

**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**

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

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**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)**

**KEESEE, 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**

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: KEITH DOWD Date: 10-1-2018  
Property Owner: DREAM INC Case #: 2018-619  
Representative: KEITH DOWD 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 &amp; 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.*

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***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.

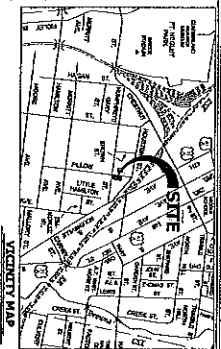
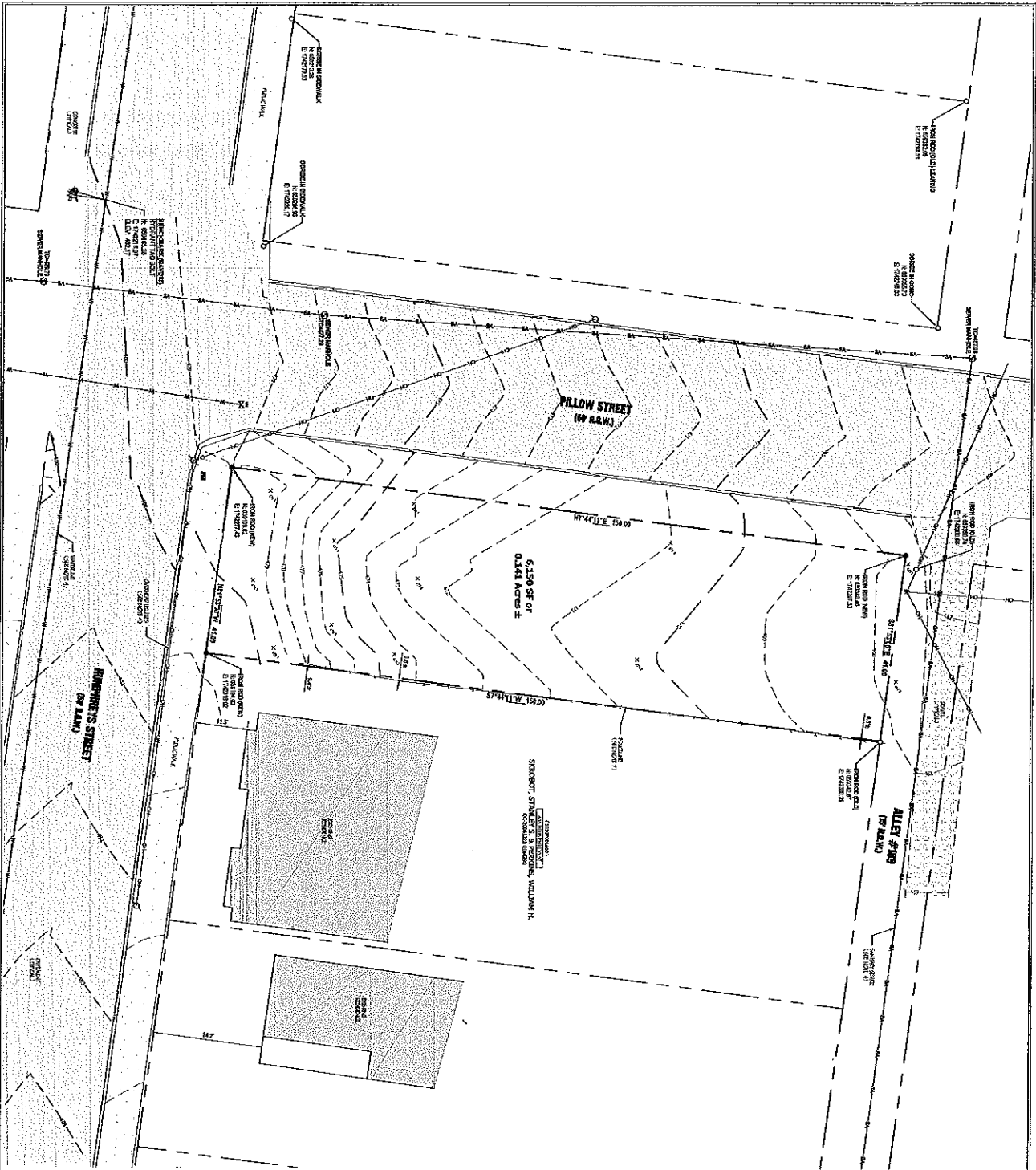
The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively 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\18-619\BRIEF\18-619-001-01-01.dwg



MAP REFERENCE  
Based on the survey project in accordance with the survey project file.

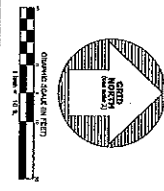
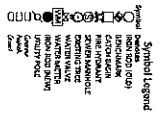
DEED REFERENCE  
Owner: S.L. ELLIOTT, JR. (S) 1970 Survey Report (Book 1, Page 200)  
Deed: S.L. ELLIOTT, JR. (S) 1970 Survey Report (Book 1, Page 200)

PLAT REFERENCE  
Plat: S.L. ELLIOTT, JR. (S) 1970 Survey Report (Book 1, Page 200)

SURVEYOR'S NOTES  
1. This property is located in the 17th District of Davidson County, Tennessee.  
2. A survey of the entire property was conducted on 10/11/2017. The survey was conducted by the Surveyor and the Surveyor's assistants. The survey was conducted in accordance with the Surveyor's notes and the Surveyor's certificate.  
3. The survey was conducted in accordance with the Surveyor's notes and the Surveyor's certificate.  
4. The survey was conducted in accordance with the Surveyor's notes and the Surveyor's certificate.  
5. The survey was conducted in accordance with the Surveyor's notes and the Surveyor's certificate.  
6. The survey was conducted in accordance with the Surveyor's notes and the Surveyor's certificate.

**SURVEYOR'S CERTIFICATE**  
I, the undersigned, being a duly qualified and licensed Surveyor in 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 as the same appears on the original survey as shown to me by the owner of the property and as the same appears on the original survey as shown to me by the owner of the property.

CLINT T. ELLIOTT, JR. (S)  
Surveyor



**Boundary & Topographic Survey**

420 Humphreys Street  
Nashville, Davidson County, Tennessee 37203

**CLINT T. ELLIOTT**  
REGISTERED LAND SURVEYOR  
1711 Hayes St., Nashville, TN 37203  
clint@clintelliotsurvey.com  
(615) 490-5236

Survey Title: **V-1.00**

Plat	Date	Revision Description

2018-619

**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](http://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

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**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 Items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

---

Good morning, Board members,

Here are my stances on the District 17 items before you next week:

- **Oppose** a request for a sidewalk variance on Pillow St. I have asked the applicant for the reason, and have not received one. (2018-619)
- **Neutral** on a setback variance request on 2nd Ave S., because I think the private parties are working this one out. (2018-644)
- **Strongly oppose** a request on Wade Ave. to build three units instead of two and not build sidewalks. The applicant has reached out via email, but I don't agree with the argument. (2018-677)
- **Neutral** on a request to raise the sign two feet at Enterprise on 8th Ave S. (2019-027)
- **Oppose** a request for all kinds of variances and exceptions to build on a substandard lot on Lincoln St. Substandard (too small to build on) lots are throughout Chestnut Hill/Trimble Bottom, and I'm going to be asking Planning/Zoning for a more comprehensive approach to them rather than this piecemeal one. (2019-035)
- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

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Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF METRO AND DAVIDSON COUNTY



Appellant: Devan McClish  
Property Owner: Stanley Hopp  
Representative: Devan McClish

Date: 10/9/18  
Case #: 2018-644  
Map & Parcel: 93-15-0 D 001  
93-15-0 D 002

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: HPR Two S.F. Houses  
front + back NOT connected!  
Already Built

Activity Type: HPR: TWO SINGLE FAMILY HOUSES... FRONT AND REAR UNITS MIN 6' BETWEEN HOUSE  
1044 A & B 2ND AVE S. NASHVILLE, TN 37210  
Location: MAP 93-15-0-D PARCELS 1 & 2.

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: DENIED: REQUIRED SIDE SETBACK FOR BOTH 5'....  
REQUEST 6" ON THE FRONT UNIT AND  
Section(s): REQUEST 3'3" ON THE REAR UNIT.  
17.12.020

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.

Devan McClish  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-418-3133  
Phone Number

\_\_\_\_\_  
Phone Number

devan@torquedevelopment.com  
Email

\_\_\_\_\_  
Email

Appeal Fee: 200<sup>00</sup>



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



3567425

**ZONING BOARD APPEAL / CAAZ - 20180064110  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 093150D00100CO

APPLICATION DATE: 10/09/2018

**SITE ADDRESS:**

1044 A 2ND AVE S NASHVILLE, TN 37210  
UNIT A 1044 2ND AVENUE SOUTH TOWNHOMES

PARCEL OWNER: HOPP, STANLEY G.

CONTRACTOR:

**APPLICANT:****PURPOSE:**

HPR: TWO SINGLE FAMILY HOUSES... FRONT AND REAR UNITS MIN 6' BETWEEN HOUSES.

1044 A &amp; B 2ND AVE S. NASHVILLE, TN 37210

MAP 93-15-0-D PARCELS 1 &amp; 2.

DENIED: REQUIRED SIDE SETBACK FOR BOTH 5'....

REQUEST 6" ON THE FRONT UNIT AND

REQUEST 3'3" ON THE REAR UNIT.

17.12.020

POC: DEVAN MCCLISH 615-418-3133

devan@torquedevelopment.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*

*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.

  
APPELLANT

10/9/18  
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.

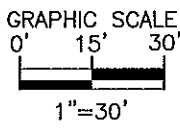
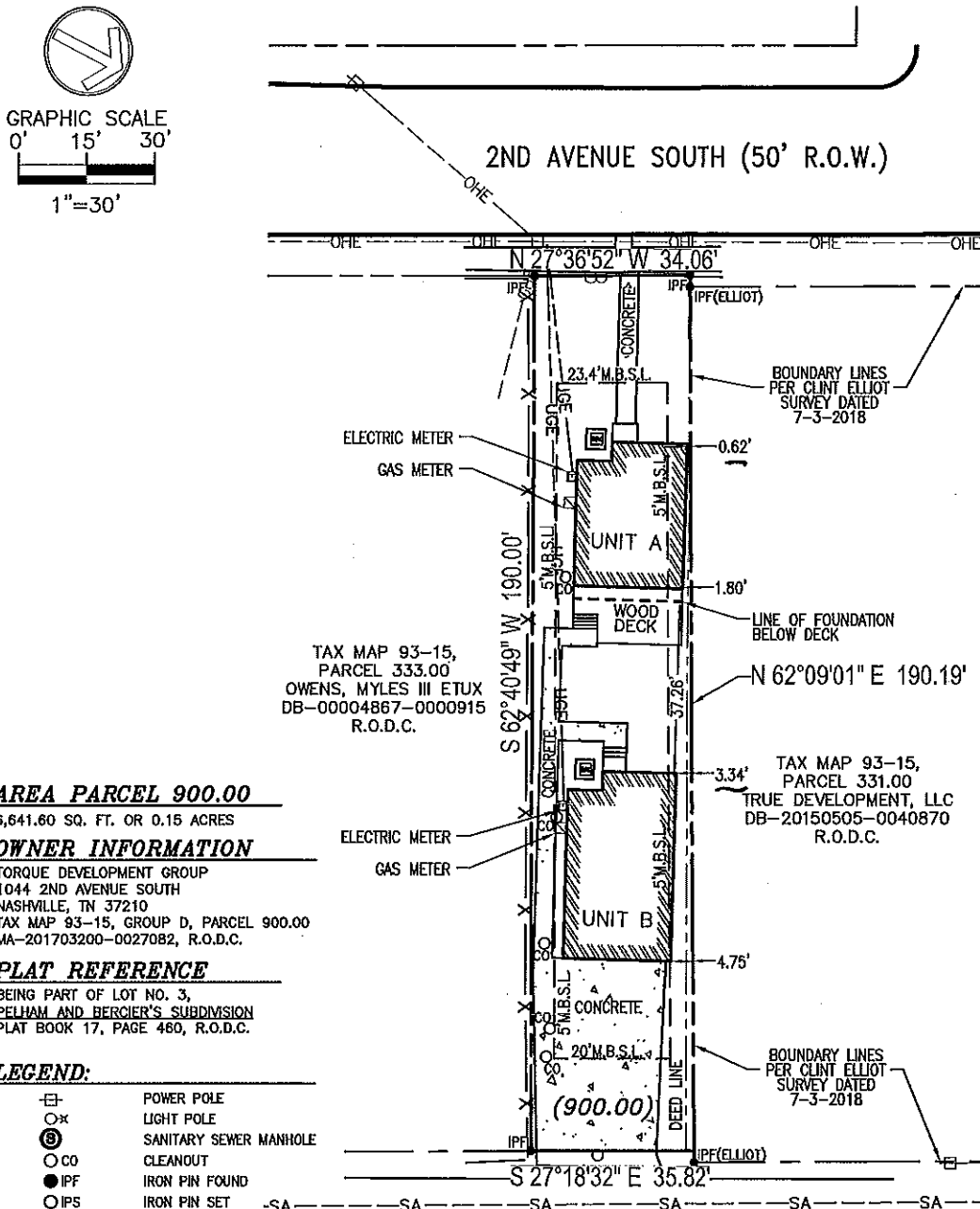
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

---

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**AREA PARCEL 900.00**

6,641.60 SQ. FT. OR 0.15 ACRES

**OWNER INFORMATION**

TORQUE DEVELOPMENT GROUP  
 1044 2ND AVENUE SOUTH  
 NASHVILLE, TN 37210  
 TAX MAP 93-15, GROUP D, PARCEL 900.00  
 MA-201703200-0027082, R.O.D.C.

**PLAT REFERENCE**

BEING PART OF LOT NO. 3,  
 PELHAM AND BERCIER'S SUBDIVISION  
 PLAT BOOK 17, PAGE 460, R.O.D.C.

**LEGEND:**

- ⊕ POWER POLE
- x LIGHT POLE
- ⊙ SANITARY SEWER MANHOLE
- O CLEANOUT
- IPF IRON PIN FOUND
- IPS IRON PIN SET

**NOTES:**

- 1) THE SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE SIGNATURE APPEARS UPON THIS SURVEY.
- 2) UPON REVIEWING FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 47037C0244H, DATED APRIL 5, 2017, IT HAS BEEN DETERMINED THAT THE LIMITS OF THE DETAIL STUDY DO NOT REACH THE SUBJECT PROPERTY. (FLOOD ZONE "X")
- 3) BASIS OF BEARING, REFERENCES TENNESSEE STATE PLANE.
- 4) ALL MEASUREMENTS TAKEN FROM THE OUTSIDE OF BLOCK.



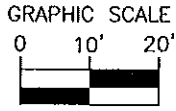
PREPARED BY:  
 DONLON LAND SURVEYING, LLC  
 TIMOTHY MARK DONLON  
 1539 BELLE FOREST CIRCLE  
 NASHVILLE, TN 37221  
 TEL. (615) 673-8116, FAX (615) 673-8117  
 tmdonlon@bellsouth.net  
<http://www.DonlonLandSurveying.com/>

AS-BUILT  
 FOR  
**TAX MAP 93-15**  
**GROUP D,**  
**PARCEL 900.00 CO**

MA-20170320-0027082  
 DAVIDSON COUNTY, TENNESSEE

PREPARED FOR:  
**TORQUE**  
**DEVELOPMENT GROUP**  
 1044 2ND AVENUE SOUTH  
 NASHVILLE, TN 37210  
 DATED: AUGUST 29, 2018

EXHIBIT B  
HORIZONTAL PROPERTY REGIME  
2ND AVENUE SOUTH (50' R.O.W.)



1"=20'

**AREA PARCEL 332.00**

6,460.00 SQ. FT. OR 0.15 ACRES

**OWNER INFORMATION**

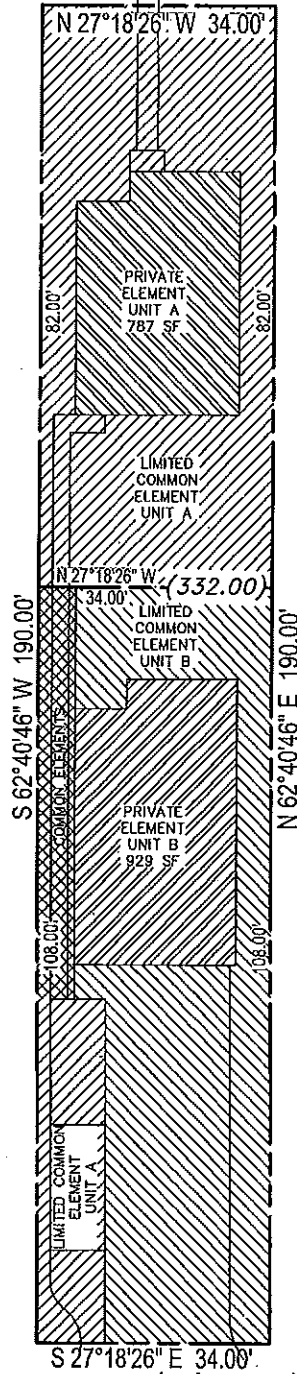
GRAY, JANIE M.  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
TAX MAP 93-15, PARCEL 332.00  
DB-00009255-0000728, R.O.D.C.

**PLAT REFERENCE**

BEING PART OF LOT NO. 3,  
PELHAM AND BERGIER'S SUBDIVISION  
PLAT BOOK 17, PAGE 46D, R.O.D.C.

**LEGEND:**

- LIMITED COMMON ELEMENTS
- PRIVATE ELEMENTS
- COMMON ELEMENTS



S 27°18'26" E 34.00'  
ALLEY #169 (16' R.O.W.)

UNIT A & UNIT B  
HOMES AT 1044 2ND AVE S.  
FORMERLY KNOWN AS  
TAX MAP 93-15  
PARCEL 332.00

DB-00009255-0000728  
DAVIDSON COUNTY, TENNESSEE

PREPARED FOR:  
TORQUE DEVELOPMENT  
GROUP, LLC

1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
DATED: MARCH 14, 2017

217016 GRAY MM



PREPARED BY:  
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TIMOTHY MARK DONLON

8120 SAWYER BROWN RD.  
SUITE 110 A  
NASHVILLE, TN 37221  
TEL. (615) 673-9116, FAX (615) 673-9117  
mtdonlonr@south.net  
<http://www.DonlonLandSurveying.com/>

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CAMERON ST

R6

093150D00200CO

Site

093150D00100CO

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093150E90000CO

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093150C00200CO

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SP(R)

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09315029200

093150C00700CO

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09315029100

105030I00100CO

SP(MR)

105030E00400CO

1/48 ALY

105030I90000CO

105030I00200CO

105030I90100CO

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105030E90100CO

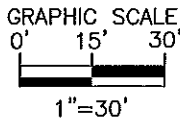
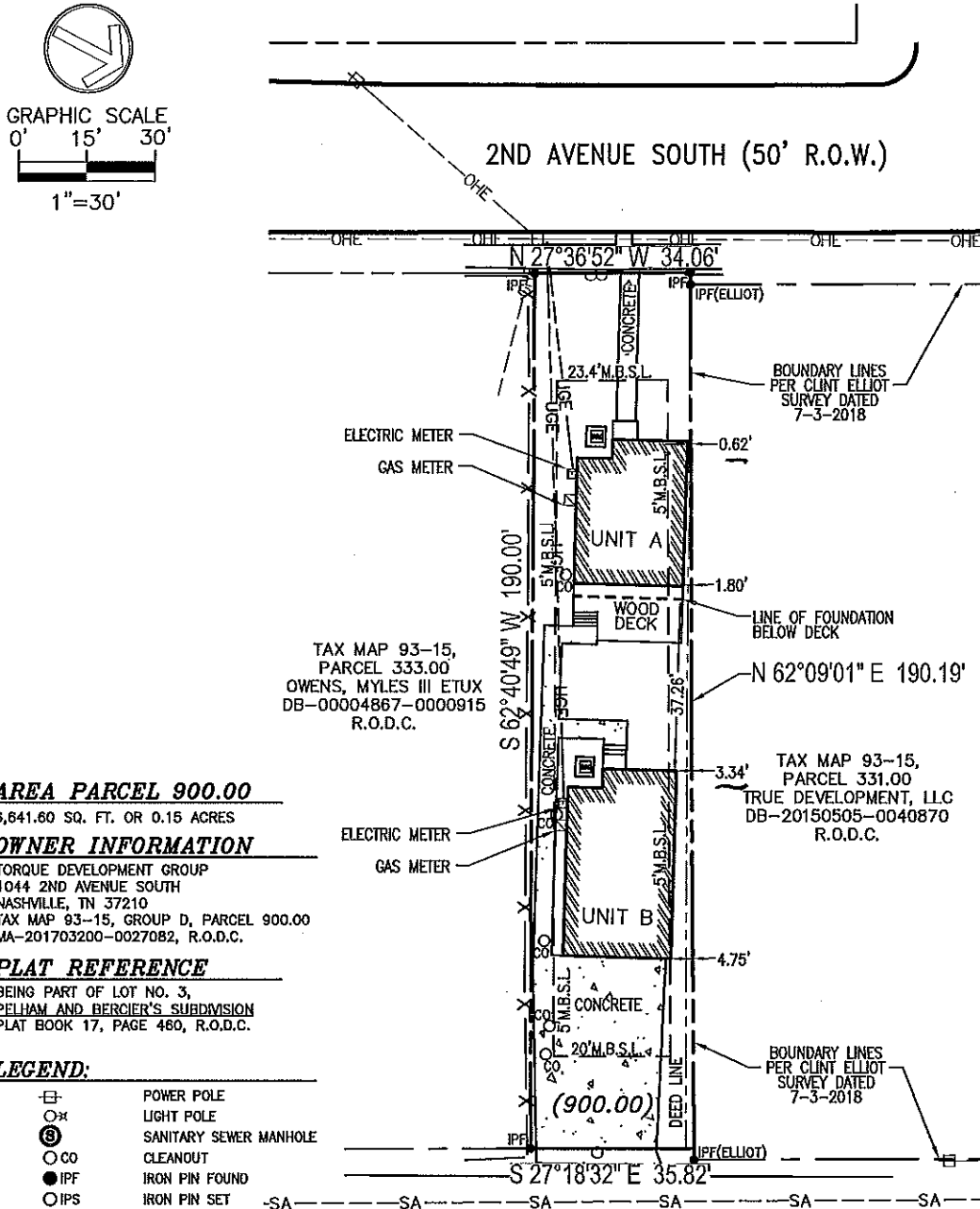
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- IPF IRON PIN FOUND
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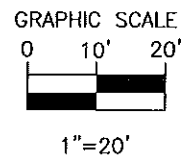
PREPARED BY:  
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MA-20170320-0027082  
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PREPARED FOR:  
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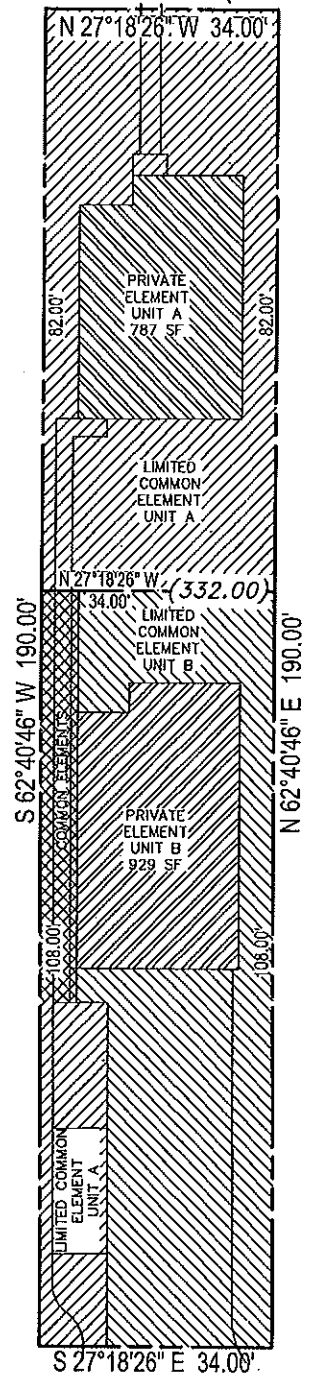
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6,460.00 SQ. FT. OR 0.15 ACRES  
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TAX MAP 93-15, PARCEL 332.00  
DB-00009255-0000728, R.O.D.C.

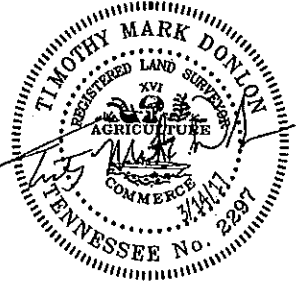
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**LEGEND:**  
LIMITED COMMON ELEMENTS  
PRIVATE ELEMENTS  
COMMON ELEMENTS



ALLEY #169 (16' R.O.W.)

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FORMERLY KNOWN AS  
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1044 2ND AVENUE SOUTH  
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DATED: MARCH 14, 2017

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09315029700

R6

093150D90000CO

09315034100

CAMERON ST

093150D00200CO

Site

093150D00100CO

09315033300

093150E90000CO

09315034000

2ND AVE S

31A

09315029600

093150E00200CO

093150E00100CO

09315029500

J4-R-AB3-IM

41A

11

09315029400

09315033500

093150C00500CO

09315033900

09315029300

093150C00400CO

09315038600

09315029400

093150C90000CO

093150C01000CO

09315029200

093150C00900CO

09315038500

093150C00100CO

093150C00200CO

093150C00800CO

SP(R)

093150C00600CO

093150C00700CO

09315033800

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SP(MR)

105030I00100CO

105030E00400CO

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105030I90000CO

105030I00200CO

105030I90100CO

105030E00300CO

105030E00200CO

105030E00800CO

105030E90100CO

105030E00100CO

105030E00700CO

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**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

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Thank you, as always, for your invaluable service!

Colby

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



2018-644  
oppose

**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)  
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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](http://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

-----

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Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Mark Wallace Date: 10/22/08  
Property Owner: Franklin Suncoast GP  
Representative: Mark Wallace Case #: 2018-677  
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: 200<sup>00</sup>



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



**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.



200 192s

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OR20

195.21

T4-R-AB4

266.3

RM20

112.03

147.2

147.33

R6-A

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151

151

163s

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680 ALY

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WADE AVE

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SP(R)

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45.75

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120.26

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WEDGEWOOD AVE

T4-R-AB4-LM

519.13

383.69

70s

RM20

1.79

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105053F00100CO

10505025700

105053F00200CO

R8

10505025600

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SP(R)

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680 ALY 40

105050W00300CO

105050W90000CO

10505026700

10505026800

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105050U01000CO

849 ALY

173

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105050W00100CO

105050W00200CO

10505026900

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RM20

4045s

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105050U00100CO  
105050U90000CO

WADE AVE

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10509011800

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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*

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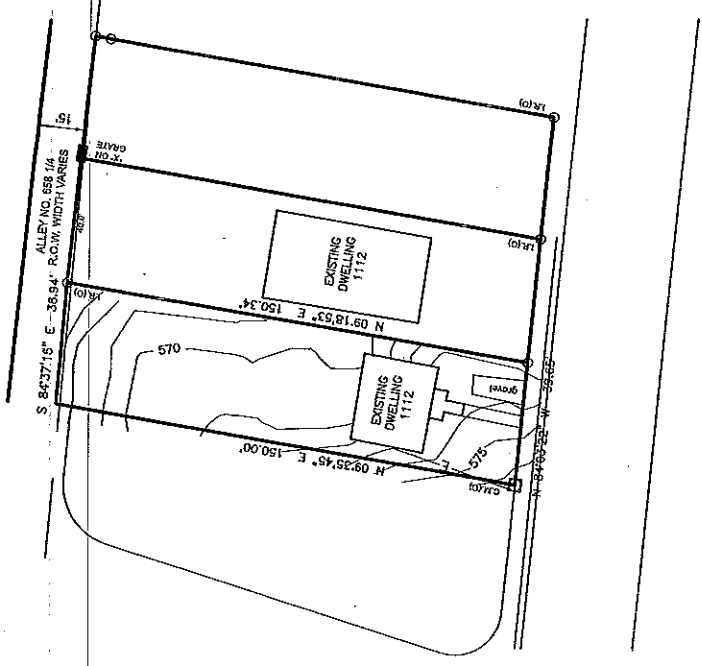
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Surveyor's Notes:

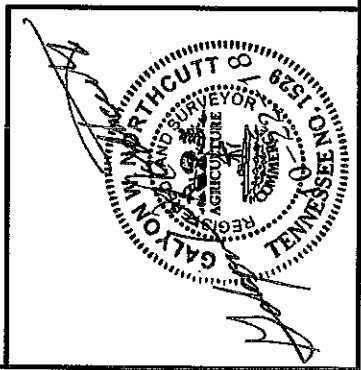
1. All bearings are magnetic and do not necessarily match a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation 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





200 192s

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OR20

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T4-R-AB4

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RM20

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R6-A

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ARGYLE AVE

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11TH AVES

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WADE AVE

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RM20

WADE AVE

325s

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141.24

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173.1

SP(R)

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WEDGEWOOD AVE

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## 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 <sup>th</sup> 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 \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

---

Good morning, Board members,

Here are my stances on the District 17 items before you next week:

- **Oppose** a request for a sidewalk variance on Pillow St. I have asked the applicant for the reason, and have not received one. (2018-619)
- **Neutral** on a setback variance request on 2nd Ave S., because I think the private parties are working this one out. (2018-644)
- **Strongly oppose** a request on Wade Ave. to build three units instead of two and not build sidewalks. The applicant has reached out via email, but I don't agree with the argument. (2018-677)
- **Neutral** on a request to raise the sign two feet at Enterprise on 8th Ave S. (2019-027)
- **Oppose** a request for all kinds of variances and exceptions to build on a substandard lot on Lincoln St. Substandard (too small to build on) lots are throughout Chestnut Hill/Trimble Bottom, and I'm going to be asking Planning/Zoning for a more comprehensive approach to them rather than this piecemeal one. (2019-035)
- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

Colby

-----  
Colby Sledge  
Metro Council, District 17  
(615) 442-3727  
[ColbySledge.com](http://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

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
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- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

Colby

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**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

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Board members,

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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!](#)

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

chambersacron50@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 &amp; 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 &amp; 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 7<sup>th</sup> 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.



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Soheil Rahimi Date: 11/3/18  
Property Owner: Metropolitan Construction LLC. Case #: 2019- 004  
Representative: Soheil 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 R4 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO 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.

Soheil 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.

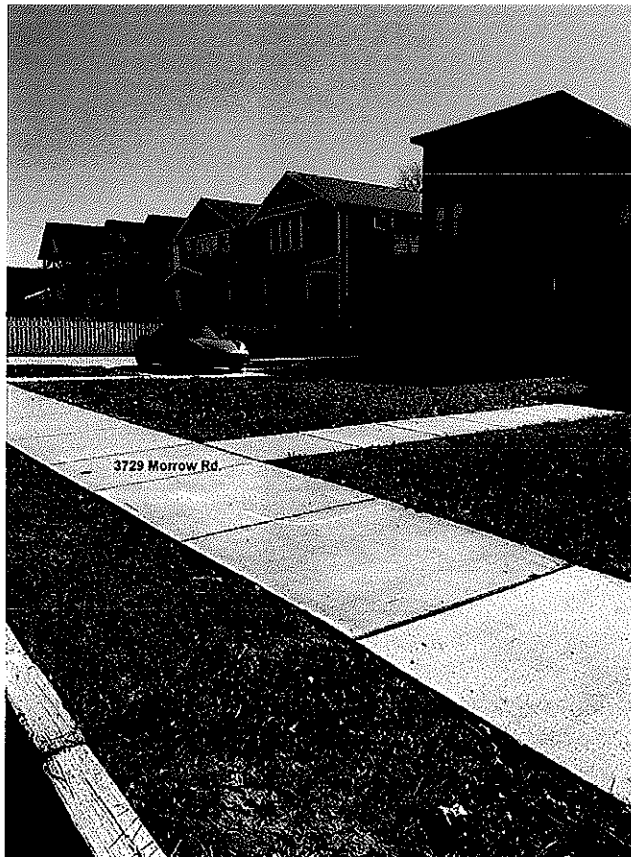
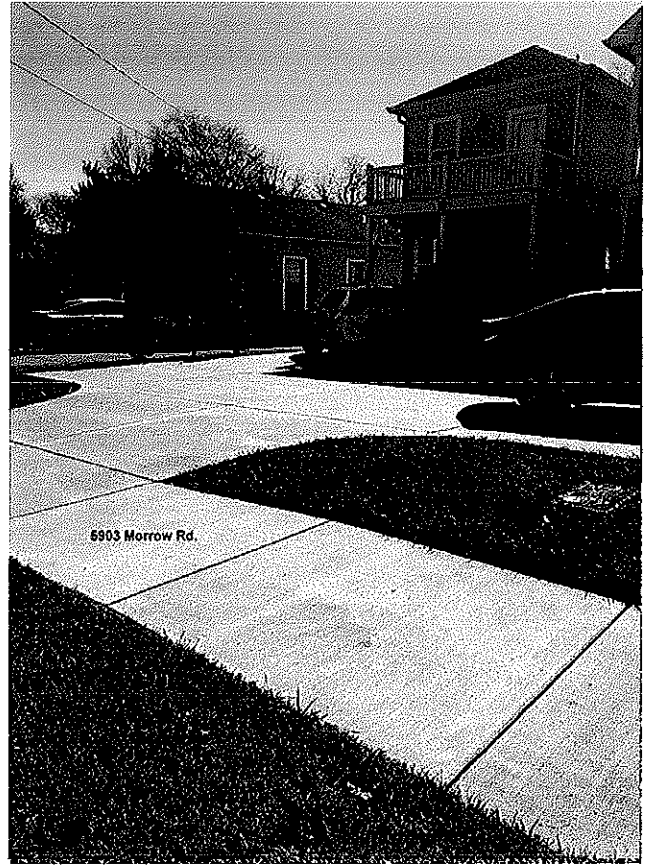
If you have any questions or need further information, please contact me at 615-815-0087.

Thank you for your consideration in this matter.

Sincerely,  
Soheil Rahimi

A handwritten signature in black ink, appearing to read 'S. Rahimi', with a long horizontal flourish extending to the right.





## 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 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.)

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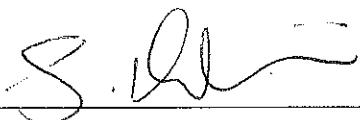
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We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **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**

11/13/18

**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.*

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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?**

*Please see attached letter*

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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'.

Sidewalks are required, not eligible for fund, existing sidewalk

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[A] Zoning Review	APPROVED	clint.harper@nashville.gov
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[D] Grading Plan Review For Bldg App	COND	(615) 862-6038 Logan.Bowman@nashville.gov
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[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

NOTES:  
 1. READINGS 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.

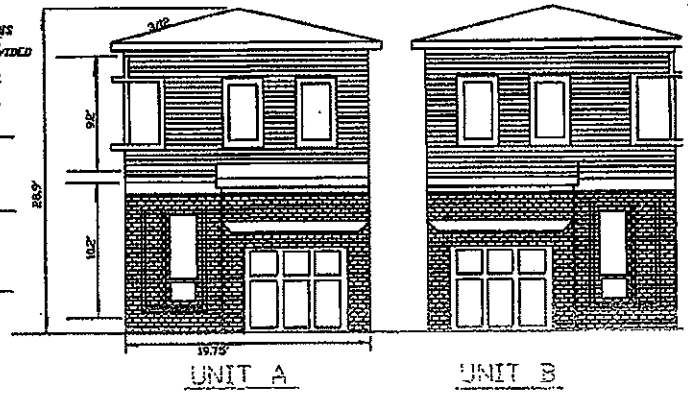
PRE-DEVELOPMENT IMPERVIOUS: 2095 SF  
 POST-DEVELOPMENT IMPERVIOUS: 3512 SF  
 POST IMPERVIOUS NET INCREASE: 1417 SF

FRONT SETBACK CALCULATIONS

5908B MORROW RD	30.3'
59010 MORROW RD	28.3'
5912 MORROW RD	31.6'
5916 MORROW RD	35.9'
<b>AVERAGE SETBACK</b>	<b>31.5'</b>

UNIT CALCULATIONS (EACH)

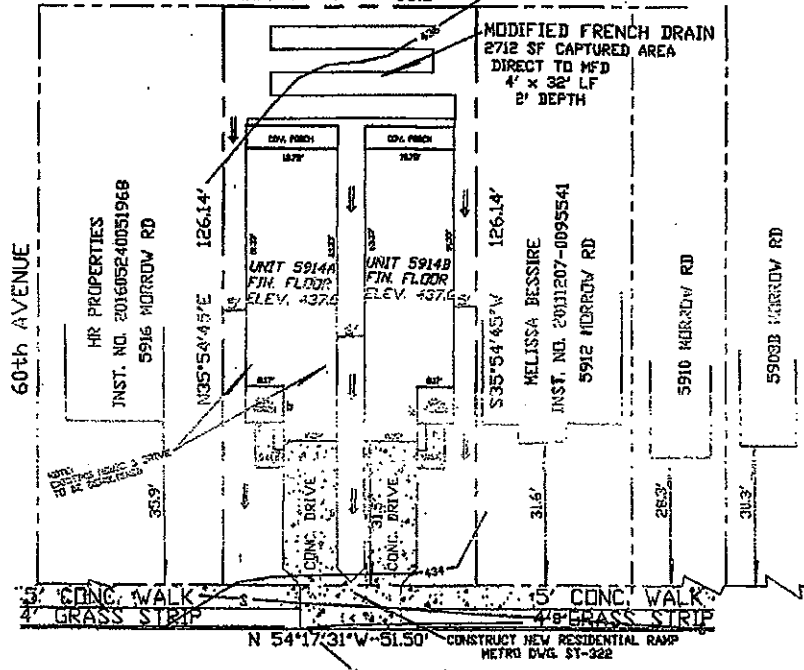
APPROX. AREA	
FIRST FLOOR	902 SF
SECOND FLOOR LIVING	1121 SF
<b>TOTAL HEATED</b>	<b>2023 SF</b>
GARAGE	236 SF
FRONT PORCH	101 SF
REAR PORCH	99 SF
<b>TOTAL COVERED</b>	<b>2443 SF</b>



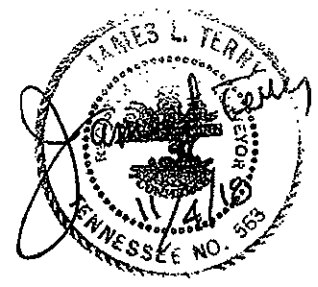
UNIT A                      UNIT B

FRONT ELEVATION

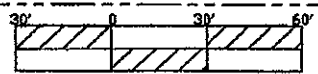
BUILDING HEIGHT CALCULATION  
 FLOOR WIDTH: 19.75'  
 MAX. ALLOWANCE OF 1.5% SLOPE  
 PROP. HEIGHT: 29.63'



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

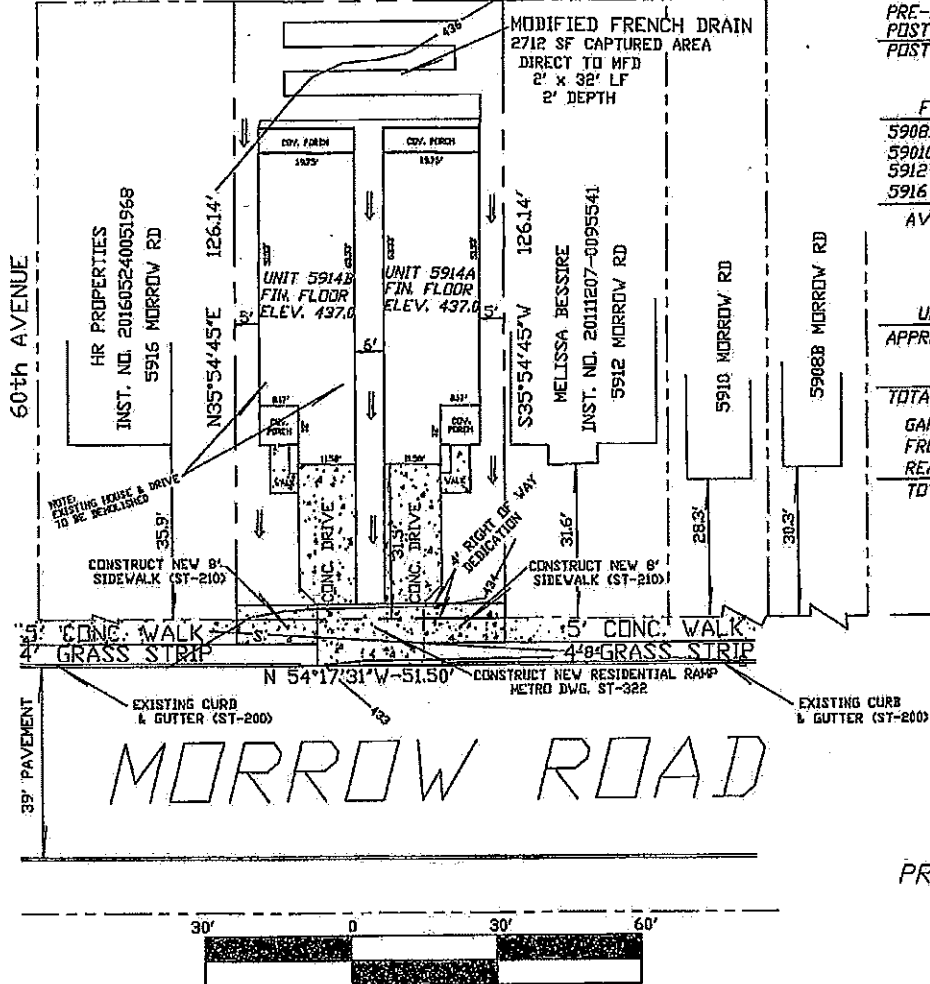


MORROW ROAD



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

S54°17'31"E - 55.5'



NOTES:  
 1. BEARINGS 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'
59010 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	256 SF
FRONT PORCH	65 SF
REAR PORCH	99 SF
TOTAL COVERED	2443 SF



UNIT A UNIT B

FRONT ELEVATION

BUILDING HEIGHT CALCULATION

BLDG. WIDTH	19.75'
MAX ALLOWED	1.5 x 19.75' = 29.6'
PROP. HEIGHT	28.9'

SITE PLAN  
OF

5914 MORROW ROAD

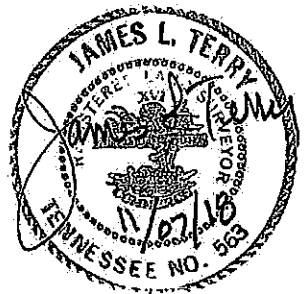
FOR

METROPOLITAN CONST., LLC

DATE: 10-05-18, SCALE: 1"=30'

REV: 11-04-18 REV: 11-06-18

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



## 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 60<sup>th</sup> 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.

