

D O C K E T

1/3/2019

1:00 P.M.

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

**Meetings held in the Sonny West Conference Center
Howard Office Building, 700 2nd Avenue South**

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

Previously Heard Cases Requiring Board Action:

Case 2018-680 (0 Sharpe Avenue)-Variance from front setback requirements to construct a Single-family residence that failed to receive enough votes. Previously heard on 12/6/18

CASE 2018-522 (Council District - 17)

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

Use-Single Family

Map Parcel 10511019200

Results:

CASE 2018-619 (Council District - 17)

KWITH DOWD, appellant and **DREAMINC.** owner of the property located at **420 HUMPHREYS ST**, requesting a variance from sidewalk requirements in the MUL District, to construct two single family residences without paying into the sidewalk fund or 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 10507001500

Results: Deferred 1/17/19

CASE 2018-645 (Council District - 5)

ROBERT BUTLER, appellant and **E TRINITY LN PROJECTS LLC**, owner of the property located at **935 E TRINITY LN**, requesting a variance from sidewalk requirements in the IR District, to renovate existing office space without building sidewalks or paying in 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-Office

Map Parcel 07205004000

Results:

CASE 2018-656 (Council District - 24)

MARTIN DILLINGHAM, appellant and **DILLINGHAM, MARTIN, JR.**, owner of the property located at **3509 B WRENWOOD DR**, requesting a variance from side setback requirements in the R6 District, to permit an existing garage. Referred to the Board under Section 17.12.040 E.1.B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10401040800

Results:

CASE 2018-663 (Council District - 16)

JULIAN BUSTILLO, appellant and **IGLESIA DE CRISTO JEHOVA-SHAMA NASHVILLE TN**, owner of the property located at **520 RAYMOND ST**, requesting a special exception in the RS7.5 District, to construct a 1120 square foot addition to a church. Referred to the Board under Section 17.40.180 C. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Religious Institution

Map Parcel 13301023200

Results:

CASE 2018-677 (Council District - 17)

MARK WALLACE, appellant and **FRANKLIN SUNAPEE GP**, owner of the property located at **1112 WADE AVE**, requesting variances from lot size and sidewalk requirements in the RM20 District, to construct three residential units without building sidewalks. Referred to the Board under Section 17.20.120, 17.12.020 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 10505026700

Results:

CASE 2018-689 (Council District - 5)

INETTA PRESLEY, appellant and **PRESLEY, INETTA J.**, owner of the property located at **314 DUKE ST**, requesting a variance from minimum lot size requirements in the R6-A District, to pursue a subdivision of the lot and construct 2 HPR's for a total of 4 units. Referred to the Board under Section 17.12.020 A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 07108004900

Results:

CASE 2018-700 (Council District - 5)

MELISSA CHAMBERS, appellant and **CHAMBERS, AARON & MELISSA**, owner of the property located at **1219 N 7TH ST**, requesting a variance from sidewalk requirements in the SP 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 07116025100

Results:

CASE 2018-708 (Council District - 5)

FBGM, LLC, appellant and **FBGM, LLC**, owner of the property located at **909 JOSEPH AVE**, requesting a variance from sidewalk requirements in the SP District, to construct an addition to 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 08203006600

Results:

CASE 2018-713 (Council District - 5)

TRACEY COLLINS, appellant and **COLLINS, TRACEY**, owner of the property located at **305 HANCOCK ST**, requesting a variance from height restrictions in the SP District, to construct a detached dwelling unit 25' in height. Referred to the Board under Section 17.16.030 G 7 D. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08207017400

Results:

CASE 2019-004 (Council District - 20)

SOHEIL RAHIMI, appellant and, owner of the property located at **5914 A MORROW RD**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family homes on one parcel without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 091061M00200CO

Results:

CASE 2019-005 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a **variance from parking requirements** in the OR20-A, OV- UDO, OV-NHL District, to construct an office addition. Referred to the Board under Section 17.20.030, 17.20.060. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 06111012400

Results:

CASE 2019-006 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a **variance from front and rear setbacks** in the OR20-A, OV-UDO, OV-NHL District, to construct an office addition. Referred to the Board under Section 17.12.020 D., 17.40.660 C. The appellant has alleged the Board would have jurisdiction under Section 17.40.18 B.

Use-Office

Map Parcel 06111012400

Results:

CASE 2019-007 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a **variance from sidewalk requirements** in the OR20-A, OV-UDO, OV-NHL District, to construct an office additions without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 06111012400

Results:

CASE 2019-008 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a **variance from landscape and rear buffer** requirements in the OR20-A, OV-UDO, OV-NHL District, to construct an office addition. Referred to the Board under Section 17.24.230, 17.24.150, 17.24.160. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 06111012400

Results:

CASE 2019-009 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a **variance from street access requirements** in the OR20-A, OV-UDO, OV, NHL District, to construct an office addition. Referred to the Board under Section 17.20.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 06111012400

Results:

CASE 2019-010 (Council District - 7)

Guerrier Development, LLC, appellant and **GUERRIER DEVELOPMENT, LLC**, owner of the property located at **1238 C MCGAVOCK PIKE**, requesting a variance from sidewalk requirements in the R8 District, to construct two single family homes on one parcel without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120 The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family Map Parcel 07207019500

Results:

CASE 2019-016 (Council District - 5)

KEESEEE, VERNON T. JR., appellant and **KEESEEE, VERNON T. JR.**, owner of the property located at **1104 A & B N 8TH ST**, requesting a variance from sidewalk requirements in the SP, OV-UZO District, to construct two single family homes without updating 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-Single Family Map Parcel 08204043000

Results: Map Parcel 08204005500

SHORT TERM RENTAL CASES

CASE 2018-595 (Council District - 35)

TYLER ENGLETT, appellant and **ENGLETT, JOHN T.**, owner of the property located at **1414 A BOSCOBEL ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Only 1 short term rental permit is allowed on an HPR lot in the R2 District, to obtain a second short term rental permit on this lot appellant must own both lots Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board have have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental Map Parcel 083130Q00100CO

Results:

CASE 2018-606 (Council District - 18)

ANNE BALLARD, appellant and **BALLARD, ANNE T.**, owner of the property located at **2619 ESSEX PL**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the RS7.5 District. 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 10411026600

Results:

CASE 2018-660 (Council District - 6)

PANTHEON DEVELOPMENT, LLC, appellant and **PANTHEON DEVELOPMENT, LLC**, owner of the property located at **408 RUDOLPH AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of the attempted renewal of a short term rental permit. Appellant missed the renewal deadline and continued operating on an expired permit, within in the R6 District. 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 08310037100

Results:

CASE 2018-662 (Council District - 17)

COLLINS LEGAL, LLC, appellant and **TBC I, LLC**, owner of the property located at **1014 B W GROVE AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the R8 District. 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 105090R00200CO

CASE 2018-696 (Council District - 6)

PIERRI, EVAN M., appellant and **PIERRI, EVAN M.**, owner of the property located at **916 S 14TH ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the RS5 District. 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 09405009100

Results:

CASE 2018-704 (Council District - 17)

ELDRIDGE, NATASHA, appellant and **ELDRIDGE, NATASHA**, owner of the property located at **1021 SUMMIT AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the their short term rental permit was cancelled due to change of ownership in the R6-A District. 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 10505057500

Results: Withdrawn

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: PRISM PROPERTIES

Date: 10/23/2018

Property Owner: _____

Case #: 2018-680

Representative: CATALYST

Map & Parcel: 082

DESIGN
GROUP

04019500

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 construct a single family residence.

Activity Type: Single family

Location: 0 Sharpe Ave.

This property is in the RS5 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: a variance from front setback requirements

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.

PRISM PROPERTIES
Appellant Name (Please Print)

CATALYST DESIGN GROUP
Representative Name (Please Print)

Address

5016 CENTRAL BLVD, SUITE 200
Address

City, State, Zip Code

NASHVILLE, TN 37209
City, State, Zip Code

Phone Number

615 866 2410
Phone Number

PRISM PROP@YAHOO.COM
Email

YOUNGKINGHAM@CATALYST-DA.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



3571552

ZONING BOARD APPEAL / CAAZ - 20180067064
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08204019500

APPLICATION DATE: 10/23/2018

SITE ADDRESS:

0 SHARPE AVE NASHVILLE, TN 37206
PT LOT 88 THORNBY PLACE

PARCEL OWNER: SCHEIBE, STEVE

CONTRACTOR:

APPLICANT:

PURPOSE:

Requesting a front setback variance for proposed residence to be constructed on property. 30.42' front contextual setback required. providing 20'. requesting a 10.42' front setback variance. see 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.

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.

Steve Scheibe

 APPELLANT

October 23, 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?

EXISTING SHAPE AND SIZE ALONG WITH REQUIRED SETBACKS MAKES PROPERTY DIFFICULT TO DEVELOP.

EXISTING DRAINAGE FEATURE THROUGH PROPERTY CREATES A HARDSHIP AND SUBSTANTIALLY REDUCES USEABLE AREA.



5016 Centennial Blvd, Suite 200
Nashville, TN 37209
615.866.2410
catalyst-dg.com

Re: Sharpe Avenue Townhomes
Variance Request – Front Setback
Nashville, Tennessee

October 23, 2018

Mr. David Ewing, Chairman
Metropolitan Board of Zoning Appeals
Metropolitan Codes Department
Metro Office Building
800 2nd Avenue South
Nashville, Tennessee 37210

Dear Mr. Ewing:

On behalf of our client Steve Scheibe of Prism Properties, we are submitting a Variance Request for the proposed development of a property located at **0 Sharpe Avenue, Map 082, Parcel 04019600**. The requested variance is as follows:

1. **Front Setback** – The Metropolitan Code specifies in Section 17.12.030 – Street Setbacks, Table 17.12.030B that property within the RM20 zoning district shall have a 30'-0" front setback. The applicant proposes to use a 20'-0" front setback rather than the code established 30'-0". This variance is requested for the following reasons and hardships:
 - a. **Physical Characteristics of the Property:** The above referenced property is located at the end of Sharpe Avenue and directly abuts an active rail line. Its current zoning requires a landscape buffer from the adjacent zoning. These items reduce the overall useable area, which is furthermore reduced by a 30'-0" setback.
 - b. **Unique Characteristics:** A large regional drainage swale runs through the property. Based on the physical characteristics of the swale, additional buffers are required. The drainage feature and associated buffer reduces the useable area by 25%.
 - c. **No Injury to Neighboring Property:** The only neighboring property will be buffered by a required, 10'-0" minimum Type B landscape buffer. Furthermore, the location of the property will likely require the owner to provide significant improvements in the neighborhood by extending public road to create an area for a fire truck to turn around, extend a 60" culvert and improve approximately 350-400' of currently undersized public waterline all of which are improvements that would not be constructed otherwise.
 - d. **No Harm to Public Welfare:** As mentioned in Item C, the developer will likely be required to provide substantial improvements that will be beneficial to both the neighboring residents, overall neighborhood and city.

These items are also outlined in the attached Exhibits. While the variance request is minimal and is for only a 10'-0" relief, we believe this is enough to provide the developer with some additional flexibility in building sizes and offsets the hardships listed above. For the reasons outlined above, we ask that the

Variance Request – Front Setback
Re: Sharpe Avenue Townhomes
Project # 20180104
Nashville, Tennessee

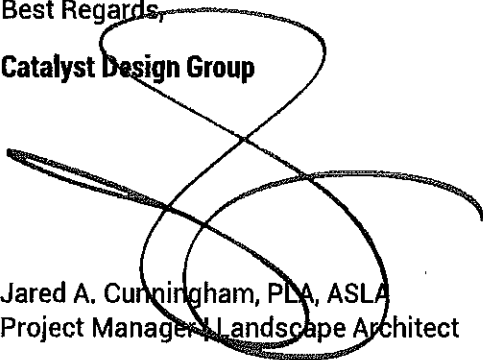
October 23, 2018

Board of Zoning Appeals consider and grant our request to use a 20'-0" front setback rather than the code required 30'-0" front setback in the development of this parcel.

Please contact our office at (615) 866-2410 or jcunningham@catalyst-dg.com should any questions arise. Thank you and we look forward to working with you on this project.

Best Regards,

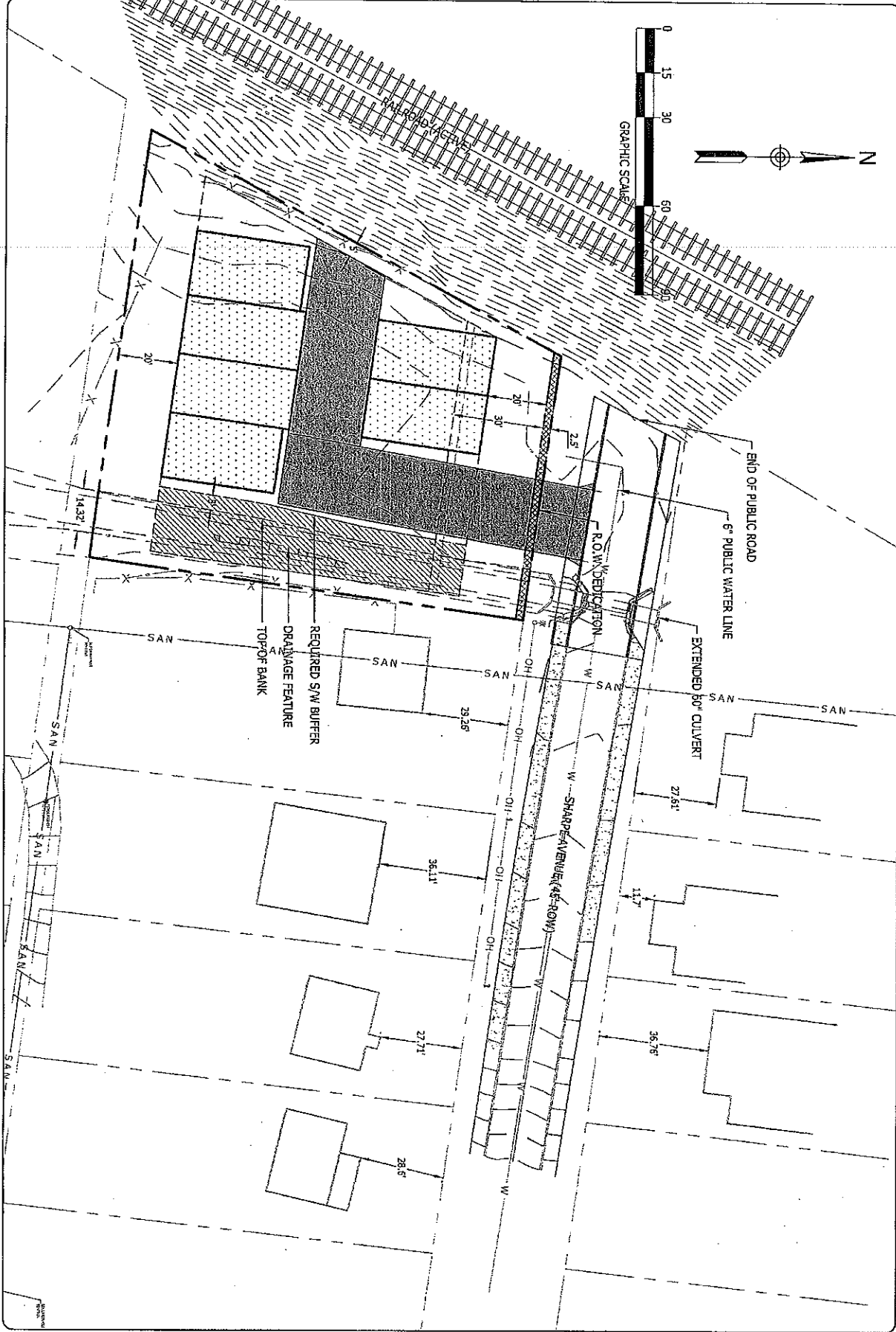
Catalyst Design Group



Jared A. Cunningham, PLA, ASLA
Project Manager / Landscape Architect

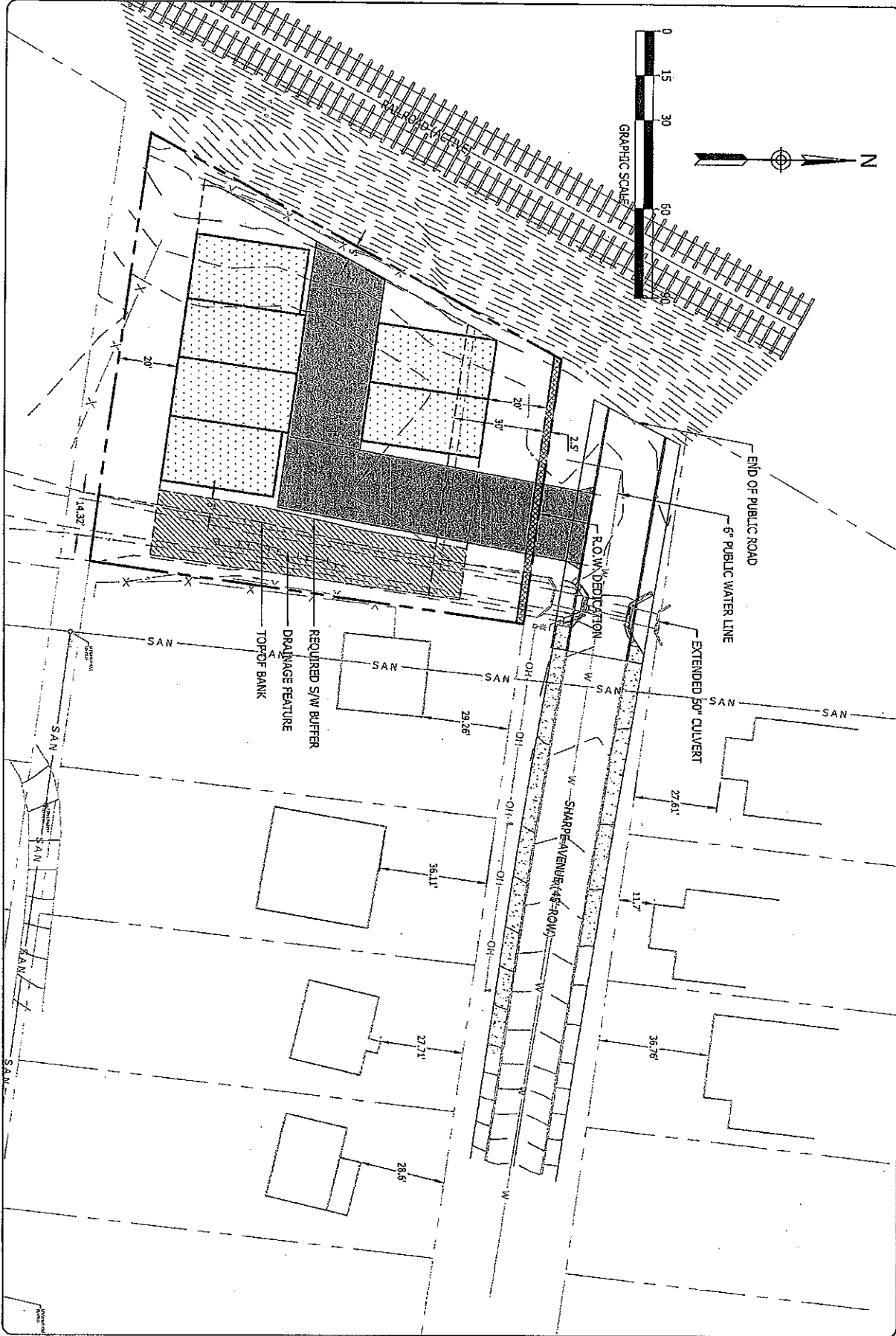
Enclosure(s)

PA\2018\21851\064\eg\180486\201818164_Eh\29-03.dwg-03H-21 Oct 22, 2018 Yearlingham



EXH-B	EXHIBIT B - SITE PLAN	BOARD OF ZONING APPEALS - VARIANCE SUBMITTAL SHARPE AVENUE TOWNHOMES 0 SHARPE AVENUE NASHVILLE, TN 37206 DAVIDSON		PRISM PROPERTIES P.O. BOX 1624 NASHVILLE, TN 37203 615-818-8668	
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PROJECT NUMBER: 2018-01-12
 EXHIBIT B -
 SITE PLAN
 EXH-B

NO.	DATE	DESCRIPTION

BOARD OF ZONING APPEALS - VARIANCE SUBMITTAL
SHARPE AVENUE TOWNHOMES
 0 SHARPE AVENUE
 NASHVILLE, TN 37206
 DAVIDSON



PRISH PROPERTIES
 P.O. BOX 1026
 NASHVILLE, TN 37205
 615-818-4444





PRISM PROPERTIES
 P.O. BOX 1024
 NASHVILLE, TN 37203
 615-828-4668



BOARD OF ZONING APPEALS - VARIANCE SUBMITTAL
SHARPE AVENUE TOWNHOMES
 0 SHARPE AVENUE
 NASHVILLE, TN 37206
 DAVIDSON

NO.	DATE	DESCRIPTION

DRAWING TITLE
EXHIBIT B - SITE PLAN

PROJECT NUMBER
 20180104

DRAWING NUMBER
EXH-B



P:\2018\20180104.dwg (Exhibit) 20180104_Exhibit-03.dwg-EXH-B-02 Oct 22, 2018 yammingham

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Prism Properties
0 SHARPE AVE

Appeal Case 2018-680

Map Parcel: 08204019500
Zoning Classification: RS5

ORDER

This matter came to be heard in public hearing on 12/6/2018, before the Metropolitan Board of Zoning Appeals, upon application for a variance from front setback requirements to construct a single family residence.

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.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DEFERRED to 12/20/18 for failure to receive four affirmative votes.

UPON MOTION BY: David Taylor

Seconded By: Cynthia Chappell

Ayes: David Ewing

Nays: Christina Karpyneec, Ross Pepper

Abstaining:

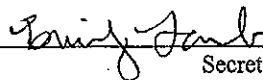
Absent: David Harper, Alma Sanford

ENTERED THIS 10 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Rob Cushman

Date: 8-14-18

Property Owner: The MCA Group

Case #: 2018-522

Representative: Rob Cushman

Map & Parcel: 105-11-192

Council District 17

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

Purpose:

Requesting variance to allow front loading garage

Activity Type: New Construction - Single Family (HPR)

Location: 1704 Carvell Ave.

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

Reason: Zoning does not allow front loading garages

Section(s): 17-12-020(A)

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

The MCA Group, Inc.
Appellant Name (Please Print)

Rob Cushman
Representative Name (Please Print)

639 E Main St, Ste B202
Address

1019 Avery Trace Cir
Address

Hendersonville, TN 37075
City, State, Zip Code

Hendersonville, TN 37075
City, State, Zip Code

615-559-2212
Phone Number

615-559-2212
Phone Number

rob@stratosdevelopment.com
Email

rob@stratosdevelopment.com
Email

Appeal Fee: \$100.00



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



3545850

**ZONING BOARD APPEAL / CAAZ - 20180048569
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10511019200**APPLICATION DATE:** 08/14/2018**SITE ADDRESS:**

1704 CARVELL AVE NASHVILLE, TN 37203
W SIDE CARVELL AVE S OF SOUTHGATE AVE.

PARCEL OWNER: THE MC2 GROUP, INC**CONTRACTOR:****APPLICANT:****PURPOSE:**

requesting variance to allow front loading garage

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

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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

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

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

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

This lot is exceptionally shallow making side or rear entry garage very difficult. Also the topography of the lot makes rear load garage detrimental to height and impervious surfaces.

The lot slopes steeply from the street to the rear of the property, making front load garages more usable.

The other hardships include dedication of ROW to widen the street in the future, sewer easement in the rear of the property making parking in the rear more difficult in the future, and requirement for the appellant to replace the entire water main (1000') down Carvell Ave.

APPLICATIONS FOR VARIANCE REQUESTS

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

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

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

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

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

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

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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

Robert A. [Signature]
APPELLANT

8-14-18
DATE



Begin forwarded message:

From: "Thompson, Christian (WS)" <Christian.Thompson@nashville.gov>

Subject: Carvell Avenue Townhomes - Sewer

Date: November 16, 2018 at 11:51:12 AM CST

To: Rob Cushman <rob@stratosdevelopment.com>

Per our conversation regarding the above referenced project...MWS does not approve of pervious pavement above sewer mains. For more information please visit

MWS's https://www.nashville.gov/Portals/0/SiteContent/WaterServices/Stormwater/docs/SWMM/2016/Vol5LID/2016_FullVol5LIDManual.pdf.

Best Regards,

Christian Thompson, P.E.
Engineer 2



Metro Water Services
800 Second Avenue South
PO Box 196300
Nashville, TN 37219-6300
Office [\(615\) 862-7229](tel:6158627229)
Fax [\(615\) 862-7257](tel:6158627257)



Preliminary Front Elevations

1704 Carvell Av | The MC2 Group, Inc.

1704 Carvell Avenue | Nashville TN



From: [Sledge, Colby \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#)
Subject: BZA positions for Dec. 6 meeting
Date: Tuesday, November 20, 2018 7:31:14 PM

Board members,

You have quite the task ahead of you for this meeting's agenda! Below are my positions on the District 17 items on the Dec. 6 agenda:

2018-522: **Deny**
2018-619: **Strongly deny**
2018-637: **Support**, as applicant has spoken with me
2018-638: **Deny**
2018-644: **Deny**
2018-662: **Strongly deny** based on resident complaints
2018-671: **Deny**
2018-672: **Deny**
2018-677: **Strongly deny**

Thank you, as always, for your service, and Happy Thanksgiving!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
[ColbySledge.com](#)
[Sign up for my weekly newsletter here!](#)

2018-522

From: Michael, Jon (Codes)
To: Shepherd, Jessica (Codes); Lifsey, Debbie (Codes)
Subject: FW: 1704 Carvell BZA Variance
Date: Wednesday, September 26, 2018 2:01:19 PM

By copy of this email, I'm forwarding the email to the staff members who will make sure that the information is included in the case file.

JM.

From: rob@stratosdevelopment.com [mailto:rob@stratosdevelopment.com]
Sent: Wednesday, September 26, 2018 1:15 PM
To: Michael, Jon (Codes)
Subject: 1704 Carvell BZA Variance

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

Good Afternoon John;

I wanted to reach out and let you know we met with Councilman Sledge regarding our request for a variance from the rear load garage requirement on 1704 Carvell Ave. After a site walk and brief rundown, CM Sledge told us he is not opposed to our request for front load garages on the 4 houses to be built here. Should I forward this info to anybody else to be part of the review process? Thanks John,

Rob Cushman | Stratos Development

639 East Main St, Ste. B202
Hendersonville, TN 37075
stratosdevelopment.com

(615) 559-2212
rob@stratosdevelopment.com

From: [Sledge, Colby \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Lamb, Emily \(Codes\)](#)
Subject: District 17 items for Nov. 15
Date: Thursday, November 8, 2018 12:35:10 PM

Good afternoon, board members,

I hope you're all having a good week. Here's my position on District 17 items on the Nov. 15 agenda:

Case 2018-522: I continue to be **against** this item.

Case 2018-619: I am **strongly against** this appeal to attempt to build without paying into the fund or constructing sidewalks. This is a tough lot to put two homes on to begin with, but that is no excuse. This street lots leads into a high-pedestrian area of the neighborhood, and the sidewalks should be built. The appellant has not contacted me.

Case 2018-620: As noted before, I am **supportive** of this appeal. The appellant has contacted me.

Case 2018-621: I am **supportive** of this appeal. The appellant did an excellent job keeping me informed and holding a community meeting.

Thanks, as always, for doing this job!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
[ColbySledge.com](#)
[Sign up for my weekly newsletter here!](#)

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Friday, December 14, 2018 2:14 PM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Subject: FW: D17 positions for Dec. 20 meeting

For the file.

From: Sledge, Colby (Council Member)
Sent: Friday, December 14, 2018 2:14 PM
To: Board of Zoning Appeals (Codes)
Cc: Michael, Jon (Codes); Lamb, Emily (Codes)
Subject: D17 positions for Dec. 20 meeting

Good afternoon,

Here are my positions on D17 items before you next week.

- 2018-522: I continue to **oppose** a request for exemption to create front-loading garages on Carvell Ave.
- 2018-644: I **oppose** a setback variance request on 2nd Ave S.
- 2018-709: I **tentatively support** a request for parking requirement variances for a microunit development on Humphreys Ave. The applicant will be at a community meeting on Monday, and I'll want to hear from residents.
- 2018-725: I **strongly oppose** a request not to pay into the sidewalks fund on Wharf Ave.
- 2018-662: I **oppose** a short-term rental permit appeal on West Grove Ave.
- 2018-704: I **oppose** a short-term rental appeal on Summit Ave.

Thank you all, as always, for your service, and I hope you have a great weekend!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
ColbySledge.com
[Sign up for my weekly newsletter here!](#)

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: KEITH DOWD
Property Owner: DREAM INC
Representative: KEITH DOWD

Date: 10-1-2018
Case #: 2018-619
Map & Parcel: 10507001500

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:

BUILD RESIDENTIAL - to construct 2 single family residences.

Activity Type: Single Family

Location: 420 HUMPHREYS

This property is in the MUL 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

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.

KEITH DOWD
Appellant Name (Please Print)

Representative Name (Please Print)

1516 CLAYTON AVE
Address

Address

NASH TN 37212
City, State, Zip Code

City, State, Zip Code

615-481-2485
Phone Number

Phone Number

KEITHDOWD@GMAIL.COM
Email

Email

annie.dobson@comcast.net

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



3564753

ZONING BOARD APPEAL / CAAZ - 20180062284
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10507001500

APPLICATION DATE: 10/01/2018

SITE ADDRESS:

420 HUMPHREYS ST NASHVILLE, TN 37203

PT LOT 72 HUMPHREY HOUSTON & MARTIN, ADDN TO SOUTH NASHVILLE

PARCEL OWNER: DREAMINC.

CONTRACTOR:

APPLICANT:**PURPOSE:**

variance from sidewalk requirements to construct two single family residences without sidewalks or paying into the fund. No building permit started

*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.

420 HUMPHREYS

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

10-1-18
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.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.

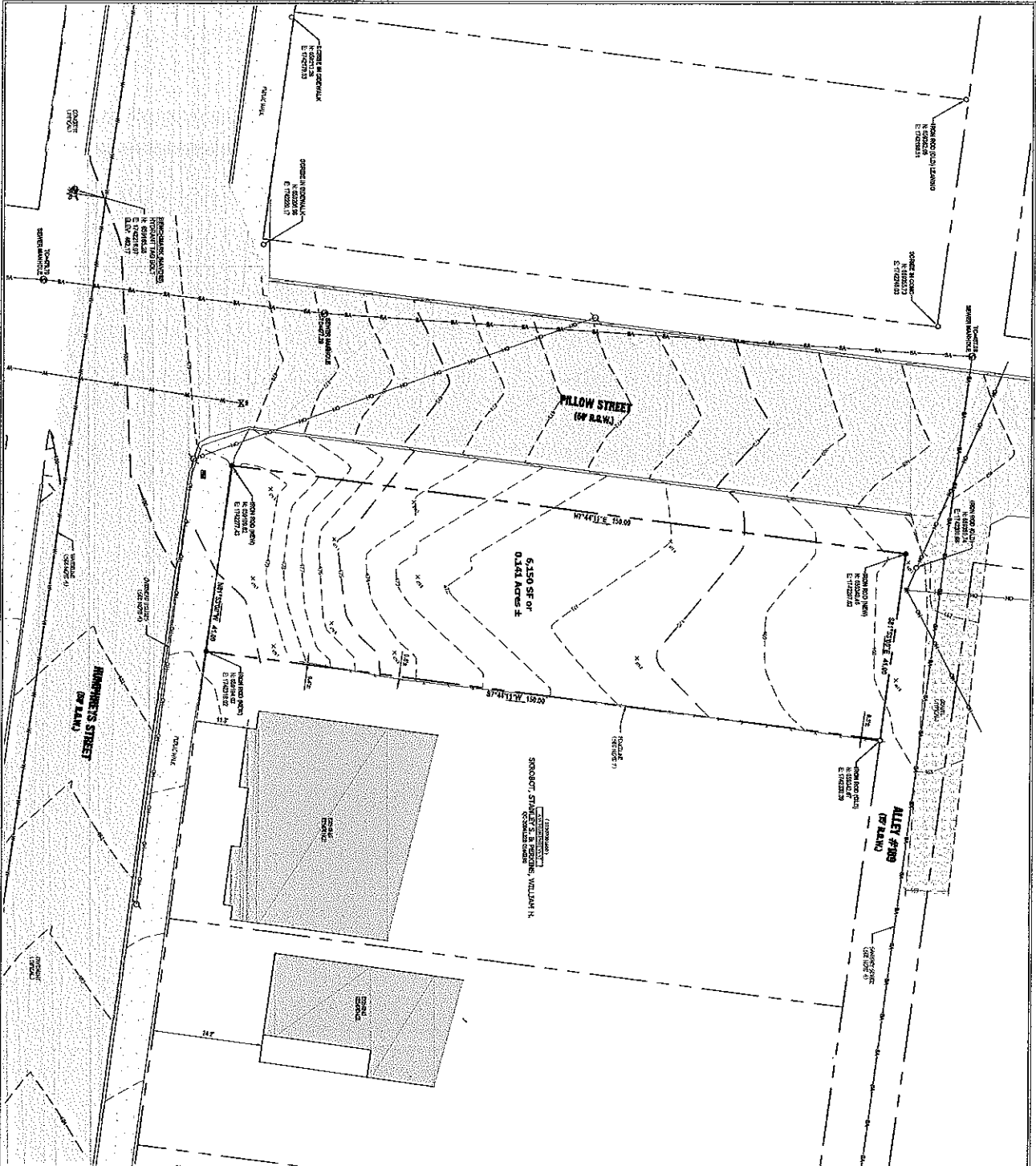
At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

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?

WE WOULD LIKE REQUEST A VARIANCE FROM HAVING TO BUILD SIDEWALKS ON PILLOW STREET AND WOULD LIKE TO PAY THE IN LIEV FUND ON PILLOW INSTEAD. NOTE WE ARE NOT REQUESTING ANY VARIANCE ON HUMPHREYS.

PLOT DATE: 4/11/2017 11:38:51 AM
 X:\LEWIS\Projects\18-609\BORDER\ST 60 - SITEV-1.dwg



MAP REFERENCE
 Based on the survey property in topographic map showing property lines.

DEED REFERENCE
 Owner: S.L. KENNEDY, et al. (S) 1970-1971 Survey of Property, Davidson County, Tennessee.
 Volume: 117, Page: 117.

PLAT REFERENCE
 Survey of Property, Davidson County, Tennessee, Volume: 117, Page: 117.

SURVEYOR'S NOTES

1. The Property is located in the 17th District of Davidson County, Tennessee.
2. A survey of the land and its boundaries was made by the Surveyor on or about the 15th day of March, 2017.
3. The Property is located in the 17th District of Davidson County, Tennessee, and is situated in the 17th District of Davidson County, Tennessee, and is situated in the 17th District of Davidson County, Tennessee.
4. The Surveyor has examined the title records and other records available to him and has found that the title to the Property is in good standing and that the same is not subject to any lien or other encumbrance.
5. The Surveyor has examined the title records and other records available to him and has found that the title to the Property is in good standing and that the same is not subject to any lien or other encumbrance.
6. The Surveyor has examined the title records and other records available to him and has found that the title to the Property is in good standing and that the same is not subject to any lien or other encumbrance.
7. The Surveyor has examined the title records and other records available to him and has found that the title to the Property is in good standing and that the same is not subject to any lien or other encumbrance.
8. The Surveyor has examined the title records and other records available to him and has found that the title to the Property is in good standing and that the same is not subject to any lien or other encumbrance.

SURVEYOR'S CERTIFICATE

I, the undersigned, being duly qualified and sworn as a Surveyor in and for the State of Tennessee, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the owner of the Property, and that the same is in accordance with the title records and other records available to me, and that the same is not subject to any lien or other encumbrance.

CLINT T. ELLIOTT, Surveyor

Symbol Legend

- Survey Point (Concrete)
- Survey Point (Iron)
- Survey Point (Wood)
- Survey Point (Aluminum)
- Survey Point (Steel)
- Survey Point (Copper)
- Survey Point (Zinc)
- Survey Point (Lead)
- Survey Point (Tin)
- Survey Point (Nickel)
- Survey Point (Silver)
- Survey Point (Gold)
- Survey Point (Platinum)
- Survey Point (Iridium)
- Survey Point (Osmium)
- Survey Point (Rhenium)
- Survey Point (Rhodium)
- Survey Point (Palladium)
- Survey Point (Cadmium)
- Survey Point (Mercury)
- Survey Point (Thallium)
- Survey Point (Lead)
- Survey Point (Tin)
- Survey Point (Antimony)
- Survey Point (Bismuth)
- Survey Point (Polonium)
- Survey Point (Astatine)
- Survey Point (Radon)
- Survey Point (Francium)
- Survey Point (Radium)
- Survey Point (Actinium)
- Survey Point (Thorium)
- Survey Point (Protactinium)
- Survey Point (Uranium)
- Survey Point (Neptunium)
- Survey Point (Plutonium)
- Survey Point (Americium)
- Survey Point (Curium)
- Survey Point (Berkelium)
- Survey Point (Californium)
- Survey Point (Einsteinium)
- Survey Point (Fermium)
- Survey Point (Mendelevium)
- Survey Point (Nobelium)
- Survey Point (Lawrencium)
- Survey Point (Rutherfordium)
- Survey Point (Dubnium)
- Survey Point (Seaborgium)
- Survey Point (Bohrium)
- Survey Point (Hassium)
- Survey Point (Meitnerium)
- Survey Point (Darmstadtium)
- Survey Point (Roentgenium)
- Survey Point (Copernicium)
- Survey Point (Nihonium)
- Survey Point (Flerovium)
- Survey Point (Tennessine)
- Survey Point (Oganesson)

Graphic Scale
 1" = 100'

North Arrow

Graphic Scale
 1" = 100'

Boundary & Topographic Survey

420 Humphreys Street
 Nashville, Davidson County, Tennessee 37203

CLINT T. ELLIOTT
 REGISTERED LAND SURVEYOR
 1711 Hayes St., Nashville, TN 37203
 celt@clinte ElliottSurvey.com
 (615) 490-5236

Survey No. V-1.00

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-619 (420 Humphreys Street)

Metro Standard:	Humphreys Street – 4’ grass strip, 5’ sidewalk, as defined by the Metro Local Street standard
	Pillow Street – 4’ grass strip, 5’ sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Contribute in-lieu of constructing sidewalks along Pillow Street (eligible)
Zoning:	MUL
Community Plan Policy:	T4 MU (Urban Mixed Use Neighborhood)
MCSP Street Designation:	Humphreys Street – Local Street
	Pillow Street – Local Street
Transit:	Property approximately 415’ 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 proposes constructing two residential units and requests a variance to contribute in-lieu of constructing a sidewalk along the property’s frontage with Pillow Street.

Planning evaluated the following factors for the variance request:

- (1) The property currently has a 9’ sidewalk without a grass strip along the Humphreys Street frontage which is consistent with properties to the east along the block face. Meanwhile, the property does not have a sidewalk along the Pillow Street frontage.
- (2) The property is located within the South Nashville – Wedgewood Houston first tier Nashville Next Center. Establishing a connected sidewalk network within a neighborhood that is experiencing substantial mixed use redevelopment in close proximity to existing and future high capacity transit is crucial.

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

1. The applicant shall contribute in-lieu of construction for the Pillow Street property frontage.
2. Prior to the issuance of building permits, dedicate right-of-way along the Pillow Street property frontage to accommodate future sidewalks per the Local Street Standard.

From: [Sledge, Colby \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Lamb, Emily \(Codes\)](#)
Subject: District 17 items for Nov. 15
Date: Thursday, November 8, 2018 12:35:10 PM

Good afternoon, board members,

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Colby

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Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#)
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2018-662: **Strongly deny** based on resident complaints
2018-671: **Deny**
2018-672: **Deny**
2018-677: **Strongly deny**

Thank you, as always, for your service, and Happy Thanksgiving!

Colby

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Metro Council, District 17
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[ColbySledge.com](#)

[Sign up for my weekly newsletter here!](#)

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Robert Butler Date: 10/10/18
Property Owner: E. Trinity LN Properties LLC
Representative: Robert Butler Case #: 2018-645
Map & Parcel: 72-5-40

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: Renovations to Office Bldg for Torco Title Co

Activity Type: Torco Title Company

Location: 935 E. Trinity LN N.T 37207

This property is in the IR 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: Not to Install + Not to contribute

Section(s): 17.20.120

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

Robert Butler
Appellant Name (Please Print)

Representative Name (Please Print)

Address

Address

City, State, Zip Code

City, State, Zip Code

615-419-1698
Phone Number

Phone Number

bob@profileandprinciple.com
Email

Email

200.00
Appeal Fee:



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



3567690

**ZONING BOARD APPEAL / CAAZ - 20180064293
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07205004000

APPLICATION DATE: 10/10/2018

SITE ADDRESS:

935 E TRINITY LN NASHVILLE, TN 37207
PT BLK A SEC 1 ROTHWOOD

PARCEL OWNER: E TRINITY LN PROJECTS LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

RENOVATIONS TO SPACE FOR TORRO TITLE COMPANY...REAL ESTATE CLOSING...OFFICE....THIS IS NOT A FINIANCIAL INSTITUTION NOR IS IT AN ALTERNATIVE FINIANCIAL INSTITUTION.....

SIDEWALKS REQUIRED....ASSESSED VALUE AT \$282,520....FOUR PREVIOUS RENOVAIONS SINCE 2015 EXCEED \$421,000.....

DENIED: SIDEWALKS REQUIRED AND NOT ALLOWED TO CONTRIBUTE.

REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE.

17.20.120

POC: ROBERT BUTLER 615-419-1698

bob@profileandprinciple.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.



2034 APY

AMBROSE AVE

DR. RICHARD G. ADAMS DR

E TRINIDAD

T4-M-AB3-LM

21st

BZA

152 / P.

City made is some paved area but got grassy in mid 2016

City also made is for old parking lot

APPLICATIONS FOR VARIANCE REQUESTS

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

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

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

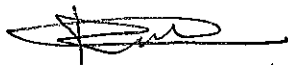
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Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

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

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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



APPELLANT

DATE

10/10/18

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.

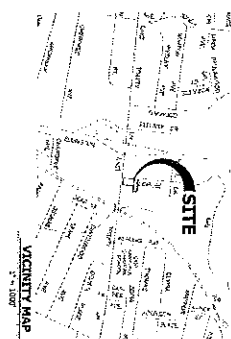
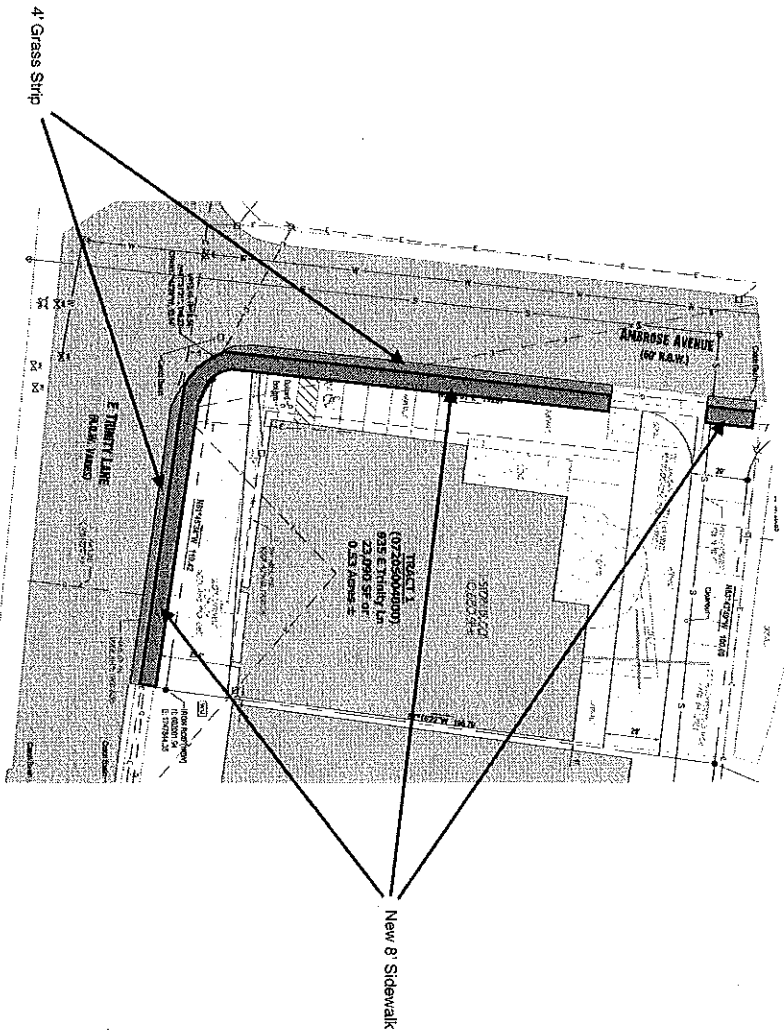
The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster 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?



DEED REFERENCE

Owner: J. Thomas, L. Thomas, L.C.C. as of record in the Deed Record, Davidson County, Tennessee.

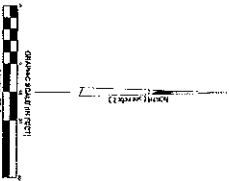
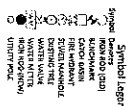
SURVEYOR'S NOTES

1. This property is located in the 3rd Congressional District of Davidson County, Tennessee.
2. All bearings, distances and calculations shown are based on the Standard Curve System.
3. The project is located in the 3rd Congressional District of Davidson County, Tennessee.
4. All bearings, distances and calculations shown are based on the Standard Curve System.
5. The project is located in the 3rd Congressional District of Davidson County, Tennessee.
6. This survey is a part of a larger project and should be read in conjunction with the other sheets of this project.

ALTA 2011 CERTIFICATION

I, the undersigned, being a duly licensed and qualified Surveyor, do hereby certify that the foregoing is a true and correct copy of the original field notes and computations on which this survey is based, and that the same have been carefully examined and found to be correct and true.

CLINT T. ELLIOTT, T.S. & L.S.



CLINT T. ELLIOTT
 REGISTERED LAND SURVEYOR
 7930 Hwy 70 South, Nashville, TN, 37221
 (615) 533-2054
 cllintelliott@comcast.net

935 E Trinity Lane
 Nashville, Davidson County, Tennessee 37207

Sheet No.	V-1.00
Scale	As Shown
Project Name	935 E Trinity Lane
Client Name	CLINT T. ELLIOTT
Survey Date	12/20/18
Surveyor	CLINT T. ELLIOTT
Check Date	12/20/18
Checker	CLINT T. ELLIOTT
Project Description	Resubdivision

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-645 (935 East Trinity Lane)

Metro Standard:	Trinity Lane – 4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
	Ambrose Avenue – 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	IR
Community Plan Policy:	D EC (District Employment Center)
MCSP Street Designation:	Trinity Lane – T4-M-AB3-LM
	Ambrose Avenue – Local Street
Transit:	None existing; Future Crosstown Route per nMotion
Bikeway:	Major Separated Bikeway planned per WalknBike

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is conducting interior renovations within an existing office building and requests a variance due to the presence of existing sidewalks along both frontages of the property. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip is located along the Trinity Lane property frontage which is consistent across several properties along the block face to the east.
- (2) A 5' sidewalk without a grass strip is currently located along the Ambrose Avenue property frontage. Strict adherence to the sidewalk requirement would necessitate in the loss of five parking spaces (inclusive of two handicap parking spaces) between the building and back of sidewalk.

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 contribute in-lieu of construction for the Trinity Lane property frontage.
3. Prior to the issuance of building permits, dedicate right-of-way along the property's frontage with Trinity Lane to accommodate future sidewalks per the Major and Collector Street Plan standard.

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Robert Butler
935 E TRINITY LN

Appeal Case 2018-645

Map Parcel: 07205004000
Zoning Classification: IR

ORDER

This matter came to be heard in public hearing on 12/6/2018, before the Metropolitan Board of Zoning Appeals, upon application for a variance from sidewalk requirements to renovate existing office space without building sidewalks or paying in the sidewalk fund.

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.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DEFERRED to 12/20/18 based upon appellant's request.

UPON MOTION BY: David Ewing

Seconded By: David Taylor

Ayes: Cynthia Chappell, Christina Karpynek, Ross Pepper

Nays:

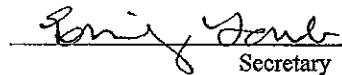
Abstaining:

Absent: Alma Sanford, David Harper

ENTERED THIS 10 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS


Chair


Secretary

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Martin Dillingham
Property Owner: Martin Dillingham
Representative: Martin Dillingham

Date: 10-16-18
Case #: 2018-656
Map & Parcel: 10401040800

Council District 24

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

Purpose:

GARAGE CONSTRUCTED DOES NOT MEET
3 FT REQUIRED SIDE SETBACK.
USED EXISTING FOUNDATION, NEW CONSTRUCTION
GARAGE IS 2 1/2 FT FROM SIDE PROPERTY LINE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 3509 WRENWOOD DR

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 TO SIDE SETBACK

Section(s): 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.

Martin Dillingham
Appellant Name (Please Print)

Same
Representative Name (Please Print)

3509 Wrenwood Ave B
Address

Address

Nashville, TN 37205
City, State, Zip Code

City, State, Zip Code

615-948-7761
Phone Number

Phone Number

Martin.Dillingham@Comcast.net
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



3569443

ZONING BOARD APPEAL / CAAZ - 20180065598
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10401040800

APPLICATION DATE: 10/16/2018

SITE ADDRESS:

3509 B WRENWOOD DR NASHVILLE, TN 37205
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

CONTRACTOR:

APPLICANT:**PURPOSE:**

Variance to 17.12.040 E1b requesting 2 1/2 ft side setback.

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence.

Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.

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 - T2018064267
THIS IS NOT A PERMIT**

PARCEL: 10401040800

APPLICATION DATE: 10/10/2018

SITE ADDRESS:

3509 WRENWOOD DR NASHVILLE, TN 37205

LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
Matrin Dillingham 615-948-7761

PURPOSE:

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolltion waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..***SITE PLAN SENT TO FILE

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

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@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		
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

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This was an existing building so the hardship
is would be to relocate and remove the existing
Abandonment.

APPLICATIONS FOR VARIANCE REQUESTS

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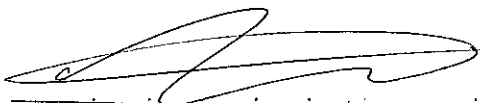
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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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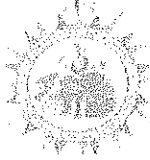
APPELLANT

10-16-18

DATE

MAILING ADDRESS

P. O. Box 196300
 NASHVILLE, TENNESSEE 37219
 TELEPHONE (615) 862-6590
 FACSIMILE (615) 862-6593

NOTICE TO CORRECT VIOLATION

Noticia Para Corregir Violacion

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

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

Date of Notice:

Property Owner:

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Case Number:

01/25/2018

18-1173788

DILLINGHAM, MARTIN B., SR. & MARTIN B., JR.

7112 CRYSTAL SPRINGS RD

FAIRVIEW TN 37062

LL#: 200800723

Location of Violation:

3509 WRENWOOD DR

Map/Parcel Number:

10401040800

You are hereby notified as owner, occupant or agent in control of the above referenced property, that the following conditions about said premises are a violation of the Metropolitan Code Section(s).

VIOLATION(S):

1)

Section 16.24.330 - Parking on Grass: Parking or storing motor vehicles on the grass is prohibited. Vehicles must be parked on a paved or graveled area, other than a sidewalk. This shall not be applicable to any vehicle for which a valid disabled driver license plate or placard has been issued and is visibly displayed on or in the vehicle.

2)

Section 16.24.330 (B) -- Open Storage (Vehicles): It is unlawful for the owner, occupant, or person or entity in control of a building, structure, or premises to utilize the premises of such property for the open storage of any inoperable, unlicensed, or unregistered motor vehicle and/or tires and automotive parts.

Therefore, you are to have the violation or cause removed and/or corrected before: February 26, 2018

If you have any questions, believe this notice has been issued to you in error, or believe the code section indicated above is inapplicable and you are not in violation, please contact our office immediately to discuss this matter.

Said Section of the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, as referenced above, provides that the cited violation must be abated within the time set out; and that, upon failure to abate said violation, the Department of Codes Administration is empowered to prosecute the owner, occupant, or agent for failure to abate the violation.

The Metropolitan Code provides for a penalty for anyone convicted of violating the laws of the Metropolitan Government of up to Fifty (\$50.00) Dollars for each offense and each day it continues Section 1.01.030. Note: In addition you will be held responsible for the payment of all court costs incurred with the processing of the court case regardless of whether or not the property is brought into compliance by the court date.

Notice Issued by: Jay Summers

3509 WRENWOOD

PROPERTY SURVEY FOR:
MARTIN B. DILLINGHAM SR. &
MARTIN B. DILLINGHAM JR.
PROPERTY ADDRESS:
3509 WRENWOOD DRIVE
NASHVILLE, DAVIDSON COUNTY, TN.

PARCEL ID:
 10401040800

PROPERTY INFORMATION:
 BEING LOT NO. 15, WRENWOOD ASSHOWN
 ON THE PLAT OF RECORD IN PLAT BOOK 1130,
 PAGE 65, R.O.D.C., TN.

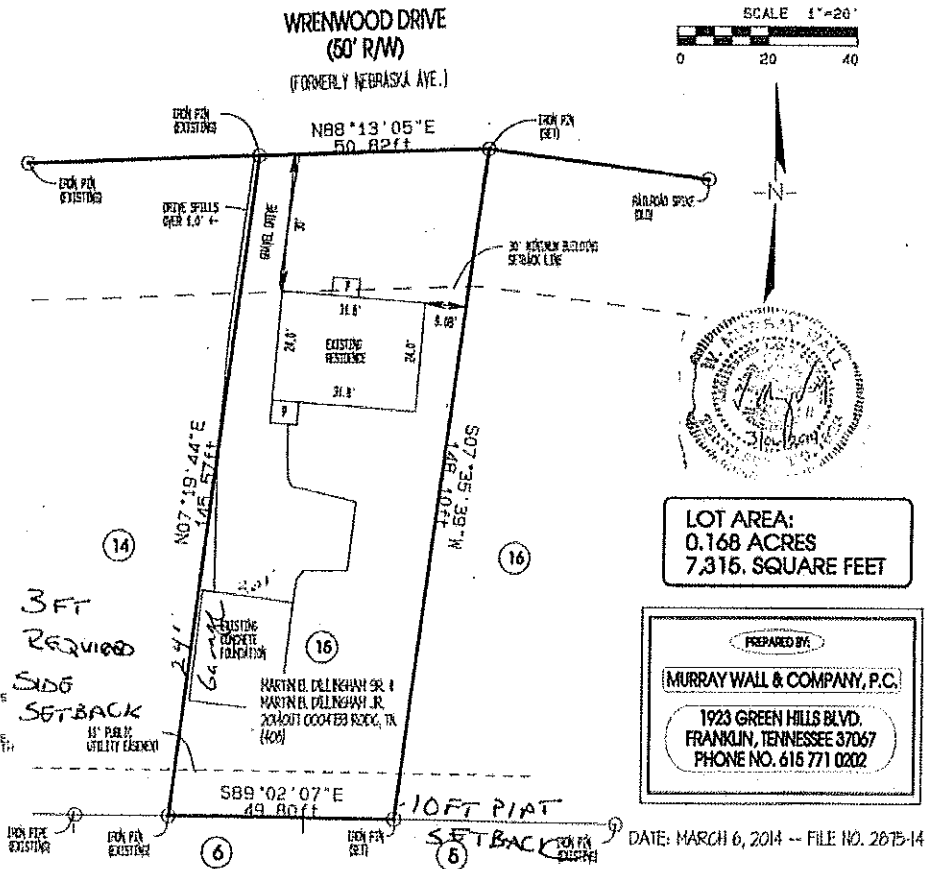
MISCELLANEOUS NOTES

1. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY 1 LEAN AND SUBSEVISION LAND SURVEY, AS PER THE STANDARD OF PRACTICE AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1 TO 500 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS SHOWN THIS (S) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.

5. IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UTILITY OWNER(S). TENNESSEE ONE CALL 811. *UTILITIES NOT CHECKED.

THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SUBJECT SITE. INFORMATION MADE AVAILABLE BY THE RESPECTIVE UTILITY AND/OR PLAT(S) OF RECORD OR OTHER SOURCES AS NOTED HEREON. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPILE ALL SUCH UTILITIES ON THE TRACT OR PARCEL. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION AS INDICATED THEREON. RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES AS SHOWN SHOULD BE DONE SO WITH THESE CIRCUMSTANCES CONSIDERED. RETAINED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD BE MADE PRIOR TO ANY DECISION RELATIVE THEREON TO MAKE AVAILABILITY AND COST OF SERVICES SHOULD BE CONSIDERED WITH THE APPROPRIATE UTILITY COMPANY.

6. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH. NO TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



DATE: MARCH 6, 2014 -- FILE NO. 2015-14

3509 WRENWOOD

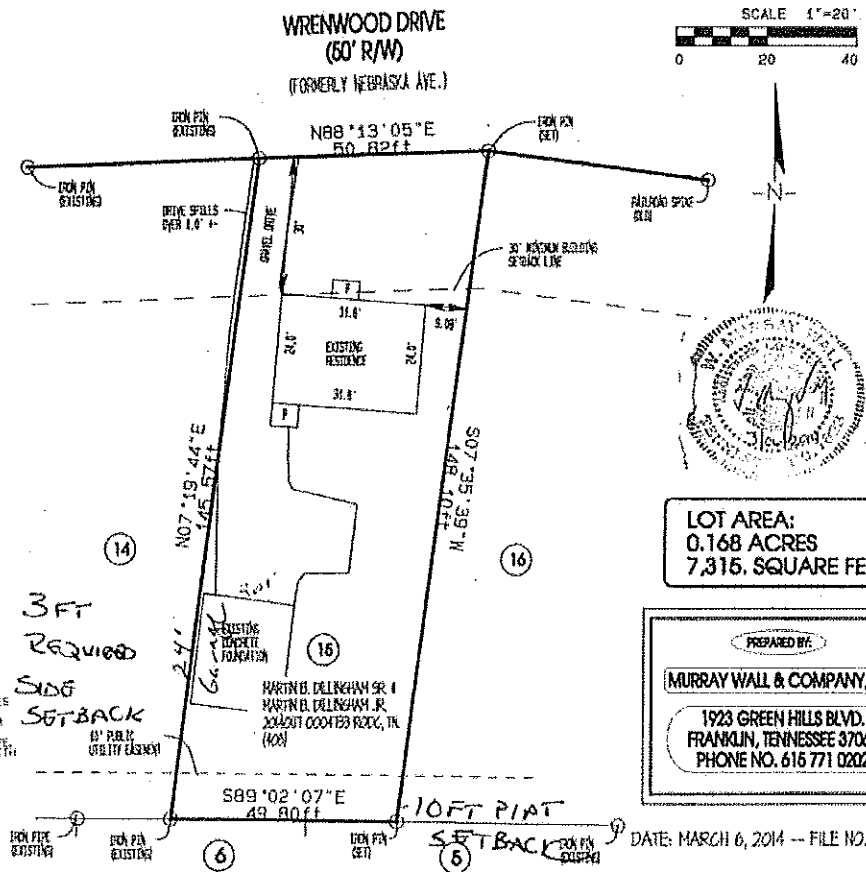
PROPERTY SURVEY FOR:
MARTIN B. DILLINGHAM SR. &
MARTIN B. DILLINGHAM JR.
PROPERTY ADDRESS:
3509 WRENWOOD DRIVE
NASHVILLE, DAVIDSON COUNTY, TN.

PARCEL ID:
 1040T040800

PROPERTY INFORMATION:
 BEING LOT NO. 15, WRENWOOD ASSHOWN
 ON THE PLAT OF RECORD IN PLAT BOOK 1130,
 PAGE 65, R.O.D.C., TN.

MISCELLANEOUS NOTES

1. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY 1 (URBAN AND SUBDIVISION) LAND SURVEY, AS PER THE STANDARD OF PRACTICE, AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
2. THE RATIO OF PRECISION OF THE LEAST-SQUARED SURVEY IS GREATER THAN 1 TO 500 OR DOES NOT EXCEED 1/10 OF 1 FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS SHOWN THUS 1001 PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.
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6. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SUBJECT SITE. INFORMATION MADE AVAILABLE BY THE RESPECTIVE UTILITY AGENCIES/PLAT OF RECORD, OR OTHER SOURCES AS NOTED HEREON. THE SURVEYOR MAKES NO GUARANTEE(S) THAT THE UNDERGROUND UTILITIES SHOWN HEREON CONFORM ALL SUCH UTILITIES ON THE TRACT OR PARCEL. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, THE LIANT UPON THE TYPE, SIZE AND LOCATION OF UTILITIES AS SHOWN SHOULD BE DONE SO WITH THESE CIRCUMSTANCES CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD BE MADE PRIOR TO ANY DECISION RELATIVE THEREOF TO MAKE AVAILABILITY AND COST OF SERVICE SHOULD BE COMPLETED WITH THE APPROPRIATE UTILITY COMPANY.
7. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND RECENT TITLE SEARCH BY TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



LOT AREA:
 0.168 ACRES
 7,315. SQUARE FEET

PREPARED BY:
MURRAY WALL & COMPANY, P.C.
 1923 GREEN HILLS BLVD.
 FRANKLIN, TENNESSEE 37067
 PHONE NO. 615 771 0202

DATE: MARCH 6, 2014 -- FILE NO. 2015-14

Request for Denial of Variance

Case 218-656

3509 Wrenwood Drive

Section 1

Denial Request Letter and Neighborhood Petition

Petition Signatures

Section 2

Photos of Garage located at 3509 Wrenwood Drive

Section 3

Copy of Applicant Application

Copy of Property Survey

Section 4

Supporting Documentation

Application for Building Permit

Property Record Card

Appraisal of 3511A Wrenwood Ave

Social Media Post dated May 28, 2018

Statement from Property Owner of 3507B Wrenwood Dr

Request for Denial of Variance Request Case 218-656

Donald and Melissa Bouchard
3511A Wrenwood Dr.
Nashville, TN 37205

Metropolitan Board of Zoning Appeals
Council District 24
800 2nd Ave South
Nashville, TN 37210

November 15, 2018

Dear Metropolitan Board of Zoning Appeals,

As concerned neighbors of the property at 3509 Wrenwood Avenue (Parcel ID 10401040800) we are opposed to the variance request for the property (case 218-656) which will be before the board on December 6, 2018. We respectfully ask that no variance to be granted.

Our most compelling reasons include:

The variance request for a 2.5 side setback is not consistent with the current zoning requirements according to Section 17.12.040 E1b.

"Accessory buildings (including above-ground swimming pools extending more than twelve inches above ground level) of seven hundred square feet or less, when located to the rear of a principal structure, shall provide a minimum side setback equal to one-half of that required for the district (**but not less than three feet**) and a minimum rear setback of at least three feet, except when garage doors open directly to an alley, in which case the minimum rear setback shall be ten feet". As residents of the neighborhood, we feel that if this variance is granted it may set a precedence for future requests. Based on the proximity of the homes in the neighborhood, a minimum of a 3 ft setback is necessary for safety, privacy and consistency in the neighborhood.

No building permit was obtained prior to construction.

The garage was constructed without a building permit. "A building permit is required for a new accessory structure or addition thereto (accessory structures include garages, carports, patio covers, decks, porches and storage buildings including portable storage buildings of 100 square feet or more.) The newly constructed garage located at 3509 Wrenwood is 440 square feet and requires a building permit. The garage was built without going through proper procedure and obtaining building permit. As a result, the application and plans were not reviewed and approved by the Development Services Departments prior to the construction in May 2018.

Granting the variance creates a safety hazard for all adjacent properties.

The garage is located less than 3 feet from a wooden privacy fence. This fence is attached to two homes located on lots A and B of 3511 Wrenwood Ave. The proximity of the garage to the wooden fence presents a fire hazard to the neighboring homes.

Currently, the garage has no power source located in the structure. The owner is running an extension cord from the main home to the garage in order to provide power to the garage. He uses various power tools to work on the garage and to perform work on a vehicle located in the garage. This presents an electrical and fire hazard for all neighbors.

Granting the variance will result in a decrease in property values.

A decrease in property values will cause financial harm to the immediate neighbors. The size and location of the garage are not in line with the current standards of the neighborhood.

Self-Imposed Hardship

The hardship claimed by the property owner is a direct result of his action and is not within the standards for variance. No hardship would exist had the property owner obtained a building permit prior to construction in May. The variance appeal states that the garage was an "existing structure" which is not the case. The garage was built over a concrete slab that existed prior to May 2018. It is our opinion that the physical characteristics of the property do not prohibit him from complying with set back regulations.

Inconsistent with the design of the neighborhood

The parcel size is .17 acres or 7,405 square feet. The one story residence located on the property is 768 square feet. The garage is 440 square feet. Currently, there are no homes on Wrenwood Ave with any accessory structure of this size. The addition of a garage of this size is not consistent with the design and plan of the neighborhood. This will also cause additional harm to the adjacent neighbor's property values.

We respectfully ask that this variance request be denied.

Yours Sincerely,

Melissa and Donald Bouchard

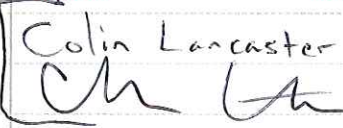



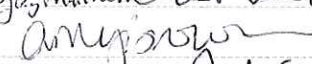


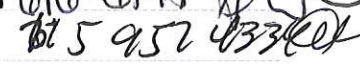



Melissa Bouchard

Donald Bouchard

11-15-2018

Petition Signatures

Case 218-656

NO.	NAME	Address	PHONE	EMAIL	Signature
01	Colin Lancaster	3503 Wrenwood	917-364-0546	ColinLancaster87@gmail.com	
02					
03	Megan Lancaster	"	"	megc419@gmail.com	
04	Matthew McKenna	3501 Wrenwood	410 949 0506	matthew.t.mckenna@gmail.com	
05	Justin Werthan	3507 Wrenwood	415 772-3325	justinwerthan@gmail.com	
06	Hilay Werthan	3507 Wrenwood	615-496-4880	hking.werthan@gmail.com	
07	DANIEL BALASUBRAMANIAN	3506 Wrenwood	615-830-8429	danielbal@gmail.com	
08	Jay Burkhardt	3508 Hillside	615-508-4676	burkhardtj@gmail.com	
09	Amy Brown	3508 Hillside	702-429-6972	AmyBrown	
10	Jodee Warwick	3506 Hillside Ave.	312 961 4225	JodeeWarwick	
11	Grace Woodside	3506 Hillside Ave	731-666-6090		
12	Andres Mutallana	3510A Wrenwood Ave	615 952 4330		
13	Brittany Nizzi	3505B Wrenwood Ave	nizzi@bellsouth.net	404 713 0115	
14	Kris Bergmann	3505A Wrenwood Ave	Kberg713@gmail.com	842 834 222	
15	Phillip Buchanan	3506A Wrenwood Ave	phillip.buchanan05@gmail.com	260-609-7207	
16					
17	Melissa Bouchard	3511A Wrenwood Ave	310-499-3415	MelissaBouchard	
18				melissajacksonbouchard@gmail.com	
19	Donald Bouchard	3511A Wrenwood Ave	310-728-9283		
20				dbouch544@gmail.com	
21	Allison Loehr	3507B Wrenwood Ave.	38918-704-5144	loehrak@aol.com	

Petition Signatures

Case 218-656

NO.	NAME	Address	PHONE	EMAIL	Signature
01					
02					
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Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Martin Dillingham
Property Owner: Martin Dillingham
Representative: Martin Dillingham

Date: 10-16-18
Case #: 2018-656
Map & Parcel: 10401040800

Council District 24

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

Purpose:

GARAGE CONSTRUCTED DOES NOT MEET 3 FT REQUIRED SIDE SETBACK. USED EXISTING FOUNDATION, NEW CONSTRUCTION GARAGE IS 2 1/2 FT FROM SIDE PROPERTY LINE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 3509 WRENWOOD DR

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 TO SIDE SETBACK

Section(s): 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.

Martin Dillingham
Appellant Name (Please Print)

Same
Representative Name (Please Print)

3509 Wrenwood Ave B
Address

Address

Nashville, TN 37205
City, State, Zip Code

City, State, Zip Code

615-948-7761
Phone Number

Phone Number

Martin.Dillingham@comcast.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?

This was an existing building so the hardship
& would be to relocate and remove the existing
foundation.

3509 WRENWOOD

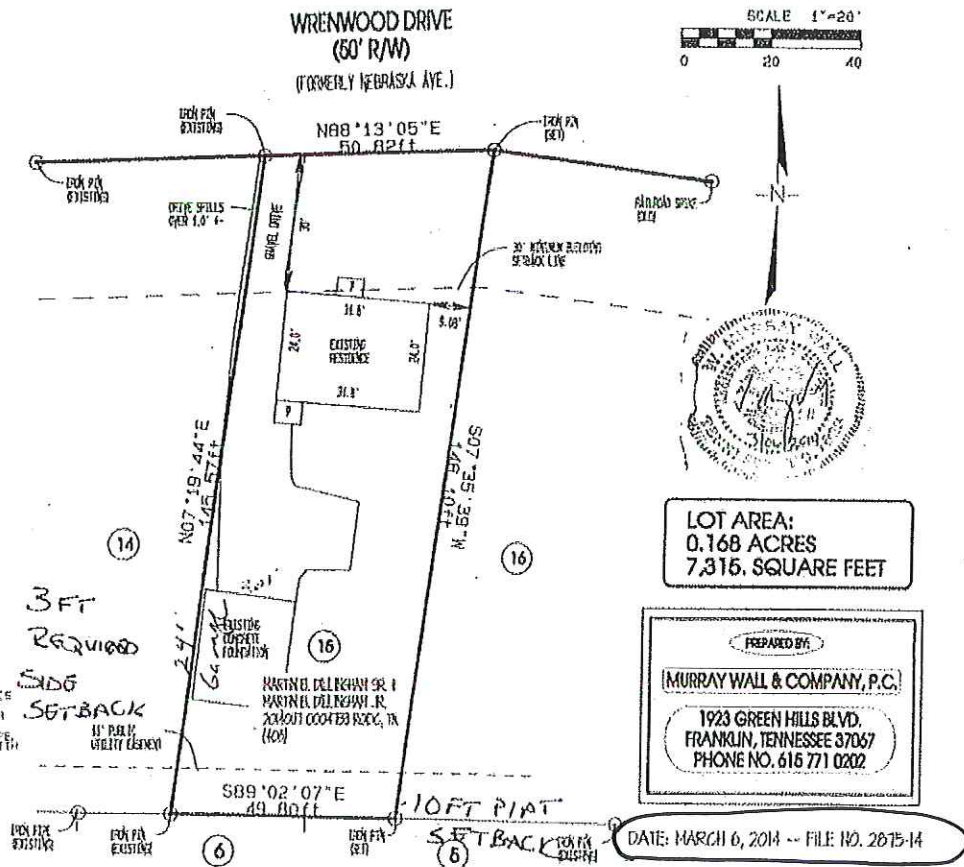
PROPERTY SURVEY FOR:
MARTIN B. DILLINGHAM SR. &
MARTIN B. DILLINGHAM JR.
PROPERTY ADDRESS:
3509 WRENWOOD DRIVE
NASHVILLE, DAVIDSON COUNTY, TN.

PARCEL ID:
 10401040800

PROPERTY INFORMATION:
 BEING LOT NO. 16, WRENWOOD ASSHOWN
 ON THE PLAT OF RECORD IN PLATBOOK 1130,
 PAGE 55, R.O.D.C., TN.

MISCELLANEOUS NOTES

1. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY I HUMAN AND SUBDIVISION LAND SURVEY, AS PER THE STANDARD OF PRACTICE, AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1/10,000 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS FROM THIS (CO) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.
5. IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENT ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UTILITY OWNERS. TENNESSEE DUG CALL 811. UTILITIES NOT CHECKED.
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6. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH. NO TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



LOT AREA:
 0.168 ACRES
 7,315. SQUARE FEET

PREPARED BY:
MURRAY WALL & COMPANY, P.C.
 1923 GREEN HILLS BLVD.
 FRANKLIN, TENNESSEE 37067
 PHONE NO. 615 771 0202

DATE: MARCH 6, 2014 -- FILE NO. 2075-14

* Survey completed in 2014 shows a concrete foundation. This clearly shows there was not an "existing building" as stated by Mr. Dillingham in the attached Application

3509 WRENWOOD

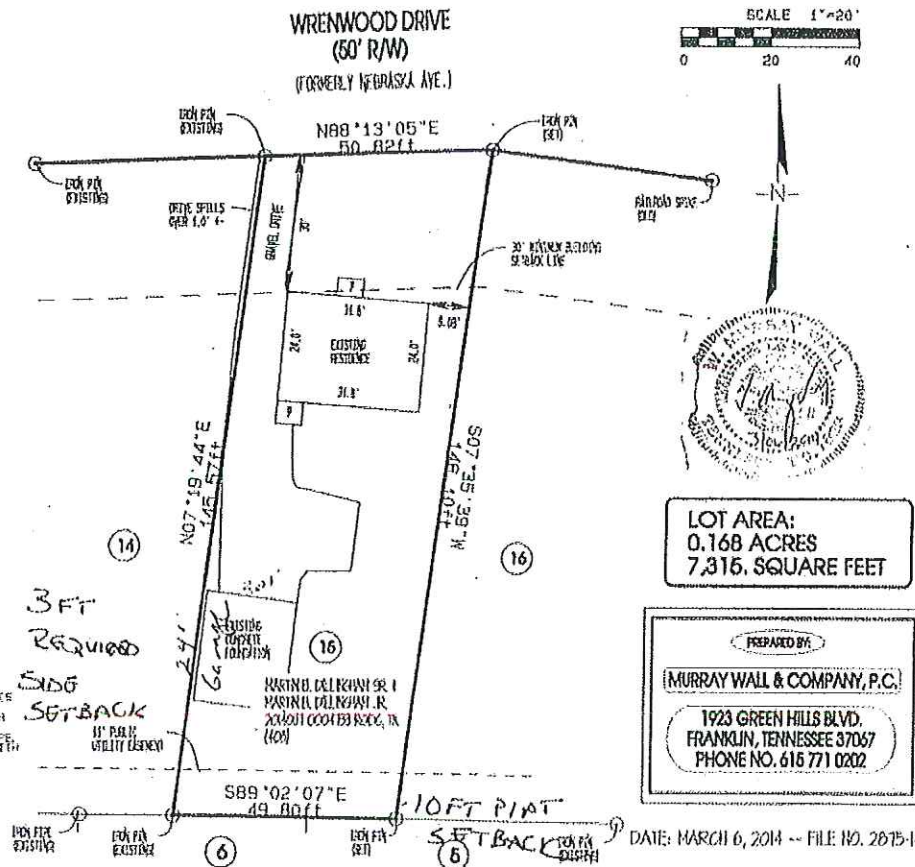
PROPERTY SURVEY FOR:
MARTIN B. DILLINGHAM SR. &
MARTIN B. DILLINGHAM JR.
PROPERTY ADDRESS:
3509 WRENWOOD DRIVE
NASHVILLE, DAVIDSON COUNTY, TN.

PARCEL ID:
 10401040800

PROPERTY INFORMATION:
 BEING LOT NO. 16, WRENWOOD ASSHOWN
 ON THE PLAT OF RECORD IN PLATBOOK 1130,
 PAGE 66, R.O.D.C., TN.

MISCELLANEOUS NOTES

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2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1 TO 500 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS DASHED IN (S) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.
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Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



3567659

APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018064267
THIS IS NOT A PERMIT

PARCEL: 10401040800

APPLICATION DATE: 10/10/2018

SITE ADDRESS:

3509 WRENWOOD DR NASHVILLE, TN 37205
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
Matrin Dillingham 615-948-7761

PURPOSE:

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..***SITE PLAN SENT TO FILE

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

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@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		
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crummy@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

Davidson County, TN
Assessor of Property

Unofficial Property Record Card

GENERAL PROPERTY INFORMATION

Map & Parcel: 104 01 0 408.00
Current Owner: DILLINGHAM, MARTIN, JR.
Mailing Address: 3509 WRENWOOD DR
NASHVILLE, TN 37205
Zone: 2
Neighborhood: 2126

Location: 3509 WRENWOOD DR
Land Area: 0.17 Acres
Most Recent Sale Date: 11/20/2017
Most Recent Sale Price: \$0
Deed Reference: 20171211-0125736
Tax District: USD

CURRENT PROPERTY APPRASIAL

Assessment Year: 2018
Land Value: \$200,000
Improvement Value: \$60,200
Total Appraisal Value: \$260,200

Assessment Classification*: RES
Assessment Land: \$50,000
Assessment Improvement: \$15,050
Assessment Total: \$65,050

LEGAL DESCRIPTION

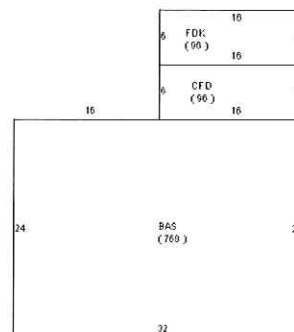
LOT 15 WRENWOOD

IMPROVEMENT ATTRIBUTES - Card 1 of 1

Building Type: SINGLE
FAM
Year Built: 1947
Square Footage: 768
Number of Living Units: 1
Building Grade: D
Building Condition: Fair

Rooms: 4
Beds: 2
Baths: 1
Half Bath: 0
Fixtures: 5

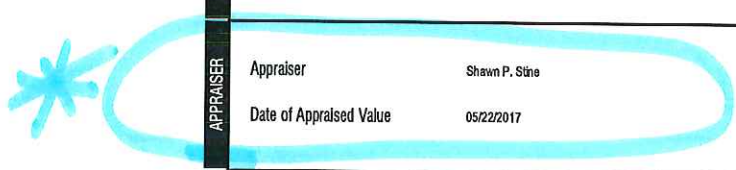
Exterior Wall: FRAME
Frame Type: RESD
FRAME
Story Height: ONE STY
Foundation Type: CRAWL
Roof Cover: ASPHALT



*This classification is for assessment purposes only and is not a zoning designation, nor does it speak to the legality of the current use of the subject property.

SUMMARY OF SALIENT FEATURES

SUBJECT INFORMATION	Subject Address	3511A Wrenwood Ave
	Legal Description	Unit A 3511 Wrenwood Avenue Townhomes / Neighborhood Code And Name: 2126 Vanderbilt
	City	Nashville
	County	Davidson
	State	TN
	Zip Code	37205
	Census Tract	0167.00
	Map Reference	104
SALES PRICE	Sale Price	\$ 475,400
	Date of Sale	05/02/2017
CLIENT	Borrower/Client	Don and Melissa Bouchard
	Lender	FRANKLIN SYNERGY BANK - MORTGAGE
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	1,988
	Price per Square Foot	\$ 239.13
	Location	N,Res;
	Age	3
	Condition	C2
	Total Rooms	6
	Bedrooms	2
	Baths	2.1
APPRAISER	Appraiser	Shawn P. Stine
	Date of Appraised Value	05/22/2017
VALUE	Final Estimate of Value	\$ 460,000



Borrower/Client	Don and Melissa Bouchard	File No.	TRI0047
Property Address	3511A Wrenwood Ave		
City	Nashville	County	Davidson
Lender	FRANKLIN SYNERGY BANK - MORTGAGE	State	TN
		Zip Code	37205

APPRAISAL AND REPORT IDENTIFICATION

This Report is one of the following types:

- Appraisal Report** (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- Restricted Appraisal Report** (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Reasonable Exposure Time (USPAP defines Exposure Time as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.)

My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: 0-90 days

The Exposure Time for the subject property was developed from sales information deemed to be similar to the subject and captured as median days on the market between 0 and 90 days.

Comments on Appraisal and Report Identification

Note any USPAP-related issues requiring disclosure and any state mandated requirements:

Per USPAP 2016-2017: An Appraisal Report must summarize the appraiser's analysis and the rationale for the conclusions. Unless otherwise indicated or included, the appraisal excludes the development and analysis of the Income Approach to value as income capitalization methods are not typically considered applicable by real estate appraiser peers when appraising an amenity-type residential property such as the subject property.

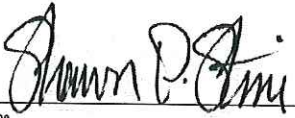
Therefore, this appraisal is not intended to be a full "narrative" report.

I have knowledge and experience in appraising this type of property in this market area. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as the MTRMLS multiple listing service, tax assessment records (CRS Tax System), public land records, and other such data sources for the area in which the property is located to the extent that these are available in my market area.

This appraisal contains additional commentary text addenda, maps and exhibits which are all an integral part of this appraisal report.

Prior Services Statement: I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

APPRAISER:

Signature: 
 Name: Shawn P. Stone

State Certification #: 4564
 or State License #:

State: TN Expiration Date of Certification or License: 05/31/2018

Date of Signature and Report: 05/28/2017

Effective Date of Appraisal: 05/22/2017

Inspection of Subject: None Interior and Exterior Exterior-Only

Date of Inspection (if applicable): 05/22/2017

SUPERVISORY or CO-APPRAISER (if applicable):

Signature: _____
 Name: _____

State Certification #: _____
 or State License #:

State: _____ Expiration Date of Certification or License: _____

Date of Signature: _____

Inspection of Subject: None Interior and Exterior Exterior-Only

Date of Inspection (if applicable): _____

Subject Photo Page

Borrower/Client	Don and Melissa Bouchard				
Property Address	3511A Wrenwood Ave				
City	Nashville	County	Davidson	State	TN
Zip Code	37205				
Lender	FRANKLIN SYNERGY BANK - MORTGAGE				



Subject Front

3511A Wrenwood Ave
 Sales Price 475,400
 Gross Living Area 1,988
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2.1
 Location N,Res;
 View N,Res;
 Site 7841 sf
 Quality Q3
 Age 3



Subject Rear



Subject Street

Subject Photo Page

Borrower/Client	Don and Melissa Bouchard				
Property Address	3511A Wrenwood Ave				
City	Nashville	County	Davidson	State	TN
Lender	FRANKLIN SYNERGY BANK - MORTGAGE				
		Zip Code	37205		



Subject Side Elevation

3511A Wrenwood Ave
 Sales Price 475,400
 Gross Living Area 1,988
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2.1
 Location N;Res;
 View N;Res;
 Site 7841 sf
 Quality Q3
 Age 3



Subject Side Elevation



Subject Street

Subject Photo Page

Borrower/Client	Don and Melissa Bouchard				
Property Address	3511A Wrenwood Ave				
City	Nashville	County	Davidson	State	TN
Lender	FRANKLIN SYNERGY BANK - MORTGAGE				
				Zip Code	37205

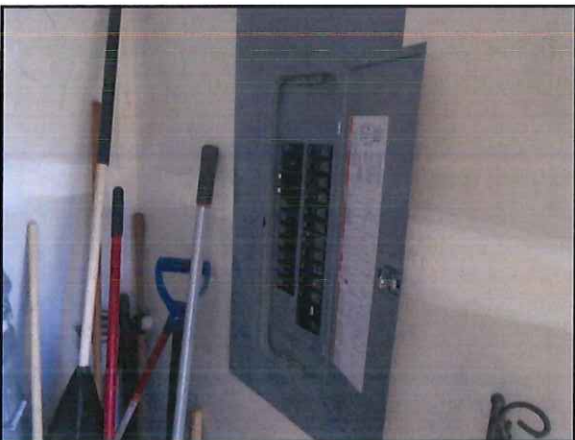


Subject HVAC

3511A Wrenwood Ave
 Sales Price 475,400
 Gross Living Area 1,988
 Total Rooms 6
 Total Bedrooms 2
 Total Bathrooms 2.1
 Location N,Res;
 View N,Res;
 Site 7841 sf
 Quality Q3
 Age 3



Subject Water Heater



Subject Electric Panel

Joseph Young
May 28

Summer time barn raising at Martin Dillingham's house...



This facebook post dated May 28th shows the garage being constructed at 3509 Wrenwood. Which is the property owned by Martin Dillingham

Application for Building permit filed on October 10th 2018.

Like Comment Share

5

Write a comment...



November 27, 2018

From:

Allison Loehr
3507B Wrenwood Dr
Nashville, TN 37205

To:

Metropolitan Board of Zoning Appeals
Council District 24
800 2nd Ave South
Nashville, TN 37210

Re: Appeal Case Number 2018-656

Dear Metropolitan Board of Zoning Appeals,

I am writing in regard to Appeal Case Number 2018-656 which requests a variance from side setback requirements. I am a property owner adjacent to the appellant's property at 3509 Wrenwood Drive. It is my understanding that the variance appeal submitted states that the garage structure, which is the subject of the appeal, was an "existing structure". This is not the case. The garage was newly built in May 2018 over a concrete slab. The slab without walls or any other containment was all that existed in this location prior to May 2018. I hope this information is helpful in your review of the case.

Sincerely,

A handwritten signature in black ink, appearing to read 'Allison Loehr', written in a cursive style.

Allison Loehr

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Julian Bustillo

Date: 10-18-18

Property Owner: Iglesia de Cristo Jehova

Case #: 2018-663

Representative: Julian Bustillo

Map & Parcel: 133-1-232

Council District 16

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

Purpose: Special Exception to allow 1120 square foot addition to existing church.

Activity Type: New Construction-addition

Location: 520 Raymond 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: Special Exception for Church

Section(s): 17.40.180(C)

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

Julian R. Bustillo
Appellant Name (Please Print)

Same
Representative Name (Please Print)

520 RAYMOND ST
Address

Address

NASHVILLE TN 37211
City, State, Zip Code

City, State, Zip Code

615 429 4448
Phone Number

Phone Number

ROBERTO BUSTILLO@YAHOO.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

Case #2018-663



3570358

ZONING BOARD APPEAL / CAAZ - 20180066202
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 13301023200

APPLICATION DATE: 10/18/2018

SITE ADDRESS:

520 RAYMOND ST NASHVILLE, TN 37211

LOTS 273, 275, & 277 SEC 2 SUNRISE HGTS & PT CL STREET

PARCEL OWNER: IGLESIA DE CRISTO JEHOVA-SHAMA NASI

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting special exception to allow construction of 1120SF addition to existing church.

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

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

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. 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.

