

D O C K E T

10/18/2018

1:00 P.M.

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

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

**MS. CYNTHIA CHAPPELL
MR. DAVID EWING, Chairman
MR. DAVID HARPER
MS. CHRISTINA KARPYNEC
MR. DAVID TAYLOR, Vice-Chair
MS. ALMA SANFORD**

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-Duplex

Map Parcel 083031F00100CO

Results: **Withdrawn**

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-Commercial

Map Parcel 07111000500

Results: **Deferred to 11-1-18**

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 to 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 2018-537 (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 warehouse addition. 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-Warehouse

Map Parcel 11905012900

Results

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

Use-Two-Family

Map Parcel 07210025600

Results

CASE 2018-546 (Council District - 5)

ROB CUSHMAN, appellant and **STRATOS DEVELOPMENT GROUP, LLC**, owner of the property located at **1064 E TRINITY LN**, requesting a variance from sidewalk requirements in the CL District, to renovate an existing commercial building without updating 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-COMMERCIAL

Map Parcel 07206022100

Results

CASE 2018-547 (Council District - 5)

ROB CUSHMAN, appellant and **STRATOS DEVELOPMENT GROUP, LLC**, owner of the property located at **1060 E TRINITY LN**, requesting a variance from sidewalk requirements in the CL District, to renovate an existing commercial building 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-COMMERCIAL

Map Parcel 07206022000

Results

CASE 2018-548 (Council District - 5)

ROBERT CUSHMAN, appellant and **STRATOS DEVELOPMENT GROUP, LLC**, owner of the property located at **1056 E TRINITY LN**, requesting a variance from sidewalk requirements in the CL District, to renovate an existing commercial building 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-COMMERCIAL

Map Parcel 07206021900

Results

CASE 2018-550 (Council District - 23)

RYAN HINKLE, appellant and **LARENCE & DAVIS PROPERTIES, LLC**, owner of the property located at **807 BROOK HOLLOW RD**, requesting a variance from sidewalk requirements in the RS40 District, to construct a single family residence without building sidewalks. 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-Single Family

Map Parcel 10215009700

Results

CASE 2018-551 (Council District - 6)

MATT MILLSAP, appellant and, owner of the property located at **1211 N 14TH ST**, requesting a variance from the conditions that restrict detached accessory dwelling units in the R6 District, to create a new parcel for the detached accessory dwelling unit. Referred to the Board under Section 17.16.030 G 3 b and c. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 083020P00200CO

Results

CASE 2018-552 (Council District - 1)

MARY MALONEY AND CHRIS PHILIP, appellant and owners of the property located at **4188 BLUE BERRY HILL RD**, requesting a variance from front setback requirements in the AR2A District, to construct a second dwelling on property. Referred to the Board under Section 17.12.030 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two Family

Map Parcel 03800003300

Results

CASE 2018-554 (Council District - 19)

JUSTIN BROWN, appellant and **UPTOWN PROPERTY HOLDINGS, LLC**, owner of the property located at **161 ROSA L PARKS BLVD**, requesting a variance from sidewalk requirements, requesting not to build in the DTC District, interior renovations. 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-Commercial

Map Parcel 09305402400

Results

CASE 2018-555 (Council District - 14)

JONATHAN STEELE, appellant and **STEELE, JONATHAN D.**, owner of the property located at **617 COTTONWOOD DR**, requesting variances to size and rear setback restrictions in the RS10 District, to construct a detached accessory dwelling unit. Referred to the Board under Section 17.12.050 and 17.12.040 E1b. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 09610005100

Results

CASE 2018-556 (Council District - 9)

JASON KLEVE, appellant and **KLEVE, JASON & BEARD, DEWAYNE**, owner of the property located at **384 RIO VISTA DR**, requesting setback variances on 11 parcels in the RS7.5 District, to construct 11 single-family residences. Referred to the Board under Section 17.12.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Map Parcel 04307009700, 07307009600, 04307009800, 04307010000, 04307009900, 04307010100, 04307010200, 04307010300, 04307010400, 0430701500, 04307010600

Use-Single Family

Results

CASE 2018-557 (Council District - 5)

DEVIN KOMLINE, appellant and **GHOLIZADEH, ARASH & CAR CONCEPTS, LLC**, owner of the property located at **2407 DICKERSON PIKE**, requesting a Special Exception in the CS District, to establish use and occupancy as 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 07103010800

Results

CASE 2018-558 (Council District - 20)

BETH GADDLES, appellant and **STOUT, ALYSSA BETH**, owner of the property located at **119 OCEOLA AVE**, requesting a variance from side setback requirements in the R6 District, to construct an addition to a single-family residence. Referred to the Board under Section 17.12.020 a. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family
Results

Map Parcel 10302009700

CASE 2018-559 (Council District - 7)

DEWEY ENGINEERING, appellant and **YOUNG'S FASHION, INC.**, owner of the property located at **1411 GALLATIN AVE**, requesting a variance from sidewalk requirements in the CS District, to construct 9,500 sq ft retail space without building new 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-Commercial
Results

Map Parcel 07213039100

CASE 2018-560 (Council District - 2)

WORD FINANCE CORPORATION OF TENNESSEE, appellant and **ROSS BROTHERS PROPERTIES, LLC**, owner of the property located at **3134 DICKERSON PIKE**, requesting a variance from distance requirements to another alternative financial service in the CS District, to obtain use and occupancy for an alternative financial service. Referred to the Board under Section 17.16.050(d)(1). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-ALTERNATIVE FINANCIAL SERVICE
Results

Map Parcel 06004011200

CASE 2018-561 (Council District - 1)

BOBBY DIETZ, appellant and **O'REILLY AUTOMOTIVE STORES, INC.**, owner of the property located at **7194 WHITES CREEK PIKE**, requesting a variance from landscape buffer requirements in the CL District, to construct an auto parts retail store. Referred to the Board under Section 17.24.230. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-RETAIL

Map Parcel 02200002900

Results

CASE 2018-562 (Council District - 21)

ROBERT WHITELOW, appellant and owners of the property located at **1910 10TH AVE N**, requesting a variance from lot size requirements in the R6 District, to construct a second single family residence. Referred to the Board under Section 17.12.020 a. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 08107048400

Results

CASE 2018-563 (Council District - 25)

SHANNON AND JASON RYAN, appellant and owners of the property located at **906 ALBERT CT**, requesting a variance from setback restrictions in the R20 District, to construct an addition to a single family residence. Referred to the Board under Section 17.12.020 a. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 118134B00100CO

Results

CASE 2018-565 (Council District - 5)

ERIC BRASHER, appellant and **829, LLC**, owner of the property located at **829 LISCHEY AVE**, requesting a special exception for setbacks and height in the CN District, to construct residential and office spaces in a mixed use building. Referred to the Board under Sections 17.12.035 d and 17.12.060 f. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-MIXED USE

Map Parcel 08207040500

Results:

CASE 2018-566 (Council District - 19)

15TH AND CHURCH EQUITY INVESTORS, appellants and owners of the property located at **1506 CHURCH ST. # 100**, requesting a variance from parking requirements in the MUI-A District, to construct condominiums. Referred to the Board under Section 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-MULTI-USE

Map Parcel 09212034000

Results: **Deferred to 11-1-18**

SHORT TERM RENTAL CASES

CASE 2018-514 (Council District - 17)

ROBERT BRANDON MCDONALD, appellant and owner of the property located at **1067 B 2ND AVE S**, requesting an Item A appeal, challenging the zoning administrator's cancellation of a short term rental permit. Applicant operated after transfer of ownership name. 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 2018-542 (Council District - 7)

AMBER RINCK, appellant and owner of the property located at **3814 KATHERINE 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 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 06115035900

Results

CASE 2018-549 (Council District - 11)

CRYSTAL BOWERSOX, appellant and owner of the property located at **4892 WHITTIER DR**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. 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 06509007800

Results

CASE 2018-553 (Council District - 19)

FREDERICK L. VAUGHN, appellant and owner of the property located at **900 IRELAND ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the expiration of 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 082130B00300CO

Results

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF WASHINGTON AND DAVIDSON COUNTY



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

jt.pirtle@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

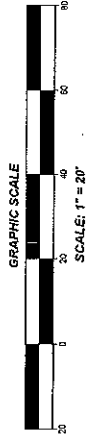
In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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	○ (P/N)
IRON PIN OLD	○ (P/O)
EASEMENT LINE	---
POWER POLE	—●—

SEE NOTE NO. 1
NORTH

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

FOR

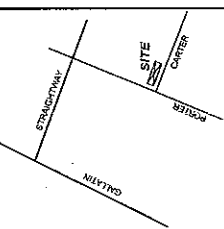
ED GAW

PROPERTY ADDRESS:
1301 PORTER ROAD
NASHVILLE, TN. 37206

07TH COUNCIL DISTRICT
NASHVILLE, DAVIDSON COUNTY
TENNESSEE

DATE: JUNE 26, 2018
JULY 26, 2018
JULY 10, 2018

- PER IMPERVIOUS AREAS:**
- HOUSE = 2006 SQ.FT.
 - DRIVE = 4887 SQ.FT.
 - WALK = 185 SQ.FT.
 - DRIVE = 4887 SQ.FT.
- TOTAL** = 6280 SQ.FT.
- STORMWATER CALCULATIONS**
- ROOFS & WALKS = 4778 SQ.FT.
 - DRIVE = 4887 SQ.FT.
 - TOTAL IMPERVIOUS AREA = 9665 SQ.FT.
 - POST "A" = 10584 SQ.FT. (PRE "A") = NET I.A. OF 4244 SQ.FT.
- RAPI GARDEN:**
- 578 SQ.FT. X 0.055 = 31.78 SQ.FT. OF RAIN GARDEN WITH "B" AMBISHED SOIL
- PERMEABLE PAVEMENT:**
- 2022 X 20 = 1059 SQ. FT. OF PAVERS WITH "F" LOWER STONE STORAGE



NOTES

- BEARINGS BASED ON 1351 PORTER COTTAGES, AS RECORDED IN INSTRUMENT NO. 20165025-001694.
- PARCEL NUMBERS SHOWN THUS (09) PERTAIN TO DAVIDSON COUNTY TAX MAP NO. 182-4-0.
- 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.
- PROPERTY DEED REFERENCE: 1351 PORTER ROAD TOWNHOMES INSTRUMENT NO. 20163720-0074583 PLAN BOOK 647 PAGE 137
- ZONING: R-6

OWNER / DEVELOPER MUST VARYIFY MINIMUM BUILDING SETBACK REQUIREMENTS WITH DAVIDSON COUNTY ZONING CODES DEPARTMENTS PRIOR TO ANY DESIGN OR CONSTRUCTION OF ANY NEW STRUCTURES.

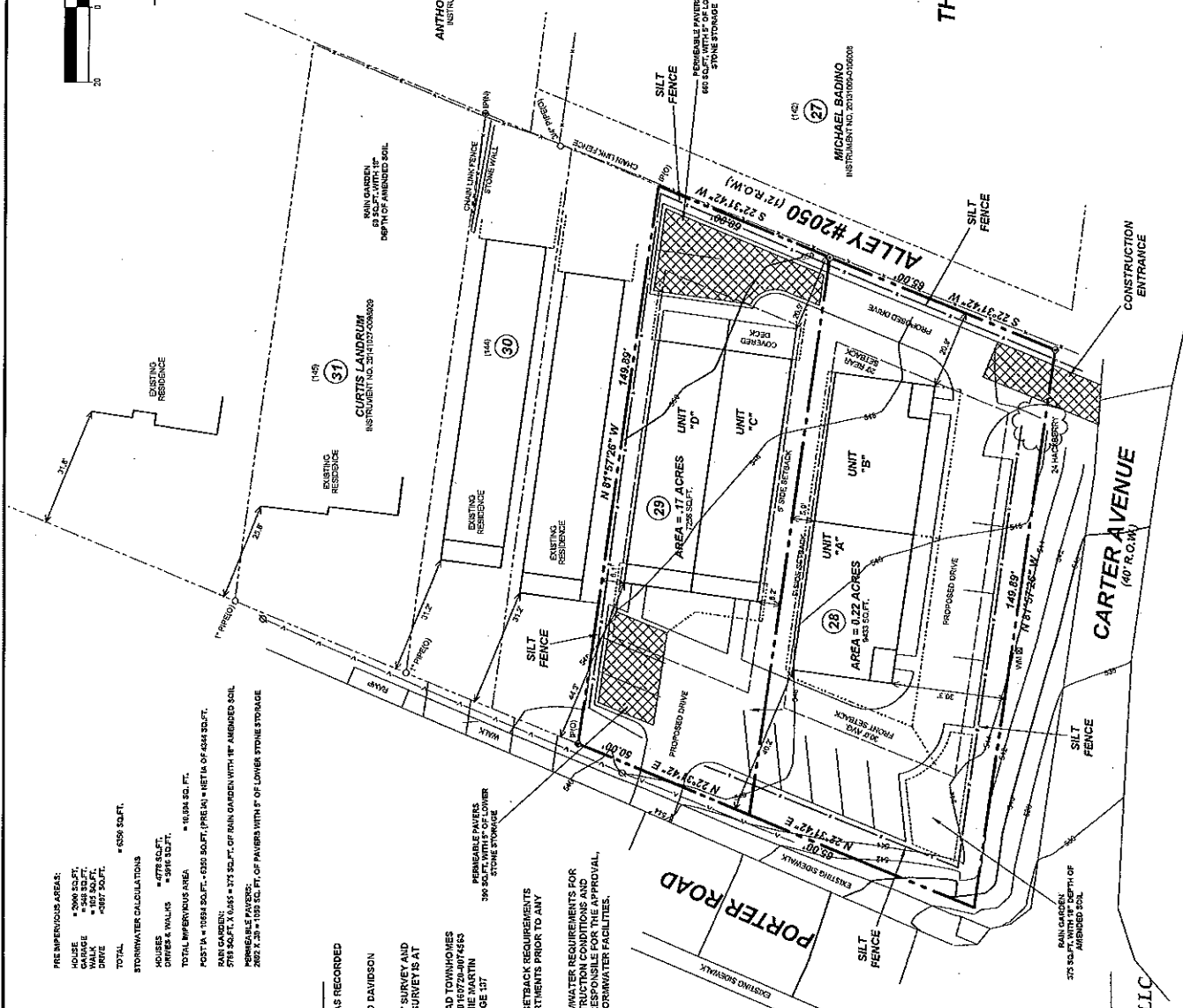
STORMWATER CALCULATIONS BASED ON METRO STORMWATER REQUIREMENTS FOR IMPERVIOUS AREAS AND WERE TAKEN FROM PRECONSTRUCTION CONDITIONS AND THE DESIGNER AND SURVEYOR ARE NOT RESPONSIBLE FOR THE APPROVAL, DESIGN, INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.



JASON F. SMITH, T.N. SLS NO. 1861

SMITH LAND SURVEYING, LLC

1550 PINEWOOD
TULLOCH, TENNESSEE 37188
SMITHLANDSURVEYING@COMCAST.NET



ANTHONY HOLLINGSWORTH
INSTRUMENT NO. 20162103-00086

EASTLAND
AGRI-CORP, LLC
INSTRUMENT NO. 20150603-00222

MICHAEL BADINO
INSTRUMENT NO. 20170905-010006

CURTIS LANDRUM
INSTRUMENT NO. 20141237-00009

CARTER AVENUE
(60' R.O.W.)

PORTER ROAD

ALLEY #2050 (12' R.O.W.)

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: 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 CS04
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.



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.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Philip Neal

Date: 8/7/18

Property Owner: Richard A. Lewis

Case #: 2018-504

Representative: Philip Neal, Richard A. Lewis

Map & Parcel: 08104022900

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 1 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

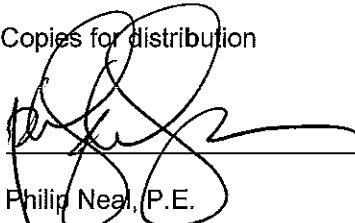
- Attached Under separate cover via _____ the following items
 Shop drawings Prints/Plans Samples Specifications Change Order Other

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.

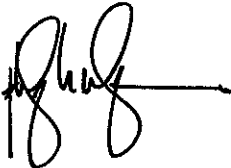
2. **Perimeter Parking Screening Variance** – Code 17.24.150.B requires a perimeter landscape strip to separate parking areas from adjacent property lines. Applicant requests a waiver of perimeter parking area screening along a portion of the rear eastern property line for a length of 90' that coincides 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

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.

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

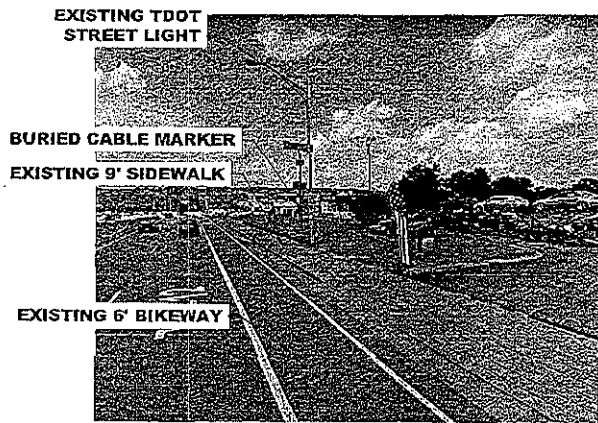


PHOTO 1
NORTH ALONG ROSA L PARKS BLVD

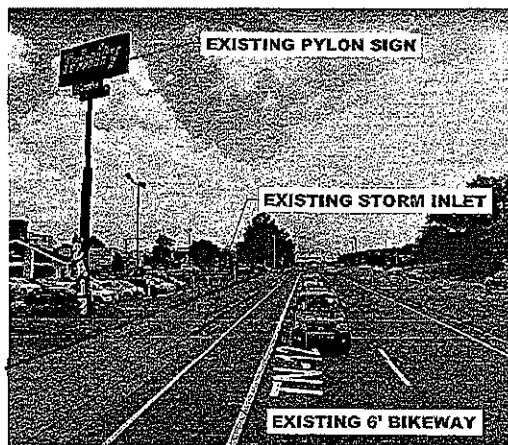


PHOTO 2
SOUTH ALONG ROSA L PARKS BLVD

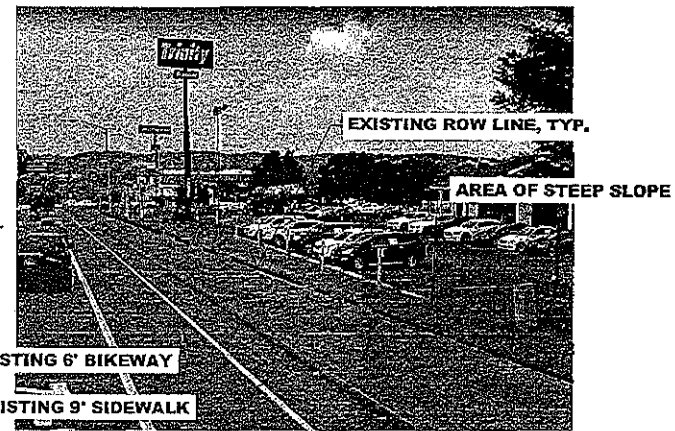
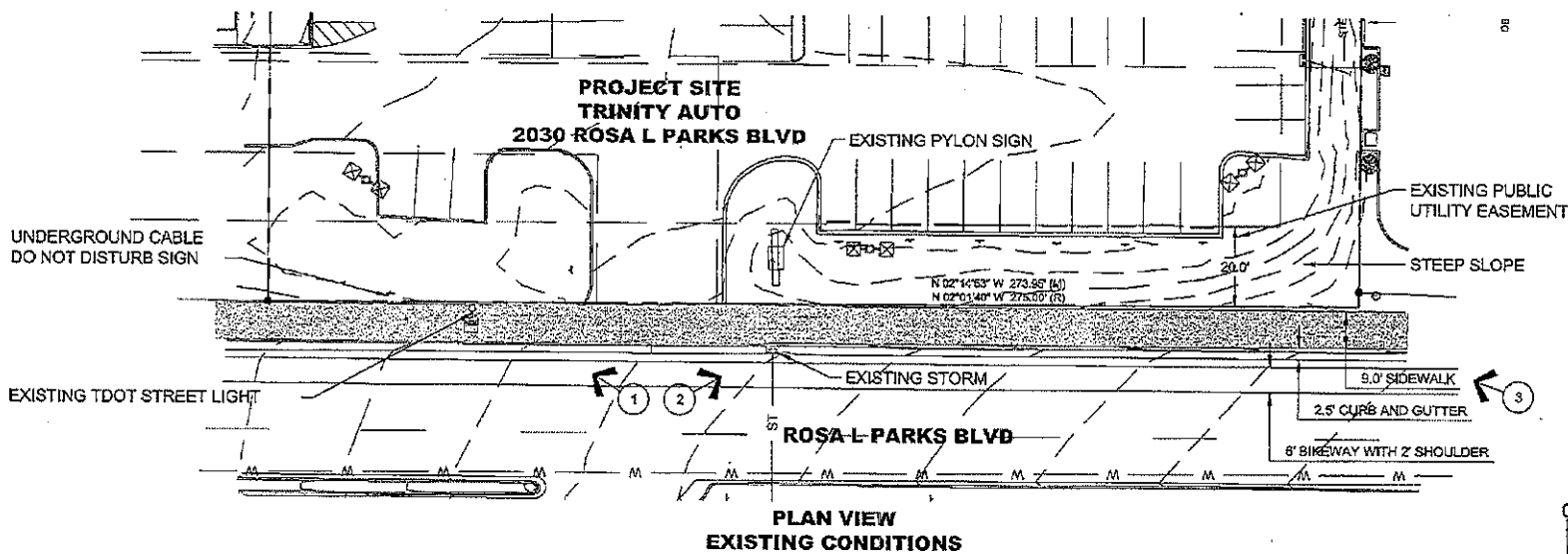


PHOTO 3
NORTH ALONG ROSA L PARKS BLVD



PLAN VIEW
EXISTING CONDITIONS

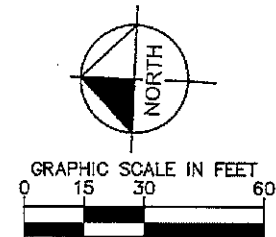


EXHIBIT 1 - SIDEWALK VARIANCE

2030 ROSA L PARKS BLVD, NASHVILLE, TN 37228

Kimley»Horn

AUGUST 7, 2018

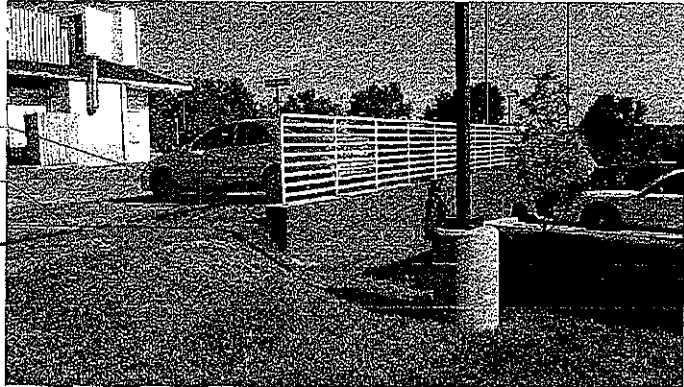
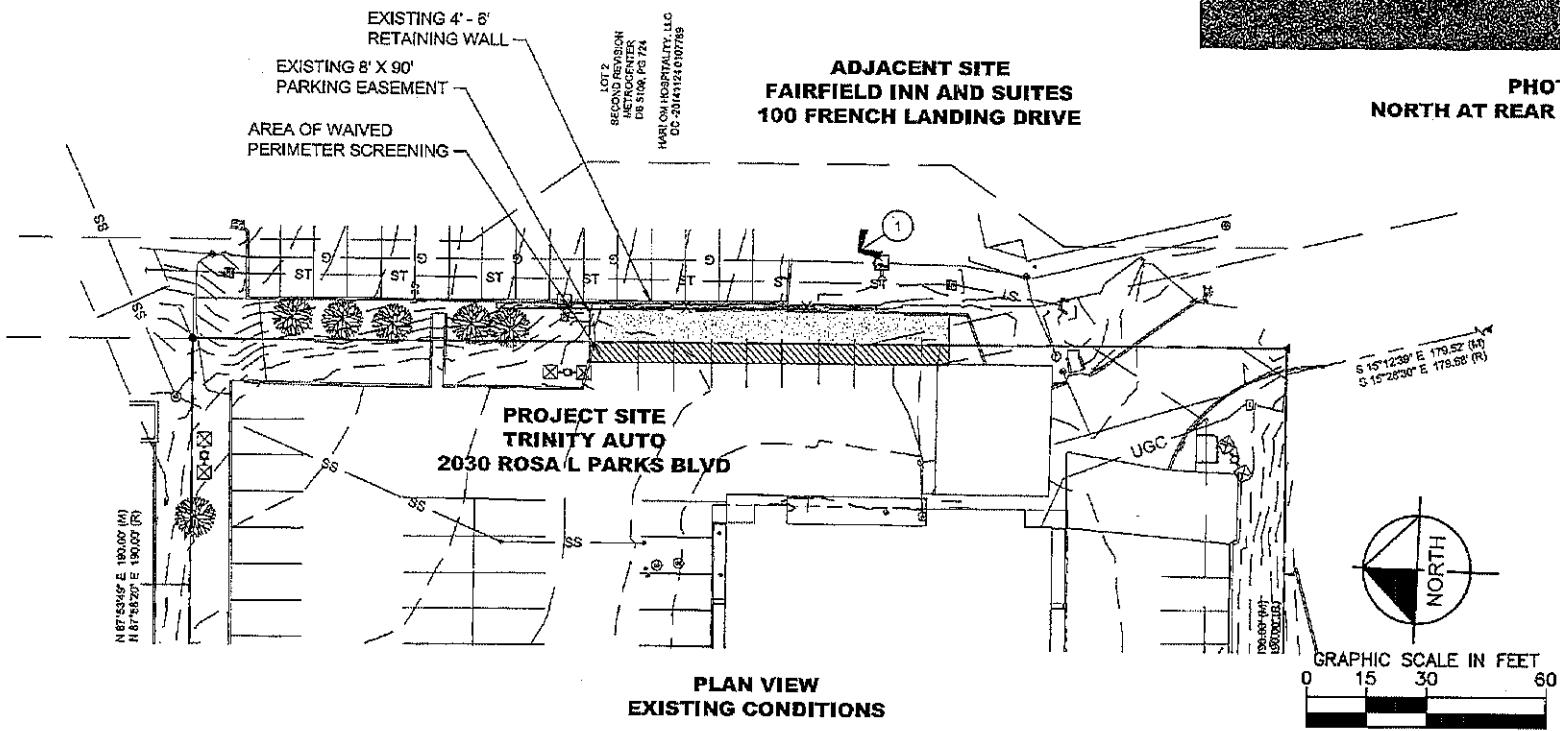


PHOTO 1
NORTH AT REAR PROPERTY LINE

EXHIBIT 2 - PERIMETER PARKING SCREENING VARIANCE

Kimley»Horn

2030 ROSA L PARKS BLVD, DAVIDSON COUNTY, NASHVILLE, TN 37228

AUGUST 7, 2018

Case #2018-504

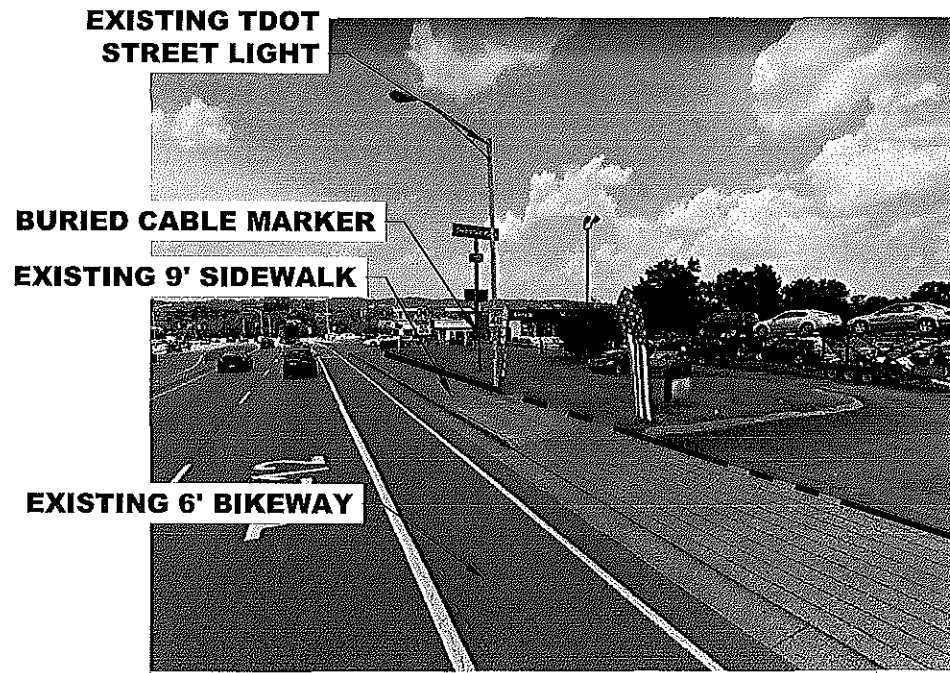


PHOTO 1
NORTH ALONG ROSA L PARKS BLVD



PHOTO 2
SOUTH ALONG ROSA L PARKS BLVD

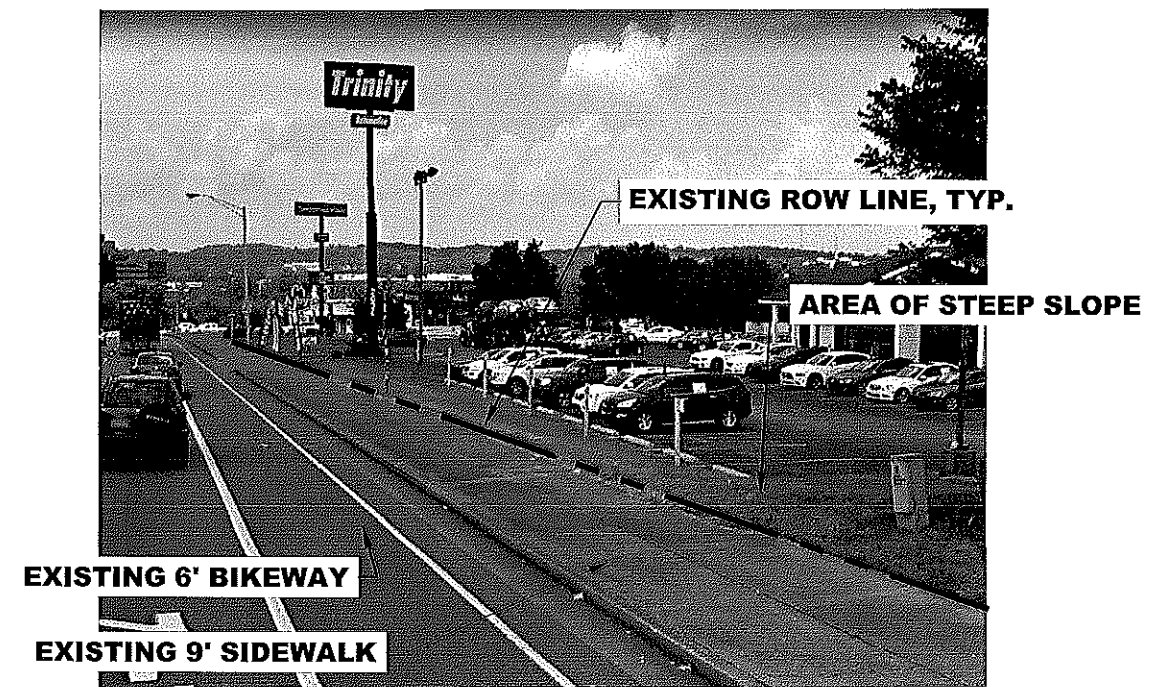
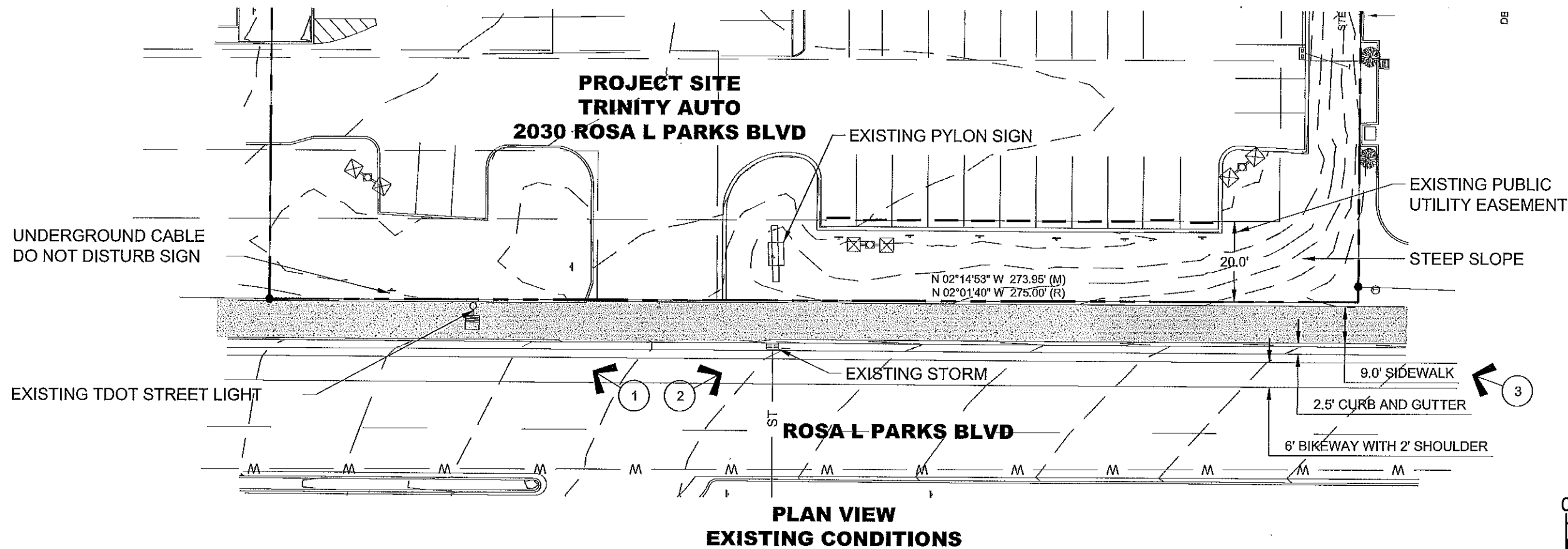


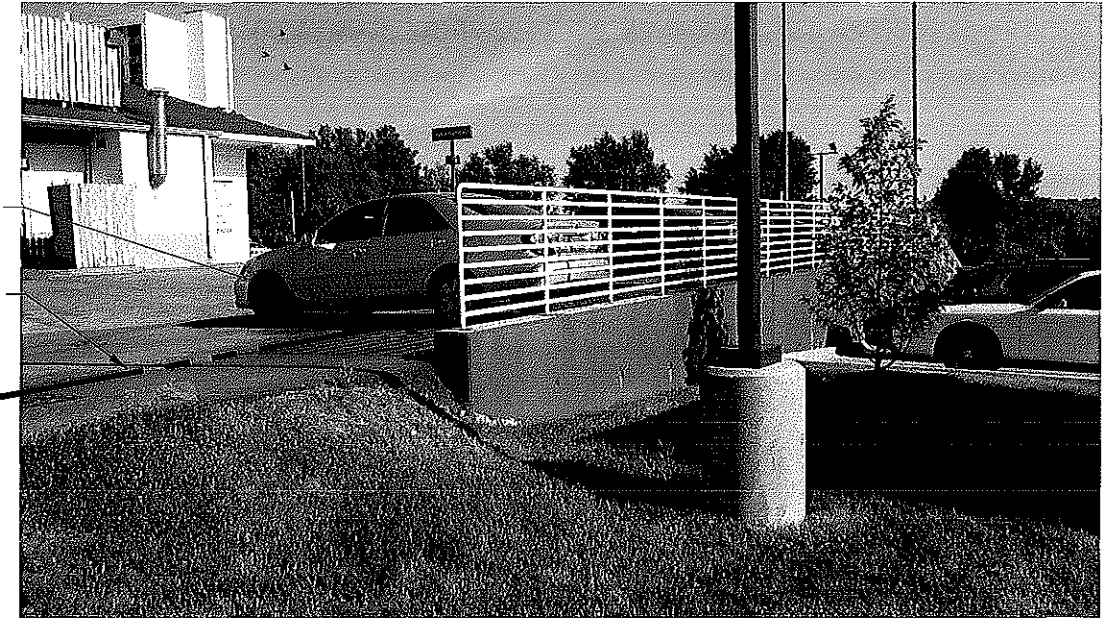
PHOTO 3
NORTH ALONG ROSA L PARKS BLVD



PLAN VIEW
EXISTING CONDITIONS

EXHIBIT 1 - SIDEWALK VARIANCE





PARKING EASEMENT

PROPERTY LINE

**PHOTO 1
NORTH AT REAR PROPERTY LINE**

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

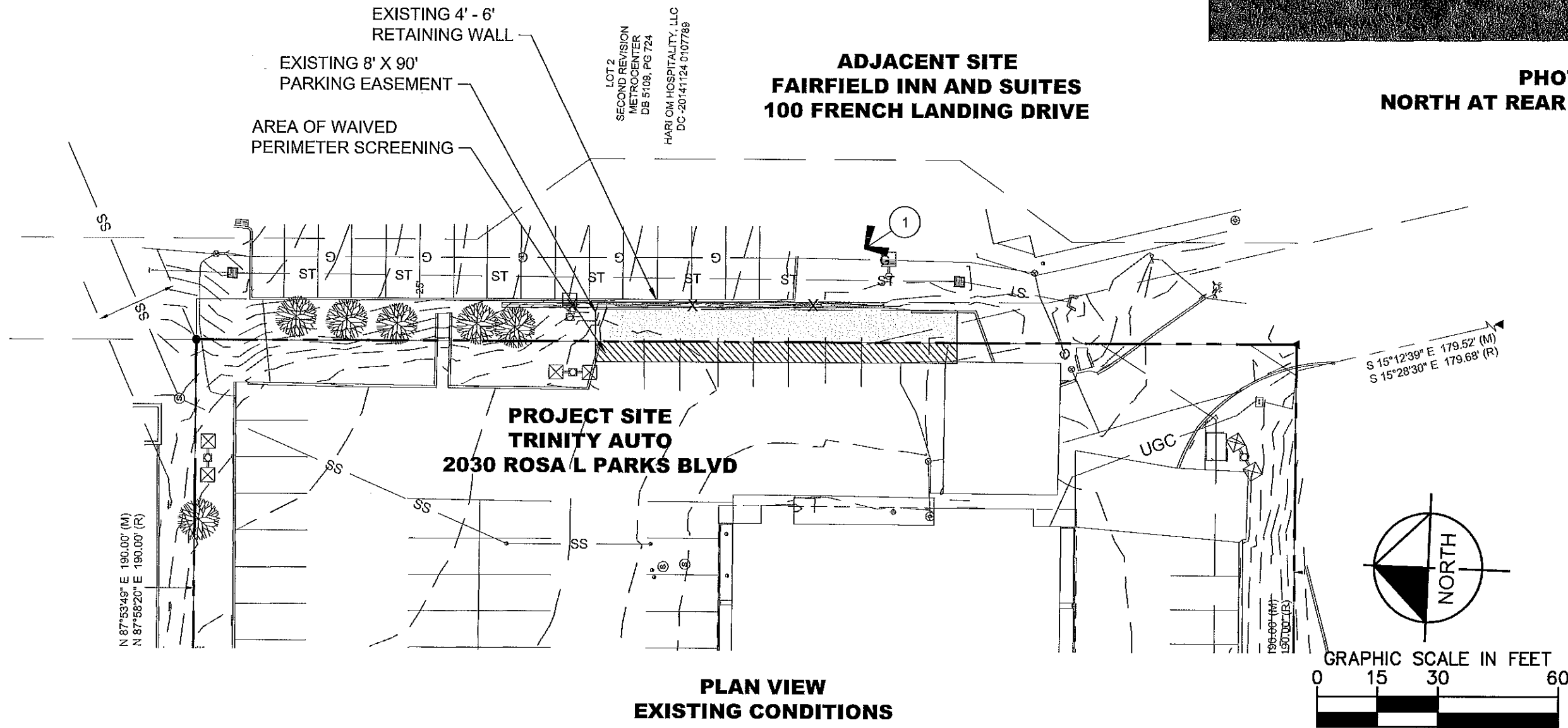


EXHIBIT 2 - PERIMETER PARKING SCREENING VARIANCE

Kimley»Horn

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

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: William Radford Date: 8-7-18
Property Owner: William Radford + Kenny Norman Case #: 2018-509
Representative: Karla Newman
Tifnic Capehart Map & Parcel: 08108041400
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



3543442

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.

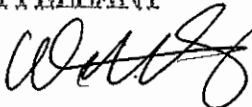
METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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



Caribbean Corner

Project Information

OWNER/OPERATOR: WILL RADFORD/ Robert N.
 ADDRESS: 614 GARFIELD ST., NASHVILLE, TN
 PHONE: 615-497-4647

SQUARE FOOTAGE DATA:
 FRONT PORCH:
 MAIN BUILDING:
 DETACHED STORAGE: (NO WORK SCOPE)

PROJECT DESCRIPTION:
 THIS PROJECT CONSISTS OF APPROX. 2,200 SF
 INTERIOR RENOVATION OF A ONE STORY
 BUILDING THAT PREVIOUSLY HOUSED A
 LAUNDRY FACILITY AND MARKET.

THE RENOVATED SPACE WILL CHANGE THE
 OCCUPANCY FROM MERCANTILE AND
 FACTORY TO ONLY MERCANTILE OCCUPANCY
 WITH TYPE IIB CONSTRUCTION. THE
 RENOVATED AREA WILL HOUSE A MARKET
 WITH A CHECK OUT AREA, STORAGE SPACE
 AND A RESTROOM.

EXISTING OCCUPANCY: MARKET (M)

CONSTRUCTION TYPE: VB,
UNSPRINKLERED

ALLOWABLE HEIGHT: 55 FT
ACTUAL HEIGHT: 18 FT

ALLOWABLE AREA: 12,500 SF
STORE AREA: 1,500 SF

OCCUPANCY LOAD CALCULATIONS

MARKET: $1500 \text{ SF} / 100 = 15 \text{ OCCUPANTS}$
TOTAL OCCUPANT LOAD: = 15 OCCUPANTS

FIRE RESISTANCE RATING REQUIREMENT (IIB)

STRUCTURAL FRAME: 0 HR
 BEARING WALLS: 0 HR
 NON-BEARING WALLS: 0 HR
 FLOOR CONSTRUCTION: 0 HR
 ROOF CONSTRUCTION: 0 HR

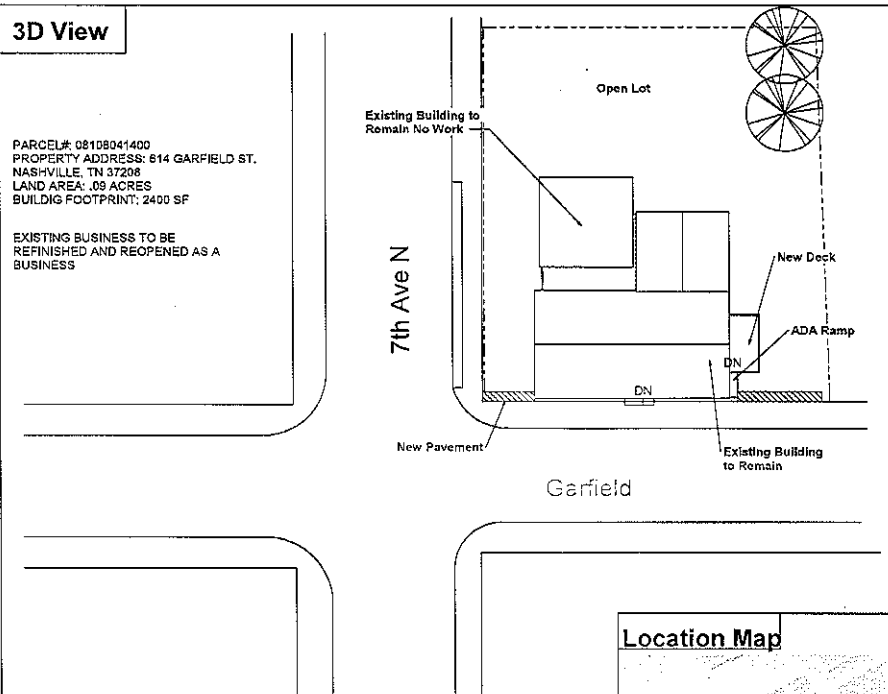
Code Summary

- 2012 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS*
- 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS*
- 2012 INTERNATIONAL ENERGY CONSERVATION CODE
- 2003 ICC/ANSI A-117.1 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES
- 2012 INTERNATIONAL PLUMBING CODE WITH LOCAL AMENDMENTS*
- 2012 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS*
- 2012 INTERNATIONAL FUEL GAS CODE WITH LOCAL AMENDMENTS*
- 2011 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS*
- 2012 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS**
- 2012 LIFE SAFETY CODE (NFPA 101) WITH LOCAL AMENDMENTS**

3D View

PARCEL#: 08108041400
 PROPERTY ADDRESS: 614 GARFIELD ST.
 NASHVILLE, TN 37208
 LAND AREA: .09 ACRES
 BUILDING FOOTPRINT: 2400 SF

EXISTING BUSINESS TO BE
REFINISHED AND REOPENED AS A
BUSINESS



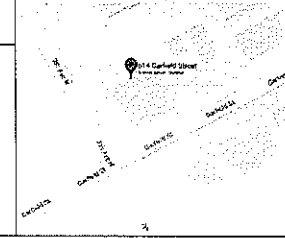
Drawing Index

- G1.1 Cover Sheet
- AD1.1 Demolition Plan
- A1.1 Floor Plan
- A1.2 Sidewalk Detail
- A1.2A Site Plan Alternate

Symbol Legend

Key Note

Location Map



CSG Design Studio
 211 Glen Hill Pike
 Nashville, TN 37203
 contact@csgrid.com

Caribbean Corner
 614 Garfield
 Street
 Nashville, TN

No.	Description	Date

Robert Norman & Will Radford

614 Garfield Cover Sheet

Project Number: 1
 Date: 2/15/2018
 Design By: MSC
 Checked By: TD
G1.1

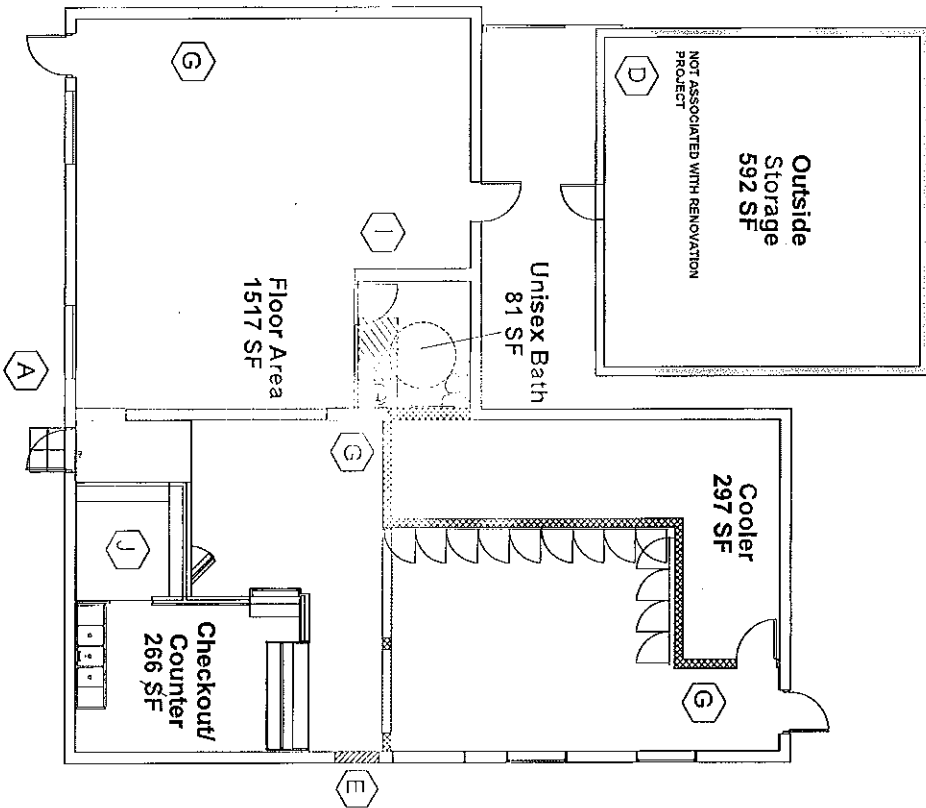
SCALE: 1/8" = 1'-0"

DEMOLITION GENERAL NOTES

1. SEE SHEET OF FOR NEW CONSTRUCTION GENERAL NOTES
2. SEE ARCHITECTURAL DRAWINGS AND DRAWINGS FOR OTHER SPECIFICATIONS FOR ADDITIONAL DEMOLITION INFORMATION
3. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
4. ANY DEMOLITION WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE DEMOLITION PLAN OR NOT.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
6. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
7. ALL DEMOLISHED MATERIALS SHALL BE REMOVED FROM THE SITE AND NOT REUSED OR RECYCLED.
8. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
9. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
11. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
12. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
13. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
14. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.
15. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL JURISDICTION.

DEMOLITION KEY NOTES

- A. REMOVE EXISTING STAIRS. REMOVE STAIRS BUT KEEP RAMP AT EXISTING LEVEL.
- B. REMOVE ALL DEBRIS.
- C. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- D. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- E. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- F. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- G. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- H. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- I. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- J. REMOVE EXISTING DOORS AND FRAME FROM OPENINGS.
- K. REMOVE ALL ELECTRICAL WIRING AND FIXTURES.



<p>614 Garfield Street Nashville, TN</p>	
<p>Caribbean Corner</p>	
<p>Robert McCombs & Vill</p>	
<p>614 Garfield</p>	
<p>DEMOLITION PLAN</p>	
<p>AD1.1</p>	

KEY NOTES

REPAIRS:

- 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
- H. NEW SYSTEMS
- I. INSTALL NEW TOILET, LAVATORY, AND TANKLESS WATER HEATER
- J. REPAIR ALL THREE COMPARTMENT SINK
- K. REPAIR ALL VENEER WALL PATCHES WITH CONDENSED
- L. CONSULT TO SET THREE SMALL PARTS INTO ONE SINGLE 200A PANEL

EXTENSIVE:

- M. INSTALL NEW CONCRETE RAUP
- N. INSTALL NEW WOOD DECK AND RAMP AT EAST ENTRY

ENTRY WORK:

- O. INSTALL SECURITY CAMERA SYSTEM
- P. INSTALL SECURITY DOORS AND WINDOWS WITH GLASS

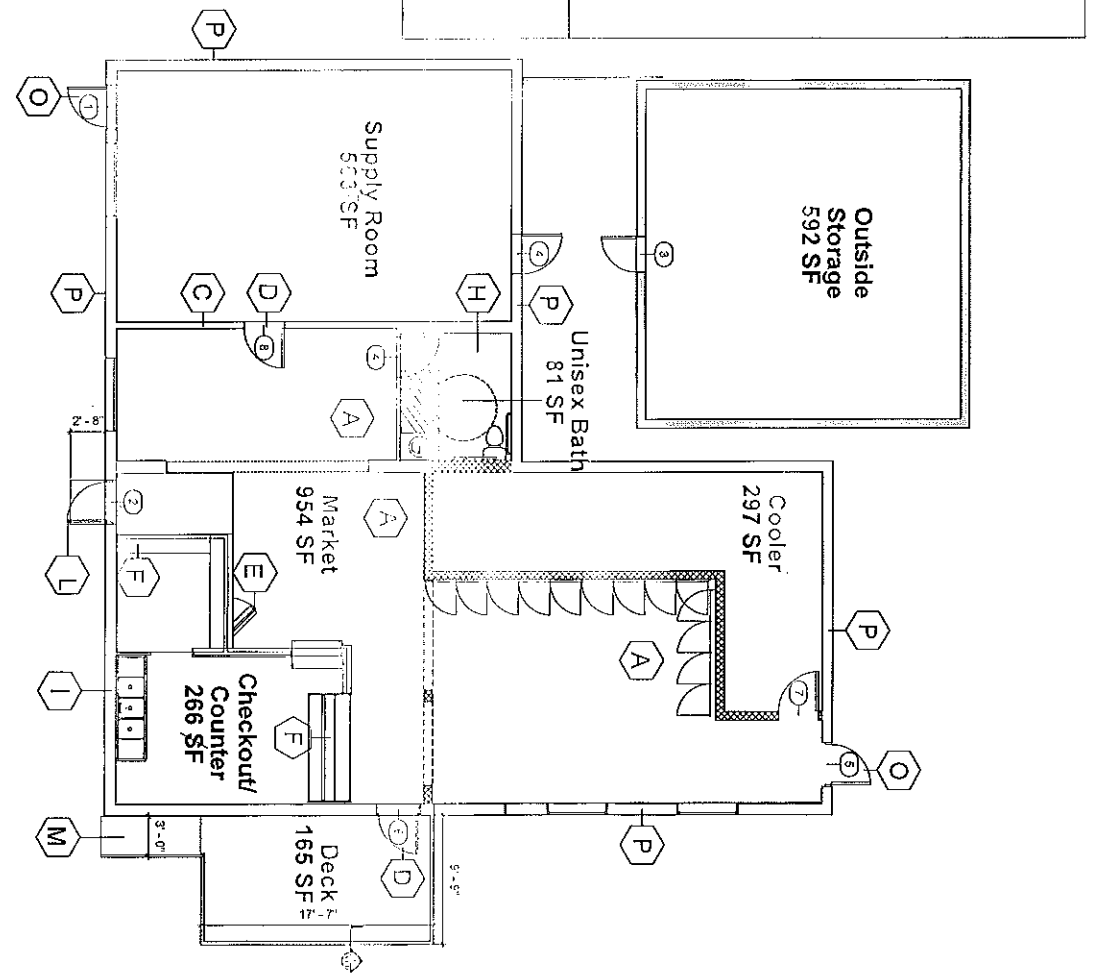
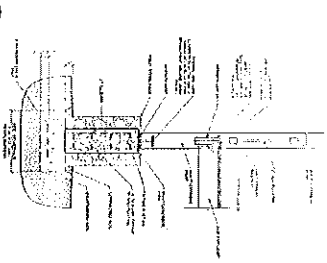
REPAIRS:

- Q. PATCH/REPAIR AND PAINT DRY BLOCK AND TRIM
- R. PATCH/REPAIR AND PAINT AND REPAIR

DOOR SCHEDULE:

- DOOR 1: CORNER ENTRY (PRE-OUTSWING)
- DOOR 2: CORNER ENTRY (PRE-INSWING)
- DOOR 3: STORAGE (PRE-INSWING)
- 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)

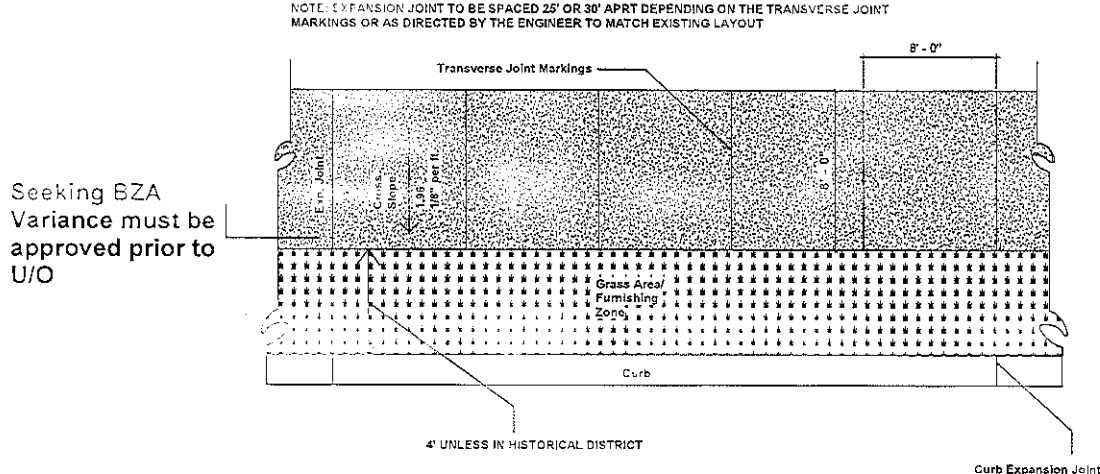
1 DECK DETAIL



Caribbean Corner
 614 Garfield Street
 Nashville, TN

Robert Norman & Will Redford
 614 Garfield
 Floor Plan

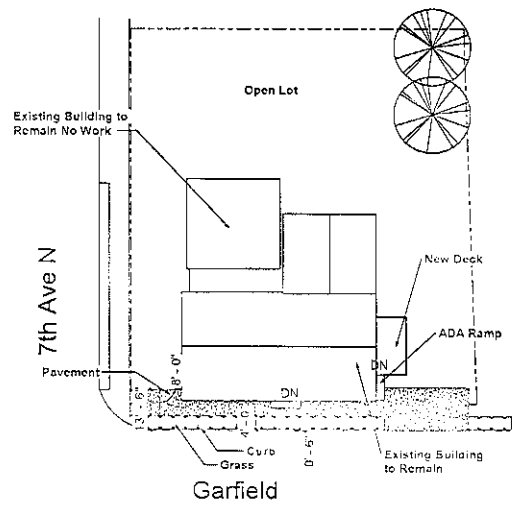
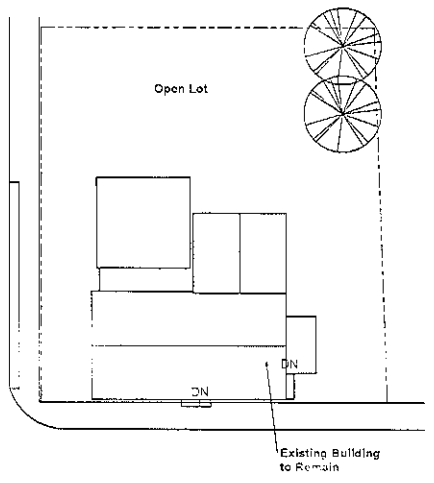
2/17/2018
 A1.1



Seeking BZA
Variance must be
approved prior to
U/O

8' SIDEWALK WITH GRASS PLOT (Local Street)

<p>640 Green Street 2551 Elm Hill Pike Baltimore, MD 21217 www.lunghighway.com</p>																																																																																
<table border="1"> <thead> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	No.	Description	Date																																																																												<p>Robert Norman & Will Radford</p> <p>614 Garfield</p> <p>Sidewalk Detail</p> <p>Project Number: _____ Date: 2/15/2018 Drawn By: Author Checked By: Checker</p> <p>A1.2</p> <p>DATE PLOTTED: 2/15/2018 10:45:11 AM</p>	
No.	Description	Date																																																																														



NOTES:

1. EXISTING BUILDING IS 8' 6" FROM CURB. THIS CONDITION PROHIBITS THE REQUIRED SIDEWALK FROM BEING CONSTRUCTED. PLEASE SEE SHEET A1.2B FOR PROPOSAL TO ADD CORRECT SIDEWALK AT SIDES OF BUILDING.