**From:** [Lamb, Emily \(Codes\)](#)  
**To:** [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#)  
**Subject:** FW: BZA Case # 2019-004  
**Date:** Wednesday, January 2, 2019 1:26:18 PM

---

For the case file, please.

Emily Lamb  
Metro Codes Department

This email and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this communication in error. If you have received this communication in error, please notify the sender immediately and in the interim please do not use, disseminate, forward, print or copy this communication.


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**From:** Mary Carolyn Roberts [mailto:marycarolynroberts@gmail.com]  
**Sent:** Wednesday, January 2, 2019 1:22 PM  
**To:** Herbert, Bill (Codes); Michael, Jon (Codes); Lamb, Emily (Codes)  
**Subject:** BZA Case # 2019-004

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

I'm writing in regards to Case # 2019-004. They're asking to not have to build or pay into the sidewalk fund. I'm asking that they build the sidewalk because paying into the fund isn't going to necessarily help my neighborhood. I don't see any hardship that would allow them to not pay or build.

Much thanks,

  
Mary Carolyn Roberts  
Village Real Estate  
615-977-9262 (c)  
615-383-6964 (w)  
Metro Council, District 20

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210



Appellant: VERNON T KEESEE JR

Date: 11/26/18

Property Owner: VERNON T KEESEE JR

Case #: 2019- 016

Representative: SELF

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:

Location: 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.

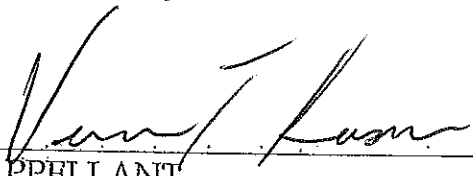
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

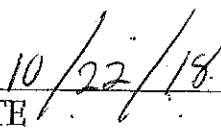
Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

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

  
 \_\_\_\_\_  
 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**



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

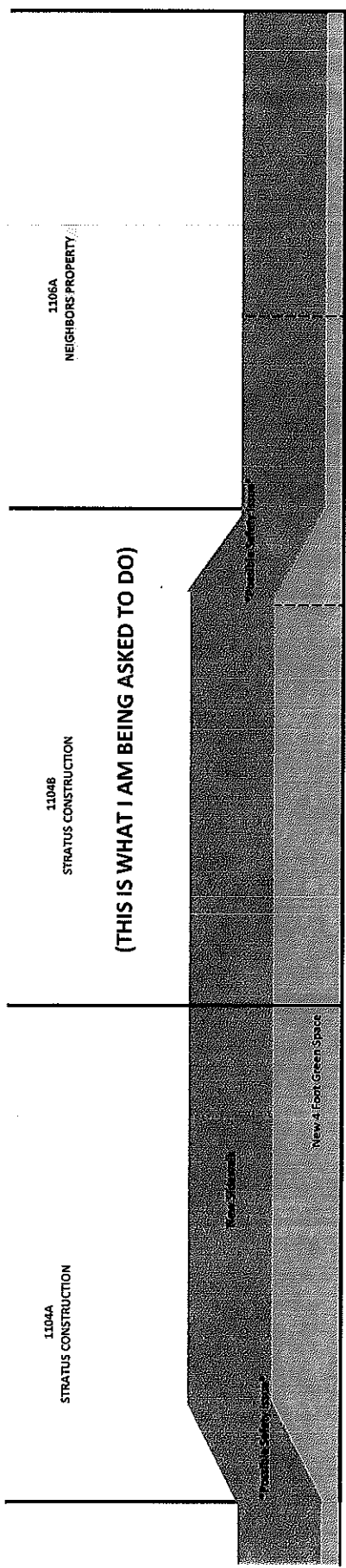
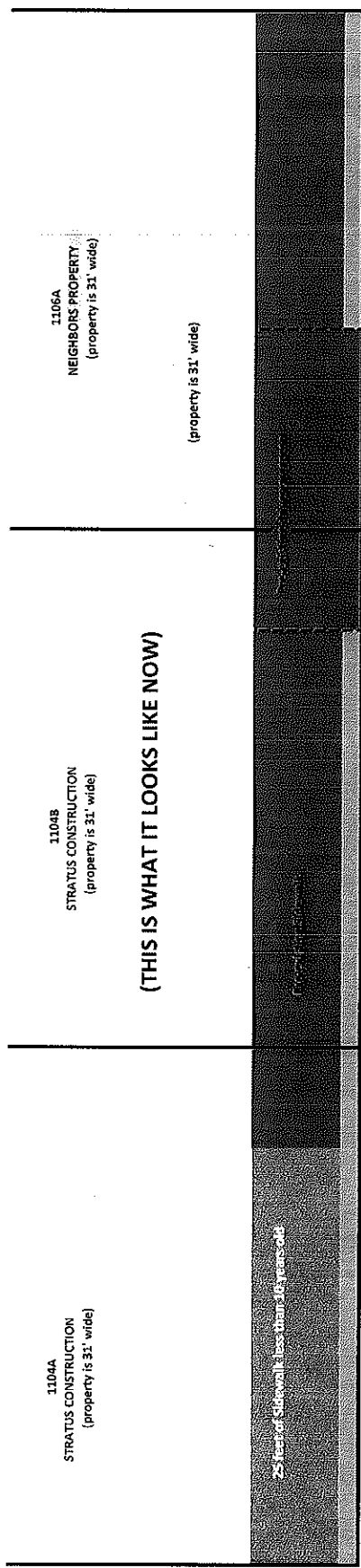
**PURPOSE:**

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.*

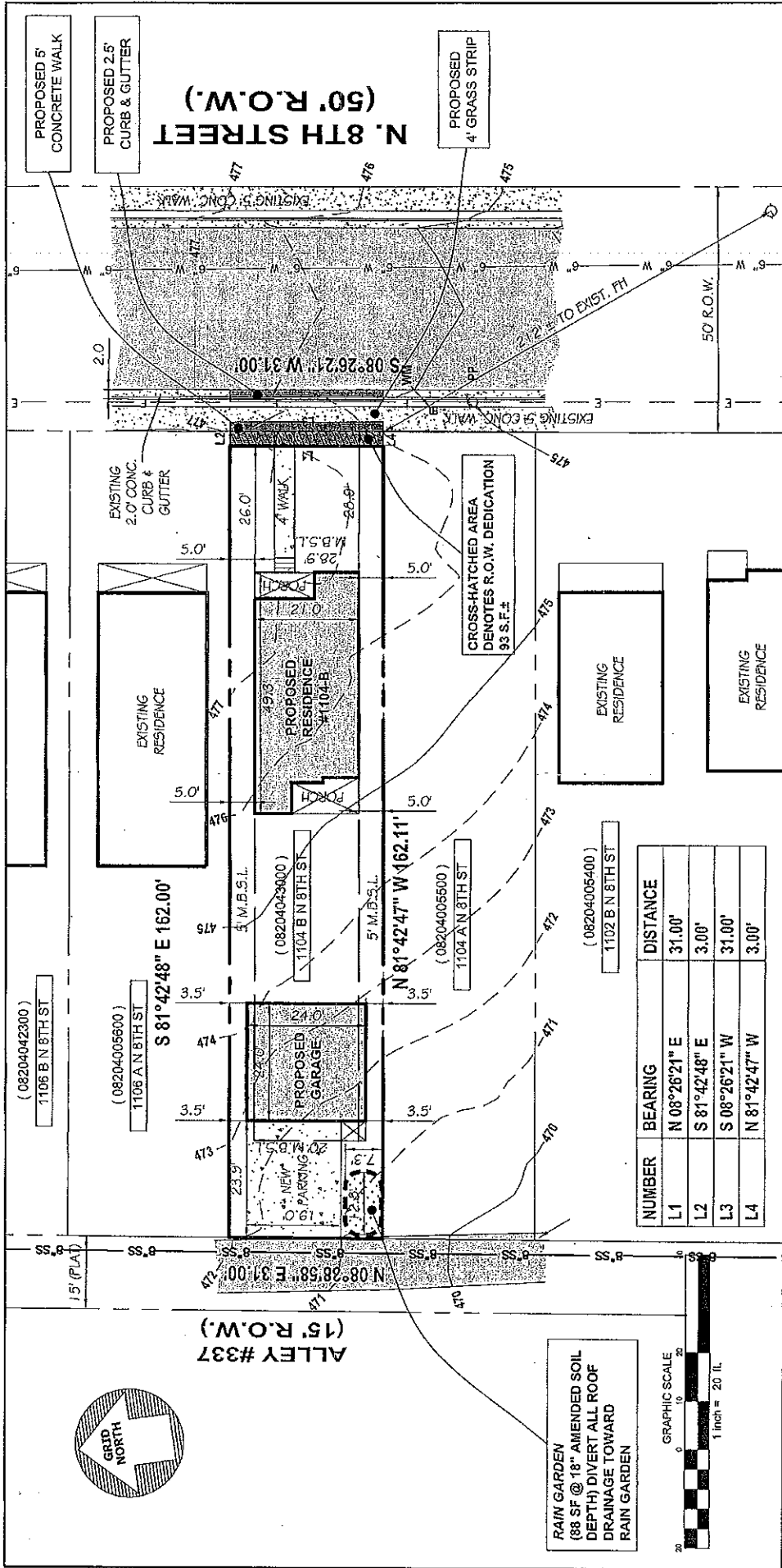
U&O Sewer Availability Final Approval	862-7225
U&O Water Availability Final Approval	862-7225
U&O PW Sidewalk FA - CA Final Approval	862-8758 Benjamin.york@nashville.gov
SWGR U&O Sign-off	862-6038 logan.bowman@nashville.gov
Building Framing - Ceiling	Ronald.Rider@nashville.gov
Building Floor Elevation	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

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-016 (1104B North 8<sup>th</sup> 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



Appellant: STONE OAK BUILDERS, LLC  
Property Owner: STONE OAK BUILDERS, LLC  
Representative: STEWART BRONSON

Date: 11/27/18  
Case #: 2019-018  
Map & Parcel: 11704014900

Council 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 CONSTRUCT A 672 SF DETACHED GARAGE  
(SEE PERMIT APP 2018063902)  
10 FT REQUIRED REAR SETBACK  
REQUESTING 5 FT REAR SETBACK

Activity Type: RES. NEW CONSTRUCTION

Location: 2709 BRIGHTWOOD AVE.

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 SETBACK

Section(s): 17.12.040 E1a

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.

STONE OAK BUILDERS, LLC  
Appellant Name (Please Print)

STEWART BRONSON  
Representative Name (Please Print)

PO Box 1447  
Address

SAME  
Address

BRENTWOOD TN 37024  
City, State, Zip Code

SAME  
City, State, Zip Code

615-533-7873  
Phone Number

SAME  
Phone Number

STEWART@STONEOAKBUILDERS.COM  
Email

SAME  
Email

Appeal Fee: \_\_\_\_\_

## 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 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.

STONE OAK BUILDERS, LLC  
APPELLANT

12/3/18  
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?**

WE ARE REQUESTING A REAR SET BACK REDUCTION FOR THE DETACHED GARAGE AT 2709 BRIGHTWOOD AVE. WE WERE GRANTED A 5' REAR SETBACK FOR 2715 & 2711 BRIGHTWOOD, BY THE HISTORIC COMMISSION, AND WE WOULD LIKE TO MAINTAIN THE ALIGNMENT & STREETSCAPE BY HAVING OUR GARAGE MATCH THE SETBACK OF OUR NEIGHBORS TO THE SOUTH.

2715, 2711, 2709 BRIGHTWOOD SITE PLANS ARE ATTACHED.

THANK YOU

STONE OAK BUILDERS, LLC



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



3567157

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018063927  
THIS IS NOT A PERMIT**

PARCEL: 11704014900

APPLICATION DATE: 10/09/2018

**SITE ADDRESS:**

2709 BRIGHTWOOD AVE NASHVILLE, TN 37212  
LOT 119 BELMONT TERRACE

PARCEL OWNER: STONE OAK BUILDERS, LLC

**APPLICANT:****PURPOSE:**

to construct 672SF detached garage to the rear of existing single family residence. 3' min. side setback, 10' min. rear setback, not to be over any easements. not to be used for living space or commercial purposes. Max height 16' to eave line.

\*\*\*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		
[A] Zoning Review	APPROVED	clint.harper@nashville.gov - MOVE GARAGE 5'
[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		
[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



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



3581538

**ZONING BOARD APPEAL / CAAZ - 20180074035  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 11704014900**APPLICATION DATE:** 11/27/2018**SITE ADDRESS:**

2709 BRIGHTWOOD AVE NASHVILLE, TN 37212

LOT 119 BELMONT TERRACE

**PARCEL OWNER:** STONE OAK BUILDERS, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

Setback Variance. See Permit 2018063927 for detached Garage, 10 ft required setback, requesting 5 ft rear setback.

*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



3581538

**ZONING BOARD APPEAL / CAAZ - 20180074035**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 11704014900

APPLICATION DATE: 11/27/2018

**SITE ADDRESS:**

2709 BRIGHTWOOD AVE NASHVILLE, TN 37212

LOT 119 BELMONT TERRACE

PARCEL OWNER: STONE OAK BUILDERS, LLC

**CONTRACTOR:****APPLICANT:****PURPOSE:**

Setback Variance. See Permit 2018063927 for detached Garage, 10 ft required setback, requesting 5 ft rear setback.

*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.



**\*3268195\***  
3268195

## METRO HISTORIC ZONING COMMISSION

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

**HISTORICAL COMMISSION PERMIT - 2016042307**

Entered on: 15-Aug-2016

### Site Address

**2711 BRIGHTWOOD AVE**  
NASHVILLE TN, 37212

Parcel: 11704014800

Parcel: DIST 18

Parcel Owner: JGLAC, GP

Purpose: Construct 672 sf outbuilding, not used as a DADU

### FOUNDATION

- Foundation material shall be split-faced concrete block, or shall be parged.

### CLADDING & TRIM

- All/any trim, railings, vents and associated type elements are to be wood or cement fiberboard. Clad material is not approved.
- Wood or cement fiberboard shall be a smooth face material void of any simulated wood grain pattern or rough, unfinished appearance.
- All exposed exterior lumber should be grade number #1 or #2. Lower grade lumber is unsuitable for exterior work.
- Overlapped siding shall have a reveal of five inches (5"), or match the exposure on the house.

### WINDOWS & DOORS

- Window and door selections shall be approved by MHZC Staff prior to purchase/installation.
- Windows on clapboard structures shall not have brick-mold and shall have four inch (4") nominal wood casings.
- There shall be a four inch (4") mullion between any paired windows.

### ROOF

- Roof shall be asphalt shingles, matching the color of the existing roof. New roof colors shall be approved by MHZC Staff prior to purchase/installation.

### HVAC

- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located on a non-street facing façade.

### GENERAL

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

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

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

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

**APPLICANT:** Josh Belville, Stone Oak Builders

**Activities to be Completed - Call: (615) 862-7970**

WINDOWS APPROVAL PRIOR TO INSTALL - HZ

GARAGE DOOR APPROVAL PRIOR TO INSTALL - HZ

DOOR APPROVAL PRIOR TO INSTALL - HZ

FIELD STAKING INSPECTION - HZ

FOUNDATION CHECK INSPECTION - HZ

ROUGH FRAMING INSPECTION - HZ

RANDOM MONTHLY INSPECTION - HZ

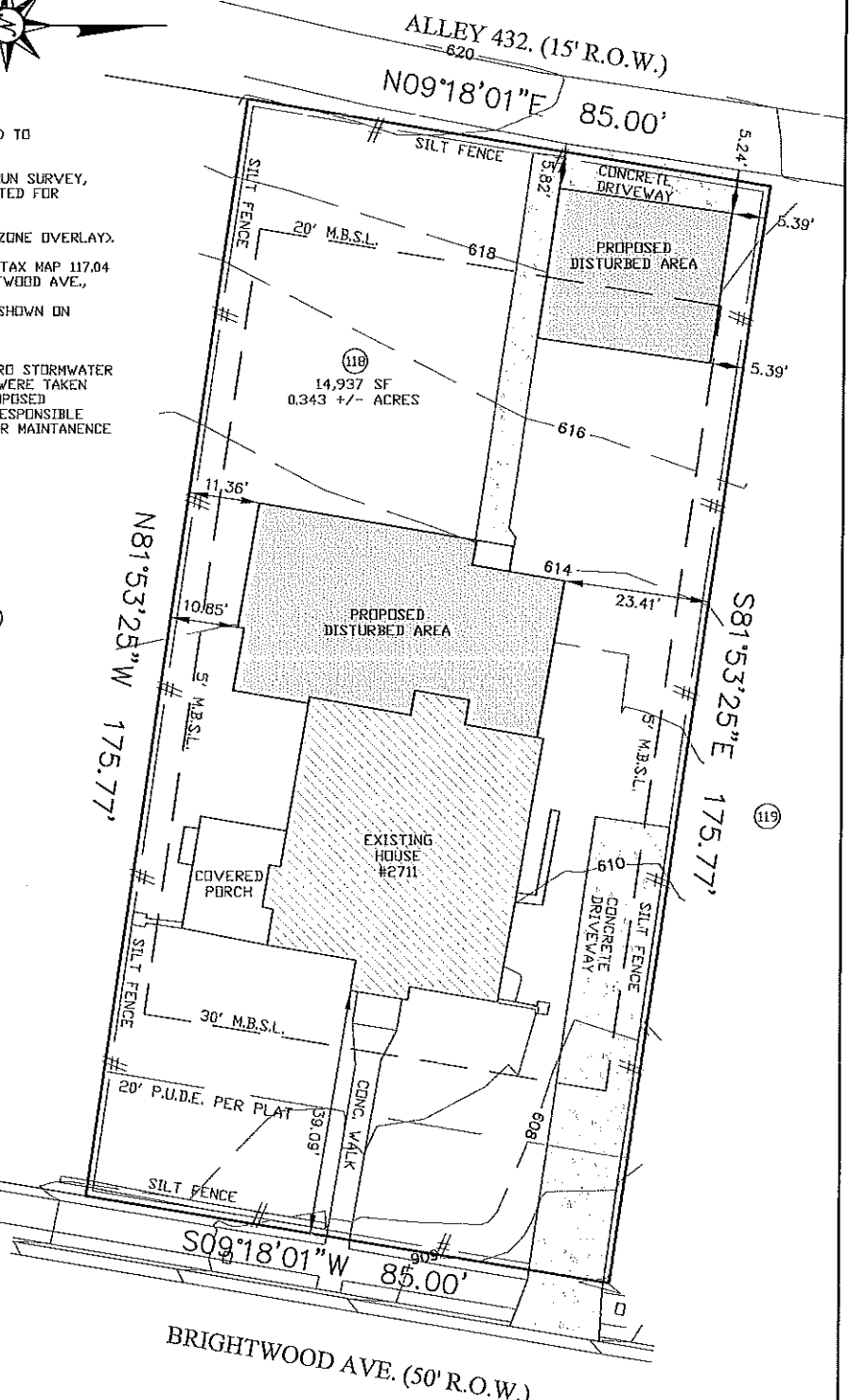
**Issued Date:** August 15, 2016 **Issued By:** Sean Alexander



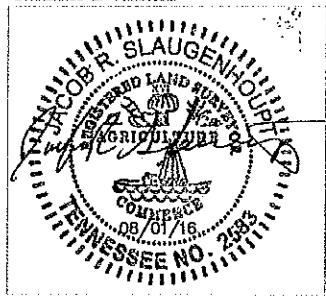
**NOTES:**

1. BEARINGS SHOWN HEREON ARE REFERENCED TO TENNESSEE GRID NORTH.
2. ALL DISTANCES ARE BASED ON A FIELD RUN SURVEY, USING EDM EQUIPMENT AND HAD BEEN ADJUSTED FOR TEMPERATURE.
3. PROPERTY CURRENTLY ZONED: RB (URBAN ZONE OVERLAY).
4. SUBJECT PROPERTY IS PARCEL 148.00 OF TAX MAP 117.04 AND HAS A STREET ADDRESS OF 2711 BRIGHTWOOD AVE., NASHVILLE, TN. 37212. PARCEL NUMBERS SHOWN AS 000.00 ARE AS SHOWN ON DAVIDSON COUNTY TAX MAP NO. 117.04.
5. STORMWATER CALCULATION BASED ON METRO STORMWATER REQUIREMENTS FOR IMPERVIOUS AREAS AND WERE TAKEN FROM PRECONSTRUCTION CONDITIONS AND PROPOSED BUILDINGS PLANS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE APPROVAL, DESIGN INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.

WILDWOOD AVE. (50' R.O.W.)



I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS AT LEAST 1/10,000 AS SHOWN HEREON AND WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



**PRE IMPERVIOUS AREAS:**

HOUSE	=	1645.4 SF
PORCH	=	252.0 SF
GRAVEL	=	1282.0 SF
PATIO	=	565.4 SF
SIDEWALK	=	184.0 SF
<b>TOTAL</b>	<b>=</b>	<b>3928.8 SF</b>

**PROPOSED IMPERVIOUS AREAS:**

HOUSE ADDITION	=	1370.0 SF
GARAGE	=	672 SF
DRIVE / WALK	=	1505.8 SF
<b>TOTAL</b>	<b>=</b>	<b>3,547.8 SF</b>

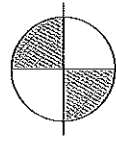
PROPOSED SITE PLAN  
LOT 118  
FINAL PLAT LOTS 116 & 118  
MAP OF BELMONT TERRACE  
PLAT INST. 20160719-0074024 R.O.D.C., TN  
TAX PARCEL: 117.04 0148.00

FOR:  
STONEOAK BUILDERS, L.L.C.

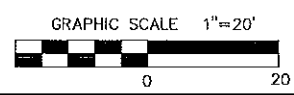
PROPERTY ADDRESS:  
2711 BRIGHTWOOD AVE.  
NASHVILLE, TN. 37212  
DAVIDSON COUNTY, TENNESSEE

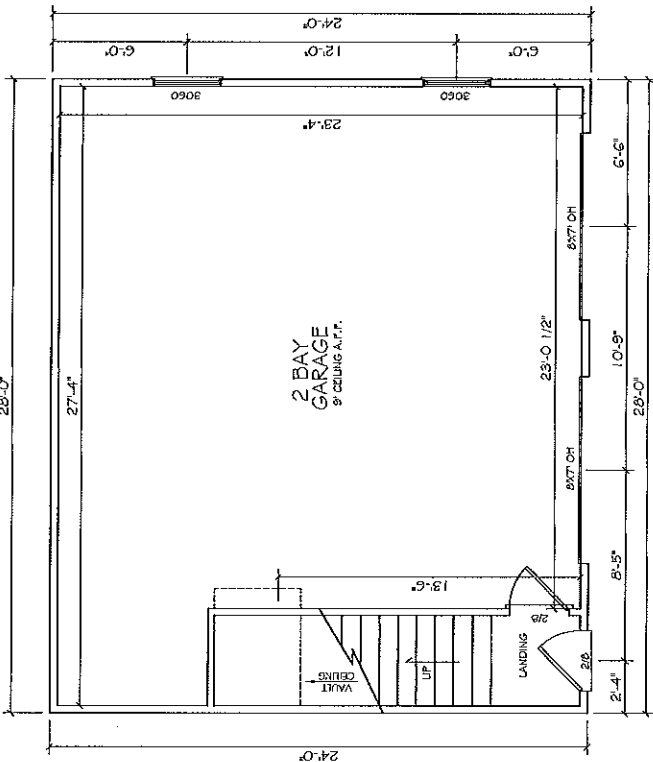
DATE AUGUST 01, 2016

CURRENT OWNER: (LOT 118)  
JGGLAC, GP  
DEED INST. NO. 20160503-0043178, R.O.D.C., TN.



**HOMELAND SURVEYING**  
PROFESSIONAL LAND SURVEYING  
(615) 268-9658  
Jake@HomelandTN.com  
www.HomelandTN.com





**FIRST FLOOR PLAN**  
 3/16" = 1'-0"  
 672 Square Feet

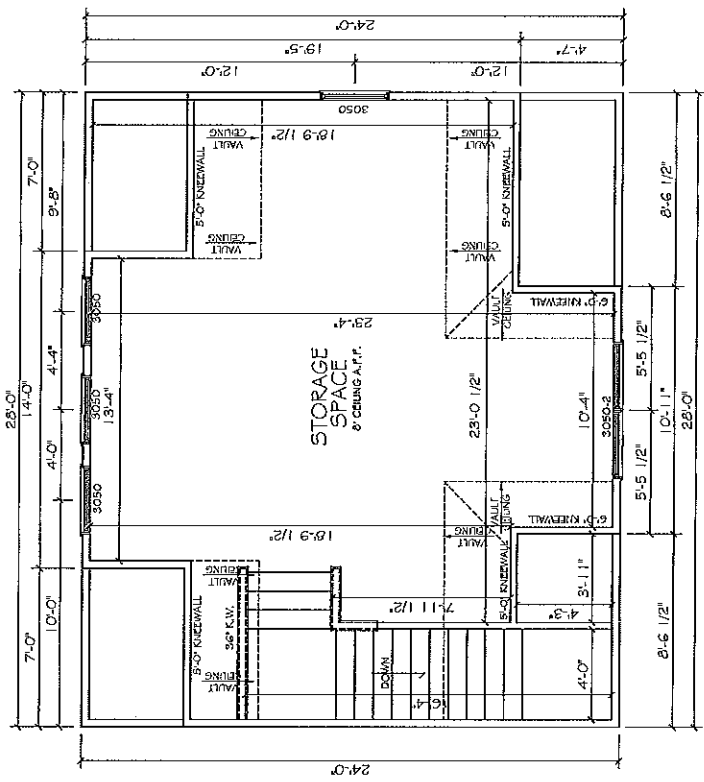
HCP 2016042031 & HCP 2016042307  
**MHHC NOTES; CALL 615-862-7970 WITH ANY QUESTIONS**

- Structure to be constructed in accordance with attached sealed site plan and elevations. Any deviation from the approved plans could result in charges being recharged to reflect the approved drawings.
- All measurements and relationships of existing conditions and new construction shall be field checked for accuracy with approved plans at the responsibility of the applicant. Inaccuracies or differences should be reported to MHZC staff prior to continuing with the project.
- This permit does not regulate use.
- Exterior finish materials shall be trim grade (smooth and square). Stud wall lumber or embossed wood grain is not appropriate.
- Windows shall be single-light or fully simulated, divided light sashes. Muntins are to be factory installed with an exterior muntin, interior muntin and a spacer bar within the double paned-glass. Snap-in or between the glass muntins are never appropriate. Double and triple windows shall have 4" to 6" mullions between.
- Four inch (4" nominal) wood casings are required around doors, windows and vents within frame walls. Windows on frame structures shall not have brick-mold.
- HVAC/Mechanical/Utility vents, pipes, lines, and all associated components, condensers or boxes shall be located behind the midpoint of the structure on a non-street facade.
- Siding and trim shall be wood or smooth-faced, cement-fiberboard (e.g.: Hardiplank).
- Four inch (nominal) wood corner-boards are required at the face of each exposed corner.
- The finished floor height shall be consistent with the finished floor heights of the historic house, to be verified by MHZC staff in the field.

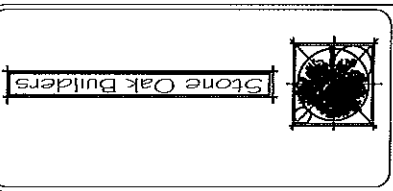
HCP 2016042031 & HCP 2016042307  
**CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS**

- Please refer to notes on page 1.
- Staff must approve the construction progress at the three following points:
  - After the building footprint has been field staked
  - After the foundation has been constructed
  - After the rough framing has been completed
- The windows and doors following must be submitted for final approval before purchase.

**FOR REVIEW ONLY:  
 NOT FOR CONSTRUCTION**



**SECOND FLOOR PLAN**  
 3/16" = 1'-0"

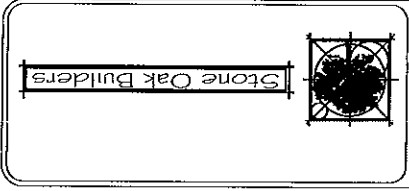


**ProMark Home Designs LLC**  
 P.O. Box 169144 Nashville, TN 37215  
*Steadily working with.*

2711 Brightwood, Nashville, TN  
 DRAWN BY: T.N.  
 PLAN NUMBER: 60716  
 DATE: 6/27/16

It is the intent of these documents to provide sufficient information to the experienced builder to construct the project. It is therefore his / her responsibility to verify accuracy and compliance with all regulatory agencies prior to construction and their requirements must take precedence over those shown.

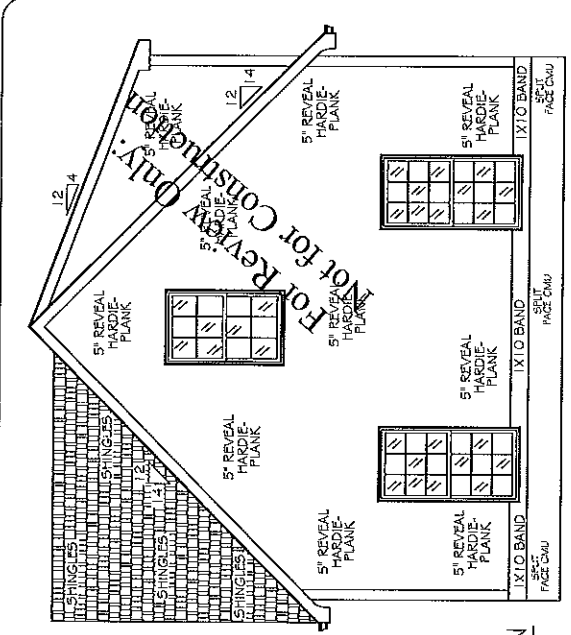




**Promark Home Designs LLC**  
 P.O. Box 169144 Nashville, TN 37215  
*promark working with...*

2711 Brightwood, Nashville, TN  
 It is the intent of these documents to provide pertinent information to the architect and engineer. It is the responsibility of the architect and engineer to verify accuracy and compliance with all regulatory agencies prior to construction and their requirements must take precedence over those shown.

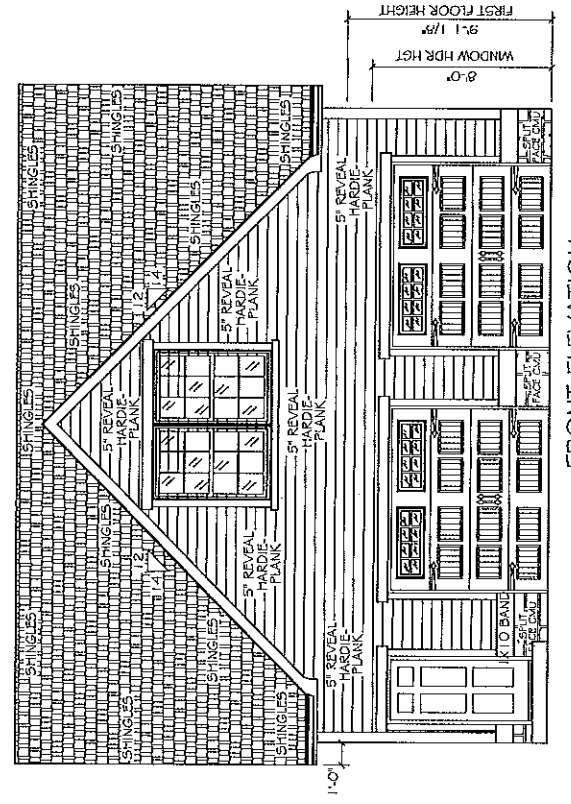
DRAWN BY: J.W.  
 PLAN NUMBER: Brightwood  
 DATE: 6/27/16



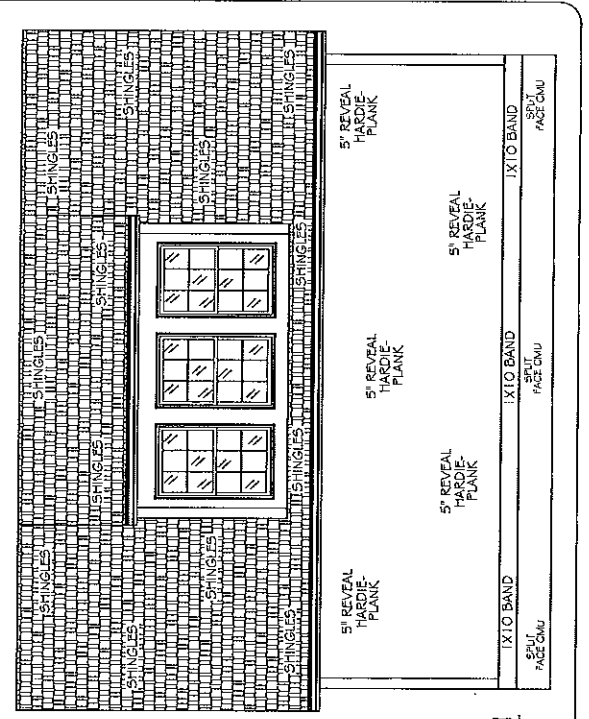
**RIGHT ELEVATION**  
 3/16" = 1'-0"

INSPECTIONS  
 HCP 2016042031 & HCP 2016042307  
 CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE

- Please refer to notes on page 1.
- Staff must approve the construction progress at the three following points:
  - After the building footprint has been field staked
  - After the foundation has been constructed
  - After the rough framing has been completed
- The windows and doors following must be submitted for final approval before purchase.

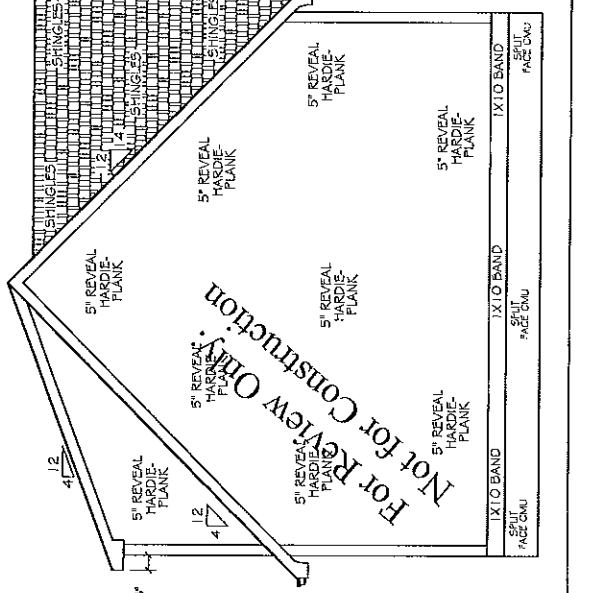


**FRONT ELEVATION**  
 3/16" = 1'-0"

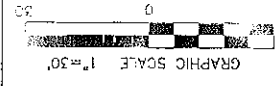


**LEFT ELEVATION**  
 3/16" = 1'-0"

**REAR ELEVATION**  
 3/16" = 1'-0"



**RIGHT ELEVATION**  
 3/16" = 1'-0"



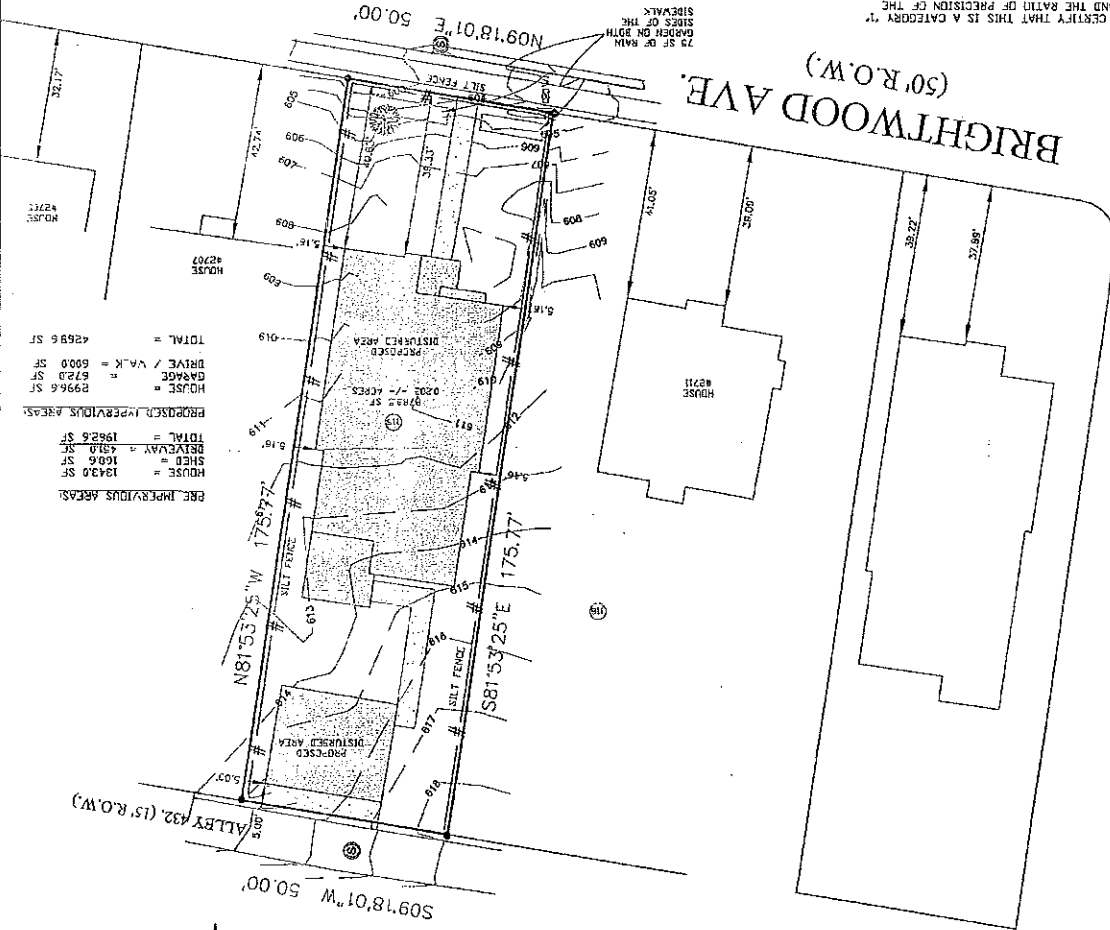
DATE OCTOBER 02, 2018  
DAVIDSON COUNTY, TENNESSEE

PROPOSED SITE PLAN  
LOT 119  
MAP OF BELMONT TERRACE  
PLAT BK. 421, PG. 101 R.D.C., TN  
TAX PARCEL# 117040 149.00  
FOR  
STONEDAK BUILDERS, LLC.

