjoined by any court of competent jurisdiction.

(§ 2 of Amdt. 1 to Ord. 90-1275, 7/17/90; Ord. 90-1275 §§ 1, 2, 1990)

Thank you for your time,

Kristine Kaye

6307 Pettus Road
Antioch, TN 37013
615/579-3223

From: Chris Strong
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: "[June HAWKINS](#)"
Subject: Case# 2018-484
Date: Monday, September 3, 2018 11:24:19 AM

Dear Sir/Madame:

I am writing in opposition to case # 2018-484 that would allow a neighbor to operate a dog kennel in a residential neighborhood. To allow this business to operate here is vastly unfair to our community and is about to impact many more people than the current neighbors as plans are underway for two new subdivisions within close proximity with over 150 homes each! The noise from the dogs is terrible and due to the topography of the area, it bounces around and sounds like it is emanating directly from my backyard. No one would want this imposed on them and it will only serve to devalue the surrounding homes and impose a hardship on all the neighbors who will not be able to enjoy a quiet peaceful afternoon in their own backyard! Please deny this petition.

Sincerely,
Chris Strong & Andrew Klopfer
6323 Pettus Road
Cane Ridge, TN 37013
(615) 397-0971

From: June HAWKINS
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: dog day care
Date: Sunday, September 2, 2018 7:13:32 AM

Sept. 2, 2018

Appeal case number 2018-484

Dear BZA board member,

I reside at 6375 Pettus Rd. two houses down from 6391 Pettus Rd. where there is a day care for dogs. It is closed down now to try to sound proof the area the dogs are kept in. There are still some dogs there and I can still hear them as some of them are large, very loud dogs. Before the shutdown, I could no longer sit outside on my porch because of the dogs barking and fighting that went on almost all day. I'm 83 and I'm afraid if I have to sell my house, the property value will have decreased because of this nuisance if the day care is allowed. Please deny this request for a special exception to operate this kennel in our residential neighborhood. Thank you.

June Hawkins

6375 Pettus Rd.

Cane Ridge, TN 37013

2018-484

TUNE, ENTREKIN & WHITE, P.C.

ATTORNEYS AT LAW

JOHN C. TUNE
1931-1983

SUITE 1700
315 DEADERICK STREET
NASHVILLE, TENNESSEE 37238

ERVIN M. ENTREKIN
1927-1990

TEL (615) 244-2770 FAX (615) 244-2778

**Rule 31 listed General Civil Mediator*

THOMAS V. WHITE
JOHN W. NELLEY, JR.
THOMAS C. SCOTT
PETER J. STRIANSE
HUGH W. ENTREKIN
JOHN P. WILLIAMS *
ROBERT L. DELANEY
GEORGE A. DEAN
LESA HARTLEY SKONEY
JOSEPH P. RUSNAK
DAVID B. GRAY
SHAWN R. HENRY
T. CHAD WHITE
BRANDT M. MCMILLAN *
CHRISTOPHER B. FOWLER
TIMOTHY N. O'CONNOR

September 6, 2018

VIA HAND DELIVERY

Chairman David Ewing
Metro Board of Zoning Appeals
Dept. Codes and Building Safety
P. O. Box 196300
Nashville, TN 37219-6300

RE: BZA Case No. 2018-484 (6391 Pettus Rd.)

Dear Chairman Ewing and Board Members:

The public hearing on this appeal case cannot be heard today due to the appellant's failure to comply with Metro Code § 17.40.730 (public notice signs) and BZA Rules 4(D) and 7(A). For a special exception use permit "at a minimum a public notice sign shall specify the time, date and location of the scheduled public hearing ..." §17.40.730(C)(3) The public notice sign "shall be installed on affected properties no less than twenty-one days prior to an established public hearing date." § 17.40.730(B)

The Public Notice Signs at Issue

1. On August 20, the sign advertised the incorrect appeal case (#2018-427), the incorrect meeting date (August 16, 2018) and the incorrect location (700 2nd Ave. S.).
2. On August 21, the sign was modified to the correct appeal case (#2018-484). The meeting date was changed to September 6. However, this date provides **only 16 days' notice prior to the Sept. 6 meeting**, not the mandatory minimum of 21 days public notice. The wrong meeting location was not corrected.
3. On or about September 4, the sign was again modified to correct the meeting location with **only 2 days' notice prior to the scheduled Sept. 6 hearing**.

TUNE, ENTREKIN & WHITE, P.C.

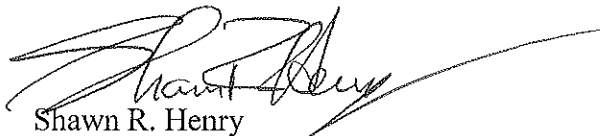
Chairman David Ewing
Metro Board of Zoning Appeals
September 6, 2018
Page 2

This notice was misleading and failed to give the necessary information to the interested parties. See *Hutcherson et. al. v. Criner et. al.*, 11 S.W.3d 126, 135 (Tenn. Ct. App. 1999). Thus, given the evolving contents of the public hearing sign, the public hearing sign notice is invalid.

Further, Rule 7 of the Metro Board of Zoning Appeals' Rules of Procedure requires that all meetings of the Board shall be open to the public pursuant to Tenn. Code Ann. § 8-44-101 *et. seq.* (i.e., The Open Meetings Act). "The [A]ct is to be construed most favorably to the public and is all encompassing and applies to every meeting of a governing body except where the statute, on its face, excludes its application." *State v. Shelby County Bd. of Comm'rs*, 1990 WL 29276, at *4 (Tenn.App.W.S. March 21, 1990). To that end, the Act requires public notice of all regular or special meetings of a governmental body. T.C.A. § 8-44-103 (1993)...In the event that these requirements are not met, "[a]ny action taken at a meeting in violation of this part shall be void and of no effect." T.C.A. § 8-44-105 (1993). *Souder v. Health Partners, Inc.*, 997 S.W.2d 140, 145 (Tenn. Ct. App. 1998). Consequently, a public notice sign that does not meet the minimum requirement for public notice is a violation of The Open Meetings Act.

In order to comply with the law, the public hearing should be re-set for a future date that allows the posting of a public notice sign that fully complies with Metro code and state law.

Sincerely,



Shawn R. Henry

SRH/acr
Attachments

cc: Mr. Jason Holleman, Attorney for Appellant

TUNE, ENTREKIN & WHITE, P.C.

THOMAS V. WHITE
JOHN W. NELLEY, JR.
THOMAS C. SCOTT
PETER J. STRIANSE
HUGH W. ENTREKIN
JOHN P. WILLIAMS *
ROBERT L. DELANEY
GEORGE A. DEAN
LESA HARTLEY SKONEY
JOSEPH P. RUSNAK
DAVID B. GRAY
SHAWN R. HENRY
T. CHAD WHITE
BRANDT M. MCMILLAN *
CHRISTOPHER B. FOWLER
TIMOTHY N. O'CONNOR

ATTORNEYS AT LAW

SUITE 1700
315 DEADERICK STREET
NASHVILLE, TENNESSEE 37238
TEL (615) 244-2770 FAX (615) 244-2778

JOHN C. TUNE
1931-1983

ERVIN M. ENTREKIN
1927-1990

*Rule 31 listed General Civil Mediator

August 30, 2018

Mr. Jon Michael, Zoning Administrator
Metro Board of Zoning Appeals
Dept. Codes and Building Safety
P. O. Box 196300
Nashville, TN 37219-6300

RE: BZA Case No. 2018-484 (6391 Pettus Rd.)

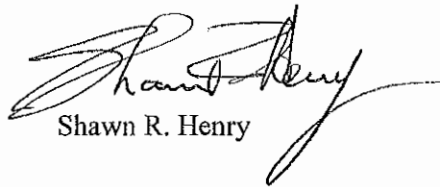
Dear Mr. Michael:

The hearing scheduled for September 6, 2018 cannot legally occur because the public notice sign was not timely installed pursuant to Metro Code §17.40.730. On August 20, the sign advertised case #2018-427 and a meeting date of August 16 (see attached **Photo 1**). On August 21, the sign was changed to reflect case #2018-484 and a meeting date of September 6 (see attached **Photo 2**).¹

The August 21 public notice sign was installed less than 21 days prior to the established public hearing date. Moreover, it does not state the correct location of the scheduled public hearing – 2601 Bransford Avenue (see attached letter). For a special exception use permit “at a minimum a public notice sign shall specify the time, date and location of the scheduled public hearing ...” §17.40.730(C)(3)

For these reasons, a public hearing on September 6 would be a violation of the law. Please enforce the minimum public notice provision by re-advertising this case in full compliance with the public notice legal requirements.

Sincerely,


Shawn R. Henry

SRH/acr
Attachments

cc: Mr. Jason Holleman, Attorney for Appellant

¹ Ms. Jessica Shepherd in your office can confirm that two (2) signs with different pertinent information have been issued for this property.

Photo taken at 5:04PM, 8/20/18

BZA Appeal Hearing Notification Case # 2018-427 Date: 08/16/2018, Location: 700 2nd Avenue South



PHOTO 1

Photo taken at 12:17PM, 8/21/18

BZA Appeal Hearing Notification Case # 2018-484 Date: 09/06/2018, Location: 700 2nd Avenue South

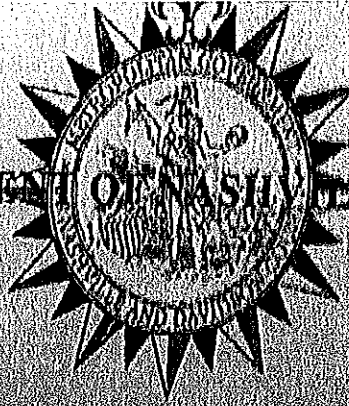
Correct meeting location is School Board on Bransford Avenue



Photo 2

DAVID BRILEY
MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING

OFFICE OF
METRO CODES BUILDING
200 BIRMGHAM AVE
NASHVILLE, TN 37203

MAILING
POST OFFICE
NASHVILLE, TN 37203
TELEPHONE (615)
FACSIMILE (615)
www.nashville.gov

July 26, 2018

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

RE:	Appeal Case Number:	2018-484
	6391 PETTUS RD	
	Map Parcel:	18100022500
	Zoning Classification:	AR2A
	Council District:	31

This is to inform you that NORA EL-CHAER filed an appeal for the property at the above referenced location. The appellant requested a special exception. Should this request be approved, it would allow the applicant to operate a kennel.

******* THIS IS NOT A ZONE CHANGE REQUEST *******

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 9/6/2018, beginning at 1:00 p.m. in the Metropolitan Board of Education, 2601 Birmingham Avenue. If you wish to show support or opposition to your neighbor's request, you may go to in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. We cannot guarantee written communication to be a part of the record unless it is received no later than Noon the Monday before the meeting date.

This letter is being sent to you because you are the owner of property located within 600' of the subject location. This request is only for the property at the above location. We are required by law to notify you of what your neighbor wishes to do on his/her property.

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at permits.nashville.gov and search by permit # 20180043969 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

From: Rick Scobey
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggy Tails Support
Date: Friday, September 7, 2018 10:25:44 AM

I have used Waggy Tails to take care of my dogs for several years. I don't want to see them go out of business. Charlie is a really nice person and loves all of our animals ! I will tr to come to the hearing too. Rick Scobey, 222 Norfolk Ln. Nolensville, Tn 37135...

From: Linda Sheridan
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Support for Waggy Tails 2018-484
Date: Thursday, September 6, 2018 2:06:23 PM

I support Waggy Tails and want them to stay open. Charlie Warden is a stand up guy and has trained my dog and boarded her. He is providing a great service to the community.

Sincerely
Linda Boudreau
1533 Eden Rose Place
Nolensville, TN

From: Staci Irwin
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: 2018-484 - Support for Waggy Tails
Date: Thursday, September 6, 2018 1:35:51 PM

I support this business to continue as it has in the past. Please allow them to reopen.

Staci Irwin

Sent from my iPhone

From: jerry.pack46
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggy Tails exception
Date: Thursday, September 6, 2018 1:34:31 PM

I support this exception.

Sent from my Verizon, Samsung Galaxy smartphone

From: steve brickhouse
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: We support waggy tails!
Date: Thursday, September 6, 2018 12:41:38 PM

Signed
Steve
Heather
Smokey

Sent from iPhone

From: Clark, Teresa
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggy Tails Support Letter
Date: Thursday, September 6, 2018 12:21:23 PM

To whom it may concern,

My hope is that this letter finds you in time for the rezoning hearing today for Waggy Tails. Two years ago my family rescued what the vet determined to be a German Shepherd/Collie Mix Dog. We named him Jager Sven. Jager had been abandoned at an apartment complex, and therefore had trust issues. We searched for a facility in our area to socialize him at least once a week and to help with our training. This is when we found Waggy Tails. Not only is it convenient to our home but the owners and caregivers are like no other. This facility truly cares about the loved ones they are entrusted with. They cater to the special needs of these animals. My shy and untrusting Jager loves this place and whines every time we drive past Charlie's house. I have learned a lot about caring for a dog in the past 2 years and this includes the ability to recognize quality dog boarding/daycare facilities. Waggy Tails is such a facility. From a locations standpoint, no other in the area even compares. Please consider the rezoning request with all those little fur baby faces in mind who only want a place, convenient for their parents, to go and play with their friends while they are being loved and cared for to the standard they deserve.

Thank you for your time and consideration,



Teresa Clark and Jager Sven Clark

Customer Relations Support Specialist, Tennessee Book Company

[1550 Heil Quaker Boulevard](#)

[LaVergne, Tennessee 37086](#)

p: 615.213.7955 | f: 615.213.9545

Teresa.clark@ingramcontent.com

Tennessee Book Company | www.tennesseebook.com

Ingram Content Group | www.ingramcontent.com

Proudly serving Tennessee schools since 1935

--

JASON D. HOLLEMAN, Esq.

Attorney at Law


|

West Nashville Law Group

M: 615.579.8929 | O: [615.942.6812](tel:615.942.6812) | E: jason@westnashvillelaw.com

4800 Charlotte Avenue | Nashville, TN 37209 |

www.WestNashvilleLaw.com


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From: Ronald Wint
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggy Tails
Date: Thursday, September 6, 2018 12:16:15 PM

We wish to lend our full support for Waggy Tails being permitted to remain in business. To us, it's shameful that someone, probably with deep pockets, can come in and affect surrounding businesses on the basis that it doesn't meet with his/her expectations. The business was there when the property was purchased and the expectation that it could be simply dispatched is disgusting. Many people depend on Waggy Tails to facilitate their daily lives. It is a caring, well-run business and everyone using their services, be it day-care, training or both, are, to our knowledge, well satisfied. I know we are!

Please do your very best to help keep this business open.

Marilyn and Ron Wint
[1804 Turner Drive](#)
[Nolensville, TN 37135](#)

[615-793-2123](#)

From: Ronald Wint
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Fwd: Waggy Tails
Date: Thursday, September 6, 2018 12:11:07 PM

----- Forwarded message -----

From: Jason Holleman <jason@westnashvillelaw.com>
Date: Thu, Sep 6, 2018 at 10:41 AM
Subject: Re: Waggy Tails
To: Ronald Wint <rcpignent@gmail.com>

Please send your email to: bza@nashville.gov

On Thu, Sep 6, 2018 at 9:31 AM Ronald Wint <rcpignent@gmail.com> wrote:

We wish to lend our full support for Waggy Tails being permitted to remain in business. To us, it's shameful that someone, probably with deep pockets, can come in and affect surrounding businesses on the basis that it doesn't meet with his/her expectations. The business was there when the property was purchased and the expectation that it could be simply dispatched is disgusting. Many people depend on Waggy Tails to facilitate their daily lives. It is a caring, well-run business and everyone using their services, be it day-care, training or both, are, to our knowledge, well satisfied. I know we are!

Please do your very best to help keep this business open.

Marilyn and Ron Wint
[1804 Turner Drive](#)
[Nolensville, TN 37135](#)

[615-793-2123](tel:615-793-2123)

--

JASON D. HOLLEMAN, Esq.

Attorney at Law | West Nashville Law Group

M: [615.579.8929](tel:615.579.8929) | O: [615.942.6812](tel:615.942.6812) | E: jason@westnashvillelaw.com

4800 Charlotte Avenue | Nashville, TN 37209 | www.WestNashvilleLaw.com



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From: Pam Williams
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: subject 2018-484 - SUPPORT for WAGGY TAILS
Date: Thursday, September 6, 2018 11:39:25 AM

PLEASE PLEASE PLEASE let us keep open Waggy Tails!!!!!! Best THING EVER for our furbabies and the area!!!!!!

Charlie and his wife do a FANTASTIC JOB with our community and helping it GROW

Thanks
Pam Williams
Sales Group South
1563 Shining Ore Drive
Brentwood, TN 37027
800-213-3662 EXT 221 Phn
800-942-3634 Fax

From: JoAnn Scobey
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggy Tails zoning hearing
Date: Thursday, September 6, 2018 11:28:17 AM

Please grant the exemption for this business. It is crucial to the many residents who use it often. This is an example of a small business that promotes the community and provides a much needed service and should not be forced to close at this location.

Jo Ann Scobey
222 Norfolk Ln
Nolensville, TN 37135

901-270-4826

From: Kelly Amoroso
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: jason@westnashvillelaw.com
Subject: #2018-484
Date: Thursday, September 6, 2018 11:14:05 AM

Re: Waggy Tails

To Whom It May Concern,

We share the same street as Waggy Tails (Pettus Road) and consider them as a valued neighbor and vital community asset. We fully support a zoning exception to allow Waggy Tails to continue operating their excellence dog boarding services to the community. We have never had any issues with noise or other potential disturbances from their premises, nor has any other Pettus resident that we are in contact with. They operate a peaceful and wonderful business that enhances the local community. We believe Waggy Tails should be allowed to continue operating.

Please grant Waggy Tails the zoning exception they are requesting.

Sincerely,

Kelly & Nick Amoroso
6266 Pettus Road

From: Louisa Maddox
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case 2018-484
Date: Thursday, September 6, 2018 11:02:30 AM

To Whom It May Concern:

I would like to express my full support of the zoning request for special exception for Charlie Warden and his phenomenal service business, Waggy Tails. This community has been affected greatly with the loss of this service. Charlie Warden and Waggy Tails trained and cared for our dog in a manner that sets the bar at the highest level. There is not a replacement that even comes close for Waggy Tails. The community and our family fully supports this exception and we appreciate your consideration in the matter.

Sincerely,
Louisa Maddox

Sent from [Mail](#) for Windows 10

From: Amanda Garner
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Waggoner Tails
Date: Thursday, September 6, 2018 10:53:51 AM

To whom it may concern:

I am writing in support of granting an exception for Waggy Tails on Pettus Road in Nashville.

We live around the corner in Nashville and love having Waggy Tails as a part of our community. They take great care of our dog when we travel and we love having a reputable place in the neighborhood that we can trust to care for our dog. We would be so sad to see them forced to close permanently- a great loss to the community here.

Thank you for your consideration in this matter.

Amanda Garner

Sent from my iPhone

From: Kirk Maddox
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case # 2018-484- Waggy Tails
Date: Thursday, September 6, 2018 10:45:02 AM
Attachments: [Signature copy.png](#)

To Whom it May Concern,

I am writing on behalf of Charlie Warden and his business, Waggy Tails. Charlie and his team provided a meaningful service to Nashville and the surrounding communities. Their care and attention to detail for our family member, Mabel, were above and beyond our expectations. She is part of their family as well and loves being there when we need to travel without her. Waggy Tails also provides a humane training program that teaches the dog proper etiquette and obedience with a transition leash. After speaking with many trainers in the Nashville Metro area, this is certainly not the case everywhere. Charlie and his team believe in treating our pets with the dignity and respect that we as owners do.

Please consider the special exception to allow for a kennel in this location. They are amazing members of the community as is their business.

Thank you,



Kirk Maddox
QuaverMusic.com
Director of Sales
615.856.1425

From: Penny Anderson
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Support for 2018-484
Date: Thursday, September 6, 2018 9:01:18 AM

I support the zoning appeal 2018-484 to allow a kennel on Pettus Road. There are very few quality animal care options in southeast Nashville and we should do everything possible to keep this one open. It does not disturb the neighborhood and it provides much more value than a simple residential zoning. Please support this appeal!

Penny Anderson
1164 Frewin Street
Nolensville TN 37135
(Davidson County)

Sent from my iPhone

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jay Fulmer Date: 8-7-18
Property Owner: Key Motel, LLC Case #: 2018-501
Representative: Jay Fulmer Map & Parcel: 71-11-5

Council District 05

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance from sidewalk requirement on previously issued permit 2018012638.

Activity Type: Commercial Rehab - Hotel

Location: 1414 Dickerson Pike

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Requesting variance from sidewalk requirement

Section(s): 17.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Same
Appellant Name (Please Print)

JAY FULMER
Representative Name (Please Print)

Address

2002 RICHMOND JONES RD C304
Address

City, State, Zip Code

NASHVILLE, TN 37215
City, State, Zip Code

Phone Number

615-345-3771
Phone Number

Email

JAY@FULMERENG.COM
Email

Appeal Fee: \$200.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3542932

**ZONING BOARD APPEAL / CAAZ - 20180046522
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07111000500

APPLICATION DATE: 08/07/2018

SITE ADDRESS:

1414 DICKERSON PIKE NASHVILLE, TN 37207
WEST SIDE DICKERSON PIKE NORTH OF FERN AVENUE

PARCEL OWNER: KEY MOTEL, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance from sidewalk requirement on previously issued permit of 2018012638.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

SIDEWALK IS IN CONFLICT WITH EXISTING SIGNS
AND UTILITY POLES. IF POLES ARE MOVED, THEN
EASEMENTS WOULD BE REQUIRED ON ADJACENT
PROPERTY, ORIGINAL DESIGN WAS BUILT OFF
DRIVE LANE STRIPING SHOWN, AND FIELD
VERIFICATION IDENTIFIED CONFLICTS WITH
SIGNS AND POLES.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6580

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

8/7/18
DATE



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3452671

**BUILDING COMMERCIAL - REHAB / CACR - 2018012638
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07111000500

APPLICATION DATE: 03/07/2018

SITE ADDRESS:

1414 DICKERSON PIKE NASHVILLE, TN 37207
WEST SIDE DICKERSON PIKE NORTH OF FERN AVENUE

PARCEL OWNER: KEY MOTEL, LLC

CONTRACTOR:

APPLICANT: PHIPPS CONSTRUCTION CO INC

PHIPPS CONSTRUCTION CO INC

03090 STBC

P O BOX 50026
NASHVILLE, TN 37205 (615)352-5292

PURPOSE:

EXISTING MOTEL IN THREE BLDGS.
THIS PERMIT TO RENOVATE ALL THREE BLDGS.....19 UNITS IN ONE BLDG....6 IN ONE BLDG AND 2 IN THE OTHER BLDG.

****SIDEWALKS REQUIRED AND NOT ALLOWED TO CONTRIBUTE...

**TRIPLE FEE PER BLDG.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

U&O PW Sidewalk FA - CA Final Approval		862-8758 Benjamin.york@nashville.gov
U&O Life Safety Final Approval		615-862-5230 FMORrequest@nashville.gov
U&O Cross Connect Final Approval		862-7225
Commerical Building Framing -Ceiling	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Footing	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Final		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing - Wall	REJ-NOFEE	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Progress	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Slab	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Temporary Final		615-862-6568 Joe.Bone@nashville.gov
Building Zoning Final		615-862-6568 Joe.Bone@nashville.gov
U&O Letter		(615) 862-6527 Carmina.Howell@nashville.gov

Inspection requirements may change due to changes during construction.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: FULMER ENGINEERING
Property Owner: HIL PROPERTIES
Representative: SHAWN HENRY

Date: 8/7/18
Case #: 2018-503
Map & Parcel: 095-04000300

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance of sidewalk requirement.

Activity Type: Commercial addition - Restaurant

Location: 2414 Lebanon Pike

This property is in the C1 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Requesting variance of sidewalk requirement

Section(s): 17.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Same
Appellant Name (Please Print)

JAY FULMER
Representative Name (Please Print)

Address

2002 RICHARD JONES RD ST. C304
Address

City, State, Zip Code

NASHVILLE, TN 37215
City, State, Zip Code

Phone Number

615-345-3771
Phone Number

Email

JAY@FULMERENG.COM
Email

Appeal Fee: \$200.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3542896

**ZONING BOARD APPEAL / CAAZ - 20180046499
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09504000300

APPLICATION DATE: 08/07/2018

SITE ADDRESS:

2414 LEBANON PIKE NASHVILLE, TN 37214
LOT 4 RESUB BAINRIDGE & SATTERFIELD

PARCEL OWNER: HJL PROPERTIES, GP

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance for sidewalk requirement.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

IDOT RECENTLY CONSTRUCTED SIDEWALKS WHICH ARE NOW COMPLIANT IN SECTION. EXISTING UTILITIES ARE IN CONFLICT WITH COMPLIANT SECTION.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

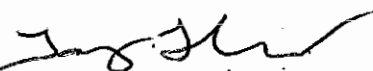
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Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT

8/7/18

DATE

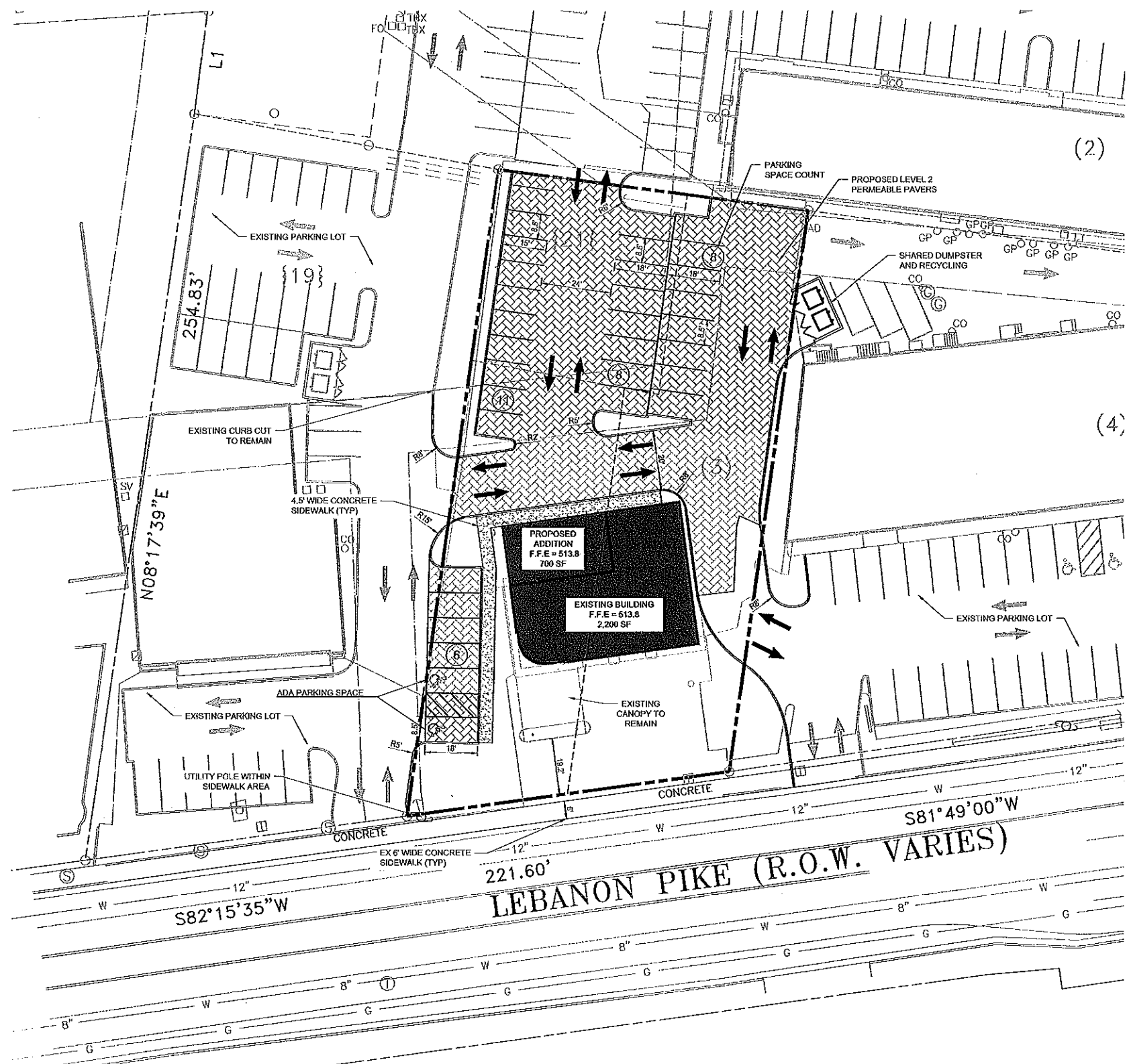
LEGEND

- IRON ROD (OLD)
- ◆ BENCHMARK
- CATCH BASIN
- ⊕ FIRE HYDRANT
- ⊙ SEWER MANHOLE
- ⊙ EXISTING TREE
- ⊕ WATER VALVE
- ⊕ WATER METER
- IRON ROD (NEW)
- ⊕ UTILITY POLE

PAVING LEGEND

- PERVIOUS PAVERS
- SIDEWALK SECTION
- HEAVY DUTY CONCRETE
- HEAVY DUTY ASPHALT
- LIGHT DUTY ASPHALT

APPLICATION #:	PROJECT NAME: 2414 LEBANON PIKE
MAP/PARCEL #: 09504000300, 950300220 & 09503002100	EXAMINER:
USE	
DETERMINE THE USE	RESTAURANT
PROPERTY ZONING (OVERLAYS)	CL - COMMERCIAL LIMITED (CV-ARR & OV-UDO)
SURROUNDING ZONING	SAME AS SUBJECT PROPERTY
USE CHARTS: P	
SITE CRITERIA	
MAP & PARCEL NO.	09504000300, 950300220 & 09503002100
COUNCIL DISTRICT	15 - JEFF SYRACUSE
LOT SIZE:	21,938 SF / 0.50 AC (NO MINIMUM PER CODE)
FAR	0.13 FAR / 2,833 SF FOOTPRINT (MAX FAR: 0.6)
ISR	0.46 (0.9 MAX)
STREET SETBACK/STREET TYPE(S)	15'
SIDE YARD	NONE REQUIRED
REAR YARD	20'
HEIGHT STANDARDS	30' @ SETBACK W/ 1.5V:1H PLANE (EX BLDG COMPLIES)
PARKING AND ACCESS	
RAMP LOCATION & NUMBER	0 NEW RAMPS
DISTANCE TO NEAREST EXISTING RAMP	N/A
DISTANCE TO INTERSECTIONS:	330' TO HOGANOVK PIKE AND 420' TO FAIRWAY DR
MINOR STREET COLLECTOR	ARTERIAL STREET CONTROLLED ACCESS RAMP
REQUIRED PARKING BASED ON USES	29 SPACES
PARKING PROVIDED	31 STANDARD PARKING STALLS 2 ACCESSIBLE PARKING STALLS 33 TOTAL STALLS PROVIDED
REQUIRED LOADING BASED ON USES	N/A
SURFACING OVER 5 SPACES 1,750 SQ. FT.	PROVIDED
SPACE SIZES, ANGLE WIDTHS, ANGLE DATA	18' x 8' 6" (80' STANDARD) 24' MIN. TWO-WAY DRIVE
QUEUING LANES	N/A
OVER 10 SPACES 20' QUEUING AT EXIT	PROVIDED
NUMBER OF COMPACT SPACES / %	0 COMPACT SPACES / 0% OF REQUIRED
NUMBER OF ACCESSIBLE SPACES	2 PROVIDED / 2 REQUIRED
SIDEWALKS REQUIRED-INTERNAL/PUBLIC	EXISTING ALONG LEBANON PIKE
LANDSCAPING STANDARDS	REFER TO LANDSCAPE PLAN



NOTES:

1. CONTRACTOR SHALL CHECK ALL FINISHED GRADES AND DIMENSION IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE PRIOR TO BEGINNING WORK.
2. THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION AND INVERT OF ALL EXISTING UTILITIES AND STORM DRAINAGE. TAKE CARE TO PROTECT UTILITIES THAT ARE TO REMAIN. REPAIR CONTRACTOR CAUSED DAMAGE ACCORDING TO LOCAL STANDARDS AND AT THE CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
3. THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND OBTAIN ALL PERMITS PRIOR TO BEGINNING WORK.
4. PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND NEW PAVEMENT. FIELD ADJUSTMENT OF FINAL GRADES MAYBE NECESSARY. INSTALL ALL UTILITIES PRIOR TO INSTALLATION OF FINAL PAVEMENT.
5. CONCRETE WALKS AND PADS SHALL HAVE A BROOM FINISH. ALL CONCRETE SHALL BE CLASS "A" (4,000 PSI) UNLESS OTHERWISE NOTED.
6. ALL DAMAGE TO EXISTING ASPHALT PAVEMENT TO REMAIN WHICH RESULTS FROM NEW CONSTRUCTION SHALL BE REPLACED WITH LIKE MATERIALS AT THE CONTRACTOR'S EXPENSE.
7. DIMENSIONS ARE TO THE FACE OF CURBS, EDGE OF CONCRETE, OR TO THE FACE OF BUILDING, UNLESS OTHERWISE NOTED.
8. ALL CURB TURNOUT, EDGE OF PAVEMENT, AND STRIPING RADII ARE FOUR FEET (4') UNLESS OTHERWISE NOTED.
9. CONTRACTOR TO VERIFY ALL REQUIRED CLEARANCES FROM OVERHEAD POWER LINES PRIOR TO THE START OF CONSTRUCTION.
10. CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN THE USE OF EQUIPMENT IN AND AROUND OVERHEAD OR UNDERGROUND ELECTRICAL WIRES AND SERVICES. IF AT ANY TIME IN THE PURSUIT OF THIS WORK, THE CONTRACTOR MUST WORK IN CLOSE PROXIMITY OF THE ABOVE NOTED WIRES, THE ELECTRICAL COMPANY SHALL BE CONTACTED PRIOR TO SUCH WORK AND THE PROPER SAFETY MEASURES MUST BE TAKEN.
11. IN EASEMENTS AND RIGHTS-OF-WAYS, CONTRACTOR SHALL PROTECT AND RESTORE SAID PROPERTY TO A CONDITION SIMILAR OR EQUAL TO THAT EXISTING AT THE COMMENCEMENT OF CONSTRUCTION, EXCEPT AS NOTED.
12. THE CONTRACTOR SHALL COMPLY WITH ALL PERTINENT PROVISIONS OF THE 'MANUAL OF ACCIDENT PREVENTION IN CONSTRUCTION' ISSUED BY AC OF AMERICA, INC. AND THE 'SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION' ISSUED BY THE U.S. DEPARTMENT OF LABOR.
13. SURPLUS MATERIAL NOT REQUIRED FOR SITE CONSTRUCTION SHALL BE DISPOSED OF BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE AFTER THE OWNER'S APPROVAL AT A PROPERLY PERMITTED LOCATION.
14. FILL MATERIAL REQUIRED SHALL BE BORROWED AT THE CONTRACTOR'S EXPENSE.
15. TRAFFIC CONTROL, IF REQUIRED, SHALL BE PROVIDED BY THE CONTRACTOR AT THE CONTRACTOR'S EXPENSE.
16. IN THE EVENT OF ANY DISCREPANCY AND/OR ERROR FOUND IN THE DRAWINGS, OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR SHALL BE REQUIRED TO NOTIFY THE ENGINEER IN WRITING BEFORE PROCEEDING WITH THE WORK. IF THE ENGINEER IS NOT NOTIFIED, THE CONTRACTOR SHALL TAKE RESPONSIBILITY FOR THE COST OF ANY REVISION.
17. CONTRACTOR SHALL BID AND PERFORM THE WORK IN ACCORDANCE WITH ALL LOCAL, STATE, AND NATIONAL CODES AND THE REQUIREMENTS OF THE LOCAL UTILITY COMPANIES.
18. BUILDING CONTROL POINTS, GRADE AND OFFSET STAKES ARE TO BE SET BY THE CONTRACTOR.
19. PROVIDE 24" TAPER ON ENDS OF ALL CURBS THAT TERMINATE.
20. ALL CURB RAMPS IN THE PUBLIC ROW ARE TO RECEIVE DETECTABLE WARNINGS PER METRO PUBLIC WORKS SPECIFICATIONS SECTION 02523 (<http://www.nashville.gov/Public-Works/Developer-Services/Engineering-Details-and-Specifications.aspx>).



2002 RICHARD JONES RD - SUITE C304
NASHVILLE, TENNESSEE 37215
INFO@FULMERENG.COM - (615) 345-3770



SITE PLAN

SITE DEVELOPMENT PLANS FOR:
2414 LEBANON PIKE

NASHVILLE, DAVIDSON, TENNESSEE 37214

DR	DATE	DESCRIPTION

2018-503
1049_05 2414 LEBANON PIKE

C1.1



Know what's below.
Call before you dig.

SURVEY INFO
PROVIDED BY: CHERRY LAND SURVEYING, INC.
DATUM: TENNESSEE STATE PLANE (NAD83 & NAVD 88)

From: [Syracuse, Jeff \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#)
Subject: Fwd: BZA Meeting Agenda items for September 20, 2018
Date: Friday, September 7, 2018 3:13:56 PM
Attachments: [2018-503 neighboring letter.pdf](#)
[ATT00001.htm](#)
[2018-503 application.pdf](#)
[ATT00002.htm](#)

BZA Commissioners,

I'm not able to attend this hearing, however I write to express my full support for this variance. New Sidewalk and Stormwater infrastructure was installed here not too long ago.

The property owner has a great concept and vision for use of their property here and their adjoining properties and has the community's full support as well and we all want to support this effort. I've received zero inquiries or concern here. In no way would this variance negate a safe and accessible sidewalk. Thanks for your consideration of this variance request.

Regards,
Jeff Syracuse
CM D15
615-886-9906

Sent from my iPhone

Begin forwarded message:

From: "Fuqua, Barbara (Council Office)" <barbara.fuqua@nashville.gov>
Date: September 7, 2018 at 3:03:27 PM CDT
To: "Syracuse, Jeff (Council Member)" <Jeff.Syracuse@nashville.gov>
Subject: BZA Meeting Agenda items for September 20, 2018

Please see attached.

*Barbara Fuqua
Metro Council Office
204 Metro Courthouse
615-862-6780*

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-503 (2414 Lebanon Pike)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Construct alternative sidewalk design with a 6' sidewalk without a grass strip
Zoning:	CL; Downtown Donelson UDO
Community Plan Policy:	T4 CC (Urban Community Center)
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#6 – Lebanon Pike and #34 – Opry Mills
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to repurpose a former automobile repair building for a restaurant use and requests to requests to build an alternative sidewalk design along the frontage of the property.

Planning evaluated the following factors for the variance request:

- (1) The applicant proposes to remove the existing driveway access to Lebanon Pike and construct a 6' sidewalk without a grass strip within the existing concrete width. This condition is consistent with the property located adjacent to the east and terminates at the paved driveway access to the west.
- (2) Utility poles are currently located to the rear of the 6' concrete area. Adherence to the Arterial-Boulevard standard would require relocation of utilities within a grass strip zone or the installation of a wider grass strip in order to prevent utilities from being located within the sidewalk space.
- (3) Given the scale of the proposed improvements, the applicant is restricting access to Lebanon Pike reducing conflicts and improving the path of travel for pedestrians.

Given the factors above, staff recommends **approval with conditions:**

1. Construct the alternative sidewalk design as indicated on the attached site plan.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Philip Neal

Date: 8/7/18

Property Owner: Richard A. Lewis

Case #: 2018- 504

Representative: Philip Neal, Richard A. Lewis

Map & Parcel: 0 8104022900

Council District 02

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT 2 COMMERCIAL BUILDINGS FOR 2 RESTAURANTS AND A RETAIL BUSINESS

Activity Type: NEW COMMERCIAL CONSTRUCTION

Location: 2030 ROSA PARKS BLVD

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: LANDSCAPE AND SIDEWALK VARIANCES

Section(s): 17.24.240 AND 17.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Philip Neal
Appellant Name (Please Print)

Representative Name (Please Print)

214 Oceanside Drive
Address

Address

Nashville, TN, 37204
City, State, Zip Code

City, State, Zip Code

615-564-2711
Phone Number

Phone Number

philipneal@kimley-horn.com
Email

Email

Appeal Fee:



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3542962

ZONING BOARD APPEAL / CAAZ - 20180046531
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08104022900

APPLICATION DATE: 08/07/2018

SITE ADDRESS:

2030 ROSA L PARKS BLVD NASHVILLE, TN 37228
LOT 1 RE-SUB METROCENTER TRACT 21-B

PARCEL OWNER: METRO DEE PARTNERS

CONTRACTOR:

APPLICANT:

PURPOSE:

BZA Appeal of (1) 17.24.240 Required 5 ft landscape buffer along rear property line. Requesting a 0 ft buffer for 90 linear foot section containing a parking easement (see plans)

(2) 17.12.120 Variance to Sidewalk Requirements. Requesting to use existing sidewalks.

No Permit Application on file.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

Kimley»Horn

Transmittal

Date: 8/7/2018 Job Number: 118267000
 Project Name: Bullseye Center
 To: Bill Herbert
 Metropolitan Board of Zoning Appeals
 Nashville, TN

We are sending these by

- US Mail FedEx UPS
 Hand Deliver Courier Other

We are sending you

- Attached Under separate cover via _____ the following items
 Shop drawings Prints/Plans Samples Specifications Change Order Other

Number	Date	Copy	Description
1	8/7/18	1	Bullseye Center Variance Request Letter
2	8/7/18	8	Bullseye Center Variance Sidewalk Variance
3	8/7/18	8	Bullseye Center Variance Screening Variance
4	8/7/18	1	Bullseye Center Variance Request Application

These are transmitted as checked below:

- For your use Approved as submitted Resubmit
 As requested Approved as noted Submit
 For review and comment Returned for corrections Return
 Copies for approval Copies for distribution Corrected prints

Copy to:

Signature:

Phone: (615) 564-2711

Print Name: Philip Neal, P.E.

Kimley»»Horn

August 7, 2018

Mr. David Ewing
Chairman
Metropolitan Board of Zoning Appeals
Metro Office Building
Nashville, TN 37219

**RE: *Variance Requests – Sidewalk and Perimeter Landscaping*
*2030 Rosa L. Parks Blvd.***

Dear Mr. Ewing,

On behalf of our client, Richard A. Lewis, we are submitting a Variance Request for the proposed redevelopment of the existing Trinity Automotive, located at 2030 Rosa L Parks Blvd, Map 081, Parcel 900. The variances requested are as follows:

1. **Sidewalk Variance** – The adopted Master Collector and Street Plan (MCSP) identifies a standard ROW section including 6' bikeway width, 6' grass strip width, and 8' sidewalk width. The Applicant proposes to use the existing 9' sidewalk and 8' bikeway (6' striped lane + 2' shoulder to gutter line) as is rather than building a new 8' sidewalk with 6' grass strip behind curb as outlined in the MCSP and BL2016-493. This proposal does not include any modification or disturbance to existing features within ROW or the dedication of additional ROW. This variance is requested for the following reasons and hardships:
 - a. **Existing Sidewalk and Bikeway:** The existing conditions feature a sidewalk of 9' width along the entire property frontage, and a 8' bikeway (6' striped lane + 2' shoulder to gutter line) on pavement. Building a new sidewalk will result in a substantial disturbance of existing features, adjacent roadway, storm infrastructure, TDOT street lighting, and underground cables as marked.
 - b. **Steep Slopes:** Due to steep slopes at the southern property frontage, the addition of ROW and sidewalk width will require approximately 250 sf of retaining wall with subgrade reinforcement materials likely encroaching in ROW.
 - c. **Existing Pylon Sign:** The existing pylon sign is within approximately 4' of the existing ROW line. Adding sidewalk width and dedicating additional ROW will create a sign encroachment onto TDOT ROW and violate code setbacks.

These items are also outlined in the attached Exhibit 1. Considering these hardships, using the existing sidewalk section, with the addition of a 10' perimeter landscape strip behind the sidewalk will meet the intent of the sidewalk ordinance, maintain consistency with adjacent sidewalk network, and provide a safe means of alternate transportation methods for the Metrocenter community. For the reasons outlined above, we ask that the Board of Zoning Appeals consider and grant our request to use the existing 9' sidewalk and 6' bikeway with redevelopment of this parcel.

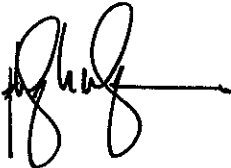
2. **Perimeter Parking Screening Variance** – Code 17.24.150.B requires a perimeter landscape strip to separate parking areas from adjacent property lines. Applicant requests a waiver of perimeter parking area screening along a portion of the rear eastern property line for a length of 90' that coincides with the existing 90' x 8' parking easement on the adjacent property (Parcel 08104003700). The applicant intends to continue using the existing parking easement as it is used currently. This parking area is also elevated by an existing retaining wall approximately 6' from the adjacent property's average grade at the face of wall which inherently provides sufficient screening as confirmed by code verbiage in 17.24.150.A.3. Waiving perimeter screening in this circumstance is also consistent with the intent of Code 17.24.150.E which applies to conditions where easements are in place that make the relationship of parking areas with nearest property line unique. These circumstances are illustrated in the attached Exhibit 2.

With this letter, please find the attached items:

1. Variance Exhibits 1 and 2
2. \$200 Submittal Fee check
3. Variance request application

Please contact me at (615) 564-2711 or philip.neal@kimley-horn.com should you have any questions. Thank you and we look forward to working with you on this project.

Sincerely,



Philip Neal, P.E.

APPLICATIONS FOR VARIANCE REQUESTS

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We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Richard A. Lewis

APPELLANT

8/07/2018

DATE

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

1. EXISTING CONDITIONS: EXISTING SIDEWALK AND BIKELANE, TOPOGRAPHIC AND UTILITY CONFLICTS
2. EXISTING PARKING EASEMENT ON ADJACENT PROPERTY

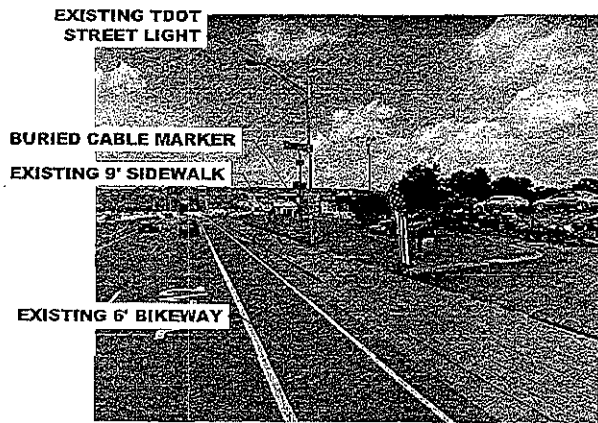


PHOTO 1
NORTH ALONG ROSA L PARKS BLVD

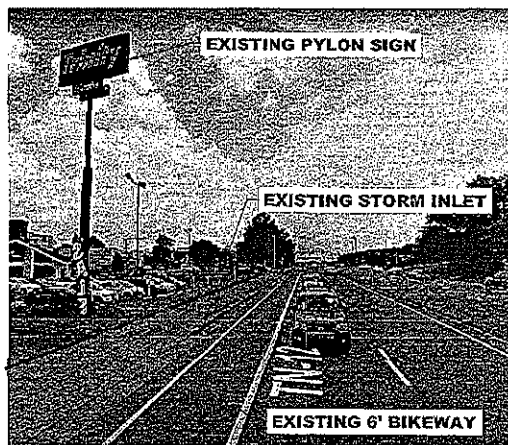


PHOTO 2
SOUTH ALONG ROSA L PARKS BLVD

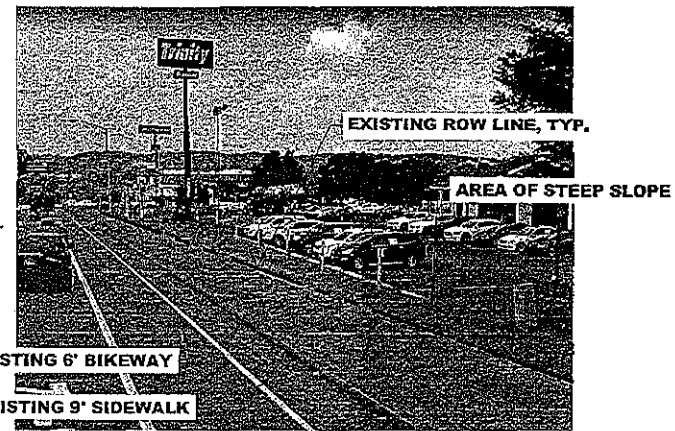
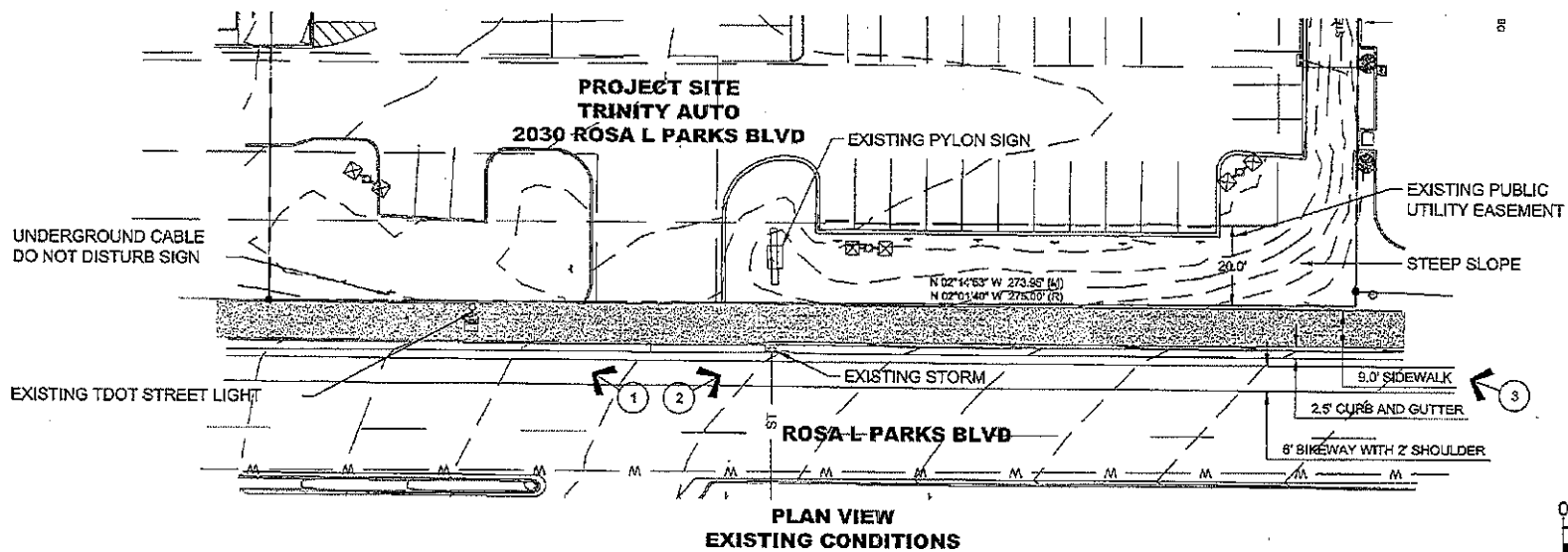


PHOTO 3
NORTH ALONG ROSA L PARKS BLVD



PLAN VIEW
EXISTING CONDITIONS

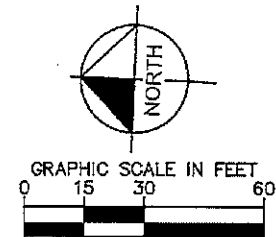
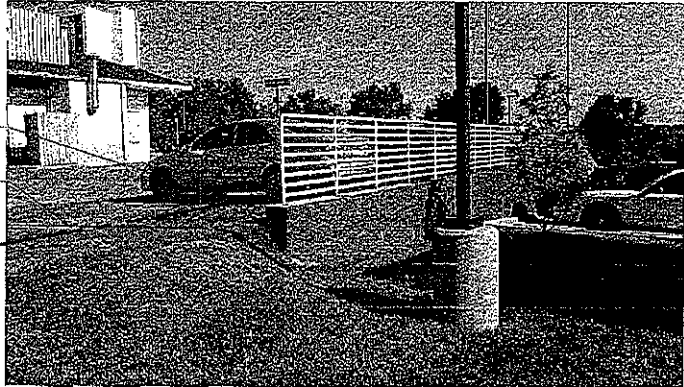
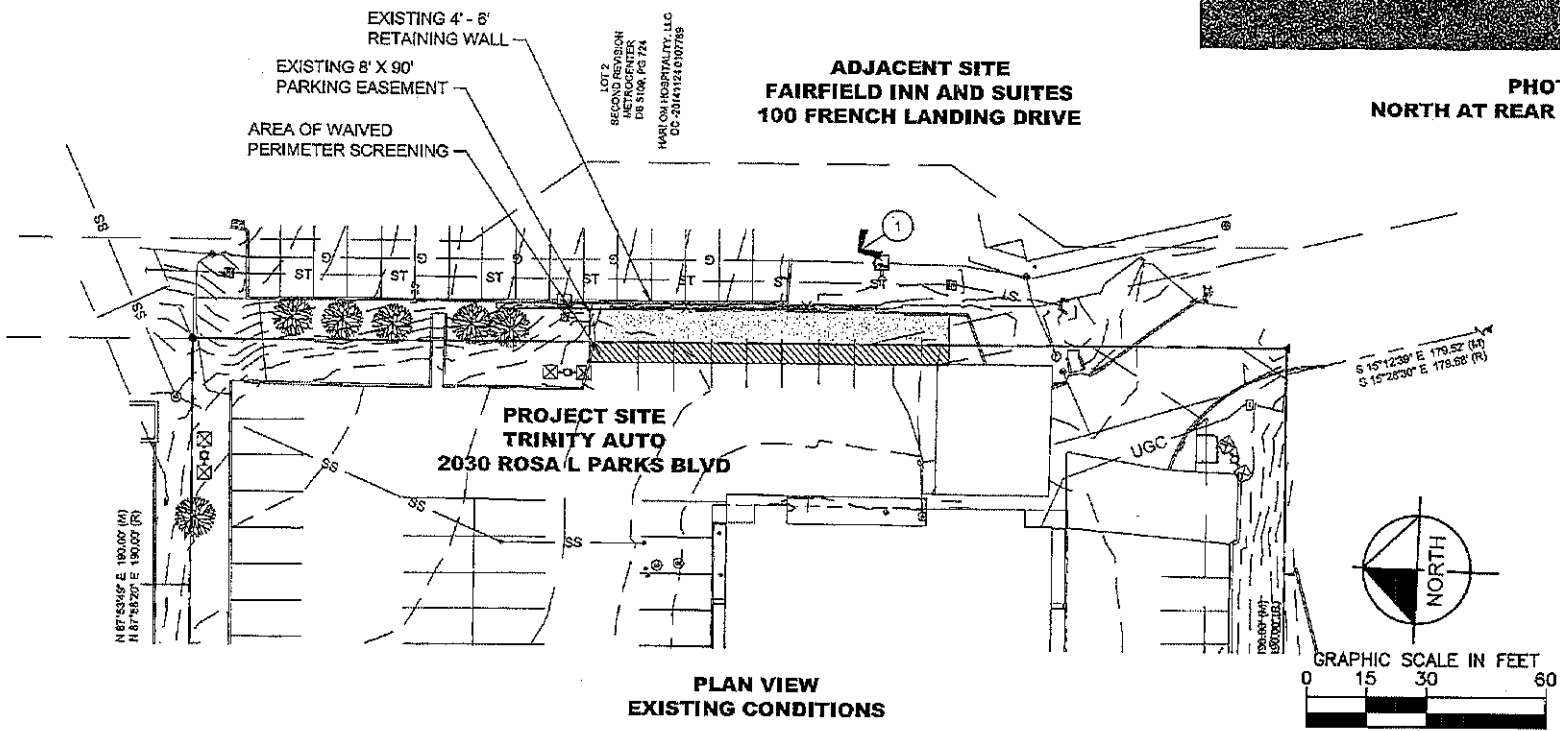


EXHIBIT 1 - SIDEWALK VARIANCE

2030 ROSA L PARKS BLVD, NASHVILLE, TN 37228

Kimley»Horn

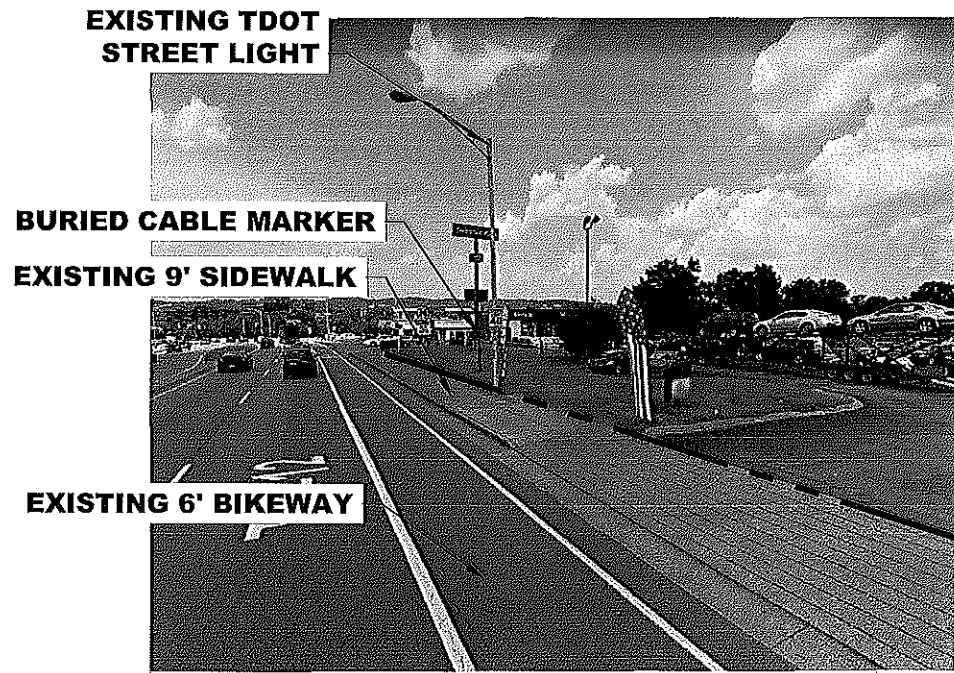
AUGUST 7, 2018



**PHOTO 1
NORTH AT REAR PROPERTY LINE**

EXHIBIT 2 - PERIMETER PARKING SCREENING VARIANCE

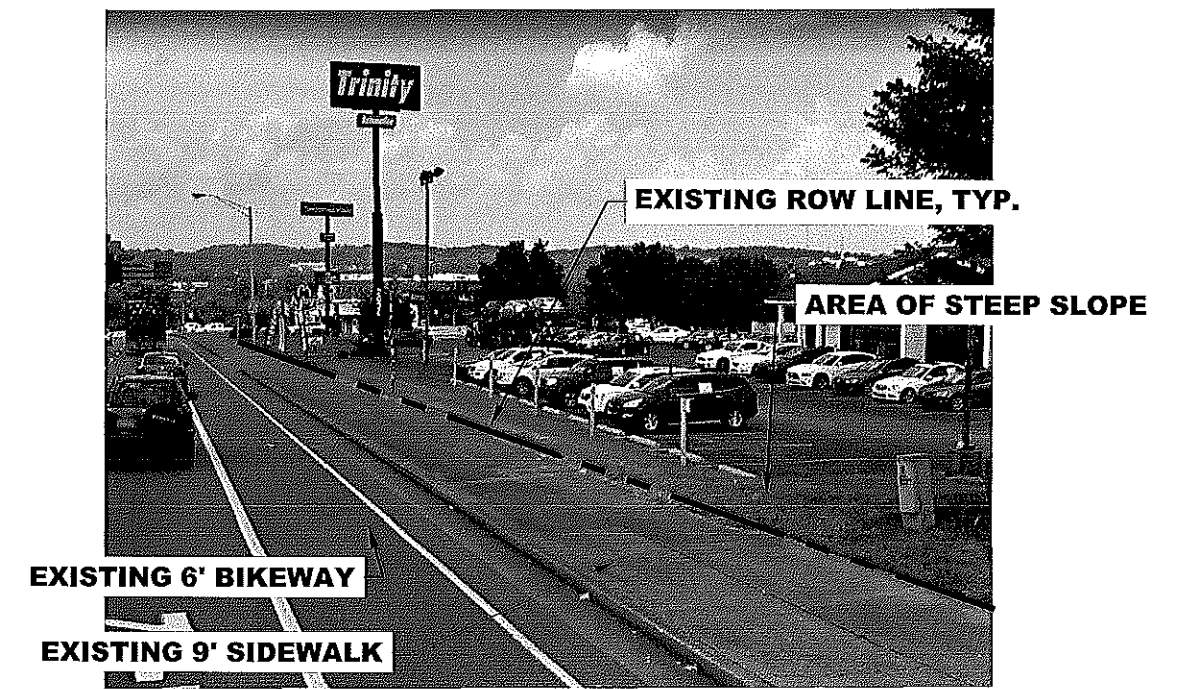
Kimley»Horn



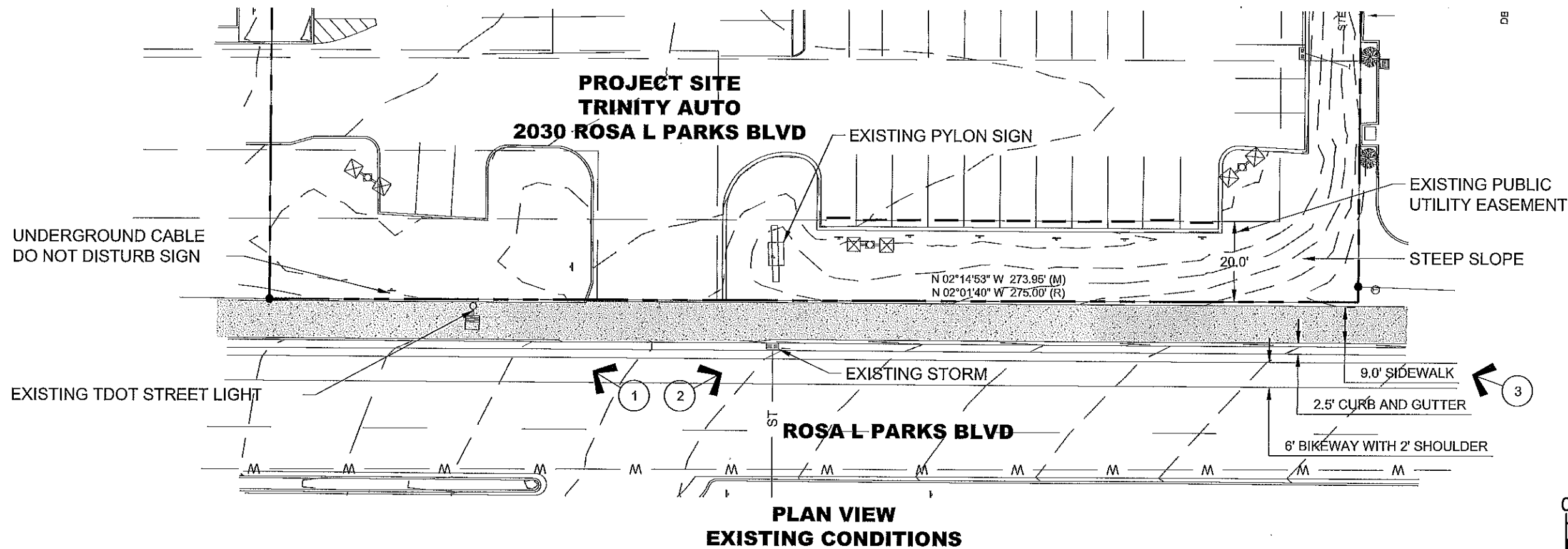
**PHOTO 1
NORTH ALONG ROSA L PARKS BLVD**



**PHOTO 2
SOUTH ALONG ROSA L PARKS BLVD**



**PHOTO 3
NORTH ALONG ROSA L PARKS BLVD**



**PLAN VIEW
EXISTING CONDITIONS**

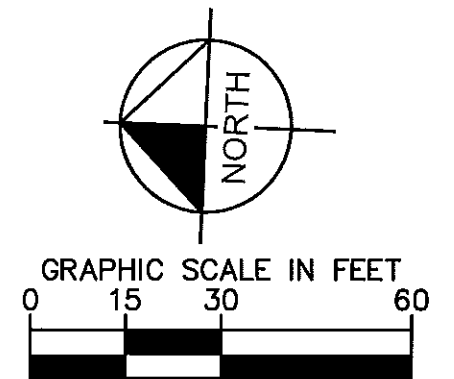
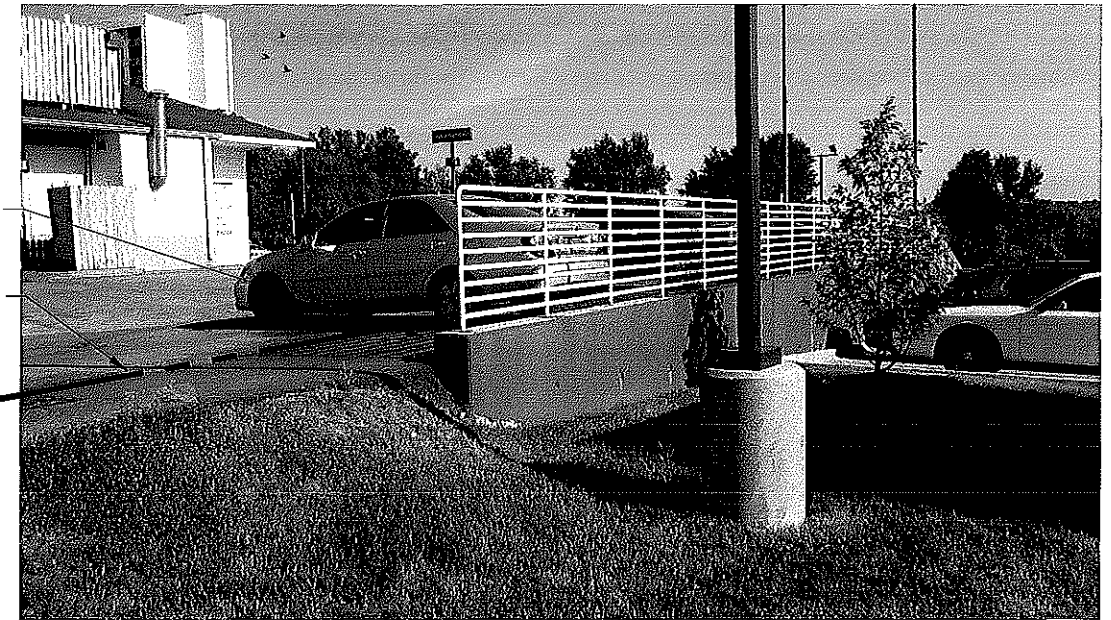


EXHIBIT 1 - SIDEWALK VARIANCE

Kimley»Horn



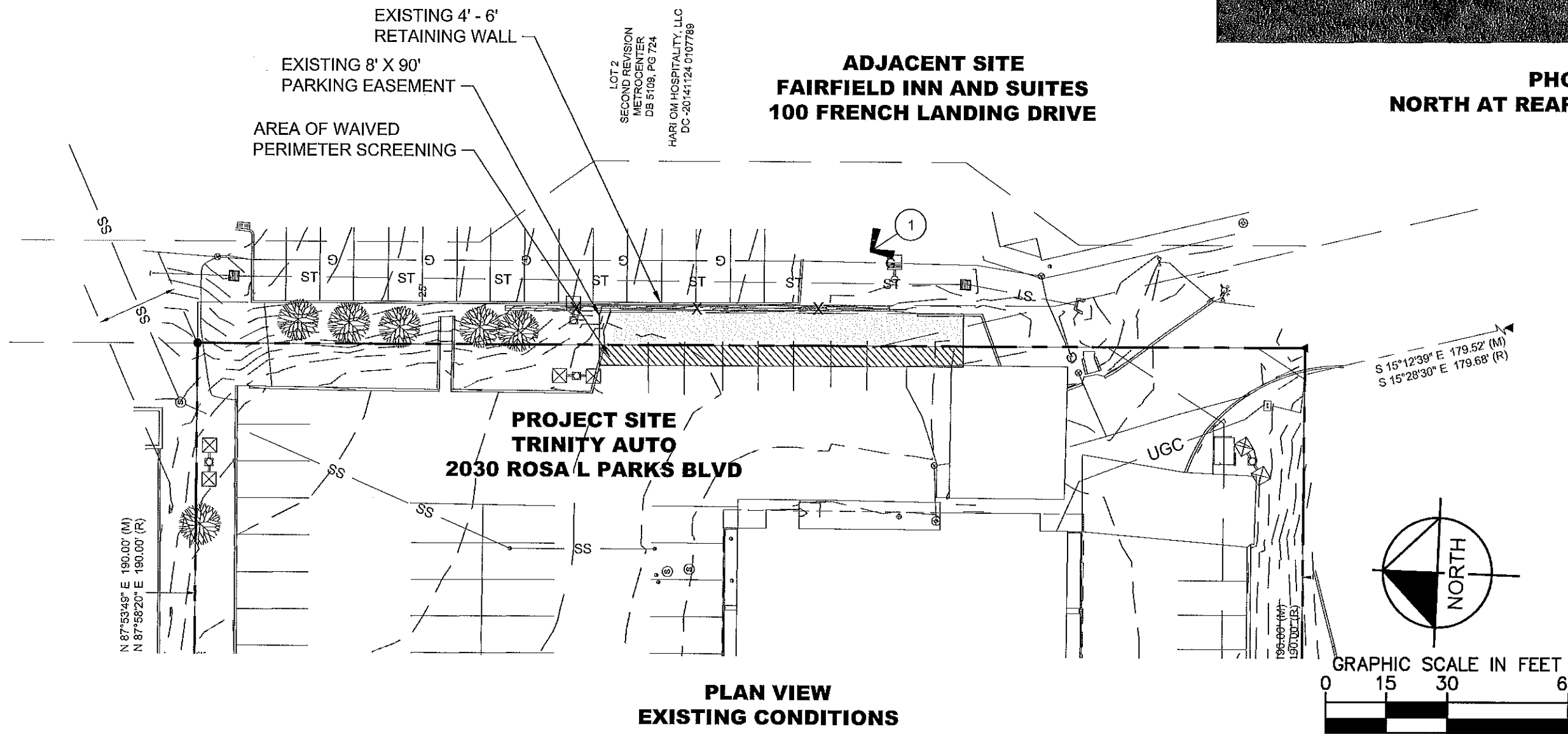
PARKING EASEMENT

PROPERTY LINE

**PHOTO 1
NORTH AT REAR PROPERTY LINE**

**ADJACENT SITE
FAIRFIELD INN AND SUITES
100 FRENCH LANDING DRIVE**

LOT 2
SECOND REVISION
METROCENTER
DB 5109, PG 724
HARI OM HOSPITALITY, LLC
DC-20141124.0107789



**PLAN VIEW
EXISTING CONDITIONS**

EXHIBIT 2 - PERIMETER PARKING SCREENING VARIANCE

Kimley»Horn



August 20, 2018

Mr. David Ewing
Chairman
Metropolitan Board of Zoning Appeals
Metro Office Building
Nashville, TN 37219

**RE: *Variance Requests– Sidewalk and Perimeter Landscaping
2030 Rosa L. Parks Blvd.***

Dear Mr. Ewing,

On behalf of our client, Richard A. Lewis, we are submitting a Variance Request for the proposed redevelopment of the existing Trinity Automotive, located at 2030 Rosa L Parks Blvd, Map 081, Parcel 900. The variances requested are as follows:

1. **Sidewalk Variance** – The adopted Master Collector and Street Plan (MCSP) identifies a standard ROW section including 6' bikeway width, 6' grass strip width, and 8' sidewalk width. The Applicant proposes to use the existing 9' sidewalk and 8' bikeway (6' striped lane + 2' shoulder to gutter line) as is rather than building a new 8' sidewalk with 6' grass strip behind curb as outlined in the MCSP and BL2016-493. This proposal does not include any modification or disturbance to existing features within ROW or the dedication of additional ROW. This variance is requested for the following reasons and hardships:
 - a. **Topographic Hardship:** Due to steep slopes at the southern property frontage, the addition of ROW and sidewalk width will require approximately 250 sf of retaining wall with subgrade reinforcement materials that will likely encroach into the TDOT ROW. TDOT is resistant to accepting retaining walls in their ROW.
 - b. **Infrastructure Hardship:** The construction of a new sidewalk will severely impact existing city and municipality owned infrastructure resulting in relocation and re-working of large storm water and electric service lines that service several businesses up-and-down Rosa Parks Blvd. Additionally, the new sidewalk would require the relocation of TDOT street lighting and the existing 60' tall pylon sign.
 - c. **Existing Conditions:** The existing conditions feature a sidewalk of 9' width along the entire property frontage (larger than current code requires), and an 8' bikeway (6' striped lane + 2' shoulder to gutter line) on pavement. The existing conditions provide very accessible 2-way pedestrian traffic on the sidewalk and the recently installed TDOT bike lane not only provides safe conditions for bikers, but is an excellent buffer for pedestrian traffic from the vehicular traffic. The existing conditions substantially provide all of the benefits of the new sidewalk section.

These items are also outlined in the attached Exhibit 1. Considering these hardships, using the existing sidewalk section, with the addition of a 10' perimeter landscape strip behind the sidewalk will meet the intent of the sidewalk ordinance, maintain consistency with adjacent

sidewalk network, and provide a safe means of alternate transportation methods for the Metrocenter community. For the reasons outlined above, we ask that the Board of Zoning Appeals consider and grant our request to use the existing 9' sidewalk and 6' bikeway with redevelopment of this parcel.

2. **Perimeter Parking Screening Variance** – Code 17.24.150.B requires a perimeter landscape strip to separate parking areas from adjacent property lines. Applicant requests a waiver of perimeter parking area screening along a portion of the rear eastern property line for a length of 90' that coincides with the existing 90' x 8' parking easement on the adjacent property (Parcel 08104003700). The applicant intends to continue using the existing parking easement as it is used currently. This parking area is also elevated by an existing retaining wall approximately 6' from the adjacent property's average grade at the face of wall which inherently provides sufficient screening as confirmed by code verbiage in 17.24.150.A.3. Waiving perimeter screening in this circumstance is also consistent with the intent of Code 17.24.150.E which applies to conditions where easements are in place that make the relationship of parking areas with nearest property line unique. These circumstances are illustrated in the attached Exhibit 2.

With this letter, please find the attached items:

1. Variance Exhibits 1 and 2
2. \$200 Submittal Fee check
3. Variance request application

Please contact me at (615) 564-2711 or philip.neal@kimley-horn.com should you have any questions. Thank you and we look forward to working with you on this project.

Sincerely,



Philip Neal, P.E.

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-504 (2030 Rosa Parks Boulevard)

Metro Standard:	6' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; construct a 10' landscape buffer behind existing sidewalks
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	T3-M-AB4-LM
Transit:	400' from #42 – St. Cecilia/Cumberland
Bikeway:	Existing Bike Lane

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant proposes constructing two commercial buildings to accommodate two restaurants and four retail businesses, and requests not to construct sidewalks to the Arterial-Boulevard standard due to the presence of an existing sidewalk along the frontage of the site, steep slopes, and the potential encroachment into the clear zone of TDOT right-of-way. Planning evaluated the following factors for the variance request:

- (1) A 9' sidewalk with no grass strip exists, as well as an 8' bike lane, along Rosa Parks Boulevard for the entire block from Vantage Way to 3rd Avenue North.
- (2) The applicant proposes constructing a 10' landscape buffer behind the existing sidewalk. This infrastructure would ideally separate the travel lanes from the sidewalk. Along an Arterial-Boulevard in this location, this solution does not contribute to a more comfortable walking environment.

Given the factors above, staff recommends **disapproval and recommends that the applicant construct the sidewalks to the Major and Collector Street Plan standard for the property frontage along Rosa L. Parks Boulevard. If the Board of Zoning Appeals finds that the variance should be granted based on the Review Standards of Section 17.40.370 of the Metro Zoning Code, staff recommends that the applicant pay the in-lieu contribution and dedicate right-of-way for future sidewalk construction.**

Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: William Radford Date: 8-7-18
Property Owner: William Radford + Kenny Norman Case #: 2018-507
Representative: Karla Newman Map & Parcel: 08108041400
Tifnic Capehart
Council District 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: to conduct interior rehab to existing structure

Activity Type: _____

Location: 604 Garfield St.