643 Laurel Street
7517 Glen Hill Place
The Woodlands
kath@normanvwil.com

No.	Description	Date

Robert Norman & Will Redford

614 Garfield
SITE PLAN

Project Number: 1
Date: 2/15/2018
Drawn By: Author
Checked By: Checker

A1.2A

Scale:

WSP 11/12/2018

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



Appellant: Baker Donelson Date: 8-21-18
Property Owner: Kuestrick Constructors Case #: 2018-537
Representative: Joey Hargis Map & Parcel: 119-5-129

Council District 11e

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

615-726-7351
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

EXISTING PARKING TO REMAIN

392
ASPHALT

EXISTING PARKING TO REMAIN

PROPOSED BUILDING
WAREHOUSE
4,000 S.F.
60'x66'

391

EXISTING BUILDING
9,845 S.F.
69

ALLEY NO. 18

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

EXISTING BUILDING

ALLEY NO. 1852
N 09°00'44" W

N 26°37'05" W 84.86'

N 10°31'40" E 80.50'

85.00'

65.00'

S 64°55'06" W 53.07'

S 63°21'13" W

184.05'

GRANDVIEW AVENUE

SITE BENCHMARK
ELEV. 493.71
FIRE HYDRANT TAG
BOLT NO. 5717V3

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](#)

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.

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

*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 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.

Margaret S. Rannish

APPELLANT

8/22/18

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.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?

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 DO) About
Chart.xls
KIVA
Kiva 02 ForShare
KIVA
Kiva 02 (2) zoning
hs_err_pid3... IT Portal
User G
CityWorks Inspector
Prope Record
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

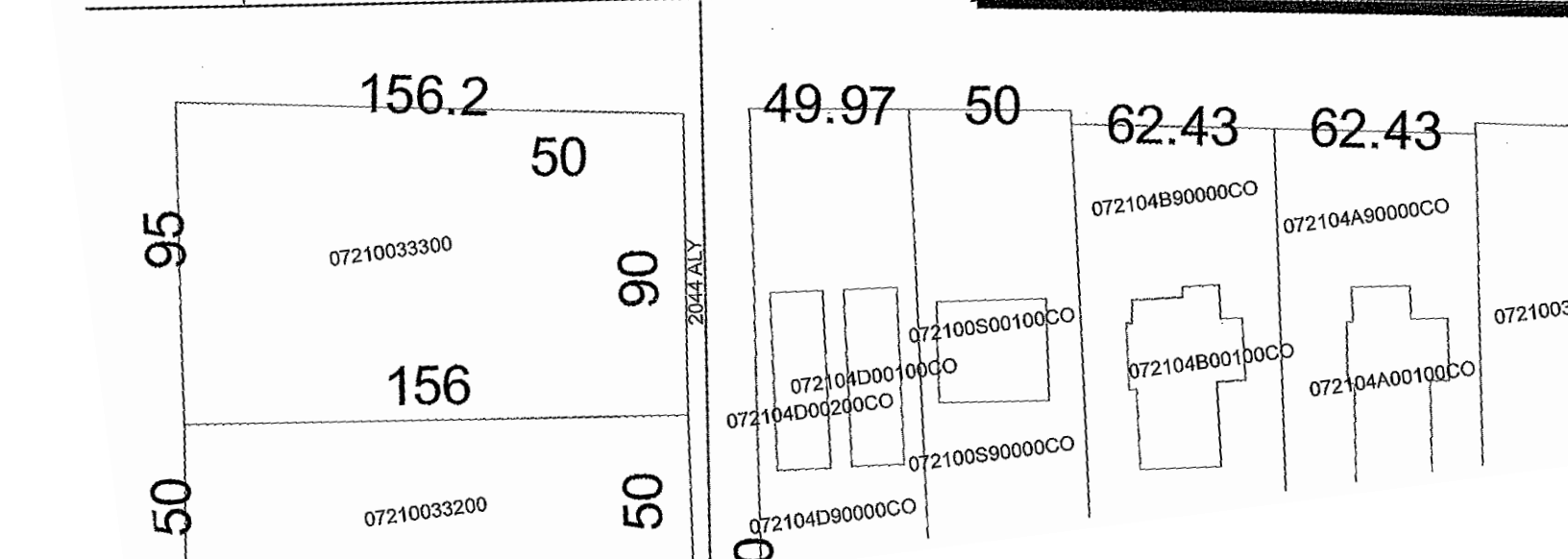
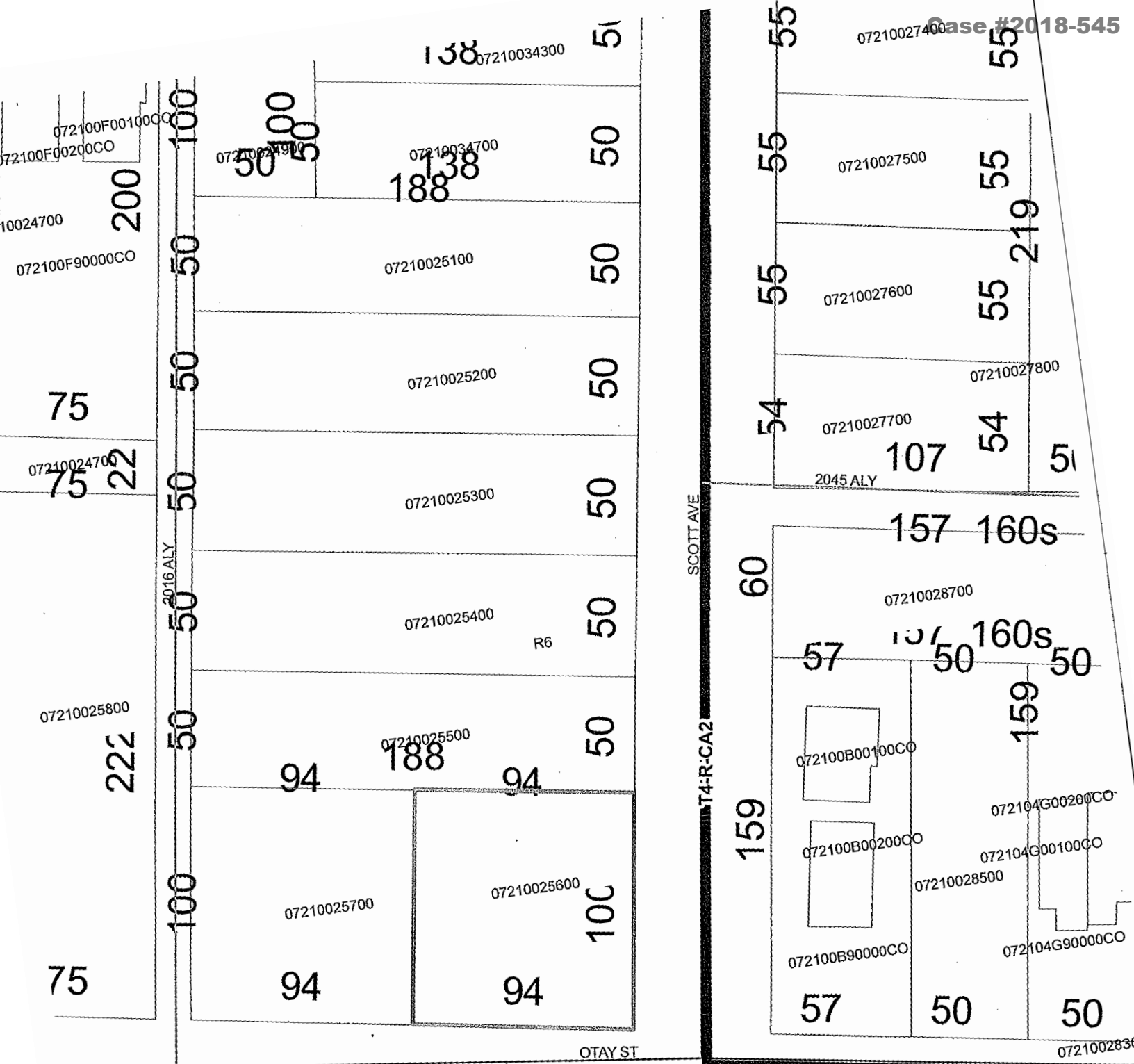
Comment

R6 DUPLEX ELIGIBLE PER BOOK 3105 PAGE 517 DATED 1960
LABUTLER (08-13-2018 12:05PM)

Add New Comment

proposed new hpr duplex





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.**

15 October 2018

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

RE Case 545

Dear Board of Zoning Appeals Members,

I am writing in opposition to the sidewalk appeal at 1315 Otay street.

In the 10/04/18 zoning appeals meeting the appellant indicated the sole reason for the appeal is to obtain a higher sale price for the property. While I understand the appellant is trying to obtain the most money for her son, I do not see how financial gain can be a valid hardship. The circumstances of this parcel are not unique - every property owner in Nashville lacking a sidewalk would be in the same situation once they decide to sell.

Allowing this appeal would in essence undermine the sidewalk law, which was passed unanimously by our city council. This is the first time I have watched a zoning case where a developer coaxed the property owner to appeal the sidewalk requirement. I fear that allowing this appeal would set a dangerous precedent and in short order this type of situation where developers hold property owners hostage unless they appeal the ordinance will become the new norm.

Thank you for considering my opinion on this case.

Lance Thomas
1518 Ferguson Ave
Nashville, TN

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Rob Cushman

Date: 8-22-18

Property Owner: Stratos Development, LLC

Case #: 2018- 546

Representative: Rob Cushman

Map & Parcel: 72-6-221

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: Requesting variance from sidewalk requirement

Activity Type: Commercial

Location: 1064 E. Trinity Ln.

This property is in the CC 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 _____ 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.

Rob Cushman
Appellant Name (Please Print)

Rob Cushman
Representative Name (Please Print)

639 E Main St, Ste B202
Address

639 E Main St, Ste B202
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: 200



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



3548763

ZONING BOARD APPEAL / CAAZ - 20180050507
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07206022100

APPLICATION DATE: 08/22/2018

SITE ADDRESS:

1064 E TRINITY LN NASHVILLE, TN 37216
LOTS 15&16 BROWN SUB OF KING

PARCEL OWNER: STRATOS DEVELOPMENT GROUP, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

requesting variance from 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?

Existing sidewalks in good condition exist on the property. Renovation of the buildings is not extensive and site disturbance is minimal.
Side walk changes would make walking conditions be a more challenging, no longer would they be straight line.

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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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

8-22-18

DATE

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-546 (1064 East Trinity Lane)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible); dedicate right-of-way only
Zoning:	CL
Community Plan Policy:	T4 CC (Urban Community Center)
MCSP Street Designation:	T4-M-AB3-LM
Transit:	800' from #26/56 – Gallatin Pike BRT; planned for light rail per nMotion plan
Bikeway:	None existing; major separated bikeway planned per WalknBike plan

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is renovating an existing commercial building and requests not to upgrade sidewalks or contribute in-lieu due to existing sidewalks. Instead, the applicant proposes to dedicate 7' of right-of-way for future sidewalk construction to the Major and Collector Street Plan Standard. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk with no grass strip currently exists on the property frontage, which is consistent on the entire block face. The property directly across the street, which was recently redeveloped, has upgraded the sidewalk to include a grass strip.
- (2) The applicant is conducting internal renovations to existing structures on the property. Given the scale of the proposed improvements at this location, right-of-way dedication will allow Metro to more easily construct sidewalks in the future.

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 dedicate right-of-way along the property frontage to accommodate future sidewalks per the Major and Collector Street Plan standard.
3. 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.

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: 8-22-18

Property Owner: Stratos development

Case #: 2018-547

Representative: Rob Cushman

Map & Parcel: 77-6-220

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: Requesting variance from sidewalk requirement.

Activity Type: Commercial - Rehab

Location: 1060 E Trinity Ln.

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:

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 _____ 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.

Rob Cushman
Appellant Name (Please Print)

Rob Cushman
Representative Name (Please Print)

639 E Main St, Ste B202
Address

639 E Main St, Ste B202
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: 200



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



3548762

ZONING BOARD APPEAL / CAAZ - 20180050506
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07206022000

APPLICATION DATE: 08/22/2018

SITE ADDRESS:

1060 E TRINITY LN NASHVILLE, TN 37216
LOTS 17&18 BROWN SUB OF KING

PARCEL OWNER: STRATOS DEVELOPMENT GROUP, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance from 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?

Existing sidewalks in good condition exist on the property. Renovation of the buildings is not extensive and site disturbance is minimal.
Side walk changes would make walking conditions be a more challenging, no longer would they be straight line.

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

8-22-18

 DATE

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-547 (1060 East Trinity Lane)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible); dedicate right-of-way only
Zoning:	CL
Community Plan Policy:	T4 CC (Urban Community Center)
MCSP Street Designation:	T4-M-AB3-LM
Transit:	800' from #26/56 – Gallatin Pike BRT; planned for light rail per nMotion plan
Bikeway:	None existing; major separated bikeway planned per WalknBike plan

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is renovating an existing commercial building and requests not to upgrade sidewalks or contribute in-lieu due to existing sidewalks. Instead, the applicant proposes to dedicate 7' of right-of-way for future sidewalk construction to the Major and Collector Street Plan Standard. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk with no grass strip currently exists on the property frontage, which is consistent on the entire block face. The property directly across the street, which was recently redeveloped, has upgraded the sidewalk to include a grass strip.
- (2) The applicant is conducting internal renovations to existing structures on the property. Given the scale of the proposed improvements at this location, right-of-way dedication will allow Metro to more easily construct sidewalks in the future.

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 dedicate right-of-way along the property frontage to accommodate future sidewalks per the Major and Collector Street Plan standard.
3. 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.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Appellant: Rob CushmanDate: 8-22-18Property Owner: Stratos DevelopmentCase #: 2018-548Representative: Rob CushmanMap & Parcel: 22-6-219Council District 5

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

Activity Type: Commercial - RehabLocation: 1056 E. Trinity Ln

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:

Reason: Requesting variance from sidewalk requirementSection(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.

Rob Cushman
Appellant Name (Please Print)

Rob Cushman
Representative Name (Please Print)

639 E Main St, Ste B202
Address

639 E Main St, Ste B202
Address

Hendersonville, TN 37075
City, State, Zip Code

Hendersonville, TN 37035
City, State, Zip Code

615-559-2212
Phone Number

615-559-2212
Phone Number

rob@stratosdevelopment.com
Email

rob@stratosdevelopment.com
Email

Appeal Fee: 200



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

Case #2018-548



3548760

ZONING BOARD APPEAL / CAAZ - 20180050504
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07206021900

APPLICATION DATE: 08/22/2018

SITE ADDRESS:

1056 E TRINITY LN NASHVILLE, TN 37216
LOTS 19&20 BROWN SUB OF KING

PARCEL OWNER: STRATOS DEVELOPMENT GROUP, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance from 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?

Existing sidewalks in good condition exist on the property. Renovation of the buildings is not extensive and site disturbance is minimal.
Side walk changes would make walking conditions be a more challenging, no longer would they be straight line.

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

8-22-18

DATE

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-548 (1056 East Trinity Lane)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible); dedicate right-of-way only
Zoning:	CL
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor)
MCSP Street Designation:	T4-M-AB3-LM
Transit:	800' from #26/56 – Gallatin Pike BRT; planned for light rail per nMotion plan
Bikeway:	None existing; major separated bikeway planned per WalknBike plan

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is renovating an existing commercial building and requests not to upgrade sidewalks or contribute in-lieu due to existing sidewalks. Instead, the applicant proposes to dedicate 7' of right-of-way for future sidewalk construction to the Major and Collector Street Plan Standard. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk with no grass strip currently exists on the property frontage, which is consistent on the entire block face. The property directly across the street, which was recently redeveloped, has upgraded the sidewalk to include a grass strip.
- (2) The applicant is conducting internal renovations to existing structures on the property. Given the scale of the proposed improvements at this location, right-of-way dedication will allow Metro to more easily construct sidewalks in the future.

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 dedicate right-of-way along the property frontage to accommodate future sidewalks per the Major and Collector Street Plan standard.
3. 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.

2018-550

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Ryan Hinkle Date: 8/23/18
Property Owner: Eric Lawrence / Davis Case #: 2018-550
Representative: Ryan Hinkle Map & Parcel: 10215009700
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:

NEW CONSTRUCTION RESIDENTIAL
SINGLE FAMILY RESIDENCE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 807 Brook Hollow Rd

This property is in the BS40 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 TO 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.

[Signature]
Completed and witnessed, Date
Eric@elconstruction.com
Ryan@ELconstruction.com
Print Applicant's e-mail address

Ryan Hinkle
Name (Please Print)
[Signature]
Signature

[Signature]
8-23-18

95 white Birch rd
Mailing Address
Nashville TN 37205
City, State, Zip Code
615 808 1481
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**



3488182

ZONING BOARD APPEAL / CAAZ - 20180023007
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10215009700**APPLICATION DATE:** 04/24/2018**SITE ADDRESS:**

807 BROOK HOLLOW RD NASHVILLE, TN 37205

LOT 194 SEC C HORTON HGTS

PARCEL OWNER: LARENCE & DAVIS PROPERTIES, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

BZA Appeal of Sidewalk Requirements per 17.20.120 requires new sidewalks. Requesting to not build Nor construct sidewalks.

New Construction Residence permitted 2018013957 issued on 4/24/2018

*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**



**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018013957
THIS IS NOT A PERMIT**

PARCEL: 10215009700

APPLICATION DATE: 03/13/2018

SITE ADDRESS:

807 BROOK HOLLOW RD NASHVILLE, TN 37205
LOT 194 SEC C HORTON HGTS

PARCEL OWNER: KIMBRO, D. J. ETUX

APPLICANT:

PURPOSE:

PERMIT TO CONSTRUCT A NEW SINGLE FAMILY RESIDENCE AT SQFT... ..93' MINIMUM FRONT SETBACK...15' MINIMUM SIDE SETBACK... 20' MINIMUM REAR SETBACK... ..SEE SITE PLAN FOR HOUSE PLACEMENT... ..MAXIMUM HEIGHT: THREE STORIES FROM NATURAL GRADE... ***MUST COMPLY WITH METRO COUNCIL BILL 2017-835*** 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 THIS PARCEL IS WITHIN THE USD AND ON A STREET IN THE MAJOR AND COLLECTOR STREET PLAN.

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	Thomas.Corcoran@nashville.gov 862-5230
[B] Fire Life Safety Review On Bldg App		
[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		
[F] Address Review On Bldg App	APPROVED	615-862-8781 Bonnie.Crumby@nashville.gov
[D] Grading Plan Review For Bldg App	REJECTED	(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.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?

This is causing undue cost & delay on my project in an area where there are no side walks whatsoever for many blocks in every direction. The likelihood that sidewalks will be built is almost zero.

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. 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.

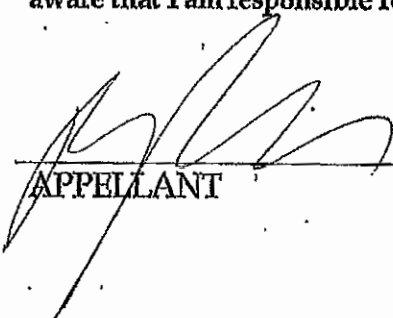
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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.

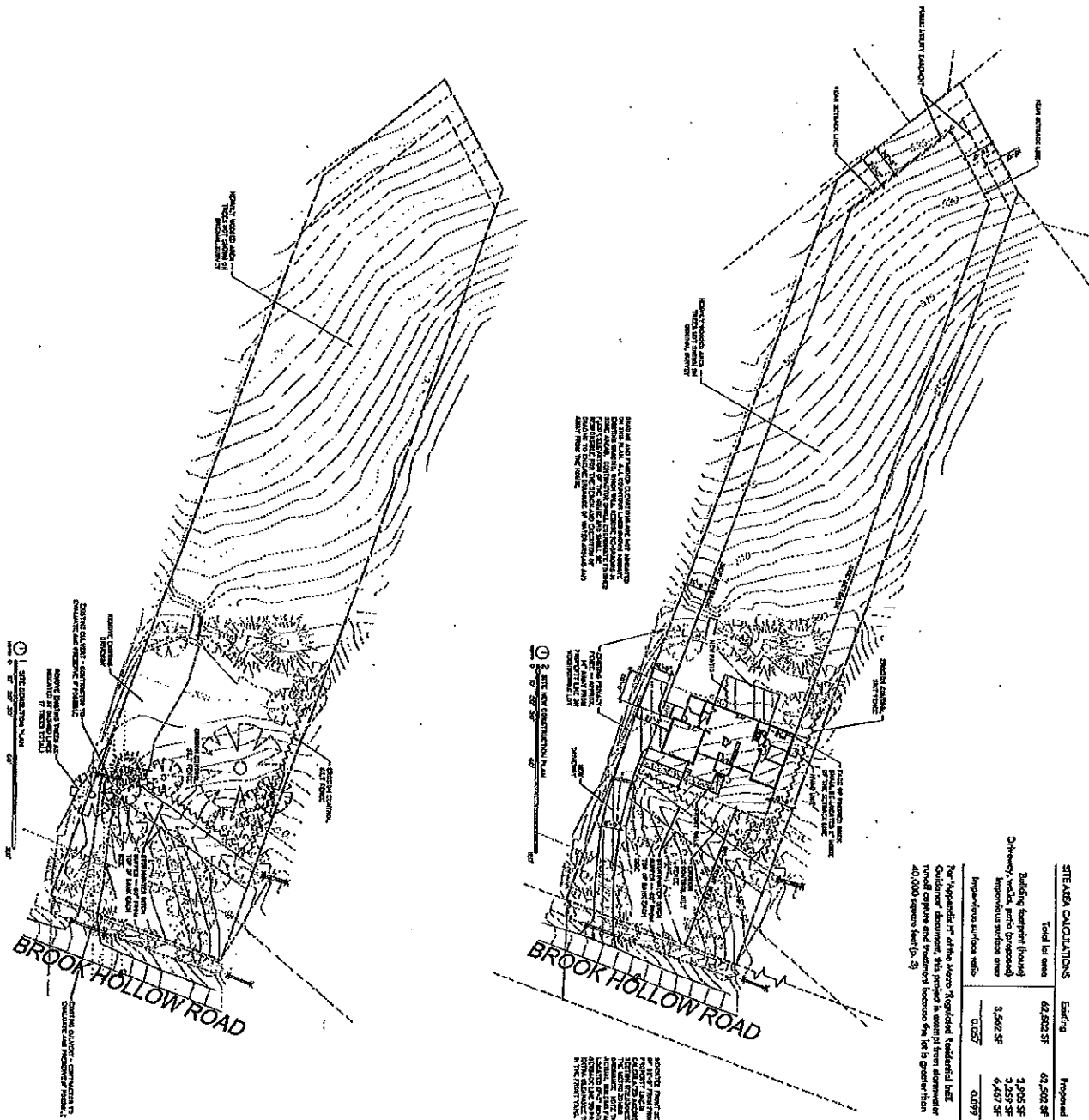
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

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

8-23
-18
DATE



STEVEN CALCULATIONS

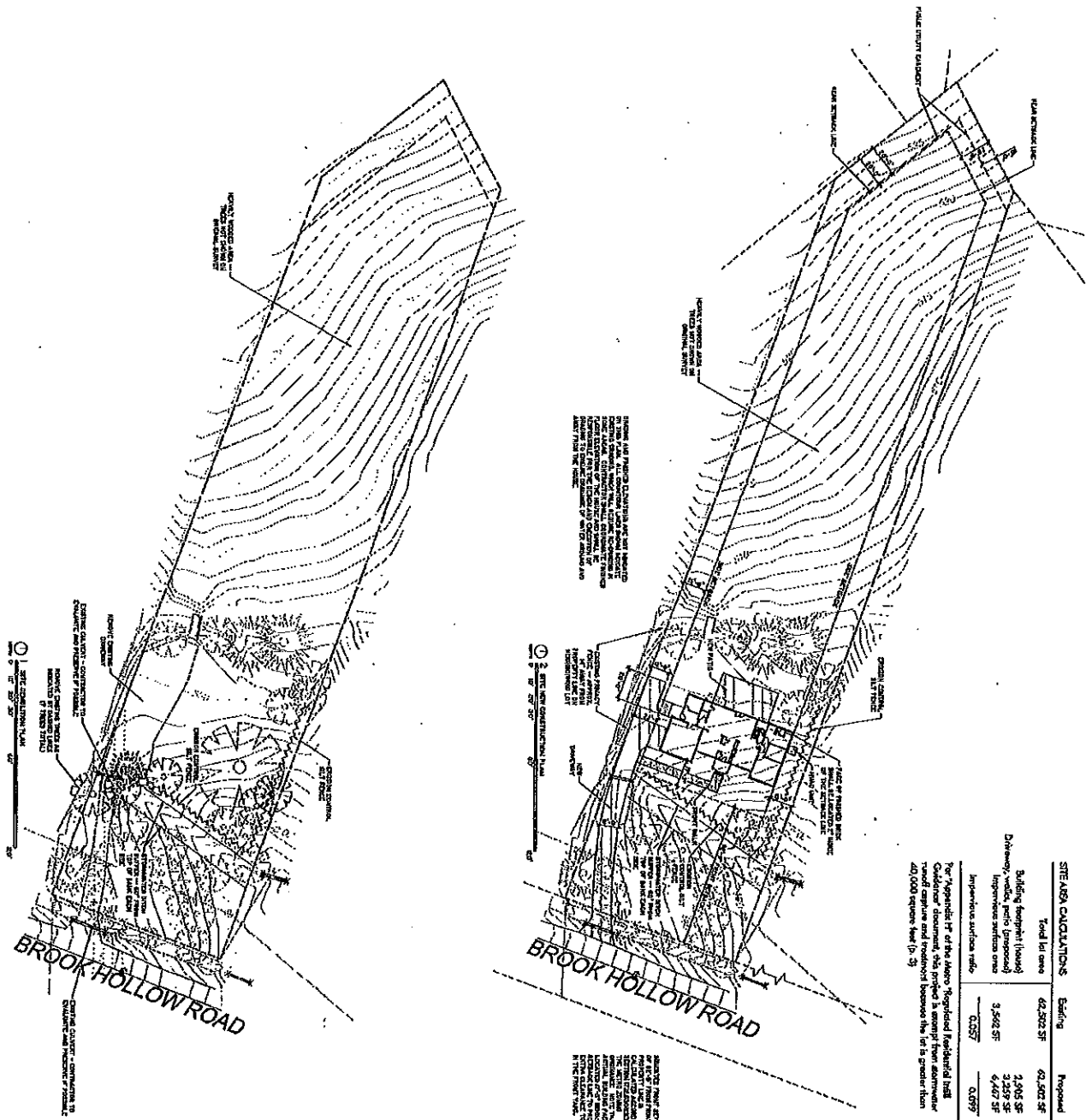
	Existing	Proposed
Total lot area	62,502 SF	62,502 SF
Building footprint (footing)		2,935 SF
Driveway		4,427 SF
Impervious surface area	3,562 SF	7,362 SF
Impervious surface ratio	0.057	0.097

Per Appendix "F" of the Metro Residential Residential Unit Ordinance document, this project is exempt from administrative and/or requires a maximum increase of 10% in impervious surface area.

PROPOSED AND EXISTING CONTOURS ARE NOT BASED ON THE SAME DATA. ALL EXISTING CONTOURS WERE OBTAINED FROM THE 1998 SURVEY AND THE PROPOSED CONTOURS WERE OBTAINED FROM THE 2018 SURVEY. THE PROPOSED CONTOURS ARE NOT TO BE USED FOR ANY OTHER PURPOSES.

PROPOSED IMPROVEMENTS TO THE SITE ARE SUBJECT TO THE APPROVAL OF THE METRO PLANNING AND ZONING COMMISSION. THE PROPOSED IMPROVEMENTS TO THE SITE ARE SUBJECT TO THE APPROVAL OF THE METRO PLANNING AND ZONING COMMISSION.

<p>DATE: 11/15/2018</p> <p>PROJECT: 807 Brook Hollow Road</p> <p>SCALE: 1/8" = 1'-0"</p> <p>PROJECT NO: A1.0</p>	<p>A New Residence</p> <p>807 Brook Hollow Road</p> <p>Nashville, Tennessee</p>	<p>© Copyright 2018</p> <p>405 Fairfax Avenue Nashville TN 37212 #615-977-1919 www.jtsarch.com</p>
	<p>John TeSelle ARCHITECTURE</p>	



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-550 (807 Brook Hollow Road)

Metro Standard:	6' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (eligible)
Zoning	RS40
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	T3-R-CA2
Transit:	None existing; none planned
Bikeway:	Minor separated bikeway planned per WalknBike

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant is constructing a single family dwelling, and requests a variance from constructing sidewalks due to the lack of existing sidewalks and topography along the Brook Hollow Road 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.

From: maggiethecat06@aol.com <maggiethecat06@aol.com>

Sent: Thursday, October 11, 2018 1:52 PM

To: Board of Zoning Appeals (Codes) <bza@nashville.gov>

Subject: Re:2018-550

To Metropolitan Board of Zoning Appeals:

I am contacting you concerning the sidewalks on Brook Hollow Road Rd and Appeal Case Number 2018-550. We need to keep the sidewalks intact on Brook Hollow Rd so the children can safely get to the bus stop, and the elderly can walk their pets in the evening. The cars on Brook Hollow drive at a high rate of speed and we have many elderly and children out here. I live on Starlit just off Brook Hollow.

Thank you,

Margaret Coleman



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



3549131

**ZONING BOARD APPEAL / CAAZ - 20180050768
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 083020P00200CO

APPLICATION DATE: 08/23/2018

SITE ADDRESS:

1211 N 14TH ST NASHVILLE, TN 37206
UNIT 1211 MCKENNNIE AVENUE RESIDENCES

PARCEL OWNER:**CONTRACTOR:****APPLICANT:****PURPOSE:**

HISTORICAL HAS APPROVED DADU.

**A DADU CANNOT BE ON AN HPR PROPERTY.

**A DADU CANNOT BE SOLD INDIVIDUALLY.

DENIED;

1.....REQUEST TO SELL OFF INDIVIDUALLY...THEREFORE IT HAS TO HAVE HPR MAP AND PARCEL NUMBERS.

17.16.030 G 3 b and c... see below.

b. The detached accessory dwelling cannot be divided from the property ownership of the principal dwelling.

c. The detached accessory dwelling shall be owned by the same person as the principal structure and one of the two dwellings shall be owner-occupied.

POC: MATT MILLSAP 615-891-2398

matt@buildco7.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.*

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.

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.

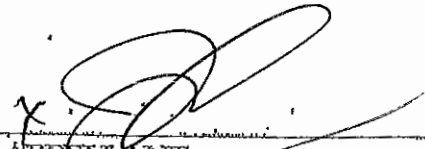
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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

8/23/18

 DATE

Justin Cross
 for Matt Millsep

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?

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174

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MCKENNIE AVE

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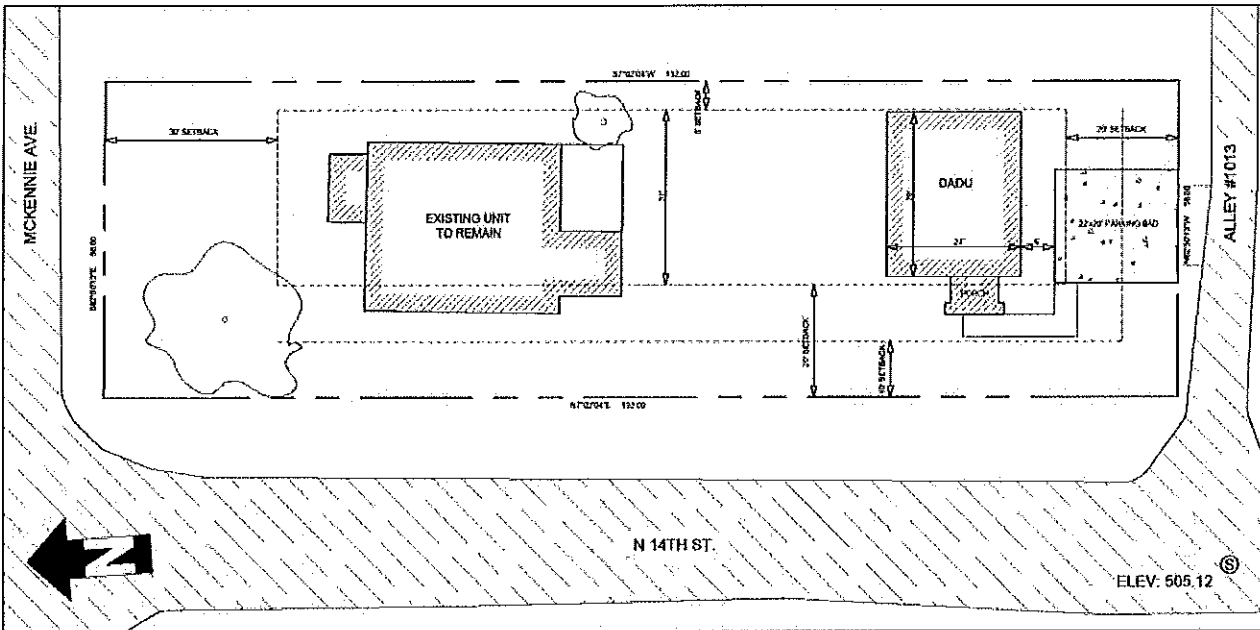
N 14TH ST
T4-R-CA2

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GREENWOOD AVE

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HYBRID PHOENIX
317 ASH STREET
NASHVILLE, TN 37206

1400 MCKENNIE AVE.
NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE

DATE: 12-20-17
SCALE: 1/4" = 1' - 0"
SITE PLAN

A00

HISTORICAL COMMISSION PERMIT 2018001656
CALL 615-862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on pages 1-2.
2. Staff must approve the construction progress at the following points:
 - a. After the building footprint has been field staked
 - b. After the foundation has been constructed
 - c. After the rough framing has been completed
3. The following must be submitted for final approval before purchase:
 - a. Windows and doors
 - b. Roof color (unless matching house)
 - c. Masonry



3437704

METRO HISTORIC ZONING COMMISSION

Sunnyside at Sevier Park
 3000 Granny White Pike
 Nashville TN 37204
 (615) 862-7970
histlap1@nashville.gov

HISTORICAL COMMISSION PERMIT - 2018001656

Entered on: 09-Jan-2018

Site Address:

1400 McKennie Avenue
 Nashville, TN 37206

Historic District:

Eastwood NCZO

Parcel Owner: JONES, KATHERINE M. & TIMOTHY L. & HENRY L. & MARCIA

Purpose: Construct Outbuilding with DADU (See attached architectural plans)

FOUNDATION

- Foundation material shall be split-faced block.

CLADDING & TRIM

- Siding, trim, fascia, soffits, and like features are to be wood or cement fiberboard.
- Wood or cement fiberboard shall be smooth without simulated wood grain pattern or rough, unfinished appearance.
- All exposed exterior lumber should be grade number #1 or #2. Lower grade lumber is unsuitable for exterior work.
- Overlapped siding shall have a reveal of five inches (5"), or match the exposure on the house.

WINDOWS & DOORS

- Window and door selections shall be approved by MHZC Staff prior to purchase/installation.
- Divided-light sashes shall have muntins on the outside and inside surfaces, with a spacer bar between.
- There shall be a four inch (4") mullion between any paired windows.
- Windows on clapboard structures shall not have brick-mold and shall have four inch (4") nominal wood casings.

ROOF

- Roof shall be asphalt shingles.
- Roof color may match the color of the house's roof; or roof color shall be approved by MHZC Staff prior to purchase/installation.

HVAC

- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the building.

3437704

**METRO HISTORIC ZONING COMMISSION**

Sunnyside at Sevier Park
3000 Granny White Pike
Nashville TN 37204
(615) 862-7970
histlap1@nashville.gov

HISTORICAL COMMISSION PERMIT - 2018001656**GENERAL**

MHZC Staff may have added notes to submitted drawings that are a part of this permit. Any substitutions or deviation from the approved work requires further review and approval by the MHZC PRIOR to work being undertaken or materials being purchased.

All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.

This permit becomes invalid TWELVE months after issue date. Expired permits must be reissued prior to work being undertaken.

THIS IS NOT A BUILDING PERMIT nor does it permit any particular type of use. No work can begin without the appropriate review and approval by the Metropolitan Department of Codes Administration: Howard School Building Campus (615) 862-6500.

REVIEWS REQUIRED - Call: (615) 862-7970:

ROOFING COLOR APPROVAL PRIOR TO INSTALL

WINDOWS APPROVAL PRIOR TO INSTALL

LIGHTING APPROVAL PRIOR TO INSTALL

DOOR APPROVAL PRIOR TO INSTALL

MASONRY APPROVAL PRIOR TO INSTALL

INSPECTIONS REQUIRED - Call: (615) 862-7970:

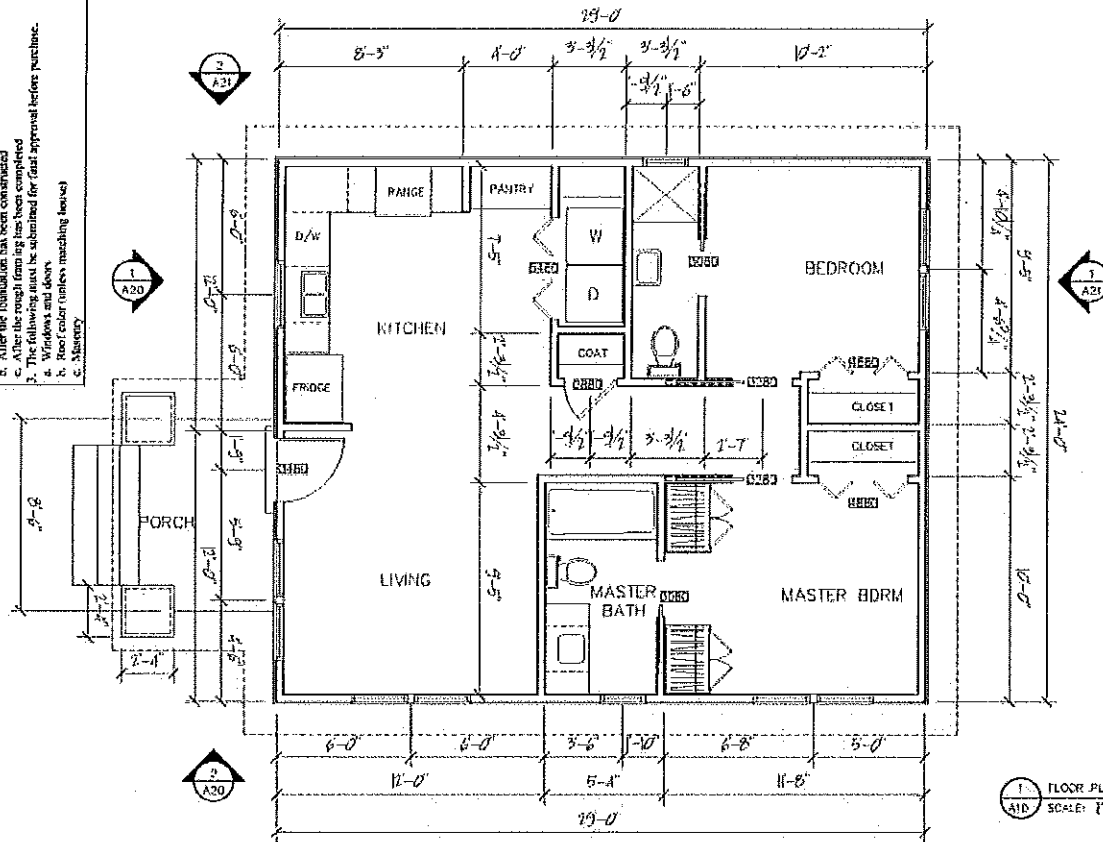
FIELD STAKING INSPECTION

FOUNDATION CHECK INSPECTION

ROUGH FRAMING INSPECTION

APPLICANT: Tim Jones**Issued Date:** 09-Jan-2018 **Issued By:** Sean Alexander

HISTORICAL COMMISSION PERMIT 20180166A
 CALL 615-862-7979 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS
 1. Please refer to notes on page 1-2.
 2. Staff must approve the construction progress at the three following points:
 a. After the building footprint has been field staked.
 b. After the foundation has been completed.
 c. After the rough framing has been completed.
 3. The following must be submitted for final approval before purchase:
 a. Windows and doors.
 b. Exterior finishes (matching house).
 c. Miscrery.



HYBRID PHOENIX
 317 ASH STREET
 NASHVILLE, TN 00000

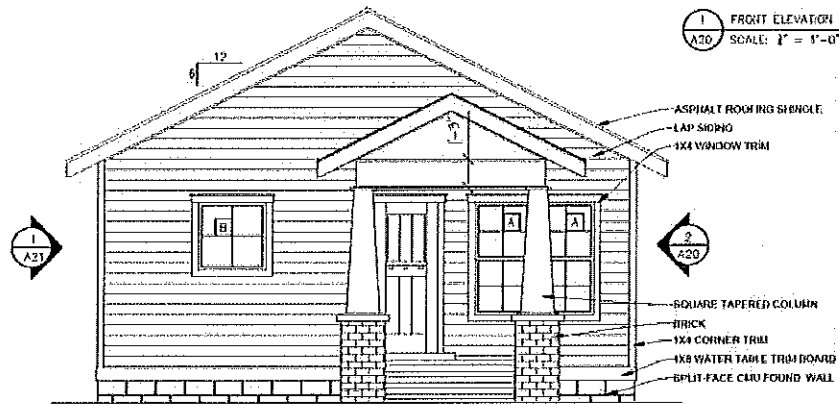
1400 MCKENNIE AVE.
 NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE

DATE: 12-20-17
 SCALE: 1/4" = 1'-0"
 FLOOR PLAN

1 FLOOR PLAN
 A10 SCALE: 1/4" = 1'-0"

A10



HISTORICAL COMMISSION PERMIT 2018001656

1. Structure to be constructed in accordance with attached scaled site plan and elevations. Any deviation from the approved plans could result in **changes being** (retreated to reflect the approved drawings).

2. All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.

3. This permit does not regulate use.

4. Exterior materials shall be finish grade (smooth and square). Snd wall lumber or embossed wood grain is not appropriate.

5. Siding and trim shall be wood or cement-fiberboard. Siding shall have a maximum reveal of five inches (5") or shall match the existing siding.

7. Four inch (4" nominal) casings are required around doors, windows and vents within clapboard walls. Windows on brick walls shall have brick-mold.

8. Four inch (nominal) corner-boards are required at the face of each exposed corner on frame walls.

CALL 615-865-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on pages 1-2.

2. Staff must approve the construction progress at the following points:

- After the building footprint has been field staked
- After the foundation has been constructed
- After the rough framing has been completed

3. The following must be submitted for final approval before purchase:

- Windows and doors
- Roof color (unless matching house)
- Masonry

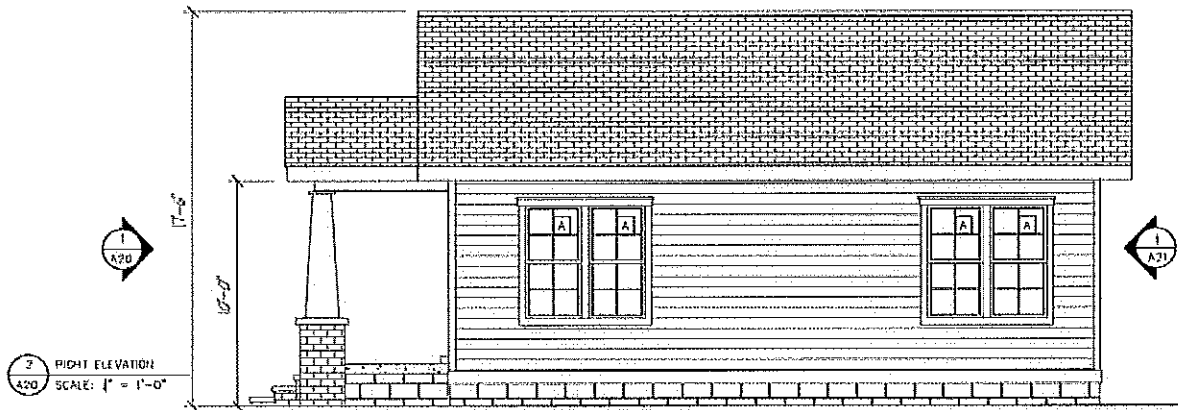
HYBRID PHOENIX
317 ASH STREET
NASHVILLE, TN 37208

1400 MCKENNIE AVE.
NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE
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DATE: 12-20-17
SCALE: 1/4" = 1'-0"
FRONT & RIGHT ELEV

A20





HISTORICAL COMMISSION PERMIT 2018001656

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CALL 615 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

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 - Masonry

HYBRID PHOENIX
317 ASH STREET
NASHVILLE, TN 37208

1400 MCKENNIE AVE.
NASHVILLE, TN 37206

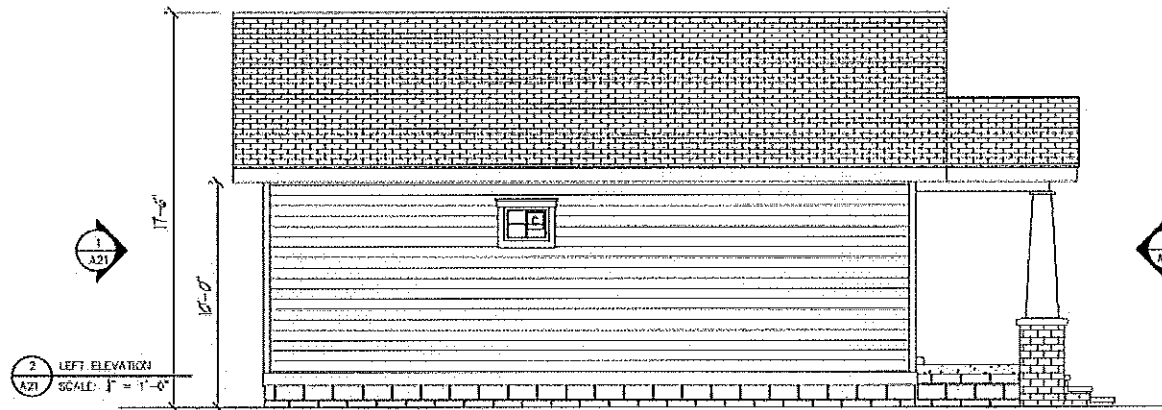
NO.	DESCRIPTION	DATE

DATE: 12-20-17

SCALE: 1/8" = 1'-0"

REAR & LEFT ELEV

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MCKENNIE AVE

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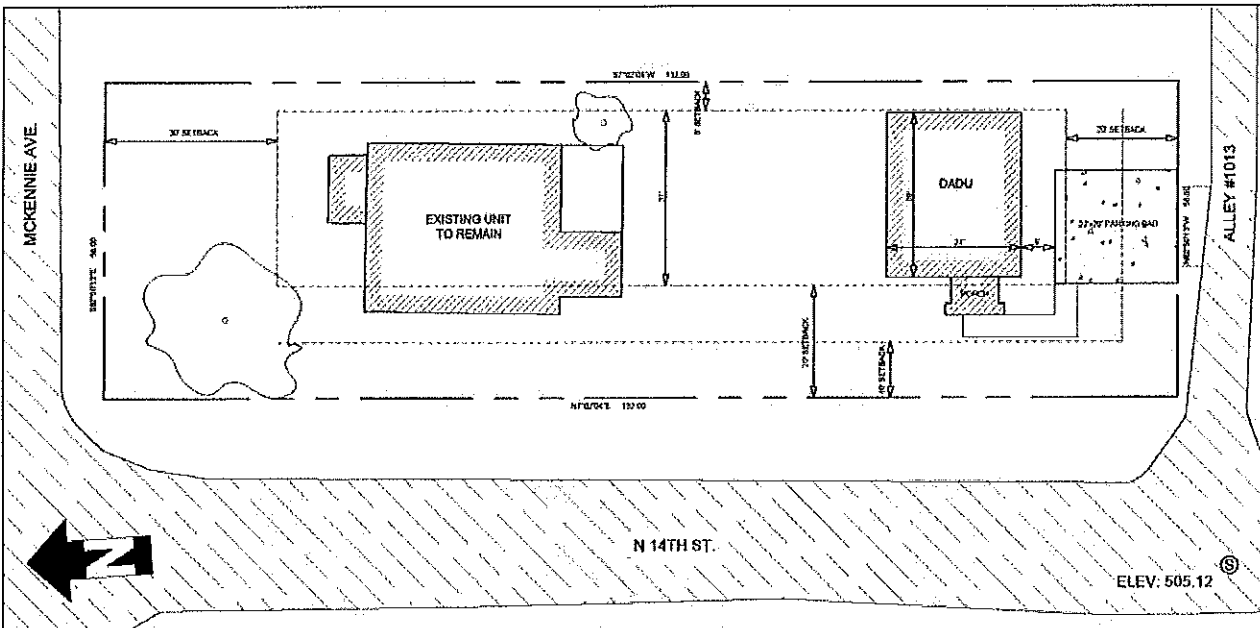
N 14TH ST
T4-R-CA2

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083020P90000CO
083020P00200CO
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08302002200
R6
08302002300
08302002400
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08302002600
1013 ALY

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08302001800
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08302002000
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08302004800
08302004700
08302004600
08302004500
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083020

GREENWOOD AVE



HYBRID PHOENIX
317 ASH STREET
NASHVILLE, TN 00000

1400 MCKENNIE AVE.
NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE
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DATE: 12-20-17

SCALE: 1/4" = 1'-0"

SITE PLAN

A00

HISTORICAL COMMISSION PERMIT 2018001656
CALL 615-462-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

1. Please refer to notes on pages 1-2.
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 - c. After the rough framing has been completed
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 - a. Windows and doors
 - b. Roof color (unless matching house)
 - c. Masonry



3437704

METRO HISTORIC ZONING COMMISSION

Sunnyside at Sevier Park
 3000 Granny White Pike
 Nashville TN 37204
 (615) 862-7970
histlap1@nashville.gov

HISTORICAL COMMISSION PERMIT - 2018001656

Entered on: 09-Jan-2018

Site Address:

1400 McKennie Avenue
 Nashville, TN 37206

Historic District:

Eastwood NCZO

Parcel Owner: JONES, KATHERINE M. & TIMOTHY L. & HENRY L. & MARCIA

Purpose: Construct Outbuilding with DADU (See attached architectural plans)

FOUNDATION

- Foundation material shall be split-faced block.

CLADDING & TRIM

- Siding, trim, fascia, soffits, and like features are to be wood or cement fiberboard.
- Wood or cement fiberboard shall be smooth without simulated wood grain pattern or rough, unfinished appearance.
- All exposed exterior lumber should be grade number #1 or #2. Lower grade lumber is unsuitable for exterior work.
- Overlapped siding shall have a reveal of five inches (5"), or match the exposure on the house.

WINDOWS & DOORS

- Window and door selections shall be approved by MHZC Staff prior to purchase/installation.
- Divided-light sashes shall have muntins on the outside and inside surfaces, with a spacer bar between.
- There shall be a four inch (4") mullion between any paired windows.
- Windows on clapboard structures shall not have brick-mold and shall have four inch (4") nominal wood casings.

ROOF

- Roof shall be asphalt shingles.
- Roof color may match the color of the house's roof; or roof color shall be approved by MHZC Staff prior to purchase/installation.

HVAC

- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the building.

3437704



METRO HISTORIC ZONING COMMISSION

Sunnyside at Sevier Park
3000 Granny White Pike
Nashville TN 37204
(615) 862-7970
histlap1@nashville.gov

HISTORICAL COMMISSION PERMIT - 2018001656

GENERAL

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REVIEWS REQUIRED - Call: (615) 862-7970:

ROOFING COLOR APPROVAL PRIOR TO INSTALL
WINDOWS APPROVAL PRIOR TO INSTALL
LIGHTING APPROVAL PRIOR TO INSTALL
DOOR APPROVAL PRIOR TO INSTALL
MASONRY APPROVAL PRIOR TO INSTALL

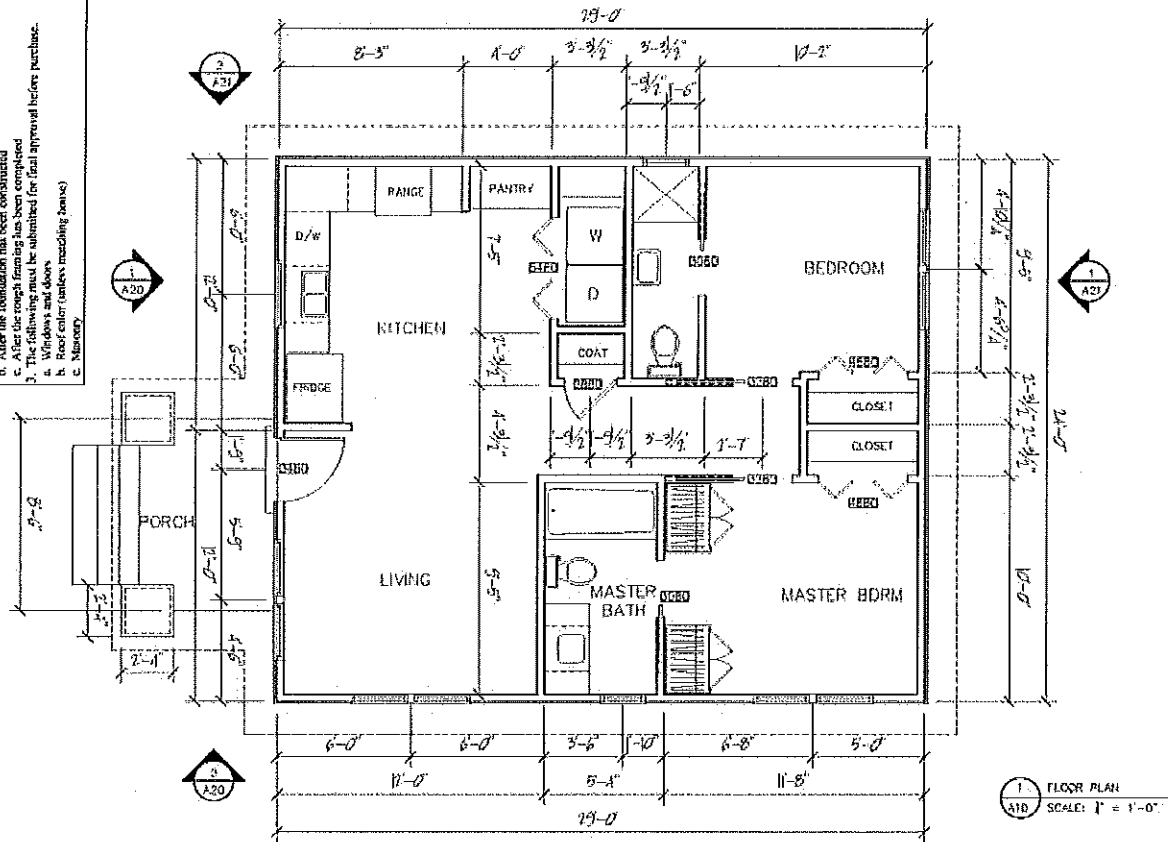
INSPECTIONS REQUIRED - Call: (615) 862-7970:

FIELD STAKING INSPECTION
FOUNDATION CHECK INSPECTION
ROUGH FRAMING INSPECTION

APPLICANT: Tim Jones

Issued Date: 09-Jan-2018 Issued By: Sean Alexander

HISTORICAL COMMISSION PERMIT 201800166
 CALL 615-962-7979 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS
 1. Please refer to notes on pages 1-2.
 2. Staff must approve the construction progress at the three following points:
 a. After the building footprint has been field marked.
 b. After the foundation has been constructed.
 c. After the rough framing has been completed.
 3. The following must be submitted for final approval before purchase:
 a. Photos and details.
 b. Masonry (detail's including beams)
 c. Masonry.



1 FLOOR PLAN
 A10 SCALE: 1" = 1'-0"

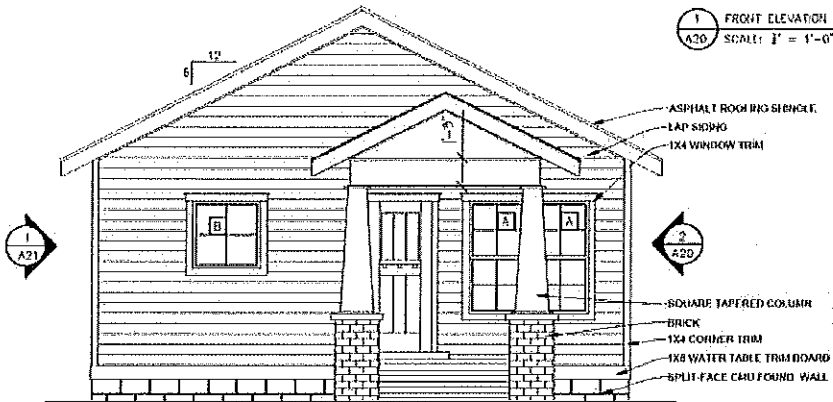
HYBRID-PHOENIX
 317 ASH STREET
 NASHVILLE, TN 37206

1400 MCKENNIE AVE.
 NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE

DATE: 12-20-17
 SCALE: 1" = 1'-0"
 FLOOR PLAN

A10



HISTORICAL COMMISSION PERMIT 2018001656

- Structure to be constructed in accordance with attached scaled site plan and elevations. Any deviation from the approved plans could result in changes being required to reflect the approved drawings.
- All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to commencing with the project.
- This permit does not regulate use.
- Exterior materials shall be finish grade (smooth and square). Slat wall lumber or embossed wood grain is not appropriate.
- Siding and trim shall be wood or cement-fiberboard. Siding shall have a maximum reveal of five inches (5") or shall match the existing siding.
- Four inch (4") pointed casings are required around doors, windows and vents within clapboard walls. Windows on brick walls shall have brick-mold.
- Four inch (nominal) corner-boards are required at the face of each exposed corner on frame walls.

