

**BZA Results**

**10/4/2018**

**METROPOLITAN BOARD OF ZONING APPEALS**

**P O BOX 196300**

**METRO OFFICE BUILDING**

**NASHVILLE, TENNESSEE 37219-6300**

**Meetings held in the Sonny West Conference Center**

**Howard Office Building, 700 2nd Avenue South**

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**MS. CYNTHIA CHAPPELL**

**MR. DAVID EWING, Chairman**

**MR. DAVID HARPER**

**MS. CHRISTINA KARPYNEC**

**MR. RICHARD KING**

**MR. DAVID TAYLOR, Vice-Chair**

**MS. ALMA SANFORD**

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**CASE 2018-484 (Council District - 31)**

**NORA EL-CHAER**, appellant and **WARDEN, KIMBERLY M. & CHARLES L., JR.**, 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 alleged the Board would have jurisdiction under Section 17.40.180().

Use-Kennel

Map Parcel 18100022500

**RESULT - BZA\_DENIED**

**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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-RESTAURANT

Map Parcel 09504000300

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

**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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Convenience Market

Map Parcel 08108041400

**RESULT - DEFERRED**

**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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 13105002000

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

**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 . The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two-Family

Map Parcel 131060L00100CO

**RESULT - GRANT\_COND granted on the condition that the appellant pay into the sidewalk fund for half of the total property frontage**

**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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Religious Institution

Map Parcel 03300024100

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

**CASE 2018-518 (Council District - 15)**

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

Use-HOTEL

Map Parcel 09511019000

**RESULT - GRANT\_COND granted on the condition that the appellant builds a fence along the frontage where the landscape buffer is required**

**CASE 2018-519 (Council District - 23)**

**KIM SHINN**, appellant and **SHINN, KIM E. & NAN M.**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 11505006700

**RESULT - GRANTED**

**CASE 2018-520 (Council District - 5)**

**FOWLKES, EARL M.**, appellant and **FOWLKES, EARL M.**, owner of the property located at **1075 ZOPHI ST**, requesting a variance from front setback requirements in the R6 District, **CONSTRUCT NEW FRONT PORCH ON EXISTING SINGLE FAMILY RESIDENCE OVER EXISTING CONCRETE LANDING**. Referred to the Board under Section 17.12.030. c.3.. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-FRONT PORCH FOR SINGLE FAMILY

Map Parcel 07206016800

**RESULT - GRANTED**

**CASE 2018-521 (Council District - 13)**

**PLEASANT HILL CHURCH OF CHRIST**, appellant and **WALDEN, ROBERT & WEAVER, MILTON ETAL 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 17.40.180 c. The appellant alleged the Board would have jurisdiction under Section 17.40.180().

Use-RELIGIOUS INSTITUTION

Map Parcel 10800014700

**RESULT - GRANTED** Granted on the condition that the appellant follows Planning's recommendation

**CASE 2018-522 (Council District - 17)**

**THE MC2 GROUP, INC**, appellant and **THE MC2 GROUP, INC**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10511019200

**RESULT - DEFERRED**

**CASE 2018-524 (Council District - 5)**

**JAMES PROTICH**, appellant and **PROTICH, JAMES MICHAEL**, owner of the property located at **2308 TREVECCA AVE**, requesting a variance from landscape buffer in the cs, ov-ins District, to construct a new building. Referred to the Board under Section 17.24.230. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map Parcel 07213036800

**RESULT - WITHDRAWN**

**CASE 2018-525 (Council District - 15)**

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

Use-Detached Garage

Map Parcel 08415013000

**RESULT - GRANTED**

**CASE 2018-526 (Council District - 5)**

**MELISSA CHAMBERS**, appellant and **CHAMBERS, AARON & MELISSA**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Front Porch

Map Parcel 07116025100

**RESULT - GRANTED**

**CASE 2018-527 (Council District - 26)**

**GLADU, FRANCIS X. & PATRICIA M.**, appellant and **GLADU, FRANCIS X. & PATRICIA M.**, owner 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-RESIDENTIAL CONSTRUCTION/SIDE

Map Parcel 16101000500

**RESULT - GRANTED**

**CASE 2018-529 (Council District - 34)**

**JEFF KINMAN**, appellant and **KINMAN, JEFFREY & ANGIE P.**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 11616003800

**RESULT - GRANTED**

**CASE 2018-530 (Council District - 15)**

**HUNTER HAKANSON**, appellant and **HAKANSON, HUNTER**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 09507003800

**RESULT - GRANTED**

**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 units within one building 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Multi-Family

Map Parcel 10505026900

**RESULT - GRANT\_COND Appellant may not build more than 3 units**

**CASE 2018-532 (Council District - 2)**

**SEAN ROBERGE**, appellant and **PIERCE, JOSEPH & WILLIAM LUCAS**, owner of the property located at **1020B 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 070070M00200CO