This property is in the R6A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: requesting not to install or contribute

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

William Radford
Appellant Name (Please Print)

Karla Newman
Representative Name (Please Print)

1703 5th Ave N
Address

4012 Calumet Dr
Address

Nashville, TN 37208
City, State, Zip Code

Antioch TN 37013
City, State, Zip Code

615-497-4647
Phone Number

615-474-8406
Phone Number

william.a.radford@gmail.com
Email

K.Newman73@Rocketmail.com
Email

Appeal Fee: 200.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



ZONING BOARD APPEAL / CAAZ - 20180046867
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08108041400

APPLICATION DATE: 08/08/2018

SITE ADDRESS:

614 GARFIELD ST NASHVILLE, TN 37208
LT PT 219 217 215 NORTH NASH REAL EST CO

PARCEL OWNER: NORMAN, ROBERT K.

CONTRACTOR:

APPLICANT:

PURPOSE:

to conduct interior rehab to existing structure for convenience market without gasoline. This is non conforming use as it was previously a market of the same type.

no change to footprint.

Sidewalks are required, not eligible for fund

***PURSUANT TO ORDINANCE NO 2008-1263 of the Metropolitan Code of Laws, I, holder of this permit, hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction or demolition waste shall be stored on the property in violation of any provisions of the Metropolitan Code. For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.*

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

There are currently no required inspections

Inspection requirements may change due to changes during construction.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



**BUILDING COMMERCIAL - REHAB / CACR - 2018007135
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08108041400

APPLICATION DATE: 02/07/2018

SITE ADDRESS:

614 GARFIELD ST NASHVILLE, TN 37208
LT PT 219 217 215 NORTH NASH REAL EST CO

PARCEL OWNER: NORMAN, ROBERT K.

CONTRACTOR:

APPLICANT: AIRTIGHT RESOURCES, INC

AIRTIGHT RESOURCES, INC

65697 STBC

NASHVILLE, TN 37204 615-218-4300

PURPOSE:

to conduct interior rehab to existing structure for convenience market without gasoline. This is non conforming use as it was previously a market of the same type.
no change to footprint.

Sidewalks are required, not eligible for fund

***PURSUANT TO ORDINANCE NO 2008-1263 of the Metropolitan Code of Laws, I, holder of this permit, hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction or demolition waste shall be stored on the property in violation of any provisions of the Metropolitan Code. For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.*

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

U&O Life Safety Final Approval	615-862-5230 FMORquest@nashville.gov
U&O Cross Connect Final Approval	862-7225
U&O PW Sidewalk FA - CA Final Approval	862-8758 Benjamin.york@nashville.gov
Commerical Building Framing -Ceiling	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Final	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Footing	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Framing	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Framing - Wall	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Progress	(615)862-6550 John.Puckett@nashville.gov
Commercial Building Slab	(615)862-6550 John.Puckett@nashville.gov
Commercial Temporary Final	(615)862-6550 John.Puckett@nashville.gov
Building Zoning Final	(615)862-6550 John.Puckett@nashville.gov
U&O Letter	(615) 862-6527 Carmina.Howell@nashville.gov
Landscaping & Tree Review	862-6488 stephen.kivett@nashville.gov
U&O Grease Control Final Approval - CA	862-4590 ECO@nashville.gov

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

The existing building, which is being renovated
is located too close to street to construct
the required sidewalk/grass design. The building
is less than 9 feet from the street (8'-6" approx.).

Proposal is to construct wider sidewalk at sides of building to comply with requirement and keep existing sidewalk in place. This recommendation came after meetings with Metro Staff members Ben York.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

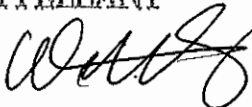
METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

William Radford + Kenny Norman 8-7-18

APPELLANT

DATE



KEY NOTES

FLOORS:

- A PATCH REPAIRS AND FINISH CONCRETE FLOOR WALLS
- B PATCH AND REPAIR WALL AND INSTALL SPRAY WALL PANELS
- C INSTALL FINISHING TO RECEIVE NEW DOOR/WINDOW
- D INSTALL NEW DOOR WITH CLOSER AND HARDWARE
- E INSTALL NEW HARDWARE AT BATH AND BELL COUNTER CLOSING
- F INSTALL INSULATION AT DESK
- G PAINT DROPPED CEILING
- HWP SYSTEMS
- H INSTALL NEW TOILET, LAVATORY, AND TANKLESS WATER HEATER
- I FINISH ALL THREE COMPARTMENT SINK
- J FINISH ALL VENEER WALL PAGES WITH CONDENSERS
- K CONSOLIDATE THREE SMALL PARTS INTO ONE SINGLE 200A PANEL

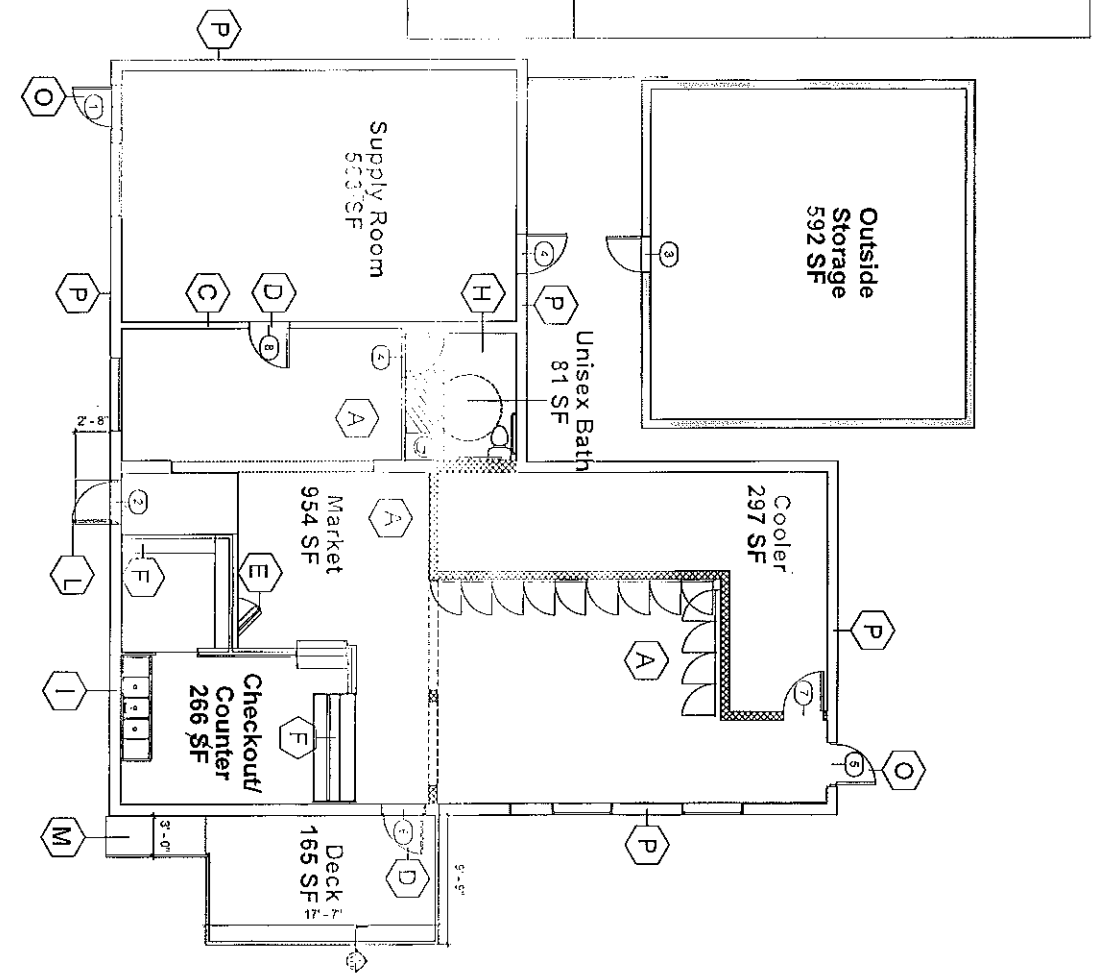
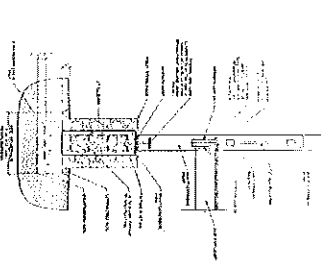
EXTERIOR:

- L INSTALL NEW CONCRETE PAUP
- M INSTALL NEW WOOD DECK AND RAMP AT EAST ENTRY ENTRY WALK
- N INSTALL SECURITY CAMERA SYSTEM
- O INSTALL SECURITY DOORS AND WINDOWS WITH GLASS REINFORCE
- P PATCH/PAINT AND PAINT DOW BLOCK AND TRIM
- Q INSPECT DOOR/FUNCTION AND REPAIRS

DOOR SCHEDULE

- DOOR 1: CORNER ENTRY (PRE-OUTSWING)
- DOOR 2: CORNER ENTRY (PRE-INSWING)
- DOOR 3: STORAGE RM BATH
- DOOR 4: BATHROOM (PRE-INSWING)
- DOOR 5: NEAR (PRE-OUTSWING)
- DOOR 6: EAST ENTRY (PRE-OUTSWING)
- DOOR 7: NEAR (PRE-INSWING)
- DOOR 8: UTILITY (PRE-OUTSWING)

1 DECK DETAIL



Caribbean Corner
 614 Garfield Street
 Nashville, TN

Robert Norman & Will Redford
 614 Garfield
 Floor Plan

2/17/2018
 A1.1

From: [Michael, Jon \(Codes\)](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Subject: FW: Sidewalk Recommendation - District 19
Date: Monday, September 17, 2018 3:43:02 PM
Attachments: [BZA2018-507 Sidewalk rec. Planning FINAL.pdf](#)

From: O'Connell, Freddie (Council Member)
Sent: Monday, September 17, 2018 3:42 PM
To: Michael, Jon (Codes)
Subject: FW: Sidewalk Recommendation - District 19

Jon,

I support the Planning recommendations in this case. Thanks.

--

Freddie O'Connell
Metro Councilman, District 19

<http://readyforfreddie.com/>
<http://twitter.com/freddieoconnell>
<http://facebook.com/FreddieForNashville>

615-260-0005

From: Briggs, Michael (Planning)
Sent: Monday, September 17, 2018 9:46 AM
To: O'Connell, Freddie (Council Member)
Subject: Sidewalk Recommendation - District 19

CM O'Connell –

In an effort to keep Council Members informed of issues since the passage of [BL2016-493](#), I've attached the Planning Department's recommendation to the Board of Zoning Appeals for the following case:

2018-507 614 Garfield St

It will be heard at BZA this Thursday, September 20 at 1 pm.

Let me know if you have any questions.

Best,
Michael

Michael Briggs, AICP

Manager of Multimodal Transportation Planning & Programming
Metro Nashville Planning Department with Metro Public Works Division of Transportation
800 Second Avenue South | P.O. Box 196300 | Nashville, TN 37219-6300
615.862.7219 | michael.briggs@nashville.gov | www.nashville.gov/MPC | www.nashville.gov/Public-Works

[Bronze Bicycle Friendly Business](#)

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-507 (614 Garfield Street)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Construct an alternative sidewalk design on Garfield Street
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Garfield Street – T4-R-CA2
Transit:	400' from #42 – St. Cecilia/Cumberland
Bikeway:	None existing; Minor Protected Bike Lane planned to be constructed fall 2018

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes an internal renovation for a convenience market, and requests to construct an alternative sidewalk design due to limited space between the street and the renovated building. The applicant requests to keep the existing sidewalk where constrained by the existing building, but expand the sidewalk along the Garfield Street frontage not constrained by the existing building. Planning evaluated the following factors for the variance request:

- (1) An 8' sidewalk with no grass strip currently exists along Garfield Street for the entire block from 7th Avenue North to 6th Avenue North. The applicant proposes to expand the sidewalks to 13' wide in areas not constrained by the existing building's footprint.
- (2) This proposal best meets the MCSP requirements, given the site constraints of the existing building, which will remain.

Given the factors above, staff recommends approval with conditions:

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. The applicant shall construct the alternative sidewalk design as indicated on the attached site plan.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DAVIDSON COUNTY



Appellant: BAIRD GRAHAM
Property Owner: Howco LLC
Representative: _____

Date: 8/7/18
Case #: 2018-513
Map & Parcel: 13105 002000

Council District 34

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

Appealing sidewalk fee due to hardships. Potential water damage to neighbors as well as no set plan for the 4 way STOP with Trimble & Castlemen causing it to not allow a pedestrian sidewalk.

Activity Type: Single Family

Location: 3501 TRIMBLE RD

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: a variance from sidewalk requirements

Section(s): 17. 12. 120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

BAIRD GRAHAM
Appellant Name (Please Print)

4204 Love Oak Rd
Address

NASH TN 37215
City, State, Zip Code

615-804-7008
Phone Number

baird@bgc-construction.com
Email

BAIRD GRAHAM
Representative Name (Please Print)

"
Address

"
City, State, Zip Code

"
Phone Number

"
Email

Appeal Fee: _____

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 1740.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.R.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Without the Plan for approval of the intersection of Trimble & Castlemans, delays any creation of a Four way STOP which is needed in order to have a Pedestrian sidewalk continue down to Hobbs as well as Castlemans both ways.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3538772

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018043682
THIS IS NOT A PERMIT**

PARCEL: 13105002000

APPLICATION DATE: 07/25/2018

SITE ADDRESS:

3501 TRIMBLE RD NASHVILLE, TN 37215
LOT 21 RUSSWOOD HGTS

PARCEL OWNER: HAUCO, LLC

APPLICANT: GRAHAM, BAIRD COMPANY LLC, THE

NASHVILLE, TN 37215 615-804-7008

PURPOSE:

to construct 5766SF single family residence with 930SF garage and 649SF porches. 30' platted right side setback, 10' min. left side setback, 20' min. rear setback, front setback at 69' per avg. not to be over any easements. Sidewalks are required, applicant may pay in lieu of sidewalk requirements

***PURSUANT TO ORDINANCE NO 2008-1263 of the Metropolitan Code of Laws, I, holder of this permit, hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction or demolition waste shall be stored on the property in violation of any provisions of the Metropolitan Code* For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.*

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

<input checked="" type="checkbox"/> [A] Site Plan Review	APPROVED	clint.harper@nashville.gov
<input checked="" type="checkbox"/> [A] Zoning Review	APPROVED	clint.harper@nashville.gov
[B] Fire Life Safety Review On Bldg App		862-5230
<input checked="" type="checkbox"/> [E] Sewer Availability Review For Bldg		862-7225
<input checked="" type="checkbox"/> [E] Sewer Variance Approval For Bldg		
<input checked="" type="checkbox"/> [E] Water Availability Review For Bldg		862-7225
<input checked="" type="checkbox"/> [E] Water Variance Approval For Bldg		
<input checked="" type="checkbox"/> [A] Bond & License Review On Bldg App	APPROVED	clint.harper@nashville.gov
<input checked="" type="checkbox"/> [N] Address Review On Bldg App		OK- 862-8781 bonnie.crummy@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPermitsl@nashville.gov
Building Division Res >5K Review		862-6559 byron.hall@nashville.gov
[F] Sidewalk Review For Bldg App		862-8758 Benjamin.york@nashville.gov

Pam Des Jardins
The Baird Graham Company
PO Box 150645
Nashville, TN 37215
615-603-9231
bill pay @ bgc-construction.com

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

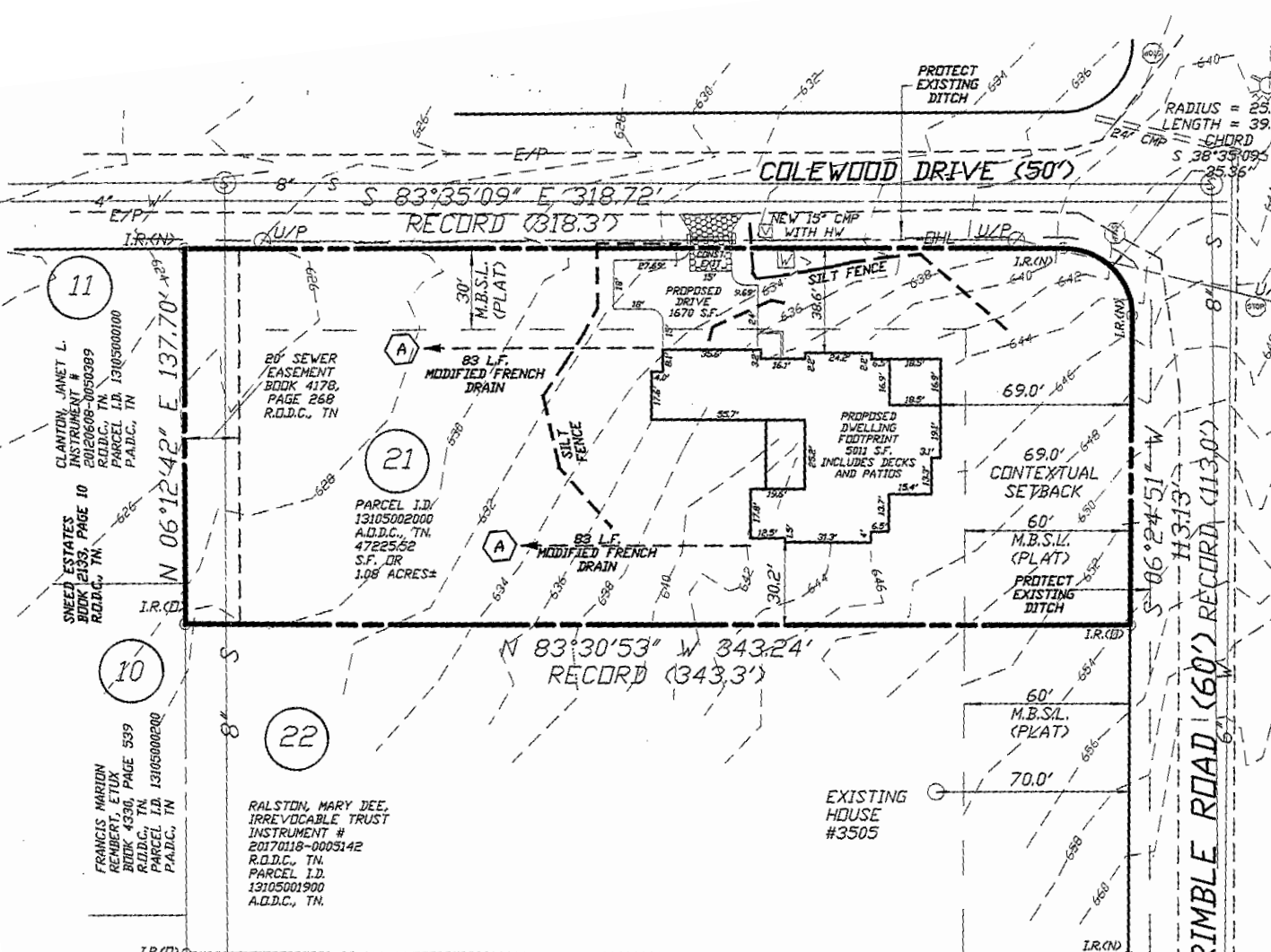
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT

8/20/18

DATE



ACCORDING TO METRO GIS MAPS
 PROPERTY IS ZONED RS20
 SETBACKS FOR RS20 ZONING TAKEN FROM
 DISTRICT BULK TABLES TITLE 17 "ZONING"
 CHAPTER 17.12
 FRONT = STREET AVERAGE
 SIDES = 19'
 REAR = 29'
 VERIFY SETBACKS WITH CODES BEFORE
 DESIGN OR CONSTRUCTION DECISIONS
 ARE MADE
 UTILITIES SHOWN WERE TAKEN FROM PUBLIC
 AS-BUILT RECORDS & FIELD LOCATION. THERE MAY
 BE UTILITIES OR EASEMENTS PRESENT THAT ARE
 NOT SHOWN ON THIS SURVEY.
 CONTACT THE TENNESSEE ONE CALL SYSTEM
 PRIOR TO ANY CONSTRUCTION OR DIGGING.

SITE DATA
 PARCEL ID
 13105002000
 P.A.D.C., TN
 TOTAL LOT AREA
 47225.52 S.F. OR
 1.08 ACRES±
EXISTING I.A.
 HOUSE = 2573 S.F.
 DRIVE = 1113 S.F.
 WALK = 148 S.F.
TOTAL EXISTING I.A.
 3834 S.F.
PROPOSED I.A.
 HOUSE = 5011 S.F.
 DRIVE = 1670 S.F.
TOTAL PROPOSED I.A.
 6681 S.F.
 6681 - 3834 = 2847
NET NEW I.A. 2847 S.F.
CONTRIBUTING DRAINAGE AREA
 ROOFTOP RUNOFF 5011 S.F.
 REQUIRED LENGTH OF M.F.D.
 CALCULATED FROM MWS REGULATED
 RESIDENTIAL INFILL GUIDELINES
 FOR 36" DEPTH OF GRAVEL FROM
 TOP OF PIPE.
 165 / 5000 (5011) = 165.36

DIRECT ALL ROOFTOP RUNOFF
 TO MODIFIED FRENCH DRAINS.
 (A) 83 L.F. MODIFIED FRENCH DRAIN
 36" DEPTH OF GRAVEL FROM
 TOP OF PIPE.

SITE PLAN
 LOT 21, ON THE PLAN
 OF RUSSWOOD HEIGHTS,
 BOOK 2133, PAGE'S 12 & 13
 R.O.D.C., TN.
 PROPERTY LOCATED IN THE 34TH
 COUNCIL DISTRICT OF NASHVILLE,
 DAVIDSON COUNTY TENNESSEE
 AT THE SOUTHWEST INTERSECTION
 OF TRIMBLE ROAD AND COLEWOOD DRIVE
PROPERTY ADDRESS:
 3501 TRIMBLE ROAD,
 NASHVILLE, TN, 37215
DEED REFERENCE:
 BOOK 11246, PAGE 557
 R.O.D.C., TN.
PARCEL I.D. 13105002000
 A.D.D.C., TN.
 DATE: 3-8-18
 SCALE: 1"=60'
PREPARED FOR: BGC

LEGEND
 I.R.(D)=IRON ROD (OLD)
 I.R.(N)=IRON ROD (NEW)
 W=WATER LINE (RECORDED)
 S=SEWER LINE (RECORDED)
 DH=DOWNHEAD LINES
 E/P=EDGE PAVEMENT
 U/P=UTILITY POLE
 M.B.S.L.=MINIMUM BUILDING
 SETBACK LINE
 P.U.E.=PUBLIC UTILITY EASEMENT



PREPARED BY:
 CAMPBELL, MCRAE
 & ASSOCIATES,
 SURVEYING, INC.
 P. O. BOX 41153
 NASHVILLE, TN, 37204
 PH. 615-298-2424
 FAX 615-297-2828
 EMAIL cmas@att.net

I HEREBY CERTIFY THAT THIS IS
 A CATEGORY 1 SURVEY WITH THE
 RATIO OF PRECISION OF THE
 UNADJUSTED SURVEY BEING 1:18,000.
 THIS SURVEY WAS DONE IN
 COMPLIANCE WITH THE CURRENT
 STANDARDS OF PRACTICE ADOPTED
 BY THE TENNESSEE STATE BOARD OF
 EXAMINERS FOR LAND SURVEYORS.

JOHN ALAN HOOD
 TN. R.L.S.#1838



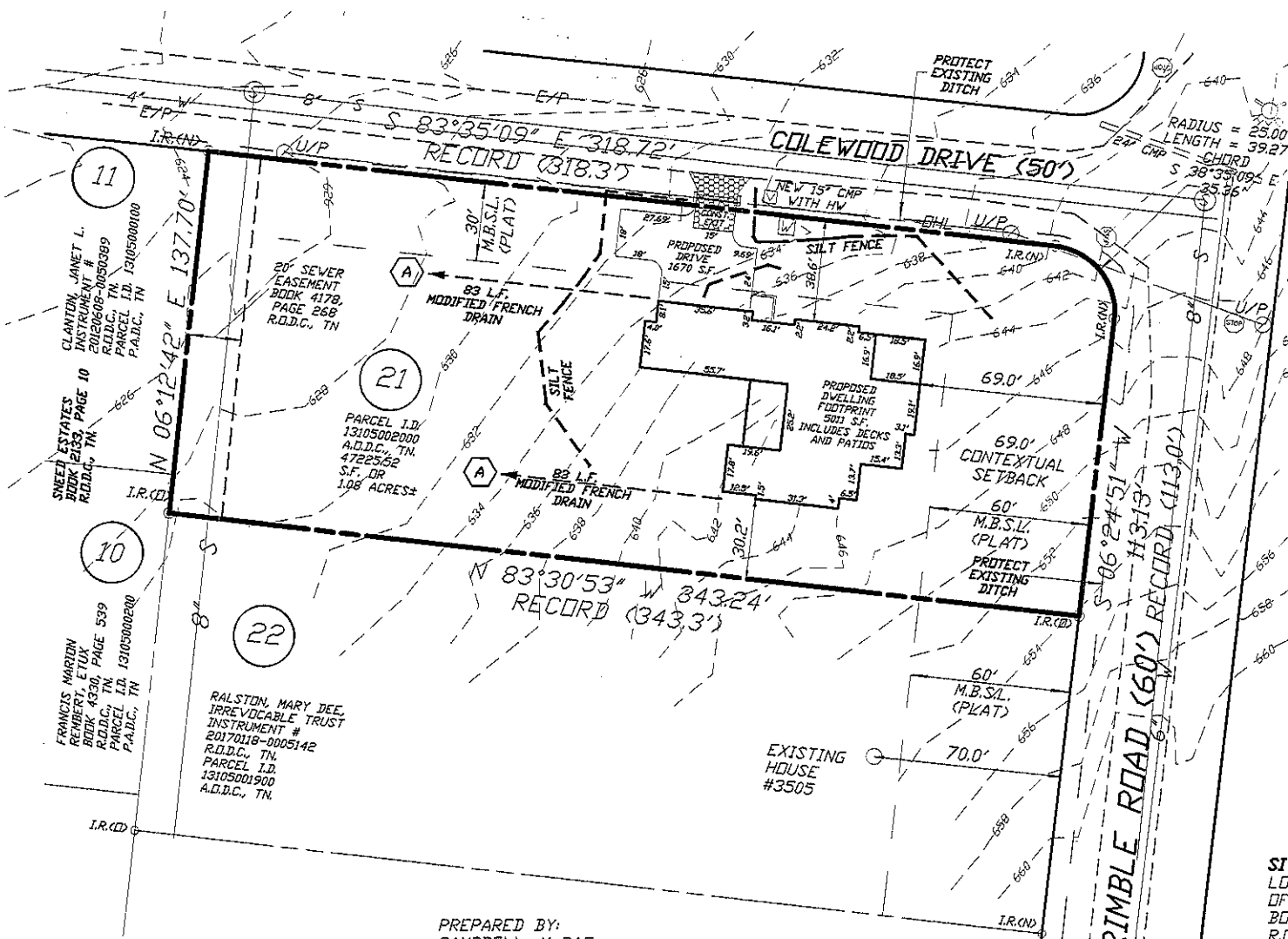
CLANTON, JANET L.
 INSTRUMENT #
 20120608-06500389
 R.O.D.C., TN
 PARCEL I.D. 13105000100
 P.A.D.C., TN

SNEED ESTATES
 BOOK 2153, PAGE 10
 R.O.D.C., TN

FRANCIS MARION
 REMBERT, ETUX
 BOOK 4330, PAGE 539
 R.O.D.C., TN
 PARCEL I.D. 13105000200
 P.A.D.C., TN

RALSTON, MARY DEE,
 IRREVOCABLE TRUST
 INSTRUMENT #
 20170118-0005142
 R.O.D.C., TN
 PARCEL I.D.
 13105001900
 A.D.D.C., TN

NORTH ROTATION
 BASED ON
 METRO GIS MAPS



ACCORDING TO METRO GIS MAPS
PROPERTY IS ZONED RS20
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DISTRICT BULK TABLES TITLE 17 'ZONING'
CHAPTER 17.12
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SIDES = 15'
REAR = 20'
VERIFY SETBACKS WITH CODES BEFORE
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CONTACT THE TENNESSEE ONE CALL SYSTEM
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PARCEL I.D. 13105002000
A.D.D.C., TN.
DATE : 3-8-18
SCALE : 1"=60'
PREPARED FOR: BGC



NORTH REITATION
BASED ON
METRO GIS MAPS

11
CLANTON, JANET L.
INSTRUMENT #
20120608-0050089
R.D.D.C., TN
PARCEL I.D. 13105000100
P.A.D.C., TN

10
SWEET STATES
BOOK 1853, PAGE 10
R.D.D.C., TN

10
FRANCIS MARTIN
ROBERT, ETUX
BOOK 4930, PAGE 539
R.D.D.C., TN
PARCEL I.D. 13105000200
P.A.D.C., TN

21
PARCEL I.D.
13105002000
A.D.D.C., TN
47225.52
S.F. OR
1.08 ACRES±

22
RALSTON, MARY DEE
IRREVOCABLE TRUST
INSTRUMENT #
20170118-0005142
R.D.D.C., TN
PARCEL I.D.
13105001900
A.D.D.C., TN

PREPARED BY:
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RATIO OF PRECISION OF THE
UNADJUSTED SURVEY BEING 1: 18,000.
THIS SURVEY WAS DONE IN
COMPLIANCE WITH THE CURRENT
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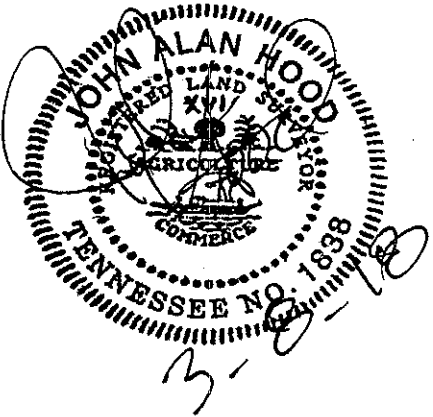
JOHN ALAN HOOD
TN. R.L.S.#1838

EXISTING HOUSE #3509 70.0'

EXISTING HOUSE #3513 69.9'

EXISTING HOUSE #3517 66'

LEGEND
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I.R.(N)=IRON ROD (NEW)
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S= SEWER LINE (RECORD)
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E/P = EDGE PAVEMENT
U/P=UTILITY POLE
M.B.S.L.=MINIMUM BUILDING SETBACK LINE
P.U.E.=PUBLIC UTILITY EASEMENT



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-513 (3501 Trimble Road)

Metro Standard:	Trimble Road – 4’ grass strip, 5’ sidewalk, as defined by the Local Street Standard Colewood Drive – 4’ grass strip, 5’ sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (eligible)
Zoning:	RS20
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Trimble Road – Local Street Colewood Drive – Local Street
Transit:	None existing; none planned
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing a single family home and requests not to construct sidewalks on Trimble Road or on Colewood Drive due to storm water impacts and lack of sidewalk connectivity in the area. Planning evaluated the following factors for the variance request:

- (1) There are no sidewalks on the block face.
- (2) The existing stormwater infrastructure along Trimble Road is typical for residential streets. Metro Water Services has indicated that constructing sidewalks along this frontage would involve typical stormwater infrastructure with the sidewalk construction.
- (3) Sidewalk construction with the related typical stormwater infrastructure along Colewood Drive will require the relocation of utility poles and impact a row of trees that screen the rear of the property. This is a significant hardship to constructing sidewalks along this portion of Colewood Drive.
- (4) Per the Zoning Ordinance, the applicant is eligible to contribute in lieu of construction. Electing to make the contribution in lieu of construction for the Trimble Road frontage supplements Metro’s annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro’s sixteen pedestrian benefit zones.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of constructing sidewalks along the Trimble Road frontage.
2. Prior to the issuance of building permits, dedicate right-of-way along the Trimble Road and Colewood Road property frontages to accommodate future sidewalks per the Local Street Standard.

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

615-862-6530



Appellant : Brandon McDonald

Date: 8-9-18

Property Owner: Brandon McDonald

Case #: 2018-514

Representative: Brandon McDonald

Map & Parcel 105030I00400CO

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

Location: 1067 B 2nd Ave. S

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

•Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after transfer of ownership name.

Section(s): 17.16.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Completed and witnessed, Date

Brandon McDonald
Name (Please Print)

brandonm@urbandwellhomes.com

Applicant's e-mail address

Signature

(615) 594-6838

Applicant's phone

203 Point East Dr.
Mailing Address

Nashville, TN 37216
City, State, Zip Code

(615) 594-6838
Phone Number

This will also serve as a receipt of (cash) (check) to partly compensate for the expenses under this appeal.

Appeal Fee: \$ 100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3544024

ZONING BOARD APPEAL / CAAZ - 20180047285
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 105030I00400CO

APPLICATION DATE: 08/09/2018

SITE ADDRESS:

1067 B 2ND AVE S NASHVILLE, TN 37210
UNIT 2B 1067 2ND AVENUE SOUTH TOWNHOMES

PARCEL OWNER: MCDONALD, ROBERT BRANDON

CONTRACTOR:

APPLICANT:

PURPOSE:

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after transfer of ownership name.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING--3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

A handwritten signature in black ink, enclosed within a large, hand-drawn oval.

8.9.18

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Urban Development
Property Owner: Shortwave LLC
Representative: Jeremy Walker

Date: 8-9-18
Case #: 2018-515
Map & Parcel: 131060L0010000

Council District 25

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting to not build sidewalks because it will obstruct a ditch and will affect storm water. And requesting the in-lieu of fee be reduced to just over property and not common area.

Activity Type: Sidewalk

Location: 2034 Castleman Dr.

This property is in the R15 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: to build a Duplex

Section(s): 17.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jeremy Walker
Appellant Name (Please Print)
Urban Development
PO Box 90288
Address
Nashville TN
City, State, Zip Code

Representative Name (Please Print)

Address

City, State, Zip Code

6155067296
Phone Number

Phone Number

bids.urbandg@gmail.com
Email

Email

Appeal Fee:



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018039963
THIS IS NOT A PERMIT**

PARCEL: 131060L00100CO **APPLICATION DATE:** 07/10/2018

SITE ADDRESS:

2034 CASTLEMAN DR NASHVILLE, TN 37215
UNIT A CASTLEMAN ESTATES

PARCEL OWNER: SHORTWAVE, LLC

APPLICANT: URBAN DEVELOPMENT GROUP, LLC

FRANKLIN, TN 37068 760-703-0212

PURPOSE:

To construct 2034 Castleman Drive, anew HPR/duplex family residence with 2168 sq ft of living space, 552 sq ft of garage, and 262 sq ft of porches and decks. Minimum 10 ft side setbacks, minimum front setback at 64.41 ft per avg and 20 ft minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 35%..... Pursuant # 2006-1263 Metro Code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code.; For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.

*****Sidewalks ARE required for this project because the frontage of this parcel is within a 1/4 mile of a Nashville Next Center.*****

****You are eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction.*****

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[B] Fire Life Safety Review On Bldg App	IGNORE	615-862-5230 Barbara.Demonbeun@nashville.gov
[E] Sewer Availability Review For Bldg	COND	615-862-6825 Sara.Jinnette@nashville.gov
[E] Sewer Variance Approval For Bldg	N/A	615-862-6825 Sara.Jinnette@nashville.gov
[E] Water Availability Review For Bldg	COND	615-862-6825 Sara.Jinnette@nashville.gov
[E] Water Variance Approval For Bldg	N/A	615-862-6825 Sara.Jinnette@nashville.gov
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App	APPROVED	615-880-2427 Sara.Cain@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[C] Flood Plain Review On Bldg App	IGNORE	615-862-5464 Eli.Anderson@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A	COND	615-862-6558 Jonathan.Honeycutt@nashville.gov
[F] Sidewalk Review For Bldg App	COND	615-862-6558 Jonathan.Honeycutt@nashville.gov

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.H.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

The required side walks will affect storm water and placement will cover a drainage ditch. It will disrupt water flow

APPLICATIONS FOR VARIANCE REQUESTS

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Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

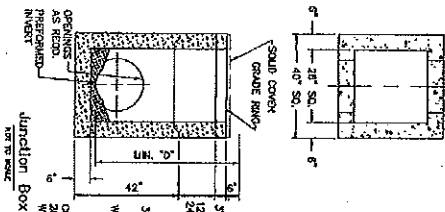
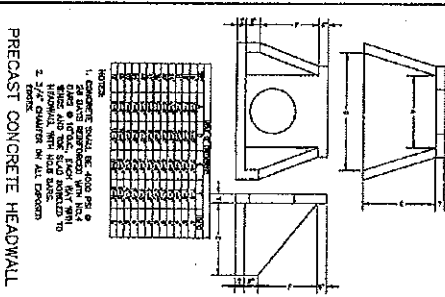
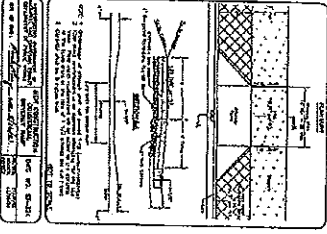
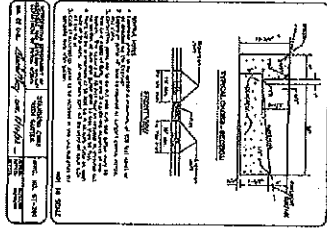
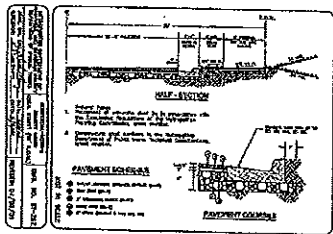
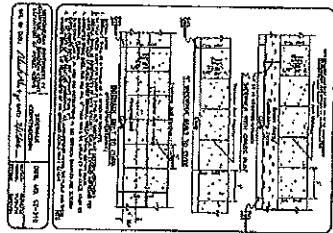
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

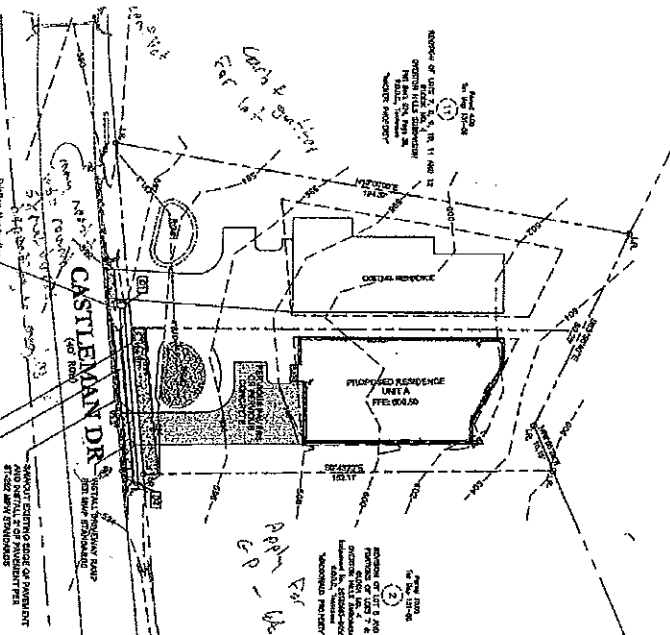
8-9-18
DATE



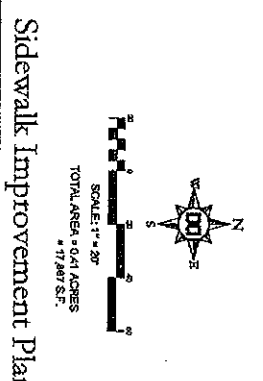
PIPE	DEPTH	SPACING
12"	2.00'	24"
15"	2.40'	24"
18"	2.70'	24"
24"	3.60'	24"

Public Works Permits Approved J. Hargrett Date 7-30-2013
 Building Permit Number T201803963
 Date Submitted 7-30-2013
 No. of Copies _____
 Applicant's Signature [Signature]
 Applicant's Name (print) R. Whitefield Name Date

* NO VERTICAL OBSTRUCTIONS ARE PERMITTED WITHIN THE PROPOSED SIDEWALK, PAVEMENT, CURB, AND GUTTER AS APPLICABLE



Label	Structure Type	T.O. Elevation	Invert Elevation	Length (ft)	Slope (%)
D1	Manhole Box	662.70	662.70	0	0
D2	Manhole Box	664.00	664.00	0	0



Dale & Associates
 Consulting Civil Engineering
 Land Planning & Conting
 Landscape Architecture
 Surveying

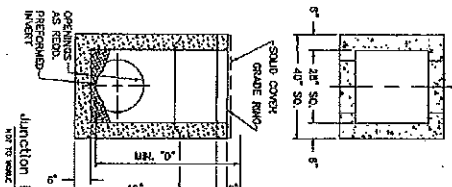
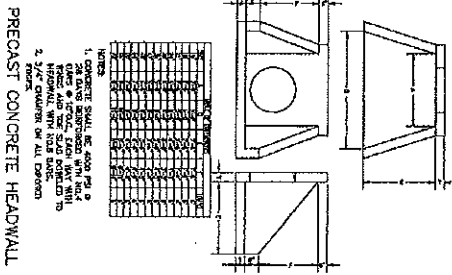
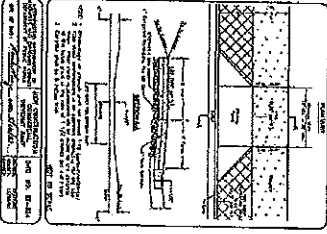
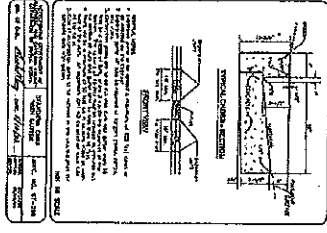
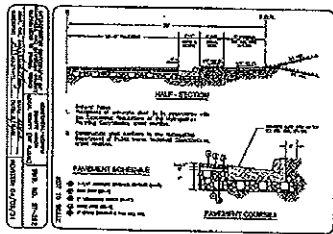
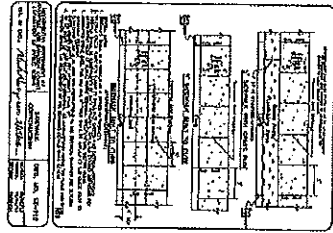
2017 Certificate
 2017 Certificate
 2017 Certificate

C1.0
 Sheet 1 of 1

2034 Castleman Sidewalk Improvement Plan
 Being Parcel 5.00 on Tax Map 131-06
 Nashville, Davidson County, Tennessee

Proposed Sheet 1 of 1

T201803963



MAX. SPAN (FOOT)	W/4	W/8	W/16	W/24
12'	2.00"	2.00"	2.00"	2.00"
15'	2.00"	2.00"	2.00"	2.00"
18'	2.00"	2.00"	2.00"	2.00"
24'	2.00"	2.00"	2.00"	2.00"

Public Works Permits Approved J. H. [Signature] Date 7-30-2018

Building Permit Number T2018039963

Date Submitted 7-30-2018

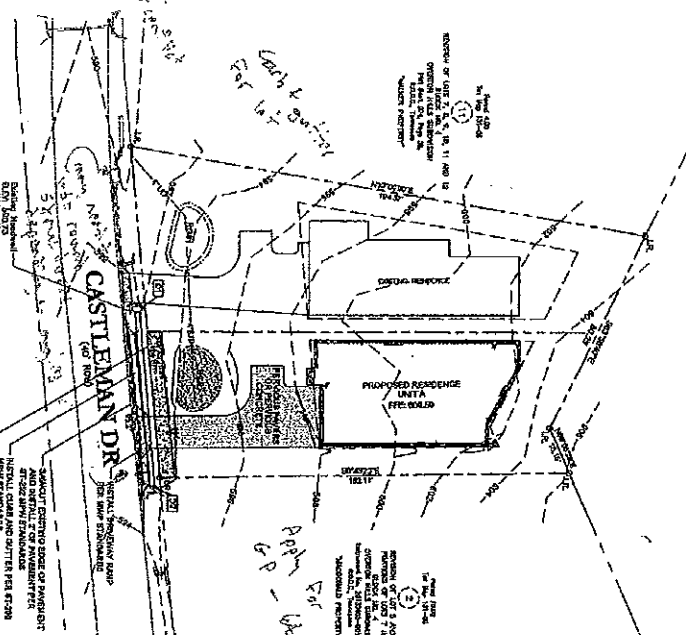
No. of Copies _____

Applicant's Signature [Signature]

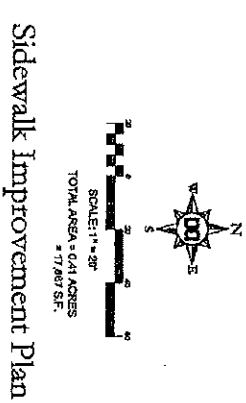
Applicant's Name (print) R. Whitefield

Name _____ Date _____

* NO VERTICAL OBSTRUCTIONS ARE PERMITTED WITHIN THE PROPOSED SIDEWALK, PAVEMENT, AND DRIVEWAYS AS APPLICABLE



Label	Structure Type	T.C.	Invert	Outlet
D1	Access Box	98.70	98.70	98.70
D2	Manhole	94.00	94.00	94.00



Dale & Associates
 Consulting Civil Engineering
 Land Planning & Zoning
 Landscape Architecture
 Surveying

1500 North Main Street
 Nashville, TN 37203
 Phone: 615-259-1111
 Fax: 615-259-1112

C1.0
 SHEET 1 OF 1

2034 Castleman Sidewalk Improvement Plan
 Bring Parcel 500 on Tax Map 131-06
 Nashville, Davidson County, Tennessee

Professional Seal 12/17/18

T2018039963

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-515 (2034 Castleman Drive)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks; contribute in-lieu of construction for common area (eligible)
Zoning:	R15
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	None planned; none existing
Bikeway:	None planned; none existing

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant is constructing a two-family dwelling, and requests a variance from constructing sidewalks due to the presence of a drainage ditch along the Castleman Drive block face. Per the Zoning Ordinance, the applicant is eligible to contribute in lieu of construction. Electing to make the contribution in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction.** The applicant shall also dedicate right-of-way for future sidewalk construction.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Jeff Parnell
Property Owner: Church on the Rock
Representative: Jeff Parnell

Date: 8/13/18
Case #: 2018-517
Map & Parcel: 33/241

Council District 03

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

New Construction - Religious Institution

Activity Type: Religious Institution

Location: 1304 Dickerson Pike

This property is in the _____ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Request not to install sidewalks and not to contribute

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jeff Parnell
Appellant Name (Please Print)

Jeff Parnell
Representative Name (Please Print)

2200 Rosa L Parks Blvd
Address

2200 Rosa L Parks Blvd
Address

Nashville, TN 37228
City, State, Zip Code

Nashville, TN 37228
City, State, Zip Code

615-244-2040
Phone Number

615-244-2040
Phone Number

jparnell@dbsengr.com
Email

jparnell@dbsengr.com
Email

Appeal Fee: _____



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3545090

ZONING BOARD APPEAL / CAAZ - 20180047997
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 03300024100

APPLICATION DATE: 08/13/2018

SITE ADDRESS:

1304 DICKERSON PIKE GOODLETTSVILLE, TN 37072
LOT 5 M. C. MINTON PROPERTY

PARCEL OWNER: CHURCH ON THE ROCK OF NASHVILLE TN

CONTRACTOR:

APPLICANT:

PURPOSE:

Request not to install sidewalks and not to contribute.
Section 17.20.120

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Environmental Concerns with a stream being in the sidewalk location.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

APPELLANT

DATE

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-517 (1304 Dickerson Pike)

Metro Standard:	6' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	CS
Community Plan Policy:	T3 CM (Suburban Mixed Use Corridor) CO (Conservation: Roadside stream along property frontage)
MCSP Street Designation:	T3-M-AB5
Transit:	None existing; none planned
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve.*

Analysis: The applicant proposes to construct a religious institutional use and requests a variance from constructing sidewalks due to the presence of topographic constraints and a stream along the property's frontage. Planning evaluated the following factors for the variance request:

- (1) The terrain along the property's frontage slopes by approximately 6' downwards from the street pavement.
- (2) A roadside stream is located along Dickerson Pike for the property's 170' of frontage. Constructing sidewalks to the Major and Collector Street Plan standard will require fill and piping which will impact the larger area's stormwater flow. Metro's Stormwater Management Committee is unlikely to grant a variance to pipe a stream of this length.

Given the factors above, staff recommends **approval**.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : 608 Hotels, LLC
Property Owner: 608 Hotels, LLC
Representative: : TARUN N SURTI

Date: 8/13/18
Case #: 2018-518
Map & Parcel: 95-11/190

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: HOTEL BUILDING, NEW CONSTRUCTION

Activity Type: HOTEL

Location: 608 MCGAVOCK PIKE 37214

This property is in the CL Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason: 1. REDUCE LANDSCAPE BUFFER YARD FROM 20' TO 12'
2. REQUEST BUILD OUTSIDE HEIGHT AND SLOPE/CONTROL PLANE.

Section(s): 17.24.2A0C (C-3) 2. 17.12.020C

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

608 Hotels, LLC
Appellant Name (Please Print)
5928 Westheimer DV
Address
Brentwood TN 37027
City, State, Zip Code
615-812-6164
Phone Number

TARUN N SURTI
Representative Name (Please Print)
5928 Westheimer DV
Address
Brentwood TN 37027
City, State, Zip Code
615-812-6164
Phone Number

tarunsurti@comcast.net
Email

tarunsurti@comcast.net
Email

Appeal Fee: 20000



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3545189

ZONING BOARD APPEAL / CAAZ - 20180048070
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09511019000

APPLICATION DATE: 08/13/2018

SITE ADDRESS:

608 MCGAVOCK PIKE NASHVILLE, TN 37214
LOT 2 608 HOTELS LLC

PARCEL OWNER: 608 HOTELS, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

NEW CONSTRUCTION, HOTEL BUILDING

1. PER 17.24.240C (C-3) 20' LANDSCAPE BUFFER YARD REQUIRED ALONG NORTHERN SIDELINE ABUTTING ZONING DISTRICT RS10....

REQUEST TO CONSTRUCT PARKING 8' INTO LANDSCAPE BUFFER YARD...REMAINING 12' LANDSCAPE BUFFER YARD TOTAL...

2. PER 17.12.020C MAXIMUM HEIGHT AT SETBACK LINE IS 30'... ..SLOPE OF HEIGHT CONTROL PLANE (V TO H) 1.5 TO 1...

REQUEST TO CONSTRUCT 5 STORY BUILDING (60') WITH 120' SIDE AT THE 20' REAR SETBACK LINE... ..HEIGHT CONTROL PLANE EXTENDS 30' HIGHER AT SETBACK LINE BEING 20' INTO BUILDING AT TOP/ROOF... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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- ① Height restriction. Variance request to
meet set-back in the back of Bldg
Narrow Irregular Parcel shape in the back and
unnamed Creek in the front and its set back
forces us to increase height in the back
- ② the buildy/barley is squeezed between the
welland gutter & under the powerlines
therefore the extra 8' is needed.

APPLICATIONS FOR VARIANCE REQUESTS

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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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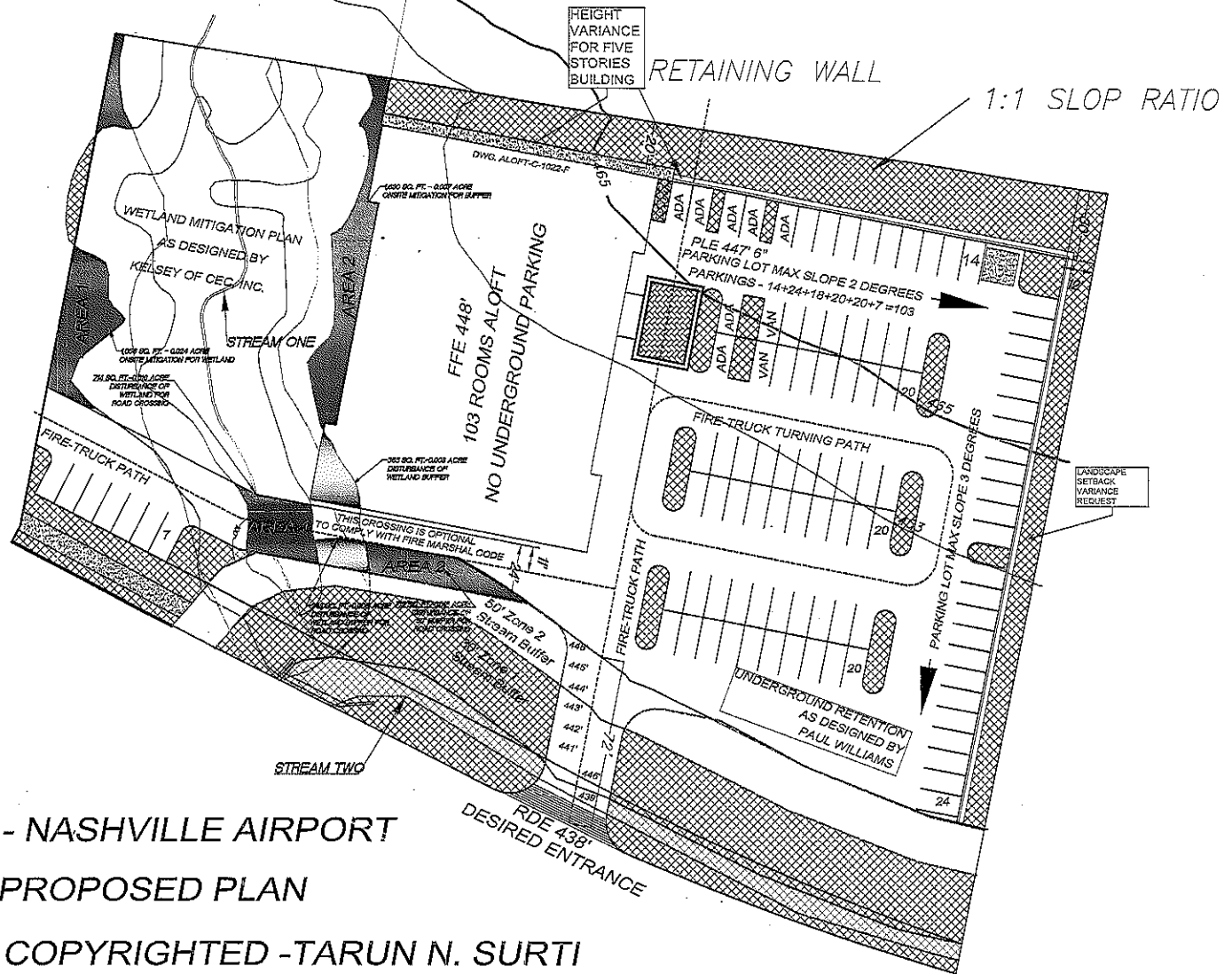
APPELLANT

8/13/2018

DATE

VARIANCE REQUEST FOR BUILDING ENCROACHMENT ON BUFFERS		
	WETLAND--acre	BUFFER--acre
TOTAL	0.194	0.262
UNDISTURBED	0.194	0.232
WETLAND DISTURBED	0.016	0.000
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.000
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.000
30' BUFFER DISTURBED BY ROAD CROSSING	0.000	0.016
ON-SITE MITIGATION	0.024	0.037
NET GAIN/(LOSS)	0.008	0.007
MITIGATION/DISTURBANCE RATIO	1.3/1.0	

ORIGINAL VARIANCE REQUEST FOR BUILDING ENCROACHMENT ON BUFFERS		
	WETLAND--acre	BUFFER--acre
TOTAL	0.194	0.262
UNDISTURBED	0.012	0.036
DISTURBED	0.172	0.226
30' BUFFER DISTURBANCE	0.000	0.033
ON-SITE MITIGATION	0.000	0.000
OFF-SITE MITIGATION	0.480	0.000
NET GAIN/(LOSS)	0.311	-0.230



ALOFT HOTEL - NASHVILLE AIRPORT

TARUN'S PROPOSED PLAN

CONFIDENTIAL - COPYRIGHTED - TARUN N. SURTI

GARY BEST - ROTATED 90 DEGREES

C-1022-F

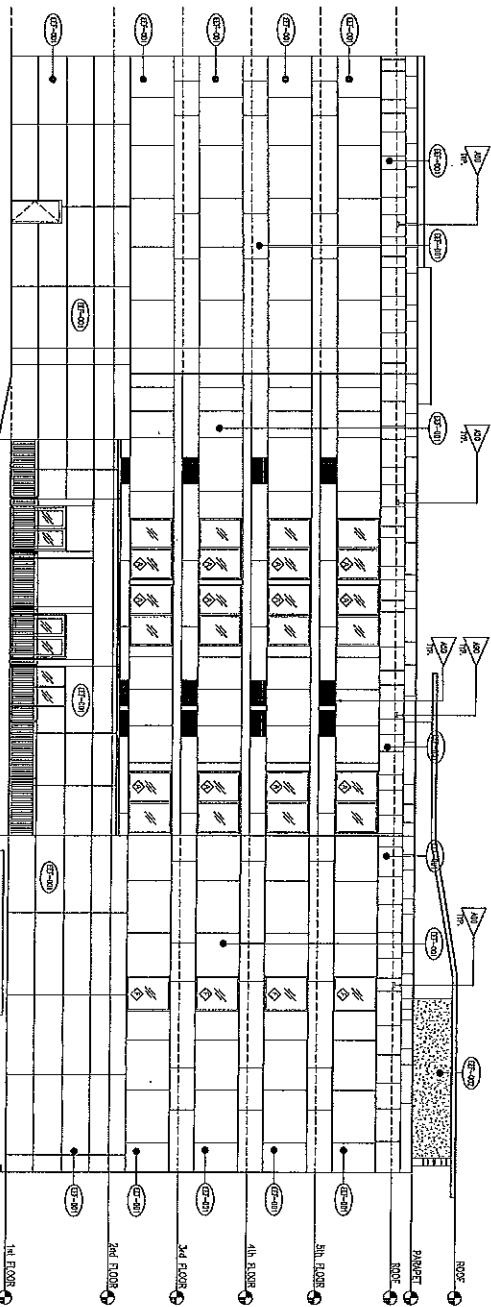
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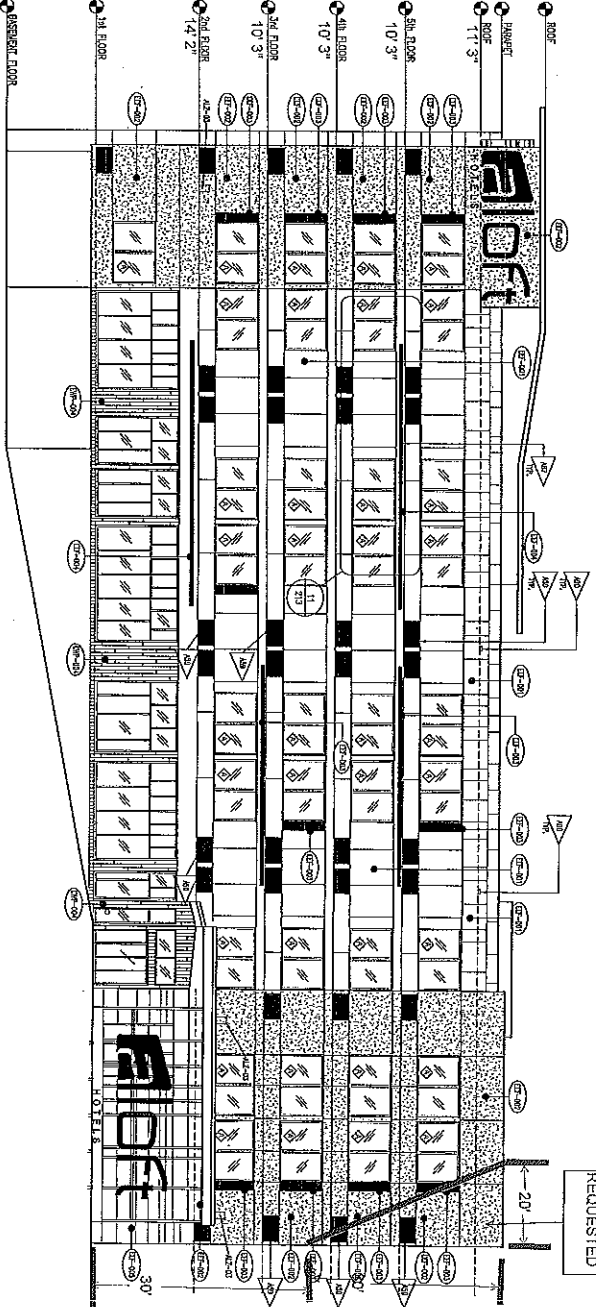
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	EX-219	EX COLOR 19		EX-220	EX COLOR 20
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	EX-227	EX COLOR 27		EX-228	EX COLOR 28
	EX-229	EX COLOR 29		EX-230	EX COLOR 30
	EX-231	EX COLOR 31		EX-232	EX COLOR 32
	EX-233	EX COLOR 33		EX-234	EX COLOR 34
	EX-235	EX COLOR 35		EX-236	EX COLOR 36
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	EX-241	EX COLOR 41		EX-242	EX COLOR 42
	EX-243	EX COLOR 43		EX-244	EX COLOR 44
	EX-245	EX COLOR 45		EX-246	EX COLOR 46
	EX-247	EX COLOR 47		EX-248	EX COLOR 48
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	EX-299	EX COLOR 99		EX-300	EX COLOR 100

EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - CONTRACTOR TO PROVIDE ALL WORK, MATERIALS AND EQUIPMENT NECESSARY TO INSTALL THE EIFS SYSTEM.
- 2 - INSULATION SHALL BE A TYPICAL POLYURETHANE FOAM INSULATION TO BE RESPONSIBLE TO THE MANUFACTURER'S RECOMMENDATIONS FOR THE PROTECTION OF THE INSULATION FROM FIRE AND FROM DAMAGE BY MOISTURE.
- 3 - THE INSULATION SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE INSULATION.
- 4 - THE WRB SHALL BE A TYPICAL POLYURETHANE FOAM INSULATION TO BE RESPONSIBLE TO THE MANUFACTURER'S RECOMMENDATIONS FOR THE PROTECTION OF THE WRB FROM FIRE AND FROM DAMAGE BY MOISTURE.
- 5 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.
- 6 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.
- 7 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.
- 8 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.
- 9 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.
- 10 - THE WRB SHALL BE PROTECTED FROM DAMAGE BY MOISTURE BY THE APPLICATION OF A WATER RESISTIVE BARRIER (WRB) OVER THE WRB.



2 REAR ELEVATION
SCALE 1/8" = 1'-0"



1 FRONT ELEVATION
SCALE 1/8" = 1'-0"

A200

ALOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

DATE: 08/14/14
SCALE: 1/8" = 1'-0"

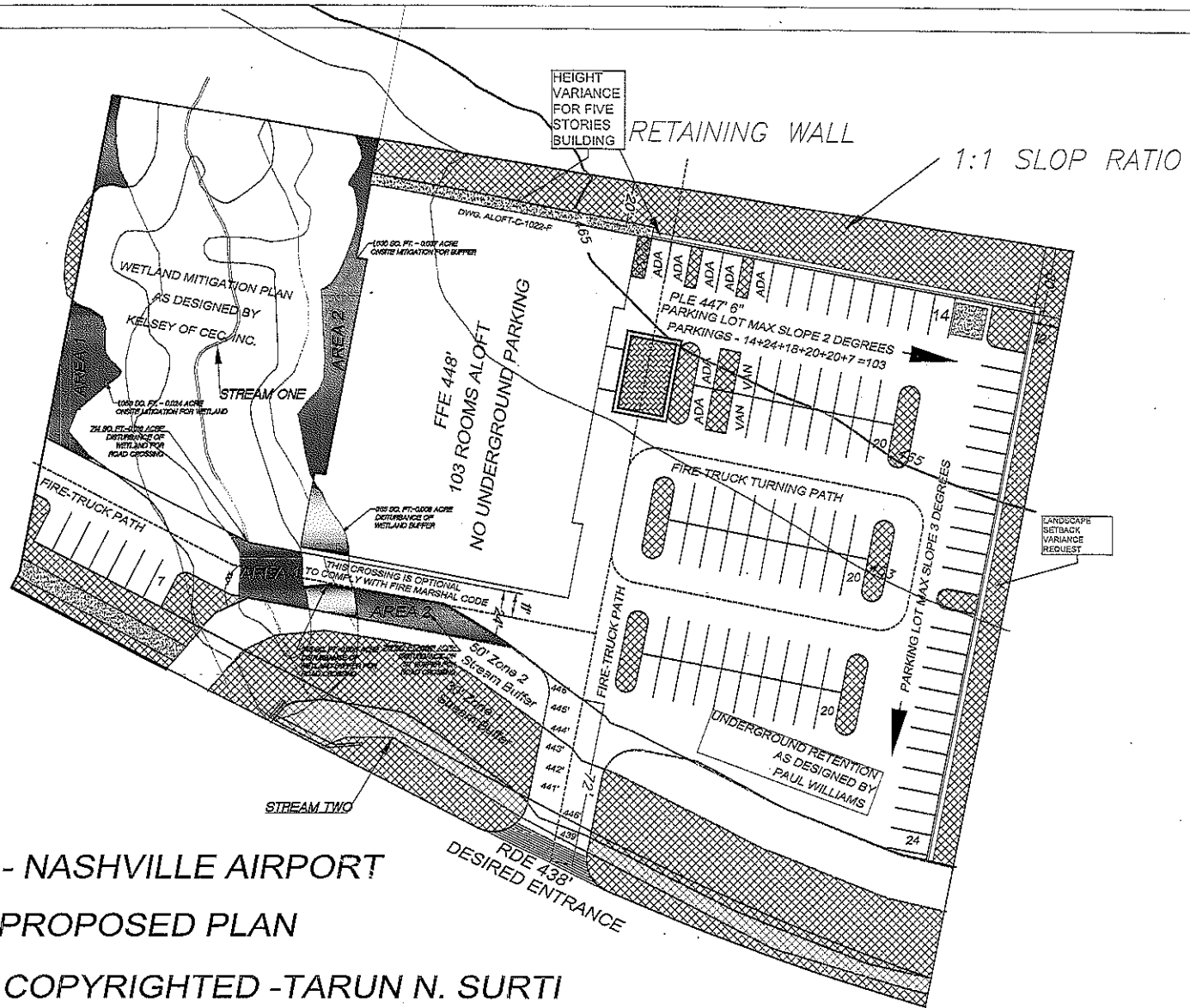
DESIGNED BY: [Signature]
CHECKED BY: [Signature]

Best & Associates Architects

1725 W LAMAR, ALEX PKY, MARYVILLE, TN 37055
PHONE: 615-977-4000 FAX: 615-991-1578

VARIANCE REQUEST FOR BUILDING ENCRoACHMENT ON BUFFERS		
	WETLAND-wet	BUFFER-cetb
TOTAL	0.194	0.262
UNDISTURBED	0.184	0.232
WETLAND DISTURBED	0.016	0.000
30' BUFFER DISTURBED BY ROAD	0.000	0.000
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.008
30' BUFFER DISTURBED BY ROAD CROSSING	0.000	0.016
ON-SITE MITIGATION	0.024	0.007
NET GAIN/(LOSS)	0.008	0.007
MITIGATION/DISTURBANCE RATIO	1.5/1.0	

ORIGINAL VARIANCE REQUEST FOR BUILDING ENCRoACHMENT ON BUFFERS		
	WETLAND-wet	BUFFER-wet
TOTAL	0.194	0.282
UNDISTURBED	0.015	0.008
DISTURBED	0.179	0.226
30' BUFFER DISTURBANCE	0.000	0.033
ON-SITE MITIGATION	0.000	0.000
OFF-SITE MITIGATION	0.400	0.000
NET GAIN/(LOSS)	0.311	-0.230



ALOFT HOTEL - NASHVILLE AIRPORT

TARUN'S PROPOSED PLAN

CONFIDENTIAL - COPYRIGHTED - TARUN N. SURTI

GARY BEST - ROTATED 90 DEGREES

C-1022-F

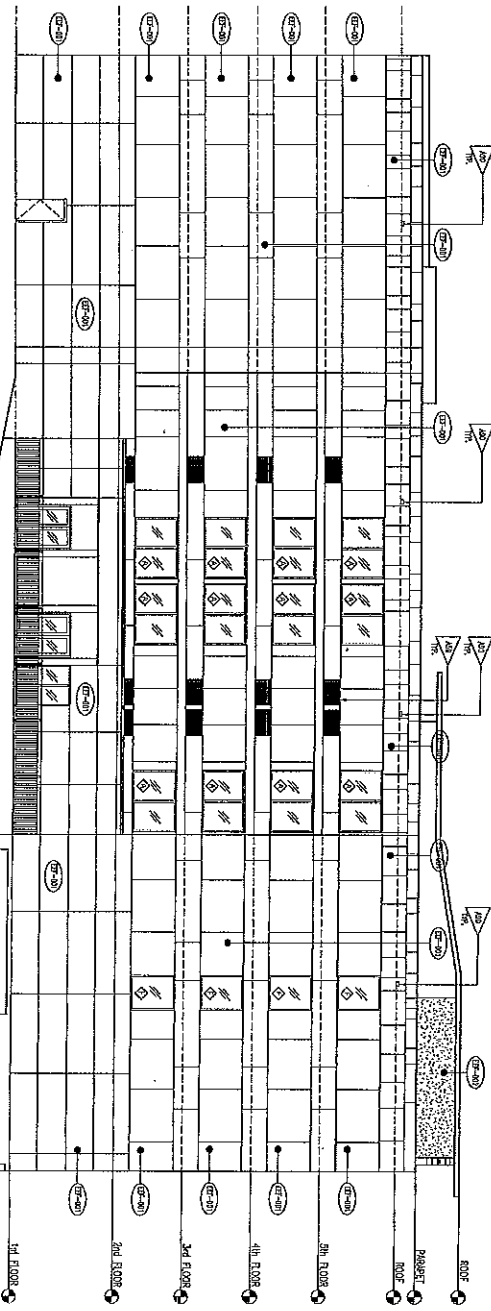
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EXTERIOR FINISH KEY

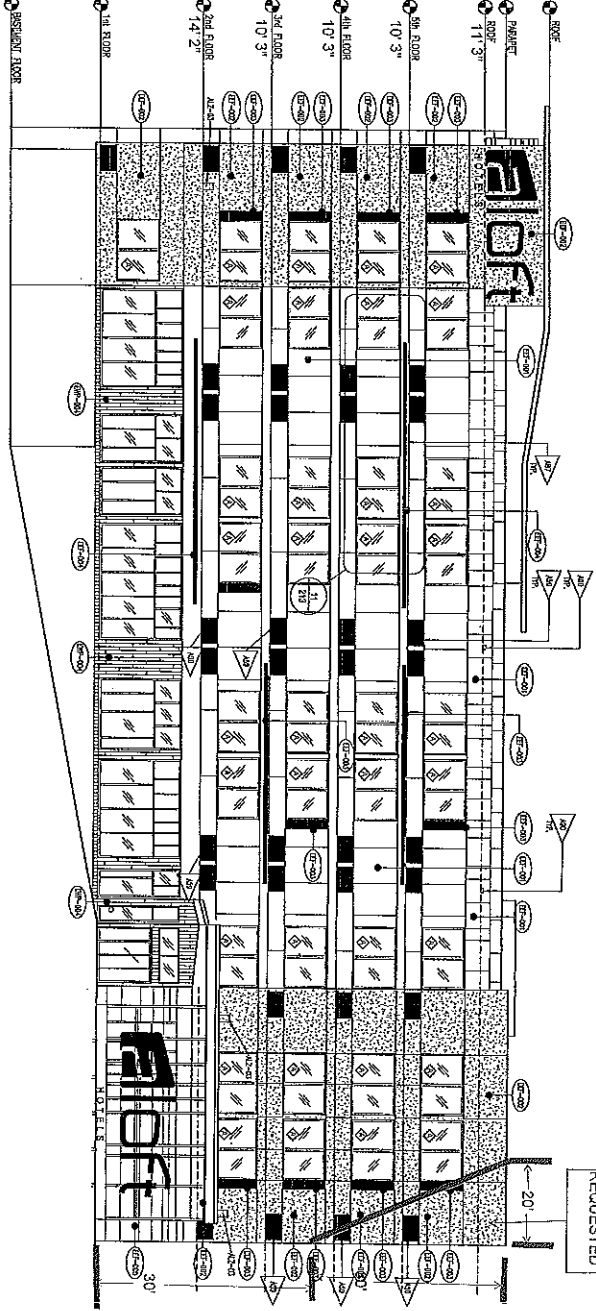
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	CMU 93		CMU 94
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	CMU 97		CMU 98
	CMU 99		CMU 100

EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - CONFORM TO PROJECT ALL LOCAL, STATE AND FEDERAL REQUIREMENTS.
- 2 - INSTALL ALL EIFS SYSTEMS IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS AND THE PROJECT SPECIFICATIONS.
- 3 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 4 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 5 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 6 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 7 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 8 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 9 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.
- 10 - THE EIFS SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS AND THE MANUFACTURER'S RECOMMENDATIONS.



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

A200

ALOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

Best & Associates Architects
1106 W LAMAR ALEX PKY, MARIONVILLE, TN 37053
PHONE 615-977-1600 FAX 615-954-1178

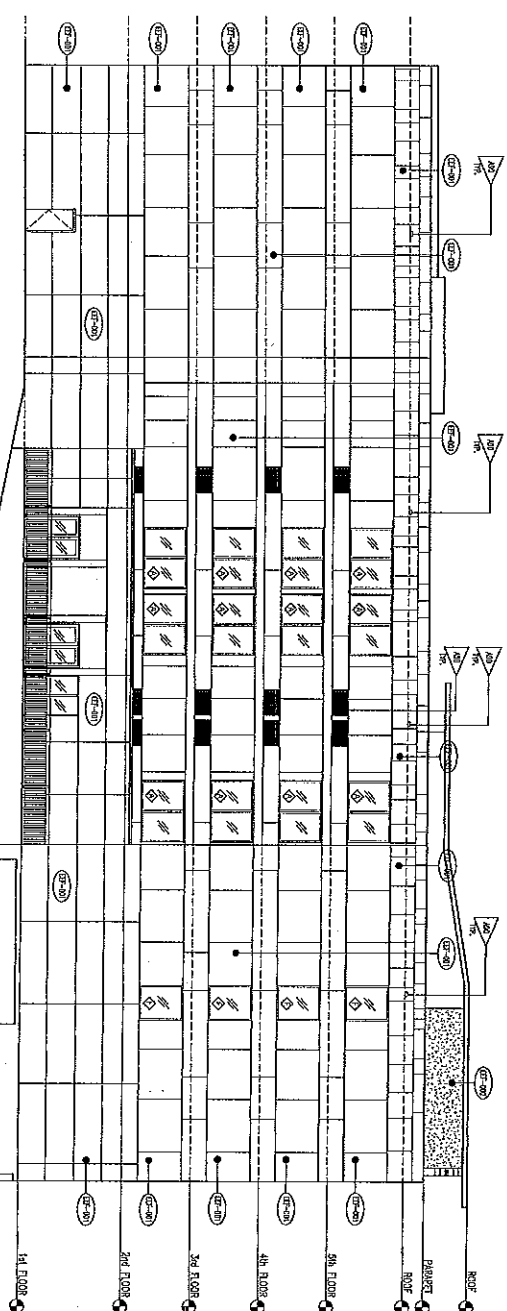


EXTERIOR FINISH KEY

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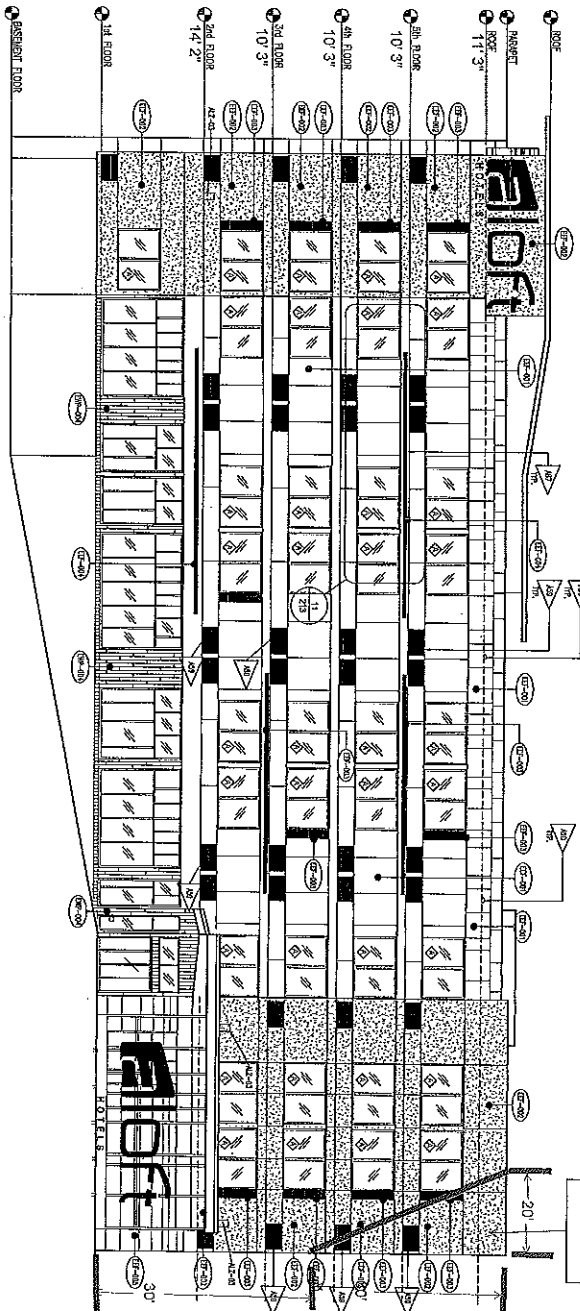
EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - CONFORM TO PROJECT ALL LOCAL, STATE AND FEDERAL REQUIREMENTS.
- 2 - INSULATION SHALL BE A RIGID POLYURETHANE OR POLYSTYRENE INSULATION SYSTEM.
- 3 - INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
- 4 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
- 5 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
- 6 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
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- 18 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
- 19 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.
- 20 - THE INSULATION SHALL BE APPLIED TO THE EXTERIOR SURFACE OF THE STRUCTURE.



