

BZA Results

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Results: Withdrawn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 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- Failed to receive enough votes, will remain open the BZA docket for 30 days.

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-Granted with condition, Applicant must follow planning recommendations

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-Granted with Condition, Applicant must follow planning recommendations

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-Granted with Condition, Appellant does not have to pay or build sidewalks along Scott Avenue. Appellant must pay or build sidewalks along Otay Street.

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-Granted with Condition, Appellant must follow planning's recommendations

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- Granted with Condition, Appellant must follow planning's recommendations

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- Granted with Condition, Appellant must follow planning's recommendations

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-Deferred 11/1/18

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: Deferred 11/1/18

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-Granted

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- Granted with Condition, Appellant must follow planning's recommendations

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-Granted

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-Granted

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-Granted, Appellant must follow all state and local regulations

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

Map Parcel 10302009700

Results-Granted

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

Map Parcel 07213039100

Results- Granted with Condition, Appellant must pay or build sidewalks

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

Map Parcel 06004011200

Results: Deferred

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 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-Granted with Condition, Appellant must construct a 6' fence

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-Granted

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-Granted

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-Granted with Condition, Roof top deck cannot be visible from the southern Property line and the applicant must install a privacy fence to the specifications worked Out with the adjacent church.

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 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: Deferred 11/1/18

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-Upheld, Applicant can apply for a permit on 8/22/18

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-Upheld, Appellant can apply for a permit on 8/23/18

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-Upheld, Appellant can apply for a permit on 8/22/18