JULIAN ROBERTO BUSTILLO
APPELLANT

10-18-18
DATE

SPECIAL EXCEPTION REQUESTS

BZA Rules of Procedure, Item 9 (2) (e) requires BZA appellants to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rule specifies, "In the interest of having informed stake holders in special exception cases, it is required that the appellant make contact with the district councilperson and neighbors within 600 feet of the subject property from a mailing list provided by the board staff. Information to be furnished by the applicant shall include a contact person and include a reasonable representation of your proposal and hold a meeting at a geographically convenient place, date, and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mail list, provide them with the date time and place to meet, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

I ACKNOWLEDGE MY RESONSIBILITIES regarding the neighborhood meeting preceding the public hearing for my BZA appeal for a special exception.

JULIAN ROBERTO BUSTILLO

APPELLANT (or representative)

10-18-18

DATE



PROPOSED
RENOVATION

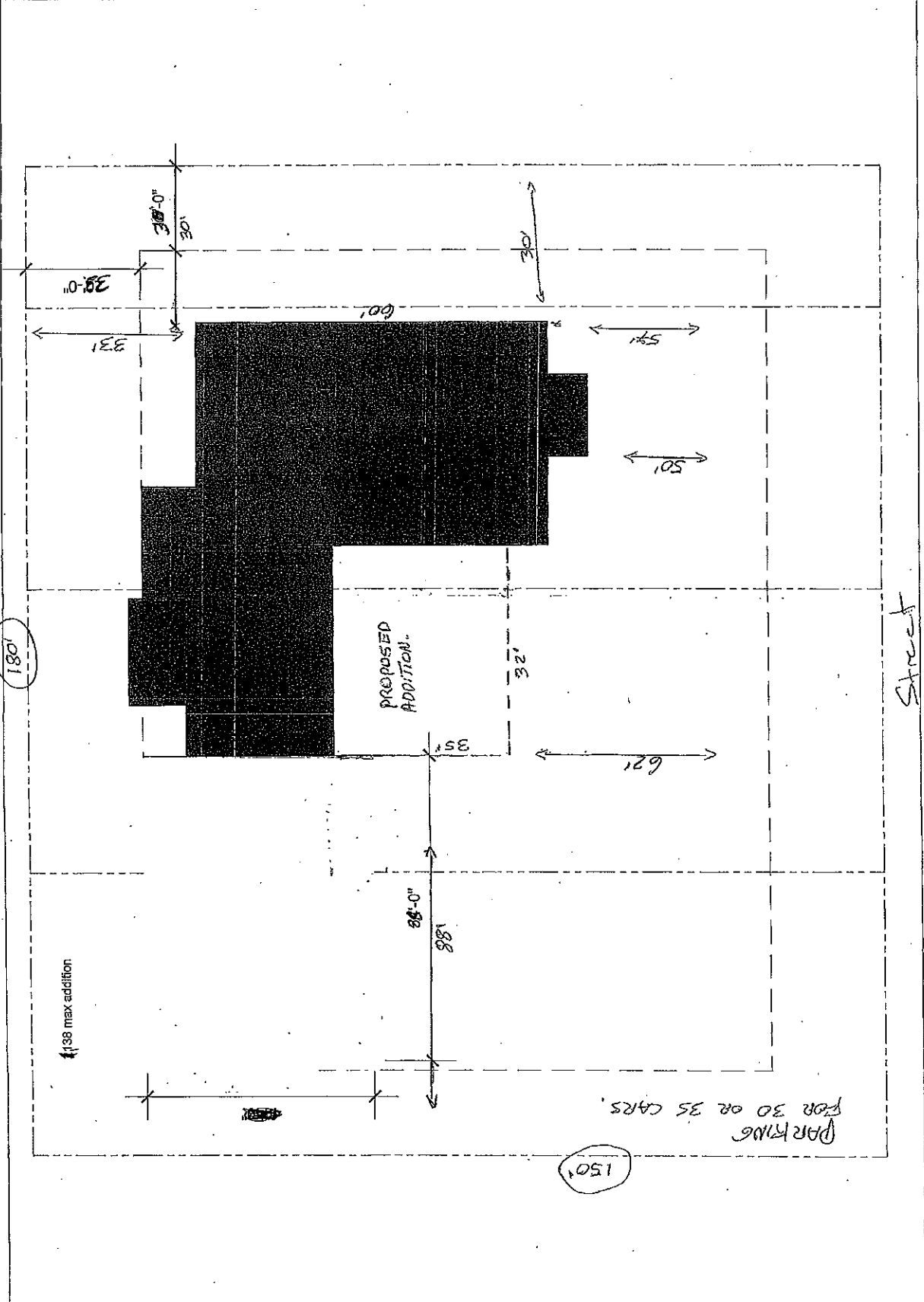
88-01

123

520 RAYMOND
ST WASHOUA
TN 37211

ISSUE DATE
4 OCTOBER 2018

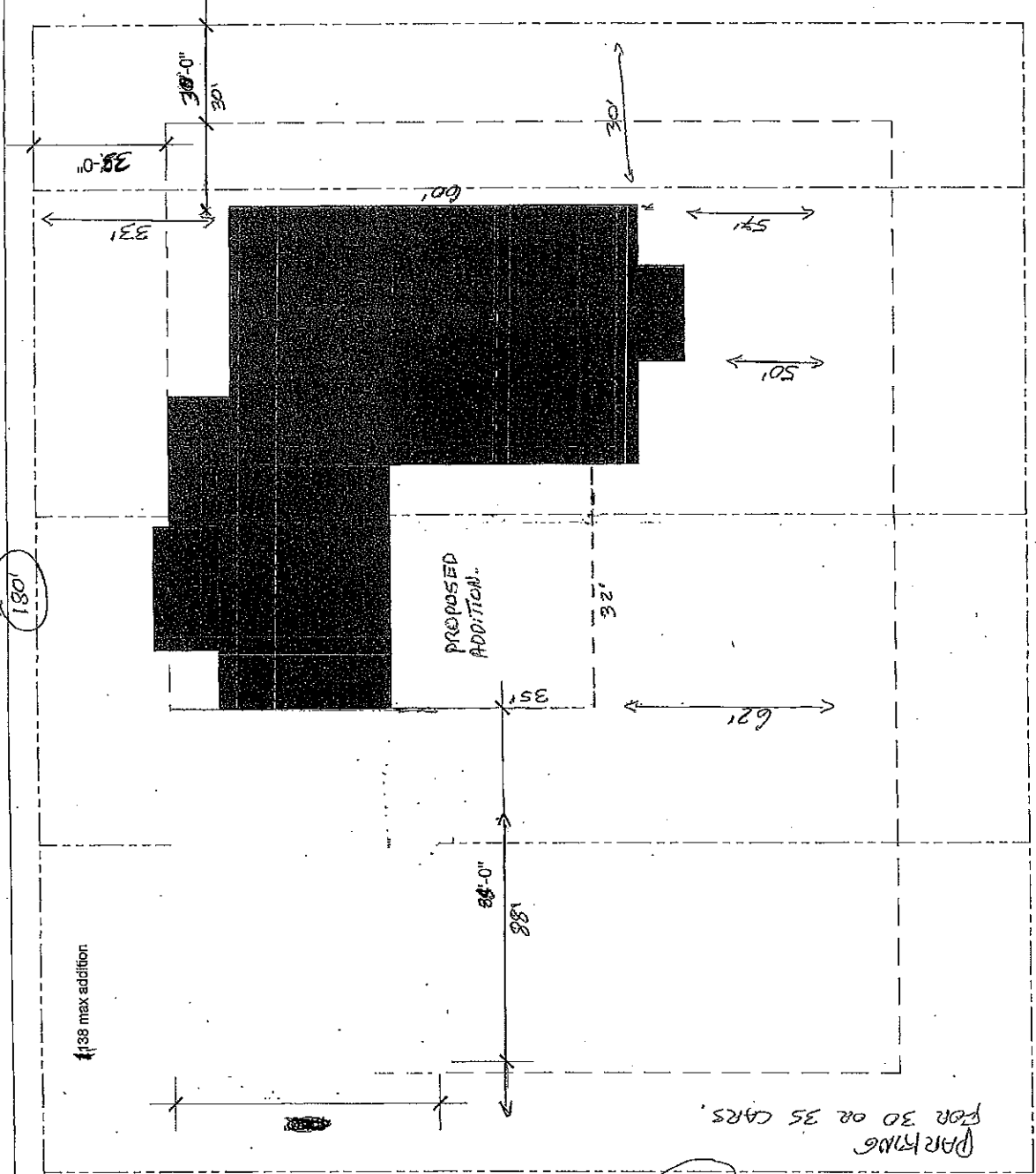
14' x 10'



520 RA YACOB
ST / MEHROVE
T.M. 3/21/

ISSUE DATE
4 OCTOBER 2008

1/4" = 1'-0"



From: [Ammarell, Beverly \(Public Works\)](#)
To: [Lifsey, Debbie \(Codes\)](#)
Cc: [Doyle, Devin \(Public Works\)](#)
Subject: 12/6/18 BZA meeting
Date: Wednesday, November 28, 2018 12:11:47 PM

2018-646 355 Haywood lane special Exception to allow construction of new temple

Variance: 17.40.180c variance to construct new temple

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.

2018-663 520 Raymond St special exception to allow construction of 1120sf addition to existing church

Variance: 17.,40,180 c

Response: Public Works takes no exception. This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201
615.862.7150
615.862.7209

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Emily Lamb
Date: November 26, 2018
BZA Hearing Date: December 12, 2018
Re: Planning Department Recommendation for a Special Exception, Case 2018-663

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 2018-663 (520 Raymond Street)

Request: A special exception for a religious institution to construct 1,120 square-foot addition to an existing religious institution.

Zoning: Single Family Residential (RS7.5) requires a minimum 7,500 square foot lot and is intended for single-family dwellings at a density of 4.94 dwelling units per acre.

Land Use Policy: T4 Urban Neighborhood Maintenance (T4 NM) is intended to maintain the general character of existing urban residential neighborhoods. T4 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T4 NM areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways and existing or planned mass transit. Enhancements may be made to improve pedestrian, bicycle and vehicular connectivity.

Planning Department Analysis: The site contains 0.6 acres of land and is located 252 feet east of the intersection of Raymond Street and Mays Street. The site contains an existing religious institution and a surface parking lot. The site is accessed through two private driveway connections to Raymond Street. The site is surrounded by single family structures in all directions, and single-family residential is the primary land use within the immediate area. There are a several existing religious institutional uses nearby.

Religious institutions are identified as appropriate within T4 Suburban Neighborhood Maintenance land use policy and are allowed within residential zoning districts with the approval of a Special Exception by the Board of Zoning Appeals.

This request proposes to permit construction of 1,120 square-foot addition to the front of the existing structure. All proposed improvements are centrally located on the site. The proposed addition to the structure will align with the setbacks of the existing structure. A 6 foot wooden fence surrounds the majority of the site and serves as a buffer between the existing religious institution and the adjacent single-family structures.

A sidewalk network does not exist within the immediate area along Raymond Street. Sidewalks may be required by the Zoning Code.

Staff recommends approval with conditions of this special exception request. The use is consistent with T4 Suburban Neighborhood Maintenance policy as it is identified as an appropriate land use for this policy area and will help to retain the character of the neighborhood.

Planning Recommendation: Approve with conditions.

Conditions

1. If required by the Metro Zoning Code, sidewalks shall be installed along the Raymond Street lot frontage.
2. All parking requirements of the Metro code must be met for the total number of seats proposed for the religious institution.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Mark Wallace Date: 10/22/18

Property Owner: Franklin Sunaper Co Case #: 2018-677

Representative: Mark Wallace Map & Parcel: 105-5-267

Council District 17

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

Purpose:
To construct 3 Units within one Building for 1112 Wade Townhomes development. RM20, UZO
Need addresses prior to issuing individual building permits.
Sidewalks ARE required for this project because this parcel is within the USD.

Activity Type: Triplex

Location: 1112 WADE AVE NASHVILLE, TN 37203

This property is in the RM20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

- 1....Rejected, does not meet 7500 sq ft minimum lot area for RM20 Zoning....EXISTING AT 40X150=6000 SQFT PER SURVEY....17.12.020B.
- 2.....REQUEST NOT TO UPDATE NOR CONTRIBUTE TO SIDEWALK FUND....EXISTING SIDEWALKS...17.20.120.

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

Mark Wallace
Appellant Name (Please Print)

Representative Name (Please Print)

2000 Mallory Ln
Address

Address

Suite 130-541
City, State, Zip Code
Franklin TN, 37067

City, State, Zip Code

POC: MARK WALLACE 615-852-8573
e-mail: markwallacedc@yahoo.com

Phone Number

Email

Email

Appeal Fee: 200⁰⁰



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



3571352

**ZONING BOARD APPEAL / CAAZ - 20180066930
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10505026700

APPLICATION DATE: 10/22/2018

SITE ADDRESS:

1112 WADE AVE NASHVILLE, TN 37203
LOT 33 BRANSFORD RLTY CO RESUB PT A B HILL

PARCEL OWNER: FRANKLIN SUNAPEE GP

CONTRACTOR:

APPLICANT:**PURPOSE:**

BZA APPEAL...2018-677

3 Units within one Building for 1112 Wade Townhomes development. RM20, UZO

You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction because the parcel is within the UZO.

DENIED:

1....Rejected, does not meet 7500 sq ft minimum lot area for RM20 Zoning....EXISTING AT 40X150= 6000 SQFT PER SURVEY....17.12.020B.

2.....REQUEST NOT TO UPDATE NOR CONTRIBUTE TO SIDEWALK FUND....EXISTING SIDEWALKS...17.20.120.

POC: MARK WALLACE 615-852-8573

e-mail: markwallacedc@yahoo.com

MAX HT AT SETBACK LINE 30' WITH A 2' VERTICAL TO 1' HORIZONTAL SLOPE RATIO...SIDE SETBACKS MIN 5'...REAR MIN 20'....NO FAR...NEED 30% GREEN SPACE....
STREET SETBACK MIN 30'...PARKING 3 X 1.5 =4.5 SPACES..MINUS 10% FOR BUS ROUTE W/IN 660'. 4 SPACES.....SEE PLAN.....

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

There are currently no required inspections

Inspection requirements may change due to changes during construction.

10505055000

105053F00100CO

139s

140s

10505025700

105053F00200CO

R8

10505025600

66.5

50

10505025500

SP(R)

325

105050W00300CO

105050W90000CO

173

145

10505026700

680 ALY 40

10505026800

150

105050U01000CO

849 ALY

105050W00100CO

105050W00200CO

161

1.63

40

RM20

4045s

40

10505026900

105050U00100CO
105050U90000CO

WADE AVE

43

40

40

40

40

10509011800

10509014100

10509014000

10509013900

10509013800

10509013700

10509013600

14s

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

10/22/18

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.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.

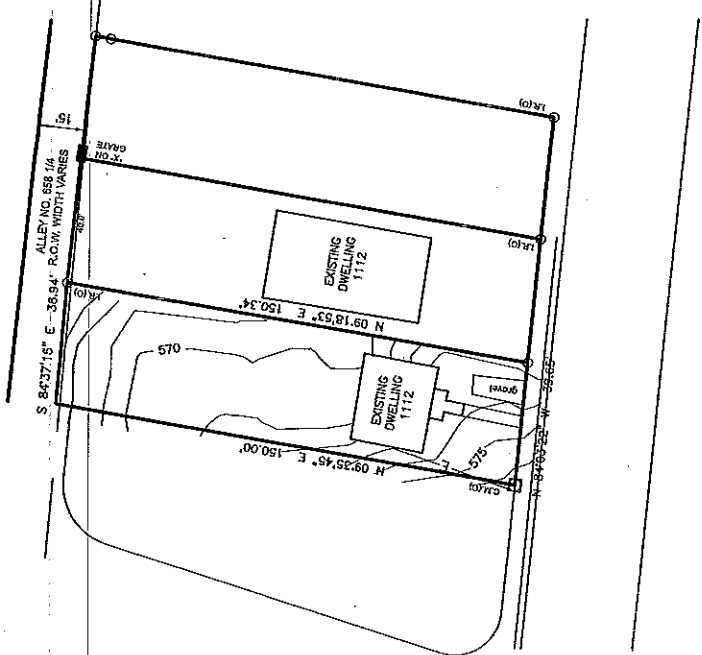
The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively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

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

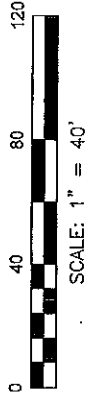
See Letter

Surveyor's Notes:

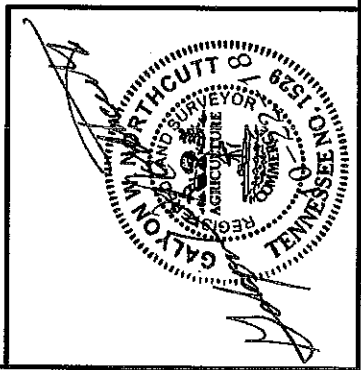
1. All bearings are magnetic and do not necessarily match a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 105-05.



PLOT PLAN FOR:
 FRANKLIN SUNAPEE GROUP
 1112 WADE AVENUE
 NASHVILLE, TN 37203
 MAP 105-05 PARCEL 267
 INST # 20130829-0091513
 DATE: OCTOBER 22, 2018



Gailyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-8761





1.08

1.79

10505055000

105053F00100CO

139S

140S

10505025700

105053F00200CO

R8

10505025600

66.5

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10505025500

SP(R)

325

27.33 38.89 40

680 ALY 41U

105050W00300CO

105050W90000CO

105050W00200CO

105050W00100CO

10505026700

10505026800

150

105050U01000CO

61.63

145 150

RM20

10505026900

105050U00100CO
105050U90000CO

40

4045s

40

WADE AVE

43

40

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10509011800

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10509014000

10509013900

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10509013700

10509013600

14S

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-677 (1112 Wade Avenue)

Metro Standard:	4' grass strip, 5' sidewalk as defined by the Metro Local Street standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	RM20
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Property 400' from #17 – 12 th Avenue South; Future Rapid Bus per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is proposing a new triplex residential building, and requests a variance due to the presence of existing sidewalks. Planning evaluated the following factors for the variance request:

- (1) A 2' grass strip and 5' sidewalk exists along the entire property frontage, which is consistent with adjacent properties along the block face.
- (2) Staff sees no unique hardship to sidewalk construction.

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 contribute in-lieu of construction for the property frontage.
3. Prior to the issuance of building permits, dedicate right-of-way along the property frontage to accommodate future sidewalks per the Local Street standard.

From: [Sledge, Colby \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#)
Subject: BZA positions for Dec. 6 meeting
Date: Tuesday, November 20, 2018 7:31:14 PM

Board members,

You have quite the task ahead of you for this meeting's agenda! Below are my positions on the District 17 items on the Dec. 6 agenda:

2018-522: **Deny**
2018-619: **Strongly deny**
2018-637: **Support**, as applicant has spoken with me
2018-638: **Deny**
2018-644: **Deny**
2018-662: **Strongly deny** based on resident complaints
2018-671: **Deny**
2018-672: **Deny**
2018-677: **Strongly deny**

Thank you, as always, for your service, and Happy Thanksgiving!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
[ColbySledge.com](#)
[Sign up for my weekly newsletter here!](#)

2018-677
OPPOSE

Dear zoning board members:

I am writing this letter to show my OPPOSITION toward appeal case 2018-677, permit #20180066930.

My name is Guozhen Luo and I live at 1022 Argyle Avenue, 37203 with my family. Mark Wallace filed an appeal for the property located at 1112 Wade Avenue. The hearing is scheduled at 12/6/2018 1PM. Unfortunately, I can't appear in person. But I would like to express my opposition with this letter.

I am attaching the original letter from metro zoning board.

Sincerely

Guozhen Luo



11/13/2018

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Inetta Presley
Property Owner: Inetta Presley
Representative: Mary Presley

Date: 10-24-18
Case #: 2018-689
Map & Parcel: 71-8-49

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 lot size variance to allow construction of 2 HPR's for a total of 4 units. current lot is 11,000 SF & the minimum required is 12,000 SF.

Activity Type: New Construction - Single Family

Location: 314 Duke St.

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

Reason: Does not meet minimum 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.

~~Inetta Presley~~ ~~Mary Presley~~
Appellant Name (Please Print)

Mary Presley
Representative Name (Please Print)

314 Duke St
Address

4397 Mt. Sharon Rd.
Address

Nash. TN 37207
City, State, Zip Code

Greenbrier, TN 37073
City, State, Zip Code

615 586-3247
Phone Number

615-571-1719
Phone Number

jessicapresley74@gmail.com
Email

mpresley33@gmail.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



3572065

ZONING BOARD APPEAL / CAAZ - 20180067446
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07108004900

APPLICATION DATE: 10/24/2018

SITE ADDRESS:

314 DUKE ST NASHVILLE, TN 37207
PT LOTS 50-51-64-65 J B HAYNIES ORIENTAL PLAN

PARCEL OWNER: PRESLEY, INETTA J.

CONTRACTOR:

APPLICANT:**PURPOSE:**

requesting lot size variance to allow construction of 2 HPR's for a total of 4 units. minimum lot size requirement 12,000SF, current lot at 11,000SF.

*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 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.

Mary Prud'homme
 APPELLANT

10/24/18
 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?

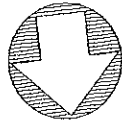
314 & 316 Duke St. owned by Inetta Presley, spoke with own of Prince property that connects to back of property. He agreed to give 10-ft of his property
(Justin Hicks)

he was building on Prince. The paperwork was signed by Inetta Presley. Then, assured by Justin Hicks that he would file at deeds office. Justin then sold the properties on Prince after. NOW, ~~the~~ the new owners will not sign the 10 feet back to Inetta Presley. When we have the property in contract now to sell on Duke St.



CLINT ELLIOTT SURVEY

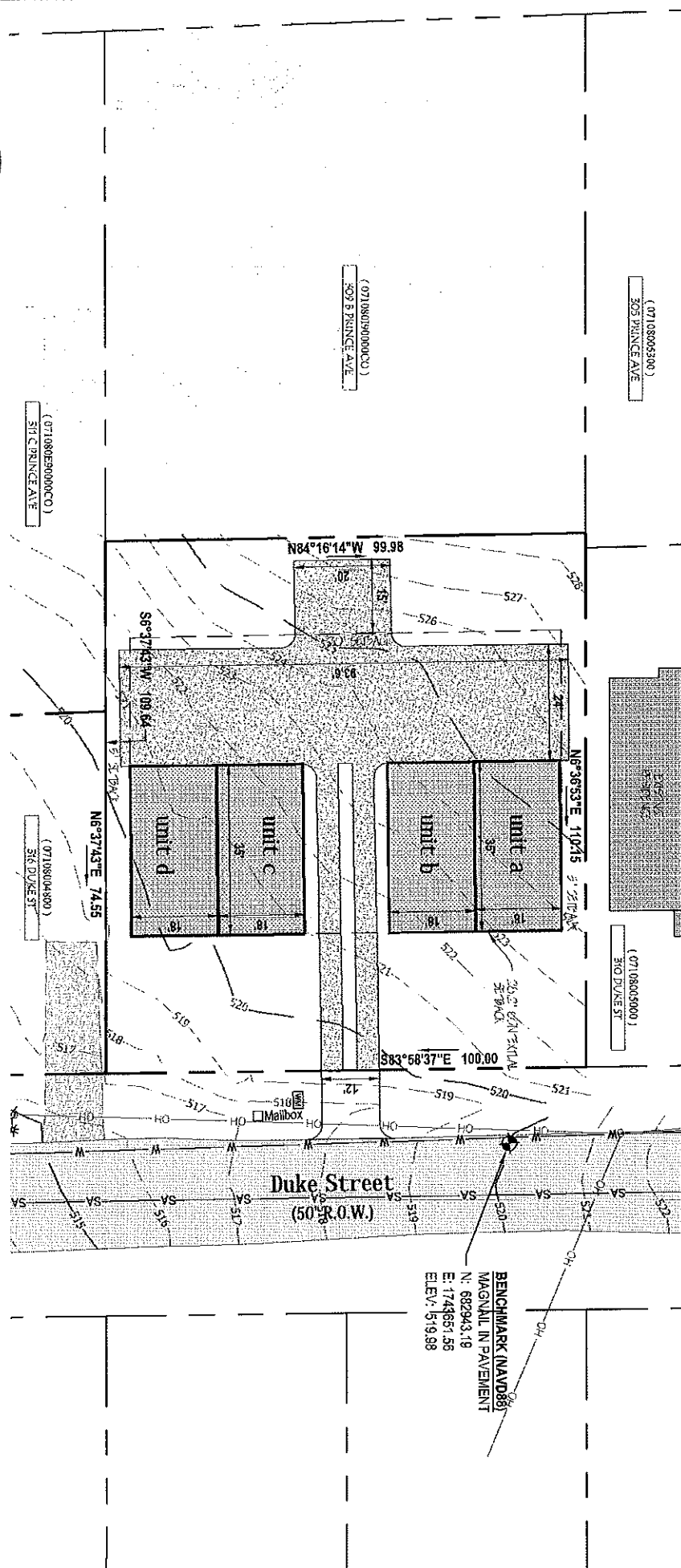
1711 Hayes Street
Nashville, TN 37203
clintelliotts@survey.com
(615) 490-3236



150725
Concept Plan
314 Duke Street
Nashville, Davidson County, Tennessee

Sheet No.

V-2.1



BENCHMARK (NAVDS88)
MAGNAIL IN PAVEMENT
N: 682943.19
E: 1743657.56
ELEV: 519.98

(071080059000)
305 PRINCE AVE

(071080059000000)
305 B PRINCE AVE

(071080059000000)
311 C PRINCE AVE

(071080044800)
316 DUKE ST

(071080009000)
310 DUKE ST

Duke Street
(50' R.O.W.)

N84°16'14"W 99.98

S8°37'43"W 109.64

N6°37'43"E 74.55

N6°36'53"E 100.45

S83°58'37"E 100.00

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Melissa Chambers
Property Owner: " "
Representative: " "

Date: 10/26/18
Case #: 2018-700
Map & Parcel: 07116025100

Council District 5

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

Purpose: # to construct a single family residence.

Activity Type: single family
Location: 1219 N 7th St.

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

Reason: a variance from sidewalk requirements
Section(s): 17.20.120

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.

Melissa Chambers
Appellant Name (Please Print)

Representative Name (Please Print)

1219 Nth 7th St
Address

Address

Nashville, TN 37207
City, State, Zip Code

City, State, Zip Code

615-596-4247
Phone Number

Phone Number

chambersaaron50@yahoo.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



3572916

ZONING BOARD APPEAL / CAAZ - 20180068068
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07116025100

APPLICATION DATE: 10/26/2018

SITE ADDRESS:

1219 N 7TH ST NASHVILLE, TN 37207
LOTS 259 PT 260 OAKWOOD PARK

PARCEL OWNER: CHAMBERS, AARON & MELISSA

CONTRACTOR:

APPLICANT:**PURPOSE:**

Not eligible to pay in-lieu of building.

17.20.120

Work started as 2 Additions on permits 2018037819 and 2018049201. Inspector S.Rider requested a New Construction Permit due to extent of repairs needed.

Permit to construct a one story single family residence with 1057 sq and 363 sq ft of porches and decks...Using existing foundation, 5 ft minimum side setback, 20 ft rear setback...No change to footprint, plans sent to file. Single story house. Must conform with all easements on property..Sidewalks ARE required for this project because this parcel is within the UZO.

Porch approved BZA Case 2018-526

Self 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, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210**



3572845

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018068027
THIS IS NOT A PERMIT**

PARCEL: 07116025100

APPLICATION DATE: 10/26/2018

SITE ADDRESS:

1219 N 7TH ST NASHVILLE, TN 37207
LOTS 259 PT 260 OAKWOOD PARK

PARCEL OWNER: CHAMBERS, AARON & MELISSA

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
Melissa Chambers 615-596-4247

PURPOSE:

Work started as 2 Additions on permits 2018037819 and 2018049201. Inspector S.Rider requested a New Construction Permit due to extent of repairs needed.

Permit to construct a one story single family residence with 1057 sq and 363 sq ft of porches and decks...Using existing foundation, 5 ft minimum side setback, 20 ft rear setback...No change to footprint, plans sent to file. Single story house. Must conform with all easements on property..Sidewalks ARE required for this project because this parcel is within the UZO.

1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....
2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything 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*

<input type="checkbox"/> [A] Site Plan Review		
<input type="checkbox"/> [A] Zoning Review		
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	(615) 862-4138 Lisa.Butler@nashville.gov
<input checked="" type="checkbox"/> PW - Public Works Sidewalk Capital Project Coordinatic		
<input checked="" type="checkbox"/> [B] Fire Life Safety Review On Bldg App		862-5230
<input checked="" type="checkbox"/> [E] Sewer Availability Review For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
<input checked="" type="checkbox"/> [E] Sewer Variance Approval For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
<input checked="" type="checkbox"/> [E] Water Availability Review For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
<input checked="" type="checkbox"/> [E] Water Variance Approval For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
<input type="checkbox"/> [A] Bond & License Review On Bldg App		

APPLICATIONS FOR VARIANCE REQUESTS

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

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

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

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

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

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

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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

Melissa Chambers
APPELLANT

10/26/18
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.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?

Was going to put on a side back and front addition. However, when removing a tree a limb fell on side of house brick wall fell off when it was hit. Under the brick prior person had wrapped the house in black plastic. Under the plastic was severely rotted wood siding. The 2x4's under the siding were rotted as well. Had to remove all rotted wood. Left floor joist and brick-o-blocks. Not changing floor footprint.

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-700 (1219 North 7th Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (eligible)
Zoning	SP to allow detached accessory dwelling units with all other standards of the RS5 district being applicable
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	#30 – McFerrin
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant is constructing a single family dwelling, and requests a variance from constructing sidewalks due to existing sidewalks. 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.

NOTE:

THE EAST AND WEST BOUNDARY LINES WERE DETERMINED BY THE RIGHT-OF-WAY FOR NORTH 7TH STREET AND THE ALLEY.

THIS SURVEY WAS CONDUCTED UTILIZING REAL-TIME KINEMATIC GPS EQUIPMENT. THE GPS SYSTEM IS BASED ON THE TENNESSEE STATE PLANE COORDINATE SYSTEM OF 1983.

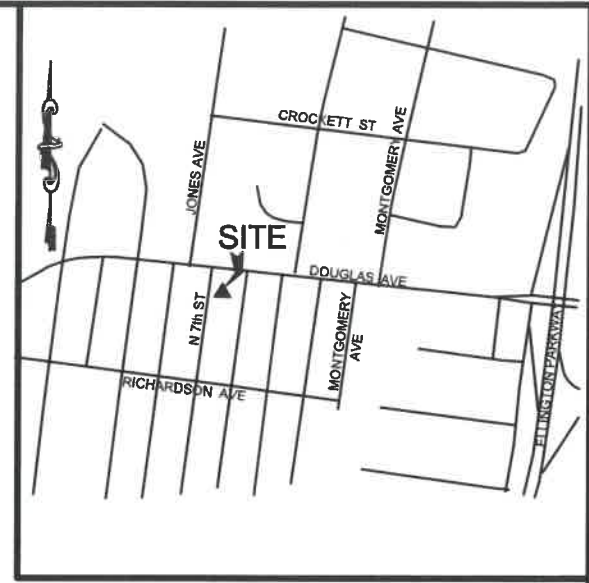
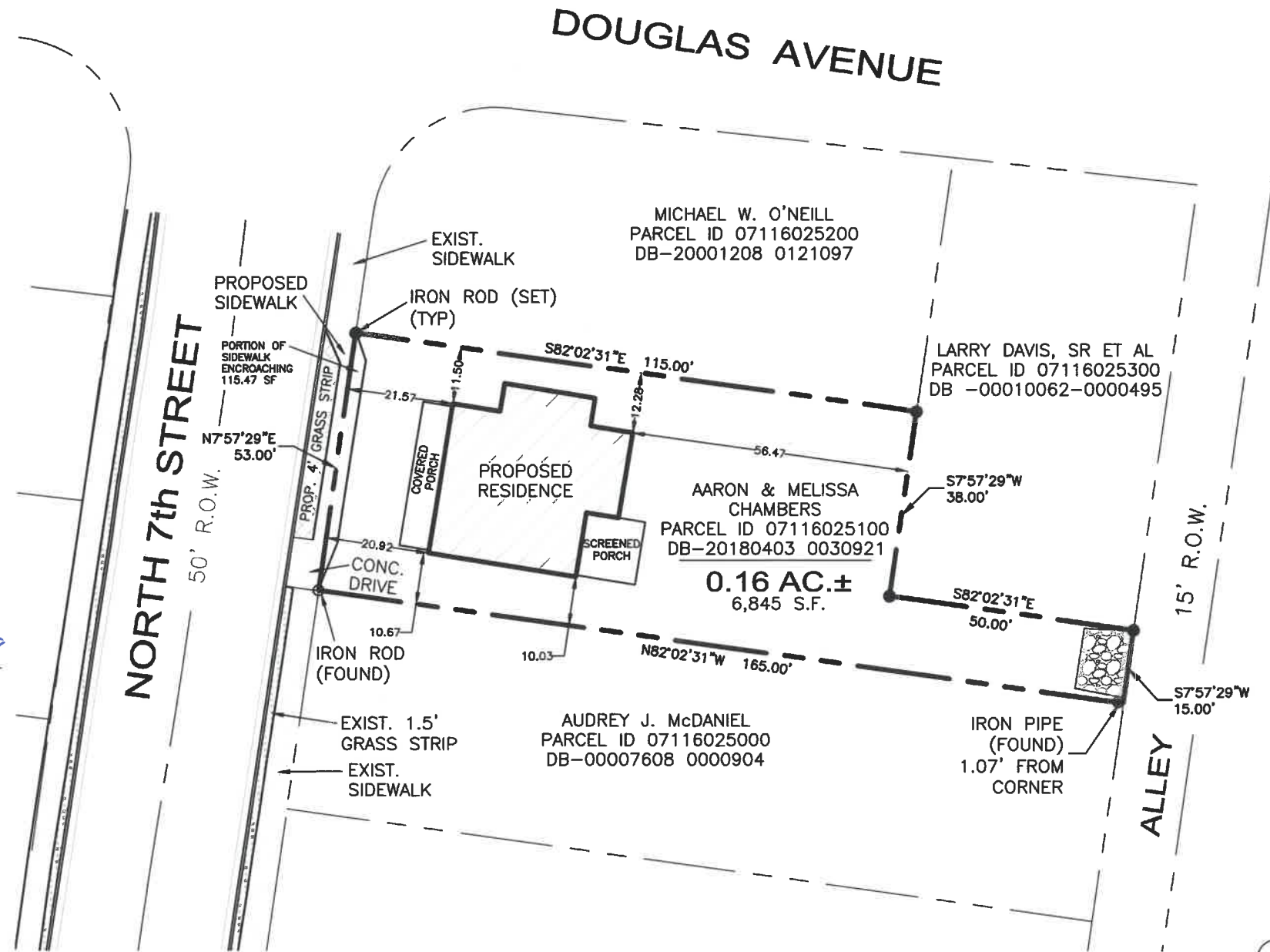
EQUIPMENT USED: TRIMBLE R10 DUAL-FREQUENCY BASE AND ROVER SYSTEM.

THE PROPERTY CORNERS SHOWN HEREON WERE OCCUPIED FOR APPROXIMATELY 3 MINUTES EACH, UTILIZING AN RTK BASE AND ROVER SOLUTION WITH AN AVERAGE POSITIONAL ERROR OF 0.05 FT.

Keith Ryan Brotherton 11-1-18
 KEITH RYAN BROTHERTON DATE
 TN. RLS #2850



WA WILSON & ASSOCIATES, P.C.
 Engineering/Surveying/Environmental
 108 Beasley Drive
 Franklin, TN 37064
 615.794.2275



VICINITY MAP
 NOT TO SCALE

GRAPHIC SCALE

SITE PLAN
 Lot 259 & Part of Lot 260 Oakwood Park
 Book 421, Page 12, R.O.D.C.T.
 PROPERTY LOCATION:
 1219 North 7th Street
 Nashville, Davidson County, TN 37207

PREPARED FOR: Aaron Chambers Aaron.chambers@pulte.com Phone: 615-948-2044	Date: 11/1/2018 Scale: 1" = 30' Drawn: KRB Job No.: 12218
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Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: FBGM LLC
Property Owner: FBGM LLC
Representative: Bethany Burkhardt

Date: 11/1/18
Case #: 2018-708
Map & Parcel: 082 030 066 00

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:

SINGLE FAMILY RENOVATIONS
NEW CONSTRUCTION

Activity Type: SINGLE FAMILY REHAB

Location: 909 Joseph Avenue Nashville TN ~~37209~~ 37207

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

Reason: REQUEST NOT TO INSTALL SIDEWALKS & NOT TO CONTRIBUTE

Section(s): 17.20.12

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.

FBGM LLC (Bethany Burkhardt)
Appellant Name (Please Print)

Representative Name (Please Print)

4813 Shasta Drive
Address

Address

014 Hickory TN 37138
City, State, Zip Code

City, State, Zip Code

615-830-5204
Phone Number

Phone Number

BBDNashville@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**



**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018069157
THIS IS NOT A PERMIT**

PARCEL: 08203006600 **APPLICATION DATE:** 11/01/2018

SITE ADDRESS:

909 JOSEPH AVE NASHVILLE, TN 37207
LOT 77 SHARPE & HORNS 2ND

PARCEL OWNER: FBGM, LLC

APPLICANT: BEAUTIFUL BY DESIGN

OLD HICKORY, TN 37138 6158305204

PURPOSE:

PERMIT IS FOR CONTINUATION OF WORK STARTED UNDER PERMIT CARA-2018034619... ..ADDITIONAL WORK BEING NEW CONSTRUCTION

TO CONSTRUCT 1,124 SQFT OF LIVING SPACE WHERE FORMER "EXISTING" HOUSE IS DEPICTED ON PLANS SENT TO FILE CARA-2018034619... ..

20' MINIMUM FRONT SETBACK... ..5' MINIMUM SIDE SETBACK REQUIREMENT... ..20' REAR SETBACK REQUIREMENT MAXIMUM HEIGHT 3 STORIES/ 45 FEET... ..NO SECOND KITCHEN, TO REMAIN SINGLE FAMILY RESIDENCE... .. SEE ATTACHED SITE PLAN & ELEVATIONS

SPECIFIC PLAN (SP) BL2014-896 FOR DADU ONLY, NO PLANNING REVIEW

PERMIT CARA-2018034619

EXISTING 1124 SQFT SINGLE FAMILY RESIDENCE...TO INCLUDE:

1. CONSTRUCT 76 SQFT 1ST FLOOR ADDITION OFF REAR (EAST) OF RESIDENCE
2. CONSTRUCT 58.5 SQFT 1ST FLOOR COVERED PORCH ON SOUTH SIDE OF RESIDENCE
3. CONSTRUCT 1,112 SQFT 2ND STORY ADDITION OVER EXISTING 1ST FLOOR/RESIDENCE... ..
4. CONSTRUCT 88 SQFT 2ND FLOOR COVERED PORCH ON SOUTH SIDE OF RESIDENCE
5. CONSTRUCT 29'X26' ROOF TOP DECK

*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	Thomas.Corcoran@nashville.gov
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	Thomas.Corcoran@nashville.gov
PW - Public Works Sidewalk Capital Project Coordinatic		
[A] Bond & License Review On Bldg App	APPROVED	Thomas.Corcoran@nashville.gov

APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal 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 pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert 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 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) 862-6510

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



APPELLANT

11/01/18

DATE

Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the 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 owners 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 date of Zoning Code.*

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

No injury to neighboring property- *The granting of a variance will not be injurious to other property or improvements in the area, impair and 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 a 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, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-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 neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

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

The Board cannot grant a variance based solely on inconvenience to the applicant or 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?

I intended to renovate and build an addition which I received the appropriate building permit for that work. Upon trying to tie the addition footers onto the existing footers, the preexisting footer were found to be inadequate (loose rocks that were covered in patching cement ~~to~~ on the surface). The work then had to be redone and then the bldg ~~that was pointed~~ inspector alerted me that the new construction permit was required. There are 8' wide sidewalk existing as well all along the streets on both sides.

SHEET INDEX:

- C1.0 - COVER SHEET (GENERAL NOTES)
- S1.0 - SITE PLAN
- S2.0 - SITE CALCULATIONS (IMPERVIOUS-LOT COVERAGE)
- E1.0 - EROSION PREVENTION & SEDIMENT CONTROL PLAN
- E2.0 - EROSION PREVENTION & SEDIMENT CONTROL DETAILS
- B1.0 - BUILDING CONTEXTUAL AVERAGE SETBACKS
- W1.0 - SIDEWALK CONSTRUCTION PLAN
- W2.0 - SIDEWALK CONSTRUCTION DETAILS
- W3.0 - SIDEWALK CONSTRUCTION NOTES



LOCATION-MAP

NOT-TO-SCALE

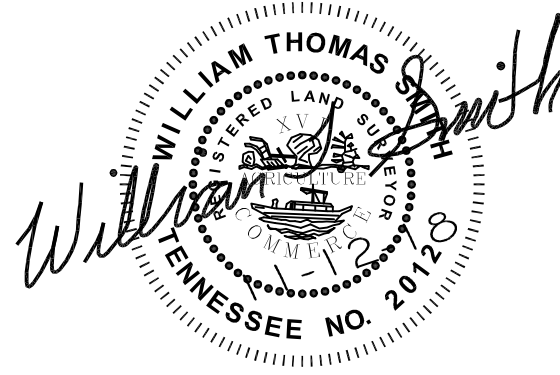
SITE DATA:

1. Total Site Area 7,250 S.F., or 0.166 Acres ±
2. Tax ID: 08203006600
3. **Owner and/or Developer**
Bethany Burkhardt
1726 25th Ave N.
Nashville, Tn. 37208
Phone:(615)-830-5204, Email: bbdnashville@gmail.com
4. Subject property base zoning - **R6.**
5. **Setbacks:**
Contextual Front M.B.S.L. - 21.6'
Side M.B.S.L. - 5'
Rear M.B.S.L. - 20'
6. **Districts:**
Urban Services District
5th Council District
Councilman - Scott Davis

Prepared By:

W.T. Smith- Land Surveying

1004 Hickory Hill Lane - Suite #10
Hermitage, TN 37076
Phone: 615-712-6693
Email: tommy@wtsmithsurvey.com

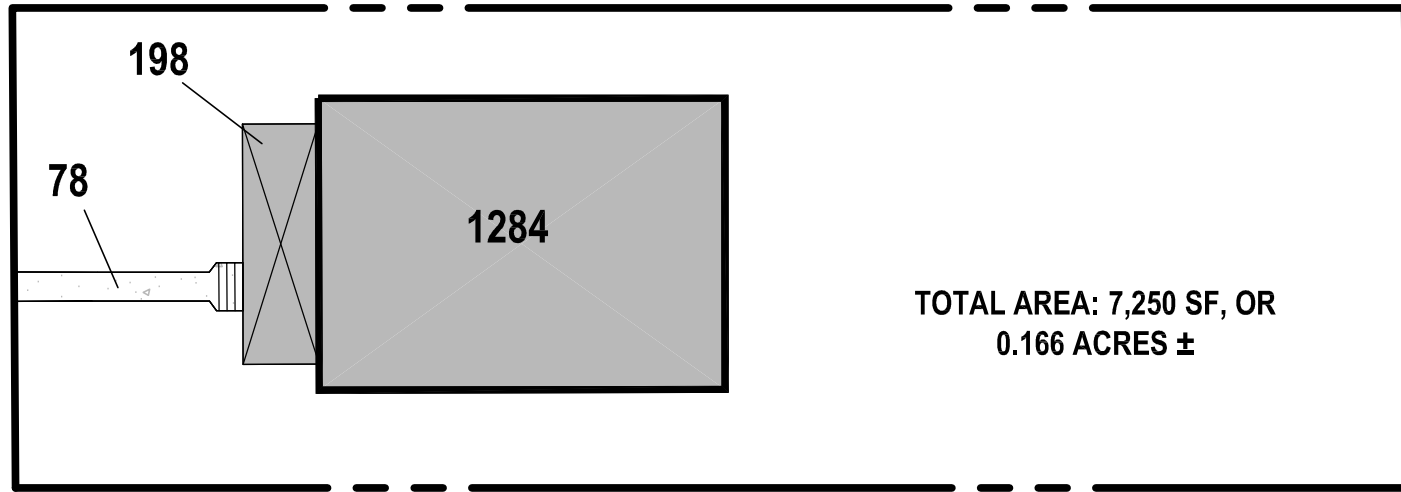


COVERSHEET
909 Joseph Avenue
Nashville - Davidson Co., Tn.

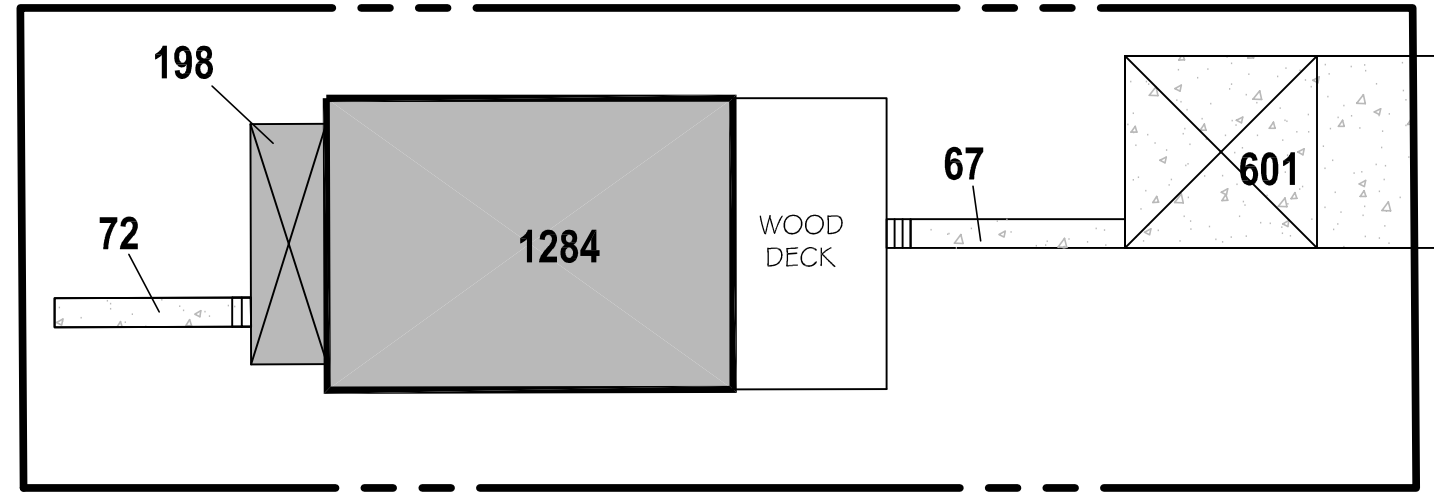
SHEET NO.

C-1.0

PRE-DEVELOPMENT



POST-DEVELOPMENT



SITE DATA: PRE-DEVELOPMENT

TOTAL SITE AREA: 7,250 SF
 PRE-DEVELOPMENT IMPERVIOUS AREA: 1,560 SF

Buildings: 1,284 SF
 Porches: 198 SF
 Parking/Drives: 0 SF
 Walks/Pads/Misc. 78 SF

Note*** Parenthesis denote impervious areas to remain.

SITE DATA: POST-DEVELOPMENT

TOTAL SITE AREA: 7,250 SF
 POST-DEVELOPMENT IMPERVIOUS AREA: 2,222 SF @ 30.6%

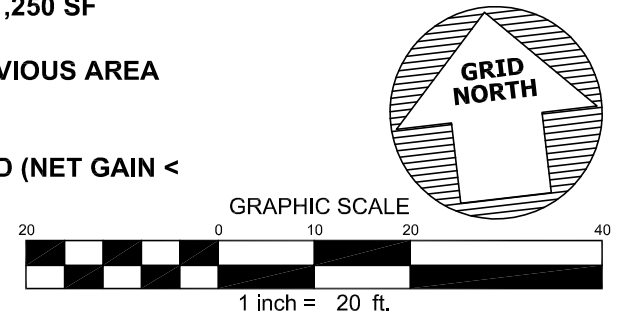
Buildings: 1,284 SF
 Porches: 198 SF
 Parking/Drives: 601 SF
 Walks/Pads/Misc. 139 SF

POST-DEVELOPMENT NET GAIN: 662 SF (TIER N/A)

STORM WATER NET GAIN TREATMENT

TOTAL SITE AREA: 7,250 SF
 POST-DEVELOPMENT IMPERVIOUS AREA
 NET GAIN: 662 SF

TREATMENT - NOT REQUIRED (NET GAIN < 800 S.F.)



Prepared By:

W.T. Smith- Land Surveying

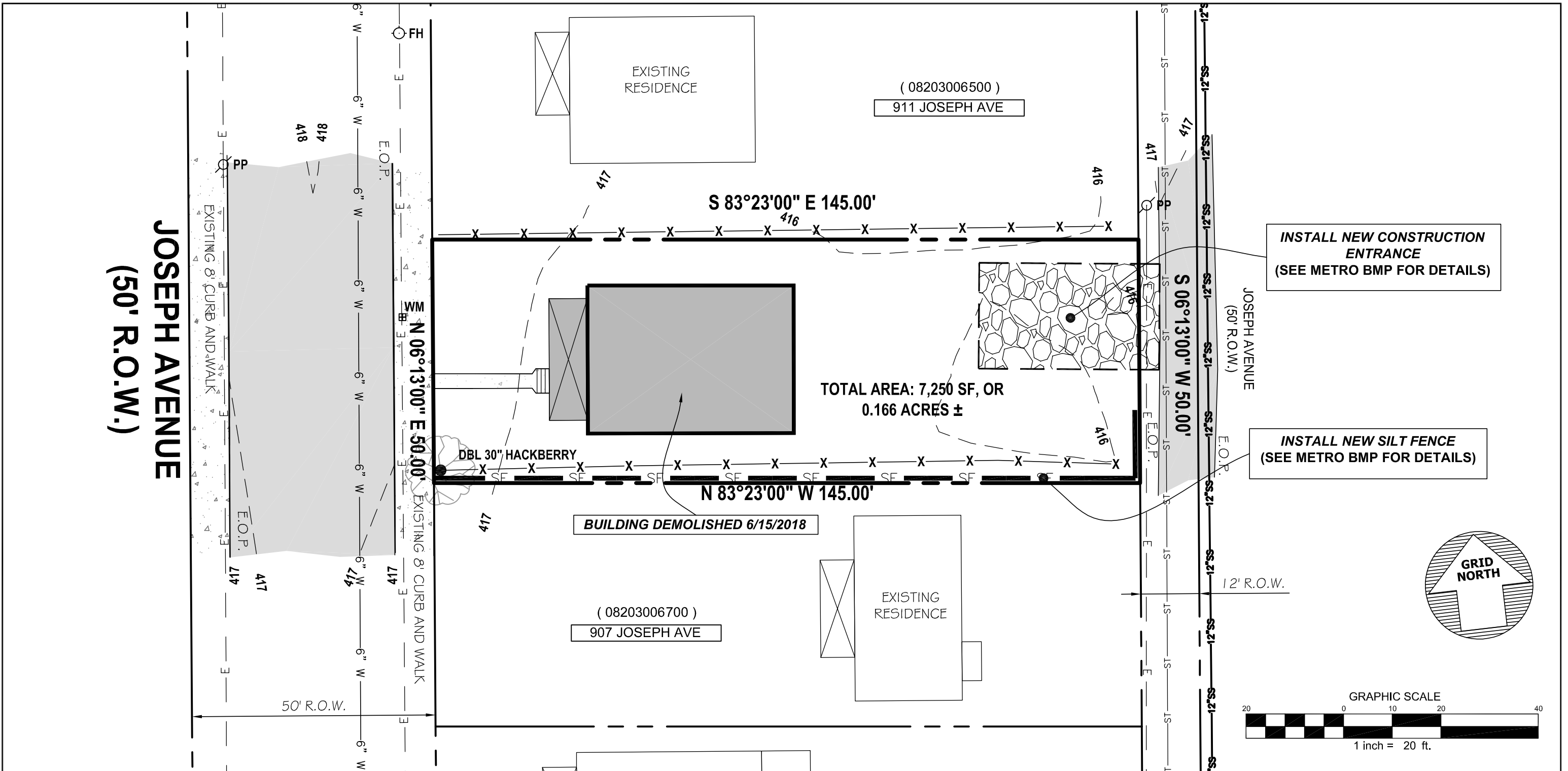
1004 Hickory Hill Lane - Suite #10
 Hermitage, TN 37076
 Phone: 615-712-6693
 Email: tommy@wtsmithsurvey.com



Impervious Areas
909 Joseph Avenue
Nashville - Davidson Co., Tn.

SHEET NO.

S-2.0



Prepared By:

W.T. Smith- Land Surveying

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Hermitage, TN 37076
Phone: 615-712-6693
Email: tommy@wtsmithsurvey.com



EPSC Plan

909 Joseph Avenue

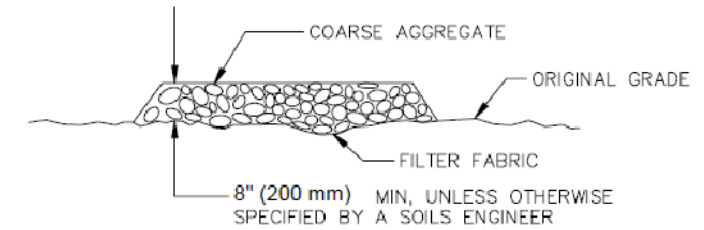
Nashville - Davidson Co., Tn.

SHEET NO.

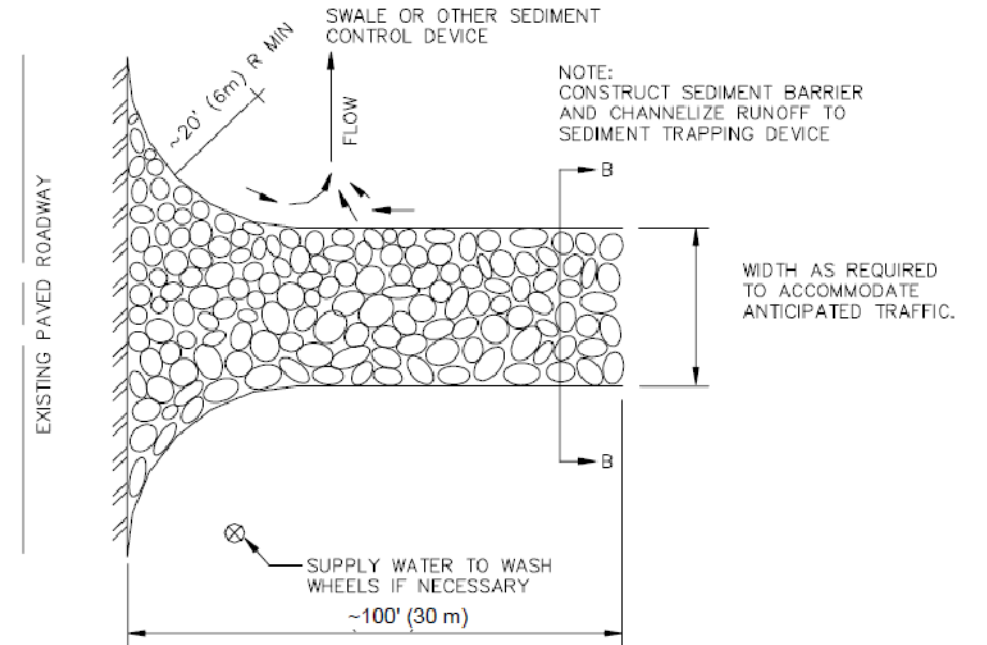
E-1.0

SITE GRADING & EROSION CONTROL NOTES

1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
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 AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(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.

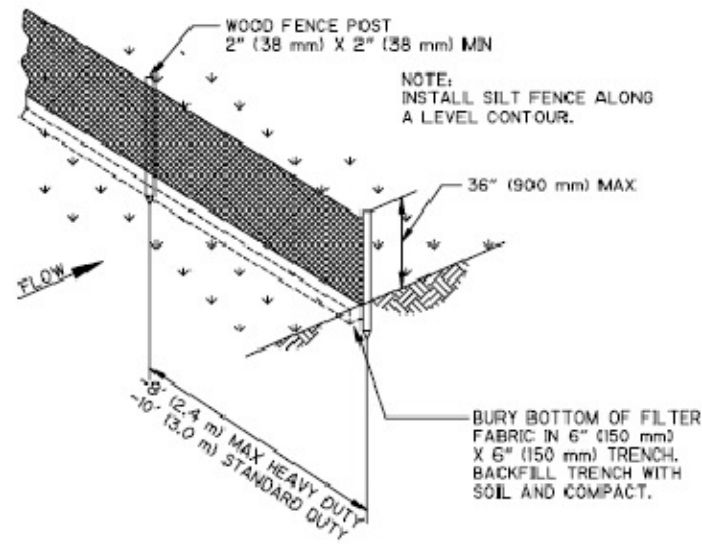


SECTION B-B
N.T.S.



PLAN VIEW
N.T.S.

Figure TCP-03-1
Stabilized Construction Entrance



TYPICAL PREFABRICATED
SILT FENCE INSTALLATION
N.T.S.

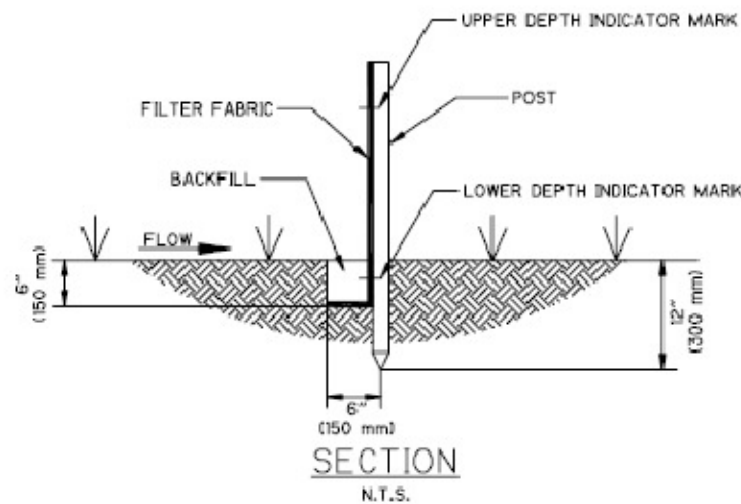
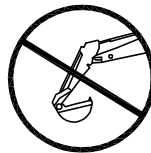


Figure TCP-13-1
Silt Fence Anchoring



**CALL BEFORE YOU DIG!
TENNESSEE ONE CALL IT'S THE LAW**

UTILITIES PROTECTION CENTER
IN TENNESSEE CALL
1-800-351-1111
1-800-366-1987

THREE WORKING DAYS BEFORE YOU DIG
IT IS THE CONTRACTORS RESPONSIBILITY
TO CONTACT UTILITY COMPANIES PRIOR
TO ANY CONSTRUCTION. THE LOCATION
OF UTILITIES SHOWN HEREON ARE
APPROXIMATE AND POSSIBLY INCOMPLETE.
THEREFORE CERTIFICATION TO THE LOCATION
OF ALL UNDERGROUND UTILITIES IS
WITHHELD.

Prepared By:
W.T. Smith- Land Surveying

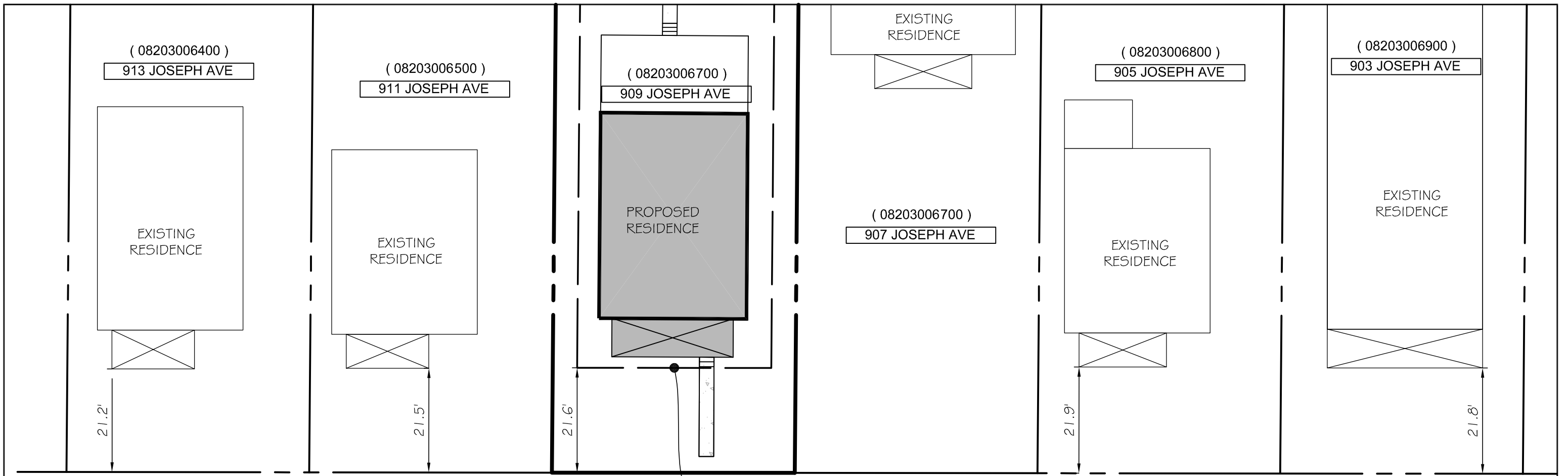
1004 Hickory Hill Lane - Suite #10
Hermitage, TN 37076
Phone: 615-712-6693
Email: tommy@wtsmithsurvey.com



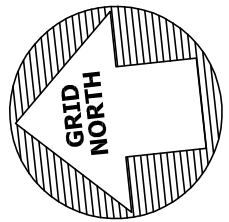
**Erosion-Sediment
Control Details**
909 Joseph Avenue
Nashville - Davidson Co., Tn.

SHEET NO.

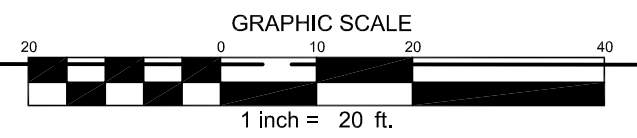
E-2.0



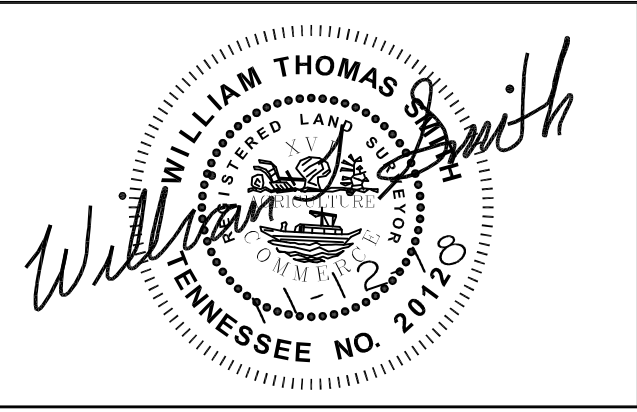
21.6' M.B.S.L. (CONTEXTUAL AVERAGE)



**JOSEPH AVENUE
(50' R.O.W.)**



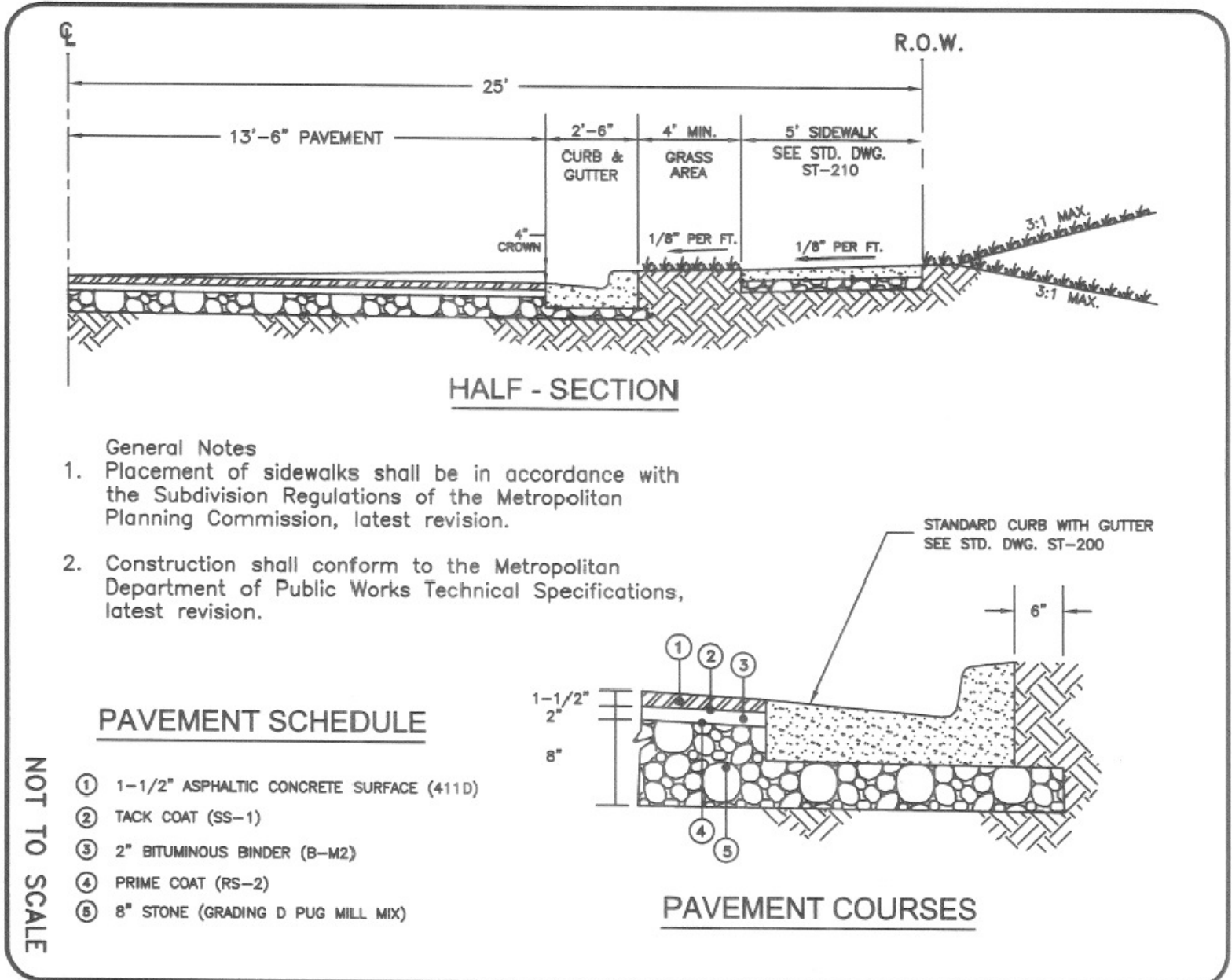
Prepared By:
W.T. Smith- Land Surveying
 1004 Hickory Hill Lane - Suite #10
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Building Setbacks
909 Joseph Avenue
Nashville - Davidson Co., Tn.

SHEET NO.
B-1.0

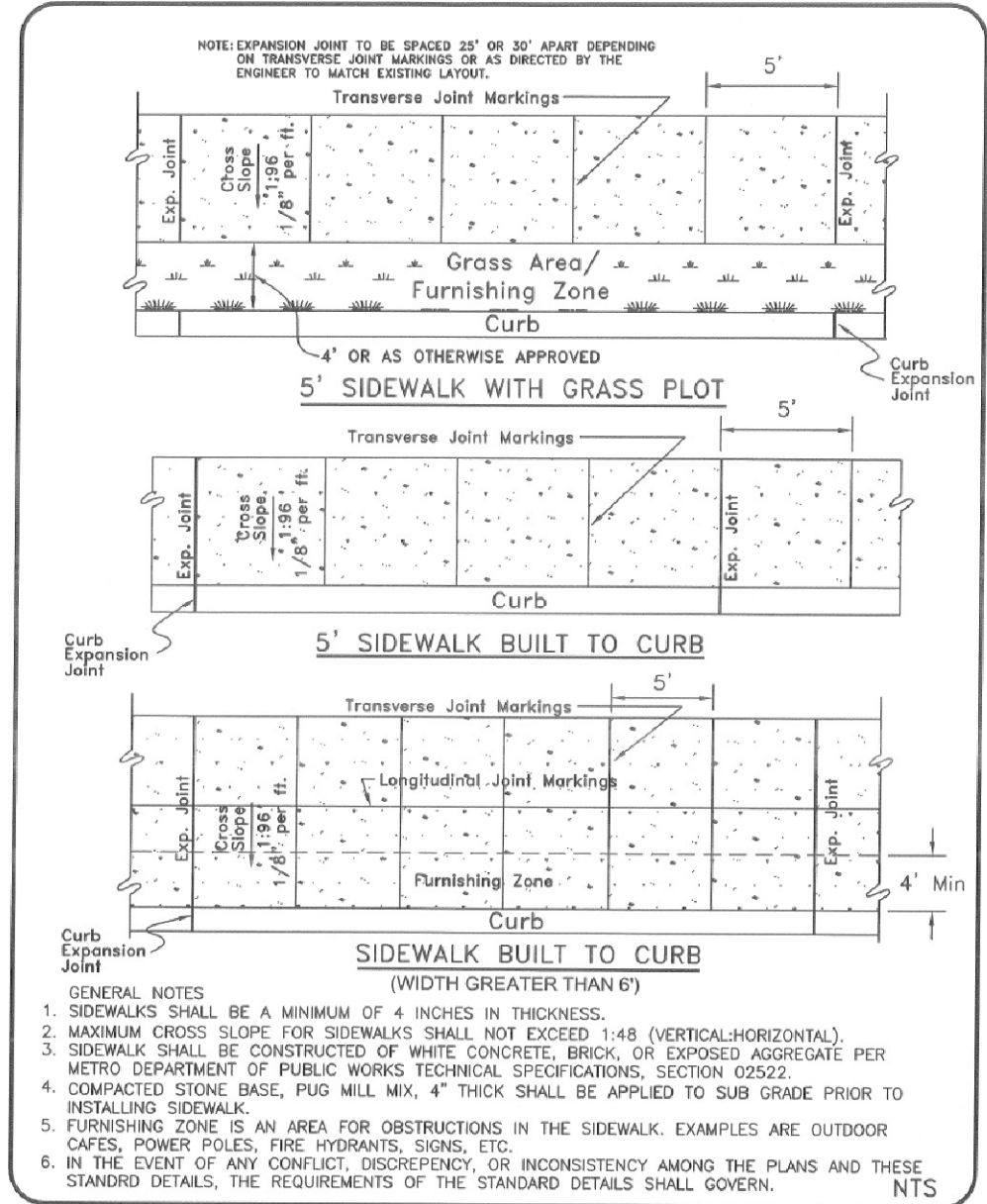
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
 DEPARTMENT OF PUBLIC WORKS
 ASST. DIR. ENG.: *Mark Mary*
 DIRECTOR: *[Signature]*
 DATE: 5/3/01
 LOCAL STREET (50' R.O.W.)
 RESIDENTIAL-MEDIUM DENSITY MINOR
 DWG. NO. ST-252
 REVISED: 04/09/01



- General Notes**
1. Placement of sidewalks shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission, latest revision.
 2. Construction shall conform to the Metropolitan Department of Public Works Technical Specifications, latest revision.

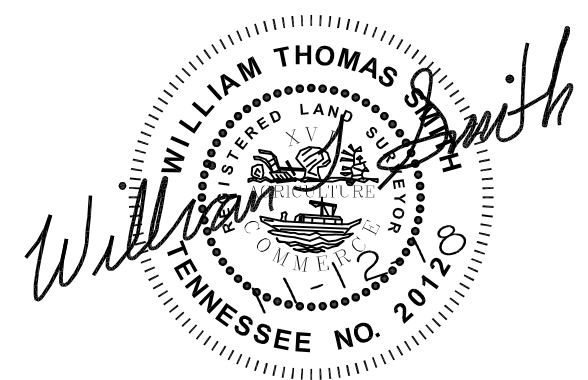
PAVEMENT SCHEDULE

NOT TO SCALE



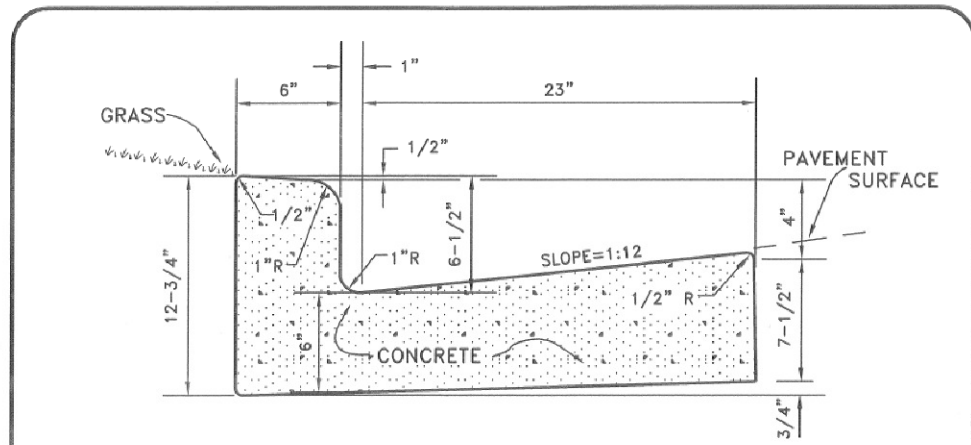
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	SIDEWALK CONSTRUCTION	DWG. NO. ST-210
DIR. OF ENG.: <i>Mark Mary</i>	DATE: 7/15/04	REVISED: 05/02/03 REVISED: 11/24/03 REVISED: 06/23/04

Prepared By:
W.T. Smith- Land Surveying
 1004 Hickory Hill Lane - Suite #10
 Hermitage, TN 37076
 Phone: 615-712-6693
 Email: tommy@wtsmithsurvey.com

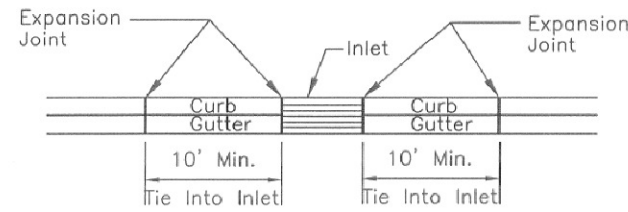


Sidewalk Construction Details
 909 Joseph Avenue
 Nashville - Davidson Co., Tn.

SHEET NO.
W-2.0



TYPICAL CROSS - SECTION



FRONT VIEW

GENERAL NOTES

1. Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
2. Expansion joints will also be required at tangent points, ramps, and inlets.
3. Contraction joints are to be cut into curb and gutter every 10 feet to a depth of D/4, where D equals the thickness of the section. The spacing of 10 feet may be reduced at closures but no section of curb and gutter shall be less than 10 feet.
4. There will be a minimum of 10 feet tie in at curb inlets on each side of the inlet. An expansion joint will be used on each side of the tie in.
5. Cost of contraction joints to be included in the unit bid price for concrete curb with gutter.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS

STANDARD CURB WITH GUTTER

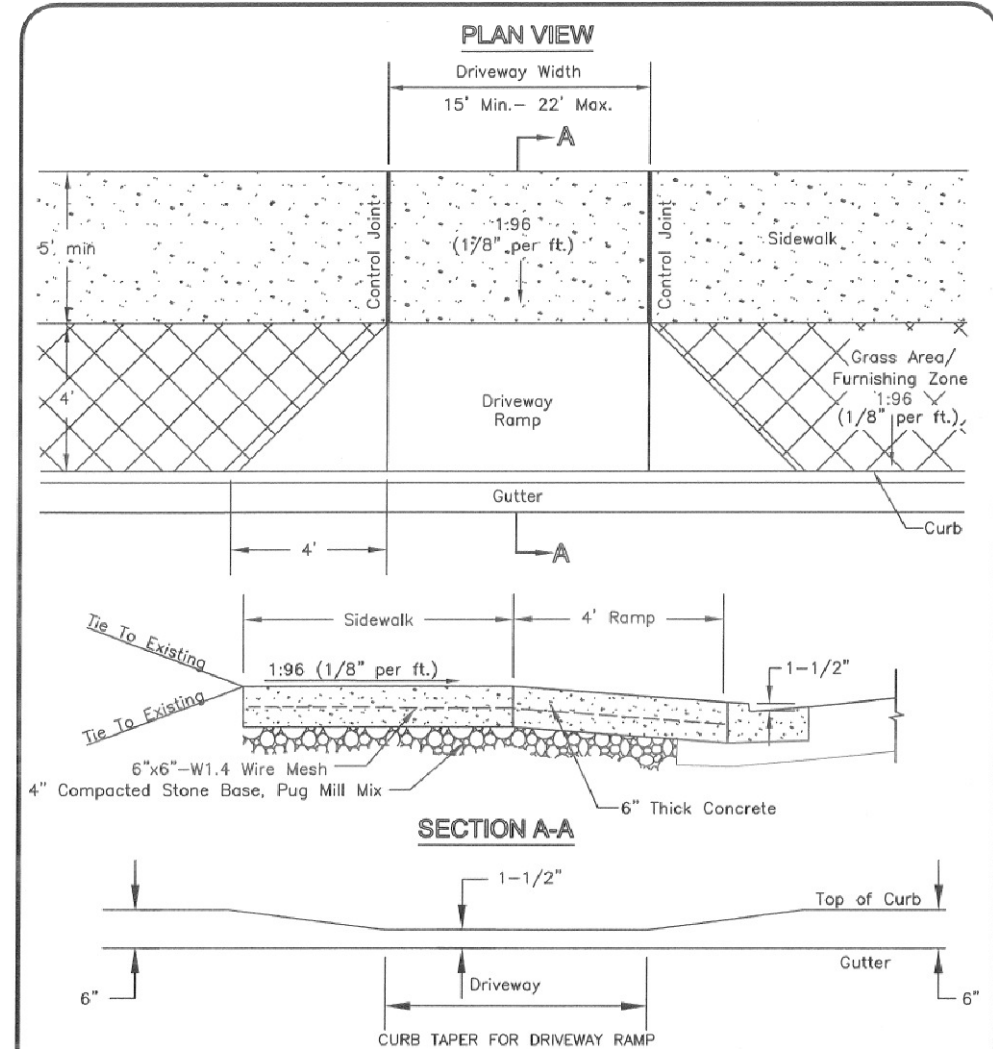
DWG. NO. ST-200

DIR. OF ENG.:

Mark May

DATE: 5/12/03

REVISED: 07/21/00
REVISED: 05/02/03
REVISED:



SECTION A-A

- NOTE:
1. Cross-slope of sidewalk shall not exceed 1:48 (vertical:horizontal).
 2. Fiber mesh reinforcement is an approved alternative for the wire mesh. Fiber mesh reinforcement will be added to the concrete at the batch plant at the rate of 1 1/2 pounds per cubic yard.
 3. Concrete shall be 6 inches thick

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS

NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP

DWG. NO. ST-322

DIR. OF ENG.:

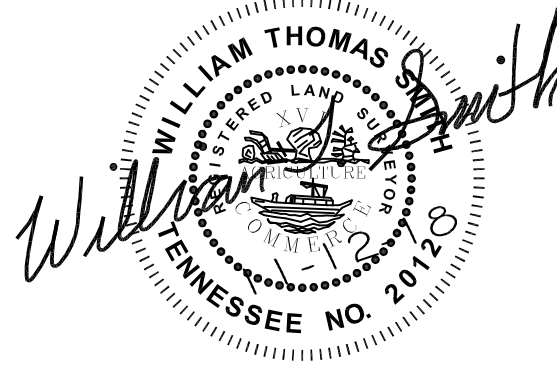
Mark May

DATE: 5/12/03

REVISED: 07/27/02
REVISED: 05/08/03
REVISED:

Prepared By:
W.T. Smith- Land Surveying

1004 Hickory Hill Lane - Suite #10
Hermitage, TN 37076
Phone: 615-712-6693
Email: tommy@wtsmithsurvey.com



Sidewalk Construction
Details & Notes
909 Joseph Avenue
Nashville - Davidson Co., Tn.

SHEET NO.

W-3.0

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2018-708 (909 Joseph Avenue)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not upgrade sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	SP to allow detached accessory dwelling units with all other standards of the RS5 district being applicable
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Approximately 600' from #14 – Whites Creek/#23 – Dickerson/#43 – Hickory Hills
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is constructing a new structure, and requests a variance from constructing sidewalks due to existing sidewalks. Planning evaluated the following factors for the variance request:

- (1) An 8' wide sidewalk with no grass strip currently exists on the property frontage. This is consistent with the entire block face.
- (2) The sidewalk design has no obstructions, however, there are also no topographic constraints to upgrading the sidewalk to the Local Street standard.
- (3) 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 **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.
2. 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.
3. Prior to the issuance of building permits, dedicate right-of-way along the property frontage to accommodate future sidewalks per the Local Street standards.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Tracey Collins
Property Owner: Tracey Collins
Representative: Tracey Collins

Date: 11/2/18
Case #: 2018-713
Map & Parcel: 82-7-174

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 in height requirement to allow DADU at 25' in height.

Activity Type: New Construction - DADU

Location: 305 Hancock St.

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

Reason: Does not meet height requirement

Section(s): 12.16.030(G) 7 (d)

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.

Tracey Collins
Appellant Name (Please Print)

Same
Representative Name (Please Print)

305 Hancock St.
Address

Address

Nashville, TN 37207
City, State, Zip Code

City, State, Zip Code

615-594-1266
Phone Number

Phone Number

traceycollins@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



3575236

ZONING BOARD APPEAL / CAAZ - 20180069587
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08207017400

APPLICATION DATE: 11/02/2018

SITE ADDRESS:

305 HANCOCK ST NASHVILLE, TN 37207
LOT 34 E NASH REAL EST CO

PARCEL OWNER: COLLINS, TRACEY

CONTRACTOR:

APPLICANT:**PURPOSE:**

requesting variance from height requirements to construct new DADU at 25' in height.