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

HEIGHT VARIANCE REQUESTED



1 FRONT ELEVATION
SCALE: 1/8\"/>

A200

ALLOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

Best & Associates Architects
176 W LAMAR ALEX PKY, MARYVILLE, TN 37055
PHONE: 615-977-1600 FAX: 615-991-1578



2018-518
oppose

Case 2018 - 518

Property at 608 McGavock Pike

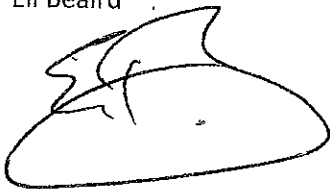
Regarding the appeal (again?) to change height restrictions and other considerations listed in the letter my thoughts on this are 3 fold:

1. I don't want a hotel staring in my backyard and back windows at night.
2. I'm not against people developing the property, but if they want to build a hotel that high they need to go across Elm Hill where there isn't an established residential neighborhood.
3. I believe if this developer is allowed to get his height variance approved the next hotel will be taller and the next one taller, effectively opening pandora's box.

I believe the zoning laws are correct and the variances should not be granted.

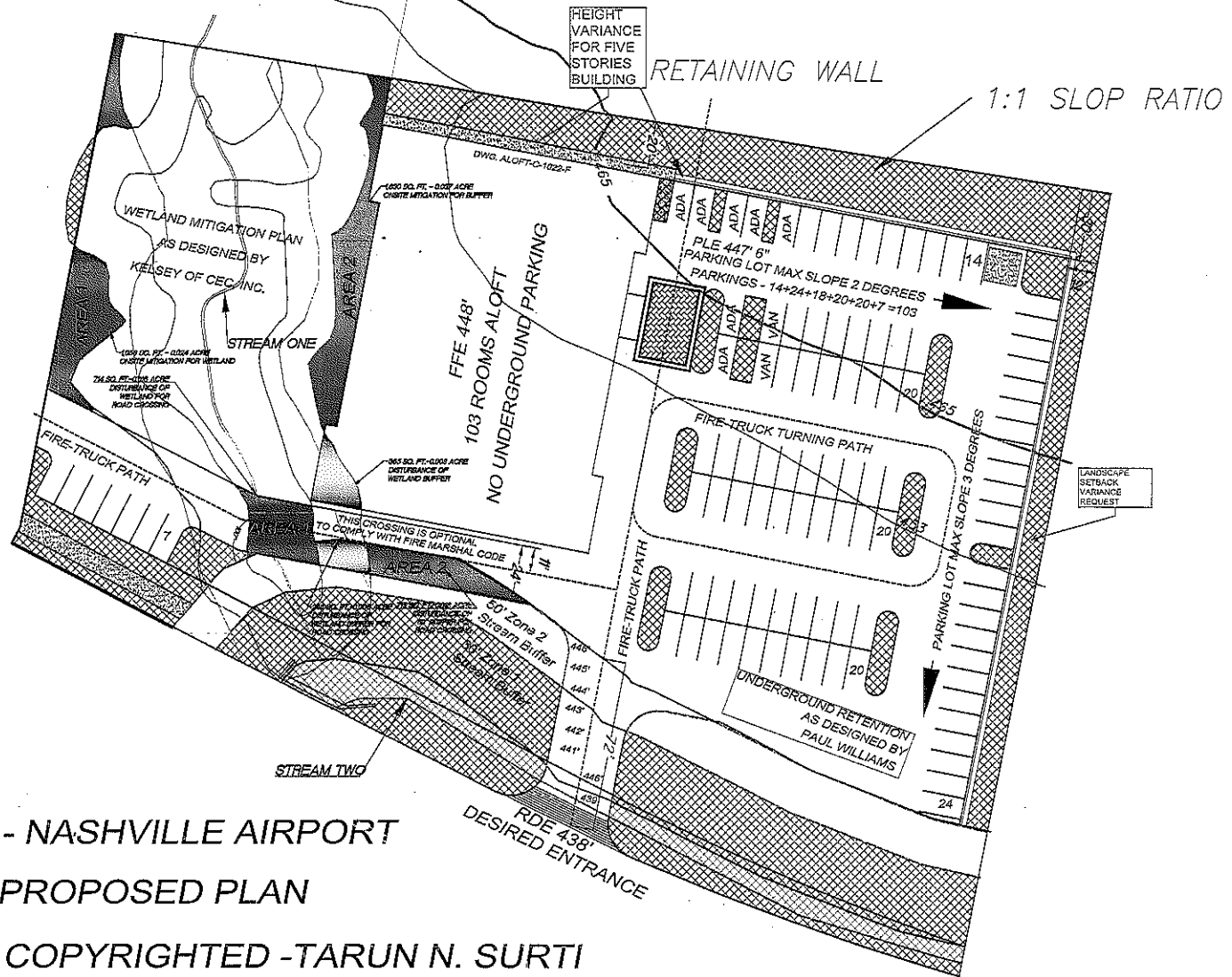
I want to preserve the residential integrity of our neighborhood.

Eli Beard

A handwritten signature in black ink, appearing to be 'Eli Beard', enclosed within a large, irregular, hand-drawn oval shape.

VARIANCE REQUEST FOR BUILDING ENCROACHMENT ON BUFFERS		
	WETLAND--acres	BUFFER--acres
TOTAL	0.194	0.282
UNDISTURBED	0.194	0.232
WETLAND DISTURBED	0.016	0.000
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.008
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.008
50' BUFFER DISTURBED BY ROAD CROSSING	0.000	0.016
ONSITE MITIGATION	0.004	0.037
NET GAIN/(LOSS)	0.008	0.007
MITIGATION/DISTURBANCE RATIO	1.5/1.0	

ORIGINAL VARIANCE REQUEST FOR BUILDING ENCROACHMENT ON BUFFERS		
	WETLAND--acres	BUFFER--acres
TOTAL	0.194	0.282
UNDISTURBED	0.015	0.038
DISTURBED	0.179	0.228
30' BUFFER DISTURBANCE	0.000	0.033
ONSITE MITIGATION	0.000	0.000
OFFSITE MITIGATION	0.000	0.000
NET GAIN/(LOSS)	0.311	-0.250



ALOFT HOTEL - NASHVILLE AIRPORT
 TARUN'S PROPOSED PLAN

CONFIDENTIAL - COPYRIGHTED - TARUN N. SURTI
 GARY BEST - ROTATED 90 DEGREES

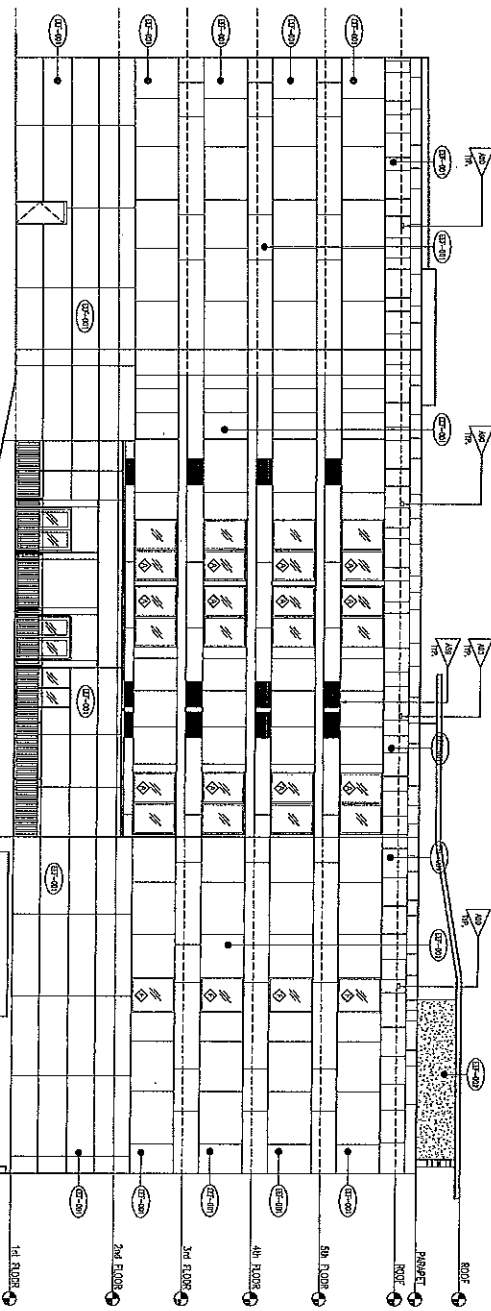
C-1022-F

EXTERIOR FINISH KEY

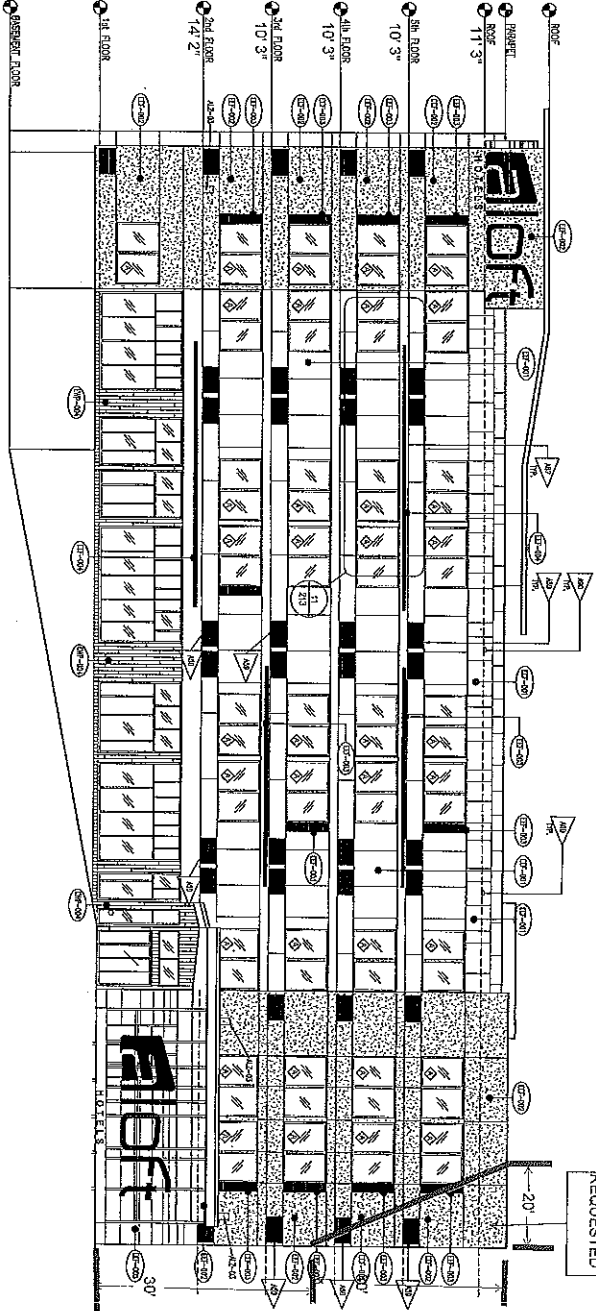
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	CL-99	CL-99	CL-99
	CL-100	CL-100	CL-100

EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - CONSTRUCTION TO PROVIDE AT LEAST 1/2" INSULATION AND COMPENSATE FOR SETTLEMENT.
- 2 - INSULATION TO BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 3 - CONSTRUCTION TO PROVIDE PROTECTION FROM UV RADIATION AND MECHANICAL DAMAGE TO THE INSULATION.
- 4 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 5 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 6 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 7 - ALL JOINTS, IS TO BE REINFORCED WITH ANIMAL UNWOUND REINFORCING WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 8 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 9 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 10 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 11 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.
- 12 - THE INSULATION SHALL BE 1/2" THICK POLYSTYRENE BEAN BOARD OR EQUIVALENT TO BE ADHERED TO THE SUBSTRATE WITH AN ADHESIVE MEETING THE REQUIREMENTS OF THE MANUFACTURER'S DATA SHEET.



2 REAR ELEVATION
SCALE 1/8" = 1'-0"



1 FRONT ELEVATION
SCALE 1/8" = 1'-0"

A200

ALOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

Best & Associates Architects

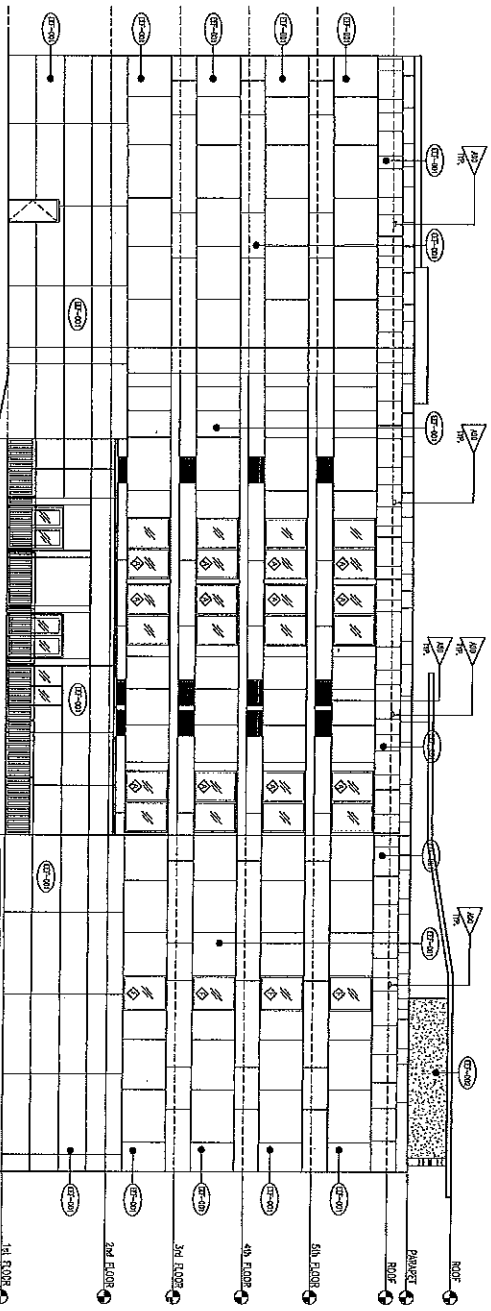
176 W LAMAR ALEX PKY, MARYVILLE, TN 38008
PHONE 636-977-1500 FAX 636-984-1578

EXTERIOR FINISH KEY

	EX COLOR 1		EX COLOR 2
	EX COLOR 3		EX COLOR 4
	EX COLOR 5		EX COLOR 6
	EX COLOR 7		EX COLOR 8
	EX COLOR 9		EX COLOR 10
	EX COLOR 11		EX COLOR 12
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	EX COLOR 45		EX COLOR 46
	EX COLOR 47		EX COLOR 48
	EX COLOR 49		EX COLOR 50
	EX COLOR 51		EX COLOR 52
	EX COLOR 53		EX COLOR 54
	EX COLOR 55		EX COLOR 56
	EX COLOR 57		EX COLOR 58
	EX COLOR 59		EX COLOR 60
	EX COLOR 61		EX COLOR 62
	EX COLOR 63		EX COLOR 64
	EX COLOR 65		EX COLOR 66
	EX COLOR 67		EX COLOR 68
	EX COLOR 69		EX COLOR 70
	EX COLOR 71		EX COLOR 72
	EX COLOR 73		EX COLOR 74
	EX COLOR 75		EX COLOR 76
	EX COLOR 77		EX COLOR 78
	EX COLOR 79		EX COLOR 80
	EX COLOR 81		EX COLOR 82
	EX COLOR 83		EX COLOR 84
	EX COLOR 85		EX COLOR 86
	EX COLOR 87		EX COLOR 88
	EX COLOR 89		EX COLOR 90
	EX COLOR 91		EX COLOR 92
	EX COLOR 93		EX COLOR 94
	EX COLOR 95		EX COLOR 96
	EX COLOR 97		EX COLOR 98
	EX COLOR 99		EX COLOR 100

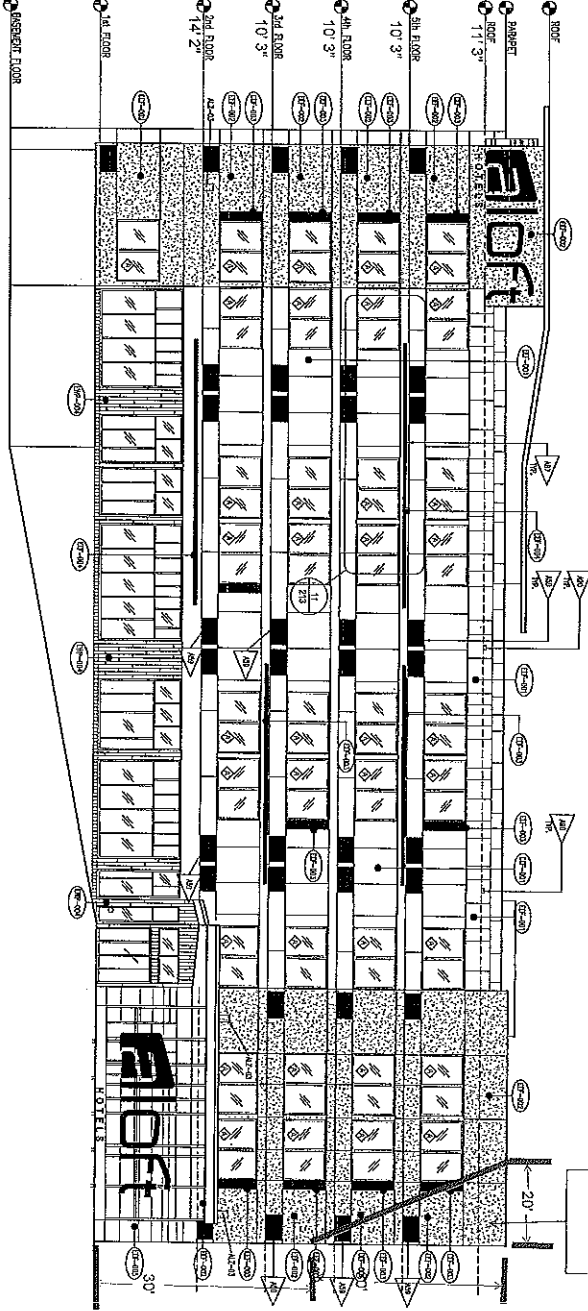
EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - FOR PROTECTIVE COAT, ALL JOINTS, JUNCTIONS AND CORNERS NEED TO BE PROTECTED BY A 1/2" THICK POLYURETHANE FOAM INSULATION BOARD WITH A 1/4" THICK POLYURETHANE FINISH COAT.
- 2 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.
- 3 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.
- 4 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.
- 5 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.
- 6 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.
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- 10 - THE INSULATION BOARD SHALL BE ADHESIVELY ATTACHED TO THE SUBSTRATE BY MEANS OF AN ADHESIVE.



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"

HEIGHT VARIANCE REQUESTED



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

A200

ELEVATIONS

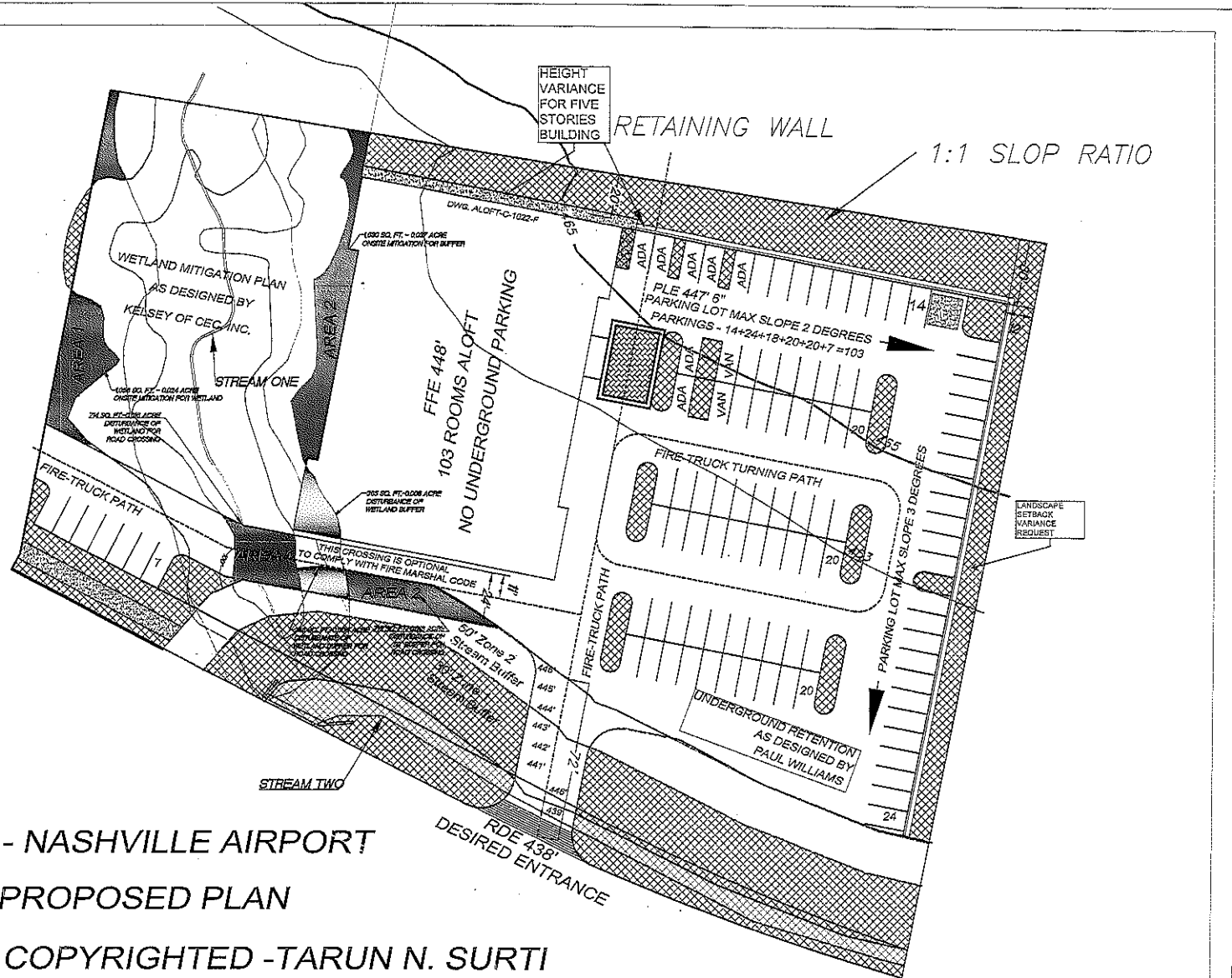
ALLOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

Best & Associates Architects

1125 W LAMAR ALEX PKY, MARYVILLE, TN 37055
PHONE: 615-977-6000 FAX: 615-961-1578

VARIANCE REQUEST FOR BUILDING ENCRoACHMENT ON BUFFERS		
	WETLAND-0006	BUFFER-0078
TOTAL	0.194	0.282
UNDISTURBED	0.184	0.232
WETLAND DISTURBED	0.016	0.000
WETLAND BUFFER DISTURBED BY ROAD	0.000	0.006
WETLAND BUFFER DISTURBED BY BLADE	0.000	0.008
30' BUFFER DISTURBED BY ROAD CROSSING	0.000	0.018
ONSITE MITIGATION	0.024	0.037
NET GAIN/(LOSS)	0.008	0.007
MITIGATION/DISTURBANCE RATIO	1.5/1.0	

ORIGINAL VARIANCE REQUEST FOR BUILDING ENCRoACHMENT ON BUFFERS		
	WETLAND-0006	BUFFER-0078
TOTAL	0.194	0.282
UNDISTURBED	0.015	0.026
DISTURBED	0.179	0.226
30' BUFFER DISTURBANCE	0.000	0.033
ONSITE MITIGATION	0.000	0.000
OFFSITE MITIGATION	0.490	0.000
NET GAIN/(LOSS)	0.311	-0.259



ALOFT HOTEL - NASHVILLE AIRPORT

TARUN'S PROPOSED PLAN

CONFIDENTIAL - COPYRIGHTED - TARUN N. SURTI

GARY BEST - ROTATED 90 DEGREES

C-1022-F

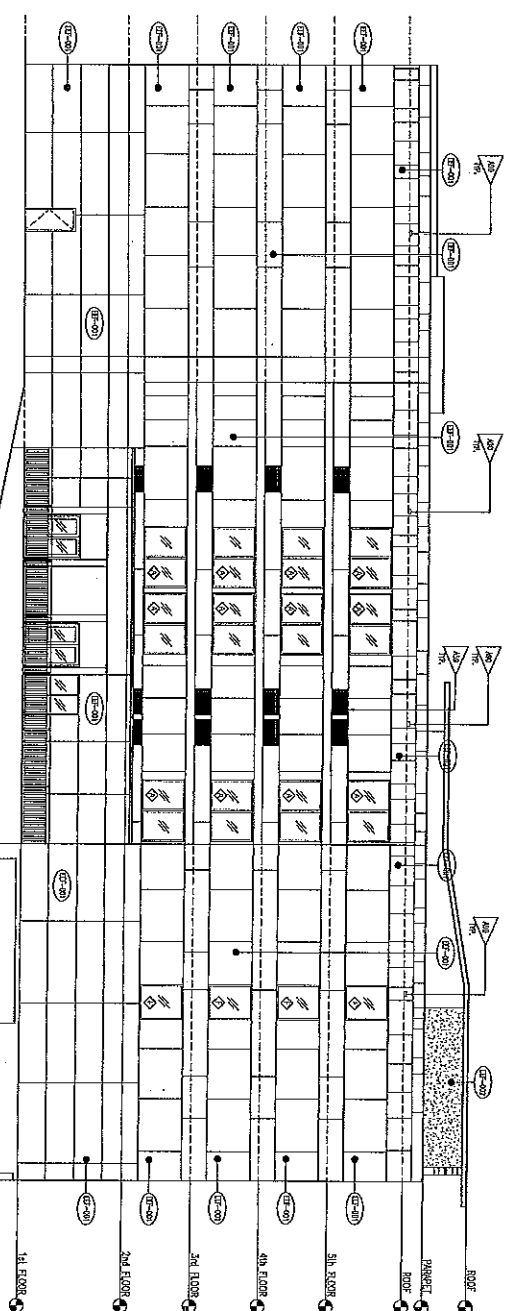
DWG. ALOFT-C-1022-F

EXTERIOR FINISH KEY

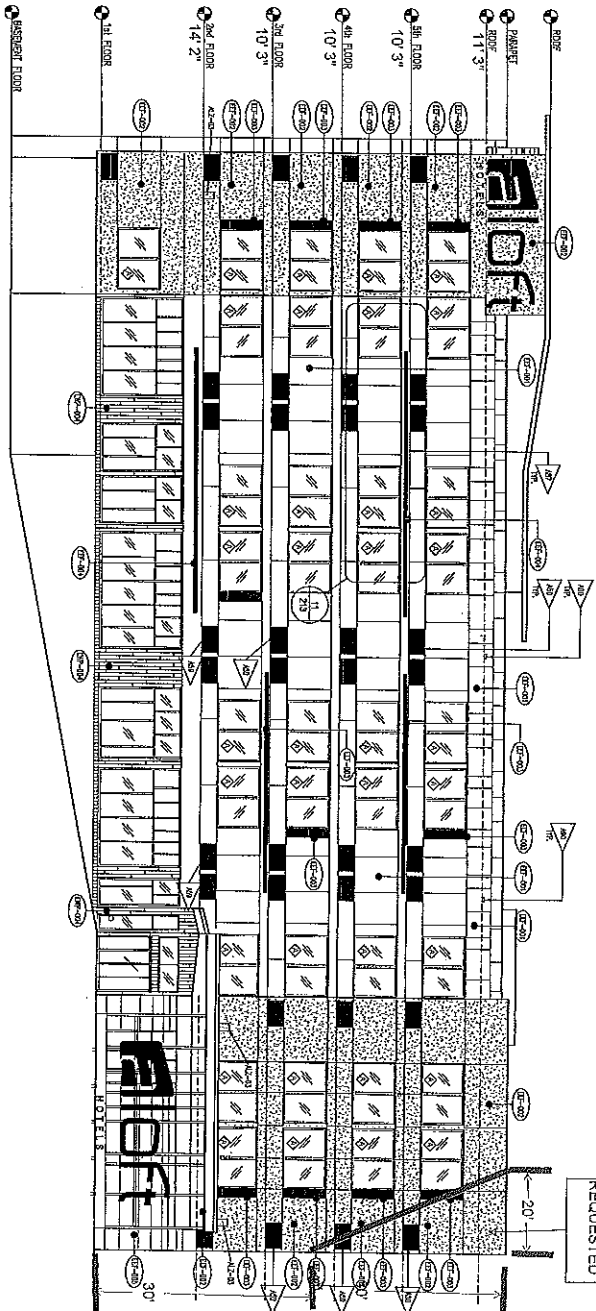
	EIFS DETAIL 1		EIFS DETAIL 2
	EIFS DETAIL 3		EIFS DETAIL 4
	EIFS DETAIL 5		EIFS DETAIL 6
	EIFS DETAIL 7		EIFS DETAIL 8
	EIFS DETAIL 9		EIFS DETAIL 10
	EIFS DETAIL 11		EIFS DETAIL 12
	EIFS DETAIL 13		EIFS DETAIL 14
	EIFS DETAIL 15		EIFS DETAIL 16
	EIFS DETAIL 17		EIFS DETAIL 18
	EIFS DETAIL 19		EIFS DETAIL 20
	EIFS DETAIL 21		EIFS DETAIL 22
	EIFS DETAIL 23		EIFS DETAIL 24
	EIFS DETAIL 25		EIFS DETAIL 26
	EIFS DETAIL 27		EIFS DETAIL 28
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	EIFS DETAIL 93		EIFS DETAIL 94
	EIFS DETAIL 95		EIFS DETAIL 96
	EIFS DETAIL 97		EIFS DETAIL 98
	EIFS DETAIL 99		EIFS DETAIL 100

EXTERIOR INSULATION FINISH SYSTEM (EIFS)

- 1 - CONFORM TO PROJECT ALL OTHER INSULATION AND FINISH REQUIREMENTS
- 2 - INSULATION SHALL BE A THICK POLYURETHANE AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT
- 3 - INSULATION SHALL BE A THICK POLYURETHANE AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT
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- 10 - THE INSULATION SHALL BE A THICK POLYURETHANE AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT AND BE OF PERFORMANCE TO MEET THE REQUIREMENTS OF THE PROJECT



2 REAR ELEVATION
SCALE: 1/8" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

HEIGHT VARIANCE REQUESTED

A200

ALOFT HOTEL
608 MCGAVOCK PIKE
NASHVILLE, TN

Best & Associates Architects
176 W LAMAR ALEX PKY, MARYVILLE, TN 37055
PHONE 605-977-1500 FAX 605-981-1578



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: KIM E SHINN

Date: 16 AUG 2018

Property Owner: KIM AND NAN SHINN

Case #: 2018- 519

Representative: ~~MINA JO~~
KIM E SHINN

Map & Parcel: 115-5 PARCEL 67

Council District 23

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

CONSTRUCT 900 SQ FT ADDITION TO SINGLE-FAMILY RESIDENCE

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 884 RODNEY DR. NASHVILLE TN 37205

This property is in the RS40 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: TO BUILD ALONG EXISTING FRONT SETBACK

Section(s): 17.12.030.C.3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

KIM E SHINN
Appellant Name (Please Print)

KIM E SHINN
Representative Name (Please Print)

884 RODNEY DR
Address

884 RODNEY DR
Address

NASHVILLE TN 37205
City, State, Zip Code

NASHVILLE TN 37205
City, State, Zip Code

615.394.4297
Phone Number

615.394.4297
Phone Number

KIMANDNAN@COMCAST.NET
Email

KIMANDNAN@COMCAST.NET
Email

Appeal Fee: \$100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3546566

ZONING BOARD APPEAL / CAAZ - 20180049053
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 11505006700

APPLICATION DATE: 08/16/2018

SITE ADDRESS:

884 RODNEY DR NASHVILLE, TN 37205
RES. PAR. "A" WEST MEADE HILLS 2ND ADDN.

PARCEL OWNER: SHINN, KIM E. & NAN M.

CONTRACTOR:

APPLICANT:

PURPOSE:

To construct 900 sqft addition along north side of existing single family residence...front façade of proposed addition to extend along same 42' foot setback line as front façade of existing residence....

Per 17.12.030.C.3 the average setback calculated is 68.9 feet...

Request to build 26.9 feet into setback area at the 42 foot setback of the existing residence due to physical characteristics of the property.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3546566

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Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 11505006700

APPLICATION DATE: 08/16/2018

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Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3546566

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Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 11505006700

APPLICATION DATE: 08/16/2018

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884 RODNEY DR NASHVILLE, TN 37205
RES. PAR. "A" WEST MEADE HILLS 2ND ADDN.

PARCEL OWNER: SHINN, KIM E. & NAN M.

CONTRACTOR:

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There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

SEE ATTACHED

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.


Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


KIM E SHIN

16 AUG 2018

APPELLANT

DATE

16 Aug 2018

Board of Zoning Appeals
Department of Codes Administration
800 2nd Avenue South
Metro Office Building
Nashville, TN 37210

RE Specific and unique circumstances
884 Rodney Drive, Nashville TN 37205

Ladies and Gentlemen of the Board

Thank you very much for your consideration of request for variance for the construction of an attached residential accessory unit to my home at 884 Rodney Dr (Parcel ID: 11505006700), consistent with the requirements of 17.16.250 for Residential Accessory Units. This attached unit is proposed to be constructed to the immediate north of the existing structure.

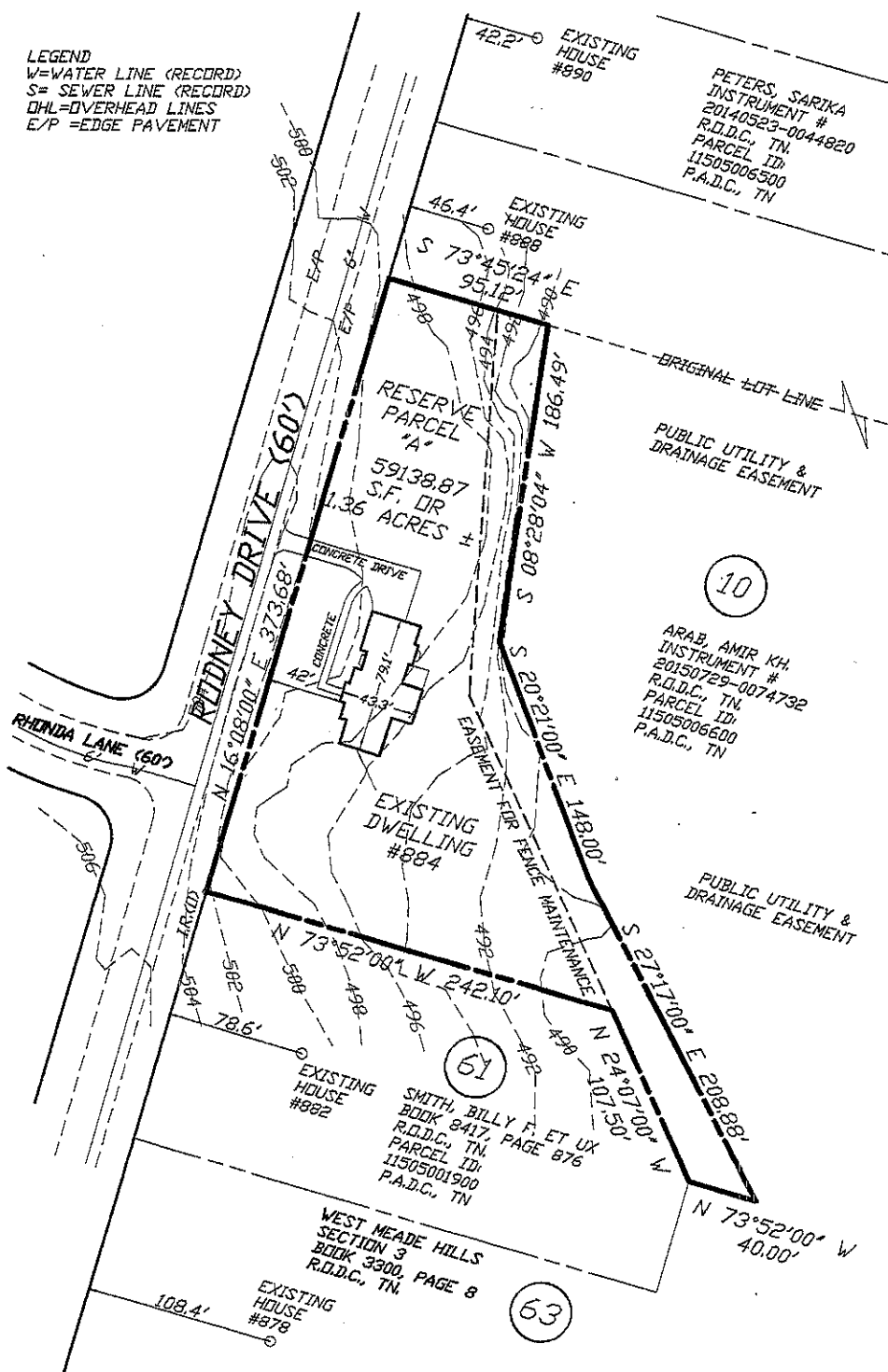
As seen in the attached survey and aerial images, my lot is bounded at the rear (east) by an abandoned quarry pond, with approximately 80 ft between the street and the top of a steep bank leading down to the pond. The existing front setback of my home is 42 ft, while the average along my side of the street is roughly 64 ft. I request variance of the front setback restriction (40 ft or the average along the street, whichever is greater) to match the existing 42 ft front setback of my existing home.

Respectfully submitted,



Kim E Shinn
884 Rodney Dr
Nashville TN 37205

LEGEND
 W= WATER LINE (RECORD)
 S= SEWER LINE (RECORD)
 OHL= OVERHEAD LINES
 E/P = EDGE PAVEMENT



NORTH ROTATION
 BASED ON
 METRO GIS MAPS
 PROPERTY DIMENSIONS
 FROM RECORDED PLAT

PREPARED BY:
 CAMPBELL, McRAE
 & ASSOCIATES,
 SURVEYING, INC.
 2918 BERRY HILL DRIVE
 NASHVILLE, TN, 37204
 PH. 615-298-2424
 FAX 615-297-2828
 EMAIL cmas@att.net

ACCORDING TO METRO GIS MAPS
 PROPERTY IS ZONED RS40
 SETBACKS FOR RS40 ZONING TAKEN FROM
 DISTRICT BULK TABLES TITLE 17 "ZONING"
 CHAPTER 17.12

FRONT = STREET AVERAGE
 SIDES = 10'
 REAR = 20'
 VERIFY SETBACKS WITH CODES BEFORE
 DESIGN OR CONSTRUCTION DECISIONS
 ARE MADE.

BY GRAPHIC SCALING FROM THE LATEST
 F.E.M.A. / FLOOD INSURANCE RATE MAP
 THIS PROPERTY IS NOT LOCATED IN A
 F.E.M.A. / F.A.R.M SPECIAL FLOOD HAZARD AREA
 PROPERTY IS LOCATED IN ZONE "X" UNSHADED
 MAP 470040 PANEL 0331 H
 EFFECTIVE DATE = 4-5-17

THIS EXHIBIT WAS PREPARED FROM THE
 LATEST RECORDED DEED DESCRIPTION.
 THIS SURVEY IS SUBJECT TO THE FINDINGS
 OF A CURRENT TITLE EXAMINATION.
 NO TITLE REPORT WAS PROVIDED
 TO SURVEYOR

UTILITIES SHOWN WERE TAKEN FROM PUBLIC
 AS-BUILT RECORDS & FIELD LOCATION. THERE MAY
 BE UTILITIES OR EASEMENTS PRESENT THAT ARE
 NOT SHOWN ON THIS EXHIBIT.
 CONTACT THE TENNESSEE ONE CALL SYSTEM
 PRIOR TO ANY CONSTRUCTION OR DIGGING.



EXHIBIT MAP
 OF RESERVE PARCEL "A"
 OF THE SECOND ADDITION TO
 WEST MEADE SUBDIVISION
 BOOK 4460, PAGE 178 R.O.D.C., TN.
 PROPERTY LOCATED IN THE 23RD
 COUNCIL DISTRICT OF NASHVILLE,
 DAVIDSON COUNTY TENNESSEE
 ON THE EASTERLY MARGIN OF
 RODNEY DRIVE, NORTH
 OF BROWNLEE DRIVE
PROPERTY ADDRESS:
 884 RODNEY DRIVE,
 NASHVILLE, TN., 37205

DEED REFERENCE:
 INSTRUMENT #20020522-0062603
 R.O.D.C., TN.
PARCEL ID: 11505006700
 P.A.D.C., TN.
DATE: 8-31-17
SCALE: 1"=100'
PREPARED FOR:
 SHINN, KIM E. & NAN M.

THIS EXHIBIT WAS DONE UNDER
 THE AUTHORITY OF TCA 62-18-126
 AND IS NOT A GENERAL PROPERTY
 SURVEY AS DEFINED UNDER
 RULE 0820-3-.07, CHAPTER 0820-3
 STANDARDS OF PRACTICE, RULES OF
 THE TENNESSEE BOARD OF EXAMINERS
 FOR LAND SURVEYORS.

JOHN ALAN HOOD TN. R.L.S.#1838



1 inch = 100 feet



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: EARL M. FOWLKES
Property Owner: EARL M. FOWLKES
Representative: SAMES

Date: 8/13/2018
Case #: 2018-520
Map & Parcel: 72-6/168

Council District 5

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: TO CONSTRUCT NEW FRONT PORCH ON EXIST. SINGLE FAMILY RESIDENCE.

Activity Type: SINGLE FAMILY RESIDENCE / FRONT PORCH
Location: 1075 ZOPHI ST.

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST TO BUILD 8' INTO FRONT SETBACK

Section(s): 17.12.03D, C.3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

EARL M. FOWLKES
Appellant Name (Please Print)

EARL M. FOWLKES
Representative Name (Please Print)

1075 ZOPHI STREET
Address

1075 ZOPHI STREET
Address

NASHVILLE, TN 37216
City, State, Zip Code

NASHVILLE, TN 37216
City, State, Zip Code

615-521-1542
Phone Number

615-521-1542
Phone Number

Email

Email

Appeal Fee: \$100.00

*Text
no email.*

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

CONTRACTOR DONE THE JOB AND DIDNT
TELL ME I NEEDED TO GET A PERMIT.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

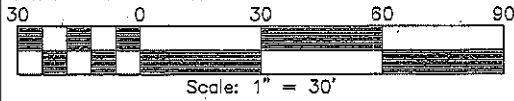
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

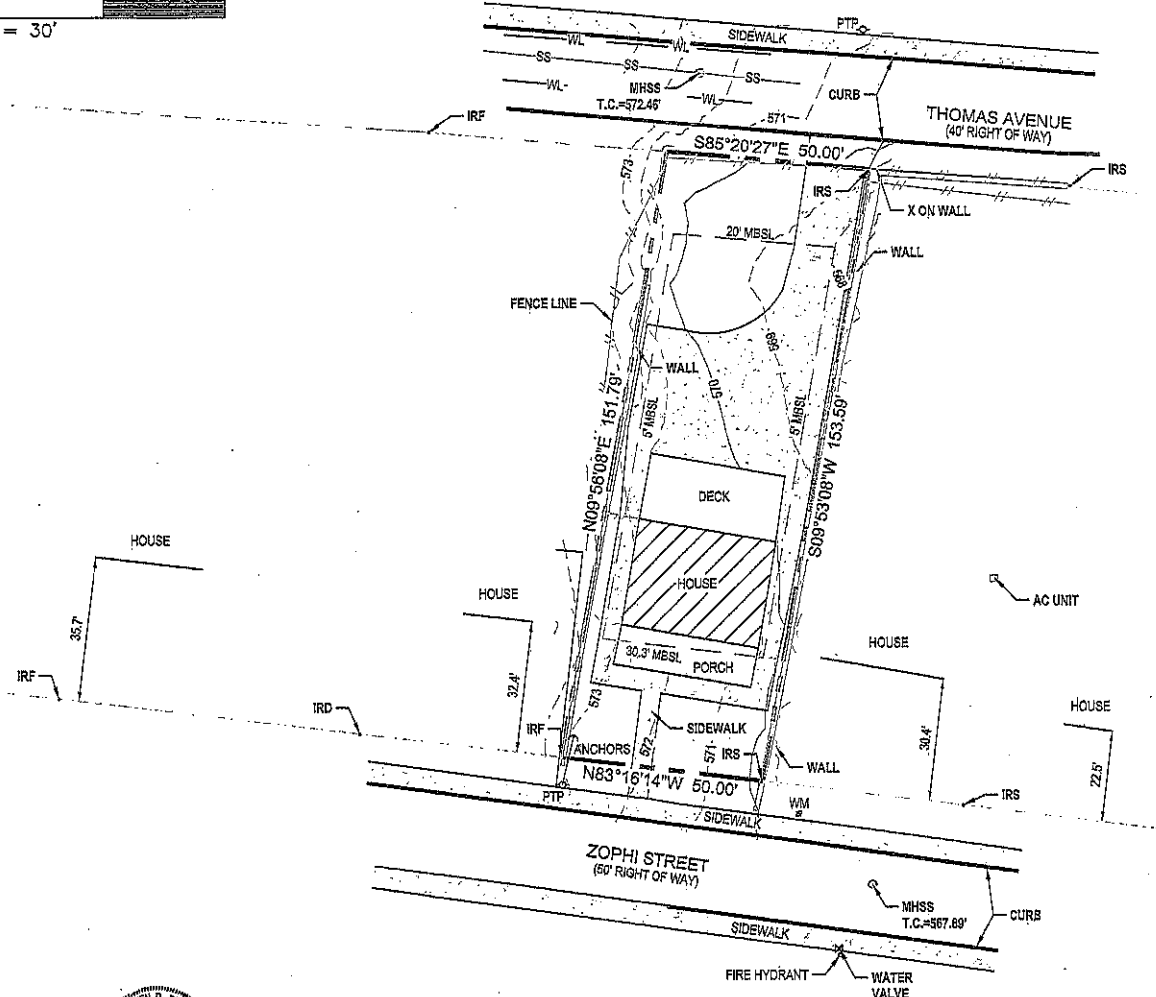
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

T. E. [Signature]
APPELLANT

8-13-18
DATE



DRAWN BY: KSL
 DATE: 08/10/18
 REV:
 JOB #



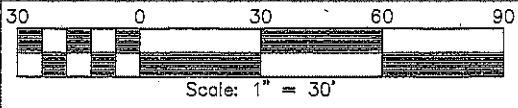
BOUNDARY TOPOGRAPHIC SURVEY
1075 ZOPHI STREET
 NASHVILLE, TENNESSEE

CERTIFICATION OF SURVEY ACCURACY
 I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OURS) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON. THAT THIS IS A CATEGORY "1" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 16, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.

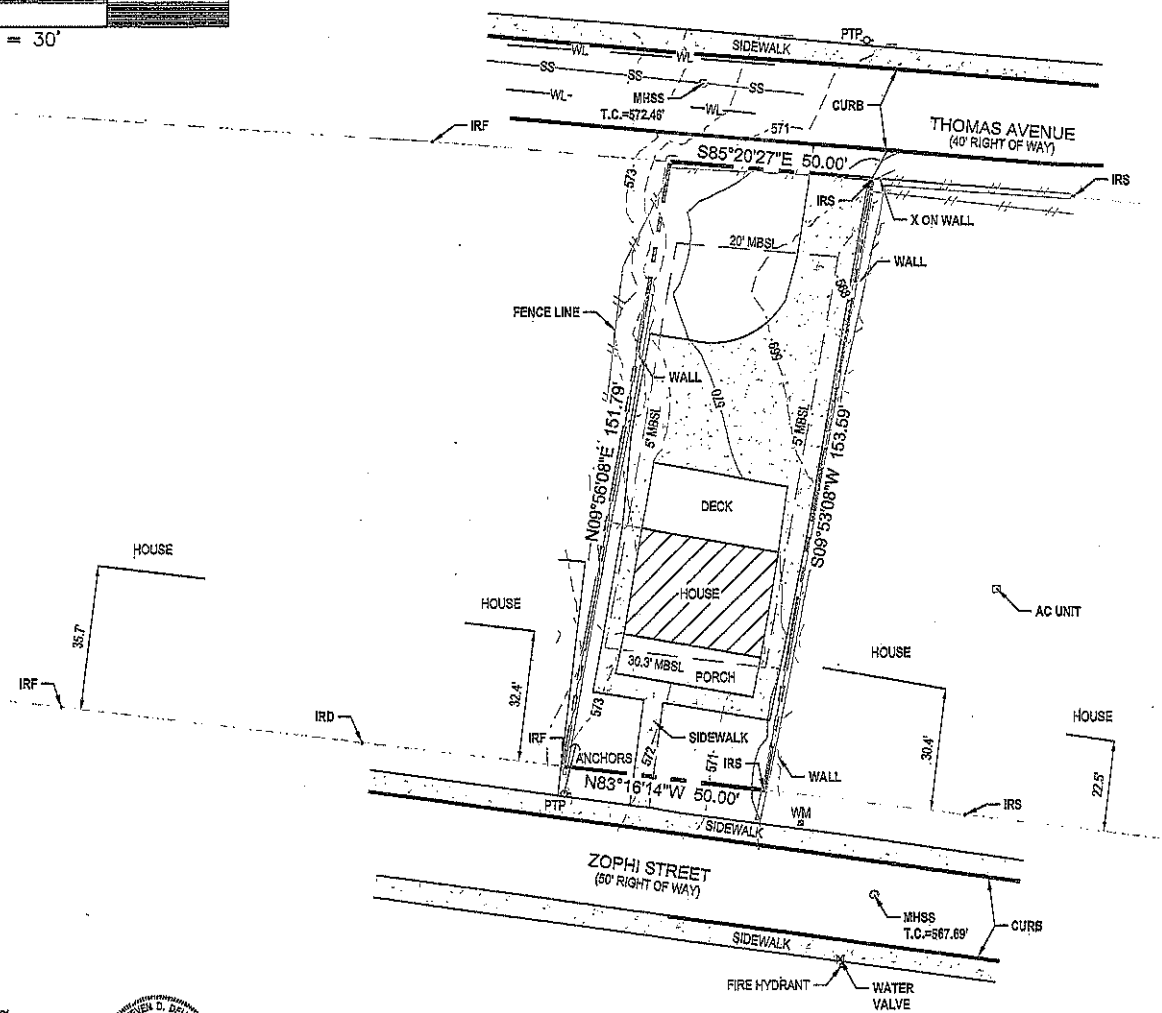
DATE: 08/10/18 NAME: STEVEN D. DELLE



Delle Land Surveying
 408 Neebitt Lane
 Madison, Tennessee 37115
 (615) 885-4242



DRAWN BY: KSL
 DATE: 06/10/18
 REV:
 JOB #



BOUNDARY TOPOGRAPHIC SURVEY
1075 ZOPHI STREET
 NASHVILLE, TENNESSEE

CERTIFICATION OF SURVEY ACCURACY
 I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS IS A CATEGORY "1" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 16, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.

DATE: 06/10/18 NAME: STEVEN D. DELLE



Delle Land Surveying
 408 Nesbitt Lane
 Madison, Tennessee 37115
 (615) 868-4242



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3545344

ZONING BOARD APPEAL / CAAZ - 20180048169
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07206016800

APPLICATION DATE: 08/13/2018

SITE ADDRESS:

1075 ZOPHI ST NASHVILLE, TN 37216
LOT PTS 46&47 CASPER ZOPFI PLACE

PARCEL OWNER: FOWLKES, EARL M.

CONTRACTOR:

APPLICANT:

PURPOSE:

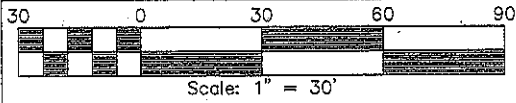
CONSTRUCT NEW FRONT PORCH ON EXISTING SINGLE FAMILY RESIDENCE OVER EXISTING CONCRETE LANDING...
...EXTENDS 8 FEET INTO FRONT SETBACK AREA AS CALCULATED PER 17.12.030.C.3... ...BEING 30.3 FEET

REQUEST TO COMPLETE CONSTRUCTION OF FRONT PORCH AND ROOF 8 FEET INTO FRONT SETBACK AREA... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

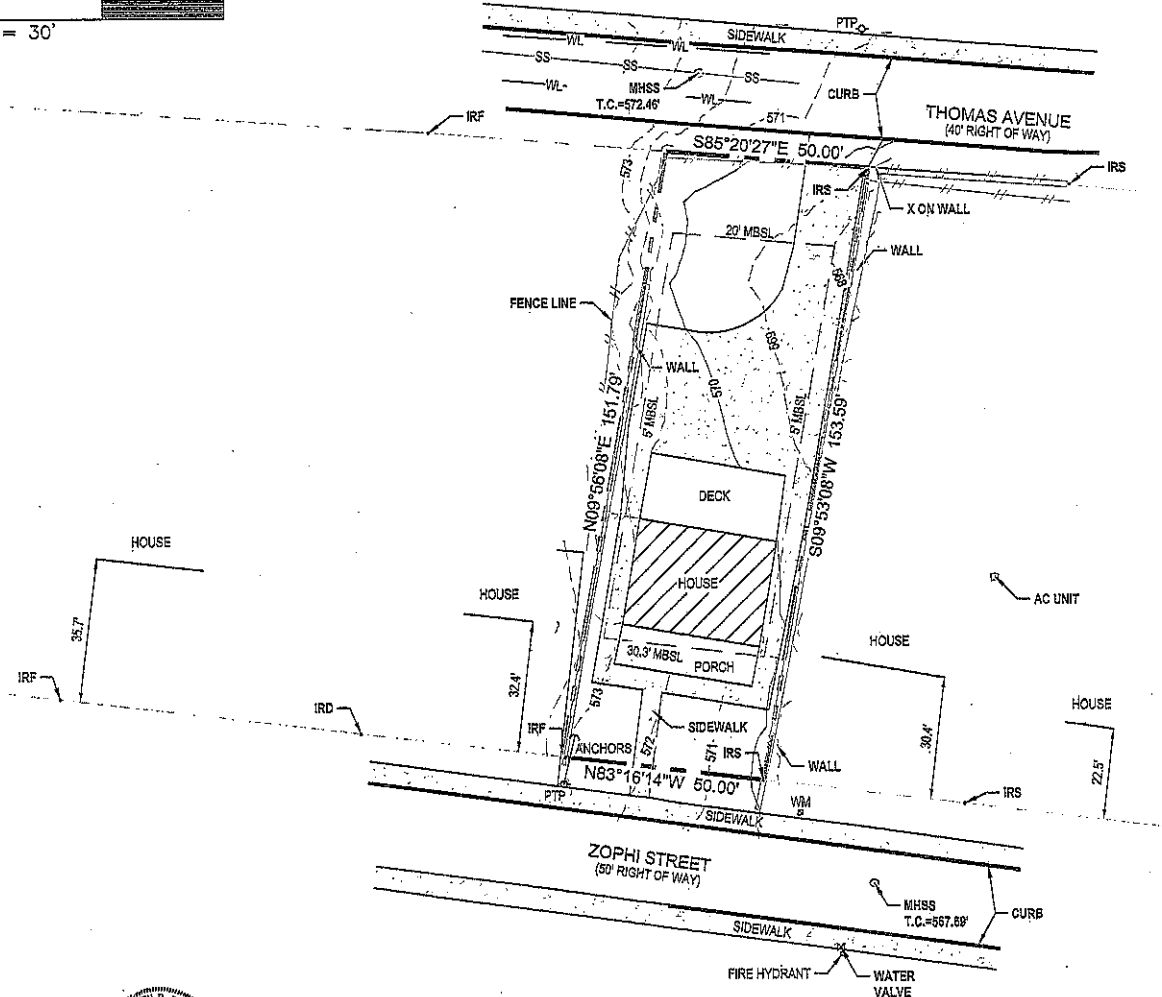


DRAWN BY: KSL
 DATE: 08/10/18
 REV:
 JOB #

BOUNDARY TOPOGRAPHIC SURVEY

1075 ZOPHI STREET

NASHVILLE, TENNESSEE

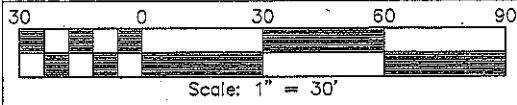


CERTIFICATION OF SURVEY ACCURACY
 I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS IS A CATEGORY "1" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 18, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.

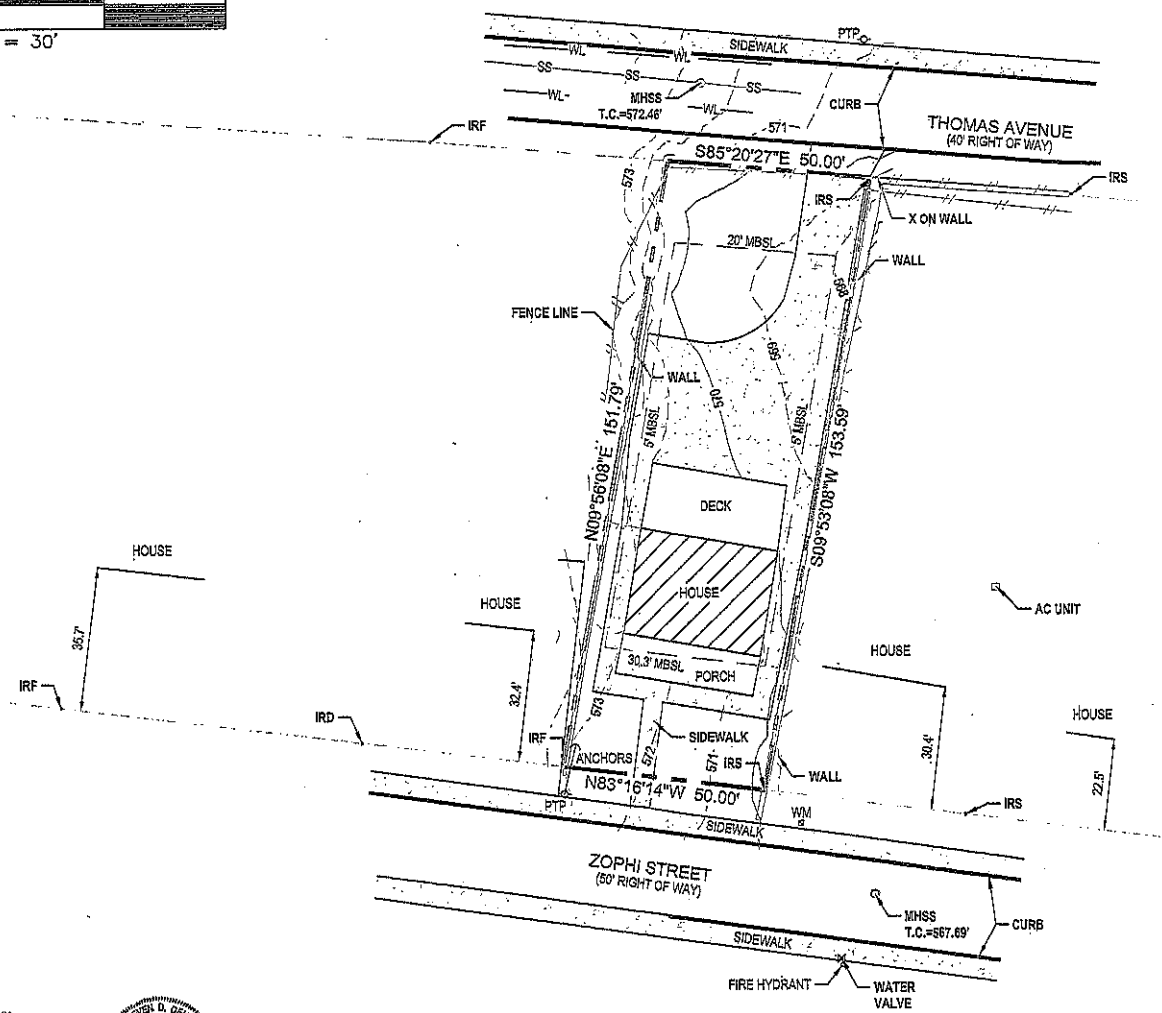


DATE: 08/10/18 NAME: STEVEN D. DELLE

Delle Land Surveying
 408 Nesbitt Lane
 Madison, Tennessee 37115
 (615) 865-4242



DRAWN BY: KSL
 DATE: 08/10/18
 REV: A
 JOB #



BOUNDARY TOPOGRAPHIC SURVEY
1075 ZOPHI STREET
 NASHVILLE, TENNESSEE

CERTIFICATION OF SURVEY ACCURACY
 I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS A CATEGORY "T" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 16, TENNESSEE CODE ANNOTATED; AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.



DATE: 08/10/18 NAME: STEVEN D. DELE

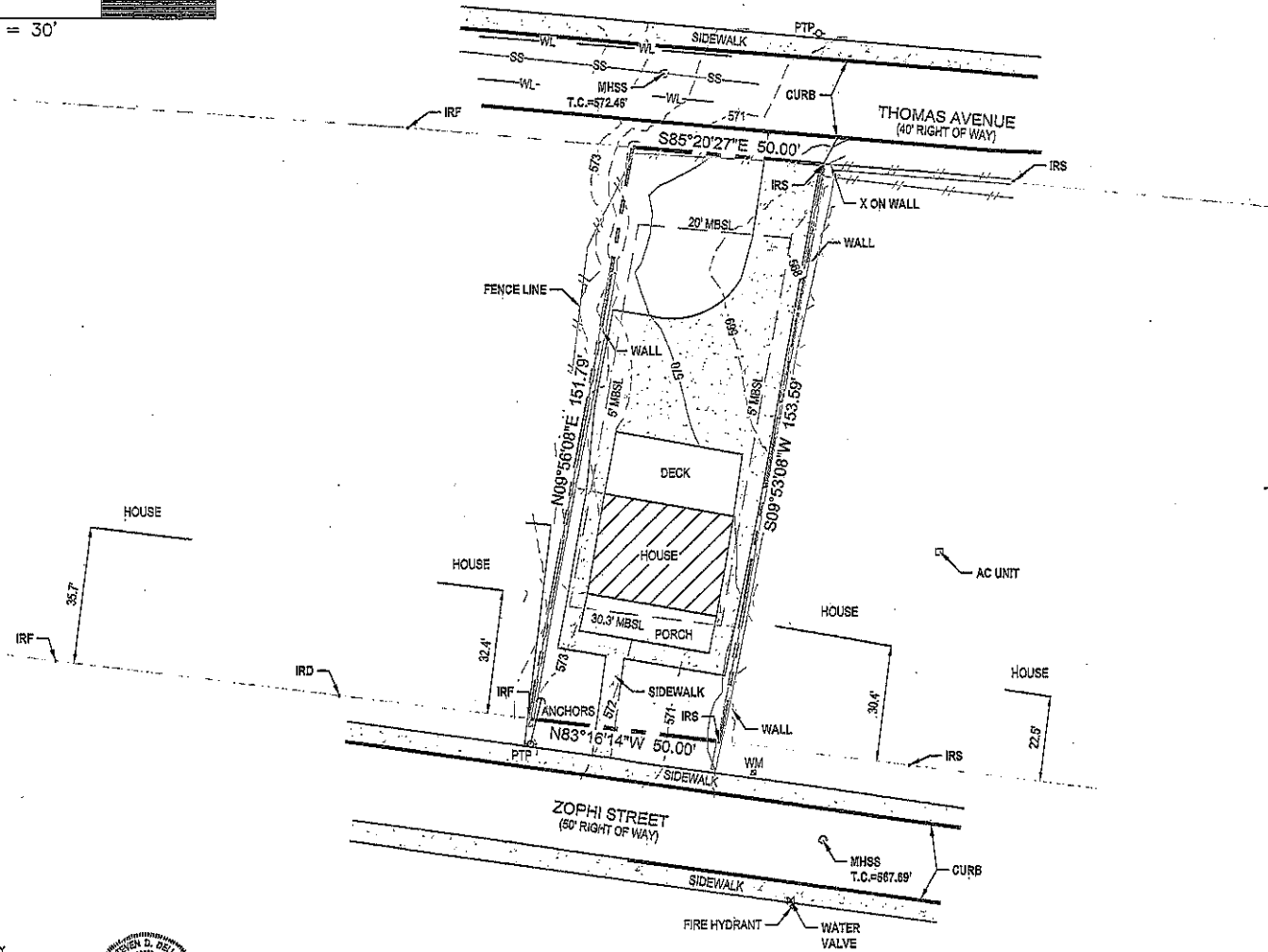
Delle Land Surveying
 408 Mebbitt Lane
 Madison, Tennessee 37115
 (615) 865-4242



Scale: 1" = 30'



DRAWN BY: KSL
DATE: 08/10/18
REV:
JOB #



BOUNDARY TOPOGRAPHIC SURVEY

1075 ZOPHI STREET

NASHVILLE, TENNESSEE

CERTIFICATION OF SURVEY ACCURACY
I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS A CATEGORY "T" LAND SURVEY AS DEFINED IN TITLE 52, CHAPTER 16, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.



DATE: 08/10/18 NAME: STEVEN D. DELLE

Delle Land Surveying
408 Nesbitt Lane
Madison, Tennessee 37115
(615) 865-4242

2018-521

Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Bon Oniszczak Date: 8-16-18
Property Owner: Walden, Robert E. Weaver, Milton Case #: 2018- 521
Representative: Matt Luckey Map & Parcel: 108-0-147

Council District 13

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Special Exception to allow construction of a church

Activity Type: New Construction - Religious institution

Location: 3354 Bell Rd.

This property is in the R15 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Special Exception to construct church

Section(s): 17-40-180(c)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Pleasant Hill Church of Christ
Appellant Name (Please Print)

Ragan-Smith Associates Matt Luckey
Representative Name (Please Print)

3354 Bell Road
Address

315 Woodland St.
Address

Nashville, TN 37214
City, State, Zip Code

Nashville, TN 37206
City, State, Zip Code

615.513.6162
Phone Number

615.244.8591
Phone Number

help manage with leap@gmail.com
Email

mluckey@ragansmith.com
Email

Appeal Fee: \$ 200.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3546621

ZONING BOARD APPEAL / CAAZ - 20180049099
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10800014700

APPLICATION DATE: 08/16/2018

SITE ADDRESS:

3354 BELL RD NASHVILLE, TN 37214
W/S BELL RD S OF HARBORWOOD DR

PARCEL OWNER: WALDEN, ROBERT & WEAVER, MILTON E

CONTRACTOR:

APPLICANT: Ron Oniszcak
615-938-0185

PURPOSE:

special exception to allow construction of Pleasant Hill Church of Christ

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.


SPECIAL EXCEPTION REQUESTS

On May 1, 2003, the Board of Zoning Appeals approved a new condition/requirement for all special exception applications. It reads as follows:

"BZA Rules of Procedure Item 9. (2) e In the interest of having informed stake holders in special exception cases, it is required that the appellant make contact with the district councilperson and neighbors within 300 feet of the subject property from a mailing list provided by the board staff. Information to be furnished by the applicant shall include a contact person and include a reasonable representation of your proposal and hold a meeting at a geographically convenient place, date and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

In other words, we will provide you a mail list of those persons within 300 feet of the location designated for a special exception permit. We are required by law to notify these people (within 300 feet) of your request. The Board requires that you contact those persons on the mail list, give them a date, time, place to meet with you and discuss your request. If there is opposition, this will give you a chance to address their concerns prior to the public hearing.

You must make documentation to present to the Board concerning your efforts to contact these people. Failure to do so can result in a deferral or denial of your request.



Signature of Appellant or Representative

APPLICATIONS FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Notices will be sent to the district councilmember, *The Tennessean*, and the neighboring property owners within 300 feet of the property. The neighbor notices will be mailed approximately twenty-three (23) days prior to the public hearing.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

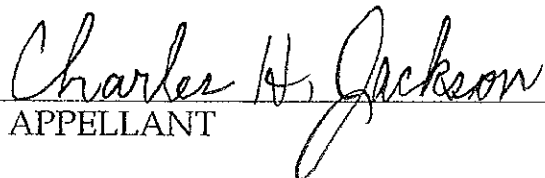
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

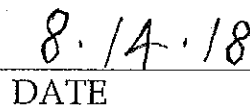
Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.


APPELLANT


DATE

APPLICATIONS FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.) Finally, BZA Rules require that you conduct a neighborhood meeting regarding the special exception request before the BZA hearing date.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing. I am aware that I am required to conduct a neighborhood meeting.


APPELLANT

8/16/18
DATE

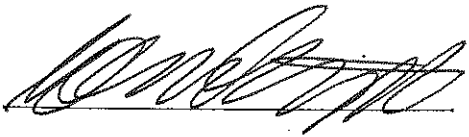
SPECIAL EXCEPTION REQUESTS

BZA Rules of Procedure, Item 9 (2) (e) requires BZA appellants to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rule specifies, "In the interest of having informed stake holders in special exception cases, it is required that the appellant make contact with the district councilperson and neighbors within 600 feet of the subject property from a mailing list provided by the board staff. Information to be furnished by the applicant shall include a contact person and include a reasonable representation of your proposal and hold a meeting at a geographically convenient place, date, and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

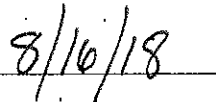
Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mail list, provide them with the date time and place to meet, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

I ACKNOWLEDGE MY RESONSIBILITIES regarding the neighborhood meeting preceding the public hearing for my BZA appeal for a special exception.



APPELLANT (or representative)



DATE

Evan Foster

From: Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>
Sent: Friday, September 28, 2018 8:07 AM
To: Evan Foster
Subject: RE: Appeal 2018-521

Ca you deliver a hard copy please. I am only able to access the council letter and meeting attendance form.

Thank you,

Jessica

From: Evan Foster [mailto:efoster@ragansmith.com]
Sent: Friday, September 28, 2018 8:00 AM
To: Shepherd, Jessica (Codes)
Cc: Matt Lackey; David Liles (managewithleap@gmail.com); Charlie
Subject: RE: Appeal 2018-521

Jessica,

A Neighborhood Meeting was held last night at Dodson Chapel United Methodist Church auditorium to discuss this project with our neighbors. Invitations were extended (via mailed letter) to the full mailing list provided with the BZA letters. An invitation was also extended to our Council Person, Holly Huezo.

In the meeting we discussed the history of the church, their permitting process to this point, design choices/changes from the last neighborhood meeting, and next steps toward approval. The BZA meeting details (time, date, and location) were announced again and neighbors were encouraged to attend and voice their opinion.

Overall the meeting was very positive, everyone in attendance was in support of the project.

Included in the FTP link below are supporting documents of this meeting as follows:

- Copy of the invitation letter mailed to the neighbors
- Copy of the mailing list
- Copy of the meeting sign in sheet
- Copies of the four exhibit boards displayed at the meeting
- Email response from Holly Huezo showing general support for the project

Please let me know if you require hard copies of this supporting information. I can have this delivered today. Also please let me know if you require any additional items before the BZA meeting next week. Thanks!

Pleasant Hill Church FTP Download

For PC Users:

Digital file/s of the above referenced project can best be accessed from our FTP site:

1. Right click on link and select '**Copy Hyperlink**'
2. Open **Internet Explorer**
3. Paste link below into IE browser and press '**Enter**'
4. Press '**Alt**' key
5. Click the '**View**' tab

It is always a good idea to contact your Council Person to inform them of your appeal.

Please return the envelopes and affidavits to me by **September 11th, 2018** so I can get them mailed out. 1st floor, Development Services Center, 800 2nd Ave South.

Should you have any question please email me. jessica.shepherd@nashville.gov

Pleasant Hill Church of Christ

3354 Bell Road
P.O. Box 140526
Nashville, TN 37214-0526
phcofc.org
(615) 367-9410

September 17, 2018

Notice to Owners of Neighboring Properties

RE: Metro Zoning Appeal Case No. 2018-521 (Special Exception Request)
3354 Bell Road (vacant tract across Bell Road from Elm Hill Marina)
Map 108 Parcel 147

Dear Neighbors:

You are invited to attend a neighborhood meeting to be conducted at the Dodson Chapel United Methodist Church auditorium located at 4107 Dodson Chapel Road, Hermitage, TN 37076. This meeting is to be held at 6:30 P.M. on Thursday, September 27, 2018.

The purpose of this meeting is to share Pleasant Hill Church of Christ's proposed plans for our property located at 3354 Bell Road (the vacant tract across from Elm Hill Marina) with the property owners in the vicinity and provide an opportunity to receive comments and address any concerns from property owners in the neighborhood. We were formerly located at 2558 Couchville Pike and are meeting in a temporary location until the proposed facilities are completed. The original Metro approval time limit expired due to permitting, approvals, and construction related delays.

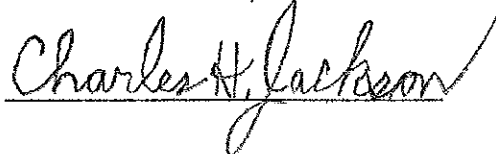
We are requesting permission again from the Metropolitan Government of Nashville and Davidson County to construct a new church building on this property. Preliminary site and building plans prepared by licensed professional designers will be available for your viewing and comments. We will try our best to answer any questions or concerns.

Should you need to contact us, please call me at (615) 367-9410 (home phone with answering machine) or email me at User555207@aol.com. Please visit our website: phcofc.org

Thank you for your kind attention to our request.