HOMELAND SURVEYING & MAPPING, LLC  
PROFESSIONAL LAND SURVEYING  
(615) 268-9658  
www.HomelandTN.com  
joh@homelandtn.com



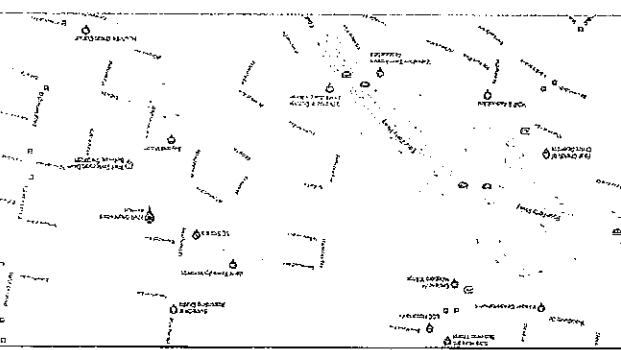
I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE ADJUSTED SURVEY IS AT LEAST 1:1000 AS SHOWN HEREIN AND WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



REG. IMPERVIOUS AREAS:	HOUSE = 19430 SF
DECK = 4310 SF	BEHAVY = 1606 SF
TOTAL = 19826 SF	
PROPOSED IMPERVIOUS AREAS:	HOUSE = 29966 SF
DRIVE / WALK = 6720 SF	GAUGE = 29966 SF
TOTAL = 42686 SF	



CURRENT OWNER, (LOT 119)  
EPSTEIN, DAVID, K. 469, R.D.C., TN.  
DEED BK. 11754, PG. 469, R.D.C., TN.

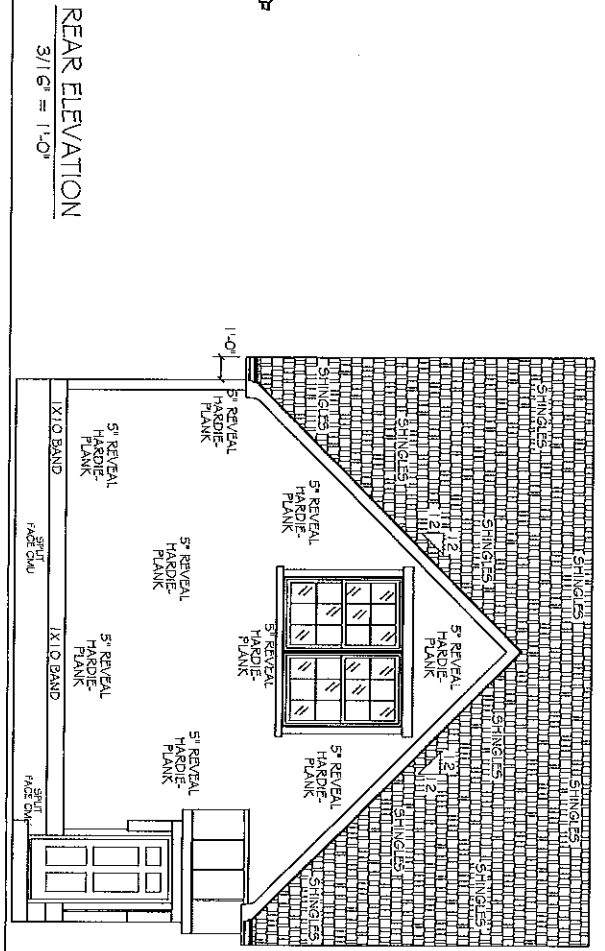
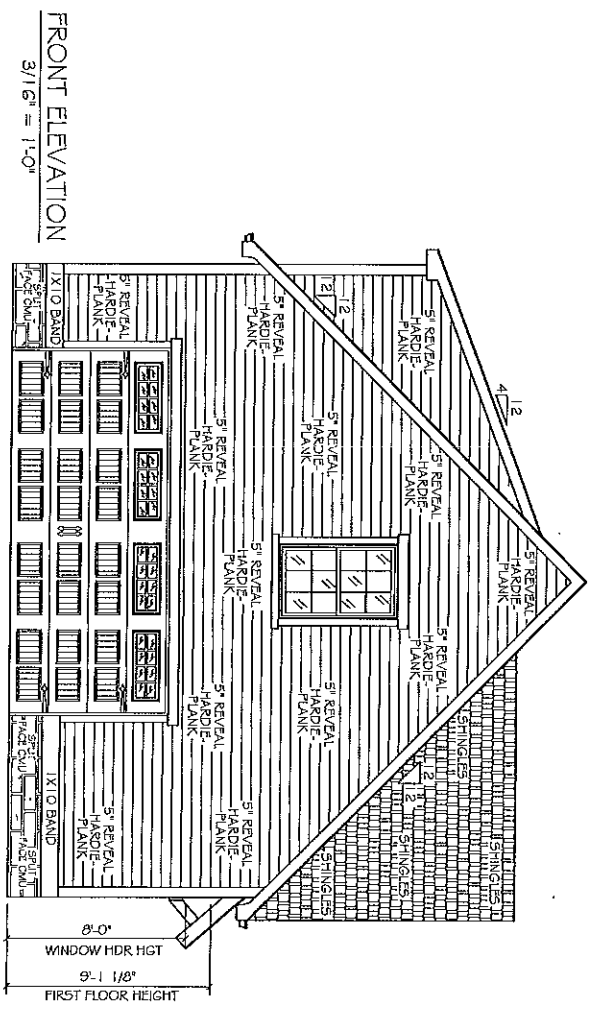
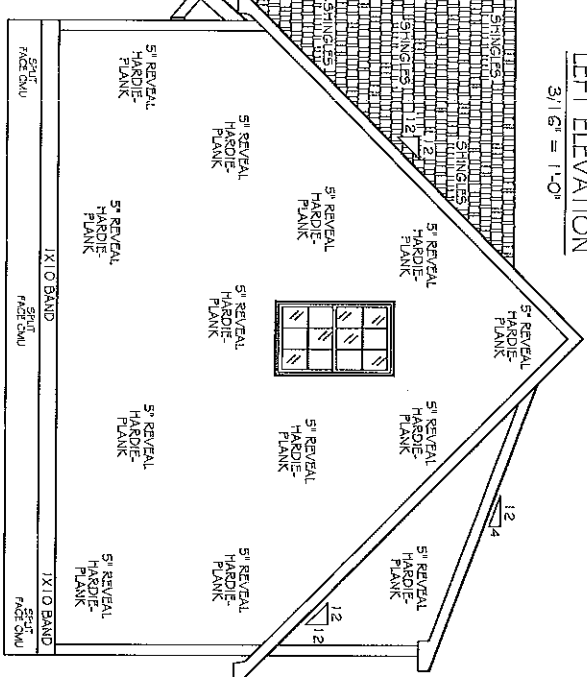
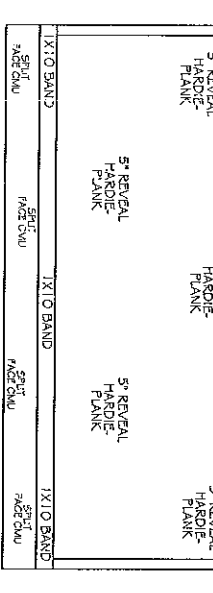
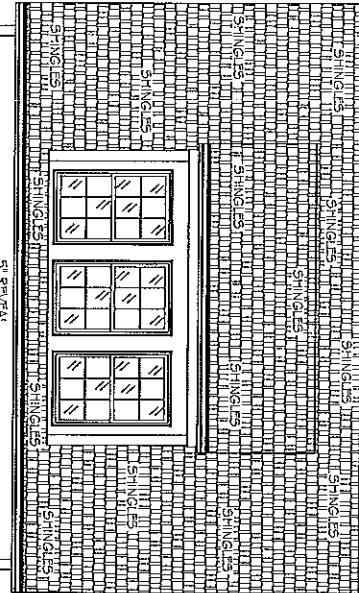


- NOTES:
1. BEARINGS SHOWN HEREON ARE REFERENCED TO TENNESSEE GRID NORTH.
  2. ALL DISTANCES ARE BASED ON A FIELD RUN SURVEY, USING EDM EQUIPMENT AND HAD BEEN ADJUSTED FOR TEMPERATURE.
  3. PROPERTY CURRENTLY ZONED: RB (URBAN ZONE OVERLAY).
  4. SUBJECT PROPERTY IS PARCEL 149.00 OF TAX MAP 117040 AND HAS A STREET ADDRESS OF 2709 BRIGHTWOOD AVE., NASHVILLE, TN, 37212. COUNTY TAX MAP NO. 11704.
  5. STORMWATER CALCULATION BASED ON METRO STORMWATER REQUIREMENTS FOR IMPERVIOUS AREAS AND WERE TAKEN FROM PRECONSTRUCTION AND PROPOSED BUILDINGS PLANS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE APPROVAL, DESIGN, INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.

\* SHOW 2715 & 2711 S' BEAM SET BACK \*

MAKE NOTE "REQUESTING 5' VARIANCE ON 2709





2709 Brightwood,  
Nashville, TN

It is the intent of these documents to provide sufficient information to the experienced builder to construct the project shown; it is therefore his / her responsibility to verify accuracy and compliance with all regulatory agencies prior to construction; and their requirements must take precedence over those shown.

DRAWN BY:  
J.W.

PLAN NUMBER:  
2709 Brightwood

DATE: 9/27/18

**ProMark**  
Home Designs LLC

P.O. Box 150144 Nashville, TN 37215

*Proudly working with:*

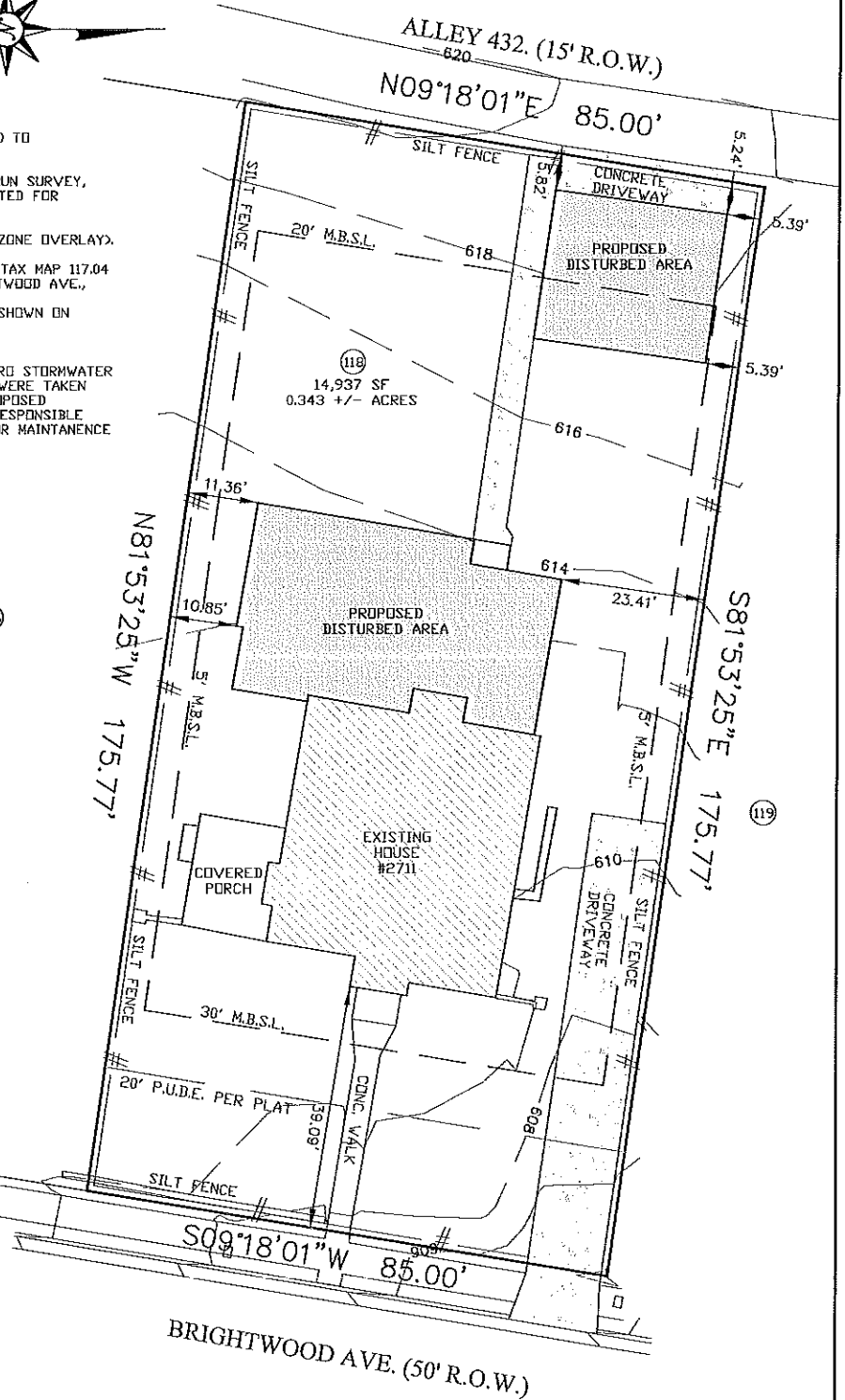
Stone Oak Builders



**NOTES:**

1. BEARINGS SHOWN HEREON ARE REFERENCED TO TENNESSEE GRID NORTH.
2. ALL DISTANCES ARE BASED ON A FIELD RUN SURVEY, USING EDM EQUIPMENT AND HAD BEEN ADJUSTED FOR TEMPERATURE.
3. PROPERTY CURRENTLY ZONED R8 (URBAN ZONE OVERLAY).
4. SUBJECT PROPERTY IS PARCEL 148.00 OF TAX MAP 117.04 AND HAS A STREET ADDRESS OF 2711 BRIGHTWOOD AVE., NASHVILLE, TN. 37212. PARCEL NUMBERS SHOWN AS (00.00) ARE AS SHOWN ON DAVIDSON COUNTY TAX MAP NO. 117.04.
5. STORMWATER CALCULATION BASED ON METRO STORMWATER REQUIREMENTS FOR IMPERVIOUS AREAS AND WERE TAKEN FROM PRECONSTRUCTION CONDITIONS AND PROPOSED BUILDINGS PLANS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE APPROVAL, DESIGN INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.

WILDWOOD AVE. (50' R.O.W.)



I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS AT LEAST 1/10,000 AS SHOWN HEREON AND WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



**PRE IMPERVIOUS AREAS:**

HOUSE =	1645.4 SF
PORCH =	252.0 SF
GRAVEL =	1282.0 SF
PATIO =	565.4 SF
SIDEWALK =	184.0 SF
<b>TOTAL =</b>	<b>3928.8 SF</b>

**PROPOSED IMPERVIOUS AREAS:**

HOUSE ADDITION =	13700 SF
GARAGE =	672 SF
DRIVE / WALK =	1505.9 SF
<b>TOTAL =</b>	<b>3,547.8 SF</b>

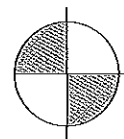
PROPOSED SITE PLAN  
 LOT 118  
 FINAL PLAT LOTS 116 & 118  
 MAP OF BELMONT TERRACE  
 PLAT INST. 20160719-0074024 R.O.D.C., TN  
 TAX PARCEL: 117.04 0148.00

FOR:  
 STONEDAK BUILDERS, LLC.

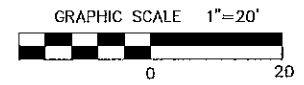
PROPERTY ADDRESS:  
 2711 BRIGHTWOOD AVE.  
 NASHVILLE, TN. 37212  
 DAVIDSON COUNTY, TENNESSEE

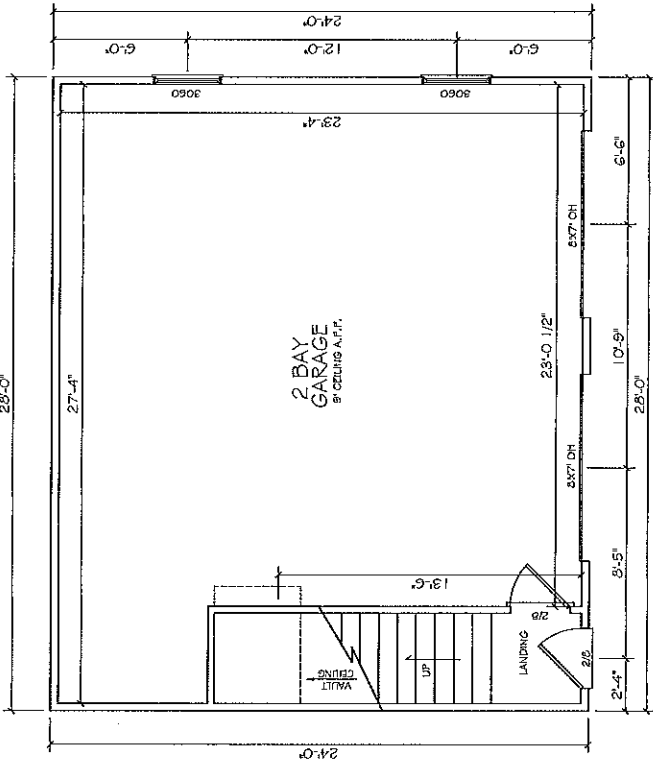
DATE AUGUST 01, 2016

CURRENT OWNER: (LOT 118)  
 JGGLAC, GP  
 DEED INST. NO. 20160503-0043178, R.O.D.C., TN.



**HOMELAND SURVEYING**  
 PROFESSIONAL LAND SURVEYING  
 (615) 268-9658  
 Jake@HomelandTN.com  
 www.HomelandTN.com

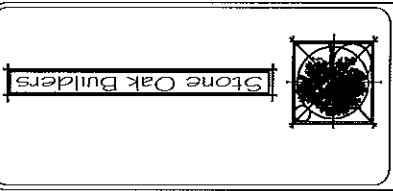
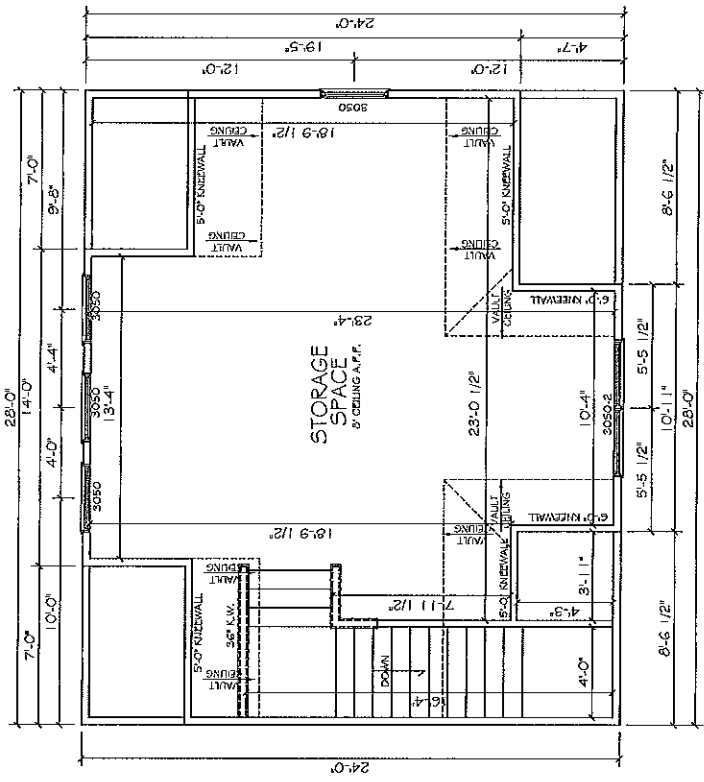




HCP 2016042031 & HCP 2016042307  
**CALL 863-7970 FOR QUESTIONS AND TO SCHEDULE INSPECTIONS**

- Please refer to notes on page 1.
- Staff must approve the construction progress at the three following points:
  - After the building footprint has been field staked
  - After the foundation has been constructed
  - After the rough framing has been completed
- The windows and doors following must be submitted for final approval before purchase.

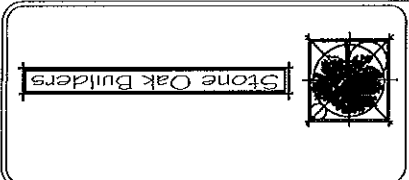
**FOR REVIEW ONLY:  
Not for Construction**



**ProMark Home Designs LLC**  
P.O. Box 169144 Nashville, TN 37216  
*ProMark proudly working with...*

2711 Brightwood, Nashville, TN  
It is the intent of these documents to provide sufficient information to the regulatory agencies and compliance with all their requirements must take precedence over those shown.  
The applicant shall be responsible for verifying the accuracy of the information shown on these drawings and for obtaining all necessary permits and approvals from the appropriate regulatory agencies prior to construction and for ensuring that the project complies with all applicable codes and regulations.

DRAWN BY: J.W.  
PLAN NUMBER: Brightwood  
DATE: 6/27/16



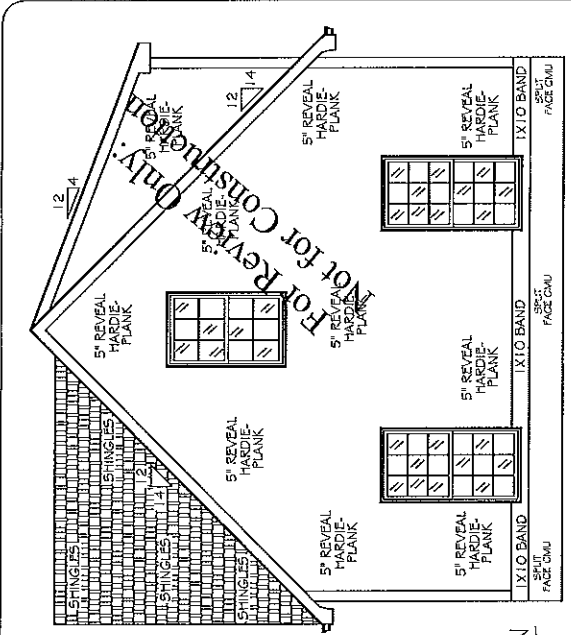
**ProMark**  
Home Designs LLC  
P.O. Box 159144 Nashville, TN 37215  
*Providing working drafts*

2711 Brightwood,  
Nashville, TN

DRAWN BY:  
J.W.

PLAN NUMBER:  
Brightwood

DATE: 6/27/16

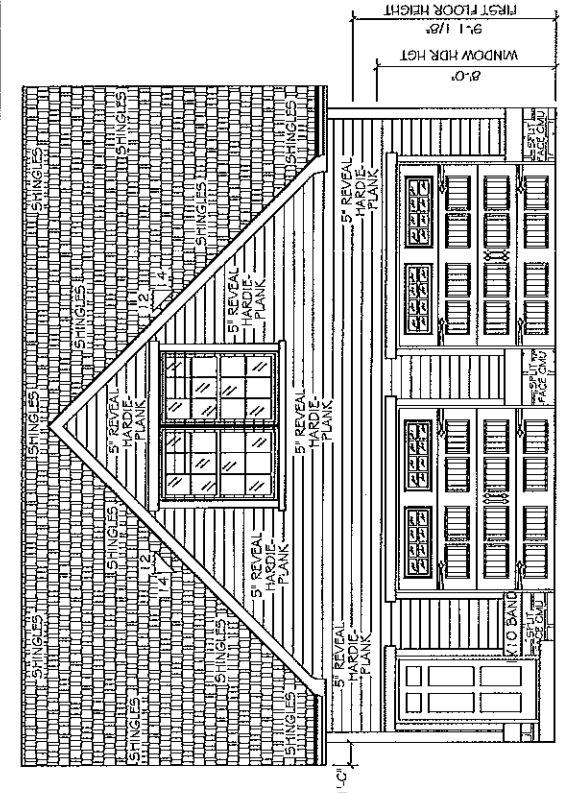


**FOR REVIEW ONLY: Not for Construction**

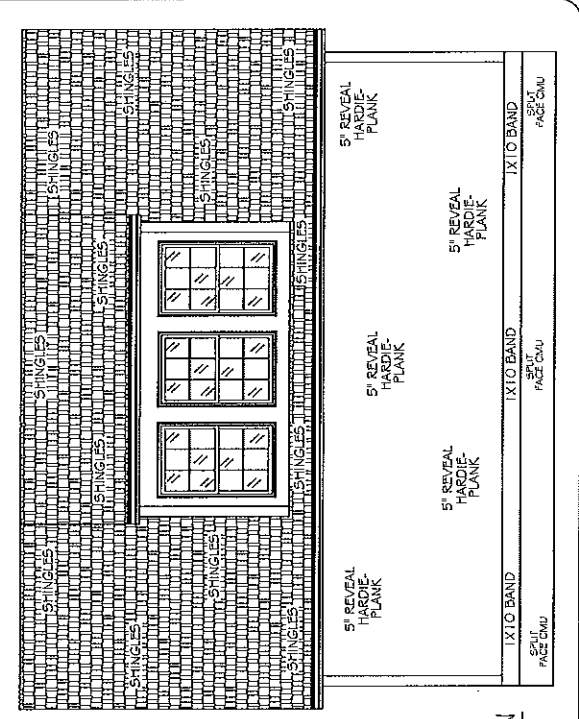
INSPECTIONS  
CALL 862-7970 FOR QUESTIONS AND TO SCHEDULE  
HCP 2016/42031 & HCP 2016/42307

- Please refer to notes on page 1.
- Staff must approve the construction progress at the three following points:
  - After the building footprint has been field staked
  - After the foundation has been constructed
  - After the rough framing has been completed
- The windows and doors following must be submitted for final approval before purchase.

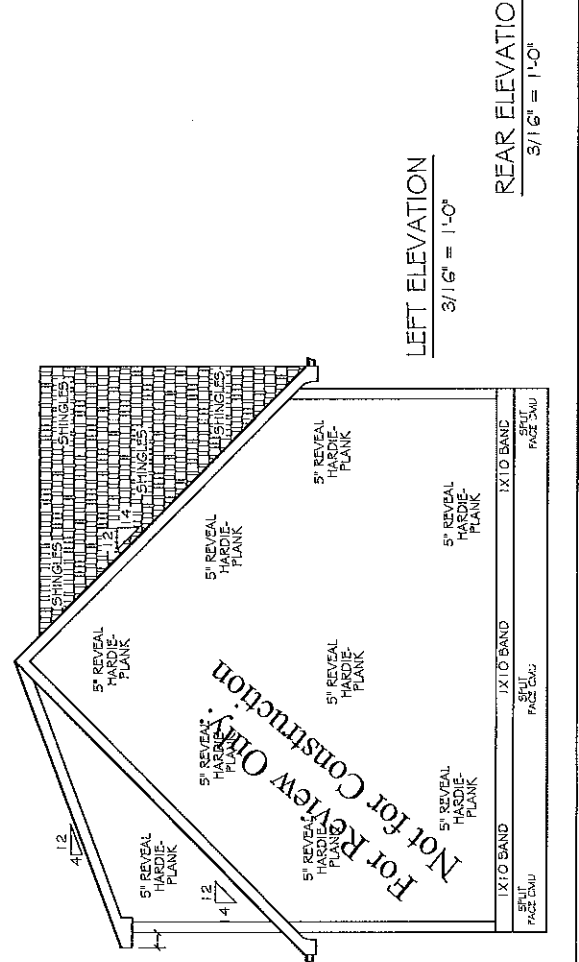
**RIGHT ELEVATION**  
3/16" = 1'-0"



**LEFT ELEVATION**  
3/16" = 1'-0"

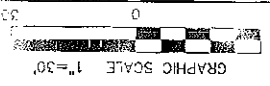


**REAR ELEVATION**  
3/16" = 1'-0"



**FRONT ELEVATION**  
3/16" = 1'-0"

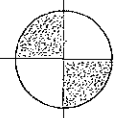
1'-0" 8' 1'-0" 8'-1 1/8" WINDOW HDR HGT 8'-0" FIRST FLOOR HEIGHT



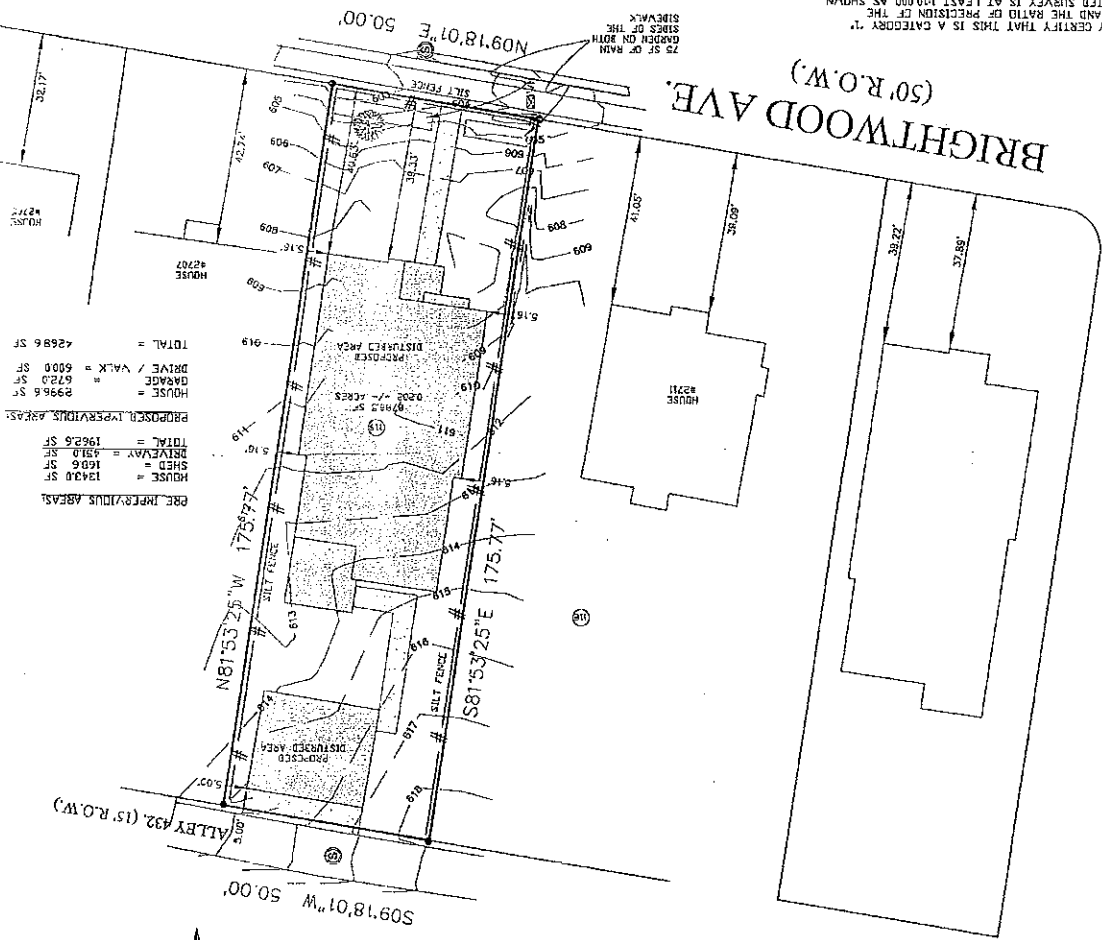
DATE OCTOBER 02, 2018  
DAVISON COUNTY, TENNESSEE  
2709 BRIGHTWOOD AVE  
NASHVILLE, TN 37212  
PROPERTY ADDRESS

FOR  
STONEOAK BUILDERS, LLC  
PROPOSED SITE PLAN  
LOT 119  
FINAL PLAT LOTS 119  
MAP OF BELMONT TERRACE  
PLAT BK. 421, PG. 101 R.O.D.C., TN  
TAX PARCEL: 117.040 149.00

HOMELAND SURVEYING & MAPPING, LLC  
PROFESSIONAL LAND SURVEYING  
(615) 268-9658  
joke@homelandtn.com  
www.homelandtn.com



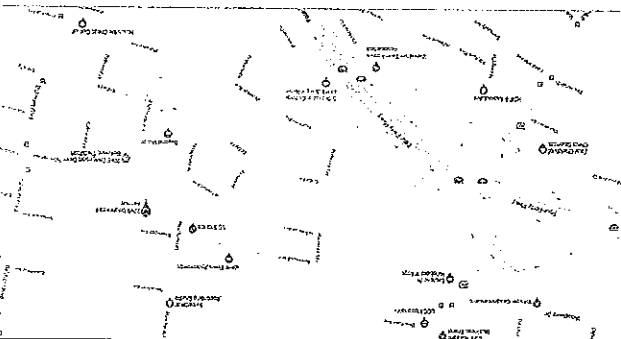
I HEREBY CERTIFY THAT THIS IS A CATEGORY "1" SURVEY AND THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS AT LEAST 1:10,000 AS SHOWN HEREON AND WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.



HOUSE =	12420 SF
DRIVEWAY =	4310 SF
TOTAL =	19625 SF
PROPOSED IMPROVEMENT AREAS:	
HOUSE =	29966 SF
DAMAGE =	6720 SF
DRIVE / WALK =	6000 SF
TOTAL =	42686 SF



CURRENT OWNER: GUY 119  
EPSTEIN, DAVID, K.  
DEED BK. 11754, PG. 469, R.O.D.C., TN.



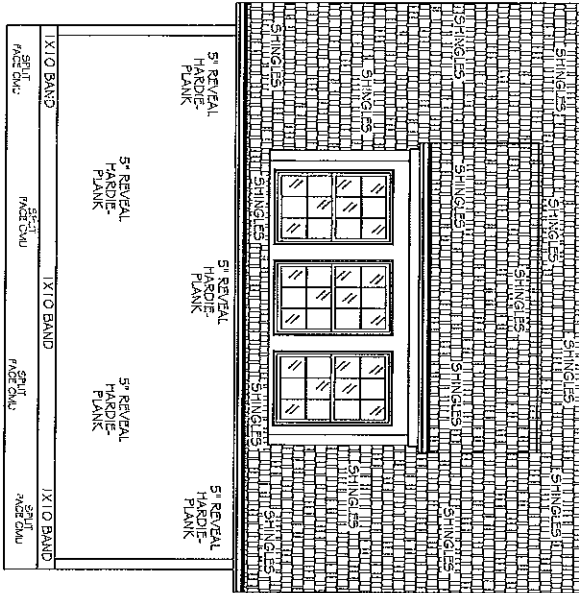
- NOTES
1. BEARINGS SHOWN HEREON ARE REFERENCED TO TENNESSEE GRID NORTH.
  2. ALL DISTANCES ARE BASED ON A FIELD RUN SURVEY, USING EDM EQUIPMENT AND HAD BEEN ADJUSTED FOR TEMPERATURE.
  3. PROPERTY CURRENTLY ZONED R8 (URBAN ZONE OVERLAY).
  4. SUBJECT PROPERTY IS PARCEL 14900 OF TAX MAP 117.040 AND HAS A STREET ADDRESS OF 2709 BRIGHTWOOD AVE, NASHVILLE, TN 37212. PARCEL NUMBERS SHOWN AS (0000) ARE AS SHOWN ON DAVISON COUNTY TAX MAP NO. 117.04.
  5. STORMWATER CALCULATION BASED ON METRO STORMWATER REQUIREMENTS FOR IMPROVED AREAS AND WERE TAKEN FROM PRECONSTRUCTION CONDITIONS AND PROPOSED BUILDING PLANS. THE SURVEYOR IS NOT RESPONSIBLE FOR THE APPROVAL, DESIGN, INSTALLATION OR MAINTENANCE OF THESE STORMWATER FACILITIES.

\* SHOW 2715 + 2711 S' ZONE SET BACK \*

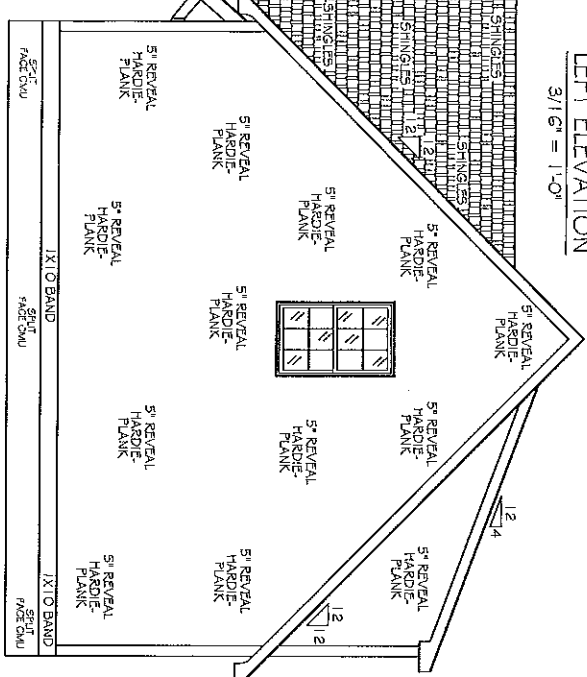
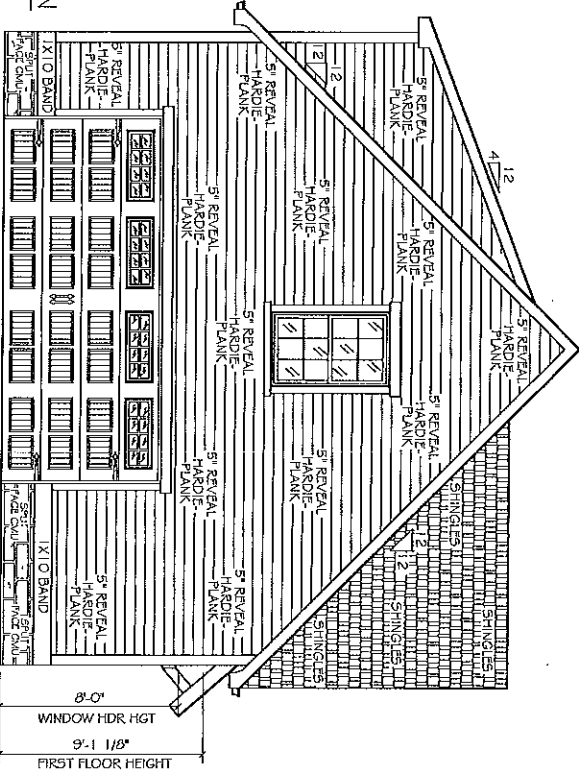
MAKE NOTE "REQUESTING 5' VARIANCE ON 2709"







FRONT ELEVATION  
3/16" = 1'-0"



REAR ELEVATION  
3/16" = 1'-0"

2709 Brightwood,  
Nashville, TN

It is the intent of these documents to provide sufficient information to the experienced builder to construct the project shown; it is therefore his / her responsibility to verify accuracy and compliance with all regulatory agencies prior to construction; and their requirements must take precedence over those shown.

DRAWN BY:  
J.W.

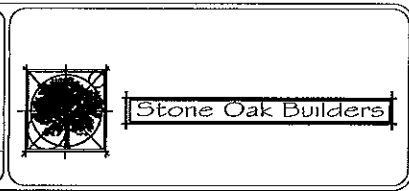
PLAN NUMBER:  
2709 BRIGHTWOOD

DATE: 9/27/18

**ProMark**  
Home Designs LLC

P.O. Box 169144 Nashville, TN 37216

*Proudly working with:*



Date: Jan 6, 2019

Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

Danielle Thierel

Address: 1722 Rosewood Ave. 37212

2019-018

Date: 1/7/19

Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

Kevin + Wendy Morris

Address: 2802 Hawthorne Place  
NASHVILLE

2019-018

Date: 1/6/19

Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

Mark H. A.