**RESULT - GRANTED**

**CASE 2018-533 (Council District - 2)**

**SEAN ROBERGE**, appellant and **PIERCE, JOSEPH & WILLIAM LUCAS**, owner of the property located at **1020A 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 070070M00100CO

**RESULT - GRANTED**

**CASE 2018-534 (Council District - 17)**

**JOSH HELLMER**, appellant and **DUKE, H. C.**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10504012700

**RESULT - GRANTED**



**CASE 2018-536 (Council District - 20)**

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

Use-Sign

Map Parcel 10200001800

**RESULT - BZA\_DENIED**

**CASE 2018-538 (Council District - 34)**

**BIARD GRAHAM COMPANY, LLC**, appellant and **BIARD GRAHAM COMPANY, LLC**, owner of the property located at **4217 LINDAWOOD DR**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Single Family

Map Parcel 13101004200

**RESULT - WITHDRAWN 9/26/18-Appeal 2018-538 was withdrawn by codes no response from Appellant no payment received.**

**CASE 2018-539 (Council District - 34)**

**BAIRD GRAHAM COMPANY, LLC**, appellant and **BAIRD GRAHAM COMPANY, LLC**, owner of the property located at **2204 CASTLEMAN DR**, requesting a variance from sidewalk requirements in the R20 District, to construct a single family residence without building sidewalks. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 131014E00100CO

**RESULT - WITHDRAWN 9/26/18-Appeal 2018-539 was withdrawn by codes no response from Appellant no payment received.**

**CASE 2018-540 (Council District - 34)**

**BAIRD GRAHAM COMPANY, LLC**, appellant and **BAIRD GRAHAM COMPANY, LLC**, owner of the property located at **2206 CASTLEMAN DR**, requesting a variance from sidewalk requirements in the 34 District, to construct a single family residence without building sidewalks. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-R20

Map Parcel 131014E00200CO

**RESULT - WITHDRAWN 9/26/18-Appeal 2018-540 was withdrawn by codes no response from Appellant no payment received.**

**CASE 2018-541 (Council District - 17)**

**Josh Hellmer**, appellant and **BUCHANAN, SAMUEL ET AL**, owner 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 on one property 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-HPR New Construction

Map Parcel 10504001000

**RESULT - GRANTED**

**CASE 2018-545 (Council District - 7)**

**MARGARET PARRISH**, appellant and **HOLMES, CHARLES ROGERS**, 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two-Family

Map Parcel 07210025600

**RESULT - DEFERRED**

**CASE 2018-272 (Council District - 19)**

**DIANA CATANIA**, appellant and **CATANIA, DIANA M. 2008 REVOCABLE TRUST**, owner of the property located at **508A 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 alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map Parcel 081082O00100CO

**RESULT - DEFERRED 10/3/18-Case has been deferred indefinitely**

**CASE 2018-419 (Council District - 8)**

**SCARLET WEIR & MARK HIRST**, appellant and **RODMAN, SARAH**, 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 in the RS10 District, to obtain a permit. Referred to the Board under Section 17.16.250 e. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 06016030800

**RESULT - UPHeld Able to apply for a permit on 12/19/18**

**CASE 2018-421 (Council District - 6)**

**MACDONALD, GREGGORY J.**, appellant and **MACDONALD, GREGGORY J.**, 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 in the R10 District, to obtain a permit. Referred to the Board under Section 17.16.250 e. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 08308003300

**RESULT - UPHeld Able to apply for a permit on 10/8/18**

**CASE 2018-498 (Council District - 13)**

**MCNECE, JANET L. & WILLIAM J.**, appellant and **MCNECE, JANET L. & WILLIAM J.**, owner of the property located at **1001 BRILEY PKWY**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the RS10 District, to obtain a permit. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 10714015600

**RESULT - WITHDRAWN**

**CASE 2018-516 (Council District - 7)**

**KATHERINE RICHARD**, appellant and **RICHARD, KATHERINE**, owner of the property located at **1519A STRAIGHTWAY AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the R6 District, to obtain a permit. Referred to the Board under Section 17.16.250 e. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 072140L00100CO

**RESULT - WITHDRAWN**

**CASE 2018-528 (Council District - 15)**

**KELLIE VONSCHIPMANN**, appellant and **VONSCHIPMANN, KELLIE & WOODSIDE, MATTHEW R.**, 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 in the RS20 District, to obtain a permit. Referred to the Board under Section 17.16.250 e. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 09508011200

**RESULT - UPHELD Able to apply for a permit 2/17/19**

**CASE 2018-535 (Council District - 19)**

**SARAH TATE**, appellant and **BEARD, GREGORY L. & KEISHA G.**, 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 in the CS District, to obtain a permit. Referred to the Board under Section 17.163.250 e. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 08116041600

**RESULT - UPHELD** Able to apply for a permit on 11/1/18