*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 FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal 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 pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert 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 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) 862-6510

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

Tracey Collins
APPELLANT

11/2/18
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 neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

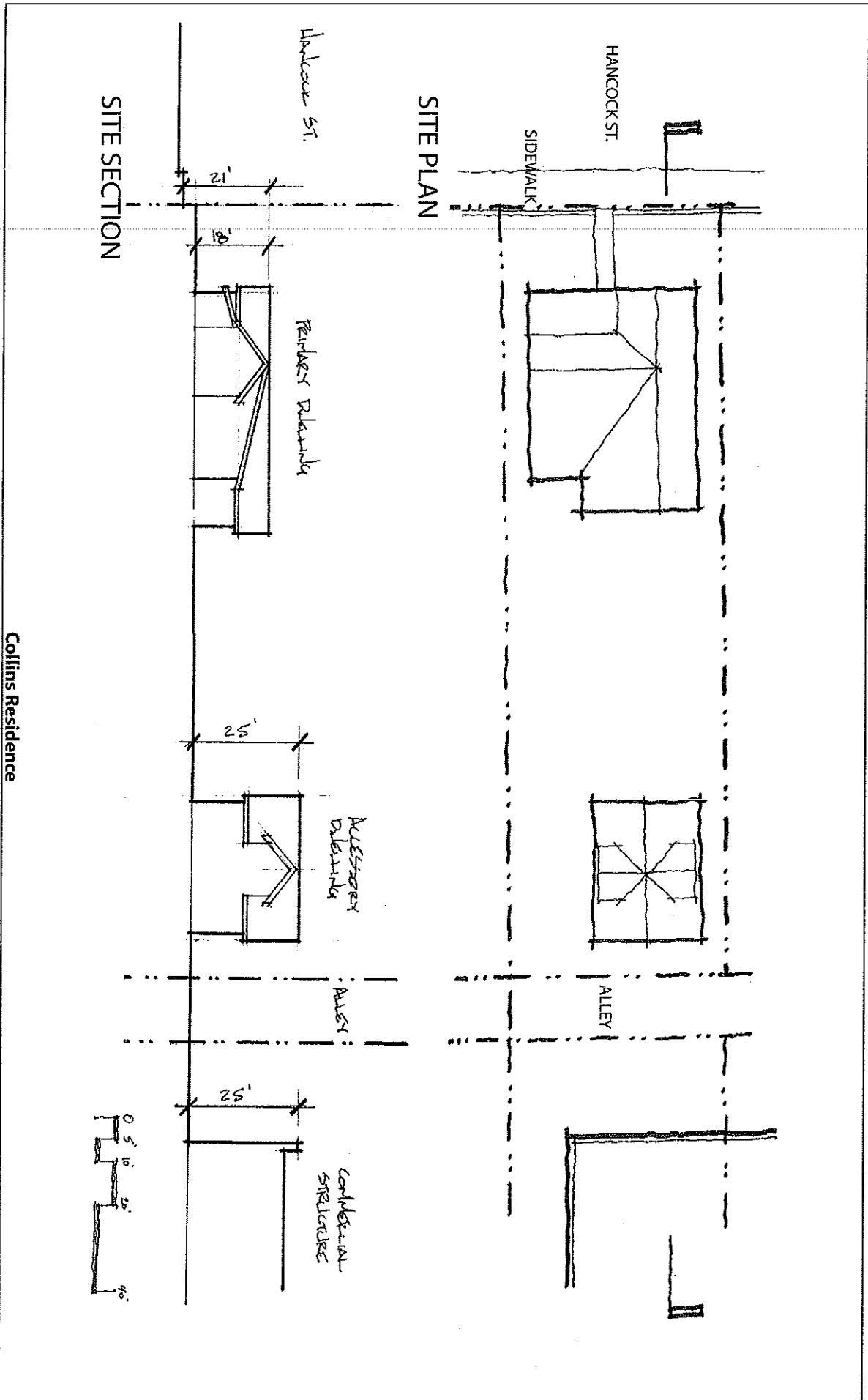
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The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

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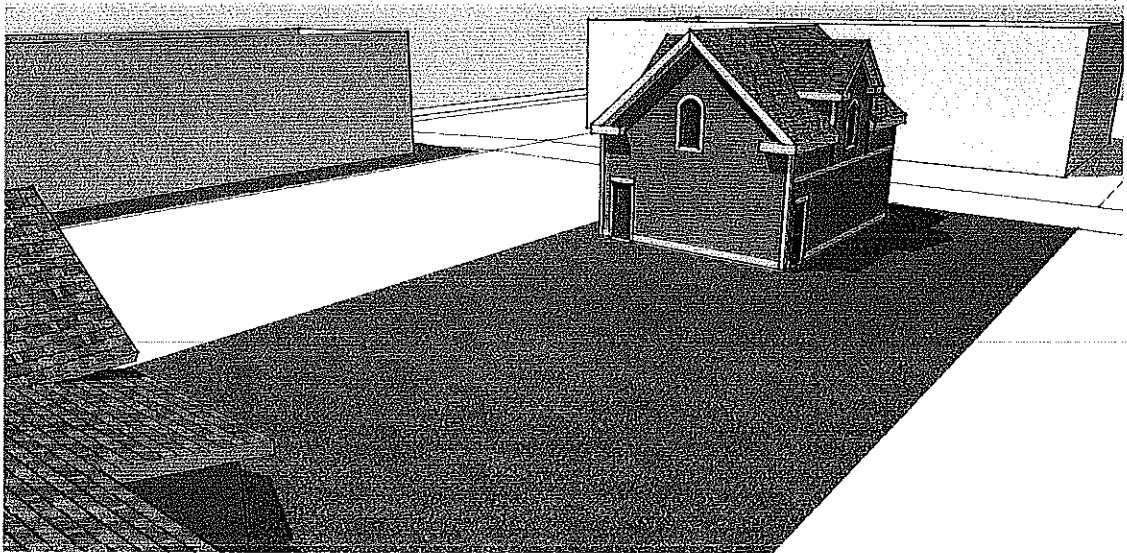
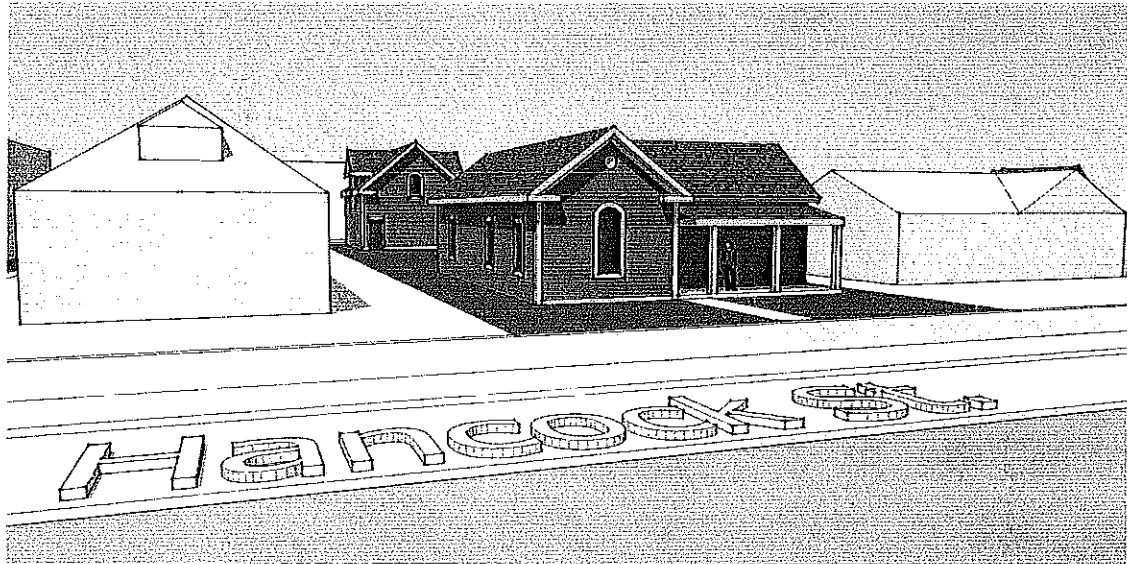
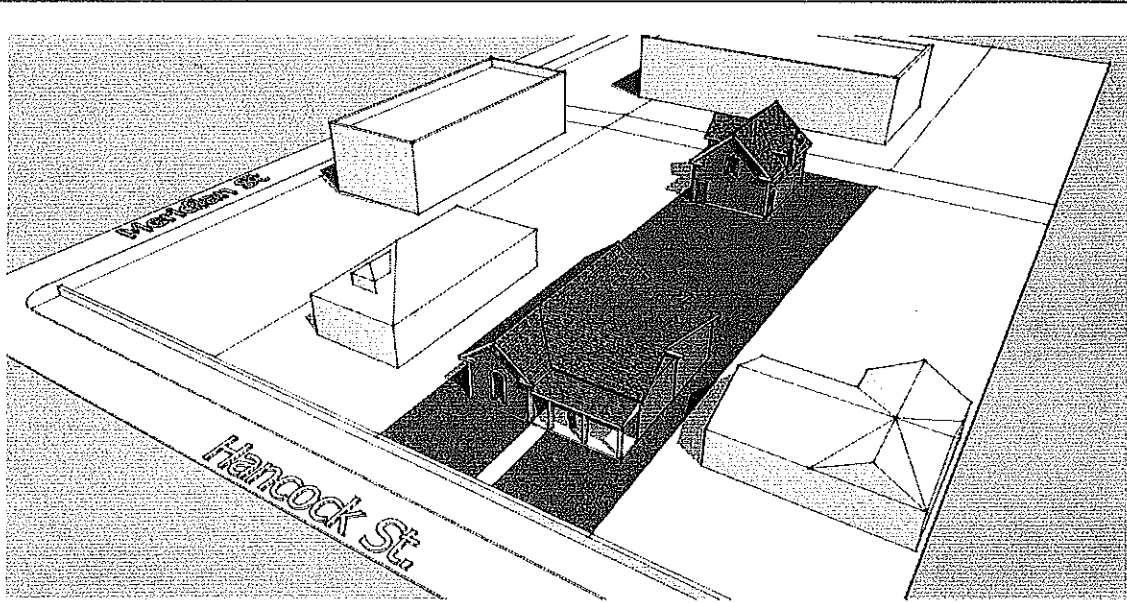
The topography of my property and I have a 3' historic wall from the street level. My house is looking to build a 2 story garage. In order to get the height I need for the 2nd story I am requesting a variance.

Case # 2018: 713

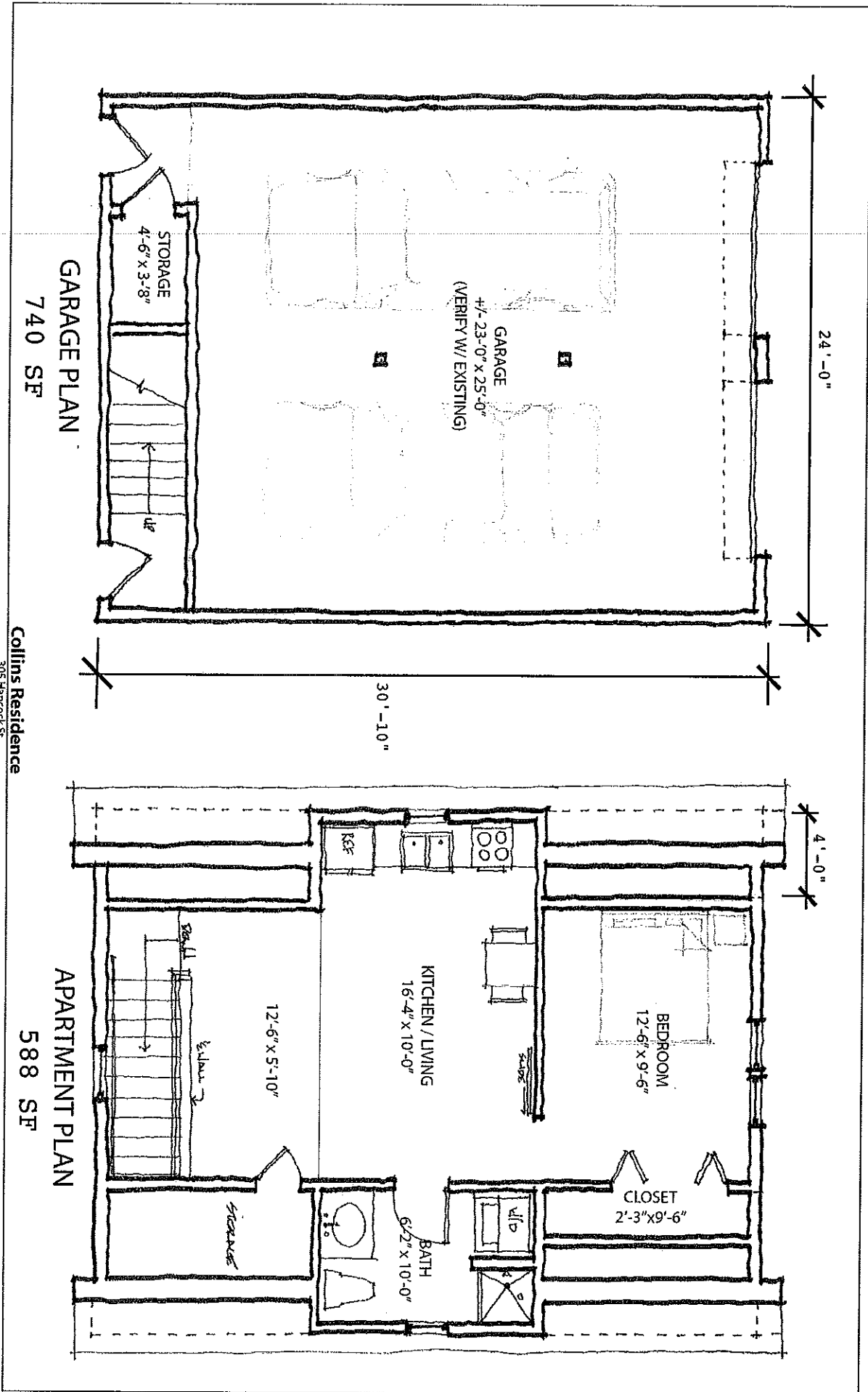


Collins Residence
 305 Hancock St
 Nashville, TN

Case#: 2018-713



Collins Residence
305 Hancock St.
Nashville, TN



Collins Residence
305 Hancock St
Nashville, TN

Case #: 2018-713

Revised as of 11/26/18
Case # 2018-713

APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So 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 the case. The envelopes must include the return address for the BZA and case number. Fold and insert 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 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) 862-6510

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

Tracey Collins
APPELLANT

DATE _____

Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the 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 owners 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 date of Zoning Code.*

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

No injury to neighboring property- *The granting of a variance will not be injurious to other property or improvements in the area, impair and 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 a 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, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-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 neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

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

The Board cannot grant a variance based solely on inconvenience to the applicant or 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?

Since owning my house in 2007, I had hoped to build a DADU on my property as a place for friends and family to stay. However, in the past few years street parking in my neighborhood has become increasingly difficult. Reasons for the boom have been new businesses, restaurants and a seasonal dog park. This has led me to revise my plans to include a garage with living quarters above it. The current guidelines for building a DADU state that it cannot be taller than your existing structure. As I have a one story house, building a garage with living quarters above it that matches the aesthetic of my house is challenging without a height variance.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Scheil Rahimi

Date: 11/13/18

Property Owner: Metropolitan Construction LLC.

Case #: 2019-004

Representative: Scheil Rahimi

Map & Parcel: 091061M9000000

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:

TO CONSTRUCT 2 SINGLE FAMILY HOMES ON 1 PARCEL 5914 A AND 5914 B MORROW RD
* REQUESTING TO BUILD 4 FT GRASS STRIP W/ 5 FT SIDEWALK

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 5914 A & B MORROW RD

This property is in the RL6 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 SIDEWALK REQ

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 _____ 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.

Scheil Rahimi
Appellant Name (Please Print)

Representative Name (Please Print)

465 Beauchamp Cir
Address

Address

Franklin, TN 37067
City, State, Zip Code

City, State, Zip Code

615-815-0087
Phone Number

Phone Number

sr@metconst.com
Email

Email

Appeal Fee:



Metropolitan Construction LLC

465 Beauchamp Cir Franklin, TN 37067

Phone: 615-815-0087

Email: sr@metconst.com

11/12/2018

RE: Permit Number: T2018070187, T2018070190

Dear Ms. Mary Carolyn Roberts,

My permit application was recently reviewed and public works has mandated 8 foot of sidewalk. I would like to obtain the existing 5 foot of sidewalk to comply with my neighbors and my neighborhood. To support this my request, I have taken pictures of my neighborhood's sidewalks showing 5 foot of sidewalk.

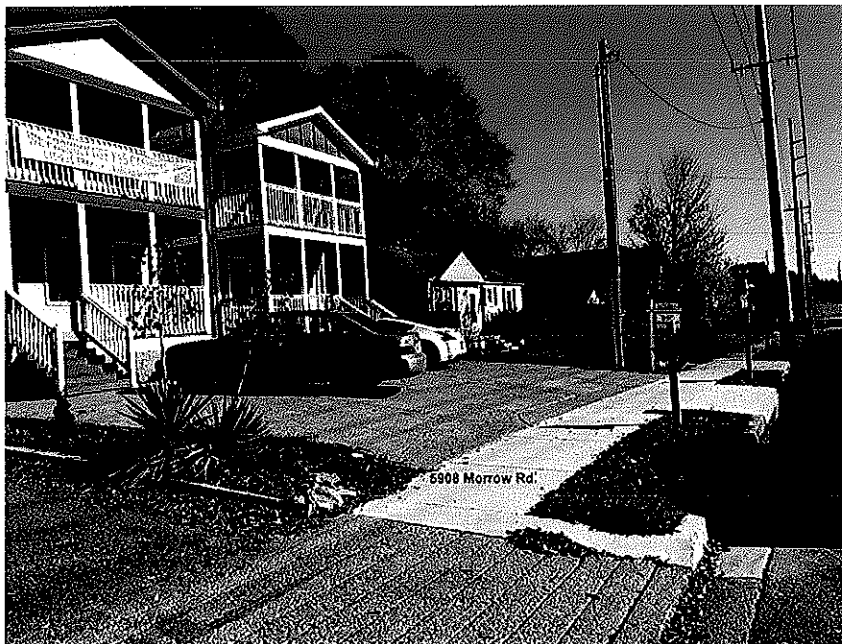
I greatly appreciate you taking the time to reconsider public works' decision and allow me to obtain the existing sidewalk.

If you have any questions or need further information, please contact me at 615-815-0087.

Thank you for your consideration in this matter.

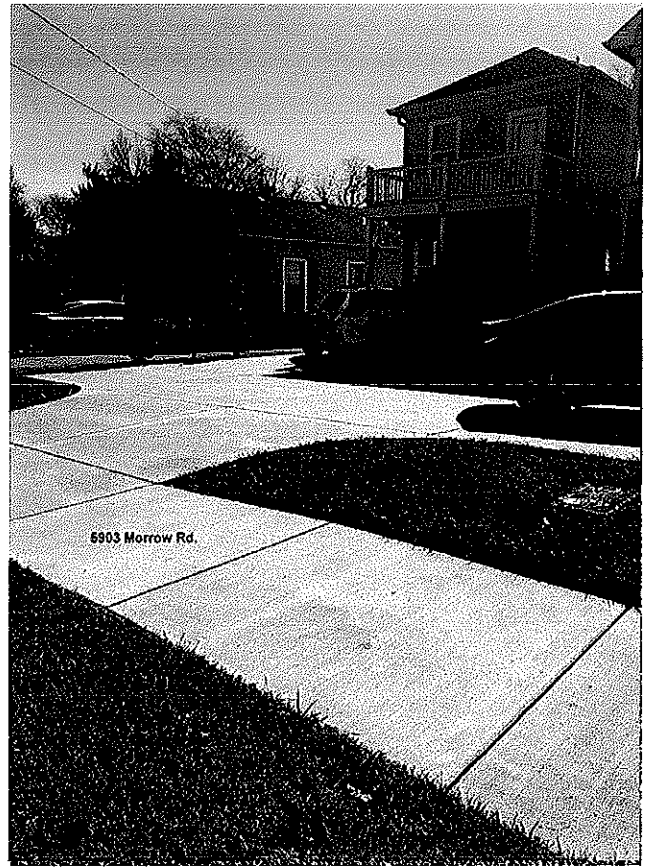
Sincerely,
Soheil Rahimi

A handwritten signature in black ink, appearing to read 'S. Rahimi', written in a cursive style.

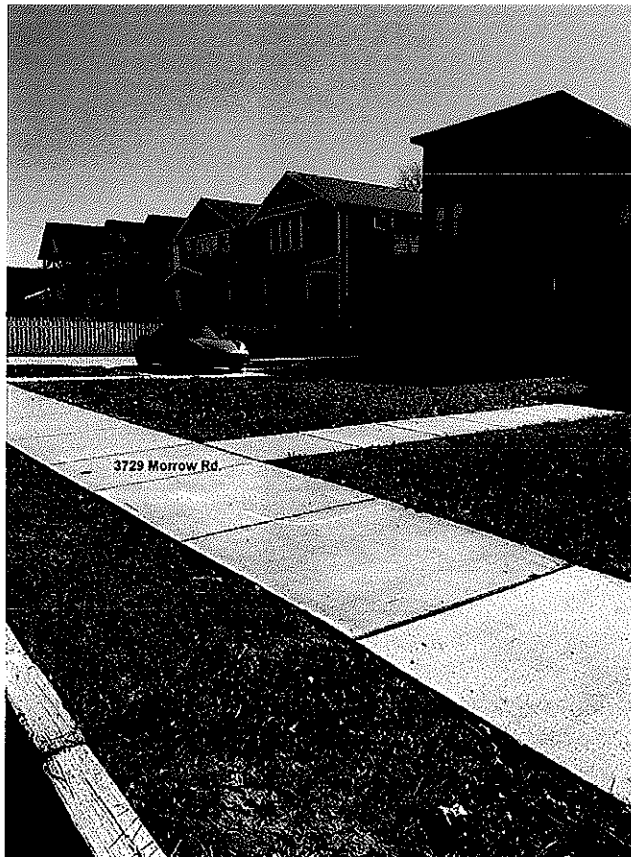




5903 Morrow Rd.



5903 Morrow Rd.



3729 Morrow Rd.

APPLICATION FOR A VARIANCE REQUEST

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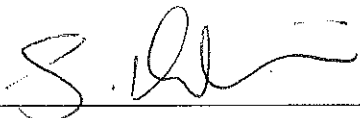
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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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APPELLANT

11/13/18

DATE

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



3576204

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018070187
THIS IS NOT A PERMIT**

PARCEL: 091061M00200CO

APPLICATION DATE: 11/06/2018

SITE ADDRESS:

5914 A MORROW RD NASHVILLE, TN 37209
UNIT B 5914 MORROW ROAD TOWNHOMES

PARCEL OWNER:

APPLICANT: METROPOLITAN CONSTRUCTION LLC

FRANKLIN, TN 37067 6158150087

PURPOSE:

to construct 2023SF single family residence with 256SF garage and 164Sf porches. 5' min. side setback, 20' min. rear setback, front setback at 31.5' per avg. unit 1 of 2. lot coverage is 1322SF of max 3500SF lot coverage. not to be over any easements. Max height 3 stories or 28.9'.

Sidewalks are required, not eligible for fund, existing sidewalk

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

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

[A] Site Plan Review	APPROVED	clint.harper@nashville.gov
[A] Zoning Review	APPROVED	clint.harper@nashville.gov
PW - Public Works Sidewalk Capital Project Coordinatic		
[B] Fire Life Safety Review On Bldg App	IGNORE	615-862-6612 Chanda.Williams@nashville.gov
[E] Sewer Availability Review For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[E] Sewer Variance Approval For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Availability Review For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Variance Approval For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[A] Bond & License Review On Bldg App	APPROVED	clint.harper@nashville.gov
[F] Address Review On Bldg App	APPROVED	615-880-2427 Sara.Cain@nashville.gov
[D] Grading Plan Review For Bldg App	COND	(615) 862-6038 Logan.Bowman@nashville.gov
CA - Zoning Sidewalk Requirement Review	BZAVARAPP	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPpermitsl@nashville.gov



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



3576208

APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018070190
THIS IS NOT A PERMIT

PARCEL: 091061M00100CO

APPLICATION DATE: 11/06/2018

SITE ADDRESS:

5914 B MORROW RD NASHVILLE, TN 37209
 UNIT A 5914 MORROW ROAD TOWNHOMES

PARCEL OWNER:

APPLICANT: METROPOLITAN CONSTRUCTION LLC

FRANKLIN, TN 37067 6158150087

PURPOSE:

to construct 2023SF single family residence with 256SF garage and 164Sf porches. 5' min. side setback, 20' min. rear setback, front setback at 31.5' per avg. unit 1 of 2. lot coverage is 1322SF of max 3500SF lot coverage. not to be over any easements. Max height 3 stories or 28.9'.

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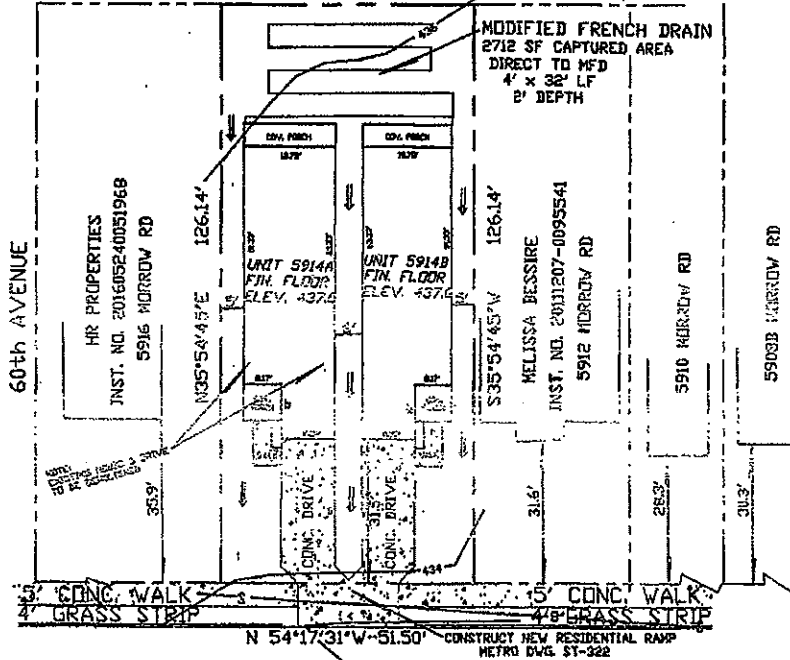
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CA - Zoning Sidewalk Requirement Review	BZAVARAPP	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPermitsI@nashville.gov

2019-004

MAP 91-06, PARCEL 24
 ZONED: R6
 LOT AREA = 7000 SF

S54°17'31"E - 55.5'



NOTES
 1. MEASUREMENTS SHOWN HEREON ARE BASED ON BOUNDARY SURVEY BY OTHERS.
 2. NO TITLE COMMITMENT HAS BEEN PROVIDED AS OF THE DATE OF THIS SURVEY. THIS SURVEY IS SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE SEARCH WHICH MAY REFLECT INFORMATION CURRENTLY NOT PROVIDED TO THIS SURVEY.
 3. MINIMUM BUILDING SETBACKS ARE SHOWN PER DAVIDSON CO. ZONING CONTRACTOR TO VERIFY PRIOR TO CONSTRUCTION.

PRE-DEVELOPMENT IMPERVIOUS: 2095 SF
 POST-DEVELOPMENT IMPERVIOUS: 3512 SF
 POST IMPERVIOUS NET INCREASE: 1417 SF

FRONT SETBACK CALCULATIONS

5908B MORROW RD	30.3'
5910 MORROW RD	28.3'
5912 MORROW RD	31.6'
5916 MORROW RD	35.9'
AVERAGE SETBACK	31.5'

UNIT CALCULATIONS (EACH)

APPROX. AREA	
FIRST FLOOR	902 SF
SECOND FLOOR LIVING	1121 SF
TOTAL HEATED	2023 SF
GARAGE	226 SF
FRONT PORCH	100 SF
REAR PORCH	99 SF
TOTAL COVERED	2448 SF



UNIT A UNIT B

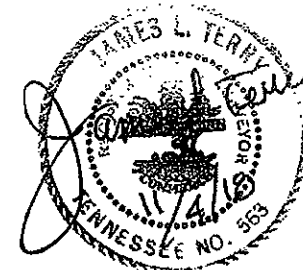
FRONT ELEVATION

BUILDING HEIGHT CALCULATION
 FLOOR HEIGHT: 10.75'
 TOTAL HEIGHT: 21.50'
 PROP. HEIGHT: 26.50'

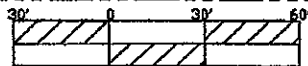
SITE PLAN
 OF

5914 MORROW ROAD
 FOR
 METROPOLITAN CONST., LLC
 DATE: 10-05-18, SCALE: 1"=30'
 REV: 11-04-18

PREPARED BY: JAMES L. TERRY
 2812 BRANWOOD DRIVE
 NASHVILLE, TN 615-405-7525



MORROW ROAD



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-004 (5914 A&B Morrow Road)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks
Zoning:	R6
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	T4-M-CA2
Transit:	Property is approximately 0.18 miles from #19 - Herman
Bikeway:	Minor Separated Bikeway planned per WalknBike

Planning Staff Recommendation: *Disapprove.*

Analysis: The applicant proposes constructing a two family home and requests to not expand existing sidewalks. A 4' grass strip and 5' sidewalk currently exists along the frontage of the property. The applicant cites the conformity of a 4' grass strip and 5' sidewalk along the block face of adjacent properties as a reason for the variance request. Planning evaluated the following factors for the variance request:

- (1) The property is located directly adjacent to an Urban Neighborhood Center policy area (T4 NC) within the Nations neighborhood which is transitioning to a more urban, walkable character as supported by surrounding Community Plan policies. Given the property's proximity to West Park and the evolving mixed use nature of the 60th Avenue North and Morrow Road intersection, establishing an enhanced pedestrian network is critical.
- (2) Given the lack of topographical or stormwater issues, expanding the sidewalk to the 8' Collector-Avenue standard is not challenging, and wider sidewalks support the area's transition to a more walkable environment.

Given the factors above, staff recommends **disapproval**. **The applicant shall construct the sidewalks to the Collector-Avenue standard for the property frontage along Morrow Road.** 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: MICHAEL WOODS

Date: 11/13/18

Property Owner: MYLES CRAWFORD

Case #: 2019-005

Representative: MICHAEL WOODS

Map & Parcel: 06111012400

Council District 08

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

Purpose:

to construct a 3,108 sqft
office addition

Activity Type: OFFICE

X Location: 4117 GALLATIN PIKE

This property is in the OR20-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:

OV-UDO
OV-NHL

Reason: a variance from parking requirements

Section(s): 17.20.030, 17.20.060

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.

WOODS CONST. GROUP, LLC

MICHAEL WOODS
Appellant Name (Please Print)

Representative Name (Please Print)

6601 OWEN HILL RD
Address

Address

COLLEGE GROVE, TN 37046
City, State, Zip Code

City, State, Zip Code

615-405-2626
Phone Number

Phone Number

mwoods321@yahoo.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**



3577940

**APPLICATION FOR BUILDING COMMERCIAL - ADDITION / CACA - T2018071415
THIS IS NOT A PERMIT**

PARCEL: 06111012400

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

4117 GALLATIN PIKE NASHVILLE, TN 37216
LOT 7 & PT 9-10 MCMAHAN SUB OF MAPLEWOOD

PARCEL OWNER: COBELL PROPERTIES, LLC

APPLICANT:**PURPOSE:**

ZONED OR20-A.

NEIGHBORHOOD LANDMARK DESIGNATION.

EXISTING 2778 SQFT..MEDICAL OFFICE...CHIROPRACTIC OFFICE.

BZA 92-142 APPROVED PARKING LAYOUT AND VARIANCE IN BUFFER.

***THIS PERMIT TO CONSTRUCT A 3,108 SQFT ADDITION.

- 1....USE...OFFICE.....18 SPACES APPROVED....REQUIRED 29....17.20.030..... 2019-005
- 2....LAYOUT SHOWS VIOLATIONS IN BACKOUT AND PARALLEL SPACES.....17.20.060.. 2019-005
- 3.....REAR SETBACK 20'...REQUEST 17.6'.....17.12.020D 2019-006
- 4...ZONED OR20-A....REQUIRED FRONT STREET MAX SETBACK AT 80'....SHOWN AT 130'...REQUEST INCREASE IN THE NON-CONFORMITY BY BUILDING BEHIND THE MAX SETBACK ALLOWED....17.40.660 C.... 2019-006
- 5.....REQUIRED TO UPDATE SIDEWALKS..REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE...17.20.120J...2019-007
- 6...REAR BUFFER ' C AT 20'.... REQUIRED...REQUEST NONE..17.24.230... 2019-008
- 7...ALLOWED ONE ACCESS BASED ON STREET CLASSIFICATION AND FRONTAGE LENGTH.....REQUEST TO KEEP THE TWO EXISTING....17.20.170 2019-009
- 8....PERIMETER LANDSCAPING...REQUEST NONE...17.24.150. 2019-008
- 9....INTERIOR LANDSCAPING REQUIRED...REQUEST NONE..17.24.160. 2019-008

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

[H] Historic Zoning Review - CA 862-7970 histlap1@nashville.gov

[F] Ramps & Curb Cuts Review For Bldg A 862-8782 PWPermitsl@nashville.gov

PW - Public Works Sidewalk Capital Project Coordinatic

[A] Site Plan Review

[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

[B] Fire Life Safety Review On Bldg App 862-5230

[B] Fire Sprinkler Requirement 862-5230

[D] Grading Plan Review For Bldg App (615) 862-6038 Logan.Bowman@nashville.gov

[E] Cross Connect Review For Bldg App 862-7225

[E] Water Availability Review For Bldg MWS.DevelopmentServicesCenter@nashville.gov

862-7225

[E] Water Variance Approval For Bldg MWS.DevelopmentServicesCenter@nashville.gov

862-7225

MWS.DevelopmentServicesCenter@nashville.gov

PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO.= MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
CONCRETE CURB	405	0.009
EXISTING SIDEWALK	352	0.008
WOODEN SHED	105	0.002
GRASS	12,278	0.282
TOTAL IMPERVIOUS	13,672	0.314

POST DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
BUILDING	5,886	0.135
ASPHALT PRKG.	10,285	0.236
CONCRETE CURB	355	0.008
EXISTING SIDEWALK	352	0.008
PROPOSED SIDEWALK	605	0.014
GRASS	5689	0.131
TOTAL IMPERVIOUS	17,483	0.401
NET IMP. SURF. INCREASE	3,811	0.087

MAX. FLOOR AREA RATIO: 5,464/23,172 = 0.25
 IMPERVIOUS SURFACE RATIO: 16,788/23,172 = 0.75
 PARKING REQUIREMENTS:
 1 SPACE PER 200 S.F. BUILDING = 5,886/200 = 29 SPACES
 NUMBER OF PARKING SPACES PROVIDED = 29 SPACES

DEPARTMENT OF CODES ADMINISTRATION
 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS		
MAP/PARCEL # 61-11/124	EXAMINER:		
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **			
Determine the use MEDICAL OFFICE			
Property zoning	OR20A	Overlay(s) OV-NHL	Surrounding Zoning OR20, OR20A, MUL-A
Use Charts:	P, PC, SE, A	P	
SITE CRITERIA ** Supplemental Checklist Also Required for UZO **			
Subdivision Plat (Note any special requirements such as easements, setback restriction and etc.)			
Minimum lot size	7,500	Footprint	5,464 S.F.
FAR		Maximum	0.8
		Requesting	0.24
ISR-Adjustments/ Slopes over 15 %:	0%	Maximum	0.7
		Requesting	
Street Setback/ Street Type(s): -'			
Side yard	5'		
Rear yard	20'		
Height standards	3 STORIES	Number of Floors	1 STORY
PARKING AND ACCESS - CHAPTER 17.20 ** Supplemental Checklist Also Required for UZO **			
Ramp location and number 2 EXISTING AT GALLATIN PIKE			
Distance to nearest existing ramp (minimum 30') 15' TO THE SOUTH			
Distance to Intersections 50' minor street 185' arterial street 800' TO MCMAHAN AVENUE			
100' collector 250' controlled access ramp N/A			
Required parking based on uses	Required: 28 (1 PER 200 S.F.)	Providing: 29	
Required loading based on uses	N/A	Required	Providing
Surfacing over 5 spaces 1,750 sq. ft.			
Space sizes, aisle widths, angle data 18'X8.5' STALL WITH 24' TRAVEL LANE			
Queuing lanes N/A			
Over 10 spaces 20' queuing at exit N/A			
Number of compact spaces/ % NONE			
Number of handicapped spaces 1 VAN ACCESSIBLE			
Sidewalks required internal public INTERNAL & PUBLIC SIDEWALK			
LANDSCAPING STANDARDS - CHAPTER 17.24 ** Supplemental Checklist Also Required for UZO **			
Required buffer yards TYPE C TO BE PROVIDED			
Buffer yard adjustment			
Perimeter landscaping (can't be over future R.O.W.) NO			
Standard for 4 or more lanes N/A			
Standard for less than four lanes N/A			
Side lines adjacent to parking areas 5' minimum width with trees - 2.5' with tree islands 5' MIN. PROVIDED			
Interior landscaping minimum 8 % area N/A			
Opaque fence adjacent to residential in parking area TO BE PROVIDED WITHIN THE YARD BUFFER			
Screening around dumpsters (NO CHAIN LINK FENCE PERMITTED) N/A			

CCAD REPROGRAPHICS, LLC
 480 CRAIGHEAD STREET SUITE 103 NASHVILLE, TN 37204 PHONE: (615) 386-6796 ccad@ccadreprographics.com
 1121 HARPETH INDUSTRIAL CT. SUITE 200 FRANKLIN, TN 37064 PHONE: (615) 614-0749 franklin@ccadreprographics.com
 500 WILSON PIKE CIRCLE SUITE 103 BRENTWOOD, TN 37027 PHONE: (615) 739-6286 brentwood@ccadreprographics.com

Specifications

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SITE DATA

PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
 COBELL PROPERTIES, LLC
 PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE

CURVE	
C1	

DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO.= MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
CONCRETE CURB	405	0.009
EXISTING SIDEWALK	352	0.008
WOODEN SHED	105	0.002
GRASS	12,278	0.282
TOTAL IMPERVIOUS	13,672	0.314

POST DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
BUILDING	5,886	0.135
ASPHALT PRKG.	10,285	0.236
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MAX. FLOOR AREA RATIO: $5,464/23,172 = 0.25$
 IMPERVIOUS SURFACE RATIO: $16,788/23,172 = 0.75$
 PARKING REQUIREMENTS:
 1 SPACE PER 200 S.F. BUILDING = $5,886/200 = 29$ SPACES
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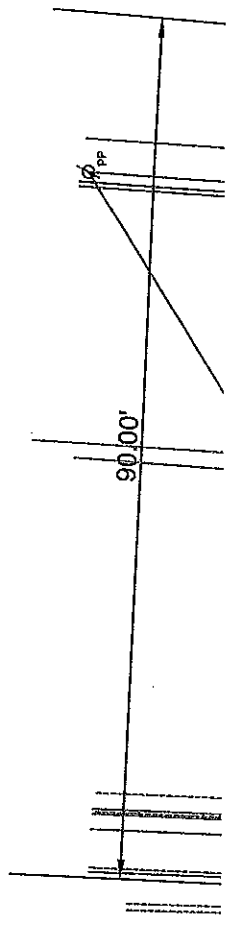
DEPARTMENT OF CODES ADMINISTRATION
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 ZONING REVIEW CHECKLIST
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APPLICATION #	PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **	
Determine the use	MEDICAL OFFICE

PHONE (615) 386-6796
 ad@ccadreprographics.com

USE OF THIS DRAWING IS TO APPLY FOR VARIANCE FROM PROVISIONS OF:
 SECTION "C" "STANDARDS 17.20.120 PROVISIONS OF SIDEWALK"
 SECTION 17.12.020B DISTRICT BULK TABLE (REAR SETBACK REQUIREMENTS)
 SECTION 17.24.150 PERIMETER PLANTING REQUIREMENTS.
 SECTION 17.24.160 INTERIOR PLANTING REQUIREMENTS.
 SECTION 17.16.03-G6 DRIVEWAY ACCESS

4" PAINTED WHITE STRIPING (TYP.)



06111008200

06111008300

MCMAHAN AVE

012100

OR20

06111012200

0611102300

RS7.5

06111032000

111012400

OR20-A

06111031900

061110

MUL-A

06111023700

GALLATIN PIKE T4-M-AB5-JM

GREENLAND AVE

06111012600

06111012700

06111012800



06111008200

06111008300

06111008700

McMAHAN AVE

06111012100

OR-20

06111012200

06111012300

RS7.5

06111032000

06111042400

OR-20-A

GALLATIN PIKE
T4-M-A-B5-1M

MUL-A

06111023700

GREENLAND AVE

06111042500

06111042600

06111042700

06111042800

SUBSTITUTE ORDINANCE NO. BL2014-673

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, all of which is described herein (Proposal No. 2014NL-001-001).

WHEREAS, the Neighborhood Landmark Overlay District can apply to an areas of historic and neighborhood value;

WHEREAS, this area contains structures that have been identified by the Metro Historical Commission as worthy of consideration and are included in the Gallatin Road Historic District;

WHEREAS, this area contains many structures currently utilized as single-family dwellings or small offices that contain a residential character, scale and orientation;

WHEREAS, the Neighborhood Landmark Overlay District will encourage the preservation of the historic structures and residential character of the area by enabling consideration of additional uses; and

WHEREAS, the Neighborhood Landmark Overlay District development plan will guide the reuse of or additions to existing buildings and redevelopment of sites, including vacant property, in a manner that maintains and enhances the area’s intensity, character, scale and orientation.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

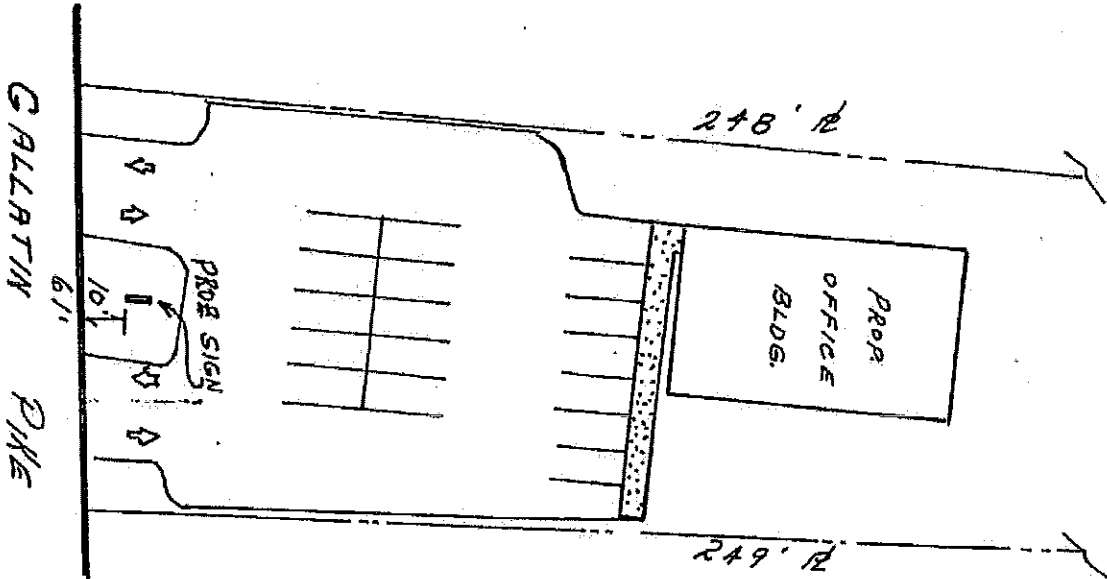
By making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, being Property Parcel Nos. 128, 129, 130, 183, 184, 185, 186, 242, 243, 244, 245, 246, 247, 272, 273 as designated on Map 061-07 and Property Parcel Nos. 084, 085, 123, 124, 125, 126, 127, 128, 131 as designated on Map 061-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 061 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Karen Bennett

LEGISLATIVE HISTORY	
Introduced:	February 4, 2014
Passed First Reading:	February 4, 2014
Referred to:	Planning Commission - Approved 9-0 (February 27, 2014) Planning & Zoning Committee
Passed Second Reading:	March 4, 2014
Substitute Introduced:	March 18, 2014
Passed Third Reading:	March 18, 2014

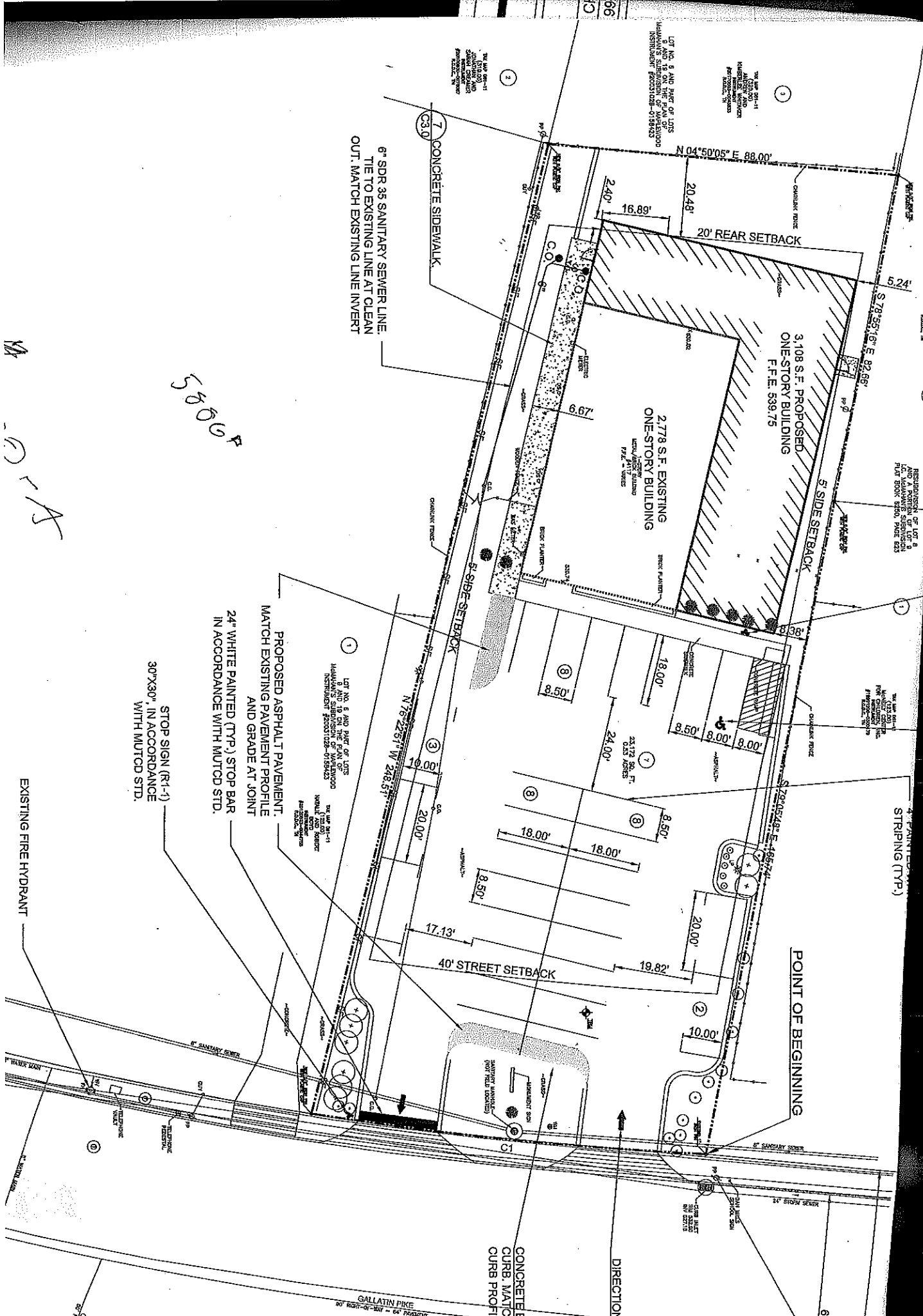


INSPECTOR

WHM

89-68

REQ. FRONT YARD 20'
 PROPOSED 10'
 VARIANCE



6" SDR 36 SANITARY SEWER LINE
TIE TO EXISTING LINE AT CLEAN
OUT. MATCH EXISTING LINE INVERT

5800A

OFA

PROPOSED ASPHALT PAVEMENT
MATCH EXISTING PAVEMENT PROFILE
AND GRADE AT JOINT

24" WHITE PAINTED (TYP.) STOP BAR
IN ACCORDANCE WITH MUTCD STD.

STOP SIGN (R1-1)
30"X30", IN ACCORDANCE
WITH MUTCD STD.

EXISTING FIRE HYDRANT

CONCRETE
CURB MATCH
CURB PROFIL

GALLATIN PIKE
60' RIGHT-OF-WAY - 64' POSITION

DIRECTION

POINT OF BEGINNING

PAINTED
STRIPING (TYP.)

RESUBDIVISION OF LOT 8
AND A PORTION OF LOT 9
FLAT BOOK SCHOOL PAPER 123

THE LAW OFFICE
OF
MAYHEW & ASSOCIATES
P.C.
11220 N. 29TH AVENUE
DENVER, CO 80231
TEL: 303.755.1100
WWW.MAYHEWPC.COM

LOT NO. 6 AND PART OF LOTS
MAYHEW'S SUBDIVISION OF WASHINGTON
INSTRUMENT #20031022-0158423

THE LAW OFFICE
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SCALE: 1" = 40'

6

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Tuesday, December 11, 2018 9:39 AM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Cc: Lamb, Emily (Codes)
Subject: FW: 4117 Gallatin Pike BZA Appllication

For the case file.

From: VanReece, Nancy (Council Member)
Sent: Tuesday, December 11, 2018 7:29 AM
To: Michael, Jon (Codes)
Subject: Re: 4117 Gallatin Pike BZA Appllication

Thank you.
I am not in support of these variances.

Nancy VanReece | Metro Nashville Councilmember, District 8
@nvr4district8 | www.nvr4district8.com | [www.fb.com/nvr4district8](https://www.facebook.com/nvr4district8) | 615-862-6780

From: VanReece, Nancy (Council Member)
Sent: Friday, December 07, 2018 11:07 PM
To: Michael, Jon (Codes)
Subject: 4117 Gallatin Pike BZA Appllication

Hey Jon Michael -- what can you tell me about this?

Nancy VanReece | Metro Nashville Councilmember, District 8

@nvr4district8 | www.nvr4district8.com | [www.fb.com/nvr4district8](https://www.facebook.com/nvr4district8) | 615-862-6780

Lifsey, Debbie (Codes)

From: Julie Cook <juliecook2@gmail.com>
Sent: Tuesday, December 11, 2018 8:10 AM
To: Board of Zoning Appeals (Codes)
Subject: 4117 Gallatin Rd BZA Request

I don't even know where to begin on the multitude of variances this application has requested. The requirements are in place for a reason and the need to request so many variances, is essentially an attempt to put a square peg in a round hole. It simply doesn't work.

Please deny these requests as they make no sense for our neighborhood.

Thank you,

--
Julie Cook
juliecook2@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: MICHAEL WOODS

Date: 11/13/18

Property Owner: MYLES CRAWFORD

Case #: 2019-006

Representative: MICHAEL WOODS

Map & Parcel: 0611012400

Council District 08

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

Purpose: to construct a 3,108 sqft office addition

Activity Type: OFFICE

X Location: 4117 GALLATIN PIKE

This property is in the OR20-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:

OV-UDO
OV-NBL

Reason: a variance from rear setback requirements

Section(s): 17.12.020D, 17.40.660C

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.

WOODS CONST. GROUP, LLC

MICHAEL WOODS
Appellant Name (Please Print)

Representative Name (Please Print)

6601 OWEN HILL RD
Address

Address

COLLEGE GROVE, TN 37046
City, State, Zip Code

City, State, Zip Code

615-405-2626
Phone Number

Phone Number

mwoods321@yahoo.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**



**APPLICATION FOR BUILDING COMMERCIAL - ADDITION / CACA - T2018071415
THIS IS NOT A PERMIT**

PARCEL: 06111012400

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

4117 GALLATIN PIKE NASHVILLE, TN 37216
LOT 7 & PT 9-10 MCMAHAN SUB OF MAPLEWOOD

PARCEL OWNER: COBELL PROPERTIES, LLC

APPLICANT:

PURPOSE:

ZONED OR20-A.

NEIGHBORHOOD LANDMARK DESIGNATION.

EXISTING 2778 SQFT..MEDICAL OFFICE...CHIROPRACTIC OFFICE.

BZA 92-142 APPROVED PARKING LAYOUT AND VARIANCE IN BUFFER.

***THIS PERMIT TO CONSTRUCT A 3,108 SQFT ADDITION.

- 1....USE...OFFICE.....18 SPACES APPROVED....REQUIRED 29...17.20.030..... 2019-005
- 2....LAYOUT SHOWS VIOLATIONS IN BACKOUT AND PARALLEL SPACES.....17.20.060.. 2019-005
- 3....REAR SETBACK 20'...REQUEST 17.6'.....17.12.020D 2019-006
- 4...ZONED OR20-A....REQUIRED FRONT STREET MAX SETBACK AT 80'....SHOWN AT 130'...REQUEST INCREASE IN THE NON-CONFORMITY BY BUILDING BEHIND THE MAX SETBACK ALLOWED....17.40.660 C.... 2019-006
- 5.....REQUIRED TO UPDATE SIDEWALKS..REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE...17.20.120J...2019-007
- 6...REAR BUFFER ' C AT 20'.... REQUIRED...REQUEST NONE..17.24.230... 2019-008
- 7...ALLOWED ONE ACCESS BASED ON STREET CLASSIFICATION AND FRONTAGE LENGTH.....REQUEST TO KEEP THE TWO EXISTING....17.20.170 2019-009
- 8....PERIMETER LANDSCAPING...REQUEST NONE...17.24.150. 2019-008
- 9....INTERIOR LANDSCAPING REQUIRED...REQUEST NONE..17.24.160. 2019-008

*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	615-862-6545 Richard.Thomopoulos@nashville.gov
[H] Historic Zoning Review - CA		862-7970 histlap1@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPPermitsI@nashville.gov
PW - Public Works Sidewalk Capital Project Coordinatic		
[A] Site Plan Review		
[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
[B] Fire Life Safety Review On Bldg App		862-5230
[B] Fire Sprinkler Requirement		862-5230
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[E] Cross Connect Review For Bldg App		862-7225
		MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Availability Review For Bldg		862-7225
		MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Variance Approval For Bldg		862-7225
		MWS.DevelopmentServicesCenter@nashville.gov

PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO.= MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
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 NUMBER OF PARKING SPACES PROVIDED = 29 SPACES

DEPARTMENT OF CODES ADMINISTRATION
 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME:	POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:	
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **		
Determine the use MEDICAL OFFICE		
Property zoning OR20A	Overlay(s) OV-NHL	Surrounding Zoning OR20, OR20A, MUL-A
Use Charts: P, PC, SE, A	P	
SITE CRITERIA ** Supplemental Checklist Also Required for UZO **		
Subdivision Plat (Note any special requirements such as easements, setback restriction and etc.)		
Minimum lot size 7,500	Footprint 5,464 S.F.	
FAR	Maximum 0.8	Requesting 0.24
ISR-Adjustments/ Slopes over 15 %: 0%	Maximum 0.7	Requesting
Street Setback/ Street Type(s): --		
Side yard 5'		
Rear yard 20'		
Height standards 3 STORIES	Number of Floors 1 STORY	
PARKING AND ACCESS - CHAPTER 17.20 ** Supplemental Checklist Also Required for UZO **		
Ramp location and number 2 EXISTING AT GALLATIN PIKE		
Distance to nearest existing ramp (minimum 30') 15' TO THE SOUTH		
Distance to intersections 50' minor street 185' arterial street 800' TO MCMAHAN AVENUE		
100' collector 250' controlled access ramp N/A		
Required parking based on uses	Required: 28 (1 PER 200 S.F.)	Providing: 29
Required loading based on uses	N/A	Required Providing
Surfacing over 5 spaces 1,750 sq. ft.		
Space sizes, aisle widths, angle data 18'X8.5' STALL WITH 24' TRAVEL LANE		
Queuing lanes N/A		
Over 10 spaces 20' queuing at exit N/A		
Number of compact spaces/ % NONE		
Number of handicapped spaces 1 VAN ACCESSIBLE		
Sidewalks required internal public INTERNAL & PUBLIC SIDEWALK		
LANDSCAPING STANDARDS - CHAPTER 17.24 ** Supplemental Checklist Also Required for UZO **		
Required buffer yards TYPE C TO BE PROVIDED		
Buffer yard adjustment		
Perimeter landscaping (can't be over future R.O.W.) NO		
Standard for 4 or more lanes N/A		
Standard for less than four lanes N/A		
Side lines adjacent to parking areas 5' minimum width with trees - 2.5' with tree islands 5' MIN. PROVIDED		
Interior landscaping minimum 8 % area N/A		
Opaque fence adjacent to residential in parking area TO BE PROVIDED WITHIN THE YARD BUFFER		
Screening around dumpsters (NO CHAIN LINK FENCE PERMITTED) N/A		

Specificati
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CCAD REPROGRAPHICS, LLC
 480 CRAIGHEAD STREET
 SUITE 103
 NASHVILLE, TN 37204
 PHONE (615) 386-6796
 ccad@ccadreprographics.com
 500 WILSON PIKE CIRCLE
 SUITE 103
 BRENTWOOD, TN 37027
 PHONE (615) 739-6286
 brentwood@ccadreprographics.com



SITE DATA

CURVE	
C1	

PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
COBELL PROPERTIES, LLC

PROJECT ADDRESS: 4117 GALLATIN PIKE

CITY: NASHVILLE 37216

COUNTY: DAVIDSON

STATE: TENNESSEE

DISTRICT: 8TH COUNCIL DISTRICT

EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)

PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)

MAP AND PARCEL NO.= MAP.061-11 PARCEL 24

EXISTING LAND USE: MEDICAL OFFICE

PROPOSED LAND USE: MEDICAL OFFICE

MINIMUM REQUIRED SETBACK LINES:

FRONT SETBACK: 40'

SIDE YARD: 5'

REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
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MAX. FLOOR AREA RATIO: $5,464/23,172 = 0.25$
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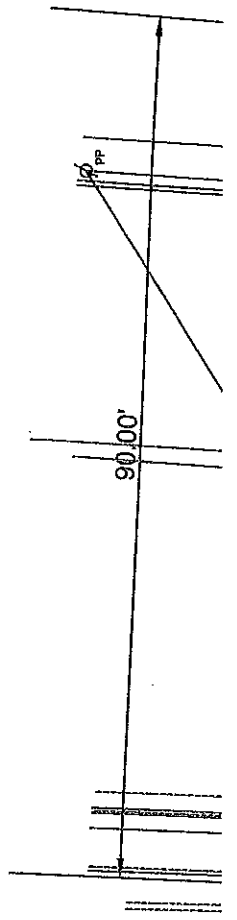
DEPARTMENT OF CODES ADMINISTRATION
 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:
USE - CHAPTER 17.08 AND 17.16	**A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **
Determine the use	MEDICAL OFFICE

PHONE (615) 386-6796 ad@ccadreprographics.com

USE OF THIS DRAWING IS TO APPLY FOR VARIANCE FROM PROVISIONS OF:
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4" PAINTED WHITE
 STRIPING (TYP.)



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06111008300

MCMAHAN AVE

012100

OR20

06111012200

0611102300

RS7.5

06111032000

111012400

OR20-A

06111031900

061110

GALLATIN PIKE

T4-M-AB5-IM

MUL-A

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SUBSTITUTE ORDINANCE NO. BL2014-673

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WHEREAS, the Neighborhood Landmark Overlay District can apply to an areas of historic and neighborhood value;

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WHEREAS, the Neighborhood Landmark Overlay District development plan will guide the reuse of or additions to existing buildings and redevelopment of sites, including vacant property, in a manner that maintains and enhances the area’s intensity, character, scale and orientation.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

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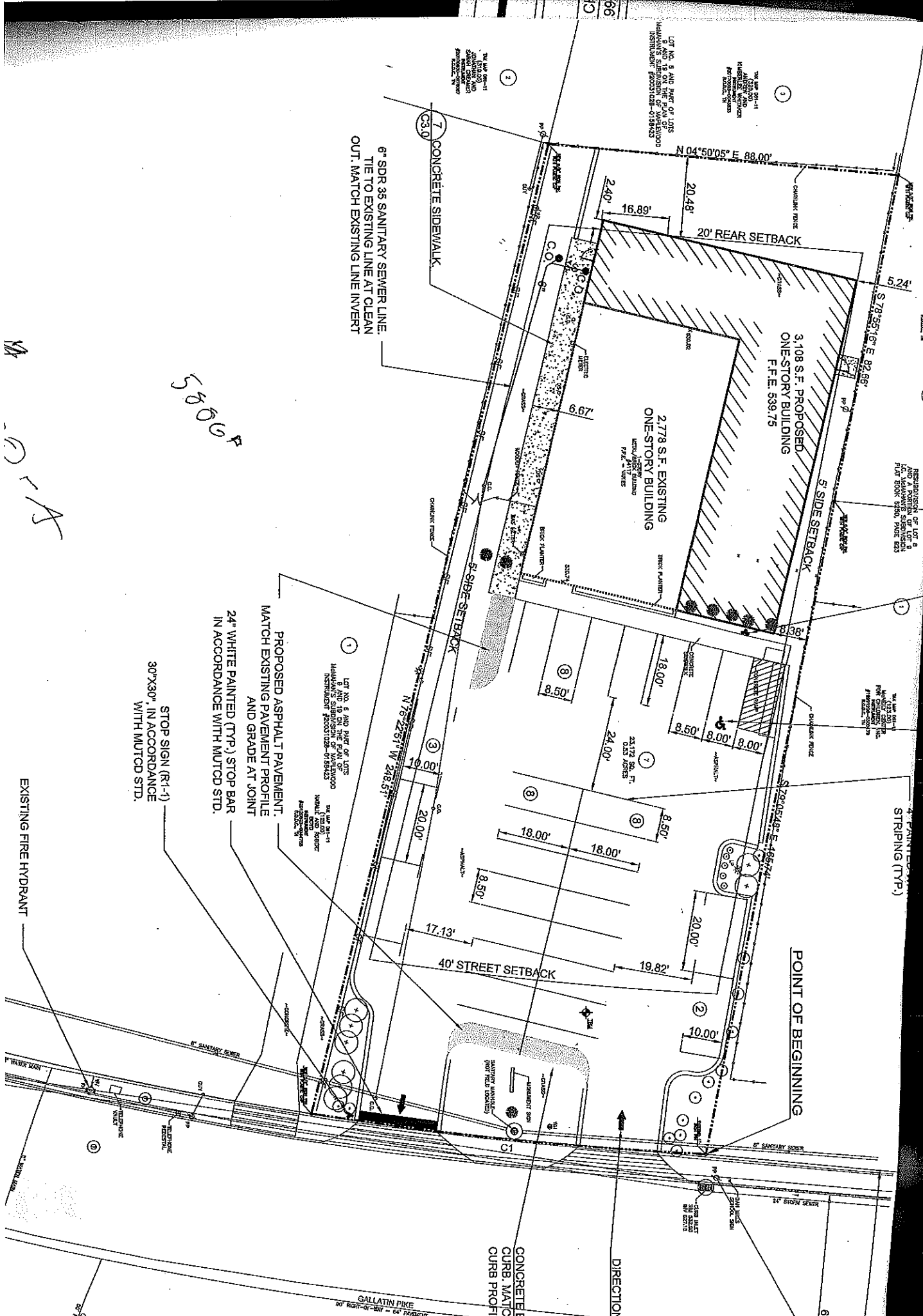
By making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, being Property Parcel Nos. 128, 129, 130, 183, 184, 185, 186, 242, 243, 244, 245, 246, 247, 272, 273 as designated on Map 061-07 and Property Parcel Nos. 084, 085, 123, 124, 125, 126, 127, 128, 131 as designated on Map 061-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 061 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

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Sponsored by: Karen Bennett

LEGISLATIVE HISTORY	
Introduced:	February 4, 2014
Passed First Reading:	February 4, 2014
Referred to:	Planning Commission - Approved 9-0 (February 27, 2014) Planning & Zoning Committee
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5809A

OFA

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TIE TO EXISTING LINE AT CLEAN
OUT. MATCH EXISTING LINE INVERT

PROPOSED ASPHALT PAVEMENT
MATCH EXISTING PAVEMENT PROFILE
AND GRADE AT JOINT
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IN ACCORDANCE WITH MUTCD STD.
STOP SIGN (R1-1)
30"X30", IN ACCORDANCE
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EXISTING FIRE HYDRANT

CONCRETE
CURB MATCH
CURB PROFILE

POINT OF BEGINNING

GALLATIN PIKE
60' RIGHT-OF-WAY - 64' POSITION

DIRECTION

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Tuesday, December 11, 2018 9:39 AM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Cc: Lamb, Emily (Codes)
Subject: FW: 4117 Gallatin Pike BZA Appllication

For the case file.

From: VanReece, Nancy (Council Member)
Sent: Tuesday, December 11, 2018 7:29 AM
To: Michael, Jon (Codes)
Subject: Re: 4117 Gallatin Pike BZA Appllication

Thank you.
I am not in support of these variances.

Nancy VanReece | Metro Nashville Councilmember, District 8
@nvr4district8 | www.nvr4district8.com | www.fb.com/nvr4district8 | 615-862-6780

From: VanReece, Nancy (Council Member)
Sent: Friday, December 07, 2018 11:07 PM
To: Michael, Jon (Codes)
Subject: 4117 Gallatin Pike BZA Appllication

Hey Jon Michael -- what can you tell me about this?

Nancy VanReece | Metro Nashville Councilmember, District 8

@nvr4district8 | www.nvr4district8.com | www.fb.com/nvr4district8 | 615-862-6780

Lifsey, Debbie (Codes)

From: Julie Cook <juliecook2@gmail.com>
Sent: Tuesday, December 11, 2018 8:10 AM
To: Board of Zoning Appeals (Codes)
Subject: 4117 Gallatin Rd BZA Request

I don't even know where to begin on the multitude of variances this application has requested. The requirements are in place for a reason and the need to request so many variances, is essentially an attempt to put a square peg in a round hole. It simply doesn't work.

Please deny these requests as they make no sense for our neighborhood.

Thank you,

--

Julie Cook
juliecook2@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: MICHAEL WOODS

Date: 11/13/18

Property Owner: MYLES CRAWFORD

Case #: 2019-007

Representative: MICHAEL WOODS

Map & Parcel: 06111012400

Council District 08

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

Purpose: to construct a 3,108 sqft office addition

Activity Type: OFFICE

X Location: 4117 GALLATIN PIKE

This property is in the OU20-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:

OV-UDO
OV-NHL

Reason: a variance from sidewalk requirements, no pay/no build

Section(s): 17.20.120.J

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.

WOODS CONST. GROUP, LLC

MICHAEL WOODS

Appellant Name (Please Print)

Representative Name (Please Print)

6601 OWEN HILL RD

Address

Address

COLLEGE GROVE, TN 37046

City, State, Zip Code

City, State, Zip Code

615-405-2626

Phone Number

Phone Number

mwoods321@yahoo.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**



**APPLICATION FOR BUILDING COMMERCIAL - ADDITION / CACA - T2018071415
THIS IS NOT A PERMIT**

PARCEL: 06111012400

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

4117 GALLATIN PIKE NASHVILLE, TN 37216
LOT 7 & PT 9-10 MCMAHAN SUB OF MAPLEWOOD

PARCEL OWNER: COBELL PROPERTIES, LLC

APPLICANT:**PURPOSE:**

ZONED OR20-A.

NEIGHBORHOOD LANDMARK DESIGNATION.

EXISTING 2778 SQFT..MEDICAL OFFICE...CHIROPRACTIC OFFICE.

BZA 92-142 APPROVED PARKING LAYOUT AND VARIANCE IN BUFFER.

***THIS PERMIT TO CONSTRUCT A 3,108 SQFT ADDITION.

- 1....USE...OFFICE.....18 SPACES APPROVED....REQUIRED 29....17.20.030..... 2019-005
- 2....LAYOUT SHOWS VIOLATIONS IN BACKOUT AND PARALLEL SPACES.....17.20.060.. 2019-005
- 3....REAR SETBACK 20'...REQUEST 17.6'.....17.12.020D 2019-006
- 4...ZONED OR20-A....REQUIRED FRONT STREET MAX SETBACK AT 80'....SHOWN AT 130'...REQUEST INCREASE IN THE NON-CONFORMITY BY BUILDING BEHIND THE MAX SETBACK ALLOWED....17.40.660 C.... 2019-006
- 5.....REQUIRED TO UPDATE SIDEWALKS..REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE...17.20.120J...2019-007
- 6...REAR BUFFER ' C AT 20'.... REQUIRED...REQUEST NONE..17.24.230... 2019-008
- 7...ALLOWED ONE ACCESS BASED ON STREET CLASSIFICATION AND FRONTAGE LENGTH.....REQUEST TO KEEP THE TWO EXISTING....17.20.170 2019-009
- 8....PERIMETER LANDSCAPING...REQUEST NONE...17.24.150. 2019-008
- 9....INTERIOR LANDSCAPING REQUIRED...REQUEST NONE..17.24.160. 2019-008

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

[H] Historic Zoning Review - CA 862-7970 histlap1@nashville.gov

[F] Ramps & Curb Cuts Review For Bldg A 862-8782 PWPPermitsI@nashville.gov

PW - Public Works Sidewalk Capital Project Coordinatic

[A] Site Plan Review

[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

[B] Fire Life Safety Review On Bldg App 862-5230

[B] Fire Sprinkler Requirement 862-5230

[D] Grading Plan Review For Bldg App (615) 862-6038 Logan.Bowman@nashville.gov

[E] Cross Connect Review For Bldg App 862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[E] Water Availability Review For Bldg 862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[E] Water Variance Approval For Bldg 862-7225

MWS.DevelopmentServicesCenter@nashville.gov

PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO.= MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
CONCRETE CURB	405	0.009
EXISTING SIDEWALK	352	0.008
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GRASS	12,278	0.282
TOTAL IMPERVIOUS	13,672	0.314

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 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME:	POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:	
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **		
Determine the use MEDICAL OFFICE		
Property zoning OR20A	Overlay(s) OV-NHL	Surrounding Zoning OR20, OR20A, MUL-A
Use Charts: P, PC, SE, A	P	
SITE CRITERIA ** Supplemental Checklist Also Required for UZO **		
Subdivision Plat (Note any special requirements such as easements, setback restriction and etc.)		
Minimum lot size 7,500	Footprint 5,464 S.F.	
FAR	Maximum 0.8	Requesting 0.24
ISR-Adjustments/ Slopes over 15 %: 0%	Maximum 0.7	Requesting
Street Setback/ Street Type(s): --'		
Side yard 5'		
Rear yard 20'		
Height standards 3 STORIES	Number of Floors	1 STORY
PARKING AND ACCESS - CHAPTER 17.20 ** Supplemental Checklist Also Required for UZO **		
Ramp location and number	2 EXISTING AT GALLATIN PIKE	
Distance to nearest existing ramp (minimum 30')	15' TO THE SOUTH	
Distance to intersections 50' minor street 185' arterial street	800' TO MCMAHAN AVENUE	
100' collector 250' controlled access ramp	N/A	
Required parking based on uses	Required: 28 (1 PER 200 S.F.)	Providing: 29
Required loading based on uses	N/A	Required Providing
Surfacing over 5 spaces 1,750 sq. ft.		
Space sizes, aisle widths, angle data	18'X8.5' STALL WITH 24' TRAVEL LANE	
Queuing lanes	N/A	
Over 10 spaces 20' queuing at exit	N/A	
Number of compact spaces/ %	NONE	
Number of handicapped spaces	1 VAN ACCESSIBLE	
Sidewalks required internal public	INTERNAL & PUBLIC SIDEWALK	
LANDSCAPING STANDARDS - CHAPTER 17.24 ** Supplemental Checklist Also Required for UZO **		
Required buffer yards	TYPE C TO BE PROVIDED	
Buffer yard adjustment		
Perimeter landscaping (can't be over future R.O.W.)	NO	
Standard for 4 or more lanes	N/A	
Standard for less than four lanes	N/A	
Side lines adjacent to parking areas 5' minimum width with trees - 2.5' with tree islands	5' MIN. PROVIDED	
Interior landscaping minimum 8 % area	N/A	
Opaque fence adjacent to residential in parking area	TO BE PROVIDED WITHIN THE YARD BUFFER	
Screening around dumpsters (NO CHAIN LINK FENCE PERMITTED)	N/A	

CCAD REPROGRAPHICS, LLC
 480 CRAIGHEAD STREET SUITE 103 NASHVILLE, TN 37204 PHONE (615) 386-6796 ccad@ccadrepr@aphics.com
 1121 HARPETH INDUSTRIAL CT. SUITE 300 FRANKLIN, TN 37064 PHONE (615) 761-4749 franklin@ccadrepr@aphics.com
 500 WILSON PIKE CIRCLE SUITE 103 BRENTWOOD, TN 37027 PHONE (615) 759-6286 brentwood@ccadrepr@aphics.com

Specificati
 Copying



Copying



SITE DATA

PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
COBELL PROPERTIES, LLC

PROJECT ADDRESS: 4117 GALLATIN PIKE

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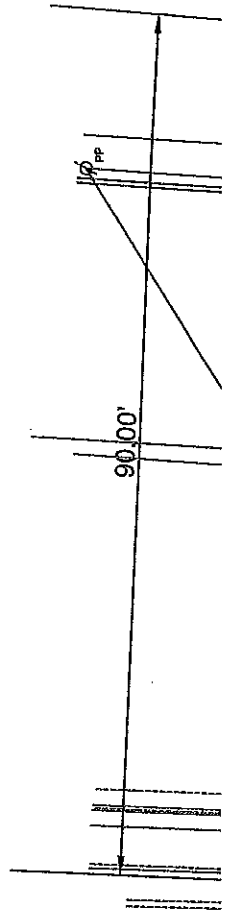
CURVE	
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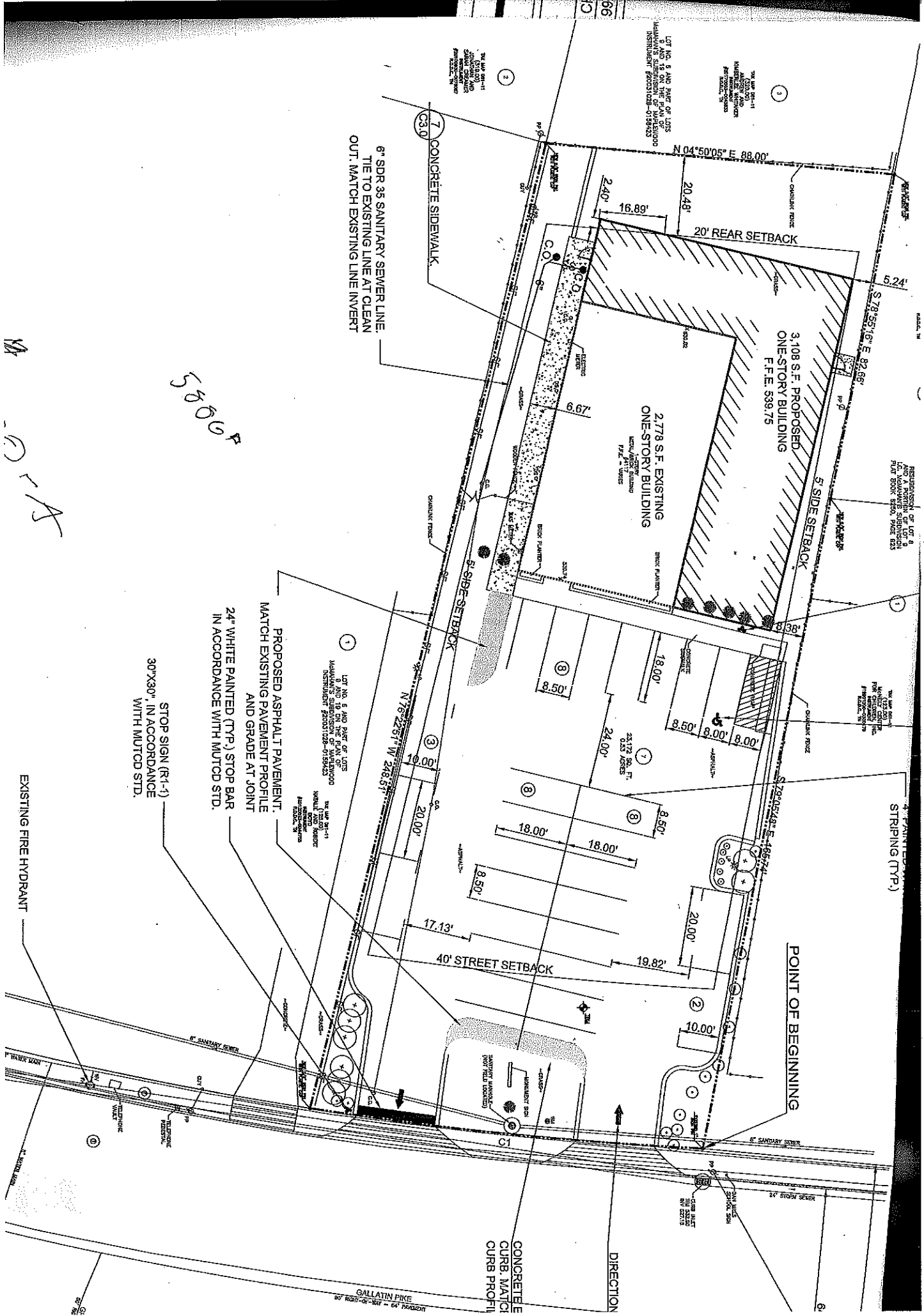
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5809A

R-1A

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TIE TO EXISTING LINE AT CLEAN
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PROPOSED ASPHALT PAVEMENT
MATCH EXISTING PAVEMENT PROFILE
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POINT OF BEGINNING

DIRECTION

GALLATIN PIKE
60' RIGHT-OF-WAY - 64' POSITION

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-007 (4117 Gallatin Pike)

Metro Standard:	7' right-of-way reservation to accommodate future Light Rail, 4' grass strip, 10' sidewalk, as defined by the Major and Collector Street Plan and nMotion Plan
Requested Variance:	Not upgrade sidewalks; not contribute in lieu (not eligible)
Zoning:	OR20-A
Community Plan Policy:	T4 TR (Urban Transition)
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#56 – Gallatin Pike BRT; future light rail per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing a 3,100 square foot addition to the existing office building, and requests to dedicate right-of-way for future sidewalk construction, but not to upgrade the existing sidewalk. A 5' sidewalk with no grass strip currently exists along the frontage of the property. Planning evaluated the following factors for the variance request:

- (1) The property is on an existing Bus Rapid Transit Lite corridor, which is planned for Light Rail per the adopted nMotion Transit Plan. As transit frequency improves and the community plan policies for increased density are implemented through redevelopment, wider sidewalks will be needed. Additionally, the MCSP-required grass strip will provide a buffer from high-speed traffic, as well as space for utilities, poles, fire hydrants, and other obstructions.
- (2) Given nMotion recommendations and the scale of the applicant's building improvements, an alternative solution to dedicate right-of-way for future sidewalk widening supports a future Metro-led capital project. Additional right-of-way as outlined in the Major and Collector Street Plan in a right-of-way reservation may be necessary beyond this proposal to support future Light Rail.

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. Prior to the issuance of building permits, dedicate 9' of right-of-way along the property frontage to accommodate future sidewalks per the Major and Collector Street Plan.

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Tuesday, December 11, 2018 9:39 AM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Cc: Lamb, Emily (Codes)
Subject: FW: 4117 Gallatin Pike BZA Appllication

For the case file.

From: VanReece, Nancy (Council Member)
Sent: Tuesday, December 11, 2018 7:29 AM
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Subject: Re: 4117 Gallatin Pike BZA Appllication

Thank you.
I am not in support of these variances.

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@nvr4district8 | www.nvr4district8.com | [www.fb.com/nvr4district8](https://www.facebook.com/nvr4district8) | 615-862-6780

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Hey Jon Michael -- what can you tell me about this?

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Lifsey, Debbie (Codes)

From: Julie Cook <juliecook2@gmail.com>
Sent: Tuesday, December 11, 2018 8:10 AM
To: Board of Zoning Appeals (Codes)
Subject: 4117 Gallatin Rd BZA Request

I don't even know where to begin on the multitude of variances this application has requested. The requirements are in place for a reason and the need to request so many variances, is essentially an attempt to put a square peg in a round hole. It simply doesn't work.

Please deny these requests as they make no sense for our neighborhood.

Thank you,

--
Julie Cook
juliecook2@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: MICHAEL WOODS

Date: 11/13/18

Property Owner: MILES CRAWFORD

Case #: 2019-008

Representative: MICHAEL WOODS

Map & Parcel: 06111012400

Council District 08

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

Purpose: to construct a 3,108 sqft office addition

Activity Type: OFFICE

X Location: 4117 GALLATIN PIKE

This property is in the OR20-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:

OV-UDO
OV-NHL

Reason: 17.24.230, 17.24.150, 17.24.160

Section(s): a variance from landscape and rear buffer requirements.

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.

WOODS CONST. GROUP, LLC

MICHAEL WOODS

Appellant Name (Please Print)

Representative Name (Please Print)

6601 OWEN HILL RD

Address

Address

COLLEGE GROVE, TN 37046

City, State, Zip Code

City, State, Zip Code

615-405-2626

Phone Number

Phone Number

mwoods321@yahoo.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**



**APPLICATION FOR BUILDING COMMERCIAL - ADDITION / CACA - T2018071415
THIS IS NOT A PERMIT**

PARCEL: 06111012400

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

4117 GALLATIN PIKE NASHVILLE, TN 37216
LOT 7 & PT 9-10 MCMAHAN SUB OF MAPLEWOOD

PARCEL OWNER: COBELL PROPERTIES, LLC

APPLICANT:**PURPOSE:**

ZONED OR20-A.

NEIGHBORHOOD LANDMARK DESIGNATION.

EXISTING 2778 SQFT..MEDICAL OFFICE...CHIROPRACTIC OFFICE.

BZA 92-142 APPROVED PARKING LAYOUT AND VARIANCE IN BUFFER.

***THIS PERMIT TO CONSTRUCT A 3,108 SQFT ADDITION.

- 1....USE...OFFICE.....18 SPACES APPROVED....REQUIRED 29...17.20.030..... 2019-005
- 2....LAYOUT SHOWS VIOLATIONS IN BACKOUT AND PARALLEL SPACES.....17.20.060.. 2019-005
- 3....REAR SETBACK 20'...REQUEST 17.6'.....17.12.020D 2019-006
- 4...ZONED OR20-A....REQUIRED FRONT STREET MAX SETBACK AT 80'....SHOWN AT 130'...REQUEST INCREASE IN THE NON-CONFORMITY BY BUILDING BEHIND THE MAX SETBACK ALLOWED....17.40.660 C.... 2019-006
- 5.....REQUIRED TO UPDATE SIDEWALKS..REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE...17.20.120J...2019-007
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- 7...ALLOWED ONE ACCESS BASED ON STREET CLASSIFICATION AND FRONTAGE LENGTH.....REQUEST TO KEEP THE TWO EXISTING....17.20.170 2019-009
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- 9....INTERIOR LANDSCAPING REQUIRED...REQUEST NONE..17.24.160. 2019-008

*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		
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[H] Historic Zoning Review - CA		862-7970 histlap1@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPPermitsl@nashville.gov
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[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
[B] Fire Life Safety Review On Bldg App		862-5230
[B] Fire Sprinkler Requirement		862-5230
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[E] Cross Connect Review For Bldg App		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Availability Review For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Variance Approval For Bldg		862-7225 MWS.DevelopmentServicesCenter@nashville.gov

PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO. = MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
CONCRETE CURB	405	0.009
EXISTING SIDEWALK	352	0.008
WOODEN SHED	105	0.002
GRASS	12,278	0.282
TOTAL IMPERVIOUS	13,672	0.314

POST DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
BUILDING	5,886	0.135
ASPHALT PRKG.	10,285	0.236
CONCRETE CURB	355	0.008
EXISTING SIDEWALK	352	0.008
PROPOSED SIDEWALK	605	0.014
GRASS	5,689	0.131
TOTAL IMPERVIOUS	17,483	0.401
NET IMP. SURF. INCREASE	3,811	0.087

MAX. FLOOR AREA RATIO: $5,464/23,172 = 0.25$
 IMPERVIOUS SURFACE RATIO: $16,788/23,172 = 0.75$
 PARKING REQUIREMENTS:
 1 SPACE PER 200 S.F. BUILDING = $5,886/200 = 29$ SPACES
 NUMBER OF PARKING SPACES PROVIDED = 29 SPACES

DEPARTMENT OF CODES ADMINISTRATION
 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME:	POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:	
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **		
Determine the use MEDICAL OFFICE		
Property zoning OR20A	Overlay(s) OV-NHL	Surrounding Zoning OR20, OR20A, MUL-A
Use Charts: P, PC, SE, A	P	
SITE CRITERIA ** Supplemental Checklist Also Required for UZO **		
Subdivision Plat (Note any special requirements such as easements, setback restriction and etc.)		
Minimum lot size 7,500	Footprint 5,464 S.F.	
FAR	Maximum 0.8	Requesting 0.24
ISR-Adjustments/ Slopes over 15 %: 0%	Maximum 0.7	Requesting
Street Setback/ Street Type(s): --		
Side yard 5'		
Rear yard 20'		
Height standards 3 STORIES	Number of Floors	1 STORY
PARKING AND ACCESS - CHAPTER 17.20 ** Supplemental Checklist Also Required for UZO **		
Ramp location and number	2 EXISTING AT GALLATIN PIKE	
Distance to nearest existing ramp (minimum 30')	15' TO THE SOUTH	
Distance to intersections 50' minor street 185' arterial street	800' TO MCMAHAN AVENUE	
100' collector 250' controlled access ramp	N/A	
Required parking based on uses	Required: 28 (1 PER 200 S.F.)	Providing: 29
Required loading based on uses	N/A	Required Providing
Surfacing over 5 spaces 1,750 sq. ft.		
Space sizes, aisle widths, angle data	18'X8.5' STALL WITH 24' TRAVEL LANE	
Queueing lanes	N/A	
Over 10 spaces 20' queueing at exit	N/A	
Number of compact spaces/ %	NONE	
Number of handicapped spaces	1 VAN ACCESSIBLE	
Sidewalks required internal public	INTERNAL & PUBLIC SIDEWALK	
LANDSCAPING STANDARDS - CHAPTER 17.24 ** Supplemental Checklist Also Required for UZO **		
Required buffer yards	TYPE C TO BE PROVIDED	
Buffer yard adjustment		
Perimeter landscaping (can't be over future R.O.W.)	NO	
Standard for 4 or more lanes	N/A	
Standard for less than four lanes	N/A	
Side lines adjacent to parking areas 5' minimum width with trees - 2.5' with tree islands	5' MIN. PROVIDED	
Interior landscaping minimum 8 % area	N/A	
Opaque fence adjacent to residential in parking area	TO BE PROVIDED WITHIN THE YARD BUFFER	
Screening around dumpsters (NO CHAIN LINK FENCE PERMITTED)	N/A	

Specificati
 Copying


CCAD REPROGRAPHICS, LLC
 480 CRAIGHEAD STREET
 SUITE 103
 NASHVILLE, TN 37204
 PHONE (615) 386-6796
 ccad@ccadreprographics.com

 1121 HARPETH INDUSTRIAL CT.
 SUITE 300
 FRANKLIN, TN 37064
 PHONE (615) 614-4749
 franklin@ccadreprographics.com

 500 WILSON PIKE CIRCLE
 SUITE 103
 BRENTWOOD, TN 37027
 PHONE (615) 759-6286
 brentwood@ccadreprographics.com



SITE DATA

PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
 COBELL PROPERTIES, LLC
 PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
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CURVE	
C1	

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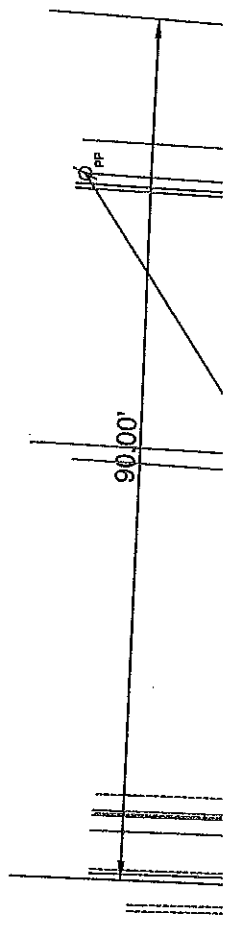
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USE - CHAPTER 17.08 AND 17.16	**A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **
Determine the use	MEDICAL OFFICE

PHONE (615) 386-6796
 ad@ceadprographics.com

USE OF THIS DRAWING IS TO APPLY FOR VARIANCE FROM PROVISIONS OF:
 SECTION "C" "STANDARDS 17.20.120 PROVISIONS OF SIDEWALK"
 SECTION 17.12.020B DISTRICT BULK TABLE (REAR SETBACK REQUIREMENTS)
 SECTION 17.24.150 PERIMETER PLANTING REQUIREMENTS.
 SECTION 17.24.160 INTERIOR PLANTING REQUIREMENTS.
 SECTION 17.16.03-G6 DRIVEWAY ACCESS

4" PAINTED WHITE
 STRIPING (TYP.)



06111008200

06111008300



MCMAHAN AVE

06111012100

OR20

06111012200

06111012300

RS7.5

06111032000

06111012400

OR20-A

06111031900

06111012500

06111012600

06111012700

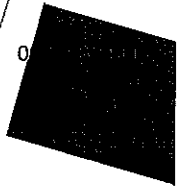
06111012800

GALLATIN PIKE T4-M-AB5-IM

MUL-A

06111023700

GREENLAND AVE





MCMAHAN AVE

GALATIN PIKE
T4-M-AB5-M

MUL-A

GREENLAND AVE

06111008200

06111008300

06111093700

06111021000

R20

06111012200

0611101

RS75
06111032000

06111012400

R20-A

0611101

06111012600

06111012700

06111023700

06111012800

SUBSTITUTE ORDINANCE NO. BL2014-673

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, all of which is described herein (Proposal No. 2014NL-001-001).