CALL 615-861-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

- Please refer to notes on pages 1-2
- Staff must approve the construction progress at the following points:
 - After the building footprint has been field staked
 - After the foundation has been constructed
 - After the rough framing has been completed
- The following must be submitted for final approval before purchase:
 - Window and door
 - Roof color (unless matching house)
 - Masonry

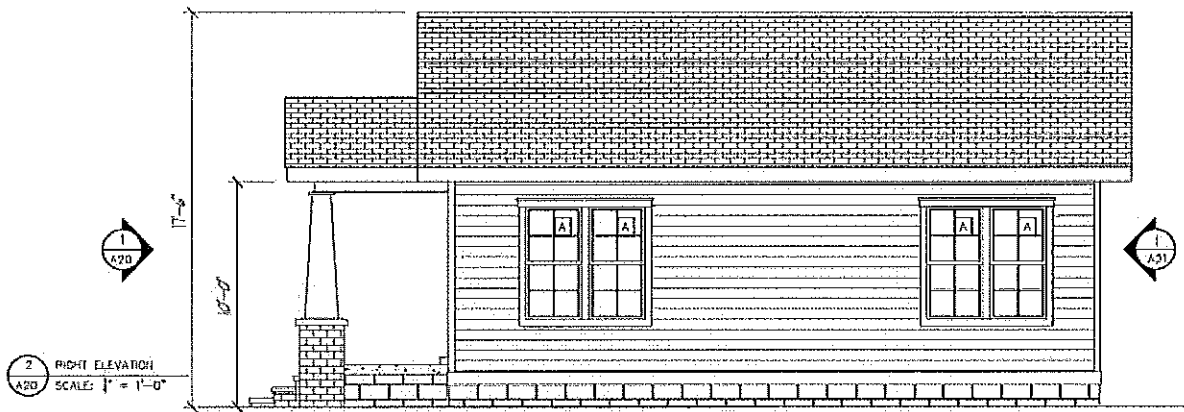
HYBRID PHOENIX
317 ASH STREET
NASHVILLE, TN 37208

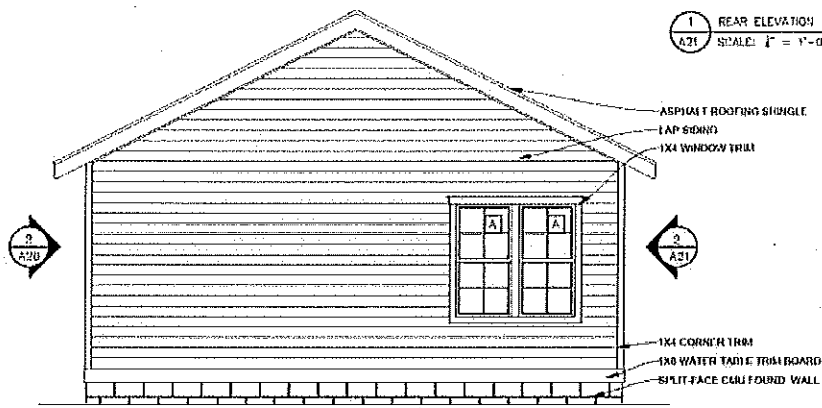
1400 MCKENNIE AVE.
NASHVILLE, TN 37208

NO.	DESCRIPTION	DATE

DATE: 12-20-17
SCALE: 1/4" = 1'-0"
FRONT & RIGHT ELEV.

A20



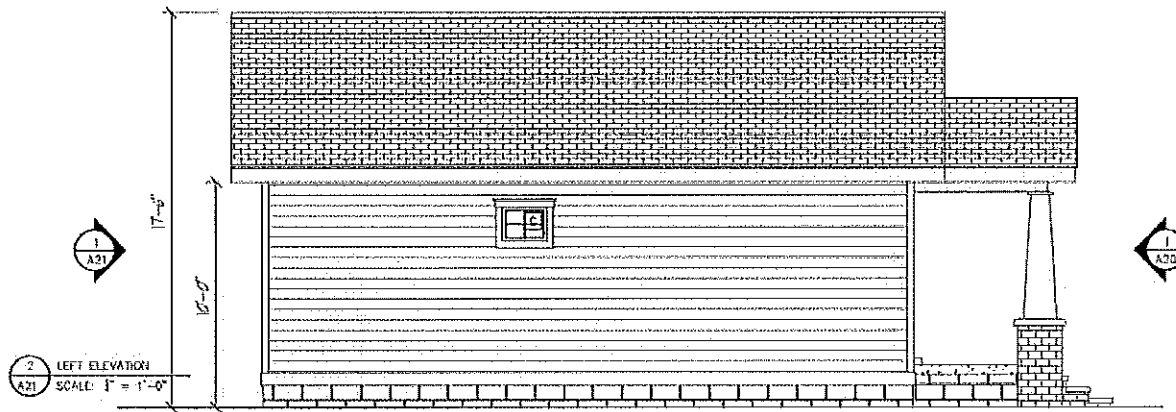


HISTORICAL COMMISSION PERMIT 2018001656

- Structure to be constructed in accordance with attached scaled site plan and elevations. Any deviation from the approved plans could result in **changes being reversed** to reflect the approved drawings.
- All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inconsistencies or differences should be reported to HHCZC staff prior to continuing with the project.
- This permit does not regulate use.
- Exterior materials shall be finish grade (smooth and square). Snd wall humber or embossed wood grain is not appropriate.
- Siding and trim shall be wood or cement-fiberboard. Siding shall have a maximum reveal of five inches (5") or shall match the existing siding.
- Four inch (4" nominal) casings are required around doors, windows and vents within clapboard walls. Windows on brick walls shall have brick-mold.
- Four inch (nominal) corner-boards are required at the face of each exposed corner on frame walls.

CALL 615-862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS

- Please refer to notes on pages 1-2.
- Staff must approve the construction progress at the following points:
 - After the building footprint has been field staked
 - After the foundation has been constructed
 - After the rough framing has been completed
- The following must be submitted for final approval before purchase:
 - Windows and doors
 - Roof color (unless matching house)
 - Masonry



HYBRID-PHOENIX
317 ASH STREET
NASHVILLE, TN 00000

1400 MCKENNIE AVE.
NASHVILLE, TN 37206

NO.	DESCRIPTION	DATE
		DATE: 12-20-17
		SCALE: 1/4" = 1'-0"
		REAR & LEFT ELEV

A21

DAVID BRILEY

MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Metropolitan Historic Zoning Commission
Sunnyside in Sevier Park
3000 Granny White Pike
Nashville, Tennessee 37204
Telephone: (615) 862-7970
Fax: (615) 862-7974

October 15, 2018

Board of Zoning Appeals
c/o Jon Michael

RE: 1400 McKennie

Dear BZA:

Staff with the MHZC does not support the request for a detached duplex.

At the time the Detached Accessory Dwelling Ordinance (DADU) was created, it was for historic overlays only. Neighborhoods and councilmembers agreed to the allowance of detached units specifically with the conditions that they would not be sold separately and the owner would live in one of the two units, and that is codified in the DADU ordinance. Staff does not recommend a change to that requirement without a larger discussion with those that were promised (neighborhoods and councilmembers) that the two units would not be conveyed separately and without an official change to the ordinance. To grant a variance now may, in a sense, be changing the ordinance without the appropriate process since the proposed hardship has no bearing (a utility easement) on how the property is sold. MHZC is concerned that if the Commission's ability to apply the DADU ordinance is not upheld, it could undermine the Commission's ability to continue to make decisions about the appropriateness of DADUs and the appropriate attachment for 2nd units in the historic overlays.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Zeigler". The signature is written in a cursive, flowing style.

Robin Zeigler
Historic Zoning Administrator

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF SHIPLEY AND DAVIDSON COUNTY



Appellant: Chris Philip
Property Owner: " "
Representative: " "

Date: 8/23/18
Case #: 2018-552
Map & Parcel: 03800003300

Council District 01

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

Purpose: PLACE AND REBUILD CABIN AS SECOND DWELLING ON PROPERTY

RESIDENTIAL CONSTRUCTION

Activity Type: RESIDENTIAL REHAB

Location: 4184 BLUE BERRY HILL

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: REQUEST 15' FRONT SETBACK

Section(s): 17.12.030A

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.

Chris Philip
Appellant Name (Please Print)

Representative Name (Please Print)

4184 Blueberry Hill Rd
Address

Address

Nashville, TN 37218
City, State, Zip Code

City, State, Zip Code

615-335-3899
Phone Number

Phone Number

ccw@nashville@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



Case #2018-552

3549215

ZONING BOARD APPEAL / CAAZ - 20180050819
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 03800003300

APPLICATION DATE: 08/23/2018

SITE ADDRESS:

4188 BLUE BERRY HILL RD NASHVILLE, TN 37218
N SIDE BLUE BERRY HILL ROAD AND, W OF OLD HICKORY BLVD

PARCEL OWNER: PHILIP, MARY B. MALONEY & CHRIS

CONTRACTOR:

APPLICANT: PHILIP, MARY B. MALONEY & CHRIS
4184 BLUEBERRY HILL RD
NASHVILLE, TN 37218 615-335-3899

PURPOSE:

Intent to place and rebuild cabin as second dwelling on property....

Denied

Required street setback ...40'... request 15'...17.12.030A

*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 B-B and B-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?

Topography of the land will not allow for proper setback. Septic field is approved at its current requested location.

- To limit environmental impact such as Maintaining Mature trees and not bringing in fill Material.

- Many other houses on the road have the same setback that we are asking for, for similar reasons.

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.

Chris Philip
APPELLANT

9/18/16
DATE

Zoning Board, thank you for taking the time to review our front setback variance request.

Regarding 4184 Blueberry Hill Rd and proposed location for a small cabin to be built on our property at 4188 Blueberry Hill Rd.

We are submitting for your approval a request for variance of the front setback to 15' from road right of way (40' from road center).

We are reconstructing an 1800's cabin on our property. We have 8.71 acres at the end of a dead end road zoned AR2A in the Scottsboro community of Northwest Davidson County.

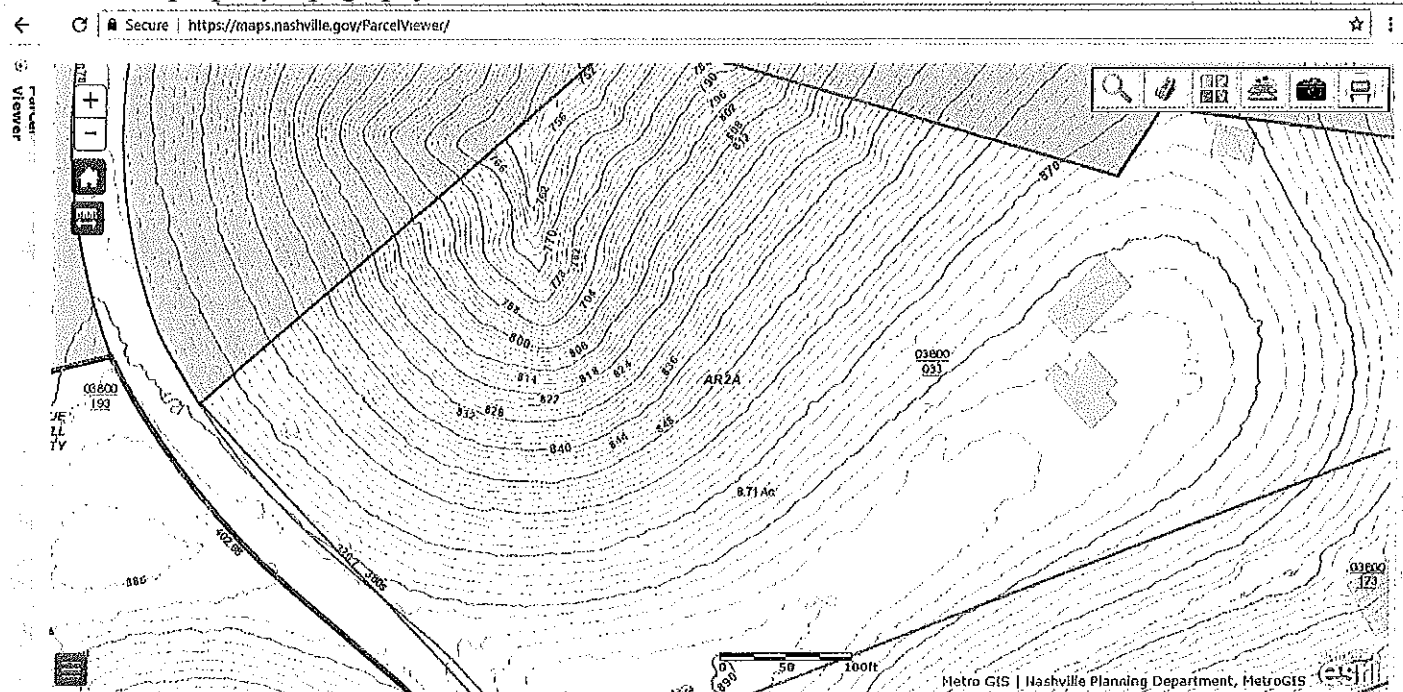
We ask you to take into consideration:

1. The topography of our property.
 - a. Which dictated location of approved septic system.
2. The precedence of other homes on the dead-end road being under the required setback. (i.e. not changing the look of the neighborhood)
 - a. Including the very first home on the street which is equal to the setback being requested.
 - b. Almost 1/3 of the homes being under required setback.
3. The wish to minimize environmental impact such as bringing in fill material and losing mature trees.

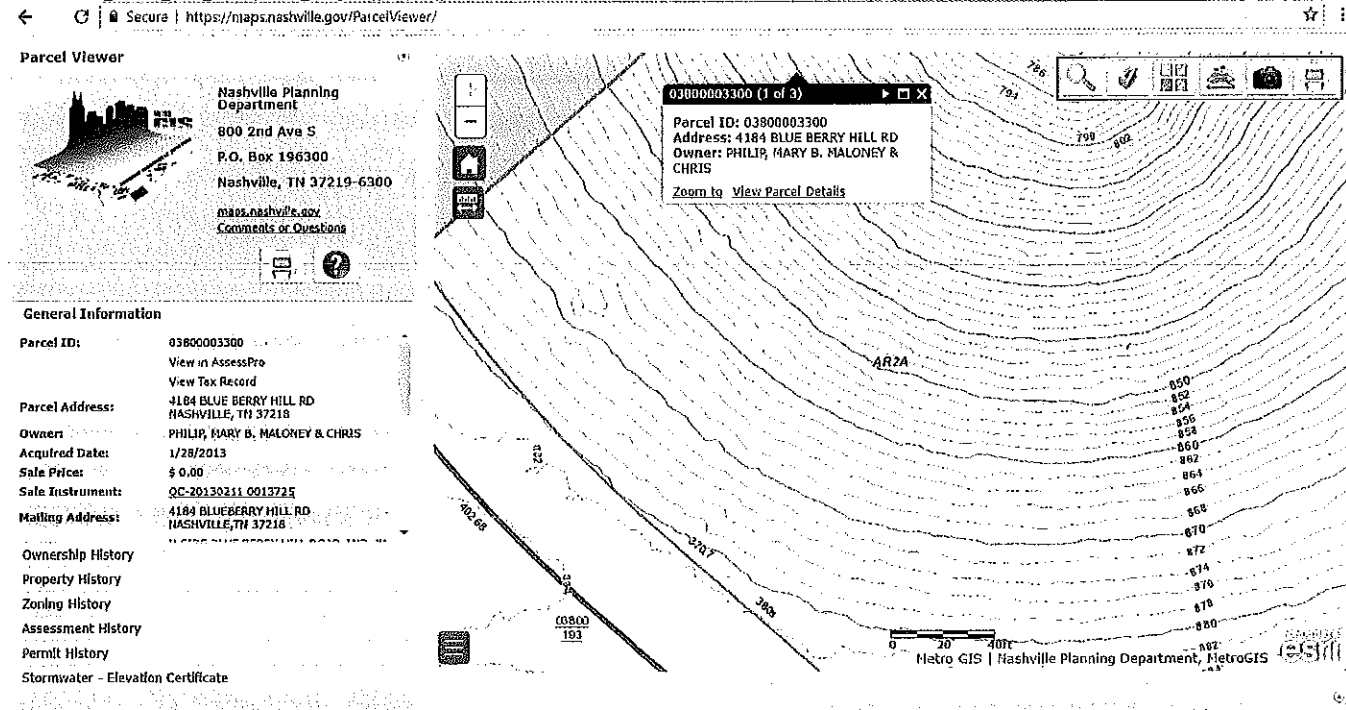
We have secured the necessary construction permit, septic permit and approval from Scott Fellwock. We worked very closely with Fellwock for site location of the approved septic based on topography of property, location of current septic for existing home and locations for back up systems as required by code.

Here you can see the topography of the property in question, zoomed out and in closer to proposed sight:

Overview of property topography:



Close-up of property topography, proposed cabin site:



The grade of the land drops 10 feet from the road at a 15' setback, allowing for a basement set into the hill and the minimum amount of earth work to be done. It drops off steeply after that.

Also included at back of documents, you can see Fellwock's septic map, placing the new septic system in an unoccupied area with good soil for drainage, as determined by a soil scientist, and having less than 30% grade as required for a septic system to be appropriate.

It is our desire to bring in as little fill dirt as possible in order to work with the natural slope of the land and minimize the environmental impact, disturb no more mature trees than necessary, while also allowing for optimal drainage into the septic system.

Calculations for the following take into consideration:

The beginning of the road right of way is 25' from road center.

A 15' setback as we are requesting would be 40' from road center.

As shown below, the very first house on Blueberry Hill Rd is approximately 40' from road center.

This is a screen shot taken from metro maps of 4010 Blueberry Hill Rd, parcel # 04700000900 using metro maps built in scale to measure the distance from front of house to road center:

Secure | <https://maps.nashville.gov/ParcelViewer/>

Parcel Viewer

Nashville Planning Department
800 2nd Ave S
P.O. Box 196300
Nashville, TN 37219-6300
maps.nashville.gov
Comments or Questions

General Information

Parcel ID: 04700000900
View in AssessPro
View Tax Record

Parcel Address: 4010 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Owner: GUNDLACH, CHARLES D.

Acquired Date: 12/11/2008

Sale Price: \$ 0.00

Sale Instrument: DC-20081215_0120176

Mailing Address: 4010 BLUEBERRY HILL RD
NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate

Metro GIS | Nashville Planning Department, MetroGIS

Considering that this is the very first house on the dead-end road, we are in no way proposing something that would change the look or precedence of the neighborhood.

In addition to 4010 Blueberry Hill Rd, there are 5 more houses on the road that are below the required setback of 40' (or 65' from road center). There are only 19 houses on Blueberry Hill Rd, that means that almost 1/3 of them are closer than the zoned setback. Again, demonstrating that we will not be changing the character of the neighborhood.

Here is a list and images for each house under zoned setback:

- 4010 Blueberry Hill Rd at 15' (40' from road center)
- 4077 Blueberry Hill Rd at 20' (45' from road center)
- 4081 Blueberry Hill Rd at 20' (45' from road center)
- 4085 Blueberry Hill Rd at 32' (57' from road center)
- 4149 Blueberry Hill Rd at 29' (54' from road center)
- 4179 Blueberry Hill Rd at 34' (59' from road center)

Images follow...

4010 Blueberry Hill Rd at 15'

Secure | https://maps.nashville.gov/ParcelViewer/

Parcel Viewer

Nashville Planning Department
 800 2nd Ave S
 P.O. Box 196300
 Nashville, TN 37219-6300
pa@nashville.gov
 Comments or Questions

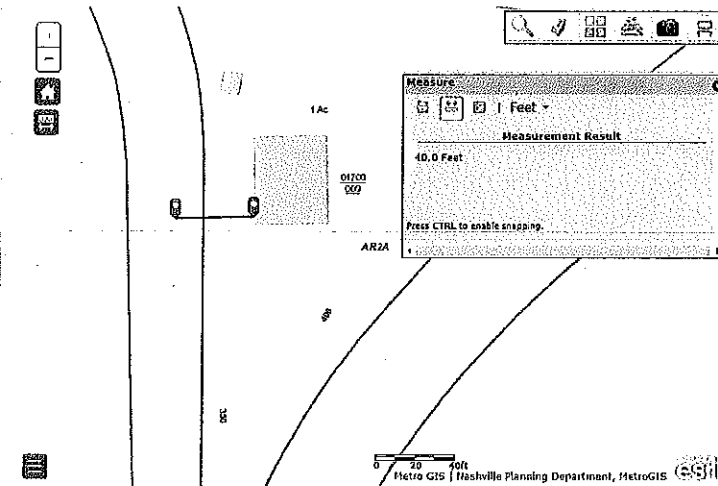
General Information

Parcel ID: 0470000900
 View in AccessPro
 View Tax Record

Parcel Address: 4010 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Owner: CHURCH, CHARLES O.
Acquired Date: 12/1/2008
Sale Price: \$ 6.00
Sale Instrument: DC-20081215 0120176
Mailing Address: 4010 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate



Measure
 Feet
Measurement Result
 46.0 Feet
 Press CTRL to enable snapping.

4077 Blueberry Hill Rd at 20'

Secure | https://maps.nashville.gov/ParcelViewer/

Parcel Viewer

Nashville Planning Department
 800 2nd Ave S
 P.O. Box 196300
 Nashville, TN 37219-6300
pa@nashville.gov
 Comments or Questions

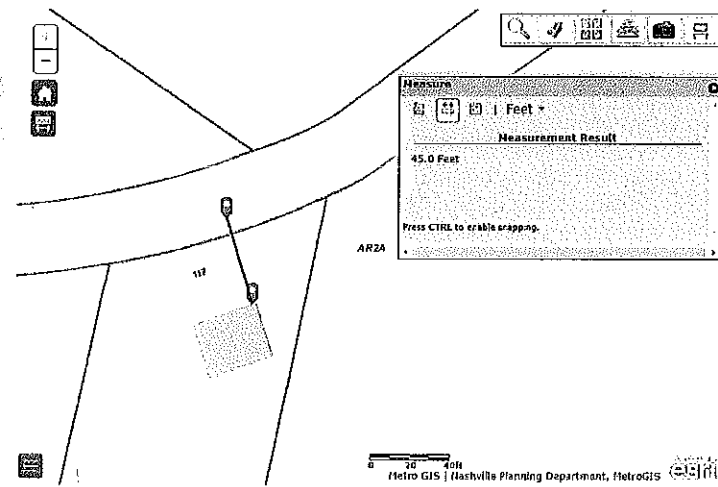
General Information

Parcel ID: 04700009300
 View in AccessPro
 View Tax Record

Parcel Address: 4077 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Owner: LANDRIGAN, ROBERT R.
Acquired Date: 12/21/1998
Sale Price: \$ 45,000.00
Sale Instrument: DB-20081228 0500019
Mailing Address: 4077 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate



Measure
 Feet
Measurement Result
 45.0 Feet
 Press CTRL to enable snapping.

4081 Blueberry Hill Rd at 20'

Secure | https://maps.nashville.gov/ParcelViewer/

Parcel Viewer

Nashville Planning Department
 800 2nd Ave S
 P.O. Box 196300
 Nashville, TN 37219-6300
pa@nashville.gov
 Comments or Questions

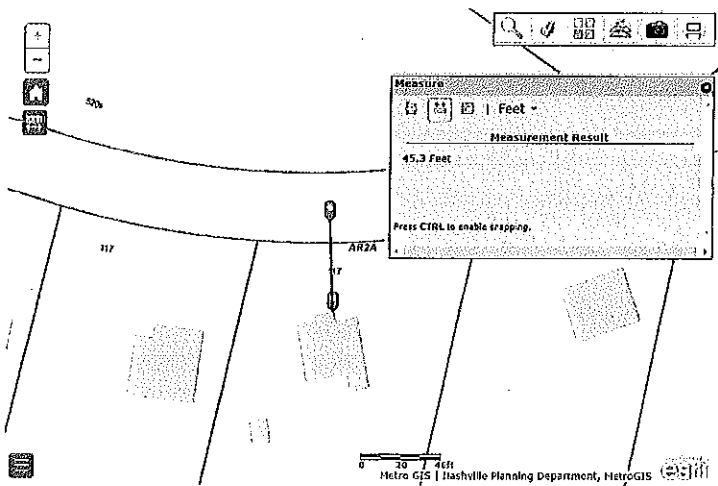
General Information

Parcel ID: 04700009400
 View in AccessPro
 View Tax Record

Parcel Address: 4081 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Owner: WILKLEY, JOHN WAYNE ETUX
Acquired Date: 1/23/1970
Sale Price: \$ 0.00
Sale Instrument: DB-20080301 0002069
Mailing Address: 4081 BLUEBERRY HILL RD
 NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate




Measure
 Feet
Measurement Result
 45.3 Feet
 Press CTRL to enable snapping.

4085 Blueberry Hill Rd at 32'

Secure | <https://maps.nashville.gov/ParcelViewer/>

Parcel Viewer



Nashville Planning Department
800 2nd Ave S
P.O. Box 196300
Nashville, TN 37219-6300
maps.nashville.gov
Comments or Questions

General Information

Parcel ID: 0470009600
[View in AssessPro](#)
[View Tax Record](#)

Parcel Address: 4085 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Owner: NORVELL, BOBBY WAYNE & RICHARD W.

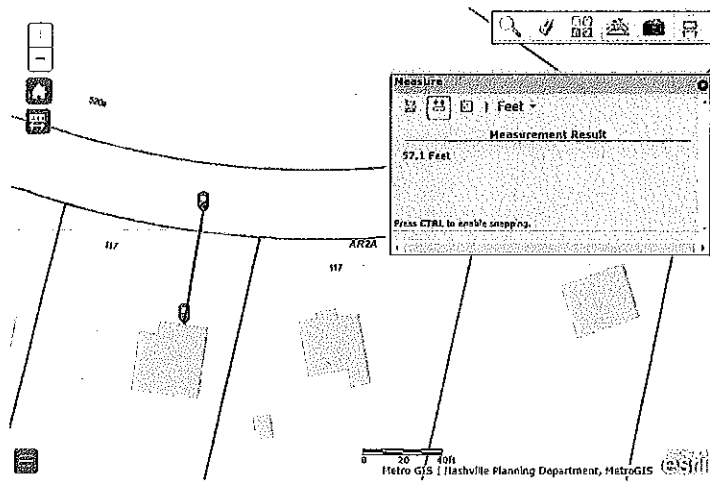
Acquired Date: 1/4/2003

Sale Price: \$ 69,000.00

Sale Instrument: 203-20030108_0001746

Mailing Address: 4085 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate




Measure
57.1 Feet
Measurement Result
Press CTRL to enable snapping.

4149 Blueberry Hill Rd at 29'

Secure | <https://maps.nashville.gov/ParcelViewer/>

Parcel Viewer



Nashville Planning Department
800 2nd Ave S
P.O. Box 196300
Nashville, TN 37219-6300
maps.nashville.gov
Comments or Questions

General Information

Parcel ID: 0350003300
[View in AssessPro](#)
[View Tax Record](#)

Parcel Address: 4149 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Owner: PHILIP, CHRISTOPHER

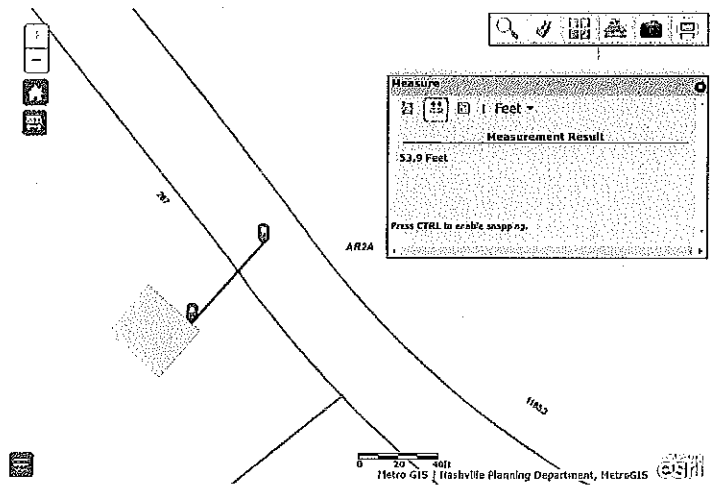
Acquired Date: 4/29/2015

Sale Price: \$ 0.00

Sale Instrument: 00-20150311_0046597

Mailing Address: 4149 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate




Measure
53.9 Feet
Measurement Result
Press CTRL to enable snapping.

4179 Blueberry Hill Rd at 34'

Secure | <https://maps.nashville.gov/ParcelViewer/>

Parcel Viewer



Nashville Planning Department
800 2nd Ave S
P.O. Box 196300
Nashville, TN 37219-6300
maps.nashville.gov
Comments or Questions

General Information

Parcel ID: 0350001260
[View in AssessPro](#)
[View Tax Record](#)

Parcel Address: 4179 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Owner: KNIGHT, TERRI R. & RAY TODD

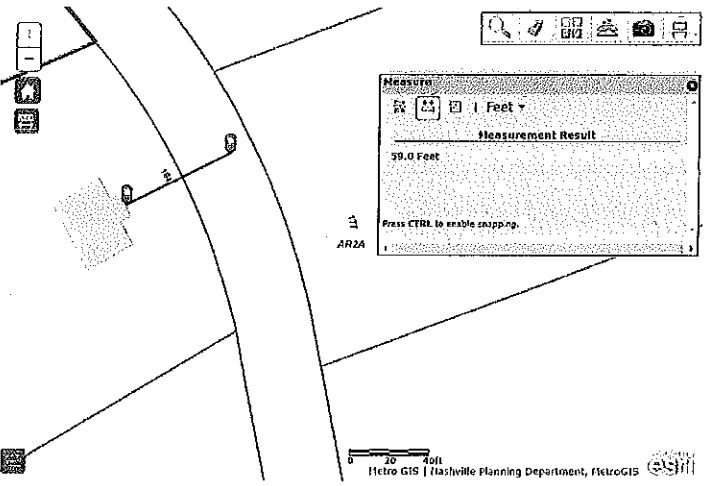
Acquired Date: 10/20/1997

Sale Price: \$ 78,000.00

Sale Instrument: 00-00010553_0000189

Mailing Address: 4179 BLUE BERRY HILL RD
NASHVILLE, TN 37218

Ownership History
Property History
Zoning History
Assessment History
Permit History
Stormwater - Elevation Certificate



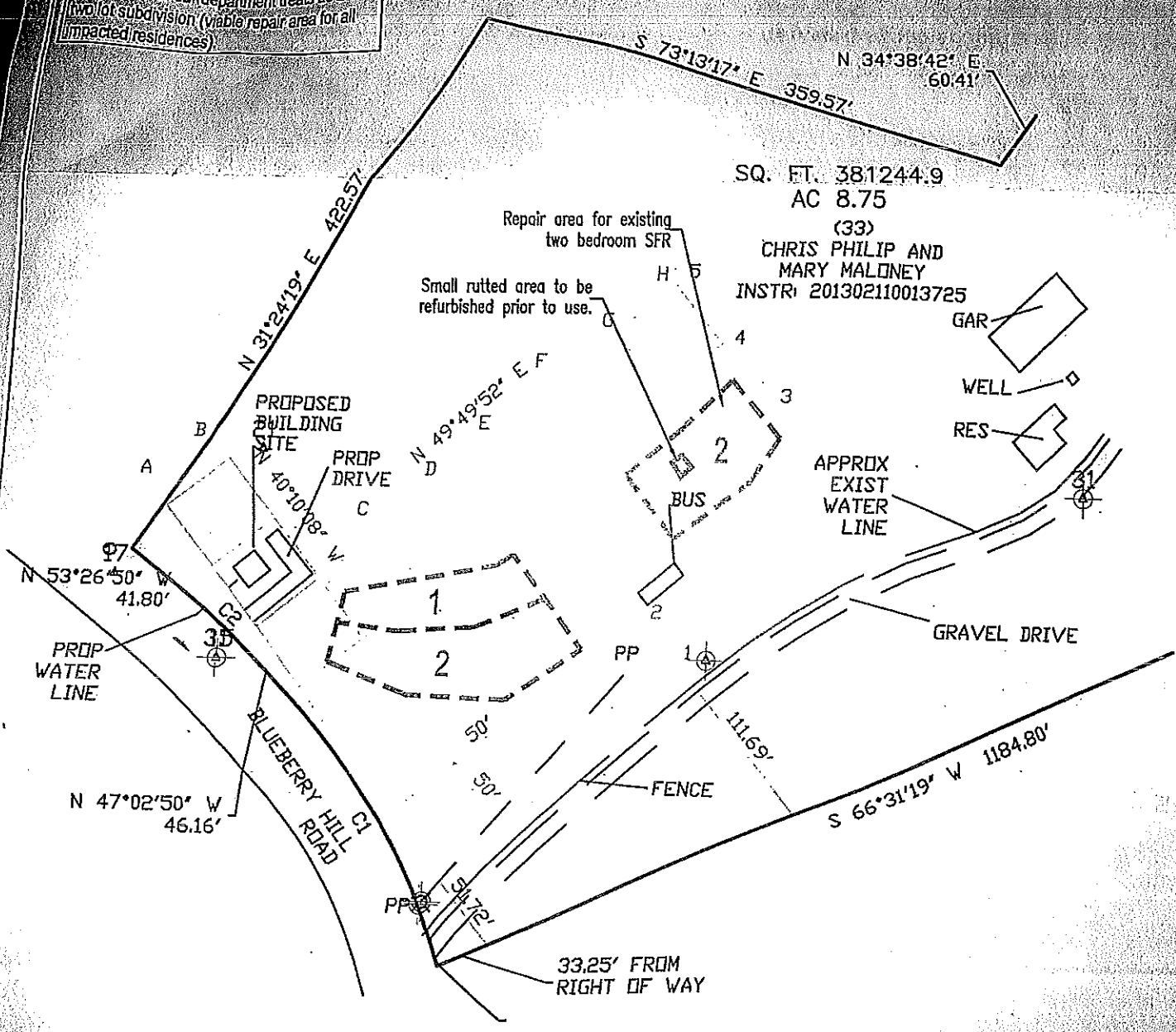
Measure
59.0 Feet
Measurement Result
Press CTRL to enable snapping.

PRIVATE SEWAGE DISPOSAL SYSTEM DESIGN
 Repair New Construction Addition
 Property Address: Blueberry Hill Road
 Property Map: 38 Parcel: 33

Owner/Agent: Chris Philip
 Address: 4184 Blueberry Hill Road
 Nashville, TN 37218
 Type of System: Conventional

DO NOT IMPLEMENT THIS PLAN WITHOUT READING AND UNDERSTANDING ATTACHED SPECIFICATIONS AND REQUIREMENTS SHEET
 Residence must be restricted to 2 bedrooms maximum. Grid stakes must remain in place until system is installed and approved. Filling or cutting of soil within 25 feet of disposal field areas may void approval. Approval expires in 2 years from date of issuance.

This approval is based on a detached duplex concept which our department treats as a two lot subdivision (viable repair area for all impacted residences).



indicated, areas **1** and **2** are required for the soil absorption system. The initial system is to be installed within the boundaries of area number 1 with area number 2 being held in reserve for future use, if necessary. These areas are to remain undisturbed in their natural condition where no cut, fill, driveway, or waterline is allowed. The installation of the system shown gives no assurance that it will function satisfactorily and the owner remains responsible for keeping generated sewage from creating a health hazard. If desired, the owner may contact an engineer to design a different system and submit plans to the Metro Public Health Department for review and approval.

Note: Call for system inspections (340-5604) only after work is finished and by 9:00 a.m. of the desired day of inspection.
 Scale: 1" = 100' Date: 7/9/18 Drawn by: Scott Falkow

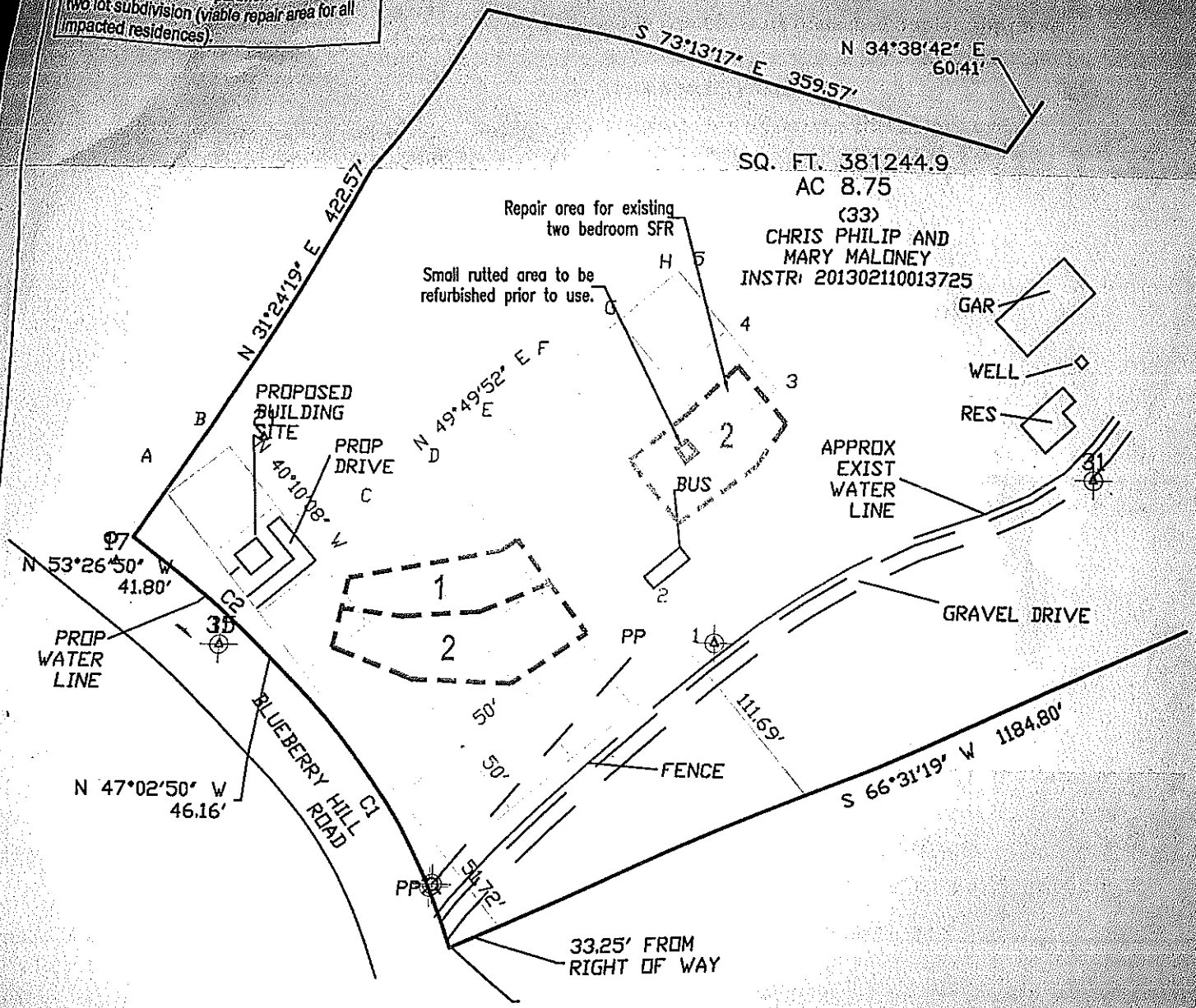
Health Department
 Engineering Services
 2500 Charlotte Pike
 Nashville, TN 37209

PRIVATE SEWAGE DISPOSAL SYSTEM DESIGN
 Repair New Construction Addition
 Property Address: Blueberry Hill Road
 Property Map: 38 Parcel: 33

Owner/Agent: Chris Philip
 Address: 4184 Blueberry Hill Road
 Nashville, TN 37218
 Type of System: Conventional

DO NOT IMPLEMENT THIS PLAN WITHOUT READING AND UNDERSTANDING ATTACHED SPECIFICATIONS AND REQUIREMENTS SHEET
 Residence must be restricted to 2 bedrooms maximum. Grid stakes must remain in place until system is installed and approved. Filling or cutting of soil within 25 feet of disposal field areas may void approval. Approval expires in 2 years from date of issuance.

This approval is based on a "detached duplex" concept which our department treats as a two lot subdivision (viable repair area for all impacted residences).



If indicated, areas 1 and 2 are required for the soil absorption system. The initial system is to be installed within the boundaries of area number 1 with area number 2 being held in reserve for future use, if necessary. These areas are to remain undisturbed in their natural condition where no cut, fill, driveway, or waterline is allowed. The installation of the system shown gives no assurance that it will function satisfactorily and the owner remains responsible for keeping generated sewage from creating a health hazard. If desired, the owner may contact an engineer to design a different system and submit plans to the Metro Public Health Department for review and approval.

Note: Call for system inspections (340-5604) only after work is finished and by 9:00 a.m. of the desired day of inspection.

Scale: 1" = 100' Date: 7/9/18 Drawn by: Scott Falkow

Metro Board of Zoning Appeals
Metro Office Building
800 Second Ave South
Nashville TN 37210
Case # 2018-552

David E Roys, residing at 4207
Blueberry Hill Rd, supports the Zoning
appeal of Mary Maloney and Chris Philip
to construct a dwelling at 4188
Blueberry Hill Rd

David E Roys
4207 Blueberry Hill Rd
Nashville TN 37218

10-08-18

Re: Appeal Case # 2018-552 - Support
4188 Blue Berry Hill Rd

Map Parcel 03800003300

Permit # 20180050819

I am writing this to show my support for the second ~~one~~ dwelling on the property of Mary Maloney and Chris Philip. I live across the street and have no issues with the location of the dwelling. They let all of us know what they were planning so we have known for a long time. I support their plans.

Thank you,

Teral Knight
4179 Blueberry Hill Rd
615-440-9714

From: [Board of Zoning Appeals \(Codes\)](#)
To: [Braisted, Sean \(Codes\)](#)
Subject: FW: Zoning Appeal permit# 20180050819
Date: Monday, October 15, 2018 7:32:22 AM

[Appeal 2018-552](#)

From: Amy Wendell <hocuspocusbeautyboutique@gmail.com>
Sent: Sunday, October 14, 2018 9:41 AM
To: Board of Zoning Appeals (Codes) <bza@nashville.gov>
Subject: Zoning Appeal permit# 20180050819

To Whom It May Concern,

I am writing in regards to the Zoning appeal permit #20180050819, and the request for a variance from the front setback requirements.

I am 3 doors down from this proposed project and I have no objections to the small variance in setback from the road. . I think the difference between it being set back 25' as opposed to 40' makes little difference, other than actually sparing a large number of mature trees. The project being discussed is an historic cabin form the 1800"s and stands to add beauty and character to the neighborhood, especially the less harm it does to the surrounding forrest.

I would like to stress that I am unopposed to this setback variance AS A STAND ALONE OCCURRENCE.. I would not like to see this set a precedence, nor would I support this for any other project. I would also not support any additional infrastructure for this project (water mains, road widening, fire hydrants, street lights, etc).

Thank you for your time

--

AmyRose Wendell

Homeowner
4162 Blueberry Hill Rd
Nashville Tn 37218

4180 Blueberry Hill Road
Nashville, TN
37218

RE: REQUEST TO DENY APPEAL CASE NUMBER 2018-552

October 9, 2018

Dear Board of Zoning Appeals,

My name is Noah Abrams and I own the neighboring property (4180 Blueberry Hill Road) to the above referenced Appeal Case. The purpose of this letter is show opposition to the case and request that the appeal be denied by the BZA. In addition to my letter, I have also attached a petition signed by 24 neighboring residents expressing similar opposition to the requested variance.

In accordance with Tennessee Code Annotated Section 13-7-207, the board shall not grant a variance without an affirmative finding of fact on each of the following standards based on evidence presented by the applicant.

A. 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 piece of property, would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property upon the strict application of any regulation enacted by the ordinance codified in this title.

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

The steep topography on the property in question is not exceptional or unique as all the neighboring property is similar in topography and still can meet the setback requirements. In fact, there is room closer to their primary residence on the property to build a second house but Mr. Philip has stated that he does not want to have the second house that close to the existing house for reasons of 'privacy'. Therefore the need for the variance is not caused by the exceptional narrowness, shallowness or shape of the property, or the exceptional topographic condition or other extraordinary and exceptional condition of the property, but on Mr. Philip's choice to put the house in the setback because that is the only other reasonable flat portion of the property that is not in close proximity to the existing house.

D. Financial Gain Not the Only Basis. Financial gain is not the sole basis for granting the variance.

The requested variance is solely for financial gain as outlined above and below.

E. 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.

If the desired set back variance is granted, it would be significantly closer to the road than any other homes on Blueberry Hill Road and set a new precedent for the road allowing Mr. Phillip and Ms. Maloney to develop an adjacent lot they own on Blueberry Hill Road in a similar

fashion. This would be injurious to adjacent property and substantially diminish and impair property values in the entire area. Additionally, any further development on the road would require a widening of the existing road to accommodate increased traffic, creating a financial burden on current residents in the form of ancillary costs as well as diminished and impaired property values as a result of more structures on the road that are not in line with what currently exists. As well, if the variance is granted, and they are allowed to build a structure so close to road, their new structure would significantly impair the widening of the road, and said widening would severely impact their structure.

F. 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.

Mr. Phillip and Ms. Maloney's desired location and requested setback does not allow for a sufficient right of way or turnaround for fire and emergency vehicles (please see attached images) and if granted would pose immediate and substantial harm to the Public Welfare.

In addition to the reasons outlined above, the requested variance should not be granted as a result of gross misrepresentation on the part of Mr. Philip and Ms. Maloney. In their application for the requested variance as well as building permits, Mr. Philip and Ms. Maloney claim they are rehabilitating an existing structure, when in fact, said structure does not exist nor has it ever existed in the location (see attached photos). Mr. Philip and Ms. Maloney have misrepresented what they are actually building both to the Board and on their permits and as a result, their requested variance should be denied.

In closing, and for the reasons outlined above, I ask that the Board of Zoning Appeals deny CASE #2018-552 and see this request for what it actually is, a misleading and cheap attempt to circumvent existing zoning setback requirements for nothing more than financial gain at the expense of the residents of Blueberry Hill Road.

Thank you for your consideration.

Sincerely,

Noah Abrams

Petition to DENY APPEAL CASE NUMBER 2018-552




Petition summary and background

On October 18, 2108 the Board of Zoning Appeals will hear Appeal Case Number 2018-552 (4188 BLUEBERRY HILL ROAD / MAP PARCEL: 03800003300) filed by MARY MALONEY AND CHRIS PHILIP requesting a variance from front setback requirements. Should this request be approved, it would allow the applicant to construct a second dwelling on property.

Action petitioned for

We, the undersigned, urge the Board of Zoning Appeals to deny this requested variance.

Printed Name	Signature	Address	Comment	Date
NASH ABERNETHY		2180 Blueberry Hill Rd		10.3.18
Donna Posse		4125 Blueberry Hill Rd.		10-3-18
Erica M Gundlach		4010 Blueberry Hill rd.		10/3/18
Brandy Watts		5850 Old Hickory Blvd.		
John Bates III		" "		
Chad Gundlach		4010 Blueberry Hill Rd		10/3/18
George Carlton McGraw		580 Old Hickory Blvd 37218		10/3/18
Stacy Ferrell		4074 Blueberry Hill Rd.		10/4/18
Chris Ginner		Grady Lane 37218		10/9/18
Becki Bramlett		4161 Blueberry Hill Rd Nashville, TN 37218		10/9/18
MARGARET A. EDWARDS		4090 Blueberry Hill Rd 37218		10-15-18

Printed Name	Signature	Address	Comment	Date
John T Bates Jr		4022 Blueberry Hills	disapprove	10-4-2018
John T Bates II	John Bates	5850 Old Hickory Blvd.		10-4-2018
Lance Potts		5842 Old Hickory Blvd.		10-4-18
Jamie Lane	Jamie Lane	4650 Cato Rd		10-4-18
Lance Potts	Sason Potts	4415 Cato Rd		10-4-18
Lloyd Potts	Lloyd Potts	5173 Eatons Creek Rd		10-4-18
K. Jarmer	Kathleen Jarmer	5200 Ashland City Highway		10-4-18
Clarences Shadowens	Clarences Shadowens	5856 Old Hickory Blvd		10-5-18
Betty Shadowens	Betty Shadowens	5856 Old Hickory Blvd		10-6-18
Jeff Shadowens	Jeff Shadowens	5856 Old Hickory Blvd.		10-6-18
Rita Lawhorn	Rita Lawhorn	4154 Blueberry Hill Rd.		10-9-18
Tom Lawhorn	Tom Lawhorn	4154 Blueberry Hill Rd		10-9-18
Jonathan Lawhorn	Jonathan Lawhorn	4154 Blueberry Hill Road		10-9-18
Christine Salsbury		4076 Blueberry Hill Rd		10-15-18

Printed Name

Signature

Address

Comment

Date

Terri Clark



6038 2nd Mercury Blvd



Case #2018-552



Case #2018-552

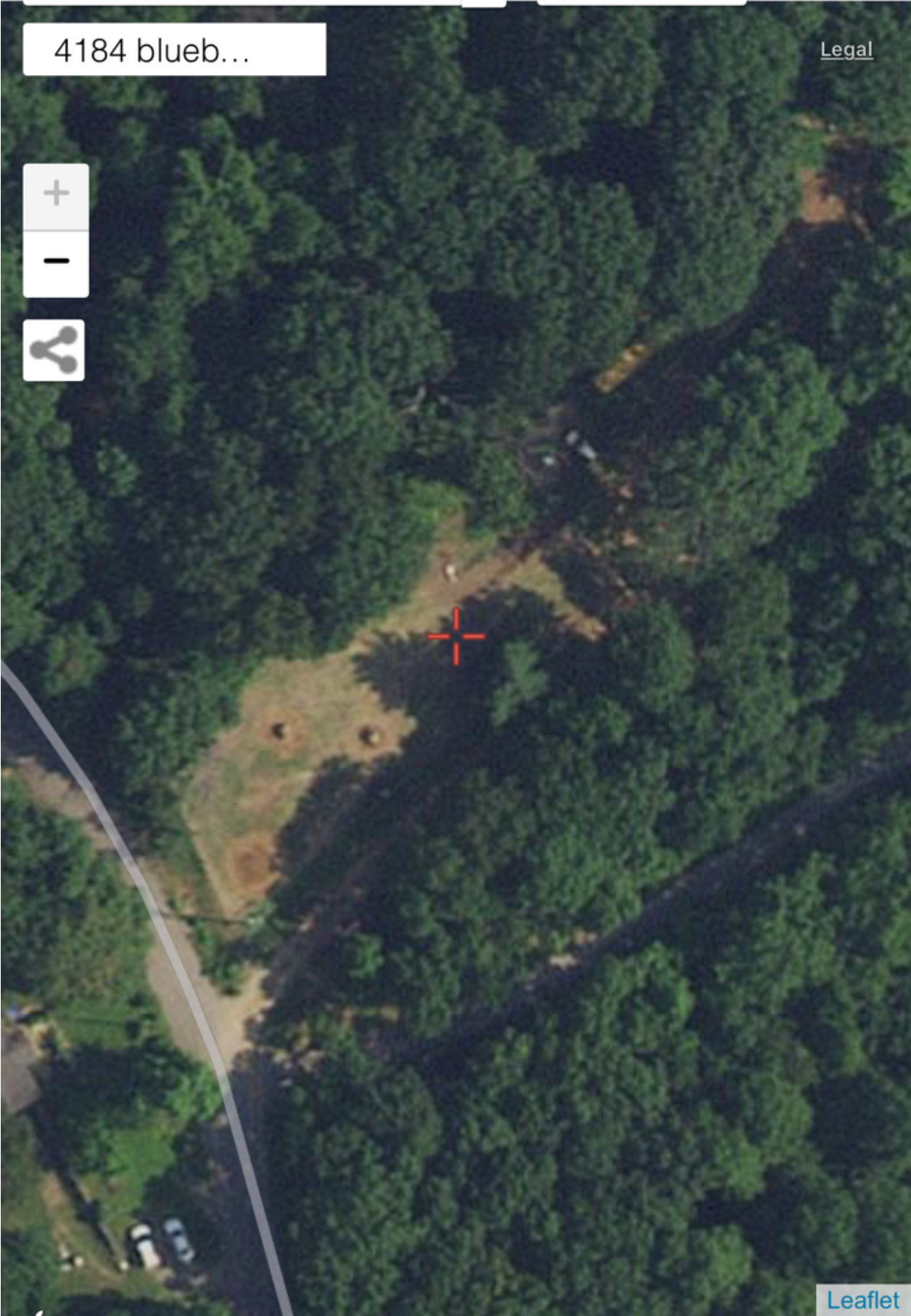
satellites.pro

[Map of The World satellite view](#)

Switch map

4184 blueb...

[Legal](#)



4010 Blueberry Hill Road

Nashville, TN 37218

RE: REQUEST TO DENY APPEAL CASE #2018-552

OCTOBER 11, 2018

Dear Board of Zoning Appeals,

I am the property owner of 4010 Blueberry Hill Road and I am requesting that the above referenced Appeal Case be denied. An overwhelming majority of the residents of Blueberry Hill Rd are firmly against the approval of BZA APPEAL CASE #2018-552, which will permanently scar the natural essence of our surroundings and change the conditions of our community forever. We would like to preserve our quiet and beautiful road, which is surrounded and protected by Beaman Park. Our hope is to keep the environment uncrowded and protect the value of our area which would allow the property values to appreciate on their own due to the unique characteristics that already exist. If the requested variance is approved, allowing changes which are not inline with setbacks that currently exist on the road, residents as a whole on Blueberry Hill as well as neighboring roads in our community would suffer through the defamiation of our natural wildlife habitat, and the need for additional structures to accommodate increased traffic, including a wider road, updated water services and new electrical standards all at the expense of current residents.

Additionally, the safety of all our families needs to be taken into consideration. How can the road be shared safely when we are increasing the volume of use by doubling the houses back to back on one piece of property? The Fire Department has already stated the road would need to be widened to accommodate any additional traffic. If this were to happen, it would need to be widened to the preexisting houses that are on the existing setback and not to the requested variance setback. With a winding dead end road with no proper turn around or right of way, any house with the requested setback variance would not only put the occupants in danger but also put drivers, emergency vehicles, and bus drivers at risk of hitting a house, a parked car, or worse with such close quarters.

The existing houses were originally regulated to be set back further from the road for the safety and appeal to the neighborhood and neither Mr. Philip nor Ms. Maloney have presented a legitimate hardship for their requested setback

variance, other than the hardship they themselves have created by choosing to build where they have when other suitable locations exist on their property.

It is for the reasons outlined above that I ask the Board of Zoning Appeals to deny Appeal Case # 2018-552

Sincerely,

Chad Gundlach

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF METROBLISSVILLE AND DAVIDSON COUNTY



Appellant : Justin Brown Date: 08/28/18
 Property Owner: SWVP Case #: 2018-554
 Representative: Dave Santerelli Map & Parcel: 09305402400

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 make interior renovations

Activity Type: Commercial

Location: 161 Rosa L. Parks Blvd.

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: variance from sidewalk requirements, requesting not to build

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.

Justin Brown

Appellant Name (Please Print)

161 Rosa Parks Blvd

Address

Nashville, TN 37203

City, State, Zip Code

615-495-0248

Phone Number

justin.brown@clark-bell.com

Email

Dave Santerelli

Representative Name (Please Print)

12790 El Camino Real

Address

San Diego, CA 92130

City, State, Zip Code

602-571-1955

Phone Number

dsanterelli@swvp.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**



3545515

**APPLICATION FOR BUILDING COMMERCIAL - REHAB / CACR - T2018048296
THIS IS NOT A PERMIT**

PARCEL: 09305402400

APPLICATION DATE: 08/14/2018

SITE ADDRESS:

161 ROSA L PARKS BLVD NASHVILLE, TN 37203
PT LOT 163 ORIGINAL TOWN OF NASHVILLE & PT ALLEY CLOSURE

PARCEL OWNER: UPTOWN PROPERTY HOLDINGS, LLC

APPLICANT: CLARK CONSTRUCTION GROUP, LLC

BETHESDA, MA 20814 3039851660

PURPOSE:

interior rehab of 7500 sq.ft. in basement area of FROST BUILDING FOR CLARK CONSTRUCTION
POC JUSTIN BROWN 615-495-0248

*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] Zoning Review		
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	615-880-2649 Ronya.Sykes@nashville.gov
PW - Public Works Sidewalk Capital Project Coordinati	NOTPLANNED	615-862-6558 Jonathan.Honeycutt@nashville.gov
[F] Sidewalk Review For Bldg App		862-8758 Benjamin.york@nashville.gov
[B] Building Plans Received	PAPERPLANS	615-862-6581 Teresa.Patterson@nashville.gov
[B] Building Plans Review	APPROVED	615-862-6614 Michael.Plunk@nashville.gov
[B] Fire Life Safety Review On Bldg App		615-862-5230 Barbara.Demonbeun@nashville.gov
[B] Fire Sprinkler Requirement		615-862-5230 Barbara.Demonbeun@nashville.gov
[E] Cross Connect Review For Bldg App	COND	615-862-4045 Clay.Christain@nashville.gov
[A] Bond & License Review On Bldg App		
[B] Plans Picked Up By Customer		615-880-2649 Ronya.Sykes@nashville.gov
[D] Grading Plan Review For Bldg App	APPROVED	(615) 862-6038 Logan.Bowman@nashville.gov
[H] Historic Zoning Review - CA	IGNORE	615-862-7970 Sean.Alexander@nashville.gov
[J] Planning Zoning Review - CA	IGNORE	Deborah.Sullivan@nashville.gov



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



3554116

ZONING BOARD APPEAL / CAAZ - 20180055211
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09305402400

APPLICATION DATE: 08/28/2018

SITE ADDRESS:

161 ROSA L PARKS BLVD NASHVILLE, TN 37203
PT LOT 163 ORIGINAL TOWN OF NASHVILLE & PT ALLEY CLOSURE

PARCEL OWNER: UPTOWN PROPERTY HOLDINGS, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

interior rehab of 7500 sq.ft. in basement area of FROST BUILDING FOR CLARK CONSTRUCITON
POC JUSTIN BROWN 615-495-0248

*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?

We are only doing an interior renovation of lower basement level off 9th St. There are sidewalks already existing around the perimeter of the building.

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.

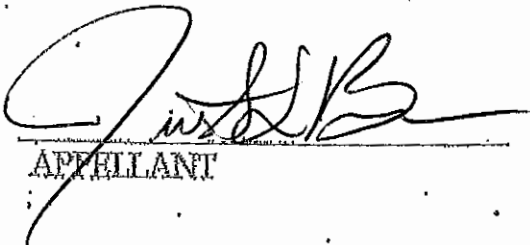
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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

8/29/18
 DATE



Sidewalk Requirements

Required by Section 17.20.120 of the Metropolitan Code of Laws. Does not include sidewalk View Major and Collector Street Plan requirements

Search

Enter Location, Parcel or Owner Name (Choose search type from drop down)

✕ 🔍

- 161 ROSA L PARKS BLVD, 37203
- 1601 ROSA L PARKS BLVD, 37208
- 161 ROSA L PARKS BLVD, 37203
- 161 ROSA L PARKS BLVD N, 37203
- 161 ROSA L PARKS BLVD
- 1601 ROSA L PARKS BLVD

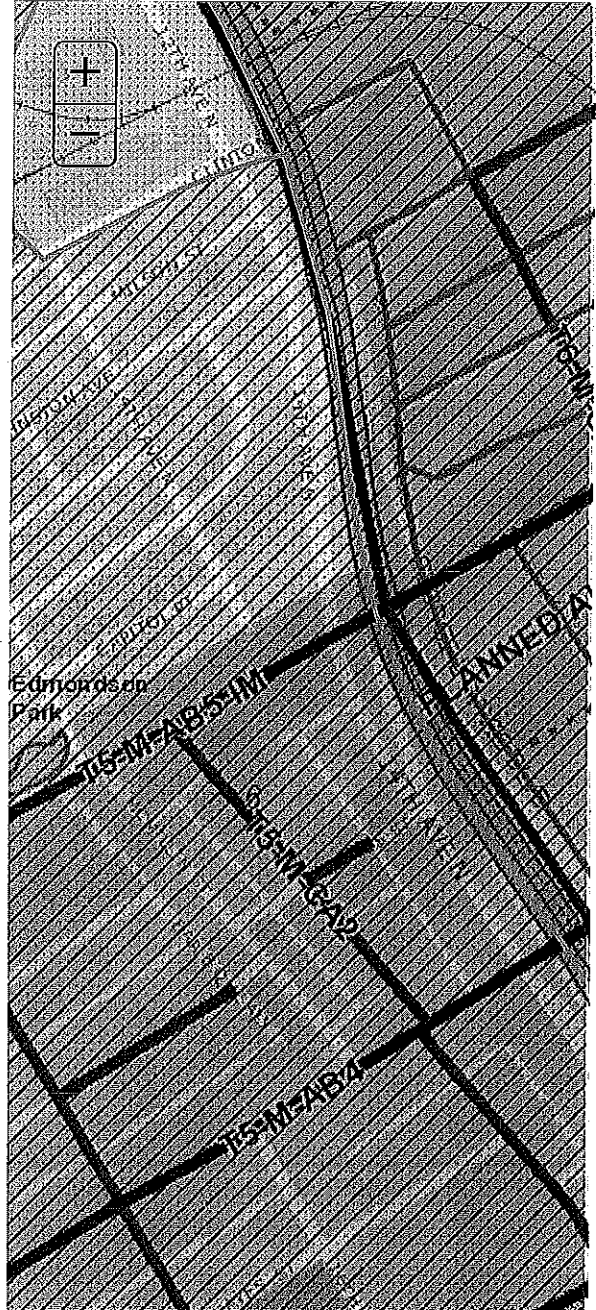
Choose the Development Type

Calculate Requirements

Sidewalk requirements for property within the Downtown Code (DTC) are determined by Chapter 17.37. See page 15 of the DTC for more information.