Sincerely,

Charles H. Jackson, Elder/ Trustee



Owner	Owner Address	Owner City	Owner State	Owner Zipcode
ALEXANDER, MORRIS L. & NATASHA Y.	2000 WOODLAKE CT	NASHVILLE	TN	37214
ANDERSON, MILTON G. ET UX	3132 HARBORWOOD DR	NASHVILLE	TN	37214
AYER, KERMIT W. & N. KATHRYN	1909 PORTMAN DR	NASHVILLE	TN	37214
BADEN, KELLY & ARPON, JERIC	2001 WOODLAKE CT	NASHVILLE	TN	37214
BARNES, JEFFREY DANIEL & MITCHELL, TIFFANY	1913 PORTMAN DR	NASHVILLE	TN	37214
BLYTHE, ROBERT & DORTON, DOROTHY	3120 HARBORWOOD DR	NASHVILLE	TN	37214
BOWMAN, WILLIAM V & VIVIAN	3116 HARBORWOOD DR	NASHVILLE	TN	37214
BRIGHT, ROBERT W. & SANDRA K.	1804 SUMMERLAKE DR	NASHVILLE	TN	37214
BURNS, JOSEPH H. & ELIZABETH A.	2004 WOODLAKE CT	NASHVILLE	TN	37214
CLIFFORD, JUDY A. ET VIR	1800 SUMMER LAKE DR	NASHVILLE	TN	37214
COLE, MARK A. & AMY E.	3368 BELL RD	NASHVILLE	TN	37214
COPELAND, ANGELA D.	3121 HARBORWOOD DR	NASHVILLE	TN	37214
DEVAULT, JAMES C JR & JENNIFER MEYER	3009 REAL FOOT DR	NASHVILLE	TN	37214
DOUGLAS, LEAH	3133 HARBORWOOD DR	NASHVILLE	TN	37214
DRUDGE, SEAN C. & MELANIE L.	1813 SUMMERLAKE DR	NASHVILLE	TN	37214
DURHAM, SCOTT D.	3137 HARBORWOOD DR	NASHVILLE	TN	37214
EASTON, DONALD P.	3109 HARBORWOOD DR	NASHVILLE	TN	37214
FORREST, STEVEN ET UX	3374 BELL RD	NASHVILLE	TN	37214
FOY, TRAVIS A. & JANOSKI, GRACE D.	3124 HARBORWOOD DR	NASHVILLE	TN	37214
GARDNER, MATTHEW & TONYA	3125 HARBORWOOD DR	NASHVILLE	TN	37214
GATLIN, JIMMY O. & RAYMONDE G.	1905 PORTMAN DR	NASHVILLE	TN	37214
GETZ, CHRISTOPHER N.	3128 HARBORWOOD DR	NASHVILLE	TN	37214
GILLOCK, JOEL M.	2217 S ASHFORD CT	NASHVILLE	TN	37214
HARBORVIEW AT CHESWICKE HOMEOWNERS ASSOC	900 DIVISION ST C/O T PROPERTY MTG	NASHVILLE	TN	37209
HARBORVIEW HOMEOWNERS ASSOCIATION	179 BELLE FOREST CIR STE 302	NASHVILLE	TN	37221
HART, PAUL & MARTIN, NATALIE	3140 HARBORWOOD DR	NASHVILLE	TN	37214
HAYES, ALISHA	1912 PORTMAN DR	NASHVILLE	TN	37214
HILL, KENNETH H. & ROBERTA	3141 HARBORWOOD DR	NASHVILLE	TN	37214
HORNBUCKLE, LEIGH ANN & MICHAEL	1908 PORTMAN DR	NASHVILLE	TN	37214
JACKSON, CARL & PEARLIE	3360 BELL RD	NASHVILLE	TN	37214
JOHNSON, ROBERT A., III & MONICA R.	3145 HARBORWOOD DR	NASHVILLE	TN	37214
JOHNSON, THOMAS D. & JOAN D.	3136 HARBORWOOD DR	NASHVILLE	TN	37214
JONES, WANDA C. & DOROTHY E.	3129 HARBORWOOD DR	NASHVILLE	TN	37214
KINDALL, RICHARD W. & KIMBERLEY C.	2017 WOODLAKE CT	NASHVILLE	TN	37214

Evan Foster

From: Charlie Jackson <user555207@aol.com>
Sent: Thursday, September 27, 2018 8:08 AM
To: Evan Foster
Cc: managewithleap@gmail.com
Subject: Fwd: Pleasant Hill -Support from Council Lady

Follow Up Flag: Follow up
Flag Status: Flagged

Evan,

Below is response email of support from our council lady, Holly Huezo. You may want to include this with materials sent to Metro (sign in sheets and minutes of meeting). She could not come to meeting due to other engagement.

Thank you, Charlie

From: Holly.Huezo@nashville.gov
To: User555207@aol.com
Sent: 9/19/2018 2:20:21 PM Central Standard Time
Subject: Re: Pleasant Hill -Public Meeting Letter Attached

Mr. Jackson,
I received a letter. Unfortunately I have a previous engagement that evening so I won't be able to attend.
Please let me do it know if I can do anything to assist you.

Thank you,
Holly Huezo
Council Lady District 13
615-891-4517

On Sep 14, 2018, at 5:24 PM, Charlie <User555207@aol.com<mailto:User555207@aol.com>> wrote:

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

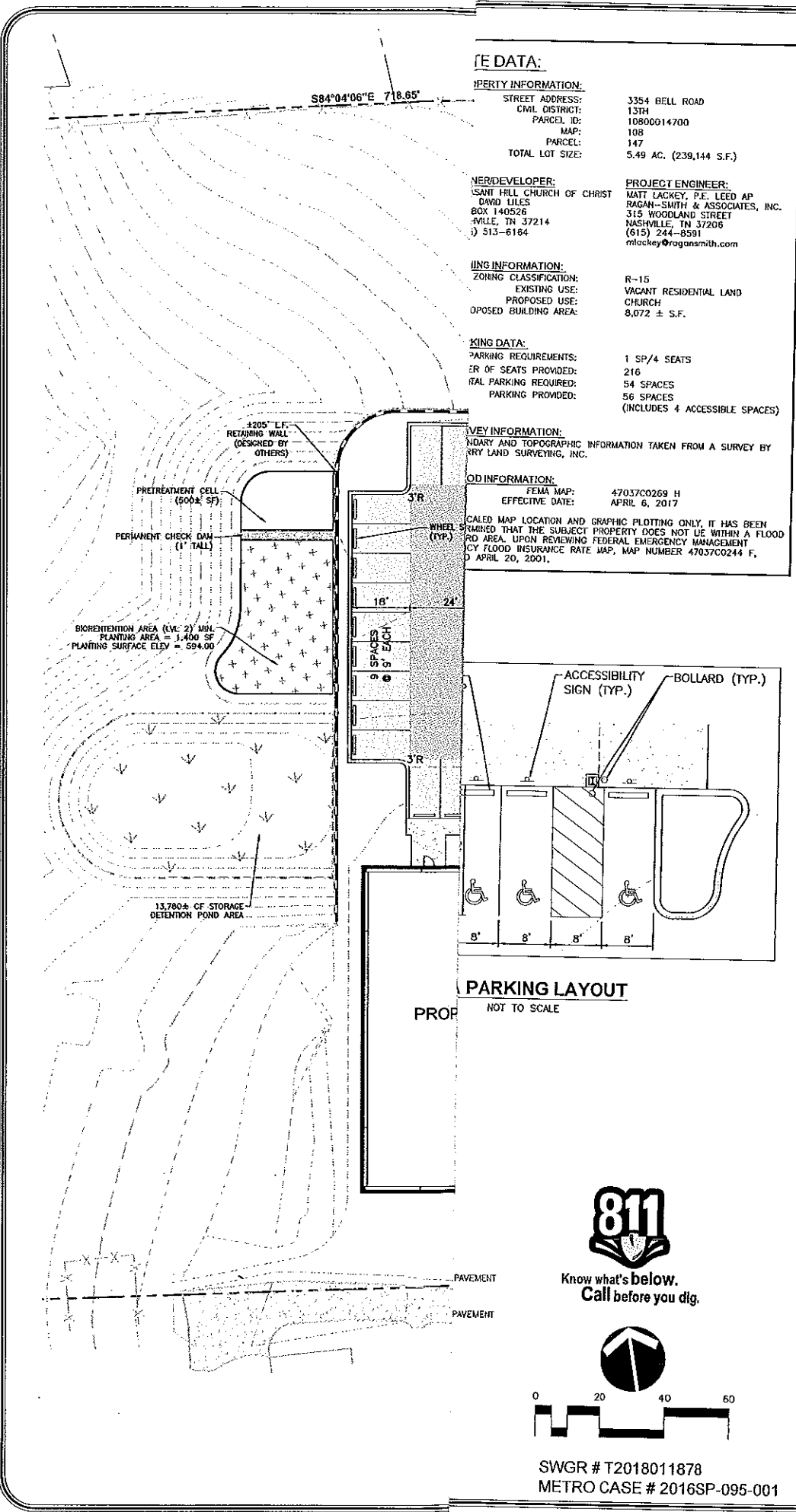
Holly,

We are having a public meeting on exception to zoning for new Pleasant Hill church property on Bell Road across from Elm Hill Marina. The old exception has expired so we have to get a new one to start construction.

This email is to notify you and request your support and asking you to be present at the public meeting if possible. A letter will be sent to you in the mail along with letters to neighbors as required. A copy of the letter being sent out is attached.

Hope your family is doing well.

Thank you for your consideration.



PROPERTY INFORMATION:
 STREET ADDRESS: 3354 BELL ROAD
 CIVIL DISTRICT: 131H
 PARCEL ID: 10900014700
 MAP: 108
 PARCEL: 147
 TOTAL LOT SIZE: 5.49 AC. (239,144 S.F.)

OWNER/DEVELOPER:
 PLEASANT HILL CHURCH OF CHRIST
 DAVID LILES
 BOX 140526
 NASHVILLE, TN 37214
 (615) 313-6164

PROJECT ENGINEER:
 MATT LACKEY, P.E. LEED AP
 RAGAN-SMITH & ASSOCIATES, INC.
 315 WOODLAND STREET
 NASHVILLE, TN 37206
 (615) 244-8591
 mlackey@ragansmith.com

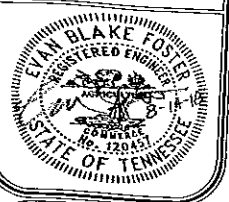
ZONING INFORMATION:
 ZONING CLASSIFICATION: R-15
 EXISTING USE: VACANT RESIDENTIAL LAND
 PROPOSED USE: CHURCH
 PROPOSED BUILDING AREA: 8,072 ± S.F.

PARKING DATA:
 PARKING REQUIREMENTS: 1 SP/4 SEATS
 NUMBER OF SEATS PROVIDED: 216
 TOTAL PARKING REQUIRED: 54 SPACES
 PARKING PROVIDED: 56 SPACES
 (INCLUDES 4 ACCESSIBLE SPACES)

VEGETATION INFORMATION:
 VEGETATION AND TOPOGRAPHIC INFORMATION TAKEN FROM A SURVEY BY
 TERRACON SURVEYING, INC.

REGULATORY INFORMATION:
 FEMA MAP: 47037C0269 H
 EFFECTIVE DATE: APRIL 6, 2017
 PREPARED FOR: CALLED MAP LOCATION AND GRAPHIC PLOTTING ONLY. IT HAS BEEN
 DETERMINED THAT THE SUBJECT PROPERTY DOES NOT LIE WITHIN A FLOOD
 HAZARD AREA. UPON REVIEWING FEDERAL EMERGENCY MANAGEMENT
 AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 47037C0244 F,
 DATED APRIL 20, 2001.

RAGAN-SMITH
 LAND PLANNERS • CIVIL ENGINEERS
 LANDSCAPE ARCHITECTS • SURVEYORS
 NASHVILLE, TENNESSEE
 315 WOODLAND STREET
 NASHVILLE, TN 37206
 (615) 244-8591
 www.ragansmith.com



WORSHIP CENTER
 FOR
PLEASANT HILL CHURCH OF CHRIST
 METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE 13TH COUNCIL DISTRICT

PARKING LAYOUT
 NOT TO SCALE



Know what's below.
 Call before you dig.



SWGR # T2018011878
 METRO CASE # 2016SP-095-001

SITE LAYOUT PLAN

JOB NO.	17090
WIK ORDER	0901
DESIGNED BY	E. FOSTER
DRAWN BY	B. PATTERSON
SCALE	1"=20'
DATE	OCTOBER 20, 2017

08/15/18 (URS) REV. STOPWATER COMMENTS REVISIONS

C1.1

THIS DOCUMENT IS UNCLASSIFIED AND IS NOT CONTROLLED BY THE U.S. GOVERNMENT. IT IS THE PROPERTY OF RAGAN-SMITH & ASSOCIATES, INC. AND IS LOANED TO YOU BY RAGAN-SMITH & ASSOCIATES, INC. IT IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF RAGAN-SMITH & ASSOCIATES, INC.

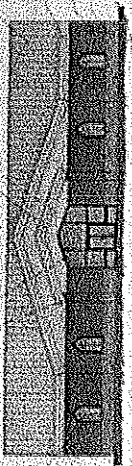
A310

NEW WEDDING CENTER FOR
PLEASANT HILL CHURCH OF CHRIST
BELL ROAD
NASHVILLE, TENNESSEE

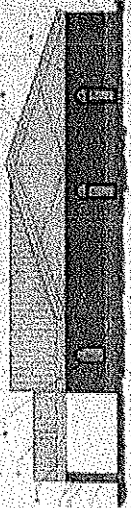


GENERAL NOTES

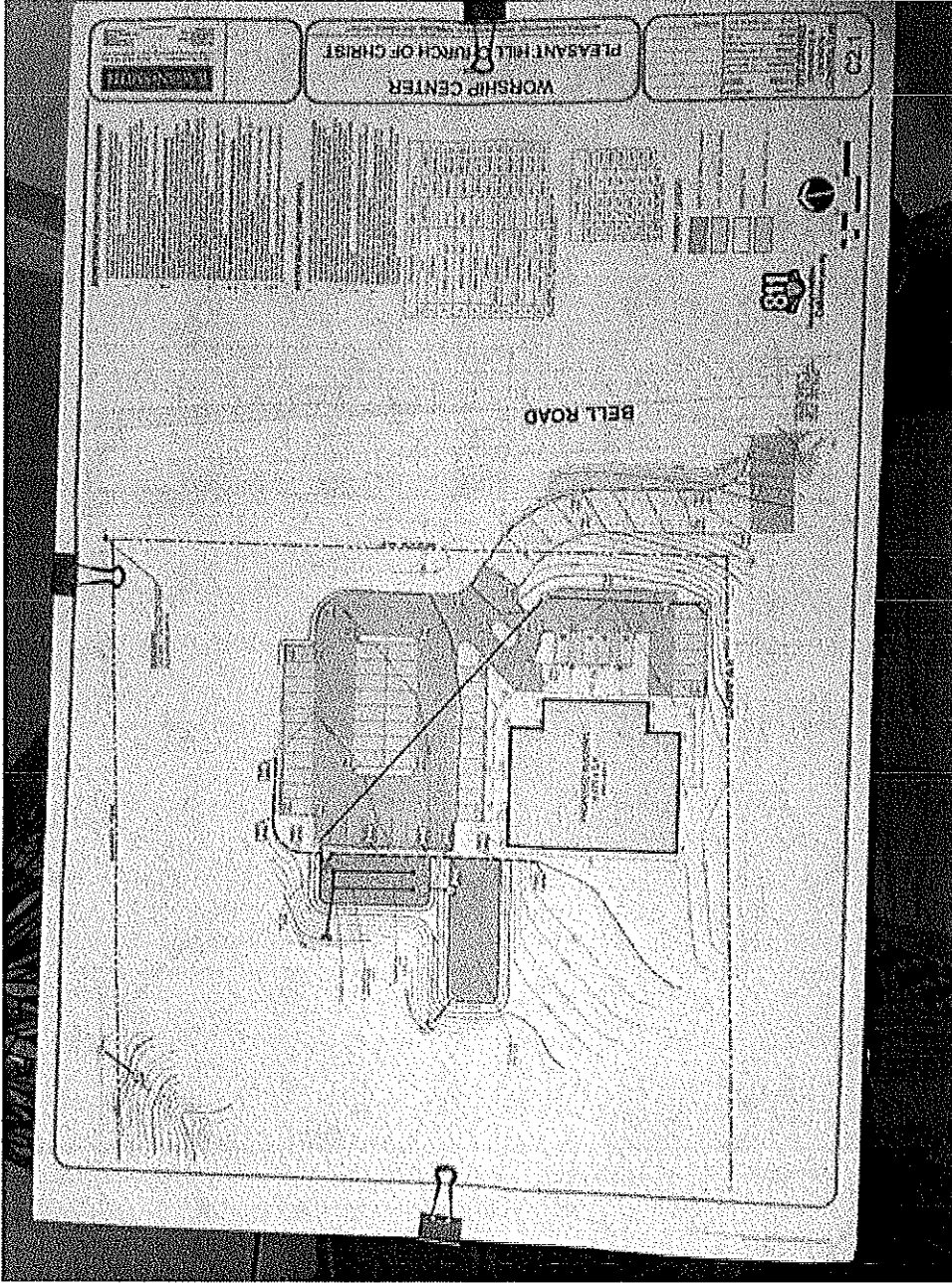
- 1. See general notes on sheet A300.
- 2. See general notes on sheet A301.
- 3. See general notes on sheet A302.
- 4. See general notes on sheet A303.
- 5. See general notes on sheet A304.
- 6. See general notes on sheet A305.
- 7. See general notes on sheet A306.
- 8. See general notes on sheet A307.
- 9. See general notes on sheet A308.
- 10. See general notes on sheet A309.



WEST ELEVATION



EAST ELEVATION



PROVISIONS

PLEASANT HILL CHURCH OF CHRIST
WORSHIP CENTER

8

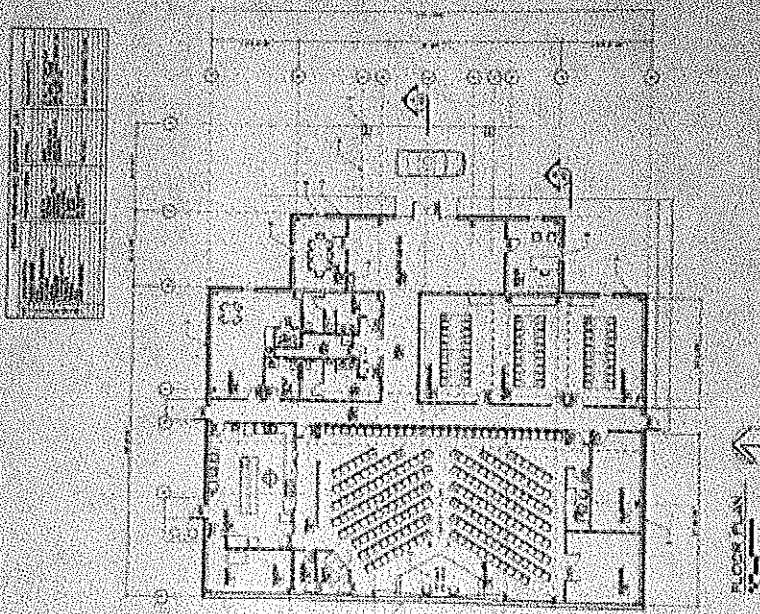
BELL ROAD

NEW WORSHIP CENTER FOR
PEASANT HILL CHURCH OF CHRIST
1454 BELL ROAD
MEMPHIS, TENNESSEE 37514



A21

NO.	DESCRIPTION	QTY	UNIT PRICE	TOTAL
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FLOOR PLAN
1/4" = 1'-0"



From: [Ammarell, Beverly \(Public Works\)](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Subject: BZA 10/4/18 meeting
Date: Thursday, August 30, 2018 11:01:29 AM

2018-521484 3354 Bell Rd special exception to allow construction of a church

Variance: 17.40.180 c

Response: Public Works takes no exception. This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

-

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201
615.862.7150
615.862.7209

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Jon Michael
Date: September 19, 2018
BZA Hearing Date: October 4, 2018
Re: Planning Department Recommendation for a Special Exception, Case 2018-521

Pursuant to Section 17.40.300 of the Metro Zoning Code, the Metropolitan Planning Department is providing a recommendation on the following Special Exception case:

1. Case 2018-521 (3354 Bell Road) – Religious Institution

Request: A special exception for a religious institution.

Zoning: One and Two Family Residential (R15) is a zoning district intended for single-family dwellings and duplexes at an overall density of 3.09 dwelling units per acre including 25 percent duplex lots.

Land Use Policy: T3 Neighborhood Maintenance (T3 NM) is intended to preserve the general character of suburban neighborhoods as characterized by their development pattern, building form, land use and associated public realm. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood, in terms of its development pattern, building form, land use, and the public realm. Where not present, enhancements may be made to improve pedestrian, bicycle and vehicular connectivity. T3 NM policy is applied in situations where there is an expressed interest in maintaining the predominant, existing developed condition.

Planning Department Analysis: The site consists of 5.49 acres of land located in the Donelson-Hermitage-Old Hickory planning area. The site is currently vacant and contains dense vegetation. The site is located at 3354 Bell road approximately 330 south of the intersection of Harborwood Drive and Bell Road.

Religious institutions are allowed within residential zoning districts with the approval of a Special Exception if certain conditions are met. The application proposes the construction of an approximately 8,072 square foot religious institution.

The proposed building will be located at the northeast corner of the site and will have 216 seats. The plan proposes 54 parking spaces, consistent with the parking requirements of the Metro Zoning Code. The site will consolidate the two existing access points to one access point from Bell Road. Bell Road is identified as a Scenic Arterial by the Major and Collector Street Plan and requires enhanced bicycle, pedestrian facilities, and a scenic landscape easement. Landscape buffers as required by the Metro Zoning Code will help mitigate potential impacts on adjacent residential properties.

Staff recommends approval of this special exception request. The use is consistent with T3 Suburban Neighborhood Maintenance policy as it is identified as an appropriate land use for this policy area.

Planning Recommendation: Approve with conditions.

Conditions

1. Provide sidewalks consistent with the Major and Collector Street Plan along Bell Road. An 8 foot wide grass strip, a 6 foot wide bike lane, and a 6 foot wide sidewalk are required.
2. Provide a sidewalk connection from the front door to the public sidewalk along Bell Road.
3. Provide the required scenic landscape easement along the entire frontage of this site as required by section 17.24.070 of the Metro Code.
4. Provide a B level landscape buffer along the North and South property line as required by section 17.16.170. E.3.C. of the Metro Code.



DATE	AUGUST 16, 2018
DESIGNED:	E. FOSTER
DRAWN:	B. PATTERSON
SCALE:	1"=100'
JOB NO.	WK ORDER
17090	0901

WORSHIP CENTER
 FOR
PLEASANT HILL CHURCH OF CHRIST
 3354 BELL ROAD, NASHVILLE, TENNESSEE 37214
 11X17

RAGAN SMITH
 LAND PLANNERS • CIVIL ENGINEERS
 LANDSCAPE ARCHITECTS • SURVEYORS
 Chattanooga 423-490-2627 Nashville 615-448-8111 Memphis 901-548-0059
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15/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/00

2018-522

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Rob Cushman

Date: 8-14-18

Property Owner: The MCA Group

Case #: 2018-522

Representative: Rob Cushman

Map & Parcel: 105-11-192

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

Requesting variance to allow front loading garage

Activity Type: New Construction - Single Family (HPR)

Location: 1704 Corvell Ave.

This property is in the R6-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Zoning does not allow front loading garages

Section(s): 17-12-020(A)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

The MCA Group, Inc.
Appellant Name (Please Print)

Rob Cushman
Representative Name (Please Print)

639 E Main St, Ste B202
Address

1019 Avery Trace Cir
Address

Hendersonville, TN 37075
City, State, Zip Code

Hendersonville, TN 37075
City, State, Zip Code

615-559-2212
Phone Number

615-559-2212
Phone Number

rob@stratosdevelopment.com
Email

rob@stratosdevelopment.com
Email

Appeal Fee: \$100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3545850

ZONING BOARD APPEAL / CAAZ - 20180048569
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10511019200

APPLICATION DATE: 08/14/2018

SITE ADDRESS:

1704 CARVELL AVE NASHVILLE, TN 37203
W SIDE CARVELL AVE S OF SOUTHGATE AVE.

PARCEL OWNER: THE MC2 GROUP, INC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance to allow front loading garage

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

This lot is exceptionally shallow making side or rear entry garage very difficult. Also the topography of the lot makes rear load garage detrimental to height and impervious surfaces.

The lot slopes steeply from the street to the rear of the property, making front load garages more usable.

The other hardships include dedication of ROW to widen the street in the future, sewer easement in the rear of the property making parking in the rear more difficult in the future, and requirement for the appellant to replace the entire water main (1000') down Carvell Ave.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT

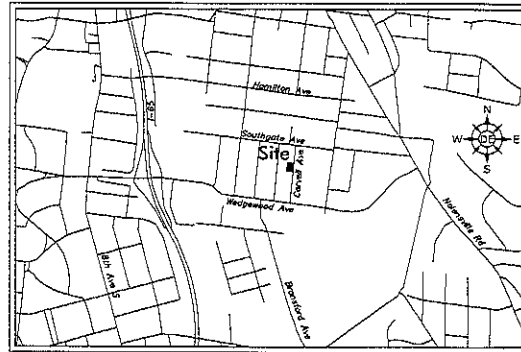
8-14-18

DATE

2018-522

1704 Carvell Ave

Being Parcel 192 on Tax Map 105-11
Nashville, Davidson County, Tennessee



Vicinity Map
N.T.S.

Engineer Dewey Engineering Contact: Michael Dewey, PE 2925 Barry Hill Drive Nashville, TN 37204 Phone: (615) 401-9956	Flood Note This Property is Not Located Within a Flood Hazard Area as Designated by "Zone X" on Firm Panel #47537/009-448. Dated April 5, 2017.
Owner The M22 Group, Inc 639 E Main St Hendersonville, TN 37075	Site Benchmark Water Meter Lid Located Approximately 32' South of the Northeast Corner of the Site NAVD83 Elev. = 452.75

Sheet Schedule		
1	C0.0	Cover Sheet
2	C1.0	Existing Conditions and Erosion Control Plan
3	C2.0	Layout and Utilities Plan
4	C3.0	Grading & Drainage Plan
5	C4.0	Details
6	L1.0	Landscape Plan

Revisions:

Drawing Notes:

Date: July 27, 2018

1704 Carvell Ave
 Tax Map 105-11, Parcel 192
 Nashville, Davidson County, Tennessee



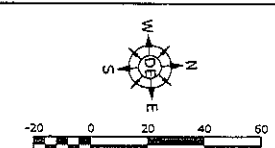
Cover Sheet

Job No. 17037

C0.0

1 of 6





Scale 1" = 20'
 Total Site Acreage: 0.29 Acres
 Site Acreage Prior to ROW Dedication: 0.34 Acres

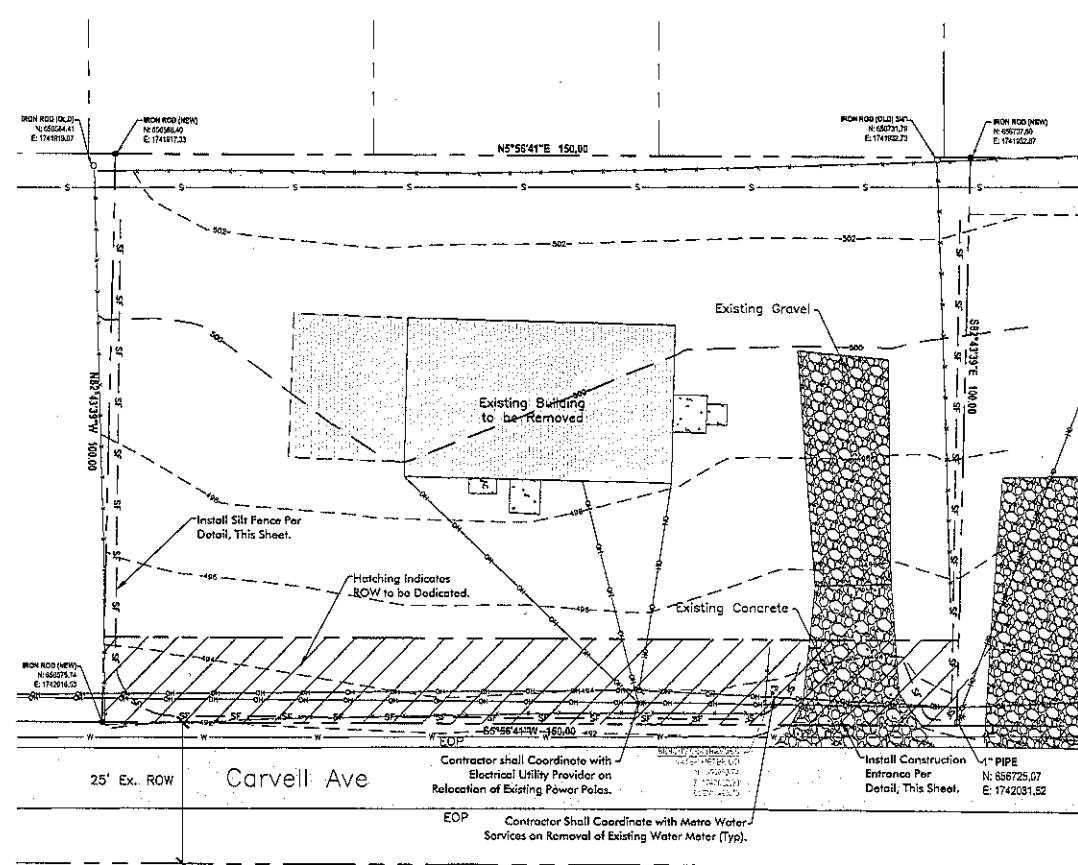
Engineer
 Dewey Engineering
 Contract: Michael Dewey, PE
 2925 Barry Hill Drive
 Nashville, TN 37204
 Phone: (615) 401-9956

Owner
 The MCC Group, Inc
 639 E Main St
 Hendersonville, TN 37075

Flood Note
 This Property is Not Located
 Within a Flood Hazard Area as
 Designated by State X on Form
 Panel #47027C024.H,
 Dated April 5, 2017.

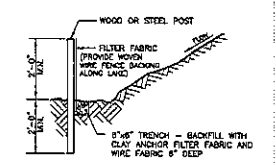
Site Benchmark
 Water Meter Lid Located
 Approximately 32 ft South of the
 Northeast Corner of the Site
 NAVD83 Elev. = 493.73

Revisions:
 Drawing No: 1704 Carvell Ave
 Date: July 27, 2018



Erosion Control & Grading Notes:

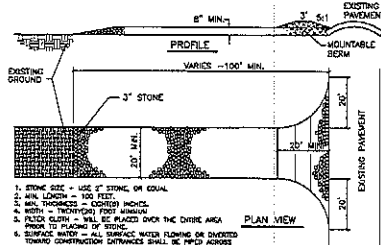
1. ALL PERMITS EROSION CONTROL MEASURES SHALL BE IN PLACE PRIOR TO THE COMMENCEMENT OF GRADING.
2. CONSIDER AS SMALL AN AREA OF SOIL AS POSSIBLE ON THE SITE FOR NO MORE THAN 1.5 DAYS. KEEP DUST WITHIN TOLERABLE LIMITS BY SPRINKLING OR OTHER ACCEPTABLE MEANS.
3. ALL CUT/FILL AREAS TO HAVE A MINIMUM OF 8" OF TOPSOIL COVER. AREAS DISTURBED WITH TOPSOIL SHALL RECEIVE 125 POUNDS PER 1000 SQUARE FEET OF 3/8-1/8" FERTILIZER (UNLESS OTHERWISE SPECIFIED IN WRITTEN SPECIFICATIONS), 5 POUNDS OR MORE OF POTASSIUM (UNLESS SPECIFIED PER 1000 SQUARE FEET), AND A STRAW MULCH OF 200-300% COVERAGE (APPROXIMATELY 125 POUNDS PER 1000 SQUARE FEET), UNLESS OTHERWISE NOTED.
4. EROSION CONTROL BARRIERS IS CALLED OUT ON THE PLANS AND IS TO COMPLY WITH THE METRO POLICE STORMWATER MANAGEMENT MANUAL, SECTION 4.04.1.
5. DISTURBED AREAS ARE TO BE GRADED TO DRAIN AS INDICATED IN THE PLAN TO REDUCE EROSION DURING AND UPON THE COMPLETION OF CONSTRUCTION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE IDENTIFICATION AND LOCATION OF ANY EXISTING UTILITIES. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO OBTAIN DAMAGE TO ALL EXISTING UTILITIES DURING CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGE TO UTILITIES. FULL REPAIR WILL BE ACCOMPLISHED AS PER THE CURRENT SPECIFICATION GOVERNING SUCH WORK.
7. ANY ACCESS ROUTES TO THE SITE SHALL BE GRADED TO DRAIN AS INDICATED IN THE PLAN TO REDUCE EROSION DURING AND UPON THE COMPLETION OF CONSTRUCTION.
8. THE PLACING AND SPREADING OF ANY FILL MATERIAL IS TO BE STARTED AT THE LOWEST POINT AND BROUGHT UP IN HORIZONTAL LAYERS OF 8" THICKNESS (OR AS DIRECTED BY THE SOILS INVESTIGATOR REPORT). SAND FILL MATERIAL IS TO BE FREE OF SOIL, ROCKS, FRESH SOILS, OR ANY OTHER RECOGNIZABLE MATERIAL. SAND FILL IS TO BE COMPACTED TO A MINIMUM OF 95% STANDARD PROCTOR OR AS OTHERWISE SPECIFIED BY THE SOILS REPORT OR WRITTEN SPECIFICATIONS.
9. THE CONTRACTOR SHALL OBTAIN A GRADING PERMIT FROM THE METRO WATER SERVICES PERMITS DEPARTMENT (88-3422) PRIOR TO COMMENCING WORK.
10. THE CONTRACTOR SHALL LOCATE AND STAKE THE LAYOUT OF THE SITE IN THE FIELD FOR INSPECTION BY THE ENGINEER. THE CONTRACTOR SHALL CHIEF THE GRADES AND FINAL DIMENSIONS ON THE GROUND, AND REPORT ANY DISCREPANCIES TO THE ENGINEER IMMEDIATELY FOR A DECISION. FOR THE PURPOSE OF PUBLIC LAW ENFORCEMENT.
11. SURFACE EROSION CONTROL MEASURES SHALL BE PLACED ON THE SITE AS APPROVED BY THE OWNER FOR THE PURPOSE OF PUBLIC LAW ENFORCEMENT.
12. THE CONTRACTOR SHALL FURNISH AND INSTALL ALL NECESSARY TEMPORARY WORKING FOR THE PROTECTION OF THE PUBLIC AND EMPLOYEES, INCLUDING WARNING SIGNS AND LIGHTS.
13. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE INDICES OR ADJACENT PREMISES OR INJURY TO THE PUBLIC DURING THE CONSTRUCTION CAUSED BY HISSELF, HIS SUB-CONTRACTORS OR THE NEGLIGENCE OF ANY OF HIS EMPLOYEES.
14. ALL WORK IS TO BE COMPLETED IN ACCORDANCE WITH THE APPROVED PLANS AND SHALL BE IN ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH IN THE METRO WATER SERVICES STORM WATER MANAGEMENT MANUAL. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS, OBTAIN ALL PERMITS, AND PAY FEES REQUIRED FOR THE COLLECTION FOR HIS PORTION OF THE WORK. THE CONTRACTOR SHALL ALSO COMPLY WITH ALL CITY, COUNTY, AND STATE REQUIREMENTS OR REGULATIONS RELATIVE TO PERMITS OR WORK WHICH HE IS TO PERFORM.
15. ALL EROSION CONTROL MEASURES SHALL REMAIN IN PLACE UNTIL SITE IS STABILIZED AND CONSTRUCTION IS COMPLETE.
16. CONTRACTOR SHALL PROVIDE AN AREA FOR CONCRETE WASH DOWN AND EQUIPMENT FILING IN ACCORDANCE WITH METRO 88-3422. CONTRACTOR TO COORDINATE EXACT LOCATION WITH APPLICABLE DEPARTMENT DURING PRECONSTRUCTION MEETING. CONTROL OF OTHER SITE WASTES SUCH AS OIL, GREASE, PAINTS, SOLVENTS, AND OTHERS WHICH MAY CAUSE ADVERSE IMPACTS TO WATER QUALITY IS ALSO REQUIRED BY THE GRADING PERMIT. LOCATIONS OF ANY OTHER NOTES REFERENCING TO THESE SHEETS SHALL BE SHOWN ON THE CROSS PLAN.
17. IT IS RECOMMENDED THAT THE CONTRACTOR OBTAIN THE SERVICES OF A LICENSED GEOTECHNICAL ENGINEER PRIOR TO COMMENCING CONSTRUCTION TO DETERMINE THE FORMALITY OF THE CATEGORIES OF UNSATURATED SOIL MATERIALS. IF IT IS DETERMINED THAT THE SUBGRADE IS NOT SUITABLE FOR CONSTRUCTION AND UNDERSTANDING IS REQUIRED, THE CONTRACTOR SHALL CONTACT THE OWNER AND THE ENGINEER IMMEDIATELY.
18. THE CONTRACTOR SHALL NOTIFY THE DEPARTMENT OF PUBLIC WORKS PRIOR TO THE COMMENCING OF ANY CONSTRUCTION ACTIVITIES LOCATED WITHIN PUBLIC ROADS OF WAY.
19. STEEP SLOPES TO BE STABILIZED WITHIN 7 DAYS OF FINAL GRADING.



- NOTES:**
1. FILTER FABRIC FENCE TO BE PLACED PRIOR TO START OF ROUGH GRADING.
 2. STEEL POSTS SHALL BE APPROVED BY OWNER PRIOR TO USE.
 3. WOOD POSTS SHALL BE 2" x 2" MIN., OAK OR SIMILAR HARDWOOD.
 4. POSTS SHALL BE SPACED AT 4' INTERVALS.
 5. FILTER FABRIC SHALL BE SECURELY BOUND TO POSTS WITH EITHER STAPLES OR WIRE TIES.
 6. FILTER FABRIC SHALL BE POLYPROPYLENE FABRIC (BY CORP. OF ENGINEERS GUIDE SPEC. OR OTHERS WITH EQUIVALENT OPENING SIZE (COS) OF NO.100 SIDE MIN. NO. 40 SIEVE MAX., AS DETERMINED MAINTENANCE NOTES:

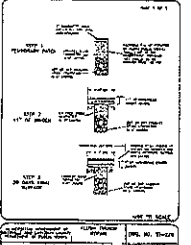
1. INSPECT TWICE WEEKLY, 72 HOURS APART AND AFTER EACH RAINFALL.
2. REPAIR WHEREVER FENCE IS DAMAGED.
3. REMOVE SEDIMENT WHEN IT REACHES 1/3 THE HEIGHT OF THE FENCE.
4. REMOVE SILT FENCE WHEN NO LONGER NEEDED. FILL AND COMPACT HOLE AND ANCHOR TRENCH REMOVE SEDIMENT ACCUMULATION, AND GRADE.

SILT FENCE DETAIL
 SEE METRO STORMWATER MANAGEMENT MANUAL VOLUME 4, TOP-13
 401 TO SCALE

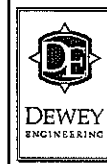


1. STONE SIZE = SIZE OF STONE OR EQUAL.
2. MIN. LENGTH = 100 FEET.
3. MIN. THICKNESS = 3" (MINIMUM) FOR STONE.
4. WIDTH = 20" (MINIMUM) FOR STONE.
5. FLOOR SLAB SHALL BE PLACED OVER THE DRIVE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER = ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE.
7. MAINTENANCE = THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT THROUGH OR FLOWING OF SEDIMENT ONTO PUBLIC ADJACENT AREAS. ALL CONCRETE, STONE, AND REINFORCED CONCRETE SHALL BE PROTECTED ON TRUCKS ONTO PUBLIC AREAS. IF REQUIRED, SEDIMENT SHALL BE REMOVED.

TEMPORARY CONSTRUCTION ENTRANCE
 SEE METRO STORMWATER MANAGEMENT MANUAL VOLUME 4, TOP-02
 401 TO SCALE



1704 Carvell Ave
 Tax Map 1405-11, Parcel 192
 Nashville, Davidson County, Tennessee

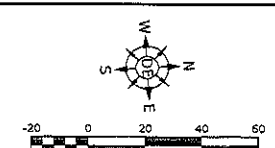


Existing Conditions & Initial Erosion Control Plan

Job No. 17037

C1.0

2 of 6



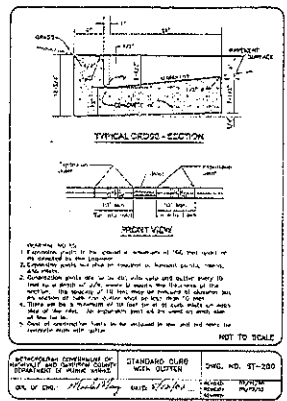
Scale 1" = 20'
 Total Site Acreage: 0.29 Acres
 Limits of Disturbance: 0.34 Acres

Engineer
 Dewey Engineering
 2925 Berry Hill Drive
 Nashville, TN 37204
 Phone: (615) 401-9956

Flood Note
 This Property is Not Located
 Within a Flood Hazard Area as
 Designated by Zone X on Firm
 Panel #47027C0244.
 Dated April 5, 2017.

Owner
 The AGCI Group, Inc.
 439 E Main St
 Hendersonville, TN 37075

Site Benchmark
 Water Meter Lot Located
 Approximately 32' South of the
 Northeast Corner of the Site
 NAVD83 Elev. = 492.73

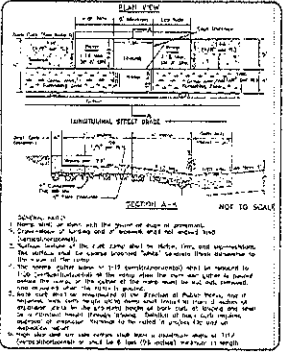
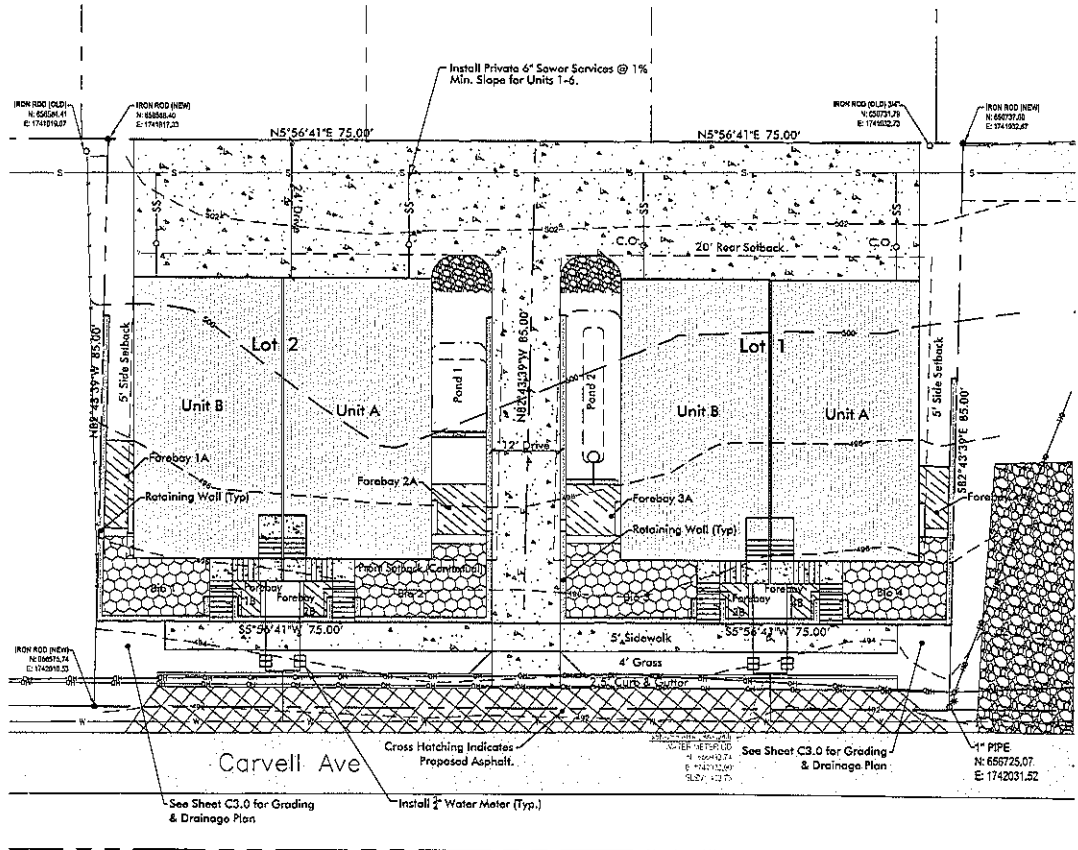


STANDARD CURB
 WITH OUTLET

DWG. NO. ST-200

DATE: 5/15/18

BY: [Signature]

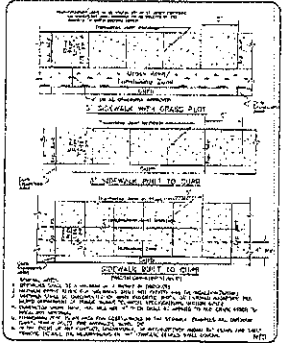


STANDARD CURB
 WITH OUTLET

DWG. NO. ST-200

DATE: 5/15/18

BY: [Signature]



STANDARD CURB
 WITH OUTLET

DWG. NO. ST-200

DATE: 5/15/18

BY: [Signature]

Revisions:

Drawing Notes:

Date: July 27, 2018

1704 Carvell Ave
 Tax Map 105-11, Parcel 192
 Nashville, Davidson County, Tennessee

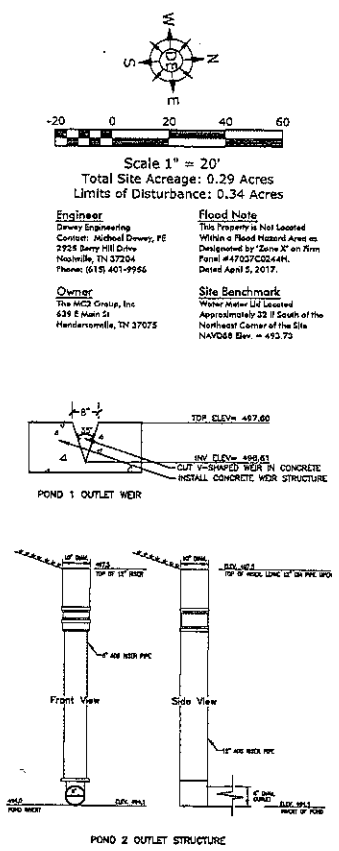
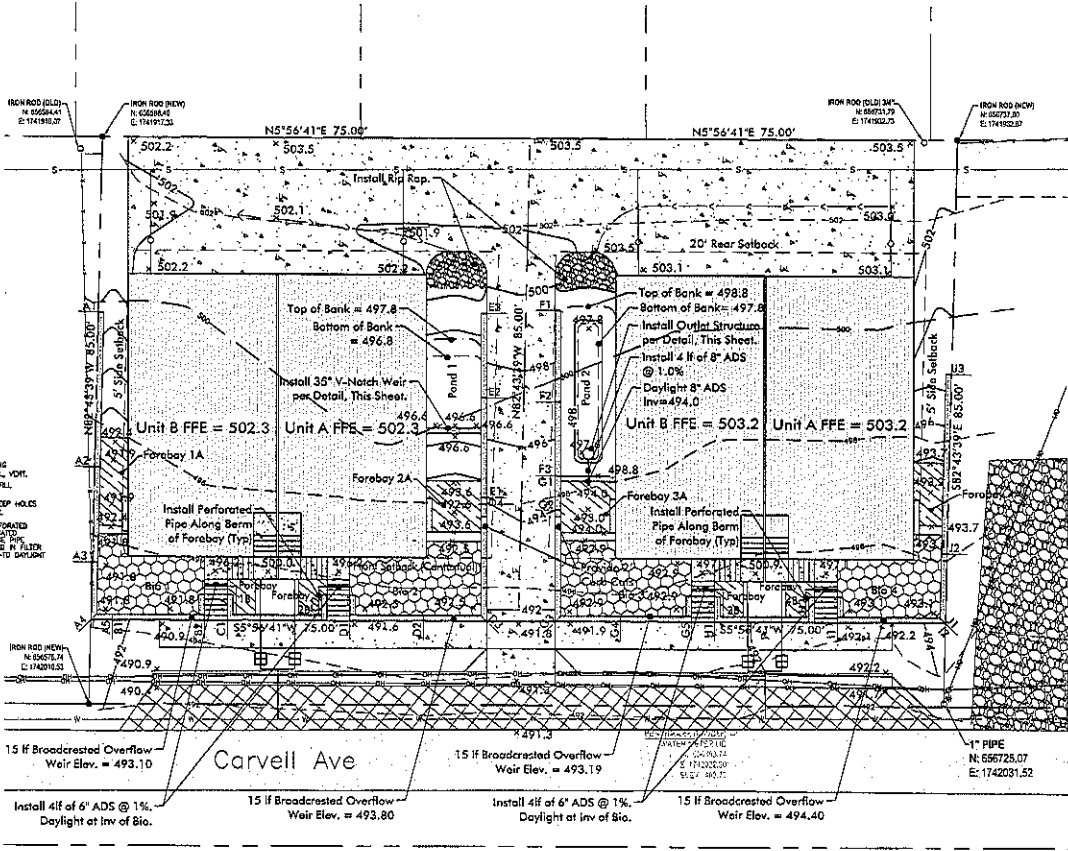
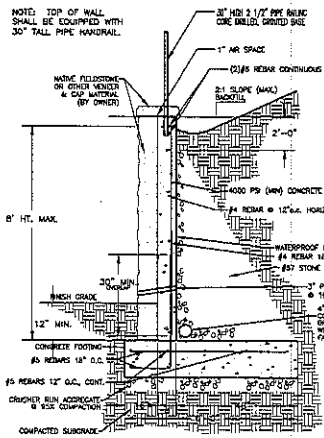


Layout and
 Utilities Plan

Job No. 17037

C2.0

3 of 6



Retaining Wall 'A' Table				Retaining Wall 'E' Table				Retaining Wall 'I' Table			
1	2.0	1.0	1.0	1	2.0	1.0	1.0	1	2.0	1.0	1.0
2	2.0	1.0	1.0	2	2.0	1.0	1.0	2	2.0	1.0	1.0
3	2.0	1.0	1.0	3	2.0	1.0	1.0	3	2.0	1.0	1.0
4	2.0	1.0	1.0	4	2.0	1.0	1.0	4	2.0	1.0	1.0
5	2.0	1.0	1.0	5	2.0	1.0	1.0	5	2.0	1.0	1.0

Retaining Wall 'B' Table				Retaining Wall 'F' Table				Retaining Wall 'U' Table			
1	2.0	1.0	1.0	1	2.0	1.0	1.0	1	2.0	1.0	1.0
2	2.0	1.0	1.0	2	2.0	1.0	1.0	2	2.0	1.0	1.0
3	2.0	1.0	1.0	3	2.0	1.0	1.0	3	2.0	1.0	1.0
4	2.0	1.0	1.0	4	2.0	1.0	1.0	4	2.0	1.0	1.0
5	2.0	1.0	1.0	5	2.0	1.0	1.0	5	2.0	1.0	1.0

Retaining Wall 'C' Table				Retaining Wall 'G' Table			
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2	2.0	1.0	1.0	2	2.0	1.0	1.0
3	2.0	1.0	1.0	3	2.0	1.0	1.0
4	2.0	1.0	1.0	4	2.0	1.0	1.0
5	2.0	1.0	1.0	5	2.0	1.0	1.0

Retaining Wall 'D' Table				Retaining Wall 'H' Table			
1	2.0	1.0	1.0	1	2.0	1.0	1.0
2	2.0	1.0	1.0	2	2.0	1.0	1.0
3	2.0	1.0	1.0	3	2.0	1.0	1.0
4	2.0	1.0	1.0	4	2.0	1.0	1.0
5	2.0	1.0	1.0	5	2.0	1.0	1.0

Revisions:

Drawing Name:

Scale 1" = 20'
 Total Site Acreage: 0.29 Acres
 Limits of Disturbance: 0.34 Acres

Engineer:
 Dewey Engineering
 Consultant: Michael Dewey, PE
 2923 Berry Hill Drive
 Nashville, TN 37204
 Phone: (615) 401-9956

Site Benchmark:
 Water Meter 12 Located
 Approximately 22 ft South of the
 Northeast Corner of the Site
 NAVD83 Elev. = 493.73

Owner:
 The AGC Group, Inc.
 635 E Main St
 Hendersonville, TN 37075

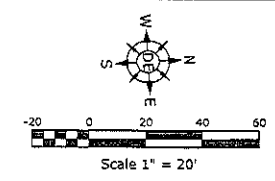
Date: July 27, 2010

1704 Carvell Ave
 Tax Map 105-11, Parcel 192
 Nashville, Davidson County, Tennessee

DEWEY
 ENGINEERING

Grading & Drainage Plan

Job No. 17037
C3.0
 4 of 6



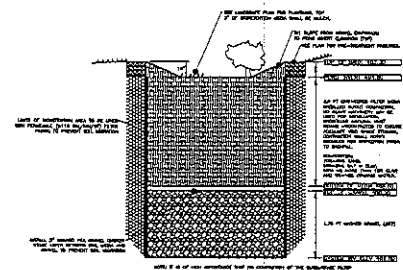
Engineer
 Dewey Engineering
 Corbett, Hickel, Dewey, PE
 2925 Berry Hill Drive
 Nashville, TN 37204
 Phone: (615) 401-9955

Owner
 The AGC Group, Inc
 639 E Main St
 Hendersonville, TN 37075

Flood Note
 This Property is Not Located
 Within a Flood Hazard Area as
 Designated by "Zone X" on Firm
 Panel #47037C0244H,
 Dated April 3, 2017.

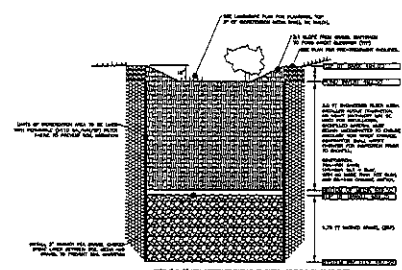
Site Benchmark
 Water Meter Lid Located
 Approximately 25 ft South of the
 Northeast Corner of the Site
 NAVD83 Elev. = 493.73

Revisions:
 Drawing Notes:
 Date: July 27, 2019



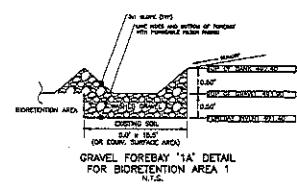
BIORETENTION AREA 1 DETAIL (GIP-01) (LEVEL 2)

MATERIAL SCHEDULE (BIORETENTION AREA 1 ONLY)
 SURFACE AREA = 216 sf
 DICHROMED FILTER MEDIA = 642 sf (0.50' x 216 sf)
 WASHED GRAVEL (107) = 378 sf (1.25' x 216 sf)
 CHOKER STONE (40) = 54 sf (0.25' x 216 sf)

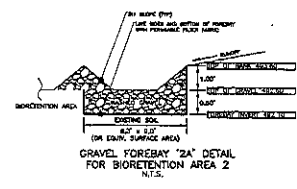


BIORETENTION AREA 2 DETAIL (GIP-01) (LEVEL 2)

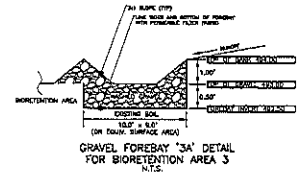
MATERIAL SCHEDULE (BIORETENTION AREA 2 ONLY)
 SURFACE AREA = 277 sf
 DICHROMED FILTER MEDIA = 831 sf (0.50' x 277 sf)
 WASHED GRAVEL (107) = 440 sf (1.25' x 277 sf)
 CHOKER STONE (40) = 70 sf (0.25' x 277 sf)



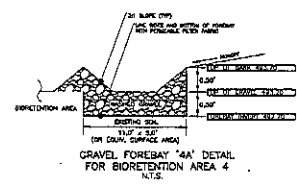
GRAVEL FOREBAY '1A' DETAIL FOR BIORETENTION AREA 1 N.T.S.



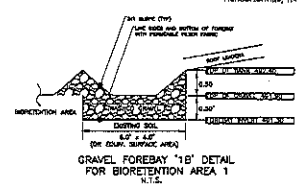
GRAVEL FOREBAY '2A' DETAIL FOR BIORETENTION AREA 2 N.T.S.



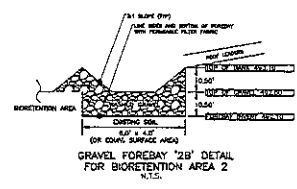
GRAVEL FOREBAY '3A' DETAIL FOR BIORETENTION AREA 3 N.T.S.



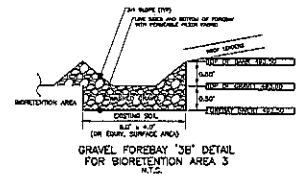
GRAVEL FOREBAY '4A' DETAIL FOR BIORETENTION AREA 4 N.T.S.



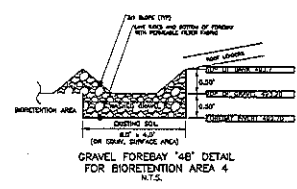
GRAVEL FOREBAY '1B' DETAIL FOR BIORETENTION AREA 1 N.T.S.



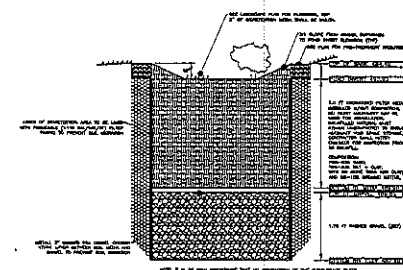
GRAVEL FOREBAY '2B' DETAIL FOR BIORETENTION AREA 2 N.T.S.



GRAVEL FOREBAY '3B' DETAIL FOR BIORETENTION AREA 3 N.T.S.

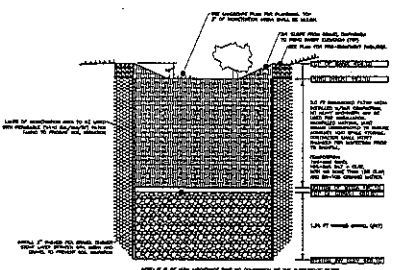


GRAVEL FOREBAY '4B' DETAIL FOR BIORETENTION AREA 4 N.T.S.



BIORETENTION AREA 3 DETAIL (GIP-01) (LEVEL 2)

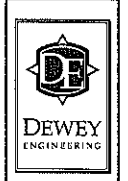
MATERIAL SCHEDULE (BIORETENTION AREA 3 ONLY)
 SURFACE AREA = 277 sf
 DICHROMED FILTER MEDIA = 831 sf (0.50' x 277 sf)
 WASHED GRAVEL (107) = 440 sf (1.25' x 277 sf)
 CHOKER STONE (40) = 70 sf (0.25' x 277 sf)



BIORETENTION AREA 4 DETAIL (GIP-01) (LEVEL 2)

MATERIAL SCHEDULE (BIORETENTION AREA 4 ONLY)
 SURFACE AREA = 277 sf
 DICHROMED FILTER MEDIA = 831 sf (0.50' x 277 sf)
 WASHED GRAVEL (107) = 440 sf (1.25' x 277 sf)
 CHOKER STONE (40) = 70 sf (0.25' x 277 sf)

1704 Carvell Ave
 Tax Map 105-11, Parcel 192
 Nashville, Davidson County, Tennessee



Details

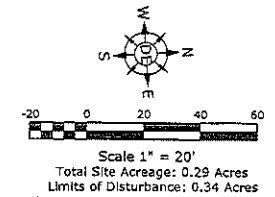
Job No. 17037

C3.0

5 of 6

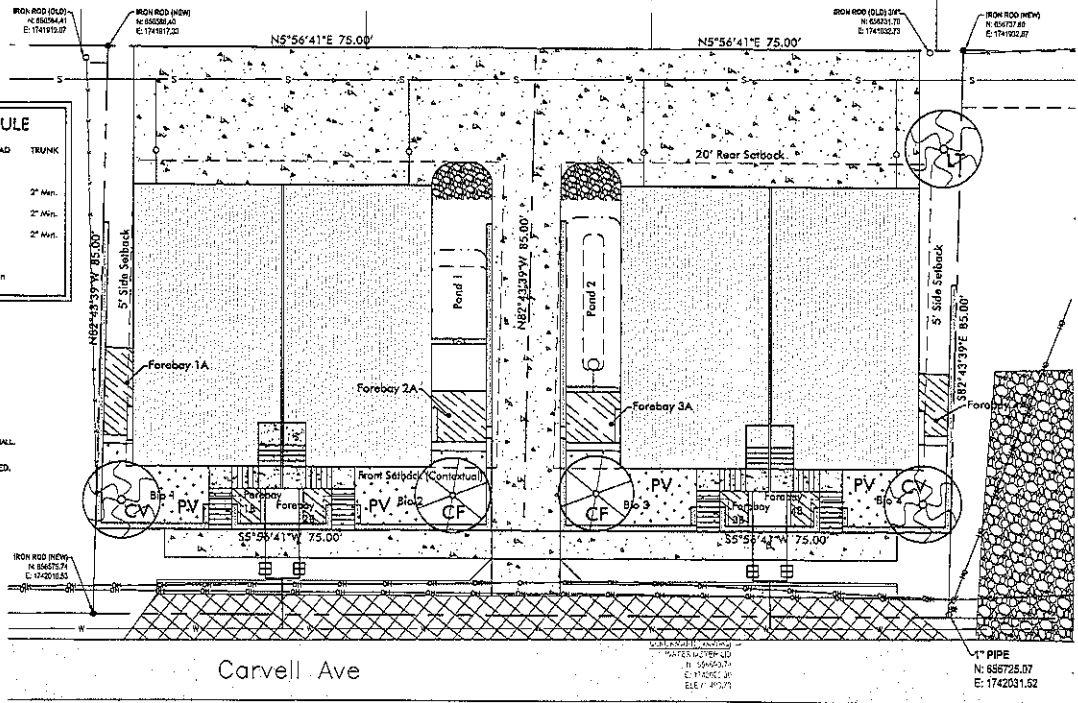
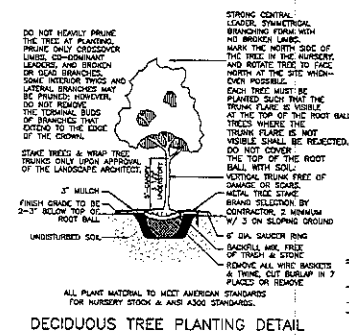


Tree Density Requirements
 Site Acres (0.29 Ac) - Building Coverage (0.12 Ac) = 0.17 Ac of Compliance
 Trees Required: 14 x 0.17 = 2.38 TDU
 Trees Proposed: 5 Trees @ 0.5 TDU each = 2.5 TDU (OK)



OVERALL LANDSCAPE MATERIALS SCHEDULE

KEY	AMOUNT	SCIENTIFIC NAME/ COMMON NAME	HEIGHT	SPREAD	TRUNK
CF	3	NATIVE TREES Cornus Spidea/ Dogwood	6' Min.	2'-3'	3" Min.
CV	2	Chionodoxa virginica/ Rosaegone	6' Min.	2'-3'	2" Min.
LT	1	Linodendron bicolor/ Tulip Poplar	12'-14'	6'-7'	2" Min.
PV	71	NATIVE GRASSES Panicum virginicum/ Switchgrass			Plugs at 48" O.C. in irregular pattern



- LANDSCAPE NOTES**
1. THE LANDSCAPE CONTRACTOR SHALL COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY AND SHALL BE RESPONSIBLE FOR ANY DAMAGE TO UTILITIES. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL UTILITIES AND TAKE PRECAUTIONS TO PREVENT DAMAGE TO THE UTILITIES.
 2. ALL PLANTING AND MULCH BEDS SHALL BE HAVING INDEXED OR SPRAYED WITH BROWN-PAINT (CONTRACTOR'S OPTION) PRIOR TO THE INSTALLATION OF MULCH.
 3. PLANT MATERIALS AND STAMPS INDICATED FOR REMOVAL SHALL BE REMOVED AND DISPOSED OFF-SITE BY THE CONTRACTOR. BACKFILL HOLES WITH TOPSOIL FREE OF ROOTS AND ROCKS.
 4. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR THE FINE GRADING OF ALL PLANTING AREAS.
 5. ALL PLANTING AREAS SHALL BE FERTILIZED WITH 12%/100 S.C. OF 10-10-10 FERTILIZER.
 6. ALL PLANTING BEDS SHALL HAVE A MINIMUM OF 3" DEPTH OF SHREDED HARDWOOD BARK MULCH.
 7. THE LANDSCAPE CONTRACTOR SHALL VERIFY ALL MATERIAL QUANTITIES. IN THE EVENT OF A DISCREPANCY, THE QUANTITIES SHOWN ON THE PLAN WILL TAKE PRECEDENCE.
 8. THE LANDSCAPE CONTRACTOR SHALL FURNISH THE OWNER WITH WRITTEN INSTRUCTIONS ON THE PROPER CARE OF ALL SPECIFIED PLANT MATERIALS PRIOR TO FINAL PAYMENT.
 9. ALL DISTURBED AREAS SHALL BE PLANTED WITH TURF AS INDICATED ON THE MATERIALS SCHEDULE.
 10. ALL DECIDUOUS TREES, CUTTINGS AND PROPOSED SHALL BE PRUNED TO PROVIDE 4" MINIMUM CLEAR TRUNK UNLESS OTHERWISE NOTED.
 11. THE LANDSCAPE CONTRACTOR SHALL PROVIDE A ONE YEAR WARRANTY ON ALL PLANT MATERIALS AND REPLACE AND REPAIR OR REPAIR MATERIAL WITHIN THAT TIME PERIOD.
 12. NO PLANT MATERIALS SHOULD BE SUBSTITUTED WITHOUT AUTHORIZATION BY THE DESIGN PROFESSIONAL. PLANT SIZES SHOWN ARE MINIMUMS PERMITTED BY THE LOCAL MUNICIPALITY AND MATERIALS SHOWN HAVE BEEN SELECTED SPECIFICALLY FOR THIS PROJECT.
 13. ALL WIRE BASKETS SHALL BE COMPLETELY REMOVED AND DISPOSED OF. BURLAP SHOULD BE REMOVED OR FRAGMENTED IN AT LEAST 3 PLACES, REMOVING ALL TRUNK FROM BURLAPPED MATERIALS.

BIORETENTION AREA 1 REQUIREMENTS

COVERAGE REQUIREMENTS:	75% IN TWO YEARS		
1 TREE PER 400 SF	1/400 SF	214/400	= 1 TREE*
GROUNDCOVER/GRASSES	30' O.C.	64/100 X 18.5	= 12 PLUGS
SMALL SHRUBS	3' O.C.	0/100 X 12.8	= 0 SHRUBS
MEDIUM SHRUBS	4' O.C.	0/100 X 7.23	= 0 SHRUBS

*EACH TREE IS CALCULATED TO OCCUPY 150 SF AND SUBTRACTED FROM TOTAL SQUARE FOOTAGE PLANTING REQUIREMENTS FOR SHRUBS AND GROUNDCOVERS.

BIORETENTION AREA 1 REQUIREMENTS

COVERAGE REQUIREMENTS:	75% IN TWO YEARS		
1 TREE PER 400 SF	1/400 SF	277/400	= 1 TREE*
GROUNDCOVER/GRASSES	30' O.C.	127/100 X 18.5	= 24 PLUGS
SMALL SHRUBS	3' O.C.	0/100 X 12.8	= 0 SHRUBS
MEDIUM SHRUBS	4' O.C.	0/100 X 7.23	= 0 SHRUBS

*EACH TREE IS CALCULATED TO OCCUPY 150 SF AND SUBTRACTED FROM TOTAL SQUARE FOOTAGE PLANTING REQUIREMENTS FOR SHRUBS AND GROUNDCOVERS.

BIORETENTION AREA 1 REQUIREMENTS

COVERAGE REQUIREMENTS:	75% IN TWO YEARS		
1 TREE PER 400 SF	1/400 SF	207/400	= 1 TREE*
GROUNDCOVER/GRASSES	30' O.C.	127/100 X 18.5	= 24 PLUGS
SMALL SHRUBS	3' O.C.	0/100 X 12.8	= 0 SHRUBS
MEDIUM SHRUBS	4' O.C.	0/100 X 7.23	= 0 SHRUBS

*EACH TREE IS CALCULATED TO OCCUPY 150 SF AND SUBTRACTED FROM TOTAL SQUARE FOOTAGE PLANTING REQUIREMENTS FOR SHRUBS AND GROUNDCOVERS.

BIORETENTION AREA 1 REQUIREMENTS

COVERAGE REQUIREMENTS:	75% IN TWO YEARS		
1 TREE PER 400 SF	1/400 SF	207/400	= 1 TREE*
GROUNDCOVER/GRASSES	30' O.C.	57/100 X 18.5	= 11 PLUGS
SMALL SHRUBS	3' O.C.	0/100 X 12.8	= 0 SHRUBS
MEDIUM SHRUBS	4' O.C.	0/100 X 7.23	= 0 SHRUBS

*EACH TREE IS CALCULATED TO OCCUPY 150 SF AND SUBTRACTED FROM TOTAL SQUARE FOOTAGE PLANTING REQUIREMENTS FOR SHRUBS AND GROUNDCOVERS.

BIORETENTION NOTES
 LANDSCAPE MATERIALS HAVE BEEN SELECTED FROM THE VOLUME 5 LD MANUAL.
 THE BIORETENTION PLANTING PLAN FOLLOWS A MIXED MEADOW AND ORNAMENTAL PLANTING DESIGN APPROACH.
 SEE CIVIL PLANS FOR SECTION, MEDIA BED SPECIFICATIONS, AND UNDERDRAIN DETAILS.

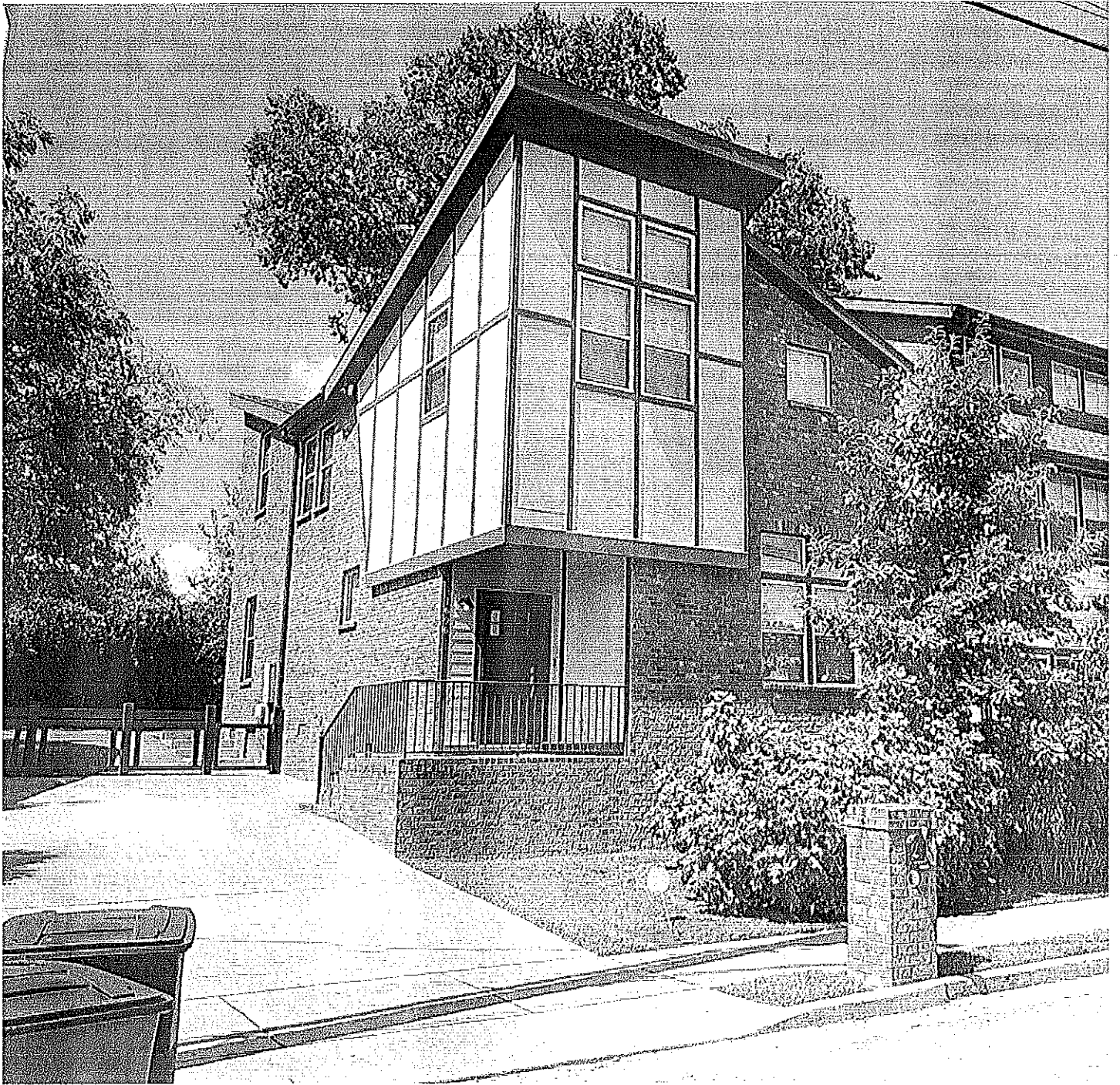


Revisions:
 Drawing Notes:
 Date: July 27, 2018
 1704 Carvell Ave
 Tax Map 105-11, Parcel 192
 Nashville, Davidson County, Tennessee
 Dewey Engineering
 Landscape Plan
 Job No. 17037
 L1:0
 6 of 6







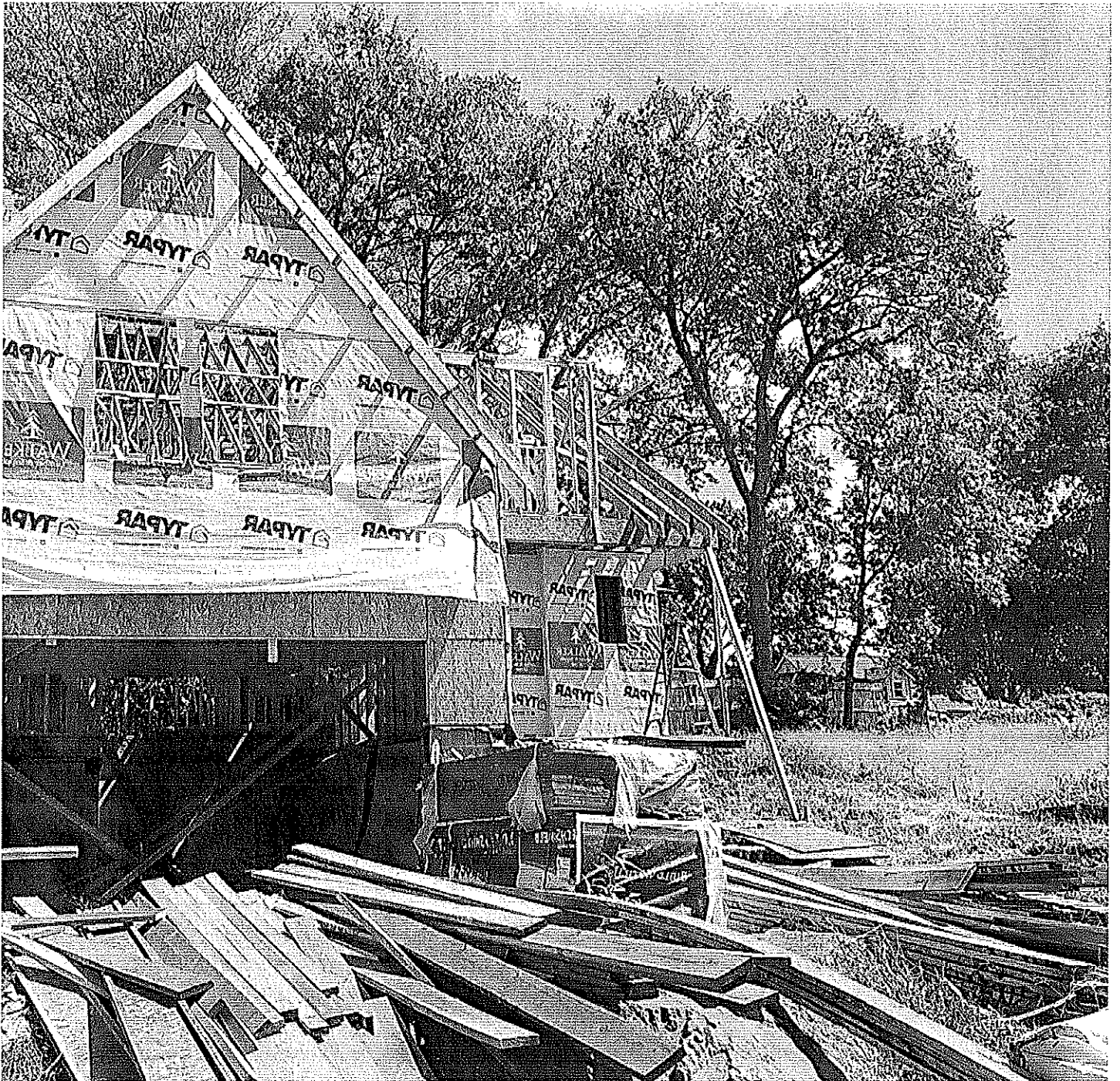
















(615) 559-2212
rob@stratosdevelopment.com

stratosdevelopment.com
Hendersonville, TN 37075
639 East Main St, Ste. B202

Rob Cushman | Stratos Development



From: [Michael, Jon \(Codes\)](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Subject: FW: 1704 Carvell BZA Variance
Date: Wednesday, September 26, 2018 2:01:19 PM

By copy of this email, I'm forwarding the email to the staff members who will make sure that the information is included in the case file.

JM.