WHEREAS, the Neighborhood Landmark Overlay District can apply to an areas of historic and neighborhood value;

WHEREAS, this area contains structures that have been identified by the Metro Historical Commission as worthy of consideration and are included in the Gallatin Road Historic District;

WHEREAS, this area contains many structures currently utilized as single-family dwellings or small offices that contain a residential character, scale and orientation;

WHEREAS, the Neighborhood Landmark Overlay District will encourage the preservation of the historic structures and residential character of the area by enabling consideration of additional uses; and

WHEREAS, the Neighborhood Landmark Overlay District development plan will guide the reuse of or additions to existing buildings and redevelopment of sites, including vacant property, in a manner that maintains and enhances the area’s intensity, character, scale and orientation.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

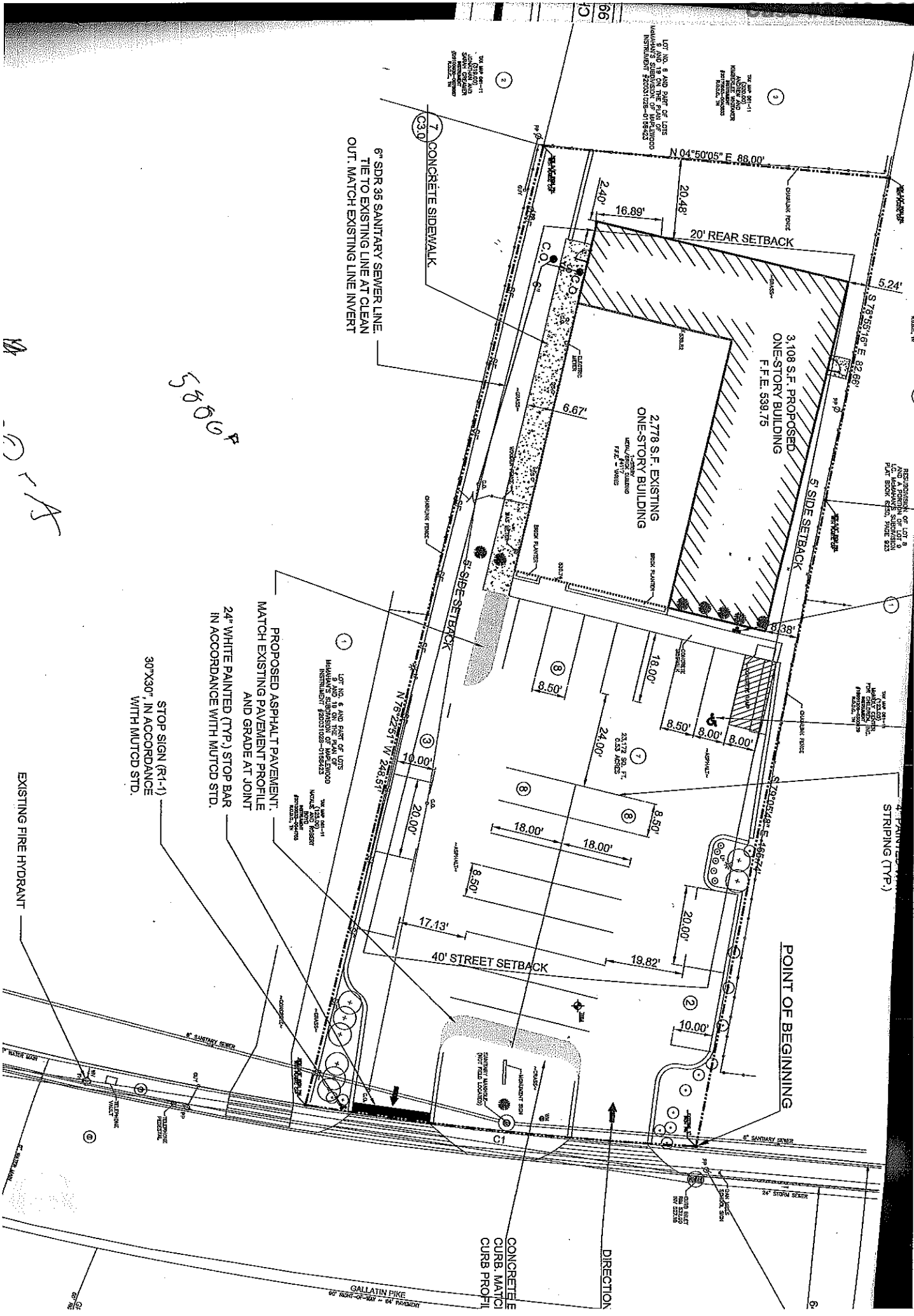
By making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, being Property Parcel Nos. 128, 129, 130, 183, 184, 185, 186, 242, 243, 244, 245, 246, 247, 272, 273 as designated on Map 061-07 and Property Parcel Nos. 084, 085, 123, 124, 125, 126, 127, 128, 131 as designated on Map 061-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 061 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Karen Bennett

LEGISLATIVE HISTORY	
Introduced:	February 4, 2014
Passed First Reading:	February 4, 2014
Referred to:	Planning Commission - Approved 9-0 (February 27, 2014) Planning & Zoning Committee
Passed Second Reading:	March 4, 2014
Substitute Introduced:	March 18, 2014
Passed Third Reading:	March 18, 2014



5806A

Handwritten notes and symbols, including a large 'A' and other markings.

LOT NO. 6 AND PART OF LOTS 7 AND 8
 HAWAIIAN SUBDIVISION OF MALEWOOD
 INSTRUMENT #20031028-0186233
 LOT NO. 6 AND PART OF LOTS 7 AND 8
 HAWAIIAN SUBDIVISION OF MALEWOOD
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Thank you,

--

Julie Cook
juliecook2@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: MICHAEL WOODS

Date: 11/13/18

Property Owner: MYLES CRAWFORD

Case #: 2019-009

Representative: MICHAEL WOODS

Map & Parcel: 0611012400

Council District 08

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

Purpose: to construct a 3,108 sqft office addition

Activity Type: OFFICE

X Location: 4117 GALLATIN PIKE

This property is in the OR20-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:

OV-UDO
OV-NHL

Reason: a variance from street access requirements.

Section(s): 17.20.170

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.

WOODS CONST. GROUP, LLC

MICHAEL WOODS
Appellant Name (Please Print)

Representative Name (Please Print)

6601 OWEN HILL RD
Address

Address

COLLEGE GROVE, TN 37046
City, State, Zip Code

City, State, Zip Code

615-405-2626
Phone Number

Phone Number

mwoods321@yahoo.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**



**APPLICATION FOR BUILDING COMMERCIAL - ADDITION / CACA - T2018071415
THIS IS NOT A PERMIT**

PARCEL: 06111012400

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

4117 GALLATIN PIKE NASHVILLE, TN 37216
LOT 7 & PT 9-10 MCMAHAN SUB OF MAPLEWOOD

PARCEL OWNER: COBELL PROPERTIES, LLC

APPLICANT:

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ZONED OR20-A.

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[B] Plans Picked Up By Customer		615-880-2649 Ronya.Sykes@nashville.gov
[B] Fire Life Safety Review On Bldg App		862-5230
[B] Fire Sprinkler Requirement		862-5230
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov
[E] Cross Connect Review For Bldg App		862-7225
[E] Water Availability Review For Bldg		MWS.DevelopmentServicesCenter@nashville.gov 862-7225
[E] Water Variance Approval For Bldg		MWS.DevelopmentServicesCenter@nashville.gov 862-7225 MWS.DevelopmentServicesCenter@nashville.gov

PROJECT ADDRESS: 4117 GALLATIN PIKE
 CITY: NASHVILLE 37216
 COUNTY: DAVIDSON
 STATE: TENNESSEE
 DISTRICT: 8TH COUNCIL DISTRICT
 EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 PROPOSED ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)
 MAP AND PARCEL NO.= MAP 061-11 PARCEL 24
 EXISTING LAND USE: MEDICAL OFFICE
 PROPOSED LAND USE: MEDICAL OFFICE
 MINIMUM REQUIRED SETBACK LINES:
 FRONT SETBACK: 40'
 SIDE YARD: 5'
 REAR YARD: 20'

PRE-DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
EXISTING BUILDING	2,778	0.064
EXISTING ASPHALT PRKG.	10,032	0.230
CONCRETE CURB	405	0.009
EXISTING SIDEWALK	352	0.008
WOODEN SHED	105	0.002
GRASS	12,278	0.282
TOTAL IMPERVIOUS	13,672	0.314

POST DEVELOPED CONDITIONS	SQ. FT.	ACRES
TOTAL AREA	23,172	0.532
BUILDING	5,886	0.135
ASPHALT PRKG.	10,285	0.236
CONCRETE CURB	355	0.008
EXISTING SIDEWALK	352	0.008
PROPOSED SIDEWALK	605	0.014
GRASS	5,689	0.131
TOTAL IMPERVIOUS	17,483	0.401
NET IMP. SURF. INCREASE	3,811	0.087

MAX. FLOOR AREA RATIO: 5,464/23,172 = 0.25
 IMPERVIOUS SURFACE RATIO: 16,788/23,172 = 0.75
 PARKING REQUIREMENTS:
 1 SPACE PER 200 S.F. BUILDING = 5,886/200 = 29 SPACES
 NUMBER OF PARKING SPACES PROVIDED = 29 SPACES

DEPARTMENT OF CODES ADMINISTRATION
 METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
 ZONING REVIEW CHECKLIST
 Nonresidential and Multifamily Construction

APPLICATION #	PROJECT NAME:	POWER CHIROPRACTICS AND WELLNESS		
MAP/PARCEL # 61-11/124	EXAMINER:			
USE - CHAPTER 17.08 AND 17.16 **A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **				
Determine the use MEDICAL OFFICE				
Property zoning	OR20A	Overlay(s)	OV-NHL	Surrounding Zoning OR20, OR20A, MUL-A
Use Charts:	P, PC, SE, A	P		
SITE CRITERIA ** Supplemental Checklist Also Required for UZO **				
Subdivision Plat (Note any special requirements such as easements, setback restriction and etc.)				
Minimum lot size	7,500	Footprint	5,464 S.F.	
FAR		Maximum	0.8	Requesting 0.24
ISR-Adjustments/ Slopes over 15 %:	0%	Maximum	0.7	Requesting
Street Setback/ Street Type(s):	-			
Side yard	5'			
Rear yard	20'			
Height standards	3 STORIES	Number of Floors	1 STORY	
PARKING AND ACCESS - CHAPTER 17.20 ** Supplemental Checklist Also Required for UZO **				
Ramp location and number	2 EXISTING AT GALLATIN PIKE			
Distance to nearest existing ramp (minimum 30')	15' TO THE SOUTH			
Distance to intersections	50' minor street	185' arterial street	800' TO MCMAHAN AVENUE	
100' collector	250' controlled access ramp N/A			
Required parking based on uses	Required:	28 (1 PER 200 S.F.)	Providing: 29	
Required loading based on uses	N/A	Required	Providing	
Surfacing over 5 spaces 1,750 sq. ft.				
Space sizes, aisle widths, angle data	18'X8.5' STALL WITH 24' TRAVEL LANE			
Queueing lanes	N/A			
Over 10 spaces 20' queuing at exit	N/A			
Number of compact spaces/ %	NONE			
Number of handicapped spaces	1 VAN ACCESSIBLE			
Sidewalks required Internal public	INTERNAL & PUBLIC SIDEWALK			
LANDSCAPING STANDARDS - CHAPTER 17.24 ** Supplemental Checklist Also Required for UZO **				
Required buffer yards	TYPE C TO BE PROVIDED			
Buffer yard adjustment				
Perimeter landscaping (can't be over future R.O.W.)	NO			
Standard for 4 or more lanes	N/A			
Standard for less than four lanes	N/A			
Side lines adjacent to parking areas 5' minimum width with trees - 2.5' with tree islands	5' MIN. PROVIDED			
Interior landscaping minimum 8 % area	N/A			
Opaque fence adjacent to residential in parking area	TO BE PROVIDED WITHIN THE YARD BUFFER			
Screening around dumpsters (NO CHAIN LINK FENCE PERMITTED)	N/A			

CCAD REPROGRAPHICS, LLC
 480 CRAIGHEAD STREET SUITE 103 NASHVILLE, TN 37204 PHONE (615) 386-6796 ccad@ccadreprographics.com
 1121 HARPETH INDUSTRIAL CT SUITE 308 FRANKLIN, TN 37064 PHONE (615) 614-4749 franklin@ccadreprographics.com
 500 WILSON PIKE CIRCLE SUITE 103 BRENTWOOD, TN 37027 PHONE (615) 739-6286 brentwood@ccadreprographics.com
 Copying
 Specifications

SITE DATA

PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
COBELL PROPERTIES, LLC

PROJECT ADDRESS: 4117 GALLATIN PIKE

CITY: NASHVILLE 37216

COUNTY: DAVIDSON

STATE: TENNESSEE

DISTRICT: 8TH COUNCIL DISTRICT

EXISTING ZONING AND AREA DESIGNATION: OR20A - OFFICE/RESIDENTIAL (20 UNITS/ ACRE)

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MAP AND PARCEL NO.= MAP 061-11 PARCEL 24

EXISTING LAND USE: MEDICAL OFFICE

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FRONT SETBACK: 40'

SIDE YARD: 5'

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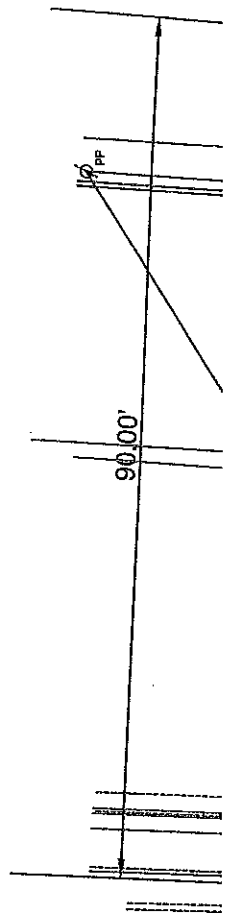
NUMBER OF PARKING SPACES PROVIDED = 29 SPACES

DEPARTMENT OF CODES ADMINISTRATION
METROPOLITAN NASHVILLE, & DAVIDSON COUNTY
ZONING REVIEW CHECKLIST
Nonresidential and Multifamily Construction

CURVE	
C1	

APPLICATION #	PROJECT NAME: POWER CHIROPRACTICS AND WELLNESS
MAP/PARCEL # 61-11/124	EXAMINER:
USE - CHAPTER 17.08 AND 17.16	**A - Approved, D - Denied, I - Incomplete, P - Pending, C - Conditional **
Determine the use	MEDICAL OFFICE

USE OF THIS DRAWING IS TO APPLY FOR VARIANCE FROM PROVISIONS OF:
 SECTION "C" "STANDARDS 17.20.120 PROVISIONS OF SIDEWALK"
 SECTION 17.12.020B DISTRICT BULK TABLE (REAR SETBACK REQUIREMENTS)
 SECTION 17.24.150 PERIMETER PLANTING REQUIREMENTS.
 SECTION 17.24.160 INTERIOR PLANTING REQUIREMENTS.
 SECTION 17.16.03-G6 DRIVEWAY ACCESS



4" PAINTED WHITE STRIPING (TYP.)

06111008200

06111008300



MCMAHAN AVE

012100

OR20

06111012200

06111012300

RS7.5

06111032000

111012400

OR20-A

06111031900

06111012500

06111012600

06111012700

06111012800

GALLATIN PIKE T4-M-AB5-IM

MUL-A

06111023700

GREENLAND AVE

06111023800



McMAHAN AVE

GALLATIN PIKE
T4-M-AB5-1M

MUL A

GREENLAND AVE

06111012100

OR-20

06111012200

0611101

RS7.5
06111032000

06111012400

OR-20-A

06111012510

06111012510

06111012510

06111023700

SUBSTITUTE ORDINANCE NO. BL2014-673

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, all of which is described herein (Proposal No. 2014NL-001-001).

WHEREAS, the Neighborhood Landmark Overlay District can apply to an areas of historic and neighborhood value;

WHEREAS, this area contains structures that have been identified by the Metro Historical Commission as worthy of consideration and are included in the Gallatin Road Historic District;

WHEREAS, this area contains many structures currently utilized as single-family dwellings or small offices that contain a residential character, scale and orientation;

WHEREAS, the Neighborhood Landmark Overlay District will encourage the preservation of the historic structures and residential character of the area by enabling consideration of additional uses; and

WHEREAS, the Neighborhood Landmark Overlay District development plan will guide the reuse of or additions to existing buildings and redevelopment of sites, including vacant property, in a manner that maintains and enhances the area’s intensity, character, scale and orientation.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

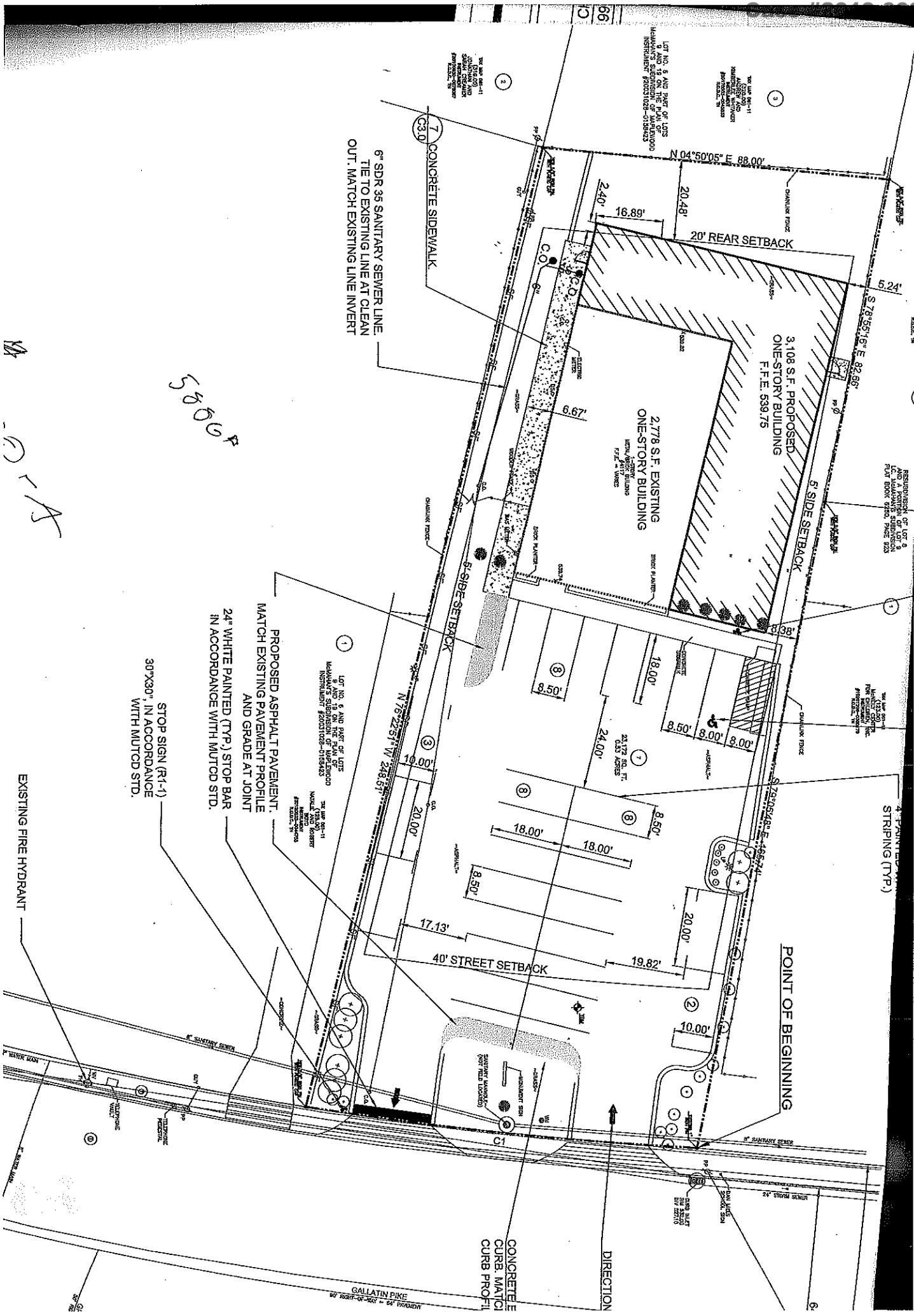
By making applicable the provisions of a Neighborhood Landmark Overlay District to various properties located along the west side of Gallatin Pike between Virginia Avenue and Broadmoor Drive, (17.22 acres), zoned OR20-A and RS7.5, being Property Parcel Nos. 128, 129, 130, 183, 184, 185, 186, 242, 243, 244, 245, 246, 247, 272, 273 as designated on Map 061-07 and Property Parcel Nos. 084, 085, 123, 124, 125, 126, 127, 128, 131 as designated on Map 061-11 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

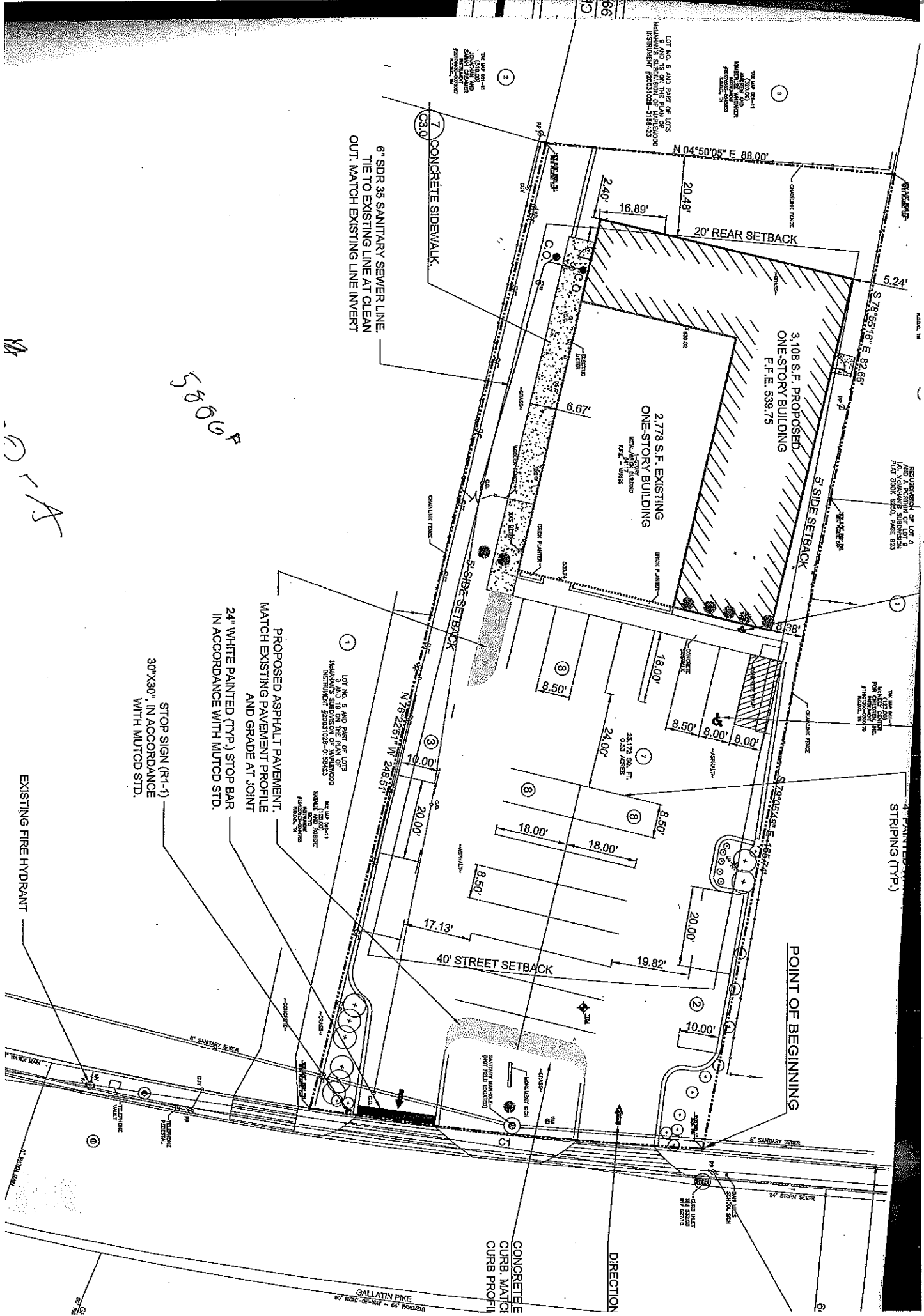
Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 061 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Karen Bennett

LEGISLATIVE HISTORY	
Introduced:	February 4, 2014
Passed First Reading:	February 4, 2014
Referred to:	Planning Commission - Approved 9-0 (February 27, 2014) Planning & Zoning Committee
Passed Second Reading:	March 4, 2014
Substitute Introduced:	March 18, 2014
Passed Third Reading:	March 18, 2014





5809A

R-1A

6" SDR 36 SANITARY SEWER LINE TIE TO EXISTING LINE AT CLEAN OUT. MATCH EXISTING LINE INVERT

PROPOSED ASPHALT PAVEMENT MATCH EXISTING PAVEMENT PROFILE AND GRADE AT JOINT
24" WHITE PAINTED (TYP.) STOP BAR IN ACCORDANCE WITH MUTCD STD.
STOP SIGN (R1-1) 30"X30", IN ACCORDANCE WITH MUTCD STD.

EXISTING FIRE HYDRANT

CONCRETE CURB MATCH CURB MATCH CURB PROFILE

POINT OF BEGINNING

DIRECTION

GALLATIN PIKE 60' RIGHT-OF-WAY - 64' POSITION

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Tuesday, December 11, 2018 9:39 AM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Cc: Lamb, Emily (Codes)
Subject: FW: 4117 Gallatin Pike BZA Appllication

For the case file.

From: VanReece, Nancy (Council Member)
Sent: Tuesday, December 11, 2018 7:29 AM
To: Michael, Jon (Codes)
Subject: Re: 4117 Gallatin Pike BZA Appllication

Thank you.
I am not in support of these variances.

Nancy VanReece | Metro Nashville Councilmember, District 8
@nvr4district8 | www.nvr4district8.com | www.fb.com/nvr4district8 | 615-862-6780

From: VanReece, Nancy (Council Member)
Sent: Friday, December 07, 2018 11:07 PM
To: Michael, Jon (Codes)
Subject: 4117 Gallatin Pike BZA Appllication

Hey Jon Michael -- what can you tell me about this?

Nancy VanReece | Metro Nashville Councilmember, District 8

@nvr4district8 | www.nvr4district8.com | www.fb.com/nvr4district8 | 615-862-6780

Lifsey, Debbie (Codes)

From: Julie Cook <juliecook2@gmail.com>
Sent: Tuesday, December 11, 2018 8:10 AM
To: Board of Zoning Appeals (Codes)
Subject: 4117 Gallatin Rd BZA Request

I don't even know where to begin on the multitude of variances this application has requested. The requirements are in place for a reason and the need to request so many variances, is essentially an attempt to put a square peg in a round hole. It simply doesn't work.

Please deny these requests as they make no sense for our neighborhood.

Thank you,

--
Julie Cook
juliecook2@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Appellant: Guerrier Development LLCDate: 11/13/18Property Owner: Guerrier Development LLCCase #: 2018-010Representative: Mitch PollardMap & Parcel: 072070195.00
COMMON ELEMENTCouncil 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 construct 2 single family
houses on parcel

* APPEAL IS TO NOT BUILD SIDEWALKS *

Activity Type: RESIDENTIAL CONSTRUCTIONLocation: 1238 C MCGAVOCK PIKE

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

Reason: VARIANCE TO SIDEWALK REQUIREMENTSection(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.

DeLisa Guertier
Appellant Name (Please Print)

Mitch Pollard
Representative Name (Please Print)

332 Lellyett Ave
Address

P.O. Box 331453
Address

Nashville, TN 37209
City, State, Zip Code

Nashville, TN 37203
City, State, Zip Code

615-971-1144
Phone Number

615-423-8312
Phone Number

dguerrier@gmail.com
Email

MitchpmoCRC@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



3578130

ZONING BOARD APPEAL / CAAZ - 20180071547
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07207019500

APPLICATION DATE: 11/13/2018

SITE ADDRESS:

1238 C MCGAVOCK PIKE NASHVILLE, TN 37216

LOT 25 PT 24 YOUNG SUB

PARCEL OWNER: GUERRIER DEVELOPMENT, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

Building two single family residences. Not allowed to pay into the sidewalk fund

*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 FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better-ideal 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 pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert 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 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) 862-6510

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


APPELLANT

11/12/18
DATE

Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the 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 owners 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 date of Zoning Code.

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

No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and 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 a 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, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-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 neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

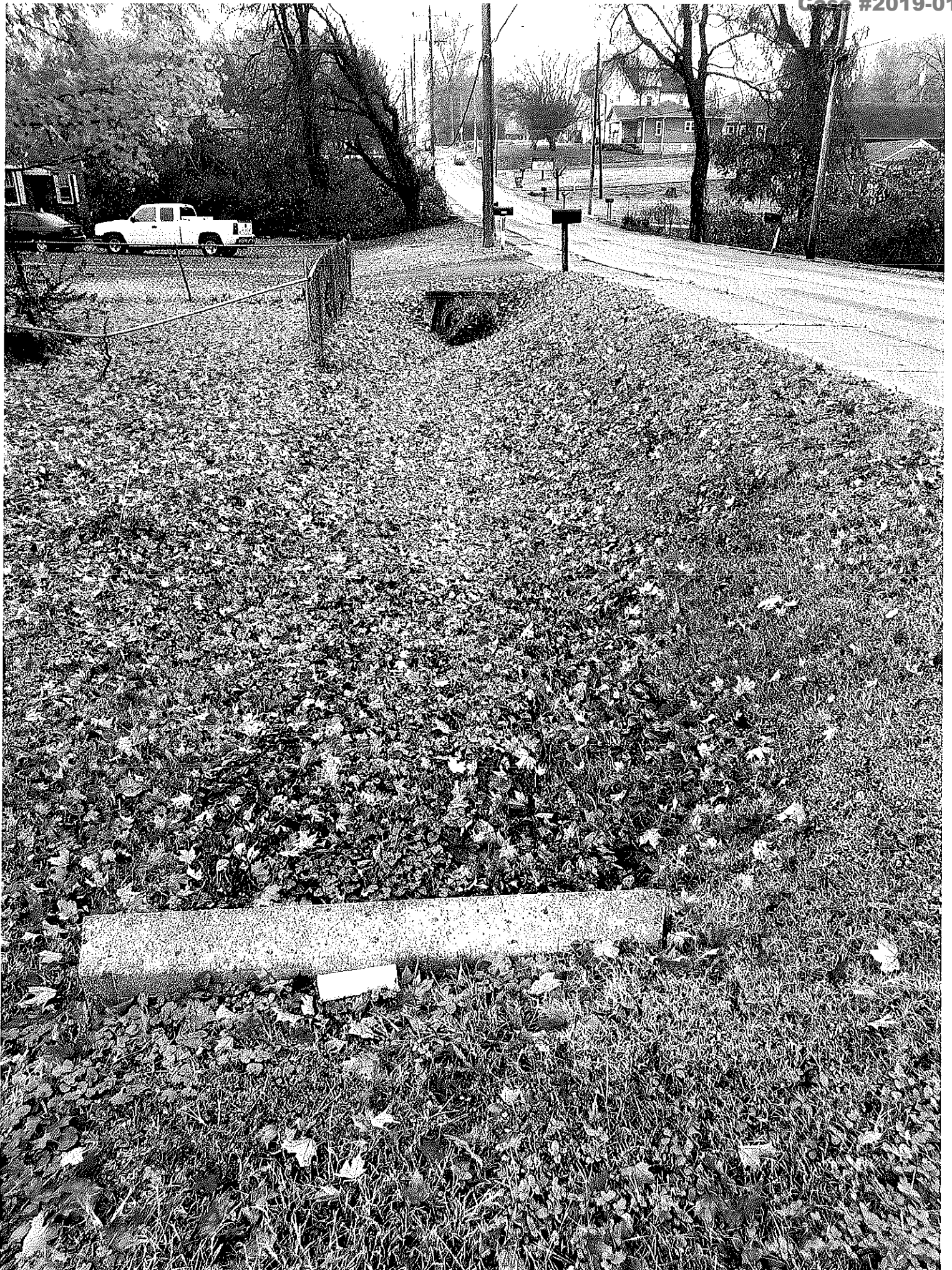
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or 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?

Physical Characteristics of property:
 giving existing storm drain and sanit. sewer sewers will fall either on top of or just out side drains and cause hardship and rerouting of storm water to creek, u

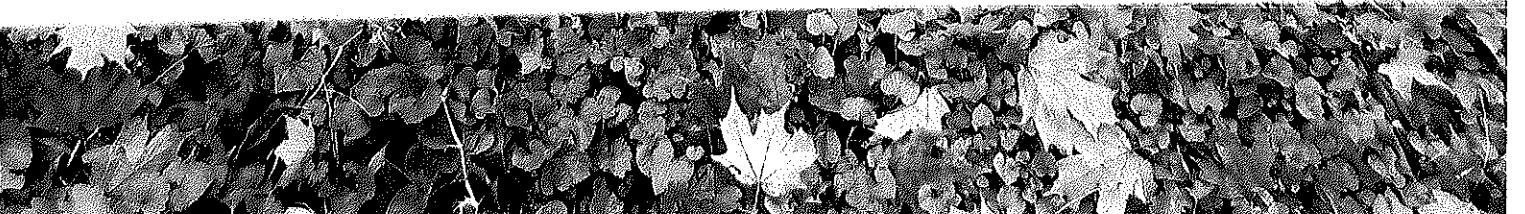
Unique characteristics - Hardship is not self imposed
 grant the variance will only allow for drainage to continue as it has been.

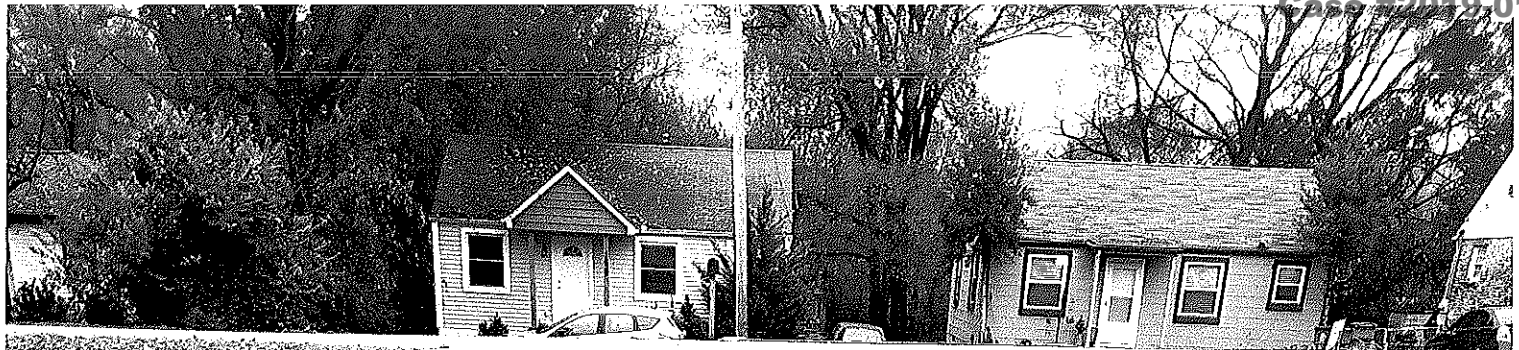






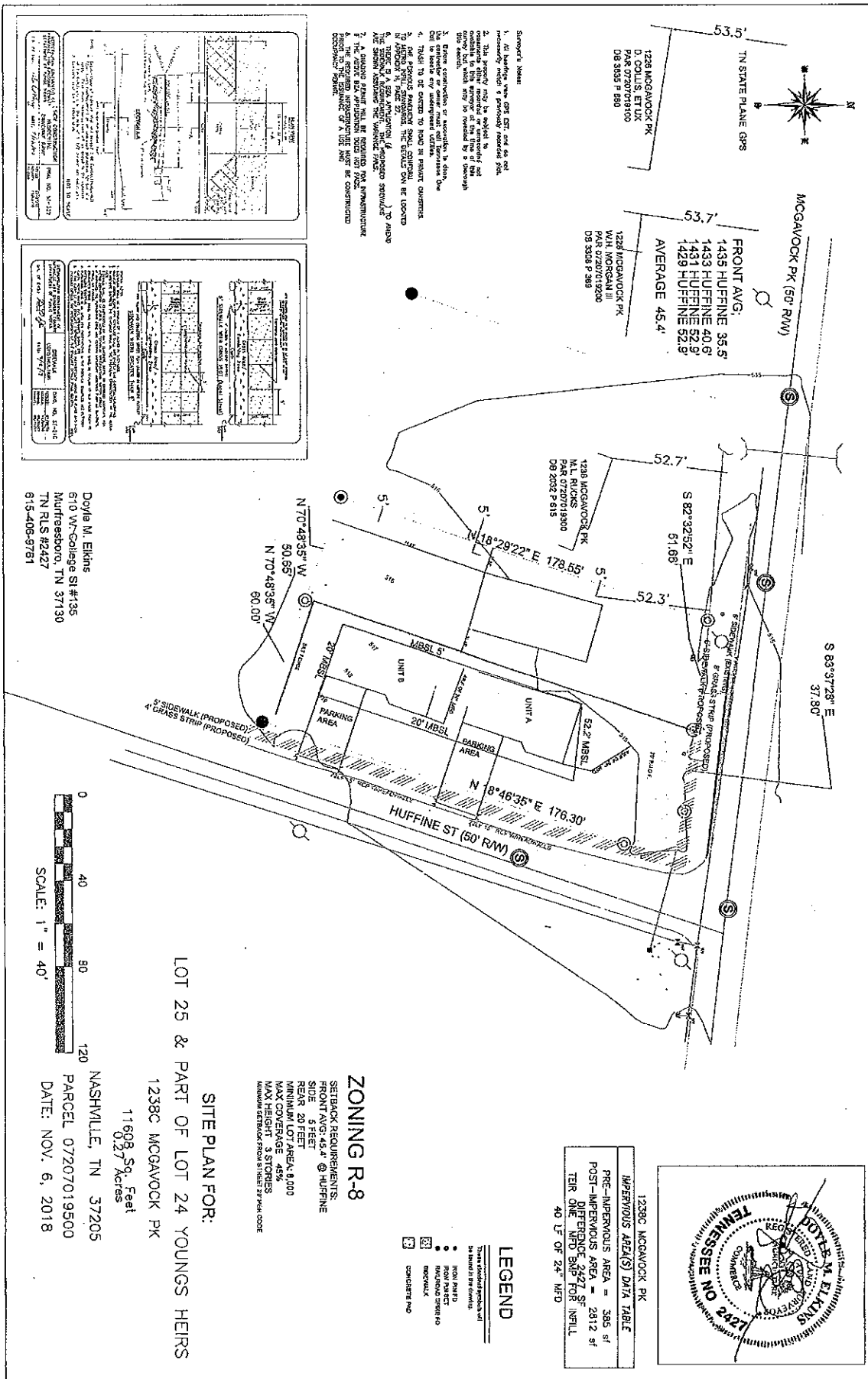
13F 6 13F 7 13F 8 13F 9 13F 10 13F 11 14F 1 14F 2 14F 3 14F 4 14F 5
16 2 16 3 16 4 16 5 16 6 16 7 16 8 16 9 17 0 17 1 17 2 17 3

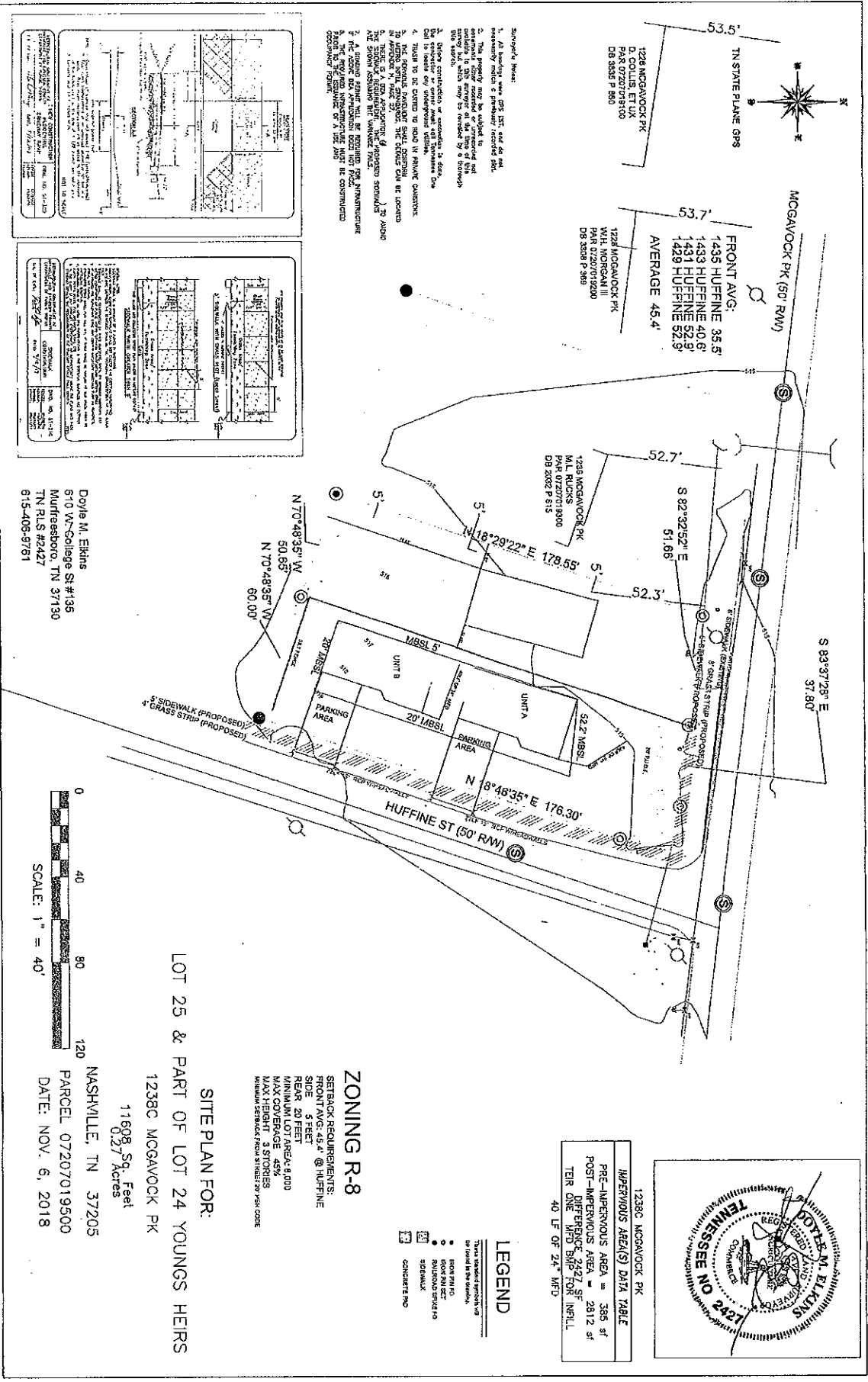












Surveyor's Note:

1. All boundaries were first set, and do not necessarily match e previously recorded plat.
2. This property may be subject to the provisions of the 1988 amendments to the Uniform Gifts to Minors Act (UGMA), which may be exercised by a through trust.
3. Before construction of any building, the owner should consult with the appropriate governmental agencies, including the city or county planning department, to determine if the proposed use is consistent with the applicable zoning ordinance and other applicable regulations.
4. The proposed front yard setback is for informational purposes only and does not constitute a guarantee or warranty of any kind.
5. THE LOTS ARE BEING SUBDIVIDED INTO TWO UNITS (UNIT A & UNIT B) FOR THE PURPOSES OF THE SURVEY ONLY. THE SURVEYOR IS NOT PROVIDING ANY GUARANTEE AS TO THE ACCURACY OF THE SURVEY OR THE FITNESS OF THE SURVEY FOR ANY PARTICULAR PURPOSE.
6. A corner marker will be required per applicable ordinance for each corner of the lots.



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IMPERVIOUS AREA(S) DATA TABLE

Area Description	Area (sq ft)
PRE-IMPERVIOUS AREA	385
POST-IMPERVIOUS AREA	2812
DIFFERENCE	2427
TIER ONE WPD BMP FOR INFILL	
40 LF OF 24" WPD	

LEGEND

- BOUNDARY POINT
- CENTER POINT
- SIDEWALK
- CONCRETE PAD

ZONING R-8

SETBACK REQUIREMENTS:

- FRONT AVG-45' @ HUFFINE
- SIDE 5 FEET
- REAR 20 FEET
- MINIMUM LOT AREA-5,000
- MAX COVERGAGE 45%
- MAX HEIGHT 8 STORIES
- MINIMUM SETBACK FROM STREET BY 5' PER CODE

SITE PLAN FOR:

LOT 25 & PART OF LOT 24 YOUNGS HEIRS

1238C MCGAWOCK PK

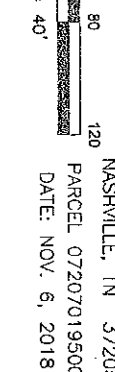
11698 Sq. Feet

0.27 Acres

NASHVILLE, TN 37205

PARCEL 07207019500

DATE: NOV. 6, 2018



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-010 (1238C McGavock Pike)

Metro Standard:	McGavock Pike – 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
	Huffine Street – 4' grass strip, 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not upgrade sidewalks
Zoning:	R8
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	McGavock Pike – T4-R-AB2
	Huffine Street – Local Street
Transit:	#4 – Shelby and #20 – Scott; approximately 0.38 miles east of future High Capacity Transit on Gallatin per nMotion
Bikeway:	None planned; none existing

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing a two family dwelling and requests a variance from upgrading sidewalks to the Major and Collector Street Plan standard due to the presence of an existing sidewalk and drainage facilities along the back of the existing sidewalk. Planning evaluated the following factors for the variance request:

- (1) The property has frontages on McGavock Pike and Huffine Street. A 5' sidewalk without a grass strip currently exists along the McGavock Pike property frontage, which is consistent with adjacent properties along the entire block face from Scott Street to Huffine Street. No sidewalk currently exists along the Huffine Street property frontage.
- (2) Storm drains and sanitary sewer facilities are currently located to the rear of the existing sidewalk on McGavock Pike and along the Huffine Street frontage. Constructing a wider grass strip and wider sidewalks will require the redesign of existing stormwater infrastructure which would impact adjacent properties to the south and west.
- (3) Along corner lots, priority should be given to streets with a higher functional classification identified in the Major and Collector Street Plan. In this instance, McGavock Pike is an Arterial-Boulevard, so emphasis for enhancing sidewalks should be along McGavock Pike which is likely to have more traffic.

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 contribute in-lieu of construction for the McGavock Pike property frontage.
3. Prior to the issuance of building permits, dedicate right-of-way along both property's frontages with McGavock Pike and Huffine Street to accommodate future sidewalks per the Major and Collector Street Plan and Local Street standards, respectively.

DAVID BRILEY
MAYOR

Case #2019-010
2019-010
OPPOSE



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

November 21, 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: 2019-010
1238C MCGAVOCK PIKE
Map Parcel: 07207019500
Zoning Classification: R8
Council District: 7

*Build the
sidewalks &
contribute to
the fund please.*

This is to inform you that Guerrier Development, LLC filed an appeal for the property at the above referenced location. The appellant requested a variance from sidewalk requirements. Should this request be approved, it would allow the applicant to construct two single family homes on one parcel without building sidewalks or paying into the sidewalk fund.

Thanks Chris

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

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 1/3/2019, beginning at 1:00 p.m. in the Sonny West Conference Center of the Howard Office Building, 700 2nd Avenue South. If you wish to show support or opposition to your neighbor's request, you may do so in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. We cannot guarantee written communication to be a part of the record unless it is received no later than Noon the Monday before the meeting date.

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

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at epermits.nashville.gov and search by permit # 20180071547 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: VERNON T KEESEE JR
Property Owner: VERNON T KEESEE JR
Representative: SELF

Date: 11/26/18
Case #: 2019- 016
Map & Parcel: 082.04005500

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:

CONSTRUCT 2 SINGLE FAMILY HOMES

Activity Type:

1104 A + B NORTH 8TH ST NASHVILLE TN 37207

This property is in the SP 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: SIDEWALK VARIANCE

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 _____ 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.

VERNON T KEESEE JR
Appellant Name (Please Print)

Representative Name (Please Print)

1101A NORTH 8TH ST
Address

Address

NASHVILLE TN 37207
City, State, Zip Code

City, State, Zip Code

6155661947
Phone Number

Phone Number

STRATUS, C, LLC @ G-MAZL.COM
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?

SEE THE ATTACHED

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district 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.

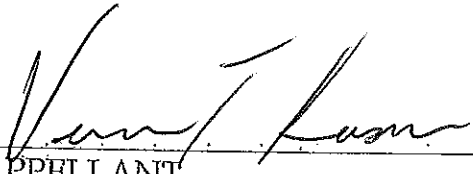
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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

10/22/18

 DATE

615 566 1947

"Tom"



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

Case #2019-016

 3489964

**BUILDING RESIDENTIAL - NEW / CARN - 2018023649
 Inspection Checklist for Use and Occupancy
 This is not a Use and Occupancy Notification**

PARCEL: 08204043000 **APPLICATION DATE:** 04/26/2018

SITE ADDRESS:

1104 B N 8TH ST NASHVILLE, TN 37207
 PT LOT 297 OAKWOOD PARK

PARCEL OWNER: KEESEE, VERNON T. JR.

CONTRACTOR:

APPLICANT: STRATUS CONSTRUCTION LLC
 VERNON KEESEE JR
 NASHVILLE, TN 37206 615-566-1947

STRATUS CONSTRUCTION LLC 57004 STBC-A

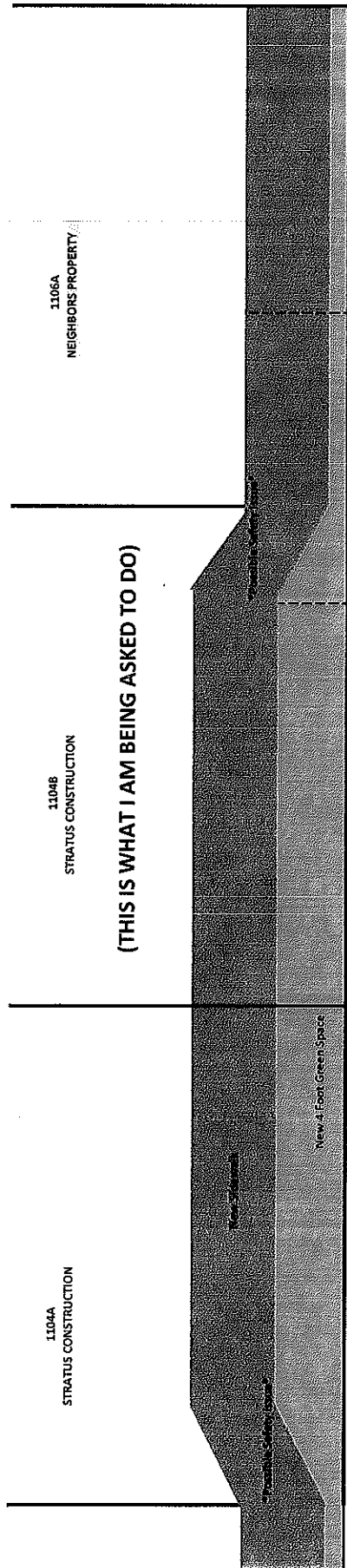
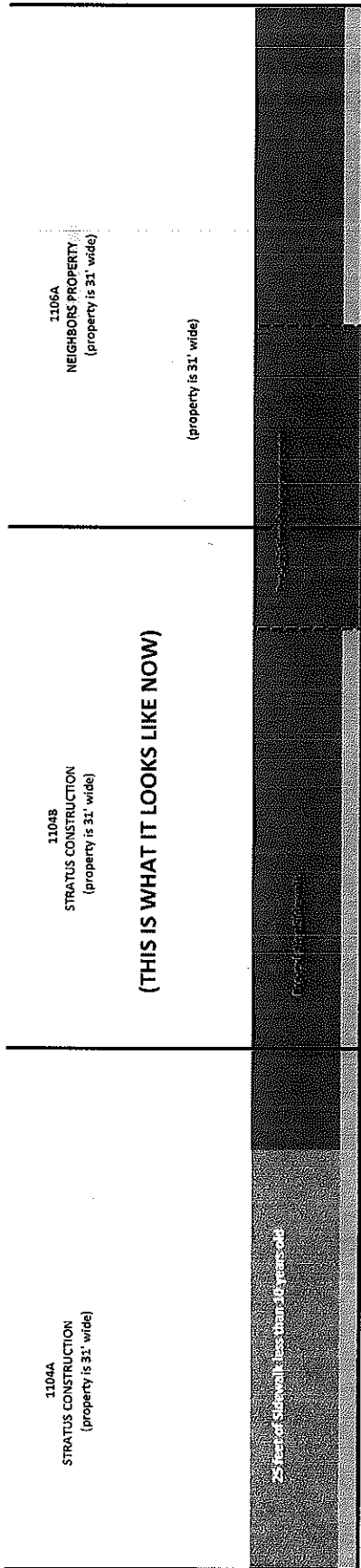
PURPOSE:

Permit to construct a single family residence with 2190sqft and 248 sq ft of porches and decks... 28.9 ft minimum front setback, 5 ft minimum side setback, 20 ft rear setback.....Maximum height 3 stories within 45 ft... Not to build over or obstruct any easements on property... *** 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. ***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**Sidewalks ARE required for this project because this parcel is within the UZO. You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction

*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 Sewer Availability Final Approval	862-7225
U&O Water Availability Final Approval	862-7225
U&O PW Sidewalk FA - CA Final Approval	862-8758 Benjamin.york@nashville.gov
SWGR U&O Sign-off	862-6038 logan.bowman@nashville.gov
Building Framing - Ceiling	Ronald.Rider@nashville.gov
Building Floor Elevation	Ronald.Rider@nashville.gov
Building Footing	Ronald.Rider@nashville.gov
Building Foundation	Ronald.Rider@nashville.gov
Building Framing	Ronald.Rider@nashville.gov
Building Framing - Wall	Ronald.Rider@nashville.gov
CA Building Progress Inspection	Ronald.Rider@nashville.gov
Building Slab	Ronald.Rider@nashville.gov
Building Final	Ronald.Rider@nashville.gov
U&O Letter	615-862-6527 tawanna.dalton@nashville.gov

Inspection requirements may change due to changes during construction.



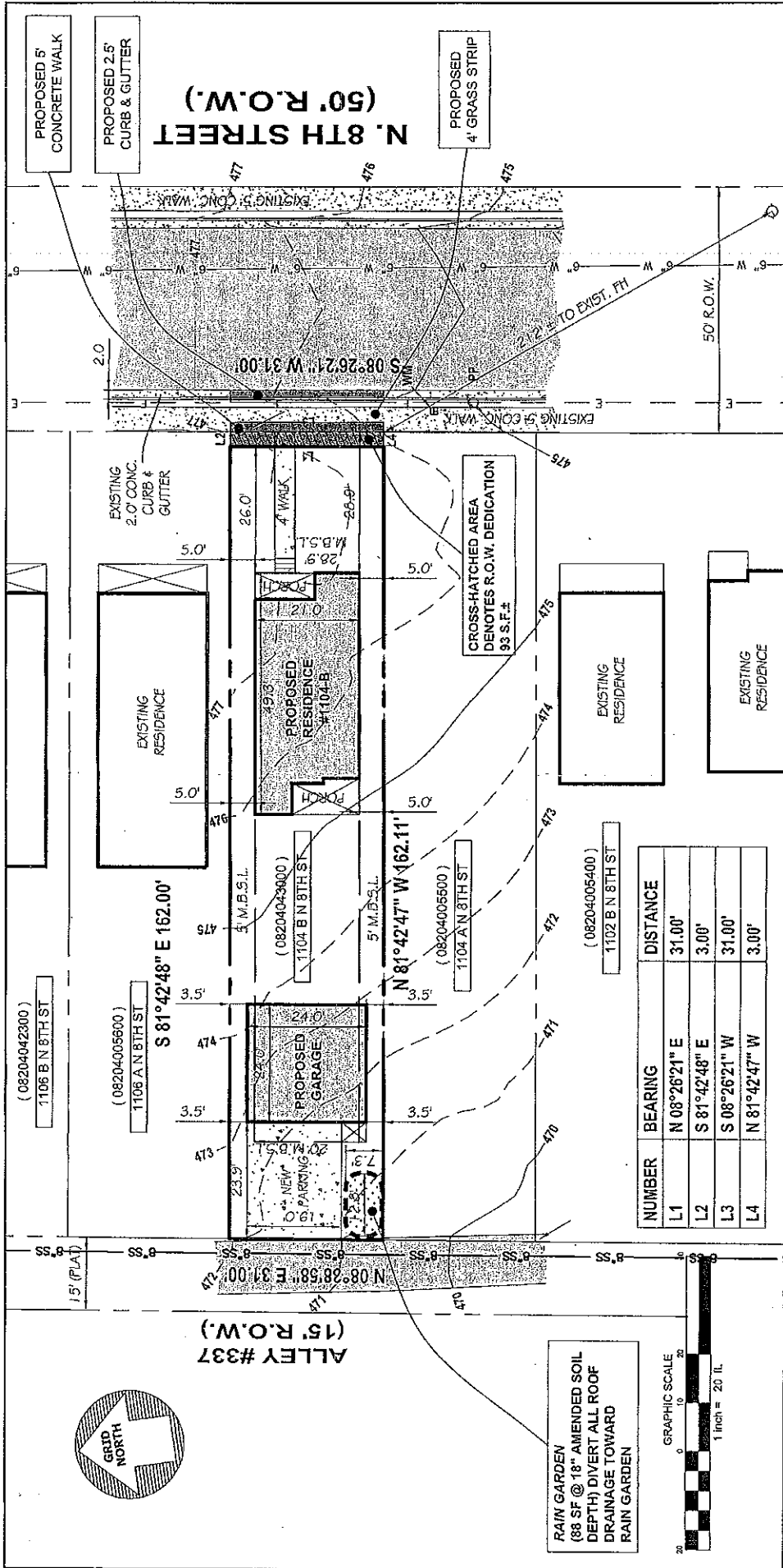
HARDSHIP IS:

Replace 25 feet of fairly new concrete so that the Grass strip can increase from 1.5 feet to 4 feet

Have to modify 1106A's apron to make it work because of slope of the apron

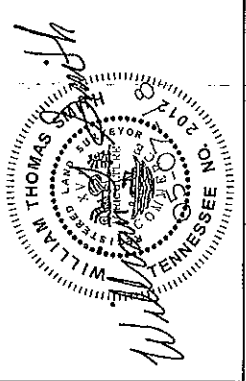
Will have to make the sidewalk different than the rest of the neighborhood by increasing the green space

Makes the sidewalk veer in and back out for no apparent reason which seems unsafe



SHEET NO.
S-1.0

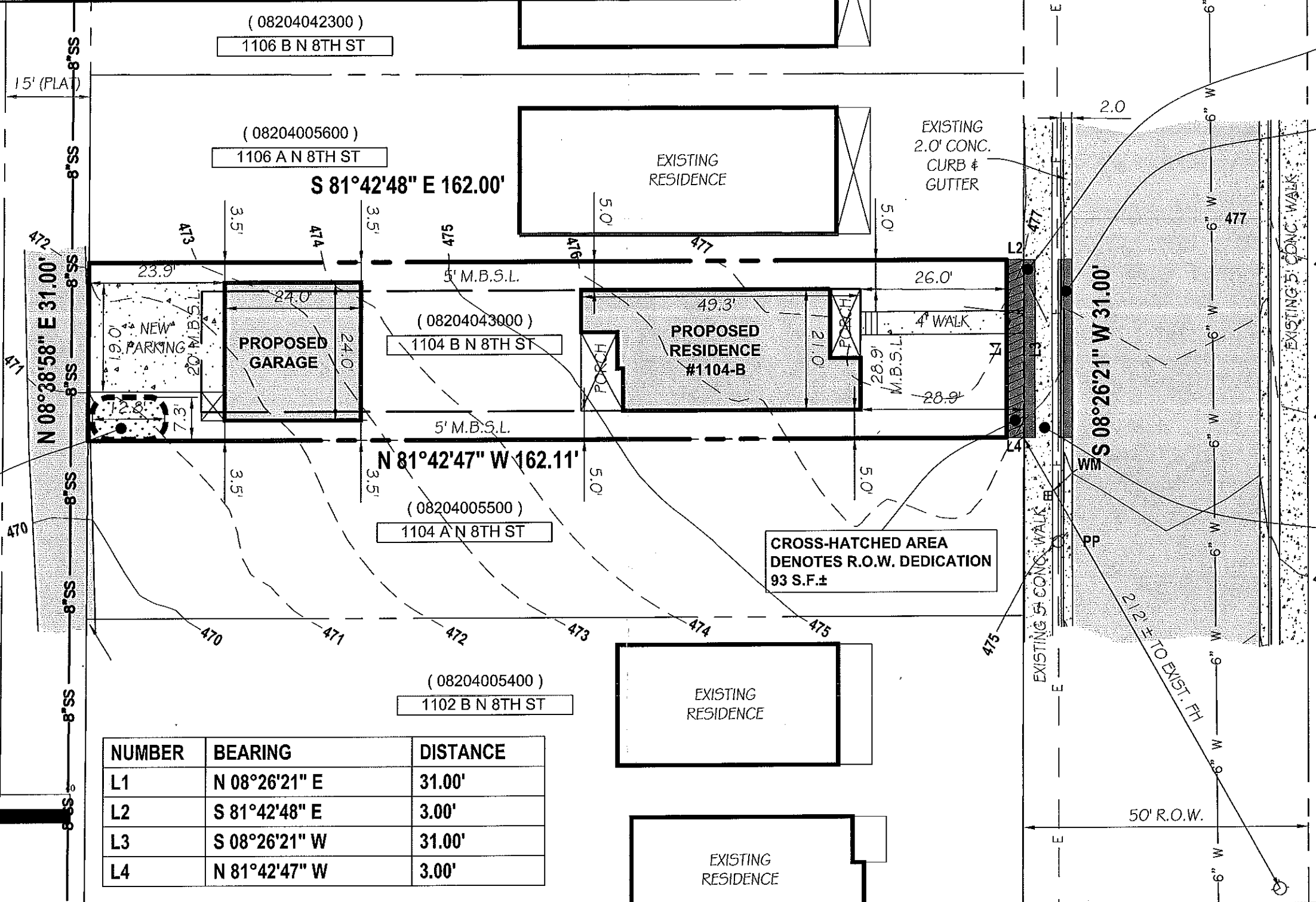
Site Plan
1104 B N. 8th St.
Nashville - Davidson Co., Tn.



Prepared By:
W.T. Smith- Land Surveying
 1004 Hickory Hill Lane - Suite #10
 Hermitage, TN 37076
 Phone: 615-712-6693
 Email: tommy@wtsmithsurvey.com

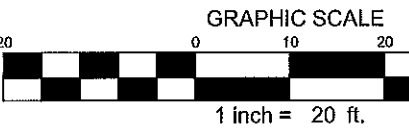


**ALLEY #337
(15' R.O.W.)**



- PROPOSED 5' CONCRETE WALK
- PROPOSED 2.5' CURB & GUTTER
- PROPOSED 4' GRASS STRIP

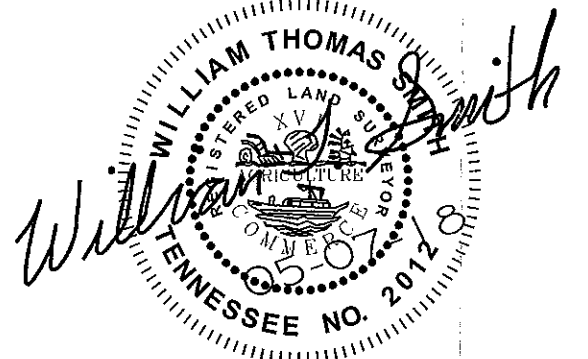
RAIN GARDEN
(88 SF @ 18" AMENDED SOIL DEPTH) DIVERT ALL ROOF DRAINAGE TOWARD RAIN GARDEN



NUMBER	BEARING	DISTANCE
L1	N 08°26'21" E	31.00'
L2	S 81°42'48" E	3.00'
L3	S 08°26'21" W	31.00'
L4	N 81°42'47" W	3.00'

CROSS-HATCHED AREA DENOTES R.O.W. DEDICATION
93 S.F.±

Prepared By:
W.T. Smith- Land Surveying
 1004 Hickory Hill Lane - Suite #10
 Hermitage, TN 37076
 Phone: 615-712-6693
 Email: tommy@wtsmithsurvey.com



Site Plan
1104 B N. 8th St.
Nashville - Davidson Co., Tn.

SHEET NO.
S-1.0

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-016 (1104B North 8th Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not upgrade sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	SP to allow detached accessory dwelling units with all other standards of the RS5 district being applicable
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	None existing; none planned
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is constructing two single family dwellings, and requests a variance from constructing sidewalks due to existing sidewalks. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk with a 1' grass strip currently exists on the property frontage. This is consistent with the entire block face.
- (2) The sidewalk design has not obstructions, however, there are also no topographic constraints to upgrading the sidewalk to the Local Street standard.
- (3) 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 **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.
2. 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.
3. Prior to the issuance of building permits, dedicate right-of-way along the property frontage to accommodate future sidewalks per the Local Street standards.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY!

Appellant : Tyler EnglettDate: 9-24-18Property Owner: Tyler EnglettCase #: 2018-595Representative: Tyler EnglettMap & Parcel: 083130Q00100COCouncil District 35

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: 1414 A Boscobel St.

This property is in the R2 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. Only 1 STRP permit is allowed on HPR. Applicant would be second STRP permit on lot.

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.

Tyler Englett

Appellant Name (Please Print)

Same as Appellant

Representative Name (Please Print)

1414 B Boscobel St.

Address

Address

Nashville, TN 37206

City, State, Zip Code

City, State, Zip Code

(615) 218-8773

Phone Number

Phone Number

itenglett@kw.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**

Case #2018-595

3562149

**ZONING BOARD APPEAL / CAAZ - 20180060498
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 083130Q00100CO

APPLICATION DATE: 09/24/2018

SITE ADDRESS:

1414 A BOSCOBEL ST NASHVILLE, TN 37206
UNIT A HOMES AT 1414 BOSCOBEL STREET

PARCEL OWNER: ENGLETT, JOHN T.

CONTRACTOR:

APPLICANT:

PURPOSE:

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Only 1 STRP permit is allowed on HPR. Applicant would be second STRP permit on lot.

*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--5th 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.

J. Tyler English

9-24-18

From: [Withers, Brett \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Briggs, Michael \(Planning\)](#)
Subject: Recommendations for District 6 items on the 12/6 Board of Zoning Appeals agenda
Date: Friday, November 30, 2018 11:00:52 AM

Members of the Board of Zoning Appeals:

There are several District 6 items on the upcoming meeting agenda and I have provided a summary of my recommendations for all of those cases below. I will be traveling on Council business that day and will be unable to join the meeting. Thank you for your service on what bodes to be a lengthy meeting.

- Case 2018-595 for property located at 1414A Boscobel: This is an STR case that had appeared on the last meeting's agenda but I did not find that a decision was rendered. This is an appeal to be permitted to obtain an STR permit for this side of an HPR duplex even though there is already an STR permit for the other side of the duplex. Nearby neighbors wrote in opposition to this appeal as did I. I oppose this appeal on the basis that the Metro Code limits STR permits to no more than one per lot. I cosponsored with Council Member Burkley Allen the ordinance that established this limit and would ask you to uphold it and deny this appeal in the interest of consistency.
- Case 2018-629 for property located at 307 S 10th Street: This is an appeal to demolish a house and construct two new homes on the lot without building sidewalks to standard or paying into the in-lieu fund. This case had been on the last meeting agenda and several nearby neighbors wrote in opposition to this appeal and I joined them in that opposition. South 10th Street is an arterial boulevard that connects an existing neighborhood center including a school at 10th/Fatherland just north of this property to a largely undeveloped neighborhood center at 10th/Shelby that already has commercial zoning entitlements in place and could be built out virtually at any time. It will be important to have adequate sidewalks for the increasingly busy S 10th Street as vehicular and pedestrian activity is already increasing in this area as new housing and businesses are opening on this corridor. I have spoken with the applicant. There is an existing 2' planting strip that is sufficient to accommodate the utility poles in the area. Constructing new sidewalks to standard would not require the installation of curbs and gutters or utility relocation, and therefore I can see an argument that the in-lieu fee for this frontage could be more expensive than constructing sidewalks to current standard. My strong preference would be that the applicant construct new sidewalks to the full standard including a 4' planting strip and an 8' sidewalk. What I would accept as a compromise is for the applicant dedicate any right-of-way easements but construct sidewalks with an alternative design wherein the existing 2' planting strip would remain in place but the applicant would construct new 8' sidewalks across the property frontage. Constructing not one but two new homes without contributing to or constructing sidewalks is not acceptable to me, but I am willing to compromise by supporting the construction of sidewalks only (curbs and gutters already exist) with an alternative design that still meets the current standards for sidewalk width on an Arterial Boulevard.
- Case 2018-632 for property located at 1315 Greenwood Ave: this is a fence variance case. The applicants have done a great job of explaining the nature of their hardship, which arises from their house being located directly across from the T-intersection of Greenwood Ave and North 14th Street in the Eastwood neighborhood. Both of these streets are classified as Collector Streets in the Major and Collector Street Plan. The Bendts have unfortunately experienced several cars running the stop sign at 14th/Greenwood and crashing into their yard. The sidewalks that exist on Greenwood Ave in front of their home are narrow and lack a planting strip and therefore there is not a reasonable way for Public Works to install chevron signage or a barricade as would take place in other similar situations. The Bendts have gone to unusual expense to install an engineered fence that may help to withstand the impact of a car should another accident unfortunately happen. This fence is a few inches higher than Code permits, but it is in line with the height of neighboring fences on adjacent lots. A further hardship for the lack of opacity in the fence materials is that the fence design and slightly elevated height may help to obstruct the shining of headlights into the yard and the house when vehicles stop at the stop sign opposite their house. Several neighbors have written in support of this hardship appeal and I support the hardship in order to permit the Bendts to maintain their existing fence.
- Case 2018-635 for property located at 927 Woodland Street: This is a sidewalk variance hearing that is related to a nonconforming parking variance hearing for which I spoke in favor of the

appeal to the Board at a hearing a few meetings ago. Neighbors and businesses in the vicinity of the 900 blocks of Woodland are experiencing quite a bit of parking congestion. The previous nonconforming parking variance that the Board granted permits the existing pull-in parking spaces to remain. The sidewalk variance is needed in this case because constructing sidewalks to the current standard would render those same parking spaces inaccessible. The current sidewalks are not quite to standard but are usable. In order to be consistent with the nonconforming parking variance that was granted, I ask the board to permit the applicant to keep the existing sidewalks in place in this appeal. For renovation projects, I have been supportive of foregoing in-lieu contributions with the thought that at some point if the building is demolished and the parcel is redeveloped new sidewalks should be constructed to the standard at that time. Therefore, in this building renovation or adaptive reuse case I support permitting the applicant to maintain the existing sidewalks and forego an in-lieu contribution other than making any repairs to abutting sidewalks that Public Works deems necessary.

- Case 2018-665 for property located at 721 Groves Park Road: This is a Contextual Overlay variance application. The applicant is seeking to construct a new single-family home on this property, which has duplex zoning entitlements. The variance seeks to permit a slight overage in lot coverage for the single-family home and to apply the provisions of the Sidewalk Bill to the Tillman Lane frontage rather than to the Groves Park frontage. The applicant made a presentation at the November meeting of Rolling Acres Neighborhood Association and their letter of support should be in your file. I find that there is a lot coverage and setback hardship given the unusual shape of this corner lot and the unusually small size of the existing houses on the two Tillman Lane properties that are adjacent to this lot. I also agree with applying Sidewalk Bill provisions to one side or the other of corner lots, but not both. There are no existing sidewalks in this vicinity and there are utility issues with constructing sidewalks on Groves Park Road. Therefore, I support the applicant's request to apply the Sidewalk Bill requirements to the Tillman frontage whether that be in the form of constructing new sidewalks or contributing to the in-lieu fund. In summary, I support both the Contextual Overlay lot coverage and contextual setback variance requests as well as the Sidewalk Bill variance request for this single-family home project.
- Case 2018-687 for property located at 619 Rosebank Ave: This is a sidewalk variance case for a corner lot located in the Rosebank neighborhood. There are existing sidewalks along the Rosebank Avenue frontage that do not meet current standards for a Collector Street but are usable. There are no sidewalks or curb-and-gutter system along the Meadow Rose frontage. There are utility poles and a fire hydrant behind the existing Rosebank Avenue sidewalks that could be impacted by constructing new sidewalks to standards. There is a culvert drainage system and other utility easements along the Meadow Rose side frontage. The applicant has asked to meet the requirements of the Sidewalk Bill by constructing new sidewalks along the Meadow Rose frontage inset ten feet from the street in order to avoid the culvert drainage system. My understanding is that in order to obtain a building permit Public Works and Metro Water Services would have to sign-off on a variance to construct sidewalks but not a curb and gutter system along Meadow Rose; therefore, granting a variance to construct a sidewalk but not a curb-and-gutter system along Meadow Rose could still potentially delay construction for an indefinite period of time. It is also my understanding that if Metro were to continue new sidewalks along Meadow Rose that we would need significant right-of-way dedication from homeowners in order to construct sidewalks with ten-foot planting strips. While I appreciate the applicant being willing to construct new sidewalks along the lengthy Meadow Rose frontage with a ten-foot inset, this design would not be continued by Metro and would result in pedestrians walking down the sidewalk and then down the neighbor's driveway. A further consideration is that I do have a Capital Improvements Budget request to add new sidewalks for Rosebank Avenue from Meadow Rose to Eastland across the street from this project and we will need to have an ADA-accessible ramp at this corner in order for pedestrians to access that new sidewalk when it is constructed. In consideration of all of these hardships and unique circumstances, my recommendation is that the applicant not construct new sidewalks on Meadow Rose that Metro would not be likely to continue but rather that they contribute to the in-lieu fund across the Rosebank Avenue property frontage (about 80 feet) minus any costs incurred by requiring them to install a new ADA-compliant corner ramp per Public Works standards.

Brett A. Withers

Metro Council, District 6

Mobile (615) 427-5946 | [facebook.com/Brett A. Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/brettawithers)

From: [Withers, Brett \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Nathan Oliver](#); [Elizabeth Smith](#)
Subject: Letter of opposition to Case 2018-595, 1414A Boscobel
Date: Thursday, November 8, 2018 10:16:23 AM

Members of the Board of Zoning Appeals:

I am writing to express that I cannot support the appeal to allow an STR permit at 1414A Boscobel Street as there is already an STR Permit at 1414B Boscobel on that same duplex-zoned parcel. The Metro Council early on in the current term agreed to limit STR permits to no more than one permit per lot. I joined CM Burkley Allen as the cosponsor of Ordinance BL2015-94 https://www.nashville.gov/mc/ordinances/term_2015_2019/bl2015_94.htm which added this one-permit-per-lot cap and which passed third and final reading in January of 2016. From time to time I receive requests from homeowners of HPR duplexes to revisit this provision; however, I believe you would agree that the tenor of discussions about STRs in Nashville has not presently reached a comfort level within which to discuss expanding eligibility for STR permits. As a city we are still grappling with enforcement of the current regulations.

I have also received emails from neighbors living on the same block as this property expressing opposition to this appeal, and therefore I must join the neighbors in opposition. Thank you for your service.

Brett A. Withers
Metro Council, District 6
615.427.5946 | Facebook.com/ Brett A. Withers | twitter.com/@brettawithers

Sent via iPhone

From: [Mark Krause](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Fwd: Letter of opposition to Case 2018-595, 1414A Boscobel
Date: Monday, November 12, 2018 10:41:39 AM

Members of the Board of Zoning Appeals.

As a neighbor of the property at 1414A Boscobel (we are at 1408A Boscobel), I am also asking that you denial the appeal for a STR permit on this property. As our Metro Council Representative, Mr Brett Withers states we have a regulation that only allows one STR per lot. When this property was first purchased they applied for a second permit, 1414B already has a permit, they were denied. Not that that has stopped them from renting 1414A on most weekends. Now they again are asking for a second permit. So I ask that you again site the existing Ordinance and reject their application. Thank you for the consideration and your service.

Mark Krause
 1408A Boscobel Street.

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

From: **Withers, Brett (Council Member)** <Brett.Withers@nashville.gov>
Date: Thu, Nov 8, 2018 at 12:08 PM
Subject: Fwd: Letter of opposition to Case 2018-595, 1414A Boscobel
To: Mark Krause <markfkrause@gmail.com>

FYI-

Brett A. Withers
 Metro Council, District 6
 615.427.5946 | Facebook.com/ Brett A. Withers | twitter.com/@brettawithers

Sent via iPhone

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

From: "Withers, Brett (Council Member)"
 <Brett.Withers@nashville.gov<mailto:Brett.Withers@nashville.gov>>
Date: Thu, Nov 8, 2018 at 10:16 AM -0600
Subject: Letter of opposition to Case 2018-595, 1414A Boscobel
To: "Board of Zoning Appeals (Codes)" <bza@nashville.gov<mailto:bza@nashville.gov>>
Cc: "Michael, Jon (Codes)"
 <Jon.Michael@nashville.gov<mailto:Jon.Michael@nashville.gov>>, "Lamb, Emily (Codes)"
 <Emily.Lamb@nashville.gov<mailto:Emily.Lamb@nashville.gov>>, "Shepherd, Jessica
 (Codes)" <Jessica.Shepherd@nashville.gov<mailto:Jessica.Shepherd@nashville.gov>>,
 "Nathan Oliver" <nathandoliver@gmail.com<mailto:nathandoliver@gmail.com>>, "Elizabeth
 Smith" <e.smith.3060@gmail.com<mailto:e.smith.3060@gmail.com>>

Members of the Board of Zoning Appeals:

I am writing to express that I cannot support the appeal to allow an STR permit at 1414A Boscobel Street as there is already an STR Permit at 1414B Boscobel on that same duplex-zoned parcel. The Metro Council early on in the current term agreed to limit STR permits to no more than one permit per lot. I joined CM Burkley Allen as the cosponsor of Ordinance BL2015-94 https://www.nashville.gov/mc/ordinances/term_2015_2019/bl2015_94.htm which added this one-permit-per-lot cap and which passed third and final reading in January of 2016. From time to time I receive requests from homeowners of HPR duplexes to revisit this provision; however, I believe you would agree that the tenor of discussions about STRs in Nashville has not presently reached a comfort level within which to discuss expanding eligibility for STR permits. As a city we are still grappling with enforcement of the current regulations.

I have also received emails from neighbors living on the same block as this property expressing opposition to this appeal, and therefore I must join the neighbors in opposition. Thank you for your service.

Brett A. Withers
Metro Council, District 6
615.427.5946 | Facebook.com/ Brett A. Withers | twitter.com/@brettawithers

Sent via iPhone

--

Mark F Krause
General Manager
McLanahan Corp.
615-651-0762

From: [Dees, Susan](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: appeal case number 2018-595
Date: Tuesday, November 13, 2018 7:15:42 AM

Board of zoning appeals:

I live at 406 south 15th street my backyard is adjacent to the property in question.

I would like to give a few reasons why this appeal should be denied.

1. The traffic has increased in the area since short term rentals have been allowed. Boscobel Street was a very quiet street. Now congested with parked cars and heavy traffic in the area.
2. I was outside with my dogs when that house was broken into and it scares me that crime is now more prevalent in out once quiet area of Lockland Springs, but now it is in my backyard.
3. The builders built a fence which is on my property line and they put a gate that opens up into my yard. One step out of the gate they are on my property. I have to trust that the owners will not open that gate. Having a constant turn of short term rentals inhabiting the property I am concerned for the safety for myself and my family.
These are my concerns. I believe the simple fact that the owner is not on property this request should be denied.

Thank you ,

Susan Dees

Accounts Payable
Schatten Properties Management company
1514 South Street
Nashville, TN 37212
P: 615-329-3011 x3324
F: 615-327-2343
susan.dees@schattenproperties.com

.Life isn't about waiting for the storm to pass, it's about learning to dance in the rain. – Vivian

Greene

TO: Metro Board of Zoning Appeals

RE: 20180060498

This letter is to express my opposition to another short-term rental permit at 1414A Lillian ST. My specific concerns are due to the following:

1) Lack of a neighbors. This is a neighborhood and not a hotel district. Visitors do not contribute to the overall community of this area. We do not need another business in this area.

2) Parking in this area is becoming tighter and tighter and to add additional cars to this area with possibly each visitor driving separately.

3) Trash. The amount of trash/recycling produced and not properly placed in the cans can be excessive.

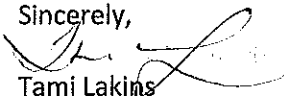
This alley floods frequently with heavy downpours, which in turn knocks over the trashcans. With no one living in these units, the trash is then left for others to clean up or it does not happen at all. (There is currently a piece of furniture that has been there since this summer.)

4) Party like atmosphere. Most of the visitors have been respectful of the noise, and the current owners have been willing to address these issues when needed. However, when 8-10 people gather in the yard and celebrate, it becomes noisy.

5) The rumor that visitors from unit B broke into unit A is also a concern. There is nothing officially reported, so it may only be a rumor.

To summarize, I am opposed to another short-term rental on this lot.

Sincerely,


Tami Lakins

318 S. 15th ST

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Appellant : Renee MaxDate: 9-28-18Property Owner: Anne BallardCase #: 2018-606Representative: Renee MaxMap & Parcel: 10411026600Council District 18

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: 2619 Essex Pl.

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 on an expired short term rental permit.

Section(s): 17.16.250 (E)

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

Renee Max

Appellant Name (Please Print)

Same as Appellant

Representative Name (Please Print)

718 Starlit

Address

Address

Nashville, TN 37205

City, State, Zip Code

City, State, Zip Code

(615) 975-7043

Phone Number

Phone Number

songbirdstudios@att.net

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



3564222

ZONING BOARD APPEAL / CAAZ - 20180061907
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10411026600

APPLICATION DATE: 09/28/2018

SITE ADDRESS:

2619 ESSEX PL NASHVILLE, TN 37212

LOT 126 BRANS RLTY CO SUB OF, EDGAR JONES HOME PLACE

PARCEL OWNER: BALLARD, ANNE T.

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.

Kenley representing *Lenne Becklund*



AFFIDAVIT FOR SHORT TERM RENTAL

I, Anne Ballard hereby authorize Renee May to apply for a Short Term Rental Permit for my property located at 2619 Essex Pl Nashville, TN 37212

[Signature]
Signature

9-25-18
Date

Affiant's PRINTED Name Aubrey Hand
Affiant's Address 73 White Bridge Rd. #103 Nashville, TN 37205

Representative's Email songbirdstudios@att.net
Phone 615.975.7043

Notary Public on continued page...



AFFIDAVIT FOR SHORT TERM RENTAL

COUNTY OF DAVIDSON

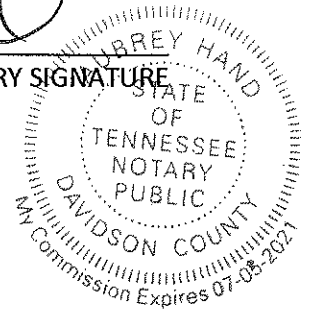
STATE OF TENNESSEE

Before me, Aubrey Hand, a Notary Public for said County and said State, appeared [Signature], with whom I am personally acquainted, or proved to me on the basis of satisfactory evidence, and who acknowledged that he/she is the Representative for STRP Permit# 100, and that in the capacity of Representative executed the foregoing Affidavit for the purposes therein contained.

This the 25 day of Sept., 2018.

[Signature]

NOTARY SIGNATURE



My Commission Expires: 07.05.21

2018-606

Subject: Re: Your Airbnb account was canceled

From: Anne Ballard <anneballard@mac.com>

Date: 12/6/18, 6:17 PM

To: songbirdstudios@att.net

Also, I didn't take any new bookings after that, I just was frantically trying to cancel them when Airbnb was telling me they were charging 25 bucks a cancellation and then 50 bucks a cancellation and when I got to 100 is when I called them and said how am my supposed to cancel if you keep charging me - this is gonna cost me a fortune just to cancel these bookings because they were out through the end of this year.

On Dec 6, 2018, at 7:15 PM, Anne Ballard <anneballard@mac.com> wrote:

I think I received the letter feb 16 or 17 bc I have a text telling my friend about it on that Sunday.

On Dec 6, 2018, at 7:09 PM, Anne Ballard <anneballard@mac.com> wrote:

This is the official cancellation of my account. I will have to look for the letter date. I know it took a little time to cancel bc I was trying to cancel

bookings manually and they kept charging me fees, til I finally called in and asked how I was supposed to cancel if they kept charging me. That's when they said they would do all the canceling, reimburse the fees, and close the account.

Just landed, will find the letter.

Begin forwarded message:

From: Airbnb <automated@airbnb.com>

Date: March 3, 2018 at 11:14:57 AM EST

To: anneballard@mac.com


Subject: Your Airbnb account was canceled



**Your Airbnb account was
canceled**

Re: Your Airbnb account was canceled

When you cancel your account, your profile and any listings will no longer appear on the site. Any reservations you have made as a host or a guest will automatically be canceled. You can contact us anytime to reopen a canceled account.

 Where would you like to go?

Sent with ♥ from Airbnb

Airbnb, Inc., 888 Brannan St, San Francisco, CA 94103

[Earn travel credit](#)

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Anne Ballard
2619 ESSEX PL

Appeal Case 2018-606

Map Parcel: 10411026600
Zoning Classification: RS7.5

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a 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.

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.

It is ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DEFERRED to 1/3/18.

UPON MOTION BY: David Taylor

Seconded By: Cynthia Chappell

Ayes: Christina Karpynech, David Ewing, David Harper, Ross Pepper

Nays:

Abstaining:

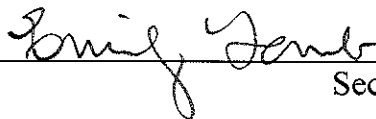
Absent: Alma Sanford

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Donghong Xu
2818 BELCOURT AVE

Appeal Case 2018-618

Map Parcel: 10406030700

Zoning Classification: RS7.5

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a an Item A appeal, challenging the zoning administrator's revocation of a short term rental permit.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED, and the Zoning Administrator's decision shall be upheld.