[Downtown Code](#)

Legend



0 0.005



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-554 (161 Rosa L. Parks Boulevard)

Metro Standard:	Rosa L. Parks Boulevard – 4' grass strip, 10' sidewalk, as defined by the Major and Collector Street Plan
	9 th Avenue North – 4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Zoning:	DTC
Requested Variance:	Not upgrade sidewalks
Community Plan Policy:	T6 DC (Downtown Core)
MCSP Street Designation:	Rosa L. Parks Boulevard – T6-M-AB3
	9 th Avenue North – T6-M-AB2
Transit:	#1 – 100 Oaks; #2 – Belmont; #3 – West End/White Bridge; #5 – West End/Bellevue; #7 – Hillsboro; #8 – 8 th Avenue South
Bikeway:	Major separated bikeway planned for Rosa L. Parks Boulevard per WalknBike

Planning Staff Recommendation: *Approve.*

Analysis: The applicant is conducting interior renovations within the basement of an existing office building and requests a variance due to the presence of existing sidewalks along each of its block faces. The existing Frost Building is currently within the National Register of Historic Places (NRIS ID 80003791). Planning evaluated the following factors for the variance request:

- (1) An approximately 14' sidewalk without a grass strip is located along the Rosa L. Parks Boulevard frontage which is consistent with adjacent properties to the north and south. Similarly, a 6' sidewalk without a grass strip is located along the 9th Avenue North frontage which is consistent with adjacent properties to the north and south within the block face.
- (2) The applicant cannot upgrade the sidewalks and/or construct grass strips along both property frontages to the Major and Collector Street Plan standards without adversely impacting the existing historic structure. Due to the orientation of the existing building, right of way dedication is not possible.

Given the factors above, staff recommends **approval**.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JONATHAN STEELE

Date: 8-29-18

Property Owner: JONATHAN STEELE

Case #: 2018-555

Representative: _____

Map & Parcel: 09610005100

Council District 14

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 27 FT X 30 FT
DETACHED GARAGE/WORKSHOP
USING EXISTING FOUNDATION AND
WALLS OF PREVIOUS GARAGE

Activity Type: RES. CONSTRUCTION

Location: 617 COTTONWOOD

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: VARIANCE TO SIZE AND REAR SETBACK

Section(s): 17.12.050 AND 17.12.040 E1b

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.

JONATHAN STEELE
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

617 COTTONWOOD DR.
Address

SAME
Address

NASHVILLE, TN 37214
City, State, Zip Code

SAME
City, State, Zip Code

706.601.0079
Phone Number

SAME
Phone Number

JROCKRED23@YAHOO.COM
Email

SAME
Email

Appeal Fee: _____

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JONATHAN STEELE

Date: 8-29-18

Property Owner: JONATHAN STEELE

Case #: 2018-555

Representative: _____

Map & Parcel: 09610005100

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Section(s): 17.12.050 AND 17.12.040 E 1b

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JONATHAN STEELE
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

617 COTTONWOOD DR.
Address

SAME
Address

NASHVILLE, TN 37214
City, State, Zip Code

SAME
City, State, Zip Code

706.601.0079
Phone Number

SAME
Phone Number

JROCKRED23@YAHOO.COM
Email

SAME
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 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 2.8, 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?

IT IS AN EXISTING STRUCTURE. FOUNDATION AND
 WALLS EXIST AT BACK OF PROPERTY. I WOULD
 LIKE TO ADD A ROOF AND HAVE STORAGE /
 WORKSHOP FOR PAINTING, (ARTWORK)

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) 862-6330

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

JONATHAN STEELE
APPELLANT

AUGUST 29, 2018
DATE



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



3554320

**ZONING BOARD APPEAL / CAAZ - 20180055351
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09610005100

APPLICATION DATE: 08/29/2018

SITE ADDRESS:

617 COTTONWOOD DR NASHVILLE, TN 37214
LOT 103 SEC 2 CLOVERHILL

PARCEL OWNER: STEELE, JONATHAN D.

CONTRACTOR:

APPLICANT:**PURPOSE:**

Variance 17.12.050 , 700 sq ft allowable, requesting 810 sq ft ,exceeds allowable floor area by 110 sq ft.
17.12.040 E1b, 20 ft required rear setback, requesting 7'-5" and 14 ft (see plans)

To construct a new 27 ft x 30 ft (810 sq ft) detached garage/workshop using existing foundation and two walls from previous garage. Workshop area will have full bathroom and electrical. Not to be used for living space.

Rejected Siteplan, exceeds size and setback requirements. (1) Exceeds 700 sq ft allowable footprint, requesting to use existing 810 sq ft garage foundation.

(2) Exceeds 20 ft required rear setback requesting to keep existing garage footprint which has 7'-5" and 14 ft rear setback (see plans)

Minimum 10 ft side setbacks, minimum 20 ft rear setback ...Not to be used for living or commercial purposes.

Restrictive Covenant must be on file prior to trade authorizations... Must comply with all easements....

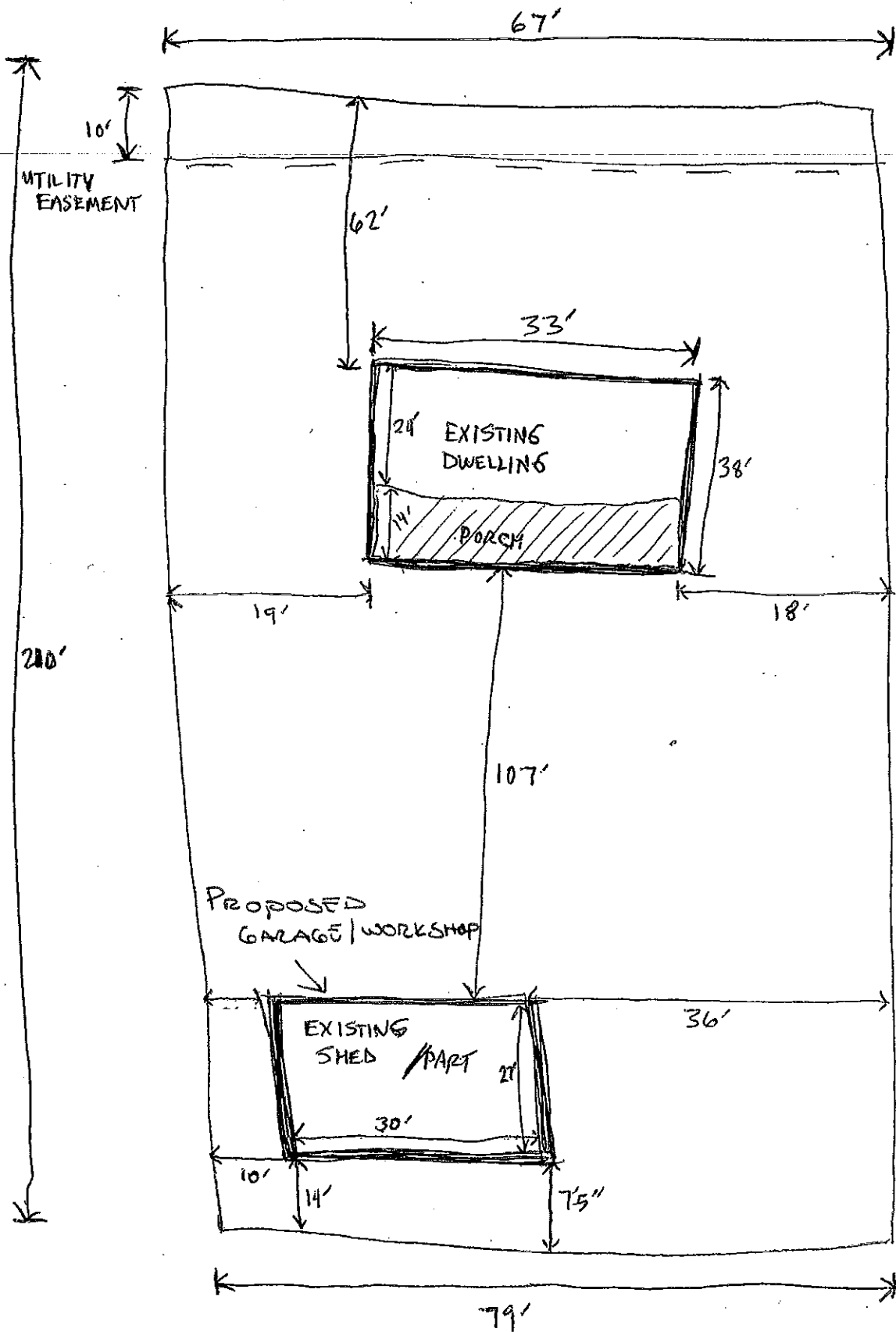
Self Permitting:1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of othe

*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.

← 617 COTTONWOOD DRIVE →





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

Case #2018-555



3554292

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018055333
THIS IS NOT A PERMIT**

PARCEL: 09610005100

APPLICATION DATE: 08/29/2018

SITE ADDRESS:

617 COTTONWOOD DR NASHVILLE, TN 37214
LOT 103 SEC 2 CLOVERHILL

PARCEL OWNER: STEELE, JONATHAN D.

APPLICANT:

PURPOSE:

To construct a new 27 ft x 30 ft (810 sq ft) detached garage/workshop using existing foundation and two walls from previous garage. Workshop area will have full bathroom and electrical. Not to be used for living space.

Rejected Siteplan, exceeds size and setback requirements. (1) Exceeds 700 sq ft allowable footprint, requesting to use existing 810 sq ft garage foundation.

(2) Exceeds 20 ft required rear setback requesting to keep existing garage footprint which has 7'-5" and 14 ft rear setback (see plans)

Minimum 10 ft side setbacks, minimum 20 ft rear setback ...Not to be used for living or commercial purposes.

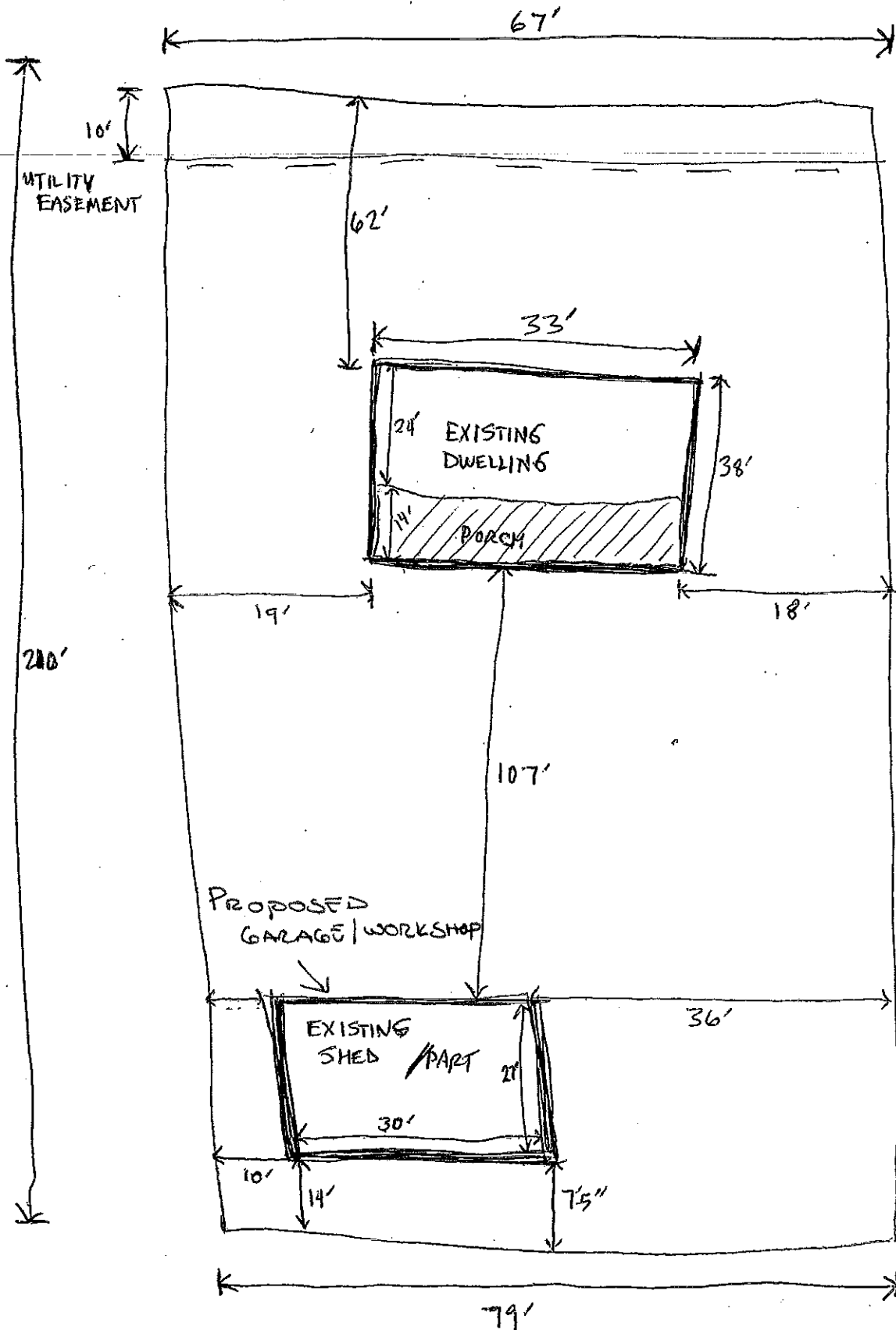
Restrictive Covenant must be on file prior to trade authorizations... Must comply with all easements....

Self Permitting: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... 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. Do not cover up anything until an inspector has had a chance to review.

*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
[A] Zoning Review		
[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		
[A] Bond & License Review On Bldg App		
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

← 617 COTTONWOOD DRIVE →



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jason Kileve
Property Owner: _____
Representative: _____

Date: 8/29/18
Case #: 2018-556

*****BZA ACROSS MAP 43-7 PARCELS: 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106....

Council District 9

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

- Purpose:
- 1...REQUEST 11 SINGLE FAMILY HOUSES.
 - 2...WILL NEED INDIVIDUAL CONSTRUCTION PERMITS.
 - 3...HOUSE APPROX 35' IN HEIGHT AND 2 STORIES.
 - 4...FRONT LOADED GARAGES...
 - 5...DRIVEWAYS THE WIDTH OF THE GARAGES.
 - 6...REQUIRED FRONT SETBACK 20'...SIDES 5'...REAR MIN 20'

Flood Plain

Activity Type: _____
Location: 384 Rio Vista Dr Madison, TN 37115

This property is in the RS7.5 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: _____ DENIED: putting all 11 appeals on this one BZA appeal.
Section(s): _____ ***REQUIRED FRONT SETBACK 20'...REQUEST 10'..17.12.030.

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.

Jason Kileve
Appellant Name (Please Print)

Representative Name (Please Print)

3339 Hamberston Cir.
Address

Address

Madison, TN 37122
City, State, Zip Code

City, State, Zip Code

615-904-5677
Phone Number

Phone Number

Jasonkileve@hotmail.com
Email

Email

Appeal Fee: 1100⁰⁰



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



3554410

**ZONING BOARD APPEAL / CAAZ - 20180055425
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 04307009600

APPLICATION DATE: 08/29/2018

SITE ADDRESS:

384 RIO VISTA DR MADISON, TN 37115
E SIDE RIO VISTA DR S OF ANDERSON ROAD

PARCEL OWNER: KLEVE, JASON & BEARD, DEWAYNE

CONTRACTOR:

APPLICANT:**PURPOSE:**

*****BZA: 11 FRONT SETBACK APPEALS UNDER ONE BZA APPEAL....2018-556*****

- 1...REQUEST 11 SINGLE FAMILY HOUSES.
- 2...WILL NEED INDIVIDUAL CONSTRUCTION PERMITS.
- 3...HOUSE APPROX 35' IN HEIGHT AND 2 STORIES.
- 4...FRONT LOADED GARAGES...
- 5...DRIVEWAYS THE WIDTH OF THE GARAGES.
- 6...REQUIRED FRONT SETBACK 20'...SIDES 5'...REAR MIN 20'.

*****BZA ACROSS MAP 43-7 PARCELS: 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106....

DENIED: putting all 11 appeals on this one BZA appeal.

***REQUIRED FRONT SETBACK 20'...REQUEST 10'..17.12.030.

SIDEWALKS PER COMPUTER PROGRAM...NOT REQUIRED.

POC: JASON KLEVE 615-904-5677

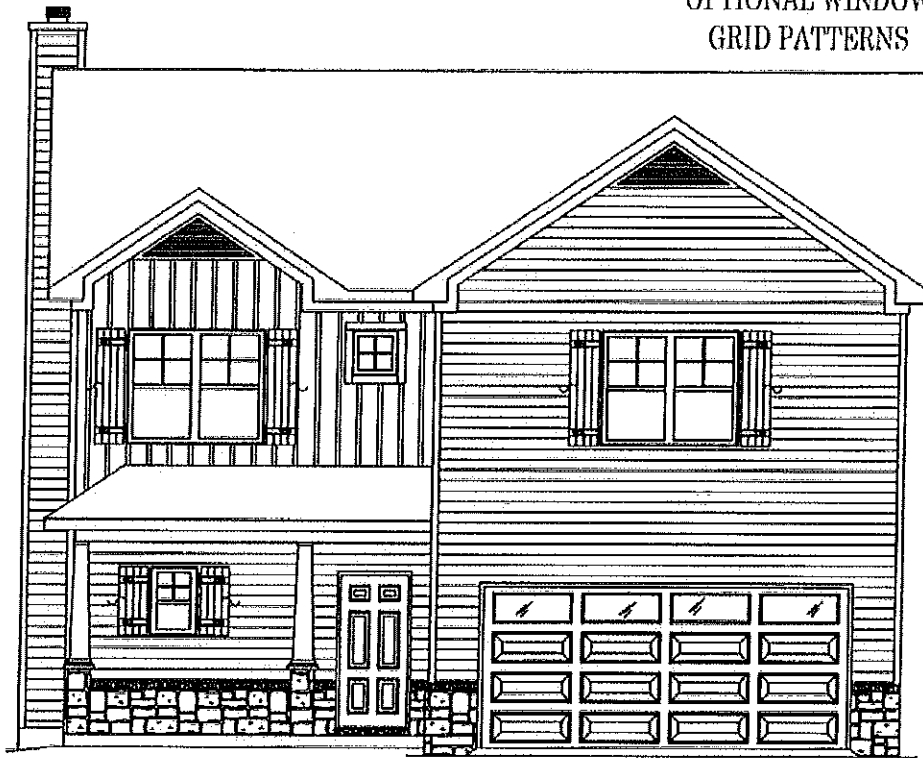
e-mail...jasonkleve@hotmail.com

*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.*

There are currently no required inspections

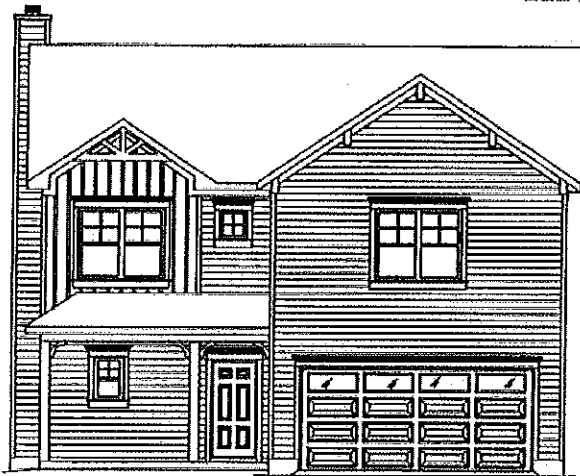
Inspection requirements may change due to changes during construction.

OPTIONAL WINDOW
GRID PATTERNS



[Handwritten signature]
2-2-18

ELEVATION "A" - LOT 1570-EGF



ELEVATION "B"



ELEVATION "C"

Jason Kleve
Benchmark Realty, LLC

William C. Sanders, Jr., et ux
Map 43-07 Parcel 132

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 96

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 97

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 98

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 99

Homeplacers, LLC
Map 43-07 Parcel 100

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 101

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 102

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 103

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 104

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 105

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 106

Innovative Re Solutions, LLC
Map 43-07 Parcel 107

Innovative Re Solutions, LLC
Map 43-07 Parcel 108

Innovative Re Solutions, LLC
Map 43-07 Parcel 109

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 110

James S. Jr., & James S. III Sweeney
Map 43-07 Parcel 111

APPROXIMATE TOP OF BANK

APPROXIMATE 100 YL

CUMBERLAND RIVER

APPROXIMATE TOP OF B.

APPROXIMATE

RIO

VISTA

DRIVE

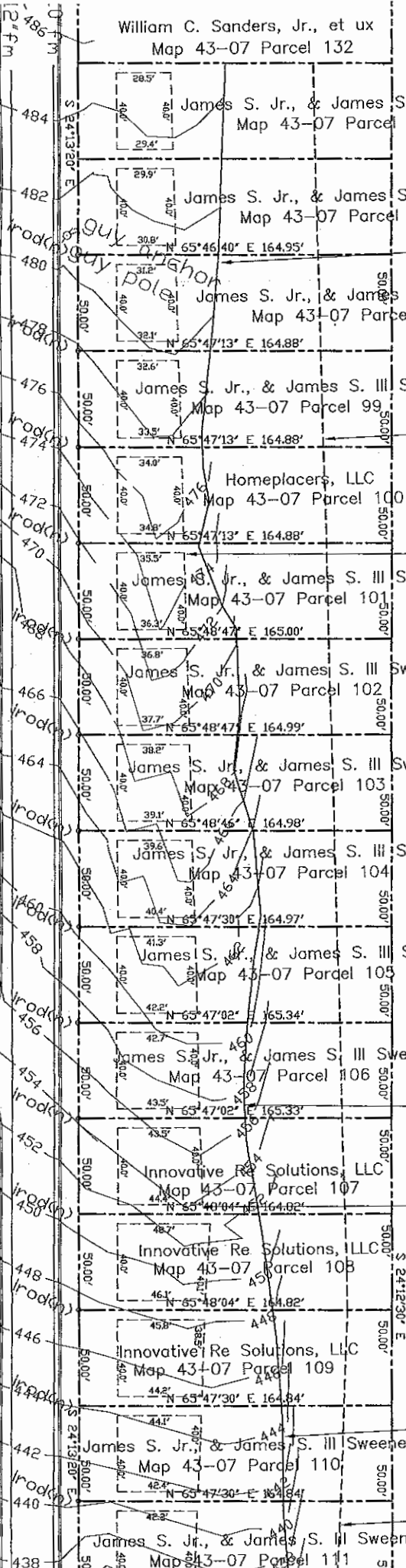
assembly)

power/telephone pole

power/telephone pole

power/check valve assembly

power/telephone pole



This Form furnished by Attorneys Title Company.

BOOK 4667 PAGE 754

FROM

Tower Realty Company

TO

Howard L. Gibson et al

QUITCLAIM DEED

ADDRESS NEW OWNER (S) AS FOLLOWS:			SEND TAX BILLS TO:			MAP-PARCEL NUMBERS		
Howard L. Gibson <small>(NAME)</small>			Howard L. Gibson <small>(NAME)</small>			110 52280;52370;		
510 Gay Street <small>(STREET ADDRESS OR ROUTE NUMBER)</small>			510 Gay Street <small>(STREET ADDRESS)</small>			52380;52405 thru		
Nashville, Tenn 37219 <small>(CITY) (STATE) (P. O. ZIP)</small>			Nashville, Tenn 37219 <small>(CITY) (STATE) (ZIP)</small>			52480;52490 thru		
						52500.		
THIS INSTRUMENT WAS PREPARED BY				STATE OF TENNESSEE COUNTY OF DAVIDSON				
Howard L. Gibson 510 Gay Street Nashville, Tennessee				<p>THE ACTUAL CONSIDERATION ^{CONSIDERATION!} OR FAIR VALUE ^{FAIR VALUE!} WHICH EVEN IS GREATER FOR THIS TRANSFER IS</p> <p>\$ none</p> <p>SUBSCRIBED AND SWORN TO BEFORE ME THIS THE 10 DAY OF APRIL, 1972</p> <p><i>Notary Public</i></p> <p>MY COMMISSION EXPIRES: 10-3-1981</p> <p>(AFFIX SEAL)</p>				

Tower Realty Company, a Tennessee Corporation hereby quitclaims to Howard L. Gibson and Margaret M. Gibson, doing business as Tower Realty Company, a partnership all its interest in the following land:

Property in the State of Tennessee, Davidson County, described as follows, to wit:

FIRST TRACT: being part of Lot No. 10 on the Plan of Anderson Estates, as of record in book 1130, page 37, Register's Office for said County; being lots Nos. 3, 4, 22, 24, 29 to 44 inclusive and 46 to 48 inclusive of Block "A" on the unrecorded plan of Eller and Vandiver's subdivision.

SECOND TRACT: being part of lot No. 10 on the Plan of Anderson Estates, as of record in book 1130, page 37, said Register's Office, described as follows: Beginning at the northwest corner of lot No. 10 and running thence south 2° 30' west 2,193 feet to a stake, the southwest corner of the tract purchased by John C. Vandiver and Rudolph M. Eller from John W. Anderson and wife, by deed of record in book 1308, page 608, said Register's Office; thence with their line, northwesterly to the beginning; containing 35.6 acres, more or less.

Being the same property conveyed to Tower Realty Company, a Tennessee Corporation by deed from Howard L. Gibson, Trustee, dated April 3, 1963, recorded April 5, 1963 and recorded in book 3532, page 343, said Register's Office.

Conveyance is subject to the following permanent easements:

1. Flowage easement of record in book 2337, page 367, said Register's Office.
2. Sewerage pumping station of record in book _____, page _____, said Register's Office.
3. Sanitary sewers of record in book _____, page _____, said Register's Office.

IN WITNESS WHEREOF, the said Corporation has caused this instrument to be executed by its duly authorized officers this 10th day of April, 1972.

TOWER REALTY COMPANY

Howard L. Gibson
 President

ATTEST:

Margaret M. Gibson

1785

WARRANTY DEED

FROM
 RUDOLPH M. ELLER
 and
 JOHN G. VANDIVER
 TO
 MARGARET MAE WHITFIELD

The Guaranty Title Co.
 Title Guaranteed
 Abstracts of Titles
 215 Third Ave. North
 NASHVILLE, TENN.

REGISTER'S OFFICE
 STATE OF TENNESSEE
 DAVIDSON COUNTY
 Received for record: 14 day
 of 1/14/62
 RECORDED IN BOOK 1130 PAGE 37
 RECHARGE TO
 FELIX W. WILSON, REGISTER

For and in Consideration of the sum of (\$10.00)
 TEN AND NO/100 DOLLARS

cash in hand paid and for other good and valuable considerations the receipt of which is hereby acknowledged, we,

Rudolph M. Eller and John G. Vandiver
 have bargained and sold, and by these presents do transfer and convey unto the said
 Margaret Mae Whitfield

her heirs and assigns, a certain tract or parcel of

land in Davidson County, State of Tennessee, described as follows, to wit:

Lot No. 45 of Eller Vandiver Subdivision Block A, a subdivision of an unrecorded plan of a recorded plan in Book 1130, Page 37, R.O.D.C., known as the Anderson Estates.

Begin at the southeast corner of Thornton Avenue and Rio Vista Drive and running southwardly along the east margin of Rio Vista Drive 297.5 feet to the point of beginning for said lot; thence eastwardly 219.4 feet more or less to low water mark of Cumberland River; thence southwardly with said low water mark 50 feet; thence westwardly 221.6 feet to a point; thence northwardly along the east margin of Rio Vista Drive 50 feet to the point of beginning.

And being a part of the same property conveyed to Rudolph M. Eller and John G. Vandiver by deed from John W. Anderson and wife, Clara W. as of record in Book Page R.O.D.C. This property is sold subject to the restrictions and covenants contained in said deed, which are described as follows, to wit:

1. That the premises and no part thereof shall be sold, aliened, conveyed or devised to any person or persons of African blood or descent, and that no person or persons of African blood or descent shall own or acquire title thereto, either in fee or otherwise, or as tenants or lessees, but this conveyance does not preclude or prohibit any person or persons of African blood or descent from living on the said premises in the capacity of servants.
2. That no dwelling house shall be constructed on said property at a cost of less than two thousand (\$2,000.00) dollars.
3. The foregoing stipulations, covenants and conditions are and shall be binding and obligatory upon and shall be observed by the said grantees and heirs, devisees or assigns until the 1st day of January 1962. And it is expressly agreed that all

G

111

04300000500

IR

IR

04300001200

ANDERSON LN

152.81

04307009200

165s

04307009500

155s

35

40

50

131.75

04307013200

140s

04307009600

151s

50

04307009700

153s

50

04307009800

155s

50

04307009900

157s

50

04307010000

161s

50

04307010100

162s

50

04307010200

165s

50

04307010300

166s

50

04307010400

169s

50

04307010500

163s

50

04307010600

165s

50

04307010700

167s

50

04307010800

164s

50

04307010900

166s

50

04307011000

167s

50

04307011100

165s

50

04307011200

169s

50

04307011300

156s

50

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04311008300

158s

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04311008400

164s

50

04311008500

165s

50

04311008600

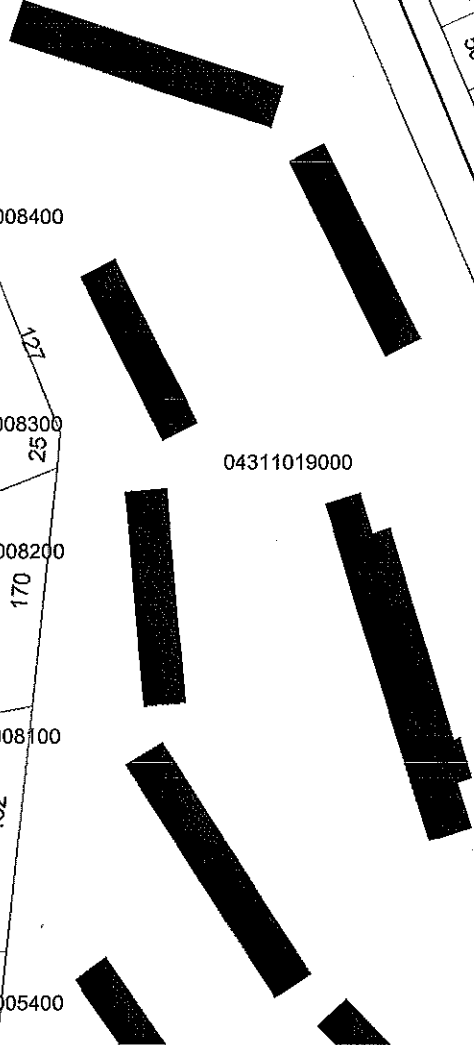
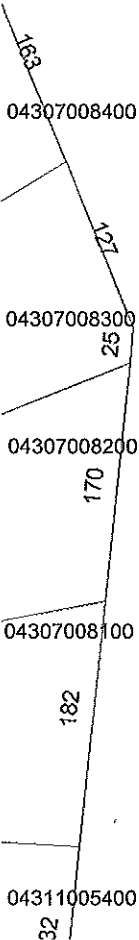
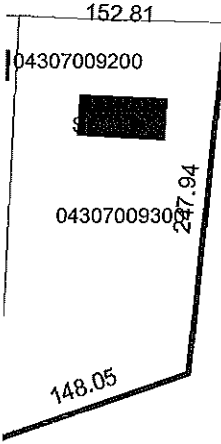
RS10

04300001600

RIO VISTAR

RS7.5

04311019000



Parcels 96
to 106

43-7

0430000500

IR

IR

0430001200

ANDERSON LN

Front
Variance
10' Request

F.P

04307009200

04307009500

04307013200

4667
754

04307009600

1285/111

04307009300

04307009700

RS10

04307009800

04307009900

04307010000

4667
754

04307010100

04307010200

0430001600

04307010300

RIO VISTADR

04307010400

04307008400

04307010500

04307010600

04307010700

04307008300

04311019000

RS7.5

04307010800

04307010900

04307008200

04307011000

04307008100

04307011100

04307011200

04307011300

04307011400

04311005400

04311008300

04311008400

04311008500

04311008600

... consideration of the sum of \$2,000.00

* * * * * TEN AND 00/100 * * *

and other good and valuable considerations, the receipt of which is hereby acknowledged and paid by Tower Realty, a Tennessee Corporation,

I, Howard L. Gibson, Trustee have bargained and sold, and by these presents do transfer and convey unto the said Tower Realty Company, a Tennessee Corporation, its successors

and assigns, a certain tract or parcels of land in Davidson County, State of Tennessee, described as follows to wit:

FIRST TRACT: Being part of Lot No. 10 on the plan of Anderson Estates, as of record in book 1130, page 37, Register's Office for said County; being lots Nos. 3, 4, 22, 24, 29 to 44 inclusive and 46 to 48 inclusive of Block "A" on the unrecorded plan of Eller and Vaniver's Subdivision

SECOND TRACT: Being part of lot No. 10 on the Plan of Anderson Estates, as of record in book 1130, page 37, Register's Office for said County, described as follows:

Beginning at the northwest corner of lot No. 10 and running thence south 20° 30' west 193 feet to a stake at the northwest corner of lot No. 5; thence south 88° east 145.1 feet to a stake, the southwest corner of the tract purchased by John C. Vaniver and Joseph M. Eller from John V. Anderson and wife, by deed of record in book 1308, page 608 said Register's Office; thence with their line, northwesterly to the beginning, containing 35.6 acres, more or less.

Being the same real property conveyed to Howard L. Gibson, Trustee, by deed from John D. Barbee and wife, Inez Stark Barbee, dated March 24, 1959, recorded April 7, 1959 and recorded in book 2883, page 631, said Register's Office.

Conveyance is subject to flowage easement of record in book 2337, page 20 to have and to hold the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said Tower Realty Company, a Tennessee Corporation, its successors and assigns, forever.

And I do covenant with the said Tower Realty Company, a Tennessee Corporation that I am lawfully seized and possessed of said land in fee simple; have a good right to convey it, and the same is unencumbered.

And I, Howard L. Gibson, Trustee do further covenant and bind myself, my heirs and representatives, to warrant and forever defend the title to the said land to the said Tower Realty Company, its successors and assigns against the lawful claims of all persons, whomsoever.

Witness my hand this 3rd day of April, 1963

Howard L. Gibson, Trustee

STATE OF TENNESSEE
Davidson County

Personally appeared before me *Edith H. Hoigne* a Notary Public in and for said County and State, the within named Howard L. Gibson, Trustee

the bargainer with whom I am personally acquainted and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at this day of April, 1963

My Commission Expires July 25, 1964

Edith H. Hoigne
Notary Public

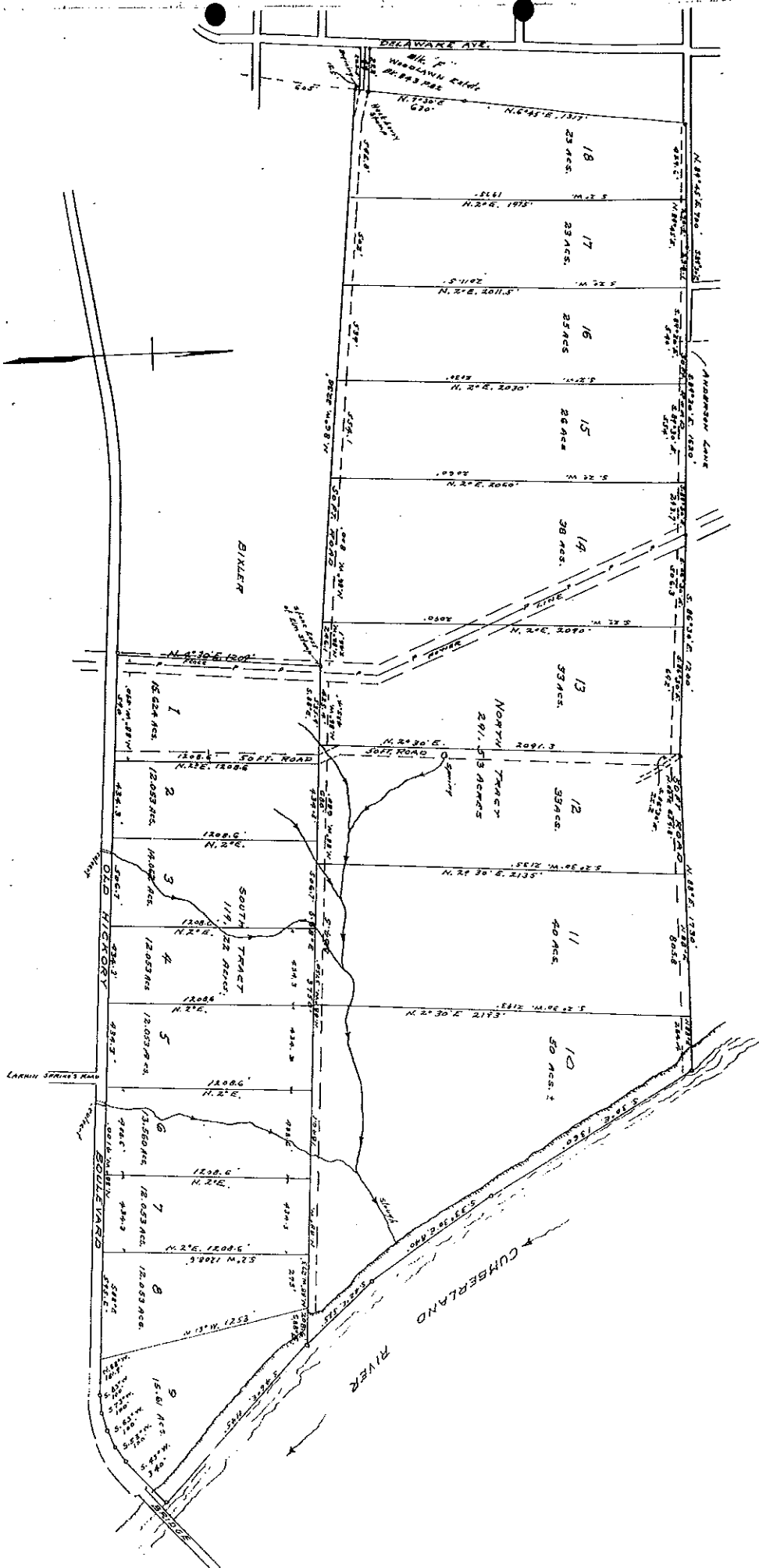
WARRANTY DEED

FROM
Howard L. Gibson, Trustee

TO
Tower Realty Company

REGISTER'S OFFICE
STATE OF TENNESSEE
DAVIDSON COUNTY
APR 10 1963
3:00 PM

Infantry Title Company
A DIVISION OF
City Title Insurance Company
American Trust Building
100 W. Cor. Third & Union
KNOXVILLE, TENNESSEE



SCALE 1" = 300'

SURVEY OF ANDERSON TRACT
 11TH CIVIL DISTRICT
 DAVIDSON COUNTY TENNESSEE.

65393

Received for Record Aug. 25, 1941, at 10:30 o'clock am.

37

This is to certify that surveys and sketch
 property of the Anderson Land Improvement Co.
 in the Civil District, Davidson County, Tennessee,
 is a true and correct copy of this survey.
 June 20, 1941.

W. H. Williams
 Surveyor

0430000500

IR

IR

04300001200

ANDERSON LN

152.81

165s

04307009200

04307009500

155s

35

40

50

161s

04307013200

140s

161s

04307009600

151s

161s

04307009700

153s

161s

04307009800

155s

161s

04307009900

151s

161s

04307010000

161s

161s

04307010100

162s

161s

04307010200

166s

161s

04307010300

166s

161s

04307010400

169s

161s

04307010500

163s

161s

04307010600

165s

161s

04307010700

161s

161s

04307010800

164s

161s

04307010900

166s

161s

04307011000

167s

161s

04307011100

165s

161s

04307011200

169s

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04307011300

158s

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04311008300

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04311008400

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04311008500

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04311008600

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04311008700

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04311008800

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04311009000

165s

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04311009100

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04311009200

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04311009300

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04311009400

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04311010400

165s

161s

04311010500

165s

161s

04311010600

165s

161s

04311010700

165s

161s

04311010800

165s

161s

04311010900

165s

161s

04311011000

165s

161s

04311011100

165s

161s

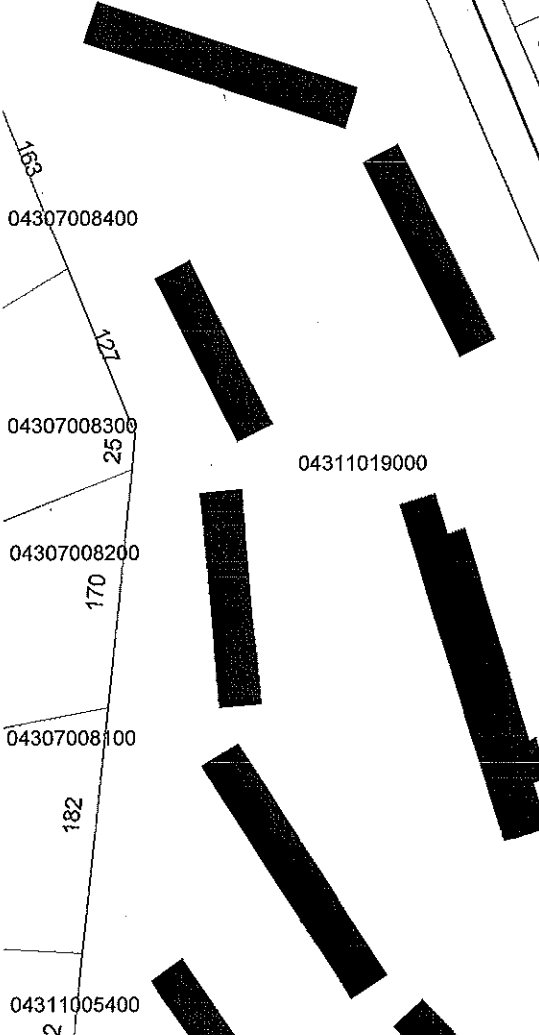
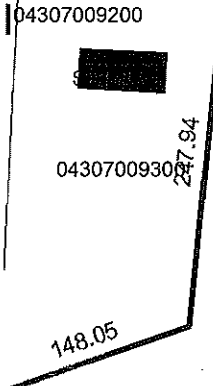
04311011200

165s

161s

04311011300

165s



RIO VISTADR

RS10

04300001600

04307008400

04307008300

04307008200

04307008100

04311005400

RS7.5

04311019000

165s 04311008600

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?

Flood Plain

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

8/29/18
DATE

http://maps.nashville.gov/development/requirements Sidewalk Requirements

Sidewalk Requirements

Required by Section 17.20.120 of the Metropolitan Code of Laws. Does not include sidewalks required by other development regulations.
View Major and Collector Street Plan requirements

Search

Enter Location, Parcel or Owner Name (Choose search type from drop down)

04307009600

04307009600	0 RIO VISTA DR	KLEVE, JASON & BEARD, DEWAYNE
-------------	----------------	-------------------------------------

Choose the Development Type
Residential 1 or 2 Family

Calculate Requirements

Sidewalks are NOT required for this project

Legend

0 RIO VISTA DR

Parcel ID: 04307009600
Owner: KLEVE, JASON & BEARD,
DEWAYNE
Address: 0 RIO VISTA DR, MADISON, TN
37415
Zoom to

Metro GIS | MetroGIS | Nashville Planning Department | Planning Department | Esri

9:44 AM
8/29/2018

http://metro.nashville.gov/SidewalkRequirements Sidewalk Requirements

Sidewalk Requirements

Required by Section 17.20.120 of the Metropolitan Code of Laws. Does not include sidewalks required by other development regulations.
[View Major and Collector Street Plan requirements](#)

Search

Enter Location, Parcel or Owner Name (Choose search type from drop down)

04307010100

04307010100	0 RIO VISTA DR	KLEVE, JASON & BEARD, DEWAYNE
-------------	----------------	-------------------------------

Choose the Development Type
Residential 1 or 2 Family

Calculate Requirements

Sidewalks are NOT required for this project

Legend

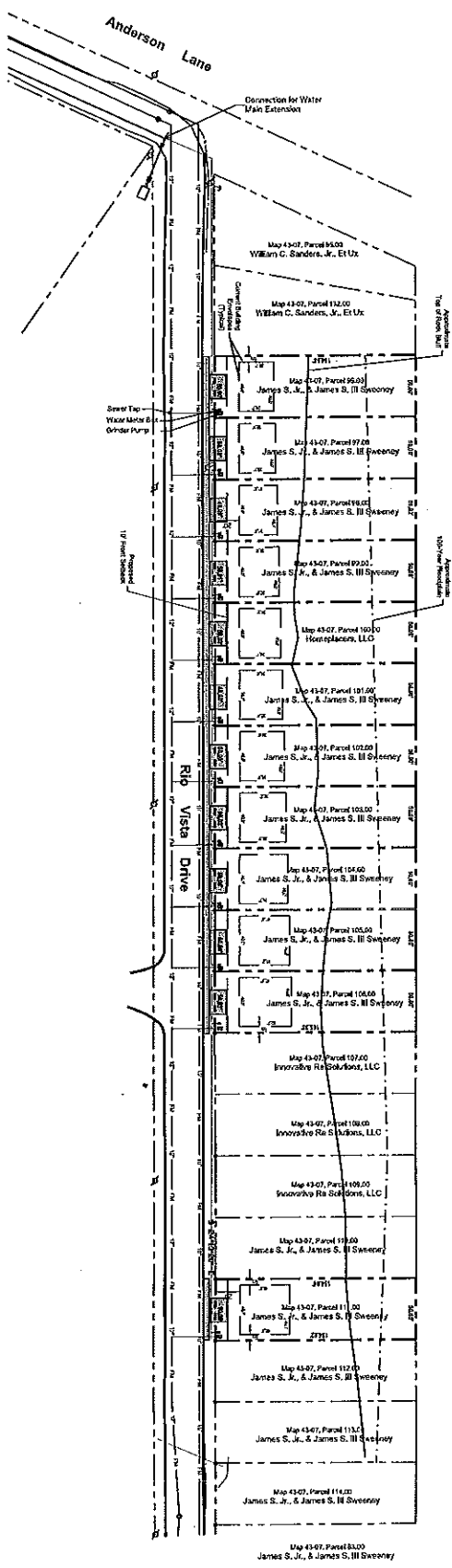
0 RIO VISTA DR

Parcel ID: 04307010100
Owner: KLEVE, JASON & BEARD, DEWAYNE
Address: 0 RIO VISTA DR, MADISON, TN 37115
Zoom to

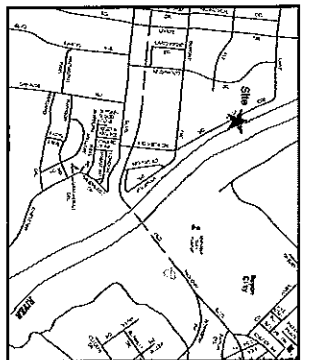
Metro GIS | MetroGIS | Nashville Planning Department | Planning Depart... esri

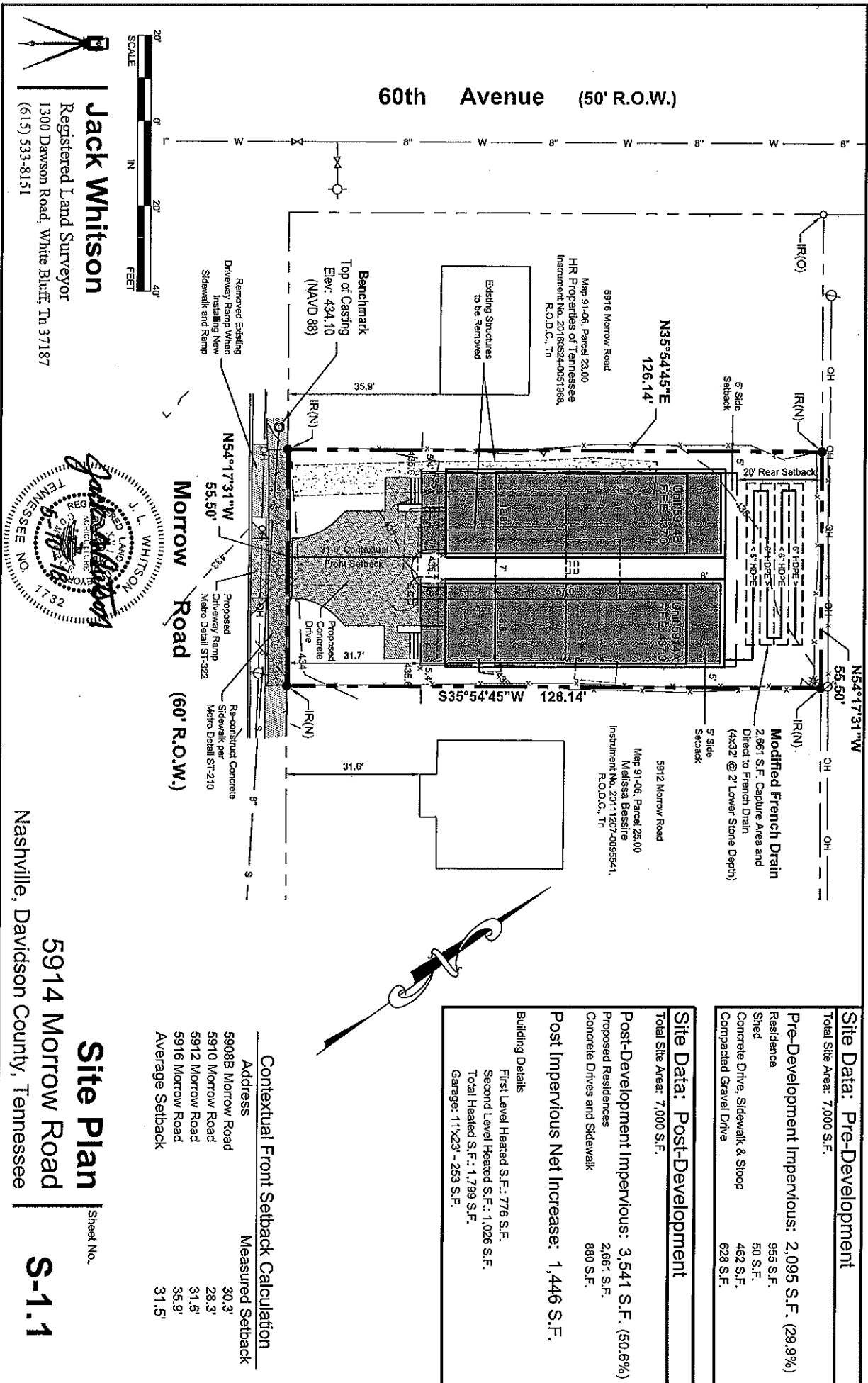
9:45 AM 8/29/2018

- NOTES**
1. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 2. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 3. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 4. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 5. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 6. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 7. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 8. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 9. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.
 10. The purpose of this variance request is to provide for the installation of a water main extension to the site shown on the site plan.



VARIANCE REQUEST
FOR
RIO VISTA DRIVE
5th COMMERCIAL DISTRICT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
FOR
SN DEVELOPMENTS, LLC
Sponsor:
JACK WHITSON, RLS
1300 DAWSON ROAD
NASHVILLE, TN 37203
(615) 852-8133





Jack Whitson
 Registered Land Surveyor
 1300 Dawson Road, White Bluff, TN 37187
 (615) 533-8151



Nashville, Davidson County, Tennessee
 5914 Morrow Road

Site Plan

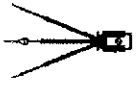
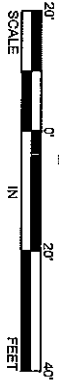
Sheet No.
S-1.1

Contextual Front Setback Calculation

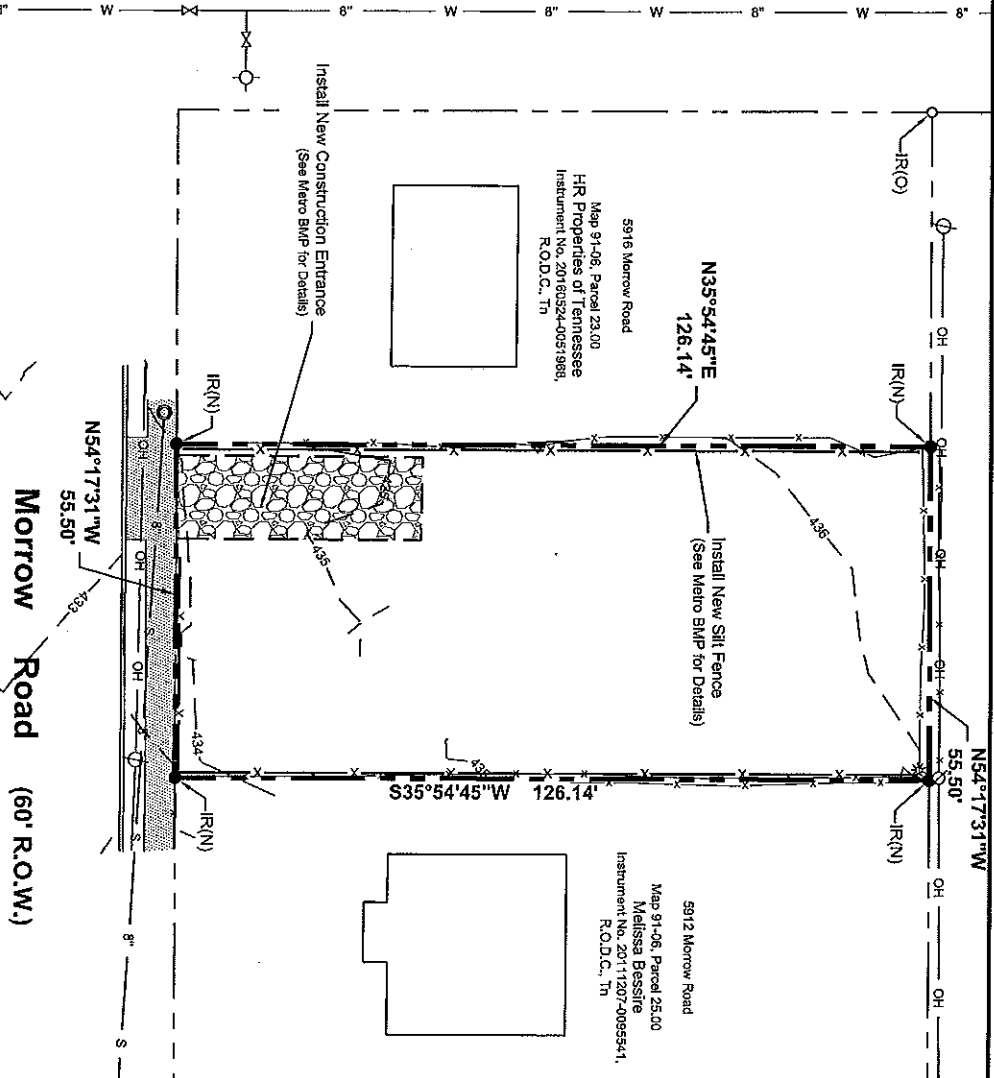
Address	Measured Setback
5908B Morrow Road	30.3'
5910 Morrow Road	28.3'
5912 Morrow Road	31.6'
5916 Morrow Road	35.9'
Average Setback	31.5'

Site Data: Pre-Development	
Total Site Area:	7,000 S.F.
Pre-Development Impervious: 2,095 S.F. (29.9%)	
Residence	955 S.F.
Shed	50 S.F.
Concrete Drive, Sidewalk & Stoop	462 S.F.
Compacted Gravel Drive	628 S.F.
Site Data: Post-Development	
Total Site Area:	7,000 S.F.
Post-Development Impervious: 3,541 S.F. (50.6%)	
Proposed Residences	2,661 S.F.
Concrete Drives and Sidewalk	880 S.F.
Post Impervious Net Increase: 1,446 S.F.	
Building Details	
First Level Heated S.F.:	776 S.F.
Second Level Heated S.F.:	1,026 S.F.
Total Heated S.F.:	1,799 S.F.
Garage:	11'x23' - 253 S.F.

60th Avenue (50' R.O.W.)

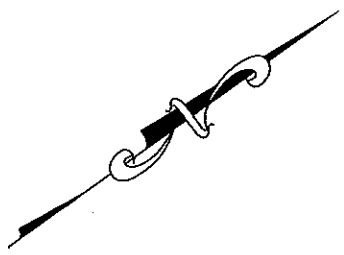


Jack Whitson
Registered Land Surveyor
1300 Dawson Road, White Bluff, TN 37187
(615) 533-8151

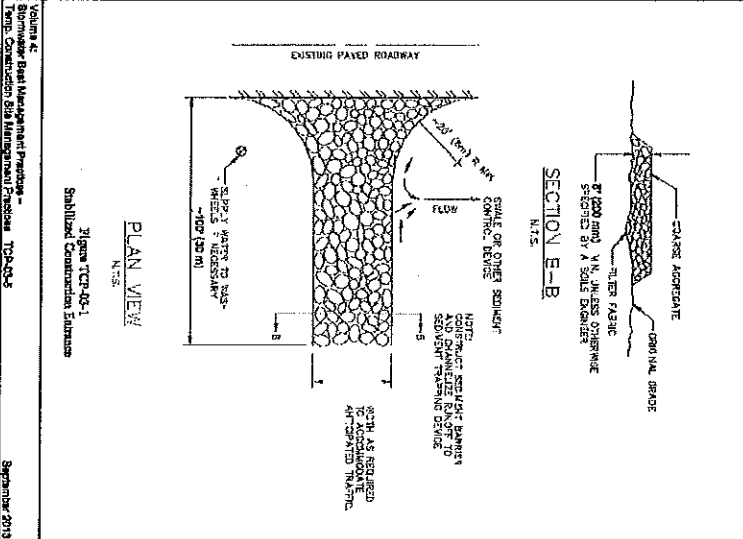


EPSC Plan
5914 Morrow Road
Nashville, Davidson County, Tennessee

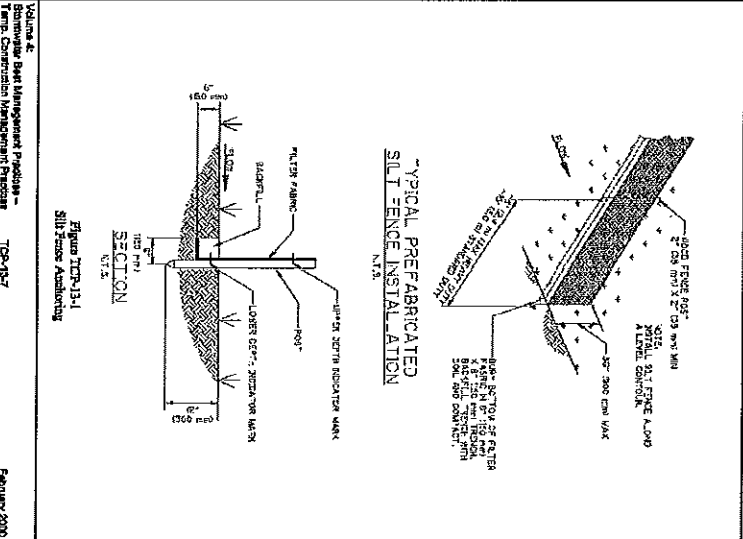
Sheet No.
S-1.2



ACTIVITY: Stabilized Construction Entrance TCP - 03

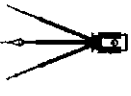


ACTIVITY: Silt Fence TCP - 13



1. The entire property is located in an area designated as Zone "X" (Areas determined to be outside the 0.2% annual chance floodplain) as shown on FEMA FIRI Community Map Panel No. 47037C0236H, Effective date April 5, 2017.
2. Clean silt barriers when they are approximately 33% filled with sediment. Silt barriers shall be replaced as effectiveness is significantly reduced, or as directed by the owner's representative.
3. Remove the temporary erosion and water pollution control devices only after a solid stand of grass has been established on graded areas.
4. Provide temporary construction access(es) at the point(s) where construction vehicles exist the construction area. Maintain public roadways free of tracked mud and dirt.
5. Provide positive slope (2% minimum) to drain all balconies, decks, patios, walk(s), driveways, grade adjacent to buildings, and swales regardless whether plans graphically portray or indicate slope. Final construction shall not permit ponding of water in any of foregoing areas.

