

D O C K E T

1/17/2019

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**

CASE 2018-619 (Council District - 17)

KEITH DOWD, appellant and **DREAM, INC.**, 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:

CASE 2018-644 (Council District - 17)

DEVAN McCLISH, appellant and **HOPP, STANLEY G.**, owner of the property located at **1044 A & B 2ND AVE S**, requesting variances from front and rear setbacks for two residential units in the R6 District, for already constructed houses. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Single Family

Map Parcel 093150D00100CO

Results:

Map Parcel 093150D00200CO

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 and 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 2018-690 (Council District - 24)

ANDREW FORD, appellant and **MIKE FORD CUSTOM BUILDERS, LLC**, owner of the property located at **3542 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a new single family residence 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 10409030400

Results: **Withdrawn**

CASE 2018-691 (Council District - 24)

ANDREW FORD, appellant and **MIKE FORD CUSTOM BUILDERS, LLC**, owner of the property located at **3538 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a new single family residence 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 10409030300

Results: **Withdrawn**

CASE 2018-692 (Council District - 24)

ANDREW FORD, appellant and, **MIKE FORD CUSTOM BUILDERS, LLC** owner of the property located at **3534 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a new single family residence 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 10409030200

Results: **Withdrawn**

CASE 2018-693 (Council District - 24)

ANDREW FORD, appellant and **MIKE FORD CUSTOM BUILDERS, LLC**, owner of the property located at **3530 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a new single family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10409009300

Results: **Withdrawn**

CASE 2018-694 (Council District - 24)

ANDREW FORD, appellant and, **MIKE FORD CUSTOM BUILDERS, LLC** owner of the property located at **3546 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5, OV-NHC District, to construct a new single family residence 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 10409030500

Results: **Withdrawn**

CASE 2018-700 (Council District - 5)

MELISSA CHAMBERS, appellant and 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 2019-004 (Council District - 20)

SOHEIL RAHIMI, appellant and, **METROPOLITON CONSTRUCTION, LLC** 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 17.40.18 B.

Use-Single Family

Map Parcel 091061M00200CO

Results:

CASE 2019-016 (Council District - 5)

KEESEEE, VERNON T. JR, appellant and 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

CASE 2019-018 (Council District - 18)

STONE OAK BUILDERS, LLC, appellant and **STONE OAK BUILDERS, LLC**, owner of the property located at **2709 BRIGHTWOOD AVE**, requesting a variance from setback requirements in the R8, OV-UZO District, to construct a detached garage. Referred to the Board under Section 17.12.040 E.1.A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11704014900

CASE 2019-022 (Council District - 27)

SHELBYE HEFINE, appellant and **L & S FAMILY ENTERTAINMENT, LLC**, owner of the property located at **5315 NOLENSVILLE PIKE**, requesting a variance from distance requirements for an electronic message board in the CS District, to replace a portion of existing sign with new electronic message board. Referred to the Board under Section 17.32.050 G.2. A. and B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial Sign

Map Parcel 16108002400

Results:

CASE 2019-026 (Council District - 34)

CIVIL SITE DESIGN GROUP, appellant and **GRACE COMMUNITY CHURCH OF NASHVILLE**, owner of the property located at **5711 GRANNY WHITE PIKE**, requesting a variance from sidewalk requirements in the R40 District, to construct an addition to a church without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 15900004500

Results:

CASE 2019-027 (Council District - 17)

PREMIER SIGN COMPANY, appellant and **1700 8TH AVE, LLC**, owner of the property located at **1700 8TH AVE S**, requesting a variance from setback requirements in the CS, R6 District, to install a monument sign. Referred to the Board under Section 17.32.070. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 10506020000

Results:

CASE 2019-029 (Council District - 23)

FULMER ENGINEERING, appellant and **KOHL, JOHN & HELEN LIVING TRUST**, owner of the property located at **6922 HIGHWAY 70 S**, requesting variances from sidewalk requirements and non-conforming use in the R40 District, to continue non-conforming use of property. Referred to the Board under Section 17.08.030, 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Boarding Facility

Map Parcel 14300003600

Results:

CASE 2019-030 (Council District - 34)

THOMAS DODD, appellant and **FOREST HILLS BAPTIST CHURCH**, owner of the property located at **2101 OLD HICKORY BLVD**, requesting a variance from sidewalk requirements in the RM40 District, to build and install a sidewalk with an alternative design Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 15800001300

Results:

CASE 2019-032 (Council District - 28)

GILBERTO ALVARDO, appellant and owner of the property located at **3711 EZELL RD**, requesting a variance from setback requirements in the R10 District, to construct an addition to a single-family residence. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 14806016200

Results:

CASE 2019-033 (Council District - 33)

PURSER ARCHITECTURE & DESIGN, appellant and **NASHVILLE CHIN BAPTIST CHURCH**, owner of the property located at **5738 CANE RIDGE RD**, requesting a variance from sidewalk requirements in the AR2A District, to construct a new sanctuary without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 17400009100

Results:

CASE 2019-035 (Council District - 17)

ANDREW BUFORD, appellant and **BUFORD, JESSICA**, owner of the property located at **59 LINCOLN ST**, requesting variances from non-conforming lot size, setback and sidewalk requirements in the R6 District, to construct a single family residence on an undersized lot without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.40.670, 17.12.020 B, 17.12.030 A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10504004900

CASE 2019-036 (Council District - 11)

JOSH HURTZ, appellant and **GLOBAL OUTREACH DEVELOPMENT, INC.**, owner of the property located at **401 CENTER ST**, requesting a special exception and variances from setback and sidewalk requirements in the R8 District, to build six single family homes, build three modular classrooms, and build a two story institute building without building sidewalks or paying into the fund. Referred to the Board under Section 17.16.170 E., 17.12.030, 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 06308011400

Results:

CASE 2019-038 (Council District - 11)

MICHAEL HINDMAN, appellant and **NORTHBOUND INVESTMENT, LLC**, owner of the property located at **4800 LEBANON PIKE**, requesting a variance from sidewalk requirements in the CS District, to make renovations to a non-residential building without building 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-Retail

Map Parcel 06513000900

Results:

CASE 2019-040 (Council District - 6)

ROBIN GRAHAM, appellant and **WARNER, TREGLOWN PATTON**, owner of the property located at **311 GALLATIN AVE**, requesting a variance from sidewalk requirements in the MUG-A, MDHA-FD, UV-UZO, UV-UDO District, to renovate an existing restaurant 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 17.40.180B.

Use-Restaurant

Map Parcel 08309004200

SHORT TERM RENTAL CASES

CASE 2018-514 (Council District - 17)

MCDONALD, ROBERT BRANDON, appellant and owner of the property located at **1067 B 2ND AVE S**, requesting an Item A appeal, challenging the zoning administrator's cancellation of a short term rental permit due to a change in ownership 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 105030I00400CO

Results:

CASE 2018-574 (Council District - 18)

ABBEY ADAMS, appellant and **ADAMS, AUSTEN & ABBEY**, owner of the property located at **1203 A ASHWOOD 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 105133A00100CO

Results:

CASE 2018-591 (Council District - 35)

JERRY & CHRISTINE WISE, appellant and owner of the property located at **9478 HIGHWAY 96**, 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 AR2A 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 17800007400

Results:

CASE 2018-636 (Council District - 25)

CARNEY, MATTHEW, appellant and owner of the property located at **1009 BATTLEFIELD DR**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the RS10 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 11809000100

Results:

CASE 2018-714 (Council District - 5)

SHERLIE BURCH STEVENS, appellant and owner of the property located at **2253 LUSTER RD**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit in the AR2A 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 01700026200

Results:

CASE 2019-014 (Council District - 19)

LORI LANE, appellant and **3L PROPERTIES, LLC**, owner of the property located at **900 B LOCKLAYER ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. The Appellant operated after the STRP permit was cancelled due to change in ownership in the RS3.75 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 08213036400

Results:

CASE 2019-015 (Council District - 19)

LORI LANE, appellant and **3L PROPERTIES, LLC**, owner of the property located at **1412 5TH AVE N**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit was cancelled due to a change in ownership in the MUN 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 082090B00200CO

Results:

CASE 2019-024 (Council District - 20)

KEN WADE, appellant and **WADE PROPERTIES, LLC**, owner of the property located at **5107 A TENNESSEE AVE**, requesting an Item A appeal, challenging the zoning administrator's failure to renew a STRP permit due to a change in ownership 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 09107044800

Results:

CASE 2019-028 (Council District - 5)

SANDY BRAINARD, appellant and **STEP 3 PROPERTIES, LLC**, owner of the property located at **719 DOUGLAS AVE #13**, requesting an Item A appeal, challenging the zoning administrator's revocation of a short term rental permit within the SP 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 071160A02700CO

Results:

CASE 2019-031 (Council District - 35)

WALDEN WILLIAM G, appellant and **WALDEN WILLIAM G. & PAMELA NELL REVOCABLE TRUSTS**, owner of the property located at **8153 POPLAR CREEK RD**, requesting an Item A appeal, challenging the revocation of a short term rental permit due to change of ownership in the AR2a 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 15500007300

Results:

CASE 2019-037 (Council District - 19)

JASON BOYAN, appellant and owner of the property located at **1323 3RD AVE N**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the issued STRP permit expired in the MUN District Referred to the Board under Section 17.16.250. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 08209020200

Results:

CASE 2019-039 (Council District - 5)

GOMEZ. MICHAEL, appellant and **PADGETT, KELLY & MCSWAIN, BRANDON & GOMEZ. MICHAEL**, owner of the property located at **717 JOSEPH AVE**, requesting an Item A appeal, challenging the interpretation of the law in the RM20 District. Requesting to reinstatement the short term rental permit. Referred to the Board under Section 17.16.250 E. The appellanthas alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 08207019900

Results: **Deferred 2/21/19**