UPON MOTION BY: Cynthia Chappell

Seconded By: David Taylor

Ayes: Christina Karpyneec, David Ewing, Ross Pepper

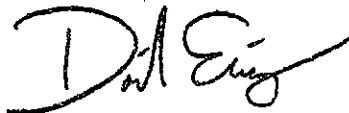
Nays: David Harper

Abstaining: Alma Sanford

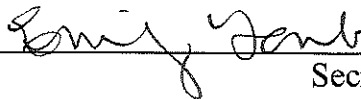
Absent:

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Robin Perry
5533 THALMAN DR

Appeal Case 2018-658

Map Parcel: 16109014400
Zoning Classification: R15

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a 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.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED; however, the appellant is eligible to apply for a permit on 1/2/19.

UPON MOTION BY: David Taylor

Seconded By: David Harper

Ayes: David Ewing, Cynthia Chappell, Christina Karpynec, Ross Pepper, Alma Sanford

Nays:

Abstaining:

Absent:

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE:

Appeal Case 2018-661

1102A JOSEPH AVE

Map Parcel:

082030B00200CO

Zoning Classification:

SP

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a an Item A appeal, challenging the cancellation of a short term rental permit in a Specific Plan zoning district that does not allow short term rental activity.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED, and the Zoning Administrator's decision shall be upheld.

UPON MOTION BY: Cynthia Chappell

Seconded By: Ross Pepper

Ayes: David Ewing, David Taylor, Alma Sanford

Nays:

Abstaining:

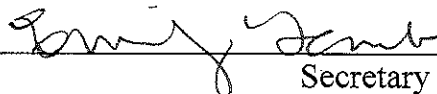
Absent: Christina Karpyneec, David Harper

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



 Chair



 Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Barry King
637 GIBSON DR

Appeal Case 2018-669

Map Parcel: 05104004200

Zoning Classification: 8

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a 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.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED; however, the appellant is eligible to apply for a permit on 12/17/18.

UPON MOTION BY: David Taylor

Seconded By: Alma Sanford

Ayes: David Harper, David Ewing, Christina Karpynech, Ross Pepper

Nays:


Abstaining:

Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS


Chair


Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Staci Koger
4965 SULPHUR CREEK RD

Appeal Case 2018-670

Map Parcel: 04700010800

Zoning Classification: AR2A

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a 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.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED; however, the appellant is eligible to apply for a permit on 1/2/19.

UPON MOTION BY: David Taylor

Seconded By: David Harper

Ayes: Alma Sanford, Ross Pepper

Nays: David Ewing, Christina Karpynech

Abstaining:

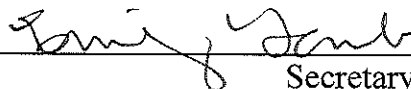
Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Harold Johnson
116 9TH CIR S

Appeal Case 2018-671

Map Parcel: 105020C00100CO
Zoning Classification: R6

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a an Item A appeal, challenging the zoning administrator's cancellation of a short term rental permit due to a change in property ownership.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED, and the Zoning Administrator's decision shall be upheld.

UPON MOTION BY: Ross Pepper

Seconded By: David Ewing

Ayes: Christina Karpynec, David Taylor, Alma Sanford

Nays: David Harper

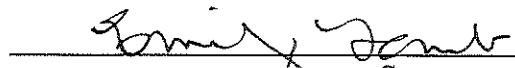
Abstaining:

Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS


Chair


Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Harold Johnson
118 9TH CIR S

Appeal Case 2018-672

Map Parcel: 105020C00200CO
Zoning Classification: R6

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a an Item A appeal, challenging the zoning administrator's cancellation of a short term rental permit due to a change in property ownership.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED, and the Zoning Administrator's decision shall be upheld.

UPON MOTION BY: Ross Pepper

Seconded By: David Ewing

Ayes: Christina Karpynec, David Taylor, Alma Sanford

Nays: David Harper

Abstaining:

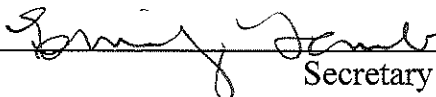
Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: JOHNSON, HAROLD
425A 36TH AVENUE

Appeal Case 2018-673

Map Parcel: 092090U00100CO

Zoning Classification: R6

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a an Item A appeal, challenging the zoning administrator's cancellation of a short term rental permit due to a change in property ownership.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED, and the zoning administrator's decision shall be upheld.

UPON MOTION BY: Ross Pepper

Seconded By: David Ewing

Ayes: Christina Karpynech, Alma Sanford, David Taylor

Nays: David Harper

Abstaining:

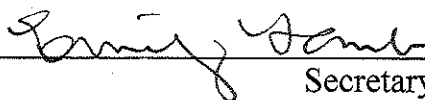
Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Carl Kahle
300 LADYBIRD DR

Appeal Case 2018-675

Map Parcel: 13501007800

Zoning Classification: RS10

ORDER

This matter came to be heard in public hearing on 12/13/2018, before the Metropolitan Board of Zoning Appeals, upon application for a 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.

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

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (A) of the Metropolitan Code.

It is therefore ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be DENIED; however, the appellant is eligible to apply for a permit on 12/17/18.

UPON MOTION BY: David Taylor

Seconded By: Alma Sanford

Ayes: David Harper, Ross Pepper, Christina Karpynek, David Ewing

Nays:

Abstaining:

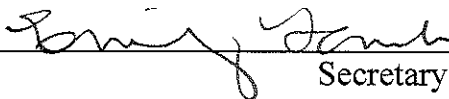
Absent: Cynthia Chappell

ENTERED THIS 18 DAY OF December, 2018

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

To whom it may concern,

I live at [2617 Essex Place](#), directly adjacent to the property in question, 2619 Essex place. We have lived here for the last 3 months, having moved from Williamson county.

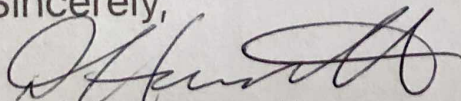
I completely respect the right of a homeowner to rent their home. However, regarding the current property, we have already had several issues. Firstly, because of the size of this home there are large parties that will stay for the weekend. They are quite loud and I have had to come outside to tell them to keep the noise level down after midnight on several occasions. My children's room is directly above this property's back porch which seems to be a common place for after hours congregation.

Secondly, we have had one incident which has required a phone call to police. On the night of November 4 at 2 AM, a woman staying in the house next-door walked through our gate and onto our front porch. Our dogs started barking which woke us up. When we came to the front and looked out the window, we could see her looking into our cars with a flashlight. I called the police and they searched the area and made sure that nothing had been stolen or vandalized.

My understanding is that current codes within Davidson County allow for short term rental as long as the house is occupied by the owner. There are other short term rentals on our street and we have not had any of the same problems. All of these properties are occupied by the owner. The current property at 2619 is NOT occupied by the owner and there is no oversight of the renters. This would seem to be in complete violation of current codes/regulations.

In short, the current arrangement is unacceptable.

Sincerely,



David Huneycutt

David.Huneycutt@hcahealthcare.com

From: [Jay Ress](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Permit # 20180061907 Map Parcel 10411026600
Date: Thursday, October 25, 2018 3:31:09 PM

Re: Permit # 20180061907 Map Parcel 10411026600
Request for Short Term Rental License

I am Jay Ress, living across the street from this property at 2622 Essex Place. I would like to strongly oppose this request.

1. This is a quiet residential street with many families with small children and long time elder residents. Not suited at all to transient renters.
2. There have already been issues with traffic, parking, and noise associated with this property since its use as an (unlicensed) short term rental. I have two middle school children, and they should not be subjected to the risks and inconvenience of a short term rental right across the street.
3. This part of the street is already stressed by construction that does not comply with our zoning due to "grandfathered" properties being torn down and rebuilt with high density and zero yard space. This will just make matters worse.
4. There is no indication that an absentee landlord could properly manage or respond to concerns.

Thanks on behalf of myself, my children, and the other families on this street for considering these factors in your decision.

Best wishes,

Jay Ress
2622 Essex Place
Nashville, TN 37212
jayresspmp@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Pantheon Development, LLC

Date: 10-17-18

Property Owner: Pantheon Development, LLC

Case #: 2018-660

Representative: James Reedy

Map & Parcel: 083100E00100CO

Council District 06

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

Purpose: To renew a STRP permit.

Activity Type: Short Term Rental

Location: 408 Rudolph Ave.

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 renewal due to applying beyond expiration date which triggered operating without a STRP 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.

James Reedy
Appellant Name (Please Print)

Same
Representative Name (Please Print)

5137 Remington Dr.
Address

Address

Brentwood, TN 37027
City, State, Zip Code

City, State, Zip Code

(615) 579-0771
Phone Number

Phone Number

jamie@pantheondevco.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



3569993

ZONING BOARD APPEAL / CAAZ - 20180065948
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08310037100

APPLICATION DATE: 10/17/2018

SITE ADDRESS:

408 RUDOLPH AVE NASHVILLE, TN 37206

LOT 239 MCEWEN PLACE

PARCEL OWNER: PANTHEON DEVELOPMENT, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

Item A appeal, challenging the zoning administrator's denial of a short term rental permit renewal due to applying beyond expiration date which triggered operating without a STRP permit.

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

There are currently no required inspections

Inspection requirements may change due to changes during construction.

DAVID BRILEY
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

July, 20th 2018

Mr. James Reedy III
5137 Remington Dr.
Brentwood, TN 37027

RE: Permit CASR #201512680, 201512754, 201512683
408 Rudolph Ave, 410 A Rudolph, 410 B Rudolph

Dear Mr Reedy:

Pursuant to Section 17.16.250(B) of the Metropolitan Code of Laws, this letter serves as your formal notice of the cancellation of the above referenced STRP permit. The permits expired on April 7th, 2018. The renewal documents that you submitted, dated June 6th were received well beyond the renewal deadline. Therefore, these permits are expired.

All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such actions at the subject address will be a violation of law and subject you to court proceedings. You have the right to appeal this decision at the Board of Zoning Appeals.

Sincerely,

Jon Michael
Metro Codes

December 27, 2018

From:

Deatra & Jacquelyn Smith
1611 McEwen Ave.
Nashville, TN 37206

To:
Metropolitan Board of Zoning Appeals
Metro Office Building
800 Second Ave. South
P.O Box 196300
Nashville, TN 37219-6300

RE: Appeal Case # 2018-660

Dear Board of Zoning Appeals:

As homeowners in this area for over 35 years, we are writing today to express our absolute opposition to this appeal. We purchased our home here because we liked the stability of the neighborhood environment. This type of short term rental house is a problem for our neighbors & our neighborhood.

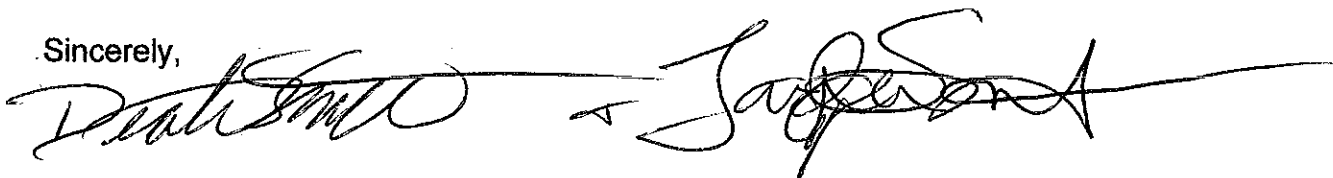
Pantheon Development owns three large short term rental houses right next to each other one half block from our home. These houses primarily are rented to groups that are looking for a place to party i.e. bachelorette & bachelor parties. This type of renters are loud and drunk; and do not respect our neighborhood. Men openly urinate in the front yard. They strew their trash about the streets and the neighbors are often left to pick up after them. Complaint calls to Pantheon Development go unanswered. They are unresponsive and refuse to admit that there is a problem. The owners of Pantheon Development do not live in this neighborhood and have no vested interest in what happens here. They are a business and have no place running their business in our neighborhood. If we, as business owners, cannot run our business from our house, they should not be allowed as well.

We have had other neighbors with short term permits rent out space and their renters are quite respectful. That is because the spaces are small and the owners live on the premises. Good behavior is a requirement and the owners are easily available to the neighbors if there is a problem.

We are shocked that a company with at least three short term rentals (that we know of) could overlook such an important renewal deadline and then, continue operating illegally.

Thank you for your time.

Sincerely,

Handwritten signatures of Deatra and Jacquelyn Smith, written in black ink over a horizontal line.

Deatra & Jacquelyn Smith

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : Collins Legal, PLC

Date: Oct 16, 2018

Property Owner: TBC I, LLC

Case #: 2018- 662

Representative: : Grover Collins

Map & Parcel: 105 09 0R 002.00

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:

The renewal should have been renewed pursuant to State law.

Activity Type: Short Term Rental Permit

Location: 1014B West Grove Ave, Nashville, TN 37203

This property is in the R8 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Transfer of Property from LLC back into LLC

Section(s): MCL 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.

Collins Legal, PLC
Appellant Name (Please Print)

Grover Collins
Representative Name (Please Print)

414 Union Street, Suite 1110
Address

414 Union Street, Suite 1110
Address

Nashville, TN 37219
City, State, Zip Code

Nashville, TN 37219
City, State, Zip Code

615-736-9596
Phone Number

615-736-9596
Phone Number

grover@collins.legal
Email

grover@collins.legal
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



3570307

ZONING BOARD APPEAL / CAAZ - 20180066167
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 105090R00200CO

APPLICATION DATE: 10/18/2018

SITE ADDRESS:

1014 B W GROVE AVE NASHVILLE, TN 37203
UNIT B 1014 WEST GROVE AVENUE TOWNHOMES

PARCEL OWNER: TBC I, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

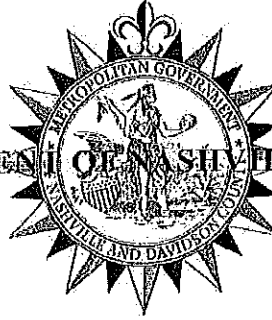
Transferring property from LLC back into LLC.

*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.

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS
METRO OFFICE BUILDING -- 3rd FLOOR
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MAILING ADDRESS
POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

March 26, 2018

Freeman Wizer
1014 A W. Grove Avenue
Nashville, Tennessee 37203

RE: Permit CASR #201516993
1014 B W. Grove Avenue

Dear Mr. Wizer:

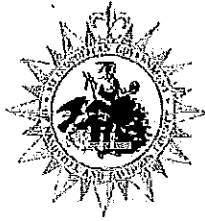
Pursuant to Section 17:16.250(E) of the Metropolitan Code of Laws, this letter serves as your formal notice of the cancellation of the above referenced STRP permit. This property changed ownership after the date of permit issuance. Since the law does not allow transfers of STRP permits, this permit has been invalid since the June 21, 2016 ownership change.

All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such actions at the subject address will be a violation of law and subject you to court proceedings. You have the right to appeal this decision at the Board of Zoning Appeals.

Sincerely,

Jon Michael
Metro Codes

METRO GOV OF NASHVILLE & DAVIDSON CTY
DEPARTMENT OF CODES & BUILDING SAFETY
PO BOX 196300
NASHVILLE, TN 37219-6300



TBC I LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448



April 2, 2018

RE: Notice of Short Term Rental Property Violation at 1014B West Grove Avenue, Nashville, TN (Parcel # 105090R00200)

Dear TBC I, LLC:

You are hereby notified as owner of the above-referenced property that the property is in violation of the Metropolitan Code of Laws Section 17.16.250.E – Short Term Rental Property.

Pursuant to MCL § 17.16.250.E, it is illegal to advertise and/or rent property in Nashville on a short term basis (fewer than 30 days) without first having obtained a short term rental permit from the Department of Codes Administration. Based on MCL § 17.16.250.E, you are ineligible to rent this property on a short term basis until you obtain a short term rental permit. Accordingly, effective immediately you must discontinue advertising and/or renting your property on a short term basis, cancel any existing reservations, and remove any advertisements pertaining to the short term rental of the property.

Please be advised that the penalty for violating MCL § 17.16.250.E is a fine of \$50 per day as well as a three year waiting period to become eligible for a permit if you continue to operate without a permit. In the event you fail to discontinue advertising and/or operating this short term rental without a permit, we intend to initiate court action to stop the advertisement and/or operation.

If you have any questions, please contact Robert Osborn at (615) 862-6590.

Respectfully,

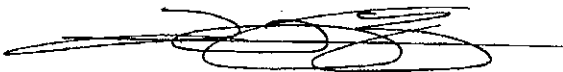
Robert Osborn
Metro Codes, Property Standards Division

AFFIDAVIT

Comes now affiant FREEMAN WIZER / TBCI LLC, designated representative for Short Term Rental Property ("STRP") Permit # 201516993 for the property located at 1014B W GROVE AVE, NASHVILLE, TN 37203 and states as follows, based upon the affiant's personal knowledge:

1. That I am over the age of eighteen and competent to provide this Affidavit.
2. That I am the designated representative for STRP Permit # 201516993
3. That I wish to continue the permitted operation of an STRP at 1014B W GROVE AVE, NASHVILLE, TN 37203, pursuant to MCL 6.28.030.
4. That the floor plan at the permitted address has not changed since the prior STRP inspection and approval by the Metro Fire Marshal.
5. That I possess the full insurance coverage for the STRP, as required by MCL 6.28.030.
6. That I have paid all applicable taxes related to this permit and this land use.
7. That I have not violated the requirements for operation of a permitted STRP, pursuant to MCL 6.28.030.

FURTHER, AFFIANT SAITH NOT:



SIGNATURE

3/6/18

DATE

Affiant's PRINTED Name	<u>FREEMAN WIZER / TBCI LLC</u>
Affiant's Address	<u>P.O. BOX 121792</u>
	<u>NASHVILLE, TN 37212</u>
Representative's Email	<u>FREEMANWIZER@GMAIL.COM</u>
Phone	<u>615-545-7050</u>

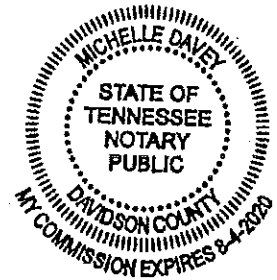
COUNT OF DAVIDSON)
STATE OF TENNESSEE)

Before me, a notary public for said county and said state, appeared Freeman Wizer,
~~with whom I am personally acquainted~~, or proved to me on the basis of satisfactory evidence, and who
acknowledged that he is the Representative for STRP Permit # 201516993, and that
in the capacity of Representative executed the foregoing Affidavit for the purposes therein contained.

This the 6 day of March, 2018.

Michelle Dawey

My Commission Expires: 8-4-2020



BZA Board of Appeals Owner's Support Booklet



**1014B West Grove Ave
Nashville, TN 37203**

BZA Board of Appeals Owner's Support Booklet

Table of Contents

- P1.....Personal Letter from Candice Wizer
Wife of TBCI, LLC Owner and Property Owner, Freeman Wizer**
- P3.....Map of Neighborhood and Supportive Letters from
Neighbors**
- P4.....Map of Supportive Neighbors**
 - P5 - P13....Support Letters from Neighbors on Map**
 - P14 - P15...Support Letters from other Neighbors and Friends**
- P16.....Summary of Taxes Paid by TBCI, LLC (2015 - 2018)**
- P17 - P27....Sales and Use Tax Returns and Receipts (2015 - 2018)**
- P28 - P37....Hotel Occupancy Returns (2015 - 2018)**

December 2, 2018

Dear The Board of Zoning Appeals,

Thank you for taking the time to learn a little more about us.

My husband, Freeman Wizer bought 1014 West Grove Ave in 2008 as a young music industry employee. Neither of us made much money at the time and we both worked several jobs to scrape a living in our early 20s. We were both drowning in student debt (and still are to some degree) and had to find a way to pay our bills during the recession..

The original property was unlivable at the time of purchase. We didn't even know we had a shed until we mowed the lawn. We put much sweat equity into the home to be able to have a house to live in close to town as gas was very expensive at the time.

Freeman moved into the house in 2008 while we were dating and I moved in after the flood ruined my basement apartment in 2009. We were married in 2011. While living in the house, we dreamed of building two homes and renting one as a short term rental in order to supplement our income. We independently educated ourselves on development, construction, and running a small business. We designed the houses ourselves and had those designs fully rendered by paying for an architect out of our own precious small funds. We both spent many hours and strife trying to find a way out of the financial difficulties facing us. Our work paid off when we found a contractor and a way to have the homes built.

I then set about decorating and managing the Airbnb. We were also in line at the crack of dawn when the first permits were established in 2015. We obtained our licenses then. During that time I spent many hours on the phone with government officials in order to learn how to pay our taxes correctly. During those first few months there was much confusion and I was given incorrect advice many times by government officials. However, knowing that it was up to me to make sure I was correct, I did not back down or give up like many others. I instead called more and more officials until I was given the best council. I then set about making sure that we were following all guidelines established by the government. I consider myself an extremely ethical person and I do not ever cut corners as many of the other people I heard about during my time running my Airbnb. We have also always paid all of our taxes (as I have provided proof of) and kept our house permitted every year. I even taught several others how to pay their taxes and permit their homes correctly as well.

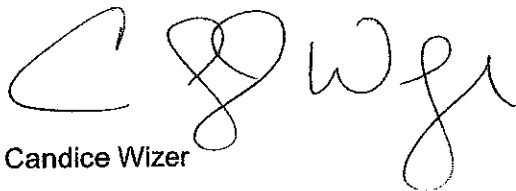
We have been truly humbled by the kindness and support from our neighbors during this BZA Appeal. I have always considered us to be good neighbors, but it has been wonderful to see the kind words of appreciation that our neighbors have sent to us personally in support of our Airbnb. Our neighborhood means so much to us. We have lived here for 10 years and during that time we have taken a vested interest in everyone's concerns. Freeman even directly set up

meetings with the local police force at Belmont and organized everyone in the neighborhood to attend several meetings (we had a bout of break-ins at the time). Many of our neighbors continue to come to Freeman when we have concerns about any issues (break-ins, car break-ins, etc) that may still be happening on our street. Over time we worked with our neighbors and law enforcement to significantly reduce crime on our street since 2008.

We are here today to contest the removal of our permit. The stated reason that the permit was pulled supposedly happened in 2016 when we refinanced our property. The owner of the property is our LLC and we own it with one partner as we could not afford to own the whole property ourselves. Most importantly, our permit was renewed many months AFTER the time when it has been claimed that a transfer took place. We operated with a fully endorsed permit from the Nashville government for a year and half. I do not believe that is it ethical for the government to go back on their own word and endorsement. It would set a dangerous precedent in our city. Surely, if we had done anything wrong then our permit would have been pulled in 2017 and not renewed. But, that did not occur and we had no reason to believe we had done anything wrong and therefore we were robbed of any options that we could have taken in 2017 to help ourselves and our investment. I hope that you will see that we have always operated ethically, morally, and with the utmost respect for our neighbors and the Nashville government.

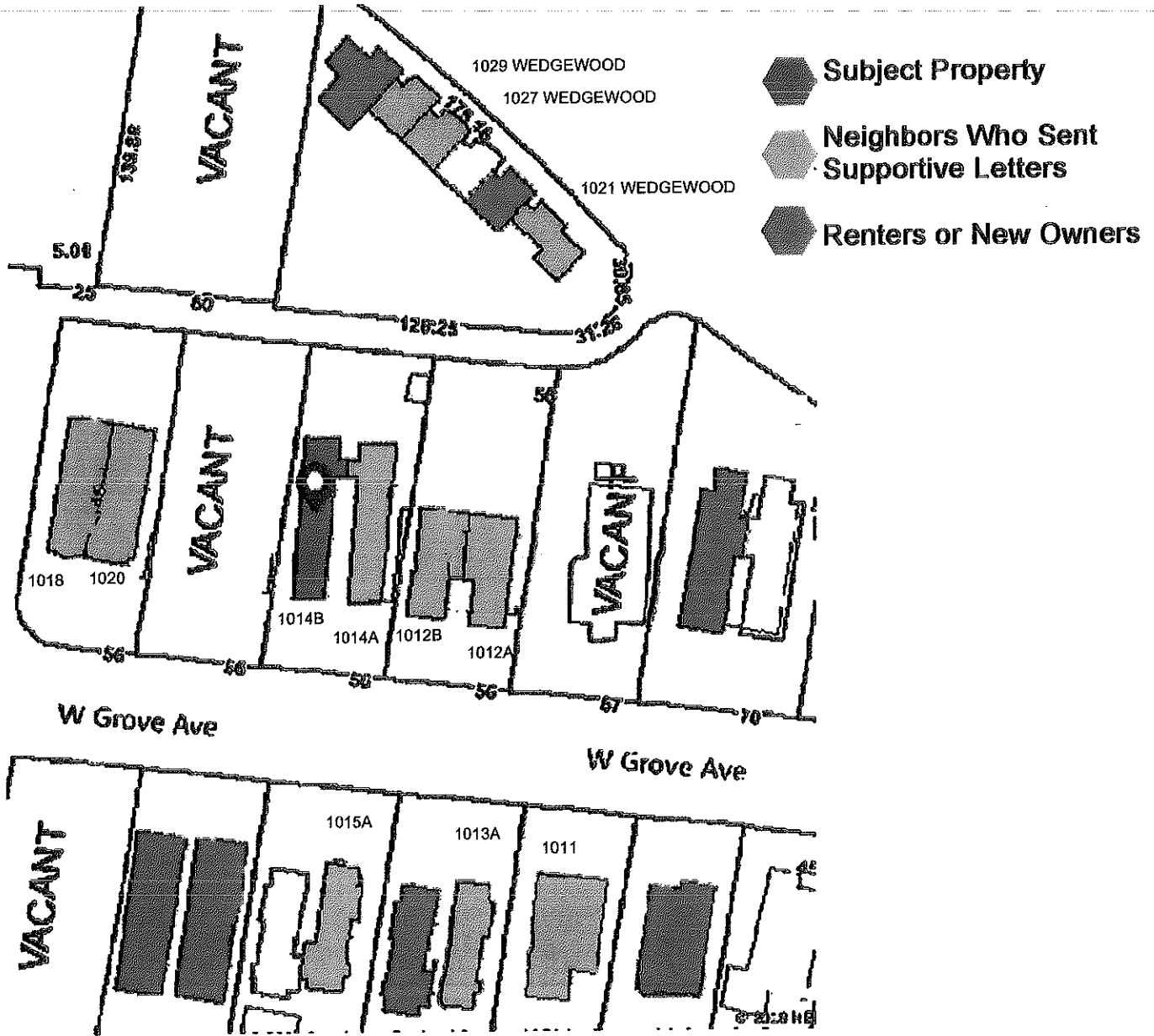
Thank you for your time and please help us to maintain our little business that we worked so hard on for so very long.

Most Respectfully,

A handwritten signature in black ink, appearing to read 'Candice Wizer'. The signature is fluid and cursive, with the first letter 'C' being large and the last letter 'r' having a long, sweeping tail.

Candice Wizer

1014B West Grove Ave Supportive Neighbor Map



1014B West Grove Ave

Supportive Letters



Freeman Wizer <freemanwizer@gmail.com>

1014B West Grove Avenue - Appeal regarding AirBnb Property Use

1 message

Duane Campbell <dcampbell65@gmail.com>
To: freemanwizer@gmail.com, candicewizer@gmail.com

Tue, Nov 27, 2018 at 4:53 PM

November 27th, 2018

To Whom it May Concern:

We are writing on behalf of Candice and Freeman Wizer, neighbors, entrepreneurs, and property owners at 1014B West Grove Avenue who reside across the street from our home. We have known the couple for over five years now, longer than they have owned the aforementioned property, and can only offer kind words and gratitude for the hospitality, civil engagement, and character they have brought to our corner of the 12 South Community.

As homeowners and resident AirBnb operators since 2015, they are to be commended for managing their business concerns without incident and always respectful to neighbors in 12 South/Waverly. The home and its entire footprint are maintained so well that in our humble opinion, it does not stand out as a rental property often do in that they may lack the upkeep aesthetic integration that homeowners like ourselves seek in an in-town neighborhood. We have never had any complaint or issues with their short-term rental of the property, offer our support for its continued use as an AirBnb, and respectfully request that all consideration be given to their appeal.

Kind Regards,

G. Duane Campbell and Scott Sutton
Residents and Homeowners since 2007
1013A West Grove Avenue
Nashville, TN 37203



Freeman Wizer <freemanwizer@gmail.com>

Airbnb Licensing

1 message

Charles Collins <charliecollins13@yahoo.com>
Reply-To: Charles Collins <charliecollins13@yahoo.com>
To: "freemanwizer@gmail.com" <freemanwizer@gmail.com>

Tue, Nov 20, 2018 at 10:26 AM

To whom it may concern,

I have been neighbors to the Wizers for the better part of a decade now. I have been witness to them manage a home build, scope a large scale condo construction as well as develop an Airbnb property. They have been the model of professionalism and demonstrated the utmost responsibility in all their affairs.

Having the Airbnb property across the street has never created an issue for me or my family. In fact, it has been a great representation of the growth and attractiveness for tourism and consumerism of our developing city.

I wholeheartedly support these opportunities in our community and hope to see them to continue.

Please feel free to contact me with any additional questions.

Best regards,

Charlie Collins
858.243.3057
charliecollins13@yahoo.com
1015A W Grove Ave



Freeman Wizer <freemanwizer@gmail.com>

AirBnB

1 message

Dustin Donald <donaldr@tigermail.auburn.edu>
To: "freemanwizer@gmail.com" <freemanwizer@gmail.com>

Fri, Nov 2, 2018 at 3:47 PM

To Whom It May Concern:

This letter is regarding the AirBnB operated by Freeman Wizer at 1014 West Grove Avenue. Freeman has always been a responsible host and we have never had any problems or issues with his AirBnB or his guests. As his neighbor, I support his permit and continued operation of his AirBnB. Please feel free to contact me with any further questions or concerns.

Sincerely,
Dustin Donald
1012 A West Grove Ave
Nashville, TN 37203

Dustin R. Donald, Pharm.D, CSP
donaldr@auburn.edu
334-332-9914



Freeman Wizer <freemanwizer@gmail.com>

1014B W Grove Ave

1 message

Clark Elkins <j.clark.elkins@gmail.com>
To: Freeman Wizer <freemanwizer@gmail.com>

Fri, Nov 2, 2018 at 12:33 PM

To Whom It May Concern-

I have lived at 1012B W Grove Ave in Nashville for 3.5 years. The property next door is 1014B W Grove Ave in Nashville. The owners of that Air BnB have always done a great job monitoring it and I have never seen or heard of any issues the entire time it's been rented out. They seem to responsible renters and are responsive. If you have any other questions, let me know.

Best,
Clark Elkins
1012B W Grove Ave
Nashville, TN 37203



Freeman Wizer <freemanwizer@gmail.com>

AirBnB

1 message

curtis solar <cjsolar5@gmail.com>
To: freemanwizer@gmail.com

Fri, Nov 2, 2018 at 1:07 PM

To whom it may concern,

I have lived down the street of the Wizer's for the last 8 years and they have been wonderful neighbors. Since they started airbnb'ing the other side of their duplex a few years ago I have had no complaints or heard any from other neighbors. Their guests have always been respectful to the neighborhood and I've never had a bad experience with any of them.

CJ Solar
225-276-7782
Owner/Property Manager
1020 & 1018 W Grove Ave
Nashville, TN 37203



Freeman Wizer <freemanwizer@gmail.com>

Airbnb

1 message

Tommy Anderson <tommyboy28144@gmail.com>
To: freemanwizer@gmail.com

Sat, Nov 3, 2018 at 10:05 PM

To whomever it may concern,

Freeman Wizer has been my neighbor and the operator of a short term rental for quite some time now. During this period not only have I had no issues or problems with any of his guests but, he has also been a very respectful and cooperative as a neighbor and operator of his short term rental. As his neighbor, I would like to state that he has my full support in regards to his short term rental venture.

Tommy Anderson
1011 W Grove Ave, Nashville, TN 37203
615-837-9936



Freeman Wizer <freemanwizer@gmail.com>

Your Airbnb Operation - Thanks!

1 message

Brian Chase <BChase@rcmathews.com>
To: "freemanwizer@gmail.com" <freemanwizer@gmail.com>

Fri, Nov 2, 2018 at 2:31 PM

Freeman,

Just a quick note of appreciation for your handling of your Airbnb. Halloween was 2 years to the day of Tonya, Zach and I moving to Wedgewood and we were very apprehensive to learn of your Airbnb directly behind the alley from us – especially us coming from the country. We were very wrong as you and Candice have handled everything professionally and we do not, and expect to not, have any complaints about anything. Thanks for being good neighbors and thanks for operating with respect to those of us that are permanent residents.

Well done and keep up the great work.

-Brian Chase

1029 Wedgewood

Brian R. Chase

Senior Project Manager

R.C. Mathews Contractor

D: 615-850-2737 | C: 615-347-2004 | www.rcmathews.com

615 3rd Ave South, Suite 500 | Nashville, Tennessee 37210





Freeman Wizer <freemanwizer@gmail.com>

airbnb

1 message

Benson Curb <bcurb@curb.com>

Tue, Nov 6, 2018 at 4:34 PM

To: "Freemanwizer@gmail.com" <Freemanwizer@gmail.com>

To whom it may concern:

I would like to endorse the Wizers as responsible, friendly and good natured neighbors. We have known them for over two years and they treat their airbnb business with utmost respect. We feel they do a great job managing their tenants and airbnb customers. We have confidence in their ability to manage any current or future airbnb properties.

Sincerely,

The Curb's (neighbor)
1027 wedgewood Avenue
Nashville, TN 37203



Freeman Wizer <freemanwizer@gmail.com>

Airbnb

1 message

Cory Nowakowski <corynowakowski@hotmail.com>
To: "freemanwizer@gmail.com" <freemanwizer@gmail.com>

Tue, Nov 6, 2018 at 4:44 PM

To Whom It May Concern,

My name is Cory Nowakowski and I am writing in regards to Candice and Freeman Wizer's Airbnb property on West Grove. I am directly behind said property and can attest that they have been great Airbnb hosts and their renter's have never been a nuisance. I live at 1021 Wedgewood Avenue Nashville, TN 37203 and can be reached at 574-855-9081 if you would like to discuss further. Again, I am happy if the Wizer's Airbnb their property on West Grove with no objection.

Thank you,

Cory Nowakowski

Sent from my iPhone



Freeman Wizer <freemanwizer@gmail.com>

Appeal Case # 2018-662 (1014B West Grove)

1 message

Shawn Bailes <sbailes@fmbcinvestments.com>
To: "bza@nashville.gov" <bza@nashville.gov>

Thu, Nov 15, 2018 at 11:59 AM

Dear BZA,

This correspondence is in support of the Appeal Case # 2018-662 located at 1014B West Grove Ave. The owner has operated his short term rental as a model citizen/neighbor and should continue to be able to do so in the future. I own several properties within a block of this property and have never had an issue with this property, nor have I heard of any issues from the neighborhood. Thank you in advance for your consideration.

Sincerely,

Shawn Bailes
President/CEO**FMBC Investments**

REIM Estate • Investor Lending • Rehabs • Custom Building • Rentals

Phone (615) 297-1152

Fax (615) 297-1172

Cell (615) 479-0404

3716 West End Ave.

Nashville, TN 37205

sbailes@FMBCInvestments.com

www.FMBCInvestments.com



Wizer letter

1 message

Mon, Nov 26, 2018 at 7:15 PM

Craig, Carolyn M. <Carolyn.Craig@mnps.org>
To: "Freemanwizer@gmail.com" <Freemanwizer@gmail.com>
Cc: "candicewizer@gmail.com" <candicewizer@gmail.com>

Thank you,

Carolyn Craig
Math Teacher
John Overton High School
615-333-5135 x 615209

 Wizer Letter.pdf
125K

To whom it may concern,

My name is Carolyn Craig and I am a teacher at Overton High School and a friend of Freeman and Candice Wizer. I own a home in east Nashville and recently decided to short-term rent it to supplement my income. The Wizer's were instrumental in educating me on the permitting process as well as teaching me how to properly pay my hotel and sales and use taxes.

From my perspective the Wizer's and have great respect for the local laws as well as great consideration for their neighbors while operating their rental. They have helped educate me and others on how to run their own short-term rentals legally and respectfully. They are a perfect example of how to run a short-term rental properly and I stand behind them on getting their permit reinstated.

Sincerely,

Carolyn Craig
Teacher
JOHS | MNPS
4820 Franklin Road
Nashville, TN 37220
615-333-5135 x615209

1014B West Grove Ave - Full Summary of All Taxes Paid and Filed

Sales and Use Tax Paid		Hotel Occupancy Taxes Paid	
2015	July to September (first filing was quarterly)	\$2,389.00	2015 July \$469.68
	October	\$609.00	August \$446.32
	November	\$587.00	September \$581.45
	December	\$256.00	October \$365.70
2016	January	\$201.00	November \$347.44
	February	\$495.00	December \$149.21
	March	\$789.00	2016 January \$120.22
	April	\$738.00	February \$255.81
	May	\$987.00	March \$461.15
	June	\$1,008.00	April \$434.07
	July	\$989.00	May \$589.79
	August	\$1,138.00	June \$588.27
	September	\$971.00	July \$617.82
	October	\$1,216.00	August \$713.63
	November	\$622.00	September \$567.62
	December	\$682.00	October \$695.86
2017	January	\$406.00	November \$353.59
	February	\$462.00	December \$383.77
	March	\$1,040.00	2017 January \$265.99
	April	\$757.00	February \$309.80
	May	\$842.00	March \$644.61
	June	\$1,118.00	April \$483.54
	July	\$546.00	May \$479.00
	August	\$793.00	June \$701.14
	September	\$583.00	July \$334.68
	October	\$621.00	August \$497.71
	November	\$513.00	September \$362.91
	December	\$345.00	October \$409.60
2018	January	\$163.00	November \$331.29
	February	\$312.00	December \$226.09
	March	\$785.00	2018 January \$114.59
			February \$220.66
			March \$500.19
TOTAL PAID		\$22,963.00	\$14,023.20
TOTAL TAXES PAID		\$36,986.20	

1014B West Grove Ave

Sales and Use Tax Returns and Receipts

2015 - 2018

SLS 450

Form with fields: Filing Period (July 2015-September 2015), ACCOUNT NO. (NEW ACCOUNT), LOCATION ADDRESS (1014B WEST GROVE AVE NASHVILLE, TN 37203), EMAIL ADDRESS (1014WGROVENASHVILLE@GMAIL.COM)

SLS 450

Form with fields: Filing Period (OCTOBER 2015), ACCOUNT NO. (106891036), LOCATION ADDRESS (1014B W Grove Ave Nashville, TN 37203)

825-662

Main tax calculation form for July-Sept 2015. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax: 2 3 8 9 00.

Main tax calculation form for Oct 2015. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax: 6 0 9 00.

SLS 450

Form for Tennessee Department of Revenue, State and Local Sales and Use Tax Return, Filing Period: NOVEMBER, ACCOUNT NO. 106891036.

SLS 450

Form for Tennessee Department of Revenue, State and Local Sales and Use Tax Return, Filing Period: DECEMBER 2015, ACCOUNT NO. 106891036.

Main tax calculation form for November. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax: 6 8 7 80.

Main tax calculation form for December. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax: 2 5 6 00.

PLEASE NOTE! - CHECK IS MADE OUT FOR 632.44 PLEASE APPLY \$ 40.91 TO JULY 2015 AND \$ 4.53 TO AUGUST 2015. THANK YOU!!

SLS 450

Form with fields: Filing Period JANUARY 2016, Due Date FEBRUARY 20, 2016, ACCOUNT NO. 106891036, LOCATION ADDRESS 1014B W Grove Ave Nashville, TN 37203. Includes checkboxes for AMENDED RETURN, FINAL RETURN, and CHANGE OF MAILING ADDRESS.

SLS 450

Form with fields: Filing Period FEBRUARY 2016, Due Date MARCH 20, 2016, ACCOUNT NO. 106891036, LOCATION ADDRESS 1014B W Grove Ave Nashville, TN 37203. Includes checkboxes for AMENDED RETURN, FINAL RETURN, and CHANGE OF MAILING ADDRESS.

Case #2018-662

Main tax calculation form for January 2016. Lines 1-19 for Gross Sales, State Tax, Local Tax, and Total Due. Includes 'FOR OFFICE USE ONLY' section at the bottom.

Main tax calculation form for February 2016. Lines 1-19 for Gross Sales, State Tax, Local Tax, and Total Due. Includes 'FOR OFFICE USE ONLY' section at the bottom.

SLS 450

Form for March 2016 with fields: Filing Period MARCH 2016, Due Date APRIL 20, 2016, ACCOUNT NO. 106891036, LOCATION ADDRESS 1014B W Grove Ave Nashville, TN 37203.

SLS 450

Form for April 2016 with fields: Filing Period APRIL 2016, Due Date MAY 20, 2016, ACCOUNT NO. 106891036, LOCATION ADDRESS 1014B W Grove Ave Nashville, TN 37203.

Main tax calculation form for March 2016. Lines 1-19 for Gross Sales, State Tax, Local Tax, and Total Due. Includes 'FOR OFFICE USE ONLY' section at the bottom.

Main tax calculation form for April 2016. Lines 1-19 for Gross Sales, State Tax, Local Tax, and Total Due. Includes 'FOR OFFICE USE ONLY' section at the bottom.

SLS 450

Form with fields: Filing Period (MAY 2016), ACCOUNT NO. (106891036), LOCATION ADDRESS (1014B W Grove Ave Nashville, TN 37203)

SLS 450

Form with fields: Filing Period (JUNE 2016), ACCOUNT NO. (106891036), LOCATION ADDRESS (1014B W Grove Ave Nashville, TN 37203)

Case #2018-662

1234567890

1234567890

Main tax return form for May 2016. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax is 987.00.

Main tax return form for June 2016. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax is 1008.00.

Tennessee Department of Revenue State and Local Sales and Use Tax Return for July 2016. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax is 989.00.

Tennessee Department of Revenue State and Local Sales and Use Tax Return for August 2016. Includes sections for Gross Sales, State Food Tax, Local Tax, and Total Tax. Total Tax is 989.00.

Sales and Use Tax Return Confirmation

do-not.respond@tn.gov <do-not.respond@tn.gov>
to: 1014wgrovenashville@gmail.com

Thu, Sep 15, 2016 at 7:47 PM

Thank you for filing your Sales Tax online at Tennessee.gov.
Your confirmation number: 171254479

Thursday, September 15, 2016 07:47:29 PM EDT.

For more information regarding electronic filing and payments, visit our website at www.Tn.gov/revenue or phone our Electronic Commerce Unit at (615) 253-0704 or in-state toll-free at 1-866-368-6374.

August 2016

You have successfully filed a Tennessee Sales and Use Tax Return and authorized a payment to the Tennessee Department of Revenue in the amount of \$971.00. Authorized Representative: Candice Wizer, Payment Contact Phone: 6154095991, Bank Name: Sun Trust, Depositor's Name as it Appears on Bank Account: Candice Wizer, Type of Account: Checking, NOW, or Share Draft, Bank Routing Number: 64400046, Bank Account Number: *****9389. Please be aware that information you have submitted will be verified. If discrepancies are found, you will be notified by the Tennessee Department of Revenue. DO NOT mail a paper return in addition to this online filing and DO NOT send a duplicate payment if you have authorized a payment online.

Your confirmation number is: 171673663

Tax Return



TENNESSEE DEPARTMENT OF REVENUE
STATE AND LOCAL SALES AND USE TAX RETURN SLS 450 - OFFICIAL DOCUMENT

Location Name: TBC1, LLC
Location Address: 1014B W GROVE AVE
Sales Tax Account ID: *****036
Filing Period: 09/01/2016 to 09/30/2016
Amended Return: No
CLOSED Business: No
Filing Option: Filing With Payment

Table with 2 columns: Description and Amount. Rows include Gross Sales, Add Cost of Personal Property, Fair market value of Tangible Personal Property, Total - Add Lines 1, 2, and 4, Exempt Transactions, Net Taxable Total, State Tax, State Food Tax, Local Tax, Total Tax, and Schedule A - Exempt Transactions.

Schedule B - Computation of Local Sales and Use Tax. Rows include Net taxable total - State, Adjustments, and Total of Lines 1 and 2.

mailto:google.com/mail/u/2/?ui=2&ik=6a1348baad4a&as=pa&as=states%20tax&qs=trud&search=query&msg=1573076844371003&mid=157307684437100

https://apps.tn.gov/sites/apps/portal/information.jsp

1/2016 TN Sales and Use Tax Online Filing

Table with 2 columns: Description and Amount. Rows include Enter all amounts in excess of your single article tax base, Energy Fuel Sales, Other - All local tax deductions, Net Taxable Total, and Local Sales and Use Tax Total.

Schedule C - Computation of State Single Article Tax and Reduced Rates on Energy & Water (Applicable Figures From Schedule B Must be reported).

Table with 2 columns: Description and Amount. Rows include Taxable Single Article Sales, State Tax, Water - Enter sales/purchases of water, Energy Fuels, State Tax, and Local Tax.

10/14/2016 TN Sales and Use Tax Online Filing

Confirmation

November 14, 2016 2:59:34 PM CST

You have successfully filed a Tennessee Sales and Use Tax Return and authorized a payment to the Tennessee Department of Revenue in the amount of \$1,216.00. Authorized Representative: Candice Wizer, Payment Contact Phone: 6154095991, Bank Name: Sun Trust, Depositor's Name as it Appears on Bank Account: Candice Wizer, Type of Account: Checking, NOW, or Share Draft, Bank Routing Number: 64400046, Bank Account Number: *****9389. Please be aware that information you have submitted will be verified. If discrepancies are found, you will be notified by the Tennessee Department of Revenue. DO NOT mail a paper return in addition to this online filing and DO NOT send a duplicate payment if you have authorized a payment online.

Your confirmation number is: 172191027

Tax Return



TENNESSEE DEPARTMENT OF REVENUE
STATE AND LOCAL SALES AND USE TAX RETURN SLS 450 - OFFICIAL DOCUMENT

Location Name: TBC1, LLC
Location Address: 1014B W GROVE AVE
Sales Tax Account ID: *****036
Filing Period: 10/01/2016 to 10/31/2016
Amended Return: No
CLOSED Business: No
Filing Option: Filing With Payment

Table with 2 columns: Description and Amount. Rows include Gross Sales, Add Cost of Personal Property, Fair market value of Tangible Personal Property, Total - Add Lines 1, 2, and 4, Exempt Transactions, Net Taxable Total, State Tax, State Food Tax, Local Tax, Total Tax, and Schedule A - Exempt Transactions.

Schedule B - Computation of Local Sales and Use Tax. Rows include Net taxable total - State, Adjustments, and Total of Lines 1 and 2.

Table with 2 columns: Description and Amount. Includes items like Energy Fuel Sales, Other - All local tax deductions, and Local Sales and Use Tax Total.

December 7, 2016 1:00:39 AM CST

You have successfully filed a Tennessee Sales and Use Tax Return and authorized a payment to the Tennessee Department of Revenue in the amount of \$622.00.

Your confirmation number is: 172489719

Schedule C - Computation of State Single Article Tax and Reduced Rates on Energy & Water (Applicable Figures From Schedule B Must be reported).

Table with 2 columns: Description and Amount. Includes items like Taxable Single Article Sales, State Tax, Energy Fuels, and Local Tax.

Tax Return



TENNESSEE DEPARTMENT OF REVENUE STATE AND LOCAL SALES AND USE TAX RETURN SLS 450 - OFFICIAL DOCUMENT

Main tax return table with 2 columns: Description and Amount. Includes Gross Sales, Add Cost of Personal Property, Exempt Transactions, State Tax, Local Tax, and Total Tax.

https://apps.tn.gov/sales-app/confirmation.jsp

2/2

https://apps.tn.gov/sales-app/sfiling.jsp

2016 TN Sales and Use Tax Online Filing

Table with 2 columns: Description and Amount. Includes Energy Fuel Sales, Other - All local tax deductions, and Local Sales and Use Tax Total.

1/12/2017

TN Sales and Use Tax Online Filing

Confirmation

January 12, 2017 2:47:28 PM CST

You have successfully filed a Tennessee Sales and Use Tax Return and authorized a payment to the Tennessee Department of Revenue in the amount of \$622.00.

Your confirmation number is: 173084092

Schedule C - Computation of State Single Article Tax and Reduced Rates on Energy & Water (Applicable Figures From Schedule B Must be reported).

Table with 2 columns: Description and Amount. Includes items like Taxable Single Article Sales, State Tax, Energy Fuels, and Local Tax.

Tax Return



TENNESSEE DEPARTMENT OF REVENUE STATE AND LOCAL SALES AND USE TAX RETURN SLS 450 - OFFICIAL DOCUMENT

Main tax return table with 2 columns: Description and Amount. Includes Gross Sales, Add Cost of Personal Property, Exempt Transactions, State Tax, Local Tax, and Total Tax.

https://apps.tn.gov/sales-app/confirmation.jsp

2/2

https://apps.tn.gov/sales-app/sfiling.jsp

February 13, 2017 9:22:13 PM CST

return on each single article sold or purchased which has been reported, but not deducted elsewhere.
Energy Fuel Sales - Enter all energy fuel sales taxed at the full state rate. Do not include sales subject to the reduced rate. See Schedule A, Line 1 and Schedule C, Line 5.
Other - All local tax deductions, including taxable sales of specified digital products subject to 2.5% local tax rate, that are not included in lines 4 and 5, and ONLY the portion of taxable sales of specified digital products subject to 2.5% local tax rate.
Net Taxable Total - Lines 4, 5, and 6 subtracted from Line 3.
Local Sales and Use Tax Total - Line 7 multiplied by local tax rate 2.25%.

Table with 2 columns: Description and Amount. Includes Taxable Single Article Sales from \$1,600 to \$3,200, State Tax - 2.75% of Line 1, Water - Enter sales/purchases of water subject to industrial tax rate, Energy Fuels - Enter all sales subject to industrial tax rate, State Tax - 1.50% of Line 5, Total of lines 2, 4 and 6. Local Computation, Water - Multiply sales/purchases of water on Schedule C Line 3 by 1/2 of 1% local industrial tax rate, Specified Digital Products - Net taxable sales of specified digital products included in Schedule B Line 6 multiplied by 2.5%, Local Tax - (Add tax calculations from Lines 8 and 9) - Enter here and on Page 1, Line 13.

You have successfully filed a Tennessee Sales and Use Tax Return and authorized a payment to the Tennessee Department of Revenue in the amount of \$465.00. Authorized Representative: Candice Wizer, Payment Contact Phone: 6158969991, Bank Name: Sun Trust, Taxpayer's Name as it Appears on Bank Account: Candice Wizer, Type of Account: Checking, NOW, or State Draft, Bank Routing Number: 06400046, Bank Account Number: xxxxxxxx9389. Please be aware that information you have submitted will be verified. If discrepancies are found, you will be notified by the Tennessee Department of Revenue. DO NOT mail a paper return in addition to this online filing and DO NOT send a duplicate payment if you have authorized a payment online.

Your confirmation number is: 173564204

TENNESSEE DEPARTMENT OF REVENUE STATE AND LOCAL SALES AND USE TAX RETURN SLS 450 - OFFICIAL DOCUMENT

Location Name: TBCI, LLC
Location Address: 1014B W GROVE AVE
Sales Tax Account ID: 106891036
Filing Period: 01/01/2017 to 01/31/2017
Amended Return: No
Filing Option: Filing With Payment

Table with 2 columns: Description and Amount. Includes Gross Sales - Including Food Sales and/or Rental Proceeds, Add Cost of Personal Property purchased on a Resale Certificate, Add Cost of Out of State (including untaxed online) Purchases and Property Imported into Tennessee for your use, Fair market value of Tangible Personal Property fabricated, produced, compounded, or severed from the state for use in the State of Tennessee, Total - Add Lines 1, 2, 3 and 4, Exempt Transactions - Total from Schedule A, Line K, Net Taxable Total - State - Line 6 subtracted from Line 5, State Tax - Line 7 multiplied by 7.00%, State Food Tax - Schedule A, Line A multiplied by 5.00%, Local Tax - Schedule B Line 8, or Line 7 multiplied by local tax rate, Enter any tax collected in excess of State and Local Levies, State Tax on transactions subject to State Single Article and Reduced Rates, Total from Schedule C Line 7, Local Tax on transactions subject to the reduced rate of tax, Total tax entered from Schedule C, Line 10, Total Tax - Add Lines 8, 9, 10, 11, 12, and 13, Enter credit memo balance, Penalty: If filed late, compute penalty at 5% of the tax (Line 14 minus Line 15) for each 1 to 30 day period for which TAX IS DELINQUENT, Interest: If filed late, compute interest at 7.5% per year on the tax (Line 14 minus Line 15) from the due date to the date of payment, Prepaid Wireless 911 fee \$1.16 per retail transaction for prepaid wireless telecommunications less 3% administrative fee, Total Due If filed timely, subtract Line 15 from Line 14 and add Line 18. If filed late, subtract Line 15 from Line 14 and add Lines 16, 17 and 18.

https://apps.tn.gov/sales-app/confirmation.jsp 2/2

Enter all amounts in excess of your single article tax base indicated on SLS 450 Form 1, Line 10 of the https://apps.tn.gov/sales-app/affirming.jsp 1

2017 TN Sales and Use Tax Online Filing
return on each single article sold or purchased which has been reported, but not deducted elsewhere.
Energy Fuel Sales - Enter all energy fuel sales taxed at the full state rate. Do not include sales subject to the reduced rate. See Schedule A, Line 1 and Schedule C, Line 5.
Other - All local tax deductions, including taxable sales of specified digital products subject to 2.5% local tax rate, that are not included in lines 4 and 5, and ONLY the portion of taxable sales of specified digital products subject to 2.5% local tax rate.
Net Taxable Total - Lines 4, 5, and 6 subtracted from Line 3.
Local Sales and Use Tax Total - Line 7 multiplied by local tax rate 2.25%.

Table with 2 columns: Description and Amount. Includes Taxable Single Article Sales from \$1,600 to \$3,200, State Tax - 2.75% of Line 1, Water - Enter sales/purchases of water subject to industrial tax rate, Energy Fuels - Enter all sales subject to industrial tax rate, State Tax - 1.50% of Line 5, Total of lines 2, 4 and 6. Local Computation, Water - Multiply sales/purchases of water on Schedule C Line 3 by 1/2 of 1% local industrial tax rate and enter, Specified Digital Products - Net taxable sales of specified digital products included in Schedule B Line 6 multiplied by 2.5%, Local Tax - (Add tax calculations from Lines 8 and 9) - Enter here and on Page 1, Line 13.



STATE OF TENNESSEE DEPARTMENT OF REVENUE Sales and Use Tax Return

TBCI, LLC
800 COUNTY ROAD 1 W
SHOREVIEW, MN 55126-1317
Account ID: 1000267171-SLC
Filing Period: 28-Feb-2017
Received: 05-Mar-2017
Confirmation Number: 1747206144

Summary table with 2 columns: Description and Amount. Includes Gross Sales (\$4,993.00), Cost of Personal Property Purchased on a Resale (\$0.00), Cost of Out-of-State Purchases and Property (\$0.00), Tangible Personal Property (\$0.00), Total Sales (\$4,993.00), Exempt Transactions (\$0.00), State Net Taxable Total (\$4,993.00), State Sales Tax (\$350.00), State Food Tax (\$0.00), Local Sales Tax (\$112.00), Excess of State and Local Levies (\$0.00), Transactions Subject to Single Article and Reduced Rates (\$0.00), Transactions Subject to the Special Rate Tax (\$0.00), Total Tax before Penalty and Interest (\$462.00), Central Business Improvement District Fee (\$0.00), Prepaid Wireless 911 Surcharge (\$0.00), Credit Memo Balance (\$0.00), Penalty (\$0.00), Interest (\$0.00), Total Due (\$462.00).

TBC I, LLC
 800 COUNTY ROAD 1 W
 SHOREVIEW, MN 55126-1317

Account ID: 1000267171-SLC
Filing Period: 31-Mar-2017
Received: 11-Apr-2017
Confirmation Number: 680898560

Summary

1. Gross Sales	\$ 11,245.00
2. Cost of Personal Property Purchased on a Resale	\$ 0.00
3. Cost of Out-of-State Purchases and Property	\$ 0.00
4. Tangible Personal Property	\$ 0.00
5. Total Sales	\$ 11,245.00
6. Exempt Transactions	\$ 0.00
7. State Net Taxable Total	\$ 11,245.00
8. State Sales Tax	\$ 787.00
9. State Food Tax	\$ 0.00
10. Local Sales Tax	\$ 253.00
11. Excess of State and Local Levies	\$ 0.00
12. Transactions Subject to Single Article and Reduced Rates	\$ 0.00
13. Transactions Subject to the Special Rate Tax	\$ 0.00
14. Total Tax before Penalty and Interest	\$ 1,040.00
15. Central Business Improvement District Fee	\$ 0.00
16. Prepaid Wireless 911 Surcharge	\$ 0.00
17. Credit Memo Balance	\$ 0.00
18. Penalty	\$ 0.00
19. Interest	\$ 0.00
20. Total Due	\$ 1,040.00

TBC I, LLC
 800 COUNTY ROAD 1 W
 SHOREVIEW, MN 55126-1317

Account ID: 1000267171-SLC
Filing Period: 30-Apr-2017
Received: 10-May-2017
Confirmation Number: 1837455360

Summary

1. Gross Sales	\$ 8,192.00
2. Cost of Personal Property Purchased on a Resale	\$ 0.00
3. Cost of Out-of-State Purchases and Property	\$ 0.00
4. Tangible Personal Property	\$ 0.00
5. Total Sales	\$ 8,192.00
6. Exempt Transactions	\$ 0.00
7. State Net Taxable Total	\$ 8,192.00
8. State Sales Tax	\$ 573.00
9. State Food Tax	\$ 0.00
10. Local Sales Tax	\$ 184.00
11. Excess of State and Local Levies	\$ 0.00
12. Transactions Subject to Single Article and Reduced Rates	\$ 0.00
13. Transactions Subject to the Special Rate Tax	\$ 0.00
14. Total Tax before Penalty and Interest	\$ 757.00
15. Central Business Improvement District Fee	\$ 0.00
16. Prepaid Wireless 911 Surcharge	\$ 0.00
17. Credit Memo Balance	\$ 0.00
18. Penalty	\$ 0.00
19. Interest	\$ 0.00
20. Total Due	\$ 757.00

TBC I, LLC
 800 COUNTY ROAD 1 W
 SHOREVIEW, MN 55126-1317

Account ID: 1000267171-SLC
Filing Period: 31-May-2017
Received: 23-Jun-2017
Confirmation Number: 1460003840

Summary

1. Gross Sales	\$ 9,099.00
2. Cost of Personal Property Purchased on a Resale	\$ 0.00
3. Cost of Out-of-State Purchases and Property	\$ 0.00
4. Tangible Personal Property	\$ 0.00
5. Total Sales	\$ 9,099.00
6. Exempt Transactions	\$ 0.00
7. State Net Taxable Total	\$ 9,099.00
8. State Sales Tax	\$ 637.00
9. State Food Tax	\$ 0.00
10. Local Sales Tax	\$ 205.00
11. Excess of State and Local Levies	\$ 0.00
12. Transactions Subject to Single Article and Reduced Rates	\$ 0.00
13. Transactions Subject to the Special Rate Tax	\$ 0.00
14. Total Tax before Penalty and Interest	\$ 842.00
15. Central Business Improvement District Fee	\$ 0.00
16. Prepaid Wireless 911 Surcharge	\$ 0.00
17. Credit Memo Balance	\$ 0.00
18. Penalty	\$ 0.00
19. Interest	\$ 0.00
20. Total Due	\$ 842.00

TBC I, LLC
 800 COUNTY ROAD 1 W
 SHOREVIEW, MN 55126-1317

Account ID: 1000267171-SLC
Filing Period: 30-Jun-2017
Received: 17-Jul-2017
Confirmation Number: 1876719168

Summary

1. Gross Sales	\$ 12,086.00
2. Cost of Personal Property Purchased on a Resale	\$ 0.00
3. Cost of Out-of-State Purchases and Property	\$ 0.00
4. Tangible Personal Property	\$ 0.00
5. Total Sales	\$ 12,086.00
6. Exempt Transactions	\$ 0.00
7. State Net Taxable Total	\$ 12,086.00
8. State Sales Tax	\$ 846.00
9. State Food Tax	\$ 0.00
10. Local Sales Tax	\$ 272.00
11. Excess of State and Local Levies	\$ 0.00
12. Transactions Subject to Single Article and Reduced Rates	\$ 0.00
13. Transactions Subject to the Special Rate Tax	\$ 0.00
14. Total Tax before Penalty and Interest	\$ 1,118.00
15. Central Business Improvement District Fee	\$ 0.00
16. Prepaid Wireless 911 Surcharge	\$ 0.00
17. Credit Memo Balance	\$ 0.00
18. Penalty	\$ 0.00
19. Interest	\$ 0.00
20. Total Due	\$ 1,118.00

TBC I, LLC
800 COUNTY ROAD 1 W
SHOREVIEW, MN 55126-1317

Account ID: 1000267171-SLC
Filing Period: 31-Jul-2017
Received: 14-Aug-2017
Confirmation Number: 215239680

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 18-Sep-2017
Account: 1000267171-SLC
Filing Period: 31-Aug-2017

Summary

1. Gross Sales	\$ 5,901.00
2. Cost of Personal Property Purchased on a Resale	\$ 0.00
3. Cost of Out-of-State Purchases and Property	\$ 0.00
4. Tangible Personal Property	\$ 0.00
5. Total Sales	\$ 5,901.00
6. Exempt Transactions	\$ 0.00
7. State Net Taxable Total	\$ 5,901.00
8. State Sales Tax	\$ 413.00
9. State Food Tax	\$ 0.00
10. Local Sales Tax	\$ 133.00
11. Excess of State and Local Levies	\$ 0.00
12. Transactions Subject to Single Article and Reduced Rates	\$ 0.00
13. Transactions Subject to the Special Rate Tax	\$ 0.00
14. Total Tax before Penalty and Interest	\$ 546.00
15. Central Business Improvement District Fee	\$ 0.00
16. Prepaid Wireless 911 Surcharge	\$ 0.00
17. Credit Memo Balance	\$ 0.00
18. Penalty	\$ 0.00
19. Interest	\$ 0.00
20. Total Due	\$ 546.00

Your payment request confirmation number is 1011948544.

Paid From: SUNTRUST ****9389

Payment Amount: \$793.00

Payment Date: 18-Sep-2017

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 12-Oct-2017
Account: 1000267171-SLC
Filing Period: 30-Sep-2017

Your payment request confirmation number is 345816064.

Paid From: SUNTRUST ****9389

Payment Amount: \$583.00

Payment Date: 12-Oct-2017

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 09-Nov-2017
Account: 1000267171-SLC
Filing Period: 31-Oct-2017

Your payment request confirmation number is 1741570560.

Paid From: SUNTRUST ****9389

Payment Amount: \$621.00

Payment Date: 09-Nov-2017

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



Payment Summary

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 10-Dec-2017
Account: 1000267171-SLC
Filing Period: 30-Nov-2017

Your payment request confirmation number is 89547264.

Paid From: SUNTRUST ****9389

Payment Amount: \$513.00

Payment Date: 10-Dec-2017

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



Payment Summary

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 08-Jan-2018
Account: 1000267171-SLC
Filing Period: 31-Dec-2017

Your payment request confirmation number is 1326395904.

Paid From: SUNTRUST ****9389

Payment Amount: \$345.00

Payment Date: 08-Jan-2018

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



Payment Summary

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 16-Feb-2018
Account: 1000267171-SLC
Filing Period: 31-Jan-2018

Your payment request confirmation number is 774773248.

Paid From: SUNTRUST ****9389

Payment Amount: \$163.00

Payment Date: 16-Feb-2018

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



Payment Summary

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date: 15-Mar-2018
Account: 1000267171-SLC
Filing Period: 28-Feb-2018

Your payment request confirmation number is 1572461056.

Paid From: SUNTRUST ****9389

Payment Amount: \$312.00

Payment Date: 15-Mar-2018

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue



Payment Summary

TBC I, LLC
1014B W GROVE AVE
NASHVILLE, TN 37203-5448

Date 07-Apr-2018
Account 1000287171-SLC
Filing Period: 31-Mar-2018

Your payment request confirmation number is 217823744.

Paid From: SUNTRUST ****9389

Payment Amount: \$785.00

Payment Date: 07-Apr-2018

It is your responsibility to review your bank statement to confirm that this transaction was successful.

OOPS? If you want to make a change, it may not be too late. While a payment is still pending, you can return to your account, cancel the payment, and make a new one.

It may take 2-3 business days from the payment date for the payment to be reflected on your account.

Contact Us:

Tennessee Department of Revenue
500 Deaderick St
Nashville, TN 37242
615-253-0600 or (800) 342-1003
www.tn.gov/revenue

1014B West Grove Ave

Hotel Occupancy Returns

2015 - 2018



NEW	JULY	2015
Account Number	Reporting Month	Year
TBC, LLC WEST GROVE HOUSE		
Mailing name		
1014B W Grove Ave		
Mailing address		
Nashville	TN	37203
City	State	Zip
TBC, LLC		
Business name		
800 County Road 1 W		
Business address		
Shoreview	MN	55126-1317
City	State	Zip
1014WGROVENASHVILLE@GMAIL.COM		
E-Mail Address		
# of rooms		

NEW	AUGUST	2015
Account Number	Reporting Month	Year
TBC, LLC WEST GROVE HOUSE		
Mailing name		
1014B W Grove Ave		
Mailing address		
Nashville	TN	37203
City	State	Zip
TBC, LLC		
Business name		
800 County Road 1 W		
Business address		
Shoreview	MN	55126-1317
City	State	Zip
1014WGROVENASHVILLE@GMAIL.COM		
E-Mail Address		
# of rooms		

Section 1 - Occupancy Tax

Gross Rental Receipts from Occupancy of Rooms..... \$ 6,204.72

Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 6,204.72

Tax Due (6% of line 3)..... \$ 372.28

OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ not applicable

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

Interest @ 8% per annum..... \$

Penalty @ 1% per month..... \$ 62.05

6. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 434.33

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 5,637.92

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 5,637.92

4. Tax Due (6% of line 3)..... \$ 412.06

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 8.77

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 403.82

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 14 x \$2.50..... \$ 35.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

Penalty @ 1% per month..... \$

Total Interest & Penalty..... \$ 35

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$ 35.35

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 469.68

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 17 x \$2.50..... \$ 42.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$ 42.50

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$ 42.50

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 446.32

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

KARL F. DEAN, MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF FINANCE
COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300
PHONE: 615-862-6215
FAX: 615-880-2810

Thursday, September 17, 2015

TBC, LLC
TBC, LLC WEST GROVE HOUSE
800 COUNTY RD 1 W
SHOREVIEW, MN 55126-1317

CREDIT

Hotel Number: 500890

Thank you for remitting your 6% Occupancy Tax Return for TBC, LLC WEST GROVE HOUSE. There is a balance on your account and the credited amount will be added to your account for next month's payment.

Credit Period: August 20, 2015
Reason: Miscalculated Section 1 penalty-July 2015
Total Credited: \$55.82

KARL F. DEAN, MAYOR

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF FINANCE
COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300
PHONE: 615-862-6215
FAX: 615-880-2810

Thursday, September 17, 2015

TBC, LLC
TBC, LLC WEST GROVE HOUSE
800 COUNTY RD 1 W
SHOREVIEW, MN 55126-1317

CREDIT

Hotel Number: 500890

Thank you for remitting your 6% Occupancy Tax Return for TBC, LLC WEST GROVE HOUSE. There is a balance on your account and the credited amount will be added to your account for next month's payment.

Credit Period: August 20, 2015
Reason: Miscalculated Section 1-August 2015
Total Credited: \$72.31

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Article 5, Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5, Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



600890
Account Number

SEPTEMBER 2015
Reporting Month Year

TBC, LLC WEST GROVE HOUSE
Mailing name
1014B W Grove Ave
Mailing address
Nashville TN 37203
City State Zip

TBC, LLC
Business name
800 County Road 1W
Business address
Shoreview MN 55126-1317
City State Zip

1014WGROVENASHVILLE@GMAIL.COM
E-Mail Address
1
of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 8,995.76

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$

3. Taxable Receipts (line 1 less line 2) \$ 8,995.76

4. Tax Due (6% of line 3) \$ 539.75

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 10.79

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum \$

7. Penalty @ 1% per month \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 528.95

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 21 x \$2.50 \$ 52.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum \$

3. Penalty @ 1% per month \$

4. Total Interest & Penalty \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 581.45

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 851.45

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE 10/6/2015

Please make copy of this form for your records.

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 5,411.67

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$

3. Taxable Receipts (line 1 less line 2) \$ 5,411.67

4. Tax Due (6% of line 3) \$ 324.69

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 3.89

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum \$

7. Penalty @ 1% per month \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 318.20

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 19 x \$2.50 \$ 47.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum \$

3. Penalty @ 1% per month \$

4. Total Interest & Penalty \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 365.70

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 365.70

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

Metropolitan Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Article 5, Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5, Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



NEW
Account Number

NOVEMBER 2015
Reporting Month Year

TBC, LLC WEST GROVE HOUSE
Mailing name
1014B W Grove Ave
Mailing address
Nashville TN 37203
City State Zip

TBC, LLC
Business name
800 County Road 1W
Business address
Shoreview MN 55126-1317
City State Zip

1014WGROVENASHVILLE@GMAIL.COM
E-Mail Address
1
of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 6,313.53

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$

3. Taxable Receipts (line 1 less line 2) \$ 6,313.53

4. Tax Due (6% of line 3) \$ 318.81

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 6.38

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum \$

7. Penalty @ 1% per month \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 312.44

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 14 x \$2.50 \$ 35.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum \$

3. Penalty @ 1% per month \$

4. Total Interest & Penalty \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 347.44

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 347.44

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 2,282.42

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$

3. Taxable Receipts (line 1 less line 2) \$ 2,282.42

4. Tax Due (6% of line 3) \$ 136.95

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 2.74

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum \$

7. Penalty @ 1% per month \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 134.21

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 6 x \$2.50 \$ 15.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum \$

3. Penalty @ 1% per month \$

4. Total Interest & Penalty \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 149.21

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 149.21

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number
JANUARY Reporting Month
2016 Year
TBC, LLC Business name
800 County Road 1W Business address
1014B W Grove Ave Mailing address
Nashville TN 37203 City State Zip
Shoreview MN 55126-1317 City State Zip
1014WGROVENASHVILLE@GMAIL.COM E-Mail Address
TBC, LLC Owners name
1 # of rooms

500890 Account Number
February Reporting Month
2016 Year
TBC, LLC Business name
800 County Road 1W Business address
1014B W Grove Ave Mailing address
Nashville TN 37203 City State Zip
Shoreview MN 55126-1317 City State Zip
1014WGROVENASHVILLE@GMAIL.COM E-Mail Address
TBC, LLC Owners name
1 # of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 1,747.00
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 1,747.00
4. Tax Due (6% of line 3) \$ 104.82
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 2.10
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
6. Interest @ 8% per annum \$
7. Penalty @ 1% per month \$
8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 102.72

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 7 x \$2.50 \$ 17.50
(Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 120.22

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 120.22

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to:
METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

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Nashville, TN 37219-6300

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Fax 615-880-2810



500890 Account Number
MARCH Reporting Month
2016 Year
TBC, LLC Business name
800 County Road 1W Business address
1014B W Grove Ave Mailing address
Nashville TN 37203 City State Zip
Shoreview MN 55126-1317 City State Zip
1014WGROVENASHVILLE@GMAIL.COM E-Mail Address
TBC, LLC Owners name
1 # of rooms

500890 Account Number
APRIL Reporting Month
2016 Year
TBC, LLC Business name
800 County Road 1W Business address
1014B W Grove Ave Mailing address
Nashville TN 37203 City State Zip
Shoreview MN 55126-1317 City State Zip
1014WGROVENASHVILLE@GMAIL.COM E-Mail Address
TBC, LLC Owners name
1 # of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 6,992.38
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 6,992.38
4. Tax Due (6% of line 3) \$ 419.54
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 6.46
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
6. Interest @ 8% per annum \$
7. Penalty @ 1% per month \$
8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 411.15

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 20 x \$2.50 \$ 60.00
(Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 461.15

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 461.15

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to:
METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

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SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 8,659.31
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 8,659.31
4. Tax Due (6% of line 3) \$ 399.58
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 5.30
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
6. Interest @ 8% per annum \$
7. Penalty @ 1% per month \$
8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 391.57

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 17 x \$2.50 \$ 42.50
(Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$ 42.50
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$ 434.07

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 434.07

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to:
METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

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SIGNED _____ TITLE _____ DATE _____
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Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



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Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	May Reporting Month	2016 Year
TBC, LLC WEST GROVE HOUSE		
Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55126-1317 City State Zip 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address # of Rooms	

500890 Account Number	JUNE Reporting Month	2016 Year
TBC, LLC WEST GROVE HOUSE		
Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55126-1317 City State Zip 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address # of Rooms	

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 8839.68

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 8839.68

4. Tax Due (6% of line 3)..... \$ 530.40

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 5.30

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 519.78

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 9,111.75

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 9,111.75

4. Tax Due (6% of line 3)..... \$ 546.71

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 5.61

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 635.77

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 28 x \$2.50..... \$ 70.00

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 589.78

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 21 x \$2.50..... \$ 52.60

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 688.27

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Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

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Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

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Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



Hotel Occupancy Privilege Tax
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Nashville, TN 37219-6300

collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	JULY Reporting Month	2016 Year
TBC, LLC WEST GROVE HOUSE		
Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55126-1317 City State Zip 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address # of Rooms	

500890 Account Number	AUGUST Reporting Month	2016 Year
TBC, LLC WEST GROVE HOUSE		
Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55126-1317 City State Zip 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address # of Rooms	

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 9,699.36

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 9,699.36

4. Tax Due (6% of line 3)..... \$ 581.96

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 6.66

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 570.32

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 11,158.62

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 11,158.62

4. Tax Due (6% of line 3)..... \$ 669.52

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 13.38

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 6, 7) \$ 656.13

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 49 x \$2.50..... \$ 47.50

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 617.82

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 23 x \$2.50..... \$ 57.60

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 713.63

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Make remittance payable to: METRO COLLECTIONS OFFICE

Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

SIGNED _____ TITLE _____ DATE _____

Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300
collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	SEPTEMBER Reporting Month	2016 Year		
TBC, LLC WEST GROVE HOUSE Mailing name	TBC, LLC Business name			
1014B W Grove Ave Mailing address	800 County Road 1W Business address			
Nashville TN 37203 City State Zip	Shoreview MN 55126-1317 City State Zip			
TBC, LLC Owners name	1014WGROVENASHVILLE@GMAIL.COM E-Mail Address	1 # of rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 8,845.57
 Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
 2. Taxable Receipts (line 1 less line 2) \$ 8,845.57
 3. Tax Due (6% of line 2) \$ 530.73
 OPERATION COMPENSATION: Deduct 2% of line 4
 (allowable only if return is filed and tax is paid by due date) \$ 10.61
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 Interest @ 8% per annum \$
 Penalty @ 1% per month \$
 8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 520.12

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 19 x \$2.50 \$ 47.50
 (Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 2. Interest @ 8% per annum \$
 3. Penalty @ 1% per month \$
 Total Interest & Penalty \$
 5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5).....\$ 567.62

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
 Mail to: COLLECTIONS OFFICE
 P.O. BOX 196300
 NASHVILLE, TN 37219-6300

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SIGNED _____ TITLE _____ DATE _____
 Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300
collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	November Reporting Month	2016 Year		
TBC, LLC WEST GROVE HOUSE Mailing name	TBC, LLC Business name			
1014B W Grove Ave Mailing address	800 County Road 1W Business address			
Nashville TN 37203 City State Zip	Shoreview MN 55126-1317 City State Zip			
TBC, LLC Owners name	1014WGROVENASHVILLE@GMAIL.COM E-Mail Address	1 # of rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 5,375.63
 Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
 2. Taxable Receipts (line 1 less line 2) \$ 5,375.63
 3. Tax Due (6% of line 2) \$ 322.54
 OPERATION COMPENSATION: Deduct 2% of line 4
 (allowable only if return is filed and tax is paid by due date) \$ 6.45
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 Interest @ 8% per annum \$
 Penalty @ 1% per month \$
 8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 316.09

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 15 x \$2.50 \$ 37.50
 (Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 2. Interest @ 8% per annum \$
 3. Penalty @ 1% per month \$
 Total Interest & Penalty \$
 5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5).....\$ 353.59

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
 Mail to: COLLECTIONS OFFICE
 P.O. BOX 196300
 NASHVILLE, TN 37219-6300

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SIGNED _____ TITLE _____ DATE _____
 Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

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P.O. Box 196300
Nashville, TN 37219-6300
collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	OCTOBER Reporting Month	2016 Year		
TBC, LLC WEST GROVE HOUSE Mailing name	TBC, LLC Business name			
1014B W Grove Ave Mailing address	800 County Road 1W Business address			
Nashville TN 37203 City State Zip	Shoreview MN 55126-1317 City State Zip			
TBC, LLC Owners name	1014WGROVENASHVILLE@GMAIL.COM E-Mail Address	1 # of rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 10,813.87
 Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
 3. Taxable Receipts (line 1 less line 2) \$ 10,813.87
 4. Tax Due (6% of line 3) \$ 648.83
 OPERATION COMPENSATION: Deduct 2% of line 4
 (allowable only if return is filed and tax is paid by due date) \$ 7.00
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 6. Interest @ 8% per annum \$
 7. Penalty @ 1% per month \$
 8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 635.86

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 24 x \$2.50 \$ 60.00
 (Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 2. Interest @ 8% per annum \$
 3. Penalty @ 1% per month \$
 4. Total Interest & Penalty \$
 5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5).....\$ 695.86

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

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 P.O. BOX 196300
 NASHVILLE, TN 37219-6300

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SIGNED _____ TITLE _____ DATE _____
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Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300
Nashville, TN 37219-6300
collections.office@nashville.gov
Telephone 615-862-6215
Fax 615-880-2810



500890 Account Number	DECEMBER Reporting Month	2016 Year		
TBC, LLC WEST GROVE HOUSE Mailing name	TBC, LLC Business name			
1014B W Grove Ave Mailing address	800 County Road 1W Business address			
Nashville TN 37203 City State Zip	Shoreview MN 55126-1317 City State Zip			
TBC, LLC Owners name	1014WGROVENASHVILLE@GMAIL.COM E-Mail Address	1 # of rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms \$ 5,761.46
 Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
 3. Taxable Receipts (line 1 less line 2) \$ 5,761.46
 4. Tax Due (6% of line 3) \$ 345.69
 OPERATION COMPENSATION: Deduct 2% of line 4
 (allowable only if return is filed and tax is paid by due date) \$ 6.91
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 6. Interest @ 8% per annum \$
 7. Penalty @ 1% per month \$
 8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 338.77

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 18 x \$2.50 \$ 45.00
 (Number of nightly rentals during the month)
COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
 2. Interest @ 8% per annum \$
 3. Penalty @ 1% per month \$
 4. Total Interest & Penalty \$
 5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5).....\$ 383.77

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
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 P.O. BOX 196300
 NASHVILLE, TN 37219-6300

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Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	JANUARY Reporting Month	2017 Year			
TBC, LLC WEST GROVE HOUSE			TBC, LLC		
Mailing name 1014B W Grove Ave			Business name 800 County Road 1W		
Mailing address Nashville TN 37203			Business address Shoreview MN 55128-1517		
City State Zip			City State Zip		
TBC, LLC			1014WGROVENASHVILLE@GMAIL.COM		
Owners name			E-Mail Address		
			1 # of Rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 3,928.43

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 3,928.43

4. Tax Due (6% of line 3)..... \$ 235.71

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 4.71

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 230.99

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 14 x \$2.50..... \$ 35.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 265.99

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	MARCH Reporting Month	2017 Year			
TBC, LLC WEST GROVE HOUSE			TBC, LLC		
Mailing name 1014B W Grove Ave			Business name 800 County Road 1W		
Mailing address Nashville TN 37203			Business address Shoreview MN 55128-1517		
City State Zip			City State Zip		
TBC, LLC			1014WGROVENASHVILLE@GMAIL.COM		
Owners name			E-Mail Address		
			1 # of Rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 10,112.34

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 10,112.34

4. Tax Due (6% of line 3)..... \$ 606.74

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 12.13

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 594.61

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 28 x \$2.50..... \$ 70
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 604.61

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	FEBRUARY Reporting Month	2017 Year			
TBC, LLC WEST GROVE HOUSE			TBC, LLC		
Mailing name 1014B W Grove Ave			Business name 800 County Road 1W		
Mailing address Nashville TN 37203			Business address Shoreview MN 55128-1517		
City State Zip			City State Zip		
TBC, LLC			1014WGROVENASHVILLE@GMAIL.COM		
Owners name			E-Mail Address		
			1 # of Rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 4,460.85

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 4,460.85

4. Tax Due (6% of line 3)..... \$ 267.65

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 6.35

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 262.30

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 19 x \$2.50..... \$ 47.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 309.80

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	APRIL Reporting Month	2017 Year			
TBC, LLC WEST GROVE HOUSE			TBC, LLC		
Mailing name 1014B W Grove Ave			Business name 800 County Road 1W		
Mailing address Nashville TN 37203			Business address Shoreview MN 55128-1517		
City State Zip			City State Zip		
TBC, LLC			1014WGROVENASHVILLE@GMAIL.COM		
Owners name			E-Mail Address		
			1 # of Rooms		

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 7,373.19

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 7,373.19

4. Tax Due (6% of line 3)..... \$ 442.39

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 8.85

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 433.54

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 20 x \$2.50..... \$ 50.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 483.54

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office collections.office@nashville.gov
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	May Reporting Month	2017 Year
TBC, LLC WEST GROVE HOUSE Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55128-1317 City State Zip	TBC, LLC Business name 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address 1 # of Rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 8,162.07

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms [])..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 8,162.07

4. Tax Due (6% of line 3)..... \$ 489.72

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 9.70

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 470.83

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 22 x \$2.50..... \$ 55.00

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 534.93 - tax credit of \$412.53 = \$122.40 due

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office collections.office@nashville.gov
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	JULY Reporting Month	2017 Year
TBC, LLC WEST GROVE HOUSE Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55128-1317 City State Zip	TBC, LLC Business name 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address 1 # of Rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 5,309.37

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms [])..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 5,309.37

4. Tax Due (6% of line 3)..... \$ 318.56

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 6.37

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 312.19

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 9 x \$2.50..... \$ 22.50

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 334.69

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office collections.office@nashville.gov
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	JUNE Reporting Month	2017 Year
TBC, LLC WEST GROVE HOUSE Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55128-1317 City State Zip	TBC, LLC Business name 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address 1 # of Rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 10,861.21

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms [])..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 10,861.21

4. Tax Due (6% of line 3)..... \$ 651.67

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 13.03

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 638.64

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 26 x \$2.50..... \$ 62.50

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 701.14

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County

Hotel Occupancy Privilege Tax
Metropolitan Code of Laws
Title 5; Chapter 5.12

Metro Collections Office collections.office@nashville.gov
P.O. Box 196300 Telephone 615-862-6215
Nashville, TN 37219-6300 Fax 615-880-2810



500890 Account Number	AUGUST Reporting Month	2017 Year
TBC, LLC WEST GROVE HOUSE Mailing name 1014B W Grove Ave Mailing address Nashville TN 37203 City State Zip	TBC, LLC Business name 800 County Road 1 W Business address Shoreview MN 55128-1317 City State Zip	TBC, LLC Business name 1014WGROVENASHVILLE@GMAIL.COM E-Mail Address 1 # of Rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 7,699.15

2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms [])..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 7,699.15

4. Tax Due (6% of line 3)..... \$ 461.95

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 9.24

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 452.71

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night 18 x \$2.50..... \$ 45.00

(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 497.71

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.



500890 Account Number
SEPTEMBER 2017 Reporting Month Year
TBC, LLC WEST GROVE HOUSE
1014B W Grove Ave
Nashville TN 37203
TBC, LLC Owners name



500890 Account Number
OCTOBER 2017 Reporting Month Year
TBC, LLC WEST GROVE HOUSE
1014B W Grove Ave
Nashville TN 37203
TBC, LLC Owners name

Section 1 - Occupancy Tax
1. Gross Rental Receipts from Occupancy of Rooms \$ 5,661.82
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 5,661.82
4. Tax Due (6% of line 3) \$ 339.71
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 6.79
6. COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
7. Interest @ 8% per annum \$
8. Penalty @ 1% per month \$
9. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 332.91

Section 2 - Additional Occupancy Tax
1. Number of rooms rented per night 12 x \$2.50 \$ 30.00
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 362.91
RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.
Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.
SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County



500890 Account Number
November 2017 Reporting Month Year
TBC, LLC WEST GROVE HOUSE
1014B W Grove Ave
Nashville TN 37203
TBC, LLC Owners name

Section 1 - Occupancy Tax
1. Gross Rental Receipts from Occupancy of Rooms \$ 4,953.87
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 4,953.87
4. Tax Due (6% of line 3) \$ 297.23
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 5.94
6. COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
7. Interest @ 8% per annum \$
8. Penalty @ 1% per month \$
9. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$

Section 2 - Additional Occupancy Tax
1. Number of rooms rented per night 18 x \$2.50 \$ 40.00
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 331.23
RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.
Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.
SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Section 1 - Occupancy Tax
1. Gross Rental Receipts from Occupancy of Rooms \$ 5,988.16
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 5,988.16
4. Tax Due (6% of line 3) \$ 359.29
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 7.19
6. COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
7. Interest @ 8% per annum \$
8. Penalty @ 1% per month \$
9. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 352.10

Section 2 - Additional Occupancy Tax
1. Number of rooms rented per night 23 x \$2.50 \$ 57.50
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 409.60
RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.
Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.
SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County



500890 Account Number
December 2017 Reporting Month Year
TBC, LLC WEST GROVE HOUSE
1014B W Grove Ave
Nashville TN 37203
TBC, LLC Owners name

Section 1 - Occupancy Tax
1. Gross Rental Receipts from Occupancy of Rooms \$ 3,334.94
2. Allowed Deductible and/or Excludable Receipts (# of exempt rooms) \$
3. Taxable Receipts (line 1 less line 2) \$ 3,334.94
4. Tax Due (6% of line 3) \$ 200.10
5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date) \$ 4.00
6. COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:
7. Interest @ 8% per annum \$
8. Penalty @ 1% per month \$
9. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 198.09

Section 2 - Additional Occupancy Tax
1. Number of rooms rented per night 12 x \$2.50 \$ 30.00
2. Interest @ 8% per annum \$
3. Penalty @ 1% per month \$
4. Total Interest & Penalty \$
5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line 1 plus line 4) \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5) \$ 228.09
RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.
Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.
SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.