Site Grading & Erosion Control Notes

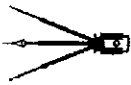


Jack Whitson
Registered Land Surveyor
1300 Dawson Road, White Bluff, Tn 37187
(615) 533-8151



Site Details
5914 Morrow Road
Nashville, Davidson County, Tennessee

Sheet No.
S-1.3



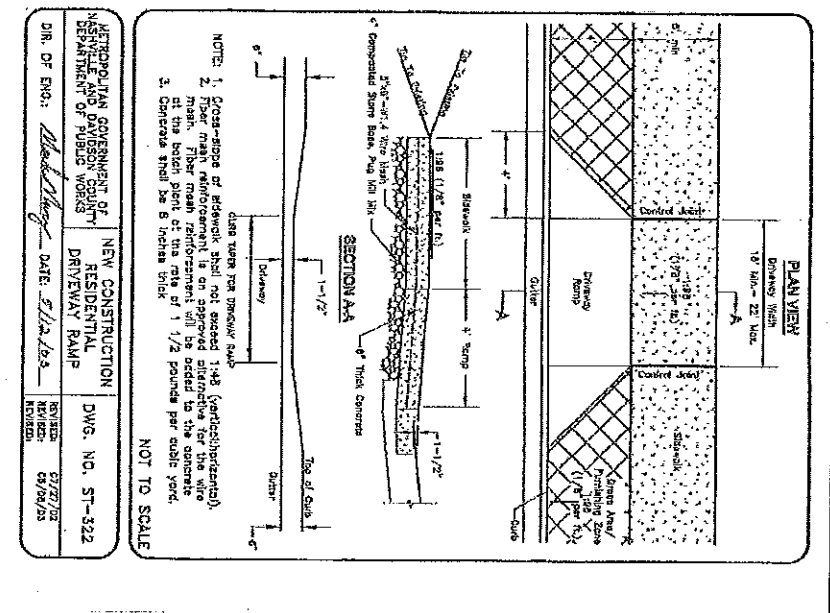
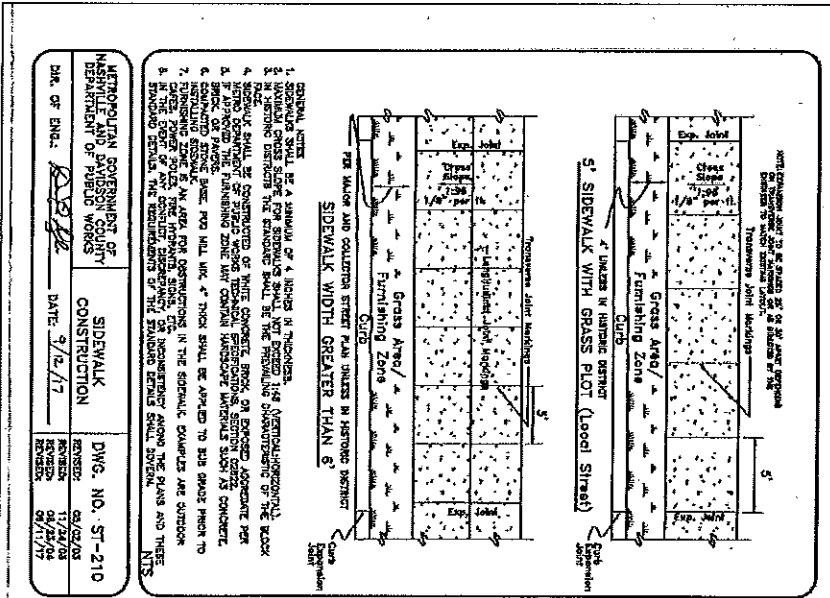
Jack Whitson
 Registered Land Surveyor
 1300 Dawson Road, White Bluff, TN 37187
 (615) 533-8151

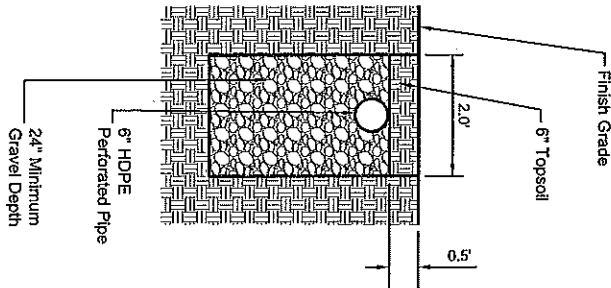


Site Details
 5914 Morrow Road
 Nashville, Davidson County, Tennessee

Sheet No.

S-1.4





**MODIFIED FRENCH DRAIN
TYPICAL CROSS - SECTION**
Not to Scale



Jack Whitson
Registered Land Surveyor
1300 Dawson Road, White Bluff, TN 37187
(615) 533-8151



SKETCH LAYOUT
PROVIDE PLAN AND ELEVATION VIEWS OF MFD AND HOUSE SHOWING ROOF AREA DIRECTED TO MFD AND KEY DIMENSIONS, CONNECTIONS AND OVERFLOW RELATIVE TO PROPERTY LINE.

SIZING CALCULATION:

Roofing Area (Square Feet)	Depth of Gravel From Top of Pipe (Inches)	Required Linear Feet of MFD
100	5	3
400	20	15
1000	40	30
3000	120	90
6000	240	180
8000	320	240

MEASURE CONTRIBUTING DRAINAGE AREA AND HEAD AREA FOR GIVEN MEDIA DEPTH.
CONTRIBUTING DRAINAGE AREA = 2,661 SQ. FT.
DEPTH OF STONE MEDIA = 24 INCHES
LENGTH OF MFD = 725 FT.

- MAINTENANCE:**
- INSPECT GUTTERS AND DOWNSPOUTS REMOVING ACCUMULATED LEAVES AND DEBRIS. CLEANING LEAF REMOVAL SYSTEM(S), IF APPLICABLE. INSPECT PRETREATMENT DEVICES FOR SEDIMENT ACCUMULATION. REMOVE ACCUMULATED TRASH AND DEBRIS.
 - INSPECT MFD FOLLOWING A LARGE RAINFALL EVENT TO VERIFY HEAD AND FLOW OVERFLOWS OPERATING AND IS NOT CAUSING PROBLEMS.

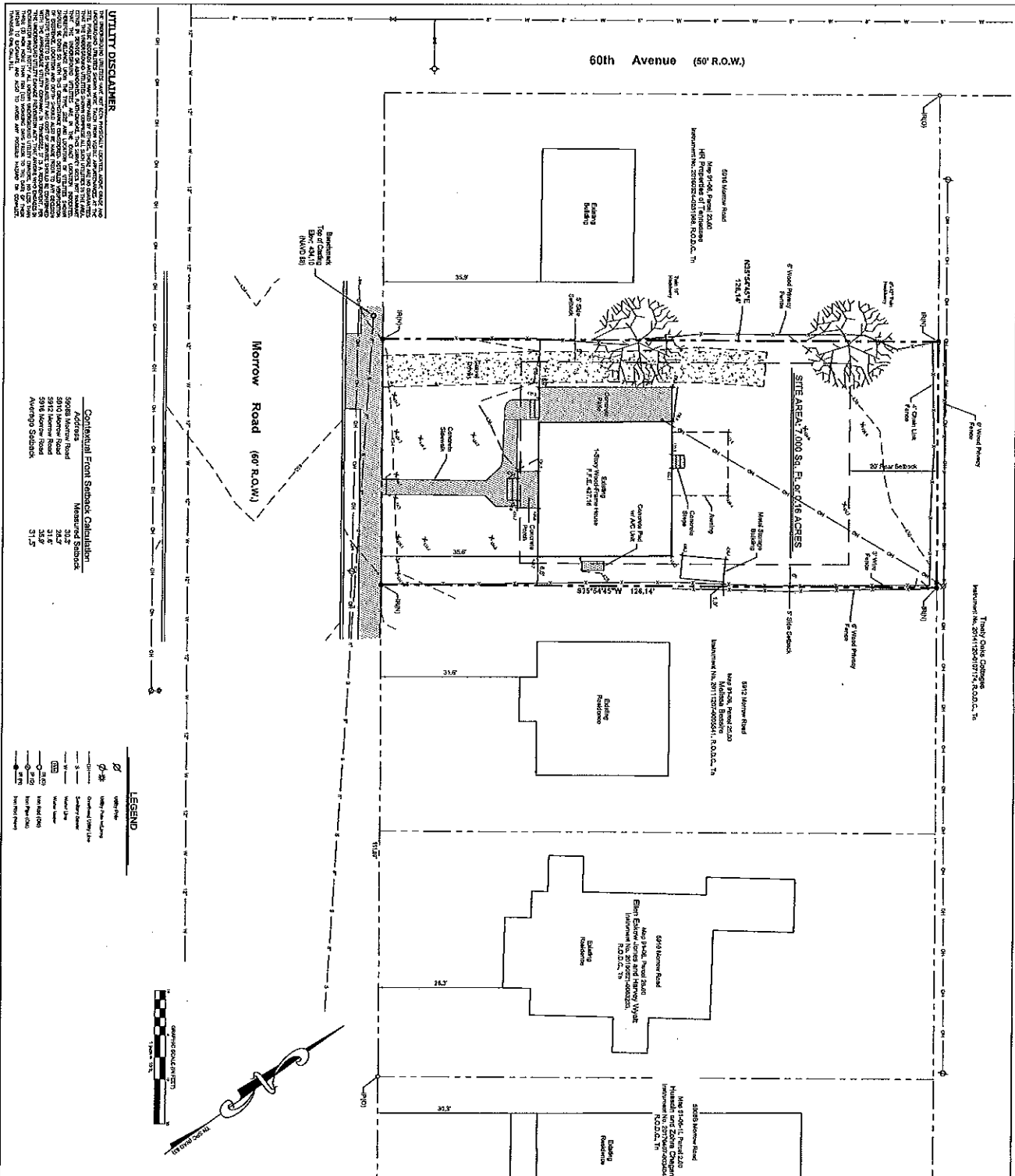
METRO NASHVILLE DEPARTMENT OF WATER SERVICES	ATTACHED THIS TWO-PAGE SPECIFICATION TO HOUSE PLAN SUBMITTAL	MODIFIED FRENCH DRAIN SPECIFICATIONS PAGE 2 OF 2
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Volume 1

Appendix E
Page 24

Stormwater Details
5914 Morrow Road
Nashville, Davidson County, Tennessee

Sheet No.
S-1.5



UTILITY DISCLAIMER
 THE INFORMATION CONTAINED HEREON WAS OBTAINED FROM PUBLIC RECORDS, AERIAL PHOTOGRAPHS AND FIELD SURVEY. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS OBSERVED THE LOCATION AND DEPTH OF THE UTILITIES SHOWN ON THIS PLAN. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS OBSERVED THE LOCATION AND DEPTH OF THE UTILITIES SHOWN ON THIS PLAN. THE SURVEYOR HAS CONDUCTED VISUAL INSPECTIONS OF THE PROPERTY AND HAS OBSERVED THE LOCATION AND DEPTH OF THE UTILITIES SHOWN ON THIS PLAN.

Contoural From Sublot Calculator

Address Road	Measured Sublot
5910 Morrow Road	21.2
5912 Morrow Road	21.6
5914 Morrow Road	22.0
Average Sublot	21.9

LEGEND

	Utility Pole
	Water Line
	Sewer Line
	Gas Line
	Easement
	Survey Boundary
	Building Footprint
	Survey Station



DEED REFERENCE
 Map 11-04-11, Sublot 21, Instrument No. 2017-000044, Register Office for Hamilton County, Tennessee.

PLAT REFERENCE
 Plat 11-04-11, Sublot 21, Instrument No. 2017-000044, Register Office for Hamilton County, Tennessee.

- SURVEYOR'S NOTES**
- Property is located at 5914 Morrow Road, Nashville, Tennessee 37209 and is shown on...
 - ...
 - ...
 - ...
 - ...
 - ...
 - ...
 - ...

SURVEYOR'S CERTIFICATE

I, **Jack Whitson**, being duly sworn, do hereby certify that the foregoing is a true and correct copy of the original plat of the above described property as the same was filed in the office of the Register of Deeds for Hamilton County, Tennessee, on this 15th day of August, 2017.

Jack Whitson
 Surveyor

DATE: 8/15/2017

BOUNDARY and TOPOGRAPHIC SURVEY
 OF
5914 MORROW ROAD
 20th CONGRESSIONAL DISTRICT
 NASHVILLE DIVISION COUNTY, TENNESSEE

FOR
SN Developments, LLC

SURVEYOR
JACK WHITSON, PLS
 1322 DAVIS ROAD
 NASHVILLE, TN 37203

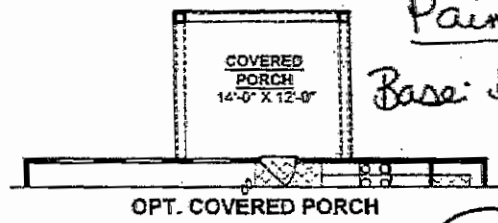




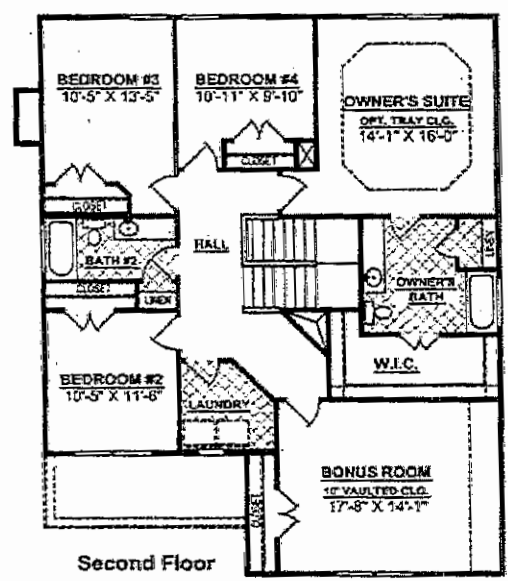
LOT 1570- EGF

Cottage Collection 2540 Plan

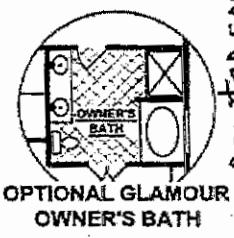
Paint Base: Designer Grey Accent wall



OPT. COVERED PORCH

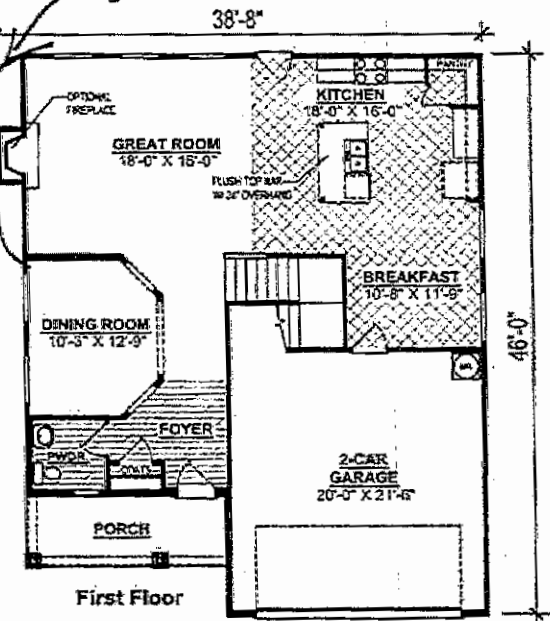


Second Floor



OPTIONAL GLAMOUR OWNER'S BATH

painter gray



First Floor

Handwritten signature and date 8-2-18

All sizes and dimensions are approximate. All features, design and prices are subject to change without notice. Floor plans may vary with selected elevations.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Devin Konline
Property Owner: Arash Gholizadeh
Representative: Same

Date: 8-29-18
Case #: 2018-557
Map & Parcel: 07103010800

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: To ESTABLISH USE & OCCUPANCY AS NASHVILLE TAIL BLAZERS KENNEL

Activity Type: KENNEL

Location: 2407 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: SPECIAL EXCEPTION

Section(s): 17.16.175 (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.

Devin Konline
Appellant Name (Please Print)

Representative Name (Please Print)

1447 Swell Blvd
Address

Address

Nashville, TN 37218
City, State, Zip Code

City, State, Zip Code

615-945-4399
Phone Number

Phone Number

dkonline@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



3554589

ZONING BOARD APPEAL / CAAZ - 20180055528
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07103010800

APPLICATION DATE: 08/29/2018

SITE ADDRESS:

2407 DICKERSON PIKE NASHVILLE, TN 37207
LOT A J B HAYNIES ORIENTAL PLAN

PARCEL OWNER: GHOLIZADEH, ARASH & CAR CONCEPTS, I

CONTRACTOR:

APPLICANT:**PURPOSE:**

BZA Approval required prior to Use as a Kennel.
Special Exception per 17.16.175(A)

To Establish Use & Occupancy for NASHVILLE TAIL BLAZERS a Kennel. Renovations completed on previous Permit 2017014476.

POC: Devin Komline 615-945-4399

*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 - 2017014476
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07103010800 **APPLICATION DATE:** 03/02/2017

SITE ADDRESS:

2407 DICKERSON PIKE NASHVILLE, TN 37207
LOT A J B HAYNIES ORIENTAL PLAN

<p>PARCEL OWNER: GHOLIZADEH, ARASH & CAR CONCEPTS, I APPLICANT: CONSTRUCTION PARTNERSHIP LLC, THE CHRISTY MCGARR NASHVILLE, TN 37204 615-279-9906</p>	<p>CONTRACTOR: CONSTRUCTION PARTNERSHIP LLC, T:373 MCN00519</p>
---	--

PURPOSE:

NO USE & OCCUPANCY, MUST BE PERMITTED SEPARATELY.

To conduct interior renovations to existing building for use as a kennel. Improvements to include adding ramps for ADA compliance, removable kennels and general upgrades as needed. NOTE: Basement not to be used under this permit per Stormwater Department.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.*

U&O Life Safety Final Approval	APPROVED	615-862-5230 Darryl.Rogan@nashville.gov
Commerical Building Framing -Ceiling		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Final	APPROVED	615-862-6565 Charles.Fortner@nashville.gov
Commercial Building Footing	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing - Wall	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Progress		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Slab		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	FINAL U&O	615-862-6550 Wilma.Sullivan@nashville.gov
U&O Cross Connect Final Approval	APPROVED	615-880-1788 barbara.mckissack@nashville.gov

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. 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

8/29/18

 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 400 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."

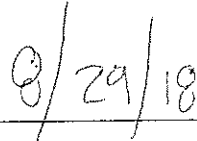
Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mail list, provide them with the date time and place to meet, and discuss your BZA request accordingly. 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

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 18, 2018
Re: Planning Department Recommendation for a Special Exception, Case 2018-557

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 2018-557 (2407 Dickerson Pike) – Dog Kennel

Request: Special Exception to allow a 2,750 square foot dog kennel on 0.24 acres of land.

Zoning: Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses.

Land Use Policy: Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Planning Department Analysis: The site contains 0.24 acres of land. The existing commercial structure located on the site contains an existing pet store. The site contains 80 feet of frontage along Dickerson Pike, which is designated as an arterial street by the Major and Collector Street Plan.

This site is surrounded by commercial uses zoned CS. The existing commercial uses and the commercial zoning provides a buffer to the residential uses located further to the east of the site. Such a buffer will help mitigate noise that may result from the use of the property as a kennel.

The Conservation policy on the site is recognizing the presence of floodplain on the property. The proposal is to utilize the existing building meaning that no further disturbance will take place. . The building mass is generally small in footprint in relation to the size of the lot.

Section 17.16.175A lists the development standards for a dog kennel.

Staff recommendation is to approve this Special Exception request as the kennel is proposed within an existing structure and no further disturbance of the property will take place.

Planning Recommendation: Approve

From: [twana chick](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [twana chick](#)
Subject: Do not allow commercial kennels in residential neighborhoods
Date: Friday, September 28, 2018 11:43:12 AM

Board of Zoning Appeal members:

I live at 5967 Cane Ridge Rd, within District 31 in the southern most end of the county. Our area is rich with in-tact history of the communities surrounding Nashville. We are struggling to maintain a balance of our rural roots in this area. Much of our area is still zoned AR2.

Persons who live in our area are attracted by the quiet, green spaces, wildlife, and other qualities of our neighborhood. Many of us love our not-so-wild life in the form of cats, dogs, horses, cattle, chickens and more. I am a dog owner. I have never *not* had dogs. Dogs bring a particular set of responsibilities and challenges to their owners unlike any of the other aforementioned animals.

I have been informed that an extension has been granted to a neighbor in my area to run a dog kennel. In spite of loving dogs, I am strongly against this for these reasons:

- I have a neighbor across the street now who has numerous dogs. This neighbor's house is thousands of feet away. Their dog kennel is metal. When their personal dogs bark, it echoes through that building and up through the landscape in a way that causes it to seem much closer. I have had to contact them as recently as a week ago to stop the dogs from barking. I hear it more than them. Interestingly, my parents live hundreds of feet behind me up a hill. They complain daily of those barking dogs bothering them. I cannot imagine how much worse this would be if it was a commercial kennel.
- I have great neighbors. Another one of my great neighbors has two dogs who, for over a year, barked at me every time I walked outside. He is also hundreds of feet away. I worked to educate him, and purchased training devices to help him teach the dogs not to bark. Had he been a commercial kennel owner (or not a great neighbor), this would not have been possible and I would still not be able to step into my own yard and enjoy peace and quiet.
- During nearly three decades of police work, some of the most challenging calls to which I responded were those about barking dogs. There is just something more intrusive about this sound piercing the otherwise humdrum, background sounds of a neighborhood which irritates people to their core. It absolutely destroys the ability to peaceably enjoy a home for which residents pay dearly.
- Persons with hearing aids, who likewise tend to be home more in the daytime, suffer even more from the bothersome noise of barking dogs. They are also the least likely to be able to cope. It causes agitation, anxiety and a feeling of helplessness. Elderly persons are not as able to avail themselves of legal responses, nor are they likely to be willing to go speak successfully with their neighbors.
- Our agencies such as Animal Control and the Police are already saddled with excessive calls for service. They should not face additional calls for service created by allowing one individual to open a business in an otherwise residential or farming community.
- Not all neighbors are great. If one decent person is allowed an exception, it will open the door for those who are not decent people to also operate kennels. This sets an untenable precedent. It is completely unreasonable to put the rest of the county population in danger of peacefulness in order to satisfy one person who began operation

in violation of established rules.

- We have many neighbors who own enough property that they target shoot in our neighborhood. Ironically, the sound of gunfire is far less disturbing than a barking dog. We know the gunshots will end. We generally can predict that it will only occur on a Sunday for about two hours, for instance. Likewise, even though the sounds of heavy equipment backup beepers and blasting are intrusive, at least we know there will be an end to this construction. This is not true of barking dogs. The sound of barking dogs goes on, and on, and on.... Sundays, Mondays, Tuesdays..... early morning, mid-day, evenings, and night. And, if commercial, it will go on for as long as the kennel operates. No matter who you are, you cannot control the unpredictable barking of stranger dogs who are under your control for short periods of time. This is not fair to neighbors.
- There is no good remedy when an exception is granted and the situation fails. The current ordinances and laws, and our constitutions, require that the victim sign a metro or state citation and that the accused gets to face them. So then, we would force those who are bothered by an exception that should never have been granted to then call police, sign a citation, and get themselves to court where the offender may face a \$50 fine or other light penalty. This is grossly unfair to neighbors, when the simple remedy is to do what is reasonable in the first place for the majority of the neighbors, not for the the one who is in it for money.
- Sound travels in unpredictable ways. I live 1.2 miles from I-24, .23 miles from my neighbor with the barking dogs, .10 miles from my adjacent neighbor for whom I purchased training collars, 2.14 miles from the nearest railway and .41 miles from the closest development construction underway. My elderly parents live .31 miles (over 1600 feet) from our neighbors with barking dogs. And yet, dependent upon wind direction, leaf foliage, moisture in the air, terrain and other uncontrollable factors, I and they plainly hear each of these sounds. Plainly. In an effort to see how far away I can be and hear my neighbors' barking dogs, I have discovered that I can hear those barking dogs nearly one half mile away. Within a more conservative distance of only .40 miles, I count over 170 residences on Metro Property Maps. The density around the Pettus Road property is harder to count due to row houses, but it appears to also be over 150 residences potentially affected. It is an unreasonable intrusion of and erosion of these residents' constitutional right to a peaceable existence in order to grant one rule violator the permission to operate a dog kennel.
- Within Cane Ridge, this sort of density and planned density is fairly consistent. There is no appropriate place within our residential community for a commercial kennel. I love dogs. I really, really interact well with them. I believe I have a good understanding of their extraordinary abilities to hear, smell and see things which elude us. I believe I understand some of their interactions with each other and the world around them. Because I believe their genetics drive much of their behavior, I am steadfastly and completely against allowing commercial kennels in a residential neighborhood that abounds with deer, raccoons, possums, hawks, bobcats, personal dogs, cats and other things that normally cause dogs to bark (never-mind that they would also bark to one another and the kennel caretaker.)
- This sort of allowance is wholly out of step with what our residents are striving to achieve. I recently had the pleasure to work with the MTSU Center for Historic Preservation. They identified over 20 homes still intact in our area that date from the 1800's. We located over a dozen grave sites not previously documented on Metro records. We gathered history, both oral and physical, of the rich past. We are working to preserve these qualities of the neighborhood in a way that is harmonious with the

growth. A commercial dog kennel is an opposition to that pursuit. There are two homes which nearly abut the location which is asking for the exemption. A kennel would be a detraction.

- I have had personal conversations with other neighbors on other roads within Cane Ridge who are bothered by barking dogs.
- Finally, I submit to you that this attempt amounts to bullying. One individual who is friends with a former councilman who well knows his way around the BZA should not unduly influence the BZA against the wishes of an entire community. I know this to be true because Mr. Holleman called me months ago to ask what I thought the community might think and where their support would land. I told him then what I have enumerated above: There is no support from residents for a commercial kennel in our midst. They have previously been stopped in nearby locations such as Barnes Road and Edmondson Pike. We should not have to fight this fight again. I like Mr. Holleman, but this is not proper.

Thank you in advance for doing the right thing and disallowing this or any commercial kennel to operate in our neighborhood or any similar neighborhood in Davidson County.

Twana Chick
Cane Ridge resident

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: X Beth Gaddles

Date: 8/29

Property Owner: _____

Case #: 2018- 558

Representative: X Same

Map & Parcel: 10302009700

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: requesting a side yard variance for proposed addition to side of residence.

Activity Type: Single Family

Location: X 119 Oceola Ave Nash. TN 37209

This property is in the B6 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 construct an addition to an existing home.

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 _____ 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.

X Beth Gaddles
Appellant Name (Please Print)
119 Oceola Ave
Address
Nashville, TN 37209
City, State, Zip Code
615-566-1857
Phone Number
twee119@hotmail.com
Email
jaysua119@hotmail.com

X Same
Representative Name (Please Print)

Address

City, State, Zip Code

Phone Number

Email

Appeal Fee: _____



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



Case #2018-558

3553900

ZONING BOARD APPEAL / CAAZ - 20180055078
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10302009700

APPLICATION DATE: 08/28/2018

SITE ADDRESS:

119 OCEOLA AVE NASHVILLE, TN 37209
PT LOT 8 VERNON FARM SUB

PARCEL OWNER: STOUT, ALYSSA BETH

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting a side yard variance for proposed addition to side of residence per METZO table 17.12.020 (A).

*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



3553887

BUILDING RESIDENTIAL - ADDITION / CARA - T2018055068
Permit Tracking Checklist

PARCEL: 10302009700

APPLICATION DATE: 08/28/2018

PERMIT TRACKING #: 3553887

SITE ADDRESS:

119 OCEOLA AVE NASHVILLE, TN 37209

PT LOT 8 VERNON FARM SUB

PARCEL OWNER: STOUT, ALYSSA BETH**CONTRACTOR:****APPLICANT:** SELF CONTRACTOR RESIDENTIAL (SEE AP
SELF RESIDENTIAL

SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT

PURPOSE:

to construct a 550 sf addition to side of residence. insufficient side yard per METZO table 17.12.020 (A). remains single family residence.
PUBLIC WORKS STAFF PLEASE NOTE: INSTRUMENT REQUIRED FOR FUTURE SIDEWALK IMPROVEMENTS. DO NOT IGNORE THIS APPLICATION.

Before a Building Permit can be issued for this project, the following approvals are required.

 [A] Site Plan Review [A] Zoning Review [B] Fire Life Safety Review On Bldg App

862-5230

 [A] Bond & License Review On Bldg App
BZA Hearing

615-862-6505 Debbie.Lifsey@nashville.gov

 [F] Right-Of-Way Review For Bldg App

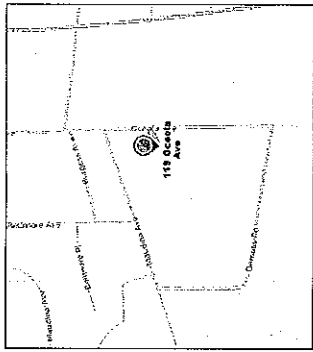
Rory.Rowan@nashville.gov

 [C] Flood Plain Review On Bldg App

862-6038 logan.bowman@nashville.gov

 [D] Grading Plan Review For Bldg App

(615) 862-6038 Logan.Bowman@nashville.gov



VICINITY MAP
N.T.S.

NOTES:

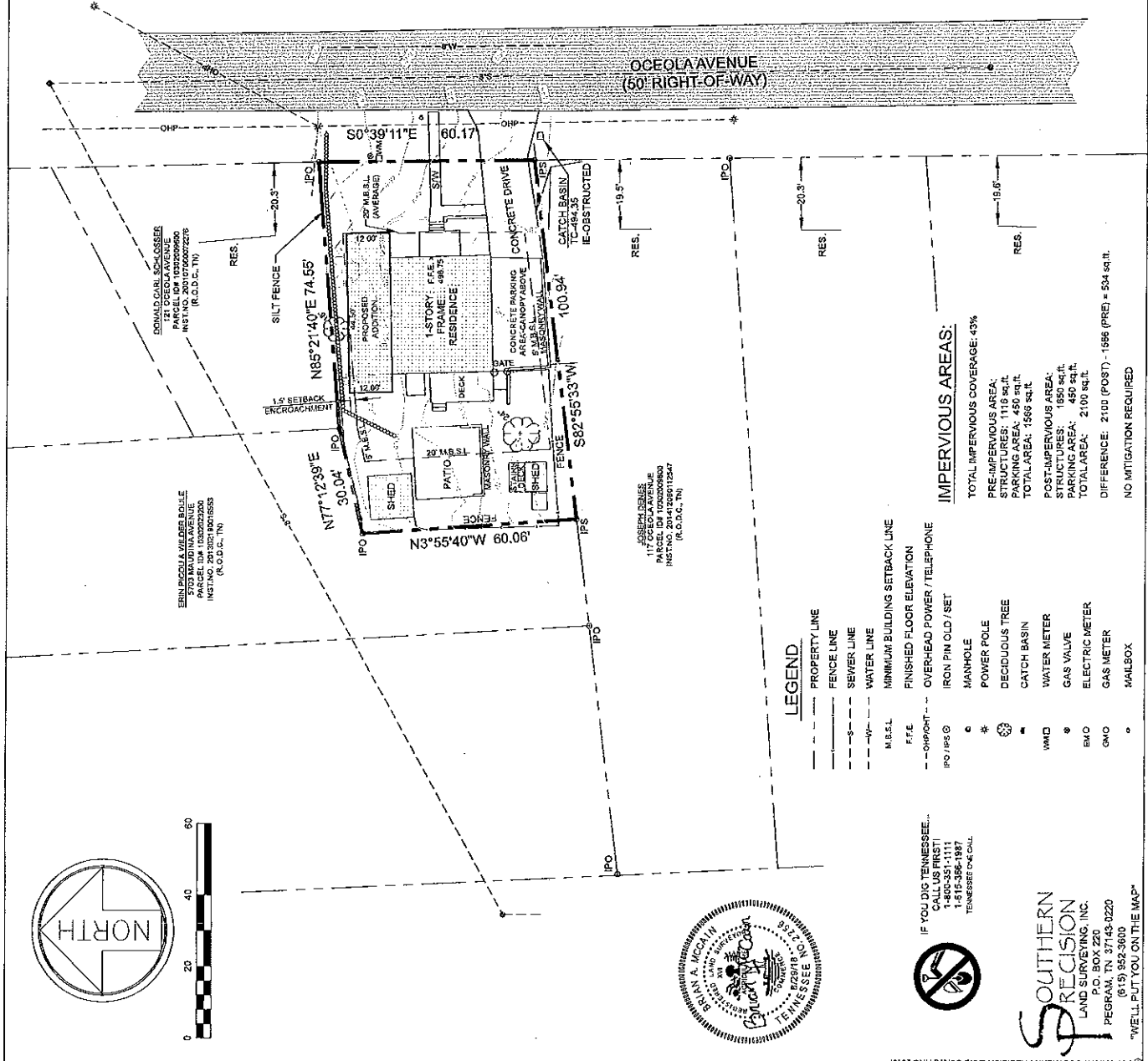
- This survey meets the requirements of a "General Property Survey" as per standards of practice, 0820-3-.07 adopted by the Board of Examiners for Land Surveyors, State of Tennessee. This survey also meets the requirements of "Maps and Mapping" as per standards of practice, 0820-3-.07 adopted by the Board of Examiners for Land Surveyors, State of Tennessee.
- Bearings are based on the Tennessee State Plane Coordinate System, NAD83 (Horizontal) and NAVD83 (Vertical).
- Distances were measured with E.D.M. equipment and have been corrected for temperature and barometric pressure.
- This survey was made using the latest recorded descriptions of record, including report were furnished this survey, therefore, this survey is based on the information shown on the above plat and no other information obtained during the survey and does not constitute a warranty or guarantee, expressed or implied.
- This property is located in an area designated "Zone X" as per the National Flood Insurance Rate Map No. 47577C0228H, Dated April 5, 2017.
- This survey has not physically located the underground utilities. Above grade and underground utilities shown were taken from visible appurtenances at the site, public records and/or maps. The surveyor makes no guarantee that the underground utilities shown complies all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities are in the exact location indicated. Therefore, reliance upon the type, size, and location of utilities shown should be done so with this disclaimer considered. Detailed verification of existence, location, depth, and condition of any such utilities should be confirmed with the appropriate utility company. In Tennessee, it is a requirement per "The Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known underground utility owners, no less than three (3), nor no more than ten (10) working days prior to the date of their intent to excavate and also to avoid any possible hazard or conflict, Tennessee One-Call 1-800-351-1111.
- Information shown herein was derived from random shots, cross sections, level, bench marks, etc.
- Zone: RS
- Setbacks: Front = Average, Sides = 5', Rear = 20'

AREA:
6,306 sq.ft. or 0.14 Ac.±

SITE PLAN

ALYSSA BETH STOUT PROPERTY
119 OCEOLA AVENUE
PARCEL ID# 10302009700
INSTRUMENT NO. 200410040119118
20TH COUNCIL DISTRICT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
SCALE: 1" = 20' DATE: 8/29/18

DRAWN BY: B.A.M. PROJECT NO. 18-1289



IMPERVIOUS AREAS:

TOTAL IMPERVIOUS COVERAGE: 43%

PRE-IMPERVIOUS AREA:	0 sq.ft.
POST-IMPERVIOUS AREA:	2700 sq.ft.
PARKING AREA:	1450 sq.ft.
TOTAL AREA:	1560 sq.ft.
STRUCTURES:	1850 sq.ft.
PARKING AREA:	450 sq.ft.
TOTAL AREA:	2100 sq.ft.
DIFFERENCE:	2100 (POST) - 1856 (PRE) = 244 sq.ft.

NO MITIGATION REQUIRED

LEGEND

- PROPERTY LINE
- - - FENCE LINE
- - - SEWER LINE
- - - WATER LINE
- M.B.S.L. MINIMUM BUILDING SETBACK LINE
- F.F.E. FINISHED FLOOR ELEVATION
- - - OVERHEAD POWER / TELEPHONE
- IPO / IPS
- MANHOLE
- POWER POLE
- DECIDUOUS TREE
- CATCH BASIN
- WATER METER
- GAS VALVE
- ELECTRIC METER
- GAS METER
- MAILBOX



IF YOU DO NOT HAVE A TENSER...
1-800-351-1111
1-615-356-1897
TENNESSEE ONE CALL



SOUTHERN PRECISION
LAND SURVEYING, INC.
P.O. BOX 220
PEGRAM, TN 37143-0220
(615) 952-3600

"WE'LL PUT YOU ON THE MAP"

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?

irregular shape and narrowness

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.

Beth Laddis
APPELLANT

8-28-18
DATE

Don Schlosser
4014 Brush Hill Rd.
Nashville, TN 37216
615-406-4385
donschlosser610@yahoo.com

September 27, 2018

To Whom It May Concern:

Please be advised that as owner of the property at 121 Oceola Avenue, Nashville, Davidson County, TN, 37209, I approve of the encroachment of the proposed addition to the residence at 119 Oceola Avenue 1.5 feet (18 inches) into the 5-foot setback lines as stipulated by local codes.

A handwritten signature in black ink, appearing to read "Don Schlosser", written in a cursive style.

Don Schlosser
Property Owner

From: [Anna Haferman](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal Case Number: 2018-558
Date: Thursday, October 4, 2018 2:48:01 PM

To the Board of Zoning Appeals:

We are writing in support of our neighbor Beth Gaddes' zoning variance appeal. (Appeal Case Number 2018-558)

Beth would like to add onto her house but one corner of the proposed addition goes slightly over the setback line. She has the support of her next door neighbors whose property is the one directly affected by this change, and so she has my support as well.

Beth, Jason and their daughter Ellery have been our neighbors for the past 15 years and she has been an important part of our community during that time. Our neighborhood has seen massive development in the past two or three years, with developers reaping the profits. We are in support of current residents being able to add onto their property in a way that benefits them and other members of our community, rather than having to sell a house that is too small for their needs to developers who will ultimately build much more massive structures on the same property.

We appreciate your taking this into consideration and would like to stress our support for this variance.

Thank you,

Anna Haferman
Kyle Miller
125 DeMoss Road
Nashville, Tennessee 37209

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Dewey Engineering
Appellant: Michael Dewey
Property Owner: Chris Chun
Representative: Michael Dewey

Date: 8-30-18
Case #: 2018-559
Map & Parcel: 72-13 / 391 (parcel)

Council District 07

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

Purpose:

Side walk Variance ~~to~~ To Keep Existing sidewalk
to construct a new 9500 retail space

Activity Type: Commercial

Location: 1411 Gallatin Ave

This property is in the es. 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: Keep the side walk consistent with frontage

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.

Michael Dewey
Appellant Name (Please Print)

Representative Name (Please Print)

2925 Berry Hill Dr
Address

Address

Nashville, TN 37204
City, State, Zip Code

City, State, Zip Code

615-401-9956
Phone Number

Phone Number

mdewey@dewey-engineering.com
Email

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**



3340483

**BUILDING COMMERCIAL - NEW / CACN - 2017020513
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07213039100

APPLICATION DATE: 03/28/2017

SITE ADDRESS:

1411 GALLATIN AVE NASHVILLE, TN 37206
LOT 1 A.H. ROBINSONS SUBD

PARCEL OWNER: YOUNG'S FASHION, INC.

CONTRACTOR:

APPLICANT: SHAW CONSTRUCTION
ALI SHAHOSSEINI
BRENTWOOD, TN 37027 (615)373-3666

SHAW CONSTRUCTION !288 STBC-B-SM

PURPOSE:

e-permit.

construction of a new 9500 sqft building for retail with support areas and storerooms space....1600 SQFT INVENTORY
STOCK...7900 SQFT RETAIL SPACE...

for young's fashion...SEE PLAN....REQUIRED PARKING...24

NEED 20' QUEUING....

POC: RICK MCALLISTER 419-346-8886

*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 FMORequest@nashville.gov
SWGR U&O Sign-off		862-6038 logan.bowman@nashville.gov
U&O Cross Connect Final Approval		862-7225
U&O Sewer Availability Final Approval		862-7225
U&O Water Availability Final Approval		862-7225
Commerical Building Framing -Ceiling		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Final		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Footing	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Framing - Wall		615-862-6568 Joe.Bone@nashville.gov
Commercial Building Progress	APPROVED	615-862-6568 Joe.Bone@nashville.gov
Commercial Building Slab		615-862-6568 Joe.Bone@nashville.gov
Commercial Temporary Final		615-862-6568 Joe.Bone@nashville.gov
Building Final		615-862-6570 Larry.Dennis@nashville.gov
Building Footing		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
Building Zoning Final		615-862-6568 Joe.Bone@nashville.gov
U&O Property Standards Zoning		862-6590
U&O Zoning Final		862-6550 wilma.sullivan@nashville.gov
U&O Letter	DENIED	615-862-6550 Tawanna.Dalton@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.

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.

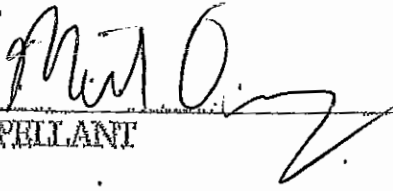
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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

8/30/18
DATE

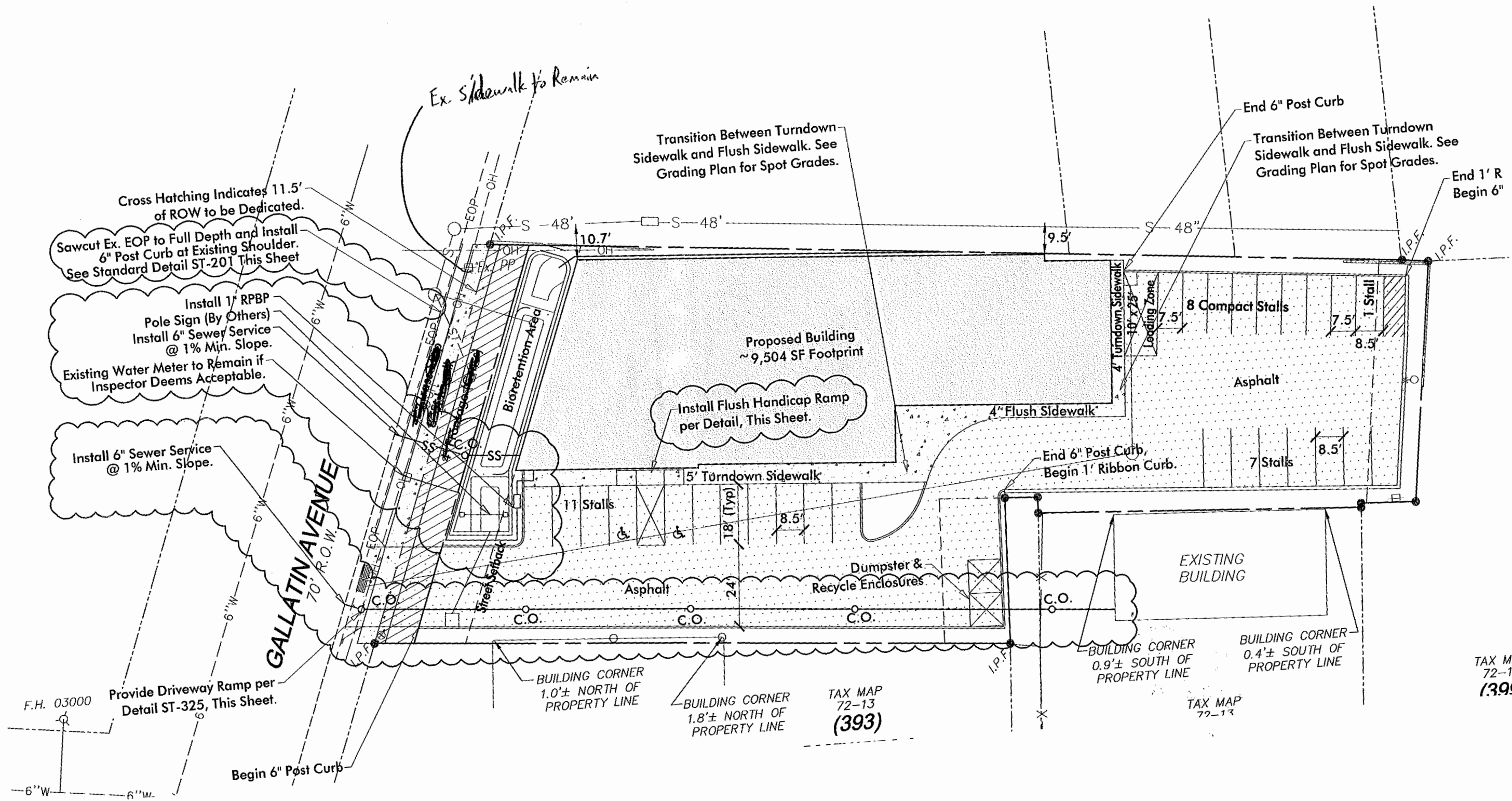
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At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

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 sidewalks are currently constructed along Ballatin Ave. Any new sidewalks would create a jog in the ~~road~~ ~~road~~ relatively ~~situations~~ recently constructed sidewalks.



Cross Hatching Indicates 11.5' of ROW to be Dedicated.
Sawcut Ex. EOP to Full Depth and Install 6" Post Curb at Existing Shoulder. See Standard Detail ST-201 This Sheet

Install 1" RBPB Pole Sign (By Others)
Install 6" Sewer Service @ 1% Min. Slope.
Existing Water Meter to Remain if Inspector Deems Acceptable.

Install 6" Sewer Service @ 1% Min. Slope.

Provide Driveway Ramp per Detail ST-325, This Sheet.

Transition Between Turndown Sidewalk and Flush Sidewalk. See Grading Plan for Spot Grades.

Install Flush Handicap Ramp per Detail, This Sheet.

End 6" Post Curb
Transition Between Turndown Sidewalk and Flush Sidewalk. See Grading Plan for Spot Grades.

End 1' R Begin 6"

End 6" Post Curb, Begin 1' Ribbon Curb.

BUILDING CORNER 1.0'± NORTH OF PROPERTY LINE

BUILDING CORNER 1.8'± NORTH OF PROPERTY LINE

TAX MAP 72-13 (393)

BUILDING CORNER 0.9'± SOUTH OF PROPERTY LINE

BUILDING CORNER 0.4'± SOUTH OF PROPERTY LINE

TAX MAP 72-13

TAX MAP 72-13 (399)

GALLATIN AVENUE
70' R.O.W.

Ex. Sidewalk to Remain

11 Stalls

8 Compact Stalls

7 Stalls

Proposed Building ~9,504 SF Footprint

EXISTING BUILDING

Dumpster & Recycle Enclosures

Bioretention Area

18' (Typ)

8.5'

8.5'

7.5'

1 Stall

10.7'

S-48'

9.5'

S-48"

Begin 6" Post Curb

F.H. 03000

6"W

6"W

6"W

6"W

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PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-559 (1411 Gallatin Avenue)

Metro Standard:	4 grass strip, 10' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; dedicate right-of-way
Zoning:	CS
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor)
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#26/56 – Gallatin Corridor; identified as future light rail per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant proposes constructing a 9,500 square foot commercial building and requests not to upgrade the existing sidewalk on the property's frontage due to an existing sidewalk on the property frontage as well as an inconsistent sidewalk design on the block face. Alternatively, the applicant proposes to dedicate right-of-way per the Major and Collector Street Plan requirements. Planning evaluated the following factors for the variance request:

- (1) An 8' sidewalk with no grass strip exists along Gallatin Avenue for the entire block from Straightway Avenue to Chester Avenue. Gallatin Avenue is an Arterial-Boulevard, so a grass strip as outlined in the Major and Collector Street Plan creates space for poles and utilities, which are currently impeding the sidewalk path, as well as an additional buffer between higher-speed traffic and people walking.
- (2) Gallatin Avenue is currently a busy pedestrian thoroughfare in Nashville because of frequent transit service linking destinations on the corridor. As a redeveloping mixed use corridor with planned light rail, pedestrian traffic will increase, so wider sidewalks and buffers from traffic as identified in the Major and Collector Street Plan are needed to improve walking safety.

Given the factors above, staff recommends **disapproval**. **The applicant shall construct sidewalks and dedicate right-of-way as required by the Major and Collector Street Plan.**

Case # 2018-559
Support
CM Davis

Lifsey, Debbie (Codes)

Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

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

From: Michael Dewey
Date: Mon, Sep 24, 2018 5:49 PM
To: Michael, Jon (Codes);
Cc: 'Ali Shaw'; Adam Dillard;
Subject: FW: Appeal 2018-559 (1411 Gallatin Ave)
Jon,

We just wanted to forward the below correspondence to you for the subject case. The councilman appears to be in support of the variance request. As you can see we made certain that he was ok with not paying the in-lieu fee as well and it appears he is ok with it. We have prepared the mailings and will post the signage. Please let us know if you have any questions or if you need any additional information for this case. Thanks for your help.

Thanks,
Michael Dewey, PE
(615) 979-9071

-----Original Message-----

From: Davis, Anthony (Council Member) <Anthony.Davis@nashville.gov>
Sent: Friday, September 21, 2018 3:21 PM
To: Michael Dewey <mdewey@dewey-engineering.com>
Cc: Sean Winters <swinters@dewey-engineering.com>; 'Ali Shaw' <ali_shaw3666@yahoo.com>
Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

I don't have an issue with it in this case and won't argue against it. Probably also not sending dramatic support either, things right in the middle, I would just let the BZA decide..

Anthony Davis
Nashville Metro Council, District 7
anthony.davis@nashville.gov
615-775-8746

From: Michael Dewey [mdewey@dewey-engineering.com]
Sent: Friday, September 21, 2018 1:14 PM
To: Davis, Anthony (Council Member)
Cc: Sean Winters; 'Ali Shaw'
Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

CM Davis,

We wanted to clarify one item (just to make absolutely certain), per the below email I mentioned that we are proposing not to pay the in-lieu fee. Can you confirm that you don't have any issues with that? Sorry for the additional email, we just wanted to make sure that we were on the same page before we sent the notices out. Thanks again for all of your help.

Thanks,
Michael Dewey, PE
(615) 979-9071

-----Original Message-----

From: Davis, Anthony (Council Member) <Anthony.Davis@nashville.gov>
Sent: Friday, September 21, 2018 10:53 AM
To: Michael Dewey <mdewey@dewey-engineering.com>
Cc: Sean Winters <swinters@dewey-engineering.com>; 'Ali Shaw' <ali_shaw3666@yahoo.com>

Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

I am good with it...Doesn't make sense to rebuild that, I remember we did full repair/replace just a couple years ago..

Anthony Davis
Nashville Metro Council, District 7
anthony.davis@nashville.gov
615-775-8746

From: Michael Dewey [mdewey@dewey-engineering.com]
Sent: Thursday, September 20, 2018 9:40 AM
To: Davis, Anthony (Council Member)
Cc: Sean Winters; 'Ali Shaw'
Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

CM Davis,

I just wanted to follow up the voicemail I left for you so you have some reference for my call (see below). Would you be able to provide us your thoughts regarding this variance request? We typically reach out to the councilperson regarding our variance request to make sure we are on the same page before proceeding to BZA. Please let us know if you have any questions. Thanks for your help.

Thanks,
Michael Dewey, PE
(615) 979-9071

From: Michael Dewey
Sent: Monday, September 17, 2018 8:01 AM
To: anthony.davis@nashville.gov
Cc: Sean Winters <swinters@dewey-engineering.com>
Subject: RE: Appeal 2018-559 (1411 Gallatin Ave)

CM Davis,

We are working on a sidewalk variance request for a retail project located at 1411 Gallatin Ave. As you may know, sidewalks were constructed along this stretch of Gallatin Ave a few years ago. The subject site is currently under construction and nearing completion. The approved plans show a 4' grass strip with an 8' sidewalk. However, it seems like this will create an awkward streetscape that will not be uniform. We wanted to get your thoughts on this request before we proceeded any further. Since the sidewalks are relatively new, we were thinking it would be best to keep the existing sidewalks along the property frontage and not pay the in-lieu fee. Please let us know if you have any questions or if you need any additional information. Thanks for your help.

Thanks,
Michael Dewey, PE
(615) 979-9071

To: Department of Codes and Building Safety
Board of Zoning Appeals

Re: Appeal Case Number 2018-559
1411 Gallatin Ave.
Map Parcel: 07213039100

This is to express my **opposition** to the Dewey Engineering request to appeal the variance from sidewalk requirements. We are owners of property located within 600' of the subject location.

It is our opinion that sidewalks are very important and we are strongly **opposed** to the construction of the retail space with support area and storeroom space being constructed without building new sidewalks.

Sincerely,

Phillip & Josephine Beene

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

World Finance Corporation of

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Tennessee Date: 8/29/18
Property Owner: Ross Brothers Properties LLC Case #: 2018-560
Representative: Tim Graves Map & Parcel: 0600401120

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: Renovations and Use & Occupancy for World Finance Corporation of Tennessee

Activity Type: Commercial Renovation & Use and Occupancy

Location: 3134 Dickerson Pike, Nashville

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: Variance to Permitted with Conditions

Section(s): 17.16.050 D1

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection D 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.

World Finance Corporation of Tennessee
Appellant Name (Please Print)

108 Frederick Street
Address

Greenville SC 29607
City, State, Zip Code

864-298-9800 ext 608
Phone Number

steses@worldacceptance.com
Email

Tim Graves
Representative Name (Please Print)

8 Industrial Park
Address

Hendersonville TN 37075
City, State, Zip Code

615-512-2901
Phone Number

tim.graves@worldacceptance.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**



3542561

**APPLICATION FOR BUILDING COMMERCIAL - REHAB / CACR - T2018046294
THIS IS NOT A PERMIT**

PARCEL: 06004011200

APPLICATION DATE: 08/06/2018

SITE ADDRESS:

3134 DICKERSON PIKE NASHVILLE, TN 37207
LOT 3 COATS INDUSTRIAL PARK 1ST REV

PARCEL OWNER: ROSS BROTHERS PROPERTIES, LLC

APPLICANT:**PURPOSE:**

Need survey to reflect distance from ALL other alternative financial services establishments. 3101 Dickerson Pike is a SPEEDY CASH, CASH LOAN an alternative financial services business.

Tenant improvement of existing space for World Finance

POC: Beverly Washington 615-504-6009

office 615-255-7725**

*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

*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] Zoning Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
CA - Zoning Sidewalk Requirement Review		
[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
[E] Cross Connect Review For Bldg App	COND	615-862-6825 Sara.Jinnette@nashville.gov
[A] Bond & License Review On Bldg App		
[B] Plans Picked Up By Customer		615-880-2649 Ronya.Sykes@nashville.gov
[E] Grease Control Review On Bldg App		862-4590 ECO@nashville.gov
[D] Grading Plan Review For Bldg App	APPROVED	(615) 862-6038 Logan.Bowman@nashville.gov

STANDARDS FOR A VARIANCE

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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?

Please see attached letter sent to Lisa Butler, Zoning Examiner I, on

August 20, 2018 outlining how our business model is substantially different than Speedy Cash, Cash & Title Loans; the distance is only 264 feet short of the required 1320 feet; and past tenants classified as "alternative financial services have been allowed to operate at this location in the recent past.

APPLICATIONS FOR VARIANCE REQUESTS

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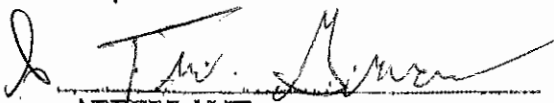
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Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

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

Tim Graves, on behalf of World Finance
 Corporation of Tennessee

8/29/18

 DATE

Measur. Distanc

1200

17.16.060

6. Community education facilities having a valid use and occupancy permit on the effective date of the ordinance codified in this code, and which cannot satisfy the locational or design standards of this section, may petition the board of zoning appeals as a special exception use under the provisions of Article III of this chapter.

7. Required School Site Dedications. All required school site dedications shall follow the zoning requirements in effect at the time the dedication requirement was approved by the metropolitan council through the adoption of an amendment to the official zoning map, or the current requirements of Section 17.16.040, whichever is the least restrictive.

8. Adaptive Reuse. Community education facilities shall be permitted to operate within an existing structure, regardless of lot size, subject to the following conditions:

a. A valid use and occupancy permit was issued for the structure for use as a community education facility or a religious institution at any point within the previous five year period.

b. The property upon which the structure is located has not been subdivided since the cessation of the previous use as a community education facility or religious institution in such a manner so as to reduce the lot size below the minimum lot size for community education facilities provided in this section.

B. Vocational School.

1. Landscape Buffer Yard. Screening in the form of landscape buffer yard B shall be applied along common property lines.

2. Setback. Whenever a vocational school structure intended for vehicle repair, truck driving, manufacturing, production, or industrial equipment abuts a residential zone district or district permitting residential use, there shall be a minimum setback of fifty feet.

3. Street Standard. At a minimum, a vocational school shall have driveway access on a collector street. (Ord. BL2015-1098 §§ 2, 3, 2015; Amdt. 1 with Ord. BL2002-1273 § 6, 2003; Amdt. 1, 2 with Ord. BL2002-1171 § 6, 2002; Ord. 98-1268 § 1 (part), 1998; Ord. 96-555 § 4.2(B), 1997)

17.16.050 Office uses.

(Refer to zoning district land use table)

A. Financial Institution. Financial institutions in the MUN, MUN-A, ON, CN and CN-A zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment.

B. General Office. A general office shall be limited to two thousand five hundred square feet of gross floor area per establishment.

C. Leasing/Sales Office. A leasing/sales office shall be limited to two thousand five hundred square feet of gross floor area per establishment.

D. Alternative Financial Services.

1. No alternative financial services establishment shall be located less than one thousand three hundred twenty linear feet from the property line of another property upon which another alternative financial services establishment is located.