Address: 2700 Hawthorne Pl. 37212

Date: 1-5-19

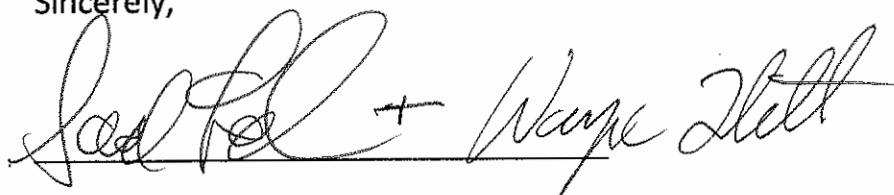
Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

Handwritten signature of Jack R. + Wayne Stett

Address: 1718 Rosewood Avenue

Date: January 9, 2019

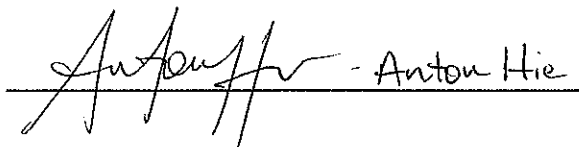
Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

 - Anton Hie

Address: 2706 Hawthorne Pl., 37212

Date:

1/9/19

Metropolitan Government of Nashville & Davidson County  
Board of Zoning Appeals  
PO Box 196300  
Nashville, TN 37219-6300

Dear Board of Zoning Appeals:

I am writing to you in reference to permit #20180074035 related to appeal case 2019-018 regarding the 2709 Brightwood Avenue residence being built by Stone Oak Builders, LLC. Stone Oak Builders has requested a variance from setback requirements to construct a detached garage, which I do not agree with allowing. Our residential area has limited permeable surfaces and the setback allowances are critical to maintaining and recharging the water table. Stone Oak Builders is aggressively building large properties in our area and should be required to adhere to standards in place.

Thank you for your work on the Zoning Appeals board and for taking this request into consideration when you vote.

Sincerely,

Jay Pleas + [Signature]

Address: 2704 Hawthorne Place Nashville, TN 37212



## Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Shelbye Heflin Date: 11-29-18  
 Property Owner: L&S Family Entertainment Case #: 2019-022  
 Representative: Shelbye Heflin Map & Parcel: 161-8-24

Council District 27

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

## Purpose:

Requesting variance from distance requirements to allow replacement of portion of existing sign with new electronic message board

Activity Type: Commercial Sign

Location: 5315 Nolensville Rd.

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

Reason: Does not meet distance requirement from residential zone.

Section(s): 17.32.050 (G) 2 (a)(b)

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.

Joslin and Son Signs  
Appellant Name (Please Print)

Shelbye Heflin  
Representative Name (Please Print)

630 Murfreesboro Pk.  
Address

630 Murfreesboro Pk.  
Address

Nashville, TN 37210  
City, State, Zip Code

Nashville, TN 37210  
City, State, Zip Code

615-255-3463  
Phone Number

615-255-3463  
Phone Number

shelbye@joslinsign.com  
Email

shelbye@joslinsign.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



3582525

**ZONING BOARD APPEAL / CAAZ - 20180074747**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 16108002400

APPLICATION DATE: 11/29/2018

## SITE ADDRESS:

5315 NOLENSVILLE PIKE NASHVILLE, TN 37211  
P/O PAR B KINGSWOOD PARK

PARCEL OWNER: L &amp; S FAMILY ENTERTAINMENT, LLC

CONTRACTOR:

## APPLICANT:

## PURPOSE:

requesting variance from distance requirements to allow replacement of portion of existing sign with new electronic message board.

*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 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.

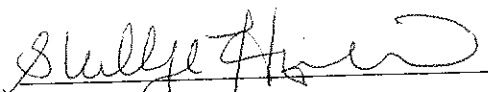
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**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.

  
**APPELLANT**

11/29/18  
**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.

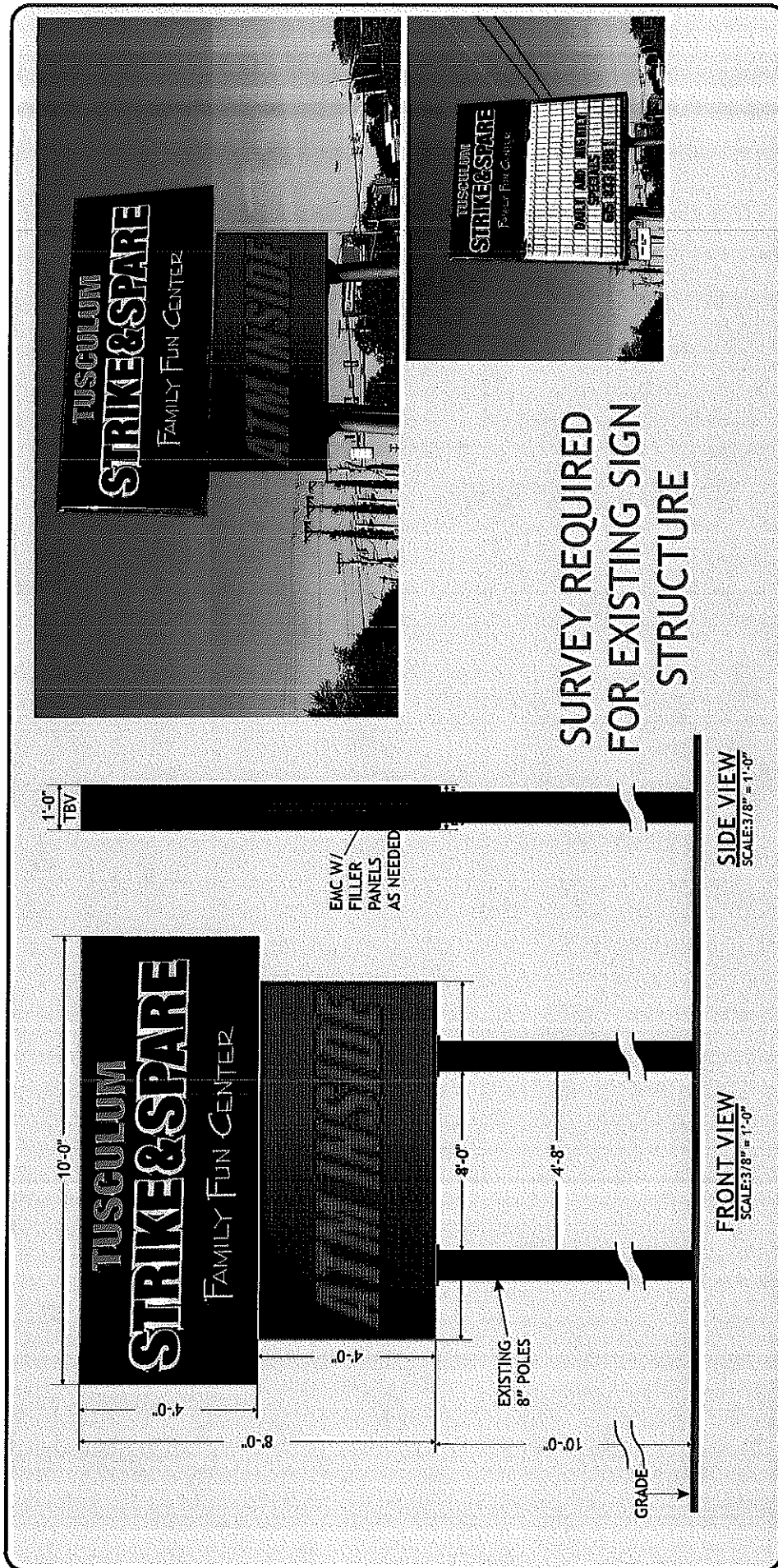
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

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.

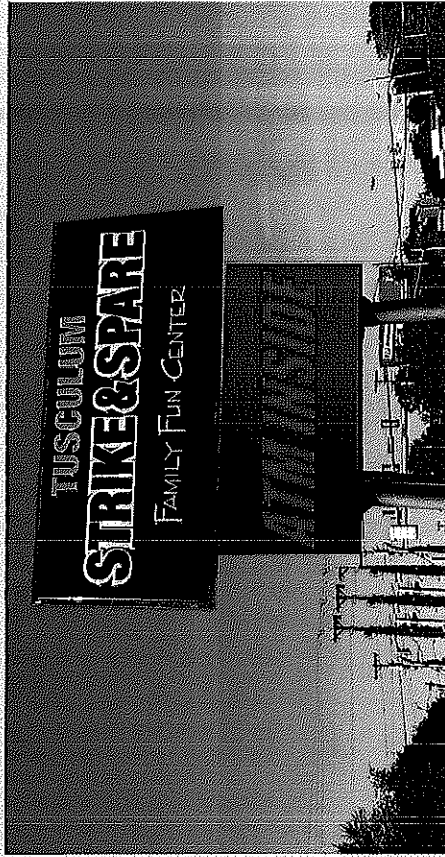
**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

This sign is currently dilapidated and needs to be updated. Due to the fact that it's a pre-existing sign, it can't be updated without violating the sign code.

\$30,000



**SURVEY REQUIRED FOR EXISTING SIGN STRUCTURE**



**TUSCULUM STRIKE AND SPARE**

LOCATION: 5315 NOLENSVILLE PIKE  
NASHVILLE, TN 37211

JOB CONTACT: PROJECT MGR HOUSE

DRAWING NO: 181049-H10

**SPECIFICATIONS & FINISHES:**

1. REMOVE EXISTING SIGN CABINET AND REINSTALL TOP CABINET W/ TWO COLOR EMC SCREENS AND FILLER PANELS AS ILLUSTRATED AND SPECIFIED.

TBV

\*Design & Drawing Are Property Of Joslin Sign. Use Without Consent. Is Subject To Invoicing And/or Litigation.

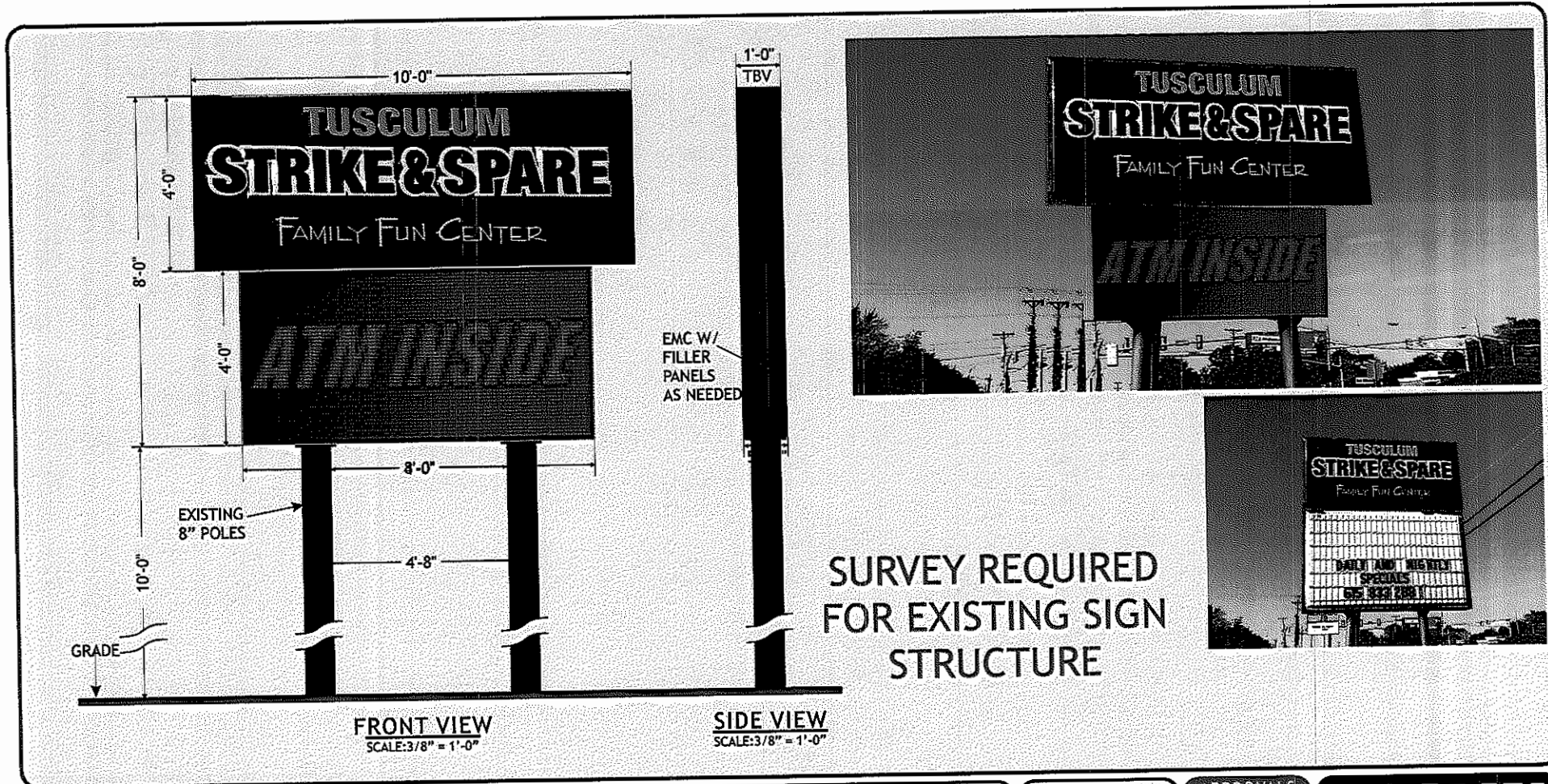
DESIGNED BY: M. CLINE  
DATE: 10-16-19  
WORK ORDER NO.: XXXXXX  
PAGE 1 OF 1

APPROVALS FOR PERMITS/INSTALLING:  
ENGINEERING:  
INSTALLATION:  
PROJECT MANAGER:

**JOSLIN AND SON SIGNS**

630 Murfreesboro Rd. Nashville, TN 37210  
615.255.2463 • 1.800.546.9557

\$30,000



**TUSCULUM STRIKE AND SPARE**  
 LOCATION: 5315 NOLENSVILLE PIKE  
 NASHVILLE, TN 37211  
 JOB CONTACT: PROJECT MGR: HOUSE  
 DRAWING NO: 181049-H10

**SPECIFICATIONS & FINISHES:**  
 1. REMOVE EXISTING SIGN CABINET AND REINSTALL TOP CABINET W/ TWO COLOR EMC SCREENS AND FILLER PANELS AS ILLUSTRATED AND SPECIFIED.  
 TBV

DESIGNED BY: M. CLINE  
 DATE: 10-16-18  
 WORK ORDER NO.: XXXXXX  
 PAGE 1 OF 1

**APPROVALS**  
 FOR MANUFACTURING  
 ENGINEERING:  
 INSTALLATION:  
 PROJECT MANAGER:

**JOSLIN AND SON SIGNS**  
 630 Murfreesboro Rd. Nashville, TN 37210  
 615.255.3463 1.800.545.9557

\*Design & Drawing Are Property Of Joslin Sign. Use Without Consent Is Subject To Invoicing And/or Litigation.





## METROPOLITAN COUNCIL

Member of Council

### Davette Blalock

Councilwoman, District 27

769 Huntington Parkway, Nashville, TN 37211

615-831-5525 email: [Davette.blalock@nashville.gov](mailto:Davette.blalock@nashville.gov)

January 14, 2019

Chair David Ewing and Members  
Metropolitan Board of Zoning Appeals  
Metro Office Building  
800 Second Avenue South  
Nashville, TN 37219-6300

**Appeal Case Number: 2019-022**  
**5315 Nolensville Road**

Dear Chair Ewing and Members:

I am writing to express my support for the above-referenced appeal case at 5315 Nolensville Pike. The request is for a variance for an electronic message board in the CS District to replace a portion of the existing sign with a new electronic message board.

I have not received any opposition from neighbors on this matter. I ask that you approve this variance. Thank you for your service to Metro and our city.

Sincerely,

Davette Blalock  
Councilwoman, District 27

DB/dc

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Civil Site Design Group Date: 12/3/18

Property Owner: GRACE Community Church of Nashville Case #: 2019-026

Representative: KEVIN F. GANGAWARE Map & Parcel: MAP 159 Parcel 45  
10 159 00004500

Council District 34 ANGIE HENDERSON

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

Purpose:

Remove existing sidewalks along property frontage of Old Hickory Blvd. and Granny White Pike and replace with 6' grass strip and 8' sidewalk. Reconstruction on Granny White Pike would require removal of mature trees, relocation of natural gas pressure relief valve and installation of retaining wall.

Activity Type: \_\_\_\_\_

Location: 5711 GRANNY WHITE PIKE, Brentwood TN

This property is in the R40 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 - C.2

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.

Civil Site Design Group  
Appellant Name (Please Print)

KEVIN GANGAWARE  
Representative Name (Please Print)

2305 Kline Ave Suite 300  
Address

SAME  
Address

Nashville TN 37211  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-248-9999  
Phone Number

615-305-3972  
Phone Number

KevinG@civil-site.com  
Email

KEVING@civil-site.com  
Email

Appeal Fee: \$ 200 ==



## 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 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.

  
 \_\_\_\_\_  
**APPELLANT**

12/2/12  
 \_\_\_\_\_  
**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?**

The Removal of the existing sidewalk along the Granny White PK. Frontage and Replacement with a 6-ft. Grass Strip and a 8-ft. sidewalk will require the removal of approximately nine mature trees as well as the relocation of an existing natural gas pressure valve. This reconstruction may likely require the construction of a retaining wall to salvage the existing parking lot. In addition, the Davidson County line is located approximately 260-ft south of the Old Hickory Blvd. intersection. Therefore this reconstruction would be limited to a distance of 260'.

The existing sidewalk on Old Hickory Blvd. is already approximately 12' wide. To reconstruct this sidewalk would effectively reduce the width of the sidewalk.



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



3583293

**ZONING BOARD APPEAL / CAAZ - 20180075290  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 15900004500**APPLICATION DATE:** 12/03/2018**SITE ADDRESS:**

5711 GRANNY WHITE PIKE BRENTWOOD, TN 37027  
S. W. CORNER GRANNY WHITE PIKE & OLD HICKORY BOULEVARD

**PARCEL OWNER:** GRACE COMMUNITY CHURCH OF NASHV      **CONTRACTOR:****APPLICANT:****PURPOSE:**

Appeal of Sidewalk Requirement due to addition to existing church. Requesting to keep existing sidewalks in lieu if replacing with new sidewalks.

No construction permit started at this point.

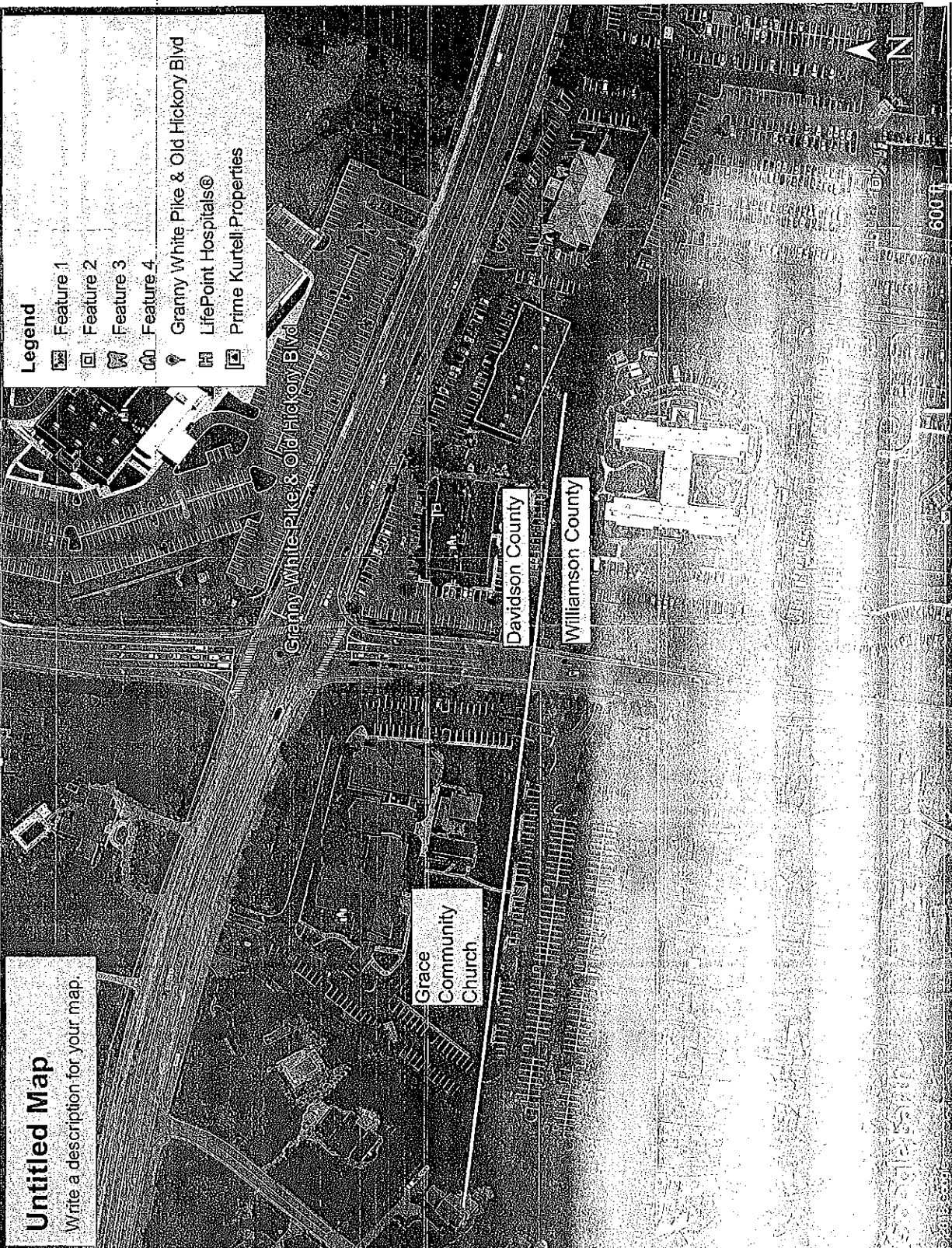
*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

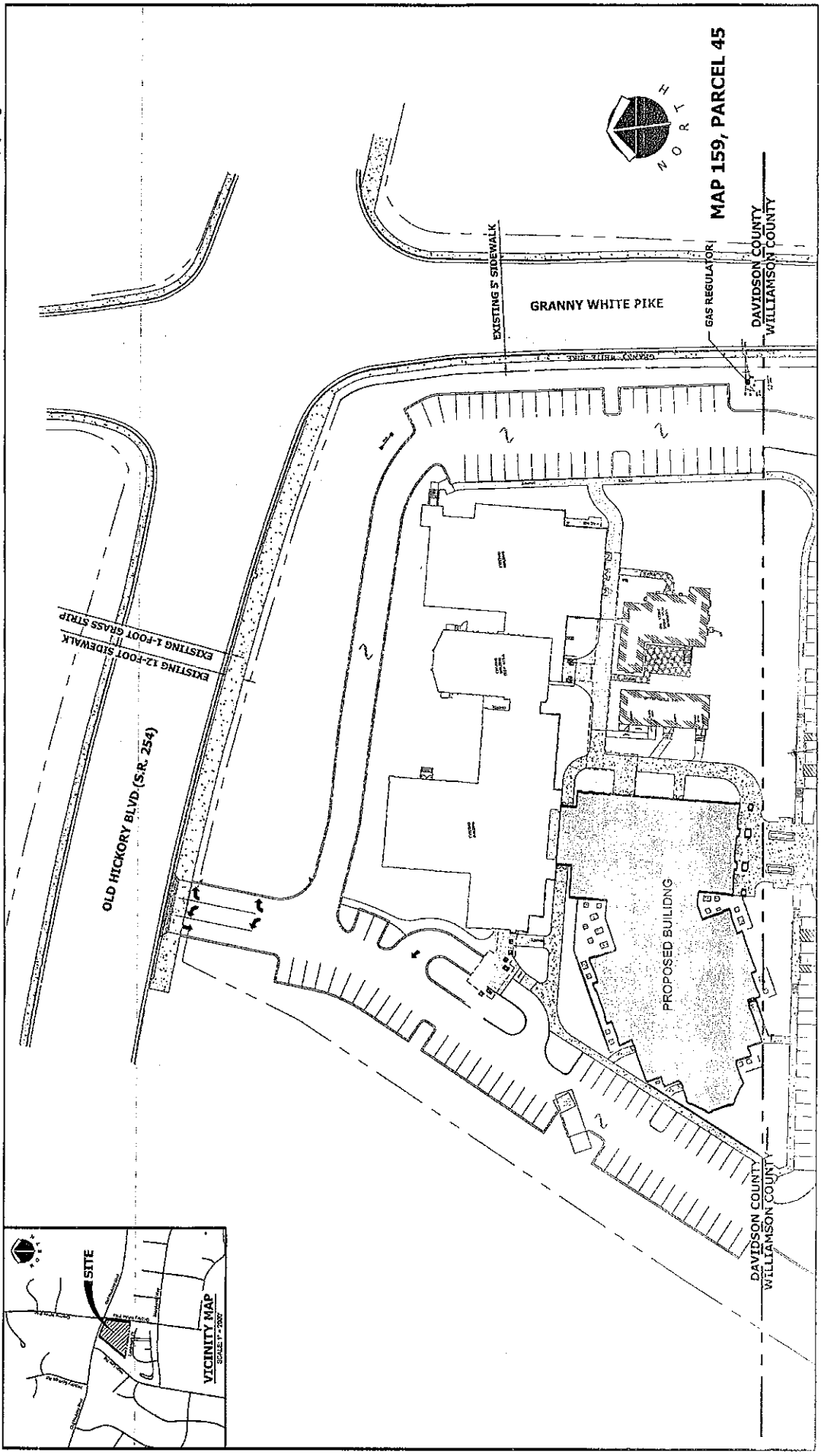
Inspection requirements may change due to changes during construction.

2018-026



**Untitled Map**  
 Write a description for your map.

2018-026



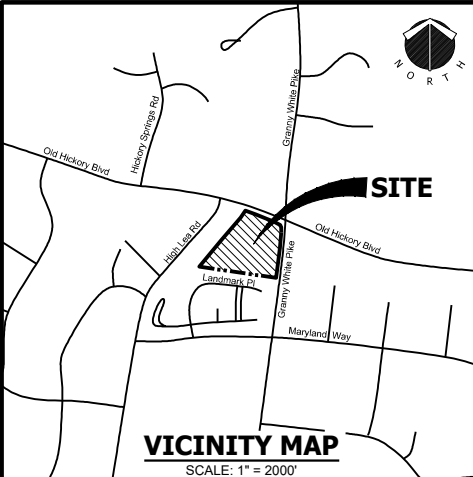
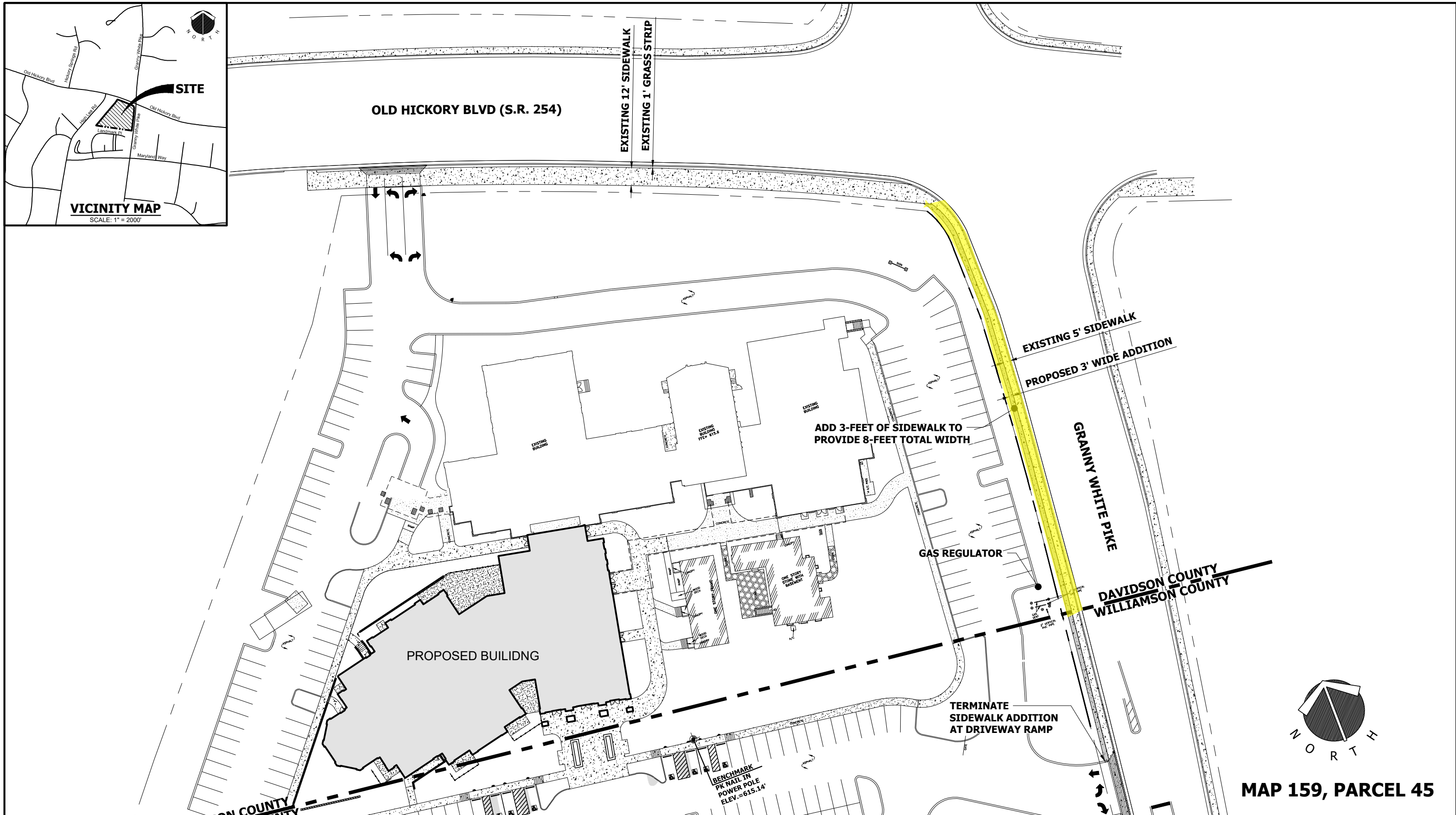
DATE: NOV 30, 2018  
JOB NO.: 08-012-04

### BZA VARIANCE REQUEST

## GRACE COMMUNITY CHURCH

5711 Granny White Pike  
Brentwood, Davidson County, Tennessee 37027

**CIVIL·SITE**  
**DESIGN GROUP**  
 ENGINEERS · PLANNERS · LANDSCAPE ARCHITECTS  
 2305 Millwood Avenue, Suite 200 - Nashville, Tennessee 37211  
 615.241.0999 www.Civil-Site.com



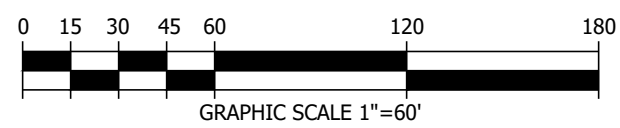
**MAP 159, PARCEL 45**

**BZA VARIANCE REQUEST**

**GRACE COMMUNITY CHURCH**

5711 Granny White Pike  
Brentwood, Davidson County, Tennessee 37027

DATE: DEC. 19, 2018  
JOB NO.: 04-012-04





**From:** Kevin Gangaware <Keving@civil-site.com>  
**Sent:** Wednesday, December 19, 2018 11:35 AM  
**To:** Gonzalez, Elwyn (Planning); Lamb, Emily (Codes)  
**Cc:** Lifsey, Debbie (Codes); Atchison, David (David.Atchison@colliers.com)  
**Subject:** Grace Community Church - BZA variance request  
**Attachments:** Grace Community Church BZA Variance Request (2018-12-19).pdf

Emily,

I spoke with Elwyn Gonzalez of Metro Planning this morning about our BZA variance request for Grace Community Church.

I wanted to let you know that the owner (Grace Community Church officials) and I met with Council-lady Henderson at the property on Friday, 12-07-18 to discuss our project.

During that meeting, we reviewed the church's request for a variance to the sidewalk requirement. The Council-lady shared with us her opinion on the issue.

Our take away from that meeting was that we would propose to leave the 12-ft. wide sidewalk along Old Hickory Blvd. as is, with no modifications proposed.

That matches the BZA request that we have submitted to you.

The Church is now proposing to expand the existing sidewalk along Granny White Pike from the current width of 5-ft. to a proposed width of 8-ft.

We believe that we can accomplish this expansion without sacrificing the existing trees or disturbing the existing gas pressure relief valve.

Can you add to our BZA request that we are proposing to expand the existing sidewalk along Granny White Pike to 8-ft. wide from the current 5-ft. width?

This would be for the public sidewalk abutting the Grace Community Church property in Davidson County.

I have attached an updated exhibit for clarification of our proposal.

Please let me know if you have any questions regarding this information.

Thank you for your continued help with this matter.

Respectfully,

**Kevin F. Gangaware, P.E.**

*Principal*

**CIVIL•SITE** DESIGN GROUP

2305 Kline Avenue, Suite 300

Nashville, TN 37211

615-248-9999 Office

615-305-3972 Mobile

615-251-9575 Fax

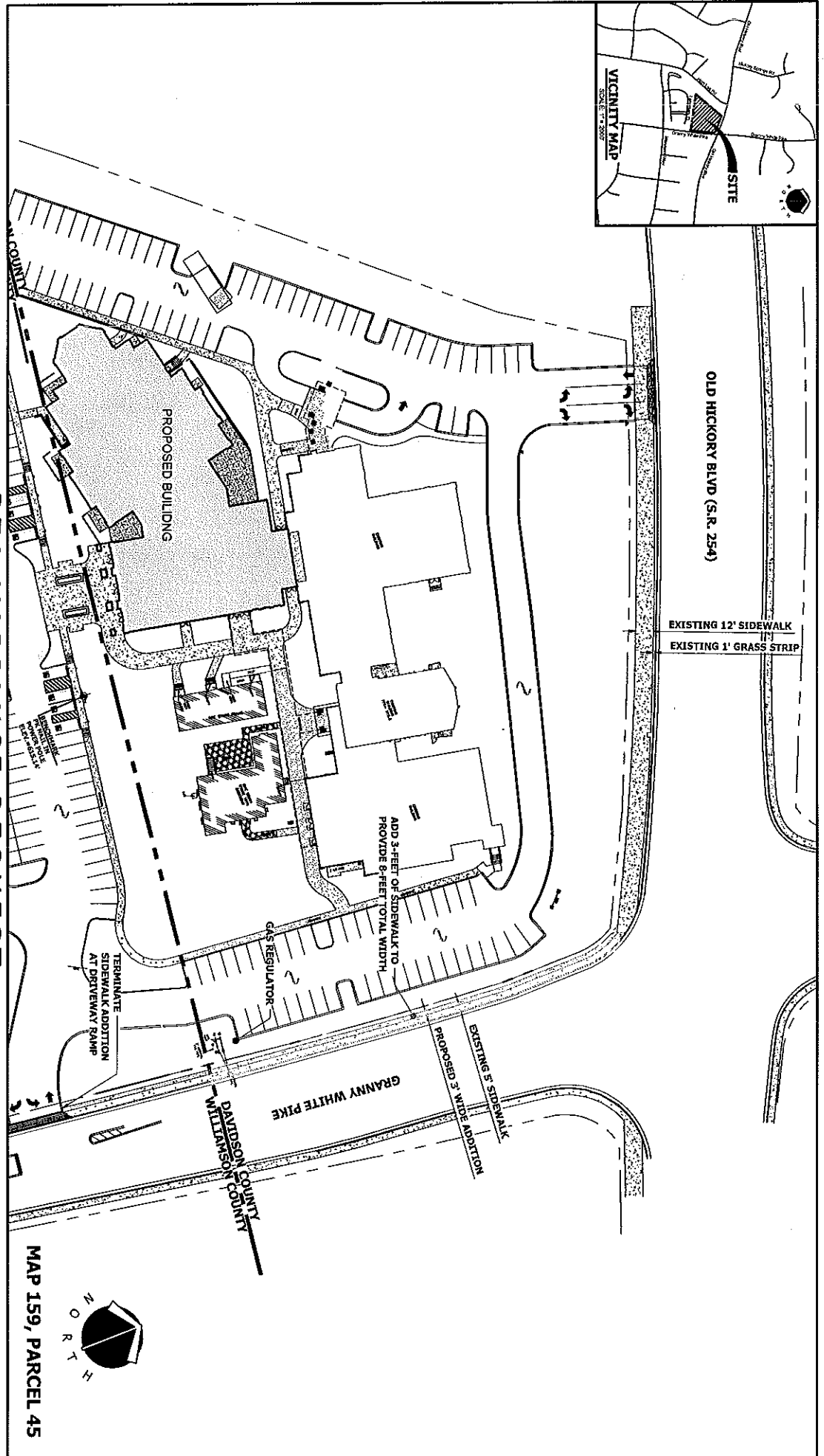
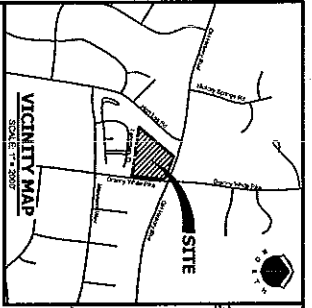
[KevinG@civil-site.com](mailto:KevinG@civil-site.com)

To send large files to me, [click here](#)

*Please consider the environment before printing this email.*



2019-0276  
updated site plan



**CIVIL SITE**

ENGINEERS-DRAWERS-LANDSCAPE ARCHITECTS  
3185 BIRD AVENUE, SUITE 200 - NASHVILLE, TENNESSEE 37211  
615.246.9999 www.Civil-Site.com

**GRACE COMMUNITY CHURCH**

5711 Granny White Pike  
Brentwood, Davidson County, Tennessee 37027

**BZA VARIANCE REQUEST**

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-026 (5711 Granny White Pike)

Metro Standard:	Granny White Pike – 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
	Old Hickory Boulevard – 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Construct alternative sidewalk design along Granny White Pike; not upgrade sidewalk along Old Hickory Boulevard
Zoning:	R40
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Granny White Pike – T3-R-AB3-LM
	Old Hickory Boulevard – T3-R-AB5-S-LM
Transit:	None existing; none planned
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

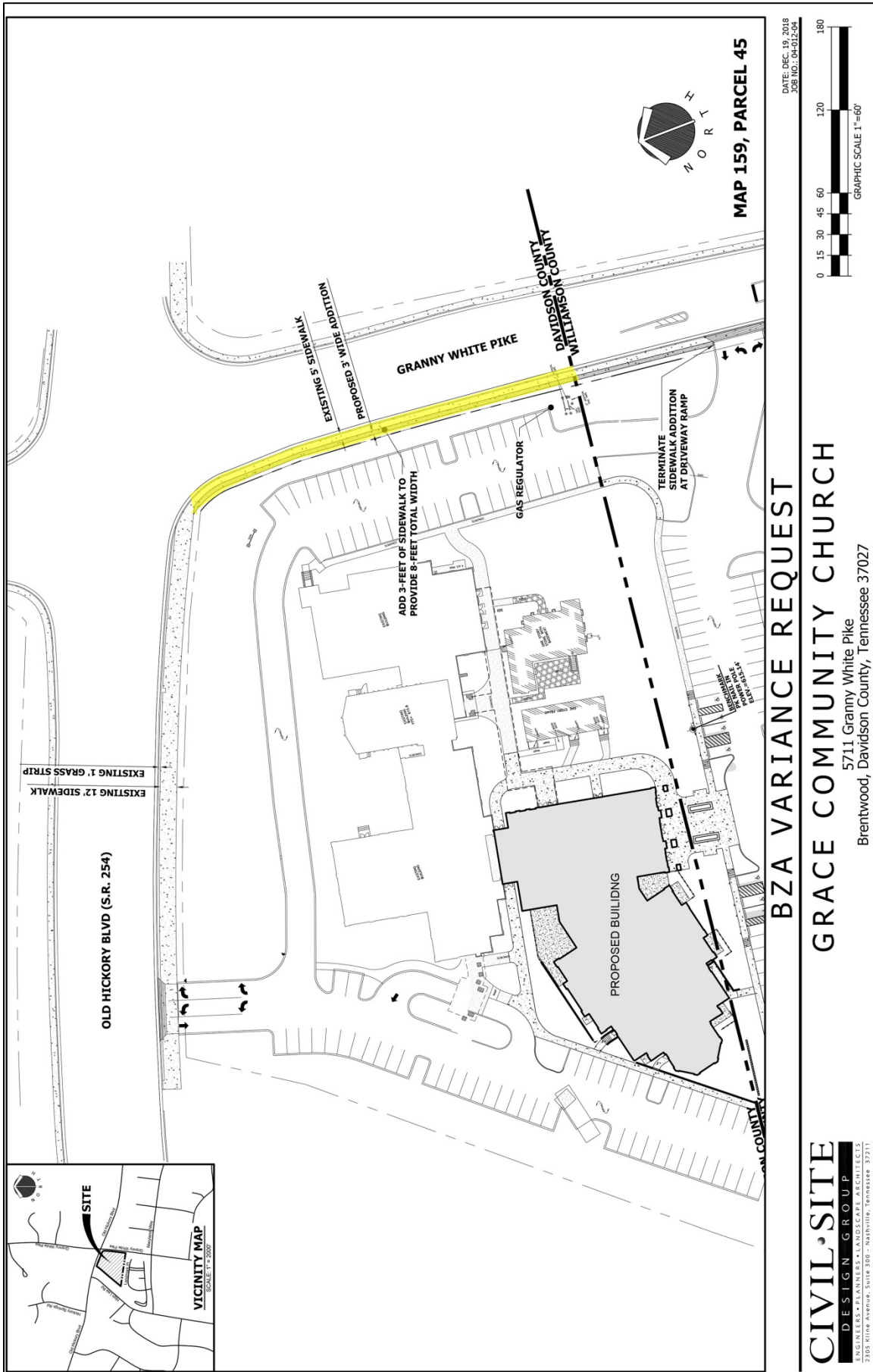
**Analysis:** The applicant proposes to construct a 30,229 square foot building addition to an existing religious institutional use and requests a variance to construct an alternate sidewalk design along the property's frontage with Granny White Pike while maintaining the existing sidewalk configuration along Old Hickory Boulevard. Planning evaluated the following factors for the variance request:

- (1) A 1' grass strip and 12' sidewalk exists along the property's Old Hickory Boulevard frontage. While the existing sidewalk does not explicitly meet the Arterial-Boulevard standard, it provides a wider space to facilitate comfortable pedestrian travel which meets the intent of the sidewalk requirements.
- (2) There is a 5' sidewalk without a grass strip along the Granny White Pike property frontage. The applicant proposes to expand the sidewalk to a total width of 8' without a grass strip. Constructing sidewalks to the Major and Collector Street Plan standard will impact existing parking located adjacent to a 17' landscape buffer.