500890 Account Number
January Reporting Month
2018 Year

TBC, LLC WEST GROVE HOUSE
Mailing name
1014B W Grove Ave
Mailing address
Nashville TN 37203
City State Zip
TBC, LLC
Owner name
1014W GROVENASHVILLE@GMAIL.COM
E-Mail Address
1
of rooms

500890 Account Number
February Reporting Month
2018 Year

TBC, LLC WEST GROVE HOUSE
Mailing name
1014B W Grove Ave
Mailing address
Nashville TN 37203
City State Zip
TBC, LLC
Owner name
1014W GROVENASHVILLE@GMAIL.COM
E-Mail Address
1
of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 1,566.11

2. Allowed Deductible and /or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 1,566.11

4. Tax Due (6% of line 3)..... \$ 93.97

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 1.88

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 92.09

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 2,987.47

2. Allowed Deductible and /or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 2,987.47

4. Tax Due (6% of line 3)..... \$ 179.25

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 3.59

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 176.66

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night ⁹ x \$2.50 \$ 22.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 114.59

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night ¹⁸ x \$2.50 \$ 45.00
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 220.66

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

Government of Nashville and Davidson County



500890 Account Number
March Reporting Month
2018 Year

TBC, LLC WEST GROVE HOUSE
Mailing name
1014B W Grove Ave
Mailing address
Nashville TN 37203
City State Zip
TBC, LLC
Owner name
1014W GROVENASHVILLE@GMAIL.COM
E-Mail Address
1
of rooms

Section 1 - Occupancy Tax

1. Gross Rental Receipts from Occupancy of Rooms..... \$ 7,613.81

2. Allowed Deductible and /or Excludable Receipts (# of exempt rooms)..... \$

3. Taxable Receipts (line 1 less line 2)..... \$ 7,613.81

4. Tax Due (6% of line 3)..... \$ 456.83

5. OPERATION COMPENSATION: Deduct 2% of line 4 (allowable only if return is filed and tax is paid by due date)..... \$ 9.14

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

6. Interest @ 8% per annum..... \$

7. Penalty @ 1% per month..... \$

8. Total Occupancy Tax Due (line 4 less line 5 if NOT DELINQUENT; if delinquent add lines 4, 6 and 7) \$ 447.69

Section 2 - Additional Occupancy Tax

1. Number of rooms rented per night ²¹ x \$2.50 \$ 52.50
(Number of nightly rentals during the month)

COMPUTATION OF INTEREST AND PENALTY FOR DELINQUENT RETURN:

2. Interest @ 8% per annum..... \$

3. Penalty @ 1% per month..... \$

4. Total Interest & Penalty..... \$

5. Total Tax Due (line 1 if NOT DELINQUENT; if delinquent, line plus line 4)..... \$

TOTAL TAX DUE (Section 1 line 8 plus Section 2 line 5)..... \$ 500.19

RETURN AND REMITTANCE MUST BE POSTMARKED ON OR BEFORE THE 20TH DAY OF THE MONTH FOLLOWING THE MONTH FOR WHICH THE REPORT IS SUBMITTED.

Make remittance payable to: METRO COLLECTIONS OFFICE
Mail to: COLLECTIONS OFFICE
P.O. BOX 196300
NASHVILLE, TN 37219-6300

Under the penalties for perjury prescribed by law, I swear (or affirm) that this return (including any related schedules, statements, or other documents) is, to the best of my knowledge, a true, correct and complete return.

SIGNED _____ TITLE _____ DATE _____
Please make copy of this form for your records.

On May 1, 2015, TBC I obtained a non-owner-occupied short-term rental permit ("STRP") for the rental of Unit B. A copy of the permit is attached as Exhibit 3. Immediately after that, TBC I began operating Unit B as a short-term rental under the then existing law and Metro ordinances. It is important to note that the STRP issued to TBC I for Unit B was issued under Metro Ordinance BL2014-951. A copy of this ordinance is attached as Exhibit 4.

On April 18, 2016, TBC I renewed the STRP on Unit B. Again, on March 31, 2017, TBC I renewed the STRP on the property. On March 6, 2018, TBC I attempted to renew the STRP but received a notification from Jon Michael with Metro Codes that the STRP was formally canceled. A copy of the letter from Mr. Michael is attached as Exhibit 5. Despite the letter being addressed to Mr. Wizer, TBC I was the owner and operator of the STRP. At no time did this STRP change hands in fact, at all times hereto, TBC I was the owner and operator of the STRP for Unit B.

On June 13, 2016, the members of TBC I briefly placed Unit B into the ownership of the members individually to take advantage of an interest rate change. A copy of this warranty deed is attached as Exhibit 6. Immediately after that on June 21, 2016, the property was again in the hands of TBC I. Again, while the property briefly moved from the individual members of TBC I for 8 days, the ownership of the STRP never changed hands. In fact, the STRP was again renewed almost a year after the June 21 "transfer" on March 31, 2017. Because the STRP was renewed, this STRP is grandfathered within the meaning of Public Chapter No. 972. More specifically, 13-7-602(3)(A) applies to this set of facts because the application for renewal of the STRP was approved pursuant to the ordinance.

TBC I's appeal to this Board centers primarily on a single claim for relief. TBC I submits that this STRP is squarely protected by the law passed by the Tennessee legislature on May 17, 2018. As such, TBC I would offer that the zoning examiner did error and the STRP be re-instated.

Summary of Proceedings Below

By May 1, 2015, TBC I had completed all of the necessary steps to obtain a permit received the STRP for Unit B.

On April 18, 2016, TBC I successfully renewed the STRP for Unit B.

On March 31, 2017, TBC I successfully renewed the STRP for Unit B for a second time.

On March 6, 2018, TBC I was denied the renewal of the STRP for Unit B.

On Oct 16, 2108, TBC I, through her counsel, Grover C. Collins, applied for an appeal to the BZA.

Grounds for Relief

The state law protects TBC I's interest in the STRP.

In this case, the revocation of TBC I's STRP is not warranted for several reasons.

First, and most importantly, TBC I's actions and the action by Metro Codes fit squarely under the state law passed in May of this year. Because the alleged transfer occurred in 2016 and the Codes department then renewed the permit, TBC I is grandfathered.

Second, unlike many property owners before this BZA, TBC I made every effort to comply in good faith with all applicable rules and regulations and did so.

Third, TBC I has not violated any Metro Codes' requirement of obtaining an STRP or operating an STRP.

Finally, revocation of TBC I's STRP will also cause TBC I to suffer significant financial harm due to the loss in revenue. This cannot possibly be a just punishment for an actor who is not alleged to be responsible for any wrongdoing other than entrusting the government to tell them what the applicable law was at the time of application and renewal.

In light of these considerations, TBC I respectfully requests that this Board exercise its broad discretion and allow TBC I to continue operation of for their short-term rental permit for the

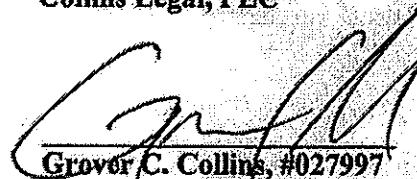
property.

Conclusion

For the foregoing reasons, TBC I respectfully requests that this honorable Board overturn the Codes Department's decision to cancel the short-term rental permit.

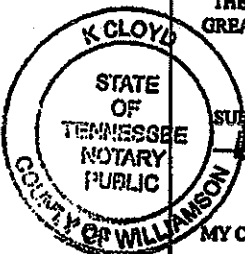
Respectfully Submitted,

Collins Legal, PLC



Grover C. Collins, #027997
Collins Legal, PLC
414 Union Street #1110
Nashville, TN 37219
(615) 736-9596 - telephone
(615) 915-0481 - facsimile
grover@collins.legal
Attorney for Appellant

EXHIBIT 1

WARRANTY DEED		STATE OF TENNESSEE COUNTY OF WILLIAMSON	
Davidson County DEEDWARR Recvd: 11/14/13 10:48 3 pgs Fees: 18.00 Taxes: 871.88 20131114-0117648		THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$235,580.80	
		SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 12 TH DAY OF <u>November</u> , 2013.	
MST 2013-1122		MY COMMISSION EXPIRES: <u>7-5-16</u> (AFFIX SEAL)	
THIS INSTRUMENT WAS PREPARED BY Mid-State Title & Escrow, Inc., 128 Holiday Court, Suite 125, Franklin, TN 37067			
ADDRESS NEW OWNER(S) AS FOLLOWS:		SEND TAX BILLS TO:	
TBC I, LLC		Same As New Owner	
(NAME)		(NAME)	
800 County Road I. West		(ADDRESS)	
(ADDRESS)		(ADDRESS)	
Shoreview MN 55126		(CITY) (STATE) (ZIP)	
(CITY) (STATE) (ZIP)		(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HERINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Freeman I. Wizer, a married man HERINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO TBC I, LLC, HERINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Land in Davidson County, Tennessee, being Lot No. "C" on the Plan of Leaside Subdivision of record in Plat Book 1424, Page 148, in the Register's Office for Davidson County, Tennessee.

Said Lot "C" fronts 56 feet on the north side of West Grove Avenue and runs back between parallel lines 145 feet to an alley.

Being the same property conveyed to Freeman I. Wizer by Deed from Alethia Williams, Executrix of The Estate of Roxie Woodard of record at Instrument No. 20090812-0075779, Register's Office for Davidson County, Tennessee, dated August 7, 2009 and recorded on August 12, 2009.

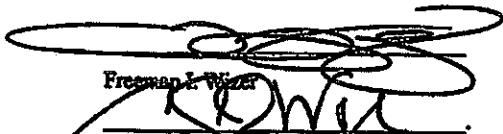
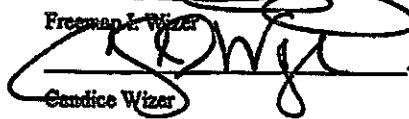
Candice Wizer, joins in the execution of this instrument for the purpose of conveying her interest, marital or otherwise, in the above described property.

Subject to: Property taxes have been prorated and the Grantee has assumed payment thereof when same become due and payable, Easements or claims of easements not shown by the Public Records. If improvements are completed after January 1 of any year, the law requires supplemental assessment for the year in which improvements are completed as defined by statute. We assume no liability for taxes assessed by correction pursuant to the provisions of Tennessee Code Annotated, Section 67-5-603 et seq. Subject to all matters shown on the Plan of record in Plat Book 1424, Page 148, Register's Office for Davidson County, Tennessee.

This property, known as 1014 W. Grove Avenue, Nashville, TN 37203
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEEES, their heirs and assigns forever; and we do covenant with the said GRANTEEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 12th DAY OF November 2013.


Freeman I. Wizer

Candice Wizer

STATE OF Tennessee

COUNTY OF Williamson

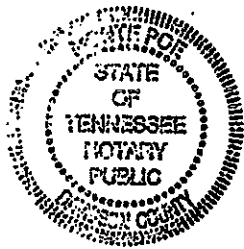
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Freeman I. Wizer and Candice Wizer, with whom I am personally acquainted (or provided to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this the 12th day of November, 2013


Notary Public

My Commission Expires: 9/5/14

(SEAL)



True Copy Certification

I, Yvette Meldrum, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee
County of Williamson

Personally appeared before me, the undersigned, a notary public for this county and state, Yvette Meldrum who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 7-5-16

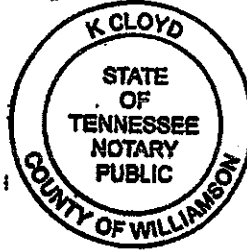


EXHIBIT 2

BILL GARRETT, Davidson County

Trans: T20130097852 DEEDMAST

Recvd: 11/18/13 11:27 27 pgs

Fees: 137.00 Taxes: 0.00



20131118-0118727

This Instrument Prepared By:
 Rudy Title and Escrow, LLC
 2012 21st Avenue South
 Nashville, TN 37212
 615-383-2903

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR
 1014 WEST GROVE AVENUE TOWNHOMES**

This Declaration of Covenants, Conditions and Restrictions, hereinafter sometimes referred to as the "Declaration," is entered into as of the 14th day of November, 2013, by TBC I, LLC, (herein referred to, together with its heirs and assigns, as "Developer");

WITNESSETH:

WHEREAS, Developer is the legal title holder in fee simple of a certain tract of real estate located in the County of Davidson County, State of Tennessee, more particularly described on attached Exhibit A, which is herein incorporated by this reference thereto (the "Property"); and

WHEREAS, Developer intends to and does hereby submit the above-described Property to the provisions of the Tennessee Horizontal Property Act as codified as 66-27-101, et seq., of the Tennessee Code Annotated and thereby cause a planned unit development to be organized and developed under Tennessee law pursuant to the Act; and

WHEREAS, Developer further desires to establish for its own benefit and for the mutual benefit of all future owners or occupants of the Property or any part thereof, and intends that all future owners, occupants, mortgagees and any other persons hereafter acquiring any interest in the Property shall hold said interest subject to, certain rights, easements and privileges in, over and upon the Property and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct and maintenance thereof, all as more particularly hereinafter set forth, all of which are declared to be in furtherance of a plan to promote and protect the cooperative aspects of ownership and use of the Property and are established for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property;

NOW, THEREFORE, Developer, as the legal titleholder of the Property, and for the purposes above set forth, declares as follows:

1. **Definitions.** As used herein, unless the context otherwise requires:

(a) "Act" means the Tennessee Horizontal Property Act (T.C.A. § 66-27-101 et seq.). All capitalized terms not otherwise defined herein but defined in the Act, shall be deemed to have the meaning ascribed to them in the Act.

(b) "Association" is a non-profit Tennessee corporation known as 1014 West Grove Avenue Townhomes Homeowners' Association, Inc., which includes as members all of the Town Home Owners.

(c) "Board of Directors" or "Board" means the administering body of the Association.

(d) "Building" means the building located on the Property and containing the Town Homes. The Building is delineated on the Plat.

(e) "Bylaws" means the Bylaws of the Association, attached hereto as Exhibit B and by this reference made a part hereof, as amended from time to time. For purposes of the Act, all provisions contained in the body of this Declaration dealing with the administration and maintenance of the Property shall be deemed to be part of the Bylaws.

(f) "Common Elements" means all real property and improvements, owned by the Association for the common use and enjoyment of the Owners. Common Elements shall remain undivided and shall not be the subject of an action for partition.

(g) "Declaration" means this instrument, as hereinafter provided as such Declaration may be amended from time to time.

(h) "Developer" means TBC I, LLC, its successors, heirs and assigns, provided such successors, heirs or assigns are designated in writing by Developer as a successor or assign of the rights of Developer set forth herein.

(i) "General Common Elements" means and includes both Common Elements and Limited Common Elements.

(j) "Limited Common Elements" means all Common Elements contiguous to and serving exclusively a single Town Home or one or more adjoining Town Homes as an inseparable appurtenance thereto, the enjoyment, benefit and/or use of which is reserved to the lawful Occupants of such Town Home or Town Homes either in this Declaration, on the Plat or by the Board.

(k) "Majority" or "Majority of the Town Home Owners" means the owners of more than fifty (50%) percent of the membership in the Association, present and then eligible to vote.

(l) "Manager" means the person or firm designated by the Board of Directors to manage the affairs of the Project.

(m) "Member" means a member of the Association who is the Owner of a Town Home. All Owners of an individual Town Home shall be members and shall collectively be one member for any voting purposes. The cessation of the ownership of a Town Home shall terminate membership.

(n) "Occupant" means a person or persons in possession of a Town Home, regardless of whether said person is a Town Home Owner.

(o) "Owner" or "Town Home Owner" means a person, firm, corporation, partnership, association, trust or other legal entity, or any combination thereof, owning a fee simple title to any Town Home or Town Homes within the Project. When two or more persons own a Town Home as tenants in common, joint tenants, tenants by the entireties, or otherwise, such persons shall constitute the "Owner" with respect to that Town Home.

(p) "Person" means a natural individual, corporation, partnership, trustee or other legal entity capable of holding title to real property.

(q) "Plat" means the representation of the Property prepared by the Developer and attached hereto as Exhibit C, showing the number of each Town Home, and expressing its area, location and other data necessary for identification.

(r) "Project" means the entire parcel including all structures thereon.

(s) "Private Elements" means and includes the land upon which a Town Home is located as shown on the Plat as being the Private Elements designated for each Town Home depicted thereon for which fee simple ownership and exclusive use is reserved to that Town Home only. Notwithstanding the limits of the Private Elements depicted on the Plat, Private Elements do not include the Common Elements; provided that each Owner shall be entitled to the exclusive use of all area of the Building that are contained within each Town Home.

(t) "Property" means all the land, property and space which is the subject of this Declaration as more particularly described on Exhibit A hereto, and all structures and other improvements now or hereafter erected, constructed or contained therein or thereon,

including without limitation the Buildings and all easements, rights, privileges and appurtenances belonging or in any way pertaining thereto, and all furniture, furnishings, fixtures and equipment intended for the mutual use, benefit or enjoyment of the Town Home Owners.

(u) "Record" or "Recording" refers to the record or recording in the Office of the Register of Deeds in Davidson County, Tennessee.

(v) "Rules and Regulations" refer to the rules and regulations concerning the use of the Town Homes and the Common Elements, as adopted from time to time by the Board in accordance with the Declaration and Bylaws.

(w) "Town Home" means that part of the Project intended for individual ownership and use. Each individual Town Home shall consist of all the improvements and space therein within the boundary lines for that Town Home, as set out on the Plat, attached hereto as Exhibit C.

2. Plat. The Plat, which is incorporated herein by this reference thereto, sets forth the numbers or letters, areas, locations and other data required by the Act.

3. Town Homes. The legal description of each Town Home shall consist of the identifying number or letter of such Town Home as shown on the plat. Every deed, lease, mortgage, deed of trust or other instrument shall legally describe a Town Home by its identifying number or letter as shown on the plat, and every such description shall be deemed good and sufficient for all purposes, as provided in the Act. Except as provided by the Act, no Town Home Owner shall, by deed, plat, court decree or otherwise, subdivide or in any other manner cause his Town Home to be separated into any tracts or parcels different from the whole Town Home as shown on the Plat.

4. (a) Association of Town Home Owners and Administration and Operation of the Property. The Association, which has been or will be incorporated, shall be the governing body for all of the Town Home Owners, for the maintenance, repair, replacement, administration and operation of the Property, as provided in the Act, this Declaration and the Bylaws. The Bylaws for the Association shall be the Bylaws attached to this Declaration as Exhibit B and made a part hereof. The Board shall be elected and shall serve in accordance with the provisions of the Bylaws. The fiscal year of the Association shall be determined by the Board, and may be changed from time to time, as the Board deems advisable. The Association shall not be deemed to be conducting a business of any kind. All activities undertaken by the Association shall be for the sole benefit of the Town Home Owners, and all funds received by the Association shall be held and applied by it for the use and benefit of the Town Home Owners in accordance with the provisions of the Act, this Declaration and the Bylaws. Each Town Home Owner shall be a member of the Association so long as he is a Town Home Owner. A Town Home Owner's membership shall automatically terminate when he ceases to be a Town Home Owner. Upon the conveyance or transfer of a Town Home Owner's ownership interest to a new Town Home Owner, the new Town Home Owner shall simultaneously succeed to the former Town Home Owner's membership in the Association. The aggregate number of votes for all members of the association shall be two (2). Each Town Home Owner's respective percentage of ownership interests in the Association is set forth in Exhibit D.

(b) Management of Property. The Board shall have the authority to engage the services of an agent (sometimes herein referred to as the "Managing Agent") to maintain, repair, replace, administer and operate the Property, or any part thereof, to the extent deemed advisable by the Board, subject to the provisions of subparagraph (c), below. The Board may require that Managing Agent have fidelity bond coverage on its employees handling Association funds. The cost of such services shall be a common expense, as defined in Section 8, below.

(c) Initial Management Agreement. The first Board, appointed as provided in the Bylaws, shall have the obligation, to ratify and approve any management agreement between Developer, on behalf of the Association, and a management entity.

(d) Use by Developer. During the period of sale by Developer of any Town Homes, Developer and Developer's agents, employees, contractors and subcontractors, and their

respective agents and employees, shall be entitled to access and ingress to and egress from the Property as may be required for purposes of said sale of Town Homes. While Developer owns any of the Town Homes and until each Town Home sold by it is occupied by the purchasers, the Developer and its employees may rent, lease, use and show one or more of such unsold or unoccupied Town Homes as a model Town Home or Town Homes and may rent, lease or use one or more of such unsold or unoccupied Town Homes as a sales office, and may maintain customary signs in connection therewith.

(e) Non-Liability of the Directors, Board, Officers and Developer. Neither the Board, the individual members thereof, the officers of the Association, nor Developer shall be personally liable to the Town Home Owners for any mistake of judgment or for any other acts or omissions of any nature whatsoever as such Board, members, officers or Developer, except for any acts or omissions found by a court to constitute gross negligence or fraud. The Town Home Owners shall indemnify and hold harmless each of the Board its members, such officers and Developer, and their respective heirs, executors, administrators, successors and assigns, in accordance with the provisions of Article VII of the Bylaws.

5. Board's Determination Binding. In the event of any dispute or disagreement between any Town Home Owners relating to the Property, or any agreement between any Town Home Owners relating to the Property, or any questions of interpretation or application of the provisions of this Declaration or the Bylaws, the determination thereof by the Board shall be final binding on each and all such Town Home Owners.

6. Ownership of the Common Elements. Each Town Home Owner shall be entitled to the percentage of undivided ownership in the Common Elements allocated to the respective Town Home owned by such Town Home Owner, as set forth in Exhibit D hereto. The percentages of ownership interests set forth in Exhibit D shall remain constant unless amended pursuant to the reservation set forth herein, or unless hereafter changed by recorded amendment to this Declaration as provided for herein or consented to in writing by the necessary Town Home Owners and first mortgagees. Said ownership interest in the Common Elements shall be undivided interests, and the Common Elements shall be owned by the Town Home Owners as in accordance with their respective percentages of ownership. The ownership of each Town Home shall not be conveyed separate from the percentage of ownership in the Common Elements corresponding to said Town Home. The undivided percentage of ownership in the Common Elements corresponding to any Town Home shall be deemed conveyed or encumbered with that Town Home, even though the legal description in the instrument conveying or encumbering said Town Home may refer only to the fee title to that Town Home. Such Common Elements are not and shall not be the subject of any partition action.

7. Use of Common Elements. Each Town Home owner shall have the right to use the Common Elements (except the Limited Common Elements) in common with all other Town Home Owners, as may be required for the purposes of access and ingress to, egress from, use, occupancy and enjoyment of the respective Town Home owned by such Town Home owner. Such right to use Common Elements shall extend not only to each Town Home owner, but also to his agents, customers, guests, visitors, invitees and licensees. However, each Town Home Owner also shall have the right to exclusive use and possession of the Limited Common Elements contiguous to and serving such Town Home alone. Such rights to use the Common Elements, including Limited Common Elements, shall be subject to and governed by the provisions of the Declaration, Bylaws and the rules and regulations of the Association. In addition, the Association shall have the authority to lease grant concessions or grant easements with respect to parts of the Common Elements, subject to the provisions of this Declaration and the Bylaws. All income derived by the Association from leases, concessions or other sources shall be held and used for the benefit of the members of the Association, pursuant to such rules, resolutions or regulations as the Board may adopt or prescribe.

8. Common Expenses. Each Town Home Owner shall pay his proportionate share of the expenses of the administration and operation of the Common Elements and of any other expenses incurred in accordance with this Declaration and the Bylaws (which expenses are herein sometimes referred to as "common expenses"), including, but not limited to, the maintenance and repair of the Common Elements and any and all replacements and additions thereto. Such proportionate share of the common expenses for each Town Home Owner shall be in accordance with his percentage of ownership in the Common Elements; provided, however,

that any such expenses with respect to Limited Common Elements shall be borne by the Town Home Owners to whose Town Homes such Limited Common Elements are appurtenant, in accordance with such Town Home Owners' percentage of ownership interest therein. Payment of common expenses, including any prepayment thereof required by a contract for sale of a Town Home, shall be in such amounts and at such times as determined in the manner provided in the Bylaws. No Town Home Owner shall be exempt from payment of his proportionate share of the common expenses by waiver of the use or enjoyment of the Common or Limited Common Elements or by abandonment of his Town Home. If any Town Home Owner shall fail or refuse to make any such payment of common expenses when due, the amount thereof, together with the interest thereon at the maximum allowable rate at law per annum from the date that said common expenses become due and payable, plus reasonable attorney's fees incurred by the Association in the collection thereof or the enforcement of the lien herein provided, shall constitute a lien on the interest of such Town Home Owner in his Town Home and in the Property as provided in the Act. The sale or conveyance of a Town Home shall in all cases be subject to all unpaid assessments against the Town Home Owner thereof for his pro rata share in the common expenses, and if the same are not paid by the owner thereof prior to any sale or conveyance, shall be a lien against the Town Home and shall be payable by the new Town Home Owner thereof. Likewise, all taxes and other levies and assessments by governmental taxing bodies shall be a lien against individual Town Homes.

9. Mortgages and Deeds of Trust. Each Town Home Owner shall have the right, subject to the provisions hereof, to make separate mortgages and deeds of trust for his respective Town Home together with his respective ownership interest in the Common Elements. No Town Home Owner shall have the right or authority to grant, make or create, or cause to be granted, made or created, any mortgage, deed of trust or other lien on or affecting the Property or any part thereof, except only to the extent of his own Town Home and the respective percentage interest in the Common Elements corresponding thereto.

10. Separate Real Estate Taxes. Real estate taxes shall be separately taxed to each Town Home Owner for his Town Home and his corresponding percentage of ownership in the Common Elements, as provided in the Act. In the event that such taxes for any year are not separately taxed to each Town Home Owner, but rather are taxed on the Property as a whole, then each Town Home Owner shall pay his proportionate share thereof in accordance with his respective percentage of ownership interest in the Common Elements, and, in said event, such taxes shall be a common expense.

11. Insurance. Each Town Home Owner shall be responsible for obtaining his own insurance for his Town Home, Private Elements and Limited Common Elements exclusively serving his Town Home, contents of his own Town Home as well as his additions and improvements thereto, all decorations, furnishings and personal property therein, and any personal property stored elsewhere on the Property. The insurance policy shall afford, as a minimum protection against loss or damage by fire or other perils normally covered by the "Causes of Loss - Special Form Basis" endorsement, where such is available, and such policy shall be in an amount equal to 100% of current replacement cost of such individual Town Home Building and all such alterations, additions, improvements or betterments thereto and any Limited Common Elements serving his Town Home. Each Town Home Owner shall also obtain his own comprehensive public liability insurance policy, insuring each Owner, mortgagee of record, if any, the Association, its officers, directors, Board and employees from liability in connection with such Town Home Owner's individual Town Home or any Limited Common Element serving his Town Home. In addition, in the event a Town Home Owner desires to insure against his personal liability and loss or damage by fire or other hazards above and beyond the extent that his liability loss or damage is covered by the liability insurance and insurance against loss or damage by fire and such other hazards obtained by the Board for the benefit of all of the Town Home Owners as part of the common expenses, as above provided, said Town Home Owner may at his option and expense, obtain additional insurance.

The Board shall have the authority to obtain insurance for the Property against loss or damage by fire, vandalism, malicious mischief and such other hazards as are covered under standard extended coverage provisions for the full insurable replacement cost of the Property, and against such other hazards and for such amounts as the Board may deem advisable. Insurable replacement cost shall be deemed to be the cost of restoring the Common Elements. Such insurance coverage shall be written in the name of, and the proceeds thereof shall be

payable to, the Board, as the trustee for each of the Town Home Owners in direct proportion to said Town Home Owner's respective percentage of ownership in the Common Elements, as set forth in this Declaration, and for the holders of mortgages on his Town Home as loss payee, if any. The policy of insurance shall also contain, if possible, a waiver of subrogation rights by the insurer against individual Town Home Owners. The premiums for such insurance shall be a common expense. However, at the option of the Board, and upon written notice to all Town Home Owners, premiums for such insurance shall be separately billed to each Town Home Owner for his Town Home and his corresponding percentage of ownership in the Common Elements.

In the event of damage to or destruction of all or any part of the Common Elements as a result of fire or other casualty covered by insurance maintained by the Board pursuant hereto (unless more than two-thirds of such Buildings and Common Elements require reconstruction), the Board shall, in its sole and absolute discretion, determine, and without intervention of any Town Home Owner, arrange for the prompt repair and restoration of the damaged portions of Common Elements substantially in accordance with the original plans and specifications therefore. Where the insurance proceeds are insufficient to cover the cost of such repairs and restoration, the deficit shall be paid by all Town Home Owners directly affected by the damage, in proportion to each such Town Home Owner's percentage of ownership in the Common Elements.

The Board shall not be responsible for the repair, replacement or restoration of any Limited Common Elements, Private Elements, furniture, furnishings, fixtures or equipment installed in the Town Home by a Town Home Owner or Occupant or any other personal property located on the Property owned by a Town Home Owner or Occupant unless insurance therefore is specifically provided for in the insurance policy obtained by the Board. The Board in its sole discretion shall determine which Town Home Owners are directly affected by the damage.

Reconstruction shall not be compulsory where the whole or more than two-thirds (2/3) of all the Buildings and Common Elements are destroyed or damaged by fire or other casualty, as determined by the Board. In such case, and unless otherwise unanimously agreed upon by the Town Home Owners, the insurance proceeds shall be delivered to the Town Home Owners or their mortgagees, as their interests may appear, in proportion to the percentage interest of each Town Home Owner in the Common Elements; and the Board, as soon as is reasonably practicable and as agent for the Town Home Owners, shall sell the Property, in its then condition, free from the effect of this Declaration, which shall terminate upon such sale, on terms satisfactory to the Board, and the net proceeds of such sale and of all insurance policies shall thereupon be distributed to the Town Home Owners or their mortgagees, as their interest may appear, in proportion to the percentage interest of each Town Home Owner in the Common Elements. If the Board fails to consummate a sale pursuant to this paragraph within twenty-four (24) months after the destruction or damage occurs, then the Managing Agent or the Board shall, or if it does not, any Town Home Owner or mortgagee may, record a sworn declaration setting forth such decision and reciting that under the provisions of this Declaration the prohibition against judicial partition provided for in this Declaration has terminated and that judicial partition of the Property may be obtained pursuant to the laws of the State of Tennessee. Upon final judgment of a court of competent jurisdiction decreeing such partition, this Declaration shall terminate.

Reconstruction also shall not be compulsory where the whole or more than two-thirds (2/3) of any one of the Buildings is destroyed, as determined by the Board. In such case, and unless otherwise unanimously agreed upon by the Town Home Owners directly affected, the net proceeds of insurance policies shall be divided among all the Town Home Owners directly affected by the casualty in proportion to their respective common interests as determined in the sole discretion of the Board, after paying from the share of such affected Town Home Owner the just amount of any unpaid liens on his Town Home, in the order of priority of such liens. Notwithstanding the foregoing, no such disbursement of the aforesaid insurance proceeds shall occur unless simultaneously with such disbursement each affected Town Home Owner delivers to the Board a recordable deed quit claiming his interest in his Town Home or affected portion thereof to the Association and also delivers to the Board a recordable release of any liens on his Town Home or the affected portion thereof. Upon the recording of the aforesaid deeds and releases, each such Town Home or affected portion thereof shall be deemed withdrawn and thereafter to be Common Elements. Upon the withdrawal of any Town Home or portion thereof,

the percentage interest in the Common Elements allocable to such Town Home shall be reallocated among the remaining Town Homes on the basis of the percentage of interest of each remaining Town Home. If only a portion of a Town Home is withdrawn, the percentage of interest appurtenant to that Town Home shall be reduced accordingly, as determined by the Board. After the Board has effectuated any such withdrawal, the responsibility for the payment of assessments for any such withdrawn Town Home or portion thereof shall cease.

The Board also shall have authority to obtain comprehensive public liability insurance, in such amounts as it deems desirable and worker's compensation insurance and other liability insurance as it deems desirable, insuring each Town Home Owner, the mortgagee(s) of Record, if any, the Association, its officers, directors, Board and employees, Developer and any Managing Agent, from (i) liability in connection with the Common Elements, and (ii) liability arising out of legal proceedings relating to employment contracts to which the Association is a party (to the extent such insurance is reasonably available). The premiums for such insurance shall be a common expense; however, at the option of the Board, and upon written notice to all Town Home Owners, premiums for such insurance shall be separately billed to each Town Home Owner in proportionate amounts corresponding to such Town Home Owner's percentage of ownership in the Common Elements. The Board shall retain in safekeeping any such public liability policy for six (6) years after the expiration date of the policy.

The Board, in its sole discretion, also shall have authority to and may obtain such other insurance and bonds as it deems desirable, in such amounts, from such sources and in such forms as it deems desirable, insuring the Property and each member of the Board and officer of the Association, and each member of any committee appointed pursuant to the Bylaws of the Association, from liability arising from the fact that said person is or was director or officer of the Association, or a member of any such committee. The premiums for such insurance and bonds shall be a common expense.

12. Maintenance, Repairs and Replacements. Each Town Home Owner, at his own expense, shall furnish and be responsible for all maintenance of, repairs to and replacements within his own Town Home, Private Elements and Limited Common Elements exclusively serving his Town Home or the Board may cause the same to be done at the expense of the Town Home Owner. Each Town Home Owner shall be responsible for the maintenance, repairs to and replacements of Private Elements and Limited Common Elements attached to such Owner's Town Home, including, but not limited to roof, roofing structure, windows, doors, patios, porches, decks, yards, gutters, heating or air-conditioning units, window boxes, landscaping, walls (interior and exterior) and the portions of the Building that are not Common Elements. Maintenance, repairs and replacement of the Common Elements, including but not limited to sidewalks, common utility lines, common pipes, common ducts, common wires, common cables, fences and installations for the common use of the Town Homes shall be part of the common expenses and shall be furnished by the Association subject to the provisions of this Declaration, the Bylaws and the rules and regulations of the Association.

If, due to the act or neglect of a Town Home Owner, or of his agent, invitee or licensee, damage shall be caused to the Common Elements, Private Elements or to a Town Home or Town Homes owned by others, or maintenance, repair or replacement are required that would otherwise be a common expense, then such Town Home Owner shall pay for such damage or such maintenance, repair and replacement, as may be determined by the Association, to the extent not covered by the Association's insurance or sufficient proceeds are not collected from the insurance carrier.

The authorized representatives of the Association, Board or of the Managing Agent with approval of the Board shall be entitled to reasonable access to the individual Town Homes, Limited Common Elements and Private Elements as may be required in connection with the preservation of any individual Town Home or Limited Common Elements or Private Elements in the event of an emergency, or in connection with any maintenance, repairs or replacements within the Common Elements, Limited Common Elements, Private Elements or any equipment, facilities or fixtures affecting or serving other Town Homes, Common Elements, Private Elements and Limited Common Elements, or to make any alteration required by any governmental authority.

13. Alterations, Additions or Improvements. The Common Elements, or any additions or improvements thereto, shall not be altered or changed by any Town Home Owner, without the prior written consent of the Board. The Board may authorize and charge as common expenses alterations, additions and improvements of the Common Elements as provided in the Bylaws. Any Town Home Owner may make non-structural alterations, additions or improvements within the Town Home without the prior written approval of the Board, but such Town Home Owner shall be responsible for any damages to other Town Homes, the Common Elements, the Property, or any part thereof, resulting from such alterations, additions or improvements.

14. Decorations, Cleaning, Landscaping. Each Town Home Owner, at his own expense, shall furnish and be responsible for all decorations, landscaping and cleaning within his own Town Home and the Limited Common Elements serving his Town Home, as may be required from time to time, including painting, wall papering, washing, cleaning, paneling, floor covering, draperies, window shades, curtains, lighting, and other furnishings and decorations. Each Town Home Owner shall be entitled to the exclusive use of the interior surfaces of the perimeter walls, floors and ceiling of his Town Home. All gutters, windows and screens of a Town Home shall be cleaned and washed at the expense of the Town Home Owner of that Town Home.

15. Encroachments. If any portions of the party wall or Common Elements shall actually encroach upon any Town Home, or if any Town Home shall actually encroach upon any portions of the Common Elements, or if any Town Home shall actually encroach upon another Town Home, as the Common Elements and Town Homes are shown by the Plat, there shall be deemed to be mutual easements in favor of the owners of the Common Elements and the respective Town Home Owners involved, to the extent of such encroachments, so long as the same shall exist.

16. Use and Occupancy Restrictions. Subject to the provisions of the Bylaws, no part of the Property may be used for purposes other than as allowed by municipal zoning laws.

17. Remedies. In the event of any violation of the provisions of the Act, this Declaration, the Bylaws or the rules and regulations of the Board or the Association by any Town Home Owner (either by his own conduct or by the conduct of any other Occupant of his Town Home or any invitee or licensee thereof) the Association, or its successors or assigns, or the Board, or its agent, shall have each and all of the rights and remedies that may be provided for in the Act, this Declaration, the Bylaws or said rules and regulations, or that may be available at law or in equity, and may prosecute an action or other proceedings against such defaulting Town Home Owner and/or other Occupant for enforcement of any lien and the appointment of a receiver for the Town Home and ownership interest of such Town Home Owner, or for damages or injunction or specific performance, or for judgment for payment of money and collection thereof, or for any combination of remedies, or for any other relief. All expenses of the Board in connection with any such actions or proceedings, including court costs and attorneys' fees and other fees and expenses and all damages, liquidated or otherwise, together with interest, thereon at the maximum allowed rate by law per annum until paid, shall be charged to and assessed against such defaulting Town Home Owner, and shall be added to and deemed part of his respective share of the common expenses, and the Association shall have a lien for all of the same, as well as for non-payment of his respective share of the common expenses, upon the Town Home and ownership interest in the Common Elements of such defaulting Town Home Owner and upon all of his additions and improvements thereto and upon all of his personal property in his Town Home or located elsewhere on the Property; provided, however, that such lien shall be subordinate to the lien of a recorded first mortgage or deed of trust on the interest of such Town Home Owner, except for the amount of the proportionate share of said common expenses that become due and payable from and after the date on which the beneficiary of said mortgage or deed of trust either takes possession of the Town Home, accepts a conveyance of any interest therein (other than as a security) or forecloses its mortgage or deed of trust. In the event of any such default by any Town Home Owner, the Board and the manager or Managing Agent, if so authorized by the Board, shall have the authority to correct such default and to do whatever may be necessary for such purpose, and all expenses in connection therewith shall be charged to and assessed against such defaulting Town Home Owner and secured by the lien hereinabove provided. Any and all such rights and remedies may be exercised at any time and from time to time, cumulatively or otherwise, by the Board. This paragraph shall not be amended, changed, modified or rescinded without the prior consent of all holders of mortgage and deed of trust liens against Town Homes whose respective interests appear of Record.

The violation of any restriction or condition or regulation adopted by the Board or the breach of any covenant or provision herein contained shall give the Association, acting through the Board, the right, in addition to any other rights provided for in this Declaration: (a) to enter (either peaceably or forcibly without liability to such Town Home Owner for such entry) upon the Town Home, or any portion of the Property upon which or as to which such violation or breach exists, and summarily to abate and remove, at the expense of the defaulting Town Home Owner, any structure, thing or condition that may exist thereon contrary to the intent and meaning of the provisions hereof, and the Board, or its employees or agents, shall not thereby be deemed guilty in any manner of trespass; or (b) to enjoin, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any breach; or (c) to take possession (either peaceably or forcibly without liability to such Town Home Owner for such entry) of such Town Home Owner's interest in the Property and to maintain an action for possession of such Town Home in the manner provided by law.

If any Town Home Owner (either by his own conduct or the conduct of any other Occupant of his Town Home or any invitee or licensee thereof) shall violate the Act, or any of the covenants, restrictions or provisions of this Declaration or any of the rules and regulations adopted by the Board, and if such default or violation shall continue for ten (10) days after notice to the Town Home Owner in writing from the Board, or shall occur repeatedly during any ten (10) day period after such written notice or request to cure such violation from the Board, then the Board shall have the power to issue to said defaulting Town Home Owner a notice in writing terminating the rights of the said defaulting Town Home Owner to continue as a Town Home Owner and to continue to occupy, use or control his Town Home, and thereupon an action in equity may be filed by the Association, acting through the Board, against said defaulting Town Home Owner for a decree of mandatory injunction against such defaulting Town Home Owner or Occupant, or in the alternative, for a decree declaring the termination of said defaulting Town Home Owner's right to occupy, use or control the Town Home owned by him on account of said violation, and ordering that all right, title and interest of said defaulting Town Home Owner in the Property shall be sold (subject to the lien of any existing deed of trust or mortgage) at a judicial sale upon such notice and terms as the court shall determine, except that the court shall enjoin and restrain the said defaulting Town Home Owner from reacquiring his interest at such judicial sale. The proceeds of any such judicial sale shall first be paid to discharge court costs, court reporter charges, reasonable attorneys' fees and all other expenses of proceeding and sale, and all such items shall be taxed against said defaulting Town Home Owner in said decree. Any balance of proceeds, after satisfaction of such charges and any unpaid assessments or liens hereunder, shall be paid to said defaulting Town Home Owner. Upon the confirmation of such sale, the purchaser shall thereupon be entitled to a deed to the Town Home and the Town Home Owner's corresponding percentage of ownership in the Common Elements, and to immediate possession of the Town Home sold, and may apply to the court for a writ of assistance for the purpose of acquiring such possession, and it shall be a condition of any such sale, and the decree shall so provide, that the purchaser shall take the interest in the Town Home ownership sold subject to this Declaration.

18. Amendment. The provisions of this Declaration may be changed, modified or rescinded by an instrument in writing, setting forth such change, modification or rescission, signed by not less than sixty-seven percent (67%) of the Town Home Owners and acknowledged; provided, however, that all lien holders of Record shall have been notified by certified mail of such change, modification or rescission and an affidavit by the secretary of the Association certifying to such mailing shall be made a part of such instrument.

Notwithstanding the foregoing, if the Act, this Declaration or the Bylaws require the consent or agreement of all Town Home Owners or of all lien holders for any action specified in the Act or in this Declaration, then any instrument changing, modifying or rescinding any provision of this Declaration with respect to such action shall be signed by all Town Home Owners or all lien holders or both as required by the Act or this Declaration. The change, modification or rescission, shall be effective upon the Recording of such instrument; provided, however, that no provisions in the Declaration may be changed, modified or rescinded so as to conflict with the provisions of this Act.

19. Notices. Notices provided for in the Act, this Declaration or the Bylaws shall be in writing, and shall be addressed to the Association, the Board or any Town Home Owner, as the case may be. The Association or Board may designate a different address or addresses for notices by

written notice of such change of address to all Town Home Owners. Any Town Home Owner may designate a different address for notices to him by giving written notice to the Association. Notices addressed as above shall be deemed delivered when mailed by the United States registered or certified mail, or when delivered in person with written acknowledgement of the receipt thereof.

Upon written request to the Board, the holder of any recorded mortgage or trust deed encumbering any Town Home shall be given a copy of all notices permitted or required by this Declaration to be given to the Town Home Owner or Owners whose Town Home is subject to such mortgage or trust deed.

20. Severability. If any provision of this Declaration or the Bylaws, or any section, sentence, clause, phrase or word, or the application thereof in any circumstance, is held invalid, the validity of the remainder of this Declaration and the Bylaws and the application of any such provisions, section, sentence, clause, phrase or word in any other circumstances shall not be affected thereby, and the remainder of this Declaration or the Bylaws shall be construed as if such invalid part was never included therein.

21. Rights and Obligations. Each grantee of Developer, by the acceptance of a deed of conveyance with respect to any part of the Property, accepts the same subject to all restrictions, conditions, covenants, reservations, liens and charges of, and the jurisdiction, rights and powers created or reserved by, this Declaration. All future Town Home Owners and Occupants shall be subject to and shall comply with the provisions of this Declaration. Any restrictions or rules in the Bylaws that are more than administrative in nature such as, but not limited to, reservations in favor of and future rights of Developer, are hereby incorporated into and made a part of this Declaration by reference. All rights, benefits and privileges of every character hereby imposed shall be deemed and taken to be covenants running with the land, and shall bind any person having at any time any interest or estate in the Property, and shall inure to the benefit of such grantee in like manner as though the provisions of this Declaration were recited and stipulated at length in each and every such deed of conveyance or contract for conveyance.

All present and future Town Home Owners, tenants and occupants of a Town Home shall be subject to, and shall comply with, the provisions of the Bylaws, as they may be amended from time to time. The acceptance of a deed of conveyance, devise of or lease to a Town Home, or the entering into occupancy of any Town Home, shall constitute an agreement that the provisions of the Bylaws and any rules and regulations promulgated thereunder, as they may be amended from time to time, are assumed, accepted and ratified by such Town Home Owner, tenant or occupant, and all of such provisions shall be deemed and taken to be covenants running with the land and shall bind any person having at any time any interest or estate in such Town Home, as though such provisions were recited and stipulated at length in each and every deed, conveyance or lease thereof.

The terms and conditions of this Declaration, the Bylaws and the rules and regulations promulgated thereunder may be incorporated by reference in, and become part of any agreement between any first mortgagee and any Town Home Owner who enters into such agreement with a first mortgagee. When so incorporated, any default, in the terms and conditions of this Declaration, the Bylaws or the said rules and regulations may be considered as a default by the first mortgagee, whereupon said first mortgagee, after exercising its option to declare a default, shall then have all of the rights and privileges arising as a result of a default under its agreement with said Town Home Owner.

22. Trustee as Town Home Owner. In the event title to any Town Home is conveyed to a land title holding trust, under the terms of which all powers of management, operation and control of the Town Home remain vested in the trust beneficiary or beneficiaries, then the beneficiary or beneficiaries thereunder shall be considered Town Home Owners for all purposes and they shall be responsible for payment of all obligations, liens or indebtedness and for the performance of all agreements, covenants and undertakings chargeable or created under this Declaration against such Town Home. No claim shall be made against any such title holding trustee personally for payment of any lien or obligation created hereunder, and such trustee shall not be obligated to sequester funds or trust property to apply in whole or in part against such lien obligation. The amount of any such lien or obligation shall continue to be a charge or lien upon the Town Home and the beneficiaries of such trust, notwithstanding any transfers of the beneficial interest of any such trust or any transfer of title to such Town Home.

23. Condemnation. In the event of a taking in condemnation or by eminent domain of a part of the Common Elements, the award made for such taking shall be payable to the Board for and on behalf of the Association. If a majority of the Board in its sole and absolute discretion approve the repair and restoration of such Common Elements, the Board shall arrange for the repair and restoration of such Common Elements, the Board shall disburse the proceeds of such award to the contractor(s) engaged in such repair and restoration in appropriate progress payments. In the event that the Board does not approve the repair and commence restoration of such Common Elements within one hundred twenty (120) days after taking by the public or private authority, the Board shall disburse the net proceeds of such award on the basis of each Town Home's percentage of ownership in the Common Elements.

24. Rights Reserved. The Town Home Owners' rights of enjoyment in the Common Elements shall be subject to:

(a) The right of the Association, as provided in its Bylaws, to suspend the enjoyment rights of any member in utilities, ingress and egress, and all other rights in the Common Elements for any period during which any Assessment remains unpaid, and for such period as it considers appropriate for any infraction to its published rules and regulations; and

(b) The right of the Association to charge reasonable fees for the use of designated parts of the Common Elements; and

(c) The right of the Association to diminish in any way or to dedicate or transfer all or any part of the Common Elements to any public agency or authority for such purposes and subject to such conditions as may be agreed to by the members entitled to vote thereon, provided that no such diminution or dedication or transfer, nor any determination as to the purposes or conditions thereof, shall be effective unless Developer (or its successors or assigns) and members of the Association entitled to cast two-thirds of the total votes of all classes of members entitled to vote thereon have approved such dedication, transfer, purpose or condition; and

(d) The right of Developer, at its sole expense, to relocate, expand, modify, reduce, enlarge or extend existing driveways, parking areas and yard and to construct, relocate, expand, modify, reduce, enlarge or extend sewers, utility lines or service connections in order to serve the existing Building; and

(e) The right of the Association to grant such licenses, permits, easements and rights-of-way to such utility companies or public agencies or authorities as it shall deem necessary for the proper servicing, maintenance and operation of the Common Elements and the individual Town Homes.

25. Captions. The captions herein are inserted only as a matter of convenience, and in no way define, limit or describe the scope of these provisions or the intent of any provision hereof.

26. Gender and Number. The use of the masculine or neuter gender in this Declaration and in the Bylaws shall be deemed to include the masculine, feminine and neuter gender whenever the context so requires, and the use of the singular shall be deemed to include the plural whenever the context so requires, and vice versa.

15th IN WITNESS WHEREOF, Developer has caused this Declaration to be executed this day of November, 2013.

TBC I, LLC

By: *Alan Woldt*
Alan Woldt, Member

By: *Paul Lapadat*
Paul Lapadat, Member

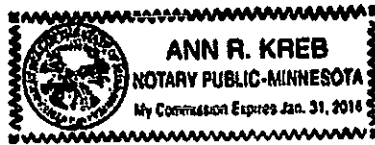
Minnesota
STATE OF TENNESSEE)
Ramsey
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Alan Woldt, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a Member of TBC I, LLC, a Tennessee Limited Liability Company, and that he, as such Member of TBC I, LLC, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of TBC I, LLC, as a Member.

Witness my hand and official seal, this the 15 day of November, 2013.

Ann R. Krieb
Notary Public

My Commission Expires: 02-31-2014



Minnesota
STATE OF TENNESSEE)
Ramsey
COUNTY OF DAVIDSON)

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Paul Lapadat, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be a Member of TBC I, LLC, a Tennessee Limited Liability Company, and that he, as such Member of TBC I, LLC, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing the name of TBC I, LLC, as a Member.

Witness my hand and official seal, this the 15 day of November, 2013.

Ann R. Krieb
Notary Public

My Commission Expires: 02-31-2014

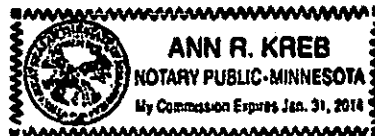


EXHIBIT A

Legal Description

Land in Davidson County, Tennessee, being Lot No. "C" on the Plan of Leaside Subdivision of record in Plat Book 1424, Page 148, in the Register's Office for Davidson County, Tennessee.

Said Lot "C" fronts 56 feet on the north side of West Grove Avenue and runs back between parallel lines 145 feet to an alley.

Being the same property conveyed to Freeman TBC I, LLC by Warranty Deed from Freeman I. Wizer, of record in Instrument No. 20131114-0117648 in the Register's Office for Davidson County, Tennessee.

EXHIBIT B
BYLAWS
OF
1014 WEST GROVE AVENUE TOWNHOMES HOMEOWNERS' ASSOCIATION, INC.

Article I. Office

Section 1. Principal Office. The principal office of the Association shall be maintained at 1014 West Grove Avenue, Nashville, Tennessee 37203, or at such other locations as the Board of Directors may designate.

Section 2. Place of Meetings. All meetings of the Association shall be held at its principal office unless some other place is stated in the call.

Article II. Association of Town Home Owners

Section 1. Annual Meeting. The annual meeting of the Association (except for the first annual meeting) shall be held on the first Tuesday of each July.

Section 2. Special Meetings. Special meetings may be held at any time upon the call of the President or upon the call of any one Town Home Owner. Upon receipt of such call, the Secretary shall send out notices of the meeting to all members of the Association.

Section 3. Notice of Meetings. A written or printed notice of every meeting of the Association, stating whether it is an annual meeting or special meeting, the authority for the call of the meeting, the place, day and hour thereof and the purpose therefore, shall be given by the Secretary or the person or persons calling the meeting at least ten (10) days before the date set for such meeting. Such notice shall be given to each member in any of the following ways: (a) by any manner permitted under the Declaration, or (b) by leaving the same with him personally, or (c) by leaving the same at the residence or usual place of business of such member, or (d) by mailing it, postage prepaid, addressed to such member at his address as it appears on the records of the Association. If notice is given pursuant to the provisions of this section, the failure of any member to receive actual notice of the meeting shall in no way invalidate the meeting or any proceedings at such meeting. Upon written request for notices, mailed by certified mail, addressed to the Secretary of the Association at the address of the Association, the holder of any duly recorded first mortgage or deed of trust against any Town Home may obtain a copy of any and all notices permitted or required to be given, and any such mortgagee requesting such notice shall thereafter receive all notices sent to the members from and after receipt of said request until said request is withdrawn or said mortgage is discharged of Record.

Section 4. Waiver of Notice. The presence of all the members, in person or by proxy, at any meeting shall render the same a valid meeting, unless any member shall, at the opening of such meeting, object to the holding of the same for noncompliance with the provisions of Section 3 of this Article II. Any meeting so held without objection shall, notwithstanding the fact that no notice thereof was given, or that the notice given was improper, be valid for all purposes, and at such meeting any general business may be transacted and any action may be taken; provided, however, that where a member has pledged his vote by mortgage, deed of trust or agreement of

sale, only the presence of the pledgee will be counted in determining whether notice is waived with regard to business dealing with such matters upon which the member's vote is so pledged.

Section 5. Quorum; Voting. At any meeting of the Association, sixty-seven percent (67%) of the Town Home Owners, present or by proxy, shall constitute a quorum, and, except as otherwise provided herein, in the Declaration, the concurring vote of a Majority of the Town Home Owners shall be valid and binding upon the Association. In the event a member has pledged his vote by mortgage, deed of trust or agreement of sale, the member's vote will be recognized in computing a quorum with respect to any business conducted concerning such matters upon which said member's vote is so pledged or mortgaged unless the mortgage, deed of trust or agreement of sale provides otherwise, in which event such instruments shall control. In the event of such mortgage or pledge, the Town Home Owner shall provide the Association with a copy of the pledging or mortgaging instrument.

Section 6. Membership; Voting. Any person or combination thereof owning any Town Home duly recorded in his name, the ownership of which shall be determined by the records of the Register's Office for Davidson County, Tennessee, shall be a member of the Association, and either in person or by proxy entitled to a vote equivalent to one vote for each Town Home so owned at all meetings of the Association. Any provision to the contrary notwithstanding, co-owners or joint owners shall be deemed one Town Home Owner and one member. The authority given by a member to another person to represent such member at meetings of the Association shall be in writing, signed by such member (or if a Town Home is jointly owned then by co-owners or joint owners, by all such co-owners or joint owners; or if such member is a corporation, by the proper officers thereof), and shall be filed with the Secretary, and unless limited by its terms, such authority shall be deemed good until revoked in a writing filed with the Secretary. An executor, administrator, guardian or trustee may vote in person or by proxy at any meeting of the Association with respect to any Town Home owned or held by him in such capacity, whether or not the same shall have been transferred to his name by a duly recorded conveyance. In case such Town Home shall not have so been transferred to his name, he shall satisfy the Secretary that he is the executor, administrator, guardian or trustee holding such Town Home in such capacity. Whenever any such Town Home is owned by two or more persons jointly according to the Record, the vote therefore may be exercised by any one of the owners present in the absence of protest by the other or others; PROVIDED, HOWEVER, that when the vote of an owner or owners has been pledged by mortgage or deed of trust of Record, only the vote of the pledgee will be recognized upon those matters upon which the owner's or owners' vote is so pledged except as otherwise provided in Section 5.

Section 7. Adjournment. Any meeting of the Association may be adjourned from time to time to such place and time as may be determined by majority vote of the members present, whether a quorum be present or not, without notice other than the announcement at the meeting. At any adjourned meeting at which a quorum is present, any business may be transacted that might have been transacted by a quorum at the meeting originally called.

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Article III. Board of Directors

Section 1. Number and Qualification. The affairs of the Association shall be governed by a board of directors (the "Board of Directors" or the "Board") composed of two (2) persons, and all such directors shall be Town Home Owners (or owners of an interest in a Town Home).

Section 2. Powers and Duties. The Board of Directors shall have all of the powers and duties granted thereto in the Declaration and all other powers and duties necessary for the administration of the affairs of the Association, and may do all such acts and things as are not by law, by the Declaration or by these Bylaws directed to be exercised and done by the Town Home Owners.

Section 3. Other Powers and Duties. In addition to duties imposed by the Declaration, these Bylaws or by resolutions of the Association, the Board of Directors shall have the following powers and duties:

- (a) to administer the affairs of the Association and the Property;
- (b) to engage the services of an agent (hereinafter sometimes called the "Managing Agent") to maintain, repair, replace, administer and operate the Property or any part thereof for all of the Town Home Owners, upon such terms and for such compensation and with such authority as the Board may approve; provided, however, that any management agreement relating to the Property shall be terminable for cause upon thirty (30) days' notice and shall have a term of not less than one (1) year nor more than five (5) years, which term shall be renewable upon approval of the Board of Directors.
- (c) to formulate policies for the administration, management and operation of the Property and the Common Elements, as defined in the Declaration, thereof;
- (d) to adopt rules and regulations, with written notice to all Town Home Owners, governing the administration, management, operation and use of the Property and the Common Elements, and to amend such rules and regulations from time to time;
- (e) to provide for the surveillance, maintenance, repair and replacement of the Common Elements
- (f) to provide for the designation, hiring and removal of employees and other personnel, including accountants and attorneys, and to engage or contract for the services of others, and to make purchases for the maintenance, repair, replacement, administration, management and operation of the Property and the Common Elements, and to delegate any such powers to the Managing Agent (and any such employees or other personnel who may be the employees of a Managing Agent);
- (g) to appoint committees of the Board and to delegate to such committees the Board's authority to carry out certain duties of the Board as provided in the Declaration and these Bylaws;
- (h) to determine the fiscal year of the Association and to change said fiscal year from time to time as the Board deems advisable;
- (i) to estimate the amount of the annual budget, and to provide the manner of assessing and collecting from the Town Home Owners their respective shares of such estimated expenses, as hereinafter provided;

(j) to enter into any lease agreement for lease of premises suitable for use as custodian apartments, upon such terms as the Board may approve;

(k) unless otherwise provided herein or in the Declaration, to comply with the instructions of a majority of the Town Home Owners as expressed in a resolution duly adopted at any annual or special meeting of the Association;

(l) to secure insurance policies as required by the Declaration and these Bylaws, and in this regard, annually to review the amounts of coverage afforded by such policies;

(m) to be responsible for and maintain all sidewalks, utilities, and any other services of a public nature that are classified as Common Elements in the Declaration; and

(n) to exercise all other powers and duties of the board of administration or Town Home Owners as a group that are provided in the Act, and all powers and duties of a board of managers or a board of directors referred to in the Declaration or these Bylaws.

Section 4. Manager or Managing Agent: Employees Generally. The Managing Agent shall perform such duties and services as the Board of Directors shall authorize, including, but not limited to, the duties listed in Section 3 of this Article. The duties conferred upon the Managing Agent by the Board of Directors may be at any moment revoked, modified or amplified by the vote of the Association in a duly constituted meeting. The Board of Directors and/or the Managing Agent (with the approval of the Board of Directors) may employ any other employee or agents to perform such duties at such salaries as the Board of Directors may establish. The Board of Directors may enter into such service contracts on behalf of the Association as are necessary and appropriate and shall have authority, but not the obligation, to assume, on behalf of the Association, any initial service contracts entered into by Developer that comply with the requirements and limitations imposed herein.

Section 5. Election and Term of Office. The directors of the Association shall be elected by the affirmative vote of not less than sixty-seven percent (67%) of the Town Home Owners. The first annual meeting of the Association will be called by Developer at such time as, in its discretion, it deems best, but in no event shall it be later than thirty (30) days after two (2) Town Homes are occupied. Alan Woldt, or his nominee, shall act as President of the Association until the President has been named by the Board of Directors. At the first annual meeting of the Association, the terms of office for the first board of directors (the "First Board") shall be fixed wherein one (1) director shall serve for one (1) year and one (1) director shall serve for two (2) years.

At the expiration of the initial term of office of each respective director, his successor shall be elected by all those entitled to vote to serve a term of one (1) year. The directors shall hold office until their successors have been elected and hold their first meeting.

Section 6. Vacancies. Vacancies in the Board of Directors caused by any reason other than the removal of a director by a vote of the Association shall be filled by vote of the majority of the remaining directors, even though they may constitute less than a quorum; and each person so elected shall be a director until a successor is elected at the next annual meeting of the Association.

Section 7. Removal of Directors. At any regular meeting or special meeting duly called, any one or more of the elected directors may be removed with or without cause by not less than

sixty-seven percent (67%) of the Town Home Owners and a successor may then and there be elected to fill the vacancy thus created. Any director whose removal has been proposed by the Town Home Owners shall be given an opportunity to be heard at the meeting.

Section 8. Compensation. No compensation shall be paid to directors for their services as directors. A director may not be an employee of the Association.

Section 9. Organizational Meeting. The first meeting of the newly elected Board of Directors shall be held within one (1) month of election at such place as shall be fixed by the directors at the meeting at which such directors were elected, and no notice shall be necessary to the newly elected directors in order legally to constitute such meeting, providing the whole board is present.

Section 10. Regular Meetings. Regular meetings of the Board of Directors may be held at such time and place as shall be determined, from time to time, by not less than one-half (1/2) of the directors. Notice of regular meetings of the Board of Directors shall be given to each director, personally or by mail, addressed to his residence, or by telephone, at least ten (10) days prior to the day named for such meeting.

Section 11. Special Meetings. Special meetings of the Board of Directors may be called by the President on ten (10) days notice to each director, given personally or by mail, addressed to his residence, or by telephone, which notice shall state the time, place (as hereinabove provided) and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of not less than one (1) director.

Section 12. Waiver of Notice. Before or at any meeting of the Board of Directors, any director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a director at any meeting of the Board shall be a waiver of notice by him of the time and place thereof. If all the directors are present at any meeting of the board, no notice shall be required and any business may be transacted at such meeting.

Section 13. Board of Directors' Quorum. At all meetings of the Board of Directors, one hundred percent (100%) of the directors shall constitute a quorum for the transaction of business, and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors. If, at any meeting of the Board of Directors, there be less than a quorum present, the majority of those present may adjourn the meeting to a different time. At any such adjourned meeting, any business that might have been transacted at the meeting as originally called may be transacted without further notice.

Section 14. Bonds of Officers and Employees. The Board of Directors may, at its sole discretion, require that all officers and employees (including without limitation any management agent) of the corporation handling or responsible for corporate funds shall be covered by blanket fidelity bonds naming the Association as obligee, which bonds shall be in the amount equal to one hundred fifty percent (150%) of the estimated annual operating expenses of the Project. Each such bond shall contain an agreement to notify the Board, the holder of a first mortgage or deed of trust on a Town Home and every other person in interest who shall have requested such notice at least thirty (30) days' prior notice of any cancellation or material alteration of such bond. The

premiums on such bonds shall be paid by the Association as a common expense of the Association.

Article IV. Officers

Section 1. Designation. The principal officers of the Association shall be a President and a Secretary, all of whom shall be elected by and from the Board of Directors. The directors may appoint a vice president, treasurer, assistant treasurer, assistant secretary, and such other officers as in their judgment may be necessary. An officer may serve in more than one capacity; provided, however, that there shall be no less than two (2) persons serving as officers; and further provided that no one person shall serve as both President and Secretary simultaneously.

Section 2. Election of Officers. The officers of the Association shall be elected annually by the Board of Directors at the organizational meeting of each new Board of Directors and shall hold office at the pleasure of the Board of Directors.

Section 3. Removal of Officers. Upon the affirmative vote of a majority of the members of the Board of Directors, any officer may be removed, either with or without cause, and his successor elected at any regular meeting of the Board of Directors, or at any special meeting of the Board of Directors for such purpose.

Section 4. President. The President shall be the chief executive officer of the Association. He shall preside at all meetings of the Association and of the Board of Directors. He shall have all of the general powers and duties that are usually vested in the office of president of an association, including but not limited to the power to appoint committees from among the Town Home Owners from time to time as he may in his discretion decide is appropriate to assist in the conduct of the affairs of the Association.

Section 5. Vice President. The Vice President, if any, shall take the place of the President and perform his duties whenever the President shall be absent or unable to act. If neither the President nor the Vice President is able to act, the Board of Directors shall appoint some other member of the Board to do so on an interim basis. The Vice President shall also perform such other duties as shall from time to time be imposed upon him by the Board of Directors.

Section 6. Treasurer. The Treasurer, if any, shall have the responsibility for Association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. He shall be responsible for the deposit of all monies and other valuable effects in the name, and to the credit, of the Association in such depositories as may from time to time be designated by the Board of Directors.

Section 7. Secretary. The Secretary shall attend and keep the minutes of all meetings of the Board of Directors or of the Association; shall give all notices as provided by these Bylaws, and shall have other powers and duties as may be incidental to the office of Secretary, given him by these Bylaws or assigned to him from time to time by the Board of Directors. If the Secretary shall not be present at any meeting, the presiding officer shall appoint a secretary pro tempore who shall keep the minutes of such meeting and record them in the books provided for that purpose.

Section 8. Auditor. The Association may at any meeting appoint some person, firm or corporation engaged in the business of auditing to act as auditor of the Association and to perform such audits and fiscal duties as may be requested of him by the Association.

Article V. Obligations of the Town Home Owners

Section 1. Expenses and Assessments. Every Town Home Owner shall contribute, pro rata on the basis of his percentage interest in the Common Elements as set forth in the Declaration, toward the expenses of administration of the Property and the Association, including but not limited to all types of insurance and the costs of operation, maintenance, repair and replacement of the Common Elements. The Association shall fix a monthly charge for each Town Home in an amount sufficient to provide for its pro rata share of all such current expenses, reasonable reserves for future expenses of administration, reasonable reserves for the expenses of utilities, periodic maintenance, repair and replacement associated with the Common Elements and such other expenses as the Association may deem proper, subject to adjustment from time to time as the Association may deem necessary. Such monthly charge shall be due and payable in advance on the first day of every month, shall bear interest at the rate of twelve percent (12%) per annum from the date due until paid, and such charges, together with interest as aforesaid and reasonable attorney's fees of the Association (all as provided in the Declaration) shall be a lien on the Town Home, assessed prior in right to all other charges whatsoever except assessments, liens and charges in favor of the State of Tennessee and Davidson County for taxes past due and unpaid on such Town Home, and amounts and liabilities secured by first mortgage instruments duly Recorded. In the event any Town Home Owner is delinquent in the payment of any monthly assessment for a period in excess of thirty (30) days, the Association is authorized to sever or disconnect all utility connections to his Town Home, provided such severance or disconnection does not invalidate the Association's fire and casualty insurance, and to take such other actions as are authorized by the Declaration.

Section 2. Working Capital. A working capital fund shall be maintained by the Association during the initial months of the Property's operation. Each Town Home's share of the working capital fund must be collected and transferred to the Association at the time of the closing of the sale of each Town Home and maintained in an account for the use and benefit of the Association. The purpose of the working capital fund is to insure that the Association will have cash available to meet unforeseen expenditures, and/or to acquire additional equipment or services deemed necessary or advisable by the Board, and disbursements from such fund shall be made as directed by the Board. Amounts paid into the working capital fund shall in no event be considered advance payment(s) of monthly assessments.

Section 3. Maintenance and Repair.

(a) Every Town Home Owner must perform promptly all maintenance and repair work within his Town Home and Limited Common Elements that, if omitted, would affect the Property in its entirety or a part belonging to other Town Home Owners, and is responsible for the damages and liabilities that his failure to do so may cause.

(b) All the repairs of internal installations of a Town Home such as water, light, power, sewage, telephone and sanitary installations, lamps and all other accessories belonging to the Town Home area shall be maintained at the Town Home Owner's expense.

(c) A Town Home Owner shall reimburse the Association for any expenditure incurred in repairing or replacing any Common Elements damaged through his fault.

Section 4. Use of Town Homes. All Town Homes shall be used in accordance with the provisions of the Bylaws, the Declaration and the Rules and Regulations.

Section 5. Rules and Regulations. In order to assure the peaceful and orderly use and enjoyment of the Building and Common Elements of the Property, the Association may from time to time adopt, modify and revoke in whole or in part by a vote of not less than sixty-seven percent (67%) of the members at any meeting duly called for the purpose, such reasonable rules and regulations, to be called Rules and Regulations, governing the conduct of persons in said Property as it may deem necessary. The Rules and Regulations, upon adoption, and every amendment, modification and revocation thereof, shall be delivered promptly to each Town Home Owner and shall be binding upon all members and occupants of the Property.

Section 6. Deeds of Trust and Mortgages. Any holder of a deed of trust or mortgage with respect to a Town Home may file a copy of such instrument with the Board of Directors through the Secretary, who shall be required to notify such holder or mortgagee of:

(a) Any condemnation loss or any casualty loss that affects a material portion of the Property or the Town Home covered by such mortgage or deed of trust;

(b) Any delinquency in the payment of expenses or charges owed relating to the Town Home that is covered by such mortgage or deed of trust that remains uncured for sixty (60) days, and that the holder or mortgagee may, at its option, pay such delinquent expenses;

(c) Any lapse, cancellation or material modification of any insurance policy or fidelity bond maintained by the Association;

(d) Any proposed action that would require the consent of a specified percentage of deed of trust or mortgage lien holders.

Section 7. Insurance. The Board on behalf of the Association and its common expense shall at all times keep the Common Elements insured against loss or damage by fire with extended coverage in an insurance company authorized to do business in the State of Tennessee in accordance with the Declaration.

Article VI. Execution of Instruments

Section 1. Instruments Generally. All checks, drafts, notes, bonds, acceptances, contracts and all other instruments except conveyances shall be signed by such person(s) as shall be designated by resolution applicable thereto.

Article VII. Liability of Officers, Directors and Members

Section 1. Exculpation. No director or officer of the Association shall be liable for acts or defaults of any other officer or member or for any loss sustained by the Association or any member thereof, unless the same has resulted from his own willful misconduct or negligence.

Section 2. Indemnification. The Association shall indemnify and hold harmless each of its directors and officers, each member of any committee appointed pursuant to these Bylaws, the Board and/or Developer against all contractual and other liabilities to others arising out of contracts made by or other acts of such directors, Board, officers, committee members or Developer, on behalf of the Town Home Owners, or arising out of their status as directors, officers, committee members or Developer, unless any such contract or act shall have been made fraudulently or with gross negligence or criminal intent. It is intended that the foregoing indemnification shall include indemnification against all costs and expenses (including, but not limited to, counsel fees, amounts of judgments paid and amounts paid in settlement) reasonably incurred in connection with the defense of any claim, action, suit or proceeding, whether civil, criminal, administrative or other, in which any such director, officer, Board, committee member or Developer may be involved by virtue of such person(s) being or having been such director, officer, committee member or Developer; provided, however, that such indemnity shall not be operative with respect to (a) any matter as to which such person shall have been finally adjudged in such action, suit or proceeding to be liable for gross negligence or fraud in the performance of his duties as such director, officer, committee member or Developer, or (b) any matter settled or compromised, unless, in the opinion of independent counsel selected by or in a manner determined by the Board, there is not reasonable ground for such person(s) being adjudged liable for gross negligence or fraud in the performance of his or their duties as such director, officer, committee member or Developer.

Section 3. Success on Merits. To the extent that the Developer or a member of the Board of Directors or an officer of the Association or a member of any committee appointed pursuant to the Bylaws of the Association has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 2 of this Article VII, or in defense of any claim, issue or matter therein, he shall be indemnified against expenses (including attorney's fees) actually and reasonably incurred by him in connection therewith.

Section 4. Advance Payment. Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Association in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors in the specific case upon receipt of an undertaking by or on behalf of the person or entity seeking such indemnification or payment in advance to repay such amount unless it ultimately shall be determined that he is entitled to be indemnified by the Association as authorized in this Article VII.

Section 5. Miscellaneous. The Association and the Board shall have the power to raise and the responsibility for raising, by special assessment or otherwise, any sums required to discharge the Association's obligations under this Article; provided, however, that the liability of any Town Home Owner arising out of any contract made by or other acts of the directors, Board, officers, members of such committees or Developer, or out of the aforesaid indemnity in favor of the directors, Board, officers, members of such committees or Developer, shall be limited to such proportion of the total liability hereunder as said Town Home Owner's percentage of interest in the Common Elements bears to the total percentage interest of all of the Town Home Owners in the Common Elements. Every agreement made by the directors, Board, officers, members of such committees, Developer or the Managing Agent on behalf of the Town Home Owners shall

provide that the directors, Board, officers, members of such committees, Developer or the Managing Agent, as the case may be, are acting only as agents for the Town Home Owners and shall have no personal liability thereunder (except as Town Home Owners), and that each Town Home Owner's liability thereunder shall be limited to such proportion of the total liability thereunder as his percentage of interest in the Common Elements bears to the total percentage interest of all Town Home Owners in the Common Elements.

Article VIII. Amendment

Section 1. Amendment. These Bylaws may be amended, modified or revoked in any respect from time to time by vote of not less than sixty-seven percent (67%) of the Town Home Owners at a meeting duly called for the purpose; PROVIDED, HOWEVER, that the contents of these Bylaws shall always contain those particulars that are required to be contained herein by the Act; and PROVIDED, FURTHER, that no modification of or amendment to these Bylaws shall be valid unless set forth in an amendment to the Declaration.

Section 2. Conflict. In the event of any conflict between the provisions of these Bylaws and the provisions of the Declaration, the Declaration shall govern and apply.

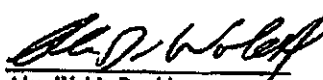
Article IX. Miscellaneous

Section 1. Terminology. When used herein, the singular shall include the plural, and vice versa, and the masculine, feminine or neuter gender shall include all other genders, as the context requires.

Article X. Definitions

Section 1. Terms Defined in Declaration. Capitalized terms not defined herein shall have the meaning given them in that certain Declaration for 1014 West Grove Avenue Townhomes executed by Developer, to which these Bylaws are attached and of which these Bylaws are a part.

The foregoing constitutes the Bylaws of this corporation as adopted and in full force and effect on this 14th day of November, 2013.

 (Managing Member)
Alan Woldt, President (TBC I, LLC)


 (Member)
Paul Lapalata, Secretary (TBC I, LLC)

EXHIBIT C

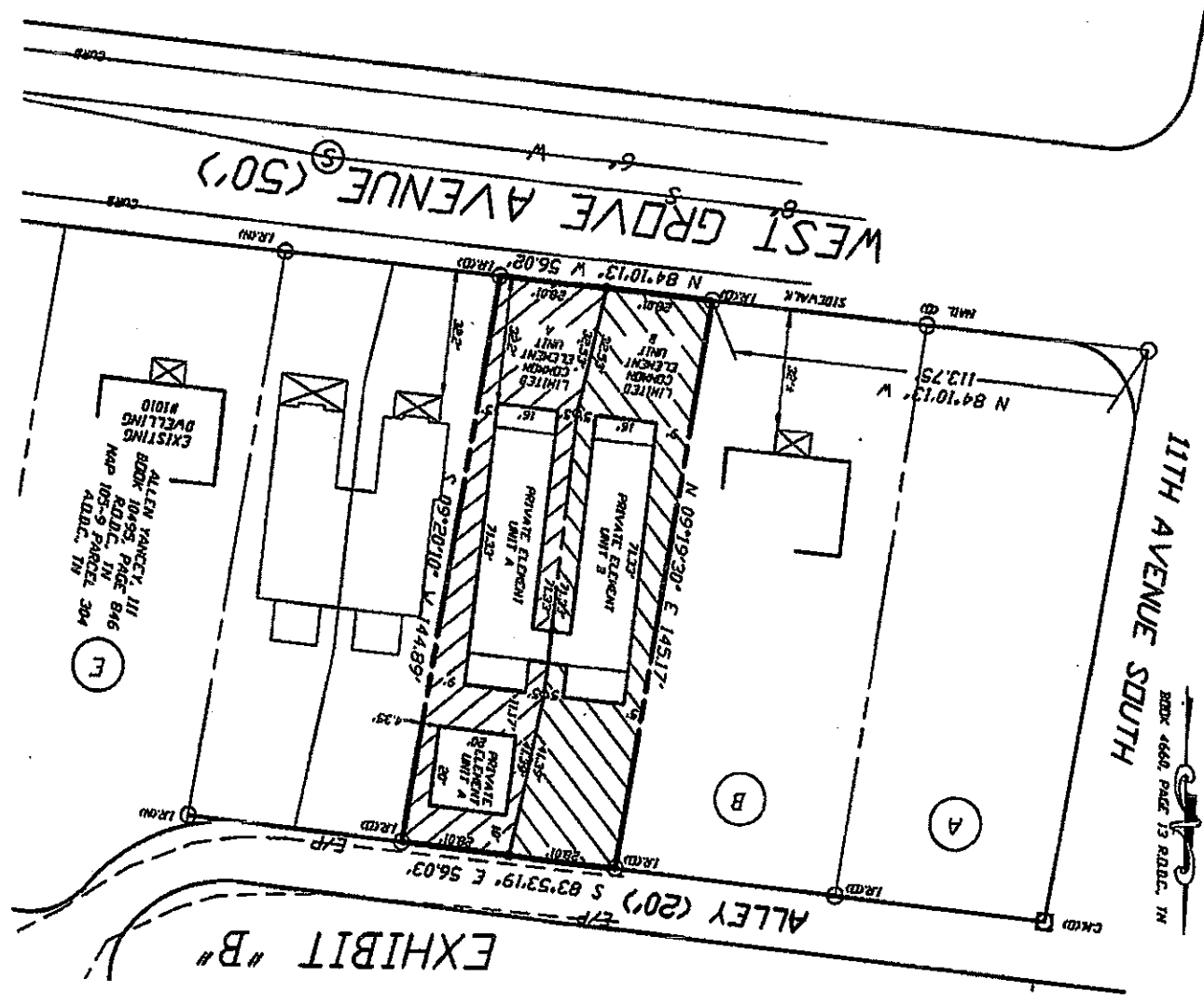
Plat

EXHIBIT MAP
 1014 WEST GROVE AVENUE
 TOWNHOMES
 LOT C, LEESIDE
 BOOK 1424, PAGE 148
 R.D.C., TN.
 PROPERTY LOCATED IN THE 17TH
 COUNCIL DISTRICT OF NASHVILLE,
 DAVIDSON COUNTY TENNESSEE
 ON THE NORTHERLY MARGIN OF
 WEST GROVE AVENUE,
 EAST OF 11TH AVENUE S.
 PROPERTY ADDRESS:
 1014 A & B WEST GROVE AVENUE,
 NASHVILLE, TN, 37212
 DEED REFERENCE:
 INSTRUMENT#
 20090812-0075779
 R.D.C., TN
 ORIGINAL PARCEL I.D.
 10509030600
 DATE: 9-26-11
 SCALE: 1"=40'

THIS EXHIBIT WAS DONE UNDER
 THE AUTHORITY OF TCA 62-18-126
 AND IS NOT A GENERAL PROPERTY
 SURVEY AS DEFINED UNDER
 RULE 0820-3-07, CHAPTER 0820-3
 STANDARDS OF PRACTICE, RULES OF
 THE TENNESSEE BOARD OF EXAMINERS
 FOR LAND SURVEYORS.
 THIS EXHIBIT CONTAINS
 ALL INFORMATION REQUIRED BY
 TCA SECTION 66-27-309
 JOHN ALAN HOOD TR. R.L.S.M1838

PREPARED BY
 CAMPBELL, McRAE
 & ASSOCIATES,
 SURVEYING, INC.
 2918 BERRY HILL DRIVE
 NASHVILLE, TN, 37204
 PH. 615-298-2424
 FAX 615-297-8888
 EMAIL crosst@tncs.net

THIS EXHIBIT WAS PREPARED FROM THE
 LATEST RECORDED DEED DESCRIPTION.
 THIS SURVEY IS SUBJECT TO THE FINDINGS
 OF A CURRENT TITLE EXAMINATION.
 NO TITLE REPORT WAS PROVIDED
 TO SURVEYOR
 UTILITIES SHOWN WERE TAKEN FROM PUBLIC
 AS-BUILT RECORDS & FIELD LOCATION. THERE MAY
 BE UTILITIES OR EASEMENTS PRESENT THAT ARE
 NOT SHOWN ON THIS EXHIBIT.
 CONTACT THE TENNESSEE ONE CALL SYSTEM
 PRIOR TO ANY CONSTRUCTION OR DIGGING.



ALLEN YANCEY, III
 BOOK 10452, PAGE 846
 MAP 105-9 PARCELS 304
 A.D.B.C., TN
 (T)

11TH AVENUE SOUTH
 BOOK 1460, PAGE 15 R.D.C., TN

EXHIBIT D**Percentage of Ownership Interest**

Town Home Number	Percentage of Ownership
A	50%
B	50%

EXHIBIT E

ATTORNEY'S OPINION

As an attorney licensed to practice law in the State of Tennessee, I hereby state that in my opinion, all legal documents required under the terms of the Tennessee Horizontal Property Act for creation of a planned unit development are being recorded as of the date of recording of this opinion. And, that having recorded said documents, a planned unit development is deemed to have been properly organized under the terms of the Tennessee Horizontal Property Act, T.C.A. §66-27-101 et seq.

Witness my hand this the 16th day of November, 2013.

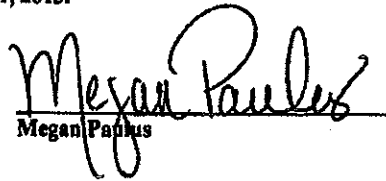

Megan Paulus

EXHIBIT 3

Metropolitan Government of Nashville and Davidson County
Department of Codes and Building Safety

Site Address: 1014 B W GROVE AVE NASHVILLE, TN 37203

Permit #: 201516993

SHORT TERM RENTAL PERMIT

Issue Date: May 1, 2015

NOTICE

Parcel: 105090R00200CO
Permit Tracking #: 2040417

No work may be done on any part of a building or structure beyond that required applicable inspections.

Keep Jobsites Clean and Safe.

EXHIBIT 4

ORDINANCE NO. BL2014-951**An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Property.**

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 6.28 of the Metropolitan Code is hereby amended by adding the following new Section 6.28.030:

6.28.030 Short Term Rental Property (STRP).

- A. For purposes of this section, "Short Term Rental Property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests as those terms are defined in Section 5.12.010 of the metropolitan code. Residential dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short Term Rental Property.
- B. For purposes of this section, "owner-occupied" means the owner of the property permanently resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot.
- C. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration.
- D. Application. The STRP permit application shall include the following information:
1. The name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns;
 2. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
 3. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.
- E. Signage. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.
- F. All STRP occupants shall abide by all applicable noise restrictions contained in the Metropolitan Code and all applicable waste management provisions of Chapter 10.20 of the Metropolitan Code.
- G. The STRP shall have approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:
1. In all sleeping areas.
 2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
 3. In each story within the sleeping unit, including basements.
- H. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.
- I. No food shall be prepared for or served to the transient by the permit holder.
- J. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
- K. Maximum occupancy. The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit.

- L. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days.
- M. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental period to address problems associated with the STRP.
- N. Expiration of permit. A STRP permit shall expire three hundred sixty-five (365) days after it is issued. STRP permits may be renewed upon the payment of a fifty dollar renewal fee to the department of codes administration.
- O. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.
- P. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.
- Q. STRP permit holders shall obtain a use permit from the zoning administrator as an accessory use to the primary residential use pursuant to section 17.16.250.E. of the metropolitan code. No more than 3% of the single-family or detached two-family residential units within each census tract shall be permitted as non-owner-occupied short-term rental use as determined by the Zoning Administrator.
- R. Denial or Revocation of Permit.
1. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the department of codes administration shall notify the permit holder in writing of such complaints.
 2. If the department of codes administration determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.
 3. Before revoking any permit, the department of codes administration shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
 4. Any denial or revocation of a STRP permit may be appealed to the board of zoning appeals as an administrative appeal pursuant to section 17.40.180.A. of the metropolitan zoning code.

Section 2. The department of codes administration shall begin accepting STRP applications on March 31, 2015, and shall begin enforcing the provisions of this Ordinance from and after July 1, 2015.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Charlie Tygard, Peter Westerholm, Anthony Davis

**Amendment No. 1
To
Ordinance No. BL2014-951**

Madam President:

I move to amend Ordinance No. BL2014-951 by amending Section 1 as follows:

I. By deleting the provisions of subsection G. and substituting with the following new subsection G.:

G. The STRP shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:

1. In all sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements.


II. By deleting the phrase "paying adult guests" wherein it appears in subsection K., and substituting with the phrase "occupants".

III. By adding the following provisions at the end of subsection R.:

5. Once a STRP permit has been revoked, no new permit shall be issued to the applicant for the same property for a period of one year.
6. The penalty for operating a short term rental property without a permit shall be:

- a. A fifty dollar fine. Each day of operation without a permit shall constitute a separate offense.
 b. Upon a finding that a short term rental property has operated without a permit, there shall be a one year waiting period from the date of such finding for the property to become eligible for a STRP permit.

Sponsored by: Burkley Allen

LEGISLATIVE HISTORY	
Introduced:	November 18, 2014
Passed First Reading:	November 18, 2014
Referred to:	Codes Committee Convention & Tourism Committee
Deferred to January 6, 2015:	December 2, 2014
Deferred to February 3, 2015:	January 6, 2015
Amended:	February 3, 2015
Passed Second Reading:	February 3, 2015
Passed Third Reading:	February 24, 2015 - Roll Call Vote
Approved:	February 26, 2015
By:	

Requests for ADA accommodation should be directed to the Metropolitan Clerk at 615/862-6770.

EXHIBIT 5

DAVID BRILEY
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 196900
NASHVILLE, TENNESSEE 37219-6900
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

March 26, 2018

Freeman Wizer
1014 A W. Grove Avenue
Nashville, Tennessee 37203

RE: Permit CASR #201516993
1014 B W. Grove Avenue

Dear Mr. Wizer:



Pursuant to Section 17.16.250(E) of the Metropolitan Code of Laws, this letter serves as your formal notice of the cancellation of the above referenced STRP permit. This property changed ownership after the date of permit issuance. Since the law does not allow transfers of STRP permits, this permit has been invalid since the June 21, 2016 ownership change.

All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such actions at the subject address will be a violation of law and subject you to court proceedings. You have the right to appeal this decision at the Board of Zoning Appeals.