2. Alternative financial services establishments in the MUN, MUN-A, ON, and CN zoning districts shall be limited to two thousand five hundred square feet of gross floor area per establishment. (Ord. BL2016-132 § 5, 2016; Amdt. 1 to Ord. BL2016-117 § 4, 2016; Ord. BL2016-117 § 4, 2016; Ord. BL2015-1153 § 15, 2015; Ord. BL2014-908 § 3, 2014; Ord. BL2008-169 § 3, 2008; Ord. 96-555 § 4.2(C), 1997)

17.16.060 Medical uses.

(Refer to zoning district land use table)

A. Medical Office. Medical offices shall be limited to two thousand five hundred square feet of gross floor area per establishment, with no more than two establishments per lot.

B. Veterinarian. The building footprint of veterinary offices and facilities shall be limited to two thousand five hundred square feet with no more than two establishments per lot. The following shall apply:

1. Animal boarding shall occur within completely enclosed structures.

2. Landscape Buffer Yard. Outdoor exercise yards shall be completely fenced and used only between seven a.m. and seven p.m. Where such outdoor activities abut a residential zone district or district permitting residential use, landscape buffer yard Standard B shall apply along common property lines. A six-foot opaque vertical fence may substitute for landscaping; however the buffer yard width of landscape buffer yard Standard B shall still apply along common property lines.

3. Boarding Kennel. Kennels for the boarding of companion animals not undergoing medical treatment are permitted as an ancillary use subject to the following conditions.

a. No more than thirty percent of the gross floor area of the veterinary clinic may be used as a boarding kennel.

b. No outdoor kennels or runs are permitted.

c. No part of any building or structure in which animals are housed shall be closer than fifty feet from any existing residence located on an adjacent parcel.

d. 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



World Acceptance Corporation

Post Office Box 6429 · Greenville, South Carolina 29606

August 20, 2018

VIA USPS and Email (lisa.butler@nashville.gov)

Metropolitan Government of Nashville and Davidson County
 ATTN: Lisa Butler, Zoning Examiner II
 Department of Codes & Building Safety
 PO Box 196300
 Nashville, TN 37219

RE: 3134 Dickerson Pike
 Request for Variance of Zoning Ordinance 17.16.050 D(1)

Dear Ms. Butler:

World Finance Corporation of Tennessee d/b/a World Finance Loan and Taxes ("World") is in the midst of negotiating a lease agreement for the property known as 3134 Dickerson Pike. In doing so, it has come to our attention that there is a Zoning Ordinance 17.16.050 D(1) ("Ordinance") which may impact our plans to use this space.

The location's previous tenant was Advance America which was offering title loans. Speedy Cash, Cash & Title Loans ("Speedy Cash") is currently offering title loans at 3101 Dickerson Pike. These similar businesses are located 0.2 miles or 1,056 feet from one another and were both in operation as recently as November 2017 (see attached **Exhibit A**).

World is requesting a variance on the grounds stated below.

1. While we understand that World and Speedy Cash are both considered "alternative financial services", our company does not offer title loans. World offers installment loans and tax preparation services which we believe makes our business model substantially different than Speedy Cash.
2. The distance between the two properties is only 264 feet short of the required 1,320 feet set forth in the Ordinance.
3. Past tenants classified as "alternative financial services" have been allowed to do business at this location.

Please let World know if you need any further information or have any questions about our company as we would like to continue to grow and support the Nashville area. Our aim is to be a good corporate citizen and assist the local government as best we can.

Feel free to contact me to discuss. My telephone number is 864-298-9801 ext. 216 or you may email me at rknight@worldacceptance.com. Thank you in advance for your time and consideration. I look forward to hearing from you.

Best regards,

Roland Knight
 Corporate Counsel

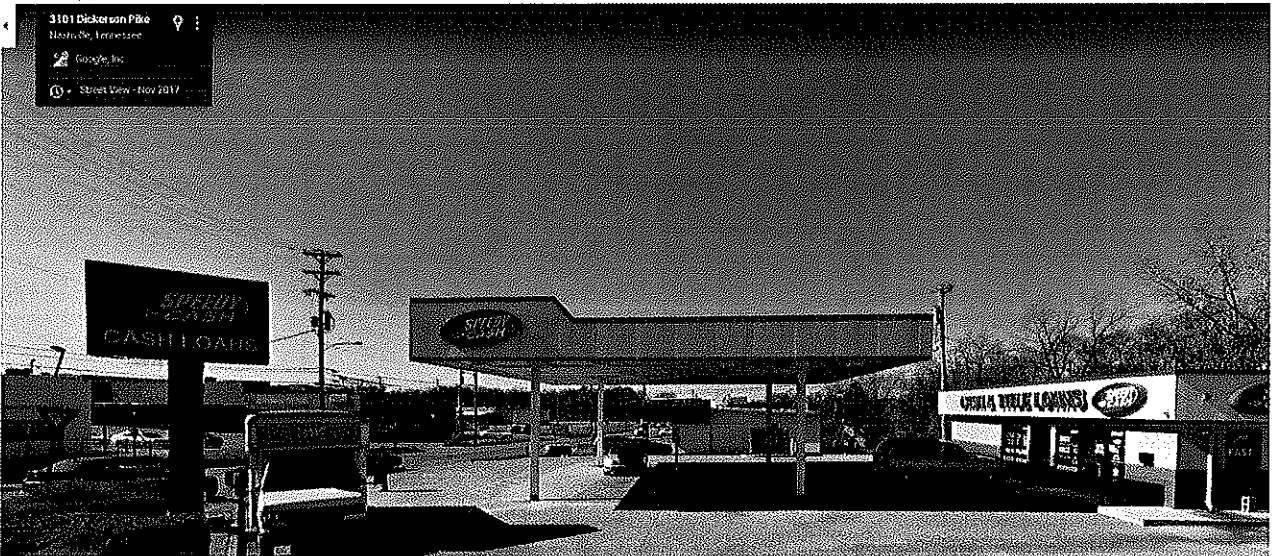
cc: Stacey Estes, Vice President Lease Administration

Enclosure

Exhibit A



3134 Dickerson Pike as of November 2017



3101 Dickerson Pike as of November 2017

Nashville / Davidson County Parcel Viewer



August 24, 2018

polygonLayer

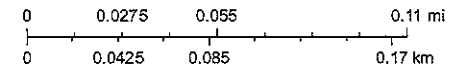
Override 1

Ownership Parcels

Planned Unit Development

Zoning

1:2,257



Nashville Planning Department, MetroGIS
Metro GIS

Made by: Metro GIS



World Acceptance Corporation

Post Office Box 6429 · Greenville, South Carolina 29606

August 20, 2018

VIA USPS and Email (lisa.butler@nashville.gov)

Metropolitan Government of Nashville and Davidson County
 ATTN: Lisa Butler, Zoning Examiner II
 Department of Codes & Building Safety
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Best regards,

Roland Knight
 Corporate Counsel

cc: Stacey Estes, Vice President Lease Administration

Enclosure

Exhibit A



3134 Dickerson Pike as of November 2017



3101 Dickerson Pike as of November 2017

Nashville / Davidson County Parcel Viewer



August 24, 2018

polygenLayer

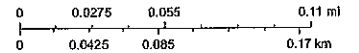
Override 1

Ownership Parcels

 Planned Unit Development

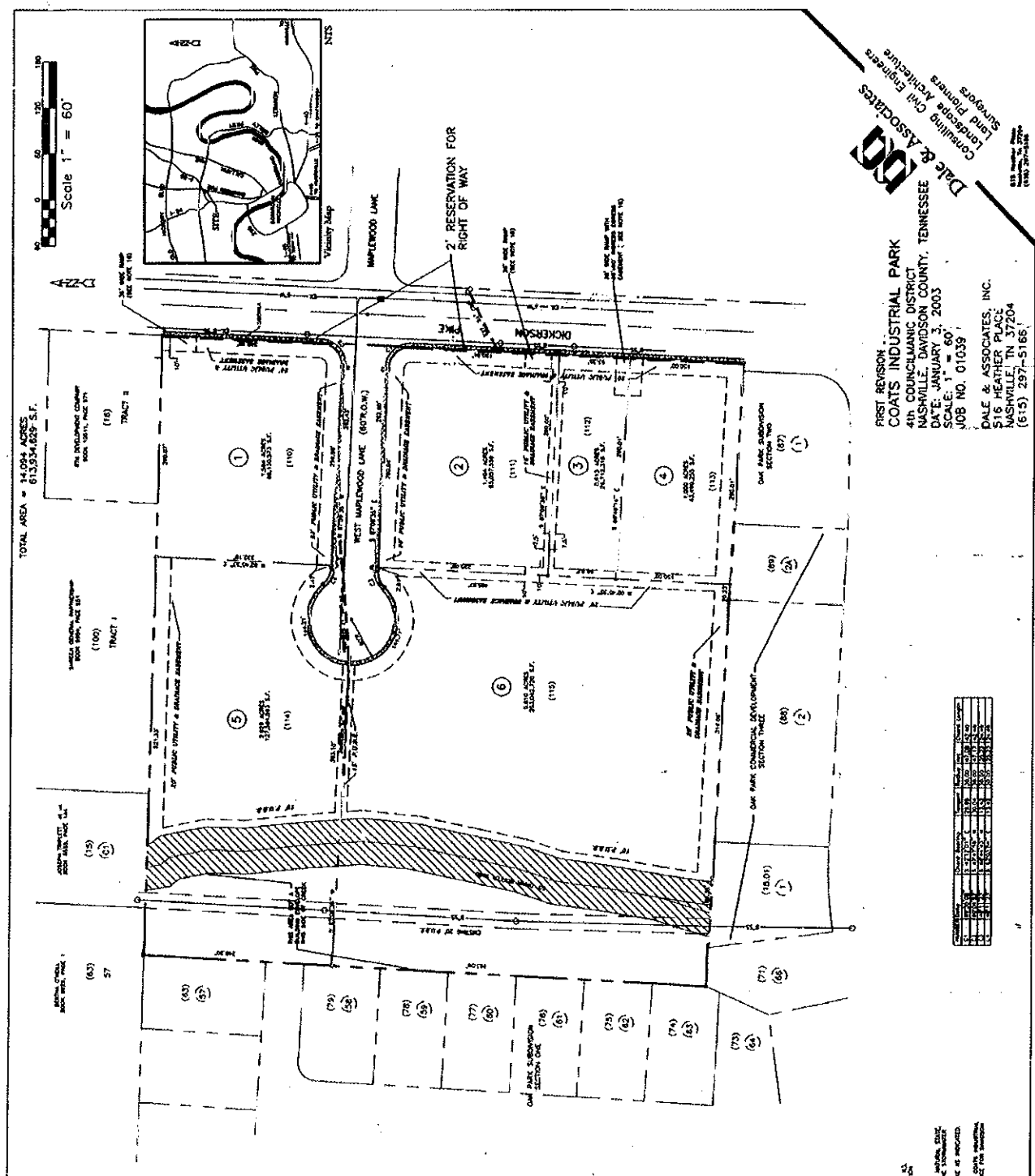
 Zoning

1:2,257



Nashville Planning Department, MetroGIS
Metro GIS

Made by: Metro GIS



CERTIFICATE OF OWNERSHIP
 I hereby certify that I am the owner(s) of the property shown and described in the instrument bearing number 2001071-2877, Davidson County, Tennessee, and that I have read and understand the plan of subdivision with my (our) true consent and that this plan complies with all applicable laws, ordinances, rules and regulations of the State of Tennessee, and that I have obtained the necessary approvals from the Planning Commission of Metropolitan Nashville, Davidson County, Tennessee.

Name: DALE & ASSOCIATES, INC. Date: 1-3-2003

SURVEYOR'S CERTIFICATE
 I hereby certify that to the best of my knowledge and belief, the foregoing is a true and correct copy of the original plat of subdivision as filed in the office of the County Clerk of Davidson County, Tennessee, and that I am a duly licensed and qualified surveyor under the laws of the State of Tennessee.

Name: [Signature] Date: 1-3-03

COMMISSION APPROVAL
 Approved by the Metropolitan Planning Commission of Nashville and Davidson County, Tennessee.

Secretary: [Signature] Date: 1/3/03
 SUBDIVISION NUMBER: 2001S-141U-04
 RECORDED
 20030107-0002910

- CONTRACT NOTES**
1. The accuracy of this information is to remain unchanged and accurate.
 2. The accuracy of this information is to remain unchanged and accurate.
 3. The accuracy of this information is to remain unchanged and accurate.
 4. The accuracy of this information is to remain unchanged and accurate.
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 16. The accuracy of this information is to remain unchanged and accurate.
 17. The accuracy of this information is to remain unchanged and accurate.
 18. The accuracy of this information is to remain unchanged and accurate.

DALE & ASSOCIATES
 Consulting Civil Engineers
 Landscape Architects
 Land Planners
 Surveyors

1800 Woodland Blvd.
 Nashville, TN 37204
 (615) 297-5166

FIRST REVISION
COATS INDUSTRIAL PARK
 4th COUNCILMANIC DISTRICT
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE
 DATE: JANUARY 3, 2003
 SCALE: 1" = 60'
 JOB NO. 010391

DALE & ASSOCIATES, INC.
 515 HEATHER PLAZA
 NASHVILLE, TN 37204
 (615) 297-5166

TRACT	AREA (S.F.)	PERCENTAGE
1	11,100	10.00%
2	11,100	10.00%
3	11,100	10.00%
4	11,100	10.00%
5	11,100	10.00%
6	11,100	10.00%
7	11,100	10.00%
8	11,100	10.00%
9	11,100	10.00%
10	11,100	10.00%
11	11,100	10.00%
12	11,100	10.00%
13	11,100	10.00%
14	11,100	10.00%
15	11,100	10.00%
TOTAL	166,500	100.00%

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 location designated people (within 300 : on the mail list, give there is opposition, hearing.

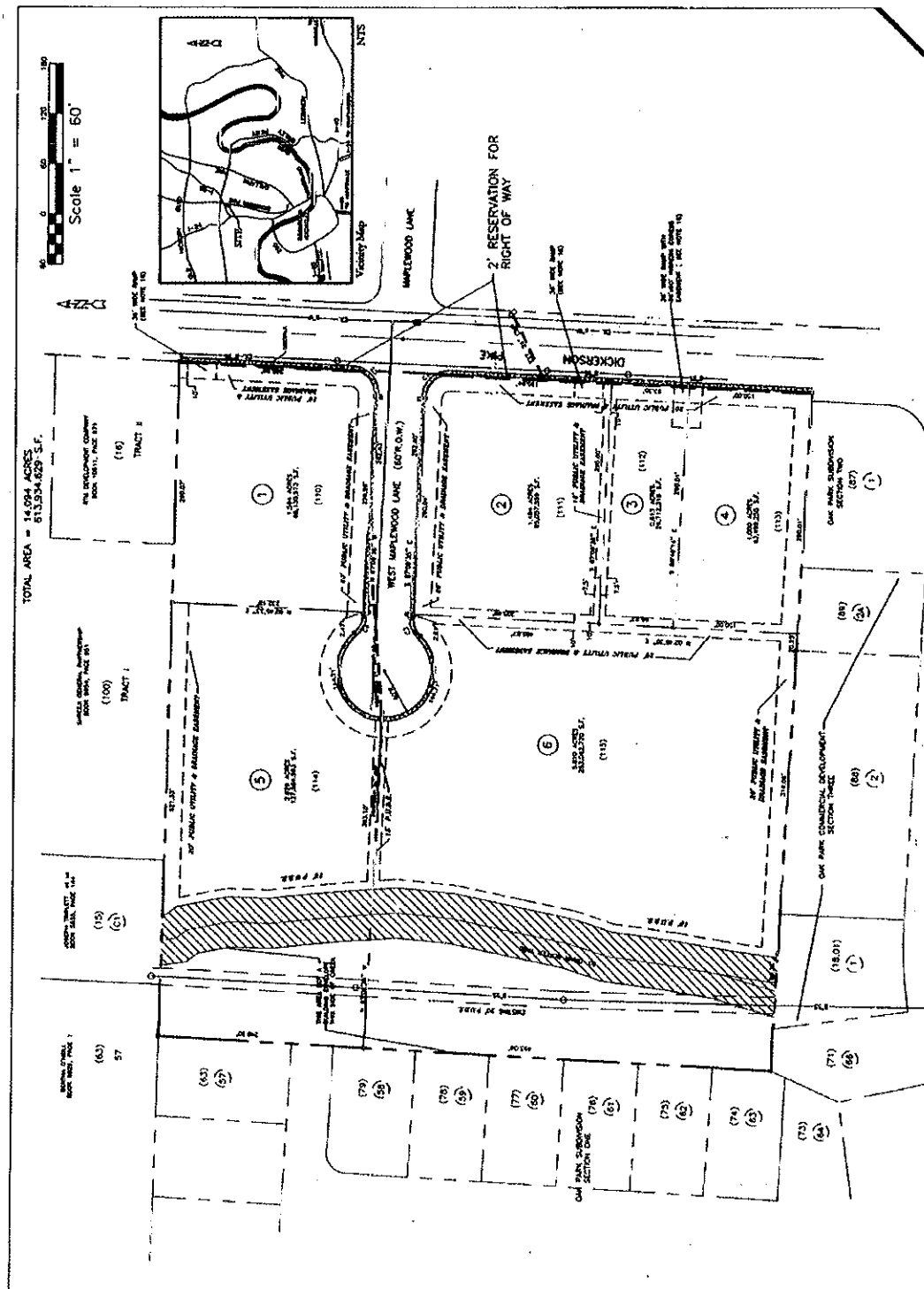
You must make do these people. Failure

Not sure if they need this form? if so please sign and attach. Otherwise toss.
Thank you, Betty

persons within 300 feet of the quired by law to notify these hat you contact those persons a and discuss your request. If r concerns prior to the public

erning your efforts to contact of your request.

Signature of Appellant or Representative



Dale & Associates
 Consulting Civil Engineers
 Landscape Architects
 Land Planners
 Surveyors
 1101 25th Ave
 Nashville, TN 37204
 (615) 297-5166

FIRST REVISION
COATS INDUSTRIAL PARK
 4th COUNCILMANIC DISTRICT
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE
 DATE: JANUARY 3, 2003
 SCALE: 1" = 60'
 JOB NO. 01039

NO.	REVISION	DATE
1	ADDED 14' WIDE BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
2	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
3	ADDED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
4	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
5	ADDED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
6	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
7	ADDED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
8	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
9	ADDED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
10	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
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17	ADDED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03
18	REVISED 1' BUFFER ZONE WITHIN 30' PUBLIC UTILITY & SANITARY FACILITIES	01/03/03

CERTIFICATE OF OWNERSHIP
 I hereby certify that on (see and) the owner(s) of the property hereon shown are (see and) the owner(s) of the property hereon shown and that the owner(s) are (see and) the owner(s) of the property hereon shown and that the owner(s) are (see and) the owner(s) of the property hereon shown.

SURVEYOR'S CERTIFICATE
 I hereby certify that to the best of my knowledge and belief the survey hereon shown is a true and correct survey of the property hereon shown and that the owner(s) are (see and) the owner(s) of the property hereon shown and that the owner(s) are (see and) the owner(s) of the property hereon shown.



COMMISSION APPROVAL
 Approved by the Metropolitan Planning Commission of Nashville and Davidson County, Tennessee.

Surveyor *Paul Chittell* Date 1-3-03
Subdivision Number 2001S-141U-04
RECORDED
 20030107-0002916
 20030107-0002916

- 1. ALL DIMENSIONS AND TOLERANCES TO BE SHOWN ON THIS PLAN SHALL BE IN FEET AND DECIMALS THEREOF.
- 2. ALL DIMENSIONS AND TOLERANCES TO BE SHOWN ON THIS PLAN SHALL BE IN FEET AND DECIMALS THEREOF.
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From: [Ammarell, Beverly \(Public Works\)](#)
To: [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)
Cc: [Doyle, Devin \(Public Works\)](#)
Subject: 10/18/18 BZA meeting
Date: Friday, September 28, 2018 2:34:07 PM

2018-560 3134 Dickerson PK World Finance Renovations and U&O

Variance: 17.16.050 D1 variance to permitted with conditions

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.

2018-565 829 Lischey Ave residential and office mixed use

Variance: 17.12.035D front setback; 17.12.060F height variance

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 Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Bobby Dietz Date: 8/31/18
Property Owner: O'Reilly Auto Case #: 2018-561
Representative: Bobby Dietz Map & Parcel: 22-29

Council District 01

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

Purpose: New O'Reilly's Auto Store

Activity Type: Retail

Location: 7194 Whites Creek Pk Joelton TN 37080

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:

Reason: South lot line Buffer Cat 20 / request 6' solid fence + 6' Buffer

Section(s): 17.24.230

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.

Bobby Dietz
Appellant Name (Please Print)

Representative Name (Please Print)

1215 Dinguid Dr.
Address

Address

Murray, KY 42071
City, State, Zip Code

City, State, Zip Code

270-753-7307
Phone Number

Phone Number

bldietz@bfbwengineers.com
Email

Email

Appeal Fee: 200



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



3555350

**APPLICATION FOR BUILDING COMMERCIAL - NEW / CACN - T2018056061
THIS IS NOT A PERMIT**

PARCEL: 02200002900

APPLICATION DATE: 08/31/2018

SITE ADDRESS:

7194 WHITES CREEK PIKE JOELTON, TN 37080
E SIDE WHITES CK PK N OF UNION HILL RD

PARCEL OWNER: O'REILLY AUTOMOTIVE STORES, INC.

APPLICANT:**PURPOSE:**

TO CONSTRUCT ANEW 7428 SQFT O'REILLY AUTO PARTS STORE...

1....FRONT SETBACK MIN 15'.

2....REAR AND SOUTH SIDE 20' BUFFER C...UNABLE TO REDUCE...NOT IN UZO AND NOT OVER 20%.

3....REQUIRED PARKING BASED ON 4500 SQFT STOCK ROOM.....AT 20.....PROVIDING 29.

4.MAX HT UNDER 30'....

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

DENIED...SOUTH SIDE BUFFER C AT 20'.....REQUEST TO PUT UP A 6' SOLID FENCE AND REDUCE THE SOUTHSIDE
BUFFER DOWN TO 6'.....17.24.230

POC: BOBBY DEITZ 270-753-7307

bdeitz@bfwengineers.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

CA - Zoning Sidewalk Requirement Review

SWREQUIRED

615-862-6545 Richard.Thomopoulos@nashville.gov

[C] Flood Plain Review On Bldg App

862-6038 logan.bowman@nashville.gov

BZA Hearing

615-862-6505 Debbie.Lifsey@nashville.gov

PW - Public Works Sidewalk Capital Project Coordinatic

[B] Fire Life Safety Review On Bldg App

862-5230

[B] Fire Sprinkler Requirement

862-5230

[B] Building Plans Received

615-862-6614 teresa.patterson@nashville.gov

[B] Building Plans Review

615-862-6581 Teresa.Patterson@nashville.gov

[B] Plans Picked Up By Customer

615-880-2649 Ronya.Sykes@nashville.gov

[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] Ramps & Curb Cuts Review For Bldg A

862-8782 PWPermitsl@nashville.gov

[F] Solid Waste Review On Bldg App

862-8782

[A] Bond & License Review On Bldg App

Landscaping & Tree Review

862-6488 stephen.kivett@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 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.

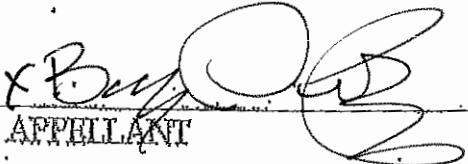
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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.

x 
APPELLANT

8/3/18
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.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.

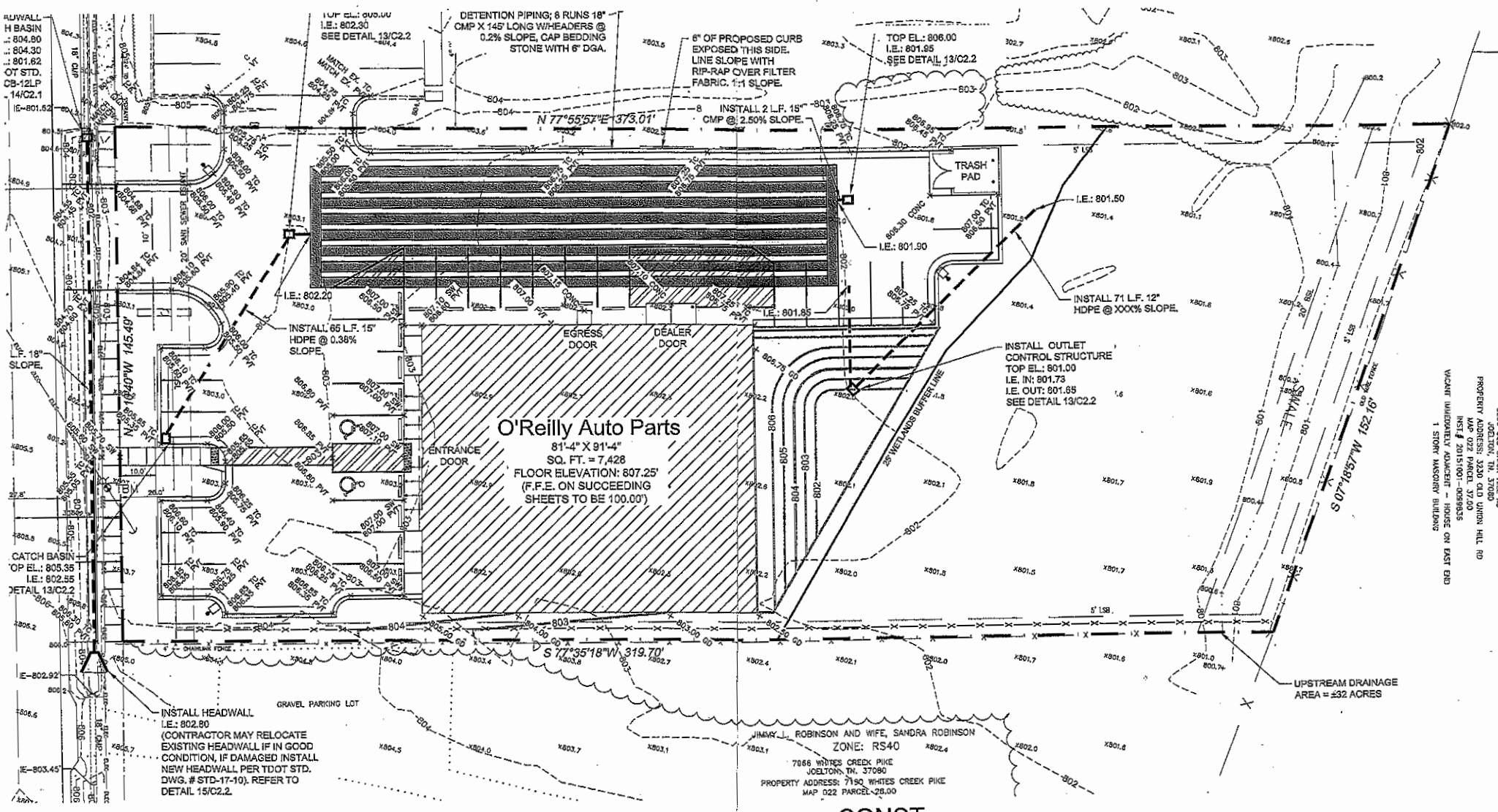
In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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?

Required Buffer to Wetland



CONST.
N N

3230 OLD URMON HILL RD
JOELTON, TN, 37080
PROPERTY ADDRESS: 3230 OLD URMON HILL RD
MS # 2015100
MS # 2015100
VICIN: UNBUILT/RELOCATED - HOUSE ON EAST END
1 STORY MANSION BUILDING

17.20.030

TABLE 17.20.030: PARKING REQUIREMENTS	
Land Use	Minimum Parking Spaces
Donation center, drop-off	1 space per 200 square feet
Funeral home	1 space per 3 permanent seats plus 1 space per 25 square feet for temporary seats. If no chapel is provided, 1 space per 500 square feet UZO district: 1 space per 3 permanent seats and if no chapel, 1 space per 500 square feet
Furniture store	1 space per 200 square feet of display area; 1 space per 1,000 square feet of storage area UZO district: 1 space per 1,000 square feet
Home improvement sales	1 space per 200 square feet UZO district: 1 space per 500 square feet
Hotel/motel	1 space per rooming unit, plus 1 space per 2 employees UZO district: 1 space per rooming unit plus 1 space per 4 employees plus required spaces for accessory uses
Inventory stock	1 space per 1,000 square feet
Kennel	1 space per 400 square feet
Laundry plants	1 space per 500 square feet
Liquor sales	1 space per 200 square feet UZO district: 1 space per 400 square feet
Major appliance repair	1 space per 500 square feet UZO district: 1 space per 800 square feet
Personal care services	1 space per 200 square feet UZO district: First 2,000 square feet: exempt; 1 space per 200 square feet for floorspace in excess of 2,000 square feet
Restaurant, fast-food	1 space per 100 square feet
Restaurant, full-service	1 space per 100 square feet UZO district: First 1,000 square feet: exempt; 1 space per 150 square feet for floorspace in excess of 1,000 square feet
Restaurant, take-out	10 spaces UZO district: Exempt
Retail	1 space per 200 square feet UZO district: General Retail: First 2,000 square feet: exempt; 1 space per 200 square feet for 2,000 to 50,000 square feet and 1 space per 250 square feet for 50,000 to 100,000 square feet and 1 space per 300 square feet for 100,000 to 400,000 square feet and 1 space per 350 square feet for greater than 400,000 square feet Convenience Retail: First 2,000 square feet: exempt; 1 space per 250 square feet thereafter; Shopping Center Retail: 1 space per 250 square feet for less than 400,000 square feet and 1 space per 225 square feet for 400,000 to 600,000 square feet and 1 space per 200 square feet for greater than 600,000 square feet; Outdoor (except vehicle sales, limited): 1 space per 1,000 square feet of lot area Mobile vendors: 6 spaces for up to 1,200 square feet; 1 space for each additional 200 square feet
Riding stable	Established by the traffic engineer
Self-service storage	4 spaces

4x5
 Stock 4500 \div 1000
 retail 3052 \div 200
 = 15.26
 20 spaces

ZONING DISTRICT LAND USE TABLE

Key: P-Permitted PC-Permitted w/condi- tions* SE-Special exception* A-Accessory* O-Overlay * Refer to Chapter 17.16 for standards	AG	Residential				SP	Mixed Use				Office			Commercial				Downtown (DTC)				Shopping Center			Industrial									
	AG and AR2a	RS30 through RS375-A	R80 through R6-A	RM2 through RM20-A	RM40 through RM100-A	MHP	SP**	MUN and MUN-A	MUL and MUL-A	MUG and MUG-A	MUI and MUI-A	ON	OL	OG	OR20 through OR40-A	ORI and ORI-A	CN and CN-A	CL and CL-A	CS and CS-A	CA	CF	North	South	West	Central	SCN	SCC	SCR	IWD	IR	IG			
Personal care services							P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Restaurant, fast-food												A	A	A	P	PC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Restaurant, full-service							PC	P	P	P		A	A	A	P	PC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Restaurant, take-out							PC	P	P	P		A	A	A	P	PC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Retail							PC	P	P	P		A	A	A	PC	PC	P	P	P	P	P	P	P	P	PC	PC	P	PC	PC	PC				
Self-service storage																		PC			P	P	P	P										
Vehicular rental/leasing																		P	P	PC	PC	PC	PC	PC				PC	P	P	P			
Vehicular sales and service, limited																		PC				P												
Wrecker service																						P												
Communication Uses:																																		
Amateur radio antenna	A	A	A	A	A	A		A	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Audio/video tape transfer							P	P	P	P		P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Communications hut	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC			
Multi-media production							P	P	P	P		P	P	P	P		P	P	P	P	P	P	P	P										
Printing and publishing							PC	P	P	P		P	P	P	P	PC	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Radio/TV studio									P	P		P	P	P	P		P	P	P	P	P	P	P	P										
Satellite dish	A	A	A	A	A	A		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Telecommunication facility	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC			
Industrial Uses:																																		
Artisan distillery																			PC	P	P	P	P	P										
Asphalt plant																																PC		
Building contractor supply																		PC		P	PC	PC	PC								P	P	P	
Compressor station																																P	P	P
Concrete plant																																	PC	
Distributive business/wholesale								PC	PC	PC							PC		P	PC	PC	PC									P	P	P	
Fuel storage	A									A				A			A	A	A	A	A	A				A	A				A	A	P	
Heavy equipment, sales and service																																P	P	P
Hazardous operation																																	SE	
Manufacturing, Artisan								PC	PC	PC							PC			PC	PC	PC	PC							PC	PC	PC		
Manufacturing, heavy																																	P	
Manufacturing, medium																																PC	PC	
Manufacturing, light																		PC		P	PC	PC	PC								P	P	P	
Microbrewery																				P	P	P	P	P							P	P	P	
Research service										P					P			P		P	P	P	P								P	P	P	
Scrap operation																																		P

CD17.08.11

Met. Nashville Davidson Co., Supp. No. 25 (3/17)

17.08.030

Case #2018-561

17.16.290

1121 § 20, 2015; Ord. BL2014-909 § 3, 2015; Ord. BL2013-629 § 2, 2014; Amdt. 1 to Ord. BL2011-47 § 4, 2012; Ord. BL2011-47 § 4, 2012; Amdt. 1 with Ord. 98-1268 § 1 (part), 1998; § 2(2) of Amdt. 1 with Ord. 96-555 § 4.4(A), 1997)

17.16.260 Institutional accessory uses.

(Refer to zoning district land use table)

A. Day Care—Parents Day Out. Day care for pre-teenage children, for not more than twelve hours in any one week, shall be an accessory use to any institutional principal use.

B. Monastery or Convent. Such uses shall be an accessory use to a religious institution principal use.

C. School Day Care. Day care centers of unlimited size for before, during and after school programs shall be an accessory use to community education and college or university principal uses. (Ord. 96-555 § 4.4(B), 1997)

17.16.270 Office accessory uses.

(Refer to zoning district land use table)

A. Leasing/Sales Office. A tenant-leasing office is permitted as an accessory use to a multifamily development. Such office may include clubhouse, laundry and recreational facilities, and other such conveniences associated with a residential development. A developing subdivision of five or more residential lots may use a residential structure as a temporary sales office. (Ord. 96-555 § 4.4(c), 1997)

17.16.275 Medical accessory uses.

(Refer to zoning district land use table)

A. Medical Appliance Sales.

1. This use shall be located within the same building as the principal office use.

2. The leasable floor area for the accessory use may have one access point from within the office building as well as one outside entrance/exit.

3. This use shall occupy no more than ten percent of the gross floor area within the principal office building. (Ord. 98-1268 § 1 (part), 1998)

17.16.280 Commercial accessory uses.

(Refer to zoning district land use table)

A. Business Service.

1. This use shall be located within the same building as the office principal use.

2. The leasable floor area for the accessory use shall be accessible only from inside the office building. There shall be no signage advertising the service(s) to the general public on the exterior of the office building.

3. This use shall occupy no more than ten percent of the gross floor area within the principal office building.

B. Inventory Stock. The indoor storage of inventory stock shall be accessory to nonresidential principal uses.

C. Restaurant, Fast-Food/Restaurant, Full-Service/Restaurant, Take-Out.

1. This use shall be located within the same building as the office principal use.

2. The leasable floor area for the accessory use shall be accessible only from inside the office building. There shall be no signage advertising the service(s) to the general public on the exterior of the office building.

3. This use shall occupy no more than ten percent of the gross floor area within the principal office building.

D. Retail.

1. This use shall be located within the same building as the office principal use.

2. The leasable floor area for the accessory use shall be accessible only from inside the office building. There shall be no signage advertising the service(s) to the general public on the exterior of the office building.

3. This use shall occupy no more than ten percent of the gross floor area within the principal office building.

E. Personal Care Services.

1. This use shall be located in the same building as the principal use.

2. In total, all personal care uses shall occupy no more than ten percent of the gross floor area within the principal building. (Ord. BL99-117 § 1 (part), 2000; Ord. 96-555 § 4.4(D), 1997)

17.16.290 Communication accessory uses.

(Refer to zoning district land use table)

A. Amateur Radio Antenna. In all residential zone districts, transmission and reception antennae may be attached to a single tower accessory to any residential dwelling. The following restrictions shall apply.

1. Antennae may be mounted on a single tower or pole, or attached to the dwelling or accessory structure provided only one such support or attachment shall be permitted per lot. Guy wires shall not extend beyond the property boundary.

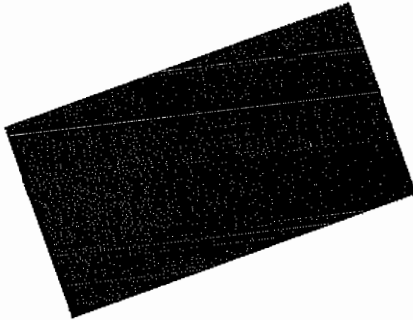
2. The maximum height of antennae shall be sixty feet, as measured from finished grade at the base of the support structure.

3. The tower or pole support shall be located to the rear of the dwelling and shall be set back from all property lines a distance equal to one-half the height of the entire structure, including antennae.

02200003000

02200003600

MUL



T2-M-AB2-S

CL

65

02200002900

CL

02200001500

431

02200003700

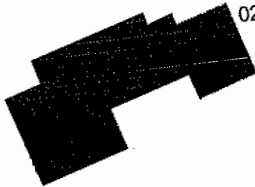
WHITES CREEK PIKE

CL

RS40

022000014700

02200002800



OR20 02200012600

02200013500
CL



Table 17.24.230 TABLE OF LANDSCAPE BUFFER YARD REQUIREMENTS.

	ZONING DISTRICT PROVIDING BUFFER YARD						
	1	2	3	4	5	6	7
	AG, AR2a, RS80, R80, RS40, R40, RS30, R30, RS20, R20, RS15, R15, RS10, R10, RM2, RM4	R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, RM6, RM9, RM9-A	RM15, RM15-A, RM20, RM20-A, RM40, RM40-A, RM60, RM60-A, RM80-A, RM100-A, MHP	ON, CN, CN-A, MUN, MUN-A, SCN, OL, OR20, OR20-A, OR40, OR40-A	CL, CL-A, CS, CS-A, MUL, MUL-A, SCC, I	CA, CF, SCR, MUG, MUG-A, MUI, MUI-A, ORI, ORI-A, OG	IWD, IR, IG
1	---	B	C	C	C	D	D
2	---	---	B	C	C	D	D
3	A	A	---	B	B	C	D
4	A	A	A	---	A	B	C
5	A	A	A	A	---	A	B
6	B	B	B	B	A	---	B
7	C	C	C	B	B	B	---

Note 1: The zoning administrator may allow a necessary adjustment to the landscape buffer yard located along a rear property line to provide for necessary building area after determining an adjustment to a required build-to zone is necessary as permitted by Table 17.12.020.D. The zoning administrator may allow a necessary adjustment to the landscape buffer yard based on the nature of the existing and future land uses and site conditions in the general vicinity after receiving a written recommendation from the planning department.

Table 17.24.230

Figure 17.24.240C
STANDARD C—LANDSCAPE BUFFER YARDS

WIDTH

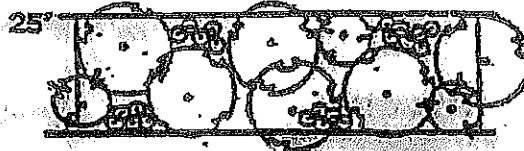
C-1

4.8 CANOPY
2.4 UNDERSTORY
19 SHRUBS



C-2

5.4 CANOPY
2.7 UNDERSTORY
22 SHRUBS



C-3

6 CANOPY
3 UNDERSTORY
24 SHRUBS



C-4

REPEALED

C-5

6' MASONRY WALL
3 CANOPY
2 UNDERSTORY
10 SHRUBS



Note: Landscape Buffer Yard C-5 is only available within the urban zoning overlay district.
All examples are per 100 linear feet.

B. Allowable Design Variations. The landscape buffer yard is normally calculated as parallel to the property line. However, design variations, especially when used to incorporate native vegetation into the yard area, shall be considered. The edges of the landscape buffer yard may meander provided that:

1. The total area of the yard is equal to or greater than the total area of the required landscape buffer yard; and

2. The yard measures no less than the minimum width permitted by the applicable landscape buffer yard standard at all points along the perimeter of the property line requiring a landscape buffer yard.

C. Fractional Requirements. When the requirements of this article result in a fractional number of plantings, the fraction shall be rounded to one.

D. Planned Unit Development Districts. Notwithstanding any other provision of this title to the contrary, the landscaping buffer yard requirements for a PUD originally approved by the metropolitan council under a previous Zoning Code shall be provided as required by this code or as required in the originally approved PUD, whichever is greater. If a PUD approved under a previous Zoning Code provides for commercial and/or industrial uses within such PUD, and the underlying base zoning of the property on which the PUD district exists is an agricultural or residential zoning district, then the commercial and/or industrial zoning district which best accommodates the land uses permitted within the PUD shall be the "Zoning District Providing Buffer Yard" for the purposes of Table 17.24.230.

E. Yard Exceeds Twenty Percent of Lot Area. In circumstances where the ground area required for the landscape buffer yard exceeds twenty percent of the total lot area, the width and the number of trees and shrubs within the yard may be reduced up to fifty percent provided that a solid wall or closed wooden fence at least six feet in height is provided along the length of the reduced landscape buffer yard.

F. Grading and Use of Berms. Proposals for grading within a landscape buffer yard shall demonstrate superior enhancement of the buffer function compared to retention of the existing grades. Grading should not endanger or remove existing trees which occur within a landscape buffer yard, unless the proposal clearly demonstrates an enhanced buffer. The use of earthen berms within a landscape buffer yard is encouraged when disturbance to existing vegetation can be minimized. Where berms are incorporated into the yard, the required plantings may have a lesser mature height, provided that

the combined height of the berm and plantings will equal the required mature heights of plantings as set forth in Section 17.24.210B and C.

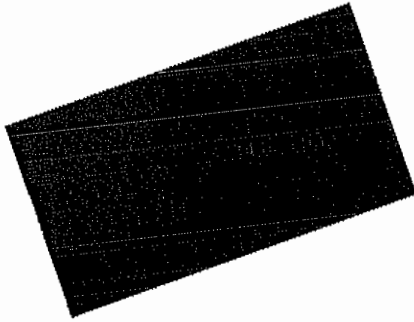
G. Waiver of Landscape Buffer Yard. Landscape buffer yard requirements may be waived by a demonstration of unusual site grade conditions which would clearly negate the effects of the required yard. The applicant shall furnish sections or profiles (drawn to scale) through the property line along the yard which is proposed for waiver. These drawings shall demonstrate the existing and proposed grades on both sides of the property line, as well as the principal structures on both properties. The sections or profiles shall show the line of sight for a pedestrian (taken at four and one-half feet above grade) from principal entrances and from the highest point on the site to be buffered. Such profiles or sections shall clearly demonstrate that the effect of the change in grade would negate the effect of a mature landscape buffer yard thirty feet in height, (Ord. 2001-750 §§ 15-31, 2001; Ord. BL2000-364 § 1 (part), 2000; Amdt. 2 (part) with Ord. 98-1323 § 4, 1998; Amdt. 1 with Ord. 98-1268 § 1 (part), 1998; Ord. 96-555 § 6.5(G), 1997)

318.

02200003000

02200003600

MUL



T2-M-AB2-S
CL

65

431

374.78

02200002900

CL

20' Buffer C

02200003700

149

20' Buffer C

RS40

02200001600

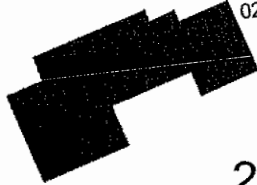
WHITES CREEK PIKE

250'

022000014700

80

02200002800



185

270

OR20 02200012600

02200013500
CL

12.52

250

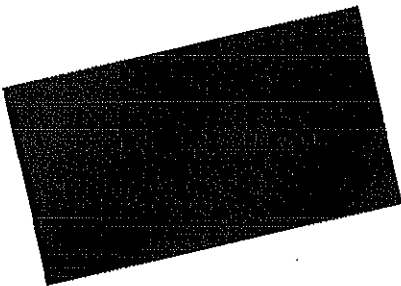


02200003000

318.1

02200003600

MUL



82,78

371.78

3652

132x20
26x20

9020

152

02200002900

CL

46,574

20x319

6380

315

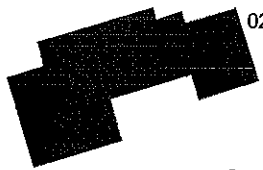
50,426 * 208 = 10,208,54

02200003700

RS40

185

02200002800



80

270

WHITES CREEK PIKE

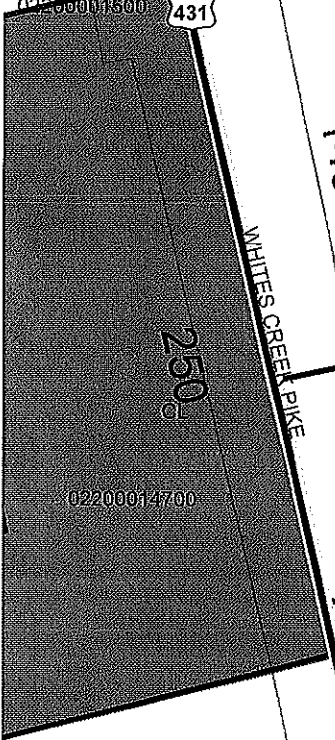
250'

T2-M-AB2-S

65

431

02200001500



022000014700

02200013500
CL

12.52

250

OR20 02200012600



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Robert Whitelow
Property Owner: ROBERT WHITELOW
Representative: Robert Whitelow

Date: 8/31/2018
Case #: 2018- 562
Map & Parcel: 08107048400

Council District 21

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 SECOND SINGLE FAMILY RESIDENCE ON R4 ZONED PARCEL.

Activity Type: NEW CONSTRUCTION - RESIDENTIAL

Location: 1910 10TH AVE N

This property is in the R4 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 TO LOT SIZE

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 _____ 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.

ROBERT WHITELOW
Appellant Name (Please Print)

Representative Name (Please Print)

3264 WOODPOINT DR
Address

Address

NASHVILLE, TN 37207
City, State, Zip Code

City, State, Zip Code

615-506-7310
Phone Number

Phone Number

ROBERT.WHITELOW@ATT.NET
Email

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 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?

LOT SIZE IS APPROX 400 SQFT TOO SMALL DUE TO NARROWNESS

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

8/31/2018

 DATE



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

Case #2018-562

3549442

**ZONING BOARD APPEAL / CAAZ - 20180050976
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08107048400

APPLICATION DATE: 08/24/2018

SITE ADDRESS:

1910 10TH AVE N NASHVILLE, TN 37208
PT LOT 21 THOMAS WOODARD SUB OF LOT 2

PARCEL OWNER: WHITELOW, ROBERT & TARA

CONTRACTOR:

APPLICANT:

PURPOSE:

Requesting Variance to Minimum Lot Area per 17.12.020A for R6 zoning. Requires 6,000 sq ft or more lot area, requesting 5,600 sq ft (-400 sq ft)

To allow for a second single family residence to be built on parcel. No Construction permit application at this point. Hand drawn site Plan submitted with Appeal.

Survey required to verify actual lot area and specific sq ft Variance Request prior to BZA Appeal hearing.

POC: Robert Whitlow 615-506-7310

*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

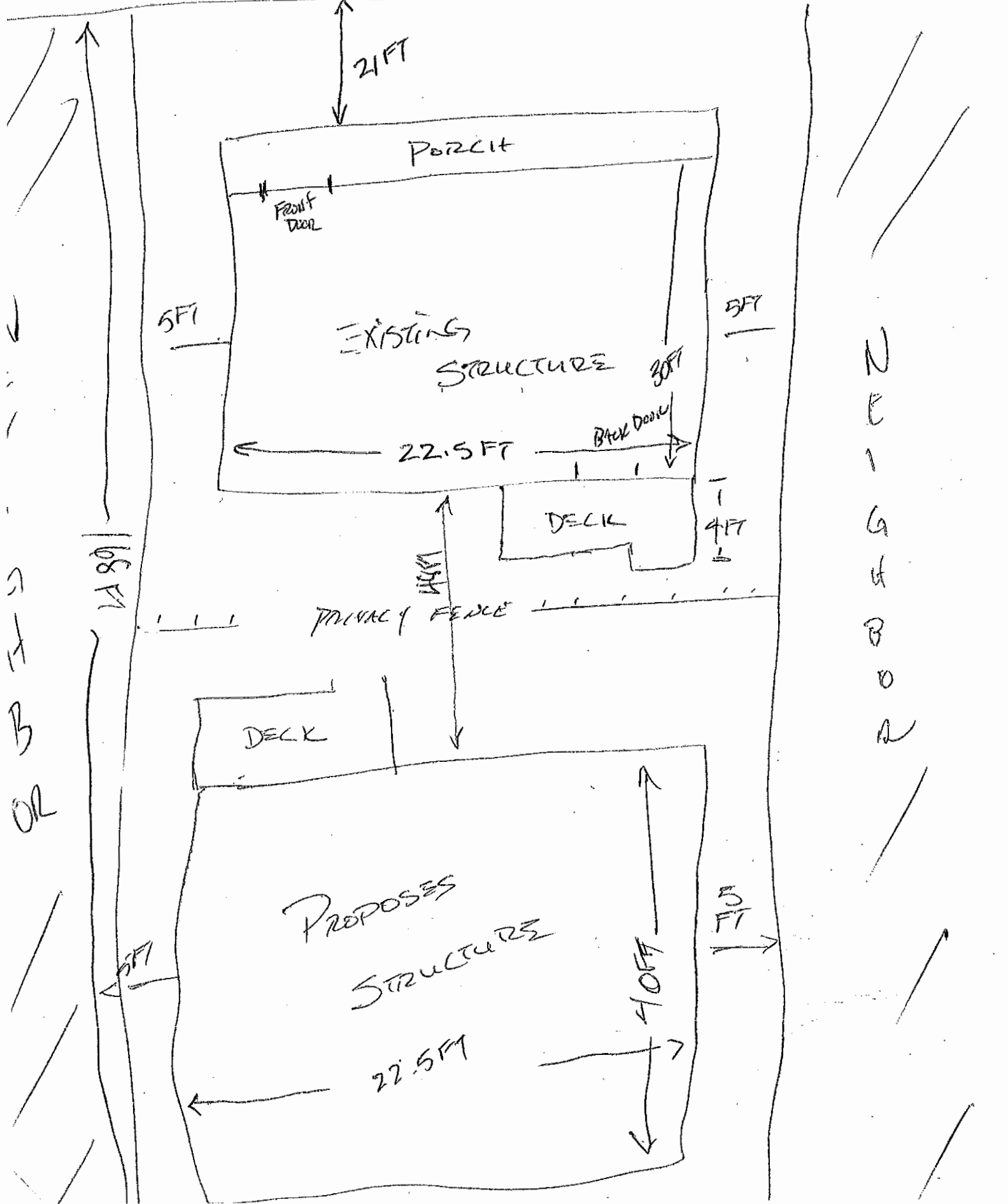
Inspection requirements may change due to changes during construction.

STREET

Case #2018-562
1910 10th Ave No.

37208

CURB/SIDEWALK

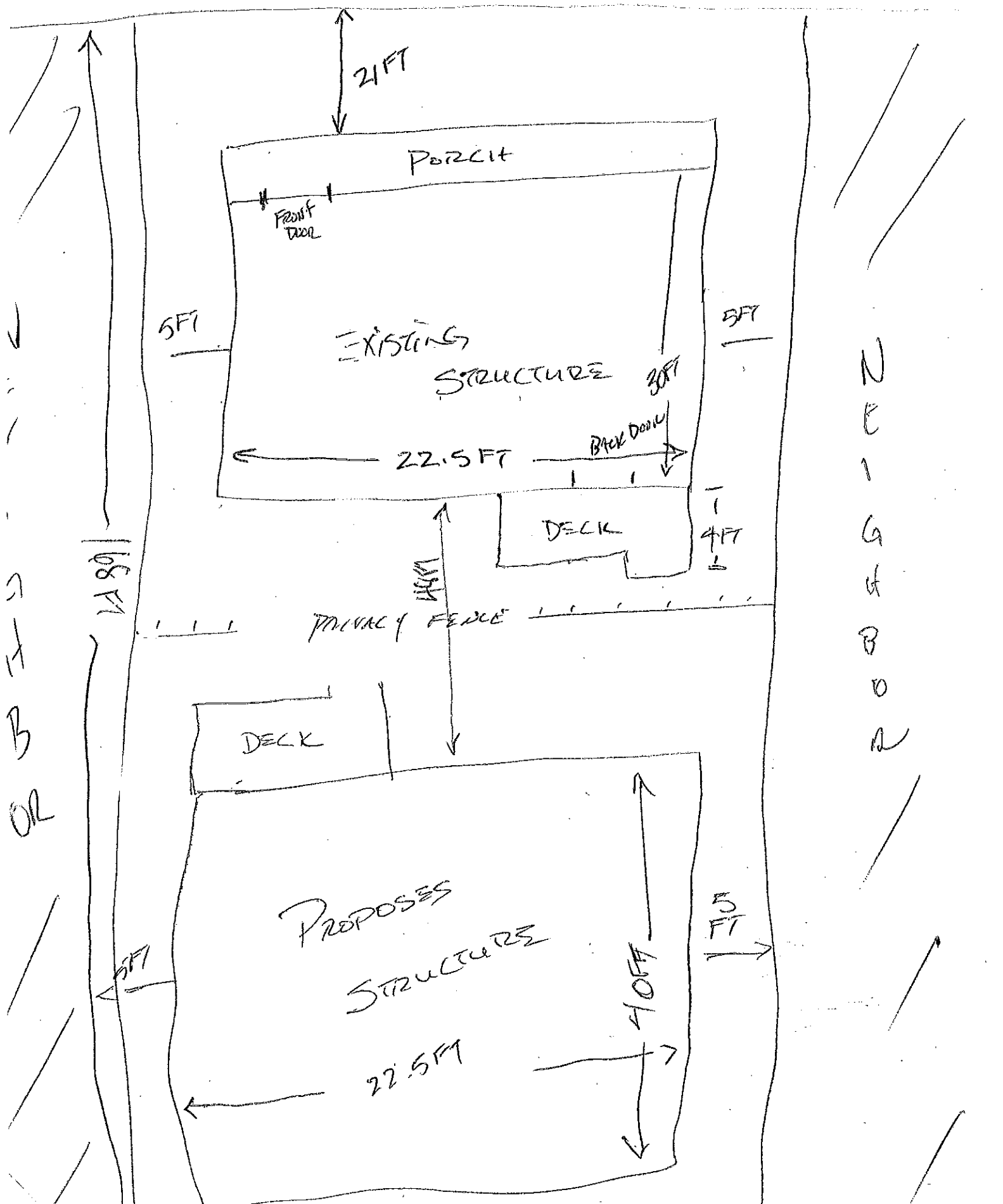


Street

Case #2018-562
1910 10th Ave No.

31208

CURB/SIDEWALK



128 FT

NEIGHBOR

128 FT

5 FT

EXISTING STRUCTURE

22.5 FT

DECK

5 FT

30 FT

BACK DOOR

4 FT

PRIVACY FENCE

DECK

PROPOSED STRUCTURE

22.5 FT

40 FT

5 FT

I am opposed to this request. Lot size is adequate for only one house.

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

September 10, 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: 2018-562
 1910 10TH AVE N
 Map Parcel: 08107048400
 Zoning Classification: R6
 Council District: 21

This is to inform you that ROBERT WHITELOW filed an appeal for the property at the above referenced location. The appellant requested a variance from lot size requirements. Should this request be approved, it would allow the applicant to construct a second single family residence.

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

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 10/18/2018, **beginning at 1:00 p.m.** in the Metropolitan Board of Education, 2601 Bransford Avenue. 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 # 20180050976 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Shannon Ryan Jason Ryan Date: 9-4-18
Property Owner: Same as Case #: 2018- 563
Representative: Same as Map & Parcel: _____

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: Construct addition on single family residence.

Activity Type: residential construction

Location: 906 Albert Ct. Nashville, TN 37204

This property is in the R20 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 3' SIDE SETBACK

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.

Shannon Ryan
Appellant Name (Please Print)

Shannon Ryan / Jason Ryan
Representative Name (Please Print)

906 Shelby Ave.
Address

906 Shelby Ave
Address

Nashville, TN 37206
City, State, Zip Code

Nashville, TN 37206
City, State, Zip Code

615-397-8281/615-525-0330
Phone Number

615-397-8281 / 615-525-0330
Phone Number

shannanknowsashville@gmail.com
Email
jryan975@hotmail.com

shannanknowsashville@gmail.com
Email jryan975@hotmail.com
Appeal Fee: \$100



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



3555830

**ZONING BOARD APPEAL / CAAZ - 20180056345
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 118134B00100CO

APPLICATION DATE: 09/04/2018

SITE ADDRESS:

906 ALBERT CT NASHVILLE, TN 37204
UNIT 904A 904 ALBERT COURT TOWNHOMES

PARCEL OWNER: RYAN, JASON & SHANNON

CONTRACTOR:

APPLICANT: RYAN, JASON & SHANNON
906 ALBERT CT
NASHVILLE, TN 37204 615-397-8281

PURPOSE:

TO CONSTRUCT ADDITION (PORTE COCHERE W/BEDROOM) ALONG WEST SIDE OF EXISTING RESIDENCE

REQUEST 3' SIDE SETBACK ALONG WESTERLY SIDELINE

REJECTED: 17.12.020A MINIMUM SIDE SETBACK 10'

*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**



3555819

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018056341
THIS IS NOT A PERMIT**

PARCEL: 091030B04900CO

APPLICATION DATE: 09/04/2018

SITE ADDRESS:

1633 54TH AVE N 29 NASHVILLE, TN 37209
UNIT 49 SILO BEND HOMES

PARCEL OWNER: SILO BEND HOMES, LLC

APPLICANT: HIGHLAND BUILDING GROUP,
EVERGREEN CONSTRUCTION GC DBA

NASHVILLE, TN 37204 6152977280

PURPOSE:

TO CONSTRUCT A NEW SINGLE FAMILY RES AT 1468 SQFT WITH PORCHES AND DECKS...

SEE MASTER PERMIT...2018-017617....

1....ZONED SP.

2....NEED TO COMPLY WITH APPROVED SP PLAN.

3....MASTER PERMIT FOR 39 INDIVIDUAL SINGLE FAMILY HOUSES.....AND ONE DUPLEX BLDG....AND TWO 4 UNIT
BLDGS...FOR A TOTAL OF 49 SINGLE FAMILY UNITS.

POC: JEREMY LANGE 615-335-0411

*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] Zoning Review	APPROVED	615-862-6545 Richard.Thomopoulos@nashville.gov
[B] Fire Life Safety Review On Bldg App		862-5230
[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		
[A] Bond & License Review On Bldg App	APPROVED	615-862-6545 Richard.Thomopoulos@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[C] Flood Plain Review On Bldg App		862-6038 logan.bowman@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.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?

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.