From: rob@stratosdevelopment.com [mailto:rob@stratosdevelopment.com]
Sent: Wednesday, September 26, 2018 1:15 PM
To: Michael, Jon (Codes)
Subject: 1704 Carvell BZA Variance

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Good Afternoon John,

I wanted to reach out and let you know we met with Councilman Sledge regarding our request for a variance from the rear load garage requirement on 1704 Carvell Ave. After a site walk and brief rundown, CM Sledge told us he is not opposed to our request for front load garages on the 4 houses to be built here. Should I forward this info to anybody else to be part of the review process? Thanks John,

Rob Cushman | Stratos Development

639 East Main St, Ste. B202
Hendersonville, TN 37075
stratosdevelopment.com

(615) 559-2212
rob@stratosdevelopment.com

2018-525

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: William Blanton
Property Owner: William Blanton
Representative: William Blanton

Date: 8-16-18
Case #: 2018-525
Map & Parcel: 84-15-130

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance to allow 18' 2" building height for garage. 16' maximum building height. Garage already constructed under 2018028155

Activity Type: New Construction - Garage

Location: 2333 Revere Pl.

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Garage constructed over maximum allowed height.

Section(s): 17.12.060(B)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

William Shawn Blanton
Appellant Name (Please Print)

William Shawn Blanton
Representative Name (Please Print)

2333 Revere Pl.
Address

2333 Revere Pl.
Address

Nashville, TN. 37214
City, State, Zip Code

Nashville TN. 37214
City, State, Zip Code

615-566-0461
Phone Number

615-566-0461
Phone Number

htmshawn@bellsouth.net
Email

htmshawn@bellsouth.net
Email

Appeal Fee: \$100.00



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3507133

**BUILDING RESIDENTIAL - NEW / CARN - 2018028155
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08415013000

APPLICATION DATE: 05/17/2018

SITE ADDRESS:

2333 REVERE PL NASHVILLE, TN 37214
LOT 18 CASTLEWOOD ESTATES SEC 1

PARCEL OWNER: BLANTON, WILLIAM SHAWN & PHOUVAI

CONTRACTOR:

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
SELF RESIDENTIAL
, 5555555555

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

PURPOSE:

tax accessor records first floor sf of 2202 for existing residence. this permit to construct a 29 x 40 detached garage to rear of residence. not to be used for living or commercial purposes. max allowed height is 16'. 10' min side s/b; 20' min rear s/b. PUBLIC WORKS STAFF PLEASE NOTE: INSTRUMENT REQUIRED FOR FUTURE SIDEWALK IMPROVEMENTS. DO NOT IGNORE THIS APPLICATION.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

Building Framing - Ceiling		615-862-6570 Larry.Dennis@nashville.gov
Building Floor Elevation		615-862-6570 Larry.Dennis@nashville.gov
Building Footing	APPROVED	615-862-6570 Larry.Dennis@nashville.gov
Building Foundation		615-862-6570 Larry.Dennis@nashville.gov
Building Framing	REJ-NOFEE	615-862-6570 Larry.Dennis@nashville.gov
Building Framing - Wall		615-862-6570 Larry.Dennis@nashville.gov
CA Building Progress Inspection		615-862-6570 Larry.Dennis@nashville.gov
Building Slab		615-862-6570 Larry.Dennis@nashville.gov
Building Final		615-862-6570 Larry.Dennis@nashville.gov
U&O Letter		(615) 862-6527 Carmina.Howell@nashville.gov

Inspection requirements may change due to changes during construction.



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3546551

ZONING BOARD APPEAL / CAAZ - 20180049045
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08415013000

APPLICATION DATE: 08/16/2018

SITE ADDRESS:

2333 REVERE PL NASHVILLE, TN 37214

LOT 18 CASTLEWOOD ESTATES SEC 1

PARCEL OWNER: BLANTON, WILLIAM SHAWN & PHOUVAI

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance to allow 18' 2" height on garage. maximum height is 16'. permit previously issued 2018028155.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

It's a mistake by myself not being aware of the code of 16' max height. I had an architect to draw up a garage and I built it according to the drawing not being aware of height restrictions. I am begging for forgiveness to leave it as is and not have to take it down. It's only enough room above for attic space. The height is still short above and I just needed it to store belongings. It's not large enough to live in it and will never be used for anything but storage. It's also below my house height and can not be seen from the street. Please understand it was my mistake and the first time I have ever had anything built.

Shane RB

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

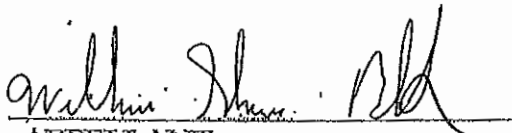
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

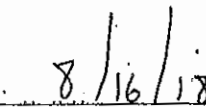
Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

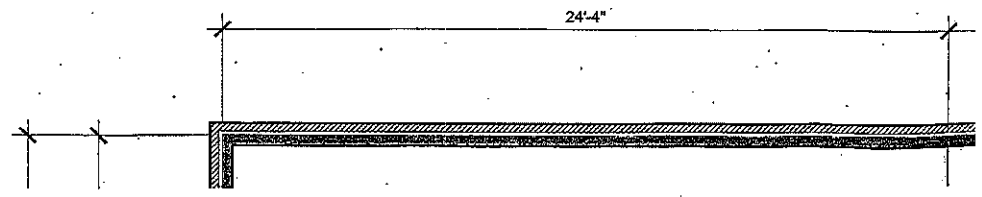
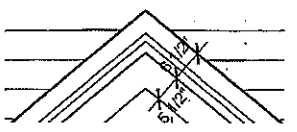
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

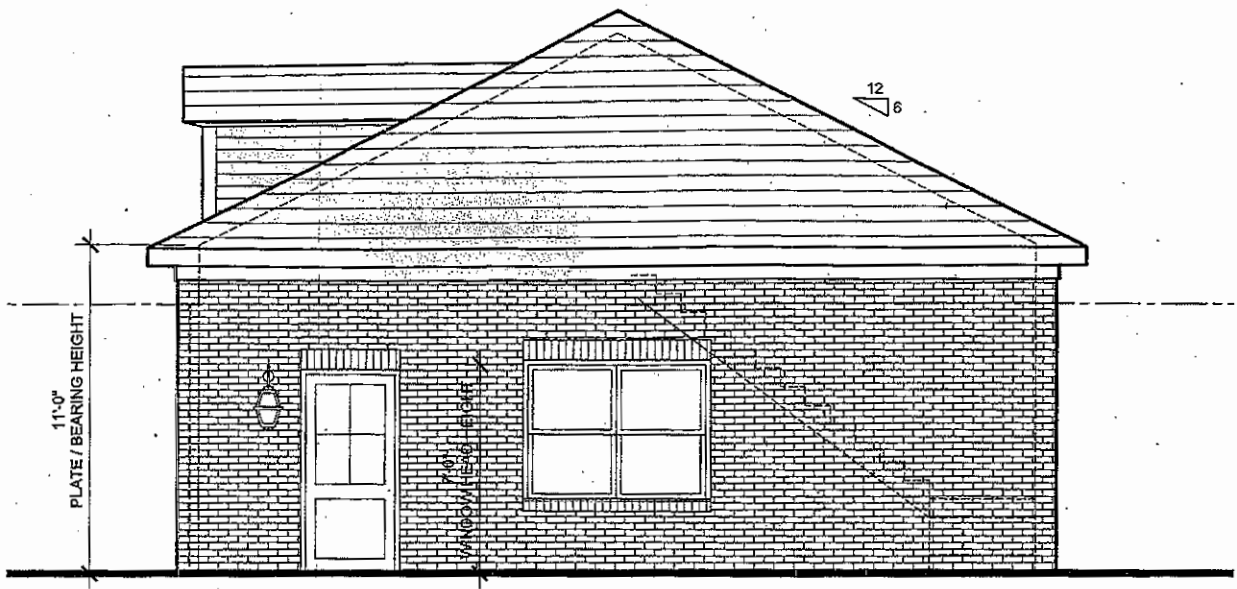
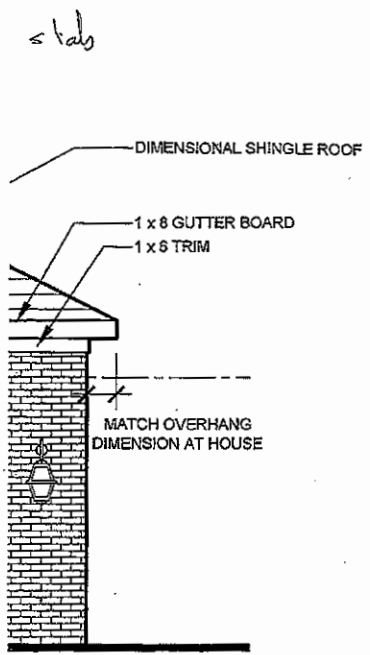

APPELLANT


DATE

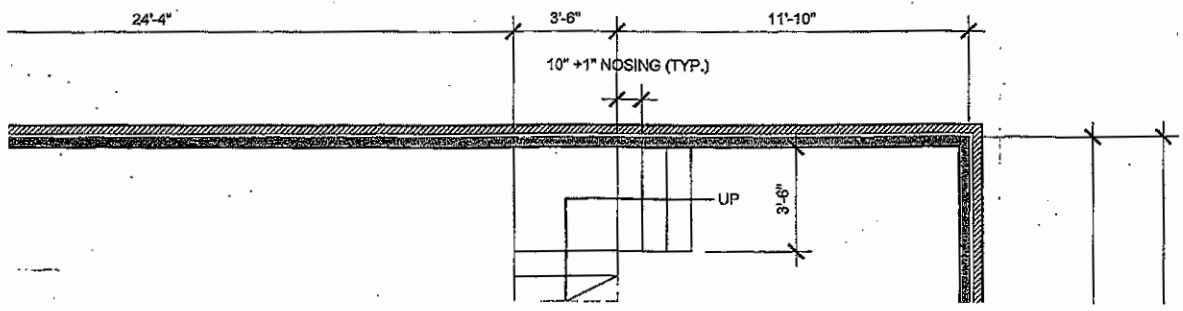


1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"







2 SIDE ELEVATION
 SCALE: 1/4" = 1'-0"



MATERIAL / WALL TYPE LEGEND

-  STUD FRAMING
-  EXISTING WALLS TO REMAIN

From: Tammy Hightower
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Permit # 20180049045
Date: Tuesday, September 25, 2018 1:30:14 PM

To whom it may concern. My husband and I live at 2335 Revere Place, Nashville TN 37214. We have absolutely no objection to the construction project being done at 2333 Revere Place, Nashville TN 37214, property belonging to the Blanton's. I appreciate your consideration.

Thanks

Tammy Hightower & Barry Hagan

2335 Revere Place 37214

From: Monica Potts
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Zoning Appeal 2333 Revere Place
Date: Saturday, September 8, 2018 11:15:17 AM

To whom it may concern,

The zoning appeal for 2333 Revere Place did not delay in the building of "so call detached garage". They are laying the brick today. If the homeowner could not follow the specs of 20x40 with the height no higher than 16feet 10 inches. Which I believe is still higher than the amended height of 18 feet 10 inches should the work be halted until the hearing. Or did Jeff Syracuse make the hearing out come already in the homeowners favor by saying he did not see a problem with it and for others to e-mail their support of this Amendment. I believe the homeowner knew what he did was wrong and was trying to beat the system. By already being towards the end of the project and to still continue to build thinking they wont make me rebuild.

It was just last year I believe someone in the Maplecrest area wanted a detached garage and Jeff was all against that homeowner, and rallied the neighbors to be against the homeowner. Consequently this homeowner was denied.

Some how I feel zoning appeals should be fair to all, regardless of any input from any council member like or dislike.

The building permit stated no higher than 16 feet 10 inches it should stay 16 feet 10 inches end of discussion.

Thank you for your time in reading my e-mail,

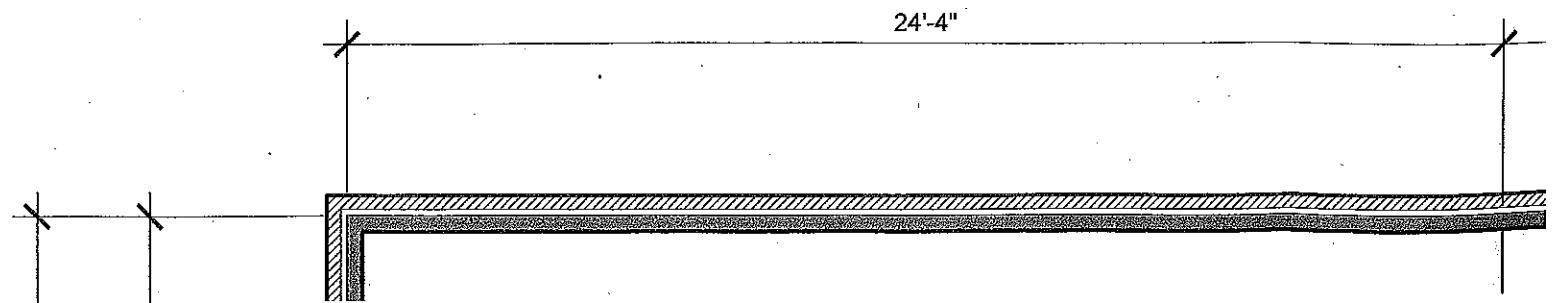
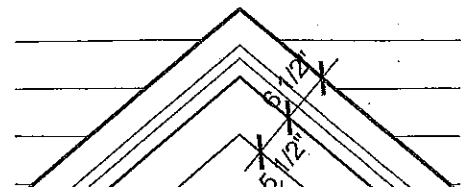
Monica Potts

18.2' height

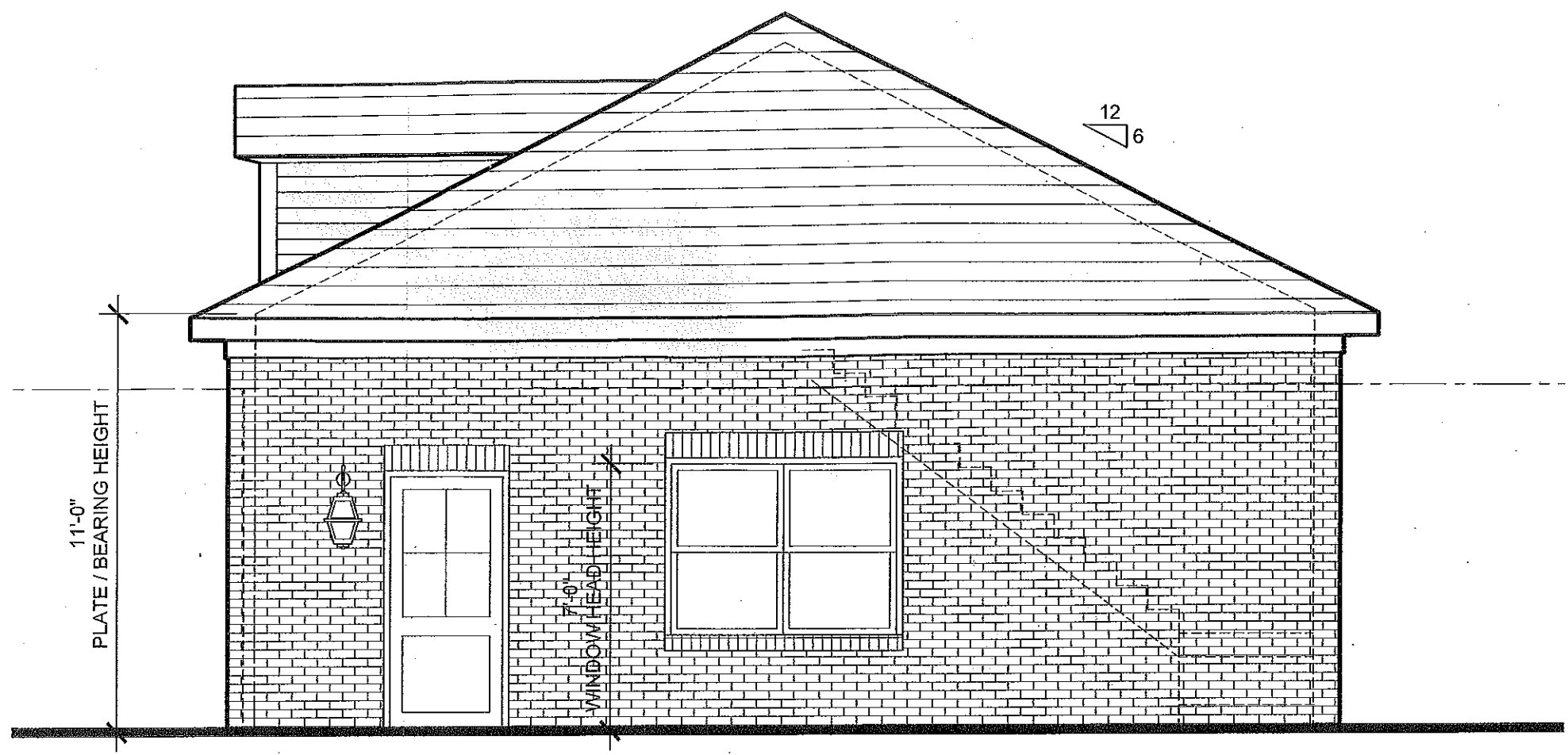
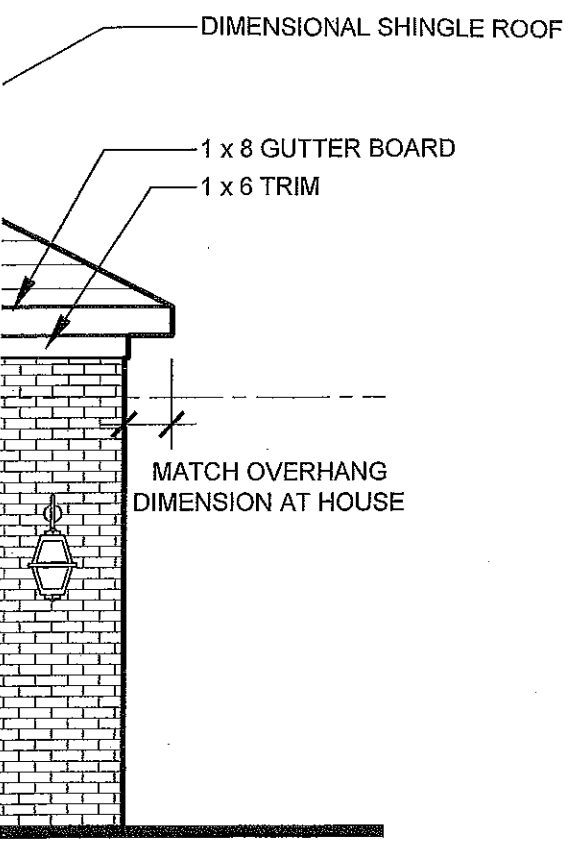
actual built height
18' 1" off of concrete slabs



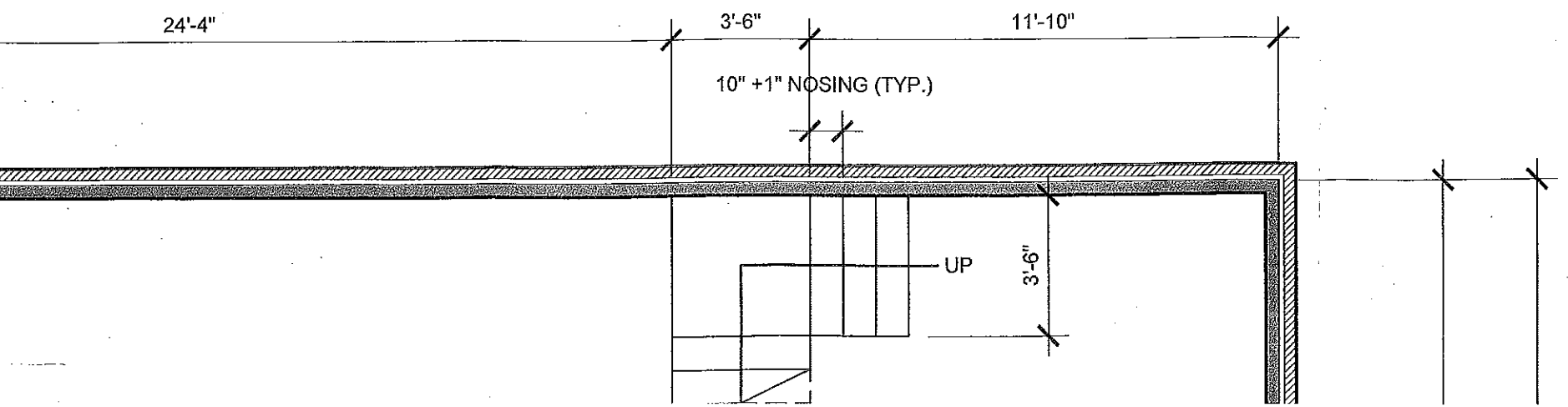
1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



s tabs



2 SIDE ELEVATION
SCALE: 1/4" = 1'-0"



MATERIAL / WALL TYPE LEGEND

-  STUD FRAMING
-  EXISTING WALLS TO REMAIN

From: Brianne Rushing
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Support for Appeal Case Number: 2018-525
Date: Friday, September 14, 2018 9:09:23 AM

I am a neighbor to William Blanton at 2333 Revere Place and am writing to show my family's support for their requested variance from height requirements. They are doing fantastic updates to their home and have no plans of leaving the community. I fully support their request. I live across the street from them, at 2328 Revere Place.

Thank you for your time and consideration of my support.

Thanks –

Brianne Rushing

Comptroller

322 Hermitage Avenue | Nashville, TN 37210

Office: (615) 360-0099 | Fax: (615) 360-1250

Email: nashville@tradesunlimitedusa.com | Website: www.tradesunlimitedusa.com



*Providing Skilled Craftsmen
To The Construction Industry.*

From: Lindsey Walker
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Councilman Jeff Syracuse Metro 15](#)
Subject: 2333 Revere Pl
Date: Friday, September 7, 2018 4:11:16 PM

To whom it may concern,

I support the variance request for the above referenced address. These residents are investing in their home to improve our community. I support them in their endeavors.

Sincerely,

Supportive Revere Place Neighbor

[Sent from Yahoo Mail for iPhone](#)

From: Yildiz Brinkley
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: 2333 Revere Place, Donelson, Tennessee
Date: Friday, September 7, 2018 11:02:26 AM

We, Donald H. Binkley and Yildiz B. Binkley, live at 2326 Revere Place. We are supporting our neighbor Sean Blanton's request for zoning variance at 2333 Revere Place. We do not have any problem with their new garage. Thank you.

Sent from my iPad

From: beckymcstephens
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: case # 2018-525
Date: Friday, September 7, 2018 8:23:43 AM

We live at 2330 Revere Place and support William Blanton's appeal for a variance from height requirements allowing the garage at 2333 Revere Place to be over the maximum allowed height. Please approve this request.

Sent from my Verizon, Samsung Galaxy smartphone

2018-526

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Melissa Chambers
Property Owner: Melissa Chambers
Representative: Melissa Chambers

Date: 8/16/18
Case #: 2018-526
Map & Parcel: 07116025100

Council District 5

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: TO CONSTRUCT A 6FT X 29'-8" FRONT PORCH ON EXISTING SINGLE FAMILY RESIDENCE.

Activity Type: RESIDENTIAL ADDITION

Location: 1219 N. 7TH ST

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: SETBACK VARIANCE

Section(s): 17.12.035

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Melissa Chambers
Appellant Name (Please Print)

Melissa Chambers
Representative Name (Please Print)

6972 Calderwood Dr.
Address

6972 Calderwood Dr.
Address

Antioch, TN 37013
City, State, Zip Code

Antioch TN, 37013
City, State, Zip Code

615-596-4247
Phone Number

615-596-4247
Phone Number

Chambersaaron50@yahoo.com
Email

Chambersaaron50@yahoo.com
Email

Appeal Fee: 100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3546764

ZONING BOARD APPEAL / CAAZ - 20180049207
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07116025100

APPLICATION DATE: 08/16/2018

SITE ADDRESS:

1219 N 7TH ST NASHVILLE, TN 37207
LOTS 259 PT 260 OAKWOOD PARK

PARCEL OWNER: CHAMBERS, AARON & MELISSA

CONTRACTOR:

APPLICANT:

PURPOSE:

BZA Appeal requesting Variance to 17.12.035 front setback requirements. 21.86 ft required front setback per survey average requesting 17.3 ft front setback. Minimum 21.86 front setback and 5 ft minimum side setbacks. Must conform with all easements on parcel. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbi

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3546757

**APPLICATION FOR BUILDING RESIDENTIAL - ADDITION / CARA - T2018049201
THIS IS NOT A PERMIT**

PARCEL: 07116025100

APPLICATION DATE: 08/16/2018

SITE ADDRESS:

1219 N 7TH ST NASHVILLE, TN 37207
LOTS 259 PT 260 OAKWOOD PARK

PARCEL OWNER: CHAMBERS, AARON & MELISSA

APPLICANT:

PURPOSE:

BZA Appeal requesting Variance to 17.12.035 front setback requirements. 21.86 ft required front setback per survey average requesting 17.3 ft front setback. Minimum 21.86 front setback and 5 ft minimum side setbacks. Must conform with all easements on parcel. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..***SITE PLAN SENT TO FILE

To construct a 6 ft x 29'-8" front porch on existing single family residence. Remains single family.

POC: Melissa Chambers 615-596-4247

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[A] Zoning Review		
[A] Bond & License Review On Bldg App		

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Wanting to put a Classic East Nashville front porch on. Adding two additional feet, five houses down they were approved at 16:45. We would be at 17:30 to the street.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Melissa Chambers

APPELLANT

8/16/18

DATE

Paid
CK

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: FRANK + PAT GLADU
Property Owner: SAME
Representative: SAME

Date: 8/17/18
Case #: 2018-527
Map & Parcel: 16101005500

Council District 26

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

RESIDENTIAL CONSTRUCTION
CONSTRUCT 12'x20' SCREEN PORCH ALONG
RIGHT SIDE (SOUTH) OF EXISTING SINGLE
FAMILY RESIDENCE.

Activity Type: RESIDENTIAL CONSTRUCTION/SCREEN PORCH

Location: 5136 COCHRAN DR. NASHVILLE 37220

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: BUILD 5 FEET INTO 10' MIN SIDE SETBACK

Section(s): 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

FRANK + PAT GLADU
Appellant Name (Please Print)

5136 COCHRAN DR
Address
Nashville TN 37220
City, State, Zip Code

931 636 8037
Phone Number

gladupm1@
Email gmail.com

FRANK + PAT GLADU
Representative Name (Please Print)

1106 N. Bluff Circle
Address
Monteagle TN 37356
City, State, Zip Code

931 636 - 8037
Phone Number

gladupm1@gmail.com
Email
Certified mail

Appeal Fee: _____



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547039

ZONING BOARD APPEAL / CAAZ - 20180049387
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 16101000500

APPLICATION DATE: 08/17/2018

SITE ADDRESS:

5136 COCHRAN DR NASHVILLE, TN 37220
LOT 1056 SEC 14 BRENTWOOD HALL

PARCEL OWNER: GLADU, FRANCIS X. & PATRICIA M.

CONTRACTOR:

APPLICANT: GLADU, FRANCIS X. & PATRICIA M.
1106 NORTH BLUFF CIR
MONTEAGLE, TN 37356 931-636-8037

PURPOSE:

CONSTRUCT 12'X20' SCREENED PORCH OFF RIGHT SIDE (SOUTH) OF EXISTING SINGLE FAMILY RESIDENCE...

REQUEST TO BUILD SCREEN PORCH 5' INTO 10' MINIMUM SIDE SETBACK... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3462569

**BUILDING RESIDENTIAL - ADDITION / CARA - 2018015776
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 16101000500

APPLICATION DATE: 03/21/2018

SITE ADDRESS:

5136 COCHRAN DR NASHVILLE, TN 37220
LOT 1056 SEC 14 BRENTWOOD HALL

PARCEL OWNER: GLADU, FRANCIS X. & PATRICIA M.

CONTRACTOR:

APPLICANT: PORCH CO INC, THE
618 VERNON AVENUE
NASHVILLE, TN 37209 615-662-2886

PORCH CO INC, THE 38513 STBC-A

PURPOSE:

The scope of work is to build a screen porch, approx 12'x20', with a deck, approx 19'x10'. The space will be unheated. Electrical will be needed. remains single family residence. 10' min side s/b; 20' min rear s/b.

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

Building Framing - Ceiling		615-862-6566 Edward.Simpkins@nashville.gov
Building Final		615-862-6566 Edward.Simpkins@nashville.gov
Building Floor Elevation		615-862-6566 Edward.Simpkins@nashville.gov
Building Footing	REJ-NOFEE	615-862-6566 Edward.Simpkins@nashville.gov
Building Foundation		615-862-6566 Edward.Simpkins@nashville.gov
Building Framing		615-862-6566 Edward.Simpkins@nashville.gov
Building Framing - Wall		615-862-6566 Edward.Simpkins@nashville.gov
CA Building Progress Inspection		615-862-6566 Edward.Simpkins@nashville.gov
Building Slab		615-862-6566 Edward.Simpkins@nashville.gov
U&O Letter		(615) 862-6527 Carmina.Howell@nashville.gov

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17A0.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

DUE TO THE TOPOGRAPHY (SLOPING) OF THE SITE AND THE SETTING OF THE HOUSE ON THE EXTREME EDGE OF THE PROPERTY, WE REQUEST THAT WE UTILIZE 5 FEET OF THE 10 FOOT SETBACK (SIDE) TO BUILD A COVERED PORCH. THIS LOCATION WILL TAKE ADVANTAGE OF THE EXISTING DOOR TO THE HOUSE AND AVOID PENETRATING THE HOUSE AT ANOTHER LOCATION.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

APPELLANT

DATE



1 inch = 30 feet



PAT & FRANK GLADU
5136 COCHRAN DRIVE
NASHVILLE, TN 37220

1056

RS20

161010
006

Deck

Screened Porch

137.4

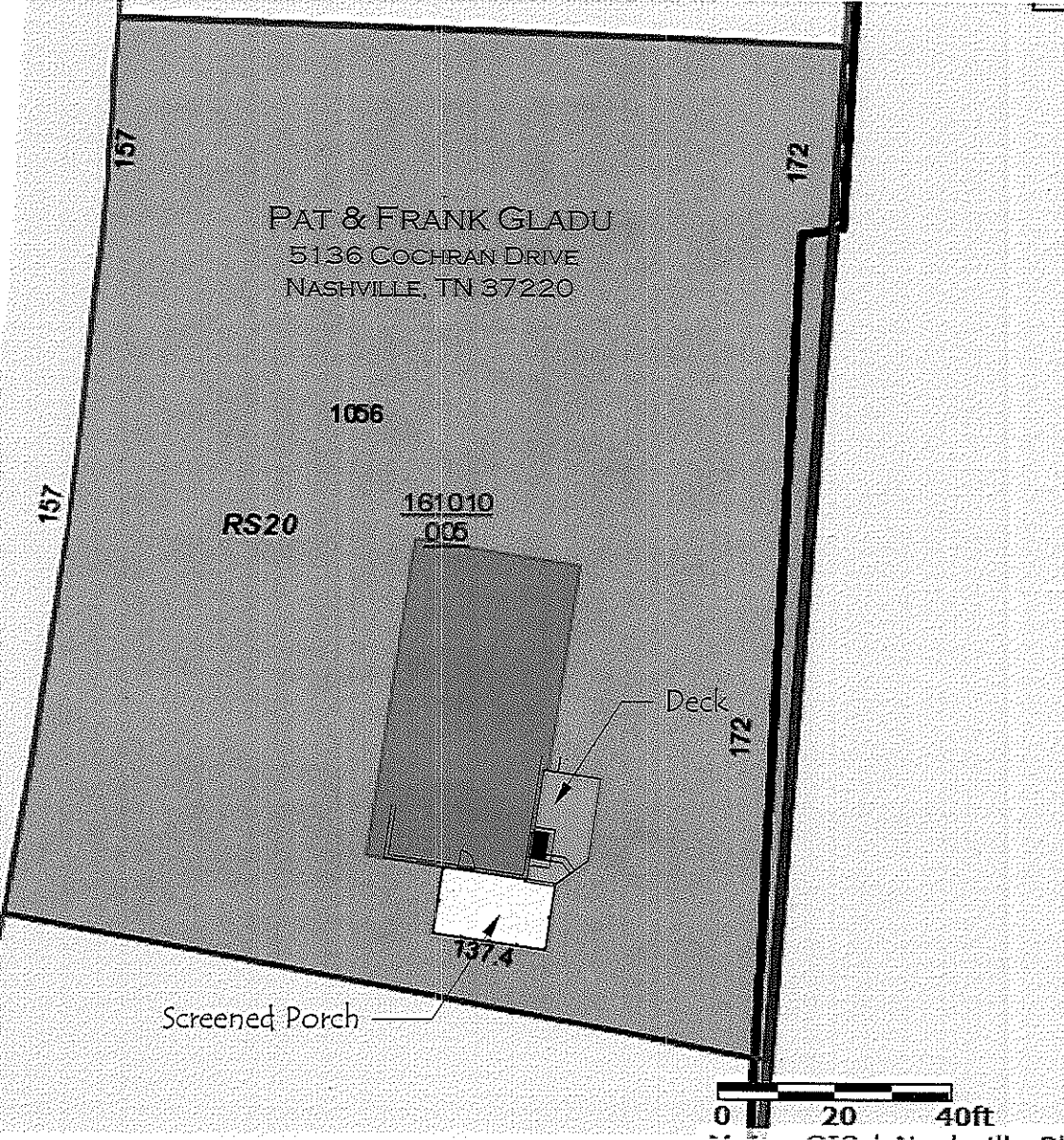
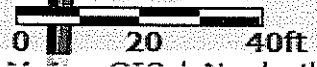


Exhibit A

Gladu Porch Specifications (1)

Lead Paint:	The cost to remove lead paint, if necessary, can be handled by the homeowner for no additional cost. If The Porch Company is to remove any lead based paint, there will be additional charges.
Landscaping:	It is the owner's responsibility to move any plants to be saved or trees to be removed prior to starting construction. It is the owner's responsibility to have any irrigation lines/heads moved as needed prior to starting construction. Landscaping, grading, sod work or drainage is not included in this proposal unless specifically stated.
Underground:	All care will be taken to avoid damage to any public or private plumbing, cables, or any other residential utility underground. In the event damage does occur, the homeowner is responsible for the cost of any repairs. The removal of large buried objects such as: gas tanks, septic tanks, etc. is not included. Moving or altering of underground utilities is not included. This proposal assumes that existing soils are suitable for proposed construction. Additional excavation and gravel work due to poor soil conditions is not included. Removal of consolidated bedrock is not included in this proposal.
Storage of Materials, Tools and Equipment:	It is assumed that the client will allow use of driveway and/or patios to store/park tool trailers, materials, dumpster and port-a-john as close as possible to the work site. While we understand this is an inconvenience to the client, it is essential for efficient working conditions. Should this not be possible, there will be additional charges.
Work Zone Protection:	For the safety of our clients and employees, we ask that no one other than Porch Company employees and subcontractors be permitted in the Work Zone during construction hours. This is to include client pets. The Work Zone is defined as the area of construction and surrounding spaces used to store equipment, materials and other items related to the construction of your project.
Communications:	Once we have started the project, feel free to come and go as you please locking your doors as you would normally. If we need access to the interior of your house, we will schedule that with you. If a question should arise, you may ask the crew leader. However, we would prefer that you ask the project manager so the crew may work as efficiently as possible. While it is great fun to watch the project progress, it is nerve wracking to be constantly observed; so we ask for your understanding on this.
Existing Condition Clause:	If building inspector requires any portion of existing structures to be brought up to current building code, cost of this additional work will be quoted to owner as needed on a cost plus basis.
Demolition:	None.
Footers:	2'x 2' x 10" pier footers.

Post to grade:	6x6 pt posts
Band:	Double 2x10 pt band.
Floor Joists:	2x8 pt floor joists 16" on center. Floor to support 40 psf of live load.
Porch Flooring:	5/4 PT decking installed with no fasteners visible. Run screen between floor joists and decking.
Porch Posts:	6x6 pressure treated laminated posts
Header:	Double 2x8 header with 1x6 base
Roofing:	Hip roof - pitch to match existing - with exposed 2x8 yellow pine rafters and 1x8 spruce sheathing. Shingles to match existing as closely as possible. Shingles assumed to be 30 year dimensional shingle. Flashing to match existing flashing on house in both material and method unless otherwise specified Open Soffits.
Skylights:	None
Walls:	2 x 8 base with no mid rail. Walls screened with heavy duty fiberglass screen.
Screen Door:	One double set of custom made screen doors. Note - do not add 1x jamb. Door knob style - owner to select hardware color and handle style.
Landing & steps:	All framing materials to be pressure treated lumber. Decking and treads to be pressure treated decking.
Deck:	All framing materials to be pressure treated lumber. Decking and treads to be pressure treated decking. If railings are needed, this will be added on a cost plus basis.
Grate:	Add grate over window well at deck level. Grate to have larger openings. Allowance: \$100. Allowance covers the cost of the grate, cutting to size and painting.
Skirting:	None.
Electrical:	One ceiling fan with a light on switch. Fans to be 5 bladed 52" white/brown outdoor fans. Speed controlled by dimmer switch. Two outlets. It is assumed that we will not have to get to the panel. It is assumed the existing electrical panel can support the additional load. Should a sub-panel be needed there will be additional costs. It is assumed that we can get access to the electrical panel without taking extraordinary means (ie, dig ditches, run conduit, etc.). If we have to do so, there will be additional costs.
Painting:	All new wood to be painted/stained to owner choice of colors. (Note - existing walls, trim, underside of deck/porches etc. are not included in paint estimate unless specifically stated otherwise.) If more than 3 colors are used, there may be additional costs. The client is responsible for deciding on all paint colors. Should you choose to go with a custom paint or stain color, the client takes responsibility for the color. If you would like a sample board created, we will do so at the cost of \$100 per board.

PAT & FRANK GLADU
 5136 COCHRAN DRIVE
 NASHVILLE, TN 37220

618 Vernon Avenue Nashville, TN 37209
 P(615) 662-2886 F(615) 469-1391
 www.PorchCo.com

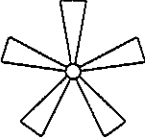
PLAN VIEW

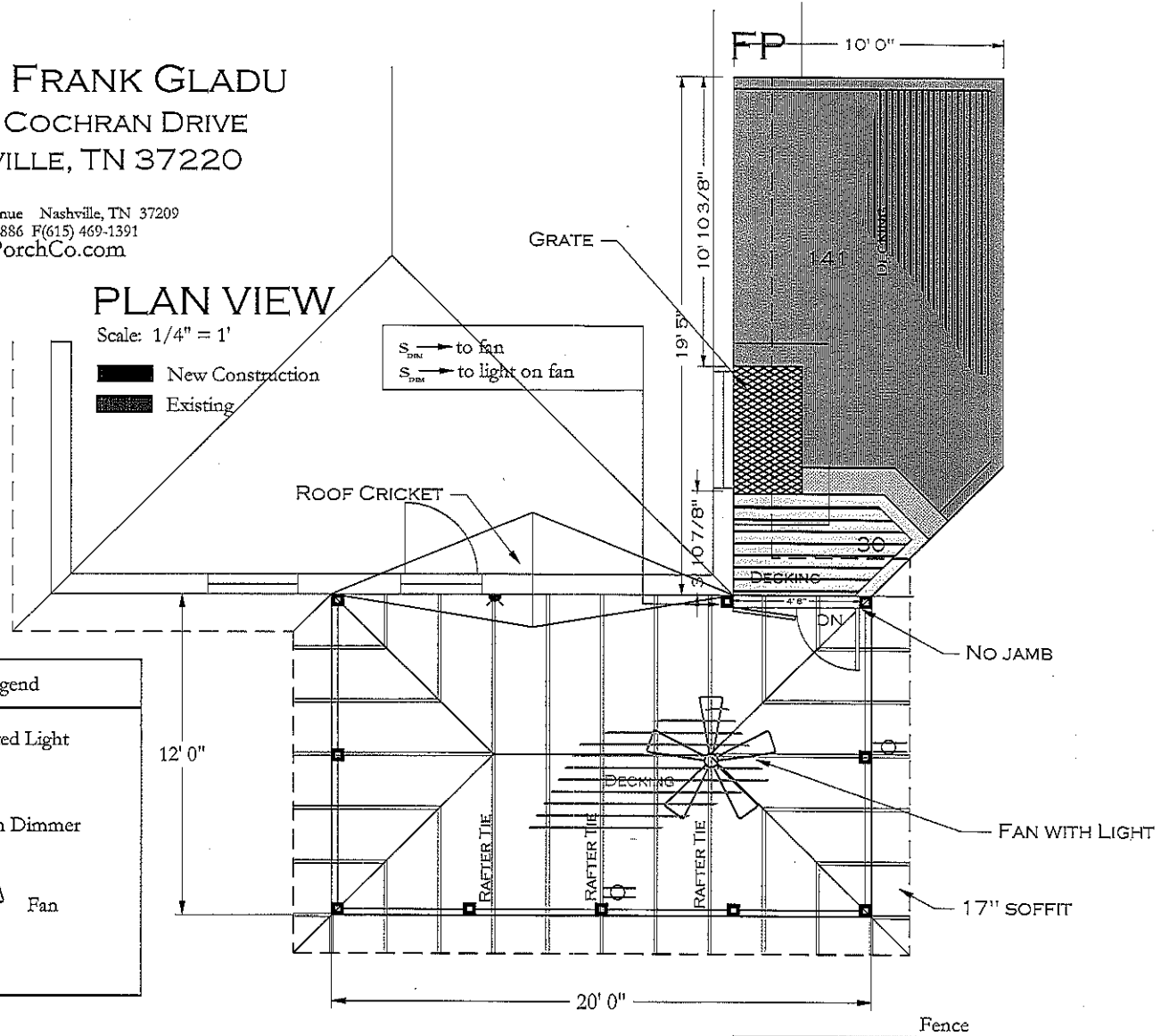
Scale: 1/4" = 1'

■ New Construction
 ■ Existing

S_{DM} → to fan
 S_{DM} → to light on fan

Electrical Legend

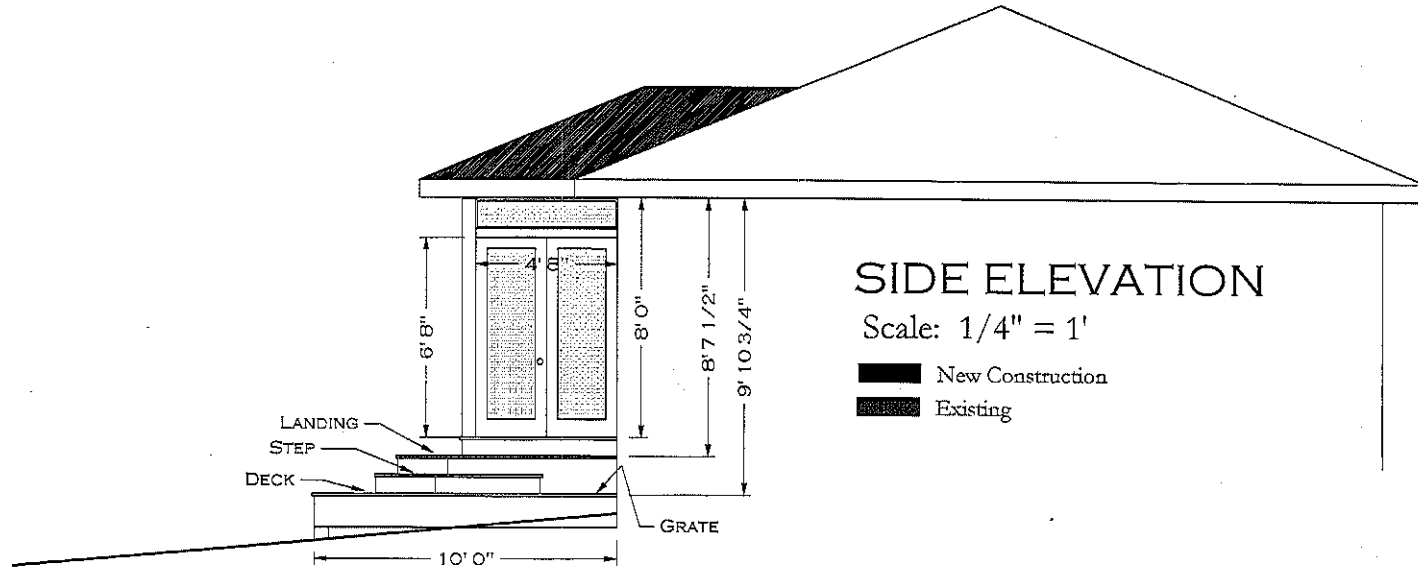
- ⊗ Wall Mounted Light
- ⊖ Outlet
- S_{DM} Switch with Dimmer
-  Fan



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NASHVILLE, TN 37220



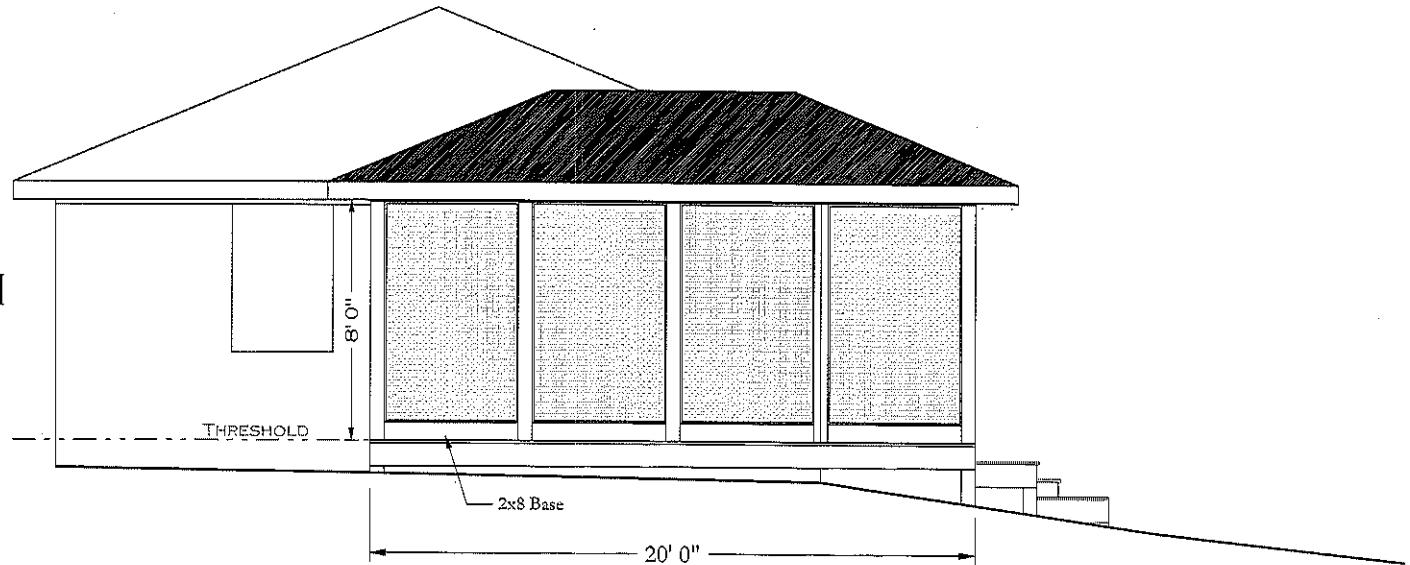
618 Vernon Avenue Nashville, TN 37209
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SIDE ELEVATION

Scale: 1/4" = 1'

- New Construction
- Existing



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From: Pat and Frank Gladu
To: [Shepherd, Jessica \(Codes\)](#)
Cc: [Pat and Frank Gladu](#)
Subject: Re: Appeal 2018-527
Date: Tuesday, September 25, 2018 7:16:06 PM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Jessica,
Thanks for the follow up and update on our appeal.
Here are some pictures of our house and the typo/grade impact.
The side setback variance appeal is located on the end of the home that is at grade.
Let us know if you need additional orientation.
Thanks
Frank and Pat

On Tue, Sep 25, 2018 at 3:50 PM, Shepherd, Jessica (Codes)
<Jessica.Shepherd@nashville.gov> wrote:

You can send pictures to my account as soon as possible please.

What will be presented to the board is your application, site plan, pictures, letters of support or opposition.

You do not currently have any letters turned in from neighbors.

Thank you,

Jessica Shepherd



5136

SOLD







1 inch = 30 feet



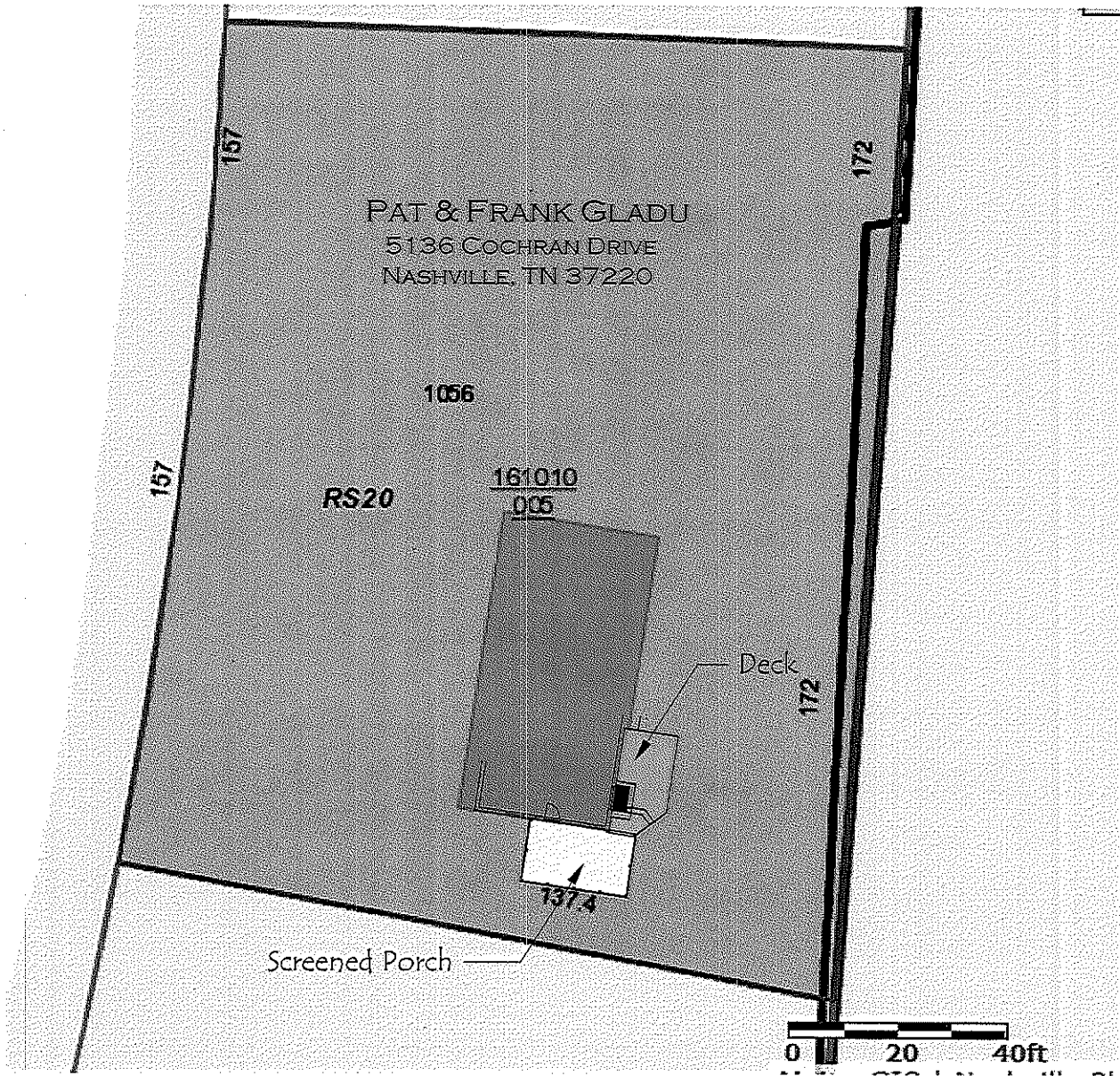


Exhibit A

Gladu Porch Specifications (1)

Lead Paint:	The cost to remove lead paint, if necessary, can be handled by the homeowner for no additional cost. If The Porch Company is to remove any lead based paint, there will be additional charges.	
Landscaping:	It is the owner's responsibility to move any plants to be saved or trees to be removed prior to starting construction. It is the owner's responsibility to have any irrigation lines/heads moved as needed prior to starting construction. Landscaping, grading, sod work or drainage is not included in this proposal unless specifically stated.	
Underground:	All care will be taken to avoid damage to any public or private plumbing, cables, or any other residential utility underground. In the event damage does occur, the homeowner is responsible for the cost of any repairs. The removal of large buried objects such as: gas tanks, septic tanks, etc. is not included. Moving or altering of underground utilities is not included. This proposal assumes that existing soils are suitable for proposed construction. Additional excavation and gravel work due to poor soil conditions is not included. Removal of consolidated bedrock is not included in this proposal.	
Storage of Materials, Tools and Equipment:	It is assumed that the client will allow use of driveway and/or patios to store/park tool trailers, materials, dumpster and port-a-john as close as possible to the work site. While we understand this is an inconvenience to the client, it is essential for efficient working conditions. Should this not be possible, there will be additional charges.	
Work Zone Protection:	For the safety of our clients and employees, we ask that no one other than Porch Company employees and subcontractors be permitted in the Work Zone during construction hours. This is to include client pets. The Work Zone is defined as the area of construction and surrounding spaces used to store equipment, materials and other items related to the construction of your project.	
Communications:	Once we have started the project, feel free to come and go as you please locking your doors as you would normally. If we need access to the interior of your house, we will schedule that with you. If a question should arise, you may ask the crew leader. However, we would prefer that you ask the project manager so the crew may work as efficiently as possible. While it is great fun to watch the project progress, it is nerve wracking to be constantly observed; so we ask for your understanding on this.	
Existing Condition Clause:	If building inspector requires any portion of existing structures to be brought up to current building code, cost of this additional work will be quoted to owner as needed on a cost plus basis.	
Demolition:	None.	
Footers:	2'x 2' x 10" pier footers.	It is assumed that 12" deep footers are sufficient. If, due to soil conditions or any other complication, deeper footers are required, the client is responsible for the additional costs.
		Post to grade: 6x6 pt posts Band: Double 2x10 pt band. Floor Joists: 2x8 pt floor joists 16" on center. Floor to support 40 psf of live load.
		Porch Flooring: 5/4 PT decking installed with no fasteners visible. Run screen between floor joists and decking.
		Porch Posts: 6x6 pressure treated laminated posts Header: Double 2x8 header with 1x6 base
		Roofing: Hip roof - pitch to match existing - with exposed 2x8 yellow pine rafters and 1x8 spruce sheathing. Shingles to match existing as closely as possible. Shingles assumed to be 30 year dimensional shingle. Flashing to match existing flashing on house in both material and method unless otherwise specified Open Soffits.
		Skylights: None Walls: 2 x 8 base with no mid rail. Walls screened with heavy duty fiberglass screen.
		Screen Door: One double set of custom made screen doors. Note - do not add 1x jamb. Door knob style -owner to select hardware color and handle style.
		Landing & steps: All framing materials to be pressure treated lumber. Decking and treads to be pressure treated decking.
		Deck: All framing materials to be pressure treated lumber. Decking and treads to be pressure treated decking. If railings are needed, this will be added on a cost plus basis.
		Grate: Add grate over window well at deck level. Grate to have larger openings. Allowance: \$100. Allowance covers the cost of the grate, cutting to size and painting.
		Skirting: None.
		Electrical: One ceiling fan with a light on switch. Fans to be 5 bladed 52" white/brown outdoor fans. Speed controlled by dimmer switch. Two outlets. It is assumed that we will not have to get to the panel. It is assumed the existing electrical panel can support the additional load. Should a sub-panel be needed there will be additional costs. It is assumed that we can get access to the electrical panel without taking extraordinary means (ie, dig ditches, run conduit, etc.). If we have to do so, there will be additional costs.
		Painting: All new wood to be painted/stained to owner choice of colors. (Note - existing walls, trim, underside of deck/porches etc. are not included in paint estimate unless specifically stated otherwise.) If more than 3 colors are used, there may be additional costs. The client is responsible for deciding on all paint colors. Should you choose to go with a custom paint or stain color, the client takes responsibility for the color. If you would like a sample board created, we will do so at the cost of \$100 per board.

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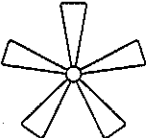
PLAN VIEW

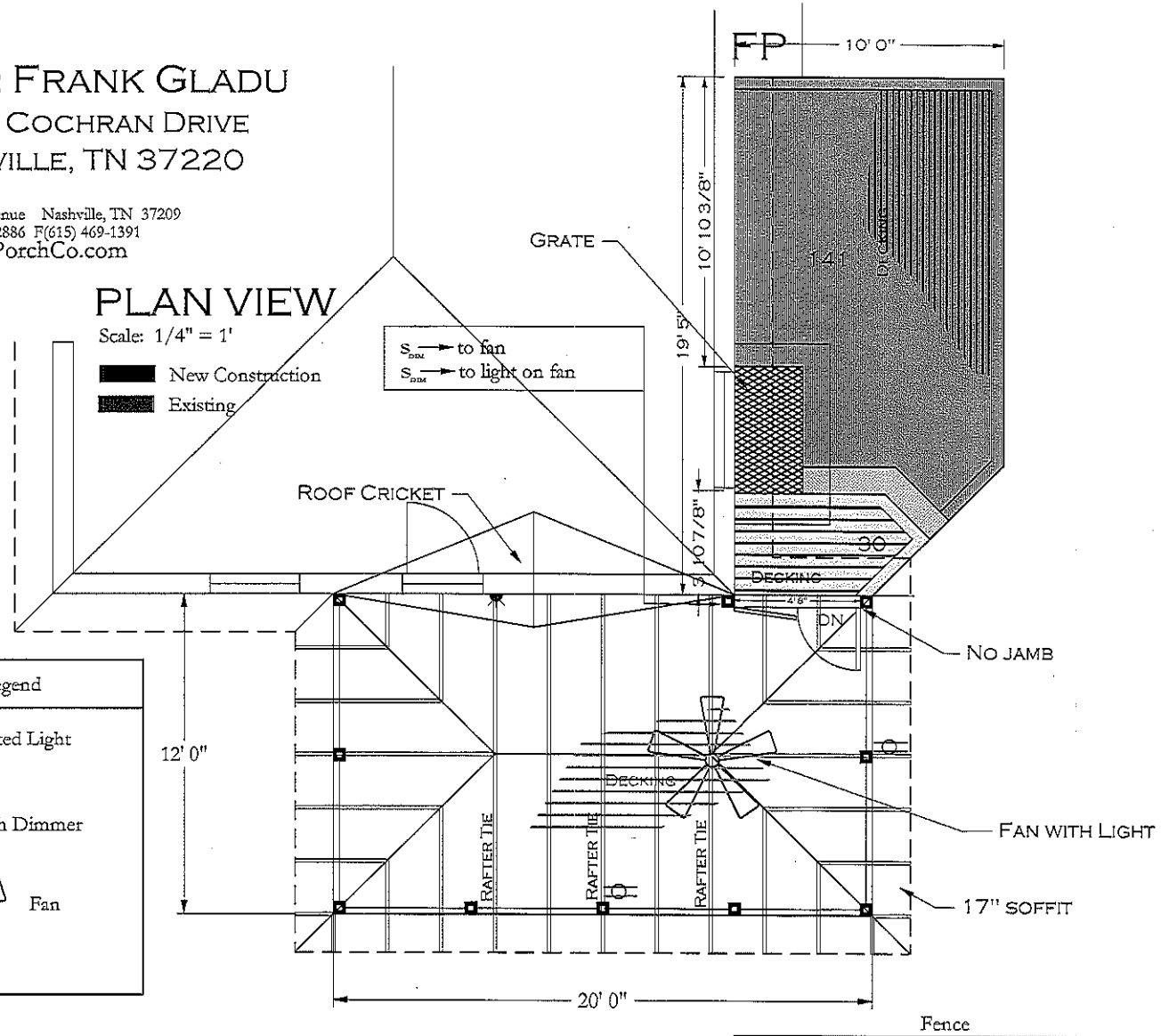
Scale: 1/4" = 1'

■ New Construction
 ■ Existing

S_{DM} → to fan
 S_{DM} → to light on fan

Electrical Legend

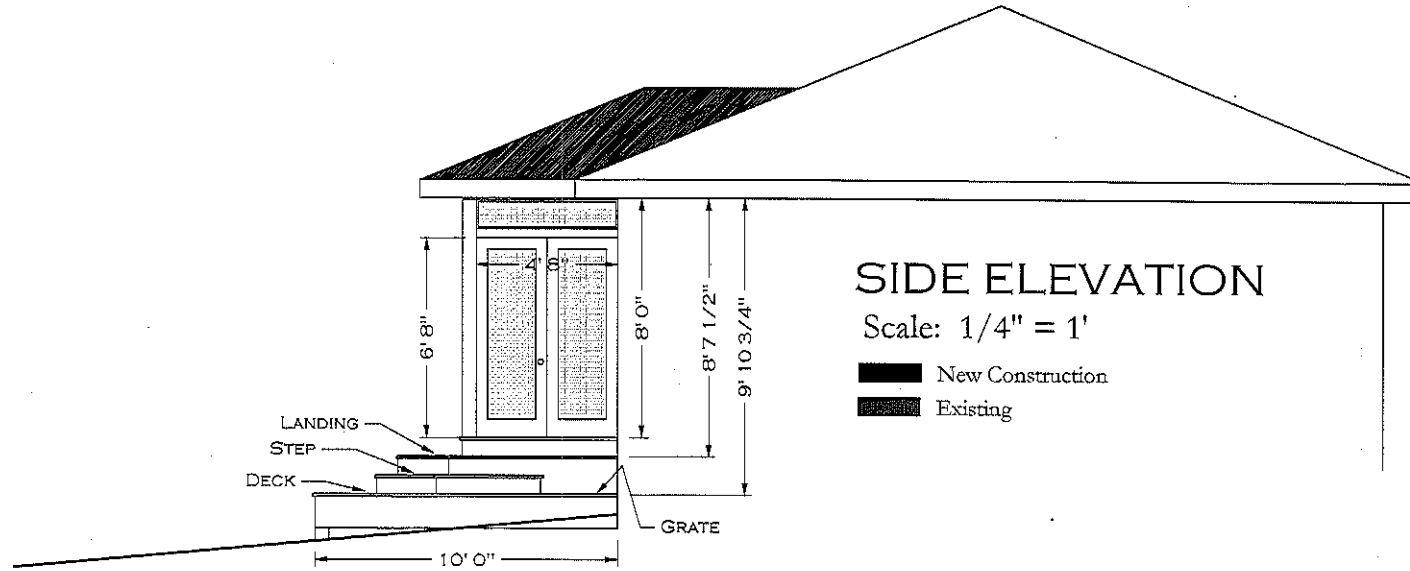
- ⊠ Wall Mounted Light
- Outlet
- S_{DM} Switch with Dimmer
-  Fan



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NASHVILLE, TN 37220



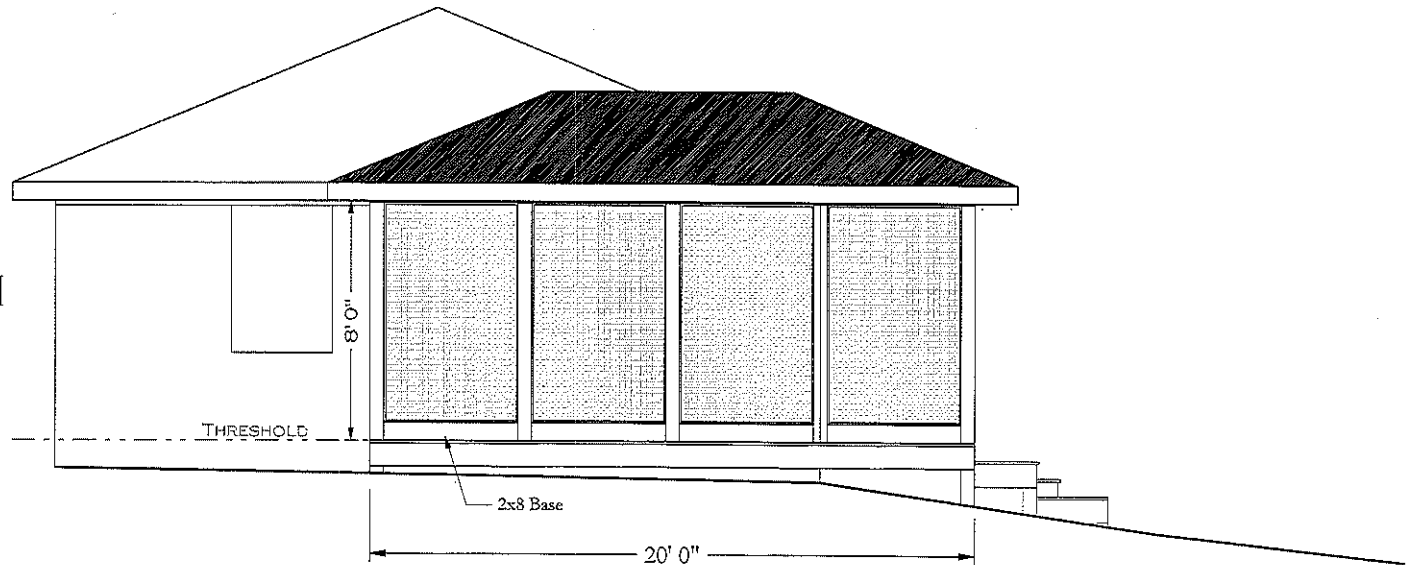
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SIDE ELEVATION

Scale: 1/4" = 1'

- New Construction
- Existing



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From: [Elrod, Jeremy \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: gladupm1@gmail.com
Subject: Case 2018-527 - 5136 Cochran Drive - I Support Variance Request
Date: Wednesday, September 26, 2018 10:56:33 PM

Dear Board of Zoning Appeals,

I am writing in support of CASE 2018-527 on your October 4 agenda.

Mr. and Mrs. Gladu are wanting to build a screened porch. The house (built in 1961) is sited very close to the property line on the south side to take advantage of a significant slope of the property. This siting allows for a door at grade on one end and a garage on the other. They want to connect a screened porch directly to that door on the high end. The screened porch uses only 5 feet of the 10-foot setback, and using this side of the house allows for the Gladus to not have to make another door cut into the house.

I support this variance, and I ask for your approval.

JEREMY L. ELROD

Nashville Metro Councilman, District 26

mobile 615.852.7197 | office 615.862.6780

JeremyElrod26.com | [facebook.com/JeremyElrod26](https://www.facebook.com/JeremyElrod26) | twitter.com/jeremyelrod26

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210
615-862-6530



Appellant : Kellie Vonschipmann

Date: 8-17-18

Property Owner: Kellie Vonschipmann

Case #: 2018-528

Representative: Grover Collins

Map & Parcel 09508011200

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

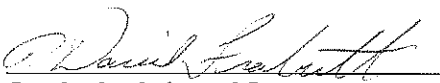
Location: 149 Spring Valley Rd

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

•Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after transfer of ownership name.

Section(s): 17.16.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.


Completed and witnessed, Date

Grover Collins
Name (Please Print)


Signature

grover@collins.legal

Applicant's e-mail address

(615) 736-9596

Applicant's phone

414 Union St. Suite 1110

Mailing Address

Nashville, TN 37219

City, State, Zip Code

(615) 736-9596

Phone Number

This will also serve as a receipt of (cash) (check) to partly compensate for the expenses under this appeal.

Appeal Fee: \$ 100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547161

ZONING BOARD APPEAL / CAAZ - 20180049462
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09508011200

APPLICATION DATE: 08/17/2018

SITE ADDRESS:

149 SPRING VALLEY RD NASHVILLE, TN 37214
PT LOT 105 AND LOT 106 PT 74 BLUEFIELDS SUB

PARCEL OWNER: VONSCHIPMANN, KELLIE & WOODSIDE, I CONTRACTOR:

APPLICANT:

PURPOSE:

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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

2018-528

Zoning Appeal permit #20180049462

From: kjohnston@realtracs.com <kjohnston@realtracs.com>

Sent: Fri, Sep 14, 2018 at 1:19 pm

To: BZA@nashville.gov

To Whom it may Concern,

I wish to formally make my opposition known. I do not want an Air B&B in my neighborhood. Four generations of my family have and do live here. It is a sought after subdivision due to it's location, history and families that live here. I am a realtor and understand the need for such rentals but feel this would be a detriment to our neighborhood. This neighborhood prides itself in the historic nature of the subdivision and fellowship of neighbors, some of which have been here for generations like myself. This is our home and I don't want to see it turn into a business community and others following suit. If this email is not sufficient or acceptable to state my opposition, please let me know the proper procedure to do so. Thank you.

Respectfully,



Karen Johnston, Realtor Lic#321023

Crye-Leike Realtors Lic#252297

4723 Andrew Jackson Pkwy

Hermitage, TN 37076

Cell 678-641-0342

office 615-391-9080

kellijohnston.crye-leike.com

Nashville, Tennessee
September 14, 2018

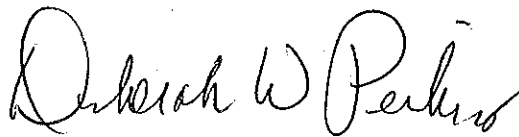
Board of Zoning Appeals
Post Office Box 196300
Nashville, TN 37219-6300
Case# 2018-528

We oppose the issuance of a short term rental permit for the property at 149 Spring Valley Rd, Nashville, TN , 37214. Having a short term rental in a residential neighborhood is disruptive to the residents here, especially in an older, established neighborhood such as Bluefield, even more so since Bluefield was added to the National and Tennessee Registers of Historic Places in 2016. We may be reached at 615-883-0025 if further information is required.

Sincerely,



Kenneth W. Perkins
148 Spring Valley Rd.
Nashville, TN 37214



Deborah W. Perkins
148 Spring Valley Rd.
Nashville, TN 37214

DAVID BRILEY
MAYOR

Ginny Russell
615-1883-4338



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

August 24, 2018

OFFICE ADDRESS
METRO OFFICE BUILDING - 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

RE:	Appeal Case Number:	2018-528
	149 SPRING VALLEY RD	
	Map Parcel:	09508011200
	Zoning Classification:	RS20
	Council District:	15

This is to inform you that KELLIE VONSCHIPMANN filed an appeal for the property at the above referenced location. The appellant requested 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. Should this request be approved, it would allow the applicant to obtain a permit.

*******THIS IS NOT A ZONE CHANGE REQUEST*******

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 10/4/2018, beginning at 1:00 p.m. in the Sonny West Conference Center of the Howard Office Building, 700 2nd Avenue South. If you wish to show support or opposition to your neighbor's request, you may do so in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. We cannot guarantee written communication to be a part of the record unless it is received no later than Noon the Monday before the meeting date.

This letter is being sent to you because you are the owner of property located within 600' of the subject location. This request is only for the property at the above location. We are required by law to notify you of what your neighbor wishes to do on his/her property.

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at epermits.nashville.gov and search by permit # 20180049462 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

Petition Against Approval of 149 Spring Valley Rd as AIRBNB

Petition summary and background	The property located at 149 Spring Valley Rd is under appeal for a zoning change to allow the property to be converted to an AIRBNB.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to STOP this zoning change and to not allow any more AIRBNB's in Bluefields.

Printed Name	Signature	Address	Date
Wayne LeRoy	Wayne LeRoy	2720 Overhill Cir. 37214	9/14/18
Carolyn Gonce LeRoy	Carolyn Gonce LeRoy	2720 Overhill Circle 37214	9/14/18
VIRGINIA E. RUSSELL	Virginia E. Russell	2718 OVERHILL 37214	9/14/2018
William C. Wood	William C. Wood	147 Spring Valley Rd.	9/14/18
Elizabeth H. HANMAN	Elizabeth H. Hanman	2716 Overhill Drive	9/14/18
Mary Alice Hanman Cooper	Mary Alice Cooper	2716 Overhill Circle	9/14/18
Stephan B. Cooper	Stephan B. Cooper	2716 Overhill Circle	9-14-18
GEORGE HINSON	George Hinson	163 SPRING VALLEY RD.	9-14-18
Gail Hinson	Gail Hinson	163 Spring Valley Rd	9-14-18
PATRICK REASON JR	Pat Reason	2819 Renee Dr.	9-15-18
CHARLES ARNOTT	Charles Arnett	2722 Overhill Circle	9/15/18
Sandra Blanton	Sandra Blanton	215 Cumberland Circle	9-17-18
Gary Blanton	Gary Blanton	215 Cumberland Circle	9/17-18
Charlette Self	Charlette J. Self	205 Cumberland Circle	9-17-18

Petition Against Approval of 149 Spring Valley Rd as AIRBNB

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to STOP this zoning change and to not allow any more AIRBNB's in Bluefields.

Printed Name	Signature	Address	Date
Nancy J. Meszaros	Nancy J. Meszaros	218A Cumberland Circle	9-16-2018
Sherry Meszaros	Sherry Meszaros	218B Cumberland Circle	9/16/18
Peggy Walker Peggy Walker	Peggy Walker	2707 Quershill Circle	9/16/18
Michelle Thomas-Suint	Michelle Thomas-Suint	2701 Overhill Circle	9-16-18
Lynette Fox Lynette Fox	Lynette Fox	108 Spring Valley Rd	9/17/18
MARK FOX	Mark Fox	108 Spring Valley Rd	9/17/18
Jo Ann Steele	Jo Ann Steele	110 Spring Valley Rd	9-17-18
BARBARA PENDING	Barbara Pending	120 Spring Valley Rd	9-19-18
Fay Tomlinson	Fay Tomlinson	2621 Hebersham Ave	9-19-18
Eugene Tomlinson	Eugene Tomlinson	2621 Hebersham Ave	9-19-18
Johnnie B. Maggart	Johnnie B. Maggart	206 Cumberland Cir	9-19-18
TERRY A. MAGGART	Terry A. Maggart	206 Cumberland Circle	9-20-18
Susan Craig	Susan Craig	141 Lakebriar Dr.	9-20-18
Kil Morgan	Kil Morgan	154 Spring Valley	9/24/18

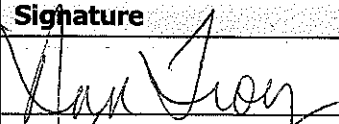
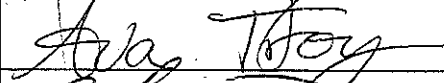
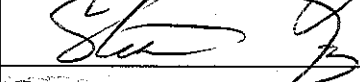
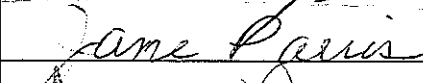
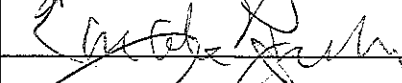
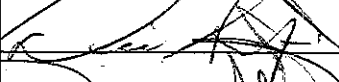
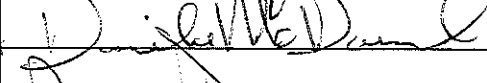
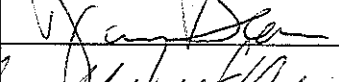
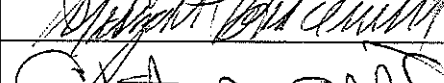
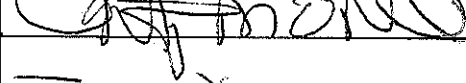

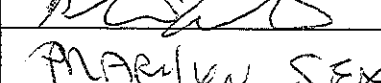
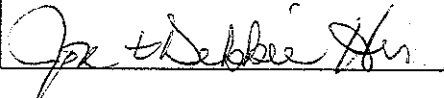
Petition Against Approval of 149 Spring Valley Rd as AIRBNB

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to STOP this zoning change and to not allow any more AIRBNB's in Bluefields.