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

1. The applicant shall expand sidewalks along the Granny White Pike property frontage per the attached site plan.

5711 Granny White Pike – Site Plan Depicting Alternative Sidewalk Design



MAP 159, PARCEL 45

DATE: DEC. 19, 2018  
JOB NO.: 04-012-04



BZA VARIANCE REQUEST

GRACE COMMUNITY CHURCH

5711 Granny White Pike  
Brentwood, Davidson County, Tennessee 37027

CIVIL·SITE

DESIGN GROUP  
ENGINEERS • PLANNERS • LANDSCAPE ARCHITECTS  
2305 Kline Avenue, Suite 200 - Nashville, Tennessee 37217  
615-428-8292 - www.civilsite.com

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Betsy Shackelford  
Property Owner: 1700 8th Ave, LLC  
Representative: Betsy Shackelford

Date: 12/3/18  
Case #: 2019-027  
Map & Parcel: 105 06 02 0000

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 INSTALL A MONUMENT SIGN FOR ENTERPRISE TREAT-A-CAR.

\* REQUIRED 15 FT SETBACK, REQUESTING 2 FT SETBACK

Activity Type: NEW SIGN PERMIT

Location: 1700 8TH AVE SOUTH

This property is in the CS/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: SETBACK VARIANCE.

Section(s): 17.32.070

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.

Betsy Shackelford  
Prc  
Appellant Name (Please Print)

same ->  
Address

City, State, Zip Code

Phone Number

Email

Premier sign Co.  
Representative Name (Please Print)

1720 Ed Temple Blvd  
Address

Nashville, TN 37208  
City, State, Zip Code

615-687-4171  
Phone Number

bshackelford@tristartransport.com  
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.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?

When we applied for permit, we were told:  
-had to have a front setback of 15' or  
reduce to max height of 2'6"

- 1) a setback of 15' is not possible due to driveway and car return.
- 2) max height of 2'6" makes visibility next to impossible.

Property is on a hill, and on a busy street. The slope of the property makes a 15' setback impossible. And the fact that cars drive down a hill on their approach, combined with several existing retaining walls and buildings make visibility next to impossible. There is an existing building next door that is even with the sidewalk, which blocks the visibility until you are <sup>almost</sup> ~~right~~ to the entrance.

## 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.

Betsy Shockleyford  
APPELLANT

11/12/18  
DATE

*July 18  
originally asked for*

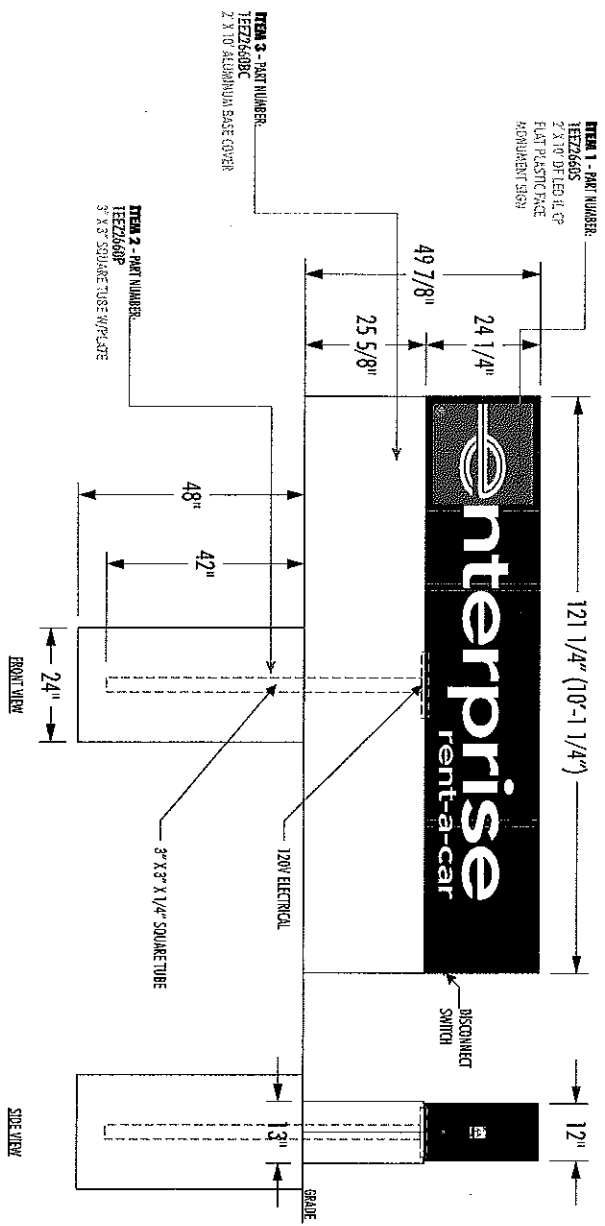


**MONUMENT IS TO BE SHIPPED SEPARATELY  
(FIELD ASSEMBLY REQUIRED)**

**LED ILLUMINATION**

**PARTS COMPONENT LIST**

ITEM	PART NUMBER	DESCRIPTION	QTY
1	1EEZ2660S	24 1/4" X 121 1/4" DF LED IL G MONUMENT SIGN	1
2	1EEZ2660P	3" X 3" X 1/4" SQUARE TUBE W/PLASTIC	1
3	1EEZ2660B	25 5/8" X 121 1/4" ALUMINUM BASE COVER	1
4			



Please Note: Whether of domestic origin or not, Sign Resource is not responsible for the availability of the materials or the ability to obtain them. Sign Resource is not responsible for the availability of the materials or the ability to obtain them. Sign Resource is not responsible for the availability of the materials or the ability to obtain them. Sign Resource is not responsible for the availability of the materials or the ability to obtain them.

**INFORMATION BAR**

**THIS IS A KIT PART ORDER**

**KIT PART NUMBER: EEZ2660-KIT**

**PAGE NUMBER: 1 OF 4**

**APPROVAL SIGNATURE:**

DATE: 06/29/18

**Sign Resource**  
IDENTITY GROUP

6132 Daring Rd., Memphis, TN 38115  
901-525-5252 • FAX: 901-525-5252

**REVISION HISTORY:**

REV	DATE	DESCRIPTION	BY	CHKD BY
1	06/29/18	ISSUE FOR PRODUCTION	SS	BS

**PARTS LIST:**

1. 120V ELECTRICAL

2. DISCONNECT SWITCH

3. 3" X 3" X 1/4" SQUARE TUBE

4. 24 1/4" X 121 1/4" MONUMENT SIGN

5. 2" X 10" ALUMINUM BASE COVER

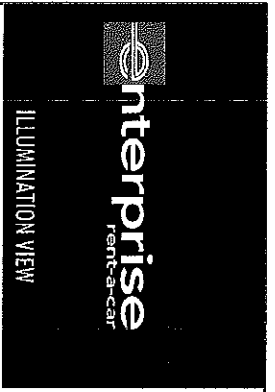
**GENERAL NOTES:**

1. INTERMEDIATE (UNLESS NOTED)
2. DIMENSIONS: +/- 1/8" - FACE SIZE +/- 1/16" +/- 1/8"
3. DIMENSIONS: +/- 1/8" - VENEER OVERLAY +/- 1/8" +/- 1/16"
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10. DIMENSIONS: +/- 1/8" - VENEER OVERLAY +/- 1/8" +/- 1/16"

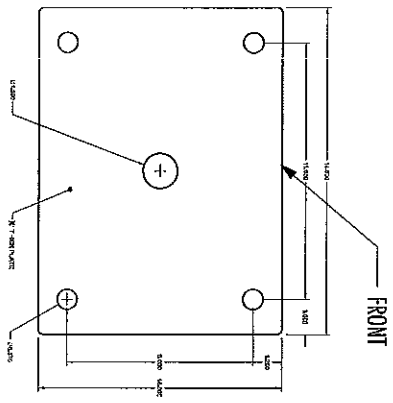
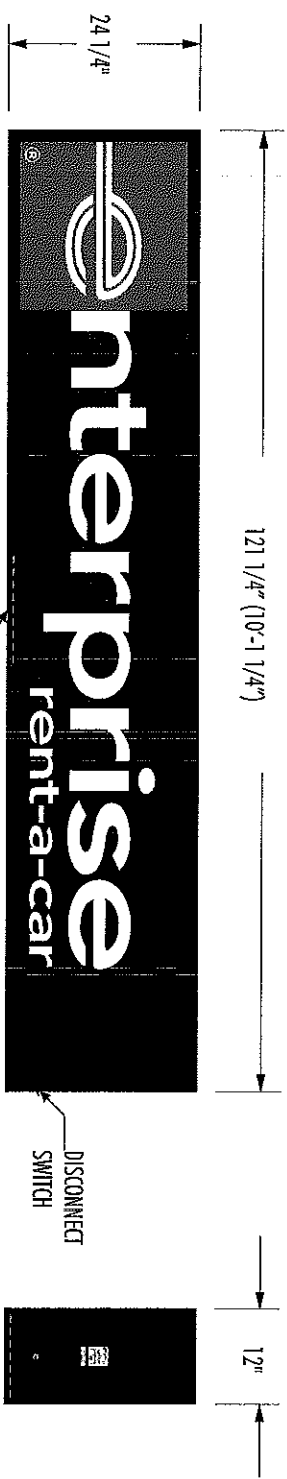
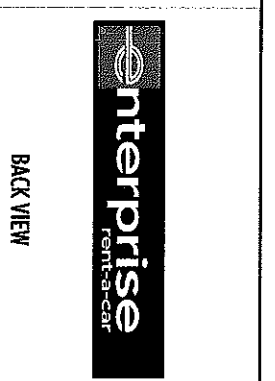
**ENTERPRISE 4' X 10' FLAT PLASTIC DF LED ILL CENTER POLE MONUMENT SIGN**

AGENT: BRIAN S. GOLDSTEIN  
CUSTOMER: ENTERPRISE HOLDINGS  
LOCATION: MASHVILLE, TN  
DATE: 06/29/18  
KIT: EEZ2660-KIT  
PAGE: 1 OF 4





# LED ILLUMINATION



INFORMATION: THIS IS A KIT PART ORDER  
 KIT PART NUMBER: EEZ2660-KIT  
 PART NUMBER: 1EEZ2660S  
 PAGE NUMBER: 2 OF 4  
 SALES ORDER

**SignResource**  
 IDENTITY GROUP  
 6735 Porter Rd. • Nashville, TN 37220  
 615.252.2525 • Fax: 615.252.5007 •  
 Website: www.signresource.com

**REVISION HISTORY:**

REV	DATE	DESCRIPTION	DESIGNED BY	CHECKED BY
A	06/29/18	SB	RS	

ENTERPRISE HOLDINGS  
 NASHVILLE, TN

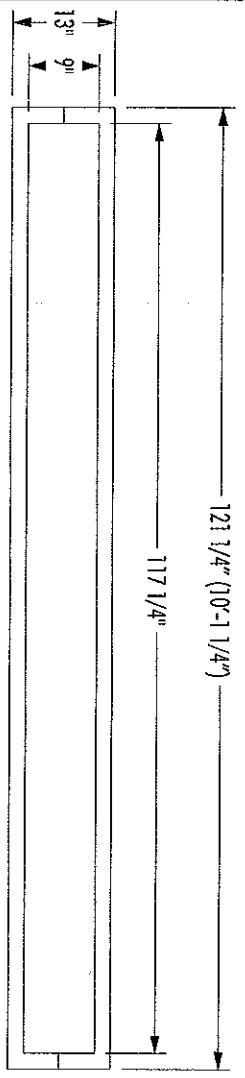
**PARTS LIST:**

ITEM	DESCRIPTION
1	ENTERPRISE SIGN BACKING
2	ENTERPRISE SIGN LETTERS
3	ENTERPRISE SIGN LOGO
4	ENTERPRISE SIGN MOUNTING
5	ENTERPRISE SIGN MOUNTING

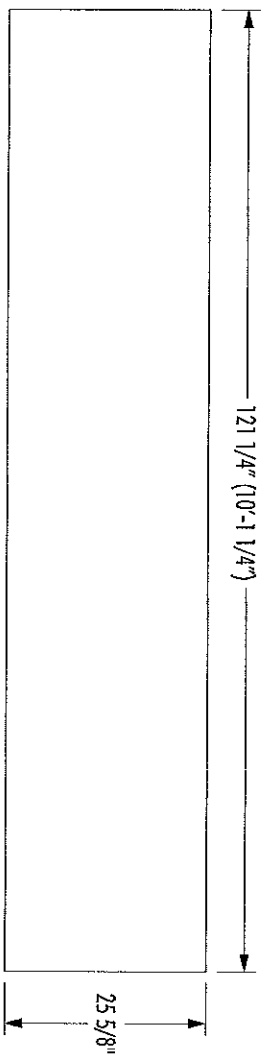
**GENERAL NOTES:**

1. REFER TO DIMENSIONS
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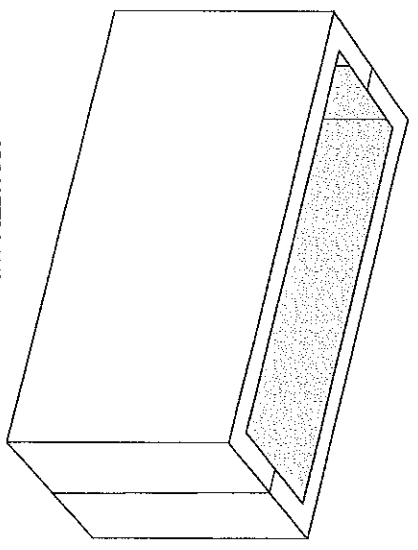
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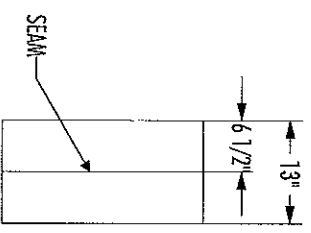
TOP VIEW



FRONT VIEW

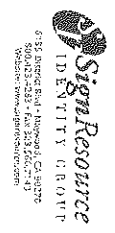


ISOMETRIC VIEW



SIDE VIEW

INFORMATION: THIS IS A KIT PART ORDER  
 KIT PART NUMBER: EEZ2660-KIT  
 PART NUMBER: 1EEZ2660BC  
 PAGE NUMBER: 3 OF 4  
 SALES ORDER: SCALE 1:15



REVISION HISTORY

REV	DATE	REVISION	BY
A	06/29/18	SR	SR

DRAWING OPERATIONS

PARTS LIST

ITEM	DESCRIPTION	QUANTITY	UNIT
A	BASE		
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GENERAL NOTES

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3. CORNER  $\pm 1/8"$  - HOLE OVERLAP  $\pm 1/8"$  -  $\pm 1/16"$
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50. FINISHES TO BE SPECIFIED

ENTERPRISE 2' X 10' ALUMINUM BASE COVER

DESIGNER	BRANT S.	CHECKED	
DATE	06/29/18	SCALE	1 OF 1
PROJECT	ENTERPRISE HOLDINGS		
LOCATION	NASHVILLE, TN		
CLIENT	ERIC SAMS		

**SIGN RESOURCE TO PROVIDE PRIMED POLE  
FIELD PAINTING REQUIRED BY INSTALLER**

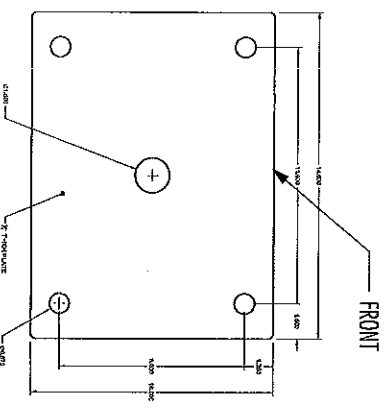
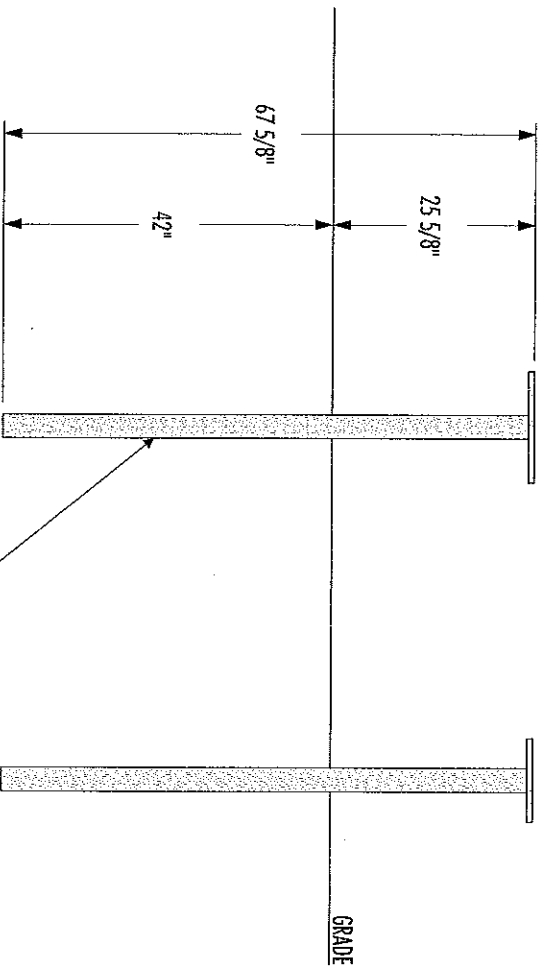


**REVISION HISTORY:**

REV	DATE	DESCRIPTION	BY
1	06/29/18	INITIAL DRAWING	SR

**PARTS LIST:**

ITEM	DESCRIPTION	AMOUNT	UNIT
1	3" X 3" X 1/4" SQUARE TUBE	1	LINEAL FOOT
2	ENTERPRISE 3' X 3' SQUARE TUBE W/PLATE	1	EA
3			
4			
5			



**GENERAL NOTES:**

- 1. TOLERANCES UNLESS NOTED:
  - \* SQUARES +.0005" - RACE SIZE + 1/16" - 1/8"
  - \* SQUARES +.0005" - RACE SIZE + 1/16" - 1/8"
  - \* ALL DIMENSIONS UNLESS NOTED OTHERWISE
- 2. FINISHES: UNLESS NOTED OTHERWISE:
  - \* ALL DIMENSIONS UNLESS NOTED OTHERWISE
  - \* ALL DIMENSIONS UNLESS NOTED OTHERWISE
  - \* ALL DIMENSIONS UNLESS NOTED OTHERWISE

REGISTRATION NO. 15  
**THIS IS A KIT PART ORDER**  
 KIT PART NUMBER: EEZ2660-KIT  
 PART NUMBER: EEZ2660P  
 PAGE NUMBER: 4 OF 4  
 SALES ORDER: SCALE 1:15

**ENTERPRISE 3' X 3' SQUARE TUBE W/PLATE**

PROJECT: BROWN S. GREENE  
 CLIENT: ENTERPRISE HOLDINGS  
 LOCATION: NASHVILLE, TN  
 DATE: 06/29/18  
 DRAWN BY: EDIC SAHMS  
 TEL: 1 615 252 2533