Shanna By
APPELLANT

9-4-18
DATE

ryan house

906 albert court

nashville, tn 37204

maria bostrom galvin
 ARCHITECT
 mariabgalvin@gmail.com

CONSTRUCTION SET - 8/2/2018

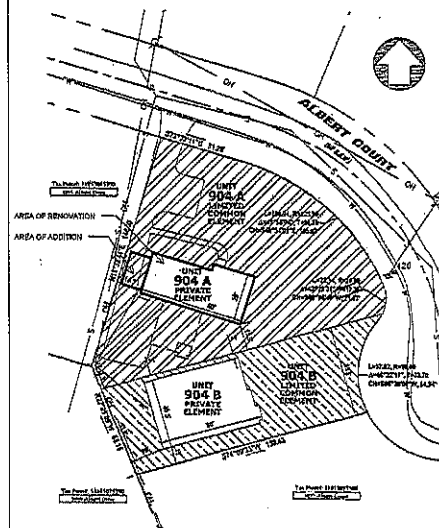
OWNER:
JASON AND SHANNON RYAN
 906 SHELBY AVE.
 NASHVILLE, TN 37206
 (T): 615 397-8281

BUILDER:
TBD

ARCHITECT:
MARIA BOSTROM GALVIN
 (T): 859 312-0396
 mariabgalvin@gmail.com



SITE PLAN



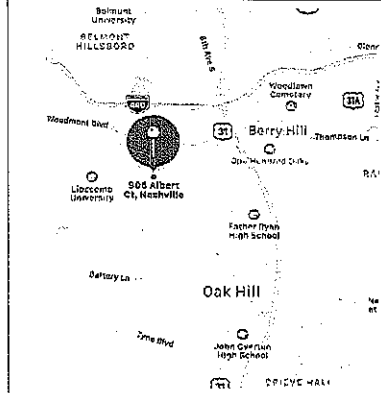
SHEET INDEX

SHEET NO.	SHEET NAME
000	GENERAL COVER SHEET
ARCHITECTURE	
A1.0	FIRST FLOOR CONSTRUCTION PLAN
A2.0	SECOND FLOOR CONSTRUCTION PLAN
A3.0	ROOF PLAN
A4.0	EXTERIOR ELEVATIONS
A5.0	INTERIOR ELEVATIONS

AREA

FIRST FLOOR:	1481 SF
SECOND FLOOR:	1178 SF
TOTAL:	2659 SF

VICINITY MAP



ryan house
 906 albert court
 nashville, tn 37204

I HEREBY WARRANT THAT THE DESIGN COVERED BY THESE DOCUMENTS IS THE PROPERTY OF THE ARCHITECT AND THAT THE ARCHITECT HAS THE RIGHT TO REPRODUCE AND DISTRIBUTE THESE DOCUMENTS IN ANY MANNER AND TO ANY PERSON WITHOUT LIMITATION.

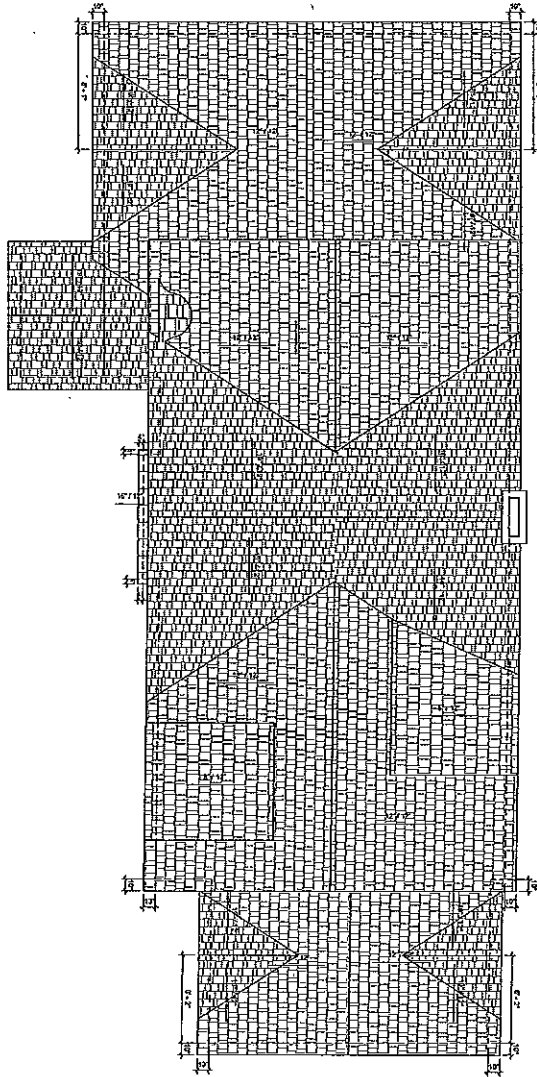
DATE	ISSUED
DATE	CONSTRUCTION SET

NO.	DATE	REVISION

PROJECT NO. 1801

DRAWING TITLE
 COVER SHEET

GO.O



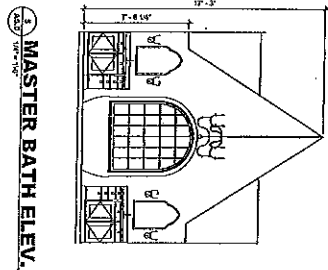
1 ROOF PLAN

PROJECT NO. 1881
 DRAWING TITLE
 ROOF PLAN

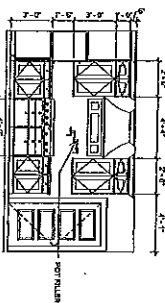
ryan house
 906 albert court
 nashville, tn 37204

marla
 bostrom
 galvin
 ARCHITECT
 marlagalvin@gmail.com

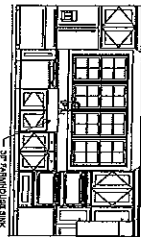
A3.0



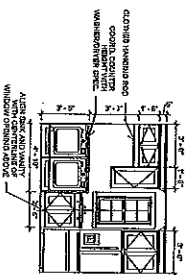
2.3 MASTER BATH ELEV.



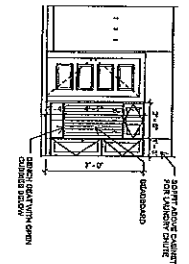
2.4 KITCHEN - WEST ELEV.



2.5 KITCHEN - SOUTH ELEV.



2.6 LAUNDRY ROOM - NORTH ELEV.



2.7 LAUNDRY ROOM - SOUTH ELEV.

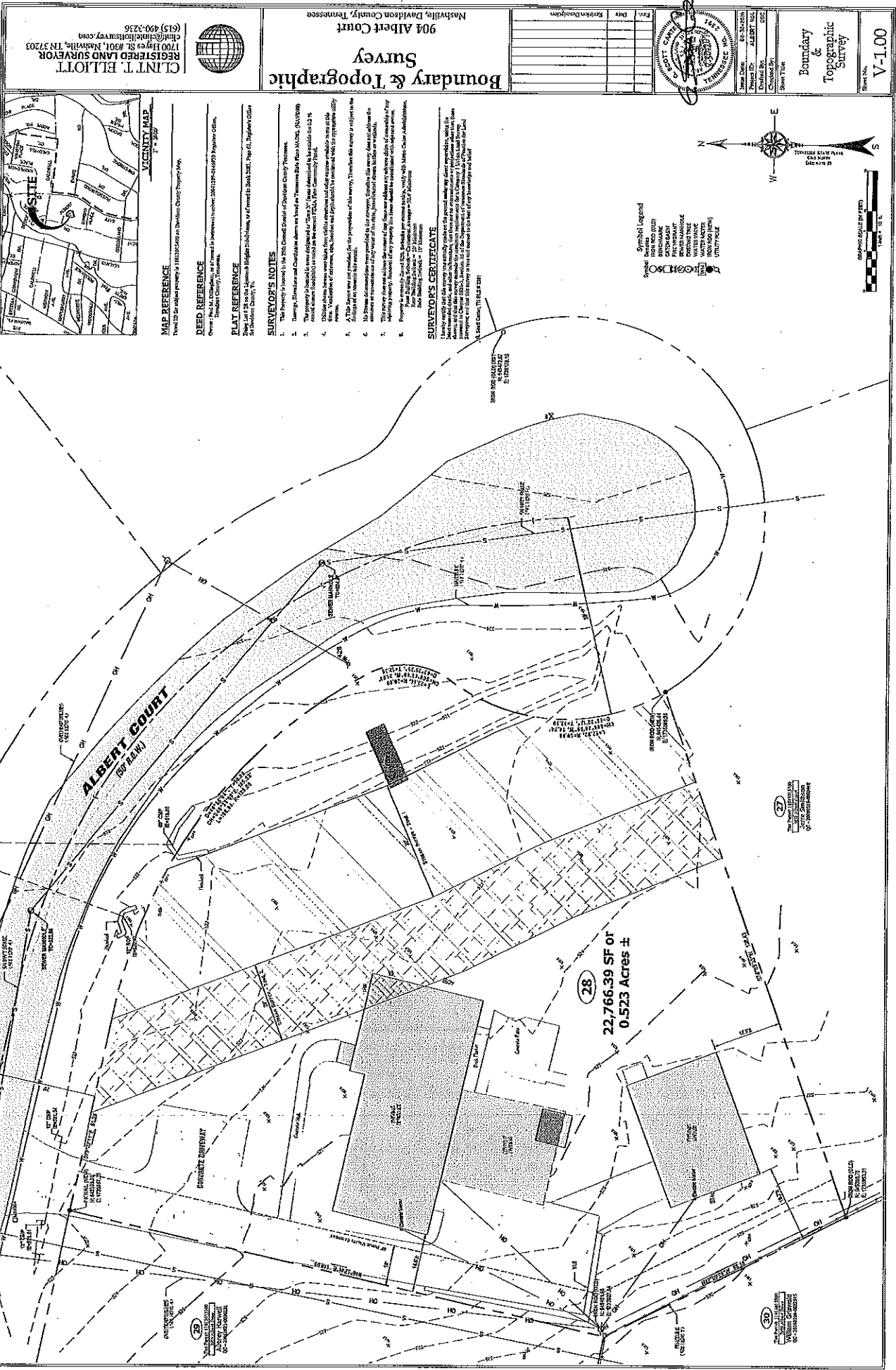
DATE	ISSUED

ryan house
 906 albert court
 nashville, tn 37204

maria
 bostrom
 galvin
 ARCHITECT
 maria@bostromgalvin.com

DRAWING TITLE
 INTERIOR
 ELEVATIONS

A5.0



Boundary & Topographic Survey

904 Albert Court
Nashville, Davidson County, Tennessee

Project: 904 Albert Court
Date: Kristen Decker
Prep: Kristen Decker

Survey No. V-1.00

Boundary & Topographic Survey

CLINT T. BILLOTT
REGISTERED LAND SURVEYOR
1700 Lakes St #301, Nashville, TN 37203
cblott@clintbillott.com
(615) 490-3236



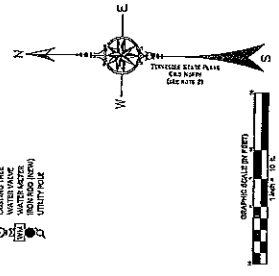
- MAP REFERENCE**
This map is subject to the Survey of the Nashville, Davidson County Property Map.
- DEED REFERENCE**
Owner: Plot 14, Old Nashville, a part of the Nashville, Davidson County Property Map, Nashville, Tennessee.
- PLAT REFERENCE**
This plat is based on the Survey of the Nashville, Davidson County Property Map, Nashville, Tennessee.
- SURVEYOR'S NOTES**
- The property is located in the Nashville, Davidson County Property Map.
 - The survey is a boundary and topographic survey.
 - The survey is based on the Survey of the Nashville, Davidson County Property Map.
 - The survey is a boundary and topographic survey.
 - The survey is based on the Survey of the Nashville, Davidson County Property Map.
 - The survey is a boundary and topographic survey.
 - The survey is based on the Survey of the Nashville, Davidson County Property Map.
 - The survey is a boundary and topographic survey.

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly qualified as a Surveyor under the laws of the State of Tennessee, do hereby certify that the above described survey was made by me or under my direct supervision and that the same is correct and true according to the best of my knowledge and belief.

Clint T. Billett, Surveyor

- Symbol Legend**
- Iron rod (cast) 1.25" dia
 - Iron rod (cast) 2.00" dia
 - Iron rod (cast) 3.00" dia
 - Iron rod (cast) 4.00" dia
 - Iron rod (cast) 5.00" dia
 - Iron rod (cast) 6.00" dia
 - Iron rod (cast) 8.00" dia
 - Iron rod (cast) 10.00" dia
 - Iron rod (cast) 12.00" dia
 - Iron rod (cast) 15.00" dia
 - Iron rod (cast) 20.00" dia
 - Iron rod (cast) 25.00" dia
 - Iron rod (cast) 30.00" dia
 - Iron rod (cast) 35.00" dia
 - Iron rod (cast) 40.00" dia
 - Iron rod (cast) 45.00" dia
 - Iron rod (cast) 50.00" dia
 - Iron rod (cast) 55.00" dia
 - Iron rod (cast) 60.00" dia
 - Iron rod (cast) 65.00" dia
 - Iron rod (cast) 70.00" dia
 - Iron rod (cast) 75.00" dia
 - Iron rod (cast) 80.00" dia
 - Iron rod (cast) 85.00" dia
 - Iron rod (cast) 90.00" dia
 - Iron rod (cast) 95.00" dia
 - Iron rod (cast) 100.00" dia



2018-565

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Eric Brasher

Date: 9/3/2018

Property Owner: The 829, LLC

Case #: 2018- 565

Representative: Joey Hargis

Map & Parcel: Map 82.07, Parcel 405

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: residential + office

Activity Type: Mixed Use

Location: 829 Lischey Ave, Nashville, TN 37207

This property is in the CN 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 Exceptions for setbacks and height

Section(s): 17.12.035 D ; 17.12.060 F

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection C 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.

Eric Brasher
Appellant Name (Please Print)

Joey Hargis
Representative Name (Please Print)

318 Vaughn St.
Address

211 Commerce St, Ste 800
Address

Nashville, TN
City, State, Zip Code

Nashville, TN 37201
City, State, Zip Code

707-235-8314
Phone Number

615-726-7391
Phone Number

eric.brasher@gmail.com
Email

jhargis@bakerdone/son.com
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



3556252

ZONING BOARD APPEAL / CAAZ - 20180056641
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08207040500

APPLICATION DATE: 09/05/2018

SITE ADDRESS:

829 LISCHHEY AVE NASHVILLE, TN 37207
LOT 15 PT. LOT 14 MILLER ADDN. PT. OF OLD CLEVELAND STREET

PARCEL OWNER: 829, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

NEW MIXED USE DEVELOPMENT...RESIDENTIAL AND OFFICE.

DENIED:

- 1...REQUIRED FRONT SETBACK 20'...REQUEST 12.5' AND 10'.....17.12.035 D.
- 2...MAX HT ALLOWED 20'...REQUEST 45'.....17.12.060 F.

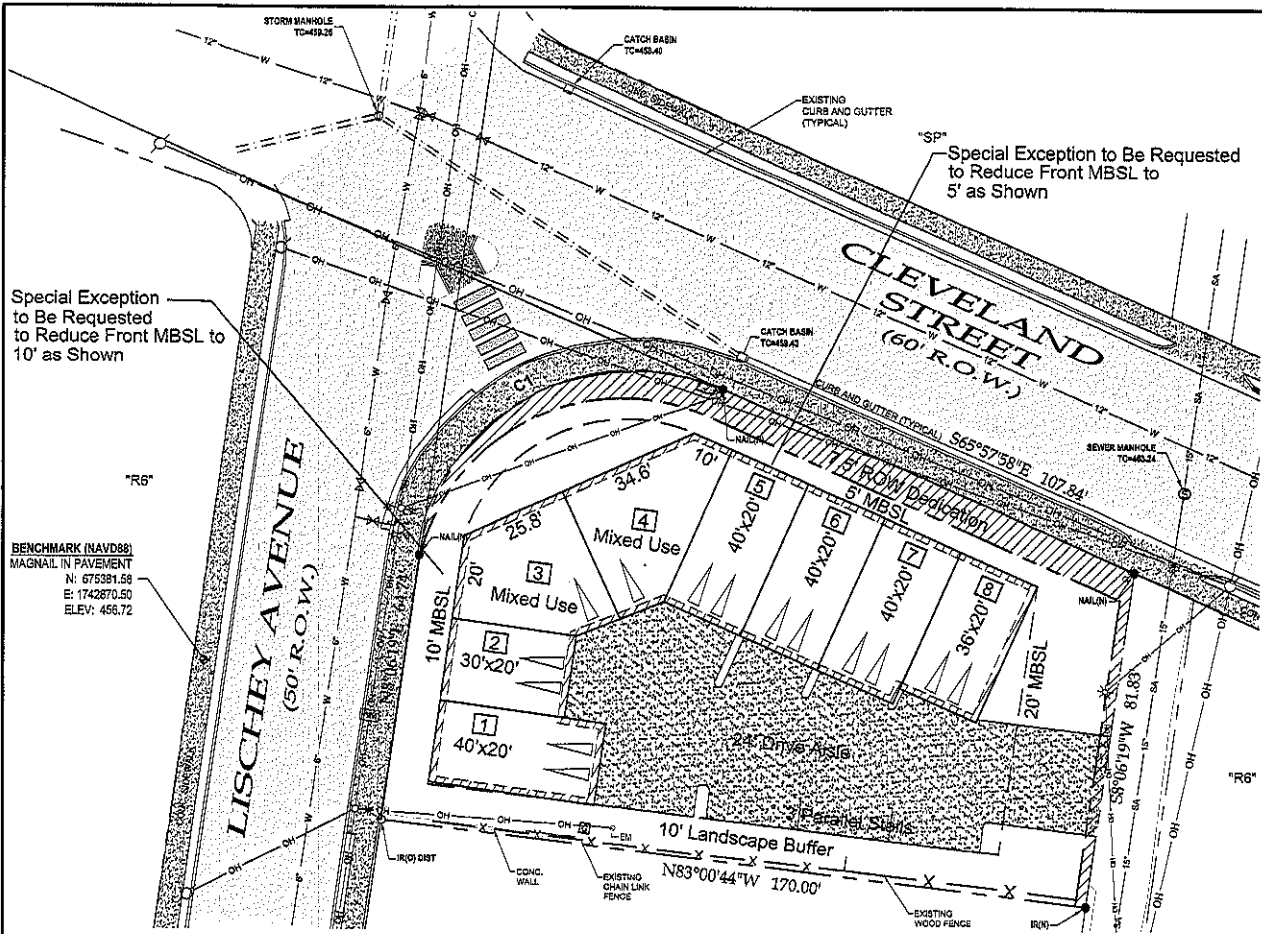
POC: JOEY HARGIS 615-726-7391

jhargis@bakerdonelson.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.*

There are currently no required inspections

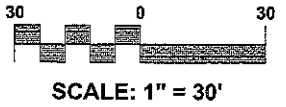
Inspection requirements may change due to changes during construction.



Application #	Project name: 829 Lischey Ave
Map/Parcel: Map 82-07, Parcel 405	Examiner:
Use - Chapter 17.08 & 17.16	
Determine the use	Residential Units, Commercial
Property zoning	CU
Overlay	UGO
Use check (P, PG, SE, A)	P (Residential, Commercial)
Site Criteria (bulk standards based upon CN zoning)	
Minimum lot size	None
F&E	N/A RR Use
SR	0.90 max / 0.65 proposed
Street Setbacks	20' from Right-of-Way
Side yard	None
Rear yard	20 feet
Habitat standards	20 feet exist
Parking and Access - Chapter 17.20	
Ramp Location and Number	Alley Located
Distance to nearest existing ramp (Min. 30')	Alley Located
Distance to Intersection	50' Minor 187' Access Street
Required Parking Based on Use	17 stalls (14.00, 2, 208 & 2, 18.3 Office)
Provided Parking	17 stalls
Required Loading based on Use	N/A
Surface over 5 spaces 1,750 sq	Provided
Stops signs, chain warning, Access Sign	5' x 22' Parallel Parking w/ 24' drive aisle
Queueing Lanes	N/A
Over 10 spaces 20' curbside all exit	N/A
Number of disabled spaces / %	None
Number of accessible spaces	N/A
Site/traffic signals	Provided
Landscape, Buffering, and Tree Replacement - Chapter 17.24	
Buffered Buffers	10' Case B Buffer req. South Pt. Zoned SP
Buffering adjustment	N/A
Perimeter Landscaping	Provided
Shrubs (6' or more tall)	Provided
Sign time adjacent to parking areas 5 min. w/ trees	Provided
- 2.5' with tree projects	Provided
Inherent Landscape min. 8' Area	Provided
Electric fences adjacent to residential parking areas	Provided
Screening around dumpsters (no chain link fence permitted)	Provided
Tree Density	See Landscape Plan (L15) for further detail

Revisions:
DATE: August 31, 2018

829 Lischey Ave
BEING PARCEL 405 ON TAX MAP 82-07
NASHVILLE, DAVIDSON COUNTY, TENNESSEE



17,229 ± square feet or
0.396 acres more or less

BZA Variance Summary Plan

DA
Dale & Associates
Consulting Civil Engineering
Land Planning & Zoning
Surveying

516 Hearn Road
Nashville, Tennessee 37204
(615) 297-3466

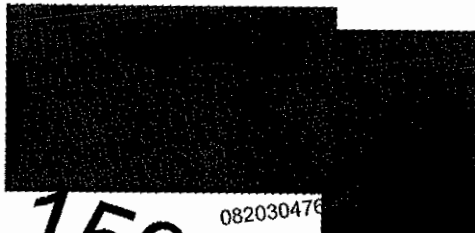
PROJECT # 18157
829 Lischey Ave

C1.0
1 OF 1

08203047500

112.73

833.41



159.21

78.38

33.73

SP(R)

T4-M-CA4 CLEVELAND ST

0820343800

163

63S

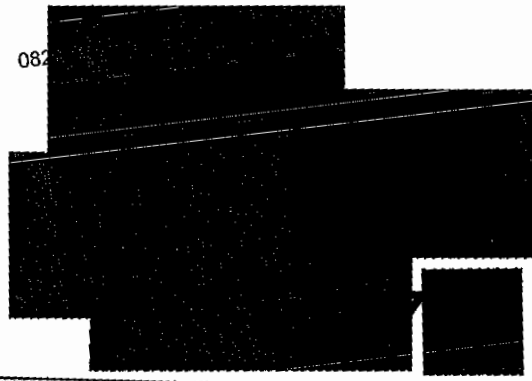
127S

RS5

LISCHEY AVE

75S

CN



82.8

301 ALY

113.42

SP

0820704060

08207040200

0820704070

190

Table 17.12.020C

MIXED-USE AND NONRESIDENTIAL DISTRICTS

Zoning District	Min. Lot Area	Max. FAR	Max. ISR	Min. Rear Setback (in ft.)	Min. Side Setback (in ft.)	Max. Height at Setback Line (in ft. or stories)	Slope of Height Control Plane (V to H)
SP	See Note 5	See Note 5	See Note 5	See Note 5	See Note 5	See Note 5	See Note 5
MUN	None	0.60 See Note 2	0.80	20	None req.	3 stories to a maximum of 45 ft.	3 stories max.
MUL	None	1.00 See Note 2	0.90	20	None req.	3 stories to a maximum of 45 ft.	1.5 to 1
MUG	None	3.00 See Note 2	0.90	20	None req.	5 stories to a maximum of 75 ft.	1.5 to 1
MUI	None	5.00 See note 2	1.00	None req.	None req.	7 stories to a maximum of 105 ft.	1.5 to 1
ON	None	0.40	0.60	20	5	20	20 ft. max.
OL	None	0.75	0.70	20	5	30	1.5 to 1
OG	None	1.50	0.80	20	5	30	1.5 to 1
ORI	None	3.00	0.90	20	None req.	65	1.5 to 1
CN	None	0.25	0.80	20	None req.	20	20 ft. max.
CL	None	0.60	0.90	20	None req.	30	1.5 to 1
ES	None	0.60	0.90	20	None req.	30	1.5 to 1
CA	None	0.60	0.90	20	None req.	30	1.5 to 1
CF	None	5.00	1.00	None req.	None req.	65	1.5 to 1
DTC	See Chapter 17.37	See Chapter 17.37	See Chapter 17.37	See Chapter 17.37	See Chapter 17.37	See Chapter 17.37	See Chapter 17.37
SCN	None	0.25	0.80	20	None req.	20	20 ft. max.
SCC	None	0.50	0.80	20	None req.	30	1.5 to 1
SCR	None	1.00	0.80	20	None req.	30	1.5 to 1
IWD	None	0.80	0.90	20	None req.	30	1.5 to 1
IR	None	0.60	0.90	20	None req.	45	1.5 to 1
IG	None	0.60	0.90	20	None req.	60	1.5 to 1

Note 1: Within the urban zoning overlay district, the maximum floor area ratio for the I district shall be 1.50.

Note 2: Floor area bonuses are available (1) for the MUI district, and (2) within the urban zoning overlay district, for all mixed-use districts (See Section 17.12.060).

Note 3: Street setbacks are listed in Table 17.12.030B.

Note 4: For properties located within an adopted Redevelopment District an alternative standard for the maximum allowable building height at a setback line may be established as part of an adopted Redevelopment District plan.

Note 5: Development standards shall be as specifically listed in the site specific SP ordinance.

Note 6: Within the urban zoning overlay district, any proposed development that does not meet the setback standards within this table may apply for a special exception as provided for in Sections 17.12.035.A and 17.12.035.D.

Table 17.12.030A

STREET SETBACKS FOR SINGLE AND TWO-FAMILY STRUCTURES

Zoning Districts	Minor-Local and Local Streets	All ⁽²⁾ Other Streets
AG, AR2a, RS80, R80, RS40, R40	40 feet	40 feet
RS30, R30, RS20, R20, RS15, R15, RM2	30 feet	40 feet
RS10, R10, R8, R8-A, RS7.5, RS7.5-A, R6, R6-A, RS5, RS5-A, RS3.75, RS3.75-A, MHP, RM4 through RM60, MUN, MUL, MUG, MUI, ON, OR20, OR40, and ORI	20 feet ⁽¹⁾	40 feet
SP	Street setbacks shall be as specifically listed in the site specific SP ordinance	
DTC	See Chapter 17.37	
RM9-A through RM100-A, MUN-A, MUL-A, MUG-A, MUI-A, OR20-A, OR40-A, and ORI-A	5 feet	5 feet

- (1) Two-family dwellings with any parking proposed between the street line and the front edge of the residential structure shall provide a minimum street setback of thirty feet.
- (2) Lots having vehicular access to these streets shall develop in a manner which avoids back-up movements into the public street.

Table 17.12.030B → NOT FROM C/L

STREET SETBACKS FOR MULTI-FAMILY AND NON-RESIDENTIAL DISTRICTS; AND NON-RESIDENTIAL USES IN AG; AR2A, R/R-A AND RS/RS-A DISTRICTS

	AG—RM15	RM20, RM40	ON, OL, OG, OR20, OR40	RM60, MUN, MUL, MUG, ORI	CN, CN-A, SCN, SCC, SCR	CL, CL-A, CS, CS-A, CA	IWD, IR, IG	CE, MUI	DTC
Setback	40	30	20	10	20	15	5	0	See chapter 17.37

- Note 1: SP Districts. Street setbacks shall be as specifically listed in the site specific SP ordinance.
- Note 2: Properties abutting a street designated as a scenic arterial by the Major and Collector Street Plan shall comply with the provisions of Section 17.24.070. This note shall not apply to the DTC district.
- Note 3: In no event shall any street setback provisions permit a principal building to be constructed within an area designated for street improvements on a major street plan adopted subsequent to the effective date of this note.
- Note 4: The above street setback standards shall not apply within the Alternative Zoning Districts.
- Note 5: For attached housing developed under Section 17.12.110, the minimum street setback shall be three feet from the right-of-way line but shall not vary by more than 20 percent from the standards set in Section 17.12.030.C(3). This note shall not apply to the DTC district.
- Note 6: Within the urban zoning overlay district, any proposed development that does not meet the setback standards within this table may apply for a special exception as provided in Sections 17.12.035.A and 17.12.035.D. This note shall not apply to the DTC district. (Ord. BL2015-1153 §§ 15, 16, 2015; Ord. BL2014-725 § 1, 2014; Ord. BL2011-898 §§ 8, 9, 2011; Ord. BL2011-897 §§ 5—10, 2011; Ord. BL2009-586 § 1(Exh. A, §§ 15, 16), 2010; Amdt. 1 to Ord. BL2006-1047, § 2, 2006; Ord. BL2006-1047 § 2, 2006; Ord. BL2006-971 § 3, 2006; Ord. BL2005-762 §§ 5, 6, 2005; Ord. 2002-1013 § 1, 2002; Amdt. 1 with Ord. 2002-1012 § 1, 2002; Ord. 2001-858 § 1, 2001; Ord. BL99-117 § 1 (part), 2000; Ord. 98-1268 § 1 (part), 1998)

Handwritten notes and corrections:

- AG, AR2a > 20' (with arrow pointing to 20')
- RS80, R80
- R40 > 25'
- RS30 > 30'
- R30 > 30'
- RS10, RS20 > 35'
- R15, R20 > 35'
- RS10 → 40'
- R10
- R8, R8-A, RS7.5, RS7.5-A > 45'

- 17.16.030 - Residential uses.
- E.

Adaptive Residential Development. A residential use shall be permitted provided it is located on a lot or within an existing building located within the

1 urban services district

2 having the majority of its frontage on an arterial street or collector street as shown on the adopted Major Street Plan, or located within the Downtown Donelson Urban Design Overlay District and

3... where a minimum of forty percent of the existing or proposed building's gross floor area is devoted to residential uses, subject to the following conditions:

1.

Applicability. The provisions of this section shall apply to any residential use permitted with conditions in a non-residential zoning district, or at an applicant's discretion, to any residential use permitted by right within a non-residential zoning district, provided it complies with the criteria set forth in this section.

2.

Design Standards.

a.

All Residential Uses. The standards of this section shall apply only to a building or portion thereof converted to residential use, and any addition to an existing building for residential use, where a minimum of forty percent of the building's gross floor area is devoted to residential use, as explicitly shown on the approved final site plan under the authority of Section 17.40.170(A) of this title, except as provided below for new construction. The standards of this section shall not apply to any building proposing to devote less than forty percent of the gross floor area to residential uses.

b.

Single-Family and Two-Family Residential Uses. Single-family and two-family uses shall be permitted only in an existing building or as part of a new mixed-use development within a single-structure.

Otherwise, all other requirements and standards established by other chapters of this title, as well as any other applicable metropolitan government, state or federal regulation, shall apply to the development and use of properties shown on the final site plan. In case of conflict between the standards of this section and other chapters of this Zoning Code, the provisions of this section shall control, except for council-approved plans such as planned unit developments, urban design overlay districts, and redevelopment districts.

3.

Residential Floor Area. In all non-residential districts that permit with conditions a residential use, no density or floor area ratio applies to those portions of a non-residential building converted to a residential use or to new residential construction.

4.

Building Orientation. In any new or existing building, a primary building entrance shall be oriented to the arterial street, to the extent feasible. On a corner lot, entrances shall be determined in consultation with the zoning administrator.

5.

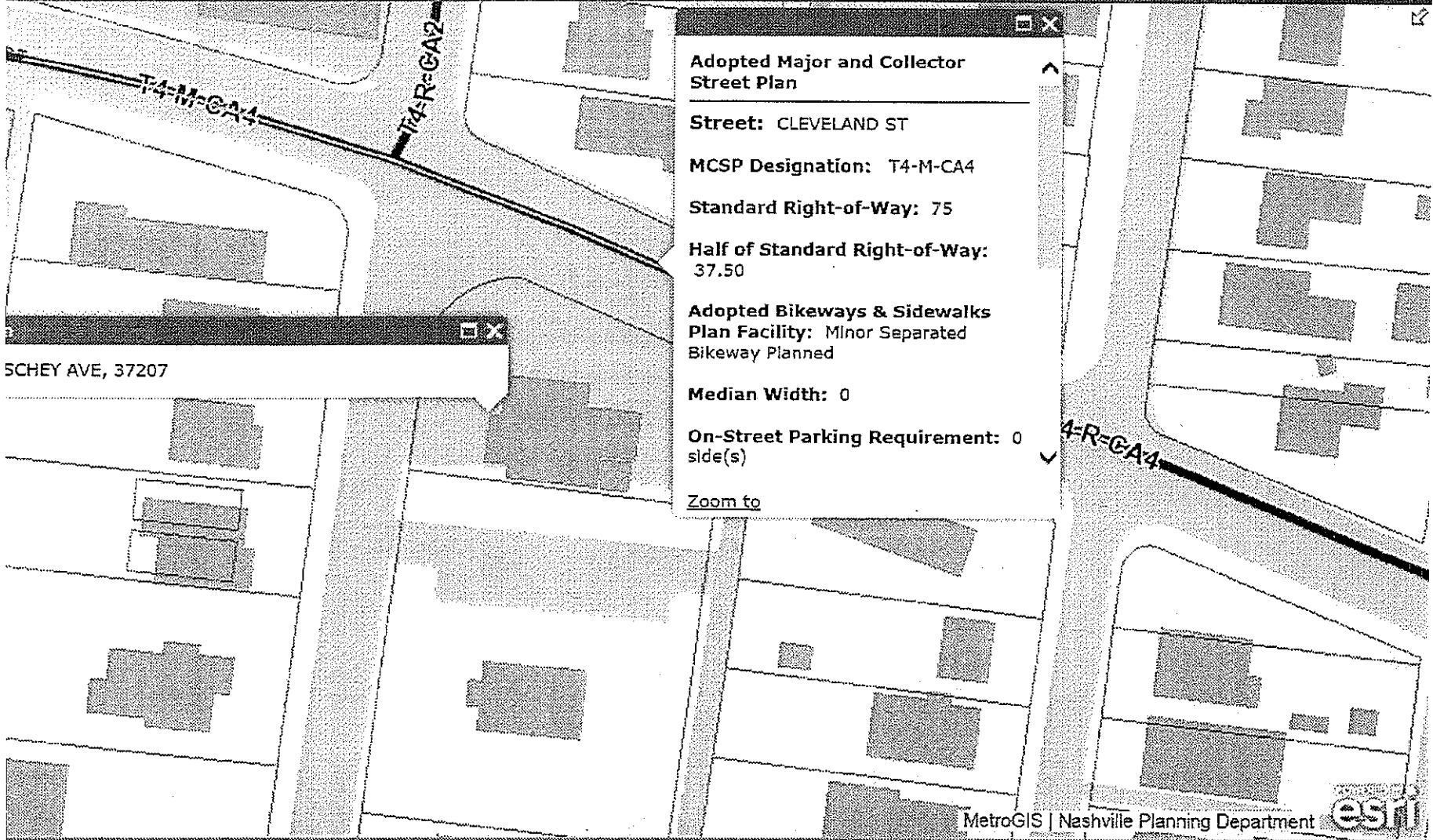
Driveway Access. For new construction, driveway access may be permitted on a non-arterial or non-collector street only if that street intersects the arterial or collector street within the same block.

6.

shall qualify as a "PC" use under this section. Further, in the event a use qualifying under this paragraph is damaged or destroyed, the structure may be restored within one year regardless of the percentage of damage or destruction. For purposes of this section, owner-occupied shall mean that as provided in Section 17.16.160(A)(4); however, the structure need not be an historic home.

"Frontage" means any portion of a lot that abuts a public street (excluding alleys) and "open space".

"Block" means a unit of land bounded by streets or by a combination of streets and public land, railroad rights-of-way, waterways or any other barrier to the continuity of development



SCHEY AVE, 37207

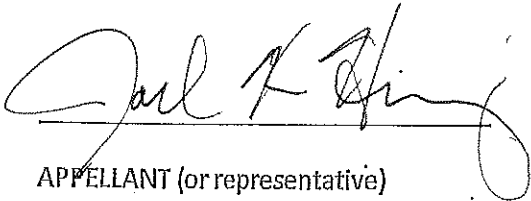
SPECIAL EXCEPTION REQUESTS

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)

9-3-18
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.

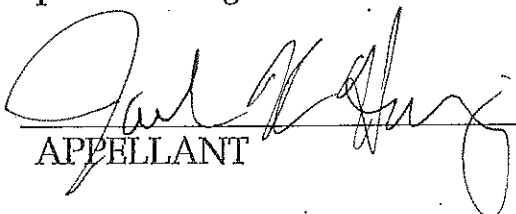
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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.

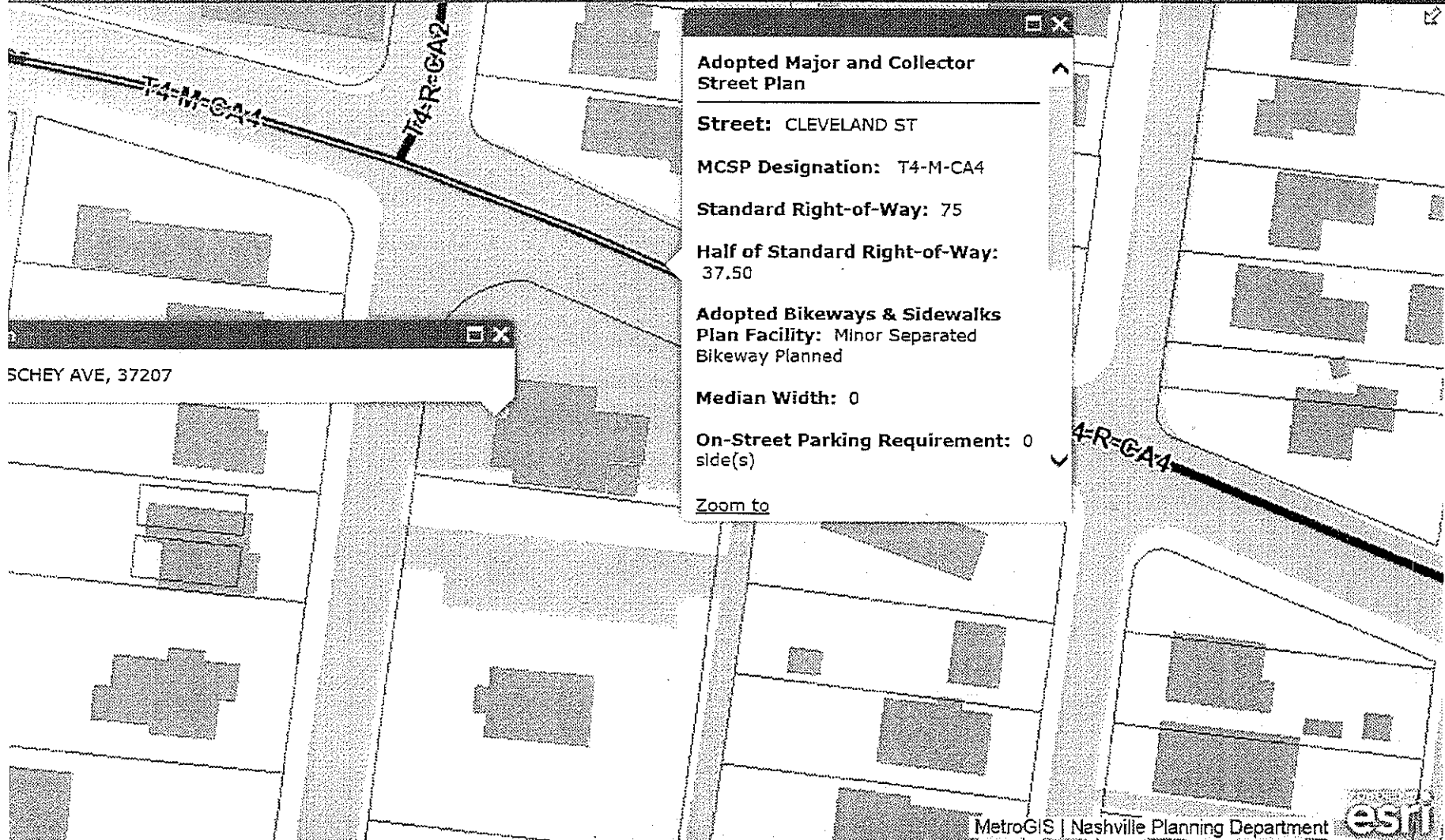
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

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

9-3-18
DATE



From: [Ammarell, Beverly \(Public Works\)](#)
To: [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)
Cc: [Doyle, Devin \(Public Works\)](#)
Subject: 10/18/18 BZA meeting
Date: Friday, September 28, 2018 2:34:07 PM

2018-560 3134 Dickerson PK World Finance Renovations and U&O

Variance: 17.16.050 D1 variance to permitted with conditions

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.

2018-565 829 Lischey Ave residential and office mixed use

Variance: 17.12.035D front setback; 17.12.060F height variance

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: October 12, 2018
BZA Hearing Date: October 18, 2018
Re: Planning Department Recommendation for a Special Exception, Case 2018-565

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 2018-565 (829 Lischey Avenue) – Special Exception

Request: A special exception to exceed the maximum building height at the setback line and decrease the required front and rear setbacks for office and multi-family residential uses.

Zoning: Commercial Neighborhood (CN) is intended for very low intensity retail, office, and consumer service uses which provide for the recurring shopping needs of nearby residential areas.

Overlay District: Urban Zoning Overlay District

Land Use Policy: T4 Urban Neighborhood Center (T4 NC) is intended to maintain, enhance, and create urban neighborhood centers that serve urban neighborhoods that are generally within a 5 minute walk. T4 NC areas are pedestrian friendly areas generally located at intersections of urban streets that contain commercial, mixed use, residential, and institutional land uses. Infrastructure and transportation networks may be enhanced to improve pedestrian, bicycle, and vehicular connectivity.

Site and Context: The site contains 0.39 acres of land and is located at the southeast corner of the intersection of Cleveland Street and Lischey Avenue in East Nashville. Existing conditions include a fast-food restaurant that was built in 1960. This site is served by an existing alley. Nearby land uses include one and two-family residential, multi-family residential, institutional and vacant parcels. Multi-family residential uses are located along Cleveland Street, a collector

street per the Major and Collector Street Plan, and are near the intersection of Cleveland Street and Lischey Avenue.

Proposal: This request is to permit a mixed use building to exceed the maximum permitted height at the setback line. Metro Zoning Code permits a maximum height of 20 feet at the setback line. For this property, required street and rear setbacks are 20 feet. The CN zoning district does not have a side setback requirement. This request is to penetrate the maximum height of 20 feet at the setback line by approximately 25 feet to have a maximum height of 45 feet. Also, this request is to permit a decrease in the required street setbacks along site frontage on both Cleveland Street and Lischey Avenue. The requested street setback on Cleveland Street is 5 feet after a 7.5-foot right-of-way dedication. The requested street setback on Lischey Avenue is 10 feet.

Planning Department Analysis: The proposed mixed-use building, consisting of multi-family residential and office uses, has a maximum height of 45 feet at the street setback line which exceeds the maximum height of 20 feet permitted by the CN zoning district. Nearby properties along Lischey Avenue and Cleveland Street, located in the Single-Family Residential (RS5) zoning district, are permitted to build a maximum of 3 stories in 45 feet at the setback line. This site is the only property within the immediate area in the CN zoning district.

Section 17.12.060.F of Metro Zoning Code permits a principal structure located in the Urban Zoning Overlay to exceed the maximum height at the setback line based on review and approval of a Special Exception by the Board of Zoning Appeals. The proposed height for this building is consistent with nearby properties that can develop at a height of 45 feet at the setback line. Exceeding the 20-foot maximum height at the setback line will not have an adverse impact on air, light, shadow or wind velocity patterns due to the configuration of the proposed buildings. Adjacent properties will not be adversely impacted by this proposal.

Section 17.12.035.D of Metro Zoning Code permits a principal structure located in the Urban Zoning Overlay to be located closer to the street than permitted by the zoning district based on the review and approval of a Special Exception by the Board of Zoning Appeals. In this instance, the proposed mixed-use building will be located closer to both Cleveland Street and Lischey Avenue which will help provide for a strong pedestrian friendly environment. The proposed street setback along Lischey Avenue is 10 feet and 5 feet along Cleveland Avenue after the required 7.5-foot right-of-way is implemented per Major and Collector Street Plan standards.

T4 Urban Neighborhood Center policy supports buildings that are two or three stories tall and does support taller buildings in limited instances such as at a prominent intersection. This policy area also encourages buildings located closer to the street contributing to a strong pedestrian environment. Staff recommends approval of this special exception request as this proposal is consistent with the T4 Neighborhood Urban Center policy at this location.

Planning Recommendation: Approve with conditions.

Conditions

1. Provide glazing for at least 50 percent of the façade for non-residential uses on the ground floor.
2. Provide glazing for at least 20 percent of the façade for residential uses.

From: [Board of Zoning Appeals \(Codes\)](#)
To: [Braisted, Sean \(Codes\)](#)
Subject: FW: BZA 2018-565
Date: Tuesday, October 16, 2018 10:08:08 AM

CM Scott Davis Support

From: Hargis, Joey <jhargis@bakerdonelson.com>
Sent: Tuesday, October 16, 2018 10:05 AM
To: Board of Zoning Appeals (Codes) <bza@nashville.gov>
Subject: Fwd: BZA 2018-565

For the record

Sent from my iPhone

Begin forwarded message:

From: "Davis, Scott (Council Member)" <Scott.Davis@nashville.gov>
Date: October 15, 2018 at 6:44:12 PM CDT
To: "Hargis, Joey" <jhargis@bakerdonelson.com>
Subject: RE: BZA 2018-565

I am in support

From: Hargis, Joey [jhargis@bakerdonelson.com]
Sent: Monday, October 15, 2018 1:51 PM
To: Davis, Scott (Council Member)
Subject: BZA 2018-565

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

Scott,

Hope you are doing well. I hope you would speak before the BZA meeting regarding our client's request at 829 Lischey Avenue and would be recommending approval to the BZA. I know our client's have had neighborhood meetings with both neighborhood associations in the area over the past few weeks.

I look forward to seeing you prior to the meeting. Please feel free to call me at 615-406-3559 should you have any questions

Joey Hargis
Attorney
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
211 Commerce, Suite 800
Baker Donelson Center

Nashville, Tennessee 37201

Office - 615-726-7391

Mobile - 615-406-3559

Baker, Donelson, Bearman, Caldwell & Berkowitz, PC represents clients across the U.S. and abroad from offices in Alabama, Florida, Georgia, Louisiana, Maryland, Mississippi, South Carolina, Tennessee, Texas, Virginia and Washington, D.C.

Baker Donelson - One of FORTUNE Magazine's "100 Best Companies to Work For®" for Eight Years in a Row!

P Please consider the environment before printing this e-mail.

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2018-566

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: 15th Church Equity Investors

Date: 9/5

Property Owner: 15th Church Eq Investors

Case #: 2018-566

Representative: Lee Molette

Map & Parcel: 92-12/340

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 reduce parking spaces

Activity Type: Residential - Short Term Rental Condos

Location: 1506 Church St Nashville 37203

This property is in the MU1-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: 17.20.030

Section(s): Variance from parking requirements.

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.

15th Church Equity Investors
Appellant Name (Please Print)

Lee Molette
Representative Name (Please Print)

1506 Church St #130
Address

1506 Church St #131
Address

Nashville, TN 37203
City, State, Zip Code

Nashville, TN 37203
City, State, Zip Code

(615) 300.7862
Phone Number

(615) 300.7862
Phone Number

lee.fs.developers@gmail.com
Email

lee.fs.developers@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



3556264

ZONING BOARD APPEAL / CAAZ - 20180056649
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09212034000

APPLICATION DATE: 09/05/2018

SITE ADDRESS:

1506 CHURCH ST 100 NASHVILLE, TN 37203
LOTS 61 & 62 & PT LOT 60 STATE PRISON

PARCEL OWNER: 15TH AND CHURCH EQUITY INVESTORS, I

CONTRACTOR:

APPLICANT: 15TH & CHURCH EQUITY INVESTORS
LEE MOLETTE
1506 CHURCH ST
Nashville, TN 37203 615-300-7862

PURPOSE:

TO CONSTRUCT SHORT TERM RENTAL CONDOMINIUM BUILDING WITH 50 ONE BEDROOM UNITS, 2 TWO BEDROOM UNITS AND 2000 SQFT OF RETAIL SPACE ON FIRST FLOOR... ..

REQUEST TO PROVIDE 11 PARKING SPACES FOR PROJECT

REJECTED: 17.20.030 MINIMUM 37 PARKING SPACES REQUIRED (53 SPACES ADJUSTED FOR TRANSIT, PEDESTRIAN ACCESS, PUBLIC PARKING TO 37 SPACES)

*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.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.

Frank Stanton Developers, LLC

1506 Church St #130

Nashville, TN 37203

(615) 600.7862

8.31.18

Re: Variance Request

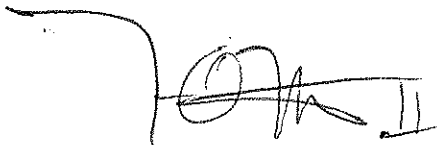
Dear Zoning Appeals Board

The property at 1506 Church is being developed as a Short- term rental condominium building. We are appealing to have the required parking requirement of 53 spaces reduced to 11. This requirement burdens the development with significant excessive parking requirements. We will submit supporting documentation and studies prior to our hearing. However, with the growth of ride-share and other alternative means of transportation including buses, most visitors are no longer driving. Therefore, they do not require as much parking. Our location is within walking distance of the majority of Nashville's entertainment districts & venues for our guests.

This reduction will allow us to create a more pedestrian friendly environment while avoiding both above grade parking and un-utilized building areas.

We respectfully submit this appeal for your consideration.

Warm regards

A handwritten signature in black ink, appearing to read 'Lee O. Molette, II', with a large, stylized initial 'L' and 'M'.

Lee O. Molette, II

President

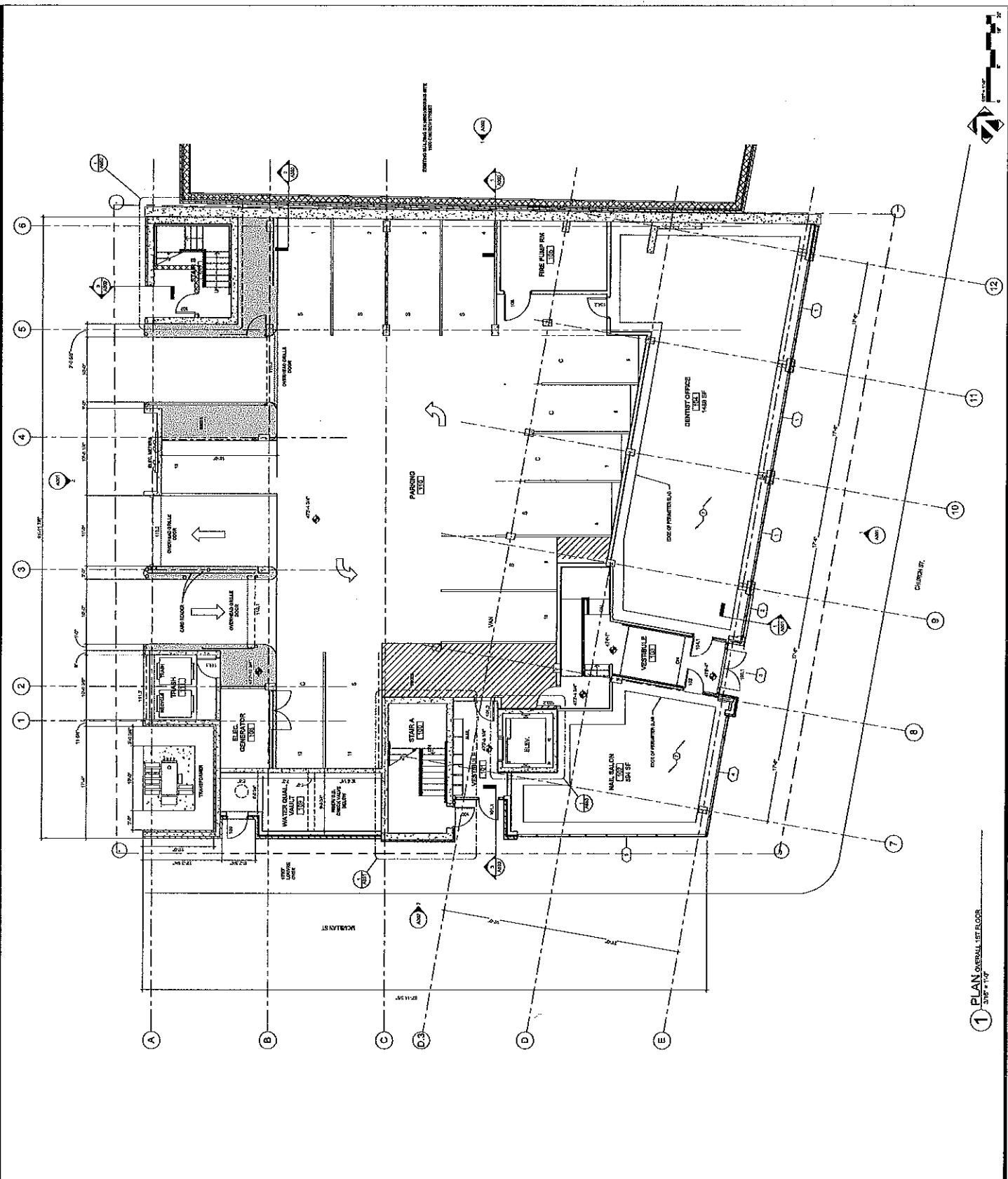
- GENERAL NOTES - FLOOR PLAN**
- 1. CONSTRUCTION NOT TO FACE UNLESS NOTED OTHERWISE.
 - 2. SEE ELECTRICAL SYMBOLS AND SCHEDULES FOR ALL ELECTRICAL WORK AND CONDUIT RUNS.
 - 3. SEE MECHANICAL SYMBOLS AND SCHEDULES FOR ALL MECHANICAL WORK.
 - 4. SEE PLUMBING SYMBOLS AND SCHEDULES FOR ALL PLUMBING WORK.
 - 5. SEE FINISHES SYMBOLS AND SCHEDULES FOR ALL FINISHES WORK.
 - 6. SEE FOUNDATION SYMBOLS AND SCHEDULES FOR ALL FOUNDATION WORK.
 - 7. SEE ROOFING SYMBOLS AND SCHEDULES FOR ALL ROOFING WORK.
 - 8. SEE STRUCTURAL SYMBOLS AND SCHEDULES FOR ALL STRUCTURAL WORK.
 - 9. SEE PAINT SYMBOLS AND SCHEDULES FOR ALL PAINT WORK.
 - 10. SEE LUMBER SYMBOLS AND SCHEDULES FOR ALL LUMBER WORK.
 - 11. SEE GLASS SYMBOLS AND SCHEDULES FOR ALL GLASS WORK.
 - 12. SEE IRONWORK SYMBOLS AND SCHEDULES FOR ALL IRONWORK WORK.

- CODED NOTES - FLOOR PLAN**
- 1. REFER TO THE REVISIONS SHEET FOR ALL REVISIONS.
 - 2. REFER TO THE GENERAL NOTES FOR ALL NOTES.
 - 3. REFER TO THE MECHANICAL SCHEDULES FOR ALL MECHANICAL WORK.
 - 4. REFER TO THE ELECTRICAL SCHEDULES FOR ALL ELECTRICAL WORK.
 - 5. REFER TO THE PLUMBING SCHEDULES FOR ALL PLUMBING WORK.
 - 6. REFER TO THE FINISHES SCHEDULES FOR ALL FINISHES WORK.
 - 7. REFER TO THE FOUNDATION SCHEDULES FOR ALL FOUNDATION WORK.
 - 8. REFER TO THE ROOFING SCHEDULES FOR ALL ROOFING WORK.
 - 9. REFER TO THE STRUCTURAL SCHEDULES FOR ALL STRUCTURAL WORK.
 - 10. REFER TO THE PAINT SCHEDULES FOR ALL PAINT WORK.
 - 11. REFER TO THE LUMBER SCHEDULES FOR ALL LUMBER WORK.
 - 12. REFER TO THE GLASS SCHEDULES FOR ALL GLASS WORK.
 - 13. REFER TO THE IRONWORK SCHEDULES FOR ALL IRONWORK WORK.

WALL PATTERN LEGEND

[Pattern]	REINFORCED CONCRETE
[Pattern]	STRUCTURAL CONCRETE
[Pattern]	CMU CONCRETE
[Pattern]	MASONRY
[Pattern]	WOOD FRAME
[Pattern]	BRICK
[Pattern]	GLASS
[Pattern]	ALUMINUM CLAD
[Pattern]	STEEL CLAD
[Pattern]	METAL CLAD
[Pattern]	ROOFING
[Pattern]	PAINT

Church Street Residences	
1000 Church Street Franklin, TN 37075	
Frank Stanton Development	
MOODY, NOLAN	PROCESSING
RESPONSIVE ARCHITECTURE	DRAWINGS
NOT FOR CONSTRUCTION	
1000 Church Street Franklin, TN 37075	
Doc. Code: A101	Task Date: 05/12/13
Project No: 1300000000	Sheet No: 001
Overall First Floor	A101
100% CD CHECKSET	06/25/13



Frank Stanton Developers, LLC

1506 Church St #130

Nashville, TN 37203

(615) 600.7862

10.14.18

Re: Variance Request Case #2018-566

Dear Zoning Appeals Board

The property at 1506 Church is being developed as a Short-term rental condominium building. We are appealing to have the required parking requirement of 37 spaces reduced to 11. This requirement burdens the development with significant excessive parking requirements. In support of our request, we have provided the following:

- A letter from a seasoned short-term rental management company
- A parking study used to secure a similar request a couple of blocks away
- Several pictures of nearby free and pay parking within 10-500 feet from the site

This reduction will allow us to create a more pedestrian friendly environment while avoiding both above grade parking and un-utilized building areas. Furthermore, this aligns with Metro's objective to promote the use of alternative means of transportation. Finally, urban planners are advising developers we should plan for fewer drivers and even build garages so that can be converted to office or other uses. Especially in neighborhoods like Church Street.

We respectfully submit this appeal for your consideration.

Warm regards



Lee O. Molette, II

President



PROPERTIES

A Luxury Vacation Rental Management Company

806 Third Avenue South, Nashville, Tennessee 37210

Mr. Lee O Molette II, President
Frank Stanton Developers, LLC
533 Church Street #130
Nashville, Tn 37219

Dear Lee:

It was great speaking with you and discussing our experience with parking for vacation rentals in downtown Nashville. As you know we have managed properties in downtown for over five years. We believe that we understand the market.

After our discussion, I went back and confirmed our experience with downtown guests that stay in our properties. Approximately 30% of the visitors to our properties require parking for their stay. In one building on Second Avenue North, we have 15 units, and we offer parking for guests renting those units. However, we only secured 8 dedicated spaces for the 15 units. We also have additional spaces for the other guests that stay in other downtown properties. In three years of offering these parking options, we have not used all the spaces at one time.

Having nearby pay parking lots and some small percentage of dedicated spaces for guests to purchase would be my recommendation, based on our experience. Please let me know, if we can assist you further.

Sincerely,

A handwritten signature in black ink that reads "Alfonzo Alexander". The signature is written in a cursive, flowing style.