Printed Name	Signature	Address	Date
Jackie Wisinger	Jackie Wisinger	115 Spring Valley Rd	9-15-18
Beverly Oakley	Beverly Oakley	117 Spring Valley Rd	9-15-18
MARSHA SMITH	Marsha Smith	2609 HABERSHAM AVE	9/15/18
David McCulloch	David McCulloch	2615 HABERSHAM AVE.	9/15/18
David McCulloch	David McCulloch	2617 HABERSHAM AVE	9/15/18
David McCulloch	David McCulloch	128 SPRING VALLEY RD.	9/15/18
Jane B. Bearder	Jane B. Bearder	117 Spring Valley Rd.	9/15/18
JERRY McCULLOCH	Jerry McCulloch	2703 OVERHILL CIRCLE	9-15-18
Linda McCulloch	Linda McCulloch	2703 Overhill Circle	9-15-18
TY Smith	TY Smith	2701 Overhill Circle	9-15-18
Frank Batson	Frank Batson	152 Spring Valley Rd	9/16/18
Judy Batson	Judy Batson	152 Spring Valley Rd	
Philly Hunt	Philly Hunt	2705 OVERHILL CIRCLE	9/16/2018
Carole A Hunt	Carole A Hunt	2705 Overhill Circle	9/16/18


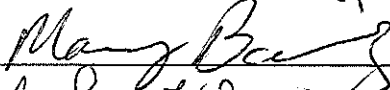
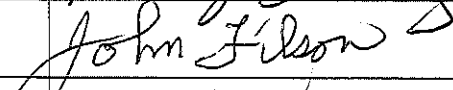




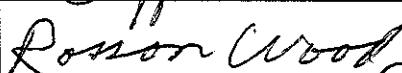
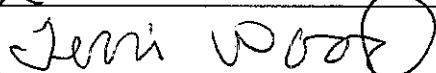
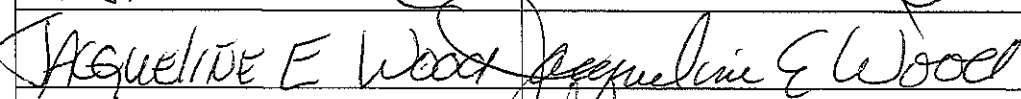
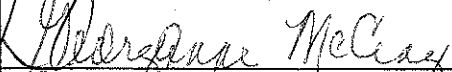
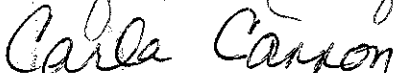
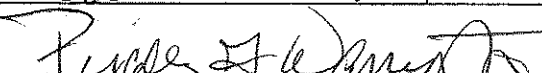

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to STOP this zoning change and to not allow any more AIRBNB's in Bluefields.

Printed Name	Signature	Address	Date
Ann Troy		265 Cumberland Cir.	9/17/18
Ava Troy		265 Cumberland Cir.	9/17/18
Steven Troy		265 Cumberland Cir	9-17-18
Jane Parris		262 Cumberland Cir.	9/18/18
Emilee Perkin		255 Cumberland Cir	9-18-18
Devi Sanford		239 Cumberland ce.	9-18-18
Danielle McDaniel		239 Cumberland ce.	9-18-18
Nancy Jordan		2714 Bluefield AV	9-18-18
Margaret Bracwell		2714 Bluefield Ave.	9-18-18
CHRISTOPHER O'NEIL		2729 BLUEFIELD AVE	9-18-18
Tina McKinnet		2729 Bluefield Ave	9-18-18
Patrick Witherington		253 Cumberland Cir	9-18-18
Marilyn Sexton	MARILYN SEXTON	162 Spring Valley Rd	9/18/18
Joe + Debbie Hines		258 Cumberland Cir	9/18/18

Petition Against Approval of 149 Spring Valley Rd as AIRBNB

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Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to STOP this zoning change and to not allow any more AIRBNB's in Bluefields.

Printed Name	Signature	Address	Date
Paula Depies		211 Cumberland Circle Nashville, TN 37214	9-17-18
Mary Bailey		520 Spring Valley Ln Nashville 37214	9-17-18
John Filson		521 Spring Valley Lane NASHVILLE TN 37214	9-17-18
Juanita Filson		521 Spring Valley Lane NASHVILLE TN 37214	9-17-18
Charles Johnston		161 Spring Valley Rd Nashville 37214	9-17-18
Ron BARKEN		159 Spring Valley Rd NASH, TN 37214	9-17-18
Cliff McClendon		214 CUMBERLAND CIR NASHVILLE, TN 37214	9/17/18
Rosson Wood		137 Spring Valley Rd 37214	9/17/18
TERRI WOOD		137 Spring Valley Rd 37214	9/17/18
Agueline E Wood		137 Spring Valley Rd 37214	9/17/18
Georganne McCray		2719 Overhill Circle 37214	37214
Carla Cannon		122 Spring Valley 37214	9-20-18
PC Warrington		135 Spring Valley pr 37214	9/26/18
Emily LeRoy		205 Cumberland Circle 37214	9/27/18

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jeff Kinman
Property Owner: Jeff Kinman
Representative: Jeff Kinman

Date: 8-20-18
Case #: 2018-529
Map & Parcel: 11616003800

Council District 34

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT A 1478 SQ FT TWO
STORY GARAGE TO REAR OF
EXISTING SINGLE FAMILY RESIDENCE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 4009 COPELAND DR.

This property is in the _____ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: SETBACK + HEIGHT VARIANCE

Section(s): 17.12.020 AND 17.12.060B

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jeff Kinman
Appellant Name (Please Print)

Same
Representative Name (Please Print)

4009 Copeland Dr.
Address

Address

Nashville, TN 37215
City, State, Zip Code

City, State, Zip Code

615-394-1352
Phone Number

Phone Number

jkinman1962
Email
@gmail.com

jkinman1962@gmail.com
Email

Appeal Fee: _____



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3547452

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018049624
THIS IS NOT A PERMIT**

PARCEL: 11616003800

APPLICATION DATE: 08/20/2018

SITE ADDRESS:

4009 COPELAND DR NASHVILLE, TN 37215
LOT 25 SEC 2 EVERGREEN HEIGHTS

PARCEL OWNER: KINMAN, JEFFREY & ANGIE P.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
Jeff Kinman 615-394-1352

PURPOSE:

BZA Appeal of 17.12.020 setback requirement of 10 ft, requesting 5 ft AND 17.12.060B Maximum height of 16 ft, requesting 23'-1" height.

TO CONSTRUCT A NEW DETACHED 1478 SQFT TWO STORY GARAGE....1010 SQFT ON 1ST FLOOR. Not to be used for living or commercial purposes. Restrictive Covenant 20140225-0016089

DENIED: SIDE SETBACK REQUIRED 10'....REQUEST 5'.....17.12.020

DENIED: MAX HT 16'...REQUEST 23'1"..17.12.060 B. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..***SITE PLAN SENT TO FILE

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[A] Zoning Review		
CA - Zoning Sidewalk Requirement Review		
[E] Sewer Availability Review For Bldg		862-7225
[E] Water Availability Review For Bldg		862-7225
[A] Bond & License Review On Bldg App		



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3547489

**ZONING BOARD APPEAL / CAAZ - 20180049638
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 11616003800

APPLICATION DATE: 08/20/2018

SITE ADDRESS:

4009 COPELAND DR NASHVILLE, TN 37215
LOT 25 SEC 2 EVERGREEN HEIGHTS

PARCEL OWNER: KINMAN, JEFFREY & ANGIE P.

CONTRACTOR:

APPLICANT:

PURPOSE:

BZA Appeal of 17.12.020 setback requirement of 10 ft, requesting 5 ft AND 17.12.060B Maximum height of 16 ft, requesting 23'-1" height.

TO CONSTRUCT A NEW DETACHED 1478 SQFT TWO STORY GARAGE....1010 SQFT ON 1ST FLOOR. Not to be used for living or commercial purposes. Restrictive Covenant 20140225-0016089

DENIED: SIDE SETBACK REQUIRED 10'....REQUEST 5'.....17.12.020

DENIED: MAX HT 16'...REQUEST 23'1"..17.12.060 B. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & compl

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

There are currently no required inspections

Inspection requirements may change due to changes during construction.



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



1910621

ZONING BOARD APPEAL / CAAZ - 201300019
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 11616003800

APPLICATION DATE: 02/25/2013

SITE ADDRESS:

4009 COPELAND DR NASHVILLE, TN 37215
LOT 25 SEC 2 EVERGREEN HEIGHTS

PARCEL OWNER:

CONTRACTOR:

APPLICANT: Kinman, Jeffrey & Angie P.

4009 COPELAND DR 394-1352
NASHVILLE, TN 37215

CONTACT: Kinman, Jeffrey & Angie P.

4009 COPELAND DR
NASHVILLE, TN 37215

PURPOSE:

TO CONSTRUCT A NEW DETACHED 1478 SQFT TWO STORY GARAGE....1010 SQFT ON 1ST FLOOR.

DENIED: SIDE SETBACK REQUIRED 10'....REQUEST 5'.....17.12.020

DENIED: MAX HT 16'...REQUEST 23'1"..17.12.060 B....

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

Appeals Board Meeting - PS

Inspection requirements may change due to changes during construction.

ORIGINAL 2013 PERMIT



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



1908906

BUILDING RESIDENTIAL - NEW / CARN - 201304162
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 1.1616003800

APPLICATION DATE: 02/12/2013

SITE ADDRESS:

4009 COPELAND DR NASHVILLE, TN 37215
LOT 25 SEC 2 EVERGREEN HEIGHTS

PARCEL OWNER:

APPLICANT: Kinman, Jeffrey & Angie P.

CONTRACTOR:

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

4009 COPELAND DR 394-1352
NASHVILLE, TN 37215

CONTACT: Self Permit
TN 37027

PURPOSE:

TO CONSTRUCT A NEW DETACHED 1478 SQFT TWO STORY GARAGE....1010 SQFT ON 1ST FLOOR.

DENIED: SIDE SETBACK REQUIRED 10'....REQUEST 5'.....17.12.020

DENIED: MAX HT 16'...REQUEST 23'1"..17.12.060 B.....Pursuant to Ordinance No. 2006-1263 of the Metropolitan code of Laws, I (the holder on this permit) hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction and demolition waste shall be stored on the property in violation of any provision of the Metropolitan Code....

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

Zoning Appeals

APPROVED

Joey.Hargis@nashville.gov

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

We have two hardships. First, there is a beautiful 60' Elm tree that we love and want to keep that prevents moving the building 10' off the property line. Second, we seek the exception for height to enable the enclosed space upstairs without exaggerating our footprint on the lot. It will also match our neighbors detached garage behind us.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

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Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.


Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

Jeff Kinman

8/20/18
DATE

Prepared by Department of Codes Administration.

RESTRICTIVE COVENANT FOR DETACHED STRUCTURE

IN CONSIDERATION of the issuance of a Gas/Mechanical, Electrical or Plumbing Permit by the Metropolitan Government of Nashville and Davidson County for Gas, Electrical or Water Service for a detached structure other than the principal structure on certain property herein described,

I/We, the undersigned owner(s) of the property located at

4009 COPELAND DRIVE

Lot Number 25 Subdivision EVERGREEN HEIGHTS SEC 2 Further identified

as Map/Parcel Number 116-16/38, being the same property

conveyed in Book/Page/Instrument Number DB 00009628 0000014, R.O.D.C.,

Tennessee, hereby agree, covenant and bind myself, ourselves, our heirs, and assigns that this structure shall not be used as living quarters or commercial activity or any use incongruous with the current Zoning Regulations.

This 25th day of FEBRUARY, 2014.

Davidson County AGRMTWARR
Recvd: 02/25/14 12:10 2 pgs
Fees:12.00 Taxes:0.00
20140225-0016089

Jeffrey N. Kinman
NAME (PRINT)

4009 Copeland Drive,
ADDRESS (STREET and NUMBER)

Nashville TN 37215
CITY and STATE

[Signature]
SIGNATURE

STATE OF TENNESSEE

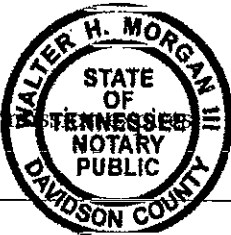
COUNTY OF DAVIDSON

Before me, WALTER H. MORGAN III, a Notary Public in and for the said State and County, personally appeared JEFFREY KINMAN, who upon oath, acknowledge JEFFREY KINMAN, to be the owner(s) of the property therein described, executed the foregoing instrument for the purpose therein contained.

Witness my hand and seal NASHVILLE DAVIDSON COUNTY, Tennessee, this 25th day of FEBRUARY, 2014.

Walter H. Morgan III
Notary Public

My Comm



My Commission Expires AUG. 23, 2016

CERTIFICATE OF AUTHENTICITY

I, Linda F. Huey do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Linda F. Huey
Signature

State of Tennessee

County of Davidson

Personally appeared before me, Walter H. Morgan, III, a notary public for this county and state, Linda F. Huey who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed

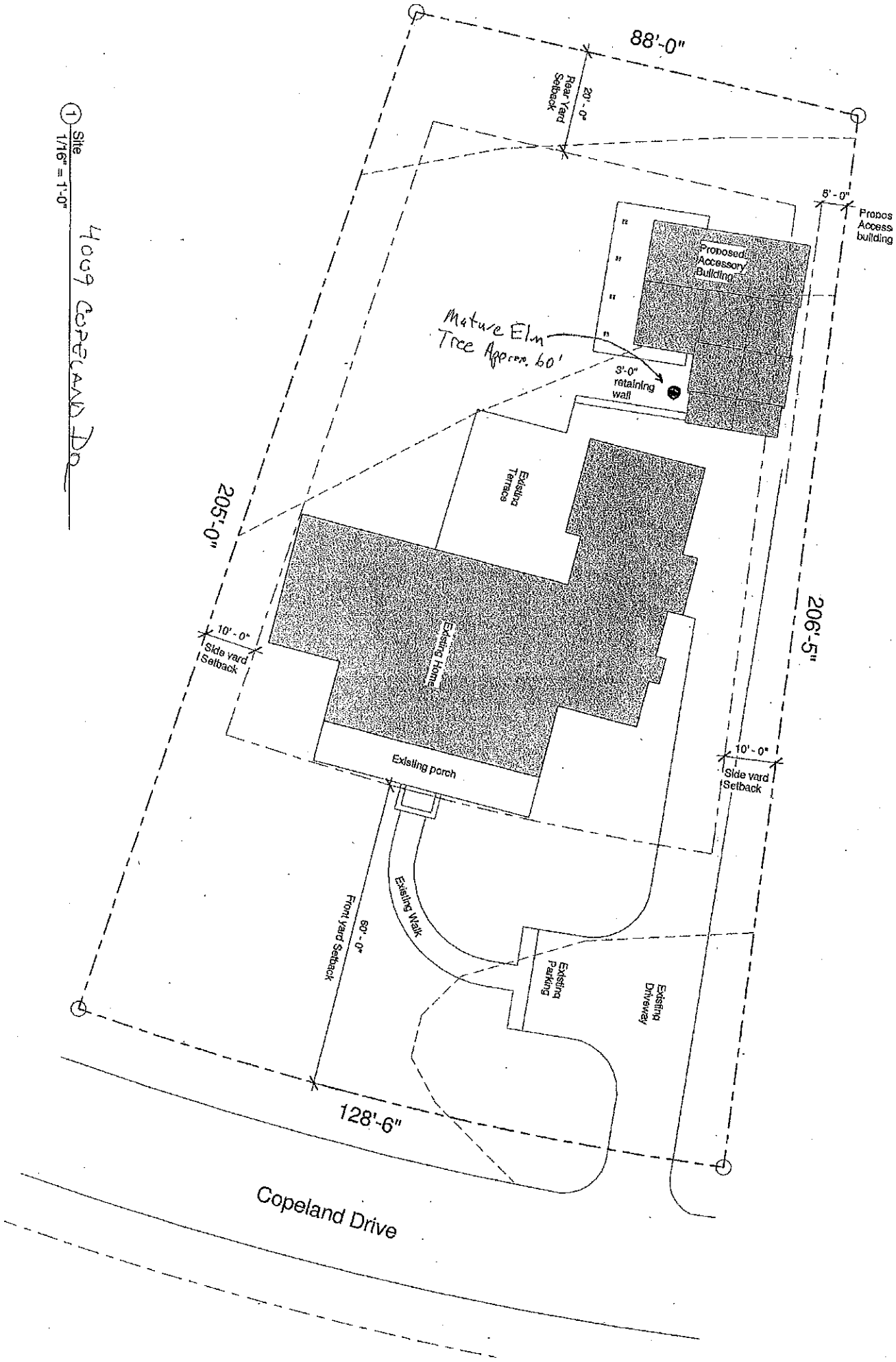
Walter H. Morgan, III
Notary's Signature



My Commission Expires _____

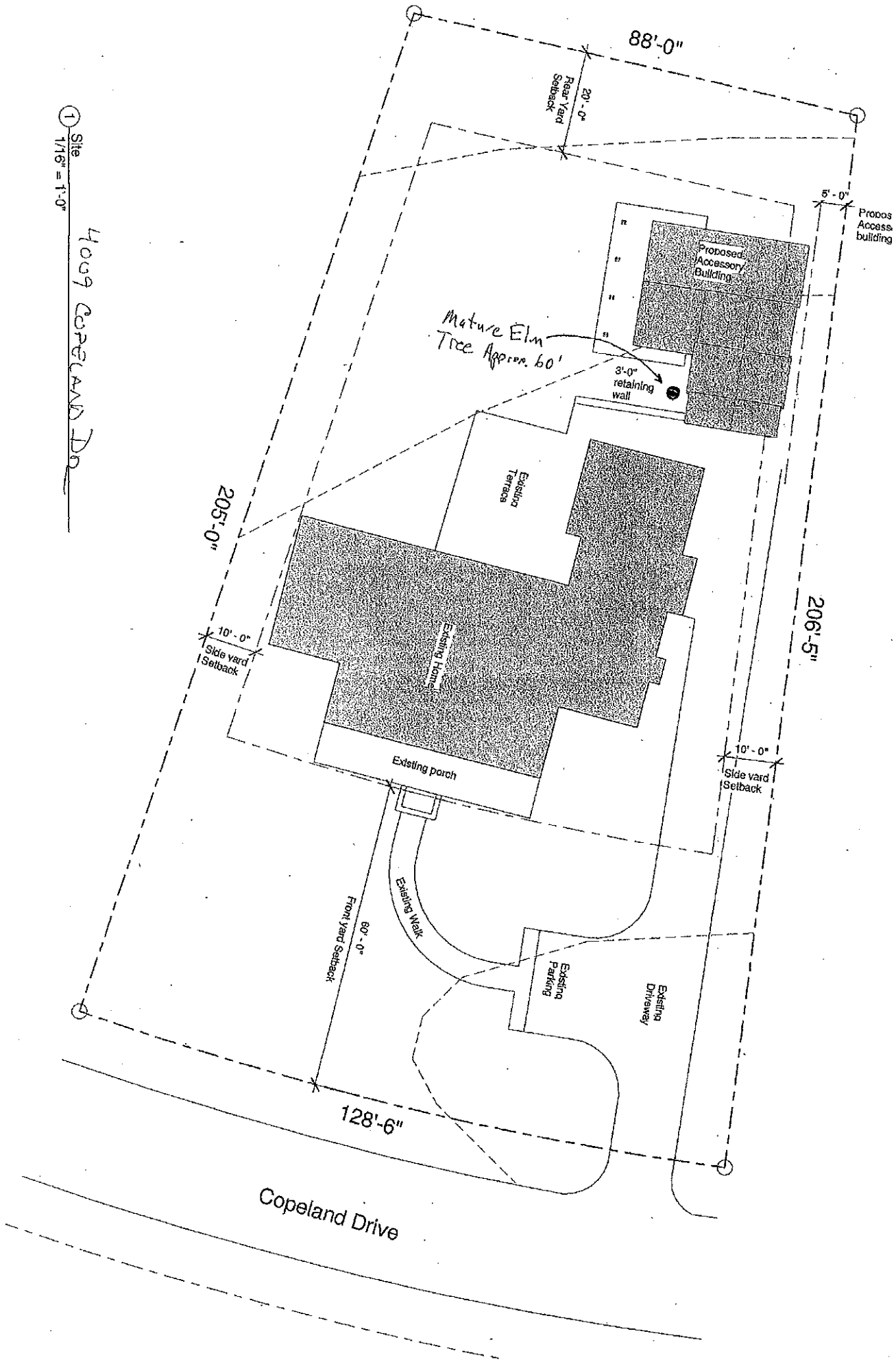
My Commission Expires AUG. 23, 2016

① Site
1/16" = 1'-0"
4009 COPELAND DR



① Site
1/16" = 1'-0"

4009 COPELAND DR



DAVID BRITRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

2018-529
Support

OFFICE ADDRESS
METRO OFFICE BUILDING--3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

August 22, 2018

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

RE:	Appeal Case Number:	2018-529
	4009 COPELAND DR	
	Map Parcel:	11616003800
	Zoning Classification:	RS20
	Council District:	34

This is to inform you that JEFF KINMAN filed an appeal for the property at the above referenced location. The appellant requested variances from setback requirements and height restrictions. Should this request be approved, it would allow the applicant to build a two story garage.

*******THIS IS NOT A ZONE CHANGE REQUEST*******

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on **THURSDAY 10/4/2018, beginning at 1:00 p.m.** in the Sonny West Conference Center of the Howard Office Building, 700 2nd Avenue South. If you wish to show support or opposition to your neighbor's request, you may do so in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. **We cannot guarantee written communication to be a part of the record unless it is received no later than Noon the Monday before the meeting date.**

This letter is being sent to you because you are the owner of property located within 600' of the subject location. This request is only for the property at the above location. We are required by law to notify you of what your neighbor wishes to do on his/her property.

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at epermits.nashville.gov and search by permit # **20180049638** or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

I approve of Mr.

kinmans zoning appeal request & what he wishes to do to his property in our neighborhood

Jeff A. Dewey

BUILDING • ELECTRICAL • GAS/MECHANICAL • PLUMBING • PROPERTY STANDARDS • ZONING

*4003 Copeland Dr
Nashville TN*

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Hunter Hakanson Date: 8/20/18
Property Owner: " " Case #: 2018-530
Representative: " " Map & Parcel: 95-7-38

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

- 1...to construct 15 x 25 addition to rear of detached garage.
 - 2....to construct 15 x 10 addition to front of detached garage.
 - 3.....to construct an enclosed addition from the house to the detached garage.
 - 4....to convert the detached now into an attached garage...and renovate and use as living space....
- *****

Activity Type: S.F.
Location: 251 Fairway Dr N.T. 37214

This property is in the _____ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: ① Addition to House; Required side 5' request 4'
Section(s): ② Shed; Required side 3' + rear 3'

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

17.12.020
17.12.040
E16

Hunter Hakanson
Appellant Name (Please Print)
251 Fairway Dr
Address
N.T. 37214
City, State, Zip Code
615-473-0530
Phone Number

Representative Name (Please Print)

Address

City, State, Zip Code

Phone Number

hunterhakanson@gmail.com
Email

Email

hunterhakanson@gmail.com

Appeal Fee:



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



**BUILDING RESIDENTIAL - ADDITION / CARA - 2018042323
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09507003800

APPLICATION DATE: 07/19/2018

SITE ADDRESS:

251 FAIRWAY DR NASHVILLE, TN 37214
LOT 193 MERRY OAKS

PARCEL OWNER: HAKANSON, HUNTER

CONTRACTOR:

APPLICANT: hunter hakanson
, 615-473-0530

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

PURPOSE:

- 1...to construct 15 x 25 addition to rear of detached garage.
- 2....to construct 15 x 10 addition to front of detached garage.
- 3.....to construct an enclosed addition from the house to the detached garage.
- 4....to convert the detached now into an attached garage...and renovate and use as living space....

APPROX 795SF of additions to connect the main residence with the garage and convert garage to all living space under roof. 5' min. side setback, 20' min. rear setback, not to be over any easements. to remain single family....NO NEW 2ND KITCHEN..

***PURSUANT TO ORDINANCE NO 2008-1263 of the Metropolitan Code of Laws, I, holder of this permit, hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction or demolition waste shall be stored on the property in violation of any provisions of the Metropolitan Code. For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.*

DENIED:

- 1.....for the addition to the house.
REQUIRED SIDE SETBACK 5'...REQUEST 4'....17.12.020.
- 2.....for the shed....
REQUIRED SIDE SETBACK 3'....REQUEST 2'....17.12.040 E1b...REQUIRED REAR SETBACK 3'....REQUEST 2'...17.12.040 E1b..

POC: HUNTER HAKANSON 615-473-0530
hunterhakanson@gmail.com

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

SWGR U&O Sign-off	862-6038 logan.bowman@nashville.gov
Building Framing - Ceiling	615-862-6570 Larry.Dennis@nashville.gov
Building Final	615-862-6570 Larry.Dennis@nashville.gov
Building Floor Elevation	615-862-6570 Larry.Dennis@nashville.gov
Building Footing	615-862-6570 Larry.Dennis@nashville.gov
Building Foundation	615-862-6570 Larry.Dennis@nashville.gov
Building Framing	615-862-6570 Larry.Dennis@nashville.gov
Building Framing - Wall	615-862-6570 Larry.Dennis@nashville.gov
CA Building Progress Inspection	615-862-6570 Larry.Dennis@nashville.gov
Building Slab	615-862-6570 Larry.Dennis@nashville.gov

SPECIAL NOTE:

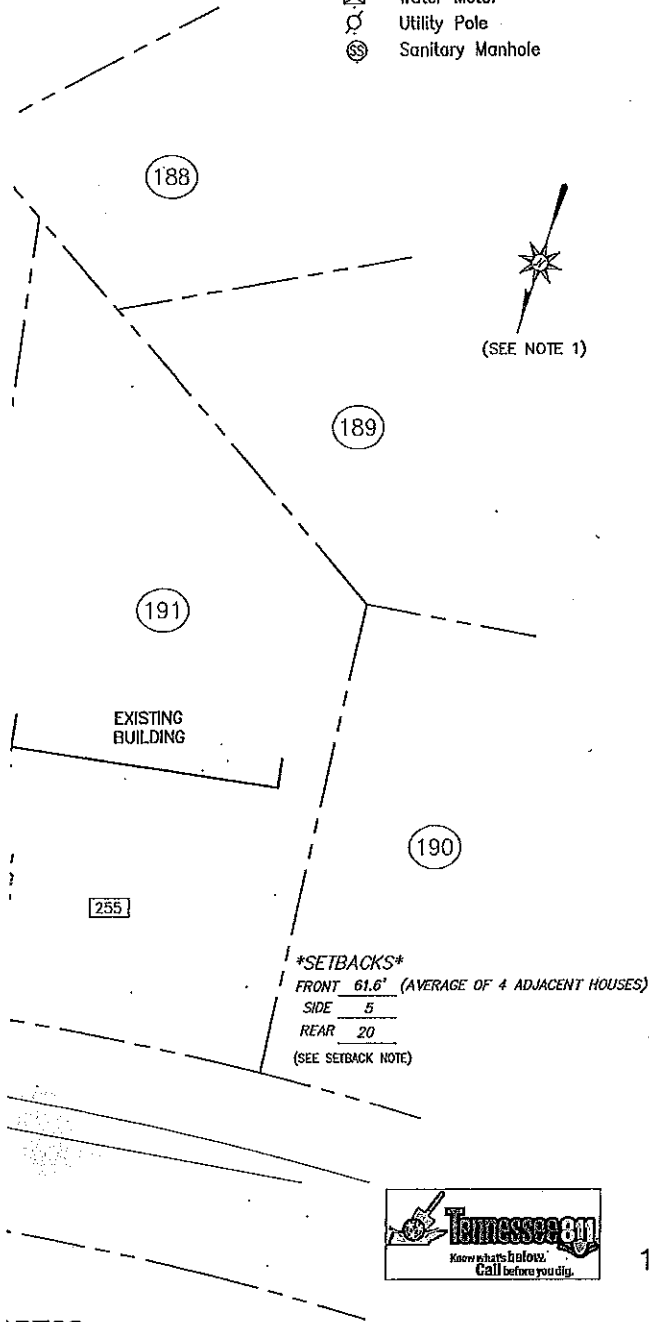
ANY ENCROACHMENTS ON TO THIS PROPERTY ARE SUBJECT TO A CLAIM OF ADVERSE POSSESSION BY ADJOINING PROPERTY OWNERS, AND VICE VERSA. POSSESSION CAN BE ADVERSE EVEN IF DUE TO A MISTAKE.

L.N.E.S. NOTE:

AS AUTHORITY TO CLEAR OR REMOVE ANYTHING WITHIN 5' TO 10' OF THE RIGHT-OF-WAY LINE, WHETHER OF RECORD OR NOT, EVEN IF THE LINE IS NOT CENTERED WITHIN THE EASEMENT.

LEGEND

- Iron Rod New -- IR(N)
- Iron Rod Old -- IR(O)
- R.O.D.C. Register's Office Davidson County
- R/W Right-Of-Way Line
- E.O.P. Edge Of Pavement
- M.B.S.L. Min. Bldg. Setback Line
- ☒ Water Meter
- ⊕ Utility Pole
- ⊗ Sanitary Manhole



GENERAL NOTES:

1. BEARINGS ARE BASED ON MERRY OAKS, AS SHOWN ON PLAT OF RECORD IN THE REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE.
2. ALL BUILDING AND/OR ENCROACHMENT TIE DIMENSIONS ARE PERPENDICULAR TO THE PROPERTY LINES. ALL MBSL's AS SHOWN HEREON ARE BASED ON THE CURRENT ZONING CODE. SEE BUILDING SETBACK NOTE, THIS SHEET.
3. BY GRAPHIC PLOTTING AND MAP SCALING LOCATION ONLY, THIS PROPERTY IS NOT WITHIN AN AREA OF FLOOD INUNDATION AS DESIGNATED BY CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS (FEMA) WHICH MAKE UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT AS SHOWN ON FEMA MAP NUMBER 47037CD266H WHICH IS THE MOST CURRENT (VIA THE FEMA WEB-SITE) FOR WHICH THE SURVEYED PREMISES IS SITUATED IN. THE SURVEYED PREMISES LIES ENTIRELY WITHIN ZONE "X", REVISED 4-5-17.
4. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ANY UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN HEREON WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THIS SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. COORDINATE WITH TENNESSEE ONE-CALL SYSTEM, INC. - PHONE: 811.
5. ANY EXCAVATION, FILL OR DISTURBANCE OF THE EXISTING GROUND ELEVATION MUST BE DONE IN ACCORDANCE WITH STORM WATER MANAGEMENT ORDINANCE NO. 78-840 AND APPROVED BY THE METROPOLITAN DEPARTMENT OF WATER SERVICES.
6. SIZE DRIVEWAY CULVERTS PER THE DESIGN CRITERIA SET FORTH BY THE METRO STORM WATER MANAGEMENT MANUAL. (MINIMUM DRIVEWAY CULVERT SIZE IN METRO R.O.W. IS 15" CMP).
7. ANY DEVELOPMENT OF THIS PROJECT SHALL COMPLY WITH REQUIREMENTS OF THE ADOPTED TREE ORDINANCE 094-1104 (METRO CODE CHAPTER 17.24, ARTICLE II, TREE PROTECTION AND REPLACEMENT; CHAPTER 17.40, ARTICLE X, TREE PROTECTION AND REPLACEMENT PROCEDURES).
8. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH / REPORT MAY DISCLOSE.; THEREFORE, THIS SURVEY IS SUBJECT TO ALL MATTERS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY REVEAL.
9. THE TOTAL AREA WITHIN THE SURVEYED PREMISES = 22,430 SQUARE FEET OR 0.51 OF AN ACRE, MORE OR LESS.
10. ALL LOT CORNERS ARE MARKED AS SHOWN ON THIS SURVEY.
11. MINIMUM BUILDING SETBACK LINES ARE TO BE DETERMINED BY THE CURRENT ZONING REGULATIONS.
12. PARCEL NUMBERS SHOWN THUS (38.00) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP # 95-07. ACCORDING TO METRO GIS WEB SITE THIS PROPERTY IS PRESENTLY ZONED: RS10.
13. THE SURVEYED PREMISES IS SUBJECT TO ALL MATTERS AS SET FORTH IN THE DEED TO THE SURVEYED PREMISES AS OF RECORD IN INSTRUMENT NO. 20031106-0163353 REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE.
14. THE SURVEYED PREMISES IS SUBJECT TO ALL GOVERNMENTAL AGENCIES REQUIREMENTS FOR ANY TYPE OF EXCAVATION, IMPROVEMENTS, DEMOLITION OR NEW CONSTRUCTION.

BOUNDARY AND AS BUILT SURVEY OF LOT 193 PLAN OF MERRY OAKS

RECORDED IN BOOK 1835, PAGE 67, R.O.D.C., TN. 15th COUNCIL DISTRICT -- METROPOLITAN NASHVILLE, DAVIDSON COUNTY, TENNESSEE



GRAPHIC SCALE - 1" = 30 FEET (18" X 24" SHEET SIZE)

DRESS:
VE
214

327
37076
-4701

BUILDING SETBACK NOTE:
ANY MBSL's USED FOR NEW CONSTRUCTION, WILL HAVE TO BE APPROVED BY THE METRO CODES AND/OR ZONING DEPT. FOR NASHVILLE/DAVIDSON COUNTY PRIOR TO ANY CONSTRUCTION.

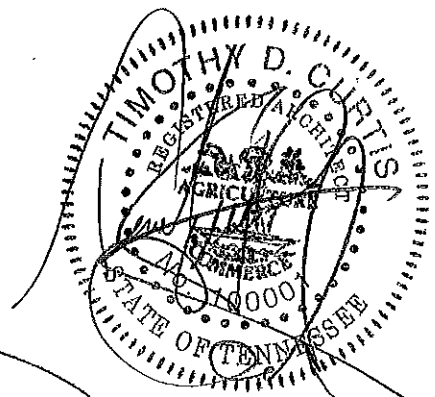
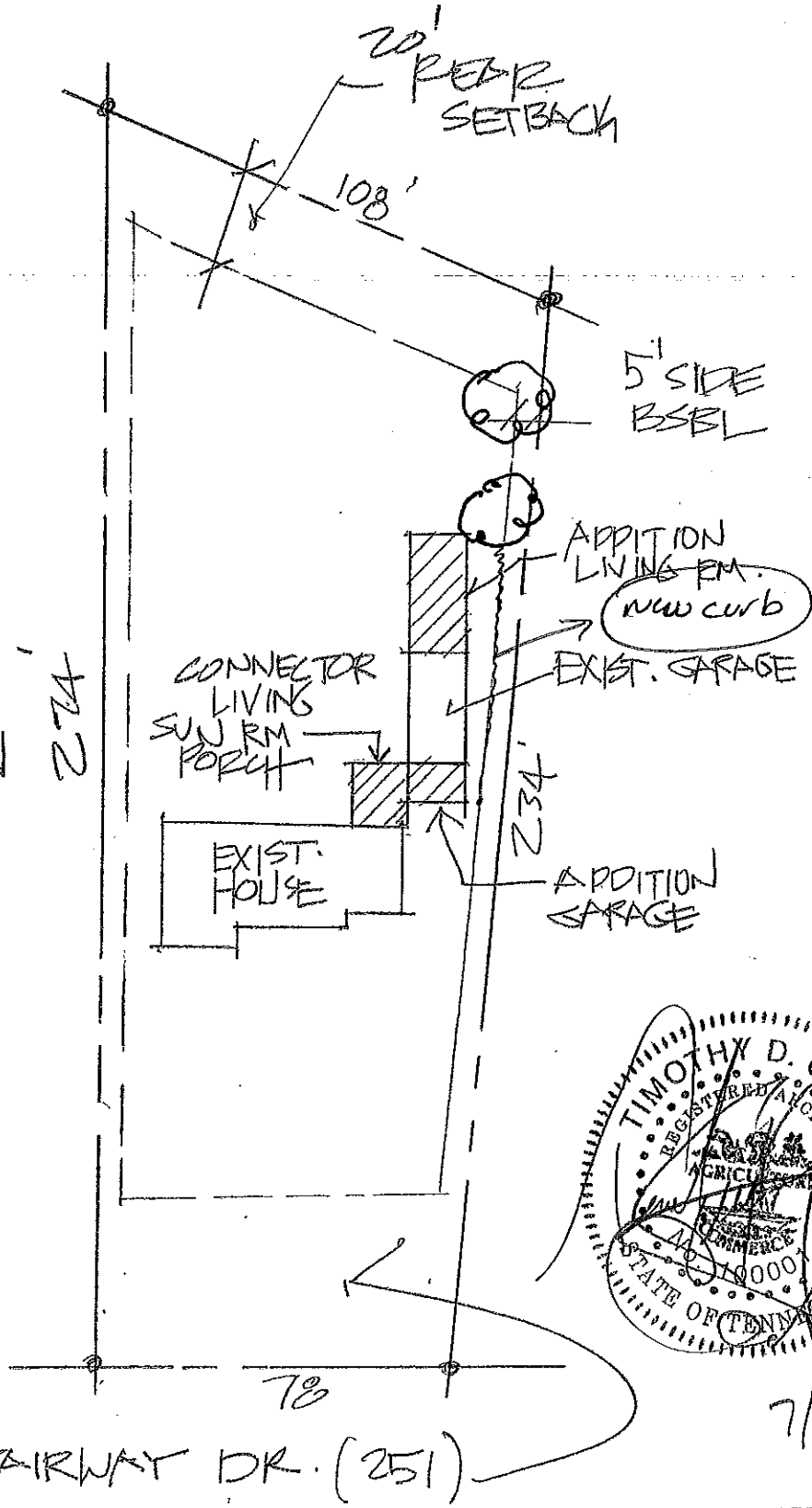
DRAWN BY: ROSA PEREZ
CHECKED BY: BILLY PERKINS

DATE: AUGUST 17, 2018
JOB NO. 157-2018

EST \$
20,000

less than
700 sq ft
driveway

NOTE:
LIVING
ADDITION
LESS THAN
25% OF
HOUSE



7/18/18

REVISED SITE PLAN

1" = 30' ±

~~251 FAIRWAY DR.~~
251 FAIRWAY DR.
DONELSON, TN. 37014

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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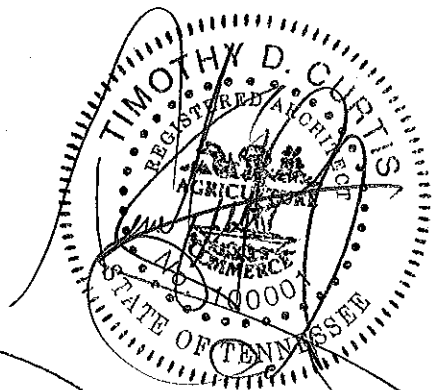
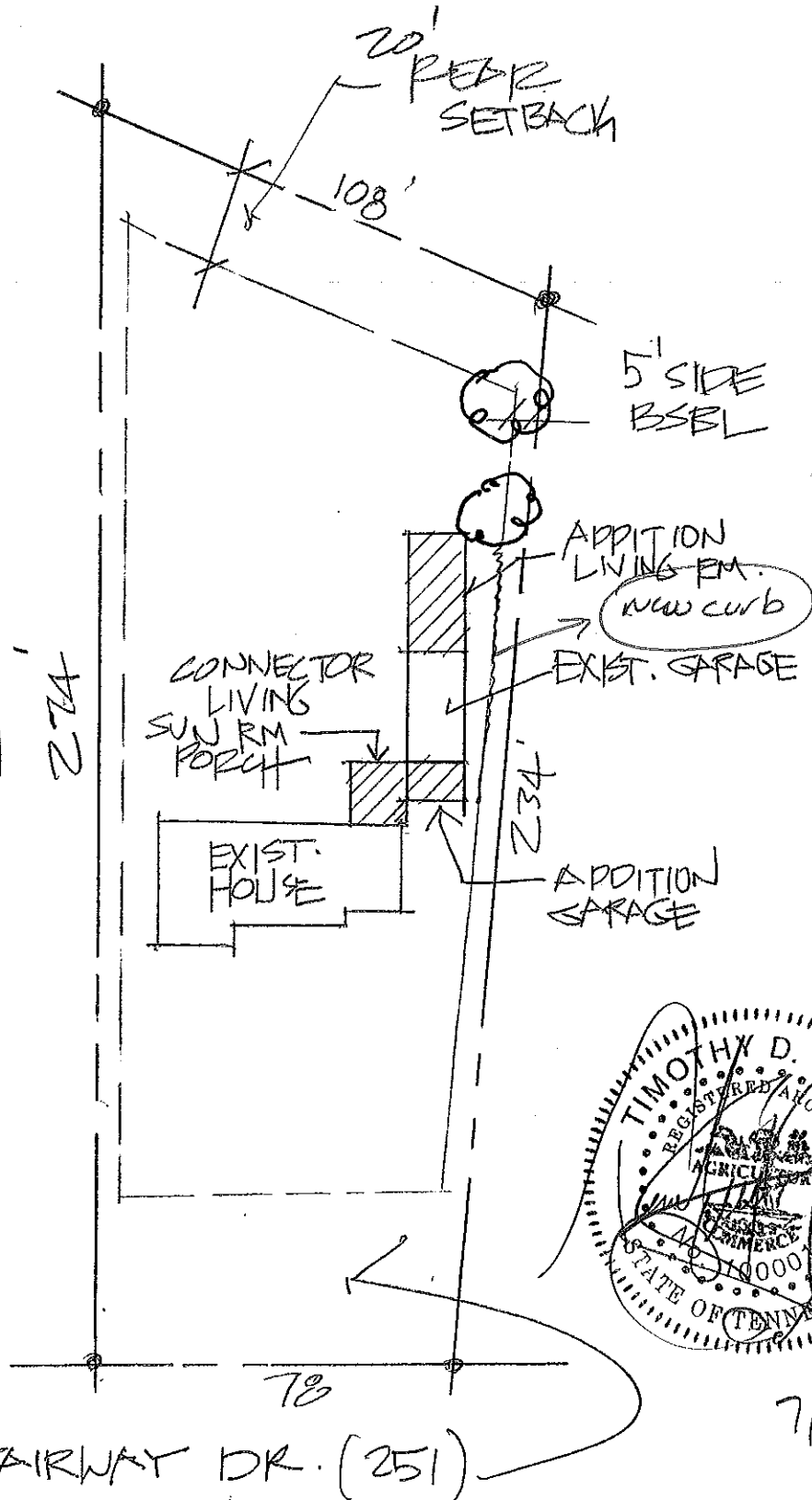

APPELLANT

8/20/18
DATE

COST
20,000 \$

less than
700 sq ft
driveway

NOTE:
LIVING
ADDITION
LESS THAN
25% OF
HOUSE

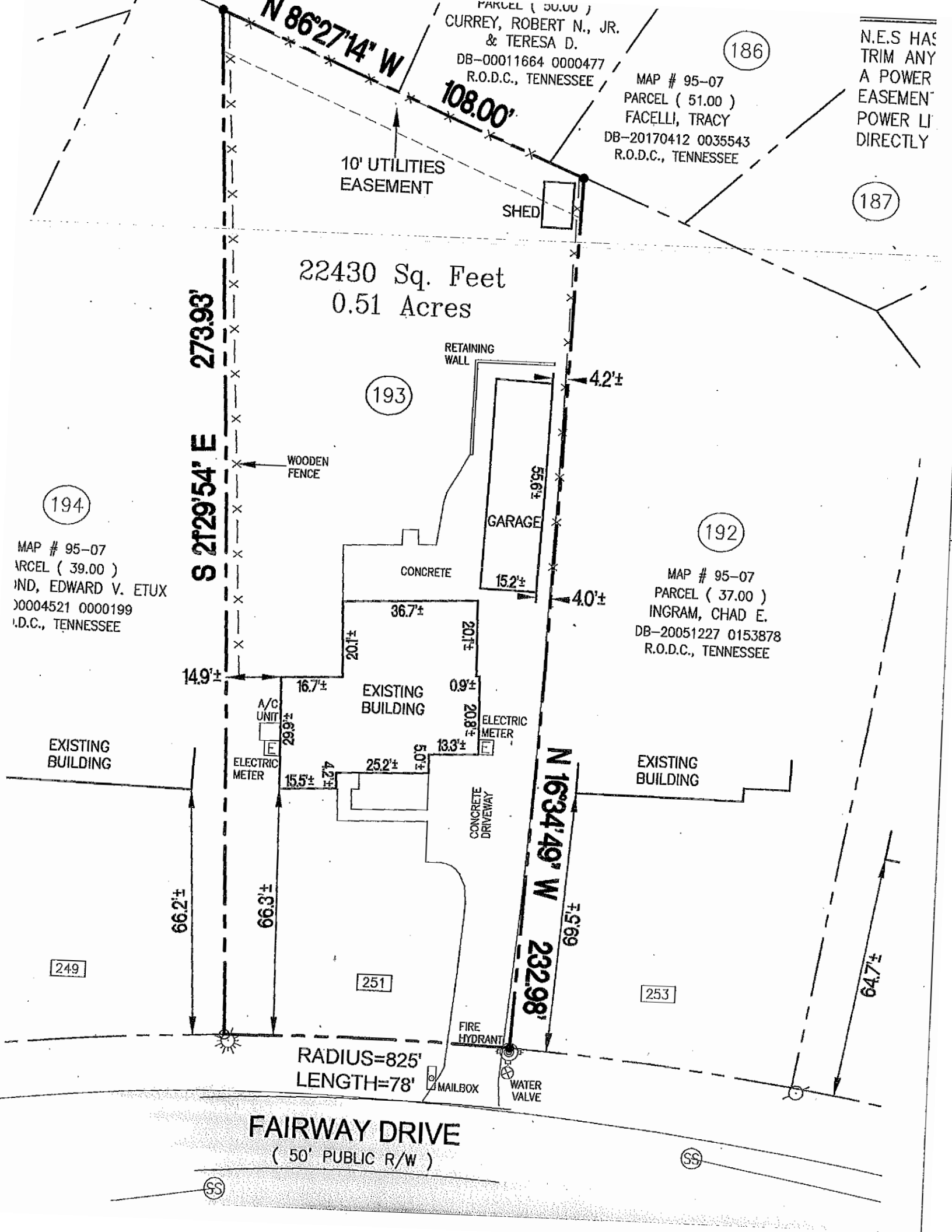


7/18/18

REVISED SITE PLAN

1" = 30' ±

~~251 FAIRWAY DR.~~
251 FAIRWAY DR.
DONELSON, TN. 37114



PARCEL (50.00)
CURREY, ROBERT N., JR.
& TERESA D.
DB-00011664 0000477
R.O.D.C., TENNESSEE

MAP # 95-07
PARCEL (51.00)
FACELLI, TRACY
DB-20170412 0035543
R.O.D.C., TENNESSEE

N.E.S HAS
TRIM ANY
A POWER
EASEMEN'
POWER LI
DIRECTLY

(186)

(187)

N 86°27'14" W

108.00'

10' UTILITIES
EASEMENT

SHED

22430 Sq. Feet
0.51 Acres

273.93'

S 21°29'54" E

(193)

WOODEN
FENCE

RETAINING
WALL

4.2'±

55.6'±
GARAGE

(192)

MAP # 95-07
PARCEL (37.00)
INGRAM, CHAD E.
DB-20051227 0153878
R.O.D.C., TENNESSEE

(194)

MAP # 95-07
PARCEL (39.00)
AND, EDWARD V. ETUX
00004521 0000199
R.O.D.C., TENNESSEE

CONCRETE

15.2'±

4.0'±

36.7'±
EXISTING
BUILDING

EXISTING
BUILDING

EXISTING
BUILDING

14.9'±

16.7'±

20.1'±

20.1'±

0.9'±

20.8'±

ELECTRIC
METER

A/C
UNIT

29.2'±

ELECTRIC
METER

15.5'±

4.2'±

25.2'±

5.0'±

13.3'±

CONCRETE
DRIVEWAY

N 16°34'49" W

232.98'

69.5'±

EXISTING
BUILDING

64.7'±

66.2'±

66.3'±

249

251

253

RADIUS=825'
LENGTH=78'

FIRE
HYDRANT

MAILBOX

WATER
VALVE

FAIRWAY DRIVE
(50' PUBLIC R/W)

SS

SS

PROPERTY TITLE REFERENCE:

THE PROPERTY AS SHOWN IS ALL OF THE SAME PROPERTY AS CONVEYED TO: HUNTER HAKANSON FROM DAN L. WARFIELD AND LINDA K. WARFIELD, INSTRUMENT NUMBER 20031106-0163353 REGISTER'S OFFICE, DAVIDSON COUNTY, TENNESSEE.

SPECIAL NOTE:

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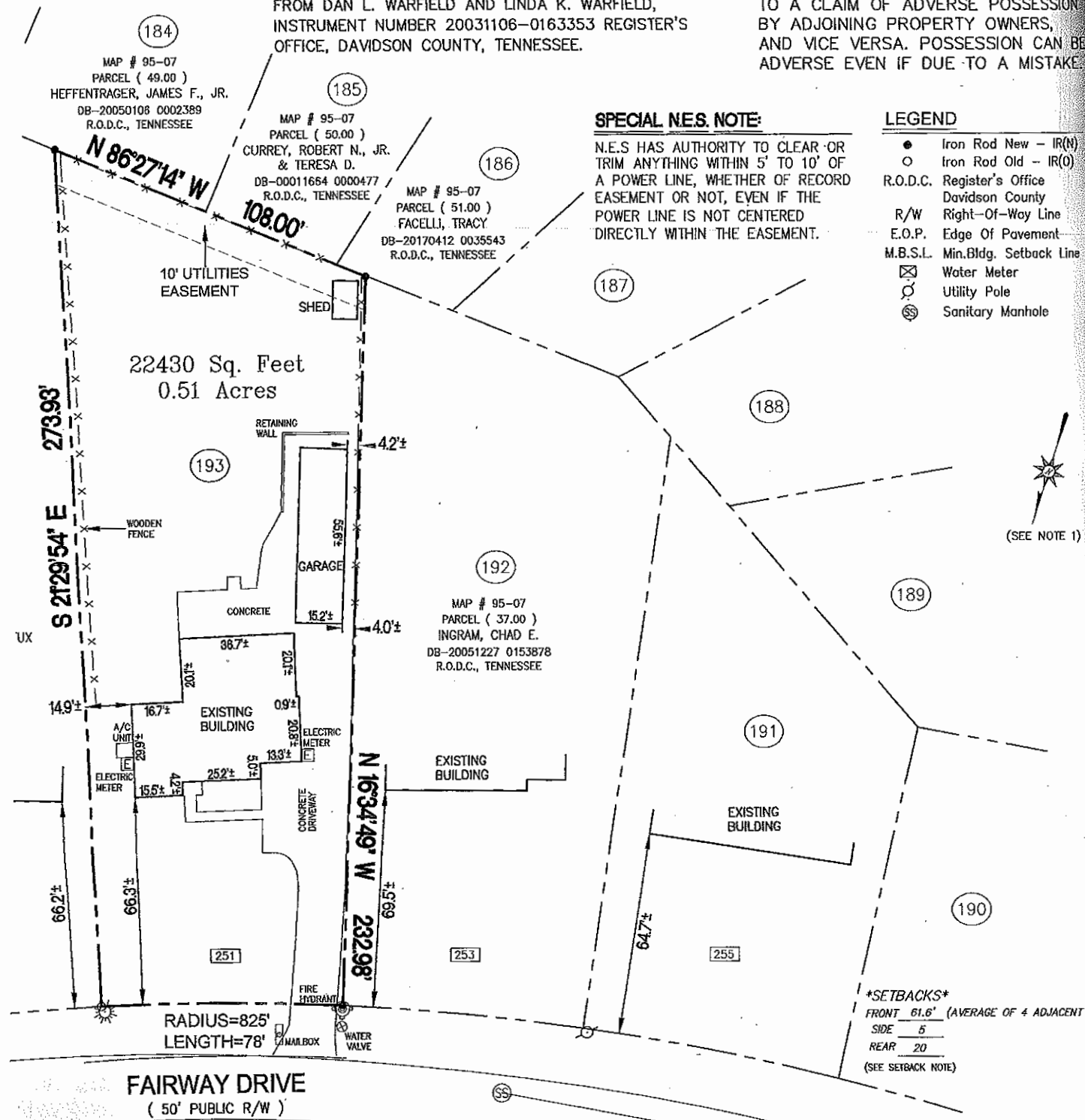
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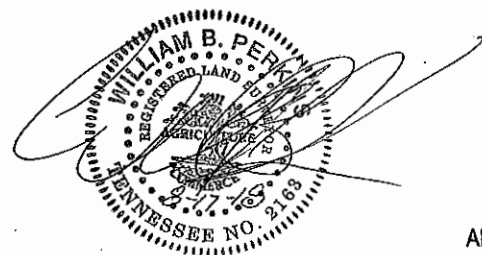
LEGEND

- Iron Rod New - IR(N)
- Iron Rod Old - IR(O)
- R.O.D.C. Register's Office Davidson County
- R/W Right-Of-Way Line
- E.O.P. Edge Of Pavement
- M.B.S.L. Min.Bldg. Setback Line
- ⊗ Water Meter
- ⊕ Utility Pole
- ⊙ Sanitary Manhole

(SEE NOTE 1)



SETBACKS
 FRONT 61.6' (AVERAGE OF 4 ADJACENT)
 SIDE 5
 REAR 20
 (SEE SETBACK NOTE)



SIGNED: NAME: WILLIAM B. PERKINS
 TENNESSEE R.L.S. # 2163

PROPERTY ADDRESS:

251 FAIRWAY DRIVE
 MADISON, TN. 37214

PREPARED BY:
 ADVANTAGE LAND SURVEYING
 4636 LEBANON PIKE # 327
 HERMITAGE, TENNESSEE 37076
 PHONE # 615-319-4701

BUILDING SETBACK NOTE:

ANY MBSL'S USED FOR NEW CONSTRUCTION, WILL HAVE TO BE APPROVED BY THE METRO CODES AND/OR ZONING DEPT. FOR NASHVILLE/DAVIDSON COUNTY PRIOR TO ANY CONSTRUCTION.

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T 17, 2018

SPECIAL NOTE:

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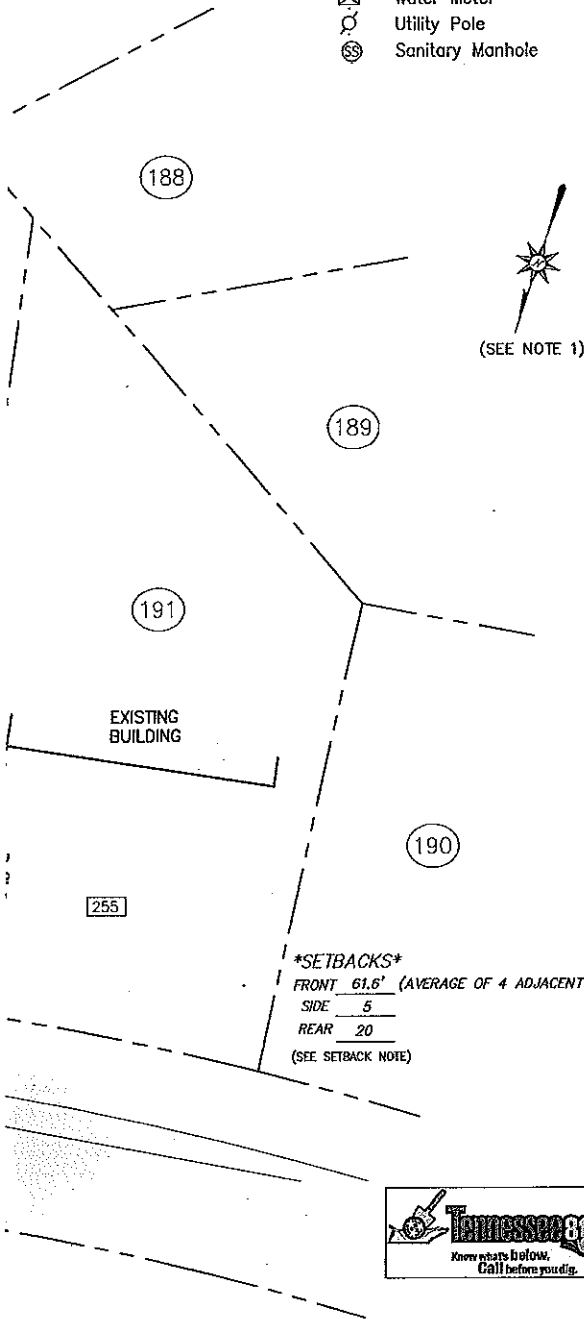
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LEGEND

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- Iron Rod Old - IR(O)
- R.O.D.C. Register's Office Davidson County
- R/W Right-Of-Way Line
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GENERAL NOTES:

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2. ALL BUILDING AND/OR ENCROACHMENT TIE DIMENSIONS ARE PERPENDICULAR TO THE PROPERTY LINES. ALL MBSL's AS SHOWN HEREON ARE BASED ON THE CURRENT ZONING CODE. SEE BUILDING SETBACK NOTE, THIS SHEET.
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6. SIZE DRIVEWAY CULVERTS PER THE DESIGN CRITERIA SET FORTH BY THE METRO STORM WATER MANAGEMENT MANUAL. (MINIMUM DRIVEWAY CULVERT SIZE IN METRO R.O.W. IS 15" CMP).
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10. ALL LOT CORNERS ARE MARKED AS SHOWN ON THIS SURVEY.
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12. PARCEL NUMBERS SHOWN THUS (38.00) PERTAIN TO DAVIDSON COUNTY PROPERTY MAP # 95-07. ACCORDING TO METRO GIS WEB SITE THIS PROPERTY IS PRESENTLY ZONED: RS10.
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14. THE SURVEYED PREMISES IS SUBJECT TO ALL GOVERNMENTAL AGENCIES REQUIREMENTS FOR ANY TYPE OF EXCAVATION, IMPROVEMENTS, DEMOLITION OR NEW CONSTRUCTION.

BOUNDARY AND AS BUILT SURVEY OF LOT 193 PLAN OF MERRY OAKS

RECORDED IN BOOK 1835, PAGE 67, R.O.D.C., TN.
15th COUNCIL DISTRICT - METROPOLITAN NASHVILLE,
DAVIDSON COUNTY, TENNESSEE



GRAPHIC SCALE - 1" = 30 FEET
(18" X 24" SHEET SIZE)

ADDRESS:

VE
214

VEYING
327
37076
-4701

BUILDING SETBACK NOTE:

ANY MBSL's USED FOR NEW CONSTRUCTION, WILL HAVE TO BE APPROVED BY THE METRO CODES AND/OR ZONING DEPT. FOR NASHVILLE/DAVIDSON COUNTY PRIOR TO ANY CONSTRUCTION.

DRAWN BY: ROSA PEREZ
CHECKED BY: BILLY PERKINS

DATE: AUGUST 17, 2018
JOB NO. 157-2018

From: justin dillard
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: hunterhakanson@gmail.com
Subject: Appeal Case Number 2018-530 Variance for 251 Fairway Drive, Nashville 37214
Date: Friday, September 28, 2018 2:04:42 PM

Hello,

I'm writing regarding the Appeal Case Number 2018-530 for 2 setback variances at the property at 251 Fairway Drive Nashville, TN 37214. My wife and I own a house near Mr. Hunter Hakanson's 251 Fairway Dr. house. Our house has a direct sight line of his. We have no issues with him being granted 2 setback variances to allow for an addition to his house or the construction or existence of a detached shed. We are unable to make the hearing meeting of October 4th at 1:00 in person and submit our support via email. Please let us know that you have received this letter and that it has been directed to the appropriate parties in this matter.

Best Regards,

Justin Dillard & Lisa Briggs,

Owners of 225 Blue Hills Dr. Nashville, TN 37214

(615) 815-7226

From: David Kipp
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [David Clare Kipp, JR;](#) [Sharon K Kipp](#)
Subject: Permit#20180050020 / 251 Fairway Drive / Appeal Case Number 2018-530
Date: Tuesday, September 25, 2018 3:06:39 PM

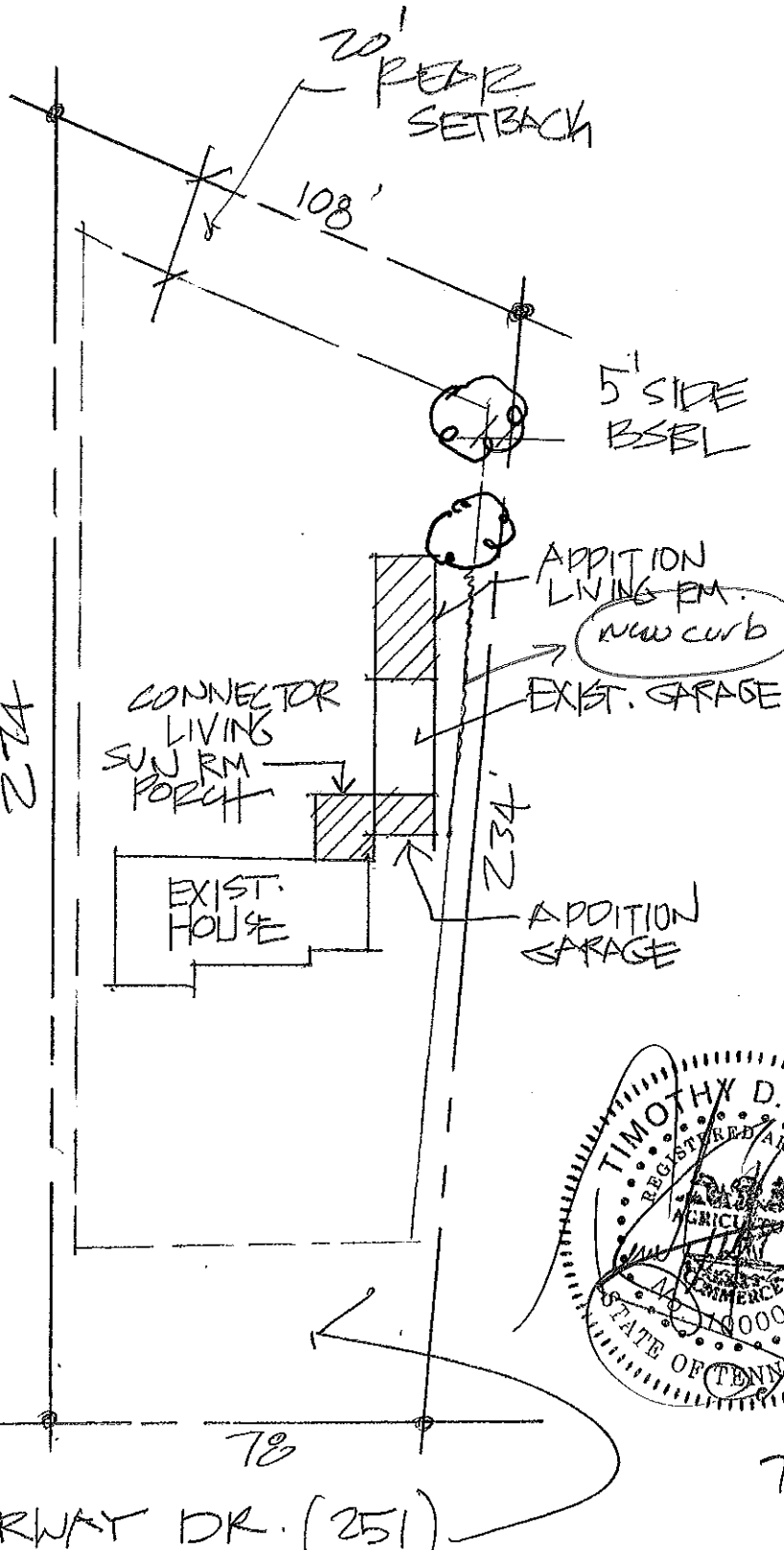
Dear Sirs or Madams,

In reference to the zoning request permit #20180050020, I oppose this variance. I own the properties at 203 and 234 Fairway Drive, Nashville, TN and think the original character of the neighborhood should be maintained. Thank you for your consideration.

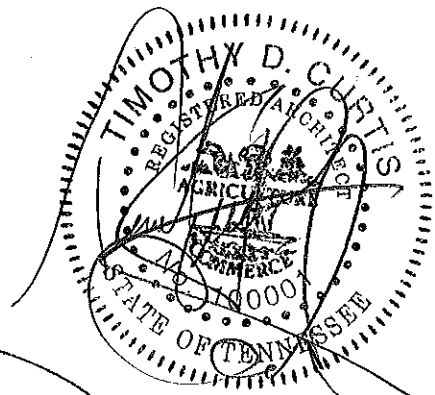
David Kipp
david@teamkipp.com
615-400-0661

COST
20,000 \$

less than
700 sq ft
Brick way



NOTE:
LIVING
ADDITION
LESS THAN
25% OF
HOUSE

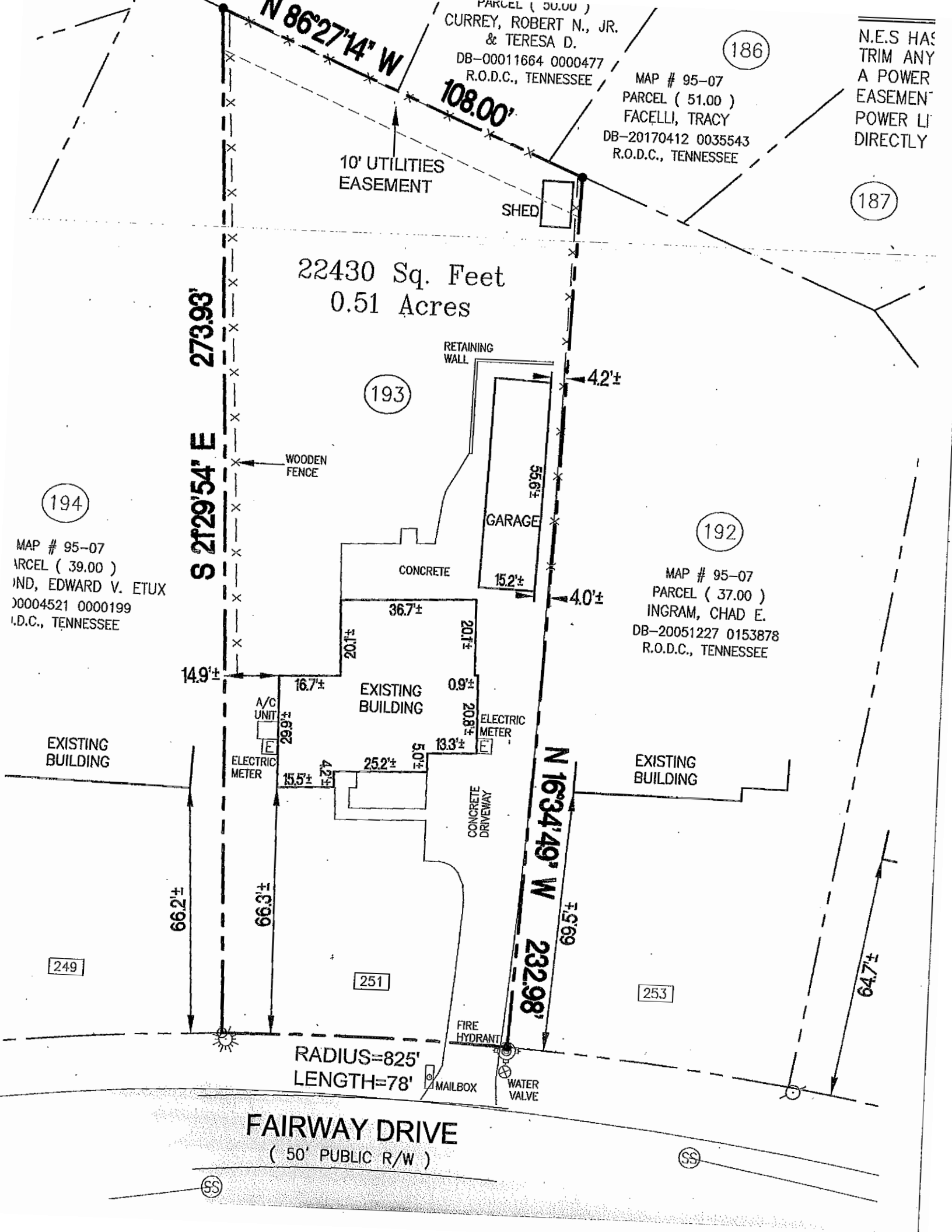


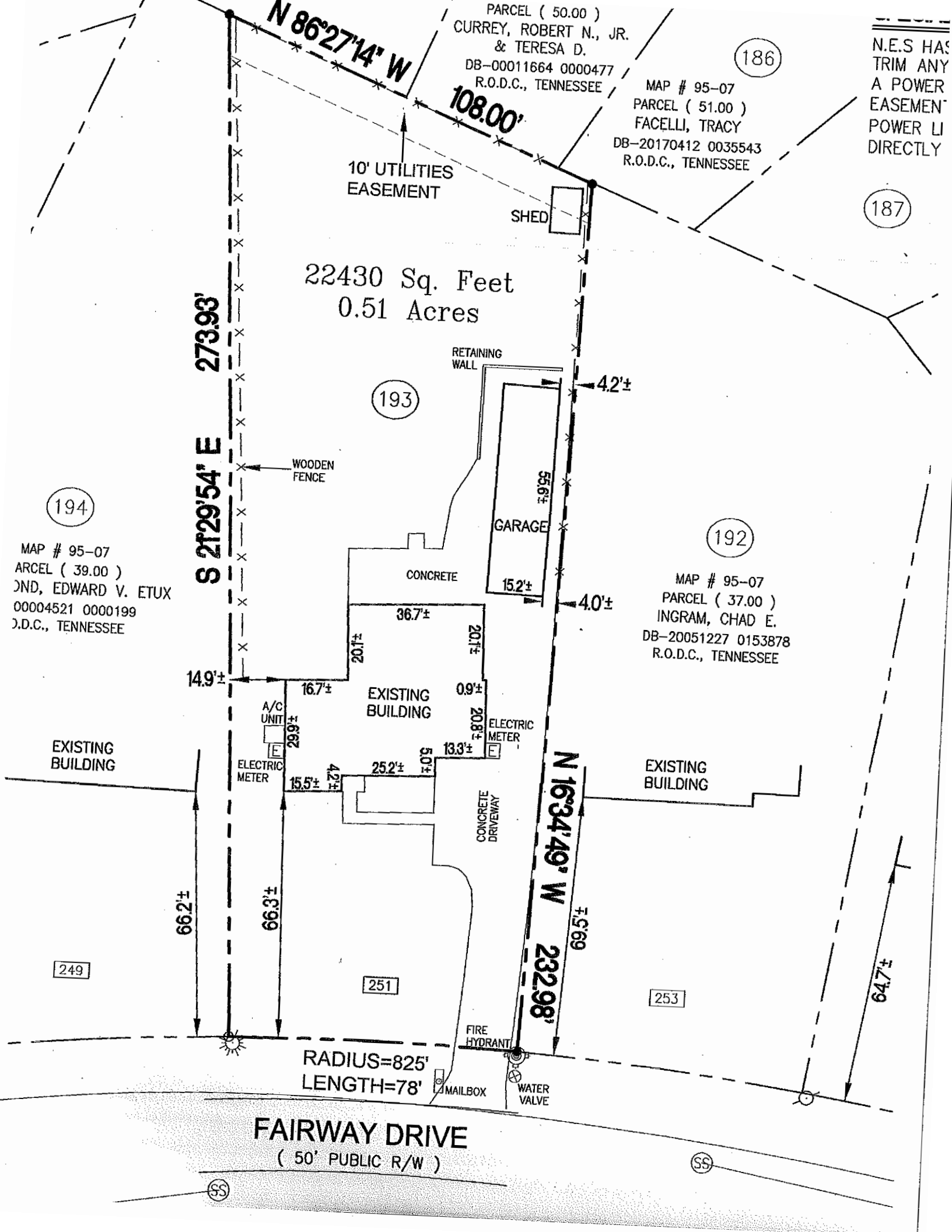
7/18/18

REVISED SITE PLAN

1" = 30' ±

~~251 FAIRWAY DR.~~
251 FAIRWAY DR.
DONELSON, TN. 37214





PARCEL (50.00)
 CURREY, ROBERT N., JR.
 & TERESA D.
 DB-00011664 0000477
 R.O.D.C., TENNESSEE

MAP # 95-07
 PARCEL (51.00)
 FACELLI, TRACY
 DB-20170412 0035543
 R.O.D.C., TENNESSEE

N.E.S HAS
 TRIM ANY
 A POWER
 EASEMENT
 POWER LI
 DIRECTLY

22430 Sq. Feet
 0.51 Acres

MAP # 95-07
 PARCEL (39.00)
 JOND, EDWARD V. ETUX
 00004521 0000199
 R.O.D.C., TENNESSEE

MAP # 95-07
 PARCEL (37.00)
 INGRAM, CHAD E.
 DB-20051227 0153878
 R.O.D.C., TENNESSEE

RADIUS=825'
 LENGTH=78'

FAIRWAY DRIVE
 (50' PUBLIC R/W)

194

193

192

249

251

253

SS

SS

186

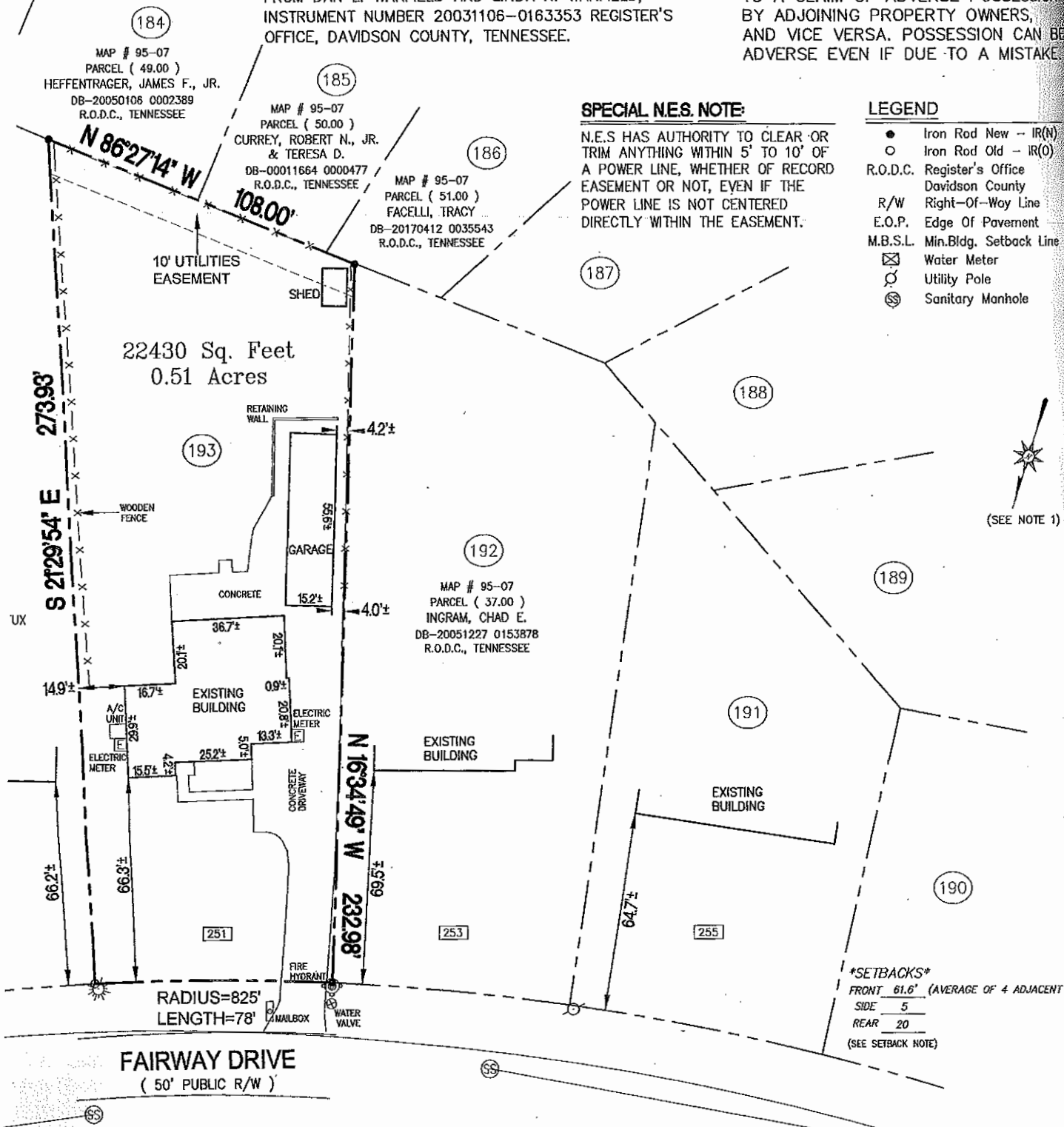
187

PROPERTY TITLE REFERENCE:

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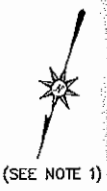


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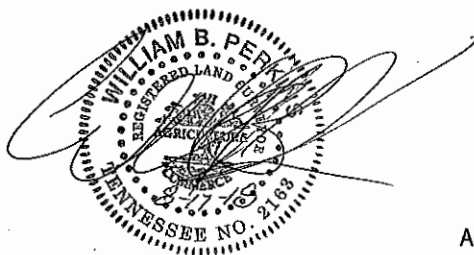
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(SEE NOTE 1)

SETBACKS
 FRONT 61.6' (AVERAGE OF 4 ADJACENT)
 SIDE 5
 REAR 20
 (SEE SETBACK NOTE)

FAIRWAY DRIVE
 (50' PUBLIC R/W)



SIGNED: **WILLIAM B. PERKINS**
 TENNESSEE R.L.S. # 2163

PROPERTY ADDRESS:

251 FAIRWAY DRIVE
 MADISON, TN. 37214

PREPARED BY:
ADVANTAGE LAND SURVEYING
 4636 LEBANON PIKE # 327
 HERMITAGE, TENNESSEE 37076
 PHONE # 615-319-4701

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T 17, 2018

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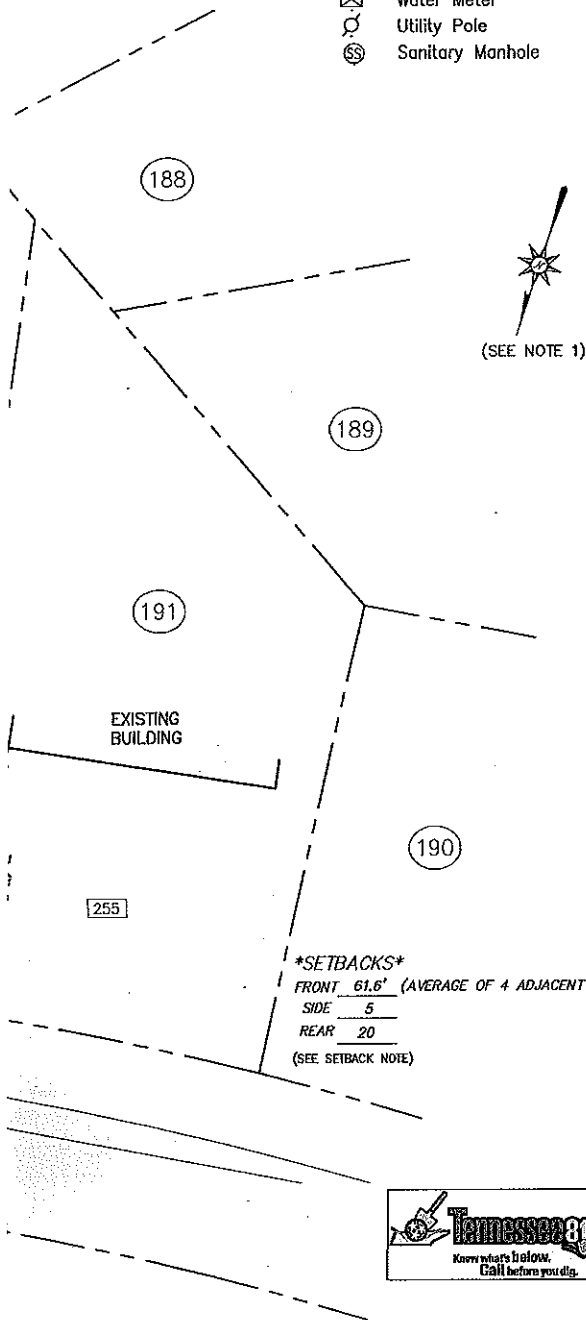
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BOUNDARY AND AS BUILT SURVEY OF LOT 193 PLAN OF MERRY OAKS

RECORDED IN BOOK 1835, PAGE 67, R.O.D.C., TN.
15th COUNCIL DISTRICT - METROPOLITAN NASHVILLE,
DAVIDSON COUNTY, TENNESSEE



GRAPHIC SCALE - 1" = 30 FEET
(18" X 24" SHEET SIZE)

ADDRESS:

VE
214

VEYING
327
37076
-4701

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DRAWN BY: ROSA PEREZ
CHECKED BY: BILLY PERKINS

DATE: AUGUST 17, 2018
JOB NO. 157-2018

From: Jim Heffentrager
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Hakanson, Hunter 060](#); HunterHakanson@gmail.com
Subject: Variance 251 Fairway Dr.
Date: Friday, September 28, 2018 11:42:02 AM

I support the 1' variance request for the property at 251 Fairway Dr.
Nashville, TN. 37214

Regards
Jim H.