Sincerely,

Jon Michael
Metro Codes

EXHIBIT 6

WARRANTY DEED		STATE OF TENNESSEE COUNTY OF <u>Rutherford</u> THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$510,000.00
BILL GARRETT, Davidson County Trans: T20180033571 CDEDUARR Recvd: 08/23/18 10:57 2 PGS Fees: 13.00 Taxes: 1887.00  20160623-0064072		Affiant <u>BR</u> SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>13th</u> DAY OF <u>June</u> , 20 <u>18</u> Notary Public <u>[Signature]</u> MY COMMISSION EXPIRES: <u>8/18/18</u> (AFFIX SEAL)
MST 2016-0151 (Seller only)		
THIS INSTRUMENT WAS PREPARED BY: James T. Oglesby, Attorney and Yvonne L. Meldrum, Attorney Mid-State Title & Escrow, Inc., 128 Holiday Court, Suite 125, Franklin, TN 37067		
ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
William K. Shackelford <i>etal</i>	<i>same address</i>	105-09-0R-002.00-CO
(NAME)	(NAME)	
1014B West Grove Ave	<i>as new owner</i>	
(ADDRESS)	(ADDRESS)	
Nashville, TN37203		
(CITY) (STATE) (ZIP)	(CITY) (STATE) (ZIP)	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, TBC I LLC, a Tennessee limited liability company HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO William K. Shackelford, HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:
 **and Freeman Wizer, as tenants in common
 Land in Davidson County, Tennessee, being Unit No. B of The Plan of 1014 West Grove Avenue Townhomes, as shown on Exhibit "C" of 1014 West Grove Avenue Townhomes (a Planned Unit Development), of record in Instrument No. 20131118-0118727, Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate legal description.

This conveyance is made subject to all the provisions of the Tennessee "Horizontal Property Act" as the same is set out in Section 66-27-101 et seq. of the Tennessee Code Annotated and is subject to the By-Laws and Charter for the administration thereof, and is subject to easements, rights and interests in favor of other unit owners and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and building thereon; and also including, without limitations, all conditions, covenants, restrictions and options, burdens, Assessments and other undertakings contained in the Master Deed of record in Instrument Number 20131118-0118727, Register's Office for Davidson County, Tennessee.

Being a portion of the same property conveyed to TBC I LLC by deed from Freeman I Wizer et ux of record in Instrument No. 20131114-0117648, Register's Office for Davidson County, Tennessee, dated 11/12/2013.

Subject to: Property taxes have been prorated and the Grantee has assumed payment thereof when same become due and payable, 2016 tax a lien on 01/01/2016 but not yet due and payable. All matters appearing of record in Declaration of Protective Covenants of record in Instrument No. 20131118-0118727, said Register's Office including Plat attached and bylaws appended. Subject to all matters shown on the Plan of record in Plat Book 1424, Page 148, Register's Office for Davidson County, Tennessee.

This property, known as 1014B West Grove Ave, Nashville, TN 37203
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 13th DAY OF June, 2016.

TBC I, LLC

BY: Yvette Meldrum, Authorized Agent

Yvette Meldrum, Authorized Agent

STATE OF Tennessee
COUNTY OF Williamson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Yvette Meldrum as Authorized Agent, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who made oath that the statements contained in the foregoing instrument are true of his/her own knowledge, and who, upon oath, acknowledged himself/herself to be the Authorized Agent of the maker, and that s/he, acting in such capacity, and authorized so to do, executed the foregoing instrument in behalf of the maker, for the purposes therein contained.

Witness my hand and official seal, this the 13th day of June, 2016.

[Signature]
Notary Public

My Commission Expires:

(SEAL)



SUBSTITUTE ORDINANCE NO. BL2014-909**An ordinance to amend Title 17 of the Metropolitan Code, Zoning Regulations, pertaining to Short Term Rental Property (Proposal No. 2014Z-021TX-001).**

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 17.04.060 of the Metropolitan Code is hereby amended by adding the following new definitions:

"Transient" means any person who exercises occupancy or is entitled to occupancy of any rooms, lodgings or accommodations for a period of less than thirty (30) continuous days.

"Short Term Rental Property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests as those terms are defined in Section 5.12.010 of the metropolitan code. Dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short Term Rental Property.

Section 2. That Section 17.08.030 of the Metropolitan Code, District Land Use Tables, is hereby amended by adding "Short Term Rental Property" as an accessory (A) use in all zoning districts that allow residential use.

Section 3. That Section 17.16.250 of the Metropolitan Code is hereby amended by adding the following provision as subsection E.:

"E. Short Term Rental Property (STRP). A STRP is permitted as an accessory use in all zoning districts that allow residential use provided a permit has been issued for operation of the property as a STRP pursuant to section 6.28.030 of the metropolitan code."

Section 4. The provisions of this ordinance shall be enforced from and after July 1, 2015.

Section 5. This Ordinance shall take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Charlie Tygard, Peter Westerholm, Anthony Davis

LEGISLATIVE HISTORY	
Introduced:	October 7, 2014
Passed First Reading:	October 7, 2014
Referred to:	Planning Commission Planning & Zoning Committee
Deferred to December 2, 2014:	November 4, 2014
Substitute Introduced:	December 2, 2014
Deferred to January 6, 2015:	December 2, 2014
Deferred to February 3, 2015:	January 6, 2015
Passed Second Reading:	February 3, 2015
Passed Third Reading:	February 24, 2015 - Roll Call Vote
Approved:	February 26, 2015
By:	

Kal E. Deer

Effective:

March 6, 2015

Requests for ADA accommodation should be directed to the Metropolitan Clerk at 615/862-6770.
Last Modified 03/03/2015 10:15:19

ORDINANCE NO. BL2014-951**An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Property.**

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 6.28 of the Metropolitan Code is hereby amended by adding the following new Section 6.28.030:

6.28.030 Short Term Rental Property (STRP).

- A. For purposes of this section, "Short Term Rental Property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests as those terms are defined in Section 5.12.010 of the metropolitan code. Residential dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short Term Rental Property.
- B. For purposes of this section, "owner-occupied" means the owner of the property permanently resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot.
- C. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration.
- D. Application. The STRP permit application shall include the following information:
1. The name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns;
 2. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.
 3. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.
- E. Signage. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.
- F. All STRP occupants shall abide by all applicable noise restrictions contained in the Metropolitan Code and all applicable waste management provisions of Chapter 10.20 of the Metropolitan Code.
- G. The STRP shall have approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:
1. In all sleeping areas.
 2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
 3. In each story within the sleeping unit, including basements.
- H. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.
- I. No food shall be prepared for or served to the transient by the permit holder.
- J. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.
- K. Maximum occupancy. The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit.
- L. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days.
- M. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental period to address problems associated with the STRP.
- N. Expiration of permit. A STRP permit shall expire three hundred sixty-five (365) days after it is issued. STRP

permits may be renewed upon the payment of a fifty dollar renewal fee to the department of codes administration.

O. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.

P. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.

Q. STRP permit holders shall obtain a use permit from the zoning administrator as an accessory use to the primary residential use pursuant to section 17.16.250.E. of the metropolitan code. No more than 3% of the single-family or detached two-family residential units within each census tract shall be permitted as non-owner-occupied short-term rental use as determined by the Zoning Administrator.

R. Denial or Revocation of Permit.

1. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the department of codes administration shall notify the permit holder in writing of such complaints.

2. If the department of codes administration determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.

3. Before revoking any permit, the department of codes administration shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.

4. Any denial or revocation of a STRP permit may be appealed to the board of zoning appeals as an administrative appeal pursuant to section 17.40.180.A. of the metropolitan zoning code.

Section 2. The department of codes administration shall begin accepting STRP applications on March 31, 2015, and shall begin enforcing the provisions of this Ordinance from and after July 1, 2015.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Charlie Tygard, Peter Westerholm, Anthony Davis

**Amendment No. 1
To
Ordinance No. BL2014-951**

Madam President:

I move to amend Ordinance No. BL2014-951 by amending Section 1 as follows:

I. By deleting the provisions of subsection G. and substituting with the following new subsection G.:

G. The STRP shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:

1. In all sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements.

II. By deleting the phrase "paying adult guests" wherein it appears in subsection K., and substituting with the phrase "occupants".

III. By adding the following provisions at the end of subsection R.:

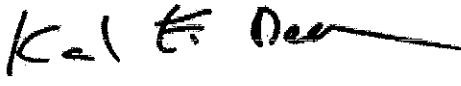
5. Once a STRP permit has been revoked, no new permit shall be issued to the applicant for the same property for a period of one year.

6. The penalty for operating a short term rental property without a permit shall be:

- a. A fifty dollar fine. Each day of operation without a permit shall constitute a separate offense.
- b. Upon a finding that a short term rental property has operated without a permit, there shall be a one year waiting period from the date of such finding for the property to become eligible for a STRP permit.

Sponsored by: Burkley Allen

LEGISLATIVE HISTORY	
Introduced:	November 18, 2014
Passed First Reading:	November 18, 2014
Referred to:	Codes Committee

	Convention & Tourism Committee
Deferred to January 6, 2015:	December 2, 2014
Deferred to February 3, 2015:	January 6, 2015
Amended:	February 3, 2015
Passed Second Reading:	February 3, 2015
Passed Third Reading:	February 24, 2015 - Roll Call Vote
Approved:	February 26, 2015
By:	

Requests for ADA accommodation should be directed to the Metropolitan Clerk at 615/862-6770.



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
26-Dec-18 12:41:49PM

Owner Change

Parcel: 105090R00200CO

Parcel Acreage: 0.00

Parcel Created: 14-Nov-13

ADDRESS

1014 B W GROVE AVE ,NASHVILLE, TN 37203 - Property

Current Owner

TBC I, LLC, 1014 B WEST GROVE AVE, NASHVILLE, (US) TN, 37203

Sale		Instrument	
Code	I	Type	Quit Claim Deed
Source	I	Number	QC-20160623 0064078
Valid Sale		Acquired	21-Jun-16
Price	\$0.00	Historical	

Previous Owners

SHACKLEFORD, WILLIAM K. & WIZER, FREEMAN, 1014 B WEST GROVE AVE, NASHVILLE, (US)
TN, 37203

Sale		Instrument	
Code	Q	Type	Deed
Source	I	Number	DB-20160623 0064072
Valid Sale		Acquired	13-Jun-16
Price	\$510,000.00	Historical	21-Jun-16

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS OF NASHVILLE AND
DAVIDSON COUNTY**

IN THE MATTER OF:)	
)	
TBC I, LLC)	
)	
Appellant,)	Case No.: 2018-662
)	
v.)	CONTESTED CASE
)	HEARING REQUESTED
)	
Metropolitan Department of Codes & Building Safety,)	
)	
Appellee.)	
)	

APPEAL OF STRP PERMIT DENIAL

Introduction

TBC I, LLC (“TBC I”) is a Tennessee Limited Liability Company with its principal place of business located at 1014 A West Grove Avenue, Nashville, TN 37203. On November 12, 2013, TBC I, LLC purchased real property located at 1014 West Grove Ave, Nashville TN from one of the members of the LLC, Freeman Wizer. A copy of the Deed is provided as Exhibit 1. Shortly after that, the members of TBC I, LLC sought to divide the property through the use of a Horizontal Property Regime (“HPR”) creating two parcels, Unit 1 and Unit 2 which would be known as the West Grove Townhomes. The HPR was completed and recorded with the Register’s office on May 24, 2007. A copy of the HPR docs is provided as Exhibit 2. As a result of the HPR, the new addresses of the homes were 1014 A and 1014 B West Grove Ave, Nashville, TN 37203 respectively. Upon completion of the townhomes, 1014 A West Grove was conveyed from the TBC I to Mr. Wizer. To date, Mr. Wizer, along with his wife reside at 1014 A West Grove Ave. TBC I retained ownership of 1014 B West Grove Ave (“Unit B”).

On May 1, 2015, TBC I obtained a non-owner-occupied short-term rental permit (“STRP”) for the rental of Unit B. A copy of the permit is attached as Exhibit 3. Immediately after that, TBC I began operating Unit B as a short-term rental under the then existing law and Metro ordinances. It is important to note that the STRP issued to TBC I for Unit B was issued under Metro Ordinance BL2014-951. A copy of this ordinance is attached as Exhibit 4.

On April 18, 2016, TBC I renewed the STRP on Unit B. Again, on March 31, 2017, TBC I renewed the STRP on the property. On March 6, 2018, TBC I attempted to renew the STRP but received a notification from Jon Michael with Metro Codes that the STRP was formally canceled. A copy of the letter from Mr. Michael is attached as Exhibit 5. Despite the letter being addressed to Mr. Wizer, TBC I was the owner and operator of the STRP. At no time did this STRP change hands in fact, at all times hereto, TBC I was the owner and operator of the STRP for Unit B.

On June 13, 2016, the members of TBC I briefly placed Unit B into the ownership of the members individually to take advantage of an interest rate change. A copy of this warranty deed is attached as Exhibit 6. Immediately after that on June 21, 2016, the property was again in the hands of TBC I. Again, while the property briefly moved from the individual members of TBC I for 8 days, the ownership of the STRP never changed hands. In fact, the STRP was again renewed almost a year after the June 21 “transfer” on March 31, 2017. Because the STRP was renewed, this STRP is grandfathered within the meaning of Public Chapter No. 972. More specifically, 13-7-602(3)(A) applies to this set of facts because the application for renewal of the STRP was approved pursuant to the ordinance.

TBC I’s appeal to this Board centers primarily on a single claim for relief. TBC I submits that this STRP is squarely protected by the law passed by the Tennessee legislature on May 17, 2018. As such, TBC I would offer that the zoning examiner did error and the STRP be re-instated.

Summary of Proceedings Below

By May 1, 2015, TBC I had completed all of the necessary steps to obtain a permit received the STRP for Unit B.

On April 18, 2016, TBC I successfully renewed the STRP for Unit B.

On March 31, 2017, TBC I successfully renewed the STRP for Unit B for a second time.

On March 6, 2018, TBC I was denied the renewal of the STRP for Unit B.

On Oct 16, 2108, TBC I, through her counsel, Grover C. Collins, applied for an appeal to the BZA.

Grounds for Relief

The state law protects TBC I's interest in the STRP.

In this case, the revocation of TBC I's STRP is not warranted for several reasons.

First, and most importantly, TBC I's actions and the action by Metro Codes fit squarely under the state law passed in May of this year. Because the alleged transfer occurred in 2016 and the Codes department then renewed the permit, TBC I is grandfathered.

Second, unlike many property owners before this BZA, TBC I made every effort to comply in good faith with all applicable rules and regulations and did so.

Third, TBC I has not violated any Metro Codes' requirement of obtaining an STRP or operating an STRP.

Finally, revocation of TBC I's STRP will also cause TBC I to suffer significant financial harm due to the loss in revenue. This cannot possibly be a just punishment for an actor who is not alleged to be responsible for any wrongdoing other than entrusting the government to tell them what the applicable law was at the time of application and renewal.

In light of these considerations, TBC I respectfully requests that this Board exercise its broad discretion and allow TBC I to continue operation of for their short-term rental permit for the

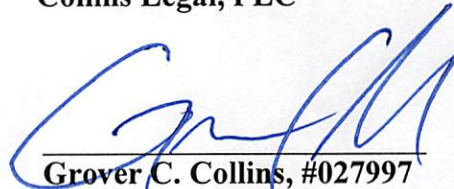
property.

Conclusion

For the foregoing reasons, TBC I respectfully requests that this honorable Board overturn the Codes Department's decision to cancel the short-term rental permit.

Respectfully Submitted,

Collins Legal, PLC



Grover C. Collins, #027997

Collins Legal, PLC

414 Union Street #1110

Nashville, TN 37219

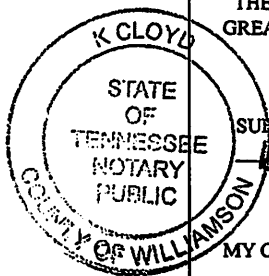
(615) 736-9596 - telephone

(615) 915-0481 - facsimile

grover@collins.legal

Attorney for Appellant

EXHIBIT 1

WARRANTY DEED		STATE OF TENNESSEE COUNTY OF WILLIAMSON
Davidson County DEEDWARR Recvd: 11/14/13 10:48 3 pgs Fees:18.00 Taxes:871.65 20131114-0117648		THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$235,580.80 SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>12th</u> DAY OF <u>November</u> , 2013. My Commission Expires: <u>7-5-16</u> (AFFIX SEAL)
THIS INSTRUMENT WAS PREPARED BY Mid-State Title & Escrow, Inc., 128 Holiday Court, Suite 125, Franklin, TN 37067		
ADDRESS NEW OWNER(S) AS FOLLOWS: TBC I, LLC <small>(NAME)</small> 800 County Road I. West <small>(ADDRESS)</small> Shoreview MN 55126 <small>(CITY) (STATE) (ZIP)</small>	SEND TAX BILLS TO: Same As New Owner <small>(NAME)</small> <small>(ADDRESS)</small> <small>(CITY) (STATE) (ZIP)</small>	MAP-PARCEL NUMBERS 105-09-306.00

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, Freeman I. Wizer, a married man HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO TBC I, LLC, HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

Land in Davidson County, Tennessee, being Lot No. "C" on the Plan of Leaside Subdivision of record in Plat Book 1424, Page 148, in the Register's Office for Davidson County, Tennessee.

Said Lot "C" fronts 56 feet on the north side of West Grove Avenue and runs back between parallel lines 145 feet to an alley.

Being the same property conveyed to Freeman I. Wizer by Deed from Alethia Williams, Executrix of The Estate of Roxie Woodard of record at Instrument No. 20090812-0075779, Register's Office for Davidson County, Tennessee, dated August 7, 2009 and recorded on August 12, 2009.


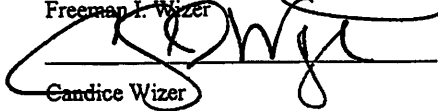
Candice Wizer, joins in the execution of this instrument for the purpose of conveying her interest, marital or otherwise, in the above described property.

Subject to: Property taxes have been prorated and the Grantee has assumed payment thereof when same become due and payable, Easements or claims of easements not shown by the Public Records. If improvements are completed after January 1 of any year, the law requires supplemental assessment for the year in which improvements are completed as defined by statute. We assume no liability for taxes assessed by correction pursuant to the provisions of Tennessee Code Annotated, Section 67-5-603 et seq. Subject to all matters shown on the Plan of record in Plat Book 1424, Page 148, Register's Office for Davidson County, Tennessee.

This property, known as 1014 W. Grove Avenue, Nashville, TN 37203
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEEES, their heirs and assigns forever; and we do covenant with the said GRANTEEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 12th DAY OF November, 2013.


Freeman I. Wizer

Candice Wizer

STATE OF Tennessee

COUNTY OF Williamson

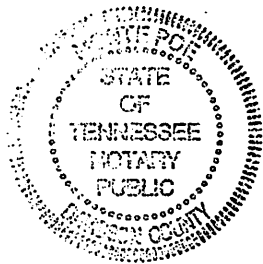
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Freeman I. Wizer and Candice Wizer, with whom I am personally acquainted (or provided to me on the basis of satisfactory evidence), and who acknowledged that he/she/they executed the within instrument for the purposes therein contained.

Witness my hand and official seal, this the 12th day of November, 2013


Notary Public

My Commission Expires: 9/5/14

(SEAL)



True Copy Certification

I, Yvette Meldrum, do hereby make oath that I am a licensed attorney and/or the custodian of the electronic version of the attached document tendered for registration herewith and that this is a true and correct copy of the original document executed and authenticated according to law.

Signature

State of Tennessee
County of Williamson

Personally appeared before me, the undersigned, a notary public for this county and state, Yvette Meldrum who acknowledges that this certification of an electronic document is true and correct and whose signature I have witnessed.

Notary's Signature

My Commission Expires: 7-5-16

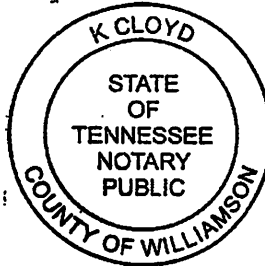


EXHIBIT 2

THIS INSTRUMENT PREPARED BY:
 Peter Weiss, Attorney
 Weiss & Weiss, Attorneys at Law
 761 Old Hickory Blvd, Suite 301
 Brentwood, TN 37027

Davidson County	DEEDMAST
Recvd: 05/24/07 14:46	38 pgs
Fees: 192.00	Taxes: 0.00
20070524-0062237	

MASTER DEED
OF
WEST GROVE TOWNHOMES

THIS MASTER DEED OF West Grove Townhomes is made and entered into by, Exodus Industries, Inc., a Tennessee Corporation, hereinafter referred to as the "Developer".

WITNESSETH:

THAT WHEREAS, the Developer is the record owner and holder of the legal title of a tract or parcel of real property located in Davidson County, Tennessee, and more particularly described on Exhibit "A" attached and made a part hereto (hereinafter referred hereto as the "Property"); and,

WHEREAS, the Developer desires to submit the Property described on Exhibit "A" together with all buildings, structures, improvements, and other permanent fixtures of whatever kind thereon, and all rights and privileges belonging or in anyway pertaining thereto, to the provisions of the Horizontal Property Act of the State of Tennessee as the same may be amended from time to time; and,

WHEREAS, the Developer further desires to establish for its own benefit and for the mutual benefit of all future owners and/or occupants of the Property or any part thereof, certain rights, easements, and privileges in, over and upon the said premises and certain mutually beneficial restrictions and obligations with respect to the proper use, conduct and maintenance thereof, for the purpose of enhancing and perfecting the value, desirability and attractiveness of the Property.

NOW THEREFORE, the Developer declares as follows:

1. Definitions. As used herein, unless the context otherwise requires:

A. "Act" means the Horizontal Property Act of the State of Tennessee as the same may be amended from time to time.

B. "Association" means West Grove Townhomes Homeowners' Association, Inc., a

Tennessee not-for-profit corporation.

- C. "Attorney's Opinion" shall mean the certificate to be filed subsequently hereto, as pertaining to the proposed improvements to be erected on the property described on Exhibit "A", which will be prepared by Peter Weiss, Attorney at Law, an attorney licensed to practice law in the State of Tennessee, which states that all legal documents required by Tennessee Code Annotated, Section 66-27-101, et seq., for the creation of a Planned Unit Development, are of record and therefor, a Planned Unit Development is created, as recited in the said Act.
- D. "Board" means the Board of Directors of West Grove Townhomes Homeowners' Association, Inc.
- E. "Buildings" mean the building located on the parcel and forming a part of the property and containing the Units. The Buildings are delineated on the Plats.
- F. "By-Laws" mean the By-Laws of the West Grove Townhomes Homeowners' Association, Inc. For purposes of the Act, all provisions contained in the body of this Master Deed dealing with the administration and maintenance of the property shall be deemed to be part of the By-Laws.
- G. "Common Elements" mean any areas shown on the plan as common elements and or all other elements of the buildings desirable or rationally of common use or necessary to the existence, upkeep and safety of the condominium regime established by this Master Deed; and, all other amenities dedicated for the common use of the Unit Owners. Common Elements shall not include the Private Elements nor Limited Common Elements.
- H. "Developer" shall refer to Exodus Industries, Inc., a Tennessee Corporation, its successors and/or assigns, provided such successors and/or assigns are designated in writing by Developer as a successor and/or assign of the rights of Developer set forth herein.
- I. "Limited Common Elements" means all Common Elements contiguous to and serving exclusively a single Unit or one or more adjoining Units as an inseparable appurtenance thereto, the enjoyment, benefit or use of which is reserved to the lawful occupants of such Unit or Units either in this Master Deed, on the Plat, or by the Board. Limited Common Elements shall include, but shall not be limited to, the separate furnace, air conditioner and water heater located within or adjacent to a Unit and serving only such Unit or Units, pipes, ducts, electrical wiring and conduits located entirely within a Unit or adjoining Units and serving only such Unit or Units, any balconies and porches, and such portions of the perimeter walls, floors, and ceilings, doors, vestibules, windows, screens, and entryways, and all associated fixtures and

structures therein as lie outside the Unit boundaries, but are for the exclusive use of said Unit or Units.

J. "Majority" or "Majority of the Unit Owners" mean the Owners of both of the Units.

K. "Master Deed" means this instrument, by which the property is submitted to the provisions of the Act, as hereinafter provided, and such Master Deed as amended from time to time.

L. "Occupant" means a person or persons in possession of a Unit, regardless of whether said person is a Unit Owner.

M. "Parcel" means the Parcel(s) or Tract(s) of real estate described on Exhibit "A" attached to this Master Deed and submitted hereby to the provisions of the Act.

N. "Person" means a natural individual, corporation, partnership, trustee, or other legal entity capable of holding title to real property.

O. "Plat" means the Plat or Plats of survey of the Parcel or Parcels submitted to the provisions of the Act showing each building and expressing its area, location and other data necessary for identification, said Plat or Plats being of record in the Register's Office for Davidson County, Tennessee and/or being attached to this Master Deed, or as may be attached to a future Supplement and Amendment of this Master Deed .

P. "Private Elements" shall mean and include the lot area upon which the unit is located and the improvements located thereon, including but not limited to the, parking area(s), mailbox, yard area, deck, porch, any plants, landscaping, shrubbery and fences (if any) thereon, for which fee simple ownership and exclusive use is reserved to that unit only. Limited Common Elements located upon Private Elements shall be deemed Private Elements.

Q. "Property" means all the land, property and space comprising the Parcel as defined in Item "M" above, and all improvements and structures erected, constructed or contained therein or thereon, including the Buildings and all easements, rights and appurtenances belonging thereto, and all furniture, furnishings, fixtures, and equipment intended for the mutual use, benefit or enjoyment of Unit Owners, submitted to the provisions of the Act.

R. "Record" or "Recording" refers to the record or recording in the Register's Office for Davidson County, Tennessee.

S. "Rules and Regulations" refer to the rules and regulations concerning the use of the Units and the Common Elements, as adopted from time to time by the Board in accordance with the Master Deed and By-Laws.

T. "Unit" means the entire individual building(s), consisting of the enclosed dwelling space, as shown on the Plat(s), which enclosed space is not owned in common with Unit Owners of other Units. Each Unit is numbered as shown on the Plat(s). The boundaries of each Unit shall be and are the exterior surfaces of its perimeter walls and a Unit includes both the portion of the Buildings so described and the air space so encompassed, excepting Common Elements. It is intended that the term Unit as used in this Master Deed shall have the same meaning as the term "Apartment" as used in the Act.

U. "Unit Owner" means the person or persons whose estates or interests, individually or collectively, aggregate fee simple ownership of a Unit and of the undivided interest in the Common Elements appurtenant thereto, and shall be deemed the same as "co-owner" under the Act, but Unit Owner shall not mean the Mortgagee or Beneficiary of a recorded mortgage or deed of trust who holds a lien solely for security purposes and does not have possession of the Unit. Unless specifically provided otherwise herein, Developer shall be deemed a Unit Owner so long as it is the legal title holder of any Unit.

V. "Eligible Mortgage Holders" shall mean those holders of a first mortgage on a Unit who have requested the Association to notify them on any proposed action that requires the consent of a specified percentage of mortgage holders.

2. Submission of Property of the Act. The Developer does hereby submit and subject the Parcels and the Property to the provisions of the Horizontal Property Act of the State of Tennessee, as amended from time to time, and does hereby establish a Horizontal Property Regime to be known as West Grove Townhomes.

3. Plat. The Plats set forth the numbers and location of each Unit and other data as required by the Act.

4. Units. The legal description of each Unit shall consist of the identifying number of each Unit as shown on the Plat(s). Every deed, lease, mortgage, deed of trust, or other instrument shall legally describe a Unit by its identifying number as shown on the Plat and every such description by number shall be deemed good and sufficient for all purposes, as provided in the Act. Except, as provided by the Act, no Unit Owner shall, by deed, plat, court decree or otherwise, subdivide or in any other manner cause his Unit to be separated into tracts or parcels different from the whole Unit as shown on the Plat(s).

5. a. (1) Association of Unit Owners and Administration and Operation of the Property. There has been formed an Association having the name West Grove Townhomes Homeowners' Association, Inc., a Tennessee not-for-profit corporation, which Association shall be the governing body for all Unit Owners, and shall be operated to provide for the maintenance, repair, replacement, administration, and operation of the property, as provided in the Act, this Master Deed and the By-Laws. The By-Laws for the Association shall be the By-Laws attached to this Master Deed as Exhibit "B" and made a part hereof. The Board of Directors of the Association shall be elected and serve in accordance with the provisions of the By-Laws. The fiscal year of the Association shall be determined by the Board, and may be changed from time to time as the Board deems advisable. The Association shall not be deemed to be conducting a business of any kind. All activities undertaken by the Association shall be for the sole benefit of the Unit Owners, and all funds received by the Association shall be held and applied by it for the use and benefit of Unit Owners, in accordance with the provisions of this Master Deed and By-Laws. A Unit Owner's membership shall automatically terminate when he ceases to be a Unit Owner. Upon the conveyance or transfer of a Unit Owner's ownership interest to a new Unit Owner, the new Unit Owner shall simultaneously succeed to the former Unit Owner's membership in the Association. Each Unit shall have one (1) vote.

a. (2) Membership and Voting Rights. The Association shall have two classes of voting membership:

CLASS "A". Class "A" members shall be all Unit Owners, with the exception of the Developer, and shall be entitled to one (1) vote for each Unit owned. When more than one (1) person holds an interest in any Unit, all such persons shall be members. The vote for such Unit shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Unit.

CLASS "B". The Class "B" members shall be the Developer and which shall be entitled to three (3) votes for each Unit owned. The Class "B" membership shall cease and be converted to Class "A" membership on the happening of either of the following events, whichever occurs earlier:

- a. At such time as both units have been conveyed to unit purchasers,
or
- b. On the last day of the month occurring Five (5) years following the first conveyance to a unit purchaser.

b. (1) Management of Property. The Board shall have the authority to engage the services of an agent (herein sometimes referred to as the "Managing Agent") to maintain, repair, replace, administer, and operate the property, or any part thereof, to the extent deemed advisable by the Board, subject to the provisions of Subparagraph No. (2) below. The Board shall require

that such Managing Agent have fidelity bond coverage on its employees handling Association funds. The cost of such services shall be a common expense, as defined in Paragraph No. 10 hereof.

c. (2) Initial Management Contract. Prior to the appointment of the First Board as provided herein, the Developer, on behalf of the Association, may employ a management company, to act as Managing Agent for the Property provided, however, that such contract shall not exceed a period of two (2) years and shall be able to be terminated by the Association without penalty or advance notice of more than Ninety (90) days notice.

d. Use by Developer. During the period of sale by Developer of any Units, Developer and Developer's agents, employees, contractors, and subcontractors, and their respective agents and employees, shall be entitled to access, ingress to and egress from the buildings and property as may be required for purposes of sale of Units. While Developer owns any of the Units and until each Unit sold by it is occupied by the Purchasers, Developer and its employees may use and show one (1) or more of such unsold or unoccupied Units as a model Unit or Units and may use one (1) or more of such unsold or unoccupied Units as a sales office, and may maintain customary signs in connection therewith.

e. Non-Liability of Directors and Officers. To the extent permitted by law, neither the directors nor officers of the Association shall be personally liable to Unit Owners for any mistake of judgment or for any other acts or omissions of any nature whatsoever as such directors or officers, except for any acts or omissions found by a court to constitute gross negligence or fraud. Unit Owners shall indemnify and hold harmless each of the directors or officers and their respective heirs, executors, administrators, successors and assigns in accordance with the provisions of Article VIII of the By-Laws.

6. Board's Determination Binding. In the event of any dispute or disagreement between any Unit Owners relating to the property, or any questions of interpretation or application of the provisions of this Master Deed or By-Laws, the determination thereof by the Board shall be final and binding on all Unit Owners.

7. Ownership of the Common Elements. Each Unit is hereby allocated an equal undivided interest in the Common Elements. The ownership of a Unit shall not be conveyed separate from the undivided ownership in the Common Elements appurtenant to such Unit. The undivided interest in the Common Elements appurtenant to any Unit shall be deemed conveyed or encumbered with that Unit, even though the legal description in the instrument conveying or encumbering such Unit may refer only to the fee title to that Unit.

8. Use of the Common Elements. Each Unit Owner shall have the right to use the Common

Elements (except the Limited Common Elements and portions of the property subject to leases made by or assigned to the Board) in common with all other Unit Owners, as may be required for the purposes of access, ingress to, egress from, use, occupancy and enjoyment of the respective Unit owned by such Unit Owner. Such right to use the Common Elements shall extend not only to each Unit Owner, but also to his agent, servants, tenants, family members, customers, invitees, and licensees. However, each Unit Owner shall have the right to the exclusive use and possession of the Limited Common Elements contiguous to and serving such Unit alone or with adjoining Units. Such rights to use Common Elements, including the Limited Common Elements, shall be subject to and governed by the provisions of the Act, Master Deed, By-Laws, and rules and regulations of the Association. In addition, the Association shall have the authority to lease, grant concessions or grant easements with respect to parts of the Common Elements, subject to the provisions of this Master Deed and By-Laws. All income derived by the Association from leases, concessions or other sources shall be held and used for the benefit of the members of the Association, pursuant to such rules, resolutions and regulations as the Board may adopt or prescribe.

9. Decks, Porches, Driveways and Yards. Porches, patios, walkways, driveways, parking areas, and yards on the property shall be part of the Private Elements, and shall be assigned to and used by the respective Unit Owners, as designated on the plat subsequently recorded.

10. A. Common Expenses. Each Unit Owner shall pay an equal share of the expenses of the administration and operation of the Common Elements and of any other expenses incurred in conformance with this Master Deed and By-Laws (which expenses are herein sometimes referred to as "common expenses"), including, but not limited to, the maintenance and repair of the property and any and all replacements and additions thereto. Except for its responsibilities as a Unit Owner, as provided herein, Developer shall not have any responsibility for the maintenance, repair or replacement of any part of the Common Elements after the date this Master Deed is recorded; provided, however, in the event Developer expends any of its own funds for the repair, replacement or maintenance of any of the Common Elements, Developer shall be entitled to a credit for such sums against any common expenses Developer might be required to pay by virtue of being a Unit Owner. Each Unit Owner shall be responsible for paying an equal share of the common expenses. Assessments for the payment of common expenses shall be in such amounts and shall be payable at such times as determined in the manner provided in the By-Laws. No Unit Owner shall be exempt from payment of his equal share of the common expenses by waiver or non-use of enjoyment of the Common or Limited Common Elements or by abandonment of his Unit. If any Unit Owner shall fail to make such payment of assessments for common expenses when due, the amount thereof together with any reasonable late charge established by the Board, and together with interest at the rate of Fifteen (15%) percent per annum, after said assessments become due and payable shall constitute a continuing lien on the Unit against which the assessment is made, as provided in the Act. Each

Unit Owner shall be personally liable for his portion of each assessment made while he is the owner of a Unit; however, said personal obligation shall not pass to successors in title unless assumed by them or as required by Tennessee Code Annotated Section 66-27-101 et seq.

Each Unit Owner acquiring title to his Unit from the Developer shall pay a deposit at time of closing, which will be non-refundable, to the Association in order to establish a working capital fund for initial expenses of the Association. Said deposit shall be in an amount established by the Board, equaling two-twelfths (2/12) of the initial yearly assessment for common expenses.

B. Mortgage and Deed of Trust Protection. The lien for assessments payable by a Unit Owner shall be subordinate to the lien of a recorded first Mortgage or Deed of Trust on the interest of such Unit Owner, except for the amount of the proportionate share of common expenses which become due and payable from and after the date on which the Mortgagee or Beneficiary thereunder either takes possession of the Unit encumbered thereby, accepts a conveyance of any interest therein (other than as security) or forecloses its Mortgage or Deed of Trust. This subparagraph shall not be amended, changed, modified, or rescinded without the prior written consent of all Mortgagees and Beneficiaries of record.

11. Mortgages. Each Unit Owner shall have the right, subject to the provisions herein, to mortgage his Unit together with his respective ownership interest in the Common Elements. No Unit Owner shall have the right or authority to mortgage or place a lien on the property or any part thereof, except to the extent of his own Unit, its Limited Common Elements, its Private Elements, and its appurtenant interest in the Common Elements.

12. Separate Real Estate Taxes. Real estate taxes shall be separately taxed to each Unit Owner for his Unit and its appurtenant interest in the Common Elements, as provided in the Act. In the event that such taxes for any year are not separately taxed to each Unit Owner, but rather are taxed on the property as a whole, then each Unit Owner shall pay his proportionate share thereof in accordance with his respective share of ownership interest in the Common Elements, and, in said event, such taxes shall be a common expense.

13. Insurance. The Board may obtain insurance for the property, exclusive of the additions within, improvements to and decorating of the Units by Unit Owners; the Limited Common Elements; and, the Private Elements, against loss or damage by fire, vandalism, malicious mischief and such other hazards as are covered under standard extended coverage provisions, for the full insurable replacement cost of the Common Elements and the Units, and against such other hazards and for such amounts as the Board may deem advisable. Insurable replacement cost shall be deemed the cost of restoring the Common Elements, Units, or any part thereof, to substantially the same condition in which they existed prior to damage or destruction. Such

insurance coverage shall be written in the name of, and the proceeds thereof shall be payable to, the Board, as the Trustee for the Unit Owners in proportion to the Unit Owners' respective percentages of ownership in the Common Elements, as set forth in this Master Deed, and for the holders of mortgages on the Units, if any. The policy of insurance should also contain, if possible, a waiver of subrogation rights by the insurer against the Unit Owners. The premiums for such insurance shall be a common expense. However, at the option of the Board and/or Unit Owners, premiums for such insurance may be separately billed to Unit Owners in equal shares.

In the event of damage to or destruction of any buildings or Common Elements as a result of fire or other casualty covered by insurance proceeds (unless more than two-thirds (2/3) of all buildings require reconstruction), the Board shall, in its sole and absolute discretion, determine and without intervention of any Unit Owner arrange for the prompt repair and restoration of the damaged portions of all Units, buildings and Common Elements substantially in accordance with the original plans and specifications therefore. Where the insurance indemnity is insufficient to cover the cost of such repairs and restoration, the deficit shall be paid by all Unit Owners with each Unit Owner to bear an equal proportion thereof. The insurance indemnity shall be delivered pro-rata to the Unit Owners entitled to it in accordance with the applicable provisions of the By-Laws or in accordance with a decision all of the Unit Owners if no By-Law provisions are applicable. The Board shall not be responsible for the repair, replacement or restoration of any wall, ceiling or floor decorations or covering, or any other part of a Unit for which the responsibility of maintenance and repair is that of a Unit Owner, or for furniture, furnishings, fixtures, appliances, or equipment installed in the Unit by a Unit Owner or occupant unless insurance therefore is specifically provided for in the insurance policy obtained by the Board.

The Board may also obtain comprehensive public liability insurance, in such amounts as it deems desirable, and workmen's compensation insurance and other liability insurance in such amounts as it deems desirable, insuring each Unit Owner, mortgagee of record, the Association, its officers, directors, and employees, Developer, and the Managing Agent, if any, from liability in connection with the property. The premiums for such insurance shall be a common expenses. However, at the option of the Board and/or Unit Owners, premiums for such insurance may be separately billed to each Unit Owner with each Unit Owner to bear a proportion thereof based upon his percentage of ownership in the Common Elements. The Board shall retain in safekeeping any such public liability policy for six (6) years after the expiration date of the policy.

The Board may also obtain Fidelity Coverage covering officers, directors and employees who handle or are responsible for handling Association funds. Such bonds shall be in such amounts as the Board may determine, but in no event less than the maximum amount of funds that will be in the custody of the Association (or its management company) at any time during

the term of each bond and shall contain waivers of any defense based upon the exclusion of persons serving without compensation.

The Board may also obtain such other insurance as it deems desirable, in such amounts, from such sources and in such forms as it deems desirable, insuring the property and each member of the Board and officer of the Association, and each member of any committee appointed pursuant to the By-Laws of the Association, from liability arising from the fact that said person is or was a director or officer of the Association, or a member of such a committee. The Board shall require such fidelity bond coverage as necessary for any person or Board member handling Association funds. The premiums for such insurance and bonds shall be a common expense.

Each Unit Owner shall be responsible for obtaining his own insurance on the contents of his Unit; the Limited Common Elements; and, the Private Elements serving his Unit, as well as his additions and improvements thereto, and those parts of the Unit for which the responsibility of maintenance and repair is that of the Unit Owner, and for decorations, furnishings, and personal property therein, and personal property stored elsewhere on the property, if any. In addition, in the event a Unit Owner desires to insure against his personal liability and loss or damage by fire or other hazards above and beyond the extent that his liability, loss or damage is covered by the liability insurance and insurance against loss or damage by fire and such other hazards obtained by the Board for all of the Unit Owners as part of the common expenses, as above provided, said Unit Owner may, at his option and expense, obtain additional insurance.

14. Maintenance, Repairs and Replacements. Each Unit Owner, at his own expense, shall furnish and be responsible for all maintenance of, repairs to and replacements within his Unit, its Limited Common Elements and its Private Elements. Except to the extent hereinafter set forth, maintenance of, repairs to and replacements within the Common Elements shall be the responsibility of and shall be furnished by the Association, and the cost thereof shall be part of the common expenses, subject to the By-Laws, and Rules and Regulations of the Association. The expenses for the maintenance, repair or replacement of a Unit's Private Elements and Limited Common Elements (including but not limited to the water heater, furnace, air conditioner, heating, and air conditioning ducts, and plumbing and electrical wiring and other items serving only such Unit), shall be borne by the Owner of the Unit to which such Private Elements and Limited Common Elements are appurtenant; and, at the discretion of the Board, maintenance of, repairs to, and replacements within the other Private Elements and Limited Common Elements may be assessed in whole or in part to Unit Owners benefitted thereby. Further, at the discretion of the Board, the Board may direct Unit Owners who stand to be benefitted by such maintenance of, repairs to, and replacements within the Private Elements and Limited Common Elements to arrange for such maintenance, repairs and replacements in the name and for the account of such benefitted Unit Owners, pay the cost thereof with their own

funds, and procure and deliver to the Board such lien waivers and contractor's and subcontractor's sworn statements as may be required to protect the property from all mechanic's or materialmen's lien claims that maintain, repair, or replace the electrical wiring, plumbing, or other utilities of a Unit; however, if it shall become necessary to gain entry to another Unit, it shall be the responsibility of the Association to provide such maintenance, repair or replacement, but the cost of such maintenance, repair, or replacement may be assessed to the Unit Owners benefitted thereby, as hereinabove provided.

If, due to the act or neglect of a Unit Owner, or of his agent, servant, tenant, family member, invitee, licensee or household pet, damage shall be caused to the Common Elements or to a Unit or Units owned by others, or maintenance, repairs or replacements are required which would otherwise be a common expense, then such Unit Owner shall pay for such damage or such maintenance, repairs and replacements, as may be determined by the Board, to the extent not covered by the Association's insurance.

The authorized representatives of the Association, Board, or of the Managing Agent with approval of the Board, shall be entitled to reasonable access to the individual Units; its Limited Common Elements and Private Elements, as may be required, in connection with the preservation of any individual Unit Private Elements or Limited Common Elements in the event of an emergency, or in connection with maintenance of, repairs to, or replacements within the Common Elements, Private Elements, Limited Common Elements, or any equipment, facilities or fixtures affecting or serving other Units, Common Elements, Private Elements, and Limited Common Elements, or to make any alteration required by any governmental authority.

15. Alterations, Additions or Improvements. Except as provided in Paragraph No. 16 herein, no alteration of any Common Elements, or any additions or improvements thereto, shall be made by any Unit Owner without the prior written approval of the Board (or by consent of both Unit Owners). The Board may authorize and charge as common expenses alterations, additions and improvements of the Common Elements as provided in the By-Laws. Any Unit Owner may make alterations, additions or improvements to his Unit, including the Limited Common Elements and Private Elements serving his Unit, without the prior written approval or consent of the Board or the owner(s) of the adjoining unit; however, any and all alterations, additions or improvements shall comply with the zoning and code requirements, as established by the Metropolitan Government of Nashville, Davidson County, Tennessee at the time said alterations, additions or improvements are commenced and such Unit Owner shall be responsible for any damage to other Units, the Common Elements, the Property, or any part thereof, resulting from such alterations, additions or improvements.

16. Decorating. Each Unit Owner, at his own expense, shall furnish and be responsible for all decorating within his Unit, Private Elements, and Limited Common Elements serving his

Unit, as may be required from time to time, including painting, wallpapering, washing, cleaning, paneling, floor covering, draperies, window shades, curtains, lighting, and other furnishings and decorating. Each Unit Owner shall be entitled to the exclusive use of the interior surfaces of the perimeter walls, floors and ceilings of his Unit, and such Unit Owner shall maintain said interior surfaces in good conditions at his sole expense, as may be required from time to time. Said maintenance and use of interior surfaces shall be subject to the rules and regulations of the Association, but each Unit Owner shall have the right to decorate such interior surfaces from time to time as he may see fit and at his sole expense. Decorating of the Common Elements (other than interior surfaces within the Units as above provided and other than of Private Elements, Limited Common Elements) and any redecorating of Units, to the extent such redecorating of Units is made necessary by damage to Units caused by maintenance, repairs or replacement of the Common Elements by the Association, shall be furnished by the Association as part of the common expenses. All windows and screens forming part of a perimeter wall of a Unit shall be cleaned and washed, and any damage thereto repaired, at the expense of the Unit Owner of that Unit.

17. Encroachments. If any portions of the Common Elements shall actually encroach upon any Unit or Private Elements, or if any Unit or its Private Elements, shall actually encroach upon any portions of the Common Elements, or if any Unit shall actually encroach upon another Unit, as the Common Elements and Units are shown on the Plat, there shall be deemed to be mutual easements in favor of the owners of the Common Elements and the respective Unit Owners involved, to the extent of such encroachments, so long as the same shall exist.

18. Use and Occupancy Restrictions. Subject to the provisions of the By-Laws, no part of the property may be used for purposes other than housing and the related common purposes for which the property was designed and as allowed by zoning laws. Each Unit shall be used as a residence or such other use permitted by this Master Deed, and for no other purpose, except that professional and quasi-professional people may use their residence (not in violation of municipal zoning laws) as an ancillary or secondary facility to an office established elsewhere. No unit may be offered by its owner to the public at large for temporary transient accommodations; however, nothing in this Section shall prohibit Unit Owners from leasing their Units to others to be used as an apartment of residence. The foregoing restrictions as to residence shall not, however, be construed in such manner as to prohibit a Unit Owner from: (a) maintaining his personal professional library; (b) keeping his personal business or professional records or accounts; or (c) handling his personal business or professional telephone calls or correspondence. Such uses are expressly declared customarily incident to the principal residential use and not in violation of said restrictions.

The Common Elements shall be used only by Unit Owners and their agents, servants, tenants, family members, customers, invitees, and licensees for access, ingress to, and egress

from the respective Units and for such other purposes incidental to use of the Units. The use, maintenance and operation of the Common Elements shall not be obstructed, damaged or unreasonably interfered with by any Unit Owner, and shall be subject to any lease, concession or easement, presently in existence or entered into by the Board at some future time, affecting any part or all of said Common Elements.

19. **Remedies.** In the event of any violation of the provisions of the Act, this Master Deed, By-Laws, or rules and regulations of the Association by any Unit Owner (either by his own conduct or by the conduct of any Occupant of his Unit), the Association, or its successors or assigns, shall have each and all of the rights and remedies which may be provided for in the Act, this Master Deed, By-Laws, or said rules and regulations, or which may be available at law or in equity, and may prosecute an action or other proceedings against such defaulting Unit Owner and/or others for enforcement of any lien and the appointment of a receiver for the Unit and ownership interest of such Unit Owner, or for damages or injunction or specific performance, or for judgment for payment of money and collection thereof, or the right to take possession of the Unit and to sell the same as provided hereinafter in this Paragraph No. 19, or for any combination of remedies, or for any other relief. All expenses of the Board in connection with any such actions or proceedings, including court costs and attorney's fees and other fees and expenses and all damages, liquidated or otherwise, together with interest thereon at the rate of Fifteen (15%) percent per annum or such other uniform lawful rate as the Board shall determine, until paid, shall be charged to and assessed against such defaulting Unit Owner, and shall be added to and deemed part of his respective share of the common expenses, and the Board shall have a lien for all of the same, as well as for nonpayment of common expenses, upon the Unit, and its appurtenant interest in the Common Elements of such defaulting Unit Owner and upon all of his additions and improvements thereto and upon all of his personal property in his Unit or located elsewhere on the property; provided, however, that such lien shall be subordinate to the lien of a recorded first mortgage or deed of trust on the Unit, to the extent hereinabove set forth in Paragraph No. 10 (b) hereof. In the event of any such default by any Unit Owner, the Board and the Manager or Managing Agent, if so authorized by the Board, shall have the authority to correct such default, and to do whatever may be necessary for such purpose and all expenses in connection therewith shall be charged to and assessed against such defaulting Unit Owner. Any and all such rights and remedies may be exercised at any time and from time to time, cumulatively or otherwise, by the Board. This Paragraph shall not be amended, changed, modified or rescinded without the prior consent of all holders of record of mortgage and deed of trust liens against the Units.

The violation of any restriction or condition or regulation adopted by the Board or the breach of any covenant or provision herein contained, shall give the Board the right, in addition to any other rights provided for in this Master Deed: (a) to enter (either peaceably or forcibly without liability to such Unit Owner for such entry) upon the Unit, or any portion of the property

upon which or as to which such violation or breach exists, and to summarily abate and remove, at the expense of the defaulting Unit Owner, any structure, thing or condition that may exist thereon contrary to the intent and meaning of the provisions hereof, and the Board, or its employees or agents, shall not thereby be deemed guilty in any manner of trespass; or (b) to enjoin, abate or remedy by appropriate legal proceedings, either at law or in equity, the continuance of any breach; or (c) to take possession (either peaceably or forcibly without liability to such Unit Owner for such entry) of such Unit Owner's interest in the property and to maintain an action for possession of such Unit in the manner provided by law.

If any Unit Owner (either by his own conduct or by the conduct of any other Occupant of his Unit) shall violate the Act, or any of the covenants or restrictions or provisions of this Master Deed, the By-Laws, or the regulations adopted by the Board, and if such default or violation shall continue for ten (10) days after notice to the Unit Owner in writing from the Board, or shall occur repeatedly during any ten (10) day period after such written notice or request to cure such violation from the Board, then the Board shall have the power to issue to said defaulting Owner a notice in writing terminating the rights of said defaulting Owner to continue as a Unit Owner and to continue to occupy, use, or control his Unit, and thereupon an action in equity may be filed by the Board against said defaulting Owner for a decree of mandatory injunction against such defaulting Owner or Occupant, or in the alternative, for a decree declaring the termination of said defaulting Owner's right to occupy, use, or control the Unit owned by him on account of said violation, and ordering that all the right, title and interest of said defaulting Owner in the property shall be sold (subject to the lien of any existing deed of trust or mortgage) at a judicial sale upon such notice and terms as the court shall determine, except that the court shall enjoin and restrain the said defaulting Owner from reacquiring his interest at such judicial sale. The proceeds of any such judicial sale shall first be paid to discharge court costs, court reporter charges, reasonable attorney's fees, and all other expenses of the proceeding and sale, and all such items shall be taxes against said defaulting Unit Owner in said decree. Any balance of proceeds, after satisfaction of such charges and any unpaid assessments hereunder, or any liens, shall be paid to said defaulting Unit Owner. Upon the confirmation of such sale, the purchaser shall thereupon be entitled to a deed to the Unit and the Unit Owner's corresponding percentage of ownership in the Common Elements, and to immediate possession of the Unit sold and may apply to the court for a writ of assistance for the purpose of acquiring such possession, and it shall be a condition of any such sale, and the decree shall so provide, that the purchaser shall take the interest in the Unit Ownership sold subject to this Master Deed.

20. **Amendment.** The provisions of this Master Deed may be amended by an instrument in writing, setting forth such amendment, signed by both Unit Owners.

Amendments of a material nature must be agreed to by both members of the

Homeowner's Association. In addition thereto, approval must be obtained from eligible mortgage holders (eligible mortgage holders shall be defined as those holders of a first mortgage on a Unit who have requested the Homeowner's Association to notify them on any proposed action that requires the consent of a specified percentage of eligible mortgage holders). A change to any of the following shall be considered under this section as material:

1. Voting Rights.
2. Assessments, assessment liens, or the priority of assessment liens.
3. Reserves for maintenance, repair and replacement of common areas.
4. Responsibility for maintenance and repairs.
5. Reallocation of interests in the common areas or right to their use.
6. Redefinition of Unit boundaries.
7. Conversion of Units into common areas or vice versa.
8. Expansion or contraction of the project or the addition, annexation or withdrawal of property to or from the project.
9. Insurance or fidelity bond changes.
10. Leasing of Units.
11. Imposition of any restriction on a Unit Owner's right to sale or transfer his or her property.
12. A decision by the Homeowner's Association to establish self-management when professional management has been required previously by the projects documents or by an eligible mortgage holder.
13. Restoration and repair of the project (after a hazard damage or partial condemnation, in a manner other than specified in the project documents.
14. Any action to terminate the legal status of the project after substantial destruction or condemnation occurs.
15. Any provisions that expressly benefit mortgage holders, insurers or guarantors.

However, if the Act, this Master Deed or the By-Laws require the consent or agreement of all Unit Owners or of all lien holders for any action specified in the Act or in this Master Deed, then any instrument amending any provision of this Master Deed with respect to such action shall be signed by both Unit Owners and/or all lien holders or both as required by the Act or this Master Deed. Any amendment shall be effective upon the recording of such instrument in the Office of the Register of Davidson County, Tennessee; provided, however, that no provisions in this Master Deed may be amended so as to conflict with the provisions of the Act.

21. Perpetuities and Restraints on Alienation. If any of the options, privileges, covenants, or rights created by this Master Deed shall be unlawful, void or voidable for violation of the rule against perpetuities, when such provision shall continue only until twenty-one (21) years after

the death of the survivor of the now living descendants of the Governor of Tennessee holding office as of the date of this Master Deed.

22. Rights and Obligations. Each Grantee of Developer, by the acceptance of a deed of conveyance, accepts the same subject to all restrictions, conditions, covenants, reservations, liens, and charges, and the jurisdiction, rights, and powers created or reserved by this Master Deed. All future Unit Owners and Occupants shall be subject to and shall comply with the provisions of this Master Deed. Any restrictions or rules in the By-Laws which are more than administrative in nature such as, but not limited to, reservations and future rights of Developer are hereby incorporated into and made a part of this Master Deed by reference. All rights, benefits and privileges hereby imposed shall be deemed and taken to be covenants running with the land, and shall bind any person having at any time any interest or estate in said land, and shall inure to the benefit of such grantee in like manner as though the provisions of this Master Deed were recited and stipulated at length in each and every deed of conveyance or contract for conveyance.

All present and future Unit Owners and Occupants of a Unit shall be subject to, and shall comply with, the provisions of the By-Laws appended hereto and recorded herewith, pursuant to Tennessee Code Annotated, Section 66-27-111, as they may be amended from time to time. The acceptance of a deed of conveyance, devise, or lease to a Unit, or the entering into occupancy of any Unit shall constitute an agreement that the provisions of the By-Laws, and any rules and regulations promulgated thereunder, as they may be amended from time to time, are assumed, accepted and ratified by such Unit Owner or Occupant, and all of such provisions shall be deemed and taken to be covenants running with the land and shall bind any person having at any time any interest or estate in such Unit, as though such provisions were recited and stipulated at length in each and every deed, conveyance or lease thereof.

The terms and conditions of the Master Deed, By-Laws, and Rules and Regulations of the Association may be incorporated by reference in, and become part of, the agreement between any first mortgagee and any present or future Unit Owner who enters into such an agreement with a first mortgagee. When so incorporated, any default in the terms and conditions of this Master Deed, By-Laws, and rules and regulations may be considered by the first mortgagee as a default, whereupon said first mortgagee, after exercising its option to declare a default, shall then have all of the rights and privileges arising as a result of a default under its agreement with said Unit Owner.

23. Condemnation. In the event of a taking of part of the Common Elements in condemnation or by eminent domain, the award made for such taking shall be payable to the Association. If a majority of the Board in their sole and absolute discretion approve the repair and restoration of such Common Elements, the Board shall arrange for the repair and restoration

of such Common Elements, and the Board shall disburse the proceeds of such award to the contractors engaged in such repair and restoration in appropriate progress payments. In the event the Board does not approve the repair and commence restoration of such Common Elements within one hundred twenty (120) days after taking by the public or private authority, the Board shall disburse the net proceeds of such award on the basis of such Unit's percentage of ownership in the Common Elements.

24. **Rights Reserved.** Unit Owner's right of enjoyment in the Common Elements shall be subject to:

(a) The right of the Association, as provided in its By-Laws or Rules and Regulations, to suspend the enjoyment rights of any member for any period during which any assessment remains unpaid, and for such period as it considers appropriate for any infraction of its published Rules and Regulations;

(b) The right of the Association to charge reasonable fees for the use of any part or parts of the Common Elements;

(c) The right of the Association to diminish in any way or to dedicate or transfer all or any part of the Common Elements to any public agency or authority for such purposes and subject to such conditions as may be agreed to by the members entitled to vote thereon, provided that no such diminution or dedication or transfer or determination as to the purposes or as to the conditions thereof, shall be effective unless members of the Association entitled to cast both votes of the Association have agreed to such dedication, transfer, purpose, or condition;

(d) The right of Developer, at his sole expense, to expand, or extend existing driveways, parking areas and yard, and to construct, expand, enlarge or relocate sewers, utility lines or service connections, in order to serve the existing Buildings; and,

(e) The right of the Association to grant such easements and rights-of-way to such utility companies or public agencies or authorities as it shall deem necessary for the proper servicing and maintenance of the Common Elements and the Units.

25. **Federal National Mortgage Association and/or Federal Home Loan Mortgage Corporation Regulations.** Notwithstanding anything to the contrary contained in this Master Deed or in the By-Laws of the Association, all terms, conditions, regulations, insurance standards and other requirements which are now existing, or which may be amended from time to time by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, pertaining to condominiums, are hereby incorporated as terms and conditions of this Master Deed and By-Laws and such shall be governing upon the Property, Developer, and the Association, so long as such terms or conditions are not inconsistent with the laws of the

State of Tennessee as found in T.C.A. Section 66-27-101, et seq., as amended.

Specifically, without limitation upon the foregoing, the following declarations shall be controlling over any terms of this Master Deed or By-Laws which are in conflict therewith. Any portions of this Master Deed or By-Laws which are in conflict with this paragraph, or any portion of the regulations of the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation pertaining to condominiums, are hereby deleted and the following rights of mortgagees are itemized as follows:

(a) A first mortgagee of a Unit at his request is entitled to written notification from the Association of any default by the mortgagor of such Unit in the performance of such mortgagor's obligations under this Master Deed, By-Laws, or any of the condominium documents, which is not cured within sixty (60) days.

(b) Any first mortgagee of a Unit who comes into possession of the Unit pursuant to the remedies provided in the mortgage, or deed of trust, or by foreclosure of the mortgage or deed of trust, or by deed in lieu of foreclosure, shall take the property free of any claims for unpaid assessments or charges against the mortgaged Unit which accrue prior to the time such holder comes into possession of the Unit (except for claims for a pro rata share of such assessments or charges resulting from a pro rata real location of such assessments or charges to all Units including the mortgaged Unit).

(c) Unless all of the first mortgagees (based upon one (1) vote for each mortgage owned) of Units have given their prior written approval, the Association shall not be entitled to:

(i) Change the pro rata interest or obligations of any Unit for (a) purposes of levying assessments or charges or allocating distributions of hazard insurance proceeds or condemnation awards, and for (b) determining the pro rata share of each Unit in appurtenant real estate and any improvements thereon, which are owned by Unit Owners in undivided pro rata interests (Common Elements);

(ii) Use hazard insurance proceeds for losses to the property (whether to Units or Common Elements) for other than the repair, replacement or reconstruction of such improvements, except as provided by T.C.A. Section 66-27-118, in case of substantial loss to the Units and/or Common Elements.

(d) First mortgagees shall have the right to examine the books and records of the Association.

(e) An adequate reserve fund for the replacement of Common Elements will be

established and funded by regular monthly payments rather than by special assessments.

(f) As set forth in T.C.A. Section 66-27-120, all taxes, assessments, and charges which may become liens prior to the first mortgage under the laws of the State of Tennessee shall relate only to the Unit and not to the property as a whole.

(g) No Unit Owner, or any other party, shall have priority over any rights of the first mortgagees of Units in the case of a distribution to Unit Owners of insurance proceeds or condemnation awards for losses to or a taking of Units and/or Common Elements.

(h) Any agreement for professional management of the property, whether it be by Developer, its successors and assigns, or any other person or entity, may be terminated on ninety (90) days' written notice, and the terms of any such contract shall so provide and shall not be of a duration in excess of three (3) years.

(i) The Association shall give to the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, or any lending institution servicing such mortgages, as are acquired or insured by the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation, notice in writing of any loss to or the taking of Common Elements if such loss or taking exceeds Ten Thousand (\$10,000.00) Dollars. The Association may rely upon the information contained in the book entitled Mortgages of Units as must be established pursuant to the By-Laws, for a list of mortgagees to be notified hereby.

(j) The interest of a first mortgagee in a mortgaged Unit shall be superior to the interests of any person, group, partnership, corporation, or entity of any kind, including any interest the Association, Developer, or any Unit Owner may have in any portion of the property, regardless of the nature of the interest or the manner in which it is acquired.

(k) Notwithstanding the above, any first mortgagee shall have all of the rights granted to a first mortgagee herein, and in addition shall have all of the rights granted to an institutional first mortgagee under its deed of trust, and under the laws of the State of Tennessee.

26. Trustee as Unit Owner. In the event title to any Unit is conveyed to a land title-holding trust, under the terms of which all powers of management, operation, and control of the Unit remain vested in the trust beneficiary or beneficiaries, then the beneficiaries thereunder shall be considered Unit Owners for all purposes and they shall be responsible for payment of all obligations, liens or indebtedness and for the performance of all agreements, covenants and undertakings chargeable or created under this declaration against such Unit. No claim shall be made against any such title-holding trustee personally for payment of any lien or obligation hereunder created, and the trustee shall not be obligated to sequester funds or trust property to

apply in whole or in part against such lien or obligation. The amount of any such lien or obligation shall continue to be a charge or lien upon the Unit and the beneficiaries of such trust, notwithstanding any transfers of the beneficial interest of any such trust or any transfer of title to such Unit.

27. Notices. Notices provided for in the Act, Master Deed or By-Laws shall be in writing and shall be addressed to the Association or any Unit Owner, as the case may be, at West Grove Townhomes Homeowners' Association, Inc., c/o Exodus Industries, Inc., a Tennessee Corporation, 308 Seaboard Lane, Suite Four, Franklin, Tennessee 37067, or at such other address as hereinafter provided. The Association may designate a different address or addresses for notices to it by giving written notice of such change of address to all Unit Owners. Any Unit Owner may designate a different address for notices to him by giving written notice to the Association. Notices addressed as above shall be deemed delivered when mailed by United States registered or certified mail, or when delivered in person with written acknowledgment of the receipt thereof.

Upon written request to the Board, the holder of any recorded mortgage or trust deed encumbering any Unit shall be given a copy of all notices permitted or required by this Master Deed to be given to the Owner or Owners whose Unit is subject to such mortgage or trust deed.

28. Severability. If any provision of this Master Deed or By-Laws, or any section, sentence, clause, phrase, word, or the application thereof in any circumstance, is held invalid, the validity of the remainder of this Master Deed and the By-Laws and of the application of any such provision, section, sentence, clause, phrase, or word in any other circumstances shall not be affected thereby, and the remainder of this Master Deed or the By-Laws shall be construed as if such invalid part was never included therein.

29. Common Open Space. Any Common Open Space established by an adopted final master development plan for condominiums shall be subject to the following:

(a) The Metropolitan Planning Commission and the Metropolitan County Council may require that the landowner provide for and establish an organization for the ownership and maintenance of any Common Open Space, and such organization shall not be dissolved nor shall it dispose of any Common Open Space, by sale or otherwise (except to an organization conceived and established to own and maintain the Common Open Space), without first offering to dedicate the same to the Metropolitan Government of Nashville and Davidson County and the said dedication be approved by the Metropolitan Planning Commission. However, the conditions of any transfer shall conform to the adopted final master development plan.

(b) In the event that the organization established to own and maintain Common Open

Space, or any successor organization, shall at any time after the establishment of the Condominium fail to maintain the Common Open Space in reasonable order and condition in accordance with the adopted master development plan, the zoning administrator may serve written notice upon such organization and/or the owners or residents of the Condominium and hold a public hearing. After thirty (30) days when deficiencies of maintenance are not corrected, the zoning administrator shall call upon any public or private agency to maintain the Common Open Space for a period of one (1) year. When the zoning administrator determines that the organization is not prepared for the maintenance for the Common Open Space such agency shall continue maintenance for yearly periods.

(c) The cost of such maintenance by such agency shall be assessed proportionally against the properties within the Condominium development that have a right of enjoyment of the common open space, and shall become a lien on said properties.

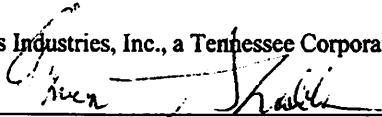
30. Captions. The captions herein are inserted only as a matter of convenience, and in no way define, limit or describe the scope of these provisions or the intent of any provision hereof.

31. Gender. The use of the masculine gender in this Master Deed and in the By-Laws shall be deemed to include the feminine gender and the use of the singular shall be deemed to include the plural whenever the context so requires.

IN WITNESS WHEREOF, the said Developer has executed this instrument this the ___ day of May, 2007.

"DEVELOPER"

Exodus Industries, Inc., a Tennessee Corporation

By: 

Gwen H. Shamblin, President

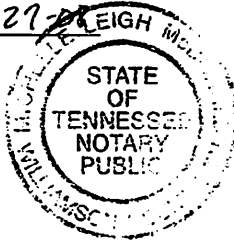
State of Tennessee
County of Davidson

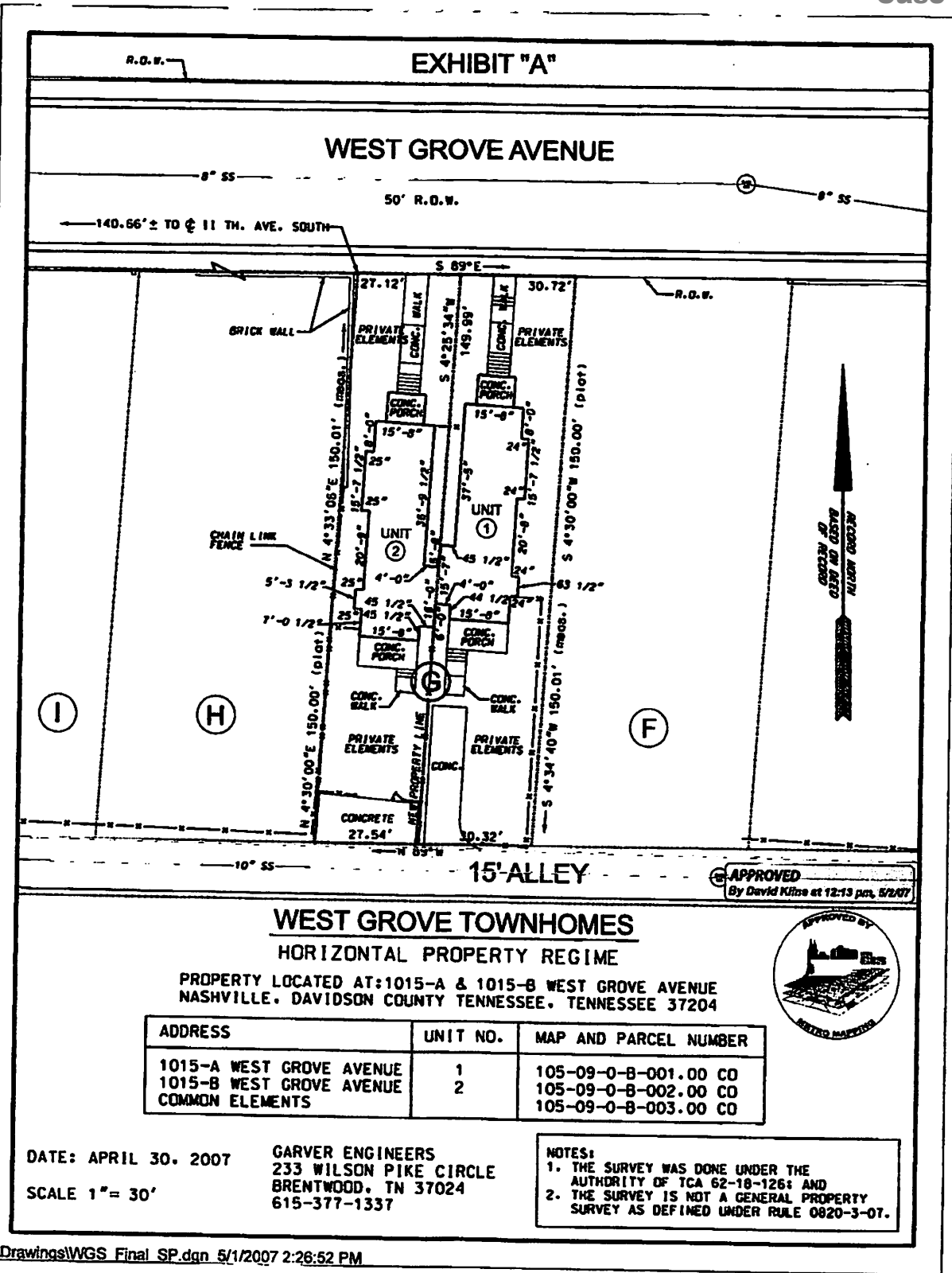
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Gwen H. Shamblin, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who, upon oath, acknowledged herself to be President of Exodus Industries, Inc., a Tennessee Corporation, the within named bargainor, a Tennessee Corporation, and that she as such President, executed the within instrument for the purposes therein contained by signing the name of the Tennessee Corporation by herself, as President.

Witness my hand and official seal at Williamson Co, Tennessee, this 18th day of May, 2007.

Michelle McDonald
Notary Public

My commission expires: 9-27-08





APPROVED
By David Kline at 12:13 pm, 5/2/07

WEST GROVE TOWNHOMES
HORIZONTAL PROPERTY REGIME

PROPERTY LOCATED AT: 1015-A & 1015-B WEST GROVE AVENUE
NASHVILLE, DAVIDSON COUNTY TENNESSEE, TENNESSEE 37204



ADDRESS	UNIT NO.	MAP AND PARCEL NUMBER
1015-A WEST GROVE AVENUE	1	105-09-0-8-001.00 CO
1015-B WEST GROVE AVENUE	2	105-09-0-8-002.00 CO
COMMON ELEMENTS		105-09-0-8-003.00 CO

DATE: APRIL 30, 2007
SCALE 1" = 30'

GARVER ENGINEERS
233 WILSON PIKE CIRCLE
BRENTWOOD, TN 37024
615-377-1337

NOTES:
1. THE SURVEY WAS DONE UNDER THE AUTHORITY OF TCA 62-18-126; AND
2. THE SURVEY IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820-3-07.

EXHIBIT "B"**ATTORNEY'S CERTIFICATE**

This certificate is intended to serve at the attorney's opinion which is required pursuant to the terms of Tennessee Code Annotated Section 66-27-103. The undersigned, Peter Weiss, an attorney licensed to practice law in the State of Tennessee, hereby declares that upon proper recording of this certificate and additional documents filed herewith, all legal requirements for the creation of a Horizontal Property Regime development under the terms of the Tennessee Horizontal Property Act, as contained in Tennessee Code Annotated Section 66-27-101 et seq., have been met:

- 1). A Final Use & Occupancy certificate, which is attached hereto, as Exhibit "A" to this Attorney's Certificate, issued by the Metropolitan Government of Nashville and Davidson County, Department of Codes Administration, which states that the construction of the completed residences shown on Exhibit "A" to the Master Deed of West Grove Townhomes, are in substantial compliance with applicable building codes and ordinances of Nashville, Davidson County, Tennessee.
- 2). The Charter of the West Grove Townhomes Homeowners' Association, Inc. (a Tennessee Not For Profit Mutual Benefit Corporation).
- 3). The Master Deed of West Grove Townhomes, a Horizontal Property Regime.
- 4). By-Laws of West Grove Townhomes Homeowners' Association, Inc., a Tennessee Not For Profit Mutual Benefit Corporation, which By-Laws are attached as Exhibit "C" to the Master Deed of West Grove Townhomes.
- 5). The Site Plans of West Grove Townhomes, A Horizontal Property Regime, which site plans show private and common elements.

Witness my hand this the 18th day of May, 2007.



Peter Weiss, Attorney

State of Tennessee
County of Davidson

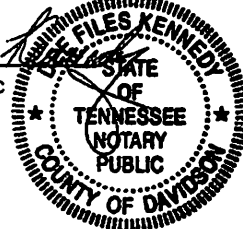
Personally appeared before me, the undersigned, a Notary Public in and for said County and State, the within named Peter Weiss, the bargainer, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence) and who acknowledged that he executed the within instrument for the purposes therein contained.

Witness my hand and official seal at Brentwood, Tennessee, this 18th day of May, 2007.

My commission expires: 1/3/2011



Notary Public



BILL PURCELL
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

May 24, 2007

EXODUS INDUSTRIES INC
308 SEABOARD LANE
FRANKLIN, TN 37067

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

RE: **FINAL USE AND OCCUPANCY**
1015 West Grove Ave, NASHVILLE, TN 37203
Map/Parcel No: 10509031100
Building Permit: 200607807
Issued: August 16, 2006


Gentlemen:

The Department of Codes Administration and other required Metropolitan Departments has inspected the newly constructed duplex with porches and decks with intent to condo at later date, at the above location.

Through routine inspections and visual observations it has been determined that the work performed substantially complies with the applicable codes and ordinances of the Metropolitan Government of Nashville and Davidson County. Therefore, we hereby approve it for Final Use and Occupancy. However, granting of the Final Use and Occupancy in no way relieves the contractors of their responsibility for any work performed not in accordance with applicable codes and ordinances.

Thank you for your cooperation.

Very truly yours,


Manley Biggers, P.E.
Assistant Director

MB: mkm

cc: Map/Parcel File

EXHIBIT " C "
BY-LAWS OF
WEST GROVE TOWNHOMES HOMEOWNERS'
ASSOCIATION, INC.

ARTICLE I
Members (Unit Owners)

Section 1. Eligibility. The members of West Grove Townhomes Homeowners' Association, Inc., a Tennessee not-for-profit corporation, shall consist of the Unit Owners of the property known as West Grove Townhomes located at Nashville, Davidson County, Tennessee (the "Property"). If a Unit Owner is a trust, then the member shall be a beneficiary of such trust, and if a Unit Owner or such a beneficiary is a corporation or partnership, the member may be an officer, partner or employee of such Unit Owner or beneficiary.

Section 2. Succession. The membership of each Unit Owner shall terminate when he ceases to be a Unit Owner, and upon the sale, transfer, or other disposition of his ownership interest in the Property, his membership in the Association shall automatically be transferred to the new Unit Owner succeeding to such ownership interest.

Section 3. Regular Meetings. The first regular meeting of the Unit Owners (the "First Meeting") may be held, subject to the terms hereof on any date, at the option of the Board; provided, however, that the First Meeting shall be held not less than ten (10) days, nor more than one hundred twenty (120) days after Developer has sold and delivered deeds for both of the Units. Subsequent to the First Meeting there shall be a regular annual meeting of Unit Owners held each year within fifteen (15) days of the anniversary of the First Meeting. All such meetings of Unit Owners shall be held at such place in Davidson County, Tennessee, and at such time as specified in the written notice of such meeting which shall be delivered to both Unit Owners at least ten (10) days prior to the date of such meeting.

Section 4. Special Meetings. Special meetings of Unit Owners may be called by the President or by a majority of the Directors of the Association, or by all Unit Owners entitled to vote at such meeting. Special meetings shall be called by delivering written notice to all Unit Owners not less than ten (10) days prior to the date of the meeting, stating the date, time and place of the special meeting and the matters to be considered.

Section 5. Delivery of Notice of Meeting. Notices of meetings shall be delivered either personally or by mail to Unit Owners at the addresses given to the Board by Unit Owners for such purpose, or to a Unit Owner's unit if no separate address for such purpose has been given to the Board.

Section 6. Voting. Each Unit shall have one (1) vote. If any Unit Owner consists of more

than one (1) person, the voting rights of such Unit Owner shall not be divided, but shall be exercised as if the Unit Owner consisted of only one (1) person in accordance with the proxy or other designation made by the persons constituting such Unit Owner. In the event of disagreement among such persons and an attempt by two (2) or more of them to cast such vote, such persons shall not be recognized, and such vote shall not be counted. Developer may exercise the voting rights with respect to Units owned by it.

No Unit Owner who is in default in the payment of his assessments hereunder shall be entitled to exercise his right to vote until he has cured such default. A Unit Owner shall be deemed to be in default if he has not paid his assessments to the Board, or its agent, within fifteen (15) days after the due date thereof. A Unit Owner may protest the amount of the assessment, but it still must be paid during the pendency of his protest to the Board.

Section 7. Quorum. A quorum of Unit Owners for any meeting shall be constituted by Unit Owners represented in person or by proxy and holding both votes entitled to be cast at such meeting.

ARTICLE II Board of Directors

Section 1. Number, Election and Term of Office. The Board of Directors of the Association (referred to in the Horizontal Property Act of the State of Tennessee as the "board of administrators" and sometimes referred to herein as the "Board") shall consist of three (3) members (hereinafter referred to as "Directors"). Directors shall be elected at the regular annual meeting of Association members by the vote of Unit Owners, except that until such time as the First Meeting of members is held, the Directors (hereinafter called "members of the First Board") shall be appointed by Developer. Those candidates for election as Director receiving the greatest number of votes cast either in person or by proxy at the meeting shall be elected. Every Director, except for members of the First Board, shall hold office for the term of three (3) years and until his successor shall be elected and qualified. At the first regular annual meeting, the members shall elect one (1) Director for a term of one (1) year; one (1) Director for a term of two (2) years, and one (1) Director for the term of three (3) years. At each annual meeting thereafter the members shall elect replacement Directors for a term of three (3) years.

Section 2. Qualification. Directors need not be a Unit Owner or the spouse of a Unit Owner. If a Unit Owner is a trustee of a trust, a Director may be a beneficiary of such trust; and if a Unit Owner or such a beneficiary is a corporation or partnership, a Director may be an officer, partner or employee of such Unit Owner or beneficiary. If a Director shall cease to meet such qualifications during his term, he shall thereupon cease to be a Director and his place on the Board shall be deemed vacant.

Section 3. Vacancies. Any vacancy occurring in the Board shall be filled by majority vote of the remaining members thereof. Any Director so elected or appointed to fill a vacancy shall hold

office for a term equal to the unexpired term of the Director whom he succeeds.

Section 4. Nomination. Nomination for election to the Board shall be made by a Nominating Committee which shall consist of three (3) members appointed by the Board to serve from the close of one (1) annual meeting to the close of the succeeding annual meeting. Such appointment shall be announced at the annual meeting. The Nominating Committee may nominate any number of qualified individuals, but no less than the number of Directors to be elected. The nominations shall be made at least thirty (30) days prior to the annual meeting and a brief statement about the qualifications of each individual so nominated shall be included with the notice of the annual meeting. Nominations shall also be allowed from the members at the annual meeting.

Section 5. Meetings. A regular annual meeting of the Board shall be held within ten (10) days following the regular annual meeting of Unit Owners. Special meetings of the Board shall be held upon call by the President or by a majority of the Board on not less than forty-eight (48) hours' notice in writing to each Director, delivered personally or by mail or telegram. Any Director may waive notice of a meeting, or consent to the holding of a meeting without notice, or consent to any action proposed to be taken by the Board without a meeting. A Directors attendance at a meeting shall constitute his waiver of notice of said meeting.

Section 6. Removal. Any Director may be removed from office with or without cause by the vote of both Unit Owners.

Section 7. Compensation. Directors shall receive no compensation for their services as Directors, unless expressly provided for in resolutions duly adopted by Unit Owners.

Section 8. Quorum. A simple majority of Directors shall constitute a quorum.

Section 9. Powers and Duties. The Board shall have the following powers and duties:

- (a) to elect and remove the officers of the Association;
- (b) to administer the affairs of the Association and the Property;
- (c) to engage the services of an agent (hereinafter sometimes called the "Managing Agent") to maintain, repair, replace, administer, and operate the Property or any part thereof for all Unit Owners, upon such terms and for such compensation and with such authority as the Board may approve;
- (d) to formulate policies for the administration, management and operation of the Property and the Common Elements;
- (e) to adopt rules and regulations, with written notice thereof to all Unit Owners, governing the administration, management, operation and use of the Property and the Common Elements, and to amend such rules and regulations from time to time and to establish reasonable financial assessments for infractions thereof;
- (f) to provide for the maintenance, repair and replacement of the Common Elements and payments therefore, and to approve payment vouchers or to delegate such approval to the officers or the manager or Managing Agent;

- (g) to provide for the designation, hiring and removal of employees and other personnel, including accountants and attorneys, and to engage or contract for the services of others, and to make purchases for the maintenance, repair, replacement, administration, management, and operation of the Property and the Common Elements, and to delegate any such powers to the Managing Agent (and any such employees or other personnel who may be the employees of a Managing Agent);
- (h) to appoint committees of the Board and to delegate to such committees the Board's authority to carry out certain duties of the Board;
- (i) to determine the fiscal year of the Association and to change said fiscal year from time to time as the Board deems advisable;
- (j) to fix the estimated annual budget, and to provide the manner of assessing and collecting from Unit Owners their respective shares of such estimated expenses, as hereinafter provided;
- (k) to borrow money for the purpose of repair or restoration of Common Elements without the approval of the members of the Association;
- (l) to secure insurance policies as required by the Master Deed, and in this regard, annually to review the amounts of coverage afforded by such policies;
- (m) unless otherwise provided herein or in the Master Deed, to comply with the instructions of a majority of Unit Owners as expressed in resolutions duly adopted at any annual or special meeting of Unit Owners;
- (n) to be responsible for and maintain all streets, roads, utilities, and any other services of a public nature that are classified as Common Elements in the Master Deed;
- (o) to exercise all other powers and duties of Unit Owners as a group referred to in the Horizontal Property Act of the State of Tennessee or in the Master Deed or these By-Laws.

Section 10. Authority of Board to Act for Association. Whenever in these By-Laws the Association is given the power to take any action, it is the intention of these By-Laws that the Board shall act for the Association in all cases, except and to the extent that it is expressly provided that action be taken upon vote of the Unit Owners.

Section 11. Non-Delegation. Nothing in these By-Laws shall be considered to grant to the Board, the Association, or to the officers of the Association, any powers or duties which, by law, have been delegated to Unit Owners.

ARTICLE III Officers

Section 1. Designation. At each regular annual meeting of the Board, the Directors present at such meeting shall elect the following officers of the Association by a majority vote:

- (a) a President, who shall be a Director, who shall preside over meetings of the Board and of Unit Owners, and who shall be the chief executive officer of the Association;
- (b) a Secretary/Treasurer, who shall keep the minutes of all meetings of the Board and of Unit Owners, and who shall, in general, perform all the duties incident to the office of Secretary and who shall also be responsible for financial records and books of account and the manner in

which such records and books are kept and reported;

(c) such additional officers as the Board shall see fit to elect.

Section 2. Powers. The respective officers shall have the general powers usually vested in such officers; provided that the Board may delegate any specific powers to any other officer or impose such limitations or restrictions upon the powers of any officer as the Board may see fit.

Section 3. Term of Office. Each officer shall hold office for the term of one (1) year and until his successor shall have been appointed or elected and qualified.

Section 4. Vacancies. Vacancies in any office shall be filled by the Board by a majority vote of the remaining members thereof at a special meeting of said Board. Any Director so elected to fill a vacancy shall hold office for a term equal to the unexpired term of the officer he succeeds. Any officer may be removed for cause at any time by vote of two-thirds (2/3) of the total membership of the Board at a special meeting thereof.

Section 5. Compensation. The officers shall receive no compensation for their services as officers, unless expressly provided for in a resolution duly adopted by both Unit Owners.

ARTICLE IV Assessments

Section 1. Annual Budget. The Board shall establish an annual budget to provide for the needs of the Association. Such budget shall take into account the estimated common expenses and cash requirements for the year, including, but not limited to, salaries, wages, payroll taxes, legal and accounting fees, working capital fund, supplies, materials, parts, services, maintenance, repairs, replacements, landscaping, insurance, fuel, power, and all other common expenses. To the extent that the assessments and other cash income collected from Unit Owners during the preceding year shall be more or less than the expenditures for such preceding year, the surplus or deficit, as the case may be, shall also take into account the estimated net available cash income for the year from the lease, operation or use of the Common Elements. The annual budget shall provide for a reserve for contingencies for the year and replacements, in reasonable amounts as determined by the Board.

Section 2. Assessments. The estimated annual budget for each fiscal year shall be approved by the Board, and copies thereof shall be furnished by the Board to each Unit Owner, not later than thirty (30) days prior to the beginning of such year. On or before the first day of the first month and of each succeeding month of the year covered by the annual budget, each Unit Owner shall pay, as his respective monthly assessment for the common expenses, one-twelfth (1/12) of his proportionate share of the common expenses for such year as shown by the annual budget. In the event that the Board shall not approve an estimated annual budget or shall fail to determine new monthly assessments for any year, or shall be delayed in doing so, each Unit Owner shall continue to pay each month the amount of his respective monthly assessment as last determined. Each Unit Owner shall pay his monthly assessment on or before the first day of each month to the Managing Agent

or otherwise as directed by the Board. No Unit Owner shall be relieved of his obligation to pay any assessment by abandoning or not using his Unit, the Private Elements, the Common Elements, or the Limited Common Elements.

Section 3. Partial Year or Month. Commencing with the date of occupancy of his Unit, each Unit Owner of newly developed units, shall pay his assessment for the following month or fraction of a month, which assessment shall be in proportion to his respective ownership interest in the Common Elements and the number of months and days remaining of the period covered by the current annual budget, and which assessment shall be computed by the Board.

Section 4. Annual Report. Within ninety (90) budget, or as soon thereafter as practicable, the Board shall cause to be furnished to each Unit Owner a statement for such year, showing the receipts and expenditures and such other information as the Board may deem desirable.