# Appeal 2019-027

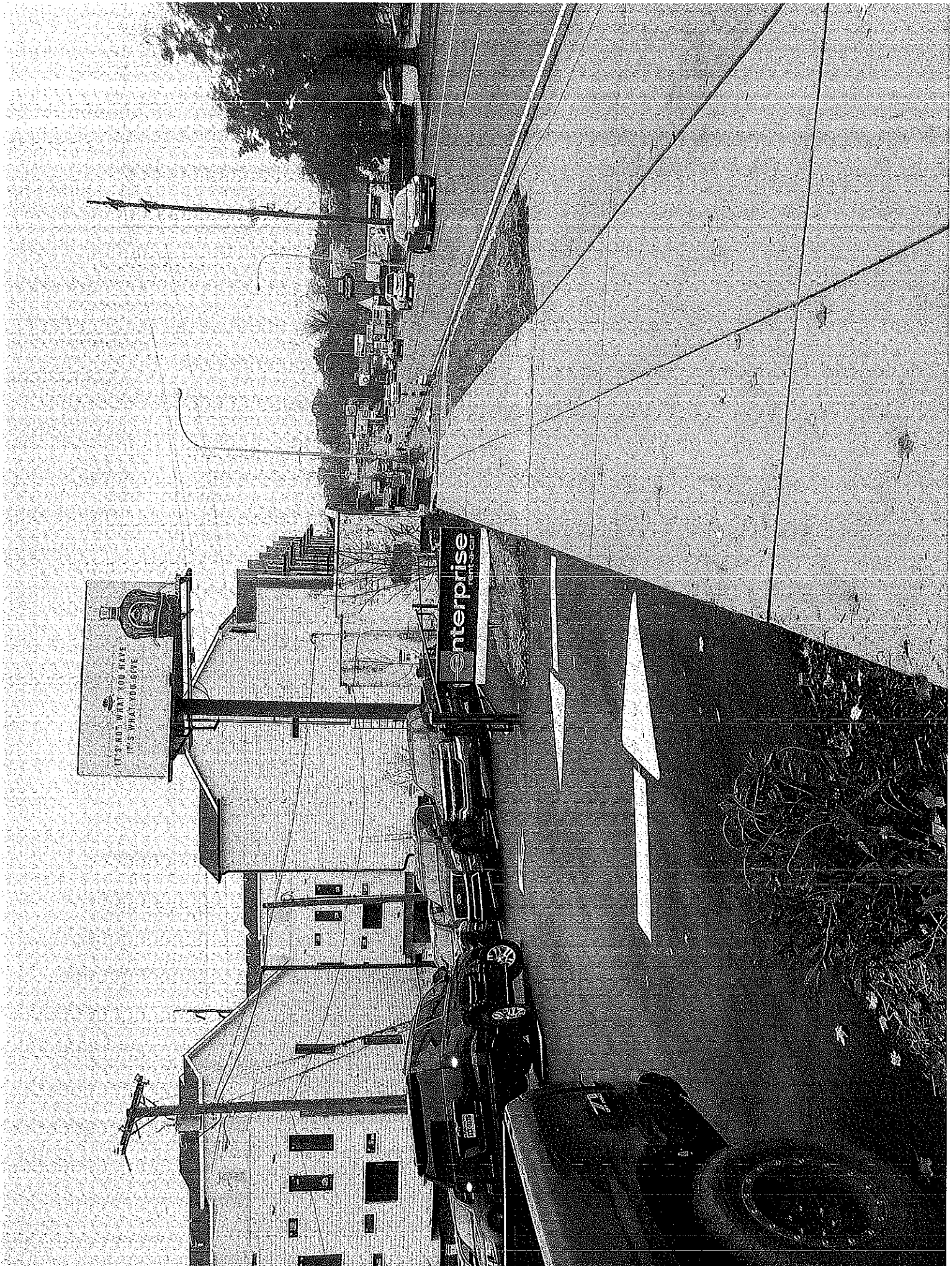
## Present Site Conditions

PRESENT SITE CONDITIONS

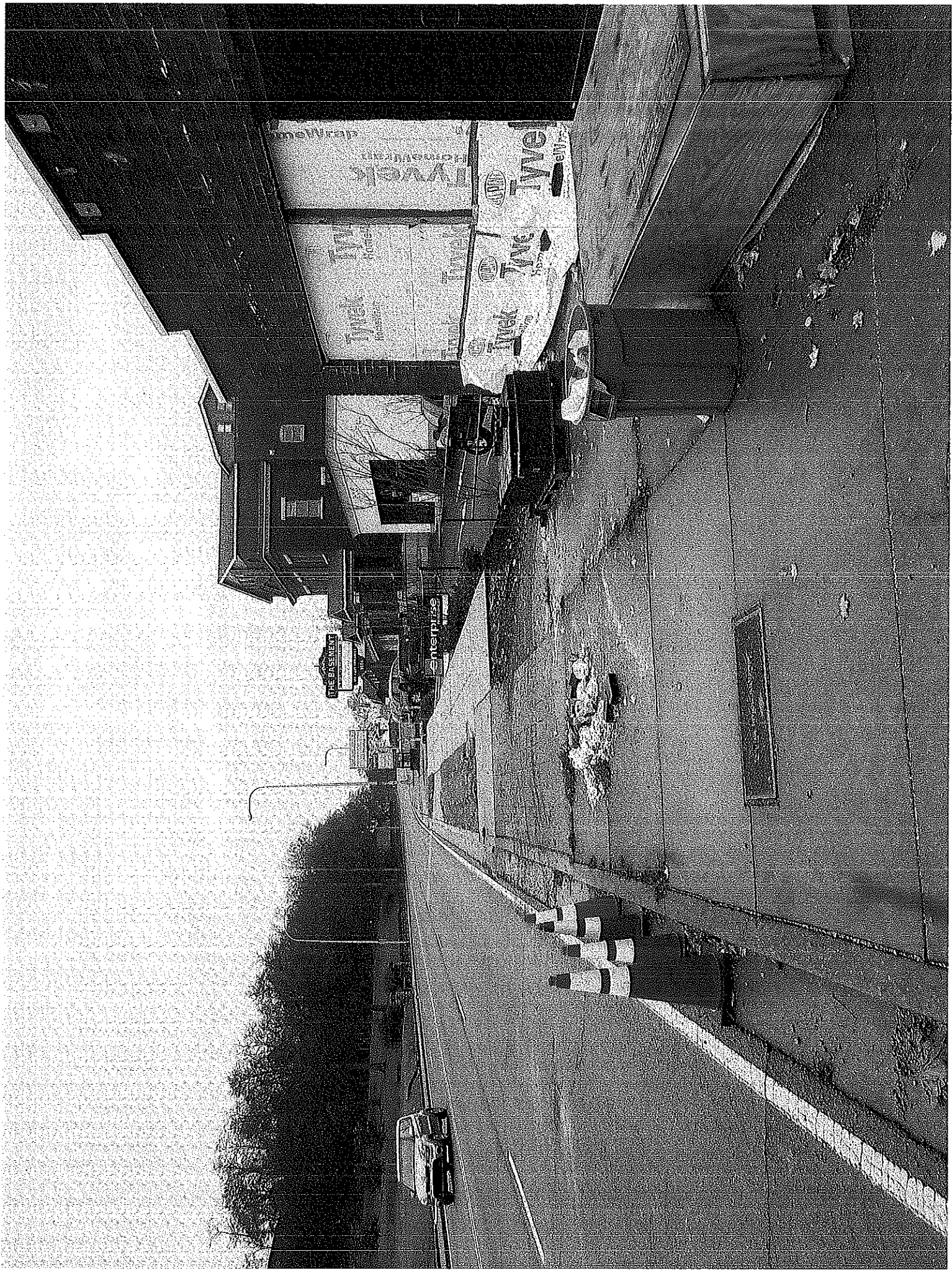










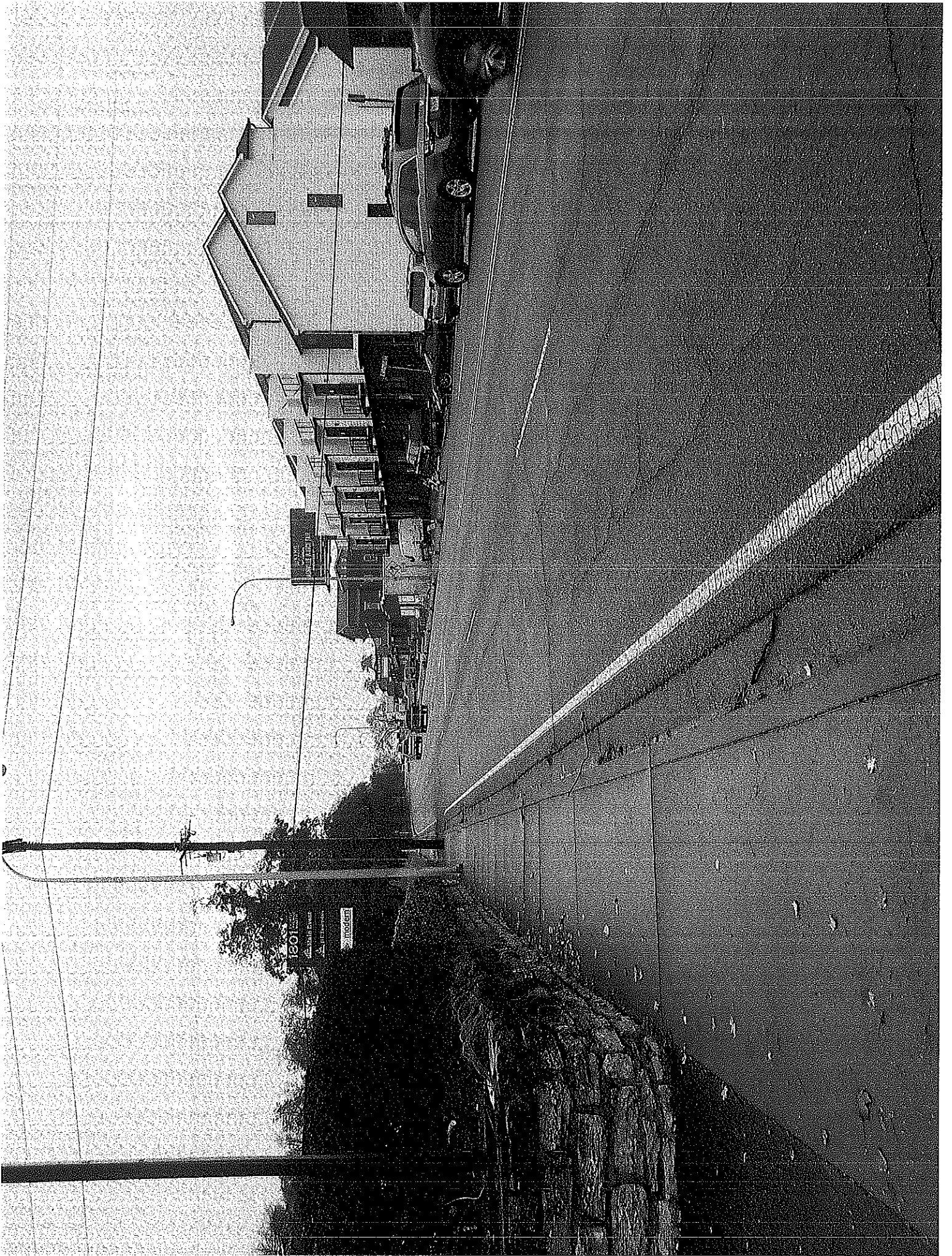














THE BASEMENT  
THE RENT-A-CAR COMPANY

1700

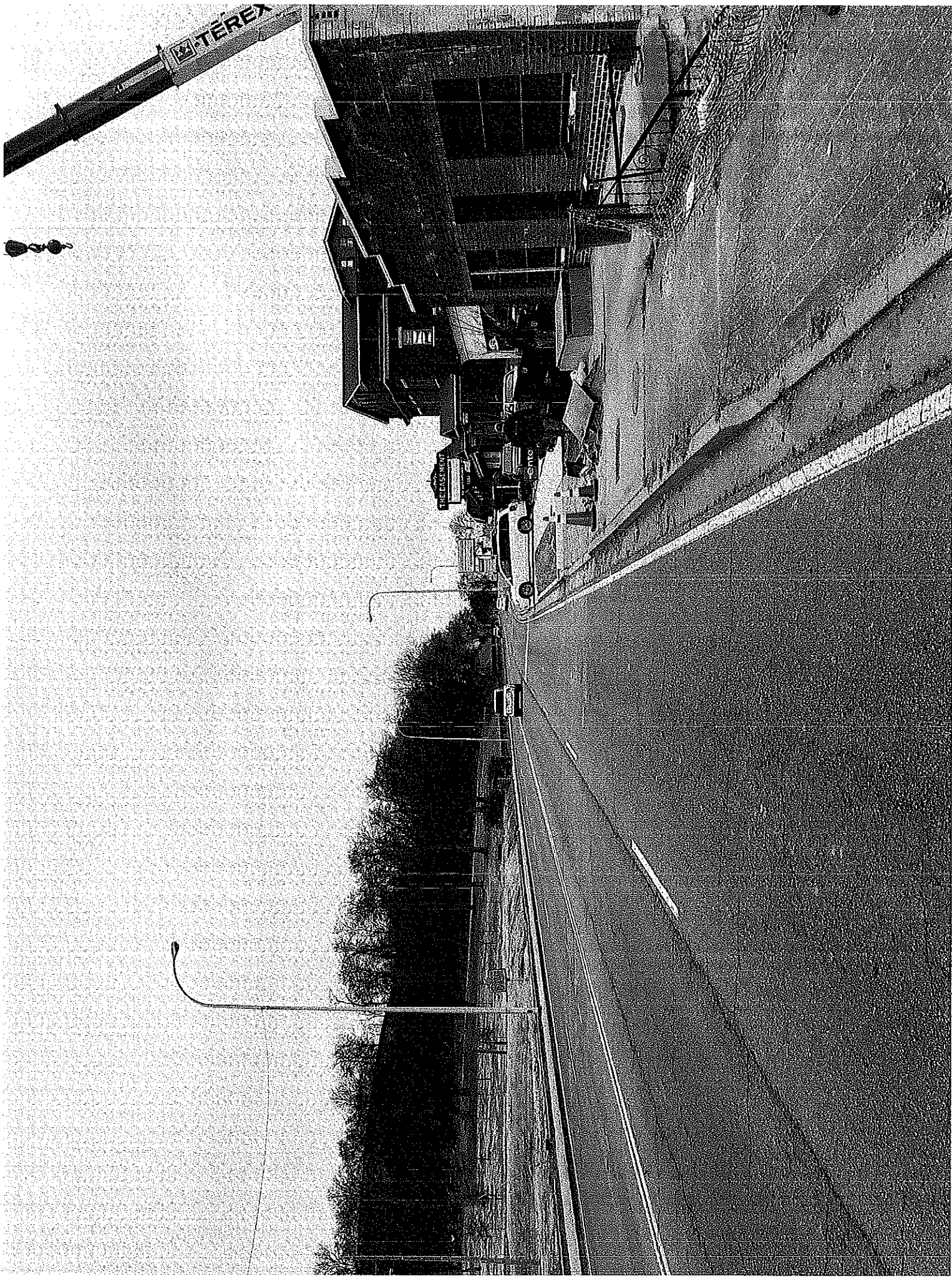
1700

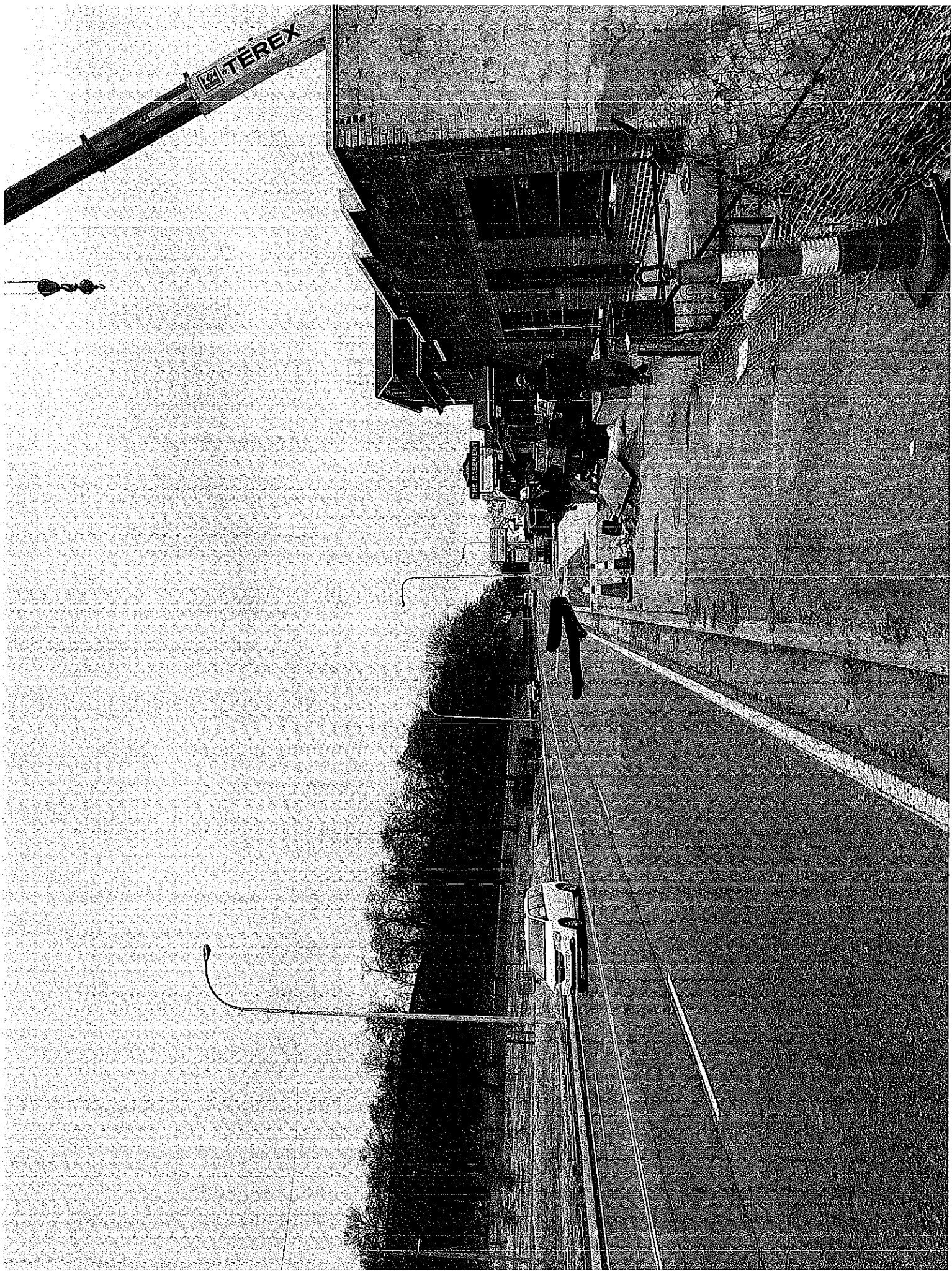
Enterprise  
rent-a-car



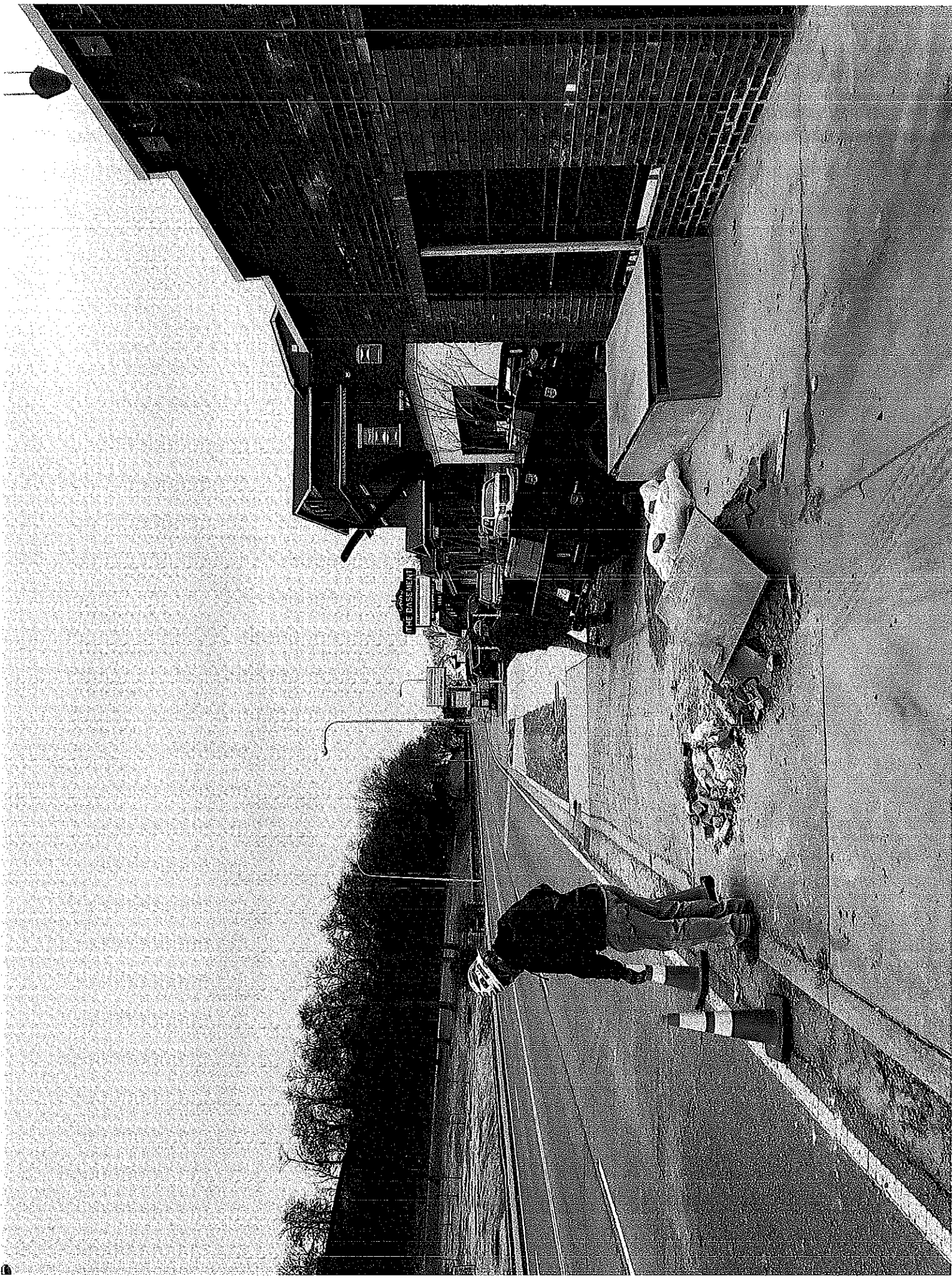
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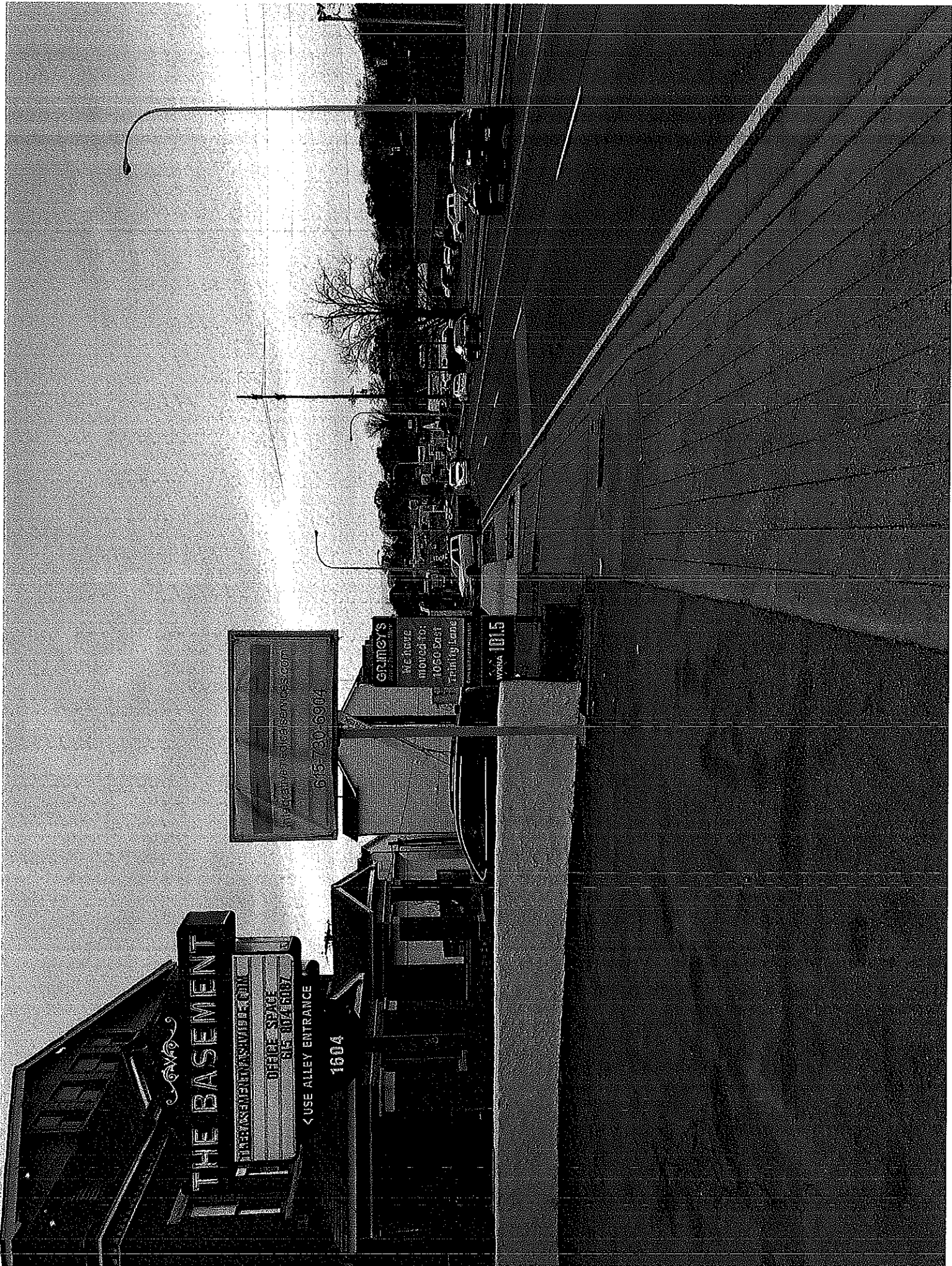












THE BASEMENT

OFFICE SPACE  
615-730-6964

< USE ALLEY ENTRANCE

1604

CRIMCO'S  
We have moved to  
1050 East  
Training Lane

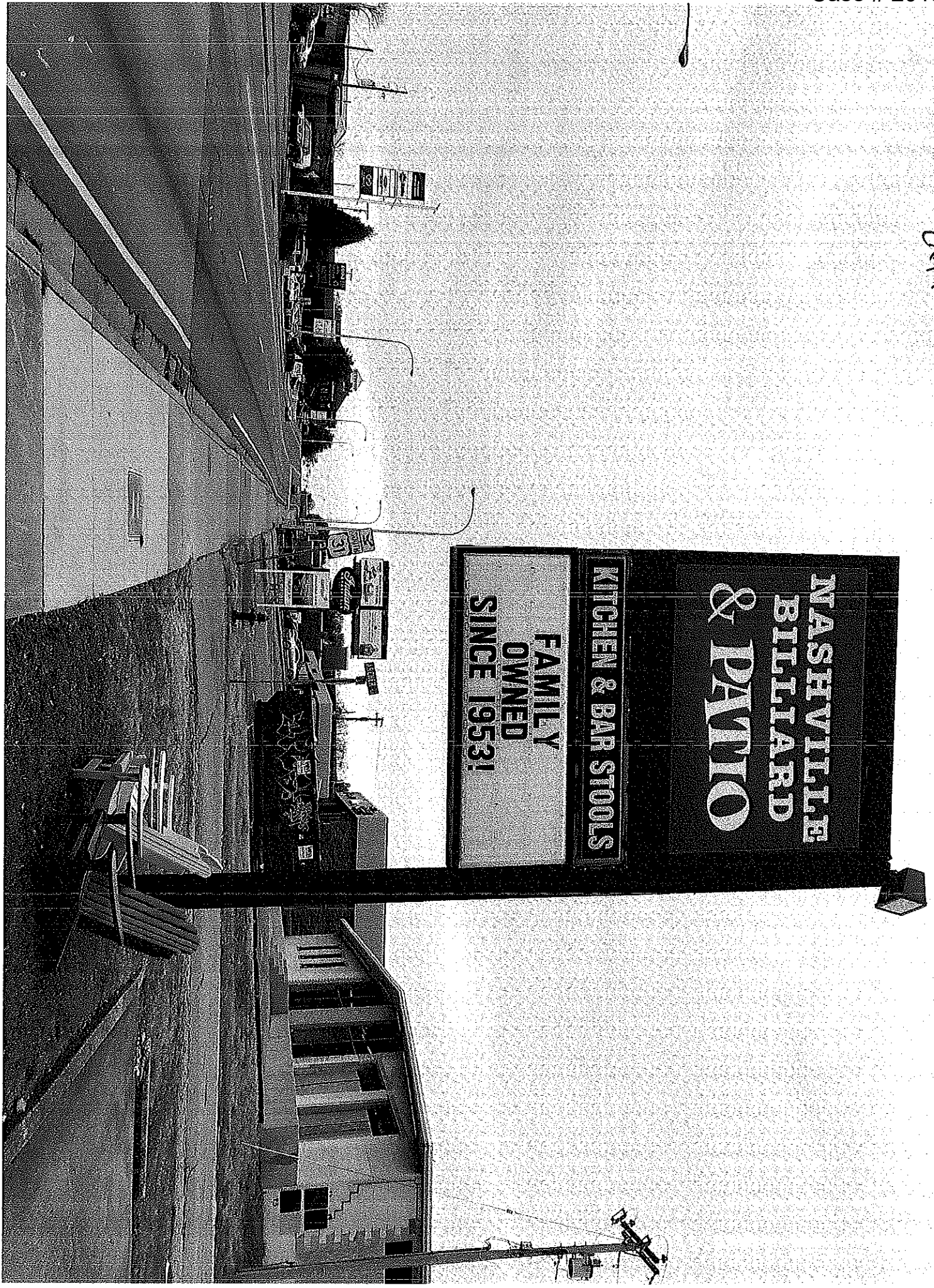
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615-730-6964

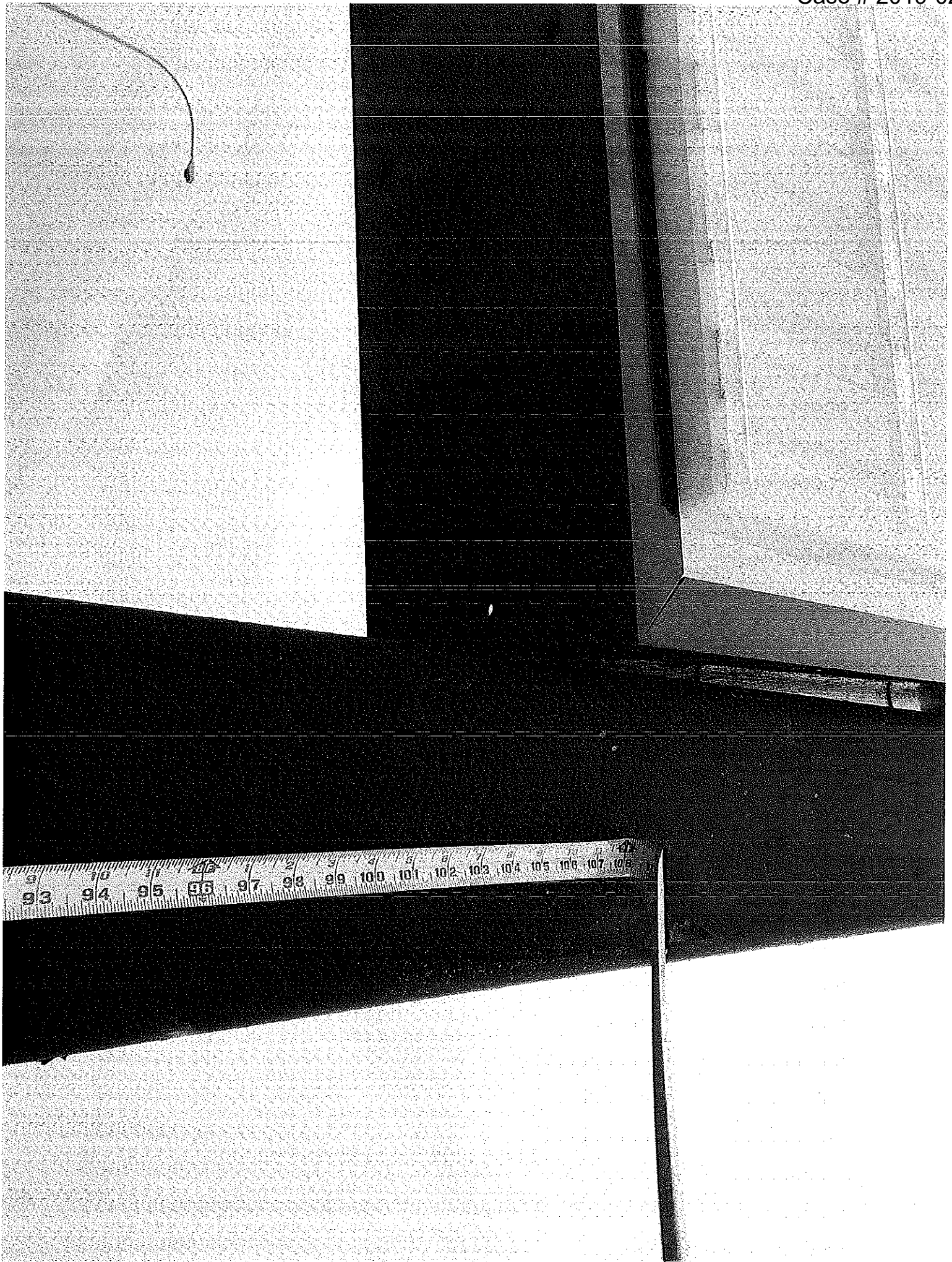
# Appeal 2019-027

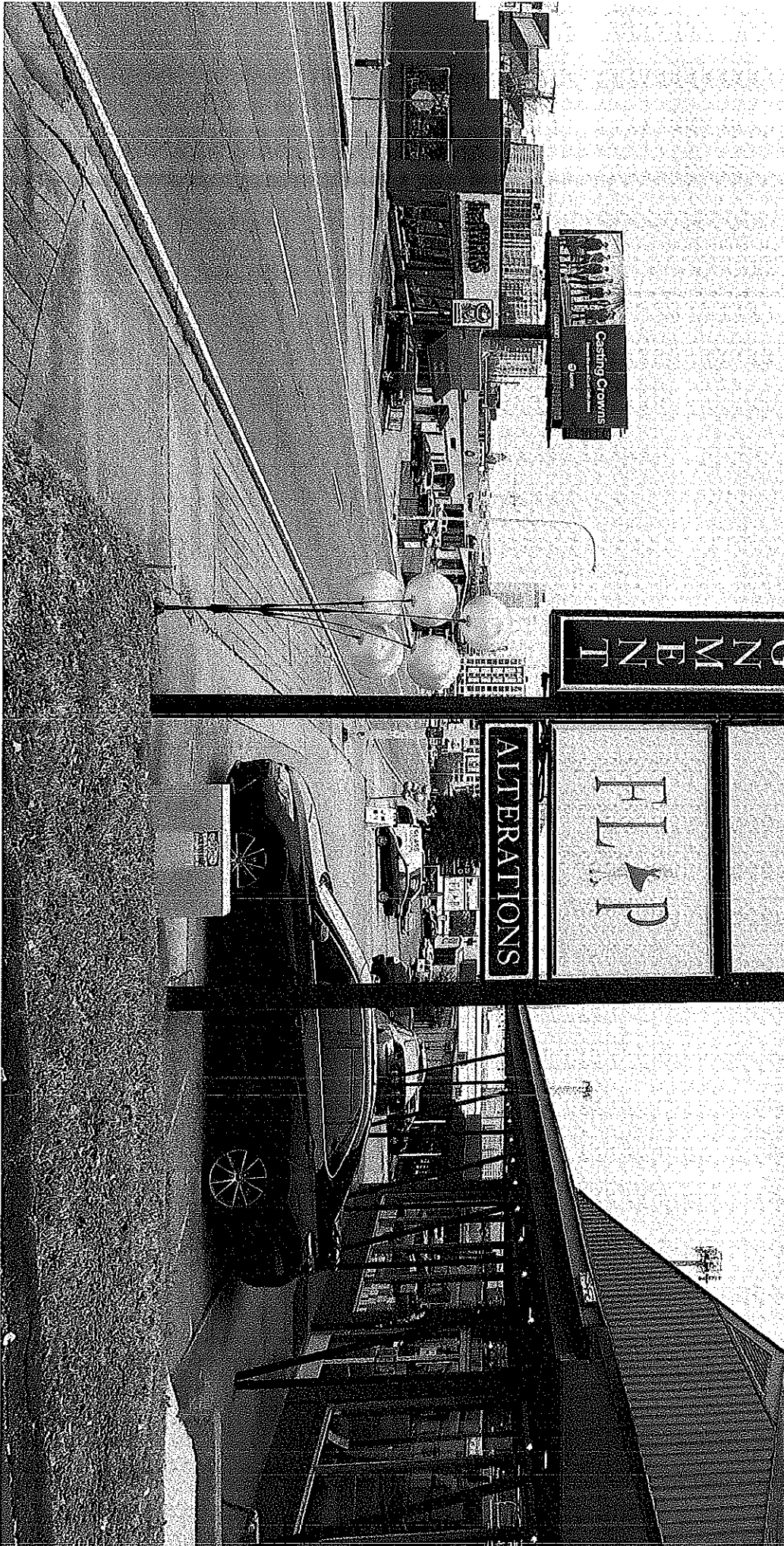
Examples Close by on 8<sup>th</sup> Ave

Examples close by on 8th Ave







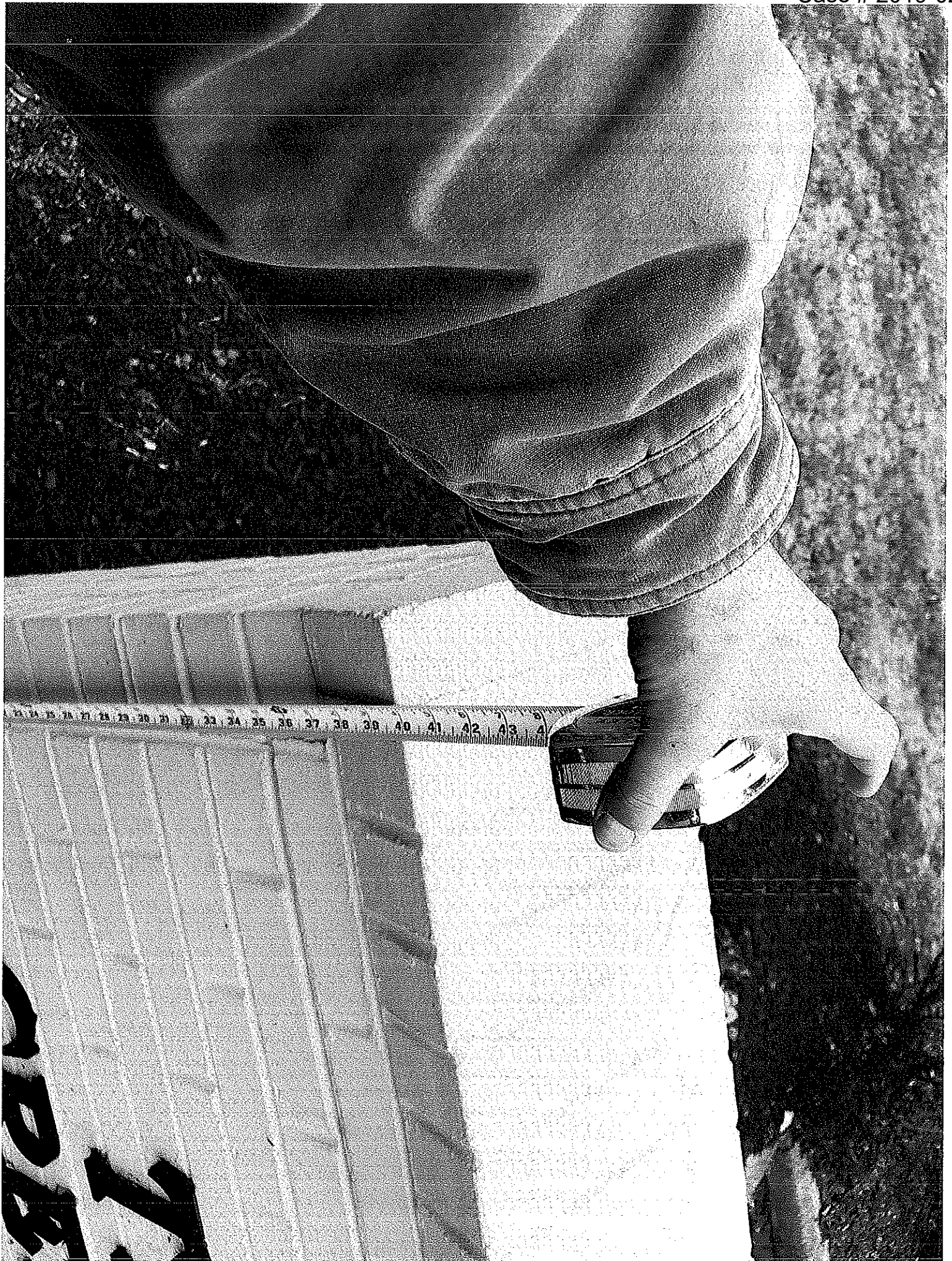






















**917**  
EIGHTH  
AVENUE  
SOUTH

SUPPORTIVE  
**SD DESIGN**  
COMMERCIAL • RESIDENTIAL

**H&R BLOCK**

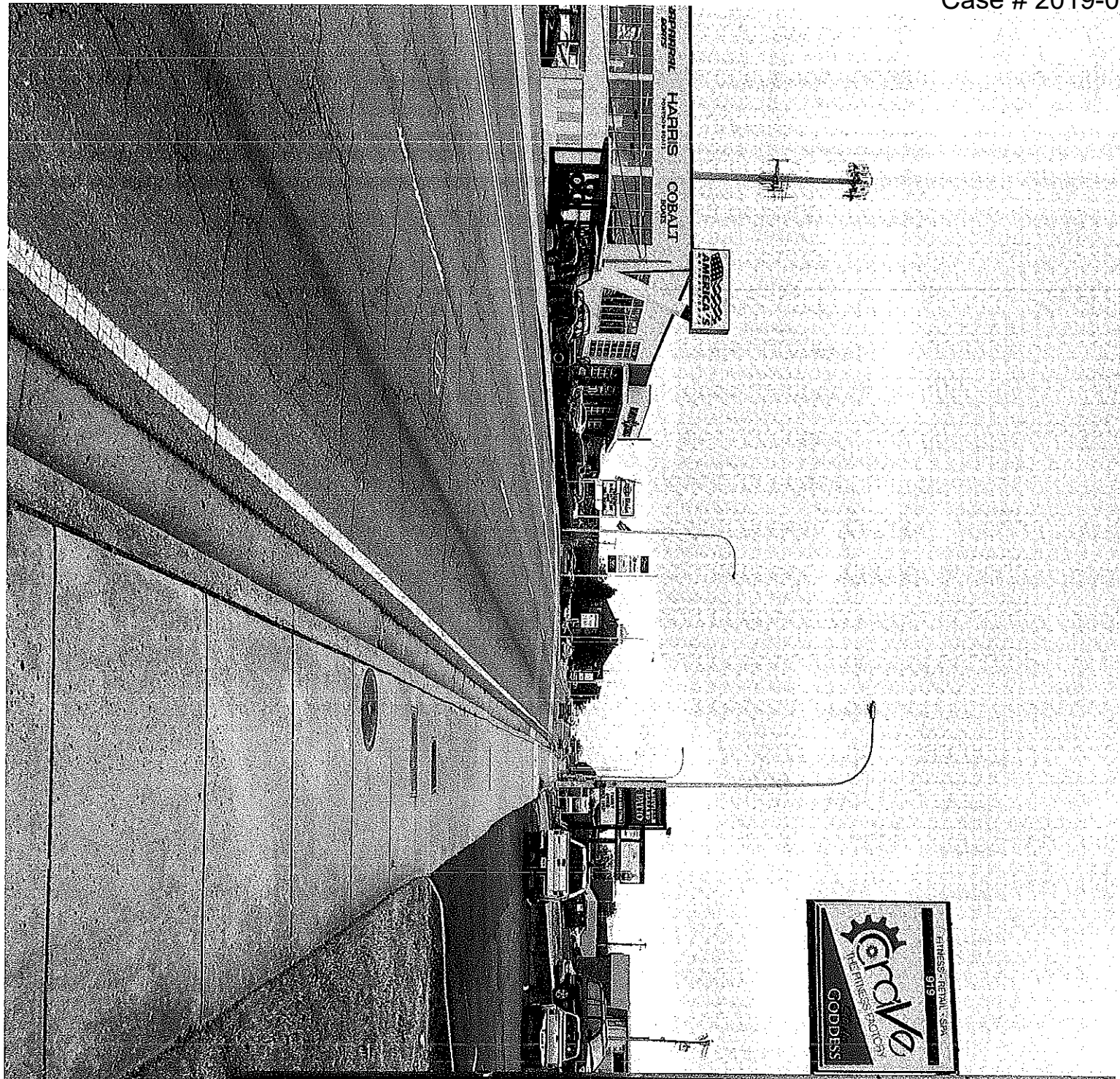
Performance **FILMS**  
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**THE POOL SHOP**  
ALL YOUR POOL & SPA NEEDS  
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FINN'S AUTO - 919  
**Garage**  
THE GARAGE  
GODDARD

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 FITNESS • SPA • 919

517 AVENUE SOUTH

SUPPORTIVE  
 SO DESIGN  
 Customized design


  
**H&R BLOCK**

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 PerformanceFilmsTN.com

**THE POOL SHOP**  
 ALL YOUR POOL & SPA NEEDS  
**615-313-7734**

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

---

Good morning, Board members,

Here are my stances on the District 17 items before you next week:

- **Oppose** a request for a sidewalk variance on Pillow St. I have asked the applicant for the reason, and have not received one. (2018-619)
- **Neutral** on a setback variance request on 2nd Ave S., because I think the private parties are working this one out. (2018-644)
- **Strongly oppose** a request on Wade Ave. to build three units instead of two and not build sidewalks. The applicant has reached out via email, but I don't agree with the argument. (2018-677)
- **Neutral** on a request to raise the sign two feet at Enterprise on 8th Ave S. (2019-027)
- **Oppose** a request for all kinds of variances and exceptions to build on a substandard lot on Lincoln St. Substandard (too small to build on) lots are throughout Chestnut Hill/Trimble Bottom, and I'm going to be asking Planning/Zoning for a more comprehensive approach to them rather than this piecemeal one. (2019-035)
- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

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



Appellant: FULMER ENGINEERING Date: 12/3/2018  
Property Owner: JOHN & HELEN KOHL LIVING TRUST Case #: 2019-029  
Representative: JAY FULMER Map & Parcel: 14300003600

Council District 23

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

Purpose:

APPLICATION FOR CONTINUATION OF NONCONFORMING USE FOR 6922 HWY 70 S. PROPERTY HAS BEEN COMMERCIALY USED FOR OVER 50 YEARS, AND THE PROPOSED USE WILL NOT INCREASE NONCONFORMITY.

Activity Type: DOG BOARDING FACILITY

Location: 6922 HWY 70 S

This property is in the R40 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: COMMERCIAL USE IN A RESIDENTIAL ZONE, a variance from sidewalk requests  
Section(s): 17.08.030, 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.

JAY Fulmer  
Appellant Name (Please Print)

JAY Fulmer  
Representative Name (Please Print)

2002 RICHARD JONES RD C304  
Address

2002 RICHARD JONES RD C304  
Address

NASHVILLE, TN 37215  
City, State, Zip Code

NASHVILLE, TN 37215  
City, State, Zip Code

615-345-3771  
Phone Number

615-345-3771  
Phone Number

JAY@FULMERENG.COM  
Email

JAY@FULMERENG.COM  
Email

Appeal Fee: \_\_\_\_\_

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING / NON-CONFORMING USES

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 your request and the reasons for this request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of a non-conforming or non-complying structure, it is your job to explain to the Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.

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

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

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

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

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

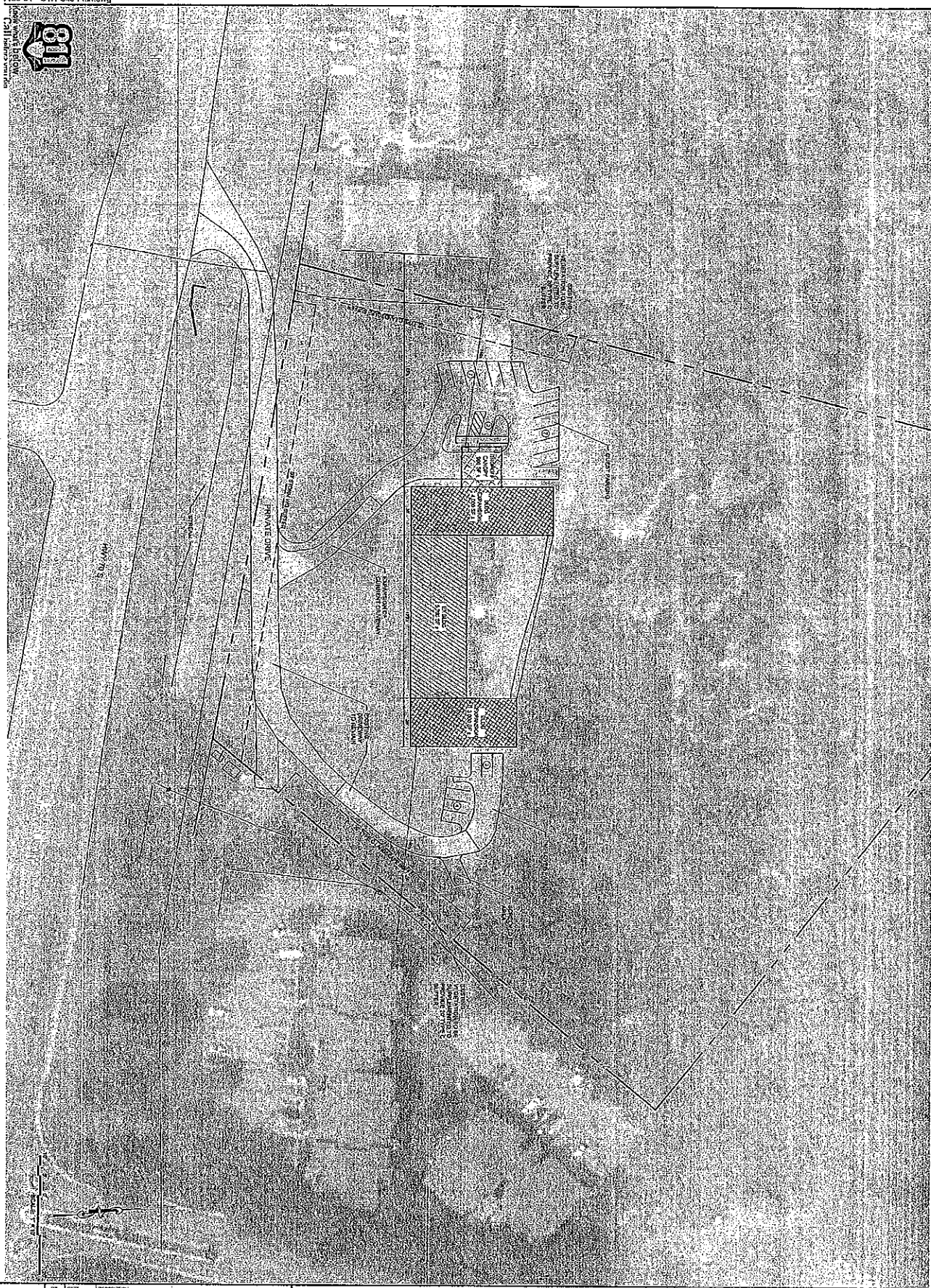
**I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.**

  
 \_\_\_\_\_  
 APPELLANT

12/3/18  
 \_\_\_\_\_  
 DATE

2019-029


1160-01 - C1.1 Site Plan.dwg



REV	DATE	DESCRIPTION
01	11/20/19	PLANNING SITE PLAN

C1.1

**SITE PLAN**  
 PRELIMINARY SITE PLANS FOR:  
**BNA PET**  
 6922 HIGHWAY 70 S  
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37221

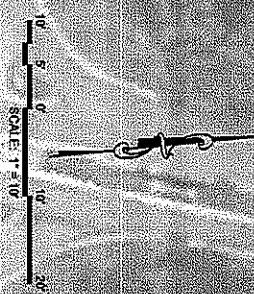


**FULMER**  
ENGINEERING

2902 RICHARD JONES RD. SUITE C304  
 NASHVILLE, TENNESSEE 37215  
 INFO@FULMERENG.COM • (615) 345-3770



2019-029



DR.	DATE	DESCRIPTION
JAF	11/27/2018	PLANNING SITE PLAN

**SITE PLAN**  
 PRELIMINARY SITE PLANS FOR:  
**BNA PET**  
 6922 HIGHWAY 70 S  
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37221

**FULMER**  
 ENGINEERING

2002 RICHARD JONES RD - SUITE C304  
 NASHVILLE, TENNESSEE 37215  
 INFO@FULMERENG.COM - (615) 345-3770

C1.1



**From:** [Kevin Gangaware](#)  
**To:** [Gonzalez, Elwyn \(Planning\)](#); [Lamb, Emily \(Codes\)](#)  
**Cc:** [Lifsey, Debbie \(Codes\)](#); [Atchison, David \(David.Atchison@colliers.com\)](#)  
**Subject:** Grace Community Church - BZA variance request  
**Date:** Wednesday, December 19, 2018 11:35:05 AM  
**Attachments:** [Grace Community Church BZA Variance Request \(2018-12-19\).pdf](#)

---

Emily,

I spoke with Elwyn Gonzalez of Metro Planning this morning about our BZA variance request for Grace Community Church.

I wanted to let you know that the owner (Grace Community Church officials) and I met with Council-lady Henderson at the property on Friday, 12-07-18 to discuss our project.

During that meeting, we reviewed the church's request for a variance to the sidewalk requirement.

The Council-lady shared with us her opinion on the issue.

Our take away from that meeting was that we would propose to leave the 12-ft. wide sidewalk along Old Hickory Blvd. as is, with no modifications proposed.

That matches the BZA request that we have submitted to you.

The Church is now proposing to expand the existing sidewalk along Granny White Pike from the current width of 5-ft. to a proposed width of 8-ft.

We believe that we can accomplish this expansion without sacrificing the existing trees or disturbing the existing gas pressure relief valve.

Can you add to our BZA request that we are proposing to expand the existing sidewalk along Granny White Pike to 8-ft. wide from the current 5-ft. width?

This would be for the public sidewalk abutting the Grace Community Church property in Davidson County.

I have attached an updated exhibit for clarification of our proposal.

Please let me know if you have any questions regarding this information.

Thank you for your continued help with this matter.

Respectfully,

**Kevin F. Gangaware, P.E.**

*Principal*

**CIVIL•SITE** DESIGN GROUP

2305 Kline Avenue, Suite 300

Nashville, TN 37211

615-248-9999 Office

615-305-3972 Mobile

615-251-9575 Fax

[KevinG@civil-site.com](mailto:KevinG@civil-site.com)

To send large files to me, [click here](#)

*Please consider the environment before printing this email.*

**PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION****BZA Case 2019-029 (6922 Highway 70S)**

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	R40
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance) CO (Conservation – Stream Buffer, Slopes)
MCSP Street Designation:	T3-R-AB5-S
Transit:	#5 – Charlotte
Bikeway:	None existing; none planned

**Planning Staff Recommendation: *Approval.***

**Analysis:** The applicant proposes constructing a commercial dog boarding facility and requests a variance from upgrading sidewalks to the Major and Collector Street Plan standard due to topography and impacts to a stream on the property frontage. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the Highway 70S property frontage, which is consistent with adjacent properties.
- (2) There is a stream and stream buffer along the entire property frontage that parallels Highway 70S. Metro Water Services has indicated that upgrading the sidewalk will require additional piping and property impacts beyond this site. This is a significant hardship at this location.

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



**Sheri Weiner, District 22  
Metro Nashville Councilwoman**

To: Ms. Cynthia Chappell  
Mr. David Ewing  
Mr. David Harper  
Ms. Christina Karpynec  
Mr. J. Ross Pepper  
Ms. Alma Sanford  
Mr. David Taylor  
Jon Michael, Attorney  
Bill Herbert, Director of Codes

From: Councilwoman Sheri Weiner

Re: Case #2019-029

Thank you so much for the time and attention you offer to Metro Government and those who appear before you. We all appreciate your service.

I am writing to voice my support for Mr. Avery's requested variance to allow continued non-conforming use on this property. This property is in close proximity to my district and I am fully supportive of this request.

Gratefully,

A handwritten signature in cursive script that reads "Sheri".

Sheri Weiner, Metro Council District 22

This email is to support the applicant in Case 2019#029 which will be before the BZA on January 17<sup>th</sup> in a variance application. The proposed specific use will be a benefit to the surrounding community and represents an improvement to the current property and existing facility. This project was well received during a community meeting last month and has the support of District Council Member Mina Johnson.

Pets add so much to the quality of our residential life. It is appropriate for the city to facilitate the integration of pet care into the amenities of a residential community. I believe this specific use variance will improve the quality of residential life (and for their beloved pets) for those in the surrounding community. Zoning and codes can't anticipate all the needs of an evolving community and I appreciate the BZA being willing to tackle these matters as our communities and their needs evolve.

Fundamentally, care for pets (who are members of a family also living at home) is an amenity for any residential community and should be an appropriate subject for this specific use variance — if the community supports it — and I believe the community does. This site is also an appropriate location for this specific use.