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210



Appellant: Mark Wallace

Date: 8/20/18

Property Owner: Rise Development

Case #: 2018-531

Representative: Mark Wallace

Map & Parcel: 105-5-269

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

To construct 3 Units within one Building for 1108 Wade Townhomes development. RM20, UZO
Need addresses prior to issuing individual building permits.
Sidewalks ARE required for this project because this parcel is within the USD.

Activity Type: Triplex

Location: 1108 WADE AVE NASHVILLE, TN 37203

This property is in the RM20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

- 1....Rejected, does not meet 7500 sq ft minimum lot area for RM20 Zoning....EXISTING AT 40X150= 5960 SQFT PER SURVEY....17.12.020B.
- 2.....REQUEST NOT TO UPDATE NOR CONTRIBUTE TO SIDEWALK FUND....EXISTING SIDEWALKS...17.20.120.

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Mark Wallace
Appellant Name (Please Print)

Representative Name (Please Print)

2000 Mallory LN
Address

Address

Suite 130-541

City, State, Zip Code
Franklin TN, 37067

City, State, Zip Code

POC: MARK WALLACE 615-852-8573
e-mail: markwallacedc@yahoo.com

Phone Number

Email

Email

Appeal Fee: 200⁰⁰



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3544394

**APPLICATION FOR BUILDING USE & OCCUPANCY / CAUO - T2018047545
THIS IS NOT A PERMIT**

PARCEL: 10505026900

APPLICATION DATE: 08/10/2018

SITE ADDRESS:

1108 WADE AVE NASHVILLE, TN 37203
LOT 31 BRANSFORD RLTY CO RESUB PT A B HILL

PARCEL OWNER: RISE DEVELOPMENT, LLC

APPLICANT:

PURPOSE:

Master Permit Only, no construction on this permit.

To construct 3 Units within one Building for 1108 Wade Townhomes development. RM20, UZO
Need addresses prior to issuing individual building permits.
Sidewalks ARE required for this project because this parcel is within the USD.

You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction because the parcel is within the UZO.

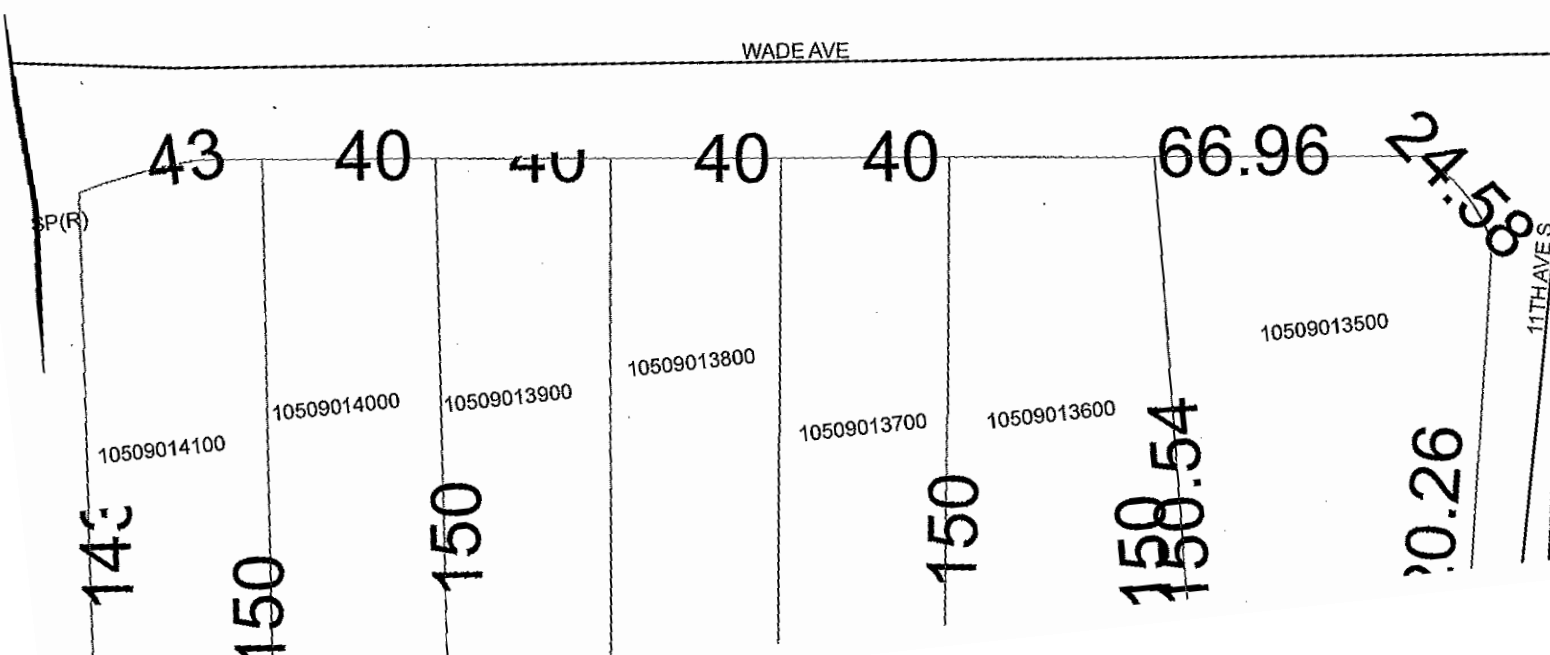
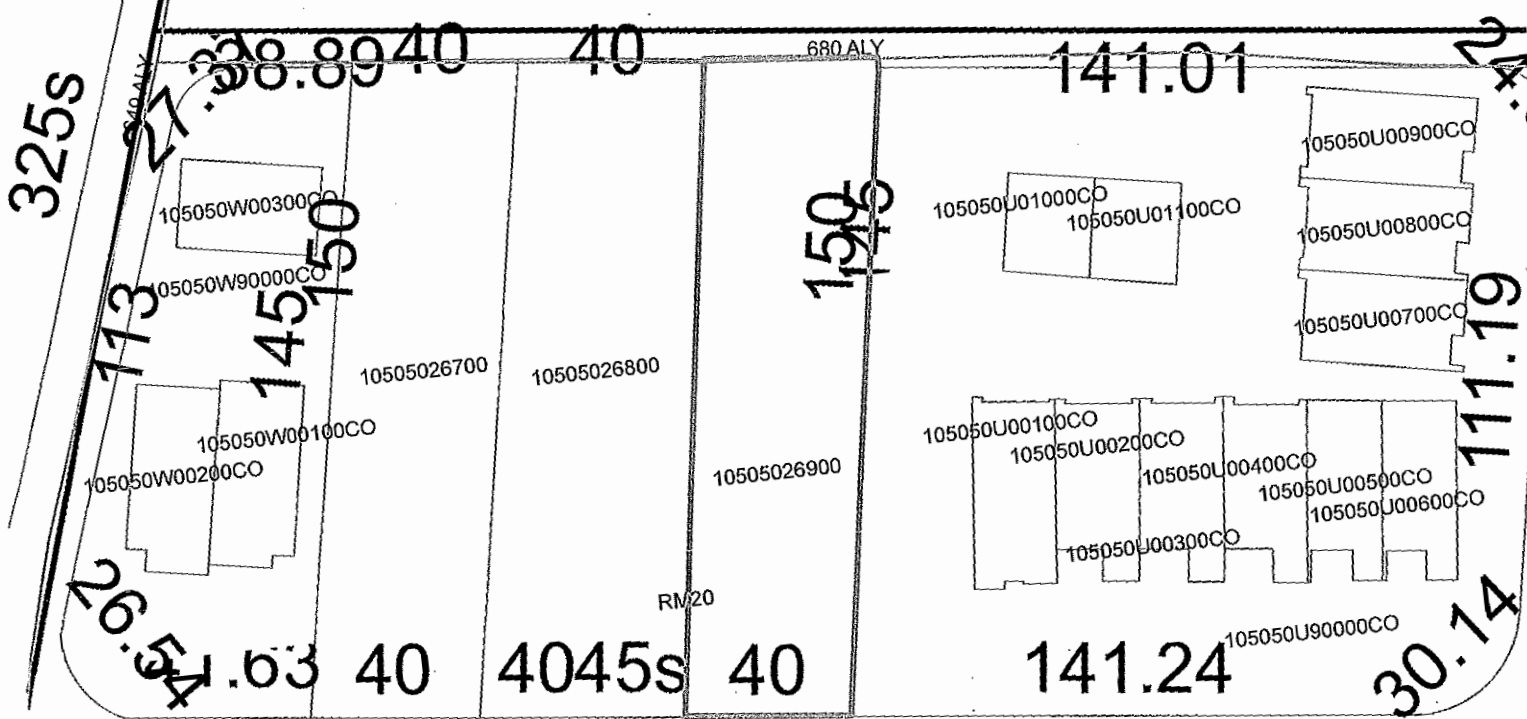
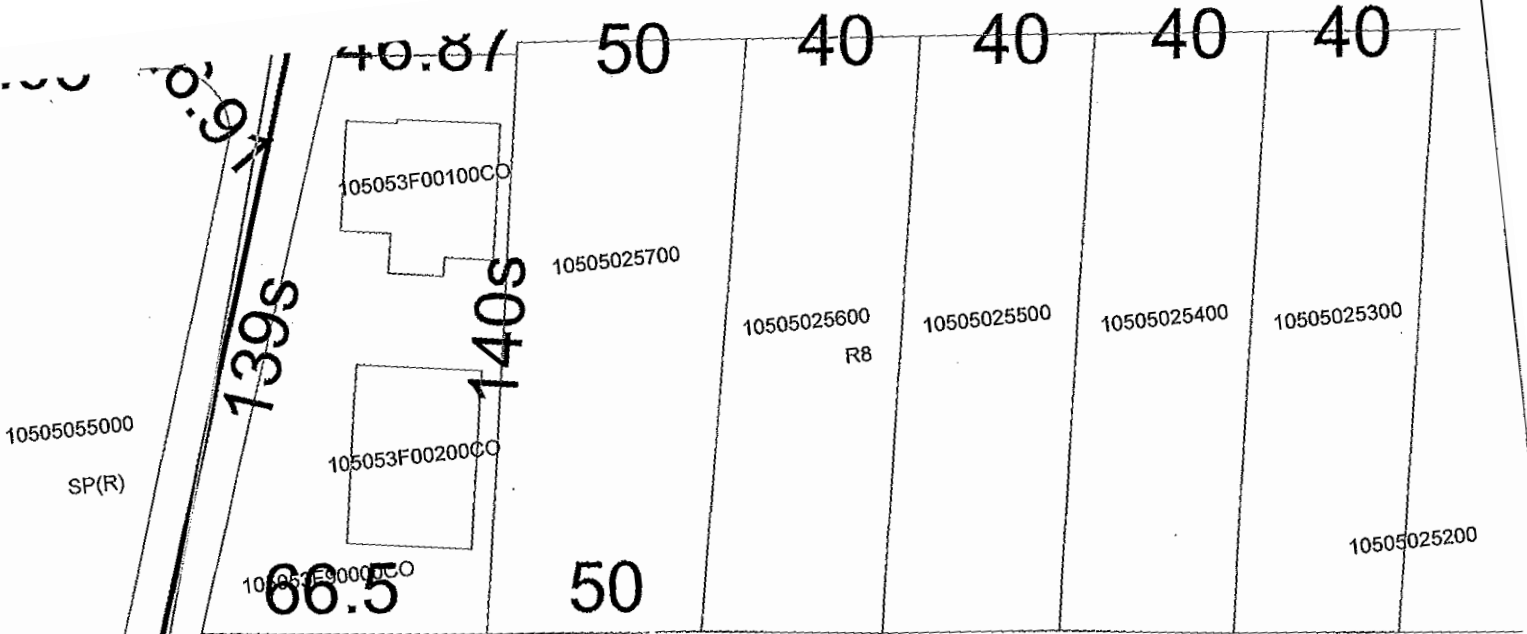
DENIED:

- 1....Rejected, does not meet 7500 sq ft minimum lot area for RM20 Zoning....EXISTING AT 40X150= 5960 SQFT PER SURVEY....17.12.020B.
- 2.....REQUEST NOT TO UPDATE NOR CONTRIBUTE TO SIDEWALK FUND....EXISTING SIDEWALKS...17.20.120.

POC: MARK WALLACE 615-852-8573
e-mail: markwallacedc@yahoo.com

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review		
[A] Zoning Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[B] Building Plans Received		615-862-6614 teresa.patterson@nashville.gov
[B] Building Plans Review		615-862-6581 Teresa.Patterson@nashville.gov
[B] Fire Life Safety Review On Bldg App		862-5230
[B] Fire Sprinkler Requirement		862-5230
[B] Fire Sprinkler Review On Bldg App		862-5230
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[E] Cross Connect Review For Bldg App		862-7225
[E] Grease Control Review On Bldg App		862-4590 ECO@nashville.gov
[E] Sewer Availability Review For Bldg		862-7225
[E] Sewer Variance Approval For Bldg		
[E] Water Availability Review For Bldg		862-7225
[E] Water Variance Approval For Bldg		
[F] Address Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPermitsl@nashville.gov
[A] Bond & License Review On Bldg App		
Landscaping & Tree Review		862-6488 stephen.kivett@nashville.gov



STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.H.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Small Lot
Comply with Density, But Not Lot
Size Per Code

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

M. Volante

APPELLANT

8/20/18

DATE



10505055000
SP(R)

105053F00100CO

105053F90000CO

105053F00200CO

10505025700

10505025600
R8

10505025500

10505025400

10505025300

10505025200

640 ALY

680 ALY

105050W00300CO

105050W00100CO

105050W00200CO

105050W90000CO

10505026700

10505026800

10505026900

RM20

105050U01100CO
105050U01000CO

105050U00900CO

105050U00800CO

105050U00700CO

105050U00100CO

105050U00200CO

105050U00400CO

105050U00500CO

105050U00600CO

105050U00300CO

105050U90000CO

WADE AVE

SP(R)

10509014100

10509014000

10509013900

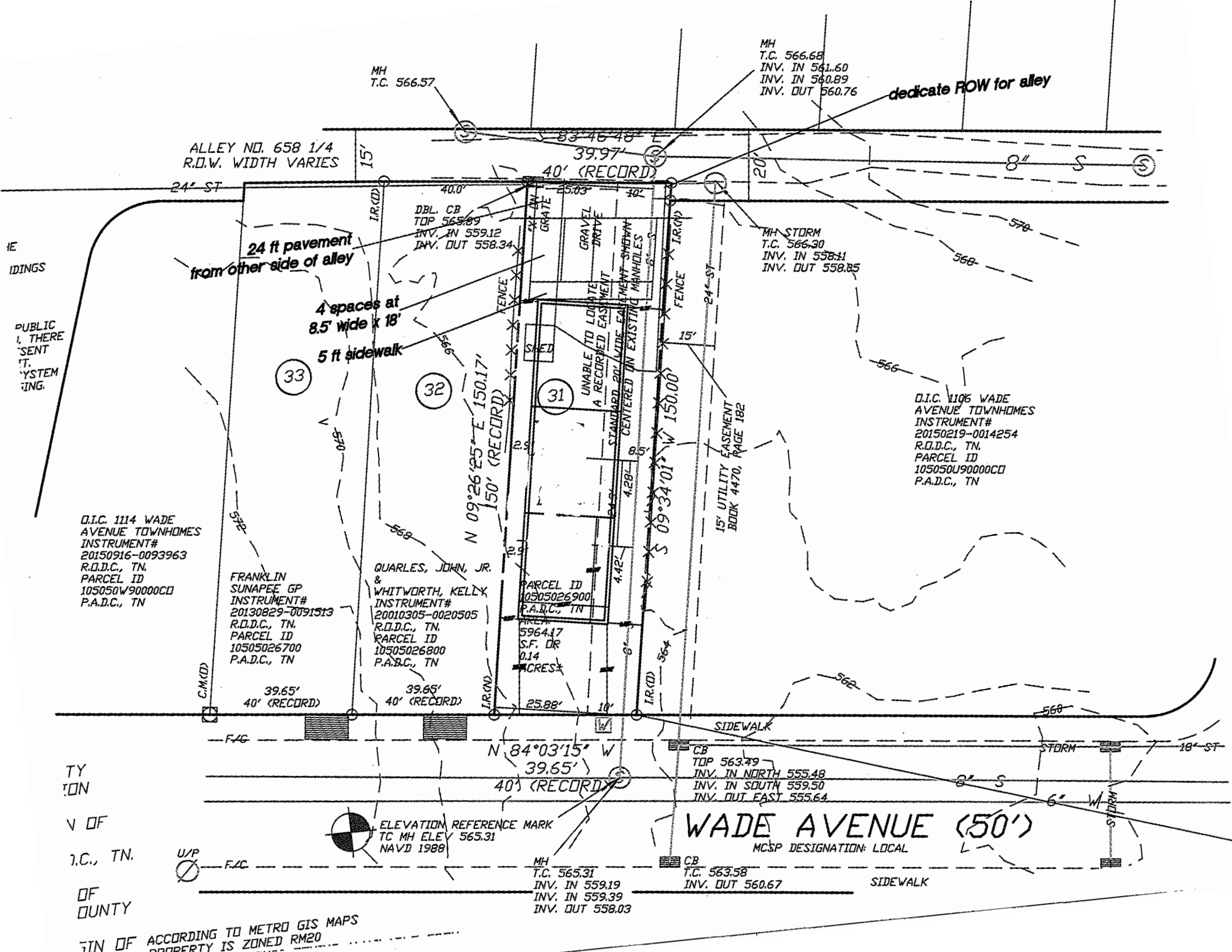
10509013800

10509013700

10509013600

10509013500

11TH AVE S



ALLEY NO. 658 1/4
R.D.W. WIDTH VARIES

24' ST

24 ft pavement
from other side of alley

4 spaces at
8.5' wide x 18'
5 ft sidewalk

33

32

31

N 09°26'25" E 150.17'
150' (RECORD)

UNABLE TO LOCATE
A RECORDED EASEMENT
STANDARD 20' WIDE EASEMENT SHOWN
CENTERED ON EXISTING MANHOLES

15' UTILITY EASEMENT
BOOK 4470, PAGE 182

D.I.C. 1106 WADE
AVENUE TOWNHOMES
INSTRUMENT#
20150219-0014254
R.O.D.C., TN,
PARCEL ID
105050U90000CD
P.A.D.C., TN

D.I.C. 1114 WADE
AVENUE TOWNHOMES
INSTRUMENT#
20150216-0093963
R.O.D.C., TN,
PARCEL ID
105050W90000CD
P.A.D.C., TN

FRANKLIN
SUNAPEE GP
INSTRUMENT#
20130829-0091513
R.O.D.C., TN,
PARCEL ID
10505026700
P.A.D.C., TN

QUARLES, JOHN, JR.
&
WHITWORTH, KELLY
INSTRUMENT#
20010305-0020505
R.O.D.C., TN,
PARCEL ID
10505026800
P.A.D.C., TN

PARCEL ID
10505026900
P.A.D.C., TN
AREA:
5964.17
S.F. OR
0.14
ACRES

MH
T.C. 566.68
INV. IN 541.60
INV. IN 540.89
INV. OUT 560.76

dedicate ROW for alley

MH STORM
T.C. 566.30
INV. IN 558.11
INV. OUT 558.85

CB
TOP 563.79
INV. IN NORTH 555.48
INV. IN SOUTH 559.50
INV. OUT EAST 555.64

MH
T.C. 565.31
INV. IN 559.19
INV. IN 559.39
INV. OUT 558.03

CB
T.C. 563.58
INV. OUT 560.67

SIDEWALK

WADE AVENUE (50')

MCS&P DESIGNATION: LOCAL

ELEVATION REFERENCE MARK
TC MH ELEV 565.31
NAVD 1988

U/P

F/C

TY
TON
N OF
I.C., TN.
OF
DUNTY

IN OF ACCORDING TO METRO GIS MAPS
PROPERTY IS ZONED RM20

2018-531
oppose

Dear zoning board members:

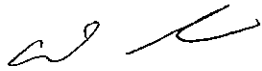
I am writing this letter to show my OPPOSITION toward appeal case 2018-531, permit #20180049931.

My name is Guozhen Luo and I live at 1022 Argyle Avenue, 37203 with my family. My neighbor Mark Wallace filed an appeal for the property located at 1108 Wade Avenue. The hearing is scheduled at 10/4/2018 1PM. Unfortunately, I can't appear in person. But I would like to express my opposition with this letter.

I am attaching the original letter from metro zoning board.

Sincerely

Guozhen Luo



9/12/2018

From: Elizabeth Larson
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal Case Number 2018-531
Date: Thursday, September 20, 2018 4:25:14 PM

Dear Mr. King and Committee,

In response to the Zoning Appeal, 2018-531, please accept this letter as my opposition to the zoning appeal. Due to previously scheduled travel, I will not be available during the proposed meeting time.

On the matter regarding variance from minimum lot restrictions, please reject. The property does not meet the 7500 sq ft minimum RM20 Zoning (based on the survey being 5960 sqft).

On the matter regarding not contributing to the sidewalk fund, sidewalks should be provided as part of the UZO. I defer to the board to recommend whether a sidewalk variance should be applied based on the appropriate site plans.

Please let me know if you should have concerns.

Kind regards,
Elizabeth Larson
1006 Wade Avenue
Nashville, TN 37203



1065000
KSP(R)

1066534

1062700

1063020

1062200

680 ALY

1050500
20000

1062681

1060602

1063000
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1050500
0090000

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0020000

1050500
0010000

1050500
9900000

WADE AVE

1060500
0000000

R8

10505055000
SP(R)

105053F00100CO

105053F90000CO

105053F00200CO

10505025700

10505025600
R8

10505025500

10505025400

10505025300

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105050W00300CO

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10505026800

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RM20

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105050U00200CO
105050U00300CO
105050U00400CO
105050U00500CO
105050U00600CO

105050U90000CO

WADE AVE

SP(R)

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10509014000

10509013900

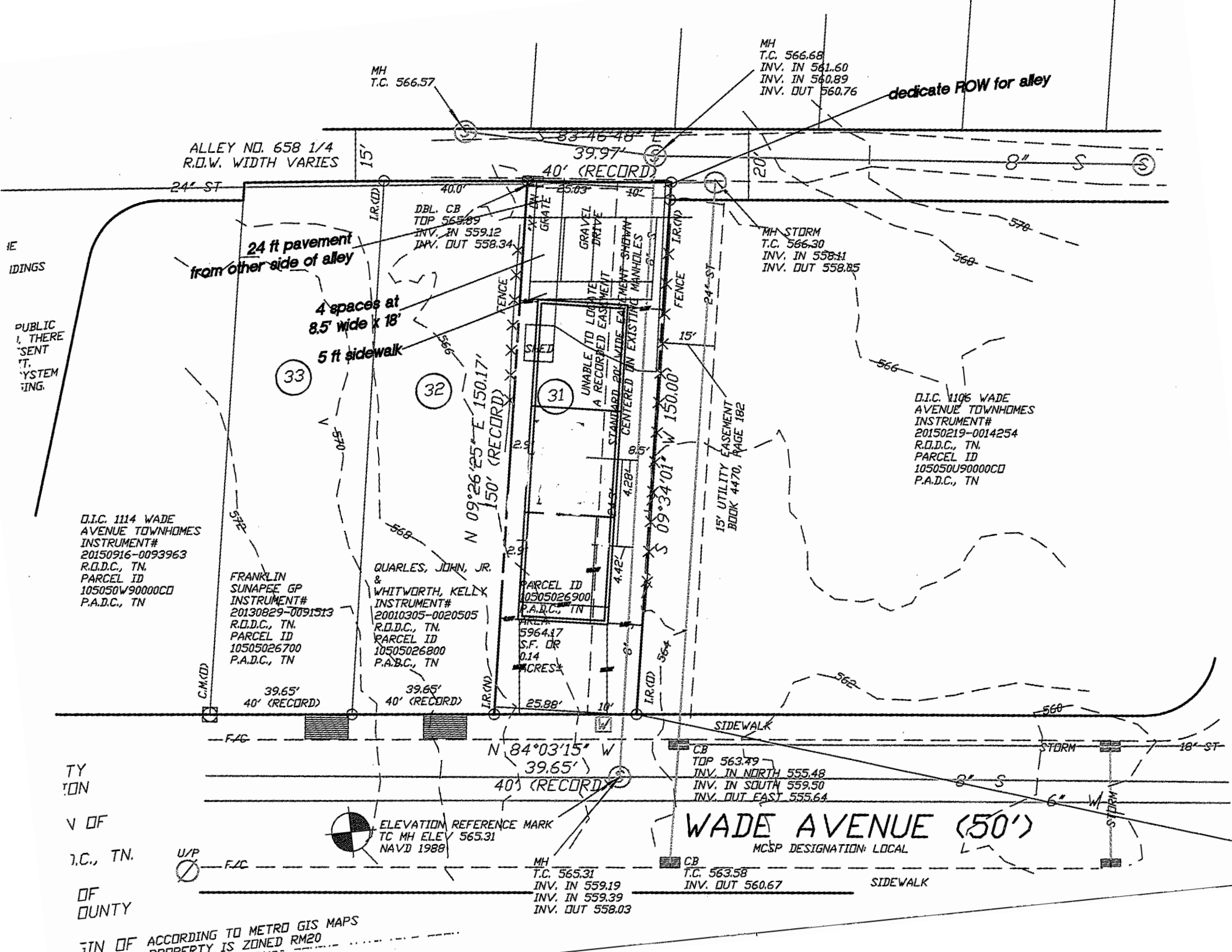
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10509013600

10509013500

11TH AVE S



ALLEY NO. 658 1/4
R.D.W. WIDTH VARIES

24'-ST

24 ft pavement
from other side of alley

4 spaces at
8.5' wide x 18'
5 ft sidewalk

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N 09°26'25" E 150.17'
150' (RECORD)

S 09°34'01" W 150.00'

15' UTILITY EASEMENT
BOOK 4470, PAGE 182

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PARCEL ID
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INSTRUMENT#
20130829-0091513
R.D.D.C., TN
PARCEL ID
10505026700
P.A.D.C., TN

QUARLES, JOHN, JR.
&
WHITWORTH, KELLY
INSTRUMENT#
20010305-0020505
R.D.D.C., TN
PARCEL ID
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PARCEL ID
10505026900
P.A.D.C., TN
AREA:
596.417
S.F. OR
0.14
ACRES

D.I.C. 1106 WADE
AVENUE TOWNHOMES
INSTRUMENT#
20150219-0014254
R.D.D.C., TN
PARCEL ID
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MH
T.C. 566.68
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INV. IN NORTH 555.48
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NAVD 1988

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T.C. 565.31
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INV. IN 559.39
INV. OUT 558.03

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T.C. 563.58
INV. OUT 560.67

SIDEWALK

WADE AVENUE (50')

MCS&P DESIGNATION: LOCAL

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TON
V OF
I.C., TN.
OF
DUNTY

31N OF ACCORDING TO METRO GIS MAPS
PROPERTY IS ZONED RM20

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-531 (1108 Wade Ave)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	RM20
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	600' from #17 – 12 th Avenue South
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing three attached townhomes and requests not to upgrade sidewalks on Wade Avenue due to the small size of the property. Planning evaluated the following factors for the variance request:

- (1) There is currently a 2' grass strip and 5' sidewalk on the property frontage. The existing sidewalk includes a small grass buffer for poles and other obstructions, and there is on-street parking which buffers moving traffic from people walking.
- (2) Contributing in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.
2. Prior to the issuance of building permits, dedicate right-of-way along the property frontage to accommodate future sidewalks per the Local Street Standard.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Sean Roberge Date: 8-20-18
Property Owner: Perce, Joseph & William Lucas Case #: 2018- 532
Representative: Sean Roberge Map & Parcel: 70-7-M-2-C0

Council District 2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting Reduction of front setback from 36.2' to 34.2'. A reduction of 2'

Activity Type: New Construction - Single family

Location: 1020 B Alice St.

This property is in the R8 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: _____

Section(s): 17.12.030(C)3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Luke Pierce
Appellant Name (Please Print)

Sean Roberge
Representative Name (Please Print)

1020 Alice St.
Address

975 N 5th St.
Address

Nashville, TN 37208
City, State, Zip Code

Nashville, TN 37207
City, State, Zip Code

(610) 595-6771
Phone Number

(615) 967-4787
Phone Number

Luke@worksenterprises.com
Email

Sean@RSC.build
Email

Appeal Fee: \$100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547737

ZONING BOARD APPEAL / CAAZ - 20180049794
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 070070M00200CO **APPLICATION DATE:** 08/20/2018

SITE ADDRESS:

1020 B ALICE ST NASHVILLE, TN 37218
UNIT 1020B TOWNHOMES AT 1020 ALICE STREET

PARCEL OWNER: PIERCE, JOSEPH & WILLIAM LUCAS

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting 2' reduction of front setback. reduction from 36.2' to 34.2'

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Hardship from Prec. buffer + contextual
front setbacks to move the structure
forward two feet.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

8/29/18
DATE

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Sean Roberge

Date: 7-20-18

Property Owner: Pierce, Joseph & William

Case #: 2018- 633

Representative: Sean Roberge

Map & Parcel: 90-7-M-1-C0

Council District 2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting Reduction of front setback
from 36.2' to 34.2'. A reduction of 2'

Activity Type: New Construction - Single Family

Location: 1020 A Alice St.

This property is in the R8 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Does not meet minimum required setback

Section(s): 17.12.030(c)3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Luke Pierce
Appellant Name (Please Print)

92 Sean Roberge
Representative Name (Please Print)

1020 Alice St.
Address

925 N 5th St.
Address

Nashville, TN 37208
City, State, Zip Code

Nashville, TN 37207
City, State, Zip Code

(310) 595-6771
Phone Number

(615) 967-4787
Phone Number

Luke@worksstation.com
Email

Sean@RSC.build
Email

Appeal Fee: \$100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547733

ZONING BOARD APPEAL / CAAZ - 20180049791
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 070070M00100CO

APPLICATION DATE: 08/20/2018

SITE ADDRESS:

1020 A ALICE ST NASHVILLE, TN 27218
UNIT 1020A TOWNHOMES AT 1020 ALICE STREET

PARCEL OWNER: PIERCE, JOSEPH & WILLIAM LUCAS

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting 2' reduction in required front setback. reduce front setback from 36.2' to 34.2'

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

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WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Hardship from rear better 2 front contextual setback to move the street tree front
terrace

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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APPELLANT

8/20/18
DATE

Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JOSH HELLMER
Property Owner: DUKE, H.C.
Representative: N/A

Date: 8/20/18
Case #: 2018-534
Map & Parcel: 10504012700

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: SINGLE FAMILY / NEW CONSTRUCTION

Activity Type: SINGLE FAMILY RESIDENCE

Location: _____

This property is in the RO Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST¹ LOT SIZE² FRONT S/B³ NOT INSTALL SIDEWALKS

Section(s): 1. 17.40.670 2. 17.12.030.C3 3. 17.26.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

JOSH HELLMER
Appellant Name (Please Print)

N/A
Representative Name (Please Print)

1071 2ND AVE S
Address

Address

NASHVILLE, TN 37203
City, State, Zip Code

City, State, Zip Code

920-207-4721
Phone Number

Phone Number

HELLMERS@HOTMAIL.COM
Email

Email

Appeal Fee: _____



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3547806

**ZONING BOARD APPEAL / CAAZ - 20180049832
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10504012700

APPLICATION DATE: 08/20/2018

SITE ADDRESS:

0 SHEPARD ST NASHVILLE, TN 37210
PT LOT 19 TRIMBLE ADDN

PARCEL OWNER: DUKE, H. C.

CONTRACTOR:

APPLICANT:

PURPOSE:

1. PER 17.40.670 MINIMUM OF 3,750 SF REQUIRED FOR NONCONFORMING LOT AREA TO CONTRUCT SINGLE FAMILY RESIDENCE... ..

REQUEST TO BUILD SINGLE FAMILY RESIDENCE ON 3,475 SF PARCEL (93% OF 3,750 SF)

2. PER 17.12.030C.3 MINIMUM FRONT SETBACK IS XX FEET

REQUEST TO BUILD XX INTO SETBACK AREA (10' FRONT SETBACK)

3. PER 17.20.120 REQUEST NOT TO INSTALL SIDEWALKS

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

THE LOT IS UNDERSIZED, ONLY 3400
SQUARE FEET ROUGHLY. HOUSE NEXT DOOR
IS CLOSE TO WALK, WE'D LIKE
TO BE IN LINE WITH IT. RETAINING
WALL DOESN'T ALLOW FOR NEW WALKS,
WE'D BE HAPPY TO PAY INTO THE
IN LIEU OF ACCOUNT.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

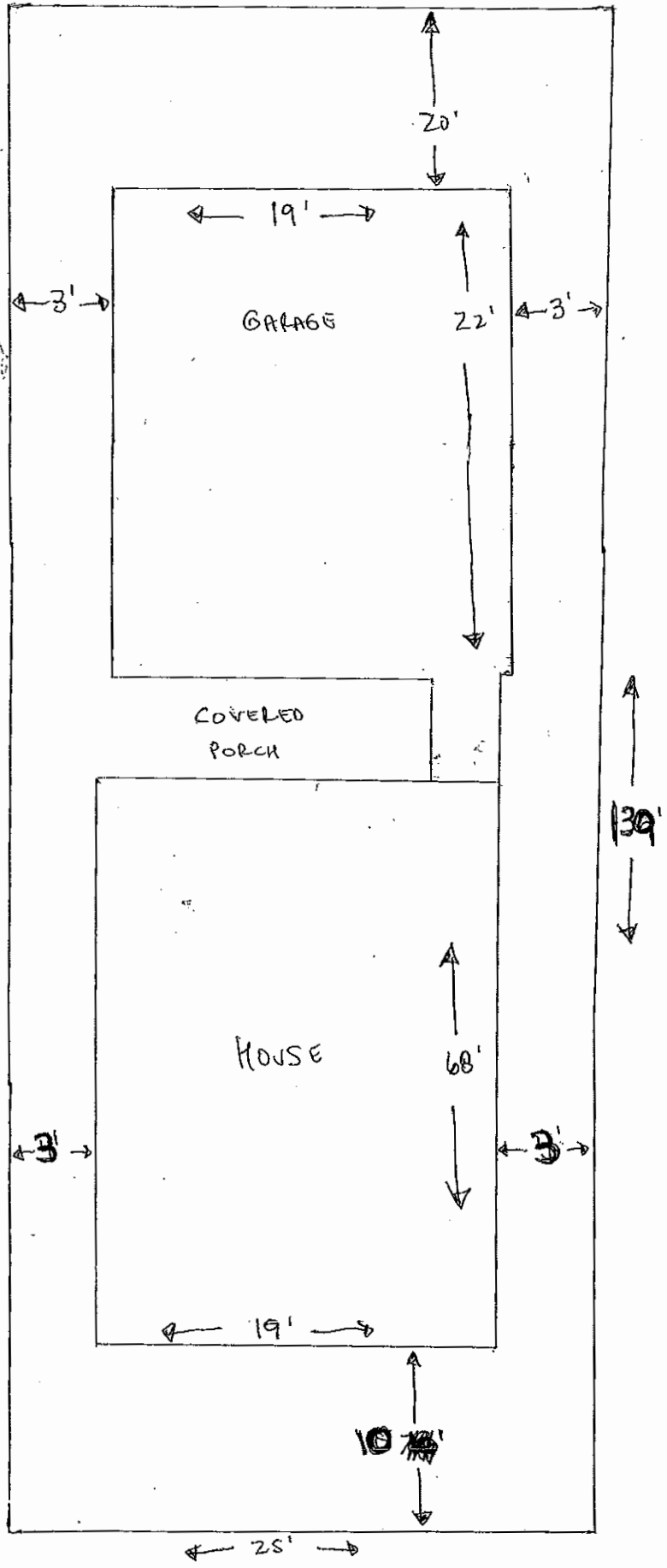
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

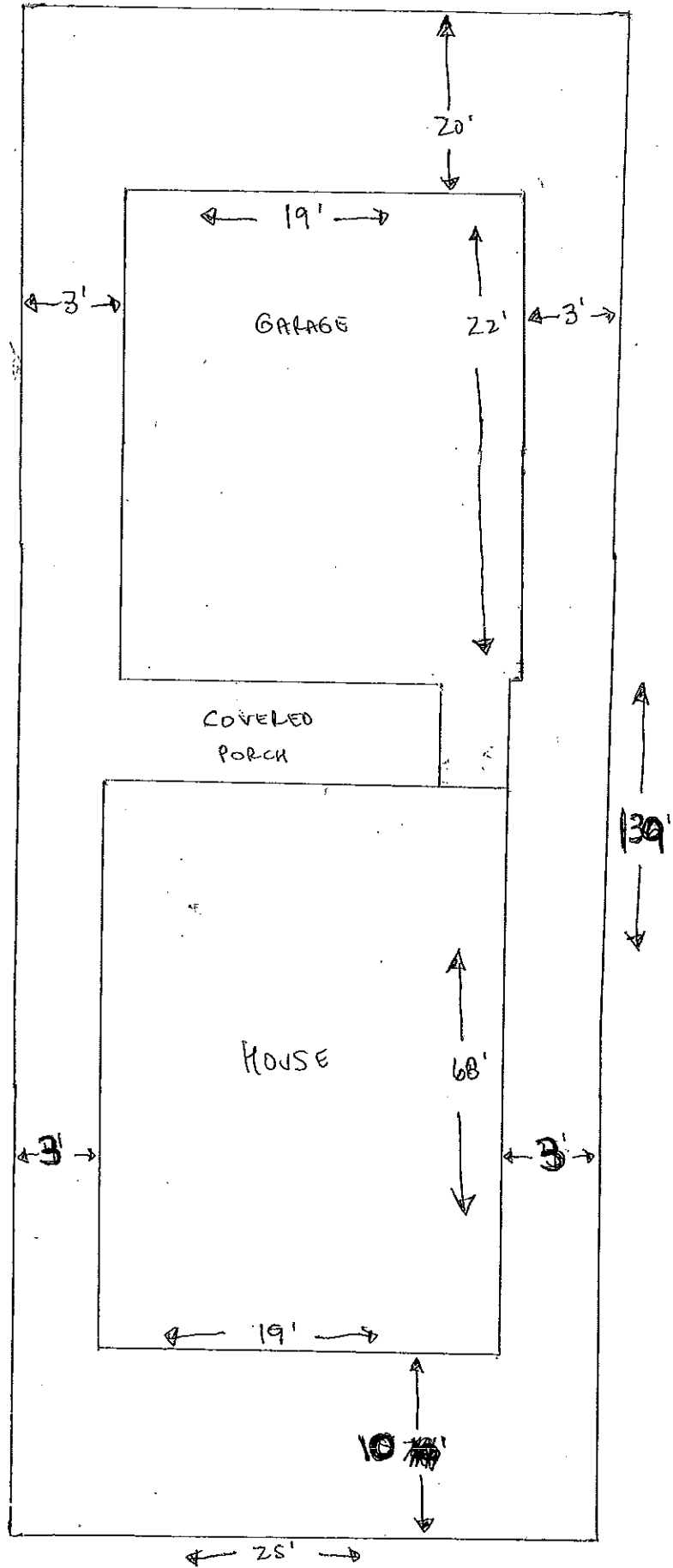
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT

8/20/18
DATE



O SHEPARD ST
 10504012700



O SHEPARD ST
10504012700

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-534 (0 Shepard Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not upgrade sidewalk; contribute in-lieu of construction (not eligible)
Zoning:	R6
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	Property 0.19 miles from #25 – Midtown
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing a single family dwelling and requests a variance from upgrading sidewalks to the Metro Local Street standard due to the presence of an existing sidewalk along the frontage of the site. The applicant requests to provide a contribution in-lieu of construction. Planning evaluated the following factors for the variance request:

- (1) A 4' sidewalk with no grass strip currently exists along Shepherd Street for the entire block from 1st Avenue South to Thomas Street.
- (2) The existing 4' sidewalk has a retaining wall and steps located at the back of the sidewalk that provides access to the property. This condition is consistent across several properties along this block face. Upgrading the sidewalks to the Metro Local Standard and moving the retaining wall back on the property will impact adjacent parcels to the immediate west and east.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : Sarah Tate

Date: 8-20-18

Property Owner: Greg & Keisha Beard

Case #: 2018-535

Representative: : Sarah Tate

Map & Parcel: 081160141600

Council District 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

Location: 1503 Jefferson St.

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the proper permit.

Section(s): 17.163.250 (E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Sarah Tate
Appellant Name (Please Print)

Same as Appellant
Representative Name (Please Print)

1503 Jefferson
Address

Address

Nashville, TN 37208
City, State, Zip Code

City, State, Zip Code

(310) 864-2321
Phone Number

Phone Number

sarah.jay.tate@gmail.com
Email

Email

Appeal Fee: \$100.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547805

ZONING BOARD APPEAL / CAAZ - 20180049831
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08116041600

APPLICATION DATE: 08/20/2018

SITE ADDRESS:

1503 JEFFERSON ST NASHVILLE, TN 37208

LOT 223 & PT 222 HARDINGS 2ND ADDN

PARCEL OWNER: BEARD, GREGORY L. & KEISHA G.

CONTRACTOR:

APPLICANT:

PURPOSE:

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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING--3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

Sub 2 *08/20/18*



AFFIDAVIT FOR SHORT TERM RENTAL

I Keisha G. Beard hereby authorize Sara Tate to apply for a Short Term Rental Permit(s) and to take care of all matters associated with the short term rental for my property located at 1503 Jefferson St, Nashville, TN 37208.

[Signature]
Signature

8/20/18
Date

Affiant's PRINTED Name Keisha G. Beard
Affiant's Address 52 Vaughns Gap Rd
Nashville, TN 37205

Representative's Email theessense dayspa@gmail.com
Phone 615-268-4112

COUNTY OF DAVIDSON

STATE OF TENNESSEE

Before me, Sarah Skiles, a Notary Public for said County and said State, appeared Keisha Beard, with whom I am personally acquainted, or proven to me on the basis of satisfactory evidence and that in the capacity of Representative executed the foregoing Affidavit for the purposes therein contained.



This the 20 day of August, 2018
[Signature]
NOTARY SIGNATURE

My Commission Expires: 12-22-19

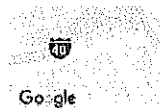
Rental Unit Record

1503 Jefferson St, Nashville, TN 37208, USA

Removed ✗
Identified ✓
Compliant ✓

PRINT

Airbnb - 25451628



Identified Address

1503 Jefferson St, Nashville, TN 37208, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.170217, -86.802453

Parcel Number

08116041600

Owner Name

BEARD, GREGORY L. & KEISHA G.

Owner Address

52 Vaughns Gap Rd
Nashville, TN 37205, US

Matched Details

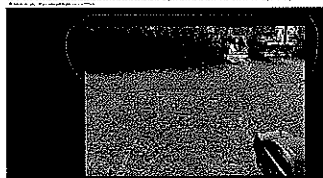
Analyst

R6CN

Explanation

The back yard picture clearly shows the fence line, bushes, opening in the fenceline, the white building with the awnings, and the windows on the other building that match the listing picture.

Listing Photos



Matching 3rd Party Sources



The back yard picture clearly shows the fence line, bushes, opening in the fenceline, the white building with the awnings, and the windows on the other building that match the listing picture.

Timeline of Activity

View the series of events and documentation pertaining to this property






Zip Code Match

City Name Match

✗ Listing air25451628 Removed August 15th, 2018

Listing Details


Listing URL	— https://www.airbnb.com/rooms/25451628
Listing Status	● Inactive
Host Compliance Listing ID	— air25451628
Listing Title	— Cherry Blossom
Property type	— House
Room type	— Private room
Listing Info Last Captured	— Aug 10, 2018
Screenshot Last Captured	— Aug 13, 2018
Price	— \$25/night
Cleaning Fee	— \$8

- ✔ First Warning - No STR or Tax: Delivered  August 10th, 2018
-  3 Documented Stays August, 2018
- ✔ First Warning - No STR or Tax: Sent  August 4th, 2018
-  5 Documented Stays July, 2018
- ✔ Listing air25451628 Identified July 13th, 2018
-  7 Documented Stays June, 2018
- Listing air25451628 Reposted June 22nd, 2018
- ✘ Listing air25451628 Removed June 22nd, 2018
- ✳ Listing air25451628 First Crawled June 1st, 2018
- Listing air25451628 First Activity June 1st, 2018

Information Provided on Listing

Contact Name	— Sarah
Latitude, Longitude	— 36.171402, -86.802868
Minimum Stay (# of Nights)	— 1
Max Sleeping Capacity (# of People)	— 1
Number of Reviews	— 15
Last Documented Stay	— 08/2018

Listing Screenshot History

 [View Latest Listing Screenshot](#)

June 5

July 4

August 2

August 13, 2018 - 10:44AM America/Chicago



Anywhere

Become a host Earn credit Help Sign up Log in

Aug 13, 2018 10:44am America/Chicago

Share

Save



View Photos

PRIVATE ROOM IN HOUSE

Cherry Blossom

Nashville



Sarah

1 guest 1 bedroom 1 bed 1 shared bath

HOME HIGHLIGHTS

Self check-in · Easily check yourself in with the keypad.

Helpful · Not helpful

Great check-in experience · 100% of recent guests gave this home's check-in process a 5-star rating.

Helpful · Not helpful

\$28 per night

★★★★★ 16

Dates

Check In

→ Check Out

Guests

1 guest



Request to Book

You won't be charged yet

Report this listing

One extra large, plush futon that converts into a queen size bed (82.68" L x 51.57"W) located 1.4 miles (\$5 Uber ride) to Downtown Nashville. Near Vanderbilt, TSU, Fisk, and Meharry. Flexible check-in with keypad.

This room is located upstairs in a converted attic. There is a bathroom adjacent to the room, however the shower is located in the bathroom downstairs.

This is a 5 bedroom house with 3 of the rooms listed on Airbnb. If you want to book multiple rooms, please see my other listings.

The space

This room is for a single occupant only (FEMALE ONLY). NO COUPLES!

Check in time is very flexible.

Guest access

Washer/Dryer use with minimum one week stay

Interaction with guests

Interaction with guests

I am away most of the day.

Other things to note

I have a five pound dog.

Hide ^

Contact host

Amenities

- Free parking on premises
- Iron
- Kitchen
- Laptop friendly workspace
- Wifi
- Dryer

Show all 32 amenities

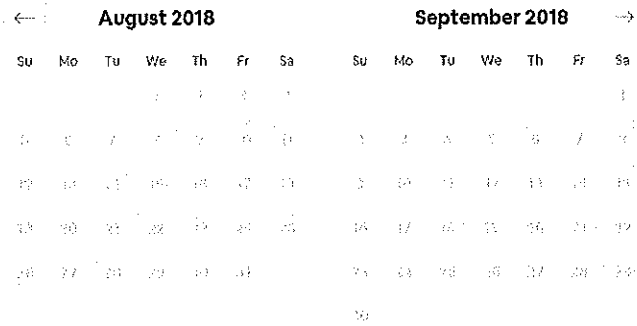
Sleeping arrangements



Bedroom 1
1 queen bed

Availability

Updated 2 days ago



16 Reviews ★★★★★

Search reviews

- Accuracy ★★★★★
- Communication ★★★★★
- Cleanliness ★★★★★
- Location ★★★★★
- Check-in ★★★★★
- Value ★★★★★

Kylie
August 2018

Location is super close to everything. On site parking is a huge plus! Sarah was very welcoming.

Alexandra
August 2018

My stay was okay but I don't think it was worth the price. Directions to parking were not clear, there was a bit of a smell upstairs, my room door did not lock and the handle kept falling off, and the wifi signal from my room wasn't very strong at all. However, Sarah was kind enough to let me store my bicycle inside and store some food in the fridge, the bedding and bathrooms were clean, I was provided with a fresh towel for showering, and there was A/C in my room which was very nice, especially considering how hot and humid it was outside.

nice, especially considering how hot and humid it was outside



Rosella
August 2018

Price of room was spot on. Location of house is not the best (according to interactions with people it's supposedly the hood). Room door does not have a lock on it so be careful with expensive things you may have. Would not stay longer than 2-3 days. Host was overall very hospitable. The quality equals the price.



Thomas
July 2018

This is a great stay. Great value. Great location for public transportation. You can ride the free Music City Express to downtown/food/music/sports. Easy. Its a loop so you ride it home also. Save your Uber/Lyft money for eating, drinking, and fun things.....!



Steve
July 2018

Great value opportunity. Location is very cool and convenient.



Eric
July 2018

Sarah was a great host, and I enjoyed my time there. The bed was very comfortable and the room had it's own Air Conditioner with remote, so I could set it to my preferences. The room has a desk as well. There's lots of free parking behind the house. Sarah has several rooms available and a large living room, making it ideal for groups/bachelorette parties, etc. Less than \$5 Uber from downtown makes it easy! Thanks, Sarah!



Chloe
July 2018

Perfect oasis for rest during my trip from Texas to New York. Got much needed rest on a comfy bed. :)



Hosted by Sarah



Los Angeles, California, United States · Joined In January 2016

★ 94 Reviews ✓ Verified

I work hard and try to grab and cherish every moment of peace I can get. (single/ no children)

Response rate: 100%

Response time: within an hour

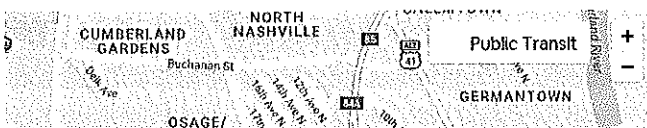
Contact host

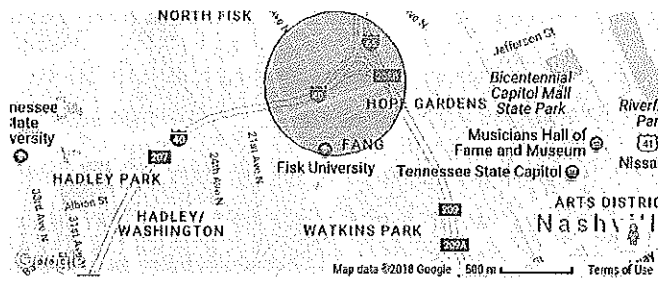
Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. Learn more

The neighborhood

Sarah's home is located in Nashville, Tennessee, United States.

Things to do in Nashville





Exact location information is provided after a booking is confirmed.

Policies

House Rules

- Not safe or suitable for children (0-12 years)
- No smoking
- Not suitable for pets
- No parties or events
- Check-in is anytime after 3PM
- Check out by 11AM
- Self check-in with keypad

No visitors or additional guests are allowed in the house. Your reservation will be cancelled if you violate this rule.

You must also acknowledge

- Pet(s) live on property
- Must climb stairs - one flight
- Hide rules ^

Cancellations

- Flexible policy - Free cancellation within 48 hours
- Cancel within 48 hours of booking to get a full refund.
- Read more about the policy v

Similar listings

Explore other options in and around Nashville

More places to stay in Nashville: Apartments · Bed and breakfasts · Lofts · Villas · Condominiums

Asheville Vacation Rentals
 Petaluma Vacation Rentals
 Louisville
 Alamo
 Memphis
 Galway

Morgan Hill Vacation Rentals
 Morro Bay Vacation Rentals
 St Louis
 Nashville
 Colter Bay Village
 Lowville

Eagle Vacation Rentals
 Brandon
 Hackensack
 Atlanta
 West Glacier
 Mesa Verde National Park

Airbnb

Discover

Hosting



Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Lauren Harris Date: 8/20/18
 Property Owner: Bells Bluff LLC Case #: 2018-536
 Representative: Lauren Harris Map & Parcel: 102-18

Council District 20

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Apt : Bell Bluff Sign

Activity Type: Apt

Location: 7600 Cabot Dr N, TN 37209

This property is in the RM25 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

- 1.....MAX HT 6'...REQUEST 10' (OR IF USING AVERAGE 7'3")...17.32.080 B 5. ✓
- 2.....MAX SQFT 32 SQFT...REQUEST..94 SQFT....17.32,080 B. ✗
- 3.....request internal illumination... CODE ALLOWES EXTERNAL ILLUMINATION...GOOSE NECK..OR SPOT LIGHTED... (DIRECT AND STEADY MEANS) 17.32.080 C 1. ✗

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Lauren Harris
Appellant Name (Please Print)

Representative Name (Please Print)

626 B Main St
Address

Address

Suite 202

N, TN 37206
City, State, Zip Code

City, State, Zip Code

865-803-6341
Phone Number

Phone Number

Lharris@tollesonmccoy.com
Email

Email

Appeal Fee: _____



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3547953

APPLICATION FOR BUILDING SIGN PERMIT / CASN - T2018049940
THIS IS NOT A PERMIT

PARCEL: 10200001800

APPLICATION DATE: 08/21/2018

SITE ADDRESS:

7600 CABOT DR NASHVILLE, TN 37209
PT. LOTS 17-18-19 MOUNT HICKORY SUB.

PARCEL OWNER: BELLS BLUFF, LLC

APPLICANT:

PURPOSE:

SIGN PERMIT FOR BELLS BLUFF APT

DENIED:

- 1....MAX HT 6'...REQUEST 10' (OR IF USING AVERAGE 7'3")...17.32.080 B 5.
- 2....MAX SQFT 32 SQFT...REQUEST..94 SQFT....17.32.080 B.
- 3.....request internal illumination... CODE ALLOWES EXTERNAL ILLUMINATION...GOOSE NECK..OR SPOT LIGHTED...
(DIRECT AND STEADY MEANS) 17.32.080 C 1.

POC: LAUREN HARRIS 865-803-6341

e-mail...lharris@tollesonmccoy.com

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review

[A] Zoning Review

[A] Bond & License Review On Bldg App

BZA Hearing

[C] Flood Plain Review On Blgd App

615-862-6505 Debbie.Lifsey@nashville.gov

862-6038 logan.bowman@nashville.gov

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Ned Miller, DEUMagn 8.20.18
APPELLANT BEUS BLUFF, LLC DATE

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

The Bells Bluff development is comprised of 402 residential units on a 44 acre site along the Cumberland River. The site's 4-lane vehicular entrance is over 60'-0" wide. Given the scale of the development and the curves limiting vehicular visibility along Cabot Drive, a 32s.f. sign will not be sufficient to assist with wayfinding to the property, nor is it appropriate for the scale of the entrance to the development. Additionally, the grade changes in excess of 4' across the face of the sign's site wall. To allow the sign face to be visible from the street, an allowable height of 10'-0" from the lowest part of the grade is requested. We also request approval for internal illumination in low light settings.

4. The leading edge or face of the sign or any building or other structure to which the sign is attached must be set back from the public right-of-way a minimum of fifteen feet;

5. No residential identification sign may exceed six feet in height;

6. All residential identification signs may be illuminated by direct and steady means only;

7. Each residential identification sign shall be maintained perpetually by the developer, sign owner, owners' association or some other person who is legally accountable under an approved maintenance agreement. Signs that are not maintained shall be removed by the developer or owner.

C. One flat-mounted on-premises building sign of a maximum of thirty-two square feet in area, for each street frontage, may be placed on the street facing facade of a building that contains a minimum of sixteen units, provided that it is:

1. Illuminated by direct and steady means only;
2. Does not extend more than six inches from the facade of the building. (Ord. BL2016-309 § 5(Exh.), 2016)

17.32.090 Community facility on-premises signs.

A. Signs located at community facilities in residential districts shall conform to the size provisions applicable to the ON district. The maximum height of a ground sign shall be eight feet; the minimum street setback shall be fifteen feet; the sign shall not encroach required side setbacks of the district; and only one such ground sign shall be permitted per street frontage.

B. All Other Districts. Community facilities shall be permitted the signage of the district occupied by the community facility. (Ord. BL2016-309 § 5(Exh.), 2016)

17.32.100 Informational signs for large sites.

A. Sites larger than five acres shall be allowed an additional informational sign, in addition to other on-premises signs. An informational sign may convey non-commercial information, directions or instructions for the safety, convenience and need to know for the use, or restriction of use, of a lot on a permanent basis.

B. All signs of this nature shall be designated on the common signage plan for the property.

C. The provisions of Section 17.32.050, Prohibited signs, shall apply to prohibited signs.

D. Sign Types Allowed. A sign of this nature may be a ground or building sign, and shall be permitted in addition to other on-premises signs.

E. Permissible Number, Size and Height. The following standards shall apply to all such signs except for those utilized in the commercial attraction (CA) district when not readily visible from a public street external to the development or residentially zoned property abutting the subject property:

1. Developments with improved land area of five acres or more shall be permitted two informational signs per five acres of improved area. Any fractional values shall be discarded.

2. The maximum size of any one informational sign shall be thirty-two square feet.

3. The maximum height of any informational ground sign above grade shall be ten feet.

4. Copy height shall be limited to a maximum of six inches.

5. Copy may include one logo per face provided that the logo does not exceed twenty percent of the total sign area.

F. Required Setbacks.

1. An informational sign shall not be located within fifty feet of a side or rear lot line.

2. An informational sign shall not be located within one hundred feet of a front lot line. (Ord. BL2016-309 § 5(Exh.), 2016)

17.32.110 On-premises signs—I, MUN, MUN-A, MUL, MUL-A, ON, OL, OG, OR20, OR20-A, OR40, OR40-A, CN, CN-A, CL-A, CS-A and SCN districts.

A. Based on whether an on-premises sign is an on-premises ground or on-premises building sign, refer to the subsection under the appropriate type for computation of sign area.

B. All on-premises ground and on-premises building signs must be approved under an overall signage plan.

C. The number, area, spacing and height of permanent on-premises ground signs shall be determined according to Table 17.32.110, except that land uses classified as Car wash shall be further restricted as specified in Section 17.16.070.



AR2A

R10

R40

PRIVATE

PRIVATE

PRIVATE

PRIVATE

PRIVATE

Rm20

PRIVATE

PRIVATE

PRIVATE

SCR

CR20

AR2A

CS

CAROT DR

I40 RAMP

I40 RAMP

CL

I40 RAMP

I40 W

I40 RAMP

I40 RAMP

T3-M-AB5-LM

SP

CHARLOTTE PIKE

T3-M-AB5-LM

T3-M-AB4-LM

T3-R-AB4-LM

PRESLEY DR

DEYSSON LN

T3-M-AB5-LM

T3-M-CA2

T3-F6

T3-F6

T3-F6

RS10

RS40

R40

R15

RS15

SHILOH DR

CLEMATIS DR

ALFRED DR

17.32.160 Computations.

The following determinants shall control the calculation of sign area, height, and placement.

A. Distance Between Signs. The minimum required distance between signs shall be measured along street rights-of-way from the closest parts of any two signs.

B. Facade Area. The facade area for the purpose of calculating permitted on-premises building sign area may be determined as follows:

1. When architectural elevations are provided that accurately and to scale depict the facade of the structure, the area of the facade shall be calculated as the true structural building facade exclusive of roofs, parapets, and false facia. Parapets of a uniform height on three sides of a structure and of a similar and uniform building material may be included in the facade areas, but decorative parapet extensions of irregular height are excluded.

2. When architectural plans are not provided, it shall be assumed that the height of the facade of the first floor is twelve feet, and that the height of the facade of all stories above the first floor is ten feet per floor. Facade area shall be calculated based on the following formula:

[Facade length × 12 ft. (first floor)] + [facade length × 10 ft. per each additional floor] = facade area

C. Sign Area. The area of a sign shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof which will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall, when such fence or wall otherwise meets the provisions of this title, and is clearly incidental to the display itself.

D. Building-Mounted Letters and Pictures. Where a sign is composed of letters or pictures attached directly to a facade, window, door or marquee, and the letters or pictures are not enclosed by a border or trimming, the sign area shall be the area within the smallest rectangle,

parallelogram, triangle, circle or semicircle or combination thereof, the sides of which touch the extreme points of the letters or pictures.

E. Four-Sided On-Premises Sign. Where four sign faces are arranged in a square, rectangle or diamond, the area of the on-premises sign shall be the area of the two largest faces.

F. Triangular On-Premises Sign. Where the inside angle of the edge nearest the street is greater than twenty degrees, the area of the sign shall be the area of the two largest faces.

G. Multiple-Face On-Premises Sign. For a multiple-faced on-premises sign, the sign area shall be computed by including all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such signs are part of the same sign structure and not more than forty-two inches apart, the sign area shall be computed by the measurement of one of the faces. If the forty-two inch space is used for any message, it will be counted as a sign face.

H. Height. Sign height shall be computed as the distance from the base of the sign at the normal grade to the top of the highest attached component of the sign, or the nearest curb level of the surface street providing access to the site, whichever provides the greatest height. Normal grade shall be construed to be the existing grade prior to construction or the newly established grade after construction exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign.

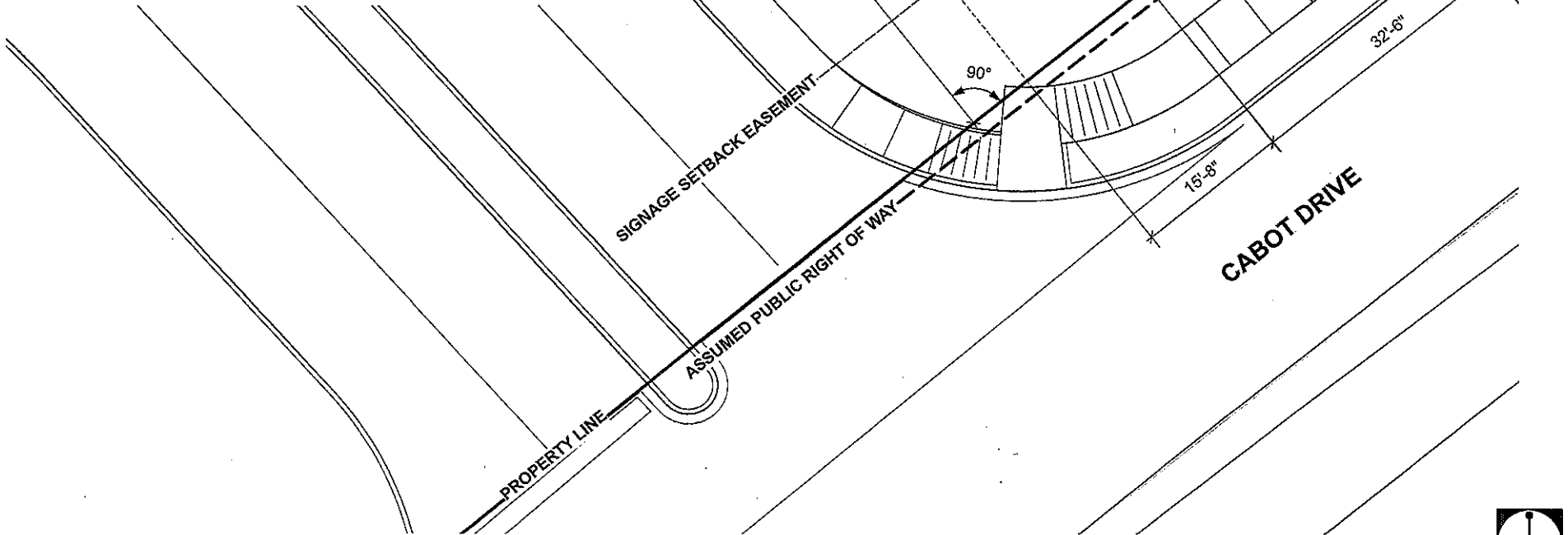
I. Maximum On-Premises Sign Area. The permitted sum of the area of all individual on-premises signs on a lot shall be computed by applying the formula under each district to the lot frontage or ground floor area, and building facade, as appropriate, for the zoning district in which the lot is located. Lots fronting on two or more streets are allowed the permitted on-premises ground sign area for each street frontage; however, the total on-premises ground sign area that is oriented toward a particular street may not exceed the portion of the lot's total on-premises ground sign area allocation that is derived from that street or from the total ground floor area.

NOTES:

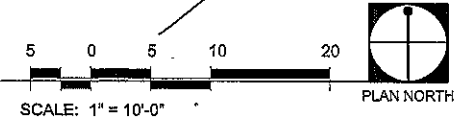
1. PER METRO CODE 17.32.080, SECTION B4:
THE LEADING EDGE OR FACE OF THE SIGN OR ANY BUILDING OR
OTHER STRUCTURE TO WHICH THE SIGN IS ATTACHED MUST BE
SET BACK FROM THE PUBLIC RIGHT-OF-WAY A MINIMUM OF
FIFTEEN FEET AWAY FROM PUBLIC RIGHT OF WAY.

2. SIGNAGE LOCATION IS APPROXIMATE. DESIGN
INTENT IS TO LOCATE SIGN IN ACCORDANCE WITH
METRO CODES.

3. LOCATION OF PUBLIC RIGHT OF WAY IS ASSUMED.
EXACT LOCATION OF PUBLIC RIGHT OF WAY VARIES.
CONTRACTOR TO CONFIRM ON SITE.



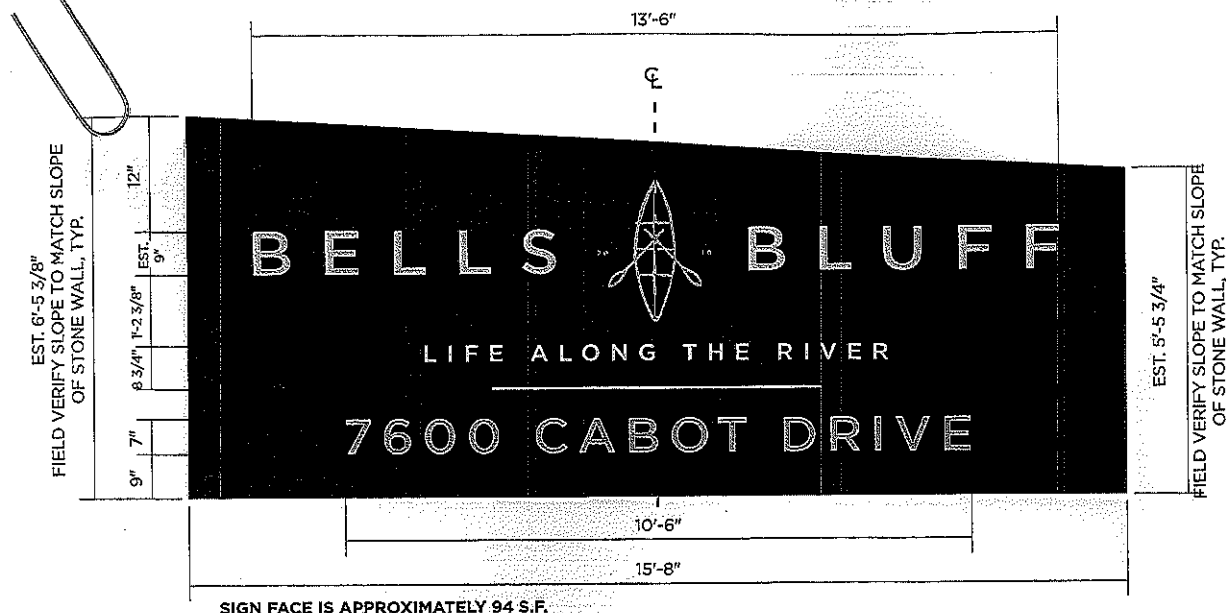
1 ENLARGEMENT: ENTRY MONUMENT
Scale: 1" = 10 ft



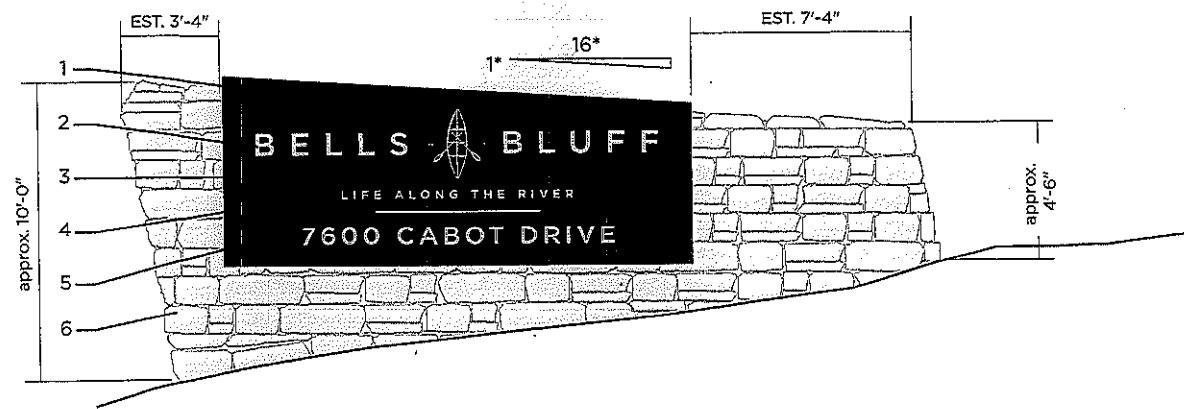
**MONUMENT
(MON)**

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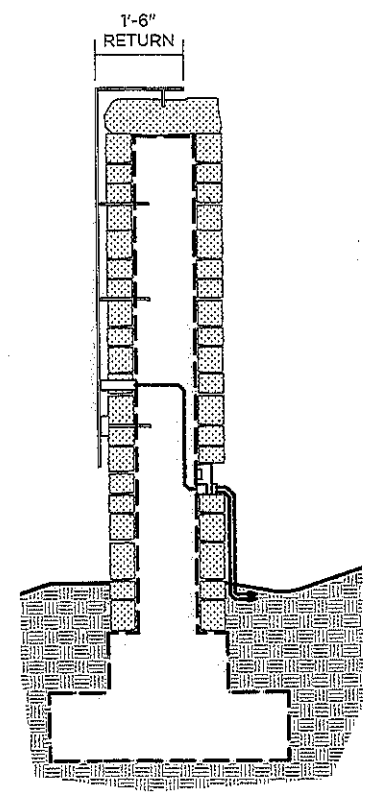
1. 1/4" THICK PAINTED ALUMINUM TO MATCH P8.
2. PUSH THROUGH MILK WHITE ACRYLIC, FACEPAINTED TO MATCH P4. BACKLIT DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.
3. MASKED AND PAINTED LOGO DETAIL TO MATCH P9. (NOT DIMENSIONAL)
4. MASKED AND PAINTED LOGO DETAIL TO MATCH P4. (NOT DIMENSIONAL)
5. PUSH THROUGH MILK WHITE ACRYLIC, FACEPAINTED TO MATCH P9. BACKLIT DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.
6. FOUNDATION/ STONE WALL/ POWER PROVIDED BY OTHERS. FIELD VERIFY AND COORDINATE ATTACHMENT AND HOOK UP WITH GENERAL CONTRACTOR PRIOR TO FABRICATION/INSTALL.



2 FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

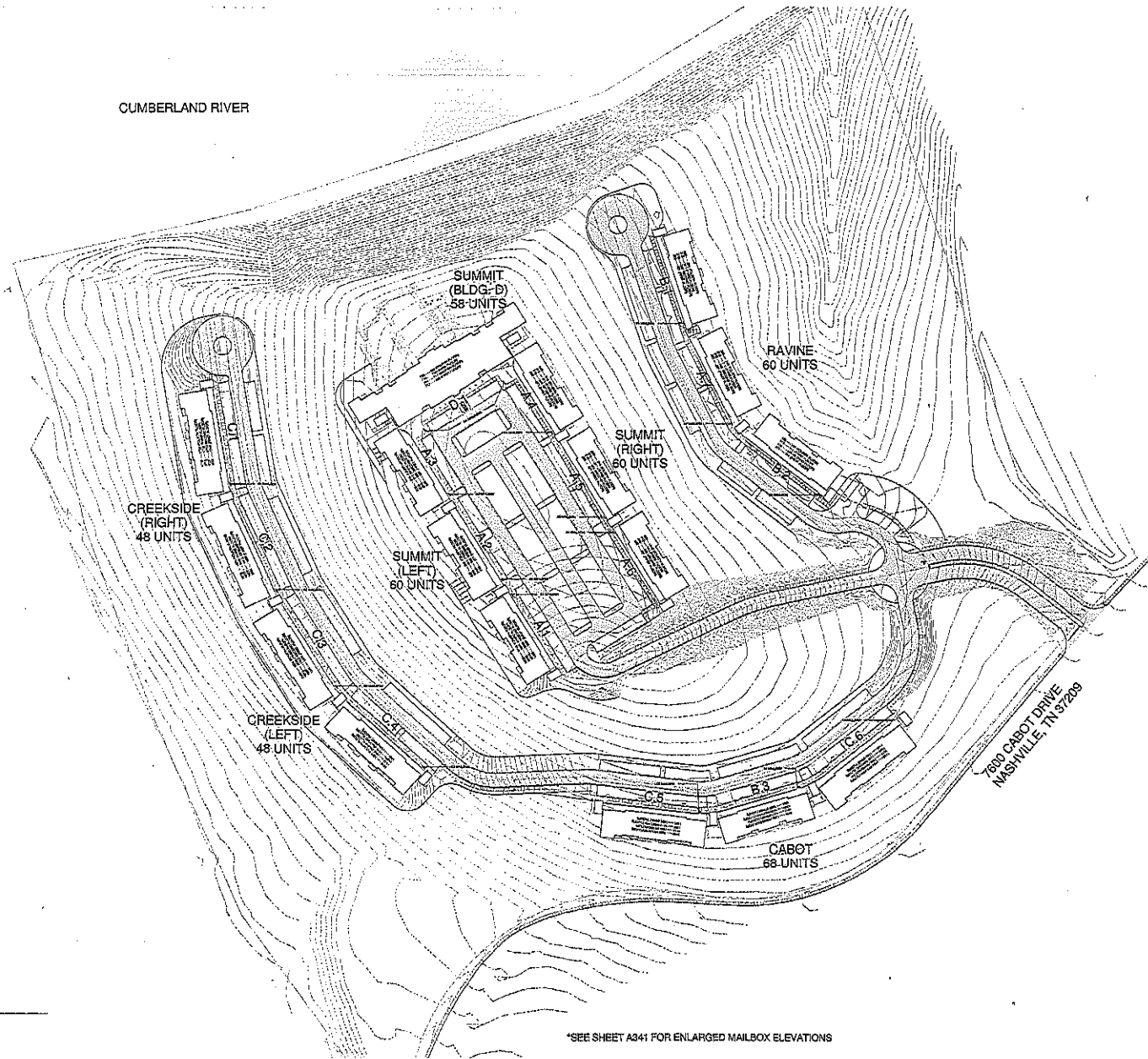


3 SECTION
SCALE: 1/2" = 1'-0"

SECTION PROVIDED FOR REFERENCE ONLY.
FIELD VERIFY AND COORDINATE STONE LOW
WALL AND POWER HOOKUP (BY OTHERS).