Section 5. Supplemental Budget. In the event that, during the course of any year, it shall appear to the Board that the monthly assessments, determined in accordance with the estimated annual budget for such year, are insufficient or inadequate to cover the estimated common expenses for the remainder of such year, then the Board shall prepare and approve a supplemental budget covering the estimated deficiency for the remainder of such year, copies of which supplemental budget shall be furnished to each Unit Owner, and thereupon a supplemental assessment shall be made to each Unit Owner for his proportionate share of such supplemental budget.

Section 6. Expenditures. Except for the Management Agreement described in Article II, Section 9 (c) hereof and expenditures and contracts specifically authorized by the Master Deed and By-Laws, the Board shall not approve any expenditures in an amount in excess of ten (10%) percent of the annual budget for the then current year, unless required for emergency repair, protection or operation of the Common Elements or Limited Common Elements, nor enter into any contract for more than three (3) years, without the prior approval of both Units.

Section 7. Lien. It shall be the duty of every Unit Owner to pay his equal share of the common expenses as provided in the Master Deed, and as assessed in the manner herein provided.

If any Unit Owner shall fail or refuse to make any such payment of assessments when due, such delinquent payment shall be subject to a late charge in an amount established by the Board, and such delinquent payment together with interest at the rate of Fifteen (15%) per cent per annum. Such delinquent payment, together with penalty and interest, shall constitute a lien, as provided in the Act, enforceable by the Board, on the interest of such Unit Owner in the Property.

The Association, or its successors and assigns, acting through the Board or its agents, shall have the right to maintain a suit to foreclose any such lien, and there shall be added to the amount due the costs of said suit and other fees and expenses, together with legal interest and reasonable attorney's fees to be fixed by the court. Furthermore, if any Unit Owner shall fail or refuse to pay

when due his proportionate share of the common expenses, and such Unit Owner withholds payment thereof after demand by the Association in writing setting forth the amount claimed, the Association shall have the right to possession of such Unit. The Association, acting through its Board, shall have the authority to exercise and enforce any and all rights and remedies as provided for in the Horizontal Property Act, the Master Deed, or these By-Laws, or as are otherwise available at law or in equity, for the collection of all unpaid assessments.

Section 8. Records and Statement of Account. The Board shall cause to be kept detailed and accurate records in chronological order of its receipts and expenditures affecting the Common Elements, specifying and itemizing the common expenses incurred. Payment vouchers may be approved in such manner as the Board may determine.

The Board shall, upon receipt of fifteen (15) days written notice to the Association and upon payment of a reasonable fee, furnish to any Unit Owner a statement of his account setting forth the amount of any unpaid assessment(s) or other charges due and owing from said Unit Owner.

Section 9. Discharge of Liens. The Board may cause the Association to discharge any mechanic's lien or other encumbrances which in the opinion of the Board may constitute a lien against the Property or the Common Elements, rather than a lien against only a particular Unit. When less than all the Unit Owners are responsible for the existence of any such lien, the Unit Owners responsible shall be jointly and severally liable for the amount necessary to discharge the same and for all costs and expenses, including attorney's fees, incurred by reason of such lien.

Section 10. Holding of Funds. All funds collected hereunder shall be held and expended for the purposes designated herein, and (except for such special assessments as may be levied hereunder against less than all the Unit Owners and for such adjustments as may be required to reflect delinquent or prepaid assessments) shall be deemed to be held for the benefit, use and account of all the Unit Owners in proportionate amounts.

ARTICLE V Use and Occupancy Restrictions

Section 1. General. No unlawful, noxious or offensive activities shall be carried on in any Unit or elsewhere on the Property, nor shall anything be done therein or thereon which shall constitute a nuisance or which shall in the judgment of the Board cause unreasonable noise or disturbance to others.

Each Unit Owner shall maintain his Unit in good condition and in good order and repair, at his own expense, and shall not do or allow anything to be done in his Unit which may increase the cost or cause the cancellation of insurance on other Units or on the Common Elements. No Unit Owner shall display, hang, store or use any clothing, sheets, blankets, laundry or other

articles outside of his Unit, or which may be visible from the outside of his Unit (other than draperies, curtains, or shades of a customary nature and appearance, subject to the Rules and Regulations of the Association), or paint or decorate or adorn the outside of his Unit, or install outside his Unit any canopy or awning, or outside radio or television antenna, or C.B. radio transmitters, or other equipment, fixtures or items of any kind, written permission of the Managing Agent, acting in accordance with the Board's direction. No Unit Owner shall display, hang, store, or use any sign outside his Unit, in a hallway, or elsewhere, which may be visible from the outside of his Unit, without the prior written permission of the Managing Agent, acting in accordance with the Board's direction.

No structure of a temporary character, trailer, tent, shack, garage, barn, or other out-buildings shall be permitted on the Property at any time temporarily or permanently, except with the prior written consent of the Board; provided, however, that temporary structures may be erected for use in connection with the repair or rebuilding of the Buildings or any portion thereof.

Section 2. Trash. Trash, garbage and other waste shall be kept only in sanitary containers, and shall be disposed of in a clean and sanitary manner as prescribed from time to time by Rules and Regulations of the Association.

Section 3. Use by Developer. During the period of sale by Developer of any Units, Developer, and Developer's agents, employees, contractors and subcontractors, and their respective agents and employees, shall be entitled to access, ingress to and egress from the Building and Property as may be required for the purposes of sale of Units. In addition, Developer reserve the right to enter into, upon, over and under any Unit for a period of one (1) year after the date of sale of the Unit for such purposes as may be reasonably necessary for Developer or their agents to service any Unit. While Developer own any of the Units and until each Unit sold by it is occupied by Purchasers, Developer and their employees may use and show one (1) or more of such unsold or unoccupied Units as a model Unit or Units and may use one (1) or more of such unsold or unoccupied Units as a sales office, and may maintain customary signs in connection therewith. During the period of sale by Developer, the Developer shall be allowed a seat on the Board of Directors and voting privileges as provided in Article II herein.

Section 4. Storage. Articles of personal property belonging to any Unit Owner, such as baby carriages, bicycles, wagons, toys, furniture, clothing, and other articles, shall not be stored or kept in the Common Elements, but shall be confined to the units or storage areas within the units and/or its Private Elements. Storage of boats, trailers, campers, and motor homes on the Property shall be subject to the Rules and Regulations of the Association applicable thereto.

Section 5. Wiring. No Unit Owner shall overload the electrical wiring in the Building,

or operate any machines, appliances, accessories, or equipment in such manner as to cause, in the judgment of the Board, an unreasonable disturbance to others, or connect any machines, appliances, accessories, or equipment to the heating or plumbing system without the prior written consent of the Board or the prior written consent of the Managing Agent, given in accordance with the Board's direction.

Section 6. Rules and Regulations. Unit Owners shall be subject to such further restrictions as may be contained in Rules and Regulations of the Association concerning the use of Units and the Common Elements which may be enacted from time to time by the Board. All such Rules and Regulations shall be binding Rules and Regulations of the Association unless rejected by all of the votes of Unit Owners, and copies of such Rules and Regulations and any amendments or additions thereto shall be furnished to all Unit Owners upon request.

ARTICLE VI Contractual Powers

No contract or other transaction between this Association and one (1) or more of its Directors, or between the Association and any corporation, firm or association in which one (1) or more of the Directors of the Association are Directors, or are financially interested, is void or voidable because such Director or Directors are present at the meeting of the Board or a committee thereof which authorizes or approves the contract or transaction or because his or their votes are counted, if the circumstances specified in either of the following subparagraphs exists:

(a) the fact of the common directorship or financial interest is disclosed or known to the Board or committee and noted in the minutes and the Board or committee authorizes, approves or ratifies the contract or transaction in good faith by a vote sufficient for the purpose without counting the vote or votes of such Director or Directors; or

(b) the contract or transaction is just and reasonable as to the Association at the time it is authorized or approved.

Common or interested Directors may be counted in determining the presence of a quorum at a meeting of the Board or a committee thereof which authorizes, approves or ratifies a contract or transaction.

ARTICLE VII Amendments

Section 1. These By-Laws may be amended, at a regular or special meeting of the members, by a vote of both members present in person or by proxy subject to Section 2 below.

Any proposed amendment in these By-Laws shall require written notice of the proposed amendment to be delivered to members of the Association in writing at least fifteen (15) days

prior to any meeting at which the subject amendment will be considered.

Section 2. Mortgage Approvals. Any and all amendments eligible for approval in Section 1 of this Article shall be subject to the following conditions and restrictions:

Amendments of a material nature must be agreed to by members who represent both votes in the Homeowners' Association. In addition thereto, approval must be obtained from eligible mortgage holders who represent all of Units that are subject to mortgages held by eligible holders (eligible mortgage holders shall be defined as those holders of a first mortgage on a Unit who have requested the Homeowner's Association to notify them on any proposed action that requires the consent of a specified percentage of eligible mortgage holders). A change to any of the following shall be considered under this Section, as material:

1. Voting Rights.
2. Assessments, assessment liens, or the priority of assessment liens.
3. Reserves for maintenance, repair and replacement of common areas.
4. Responsibility for maintenance and repairs.
5. Reallocation of interests in the common areas or right to their use.
6. Redefinition of unit boundaries.
7. Conversion of units into common areas or vice versa.
8. Expansion or contraction of the project or the addition, annexation or withdrawal of property to or from the project.
9. Insurance or fidelity bond changes.
10. Leasing of units.
11. Imposition of any restriction on a unit owners right to sale or transfer his or her property.
12. A decision by the Homeowner's Association to establish self-management when professional management has been required previously by the projects documents or by an eligible mortgage holder.
13. Restoration and repair of the project (after a hazard damage or partial condemnation, in a manner other than specified in the project documents.
14. Any action to terminate the legal status of the project after substantial destruction or condemnation occurs.
15. Any provisions that expressly benefit mortgage holders, insurers or guarantors.

Section 4. Condemnation. Should the unit owners consider termination of the legal status of West Grove Townhomes Homeowners' Association, Inc., for any reason other than the substantial destruction or condemnation of the Association property, eligible mortgage holders, as heretofore defined, that represent all of the mortgaged units must agree to said termination of said legal status. Each eligible mortgage holder shall be given written notification of said intent

to terminate the legal status of the Association and shall have thirty (30) days in which to respond to said notice. An eligible mortgage holder who fails to submit a response to said written proposal for amendment within thirty (30) days after it receives proper notice of the proposal shall be deemed to assent to said amendment, providing that said notice was delivered by certified or registered mail, with a return receipt requested.

These By-Laws may be amended or modified from time to time by action or approval of all of the Unit Owners. Such amendments shall be recorded in the Office of the Register's Office of Davidson County, Tennessee.

ARTICLE VIII

Indemnification

Section 1. General. To the extent permitted by law, the Association shall indemnify and hold harmless each of its Directors and officers, each member of any committee appointed pursuant to these By-Laws, against all contractual and other liabilities to others arising out of contracts made by, or other acts of such Directors, officers, or committee members on behalf of Unit Owners, or arising out of their status as Directors, officers, or committee members, unless any such contract or act shall have been made fraudulently or with gross negligence or criminal intent. It is intended that the foregoing indemnification shall include indemnification against all costs and expenses (including, but not limited to, counsel fees, amounts of judgments paid and amounts paid in settlement) reasonably incurred in connection with the defense of any claim, action, suit or proceeding, whether civil, criminal, administrative or otherwise, in which any such Director, officer or committee member may be involved by virtue of such person's being or having been such Director, officer, or committee member, provided, however, that such indemnity shall not be operative with respect to (a) any matter as to which such person shall have been finally adjudged in such action, suit or proceeding to be liable for gross negligence or fraud in the performance of his duties as such Director, officer, or committee member, or (b) any matter settled or compromised, unless, in the opinion of independent counsel selected by or in a manner determined by the Board, there is not reasonable ground for such person's being adjudged liable for gross negligence or fraud in the performance of his duties as such Director, officer or committee member.

Section 2. Success on Merits. To the extent that a member of the Board, or an officer of the Association, or a member of any committee appointed pursuant to these By-Laws has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Section 1, or in defense of any claim, issue or matter therein, he shall be indemnified against expenses (including attorney's fees) actually and reasonable incurred by him in connection therewith.

Section 3. Advance Payment. Expenses incurred in defending a civil or criminal action, suit or proceeding may be paid by the Association in advance of the final disposition of such action, suit or proceeding as authorized by the Board in the specific case upon receipt of an undertaking by or on behalf of the persons or entity seeking such indemnification or payment in advance to repay such amount unless it shall ultimately be determined that he is entitled to be indemnified by the Association as authorized in this Article VIII.

Section 4. Miscellaneous. The Association and the Board shall have the power to raise and the responsibility for raising, by special assessment or otherwise, any sums required to discharge its obligations under this Article; provided, however, that the liability of any Unit Owner arising out of any contract made by or other acts of the Directors, officers, or members of such committees, or out of the aforesaid indemnity in favor of the Directors, officers, or members of such committees, shall be limited to such proportion of the total liability hereunder as said Unit Owner's percentage of interest in the Common Elements bears to the total percentage interest of all Unit Owners in the Common Elements. Every agreement made by the Directors, officers, or members of such committees, or by the Managing Agent on behalf of Unit Owners shall provide that the Directors, officers, members of such committees, or the Managing Agent, as the case may be, are acting only as agents for Unit Owners and shall have no personal liability thereunder (except as Unit Owners), and that each Unit Owner's liability thereunder shall be limited to such proportion of the total liability thereunder as his percentage of interest in the Common Elements bears to the total percentage interest of all Unit Owners in the Common Elements. The indemnification provided by this Article VIII shall not be deemed exclusive of any other rights to which those seeking indemnification may be entitled under any statute, agreement, vote of members of the Association, or disinterested members of the Board of otherwise, both as to action in his official capacity and as to action in another capacity while holding such office. Such right to indemnification shall continue as to a person or entity who has ceased to be a member of the Board, officer of the Association, or a member of such committee, and shall inure to the benefit of their heirs, executors, administrators, successors, and assigns of such person or entity.

ARTICLE IX

Mortgages

Section 1. Notice to Board. A Unit Owner who mortgages his Unit shall notify the Board of the name and address of his mortgagee and shall file a conformed copy of the note and deed of trust or mortgage with the Board; and the Board shall maintain such information in a book entitled "Mortgages of Units".

Section 2. Notice of Unpaid Common Charges. The Board, whenever so requested in writing by a mortgagee of a Unit, shall promptly report any then unpaid common charges due

from, or any other default by, the owner of the mortgaged Unit.

Section 3. Notice of Default. The Board, when giving notice to a Unit Owner of a default in paying common charges or other default, shall send a copy of such notice to each holder of a mortgage covering such Unit whose name and address has therefore been furnished to the Board.

Section 4. Examination of Books. Each Unit Owner and each mortgagee of a Unit shall be permitted to examine the books of account of the Association at reasonable times, on business days, but not more often than once a month.

Section 5. Interest of Valid First Mortgagee. The interest of valid first mortgagee shall be superior to the interest of the Board in the event of a default, and nothing in this instrument shall be construed to the contrary. If the first mortgagee has incorporated the terms of these By-Laws, the Master Deed and the contract in its deed of trust, then said first mortgagee may at its option declare a default in its deed of trust by reason of any default hereunder, and may proceed to enforce its rights according to the terms of the deed of trust notwithstanding any enforcement instituted by the Board.

ARTICLE X

Definition of Terms

The terms used in these By-Laws, to the extent they are defined therein, shall have the same meaning as set forth in the Master Deed for West Grove Townhomes, of record in the Office of the Register of Deeds for Davidson County, Tennessee.

The term "Member" as used in these By-Laws, means "Unit Owner" as defined in the Master Deed.

ARTICLE XI

Conflicts

These By-Laws are set forth to comply with the requirements of Chapter 27 of Title 66, Tennessee Code Annotated, as it may be amended from time to time, and to allow the By-Laws to control in specific situations where such law allows. In the event any of the By-Laws conflict with the provisions of said statute or of the Master Deed, the provisions of said statute or of the Master Deed, as the case may be, shall control.

Secretary of State
Division of Business Services
 312 Eighth Avenue North
 6th Floor, William R. Snodgrass Tower
 Nashville, Tennessee 37243

DATE: 12/06/06
 REQUEST NUMBER: 5898-1042
 TELEPHONE CONTACT: (615) 741-2286
 FILE DATE/TIME: 12/06/06 1239
 EFFECTIVE DATE/TIME: 12/06/06 1239
 CONTROL NUMBER: 0535574

TO:
 WEISS & WEISS
 761 OLD HICKORY BLVD
 SUITE 301
 BRENTWOOD, TN 37027

Davidson County CHARTER
 Recvd: 05/24/07 14:39 6 pgs
 Fees:7.50 Taxes:0.00

20070524-0062236

RE:
 WEST GROVE TOWNHOMES HOMEOWNERS' ASSOCIATION, INC.
 CHARTER - NONPROFIT

CONGRATULATIONS UPON THE INCORPORATION OF THE ABOVE ENTITY IN THE STATE OF TENNESSEE, WHICH IS EFFECTIVE AS INDICATED.

A CORPORATION ANNUAL REPORT MUST BE FILED WITH THE SECRETARY OF STATE ON OR BEFORE THE FIRST DAY OF THE FOURTH MONTH FOLLOWING THE CLOSE OF THE CORPORATION'S FISCAL YEAR. ONCE THE FISCAL YEAR HAS BEEN ESTABLISHED, PLEASE PROVIDE THIS OFFICE WITH THE WRITTEN NOTIFICATION. THIS OFFICE WILL MAIL THE REPORT DURING THE LAST MONTH OF SAID FISCAL YEAR TO THE CORPORATION AT THE ADDRESS OF ITS PRINCIPAL OFFICE OR TO A MAILING ADDRESS PROVIDED TO THIS OFFICE IN WRITING. FAILURE TO FILE THIS REPORT OR TO MAINTAIN A REGISTERED AGENT AND OFFICE WILL SUBJECT THE CORPORATION TO ADMINISTRATIVE DISSOLUTION.

WHEN CORRESPONDING WITH THIS OFFICE OR SUBMITTING DOCUMENTS FOR FILING, PLEASE REFER TO THE CORPORATION CONTROL NUMBER GIVEN ABOVE. PLEASE BE ADVISED THAT THIS DOCUMENT MUST ALSO BE FILED IN THE OFFICE OF THE REGISTER OF DEEDS IN THE COUNTY WHEREIN A CORPORATION HAS ITS PRINCIPAL OFFICE IF SUCH PRINCIPAL OFFICE IS IN TENNESSEE.

 FOR: CHARTER - NONPROFIT

ON DATE: 12/06/06

FROM:
 WEISS & WEISS ATTORNEYS AT LAW
 761 OLD HICKORY
 BLVD STE 301
 BRENTWOOD, TN 37027-0000

	FEES	
RECEIVED:	\$200.00	\$0.00
TOTAL PAYMENT RECEIVED:	\$200.00	

RECEIPT NUMBER: 00004056035
 ACCOUNT NUMBER: 00369829



SS-4458

Riley C. Darnell

RILEY C. DARNELL
 SECRETARY OF STATE

RECEIVED
DECEMBER 12 2018
12:39
SECRETARY OF STATE
5898.1042

**ARTICLES OF INCORPORATION
OF
WEST GROVE TOWNHOMES HOMEOWNERS' ASSOCIATION, INC.**

In compliance with the requirements of Tennessee Nonprofit Corporation Act, the undersigned natural person, of Nashville, Davidson County, Tennessee, has this day voluntarily formed a corporation not for profit and does hereby certify:

ARTICLE I

The name of the corporation is West Grove Townhomes Homeowners' Association, Inc., hereafter referred to as the "Association".

ARTICLE II

This corporation is a mutual benefit corporation.

ARTICLE III

The name and address of the corporation's initial registered agent and office is:

Andy Nissen
C/O Exodus Industries
308 Seaboard Lane, Suite Four
Franklin, Williamson County, Tennessee 37067

ARTICLE IV

The name and address of the incorporator is:

Mr. Peter Weiss, Attorney at Law
761 Old Hickory Blvd., Suite 301
Brentwood, Davidson County, Tennessee 37027

ARTICLE V

The principal office of the corporation is located at 308 Seaboard Lane, Suite Four Franklin, Williamson County, Tennessee 37067.

ARTICLE VI

The Corporation does not contemplate pecuniary gain and is organized as a corporation not for profit.

ARTICLE VII

The corporation will have members.

ARTICLE VIII

The specific purposes for which the Association is formed are to provide for maintenance, preservation and architectural control of the residence Units, Limited Common Elements, Private Elements and Common Elements within that certain tract of property described, as follows:

Land in Davidson County, Tennessee, being part of Lot No. 18 on the Plan of Jones and Dudley's Addition to Nashville, as of record in Book 57, page 147, Register's Office for Davidson County, Tennessee and also being Lot "G" on the unrecorded Plan of Tennessee Construction & Development Company's resubdivision of Lot No. 16 and the westerly part of Lot No. 18 in the Jones and Dudley's Subdivision, described according to a survey made by John M. Sullivan, County Surveyor, January 7, 1950, as follows:

Beginning on the southerly margin of W. Grove Street at the corner of Lots "F" and "G", being 58 feet west of the northwest corner of the property conveyed to Carroll W. Jolly and wife, by deed from Burton Robnett, et al, of record in Book 1468, page 435, said Register's Office; thence, with the line between said two lots, southwardly 150 feet to the northerly margin of an alley; thence, with said alley, westwardly 58 feet to the corner of Lots "G" and "H"; thence, with the line between said Lots "G" and "H", northwardly 150 feet to the southerly margin of said W. Grove Street; thence, with the same, eastwardly 58 feet to the beginning;

and, to promote the health, safety and welfare of the residents within the above-described property and any additions thereto as may hereafter be brought within the jurisdiction of this Association for this purpose to:

(a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in that certain Master Deed of West Grove Townhomes, hereinafter called the "Master Deed", applicable to the property and recorded, or to be recorded, in the Office of Register of Deeds, Nashville, Davidson County, Tennessee, and as the same may be amended from time to time as therein provided, said Master Deed being incorporated herein as if set forth at length;

(b) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Master Deed; to pay all expenses in connection therewith and all office and other expenses incident to the conduct of the business of the Association, including all licenses, taxes or governmental charges levied or imposed against the property of the Association;

(c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association;

(d) With the assent of all members, borrow money, mortgage, pledge, execute deed(s) of trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred;

(e) Dedicate, sell or transfer all or part of the Common Elements to any public agency, authority, or utility for such purposes and subject to such conditions as may be agreed to by the members. No such dedication or transfer shall be effective unless an instrument has been signed by all members, agreeing to such dedication, sale or transfer;

(f) Participate in mergers and consolidations with other non-profit corporations organized for the same purposes or annex additional residential property and Common Elements, provided that any such merge, consolidation or annexation shall have the assent of all members; and,

(g) Have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Tennessee, by law, may now or hereafter have or exercise.

ARTICLE IX MEMBERSHIP

Every person or entity who is a record owner of a fee or undivided fee interest in any Unit which is subject to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Unit which is subject to assessment by the Association.

ARTICLE X VOTING RIGHTS

The Association shall have two classes of voting membership:

Class "A". Class "A" member(s) shall be all Unit Owners, with the exception of the Owner (or "Developer", as defined in the Master Deed), and shall be entitled to one (1) vote for each Unit owned. When more than one (1) person holds an interest in any Unit, all such persons shall be members. The vote for such unit shall be exercised as they determine, but in no event shall more than one (1) vote be cast with respect to any Unit.

Class "B". The Class "B" member(s) shall be the Owner (or "Developer", as defined in the Master Deed), and shall be entitled to three (3) votes for each Unit owned. The Class "B" membership shall cease and be converted to Class "A" membership on the happening of either the following events, whichever occurs earlier:

- (a) Both of the units have been conveyed to unit purchasers, or
- (b) On the last day of the month occurring Five (5) years following the first conveyance to a unit purchaser.

ARTICLE XI
BOARD OF DIRECTORS

The affairs of this Association shall be managed by a Board of Three (3) Directors, who need not be members of the Association. The number of Directors may be changed by amendment of the By-Laws of the Association. The initial Directors shall be appointed by the Owner and shall serve in said capacity until the selection of their successors.

At the first annual meeting the members shall elect one (1) Director for the term of one (1) year, one (1) Director for the term of two (2) years, and one (1) Director for the term of three (3) years; and at each annual meeting thereafter the members shall elect replacement Directors for the term of three (3) years.

ARTICLE XII
DISSOLUTION

The Association may be dissolved with the assent given in writing and signed by all members. Upon dissolution of the Association, other than incident to a merger or consolidation, the assets of the Association shall be dedicated to an appropriate public agency to be used for purposes similar to those for which this Association was created. In the event that such dedication is refused acceptance, such assets shall be granted, conveyed and assigned to any nonprofit corporation, association, trust or other organization to be devoted to such similar purposes.

ARTICLE XIII
DURATION

The corporation shall exist perpetually.


ARTICLE XIV
AMENDMENTS

Amendment of these Article shall require shall require the assent of the entire membership.

ARTICLE XV
LIABILITY OF DIRECTOR(S) TO THE CORPORATION AND/OR ITS MEMBERS

No Director of the West Grove Townhomes Homeowners' Association, Inc., shall be personally liable to the corporation or its members for monetary damages for breach of fiduciary duty as a Director; provided, that such provision shall not eliminate or limit the liability of a Director (i) for any breach of the Director's duty of loyalty to the corporation or its members, (ii) for acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law, or (iii) for unlawful distributions pursuant to Section 48-58-304 of the Tennessee Nonprofit Corporation Act.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Tennessee, I, the undersigned incorporator of this Association, have executed these Articles of Incorporation this 5th. day of December, 2006.



Peter Weiss, Incorporator

EXHIBIT 3

Metropolitan Government of Nashville and Davidson County
Department of Codes and Building Safety
Site Address: 1014 B W GROVE AVE NASHVILLE, TN 37203 **Permit #: 201516993**

SHORT TERM RENTAL PERMIT

Issue Date: May 1, 2015

NOTICE

Parcel: 105090R00200CO
Permit Tracking #: 2040417

No work may be done on any part of a building or structure beyond that required applicable inspections.

Keep Jobsites Clean and Safe.

EXHIBIT 4

ORDINANCE NO. BL2014-951**An ordinance to amend Chapter 6.28 of the Metropolitan Code pertaining to Short Term Rental Property.**

WHEREAS, short-term rental of homes can provide a flexible housing stock that allows travelers a safe accommodation while contributing to the local economy; and

WHEREAS, short-term rental of homes can provide homeowners an opportunity to hold property in difficult economic circumstances or as an investment; and

WHEREAS, hotel taxes from short term rental of homes can be used to promote travel and tourism and to support the local tourism industry; and

WHEREAS, the needs of long-term residents should be balanced with the allowance of short-term rentals.
NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 6.28 of the Metropolitan Code is hereby amended by adding the following new Section 6.28.030:

6.28.030 Short Term Rental Property (STRP).

A. For purposes of this section, "Short Term Rental Property (STRP)" means a residential dwelling unit containing not more than four sleeping rooms that is used and/or advertised for rent for transient occupancy by guests as those terms are defined in Section 5.12.010 of the metropolitan code. Residential dwelling units rented to the same occupant for more than 30 continuous days, Bed and Breakfast establishments, boarding houses, hotels, and motels shall not be considered Short Term Rental Property.

B. For purposes of this section, "owner-occupied" means the owner of the property permanently resides in the STRP or in the principal residential unit with which the STRP is associated on the same lot.

C. No person or entity shall operate a STRP or advertise a residential property for use as a STRP without the owner of the property first having obtained a STRP permit issued by the department of codes administration.

D. Application. The STRP permit application shall include the following information:

1. The name, telephone number, address, and email address of the owner and of a person or business ("responsible party") residing or located within twenty-five miles of the STRP that is responsible for addressing all maintenance and safety concerns;

2. Proof of insurance evidencing homeowner's fire, hazard, and liability insurance. Liability coverage shall have limits of not less than \$1,000,000 per occurrence.

3. If the STRP unit shares a common wall or a common driveway with another property owner, proof of written notification to such neighboring property owner(s) prior to filing the application.

E. Signage. Signs, advertising, or any other display on the property indicating that the dwelling unit is being utilized, in whole or in part, as a STRP is prohibited.

F. All STRP occupants shall abide by all applicable noise restrictions contained in the Metropolitan Code and all applicable waste management provisions of Chapter 10.20 of the Metropolitan Code.

G. The STRP shall have approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:

1. In all sleeping areas.

2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.

3. In each story within the sleeping unit, including basements.

H. No recreational vehicles, buses, or trailers shall be visible on the street or property in conjunction with the STRP use.

I. No food shall be prepared for or served to the transient by the permit holder.

J. The principal renter of a STRP unit shall be at least twenty-one (21) years of age.

K. Maximum occupancy. The maximum number of paying adult guests permitted on a STRP property at any one time shall not exceed more than twice the number of sleeping rooms plus four. Simultaneous rental to more than one party under separate contracts shall not be allowed. The occupancy maximum shall be conspicuously posted within the STRP unit.

- L. The STRP owner shall not receive any compensation or remuneration to permit occupancy of a STRP for a period of less than twenty-four (24) hours. The maximum stay for any guest shall be thirty (30) consecutive days.
- M. The name and telephone number of the local responsible party shall be conspicuously posted within the STRP unit. The responsible party shall answer calls twenty-four (24) hours a day, seven (7) days a week for the duration of each short term rental period to address problems associated with the STRP.
- N. Expiration of permit. A STRP permit shall expire three hundred sixty-five (365) days after it is issued. STRP permits may be renewed upon the payment of a fifty dollar renewal fee to the department of codes administration.
- O. The permit holder shall be responsible for collecting and remitting all applicable room, occupancy, and sales taxes required by state law or the Metropolitan Code.
- P. A STRP permit shall not be transferred or assigned to another individual, person, entity, or address, nor shall the permit authorize any person, other than the person named therein, to operate a STRP on the property.
- Q. STRP permit holders shall obtain a use permit from the zoning administrator as an accessory use to the primary residential use pursuant to section 17.16.250.E. of the metropolitan code. No more than 3% of the single-family or detached two-family residential units within each census tract shall be permitted as non-owner-occupied short-term rental use as determined by the Zoning Administrator.
- R. Denial or Revocation of Permit.
1. Upon the filing of three or more complaints within a calendar year regarding a STRP permit, the department of codes administration shall notify the permit holder in writing of such complaints.
 2. If the department of codes administration determines that violations of this section or any other ordinance or law relating to STRPs have occurred, the permit to operate a STRP may be revoked.
 3. Before revoking any permit, the department of codes administration shall give the permit holder fifteen days written notice of the alleged violation(s) against him/her.
 4. Any denial or revocation of a STRP permit may be appealed to the board of zoning appeals as an administrative appeal pursuant to section 17.40.180.A. of the metropolitan zoning code.

Section 2. The department of codes administration shall begin accepting STRP applications on March 31, 2015, and shall begin enforcing the provisions of this Ordinance from and after July 1, 2015.

Section 3. This Ordinance shall take effect from and after its enactment, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Sponsored by: Burkley Allen, Charlie Tygard, Peter Westerholm, Anthony Davis

**Amendment No. 1
To
Ordinance No. BL2014-951**

Madam President:

I move to amend Ordinance No. BL2014-951 by amending Section 1 as follows:

I. By deleting the provisions of subsection G. and substituting with the following new subsection G.:

G. The STRP shall meet all applicable requirements of the state and local building and fire safety codes, including, but not limited to, having approved smoke alarms meeting Underwriters Laboratory (UL) 217 standards installed as follows:

1. In all sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements.

II. By deleting the phrase "paying adult guests" wherein it appears in subsection K., and substituting with the phrase "occupants".


III. By adding the following provisions at the end of subsection R.:

5. Once a STRP permit has been revoked, no new permit shall be issued to the applicant for the same property for a period of one year.
6. The penalty for operating a short term rental property without a permit shall be:

- a. A fifty dollar fine. Each day of operation without a permit shall constitute a separate offense.
 b. Upon a finding that a short term rental property has operated without a permit, there shall be a one year waiting period from the date of such finding for the property to become eligible for a STRP permit.

Sponsored by: Burkley Allen

LEGISLATIVE HISTORY

Introduced:	November 18, 2014
Passed First Reading:	November 18, 2014
Referred to:	Codes Committee Convention & Tourism Committee
Deferred to January 6, 2015:	December 2, 2014
Deferred to February 3, 2015:	January 6, 2015
Amended:	February 3, 2015
Passed Second Reading:	February 3, 2015
Passed Third Reading:	February 24, 2015 - Roll Call Vote
Approved:	February 26, 2015
By:	

Requests for ADA accommodation should be directed to the Metropolitan Clerk at 615/862-6770.

EXHIBIT 5

DAVID BRILEY
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

March 26, 2018

Freeman Wizer
1014 A W. Grove Avenue
Nashville, Tennessee 37203

RE: Permit CASR #201516993
1014 B W. Grove Avenue

Dear Mr. Wizer:

Pursuant to Section 17.16.250(E) of the Metropolitan Code of Laws, this letter serves as your formal notice of the cancellation of the above referenced STRP permit. This property changed ownership after the date of permit issuance. Since the law does not allow transfers of STRP permits, this permit has been invalid since the June 21, 2016 ownership change.

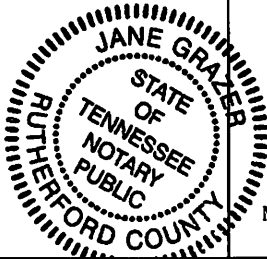
All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such actions at the subject address will be a violation of law and subject you to court proceedings. You have the right to appeal this decision at the Board of Zoning Appeals.

Sincerely,

Jon Michael
Metro Codes

EXHIBIT 6

<p>WARRANTY DEED</p> <p>BILL GARRETT, Davidson County Trans: T20160053571 DEEDWARR Recvd: 06/23/16 10:57 2 pgs Fees: 13.00 Taxes: 1887.00</p> <p>20160623-0064072</p>	<p>STATE OF TENNESSEE COUNTY OF <u>Rutherford</u></p> <p>THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$510,000.00</p> <p style="text-align: right;">Affiant <u>B</u></p> <p>SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE <u>13th</u> DAY OF <u>JUNE</u>, 20 <u>16</u></p> <p style="text-align: right;">Notary Public <u>[Signature]</u></p> <p>MY COMMISSION EXPIRES: <u>08/18/18</u> (AFFIX SEAL)</p>
--	---



MST 2016-0151 (Seller only)

THIS INSTRUMENT WAS PREPARED BY:
 James T. Oglesby, Attorney and Yvette L. Meldrum, Attorney
 Mid-State Title & Escrow, Inc., 128 Holiday Court, Suite 125, Franklin, TN 37067

ADDRESS NEW OWNER(S) AS FOLLOWS:	SEND TAX BILLS TO:	MAP-PARCEL NUMBERS
William K. Shackelford <i>etal</i> <small>(NAME)</small>	<i>same address</i> <small>(NAME)</small>	105-09-0R-002.00-CO
1014B West Grove Ave <small>(ADDRESS)</small>	<i>as new owner</i> <small>(ADDRESS)</small>	
Nashville, TN37203 <small>(CITY) (STATE) (ZIP)</small>	<small>(CITY) (STATE) (ZIP)</small>	

FOR AND CONSIDERATION OF THE SUM OF TEN DOLLARS, CASH IN HAND PAID BY THE HEREINAFTER NAMED GRANTEES, AND OTHER GOOD AND VALUABLE CONSIDERATIONS, THE RECEIPT OF WHICH IS HEREBY ACKNOWLEDGED, WE, TBC I LLC, a Tennessee limited liability company HEREINAFTER CALLED THE GRANTORS, HAVE BARGAINED AND SOLD, AND BY THESE PRESENTS DO TRANSFER AND CONVEY UNTO William K. Shackelford, HEREINAFTER CALLED THE GRANTEES, THEIR HEIRS AND ASSIGNS, A CERTAIN TRACT OR PARCEL OF LAND IN DAVIDSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO-WIT:

***and Freeman Wizer, as tenants in common*
 Land in Davidson County, Tennessee, being Unit No. B of The Plan of 1014 West Grove Avenue Townhomes, as shown on Exhibit "C" of 1014 West Grove Avenue Townhomes (a Planned Unit Development), of record in Instrument No. 20131118-0118727, Register's Office of Davidson County, Tennessee, to which plat reference is hereby made for a more complete and accurate legal description.

This conveyance is made subject to all the provisions of the Tennessee "Horizontal Property Act" as the same is set out in Section 66-27-101 et seq. of the Tennessee Code Annotated and is subject to the By-Laws and Charter for the administration thereof, and is subject to easements, rights and interests in favor of other unit owners and all sewer, water, electrical, telephone and other utility easements now or hereafter established over, through or upon the land embracing the regime and building thereon; and also including, without limitations, all conditions, covenants, restrictions and options, burdens, Assessments and other undertakings contained in the Master Deed of record in Instrument Number 20131118-0118727, Register's Office for Davidson County, Tennessee.

Being a portion of the same property conveyed to TBC I LLC by deed from Freeman I Wizer et ux of record in Instrument No. 20131114-0117648, Register's Office for Davidson County, Tennessee, dated 11/12/2013.

Subject to: Property taxes have been prorated and the Grantee has assumed payment thereof when same become due and payable, 2016 tax a lien on 01/01/2016 but not yet due and payable. All matters appearing of record in Declaration of Protective Covenants of record in Instrument No. 20131118-0118727, said Register's Office including Plat attached and bylaws appended. Subject to all matters shown on the Plan of record in Plat Book 1424, Page 148, Register's Office for Davidson County, Tennessee.

This property, known as 1014B West Grove Ave, Nashville, TN 37203
(House Number) (Street) (P.O. Address) (City or Town) (Postal Zip)

TO HAVE AND TO HOLD the said tract or parcel of land, with the appurtenances, estate, title and interest thereto belonging to the said GRANTEES, their heirs and assigns forever; and we do covenant with the said GRANTEES that we are lawfully seized and possessed of said land in fee simple, have a good right to convey it and the same is unencumbered, unless otherwise herein set out; and we do further covenant and bind ourselves, our heirs and representatives, to warrant and forever defend the title to the said land to the said GRANTEES, their heirs and assigns, against the lawful claims of all persons whomsoever. Wherever used, the singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

Witness my/our hand(s) this 13th DAY OF June, 2016.

TBC I, LLC

BY: Yvette Meldrum, Authorized Agent

Yvette Meldrum, Authorized Agent

STATE OF Tennessee
COUNTY OF Williamson

Personally appeared before me, the undersigned, a Notary Public in and for said County and State, Yvette Meldrum as Authorized Agent, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), who made oath that the statements contained in the foregoing instrument are true of his/her own knowledge, and who, upon oath, acknowledged himself/herself to be the Authorized Agent of the maker, and that s/he, acting in such capacity, and authorized so to do, executed the foregoing instrument in behalf of the maker, for the purposes therein contained.

Witness my hand and official seal, this the 13th day of June, 2016.

[Signature]
Notary Public

My Commission Expires: 09-05-2016

(SEAL)



Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Friday, December 14, 2018 2:14 PM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Subject: FW: D17 positions for Dec. 20 meeting

For the file.

From: Sledge, Colby (Council Member)
Sent: Friday, December 14, 2018 2:14 PM
To: Board of Zoning Appeals (Codes)
Cc: Michael, Jon (Codes); Lamb, Emily (Codes)
Subject: D17 positions for Dec. 20 meeting

Good afternoon,

Here are my positions on D17 items before you next week.

- 2018-522: I continue to **oppose** a request for exemption to create front-loading garages on Carvell Ave.
- 2018-644: I **oppose** a setback variance request on 2nd Ave S.
- 2018-709: I **tentatively support** a request for parking requirement variances for a microunit development on Humphreys Ave. The applicant will be at a community meeting on Monday, and I'll want to hear from residents.
- 2018-725: I **strongly oppose** a request not to pay into the sidewalks fund on Wharf Ave.
- 2018-662: I **oppose** a short-term rental permit appeal on West Grove Ave.
- 2018-704: I **oppose** a short-term rental appeal on Summit Ave.

Thank you all, as always, for your service, and I hope you have a great weekend!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
ColbySledge.com
[Sign up for my weekly newsletter here!](#)

From: [Sledge, Colby \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#)
Subject: BZA positions for Dec. 6 meeting
Date: Tuesday, November 20, 2018 7:31:14 PM

Board members,

You have quite the task ahead of you for this meeting's agenda! Below are my positions on the District 17 items on the Dec. 6 agenda:

2018-522: **Deny**
2018-619: **Strongly deny**
2018-637: **Support**, as applicant has spoken with me
2018-638: **Deny**
2018-644: **Deny**
2018-662: **Strongly deny** based on resident complaints
2018-671: **Deny**
2018-672: **Deny**
2018-677: **Strongly deny**

Thank you, as always, for your service, and Happy Thanksgiving!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727

[ColbySledge.com](#)

[Sign up for my weekly newsletter here!](#)

From: [Liane Moneta-Koehler](#)
To: [Sledge, Colby \(Council Member\)](#); [Board of Zoning Appeals \(Codes\)](#)
Subject: Opposition to STR appeal case 2018-662
Date: Saturday, December 1, 2018 3:22:07 PM

Hi Colby & BZA,

I'm writing in opposition to the STR permit appeal for 1014B W Grove Ave - Case number 2018-662 (Permit number 20180066167). Thank you for enforcing the rules.

I live across the street at [1015B W Grove Ave](#) with my husband and 3 kids. We would like long term residents in the neighborhood. People that we might befriend. Children for our kids to play with. Or even just familiar faces to smile at when we bike passed. We want neighbors, not visitors.

In particular, when the house operated as a AirBnB, visitors were especially inconsiderate to the neighborhood community. Noise was a mild issue, but more concerning was the public urination.

Thank you,
Liane Moneta-Koehler
[1015B W Grove Ave](#)

1017A West Grove Avenue
Nashville, TN 37203

November 17, 2018

Dear Board of Zoning Appeals:

I am writing in reference to permit #20180066167. I apologize that we are not able to attend the scheduled meeting on December 6th regarding this matter, but we will be out of the country.

We own a house across the street on West Grove Avenue, and ask that you consider denying this permit request based on several experiences that we have had in the two years that we have resided here. Nashville has become the spot for girls' trips, bachelor and bachelorette parties, etc., and this is the clientele that is attracted to a house that sleeps many people near both 12 South and downtown. These trips also tend to involve heavy drinking, and because of that, people staying in our neighborhood are not always on their best behavior.

We've had crowds of people hanging around that we don't know, we've had noise complaints late at night, and we've even had an airbnb guest defecate between our house and our neighbor's house, but none of these things compare to having an intoxicated guest attempt to break into our house in the middle of the night. We have several outdoor cameras, so we were able to eventually pull them up and see that this was not a gun-wielding robber, but a drunk guest staying across the street instead. Still, imagine the fear in those few minutes when we had someone aggressively banging on our door and trying to pry the door handle open when it was locked.

When we moved to West Grove, we knew that it was a neighborhood in transition. There is a lot of construction and as is everything in Nashville, the area is growing. However, we are hoping that this growth brings with it more stability, and not less. And we have good reason to believe that such rentals across the street bring too much of the unexpected, which isn't what we want for ourselves, for our families, and for our neighbors.

Thank you for your time and consideration.

Sincerely,

Megan and Satish Reddy

From: [David Hooper](#)
To: [Board of Zoning Appeals \(Codes\)](#); [Sledge, Colby \(Council Member\)](#)
Subject: re: appeal 2018-662 / 1014B West Grove
Date: Thursday, November 29, 2018 3:02:31 PM

To Whom It May Concern:

Words matter. So I think it's funny that the letter you sent on the appeal of 2018-662 says it's a "neighbor's request" when Collins Legal, LLC isn't a neighbor at all.

At the end of West Grove at 12th Ave is a single building with MULTIPLE STR properties going for \$300/night. Along West Grove are MULTIPLE non-owner occupied STRs, some for \$1000/night or more.

That's great tax revenue for the city, but it's not good for the people who actually live here or want to live here. West Grove is not a commercial street.

This neighborhood and its residents don't need another STR from an anonymous investment group, especially one who has already shown it's not playing by the rules you've established.

David Hooper

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:46 PM
To: Board of Zoning Appeals (Codes)
Cc: donaldr@tigermail.auburn.edu; Colby Sledge
Subject: Fwd: AirBnB

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: **Dustin Donald** <donaldr@tigermail.auburn.edu>
Date: Fri, Nov 2, 2018 at 3:47 PM
Subject: AirBnB
To: freemanwizer@gmail.com <freemanwizer@gmail.com>

To Whom It May Concern:

This letter is regarding the AirBnB operated by Freeman Wizer at 1014 West Grove Avenue. Freeman has always been a responsible host and we have never had any problems or issues with his AirBnB or his guests. As his neighbor, I support his permit and continued operation of his AirBnB. Please feel free to contact me with any further questions or concerns.

Sincerely,
Dustin Donald
1012 A West Grove Ave
Nashville, TN 37203

Dustin R. Donald, Pharm.D, CSP
donaldr@auburn.edu
334-332-9914

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:44 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; Clark Elkins
Subject: Fwd: 1014B W Grove Ave

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: Clark Elkins <j.clark.elkins@gmail.com>
Date: Fri, Nov 2, 2018 at 12:33 PM
Subject: 1014B W Grove Ave
To: Freeman Wizer <freemanwizer@gmail.com>

To Whom It May Concern-

I have lived at 1012B W Grove Ave in Nashville for 3.5 years. The property next door is 1014B W Grove Ave in Nashville. The owners of that Air BnB have always done a great job monitoring it and I have never seen or heard of any issues the entire time it's been rented out. They seem to be responsible renters and are responsive. If you have any other questions, let me know.

Best,
Clark Elkins
1012B W Grove Ave
Nashville, TN 37203

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:43 PM
To: Board of Zoning Appeals (Codes)
Cc: bcurb@curb.com; Colby Sledge
Subject: Fwd: airbnb

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: **Benson Curb** <bcurb@curb.com>
Date: Tue, Nov 6, 2018 at 4:34 PM
Subject: airbnb
To: Freemanwizer@gmail.com <Freemanwizer@gmail.com>

To whom it may concern:

I would like to endorse the Wizers as responsible, friendly and good natured neighbors. We have known them for over two years and they treat their airbnb business with utmost respect. We feel they do a great job managing their tenants and airbnb customers. We have confidence in their ability to manage any current or future airbnb properties.

Sincerely,

The Curb's (neighbor)
1027 wedgewood Avenue
Nashville, TN 37203

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:42 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; corynowakowski@hotmail.com
Subject: Fwd: Airbnb

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: Cory Nowakowski <corynowakowski@hotmail.com>
Date: Tue, Nov 6, 2018 at 4:44 PM
Subject: Airbnb
To: freemanwizer@gmail.com <freemanwizer@gmail.com>

To Whom It May Concern,

My name is Cory Nowakowski and I am writing in regards to Candice and Freeman Wizer's Airbnb property on West Grove. I am directly behind said property and can attest that they have been great Airbnb hosts and their renter's have never been a nuisance. I live at 1021 Wedgewood Avenue Nashville, TN 37203 and can be reached at 574-855-9081 if you would like to discuss further. Again, I am happy if the Wizer's Airbnb their property on West Grove with no objection.

Thank you,

Cory Nowakowski

Sent from my iPhone

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:40 PM
To: Board of Zoning Appeals (Codes)
Cc: BChase@rcmathews.com; Colby Sledge
Subject: Fwd: Your Airbnb Operation - Thanks!

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: Brian Chase <BChase@rcmathews.com>
Date: Fri, Nov 2, 2018 at 2:31 PM
Subject: Your Airbnb Operation - Thanks!
To: freemanwizer@gmail.com <freemanwizer@gmail.com>

Freeman,

Just a quick note of appreciation for your handling of your Airbnb. Halloween was 2 years to the day of Tonya, Zach and I moving to Wedgewood and we were very apprehensive to learn of your Airbnb directly behind the alley from us – especially us coming from the country. We were very wrong as you and Candice have handled everything professionally and we do not, and expect to not, have any complaints about anything. Thanks for being good neighbors and thanks for operating with respect to those of us that are permanent residents.

Well done and keep up the great work.

-Brian Chase

1029 Wedgewood

Brian R. Chase

Senior Project Manager

R.C. Mathews Contractor

D: 615-850-2737 | C: 615-347-2004 | www.rcmathews.com

615 3rd Ave South, Suite 500 | Nashville, Tennessee 37210



Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:39 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; tommyboy28144@gmail.com
Subject: Fwd: Airbnb

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: **Tommy Anderson** <tommyboy28144@gmail.com>
Date: Sat, Nov 3, 2018 at 9:08 PM
Subject: Airbnb
To: <freemanwizer@gmail.com>

To whomever it may concern,

Freeman Wizer has been my neighbor and the operator of a short term rental for quite some time now. During this period not only have I had no issues or problems with any of his guests but, he has also been a very respectful and cooperative as a neighbor and operator of his short term rental. As his neighbor, I would like to state that he has my full support in regards to his short term rental venture.

Tommy Anderson
1011 W Grove Ave, Nashville, TN 37203
615-837-9936

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:37 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; Charles Collins
Subject: Fwd: Airbnb Licensing

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: **Charles Collins** <charliecollins13@yahoo.com>
Date: Tue, Nov 20, 2018 at 10:26 AM
Subject: Airbnb Licensing
To: freemanwizer@gmail.com <freemanwizer@gmail.com>

To whom it may concern,

I have been neighbors to the Wizers for the better part of a decade now. I have been witness to them manage a home build, scope a large scale condo construction as well as develop an Airbnb property. They have been the model of professionalism and demonstrated the utmost responsibility in all their affairs.

Having the Airbnb property across the street has never created an issue for me or my family. In fact, it has been a great representation of the growth and attractiveness for tourism and consumerism of our developing city.

I wholeheartedly support these opportunities in our community and hope to see them to continue.

Please feel free to contact me with any additional questions.

Best regards,

Charlie Collins
858.243.3057
charliecollins13@yahoo.com

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:37 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; C.J. Solar
Subject: Fwd: AirBnB

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: **curtis solar** <cjsolar5@gmail.com>
Date: Fri, Nov 2, 2018 at 1:07 PM
Subject: AirBnB
To: <freemanwizer@gmail.com>

To whom it may concern,

I have lived down the street of the Wizer's for the last 8 years and they have been wonderful neighbors. Since they started airbnb'ing the other side of their duplex a few years ago I have had no complaints or heard any from other neighbors. Their guests have always been respectful to the neighborhood and I've never had a bad experience with any of them.

CJ Solar
225-276-7782
Owner/Property Manager
1020 & 1018 W Grove Ave
Nashville, TN 37203

Lifsey, Debbie (Codes)

From: Freeman Wizer <freemanwizer@gmail.com>
Sent: Wednesday, December 5, 2018 12:36 PM
To: Board of Zoning Appeals (Codes)
Cc: Colby Sledge; Duane Campbell
Subject: Fwd: 1014B West Grove Avenue - Appeal regarding AirBnb Property Use

Dear BZA, please see my neighbor's letter of support below for case 2018-662. I would also like to request that this be added to my Draft Board Packet. Thank you.

Freeman Wizer

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

From: Duane Campbell <dcampbell65@gmail.com>
Date: Tue, Nov 27, 2018 at 4:54 PM
Subject: 1014B West Grove Avenue - Appeal regarding AirBnb Property Use
To: <freemanwizer@gmail.com>, <candicewizer@gmail.com>

November 27th, 2018

To Whom it May Concern:

We are writing on behalf of Candice and Freeman Wizer, neighbors, entrepreneurs, and property owners at 1014B West Grove Avenue who reside across the street from our home. We have known the couple for over five years now, longer than they have owned the aforementioned property, and can only offer kind words and gratitude for the hospitality, civil engagement, and character they have brought to our corner of the 12 South Community.

As homeowners and resident AirBnb operators since 2015, they are to be commended for managing their business concerns without incident and always respectful to neighbors in 12 South/Waverly. The home and its entire footprint are maintained so well that in our humble opinion, it does not stand out as a rental property often do in that they may lack the upkeep aesthetic integration that homeowners like ourselves seek in a in-town neighborhood. We have never had any complaint or issues with their short-term rental of the property, offer our support for its continued use as an AirBnb, and respectfully request that all consideration be given to their appeal.

Kind Regards,

G. Duane Campbell and Scott Sutton
Residents and Homeowners since 2007
1013A West Grove Avenue
Nashville, TN 37203

From: [Shawn Bailes](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal Case # 2018-662 (1014B West Grove)
Date: Thursday, November 15, 2018 11:59:47 AM

Dear BZA,

This correspondence is in support of the Appeal Case # 2018-662 located at 1014B West Grove Ave. The owner has operated his short term rental as a model citizen/neighbor and should continue to be able to do so in the future. I own several properties within a block of this property and have never had an issue with this property, nor have I heard of any issues from the neighborhood. Thank you in advance for your consideration.

Sincerely,

Shawn Bailes
President/CEO

FMBCInvestments

REAL ESTATE: Investor Lending • Rehabs • Custom Building • Rentals

Phone (615) 297-1152

Fax (615) 297-1172

Cell (615) 479-0404

3716 West End Ave.

Nashville, TN 37205

sbailes@FMBCInvestments.com

www.FMBCInvestments.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF SHARPLES AND DAVIDSON COUNTY



Appellant : Evan Pierri

Date: 10-24-18

Property Owner: Evan Pierri

Case #: 2018-696

Representative: Evan Pierri

Map & Parcel: 09405009100

Council District 06

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

Purpose: To apply for a STRP permit.

Activity Type: Short Term Rental

Location: 916 S 14th St.

This property is in the RS5 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 on an expired 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.

Evan Pierri
Appellant Name (Please Print)

Representative Name (Please Print)

916 S 14th St.
Address

Address

Nashville, TN 37206
City, State, Zip Code

City, State, Zip Code

(732) 822-2396
Phone Number

Phone Number

evanpierri@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**



3572161

**ZONING BOARD APPEAL / CAAZ - 20180067513
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09405009100**APPLICATION DATE:** 10/24/2018**SITE ADDRESS:**

916 S 14TH ST NASHVILLE, TN 37206
LOT 78 SEC 1 SHELBY HGTS REV

PARCEL OWNER: PIERRI, EVAN M.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated under an expired STRP permit.

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

There are currently no required inspections

Inspection requirements may change due to changes during construction.

Flags CACODES : CODES FLAG [FLAG].....

Summary	Main	Address	People	DataGroup	Workflow	Fees
Payment	Notes	Rel Docs				

▼ Type/SubType: CASR - CAZ10A001	Number: 2017038201	Status: EXPIRED
----------------------------------	---------------------------	-----------------

Main

Case Type: CASR
Case Type Desc: Residential Short Term Rental
Case Number: 2017038201
Case Status: EXPIRED
Status Code: DONE
Sub Type: CAZ10A001
Sub Type Desc: Short Term Rental - Owner Occupied

Project/Permit
Details:
 By making this application for a Residential Short Term Rental permit, I certify that I will comply with all requirements of Ordinance BL2014-951.

Project:
Location: 916 S 14TH ST 37206
Tag:
Accepted By: DFRABUTT 6/9/2017
Issued By: TMOORE 6/26/2017
Initiated By: DFRABUTT 6/9/2017
Expiration, 6/26/2018 37206
Priority:
X, Y: 1747923.000, 667113.600

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.

10/24/18

Rental Unit Record

916 S 14th St, Nashville, TN 37206, USA

Removed

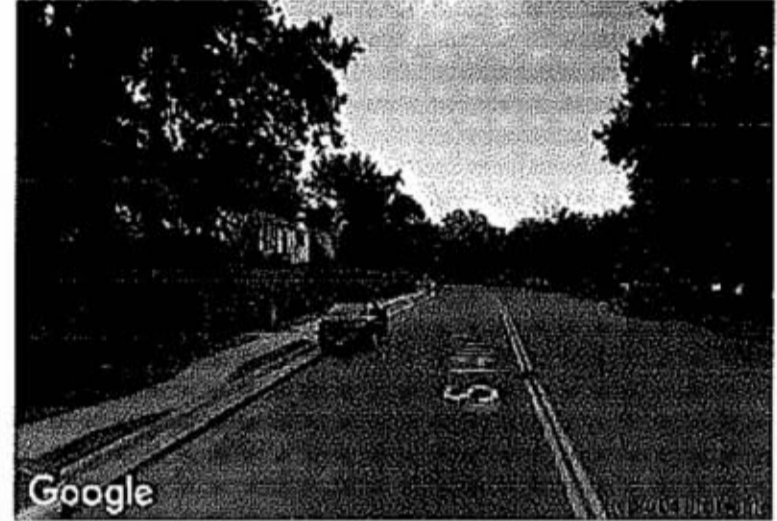
Identified

Compliant

PRINT

Airbnb - 19717678

Airbnb - 18075193



Identified Address

916 S 14th St, Nashville, TN 37206, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.163692, -86.747128

Parcel Number

09405009100

Owner Name

PIERRI, EVAN M.

Owner Address

916 S 14th St
Nashville, TN 37206, US

Registration / Permit Number

503179

Matched Details

Analyst

GJGN

Explanation

I found match to front listing photo on streetview, at 916 South 14th Street. Home details all match, #916 visible on home same place both images. Another listing photo shows rental permit with parcel # of 09405009100 - this matches the tax parcel at this address. <http://prntscr.com/g44pcx>

Listing Photos



front of home match on streetview

Matching 3rd Party Sources



Zip Code Match

Owner Name Match

City Name Match

Timeline of Activity

View the series of events and documentation pertaining to this property

Listing air18075193 Removed

10/24/2018

Matched property listing


Listing Details

Listing URL	- https://www.airbnb.com/rooms/19717678
Listing Status	● Inactive
Host Compliance Listing ID	- air19717678
Listing Title	- Cute East Nash Space Near Downtown / Shelby Park
Property type	- House
Room type	- Private room
Listing Info Last Captured	- Aug 10, 2018
Screenshot Last Captured	- Sep 07, 2018
Price	- \$75/night
Cleaning Fee	- \$45

Information Provided on Listing








Contact Name	- Evan
Latitude, Longitude	- 36.161523, -86.746321
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 4
Max Number of People per Bedroom	- 4
Number of Reviews	- 6
Last Documented Stay	- 06/2018

Listing Screenshot History

 [View Latest Listing Screenshot](#)

August **2**
September **2**
October **0**

September 11th, 2018

- X** Listing air19717678 Removed September 11th, 2018
-  1 Documented Stay July, 2018
-  First Warning - No STR Permit: Delivered July 12th, 2018 
-  First Warning - No STR Permit: Sent July 4th, 2018 
-  2 Documented Stays June, 2018
- Listing air19717678 Reposted June 23rd, 2018
- Listing air18075193 Reposted June 23rd, 2018
- X** Listing air18075193 Removed June 22nd, 2018
- X** Listing air19717678 Removed June 22nd, 2018
-  3 Documented Stays May, 2018
-  First Warning - No Tax Reg: Delivered May 11th, 2018 
-  First Warning - No Tax Reg: Sent May 3rd, 2018 
-  4 Documented Stays April, 2018
-  Airbnb Letter: Delivered April 7th, 2018 
-  Airbnb Letter: Sent April 2nd, 2018 
-  1 Documented Stay March, 2018
- Listing air18075193 Reposted March 4th, 2018
- X** Listing air18075193 Removed March 2nd, 2018
-  3 Documented Stays February, 2018
-  1 Documented Stay January, 2018
-  1 Documented Stay December, 2017
-  4 Documented Stays November, 2017
-  1 Documented Stay October, 2017
-  4 Documented Stays September, 2017
-  3 Documented Stays August, 2017
- ✓ Listing air18075193 Identified

10/24/2018

Matched property listing

- (August 9th, 2017
- ✓ Listing air19717678 Identified August 7th, 2017
- * Listing air19717678 First Crawled July 28th, 2017
- ☑ 2 Documented Stays July, 2017
- Listing air19717678 First Activity July 23rd, 2017
- * Listing air18075193 First Crawled July 1st, 2017
- Listing air18075193 First Activity June 30th, 2017

10/24/2018

Matched property listing

September 07, 2018 - 04:15 America/Chicago



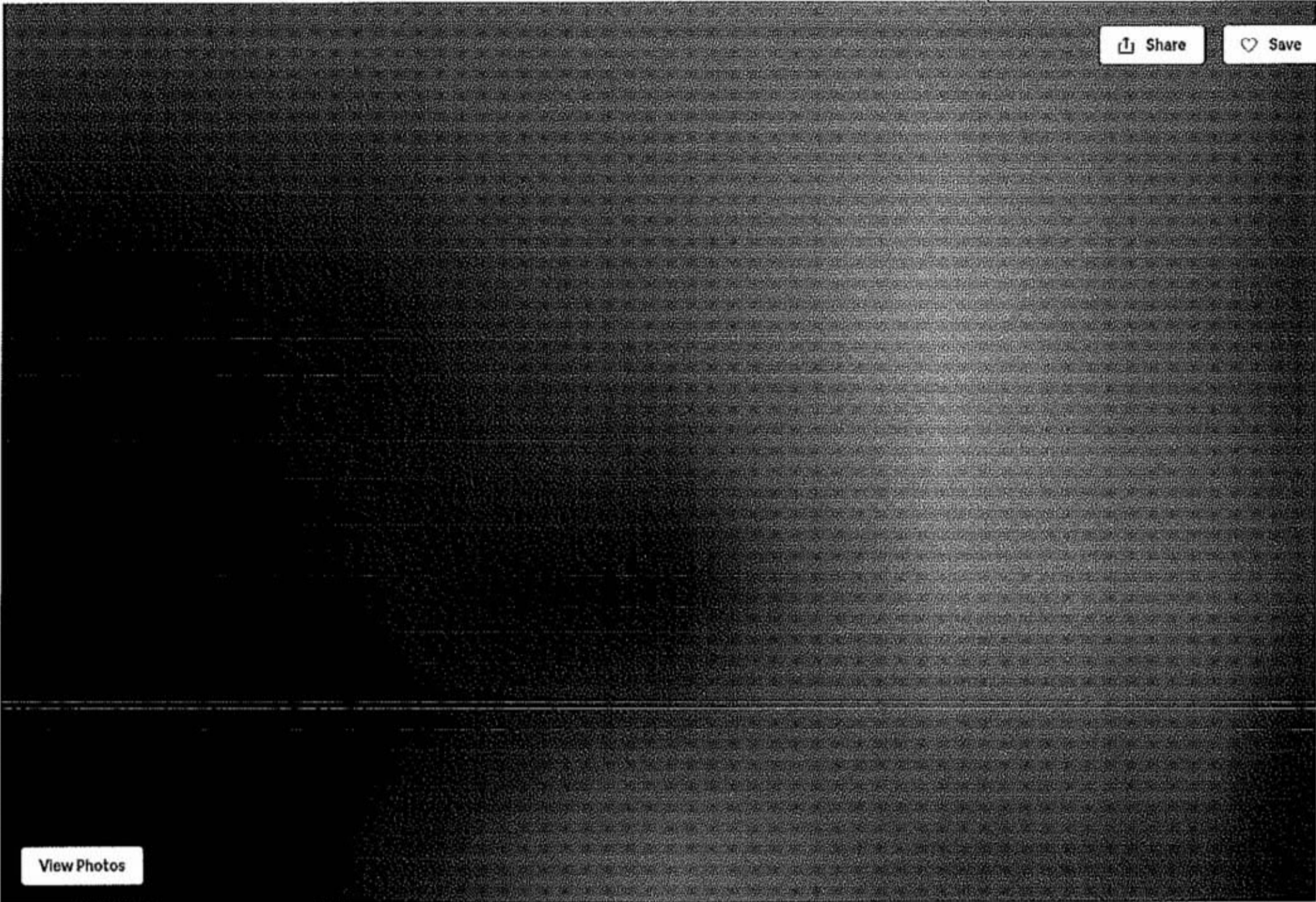
Search

Become a host Earn credit Help Sign up Log in

Sep 7, 2018 4:15pm America/Chicago

Share

Save



View Photos

PRIVATE ROOM IN HOUSE

Cute East Nash Space Near Downtown / Shelby Park

Nashville



Evan

4 guests 1 bedroom 2 beds 2 private baths

HOME HIGHLIGHTS

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

Helpful · Not helpful

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

Helpful · Not helpful

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

Helpful · Not helpful

Cute East Nashville Bungalow. Super accessible to Downtown, Nissan Stadium, Shelby Park (walkable), and 5 Points. Nearby to The Post, Sky Blue Cafe, Sweet 16 Bakery, and Shops on Fatherland. You'll be sharing the space with me during your stay, I love hosting people and sharing my favorite experiences of Nashville with them while also respecting their privacy and quiet time.

Read more about the space

Contact host

\$75 per night

★★★★★ 6

Dates

Check In

→ Check out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

10/24/2018

Matched property listing

Amenities

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

Show all 16 amenities

Sleeping arrangements



Bedroom 1
1 queen bed



Common spaces
1 sofa bed

Availability

Updated 28 days ago



6 Reviews ★★★★★

Search reviews

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

Nicole
June 2018

First off, Evan was one of the most responsive and available hosts I've had to date! His place is trendy, tidy and comfortable (the bed, so comfy!). The house is in an amazing location—we were able to get a cheap Uber to other areas of Nashville or walk our pup to Shelby Park and...Read more

Nicole
May 2018

It was awesome! Evan was so nice and helpful. Everything is great.

Carly
March 2018

This place was great, with an even better host! Super close to downtown (6 min Uber). Evan has a list of local favorites to check out. Easy check in process. Evan is one text away if there are any questions. Very clean and cozy, which felt like home. Overall, we had a great exp...Read more


Jessica
September 2017

Evan's place was in a great location! The neighborhood was quiet and safe, while downtown was only a 10 minute uber/lyft ride away. The house was super clean


10/24/2018

Matched property listing

and he left great recommendations for things to do in East Nashville. Thanks for being a great host!

 **Robin**
September 2017

We really appreciate Evan's hospitality and would definitely stay there again. Great location, great house, and a great city! Thank you again!

 **Kasle**
August 2017

The house was perfect for our trip to Nashville. It was a close lyft ride to downtown and in a good location. The house was very clean and nicely decorated. We had a great experience and would definitely stay there again!

This host has 24 reviews for other properties.


[View other reviews](#)

Hosted by Evan



Nashville, Tennessee, United States · Joined in April 2016

★ 32 Reviews  Verified

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

Coffee Lover living in the Music City. Interested in vintage watches, loves technology, travel and being near the water.

Response rate: 100%

Response time: within an hour

[Contact host](#)

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

About the home

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

This is Evan's place.



Lindsay helps host.



The neighborhood

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

The Shelby Park area of East Nashville. The house is legitimately steps from the entrance to Shelby Park, which has walking, hiking and biking trails. A golf course, small driving range, boat ramp and ample green space. The Post is the closest accessible coffee shop and is a reasonable walk or short drive. Minutes from Five Points which is a popular East Nash area full of restaurants, bars, coffee and snacks.

[Read more about the neighborhood](#) ▾

Things to do in Nashville

Nearby landmarks

The Johnny Cash Museum & Cafe	1.8 mi
The George Jones	2.0 mi
Country Music Hall of Fame and Museum	2.0 mi
Ryman Auditorium	2.0 mi

10/24/2018

Matched property listing

Frist Art Museum

2.4 mi

Exact location information is provided after a booking is confirmed.

Policies

House Rules

Not suitable for infants (under 2 years)

No smoking

No parties or events

Check-in is anytime after 2PM

Check out by 11AM

[Read all rules](#) ▾

Cancellations

Flexible - Free cancellation for 48 hours

After that, cancel up to 24 hours before check-in and get a full refund, minus the service fee.

[Read more about the policy](#) ▾

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Natasha Eldridge

Date: 10-29-18

Property Owner: Natasha Eldridge

Case #: 2018-704

Representative: Natasha Eldridge

Map & Parcel: 10505057500

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 apply for a STRP permit.

Activity Type: Short Term Rental

Location: 1021 Summit Ave.

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

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the issued STRP permit was cancelled due to name change.

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.

Natasha Eldridge
Appellant Name (Please Print)

Representative Name (Please Print)

1021 Summit Ave.
Address

Address

Nashville, TN 37203
City, State, Zip Code

City, State, Zip Code

(615) 218-6216
Phone Number

Phone Number

johneldridge3@me.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**



3573175

**ZONING BOARD APPEAL / CAAZ - 20180068251
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10505057500**APPLICATION DATE:** 10/29/2018**SITE ADDRESS:**

1021 SUMMIT AVE NASHVILLE, TN 37203

LOT 2 MILLER SUB A V JONES

PARCEL OWNER: ELDRIDGE, NATASHA**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's cancellation of existing STRP permit due to owner name change.

*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.

DAVID BRILEY
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

October 1, 2018

Natasha Eldridge
667 Wedgewood Ave STE C
Nashville, Tennessee 37203

RE: Permit CASR #2017073221
1021 Summit Ave

Dear Mrs. Eldridge:

Pursuant to Section 17.16.250(E) of the Metropolitan Code of Laws, this letter serves as your formal notice of the cancellation of the above referenced STRP permit. The law restricts owner occupied permits by requiring ownership to be held by a natural person, rather than any LLC, Trust, or corporate entity. Therefore, UP Partnership, GPs not eligible to hold this or any other owner occupied STRP permit. The above referenced permit is thus hereby cancelled immediately.

All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such actions at the subject address will be a violation of law and subject you to court proceedings. You have the right to appeal this action at the Board of Zoning Appeals.

Sincerely,

Jon Michael
Metro Codes

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 blue ink, appearing to be "A. A.", written over a light blue horizontal line.

Rental Unit Record

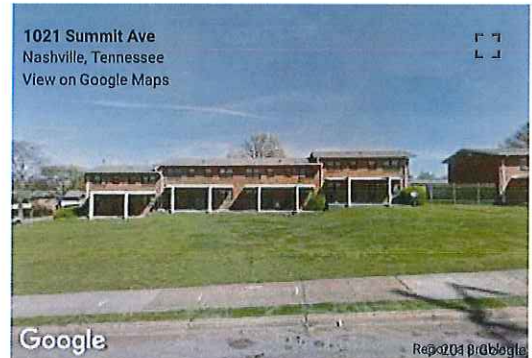
1021 Summit Ave, Nashville, TN 37203, USA

Removed ✕
Identified ✓
Compliant ✓

PRINT

VRBO - 321.1214532.1765386

Airbnb - 22117080



Matched Details

Analyst QCES

Explanation Duplicate of air22117080. All photos match.

Listing Details

Listing URL	— https://www.homeaway.com/vacation-rental/p1214532vb
Listing Status	● Inactive
Host Compliance Listing ID	— hma321.1214532.1765386
Listing Title	— 5 BR * 4.5 BA, Luxury 5 STAR home with roof top deck view of Nashville!
Property type	— House
Room type	— Entire home/apt

Identified Address

1021 Summit Ave, Nashville, TN 37203, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.138416, -86.785838

Parcel Number

10505057500

Owner Name

UP PARTNERSHIP, GP

Owner Address

667 Wedgewood Ave Ste C
Nashville, TN 37203, US

Timeline of Activity

View the series of events and documentation pertaining to this property

✕ Listing air22117080 Removed
October 15th, 2018

Listing Info Last Captured - Oct 05, 2018
 Screenshot Last Captured - Oct 09, 2018
 Price - \$1140/night
 Cleaning Fee - \$300

































Information Provided on Listing

Contact Name - Austin Totty
 Latitude, Longitude - 36.138426, -86.785849
 Minimum Stay (# of Nights) - 2
 Max Sleeping Capacity (# of People) - 12
 Max Number of People per Bedroom - 2.4
 Number of Reviews - 20
 Last Documented Stay - 09/2018

Listing Screenshot History

 View Latest Listing Screenshot

August **4** September **5** October **2**

-  First Warning - No STR or Tax: Delivered 
October 12th, 2018
-  Listing hma321.1214532.1765386 Removed
October 10th, 2018
-  First Warning - No STR or Tax: Sent 
October 5th, 2018
-  7 Documented Stays
September, 2018
-  6 Documented Stays
August, 2018
-  3 Documented Stays
July, 2018
-  Listing air22117080 Reposted
June 23rd, 2018
-  Listing air22117080 Removed
June 22nd, 2018
-  5 Documented Stays
June, 2018
-  1 Documented Stay
May, 2018
-  Listing hma321.1214532.1765386 Reposted
May 2nd, 2018
-  Listing hma321.1214532.1765386 Removed
April 26th, 2018
-  2 Documented Stays
April, 2018
-  Airbnb Letter: Delivered 
April 9th, 2018
-  Airbnb Letter: Sent 
April 3rd, 2018
-  6 Documented Stays
March, 2018
-  Listing air22117080 Reposted
March 4th, 2018
-  Listing air22117080 Removed
March 2nd, 2018
-  3 Documented Stays
February, 2018
-  Listing hma321.1214532.1765386 Reposted
February 23rd, 2018
-  Listing hma321.1214532.1765386 Removed
February 21st, 2018
-  3 Documented Stays
January, 2018
-  First Warning - No Tax Reg: Delivered 
January 6th, 2018
-  First Warning - No Tax Reg: Sent 
December 29th, 2017
-  Listing hma321.1214532.1765386 Identified
December 26th, 2017
-  Listing air22117080 Identified
December 26th, 2017

- 📅 1 Documented Stay
December, 2017
- ✳ Listing hma321.1214532.1765386 First
Crawled
December 9th, 2017
- Listing hma321.1214532.1765386 Reposted
December 9th, 2017
- ✳ Listing air22117080 First Crawled
December 9th, 2017
- Listing air22117080 First Activity
December 8th, 2017
- ✕ Listing hma321.1214532.1765386 Removed
December 2nd, 2017
- Listing hma321.1214532.1765386 First
Activity
December 1st, 2017

October 09, 2018 - 07:17AM America/Chicago

HomeAway®



Trip Boards

Login

Help

List your property



Oct 9, 2018 7:17am CT

Destination
Edgehill, Nashville, TN, USA

Arrive

Depart

Search



\$1,140 avg/night

★★★★★ 20 Reviews
Wonderful 4.9/5

Premier Partner

Enter dates for accurate pricing

Check In

Check Out

Guests

Instant Confirmation

Book Now

Ask Manager a Question

For booking assistance, call 888-640-7927

Property # 1214532vb

CHECK IN TO DIFFEREN

BOOK NOW

tru

by HILTON

Overview Amenities Reviews Map Availability



5 BR * 4.5 BA, Luxury 5 STAR home with roof top deck view of Nashville!

Edgehill, Nashville, TN, USA



House

3500 sq. ft.



Bedrooms

5



Sleeps

12



Bathrooms

4



Half Baths

1



Min Stay

2 nights

Brand new 5 star luxury house. This house is straight out of a magazine!!

This brand new 5 star stunning modern three-story home is conveniently located between the trendy 12th Avenue South, Nashville's upscale Gulch and the best bars in downtown music city. This house is straight out of a magazine, the home is equipped with new mattresses, comfortable and clean linens, high speed wireless internet and cable TVs. The open concept first floor features the living room with a 80inch TV, dining area on the oversized kitchen top, powder room and master bedroom including a king sized bed and full bathroom. The second floor features 3 bedrooms that all have TVs with 2 full bathrooms and

View more

Property Manager



Austin Totty

Member Since 2017

Ask Manager a Question

Premier Partner

The manager of this property consistently provides great experiences for their guests.

Response rate:
90%

Response time:
Within One Hour

Speaks:
English

Calendar last updated:
Oct 8, 2018

AN UNFORGETTABL HOLIDAY

Up to \$100/night* on-property credit



[view more about Austin 10ty](#)

Amenities

Internet	Satellite or Cable	Parking
Air Conditioning	Children Welcome	TV
Heater	Washer & Dryer	No Smoking

Bedrooms

5 Bedrooms, Sleeps 12

Master bedroom first floor 1 king	2nd floor Guest 1 queen	3rd floor Master 1 king
2nd floor Master- 1 king	2nd floor guest 2 double	

Bathrooms

4 Bathrooms, 1 Half Bath

Powder Room toilet	2nd floor Guest toilet, combination tub/shower	3rd floor master toilet, combination tub/shower
1st floor Master toilet, shower	2nd floor master toilet, shower	

Location Type

Downtown

Theme

Romantic	Historic	Tourist Attractions
Family	Budget	Spa
Away From It All	Sports & Activities	Adventure

Meals

Guests provide their own meals

General

Air Conditioning	Clothes Dryer <small>Washer and dryer located in the first floor master closet and the 2nd floor hallway.</small>	Wireless Internet
Heating		Iron & Board
Linens Provided	Parking	Hair Dryer
Washing Machine <small>Washer and dryer located in the first floor master closet and the 2nd floor hallway.</small>	Internet	Living Room
	Towels Provided	

Kitchen

Dishwasher	Oven	Toaster
Refrigerator	Microwave	Pantry Items

Stove Gas stove	Coffee Maker Keurig coffee maker available.	Dishes & Utensils Kitchen
---------------------------	---	---

Dining

Dining Area	Dining
-------------	--------

Entertainment

Television TVs are in every bedroom and a 60inch tv provided in the living room.	Satellite / Cable Cable tv and wifi available.
--	--

Outside

Lawn / Garden	Outdoor Grill Gas grill is available on the 1st floor outdoor patio and the roof top deck area	Deck / Patio
Balcony		

Attractions

churches	playground	restaurants
cinemas	recreation center	winery tours
library	theme parks	zoo
marina	water parks	health/beauty spa
museums	live theater	festivals

Leisure Activities

walking	sight seeing	shopping
bird watching	scenic drives	photography
outlet shopping	miniature golf	

Local Services & Businesses

ATM/bank	hospital	medical services
fitness center	laundromat	
groceries	massage therapist	

Sports & Adventure Activities

swimming	mountain biking	spelunking
tennis	roller blading	golf privileges optional
cycling	hunting	basketball court
fishing	hiking	kayaking
golf	jet skiing	rock climbing
water skiing	pier fishing	

Notes

You will be within walking distance to Vanderbilt University, Belmont University and a short \$5 Lyft/Uber ride to The Gulch, 12th South and Broadway! Whether you're looking for a relaxing get away, or a fun filled trip to the famous music city, this place is perfect for you!

Guests will have access to the entire house, a key code will be provided upon arrival. As well as cable and wifi.

House Rules

Check-in: 3:00 PM Check-out: 10:00 AM

✗ No parties/events

✗ No smoking

✗ No pets

✓ Children allowed

Minimum age of primary renter: 24

Max occupancy: 12 (12 adults)

Quiet time between 10pm and 7am please.

-Absolutely No smoking inside the home, you can smoke out back but please don't throw your cigarettes all over the yard or patio.

Additional Cleaning Fees May apply if home is damaged or vomit left.

Cancellation Policy

100% refund if canceled at least 60 days before arrival date.

20 Reviews

★★★★★ Wonderful 4.9/5

1 - 6 of 20

Awesome amenities! Easy booking and the location was superb!

5/5 ★★★★★ Stayed Jan 2018

Shari L.

This house was amazing! It has everything to make your stay enjoyable. Even the simple things like hairdryer, paper towels, dish soap and laundry soap, (and the dinnerware and glasses all provided). The furnishings were excellent and clean! Tvs in all bedrooms, WiFi, super comfortable bedding. It feels like it was set up just for you! It was just a few dollars to Uber to Broadway downtown. Attractions are so close and convenient . The rooftop view is amazing! Grills for outdoor cooking and the seating was so nice on rooftop. I would book this again and again!

Submitted Jan 6, 2018

Owner's Response:

Thank you Shari, it was great to meet you! I'm glad you enjoyed it, Please come back anytime!

Great house! Easy process with Austin, who responded quickly to any questions.Thank you !

4/5 ★★★★★ Stayed Sep 2018

Sean C. Rockford, Michigan

Worked out perfectly for us

Reviewed by property for us.

The house was fantastic. The yard could have been tended to to complete the first impression, but overall was wonderful.

Thank you!

Submitted Sep 20, 2018

Great house!!!

5/5 ★★★★★ Stayed Sep 2018

Jennifer D.

We loved the house and Nashville! Thanks!

Submitted Sep 16, 2018

As pictured!

5/5 ★★★★★ Stayed Aug 2018

Kristie C.

We had a great time here. Home was big enough so we never felt on top of each other. Bathrooms were abundance and large. Beds comfortable. Would definitely recommend staying here. We will be back at some point!

Submitted Sep 5, 2018

Love this property!

5/5 ★★★★★ Stayed Aug 2018

mARK S.

Our stay was perfect in every way. Super clean, beautifully decorated and absolutely everything we needed to be comfortable. Austin was great to work with and genuinely made us feel at home. The location was excellent. We will definitely contact Austin in the future for his properties.

Submitted Aug 24, 2018

Great house for a group, questionable neighborhood.

4/5 ★★★★★ Stayed Aug 2018

Simpson S.

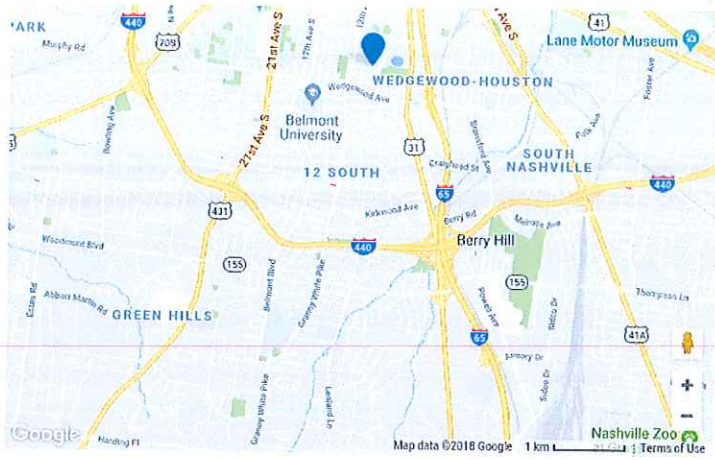
The house was clean and had everything we needed. Did not realize that government housing would be right across the street. Overpriced for an "up and coming" neighborhood.

Submitted Aug 14, 2018

1 - 6 of 20

Map



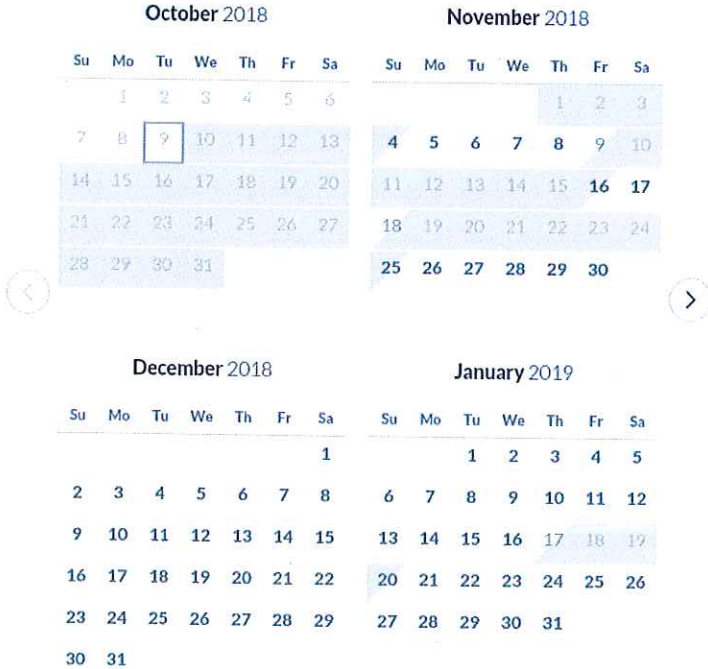


Edgehill, Nashville, TN, USA

This home is in the perfect location. No real need for a car here. Just minutes away from everything you need. Only 15 minutes away from the Nashville airport (maybe a \$15/\$20 CAB/UBER ride). Also there are rentable bikes all over town that you can ride all over Nashville.

-This area has a lot of history, next to some historical venues and shops as well. 12th Avenue South (restaurants, boutiques, etc.) is almost in walking distance, we suggest the 3 minute UBER/LYFT ride though. Once again, you are just minutes away from Nashville's most attractive downtown, midtown and the Gulch. Downtown: Tootsies, Acme Feed and Seed, Honky Tonk Central, Fleet Street. We do want to mention that it's only a 10 minute ride to East Nashville which has plenty of hot spots, restaurants and shops.

Availability



You might like these similar properties



 \$85 avg/night	 \$164 avg/night	 \$205 avg/night	 \$150 avg/night
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Popular Vacation Destinations ^

United States > Tennessee > Nashville > Edgehill

Feedback

Lifsey, Debbie (Codes)

From: Michael, Jon (Codes)
Sent: Friday, December 14, 2018 2:14 PM
To: Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)
Subject: FW: D17 positions for Dec. 20 meeting

For the file.

From: Sledge, Colby (Council Member)
Sent: Friday, December 14, 2018 2:14 PM
To: Board of Zoning Appeals (Codes)
Cc: Michael, Jon (Codes); Lamb, Emily (Codes)
Subject: D17 positions for Dec. 20 meeting

Good afternoon,

Here are my positions on D17 items before you next week.

- 2018-522: I continue to **oppose** a request for exemption to create front-loading garages on Carvell Ave.
- 2018-644: I **oppose** a setback variance request on 2nd Ave S.
- 2018-709: I **tentatively support** a request for parking requirement variances for a microunit development on Humphreys Ave. The applicant will be at a community meeting on Monday, and I'll want to hear from residents.
- 2018-725: I **strongly oppose** a request not to pay into the sidewalks fund on Wharf Ave.
- 2018-662: I **oppose** a short-term rental permit appeal on West Grove Ave.
- 2018-704: I **oppose** a short-term rental appeal on Summit Ave.

Thank you all, as always, for your service, and I hope you have a great weekend!

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
ColbySledge.com
[Sign up for my weekly newsletter here!](#)

From: [Liz Larson](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Opposition to Appeal Case Number: 2018-704
Date: Monday, December 17, 2018 10:33:06 AM

Re: 2018-704
Parcel: 10505057500

Dear Zoning Board:

Regarding case 2018-704, I am in opposition of allowing the applicant to obtain a non-owner occupied short term rental permit. Based on guidance outlined in the permit type section of the short-term rental guidance, permits are not transferrable based on the last bulletpoint: "New not owner-occupied permits are not permitted in R or RS zoned properties. Existing permit holders in these zoned districts may be eligible to apply for renewals, but those permits are not transferable if the property is sold." (reference: <https://www.nashville.gov/Codes-Administration/Short-Term-Rentals/Permit-Types.aspx>)

Additionally, as the applicant operated the permit after change in ownership, the applicant should be fined for days the STR was in operation and compensate the city for operation during that time period.

Thank you,
Liz Larson
1006 Wade Avenue
Nashville, TN 37203