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Thomas Dodd

Date: 12/4/18

Property Owner: Forest Hills BAPT. CHURCH

Case #: 2019-030

Representative: Thomas Dodd

Map & Parcel: 15 80000 1300

Council District 34

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

Purpose: Propose an alternative sidewalk design.

Activity Type: Religious Institution

Location: 2101 Old Hickory Blvd.

This property is in the RM40 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.

Thomas Dodd  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

5300 Maryland Way, Ste 109  
Address

\_\_\_\_\_  
Address

Brentwood, TN 37027  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-714-1184  
Phone Number

\_\_\_\_\_  
Phone Number

tdodd@hmka.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**



3583839

**ZONING BOARD APPEAL / CAAZ - 20180075659  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 15800001300**APPLICATION DATE:** 12/04/2018**SITE ADDRESS:**

2101 OLD HICKORY BLVD NASHVILLE, TN 37215  
LOT 1 FOREST HILLS BAPTIST CHURCH CONSOLIDATION PLAT

**PARCEL OWNER:** FOREST HILLS BAPTIST CHURCH**CONTRACTOR:****APPLICANT:****PURPOSE:**

Requesting a sidewalk variance per METZO section 17.20.120. see BZA appeal case 2018-081 for Special Exception permit and building permit 2018-007869

*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.



December 3, 2018

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APPELLANT

---

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 attached letter dated December 3, 2018.

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December 3, 2018

The Board of Zoning Appeals  
Metropolitan Government of Nashville and Davidson County  
800 Second Avenue South  
Nashville, TN 37201

**RE:** Variance Request  
Forest Hills Baptist Church Additions and Renovations  
HMK Project No. 16246.00

Dear Board of Zoning Appeals:

Forest Hills Baptist Church (FHBC) is located at the intersection of Hillsboro Road and Old Hickory Boulevard (OHB). Our southern property line is 50 feet from the Williamson County line. The closest sidewalk to this intersection is at Burton Hills in Green Hills, which is 3.9 miles from the church. While we are proposing to install the sidewalk as described, we do feel that by doing so without the benefit of having designated crosswalks with signalization at that major intersection presents a serious and potentially dangerous situation to anyone who might attempt to use it. The sidewalk will lead people to a location with nowhere to go safely. A sidewalk leading to an intersection which generates a volume of 35,000 vehicles daily without crosswalks and pedestrian signalization is a bad idea, could send a wrong message to someone using it, and is not needed.

There is no public transportation to this intersection and pedestrians DO NOT walk down Hillsboro Road. Sidewalks are intended for use in primarily urban areas, where people who are walking and moving vehicles are in close proximity.

FHBC is requesting that based on the characteristics of the neighborhood and the way it is developed that the sidewalks be laid out as shown on exhibit A. The layout on exhibit A is based on a future Metropolitan park that is in the conceptual stage and being designed directly across Hillsboro road from the church. The conceptual plan for the park is presently addressing the corner of Hillsboro Road and OHB to allow pedestrian access with internal sidewalks. The nature of the park should and does utilize internal sidewalks. The future access would be at the intersection of Hillsboro Road and OHB. Again, pedestrian signalization should be a priority once these sidewalks are in place. As shown in exhibit A the church would propose providing a sidewalk that address the intersection and adding painted designated pedestrian cross walk to connect to the churches existing internal sidewalk system.

Sincerely,

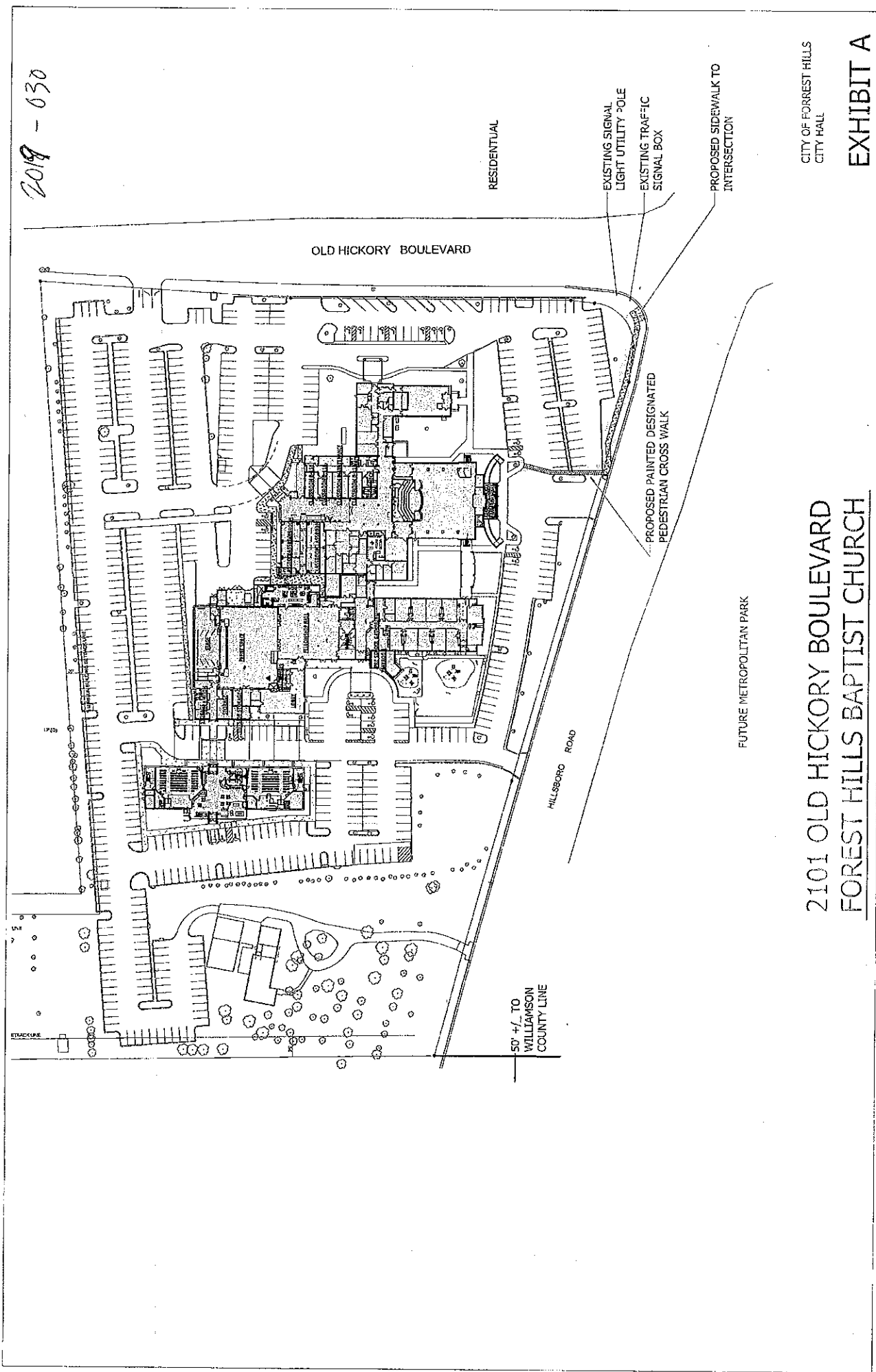
HMK ARCHITECTS PLLC

A handwritten signature in black ink, appearing to read 'C. Thomas Dodd', is written over the printed name.

C. Thomas Dodd, AIA

Cc: Don Miller, AIA – HMK Architects PLLC, Bill Trivett – FHBC building task force chair, Gary Hauk FHBC Associate Pastor of Administration

2019 - 030



OLD HICKORY BOULEVARD

RESIDENTIAL

EXISTING SIGNAL LIGHT UTILITY POLE  
EXISTING TRAFFIC SIGNAL BOX

PROPOSED SIDEWALK TO INTERSECTION

PROPOSED PAINTED DESIGNATED PEDESTRIAN CROSS WALK

HILLSBORO ROAD

FUTURE METROPOLITAN PARK

50' +/- TO WILLIAMSON COUNTY LINE

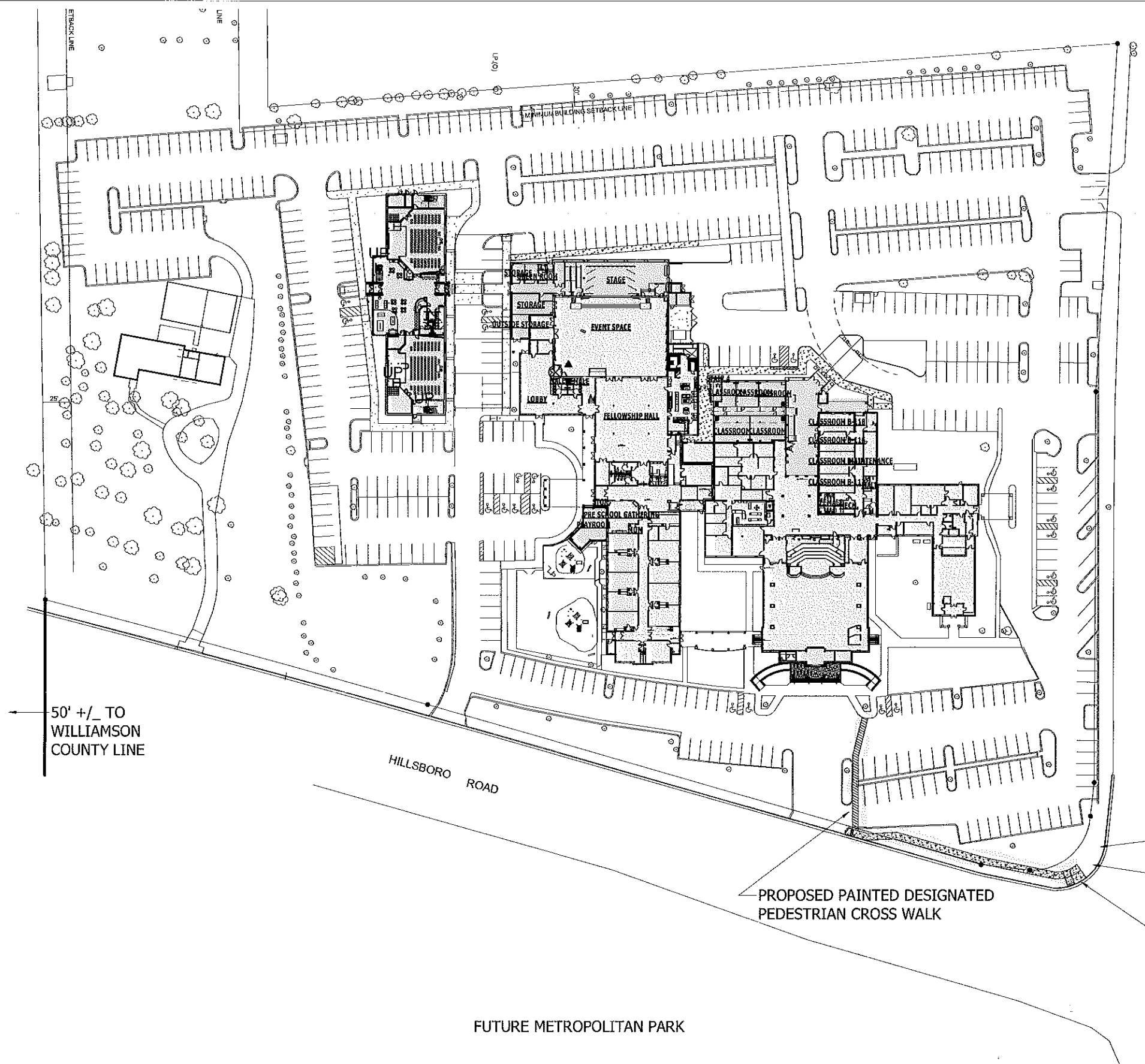
STACKLINE

2101 OLD HICKORY BOULEVARD  
FOREST HILLS BAPTIST CHURCH

CITY OF FORREST HILLS  
CITY HALL

EXHIBIT A

2019 - 030



OLD HICKORY BOULEVARD

RESIDENTIAL

EXISTING SIGNAL LIGHT UTILITY POLE

EXISTING TRAFFIC SIGNAL BOX

PROPOSED SIDEWALK TO INTERSECTION

PROPOSED PAINTED DESIGNATED PEDESTRIAN CROSS WALK

FUTURE METROPOLITAN PARK

50' +/- TO WILLIAMSON COUNTY LINE

HILLSBORO ROAD

# 2101 OLD HICKORY BOULEVARD FOREST HILLS BAPTIST CHURCH

CITY OF FORREST HILLS  
CITY HALL

## EXHIBIT A

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-030 (2101 Old Hickory Boulevard)

Metro Standard:	Hillsboro Road – 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
	Old Hickory Boulevard – 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Construct alternate sidewalk design along a portion of Hillsboro Road; not construct sidewalks along remainder area of Hillsboro Road and Old Hickory Boulevard
Zoning:	R40
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Hillsboro Road – T3-R-AB5
	Old Hickory Boulevard – T3-R-AB3-S-LM
Transit:	None existing; none planned
Bikeway:	Existing bikeway for experienced cyclists

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes to construct a 16,082 square foot building addition to an existing religious institutional use and requests a variance to construct an alternate sidewalk design along a portion of the property's frontage with Hillsboro Road. Planning evaluated the following factors for the variance request:

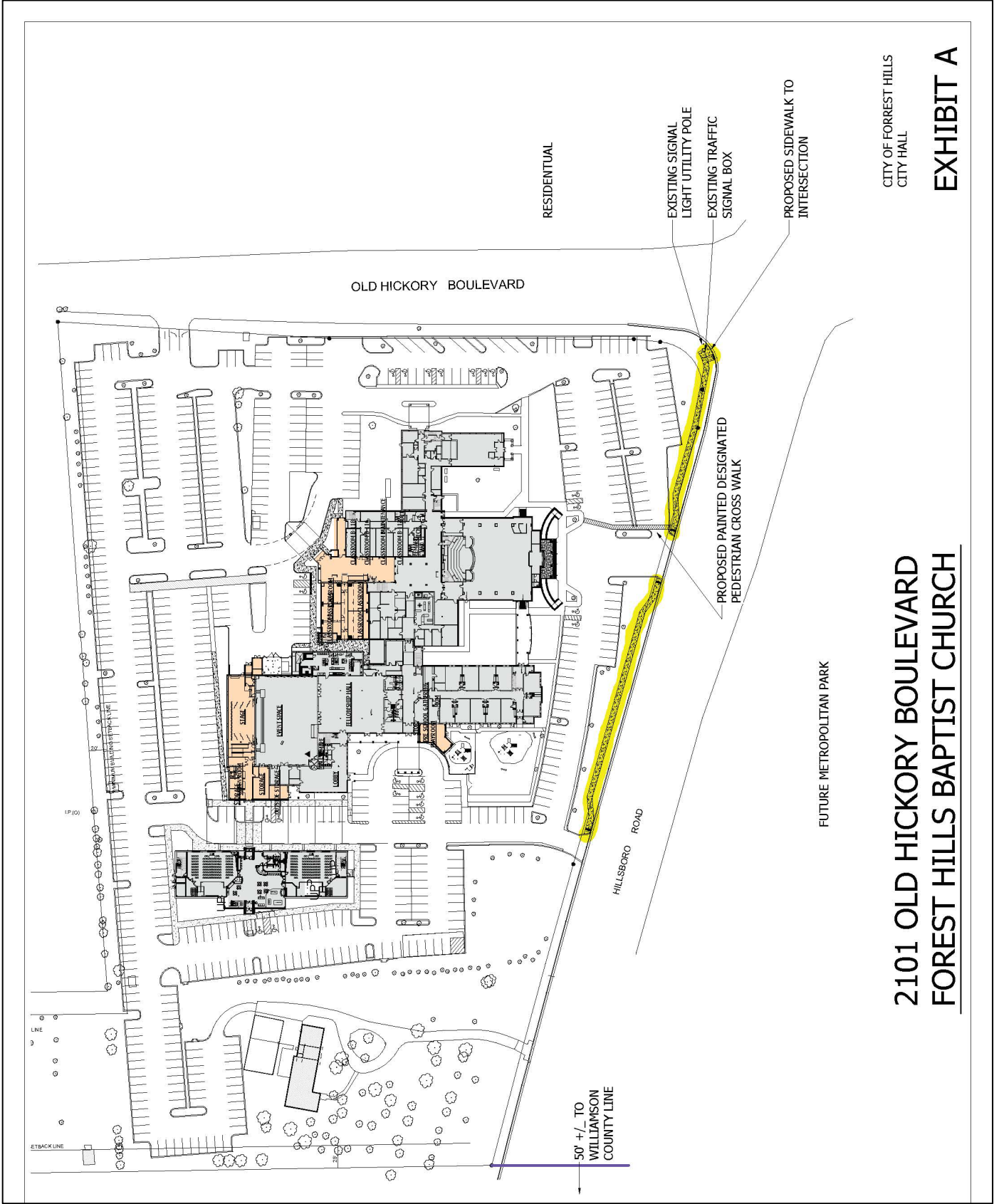
- (1) No sidewalks exist along both Hillsboro Road and Old Hickory Boulevard property frontages.
- (2) A grade change of approximately 6' exists along the northern property frontage and slopes downwards from the Old Hickory Boulevard pavement. Strict adherence to the sidewalk requirement along the Old Hickory Boulevard property frontage would necessitate in the removal of existing guard rails, reconstruction of retaining walls, and relocation of existing parking.
- (3) The applicant proposes to construct a 6' sidewalk with a varying width for a grass strip along a portion of the Hillsboro Road frontage, from the Old Hickory Boulevard intersection to each egress/ingress along the eastern frontage of the site. Construction of the new sidewalk would provide pedestrian connectivity at the signalized intersection between the church and a future Metro Park.

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

1. Construct a 6' sidewalk along the property's frontage with Hillsboro Road from the Old Hickory Boulevard intersection to each egress/ingress per the attached site plan.
2. Prior to the issuance of building permits, dedicate right-of-way along the remaining 370' of the property's frontage with Hillsboro Road to accommodate future sidewalks per the Major and Collector Street Plan standard.



2101 Old Hickory Boulevard – Site Plan Depicting Alternative Sidewalk Design



CITY OF FORREST HILLS  
CITY HALL

**EXHIBIT A**

**2101 OLD HICKORY BOULEVARD  
FOREST HILLS BAPTIST CHURCH**

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Gilberto A. Alvarado Date: 12/3/18  
Property Owner: Gilberto A. Alvarado Case #: 2019-32  
Representative: \_\_\_\_\_ Map & Parcel: 148-6-162  
Council District 28

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

Purpose: The reason is because I would need three more FT. for my addition.

Activity Type: Addition  
Location: 3711 Ezell rd. Nashville, TN. 37211

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: I only have permission to do the addition in 13 FT. and I would need 16 FT.  
Section(s): 17, 12, 020

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.

required  
5' setback  
STBKR  
request  
2'

Gilberto A. Alvarado  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

3711 Ezell rd.  
Address

\_\_\_\_\_  
Address

Nashville, TN. 37211  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(615) 415-2219  
Phone Number

\_\_\_\_\_  
Phone Number

gilberto.alvarado3711@gmail.com  
Email

\_\_\_\_\_  
Email

\_\_\_\_\_  
Appeal Fee:

## 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.

Gilberto A. Alvarado  
APPELLANT

12-3-18  
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.

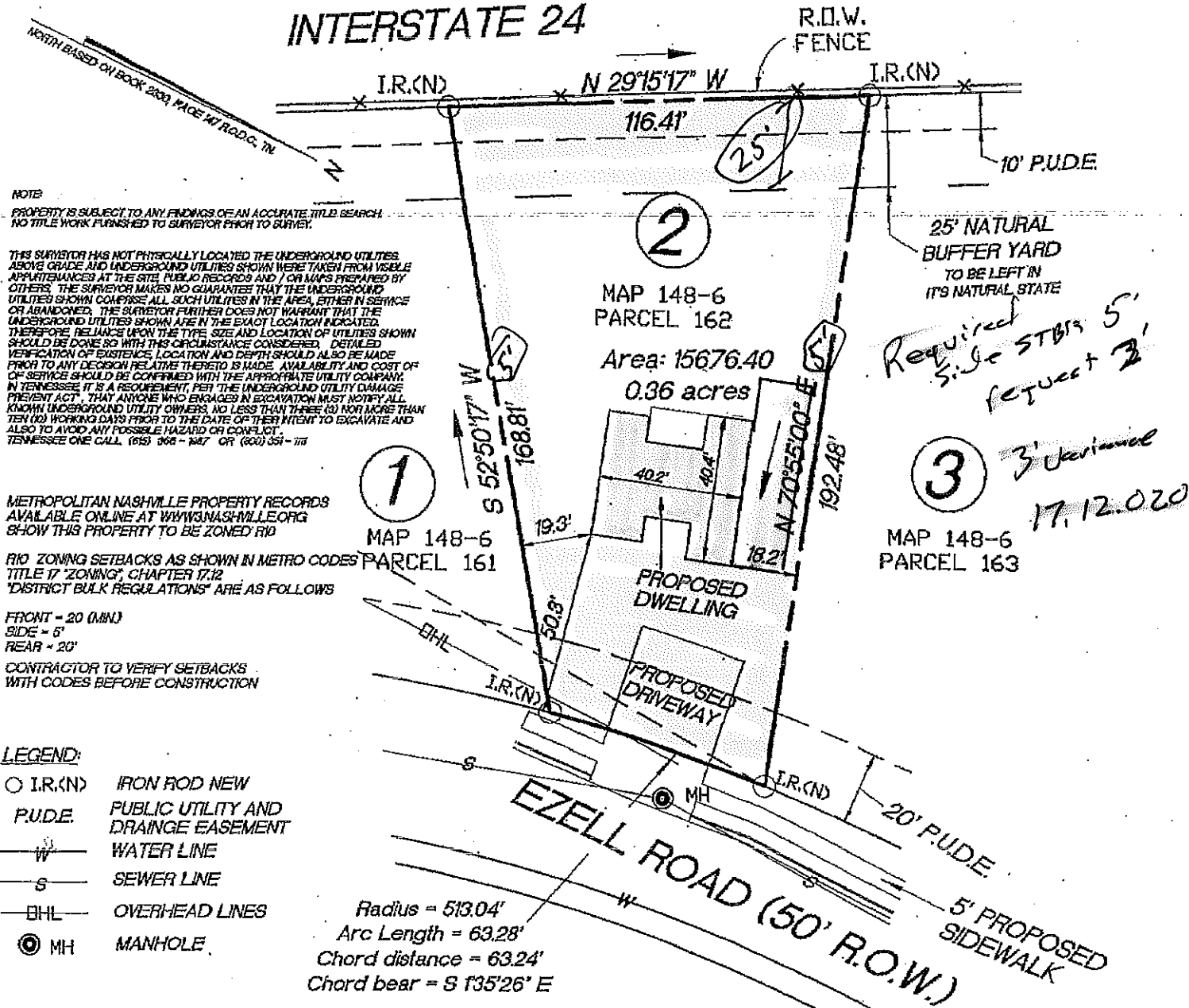
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

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?**

The only difficulty is the measurements, I only have permission for 13 feet but I would like to get approve 16 FT. to do the new addition. we are a family of 6, my two older daughters need more privacy. my house is of 3 bedrooms and I would like to add 2 bedrooms more over the garage.

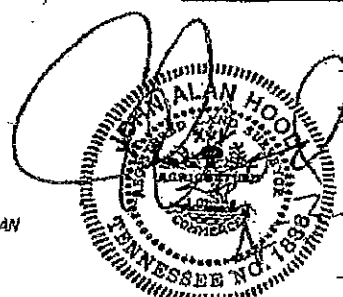
# INTERSTATE 24

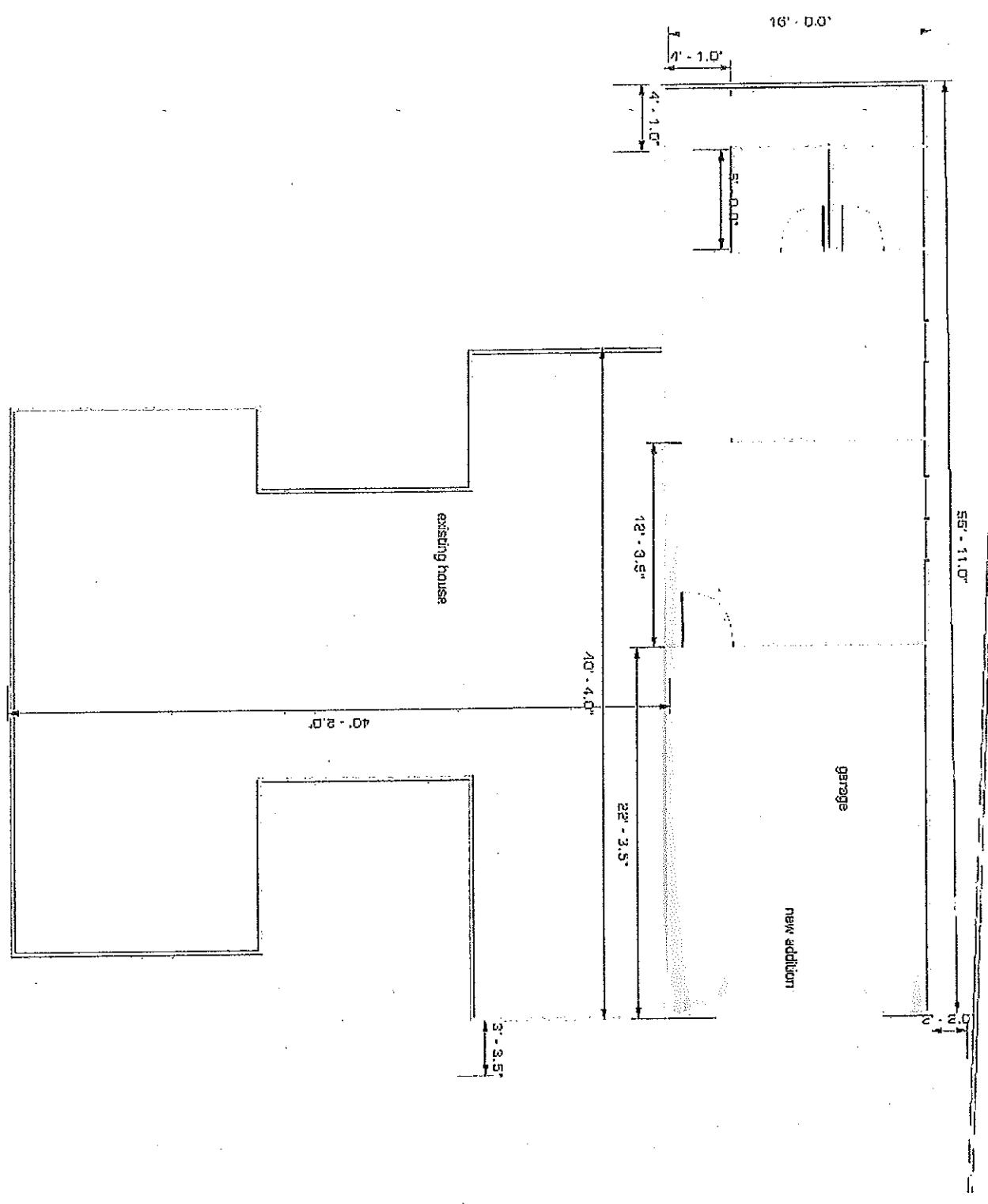


NOTE: PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY.

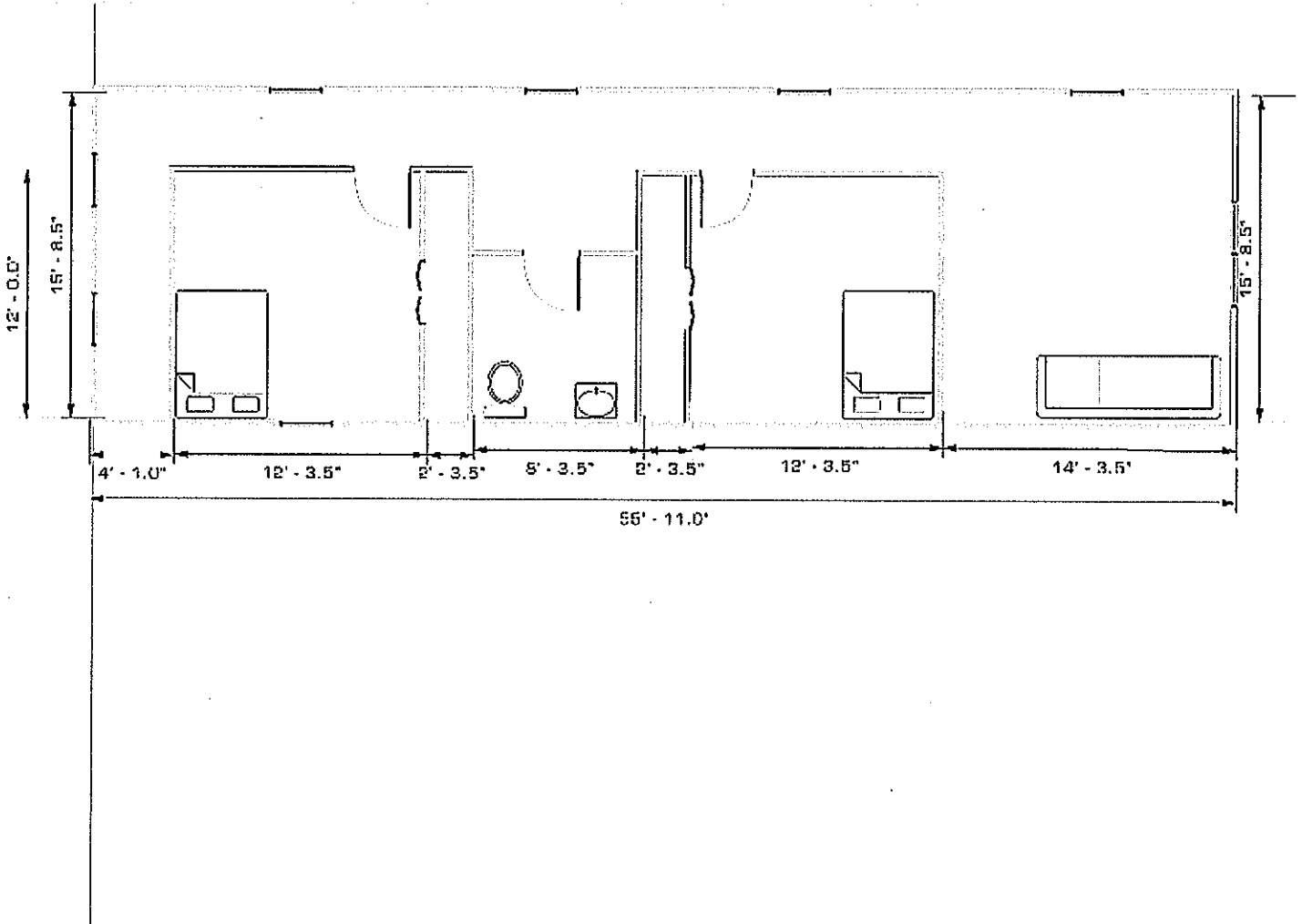
THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPEARANCES AT THE SITE, PUBLIC RECORDS AND / OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY IN TENNESSEE. IT IS A REQUIREMENT PER THE UNDERGROUND UTILITY DAMAGE PREVENT ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) MONTHS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL, (615) 968-1447 OR (800) 551-1111

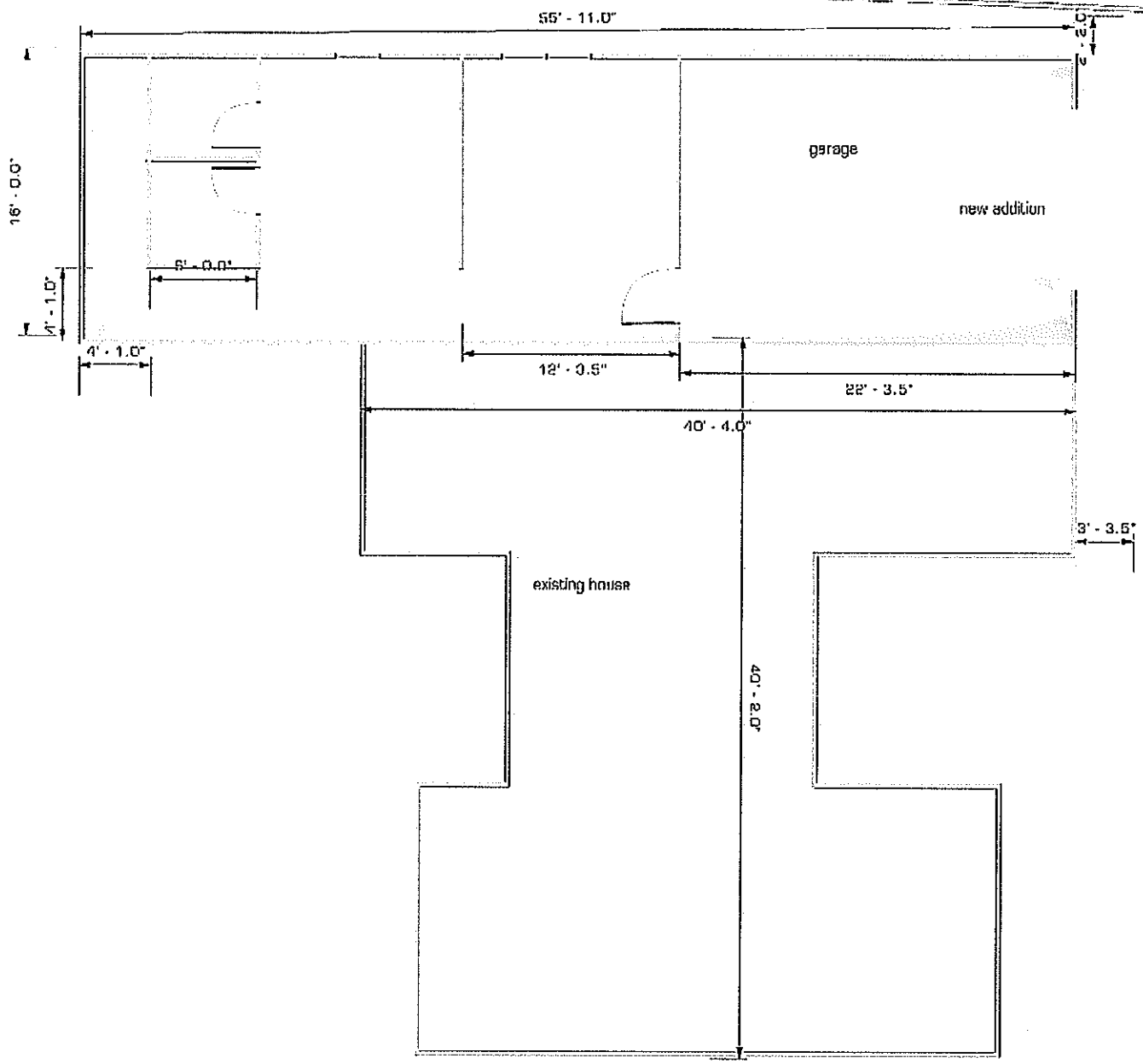
25' NATURAL BUFFER YARD TO BE LEFT IN ITS NATURAL STATE  
Required Side STB's 5' request 2'  
3' driveway  
17.12.020













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



3583860

**ZONING BOARD APPEAL / CAAZ - 20180075678  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 14806016200**APPLICATION DATE:** 12/04/2018**SITE ADDRESS:**

3711 EZELL RD NASHVILLE, TN 37211

LOT 2 ARMSTRONG'S EZEL ROAD SUBDIVISION

**PARCEL OWNER:** ALVARADO, GILBERTO**CONTRACTOR:****APPLICANT:****PURPOSE:**

TO CONSTRUCT A NEW ADDITION AT TO SIDE OF SINGLE FAMILY RES..56'X16'.

REQUIRED SIDE SETBACK 5'...REQUEST 2'

17.12.020

**POC:**GILBERTO ALVARADO

615-415-2219

gilberto.alvarado3711@gmail.com

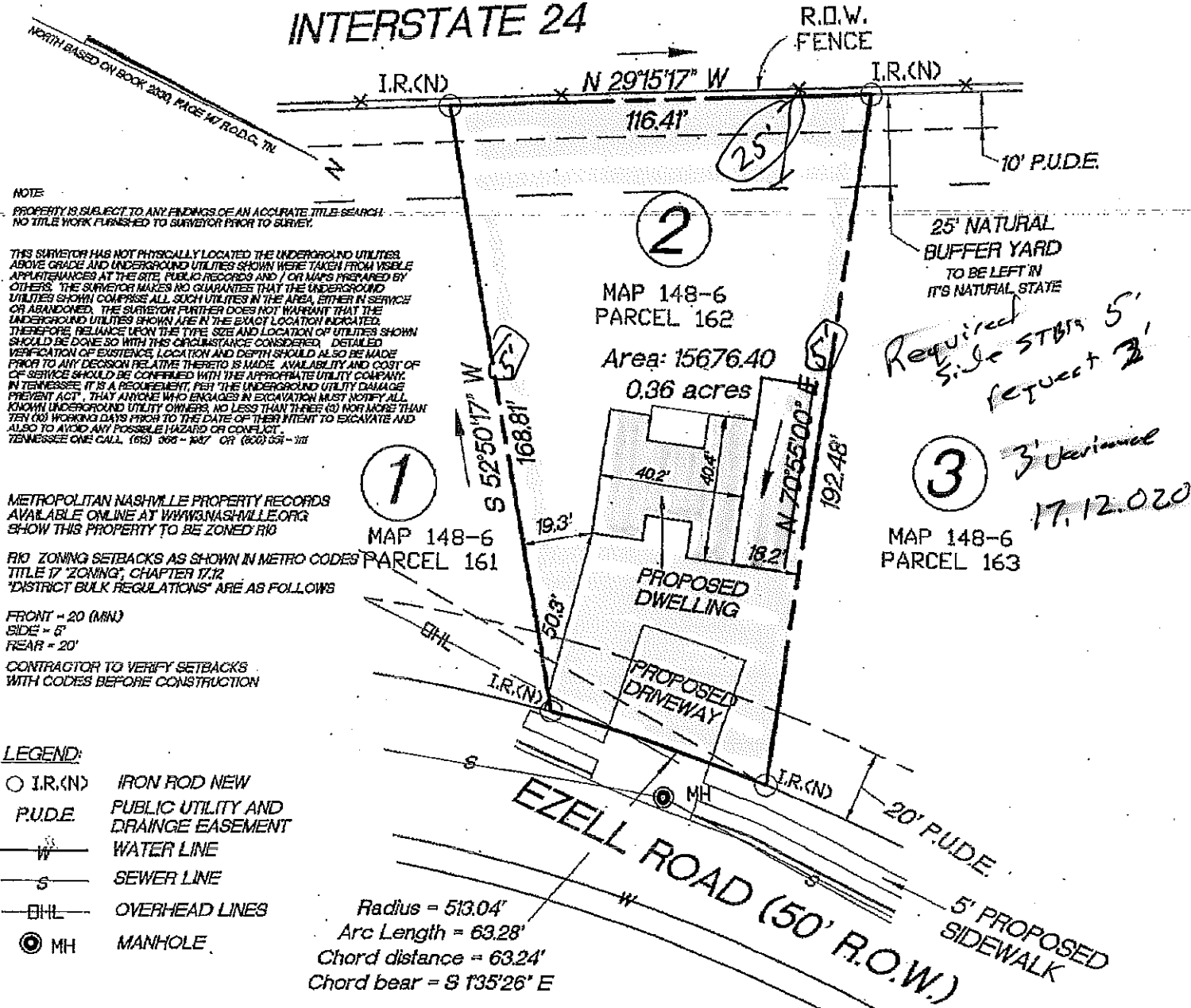
*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

# INTERSTATE 24



**NOTE:**  
 PROPERTY IS SUBJECT TO ANY FINDINGS OF AN ACCURATE TITLE SEARCH. NO TITLE WORK FURNISHED TO SURVEYOR PRIOR TO SURVEY.