**TOLLESON
MCCOY**
626B Main Street
Suite 202
Nashville, TN 37206
865-803-6341

CUMBERLAND RIVER



Southeast Venture
DESIGN SERVICES

ARCHITECT ENGINEER INTERIOR DESIGNER LANDSCAPE ARCHITECT
1000 GARDEN DRIVE, SUITE 200
NASHVILLE, TN 37203

BELLS BLUFF

FOUR BLDG FACILITY
700 GARDEN DRIVE, SUITE 200, NASHVILLE, TN 37203

THE BEACH COMPANY
EST. 1945



ISSUED	DATE
REVISION	DATE

ARCHITECTURAL POSTAL PLAN

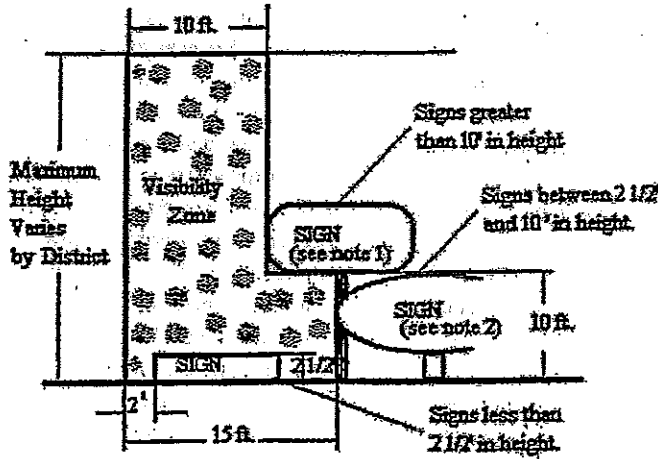
A100.1

DATE: 05/14/04
DRAWN BY: [Signature]
PROJECT: 04-1004

ARCHITECTURAL POSTAL PLAN

*SEE SHEET A341 FOR ENLARGED MAILBOX ELEVATIONS

Figure 17.32.070
PERMANENT GROUND SIGNS



Setback restrictions in nonresidential and mixed-use districts.

Note 1: There is a minimum ten foot setback for signs with more than ten feet of ground clearance in all districts which require a front setback.

Note 2: There is a minimum fifteen foot setback for signs with more than two and one-half feet but less than ten feet of ground clearance in all districts that require a front setback.

(Ord. BL2016-309 § 5(Bxh.), 2016)

17.32.080 On-premises signs in residential districts.

Permanent on-premises ground and on-premises building signs at the entrance to a residential development are permitted subject to the following restrictions:

A. Each residential development containing three through fifteen dwelling units and approved under one plat shall be permitted one on-premises identification sign, with a maximum size of six square feet, at the development entry from a public street. The provisions of subsection B of this section, subdivisions (4), (5), (6) and (7) shall apply.

B. Each residential development containing at least sixteen units and approved under one plat shall be permitted up to thirty-two square feet per development

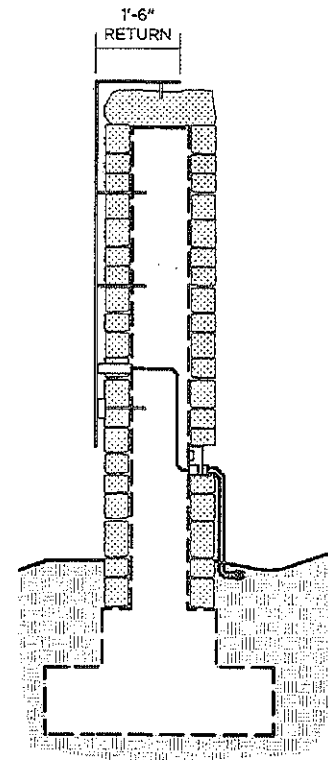
entry, to a maximum of three, from a public street. The on-premises signage at each development entry may be one of the following:

1. A double-sided sign located perpendicular to the public street and containing up to thirty-two square feet for the one sign face;
2. A single-sided sign located parallel to the public street and containing up to thirty-two square feet for the one sign face. Displaying a sign on the opposite face, if the total number permits, will be counted as one additional sign;
3. A flared wall, or similar, to which two single-sided signs are attached or imbedded and each sign does not exceed sixteen square feet;

**MONUMENT
(MON)**

NOTES

1. 1/4" THICK PAINTED ALUMINUM TO MATCH P8.
2. PUSH THROUGH MILK WHITE ACRYLIC, FACEPAINTED TO MATCH P4. BACKLIT DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.
3. MASKED AND PAINTED LOGO DETAIL TO MATCH P9. (NOT DIMENSIONAL)
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6. FOUNDATION/ STONE WALL/ POWER PROVIDED BY OTHERS. FIELD VERIFY AND COORDINATE ATTACHMENT AND HOOK UP WITH GENERAL CONTRACTOR PRIOR TO FABRICATION/INSTALL.

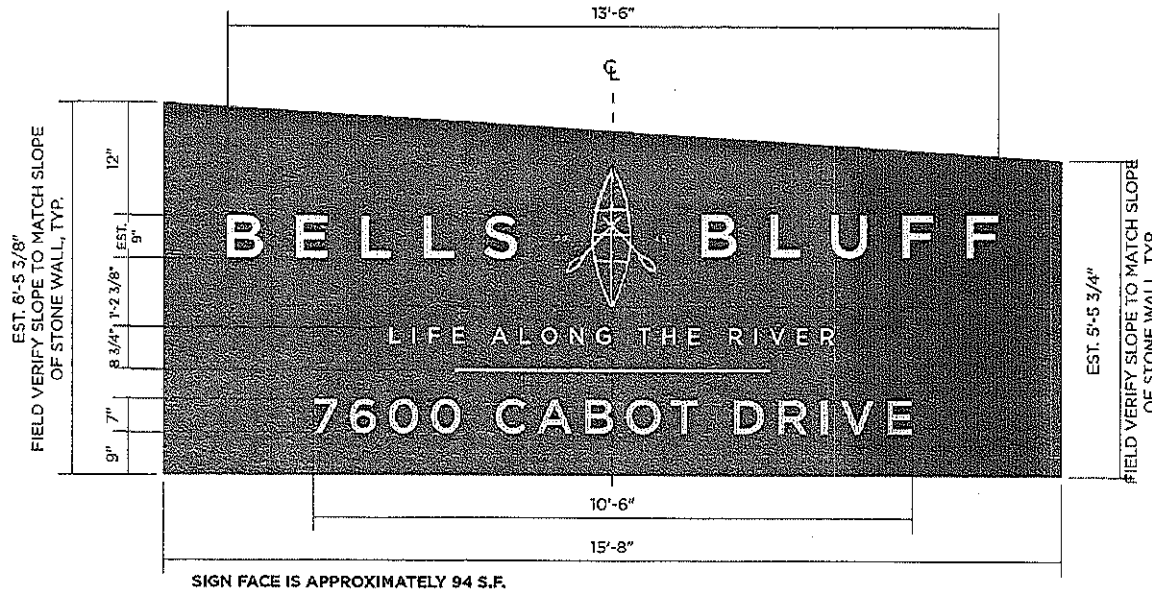


3 SECTION
SCALE: 1/2" = 1'-0"

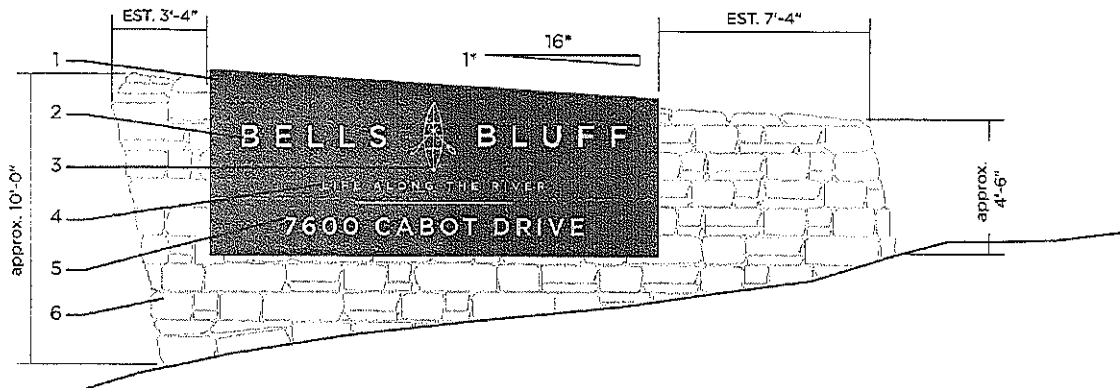
SECTION PROVIDED FOR REFERENCE ONLY. FIELD VERIFY AND COORDINATE STONE LOW WALL AND POWER HOOKUP (BY OTHERS).

**TOLLESON
MCCOY**

626B Main Street
Suite 202
Nashville, TN 37206
865-803-6341



2 FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

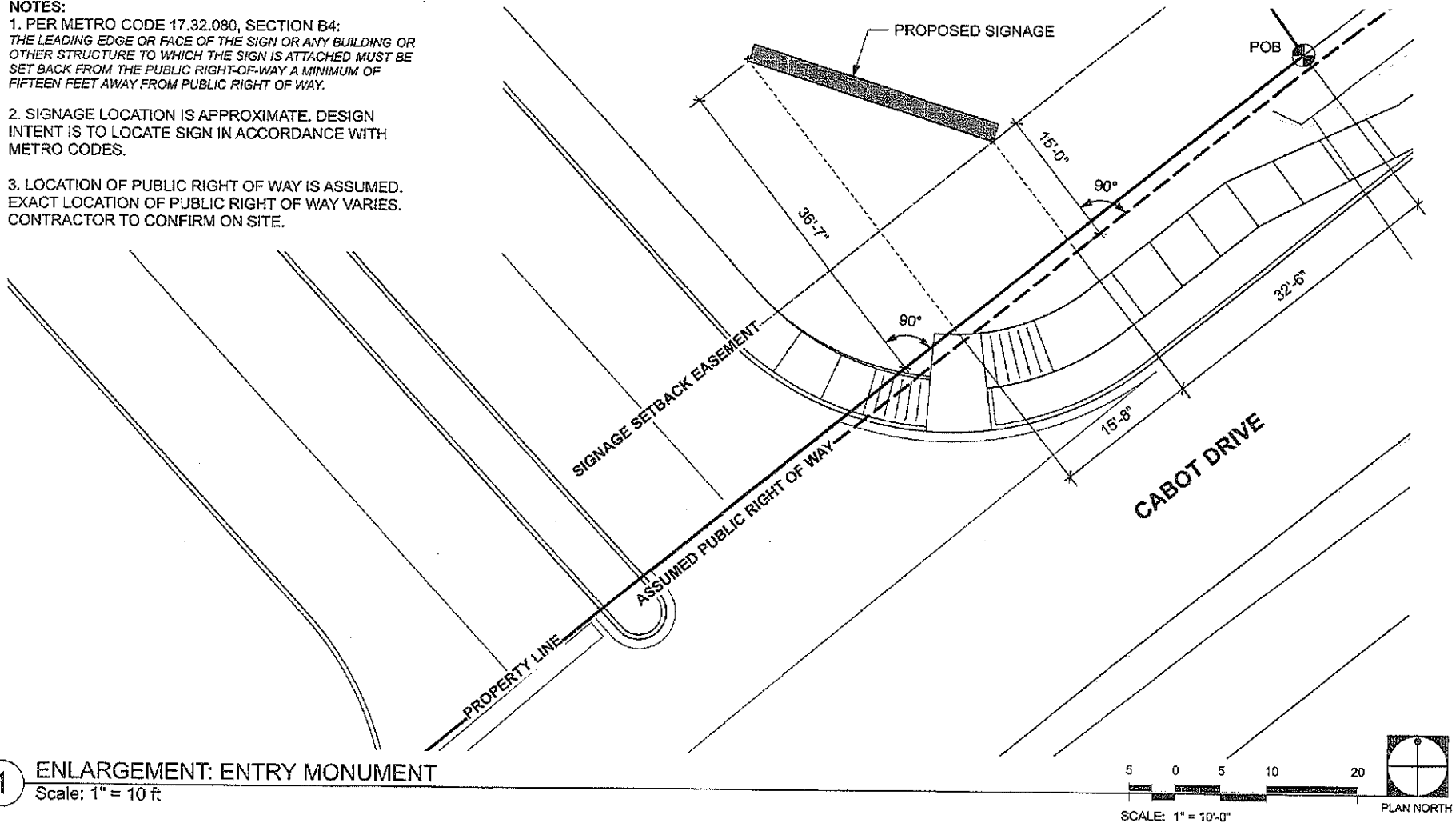
*SLOPE PROVIDED BY CIVIL DWGS. VERIFY PRIOR TO METAL FABRICATION

NOTES:

1. PER METRO CODE 17.32.080, SECTION B4:
THE LEADING EDGE OR FACE OF THE SIGN OR ANY BUILDING OR
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EXACT LOCATION OF PUBLIC RIGHT OF WAY VARIES.
CONTRACTOR TO CONFIRM ON SITE.



1 ENLARGEMENT: ENTRY MONUMENT
Scale: 1" = 10 ft

BELLS BLUFF
8-21-2018

SIGNAGE PLAN



1.0

From: [Herbert, Bill \(Codes\)](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#)
Subject: FW: 2018-536
Date: Thursday, September 27, 2018 11:34:46 AM
Attachments: [2018-536 application.pdf](#)
[2018-536 neighboring letter.pdf](#)

From: Roberts, Mary Carolyn (Council Member)
Sent: Wednesday, September 26, 2018 7:29 PM
To: Herbert, Bill (Codes); Jon Michael
Subject: 2018-536

Good evening,

I wanted to write a letter with my overwhelming disapproval of case 2018-536 on Cabot Dr. The neighbors are opposed to it and so am I. There is absolutely no reason for them to put an illuminated sign on that street. If their fear is that people won't be able to find their way home, I find that ludicrous. I highly suspect that their intent is on the front end so it will make it easier for them to find renters. Please do not approve this because it will only make a bad situation worse.

Thank you,

Mary Carolyn Roberts
Metro Council, District 20
marycarolynroberts@gmail.com
www.marycarolynroberts.com
615-977-9262

From: Fuqua, Barbara (Council Office)
Sent: Wednesday, September 26, 2018 9:25 AM
To: Roberts, Mary Carolyn (Council Member)
Subject: BZA Meeting October 4, 2018

Please see attached.

*Barbara Fuqua
Metro Council Office
204 Metro Courthouse
615-862-6780*

From: Charity Lomax
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case # 2018-536 Date 10/4/2018
Date: Wednesday, September 26, 2018 12:43:12 PM

September 25, 2018 Metro Nashville Government Zoning Appeal Board Howard Office Building 700 2nd Avenue South Nashville, TN 37210 Case # 2018-536 Date 10/4/2018 Dear Zoning Appeal Board Members, I own a home and live in the neighborhood just west of the new Bells Bluff Apartment development going in on the top of Cabot Drive here in West Nashville. I am going to be out of town for the Oct. 4th hearing otherwise I would attend. I strongly oppose the requested sign variance referred to on this docket. This large sign will change the tone of our small neighborhood adding a gaudy commercial tone and be a driving distraction on a road that is already hazardous and deteriorating. Please do not allow a variance for a sign increase. Also, this company requested a variance (which was rejected) from installing the required new sidewalk (concrete and grass) to approximately 800 feet of new sidewalk on the Cabot Drive front of this development. As of today there is only approximately 50 feet of the required style of sidewalk. Please do not award these developers their Certificate of Occupancy UNTIL this sidewalk is properly installed. During this lengthy construction this site has continually left rocks and construction debris along Cabot Drive. In addition the heavy trucks a have sped up the crumbling road on the east bound side of Cabot Drive. The Beach Company developers have never made any attempt to reach out to the local neighborhoods as a sign of good will. Respectfully,

Charity Lomax

Production Coordinator

charitylomax@gmail.com

charitypcd - aim

charateel - skype

818-288-5359 - Cell

866-883-6977 - Efax

From: Brian Yuchnitz
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case # 2018-536 Hearing Date 10/4/2018
Date: Tuesday, October 2, 2018 1:49:27 PM

Metro Nashville Government
Zoning Appeal Board
Howard Office Building
700 2nd Avenue South
Nashville, TN 37210
Case # 2018-536 Date 10/4/2018

Dear Zoning Appeal Board Members,

I own a home and live in the neighborhood just west of the new Bells Bluff Apartment development going in on the top of Cabot Drive here in West Nashville. I have a mandatory work meeting scheduled during the Oct. 4th hearing otherwise I would attend.

However, I STRONGLY oppose the requested sign variance referred to on this docket. This large sign will change the tone of our small neighborhood adding a gaudy commercial tone and be a driving distraction on a road that is already hazardous and deteriorating. Please do not allow a variance for a sign increase.

Also, this company requested a variance (which was rejected) from installing the required new sidewalk (concrete and grass) to approximately 800 feet of new sidewalk on the Cabot Drive front of this development. As of today there is only approximately 50 feet of the required style of sidewalk. Please do not award these developers their Certificate of Occupancy UNTIL this sidewalk is properly installed.

During this lengthy construction this site has continually left rocks and construction debris along Cabot Drive. In addition the heavy trucks a have sped up the crumbling road on the east bound side of Cabot Drive. I have experienced extra wear and tear on my vehicle due to incompetent handling of the road way by the construction company. The Beach Company developers have never made any attempt to reach out to the local neighborhoods as a sign of good will. They continue to due what appears to be less than the bare minimum to avoid fines.

Respectfully,

Brian Yuchnitz

From: Pam Penuel
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Bells Bluff Apts-Zoning Appeal
Date: Wednesday, September 26, 2018 10:59:40 AM

September 25, 2018
Metro Nashville Government
Zoning Appeal Board
Howard Office Building
700 2nd Avenue South
Nashville, TN 37210
Case # 2018-536 Date 10/4/2018

Dear Zoning Appeal Board Members,

I own a home and live on Cabot Dr. where the new new Bells Bluff Apartment development is being built. I will be at work during the Oct. 4th hearing otherwise I would attend.

I strongly oppose the requested sign variance referred to on this docket. This large sign will change the tone of our small neighborhood adding a gaudy commercial tone and be a driving distraction on a road that is already hazardous and deteriorating. Please do not allow a variance for a sign increase.

Also, this company requested a variance (which was rejected) from installing the required new sidewalk (concrete and grass) to approximately 800 feet of new sidewalk on the Cabot Drive front of this development. As of today there is only approximately 50 feet of the required style of sidewalk. Please do not award these developers their Certificate of Occupancy UNTIL this sidewalk is properly installed.

During this lengthy construction this site has continually left rocks and construction debris along Cabot Drive. In addition the heavy trucks a have sped up the crumbling road on the east bound side of Cabot Drive. The Beach Company developers have never made any attempt to reach out to the local neighborhoods as a sign of good will.

Respectfully,

Pamela Penuel
6612 Cabot Dr.

From: dede byrd
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: 2018-536
Date: Wednesday, September 26, 2018 8:27:58 AM

I am a neighbor of the Cabot Drive area. I have lived at 542 Hickory Trail Drive for over 25 years. I have watched the overwhelming development, with no change in the infrastructure, for too long! The request for a larger, grossly inappropriate, sign and entrance should be denied. The builders have been poor stewards to our neighborhood. Cabot road has been destroyed by the large equipment. It is literally falling apart. The sidewalk, that they fought, is already being destroyed by the construction. This complex will hold thousands of residents, who will be attempting to enter and exit this area with no turning lane, no stop sign, no red light, and no chance of being successful! It is a two lane road that is already a traffic issue! A larger signage would add additional impingement of driver safety, to this present travesty! Please deny 2018-536.

Sincerely,
Mary Byrd

Sent from my iPhone

From: sidney neuhoff
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Case # 2018-536 Date 10/4/2018
Date: Tuesday, September 25, 2018 2:00:31 PM

September 25, 2018
Metro Nashville Government
Zoning Appeal Board
Howard Office Building
700 2nd Avenue South
Nashville, TN 37210
Case # 2018-536 Date 10/4/2018

Dear Zoning Appeal Board Members,

I own a home and live in the neighborhood just west of the new Bells Bluff Apartment development going in on the top of Cabot Drive here in West Nashville.

I strongly oppose the requested sign variance referred to on this docket. This large sign will change the tone of our small neighborhood adding a gaudy commercial tone and be a driving distraction on a road that is already hazardous and deteriorating. Please do not allow a variance for a sign increase.

Also, this company requested a variance (which was rejected) from installing the required new sidewalk (concrete and grass) to approximately 800 feet of new sidewalk on the Cabot Drive front of this development. As of today there is only approximately 50 feet of the required style of sidewalk. Please do not award these developers their Certificate of Occupancy UNTIL this sidewalk is properly installed.

During this lengthy construction this site has continually left rocks and construction debris along Cabot Drive. In addition the heavy trucks a have sped up the crumbling road on the east bound side of Cabot Drive. The Beach Company developers have never made any attempt to reach out to the local neighborhoods as a sign of good will.

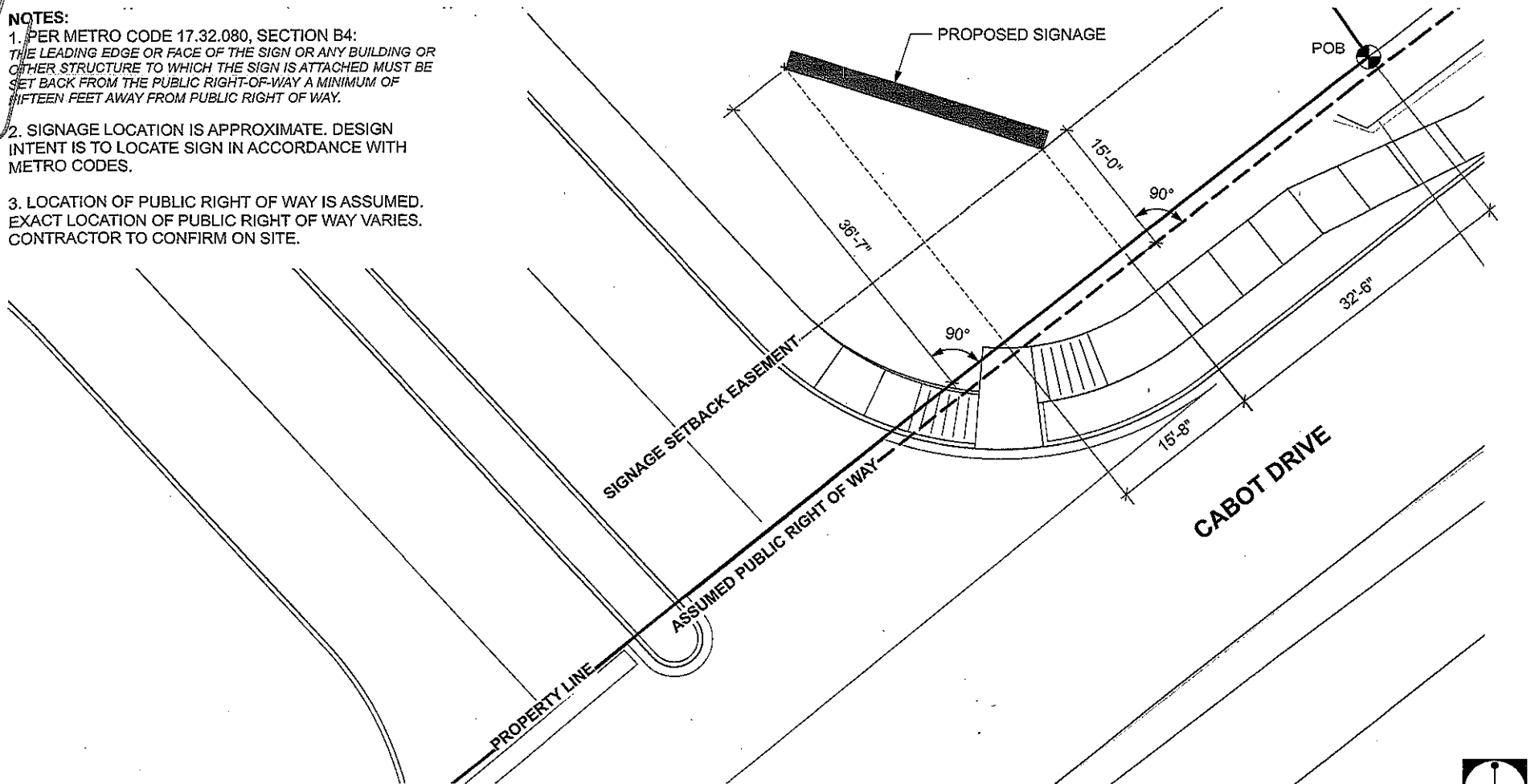
I also fear the traffic when the units are occupied...how are they going to get out with the light on charlotte???????

Respectfully

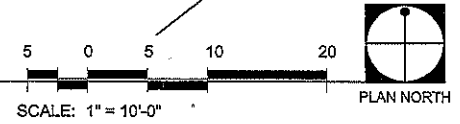
Sid Neuhoff
6632 Upton
Nashville,Tn 37209

NOTES:

1. PER METRO CODE 17.32.080, SECTION B4: THE LEADING EDGE OR FACE OF THE SIGN OR ANY BUILDING OR OTHER STRUCTURE TO WHICH THE SIGN IS ATTACHED MUST BE SET BACK FROM THE PUBLIC RIGHT-OF-WAY A MINIMUM OF FIFTEEN FEET AWAY FROM PUBLIC RIGHT OF WAY.
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3. LOCATION OF PUBLIC RIGHT OF WAY IS ASSUMED. EXACT LOCATION OF PUBLIC RIGHT OF WAY VARIES. CONTRACTOR TO CONFIRM ON SITE.



1 ENLARGEMENT: ENTRY MONUMENT
Scale: 1" = 10 ft



BELLS BLUFF
8-21-2018

SIGNAGE PLAN

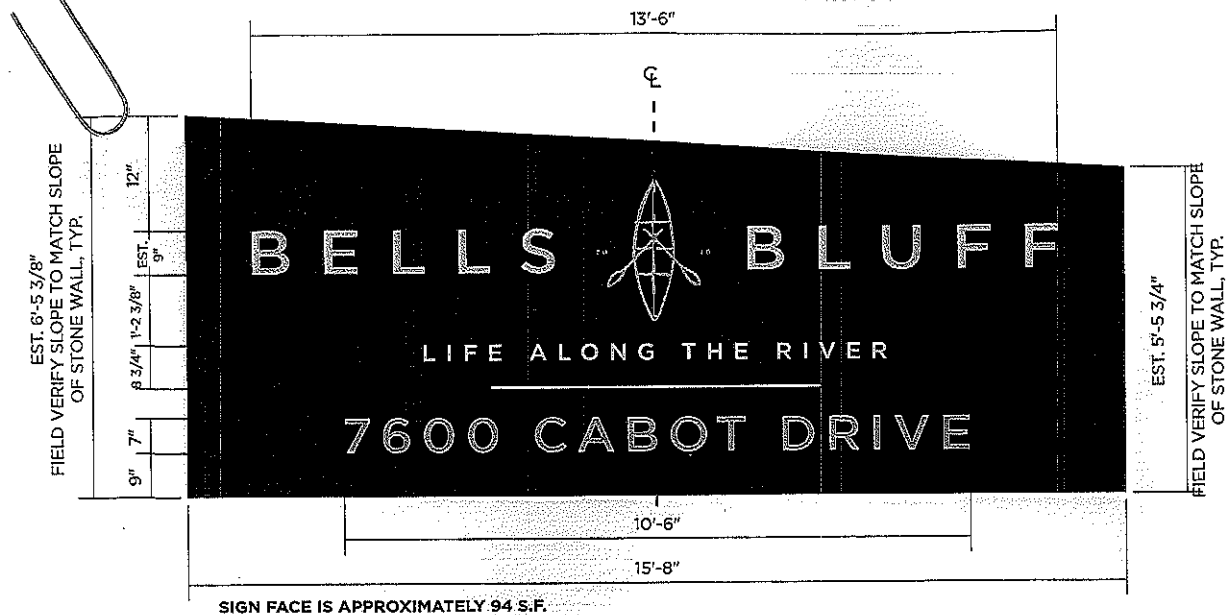


1.0

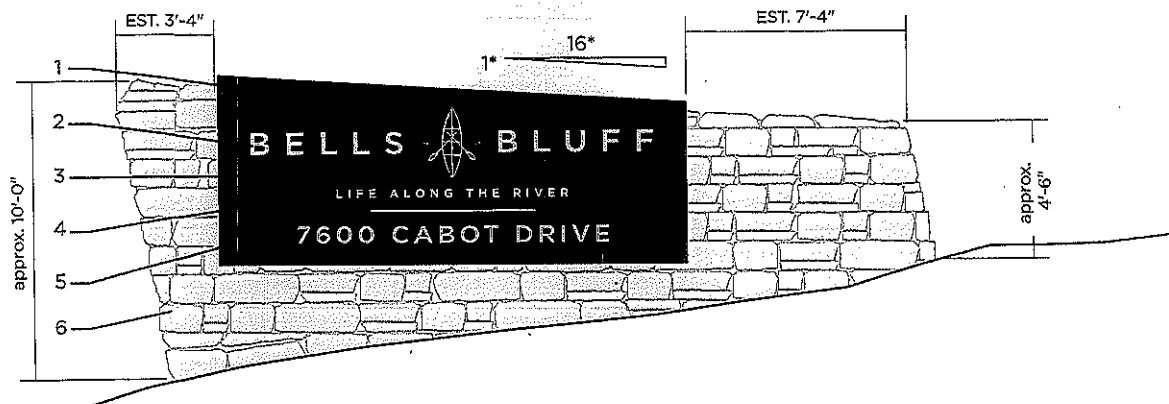
**MONUMENT
(MON)**

NOTES

1. 1/4" THICK PAINTED ALUMINUM TO MATCH P8.
2. PUSH THROUGH MILK WHITE ACRYLIC, FACEPAINTED TO MATCH P4. BACKLIT DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.
3. MASKED AND PAINTED LOGO DETAIL TO MATCH P9. (NOT DIMENSIONAL)
4. MASKED AND PAINTED LOGO DETAIL TO MATCH P4. (NOT DIMENSIONAL)
5. PUSH THROUGH MILK WHITE ACRYLIC, FACEPAINTED TO MATCH P9. BACKLIT DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.
6. FOUNDATION/ STONE WALL/ POWER PROVIDED BY OTHERS. FIELD VERIFY AND COORDINATE ATTACHMENT AND HOOK UP WITH GENERAL CONTRACTOR PRIOR TO FABRICATION/INSTALL.

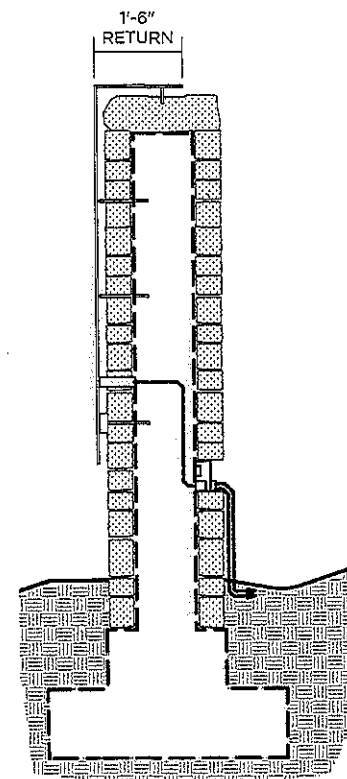


2 FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

*SLOPE PROVIDED BY CIVIL DWGS. VERIFY PRIOR TO METAL FABRICATION

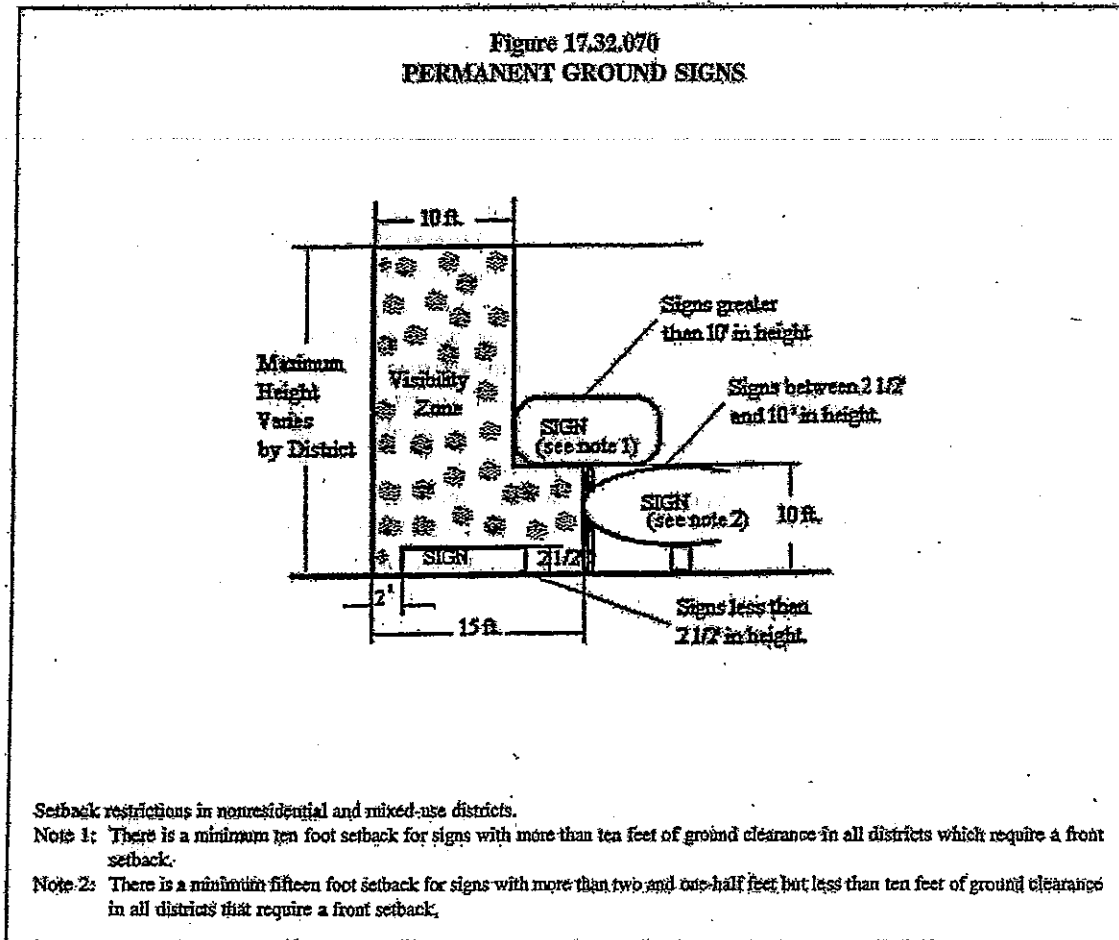


3 SECTION
SCALE: 1/2" = 1'-0"

SECTION PROVIDED FOR REFERENCE ONLY.
FIELD VERIFY AND COORDINATE STONE LOW
WALL AND POWER HOOKUP (BY OTHERS).

**TOLLESON
MCCOY**

626B Main Street
Suite 202
Nashville, TN 37206
865-803-6341



(Ord. BL2016-309 § 5(Exh.), 2016)

17.32.080 On-premises signs in residential districts.

Permanent on-premises ground and on-premises building signs at the entrance to a residential development are permitted subject to the following restrictions:

A. Each residential development containing three through fifteen dwelling units and approved under one plat shall be permitted one on-premises identification sign, with a maximum size of six square feet, at the development entry from a public street. The provisions of subsection B of this section, subdivisions (4), (5), (6) and (7) shall apply.

B. Each residential development containing at least sixteen units and approved under one plat shall be permitted up to thirty-two square feet per development

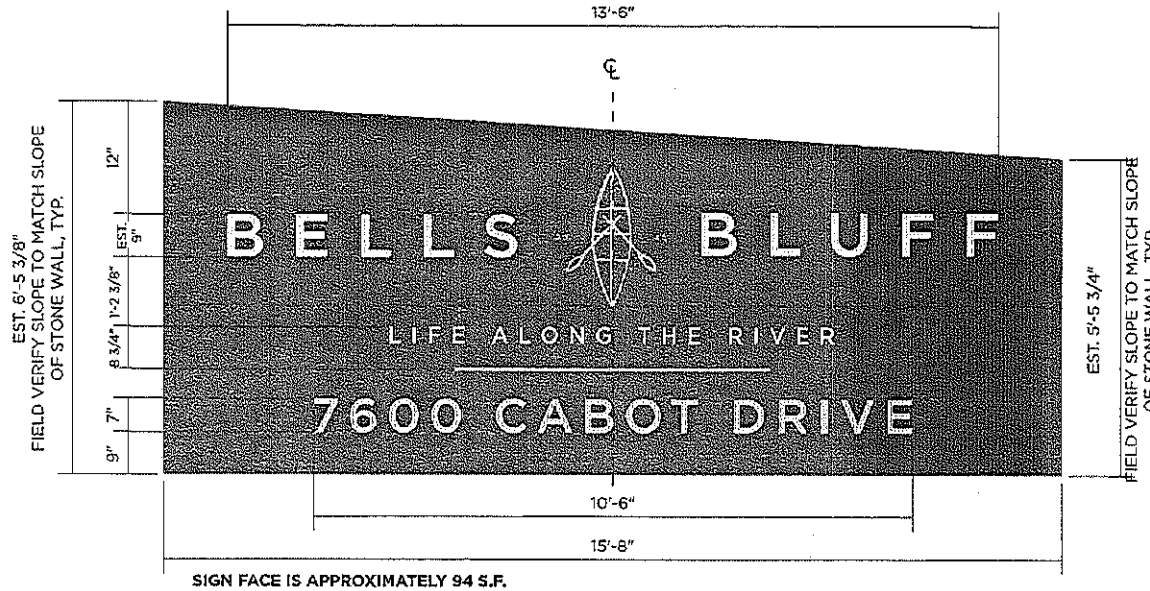
entry, to a maximum of three, from a public street. The on-premises signage at each development entry may be one of the following:

1. A double-sided sign located perpendicular to the public street and containing up to thirty-two square feet for the one sign face;
2. A single-sided sign located parallel to the public street and containing up to thirty-two square feet for the one sign face. Displaying a sign on the opposite face, if the total number permits, will be counted as one additional sign;
3. A flared wall, or similar, to which two single-sided signs are attached or imbedded and each sign does not exceed sixteen square feet;

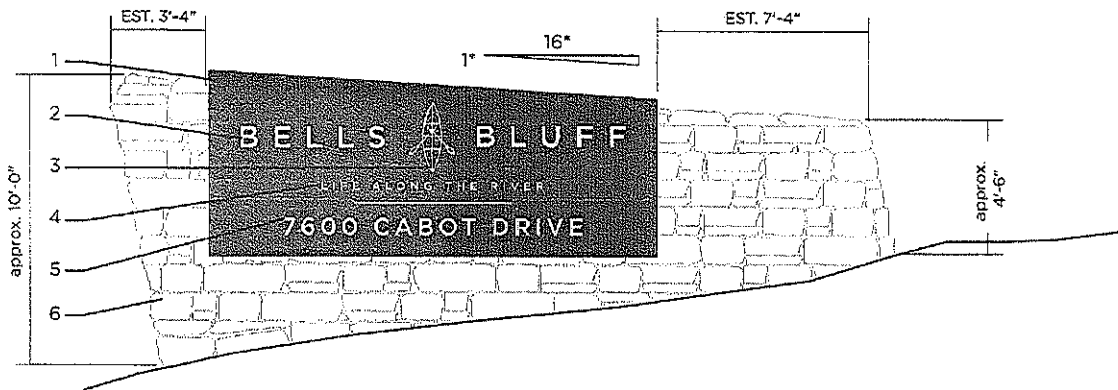
**MONUMENT
(MON)**

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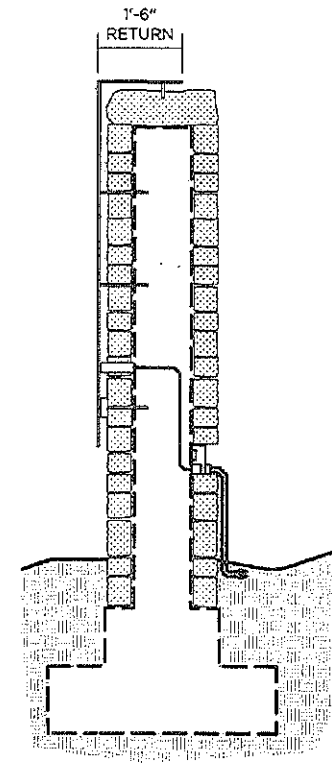


2 FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

*SLOPE PROVIDED BY CIVIL DWGS. VERIFY PRIOR TO METAL FABRICATION



3 SECTION
SCALE: 1/2" = 1'-0"

SECTION PROVIDED FOR REFERENCE ONLY.
FIELD VERIFY AND COORDINATE STONE LOW
WALL AND POWER HOOKUP (BY OTHERS).

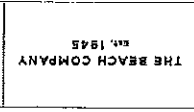
**TOLLESON
MCCOY**
862B Main Street
Suite 202
Nashville, TN 37205
865-803-6341



Southern Venture
 1111 MARKET STREET, SUITE 1000
 NASHVILLE, TN 37203
 (615) 259-1000

1000 CARRIAGE DRIVE, NASHVILLE, TN 37203
 BELL'S BLUFF

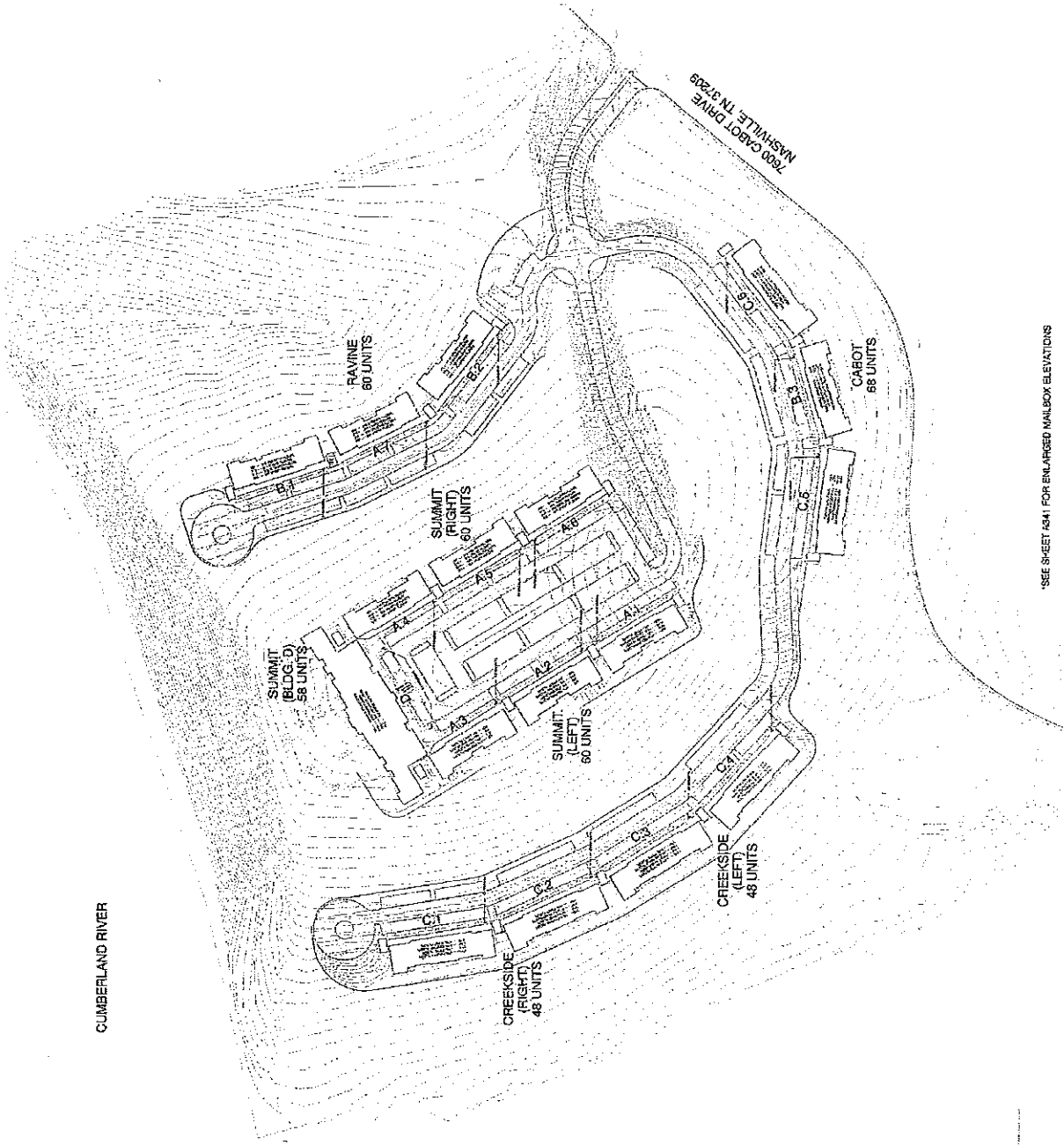
THE BEACH COMPANY
 EST. 1945



DATE	BY	REVISION

ARCHITECTURAL POSTAL
 PLAN

A100.1
 1/11/00
 1/11/00



*SEE SHEET A341 FOR ENLARGED MAILBOX ELEVATIONS

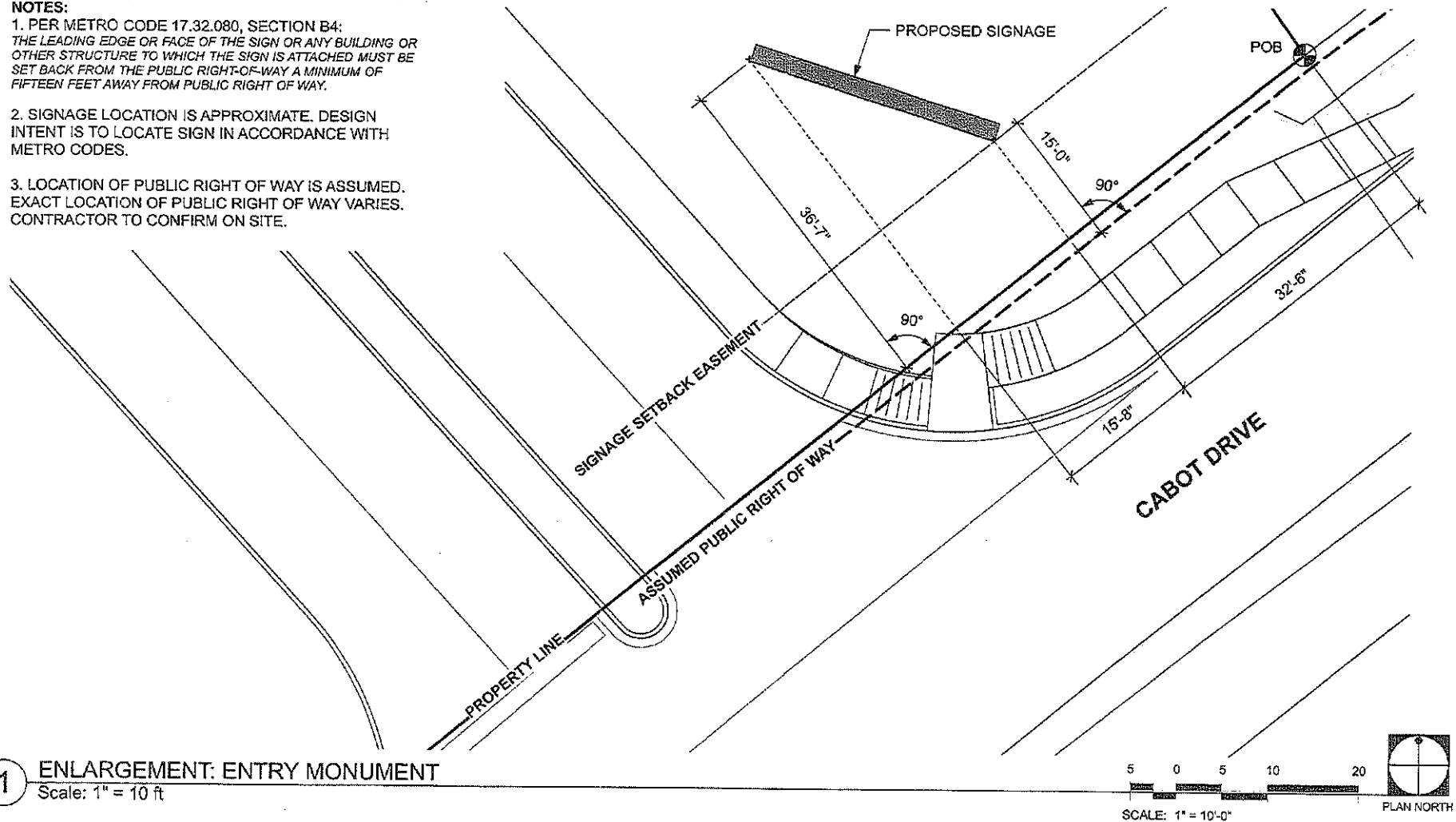
© 2000 THE BEACH COMPANY

NOTES:

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1 ENLARGEMENT: ENTRY MONUMENT
Scale: 1" = 10 ft

BELLS BLUFF
8-21-2018

SIGNAGE PLAN

Hawkins Partners, Inc.
LANDSCAPE ARCHITECTS

1.0

2018-536

**MONUMENT
(MON)**

NOTES

1. 1/4" THICK PAINTED ALUMINUM TO MATCH P8.

2. PUSH THROUGH MILK WHITE ACRYLIC, FACE AND RETURNS RECEIVE TRANSLUCENT VINYL TO MATCH V7. ILLUMINATE DURING LOW LIGHT. PROVIDE LIGHT LEVEL SENSOR FOR AUTOMATIC ON/OFF FUNCTION.

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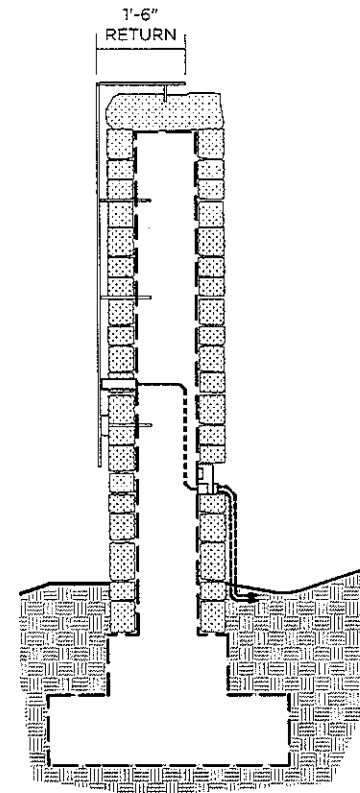
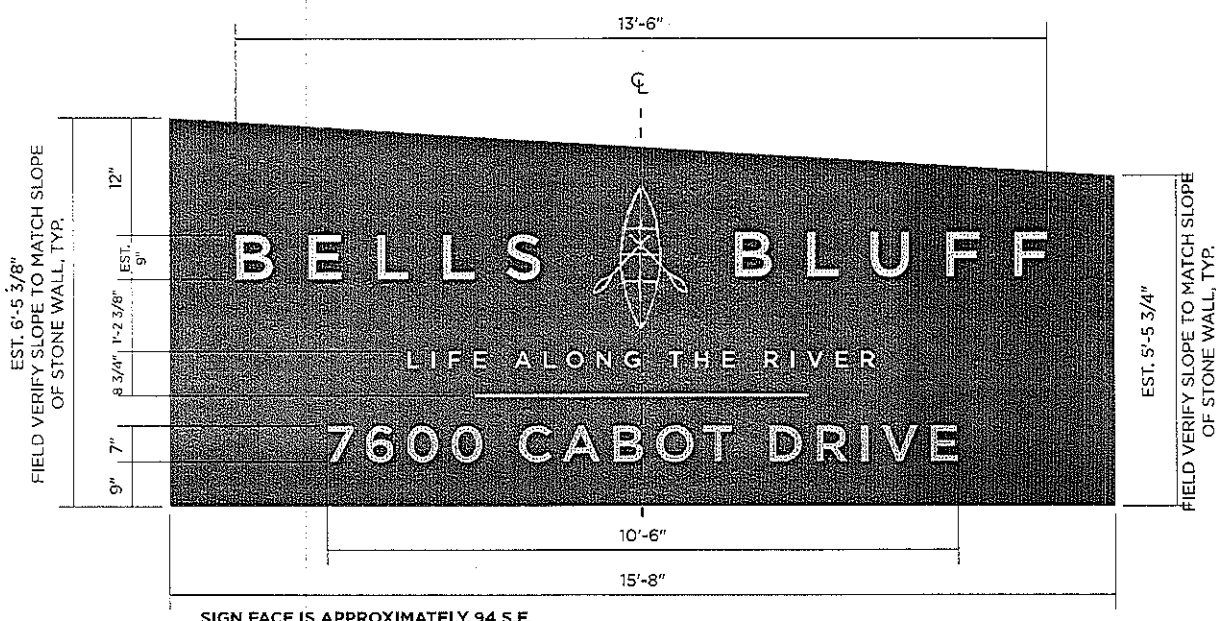
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SEE FOLLOWING PAGE FOR ILLUMINATION DTLS.

**TOLLESON
MCCOY**

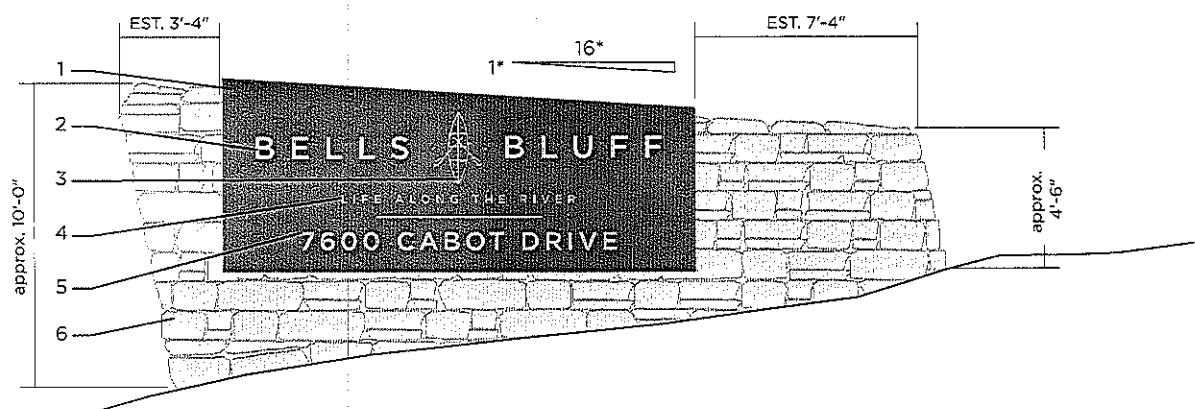
626B Main Street
Suite 202
Nashville, TN 37206
865-803-6341



3 SECTION
SCALE: 1/2" = 1'-0"

SECTION PROVIDED FOR REFERENCE ONLY. FIELD VERIFY AND COORDINATE STONE LOW WALL AND POWER HOOKUP (BY OTHERS).

2 FRONT ELEVATION
SCALE: 1/2" = 1'-0"



1 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

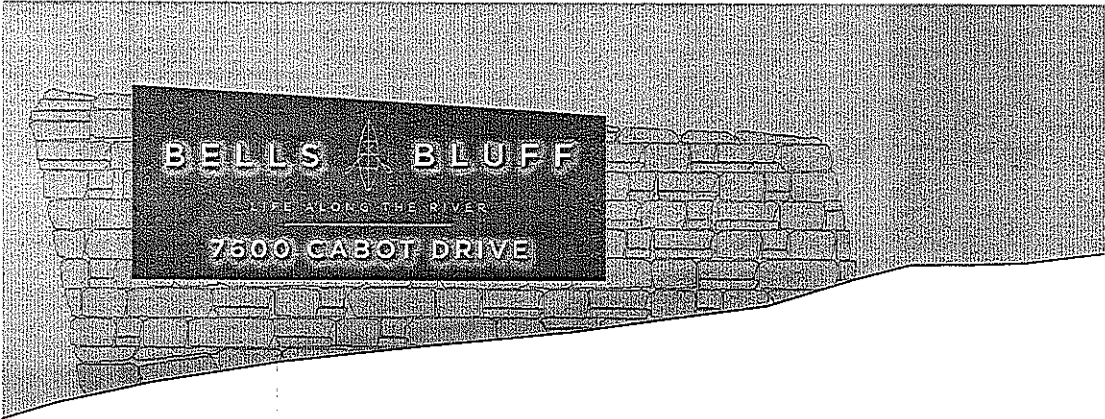
*SLOPE PROVIDED BY CIVIL DWGS. VERIFY PRIOR TO METAL FABRICATION

**MONUMENT
(MON)**

SEE PREVIOUS PAGE
FOR DETAILS.



2 | SIMILAR PUSH-THROUGH ACRYLIC LIGHTING STYLE



1 | FRONT ELEVATION - NIGHT TIME CONDITION
SCALE: 1/4" = 1'-0"

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Baker Donelson Date: 8-21-18
Property Owner: Kuestrick Constructors Case #: 2018-537
Representative: Joey Hargis Map & Parcel: 119-5-129

Council District 11c

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To allow for construction of a 4,000 sq warehouse addition with payment in lieu of fee on the affected portion of the property

Activity Type: Building Contractor supply

Location: 2615 Grandview Ave

This property is in the 1WD Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: variance in sidewalks

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Joey Hargis Esq.
Appellant Name (Please Print)

11
Representative Name (Please Print)

211 Commerce St, Suite 800
Address

11
Address

Nashville, TN 37072
City, State, Zip Code

11
City, State, Zip Code

615-726-7391
Phone Number

11
Phone Number

jhargis@bakerdonelson.com
Email

11
Email

Appeal Fee: 200.00



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3548061

ZONING BOARD APPEAL / CAAZ - 20180050008
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 11905012900

APPLICATION DATE: 08/21/2018

SITE ADDRESS:

2615 GRANDVIEW AVE NASHVILLE, TN 37211
LOT 1 KNESTRICK SUB REV & LT 67 REV SUB T&R EDENWOLD PK

PARCEL OWNER: KNESTRICK PROPERTIES HOLDINGS, LLC **CONTRACTOR:**

APPLICANT:

PURPOSE:

Requesting a sidewalk variance per METZO section 17.20.120 for a proposed 4000 sf warehouse addition

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions **MUST** affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

The installation of sidewalk would eliminate existing parking spaces needed by the business.

We propose payment in lieu along the affected property area.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.


Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

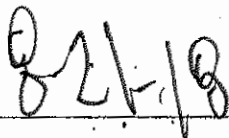
Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.


APPELLANT


DATE

POINT OF BEGINNING

(127)

EXISTING PAVEMENT TO REMAIN

N 63°22'55" E

150.00'

I.R.(S)

ALLEY NO. 18

ASPHALT

EXISTING PARKING TO REMAIN

PROPOSED BUILDING WAREHOUSE
4,000 S.F.
60'x66'

(392)

ASPHALT

EXISTING PARKING TO REMAIN

EXISTING BUILDING

5'x15' U.A.E.
P.B. 6900, PG. 554

Tap 8" Sewer Main with 6" Service Per MWS Standards

Tap 12" Water Main with 2" TS&V. Install 2" Meter and 2" RPBP Per MWS Standards

ASPHALT

I.R.(S)

CONC. PAD

WALL

(391)

CONCRETE

G.V.

ASPHALT

I.R.(S)

CONC. PAD

WALL

EXISTING BUILDING
9,845 S.F.

(69)

WALL

WALL

CANOPY

ASPHALT

CONC. PAD

WALL

SINGLE INLET

WALL

W

W

W.M.

ALLEY NO. 1852
N 09°00'44" W
85.00'

I.R.(S)

GRAVEL

EXISTING BUILDING
1,473 S.F.

WALL

E.M.

A/C PAD

WALL

(129)

CONC. PAD

WALL

A/C PAD

WALL

(68)

C.O.

SINGLE INLET

W

W

W.M.

FENCE

6" PVC (ROOF DRAIN)

WALL

E.M.

A/C PAD

WALL

CURB

WALL

C.O.

8" SLOPE

S 26°37'06" E

C.O.

P.P.

F.H.

WOOD LANDING & STEPS

EXISTING BUILDING
1,600 S.F.

E.M.

A/C PAD

WALL

EXISTING BUILDING
9,845 S.F.

(67)

C.O.

W

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W.M.

P.P.

F.H.

ASPHALT

I.R.(S)

GATE

GRAVEL

E.M.

BOLLARD

W

S 63°21'13" W

W

W

W.M.

I.R.(S)

184.05'

G.V.

FENCE

W

W

W.M.

I.R.(S)

G.V.

EXISTING BUILDING

WALL

EXISTING BUILDING

GRANDVIEW AVENUE

SITE BENCHMARK
ELEV. 493.71
FIRE HYDRANT TAG
BOLT NO. 5717V3

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PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-537 (2615 Grandview Avenue)

Metro Standard:	4' grass strip, 5' sidewalk as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks; contribute in-lieu of construction (not eligible)
Community Plan Policy:	T4 MU (Urban Mixed Use Neighborhood)
MCSP Street Designation:	Local Street
Transit:	Approximately 350' west of #52 – Nolensville Pike BRT Lite; Future High Capacity Transit per nMotion Plan
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is constructing a 4,000 square foot warehouse addition onto an existing contracting supply facility and requests to contribute in lieu of construction of sidewalks for a portion of the site. Planning evaluated the following factors for the variance request:

- (1) Loading docks associated with the warehousing facility and perpendicular parking currently runs along the frontage of the property. Construction of a sidewalk to the Local Street standard would impact business operations for the applicant's property.
- (2) In areas with existing industrial businesses where these uses are expanding and sidewalks would adversely impact existing site elements such as parking or loading access, contributing in-lieu of construction for a portion of a site's frontage would be an arbitrary staff recommendation. In this instance, right-of-way dedication or in-lieu contribution are not feasible, and it is best to reiterate with redevelopment, sidewalks will be required.
- (3) Because of the scale of the proposed improvements, the industrial nature of the immediate area, and the fact that the applicant is maintaining the existing structure for a warehousing use, construction of sidewalks is premature. However, if more significant development occurs in the future, the need for sidewalks should be re-evaluated.

Given the factors above, staff recommends **approval with conditions:**

1. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

From: [Freeman, Mike \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#)
Subject: Case # 2018-537
Date: Thursday, September 27, 2018 9:10:04 AM
Attachments: [2018-537 neighboring letter.pdf](#)

BZA members,

I'm asking that you NOT approve the sidewalk variance for case # 2018-537 (2615 Grandview). The applicant has not, for whatever reason, notified me of this request; or given me reasons why a variance is needed. I'd ask that you approve the pay in-lieu of fee.

Thank you for your consideration, and your dedicated work to our City.

Mike Freeman
16th District
615.512.0121
[Newsletter](#)

2018-541

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JOSH HELLMER

Date: 8/21/18

Property Owner: SAMUEL BUCHANAN

Case #: 2018-541

Representative: N/A

Map & Parcel: 10504001000

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: HPR NEW CONSTRUCTION

Activity Type: _____

Location: 16 CLAIBORNE ST.

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST 8' SIDE STREET S/R FOR UNITS & GARAGE DOOR.

Section(s): 17.12.035C2 17.20.060D.

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

JOSH HELLMER
Appellant Name (Please Print)

N/A
Representative Name (Please Print)

1071 2ND AVE S
Address

Address

NASHVILLE, TN 37210
City, State, Zip Code

City, State, Zip Code

920-207-4721
Phone Number

Phone Number

HELLMER@HOTMAIL.COM
Email

Email

Appeal Fee: _____



**Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



**ZONING BOARD APPEAL / CAAZ - 20180049903
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10504001000

APPLICATION DATE: 08/21/2018

SITE ADDRESS:

16 CLAIBORNE ST NASHVILLE, TN 37210
LOT 407 MAURY & CLAIBORNE PLAN

PARCEL OWNER: BUCHANAN, SAMUEL ET AL

CONTRACTOR:

APPLICANT: Josh Hellmer
1071 2nd Ave. S
Nashville, TN 37210 920-207-4721

PURPOSE:

INTENT TO HPR THIS PROPERTY INTO TWO SINGLE FAMILY HOUSES...MIN 6' BETWEEN THE HOUSES.
***CORNER LOT.

DENIED:

1.....REQUIRED SIDE STREET SETBACK...10'...REQUEST 8'.....17.12.030 C 2.

2.....REQUIRED GARAGE DOOR ALONG SIDE STREET...MIN 20' SETBACK FOR THE GARAGE DOOR....REQUEST
8'.....17.20.060 D.

POC: JOSH HELLMER 920-207-4721/
e-mail..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property. - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

- NARROW LOT, 40' WIDE, 50' NORM
- CORNER LOT, PERKINS STREET AND CLAIRBORNE STREET INTERSECTION
- PARKING A NECESSITY IN THIS NEIGHBORHOOD

APPLICATIONS FOR VARIANCE REQUESTS

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Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

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We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

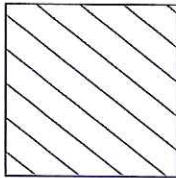

APPELLANT

8/21/18
DATE

ALLEY 96
20' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)



PRIVATE ELEMENTS
16 B
906 SQ. FT.±

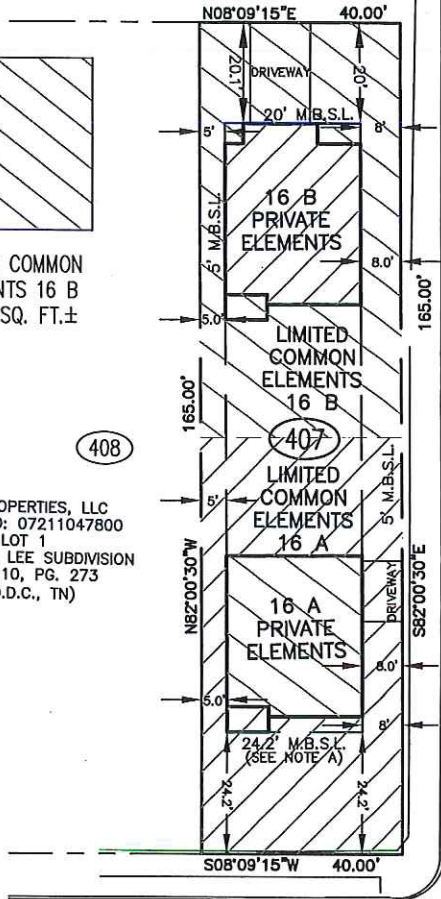


LIMITED COMMON
ELEMENTS 16 B
2,390 SQ. FT.±

408

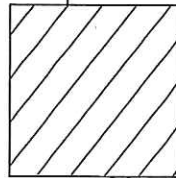
PLR PROPERTIES, LLC
PARCEL ID: 07211047800
LOT 1
SECTION 1, LEE SUBDIVISION
PB. 5210, PG. 273
(R.O.D.C., TN)

NOTE A: FRONT/STREET
SETBACK PER METRO
GOVERNMENT OF NASHVILLE
MUNICIPAL CODES, CHAPTER
17.12.030, NOTE C(3)
PER ORDINANCE NO.
BL2017-833

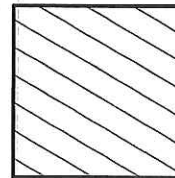


CLAIBORNE ST
50' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)

PERKINS ST
40' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)



LIMITED COMMON
ELEMENTS 16 A
2,457 SQ. FT.±



PRIVATE ELEMENTS
16 A
847 SQ. FT.±

THIS EXHIBIT WAS DONE
UNDER THE AUTHORITY OF
TCA 62-18-126 AND IS NOT
A GENERAL PROPERTY
SURVEY AS DEFINED UNDER
RULE 0820-3-.07, CHAPTER
0820-3 STANDARDS OF
PRACTICE, RULES OF THE
TENNESSEE BOARD OF
EXAMINERS FOR LAND
SURVEYORS.

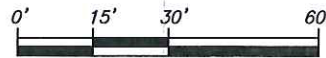
STREET SETBACK TABLE	
ADDRESS	SETBACK
#14 CLAIBORNE ST	28.8'
#12 CLAIBORNE ST	27.4'
#10 CLAIBORNE ST	25.6'
#2 CLAIBORNE ST	15.0'
AVERAGE SETBACK = 24.2'	

SETBACKS

FRONT/STREET: SEE NOTE A

SIDE: 5'/8' STREET

REAR: 20'



SCALE: 1" = 30'

**A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS
EXHIBIT MAP**

OWNER: JOSH HELLMER
ADDRESS: 16 CLAIBORNE STREET
CITY: NASHVILLE, DAVIDSON COUNTY, TENNESSEE
LOT #407
SUBD. MAURY AND CLAIBORNE ADDITION
PLAT: PLAT BOOK 21, PAGE 85
RECORD: INSTRUMENT# 20180417-0036213 (R.O.D.C., TN)
SCALE: 1"=30' DATE: AUGUST 21, 2018
MAP: 105-04 PARCEL: 10.00
16 A: 27.00'X35.00'
16 B: 27.00'X39.00'
16 A AREA: 3,304 SQ. FT.± OR 0.08 AC.±
16 B AREA: 3,296 SQ. FT.± OR 0.07 AC.±
LOT AREA: 6,600 SQ. FT.± OR 0.15 AC.±
DWG PATH: Drawings\2018-0493\ldtprof\2018-0493_HPR.dwg

H & H LAND SURVEYING INC.
612 A FITZHUGH BLVD.
SMYRNA, TENNESSEE 37167
PHONE: 615-355-6905 EMAIL: handhland@bellsouth.net
JOB: 2018-0493 DRAWN BY: ACB





Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Margaret Parrish Date: 8/22/18
Property Owner: Charles Holmes Case #: 2018- 545
Representative: Margaret Parrish Map & Parcel: 72-10-256

Council District 7

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Demol + Then Construct a New Duplex HPR

Activity Type: Duplex HPR

Location: 1315 Otay ST N.T. 37216

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Sidewalks Required + Allowed to Contribute

Section(s): 17.20.120 Request 1) Not to Install 2) Not to Contribute

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Margaret Parrish
Appellant Name (Please Print)

Representative Name (Please Print)

3284 Cain Harbor Dr.
Address

Address

Nashville, TN. 37214-1158
City, State, Zip Code

City, State, Zip Code

615-294-7991
Phone Number

Phone Number

SParr368@yahoo.com
Email

Email

Appeal Fee: 100⁰⁰



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3548652

ZONING BOARD APPEAL / CAAZ - 20180050444
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07210025600

APPLICATION DATE: 08/22/2018

SITE ADDRESS:

1315 OTAY ST NASHVILLE, TN 37216
N W COR OTAY ST & SCOTT AVE

PARCEL OWNER: HOLMES, CHARLES ROGERS

CONTRACTOR:

APPLICANT:

PURPOSE:

INTENT TO DEMO AND CONSTRUCT TWO NEW SINGLE FAMILY HOUSES.....DUPLEX HPR ELIGIBLE PROPERTY.

DENIED:

SIDEWALKS REQUIRED AND ALLOWED TO CONTRIBUTE.

REQUEST:

***NOT TO INSTALL AND

****NOT TO CONTRIBUTE

17.20.120.

POC:

MARGARET PARRISH 615-294-7991
sparr368@yahoo.com

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Margaret S. Rannish
APPELLANT

8/22/18
DATE

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MEGAN BARRY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING--3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

TRANSMITTALS

TO: METRO PLANNING COMMISSION- LISA MILLIGAN, MICHAEL BRIGGS

FROM: CODES ADMINISTRATION-ZONING APPEALS

DATE: 8/22/18

CASE NUMBER: 2018-545

Section 17.40.300: "In its review, the Planning department shall advise on the nature of existing and future land uses in the general vicinity of the proposed Special Exception use."

Section 17.40.340: "Further, the Board shall not act on a variance application within a planned unit development, urban design overlay or institutional overlay district without first obtaining a recommendation from the planning commission."

Type of review Staff _____ Commission _____

Date of Hearing 10/4/18 _____

Appeal Application 2018 0650444 _____

Permit Application _____

Tracking Sheet _____

Site Plan _____

Submitted by *[Signature]* _____

Recycle Bin
My Documents
02 01 10 DOJ About
Chart.xls
KIVA Kiva 02 ForShare
KIVA Kiva 02 (2) zoning
hs_err_pid3... IT Portal User G
CityWorks Inspector
CityWorks Land
IT Portal

http://land.nashville.org/ Land Management

CIVIC 360 Land Management Home Thomopoulos, Richard (Codes) ▼

Search... APN 07210025500 1315 OTAY ST RESULTS: 1-0 OF 0

SUMMARY APN 07210025500 1315 OTAY ST LAST UPDATED: 8/13/2018 12:05PM

- Address
- Owner
- Property
- Parcel Genealogy
- Comments**
- Land Use
- Tax Assessments
- Flags
- Geographic Areas
- Zoning
- Permits / RFS

COMMENTS

Comment

R6 DUPLEX ELIGIBLE PER BOOK 3105 PAGE 517 DATED 1960
LABUTLER (08-13-2018 12:05PM)

Add New Comment

proposed new hpr duplex



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-545 (1315 Otay Street)

Metro Standard:	Scott Avenue – 6’ grass strip, 6’ sidewalk, as defined by the Major and Collector Street Plan
	Otay Street – 4’ grass strip, 5’ sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (eligible)
Zoning:	R6
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Scott Avenue – T4-R-CA2
	Otay Street – Local Street
Transit:	#20 – Scott
Bikeway:	Bike Boulevard Planned along Scott Avenue per WalknBike

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant proposes constructing a two-family dwelling and requests a variance from constructing sidewalks along the property’s Scott Avenue and Otay Street frontages. Planning evaluated the following factors for the variance request:

- (1) The property is located at the northwest corner of the Scott Avenue and Otay Street intersection and has frontages on both streets. Sidewalks do not exist along either frontage which is consistent with the block faces for both Scott Avenue and Otay Street.
- (2) The existing stormwater infrastructure along Scott Avenue and Otay Street is typical for residential streets. Metro Water Services has indicated that constructing sidewalks along this frontage would involve typical stormwater infrastructure with the sidewalk construction.
- (3) Per the Zoning Ordinance, the applicant is eligible to contribute in lieu of construction. Electing to make the contribution in lieu of construction for the property frontage supplements Metro’s annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro’s sixteen pedestrian benefit zones. Staff finds no unique hardship.

Given the factors above, staff recommends **disapproval**. **The applicant shall construct sidewalks along the property frontages to the Metro standards or work with Planning and Public Works to develop an alternative sidewalk design. As an alternative, the applicant is eligible to contribute in lieu of constructing sidewalks.**

proposed new hpr duplex



02/26/2018