Alfonzo Alexander
Chief Executive Officer



Graduate Parking Demand



6/3/2017

Table
Project: Graduate
Description: Mixed-use Development

SHARED PARKING DEMAND SUMMARY

PEAK MONTH: AUGUST - PEAK PERIOD: 9 PM, WEEKEND

Land Use	Project Data Quantity Unit	Weekday					Weekend					Weekday			Weekend		
		Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr Adj 9 PM	Peak Mo Adj August	Estimated Parking Demand	Peak Hr Adj 9 PM	Peak Mo Adj August	Estimated Parking Demand
Peak-Leisure	200 Rooms	0.90	0.35	1.00	0.32	Rooms	1.00	0.35	1.00	0.35	Rooms	0.95	1.00	61	0.95	1.00	67
Restaurant/Lounge	5,800 sq GLA	10.00	0.20	0.63	3.00	sq GLA	10.00	0.20	0.60	3.00	sq GLA	0.67	0.99	12	0.67	0.99	12
Conference Ctr/Banquet (20 to 50 sq ft/gst)	7,500 sq GLA	30.00	0.50	0.25	3.75	sq GLA	30.00	0.50	0.25	3.75	sq GLA	1.00	1.00	28	1.00	1.00	28
Employee		0.25	0.50	1.00	0.13	Rooms	0.18	0.60	1.00	0.09	Rooms	0.20	1.00	5	0.55	1.00	10
ULI base data have been modified from default values.											Customer Reserved	101	Customer Reserved	107			
											Employee Reserved	5	Employee Reserved	10			
											Total	0	Total	0			
											Total	106	Total	117			

Our review includes both the Nashville Code requirement for a project in the UZO district as well as the "market demand" as prepared by Hastings Architecture. Also, as a comparison of these two methods of determining parking demand, we have also prepared an estimate of the parking needed for the Graduate using the Urban Land Institute's Shared Parking Model. This model allows for using the ULI established baselines for parking demand but also incorporating the variables unique for each development. The variables to be used in the model include estimates of how many of the hotel guests will use alternative methods of transportation to arrive at the hotel (other than personal or rented automobile) and how many of the customers of the restaurant/ bar and meeting space will also be guests of the hotel and therefore not generate additional parking demand. My analysis (using the ULI model) projects the following peak parking demand for the Hotel:

- Hotel - 67 Spaces
 - Employee - 10 Spaces
 - Restaurant/Bar - 12 Spaces
 - Meeting - 28 Spaces
- TOTAL - 117 Spaces

Please note that the variables used in the calculations are based upon our own experience and empirical data of similar product hotels and also reflect the local conditions of this Nashville area.

Using the ULI model calculations and our experience the results are that the estimate for parking demand aligns with the market demand as prepared by Hastings Architecture and that building the requirement per the Nashville UZO code would result in excessive parking supply and the negative impact of wasted land resources, unnecessary maintenance and capital repair/replacement costs.

Please let me know if we can provide further information or clarification for our analysis.

Thanks,

Ryan

Ryan Hunt / COO - Partner / 615-554-7472 / ryan.hunt@premierparking.com

Premier Parking Office: 615-238-2250

421 Church Street / Nashville, TN 37219 / www.premierparking.com

NASHVILLE HOTELS ANALYSIS

DRIVE UP

DRIVE UP

55 PARKING SPACES 44%

68 PARKING SPACES 30%

74 PARKING SPACES 41%

25 PARKING SPACES 20%

HOTEL

FAIRFIELD INN & SUITES/THE GULCH

THOMPSON NASHVILLE

KIMPTON AERTSON

ZIC NASHVILLE

ROOMS

126

224

180

124

AVERAGES

hotel occupancy: 60%

overnight valet rate: \$35

drive up ratio: 30%

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: HP Architecture APPEAL CASE 2017-272
 2000 West End Avenue
 Map: 92-16 Parcel: 4
 Zoning Classification: MUI-A

ORDER

This matter came to be heard in public hearing on 11/16/2017, before the Metropolitan Board of Zoning Appeals, upon application for a variance from parking requirements to reduce parking spaces from 202 to 117.

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 (B) of the Metropolitan Code.
- 3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

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

UPON MOTION BY: David Ewing

Seconded by: Cynthia Chappell

Ayes: David Taylor, Richard King
 Nays: Christina Karpyneec, David Harper
 Abstaining:
 Absent: Alma Sanford

ENTERED THIS 20th DAY OF November, 2017

METROPOLITAN BOARD OF ZONING APPEALS



 Chair



 Secretary

10/12/2018

Up to 15 parking spaces available for development Alto

Photo - Google Photos

Case #2018-566

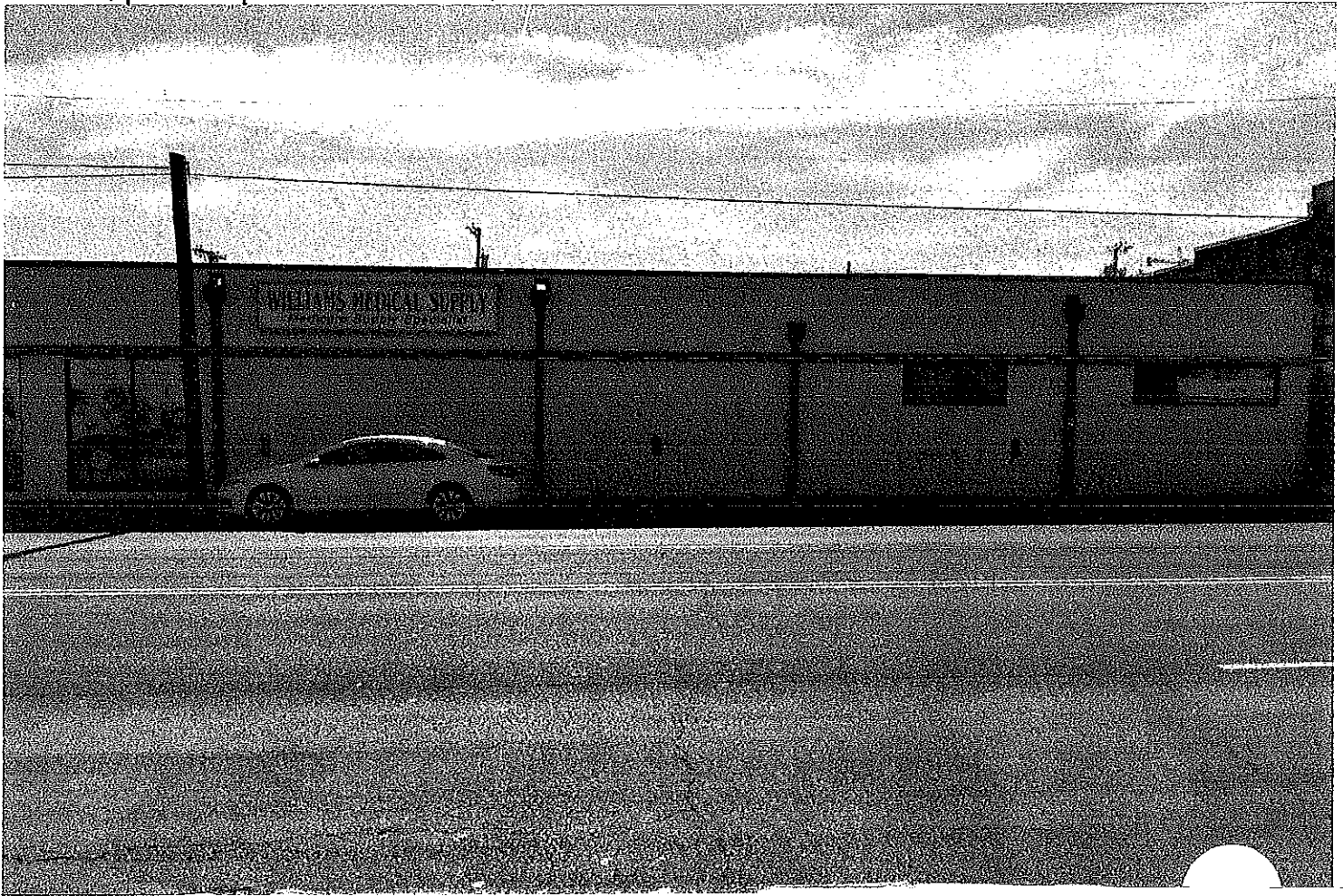


8+ parking spaces on McMillan Contrato is at Church + McMillan

10/12/2018

Photo - Google Photos





10/12/2018

Photo - Google Photos

20 parking spaces across the street

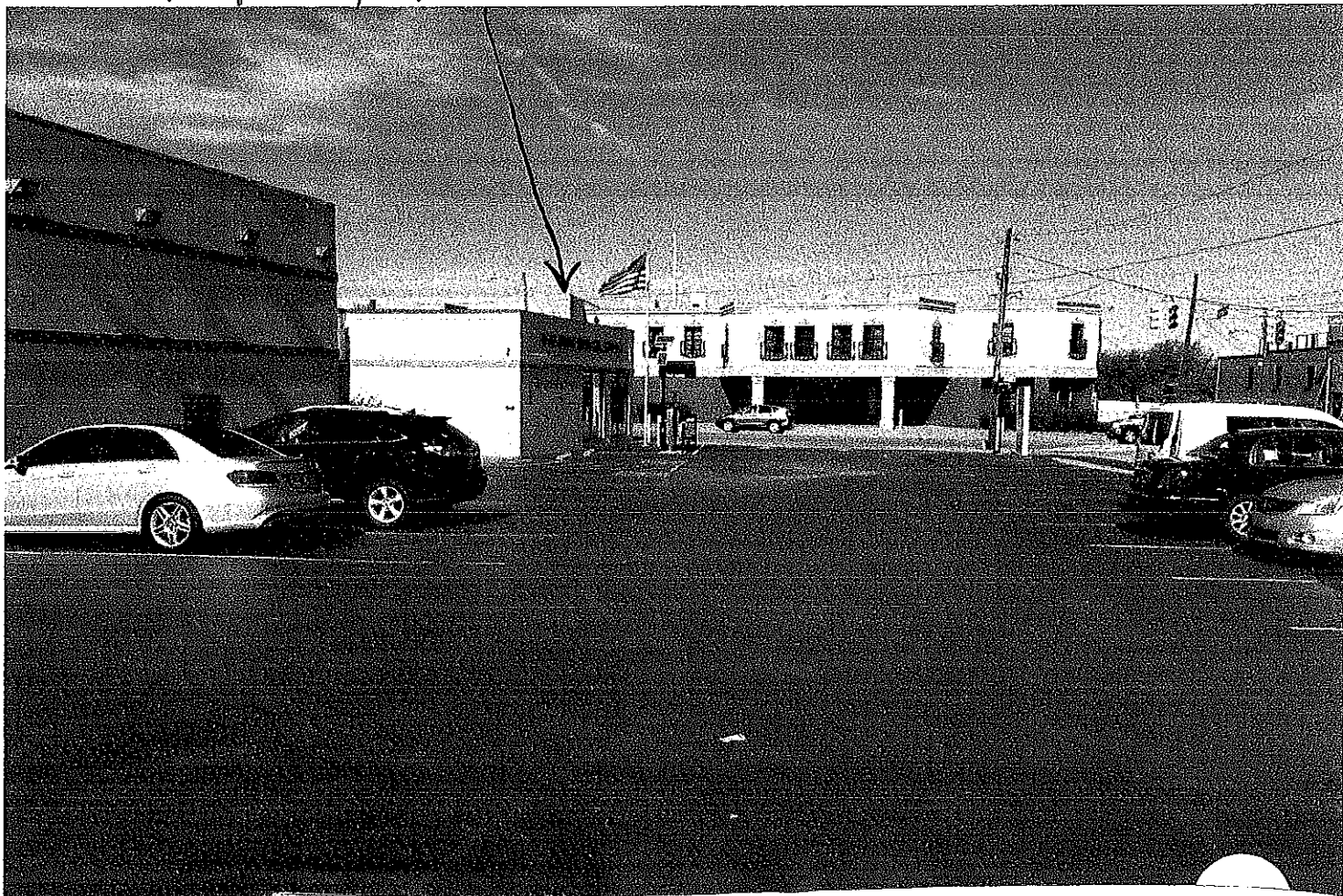


Church Street

10/12/2018

33 pay parking spaces across the street
Photo - Google Photos

Case #2018-566



10/12/2018

33 pay parking spaces across the street
Photo - Google Photos



From: [Justin W. Leach](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: 2018-566 / 15th & Church Equity Investors
Date: Monday, October 1, 2018 1:05:18 PM

To Whom It May Concern:

I am a neighbor to the subject property owner. I own a historic home located at 227 15th Avenue North, and I support the appellant's request for a variance from parking requirements. This neighborhood needs more thoughtful development like that contemplated by the appellant.

Please feel free to contact me with any questions. Thank you.

Sincerely,
Justin Leach

From: [Patrick Schipani](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal Case Number 2018-566
Date: Friday, October 5, 2018 11:24:30 AM

Jon Michael, Zoning Administrator

METRO BOARD OF ZONING APPEALS

My wife and I are Frank Moore Holdings, owners of the building at 1500 Church St. that is adjacent to this proposed project. We are opposed to any variance for parking as requested for 1506 Church St. All parking presently in the area is private except on street parking. The demand for this parking is already beyond capacity.

We are opposed to this variance as it will create illegal parking on our property and the surrounding neighbors.

We are not in the core business district that has many public parking garages available for those businesses.

There are no physical or unique characteristics associated with 1506 Church St. that we feel would justify the granting of this proposed variance. We see none listed on the application nor are there any visible unique characteristics at the property.

The VRBO as requested is something like a private residence/hotel. This will bring many renters and their visitors into the area looking for parking even though some will use taxis or Uber/Lyft.

The retail will also attract customers along with the employees that will need parking. We need our parking for the employees and staff at 1500 Church.

We feel that if adequate parking is not required it will cause injury to our property and require constant monitoring of illegal parking. We all want to be neighborly.

Church St. is a busy road and the alley in the rear needs to remain open to traffic at all times as we all use it several times a day. I cannot imagine all the renters, customers, employees, repairmen, etc. converging onto 11 parking spaces.

Mr. Lee Molette is a good man and has been a good neighbor to us all. We are not against his project, just very much opposed to the parking variance and the injury it will cause to the neighborhood.

We are opposed to granting any variance as requested in: Appeal Case Number 2018-566.

Thank You

Patrick Schipani
Frank Moore Holdings
1500 Church St./221, 223 15th Ave North. 37203
615.969.0829

From: [Linda Schipani](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal Case # 2018-566
Date: Thursday, October 4, 2018 3:32:46 PM

To: Metropolitan Board of Zoning Appeals,

I am writing to voice my opposition regarding the variance request by Mr. Lee Molette/ 15th & Church Equity Investors. As we are all painfully aware of the parking issues in our area, I find it inconceivable Mr. Molette would think he could build a short term rental condominium and retail with only 11 parking spaces! I own the parking lot running parallel to the back of proposed building site and need parking for my employees and patients. If there are only 11 parking spaces, my lot would be constantly used by overnight guest and patrons/employees of the potential retail offerings. Even if every unit were filled with shared riders (and this would never be the situation), there would not be enough parking for employees of the retail area much less their customers.

As I understand, most variance request REQUIRE a hardship. What is his specific hardship? I would respectfully ask the hardship to be clearly defined before the board votes.

Also, is the building approved for a condo or is it short term rentals? The proposed building's actual use is stated as an short term rental like VRBO, AirBnB etc. This would be more like a hotel than a residential development. What evidence is there that short-term rental one-bedroom condos would be occupied by people who don't rent/drive cars? How many parking spaces /room are required by hotels?

I am aware the city does allow properties to provide parking as required by codes off-site within a reasonable distance. Why is this property different from these others and why wouldn't the property owner be required to secure parking elsewhere if it's not incorporated in the site?

Lastly, the zoning board should take into consideration the structure of the deeds/condo association rules. Are the rentals restricted to less than 28 days and also are there restrictions regarding condos from being "owner-occupied". What happens if the condo association changes these rules and allows owners to occupy the units? Where is the parking then?

Again, I am apposed to permit # 20180056649/appeal case # 2018-566. I would appreciate your consideration.

Sincerely,
Linda

Linda Moore Schipani, MSN, RN
President & CEO
Clinical Research Associates, Inc.
1500 Church Street
Nashville, TN 37203
615-329-0197

Case #2018-566
2018 Sep
oppose



E.S.S., Inc.
203 McMillin St. • Nashville, TN 37203-2912
(615) 340-9033 • Fax (615) 340-9642
www.essnashville.com

September 27, 2018

RE: Appeal Case Number: 2018-566
1506 Church Street 100
Map parcel 09212034000

To whom it may concern,

We are in receipt of your notice dated September 11th regarding the zoning appeal for a variance from the parking requirements. At this time, we must very firmly state our opposition to the parking variance. ESS owns a lot immediately adjacent to this lot (ours is on McMillin Street and shares the alley with the lot in question), and we already struggle greatly to keep others from parking in our spaces. It is an enormous problem. We frequently have vehicles towed. We have no parking and no trespassing signs. We have also erected physical barriers to try to keep others from parking or trespassing on our lot when we are not here. Nevertheless, people will move those barriers and enter the lot anyway. In one case, a man drove his vehicle over one of our barriers and dragged it down the street. He saw it, stopped and drove over it anyway. It is inevitable that the occupants of this building will need more than 11 spaces and will attempt to use ours and those belonging to others nearby. I see that the regular parking requirements were already reduced to 37 from 53 because of pedestrian access, public transportation access and access to public parking. However, the public parking options in the area are extremely limited and already overwhelmed by the demands of existing businesses – most notably the Déjà vu Gentleman's Club already located on 15th Avenue. Mr. Mollette is very well aware of the problems we and other businesses have experienced because we have been communicating with each other about it via email. He is extremely aware that there is not enough parking in the neighborhood. As it is, the entire project is extremely ill advised. The very notion of locating an entire building full of short term rental units right across the street from a strip club is not a good idea at all. It would inevitably become a haven for a myriad of various criminal activities. Such a location would not attract desirable short term rental guests and would attract extremely unsavory guests. As it is, other local businesses have had to tolerate drug use and fornication in their parking lots and fire escapes. If this short term rental building were present, it would become a haven for prostitution and illegal drugs. It is my understanding that this short term rental building is in compliance with the STRP regulations as presently written, but I think that this is not a desirable project for the neighborhood or the city. A parking variance would impose undue hardship and inconvenience for existing businesses and residents. Therefore, absolutely no parking variances should be granted under any circumstances.

Sincerely,

A handwritten signature in black ink, appearing to read "Ann E. Braun", written over a horizontal line.

Ann E. Braun
Owner & President, ESS Inc.

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

615-862-6530

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Appellant : Brandon McDonald

Date: 8-9-18

Property Owner: Brandon McDonaldCase #: 2018-514Representative: 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 RentalLocation: 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 in a large, irregular oval shape.

8.9.18

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



Appellant : Amber Rinck

Date: 8-21-18

Property Owner: Amber Rinck & Micah Sannan

Case #: 2018-542

Representative: : Amber Rinck & Micah Sannan

Map & Parcel: 06115035900

Council District 07

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: 3814 Katherine St.

This property is in the RS7.5 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.

Amber Rinck
Appellant Name (Please Print)

Same as Appellant
Representative Name (Please Print)

3814 Katherine St.
Address

Address

Nashville, TN 37216
City, State, Zip Code

City, State, Zip Code

(615) 856-8000
Phone Number

Phone Number

rinckamber@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



3548326

ZONING BOARD APPEAL / CAAZ - 20180050218
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 06115035900

APPLICATION DATE: 08/21/2018

SITE ADDRESS:

3814 KATHERINE ST NASHVILLE, TN 37216
LOT 281 INGLEWOOD PLACE

PARCEL OWNER: RINCK, AMBER & SANNAN, MICAH

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.

[Handwritten signature] 8-21-2018

Rental Unit Record

3814 Katherine St, Nashville, TN 37216, USA

Active ●
Identified ✓
Compliant X

PRINT

Airbnb - 25952904

Airbnb - 24245679



Matched Details

Analyst QZ4P

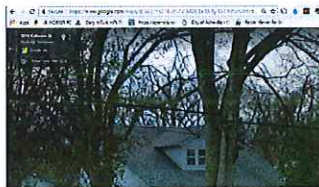
Explanation
The property was successfully identified after finding the home via google maps then validating the address with the pictures on the listing and the images from google street view, then getting all other information from the tax assessor site.

Listing Photos

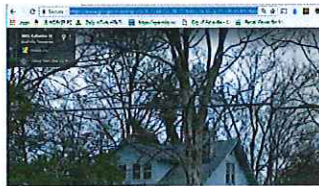


Same property.

Matching 3rd Party Sources



same property



Identified Address

3814 Katherine St, Nashville, TN 37216, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.214962, -86.727317

Parcel Number

06115035900

Owner Name

RINCK, AMBER & SANNAN, MICAH

Owner Address

3814 Katherine St
Nashville, TN 37216, US

Timeline of Activity

View the series of events and documentation pertaining to this property

tip: 3814 Katherine St , Nashville August 15th, 2018

- Zip Code Match
- City Name Match

Owner Name Match

- 4 Documented Stays August, 2018
- First Warning - No Tax Reg: Delivered August 11th, 2018
- First Warning - No STR or Tax: Delivered August 11th, 2018
- First Warning - No Tax Reg: Sent August 5th, 2018
- First Warning - No STR or Tax: Sent August 4th, 2018
- 9 Documented Stays July, 2018
- Listing air25952904 Identified July 13th, 2018
- Listing air24245679 Identified July 13th, 2018
- Listing air25952904 Reposted June 30th, 2018
- Listing air25952904 Removed June 30th, 2018
- 5 Documented Stays June, 2018
- Listing air24245679 Reposted June 23rd, 2018
- Listing air25952904 Reposted June 23rd, 2018
- Listing air24245679 Removed June 22nd, 2018
- Listing air25952904 Removed June 22nd, 2018
- Listing air25952904 First Crawled June 17th, 2018
- Listing air25952904 First Activity June 13th, 2018
- 7 Documented Stays May, 2018
- 2 Documented Stays April, 2018
- Listing air24245679 First Crawled April 12th, 2018
- Listing air24245679 First Activity April 9th, 2018

Listing Details

Listing URL	- https://www.airbnb.com/rooms/24245679
Listing Status	● Active
Host Compliance Listing ID	- air24245679
Listing Title	- East Nashville 1920's Loft in quiet neighborhood
Property type	- House
Room type	- Entire home/apt
Listing Info Last Captured	- Aug 20, 2018
Screenshot Last Captured	- Aug 13, 2018
Price	- \$90/night
Cleaning Fee	- \$60

Information Provided on Listing

Contact Name	- Amber
Latitude, Longitude	- 36.216050, -86.728447
Minimum Stay (# of Nights)	- 2
Max Sleeping Capacity (# of People)	- 6
Number of Reviews	- 21
Last Documented Stay	- 08/2018

Listing Screenshot History

View Latest Listing Screenshot

June **5**

July **4**

August **2**

August 13, 2018 - 07:14AM America/Chicago



Q Search

Become a host Earn credit Help Sign up Log in

Aug 13, 2018 7:14am America/Chicago

Share

Save



View Photos

ENTIRE HOUSE

East Nashville 1920's Loft in quiet neighborhood

Nashville



Amber

6 guests 2 bedrooms 3 beds 1 bath

HOME HIGHLIGHTS

Amber 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 smartlock.

Helpful · Not helpful

Great check-in experience · 95% of recent guests gave this home's check-in process a 5-star rating.

Helpful · Not helpful

Newly renovated private loft just 10 minutes to downtown, 15 minutes to the airport, and 7 minutes to the popular 5 Points in East Nashville.

It doesn't get much cozier than this 2 bed / 1 bath upstairs loft with new memory foam mattresses, perfect pillows and the softest of bed linens. Nestled in a quiet neighborhood in Inglewood just 2 minutes to Kroger & 3 minutes (easy walk or bike) to Riverside Village (Mitchell's Deli, Dose Coffee, Village Pub and many more).

The space

Amenities - WiFi, Smart TV w Hulu/Amazon/Netflix, microwave, mini fridge, and Kuerin Coffee station. No worries if you forget your toiletries - tooth paste/brush

Dates

Check In → Check Out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

Roomy corner station. No ironing, you forget your clothes - tooth paste, brush, shampoo, conditioner, blower dryer are all available. Central Heat & Air that YOU control.

The downstairs is also an Airbnb but it is completely separate with a different entrance and separate Heat & Air (you control upstairs). We do ask that both parties be respectful of quiet hrs after midnights and minimal noise (no kids, loud music, or animals) during the day. Try not to be heavy footed.

Parking is available in front of house. First come first serve on drive-way, please do not block other guests in. You can park in front of house along street if drive-way is taken. The old white truck is mine and CAN be blocked in.

If you have a larger group and want to rent both - message me.

Guest access

Combo lock entry.

Interaction with guests

Text or call anytime with questions about the house, best places to eat, dance, etc. I have lived in East Nashville for six years and know it well!.

[Hide ^](#)

Contact host

Amenities

-  Free parking on premises
-  Hangers
-  Wifi
-  Hair dryer
-  TV
-  Shampoo

[Show all 14 amenities](#)

Sleeping arrangements

 Bedroom 1 1 queen bed	 Bedroom 2 2 double beds
--	--

House Rules

- Not safe or suitable for infants (Under 2 years)
- No smoking
- Not suitable for pets
- No parties or events
- Check-in is anytime after 4PM
- Check out by 11AM
- Self check-in with smart lock

- Remove shoes at door please. Downstairs is separately rented to airbnb guests so please no stomping, loud music, or excessive noise of any kind.

You must also acknowledge

- Must climb stairs - One flight of outside stairs to left of home.
- Security Deposit - if you damage the home, you may be charged up to \$100

[Hide rules ^](#)

Availability

20 Reviews ★★★★★

Search reviews

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

 Jessica
August 2018

The photographs on the listing is extremely accurate, great amenities, great location. This was an incredible place to stay.

 Shannon
July 2018

A very cute loft space that is small but functional. The diagnosis scheme is mid-century modern, so expect low-to-the-Floor sofas and chairs in the living room and bedrooms. Beds and linens were very comfortable and offer a great night's sleep. The location is very convenient to downtown, the Gulch, and more. Never more than 15 minutes from anywhere I wanted to go in Nashville. Just a note, there is an exterior set of stairs to reach loft apartment that is somewhat steep, so this is not a great place for anyone with mobility issues.

 Joe
July 2018

I loved Amber's place! It was clean, well stocked and close to all things Nashville. I highly recommend you stay at her place on your next visit to Music City! Joe

 Hannah
July 2018

This is such a eye catching place to stay! I felt immediately at home.

 Sue
July 2018

Amber's place is fantastic, the location can't be beat. We were minutes from great restaurants and shopping. We took the highway and were in Franklin Tenn in 20 minutes. The neighborhood is very quiet. All the beds are extremely comfortable, and great pillows too. There is a keurig and keurig coffee and tea cups. The decor is adorable. We will definitely recommend to family & friends.

 LaKeshia
July 2018

Only a short 15 minute drive to Broadway St. we were so happy with Ambers loft! It was by far the cutest, coziest, and most relaxing I've stayed in yet. Really, it was a breath of fresh air. I could have stayed here my whole trip and been completely happy. I did not want to get out of the beds! They were magical! Super clean and Amber was absolutely wonderful! Located in a nice quiet part of East Nashville. I will for sure be back! Unrelated side note: she has a great eye for interior decorating I wanted to go home and redo my whole apartment. lol hahaha Hope you all enjoy as much as I did!

 Sandrene
June 2018

The space is very adorable and decorated well. Amber was wonderful, making sure we had everything we need throughout our stay.




Hosted by Amber

Nashville, Tennessee, United States · Joined in November 2016



★ 103 Reviews  Verified

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

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

Amber'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

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Crystal Bowersox

Date: 8-23-18

Property Owner: Crystal Bowersox

Case #: 2018-549

Representative: Crystal Bowersox

Map & Parcel: 06509007800

Council District 11

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: 4892 Whittier Dr.

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 proper 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.

Crystal Bowersox
Appellant Name (Please Print)

Same as Appellant
Representative Name (Please Print)

4892 Whittier Dr.
Address

Address

Old Hickory, TN 37138
City, State, Zip Code

City, State, Zip Code

(615) 483-8973
Phone Number

Phone Number

crystalbowersox@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



3548876

ZONING BOARD APPEAL / CAAZ - 20180050594
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 06509007800

APPLICATION DATE: 08/23/2018

SITE ADDRESS:

4892 WHITTIER DR OLD HICKORY, TN 37138
LOT 112 SHERWOOD FOREST SEC 3

PARCEL OWNER: BOWERSOX, CRYSTAL L

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.

CRJ 8-23-18

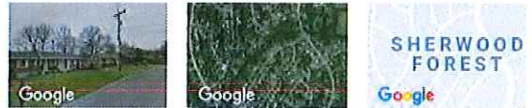
Rental Unit Record

4892 Whittier Dr, Old Hickory, TN 37138, USA

Removed X
Identified ✓
Compliant ✓

PRINT

Airbnb - 26108872



Identified Address

4892 Whittier Dr, Old Hickory, TN 37138, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.224019, -86.587172

Parcel Number

06509007800

Owner Name

BOWERSOX, CRYSTAL L

Owner Address

4892 Whittier Dr
Old Hickory, TN 37138, US

Matched Details

Analyst

JOK9

Explanation

Interior photo matched to one on redfin; host profile matched to owner on record.

Listing Photos

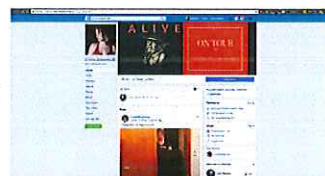


Same kitchen.

Matching 3rd Party Sources



Matches host profile info and owner name.





Timeline of Activity



View the series of events and documentation pertaining to this property



X Listing air26108872 Removed August 21st, 2018

 Zip Code Match

 Owner Name Match

 City Name Match


 First Warning - No STR or Tax: Delivered 
August 11th, 2018


 First Warning - No STR or Tax: Sent 
August 4th, 2018

 3 Documented Stays
July, 2018

 Listing air26108872 Identified
July 13th, 2018

 Listing air26108872 First Crawled
June 22nd, 2018

 Listing air26108872 Reposted
June 22nd, 2018

 Listing air26108872 Removed
June 22nd, 2018

 Listing air26108872 First Activity
June 19th, 2018

Listing Details

Listing URL	- https://www.airbnb.com/rooms/26108872
Listing Status	● Inactive
Host Compliance Listing ID	- air26108872
Listing Title	- Charming Private room near the heart of Nashville!
Property type	- House
Room type	- Private room
Listing Info Last Captured	- Aug 15, 2018
Screenshot Last Captured	- Aug 16, 2018
Price	- \$27/night
Cleaning Fee	- \$10

Information Provided on Listing

Contact Name	- Crystal
Latitude, Longitude	- 36.225019, -86.587894
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 2
Number of Reviews	- 3
Last Documented Stay	- 07/2018

Listing Screenshot History

 View Latest Listing Screenshot

June 1

July 4

August 2

August 07, 2018 - 11:42AM America/Chicago



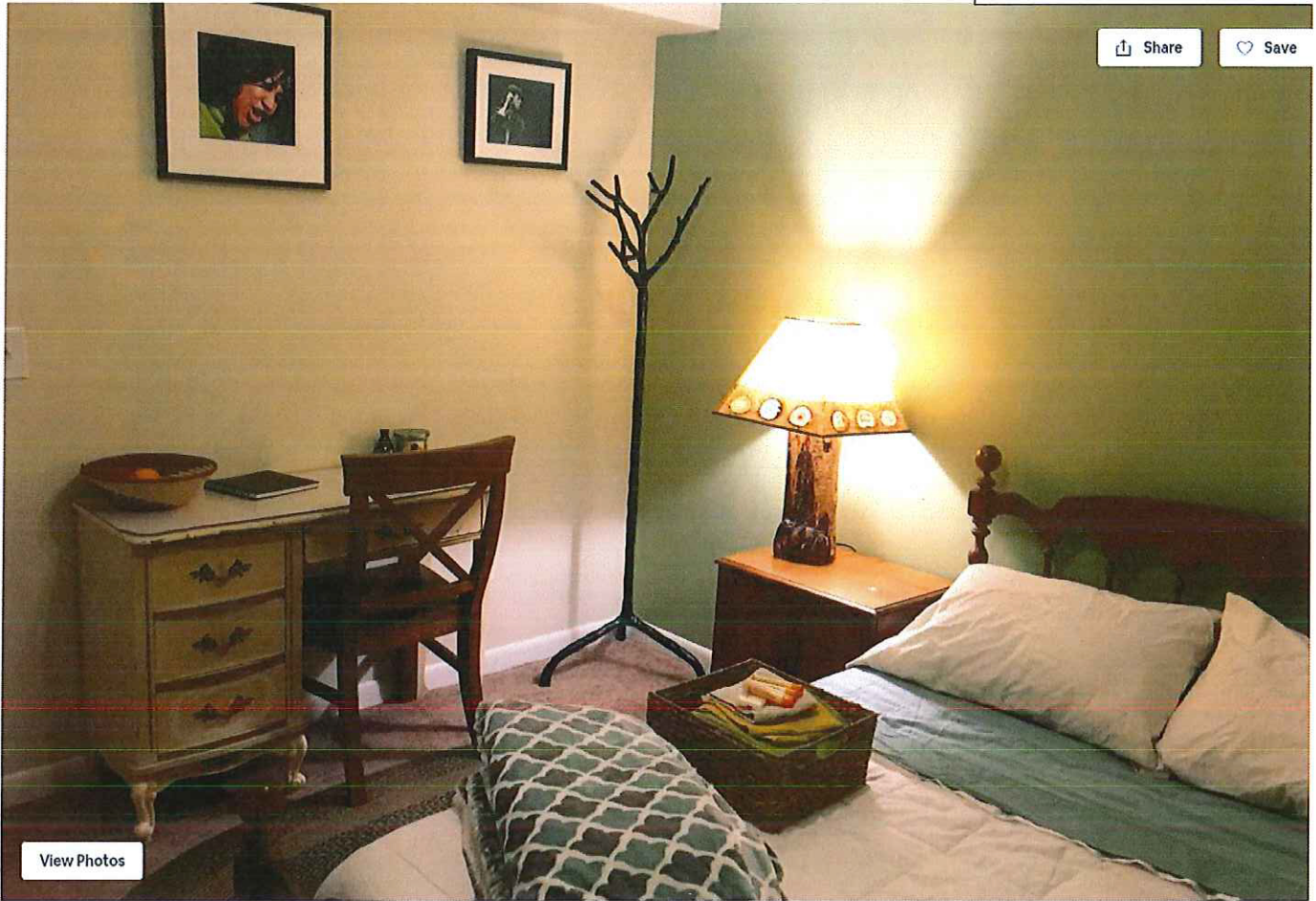
Anywhere

Become a host Earn credit Help Sign up Log in

Aug 7, 2018 11:42am America/Chicago

Share

Save



View Photos

PRIVATE ROOM IN HOUSE

Charming Private room near the heart of Nashville!

Nashville



Crystal

2 guests 1 bedroom 1 bed 1 shared bath

HOME HIGHLIGHTS

Self check-in · Easily check yourself in with the lockbox.

Helpful · Not helpful

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

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

Enjoy the quiet of a residential neighborhood while still being close to everything. Nashville's international airport is only a 15-m drive. The nightlife on Broadway is just 25 min. away. Gorgeous waterfalls are within an hour's drive. Enjoy a backyard camp fire, or take a walk on our wooded trail down to the hammock and rock the day away in music city! Please note: there are two friendly cats in residence who would also love to meet you.

Contact host

Amenities

3.0

★★★★★ 3

Dates

Check In



Check Out

Guests

1 guest



Request to Book

You won't be charged yet

Report this listing

- Free parking on premise
- Kitchen
- Wifi
- Breakfast
- Iron
- Laptop friendly workspace

[Show all 25 amenities](#)

Sleeping arrangements



Bedroom 1
1 double bed

Accessibility

- Wide doorway to the home's entrance
- Step-free access to the bathroom

[Show all](#)

Availability



3 Reviews ★★★★★

[Search reviews](#)

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

Tatiana
July 2018

You MUST pick Crystal's place!!! Trust me when I tell you, Crystal is not only a caring host but a great mom and always showing she cares. My stay was meant to be two nights, we had bad weather in my hometown so my flight got delayed over 7 hrs, throughout this time Crystal always kept in touch with me trying to make my arrival the most accommodating with last minute changes that benefit me. I got to her place at the insane hour of almost 2 am and Crystal was waiting for me!!! OMG!! As a woman traveling by myself I felt so safe that she not only greeted me personally to make sure I got to her place ok but took time out to show me her residence, my room, offered me tea/coffee/water and gave me everything I needed to enjoy a nice hot shower after a horrible day at the airport. I felt like an old friend was greeting me and making sure I was comfortable and ok. Before I left she even offered to wake me up so I don't miss my flight, I had to be in the airport at 4 am. I have never had any Airbnb host showing this amount of care and special touch. I was sad to leave!!!! Crystal is by far, the best option in town!! Love her!!! Thank you so much Crystal!!! ☺

Kaitlyn
July 2018

Great place to crash for the night. Crystal was very welcoming and had great

Great place to crash for the night. Crystal was very welcoming and had great recommendations for things to do in Nashville. The neighborhood was quiet and Crystal was super accommodating including making us breakfast and other personal touches. We left Nashville feeling like we'd made a new friend.



Kevin
July 2018

My visit here was absolutely phenomenal. Crystal and her family made me feel right at home. She knows the area pretty well and has great recommendations. We had some great conversations some days, some that lasted longer than expected if you're like me, a person who enjoys talking. The room is extremely clean and she gives you some goodies to get started so you don't have to immediately run out the door to get any necessities. Her home in general is also very cozy, clean, and star wars themed in some places! The backyard is a peaceful place too. Yes, you might see the little furry children running around inside, but never fear. They're fun to watch and pet when you see them. Can't forget the little man. If you by chance are a fan of Pokemon or video games and mention it, watch out for the expert! I enjoyed my stay and would highly recommend that you take in the idea of staying here. In fact, you read this entire thing. Go do it. Trust me, you will not be disappointed. Thanks again Crystal + family!



Response from Crystal:
Aww! Thanks for the kind words, Kevin! Safe travels to you, and thanks for the kind note you left behind!!

July 2018

Hosted by Crystal



Nashville, Tennessee, United States · Joined in November 2017

★ 3 Reviews

Hello! My name is Crystal. I am mother to an incredible young man, and a working musician living in Nashville, TN... imagine that! I love to travel and have been to many different parts of the world. I've been the weary traveler before, amazed by the kindness and generosity of strangers. Now, it's our turn to be the host!

Crystal supports the Living Wage Pledge
People who clean this host's listing are paid a living wage. [Learn more](#)

Response rate: 100%
Response time: within an hour

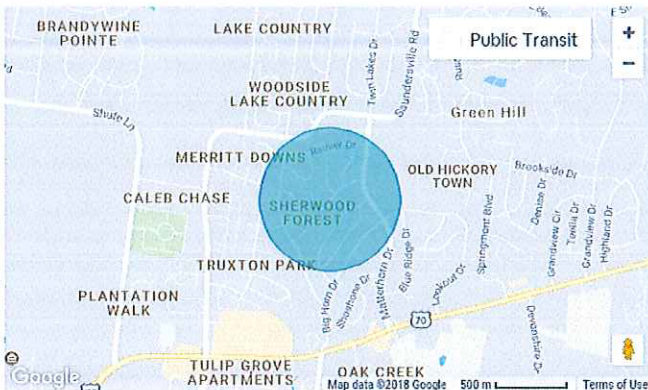
[Contact host](#)

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

The neighborhood

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

[Crystal's Guidebook](#) [Things to do in Nashville](#)



Exact location information is provided after a booking is confirmed.

POICIES

House Rules

- No smoking
- No parties or events
- Check-in time is flexible
- Check out by 12PM (noon)
- Self check-in with lockbox

- Quiet hours are between 7am and 11pm. You are welcome to use the kitchen, dining, laundry and living rooms, but we ask that you kindly clean up after yourself.
- You are welcome to have a small fire in the backyard fire pit, or take a walk on the wooded trail!
- Use front door entry only. Parking is street parking.
- Dogs are negotiable depending upon the demeanor of the animal. Your dog must behave well with other dogs and children to be allowed to stay with us. Our Back yard is fully fenced in, so Rover is free to explore.

You must also acknowledge

Pet(s) live on property - Banjo our very friendly dog and our two cats also occupy the home. They are not allowed into your private room unless you invite them in!

Amenity limitations

Potential for noise - Home will be quiet during quiet hours. Otherwise, life happens! We will spend most of our time downstairs, however kitchen and bedrooms are upstairs.

Some spaces are shared - All spaces are shared except for your private room. We will respect your privacy and give you space - but can be good company if you're interested!

Surveillance or recording devices on property - We have a Ring video doorbell installed on the front entry.

[Hide rules ^](#)

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
 Elk Grove
 New Port Richey
 St Louis
 Memphis
 Sioux City

Cathedral City Vacation Rentals
 Louisville
 Lake Oswego
 Nashville
 Village of Four Seasons
 Roswell

Summerland Vacation Rentals
 Chantilly
 Bakersfield
 Atlanta
 Jenner
 Big Timber

[Airbnb](#)

[Discover](#)

[Hosting](#)



2018-549
OPPOSE

Tuesday-Oct.-9th-2018

Ronald Sircy & Emma Toy

4808 Smokey Drive

Old Hickory TN. 37138

RE:--ZONING APPEAL--NOTICE TO NEIGHBORING OWNERS

Appeal Case Number 2018-549

4892 Whittier Dr.

Map Parcel 06509007800

Zoning Classification R10

Council District 11

We (Emma Toy & I – Ronald Sircy) are in opposition to this lady Crystal Bowersox being granted a permit for short term rental of the house at 4892 Whittier Drive. Our home is within 600 feet of that home and your office has sent us a letter informing us of that. Please DO NOT ALLOW her to do this!!!

We are against any homes being rented out short term near us because we have heard some horror stories about what neighbors have had to endure that live near those types of properties. They become like motels with all types of bad behavior going on at them. We are a residential neighborhood and do not want people coming in here from everywhere that are not a part of our community and do not care for the safety of our neighborhood. That is inviting big trouble!!

Thank You,

Ronald Sircy

Ronald E. Sircy

Emma Toy

Emma Toy

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



Appellant : Fred Vaughn

Date: 8-24-18

Property Owner: Fred Vaughn

Case #: 2018-553

Representative: Fred Vaughn

Map & Parcel: 082130B00300CO

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: 900 Ireland St.

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 appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the proper 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.

Fred Vaughn
Appellant Name (Please Print)

Same as Appellant
Representative Name (Please Print)

900 Ireland St.
Address

Address

Nashville, TN 37208
City, State, Zip Code

City, State, Zip Code

(615) 512-3036
Phone Number

Phone Number

vaughnf@mac.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



3549409

ZONING BOARD APPEAL / CAAZ - 20180050957
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 082130B00300CO

APPLICATION DATE: 08/24/2018

SITE ADDRESS:

900 IRELAND ST NASHVILLE, TN 37208
UNIT 3 IRELAND STREET 28

PARCEL OWNER: VAUGHN, FREDERICK L.

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.

[Handwritten signature]
082418

Rental Unit Record

900 Ireland St, Nashville, TN 37208, USA

Active ●
 Identified ✓
 Compliant X



Airbnb - 13164110



Identified Address

900 Ireland St, Nashville, TN 37208, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.170396, -86.790857

Parcel Number

082130B00300

Owner Name

VAUGHN, FREDERICK L.

Owner Address

900 Ireland St
Nashville, TN 37208, US

Timeline of Activity

View the series of events and documentation pertaining to this property

1 Documented Stay
August, 2018

Matched Details

Analyst CHN6

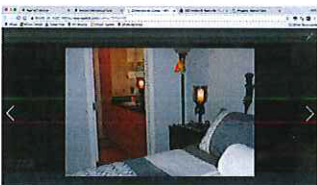
Explanation

Owner of record matches owner on listing. Photos from showcasephotographers.com match listing photos and confirm location.

Listing Photos

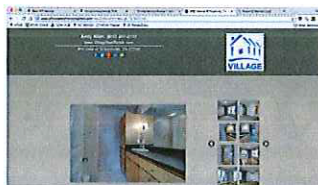
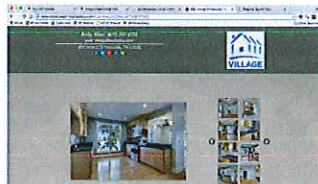


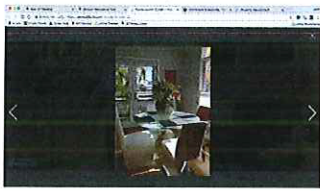
Kitchen is identical as listing photos.



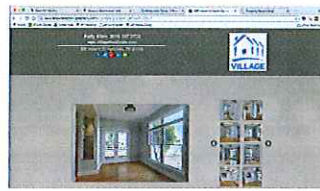
Bathroom matches.

Matching 3rd Party Sources





Dining area matches.



Zip Code Match

Owner Name Match

City Name Match

Listing Details

Listing URL	- https://www.airbnb.com/rooms/13164110
Listing Status	● Active
Host Compliance Listing ID	- air13164110
Listing Title	- Contemporary Condo 1 Mile To Downtown Nashville!
Property type	- Apartment
Room type	- Entire home/apt
Listing Info Last Captured	- Aug 20, 2018
Screenshot Last Captured	- Aug 18, 2018
Price	- \$310/night
Cleaning Fee	- \$100

Information Provided on Listing

Contact Name	- Frederick
Latitude, Longitude	- 36.169882, -86.791097
Minimum Stay (# of Nights)	- 2
Max Sleeping Capacity (# of People)	- 4
Number of Reviews	- 55
Last Documented Stay	- 08/2018

Listing Screenshot History

View Latest Listing Screenshot

June 5

July 4

August 2

- 5 Documented Stays July, 2018
- 1 Documented Stay June, 2018
- 2 Documented Stays May, 2018
- 4 Documented Stays April, 2018
- First Warning - No STR or Tax: Delivered April 9th, 2018
- Airbnb Letter: Delivered April 5th, 2018
- First Warning - No STR or Tax: Sent April 2nd, 2018
- Airbnb Letter: Sent March 29th, 2018
- 2 Documented Stays March, 2018
- Listing air13164110 Reposted March 3rd, 2018
- Listing air13164110 Removed March 2nd, 2018
- 2 Documented Stays February, 2018
- Listing air13164110 Reposted February 5th, 2018
- Listing air13164110 Removed January 31st, 2018
- 1 Documented Stay January, 2018
- 1 Documented Stay December, 2017
- 3 Documented Stays November, 2017
- First Warning - No Tax Reg: Delivered November 6th, 2017
- First Warning - No Tax Reg: Sent October 30th, 2017
- 4 Documented Stays October, 2017
- 3 Documented Stays September, 2017
- 4 Documented Stays August, 2017
- Listing air13164110 Identified August 22nd, 2017
- 4 Documented Stays July, 2017
- 2 Documented Stays June, 2017
- 4 Documented Stays May, 2017

- 📅 6 Documented Stays
April, 2017
 - 📅 4 Documented Stays
March, 2017
 - 📅 2 Documented Stays
February, 2017
 - ✳ Listing air13164110 First Crawled
February 24th, 2017
 - Listing air13164110 First Activity
February 20th, 2017
-

August 18, 2018 - 07:09PM America/Chicago



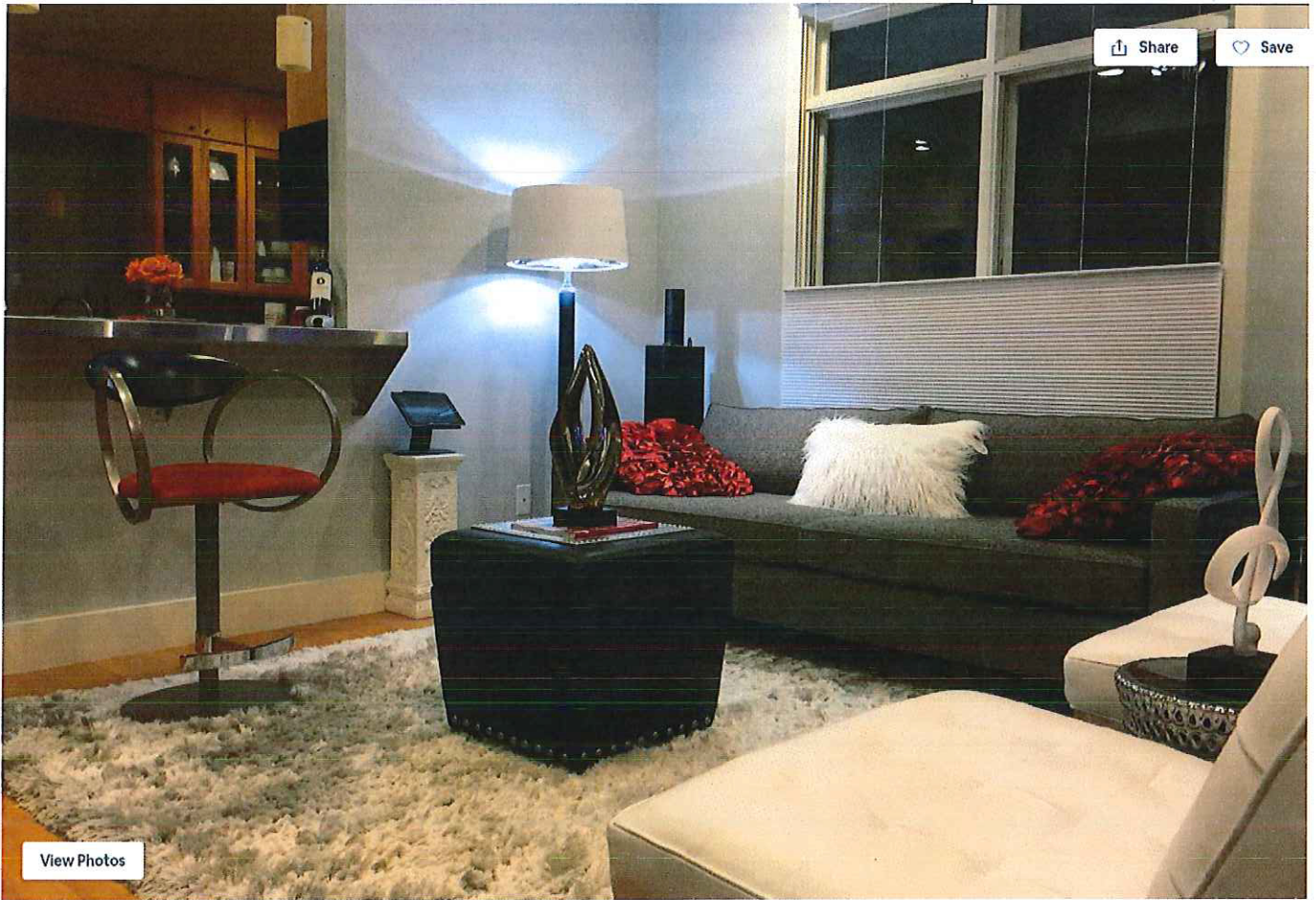
Search

Become a host Earn credit Help Sign up Log in

Aug 18, 2018 7:09pm America/Chicago

Share

Save



View Photos

ENTIRE APARTMENT

Contemporary Condo 1 Mile To Downtown Nashville!

Nashville



Frederick

4 guests 2 bedrooms 2 beds 2 baths

HOME HIGHLIGHTS

Sparkling clean - 17 recent guests have said that this home was sparkling clean.

Helpful Not helpful

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

Helpful Not helpful

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

Helpful Not helpful

Located in the Capital District, this Nashville gem is the perfect spot for couples, solo adventurers, business travelers, families, and friends looking to be walking distance to Nashville's hot spots, music venues, and local restaurants. Enjoy convenient access to dining, shopping, and music. Live like a local in this perfect, relaxing residence!

The space

The property is convenient to downtown, yet quiet and boutique. Parking is available on the street and free! Never worry about getting a ticket or towed in Nashville. Live like a local in this perfect and relaxing residence.

Enjoy the spacious layout of this condo, complete with separate living spaces

Dates

Check In → Check Out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

Enjoy the spacious layout of this condo, complete with separate living spaces, dining room, living room, full-size kitchen, 3 outdoor decks with grill, washer/dryer, dedicated parking, hardwood floors, wireless internet, security system, and much more!

Guest access

Electronic keyless entry (via keypad) to the property is provided to the house.

Interaction with guests

We desire to greet you in person to show you the condo and answer any questions. We will always be available to assist with any needs or questions that arise.

Other things to note

The Space: Enjoy the spacious layout of this condo, complete with separate living spaces, dining room, living room, full-size kitchen, 3 outdoor decks with grill, washer/dryer, dedicated parking, hardwood floors, wireless internet, security system, and much more!

1st Floor: Dining Area (Seats 4), comfortable living area that includes a 50" Flat Screen TV, Basic Cable, DVD/BlueRay Player, Roku with Hulu and Sling TV, and Apple TV for your entertainment desires. Kitchen has top of the line stainless-steel appliances including an induction oven, microwave, refrigerator, and a Keurig Coffee Maker. There are pots, pans, utensils, and basic cooking seasonings available.






2nd Floor: 2 Master Suites with private bathrooms furnished with King-Size Beds. The larger Master Suite has a King Tempur-Pedic mattress and a 42" LCD TV with DVD player. The second Master Suite has a King Plush-Pillowtop mattress. The bathrooms feature combo tub-shower, double-vanities and plenty of storage. Lenins, hair dryers, shampoo and body wash is supplied.

If you need a little fresh air, you can go to one of the three balconies, which has decent views of the downtown Nashville.

[Hide](#) ^

Contact host

Amenities

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

[Show all 31 amenities](#)

Sleeping arrangements

 Bedroom 1 1 king bed	 Bedroom 2 1 king bed
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Avallability



55 Reviews ★★★★★

Search reviews

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



Laura
July 2018

Very clean and modern property that felt like a home-away-from-home. We loved only being a block from the Farmer's Market and a 5 minute Uber to downtown. We also appreciated the strategically placed coasters throughout the home that came in handy on multiple occasions 😊



Jenny
July 2018

This place is so nice, clean and stylish! Great location and Frederick is an amazing host! Gets back with you right away and easy to work with. We definitely recommend his place to stay at and will be back!



Jennie
July 2018

Frederick is a great host. His instructions were clear and his home was spotless. It was in a great part of Nashville and just a Lyft ride to everywhere. Would highly recommend!



Tim & Erin
July 2018

Home was just as described. Very happy with our stay there. Host was accommodating and quick to reply. Would definitely recommend.



Kevin
April 2018

Great place and a great host! The pictures were spot on! 5 -10 minutes from anywhere you wanted to be in downtown Nashville. On street parking was very convenient. Will be booking his place next time we go to Nashville!!!



Andrea
April 2018

This place was awesome! Location was perfect, the place itself was very clean and just as described in the listing. Frederick was very accommodating to our schedule and responded right away to any questions we had. We will definitely stay here again!



Jim
April 2018

This was our first Airbnb experience. Frederick was very helpful. Would definitely stay here again!

1 2 3 ... 8 >

Hosted by Frederick

Nashville, Tennessee, United States · Joined in November 2012

★ 68 Reviews ✓ Verified



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



single professional guy from nashville, tn that works in the music/entertainment industry and enjoys music, running marathons, travel, and meeting people...

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

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

We are only a short three-minute walk to the friendly Germantown neighborhood, an urban go-to spot that is home to some of Nashville's Best Restaurants. You'll find some of the greatest food and drink the city has to offer within a three-block radius thanks to acclaimed restaurants and chic shops.

Restaurants include Butchertown Hall, City House, Cochon Butcher Restaurant, Cupcake Collection, Germantown Café, Jack Brown's Beer and Burger Joint, Monell's, Red Bicycle Coffee & Crepes Shop (coffee and crepes), Rolf & Daughters (selected by Bon Appetite as the #3 Best New Restaurant in American 2013), Silo, Tempered Chocolate Shoppe (that also serves breakfast), 312 Pizza, 5th and Taylor, and more! You are 1 block to the Nashville Farmers' Market, home to 100 farmers/artisans, 14 restaurants, and over 50 merchants.

Catch a Nashville Sounds Baseball game at The New Nashville Sounds Baseball Stadium. We're just across the river to Nissan Stadium. If you enjoy jazz music, the Nashville Jazz Workshop is located in the neighborhood and often has great live music. There is a full-service Kroger Grocery Store, a wine and liquor store, and Rite-Aid Pharmacy all within 3 to 5 blocks. The location is ideal!

Other neighborhoods close to Capital View is 5-Points (East Nashville), The Gulch, Music Row, Sylvan Park, West End, and many other neighborhoods. There simply is no better spot to base your visit to Nashville!

Getting around

We are centrally located to everywhere you might want to go in Music City. I recommend leaving your car parked for the day and explore the downtown Nashville on foot (15 minutes), rent a bike at Nashville B-Cycle (7-minutes), or a \$5 Uber (5 minutes). You won't have to worry about parking (approximately \$25), and it's less expensive than a taxi.

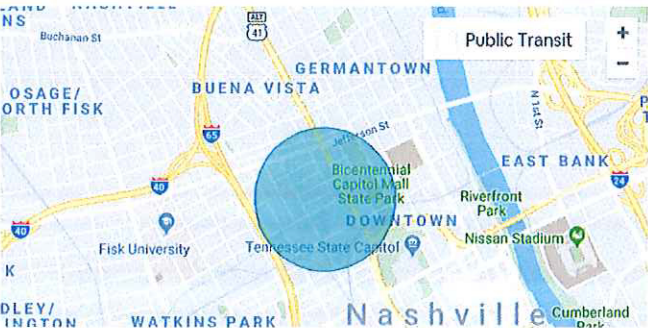
Once you're in the heart of downtown Nashville, you will find Broadway's Honky Tonks, Bridgestone Arena, Country Music Hall of Fame, Frist Center for the Arts, Music City Center, Nissan Stadium (Home of the TN Titans), Printer's Alley, Ryman Auditorium, Schermerhorn Symphony Center, and Tennessee Performing Arts Center where you can catch a Titans game, Music City Bowl, CMA Music Festival, and other major events and concerts.

Hide ^

Things to do in Nashville

Nearby landmarks

Bicentennial Capitol Mall State Park	0.4 mi
Frist Art Museum	1.1 mi
Ryman Auditorium	1.3 mi
The George Jones	1.3 mi
The Johnny Cash Museum & Cafe	1.4 mi





Exact location information is provided after a booking is confirmed.

Policies

House Rules

- Not suitable for children and infants
- No smoking
- No pets
- No parties or events
- Check-in is anytime after 3PM
- Check out by 12PM (noon)
- Self check-in with keypad

You must also acknowledge

- Must climb stairs
- Security Deposit - If you damage the home, you may be charged up to \$500

[Hide rules](#)

Similar listings



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 \$400 per night
 ★★★★★ 173



ENTIRE CONDOMINIUM · 2 BEDS
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ENTIRE BUNGALOW · 5 BEDS
East Nashville Roost
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 ★★★★★ 91

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From: [Jared Cummings](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Permit #20180050957
Date: Friday, September 28, 2018 7:01:53 PM

To Whom It May Concern:

I am writing in reference to a letter I received in the mail regarding:

Appeal Case Number: 2018-553

Permit Number: #20180050957

I am the property owner of 1030 9th Ave N, Nashville, TN 37208; located within 600' of the property in question. I will be unable to attend the hearing on 10/18/18 at 1300. With regards to Mr. Vaughn's desire to be granted a short term rental permit, **I am writing in full support of Mr. Vaughn's request and encourage the Board to grant him short term rental permit for his property located at 900 Ireland Street.** I believe in the principle of private property ownership and the right of the property owner to do with his property what he desires, as long as it would not in fringe on the property rights of his neighbors. As Mr. Vaughn's neighbor, I do not feel this opening his property to the possibility of short term rental will have any negative effects on my property.

I ask that you please submit this as a formal letter into the record for the case in question.

Sincerely,
Jared J. Cummings
1030 9th Ave N
Nashville, TN 37208
865-776-7302