THIS SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPEARANCES AT THE SITE, PUBLIC RECORDS AND / OR MAPS PREPARED BY OTHERS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT PER THE UNDERGROUND UTILITY DAMAGE PREVENT ACT, THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) NOR MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL (615) 368-1417 OR (800) 551-1111

METROPOLITAN NASHVILLE PROPERTY RECORDS AVAILABLE ONLINE AT WWW3.NASHVILLE.ORG SHOW THIS PROPERTY TO BE ZONED R10

R10 ZONING SETBACKS AS SHOWN IN METRO CODES TITLE 17 "ZONING", CHAPTER 17.12 "DISTRICT BULK REGULATIONS" ARE AS FOLLOWS

FRONT = 20' (MIN)  
 SIDE = 5'  
 REAR = 20'

CONTRACTOR TO VERIFY SETBACKS WITH CODES BEFORE CONSTRUCTION

- LEGEND:**
- I.R.(N) IRON ROD NEW
  - P.U.D.E. PUBLIC UTILITY AND DRAINAGE EASEMENT
  - W — WATER LINE
  - S — SEWER LINE
  - OHL — OVERHEAD LINES
  - MH MANHOLE

Radius = 513.04'  
 Arc Length = 63.28'  
 Chord distance = 63.24'  
 Chord bear = S 135°26' E

## BOUNDARY SURVEY / SITE PLAN

**OWNERS:**  
 S AND C CONSTRUCTION

SCALE 1" = 40' DATE: 4-3-07

**PROPERTY LOCATED:**  
 EZELL ROAD, 28TH COUNCIL DISTRICT,  
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE

MAP FLOOD MAP DATED  
 ZONE "X" 470040 0354F 4-20-01

THIS PROPERTY IS NOT LOCATED IN A FEMA-FIRM SPECIAL FLOOD HAZARD AREA BY MAPS AVAILABLE TO ME AT THIS TIME.

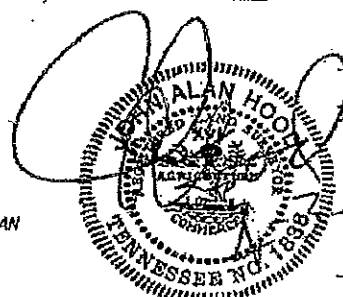
**LAND DESCRIPTION:**  
 LOT 2, ARMSTRONGS EZELL  
 ROAD SUBDIVISION  
 (INSTRUMENT #20061206-0150834)

**RECORDED:**  
 INSTRUMENT #20051017-0124875  
 R.O.D.C., TN

### SURVEYORS CERTIFICATE

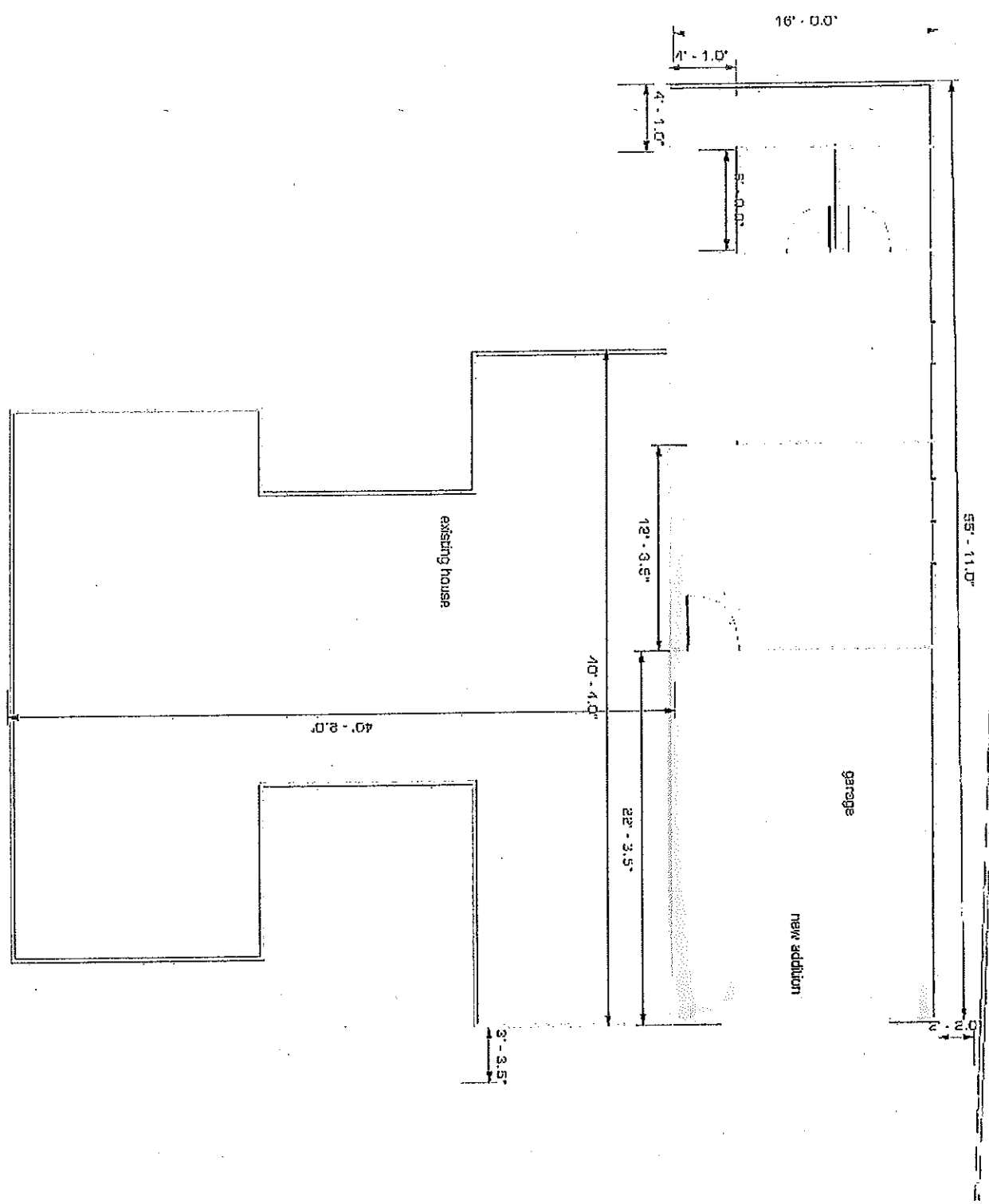
I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY WITH A DEGREE OF ACCURACY OF THE UNADJUSTED SURVEY BEING EQUAL TO OR GREATER THAN 1/10,000 AS SHOWN HEREON

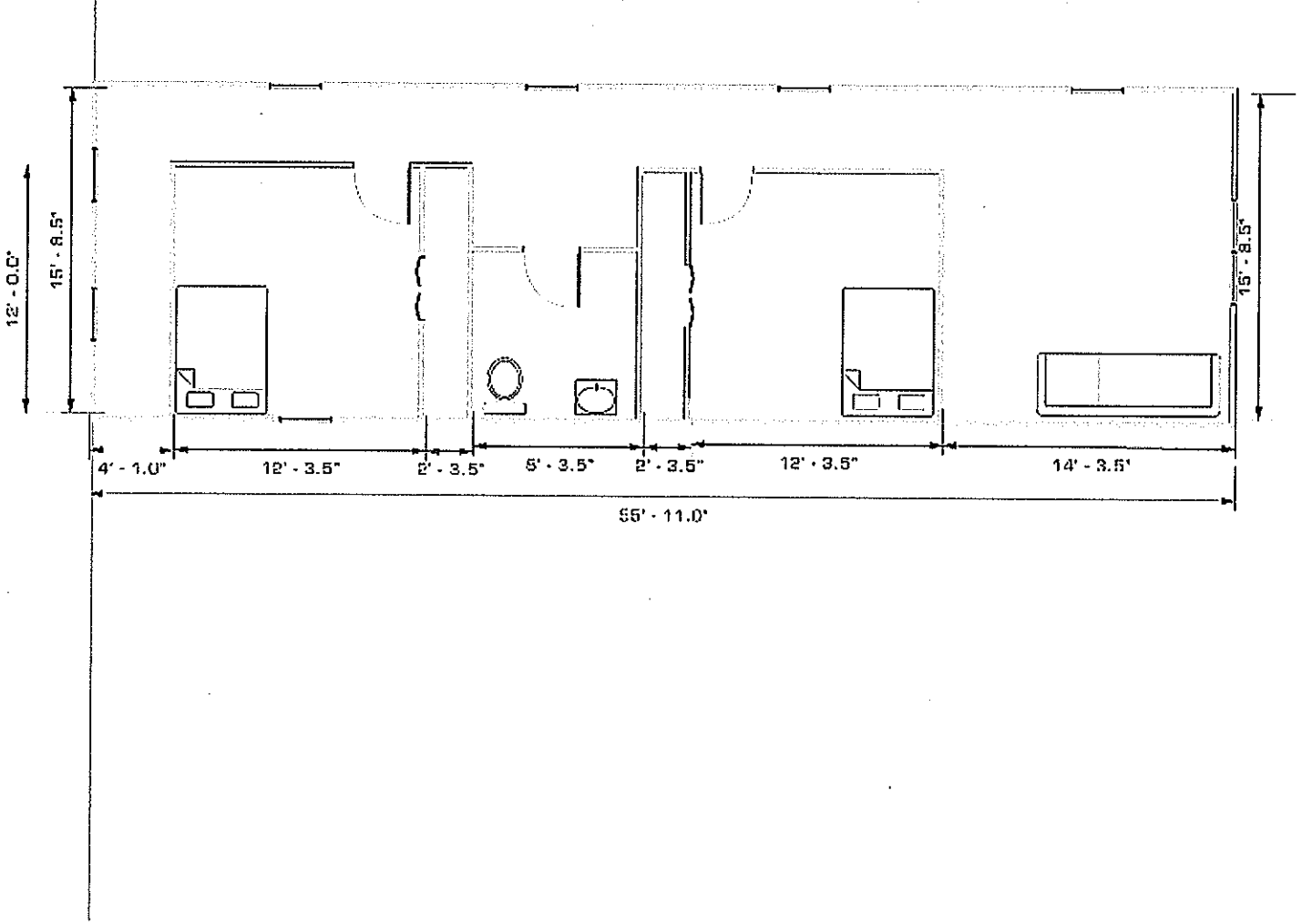
JOHN ALAN HOOD, TN, R.L.S. NO. 1838

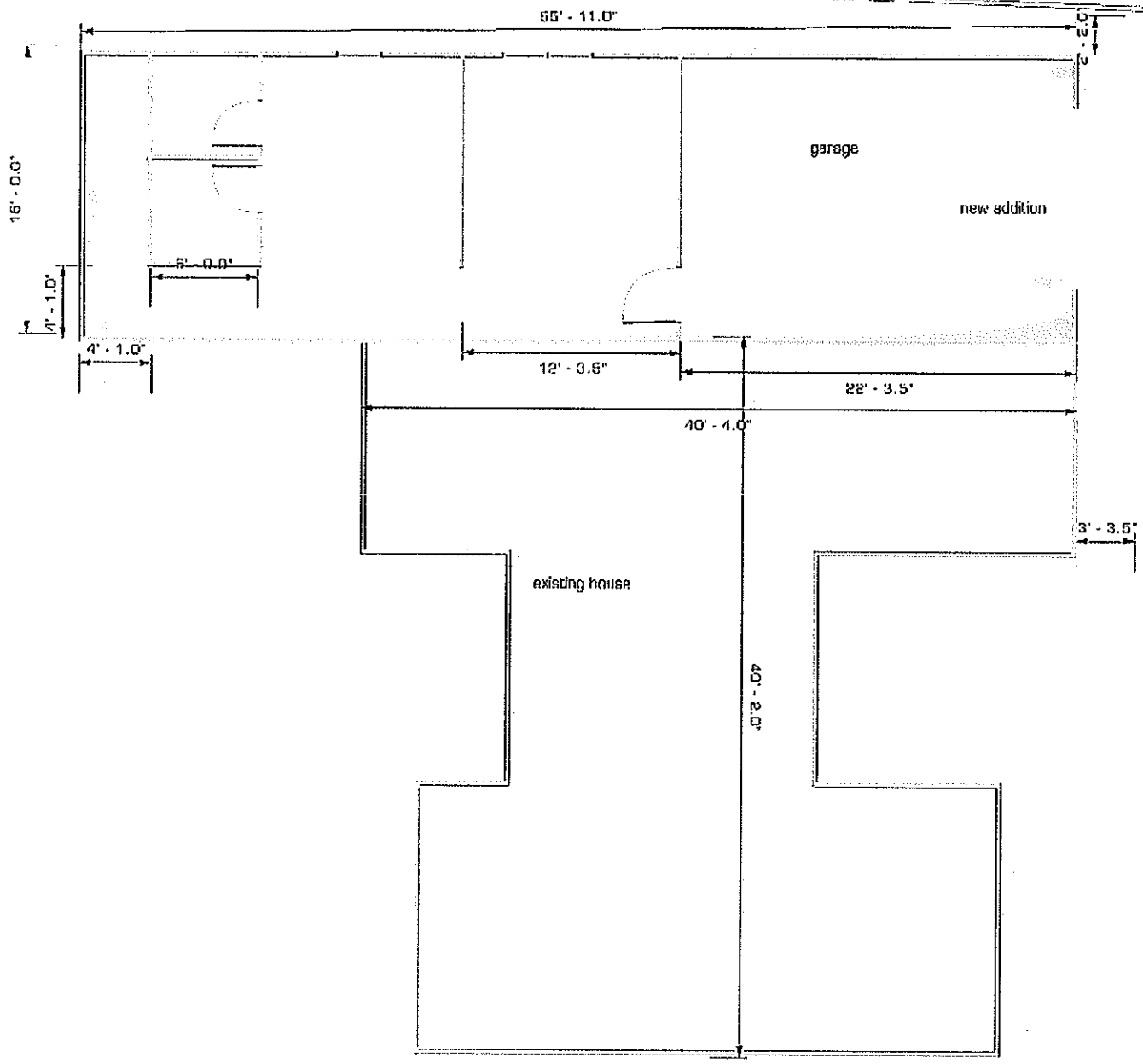


Tampbell, McRae and Assoc. Surveying, Inc.  
 2918 BERRY HILL DRIVE  
 NASHVILLE, TENNESSEE 37204  
 PHONE (615) 298-2424 FAX (615) 297-2828

ORDER# 295-22-5









Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Purser Architecture + Design Date: 12/04/18  
Property Owner: Chin Baptist Church Case #: 2019-033  
Representative: Dave Purser Map & Parcel: 17400009100

Council District 33

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

Purpose: Chin Baptist Church new sanctaary

Activity Type: Religious Institution

Location: 5738 Cane Ridge Road, A

This property is in the A22A 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.

Dave Purser  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

2819 Columbine Place  
Address

5aw  
Address

Nashville, TN 37204  
City, State, Zip Code

City, State, Zip Code

615-943-8615  
Phone Number

Phone Number

dave@padpllc.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**



3583991

**ZONING BOARD APPEAL / CAAZ - 20180075784  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 17400009100**APPLICATION DATE:** 12/04/2018**SITE ADDRESS:**

5738 CANE RIDGE RD ANTIOCH, TN 37013  
E/S CANE RIDGE RD S OF OLD FRANKLIN RD

**PARCEL OWNER:** NASHVILLE CHIN BAPTIST CHURCH**CONTRACTOR:****APPLICANT:****PURPOSE:**

Requesting a sidewalk variance for proposed addition to church per METZO section 17.20.120. See building application CACA T2018055990.

*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.

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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

Jonathan Davis Pursuer

Pursuer Architects & Design

12/3/18  
DATE

### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

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

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

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

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.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?

THE PROPERTY HAS A NATURAL ROCK WALL ALONG  
A PORTION OF CALE RIDGE ROAD THAT PRESENTS A  
HARDSHIP IN COMPLYING WITH THE SIDEWALK REQUIREMENTS.



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-033 (5738 Cane Ridge Road)

Metro Standard:	Cane Ridge Road - 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
	Cane Springs Road – 4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not construct sidewalks
Zoning:	AR2A
Community Plan Policy:	T3 NE (Suburban Neighborhood Evolving) CO (Conservation – Stream Buffer, Slopes)
MCSP Street Designation:	Cane Ridge Road - T3-R-AB3 Cane Springs Road – Local Street
Transit:	None existing; none planned
Bikeway:	None existing; bike lane planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes expanding an existing church and requests a variance from upgrading sidewalks to the Major and Collector Street Plan standard due to rocky slopes and impacts to trees on the property frontage. Planning evaluated the following factors for the variance request:

- (1) There is a 4' grass strip and 5' sidewalk along the Cane Springs Road property frontage. No variance needed for this frontage.
- (2) There is currently no sidewalk on the Cane Ridge Road property frontage. The trees and rocky slope are identified within Conservation policy along the property frontage. Given the scale of improvements and the property is currently zoned AR2A, a right-of-way contribution is an acceptable alternative in this situation.

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 right-of-way along the Cane Ridge Road property frontage to accommodate future sidewalks per the Major and Collector Street Plan and Local Street standards, respectively.



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Andrew Buford  
Property Owner: Jessica Buford  
Representative: \_\_\_\_\_

Date: 12/4/18  
Case #: 2019-035  
Map & Parcel: 105040049.00

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: TO CONSTRUCT A SINGLE FAMILY RESIDENCE ON UNRESIZED (2,444 SQ FT) LOT  
NO CONSTRUCTION PERMIT STARTED

Activity Type: RES. NEW CONSTRUCTION  
Location: 59 LINCOLN ST

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 OF NON-CONFORMING LOT SIZE <sup>①</sup> SETBACK VARIANCE <sup>②</sup>  
Section(s): ① 17.40.670 AND ② 17.12.030B AND 17.12.030A

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, <sup>③</sup> sidewalk variance 17.20.120 Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Andrew Buford  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

3704 Turley Dr  
Address

\_\_\_\_\_  
Address

Nashville TN 37211  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-635-6679  
Phone Number

\_\_\_\_\_  
Phone Number

remidtn@gmail.com  
Email

\_\_\_\_\_  
Email

\_\_\_\_\_  
Appeal Fee:

## APPLICATION FOR A VARIANCE REQUEST

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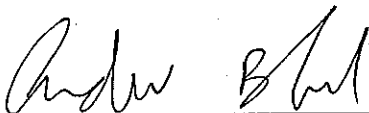
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**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

11-29-2018

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?**

The setback requirements make the site too small to build. If a setback variance could be given a house could be built on the lot. This lot came from a tax sale because the owners did not even find value in paying the taxes. A variance would allow an affordable house to be built on the site.

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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**



3584068

**ZONING BOARD APPEAL / CAAZ - 20180075833  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 10504004900**APPLICATION DATE:** 12/04/2018**SITE ADDRESS:**

59 LINCOLN ST NASHVILLE, TN 37210  
PT LOT 124 TRIMBLE ADDN

**PARCEL OWNER:** BUFORD, JESSICA**CONTRACTOR:****APPLICANT:****PURPOSE:**

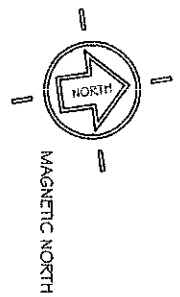
Requesting a Variance of Non-Conforming lot size METZO section 17.40.670, a setback variance per METZO Sections 17.12.20(B) and 17.12.030(A) and a sidewalk variance per METZO section 17.20.120 for proposed new single family residence.

*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.*

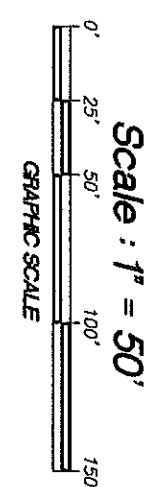
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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



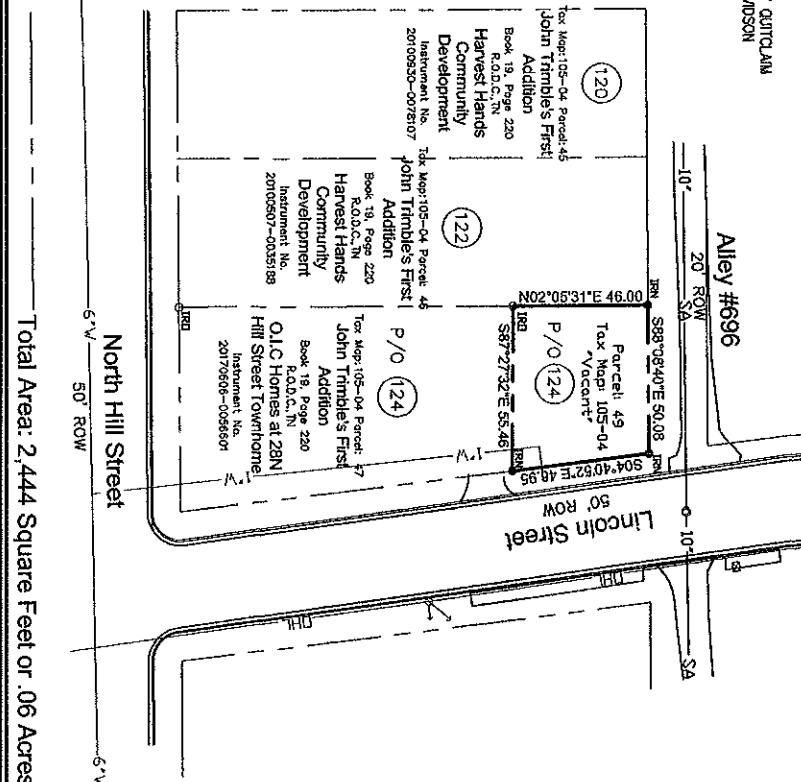
MAGNETIC NORTH



**PROPERTY DESCRIPTION**

BEING PART OF LOT NO. 124 ON THE PLAN OF JOHN TRIMBLE'S FIRST ADDITION TO NASHVILLE, OF RECORD IN BOOK 19, PAGE 220, REGISTER'S OFFICE FOR GAVINSON COUNTY, TENNESSEE.  
 BEING THE SAME PROPERTY CONVEYED TO ESSICA BURROD BY GUYOLAN FROM THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVINSON COUNTY, TENNESSEE, INSTRUMENT NO. 20181001-0098917

**JAMES TERRY & ASSOCIATES**  
 LAND SURVEYORS  
 2803 ELM HILL PIKE, SUITE K  
 NASHVILLE, TENNESSEE 37214  
 PHONE: (615) 490-6920



Total Area: 2,444 Square Feet or .06 Acres

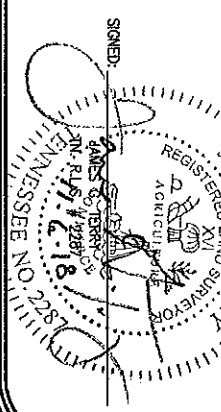
**LOT SURVEY**  
**ANDREW BUFORD**  
 59 Lincoln Street  
 Nashville, Tennessee 37210

**GENERAL NOTES**

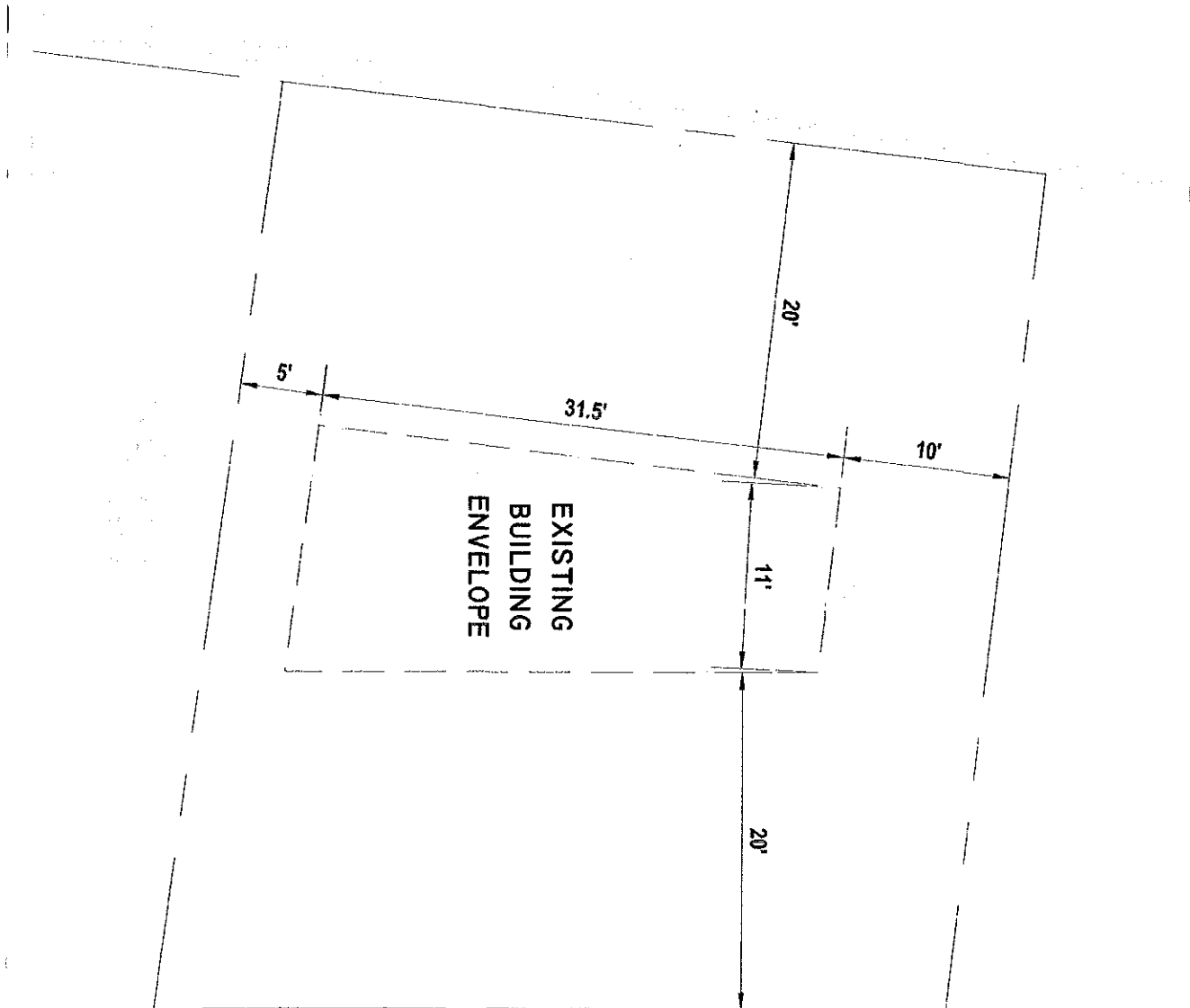
1. BEARINGS SHOWN HEREON ARE REFERENCED TO MAGNETIC NORTH
2. SUBJECT PROPERTY IS SHOWN AS PARCEL 49.00 ON DAVINSON COUNTY TAX MAP NO. 105-04
3. THIS SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES, ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN HEREON WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PROVIDED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION. RELATIVE THEREO IS MADE, AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY, TENNESSEE ONE CALL 1-800-351-1111 OR 1-615-386-1987.
4. BY GRAPHIC PLOTTING AND SCALED MAP LOCATION ONLY, THIS PROPERTY IS NOT WITHIN AN AREA OF FLOOD INUNDATION AS DESIGNATED BY CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS WHICH MAKE UP A PART OF THE NATIONAL FLOOD INSURANCE ADMINISTRATION REPORT AS SHOWN ON FEMA MAP NUMBER 47037C 0244H, WHICH BEARS AN EFFECTIVE DATE OF APRIL 05, 2017.
5. NO TITLE REPORT HAS BEEN FURNISHED TO THIS SURVEYOR, THEREFORE, THIS SURVEY IS SUBJECT TO THE FINDINGS OF AN ACCURATE TITLE SEARCH.

**SURVEYORS CERTIFICATE**

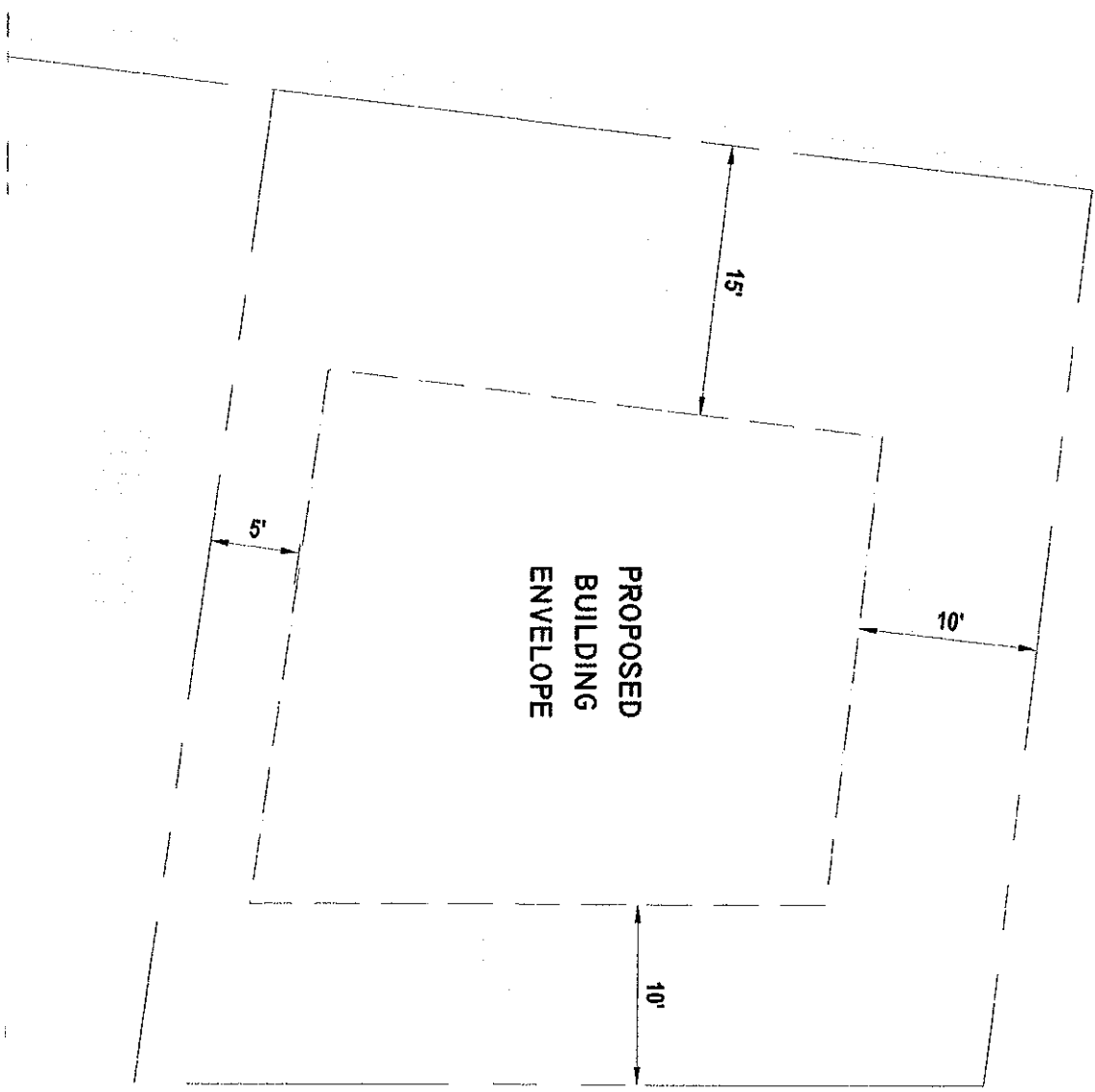
I HEREBY CERTIFY THAT THIS IS A CATEGORY 1 SURVEY AND THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT STANDARDS OF PRACTICE FOR SURVEYORS IN THE STATE OF TENNESSEE AND THE UNADJUSTED ERROR OF CLOSURE IS AT LEAST 1/10,000 PART.



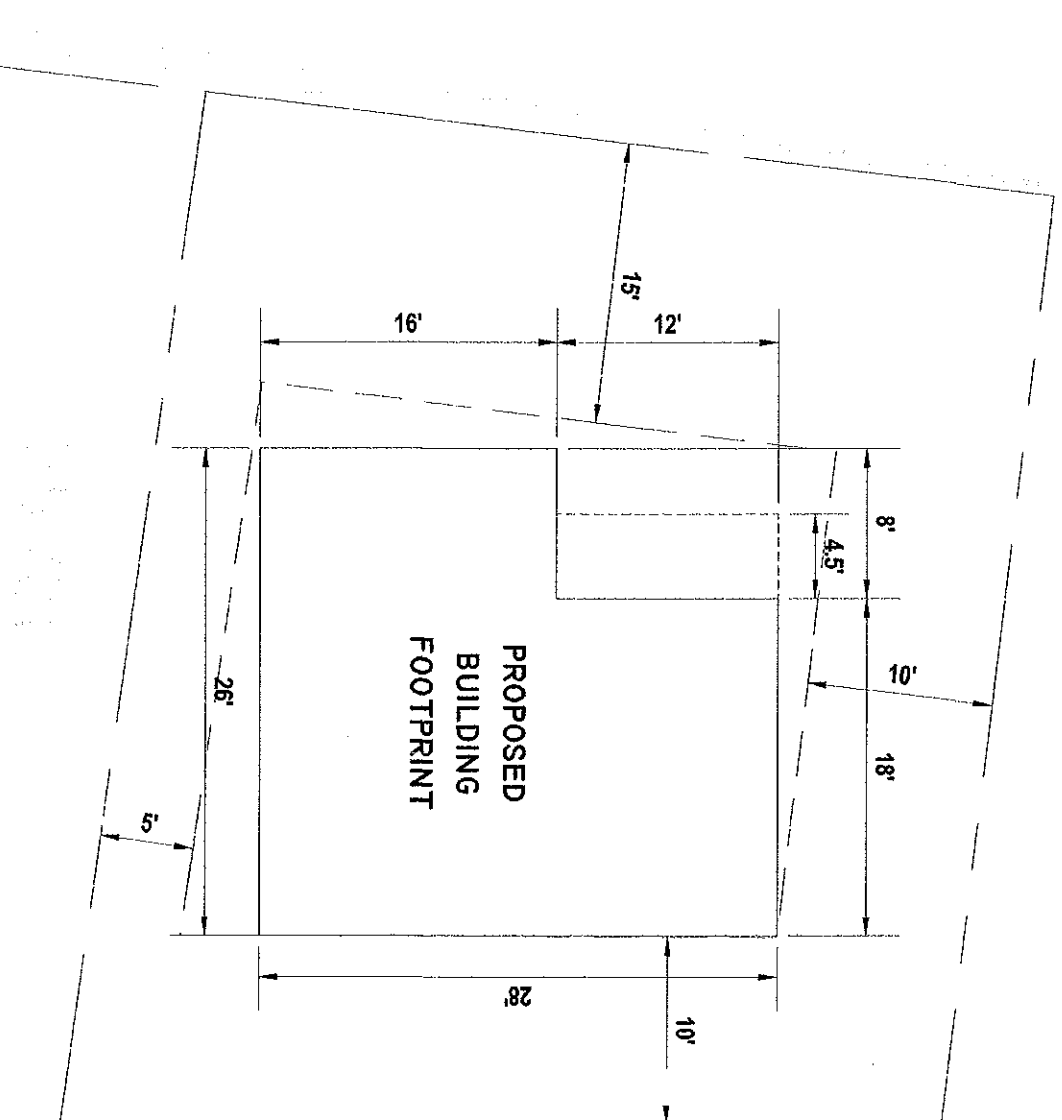
Job No. 2018-686

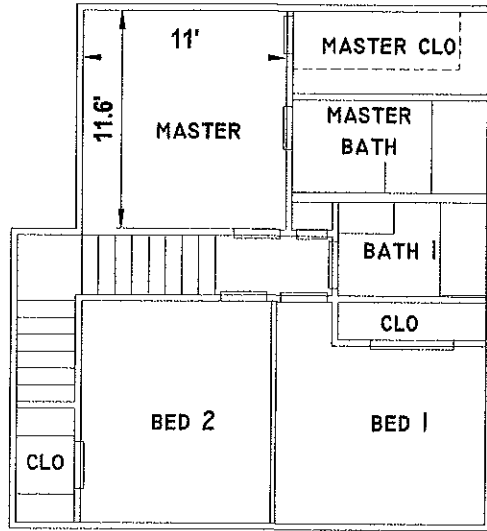






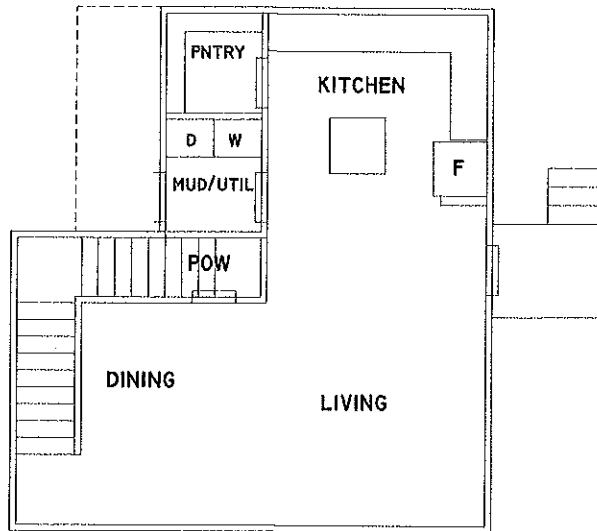
Front Lincoln St





630 SF

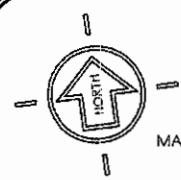
1262 SF TOTAL



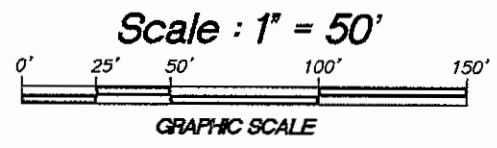
632 SF

**LOT SURVEY**

**ANDREW BUFORD**  
 59 Lincoln Street  
 Nashville, Tennessee 37210



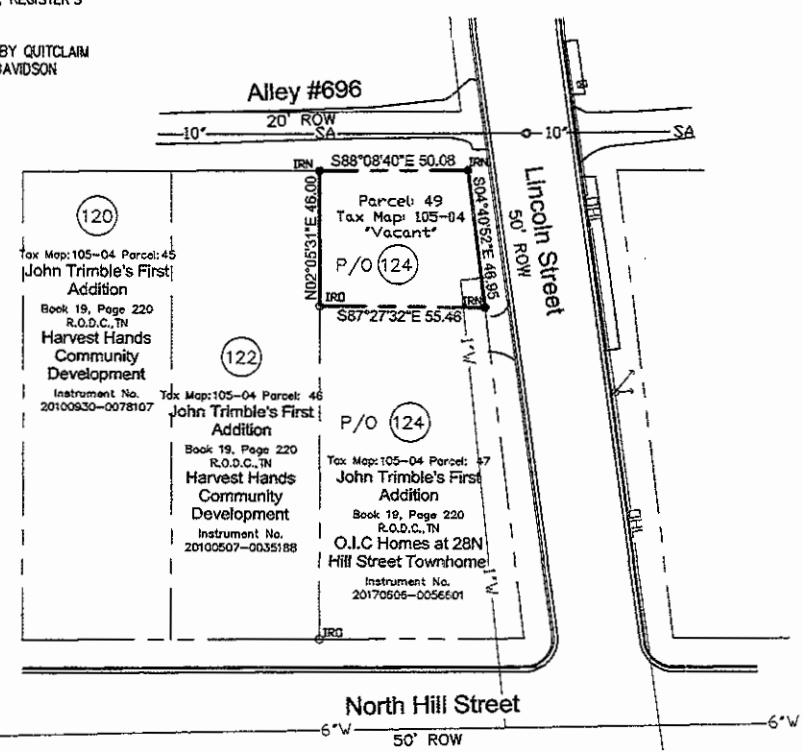
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BEING THE SAME PROPERTY CONVEYED TO JESSICA BUFORD BY QUITCLAIM FROM THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE, INSTRUMENT NO. 20181001-0096917



**GENERAL NOTES**

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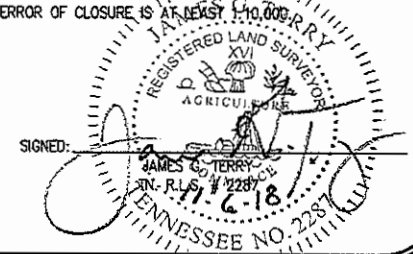
**SURVEYORS CERTIFICATE**

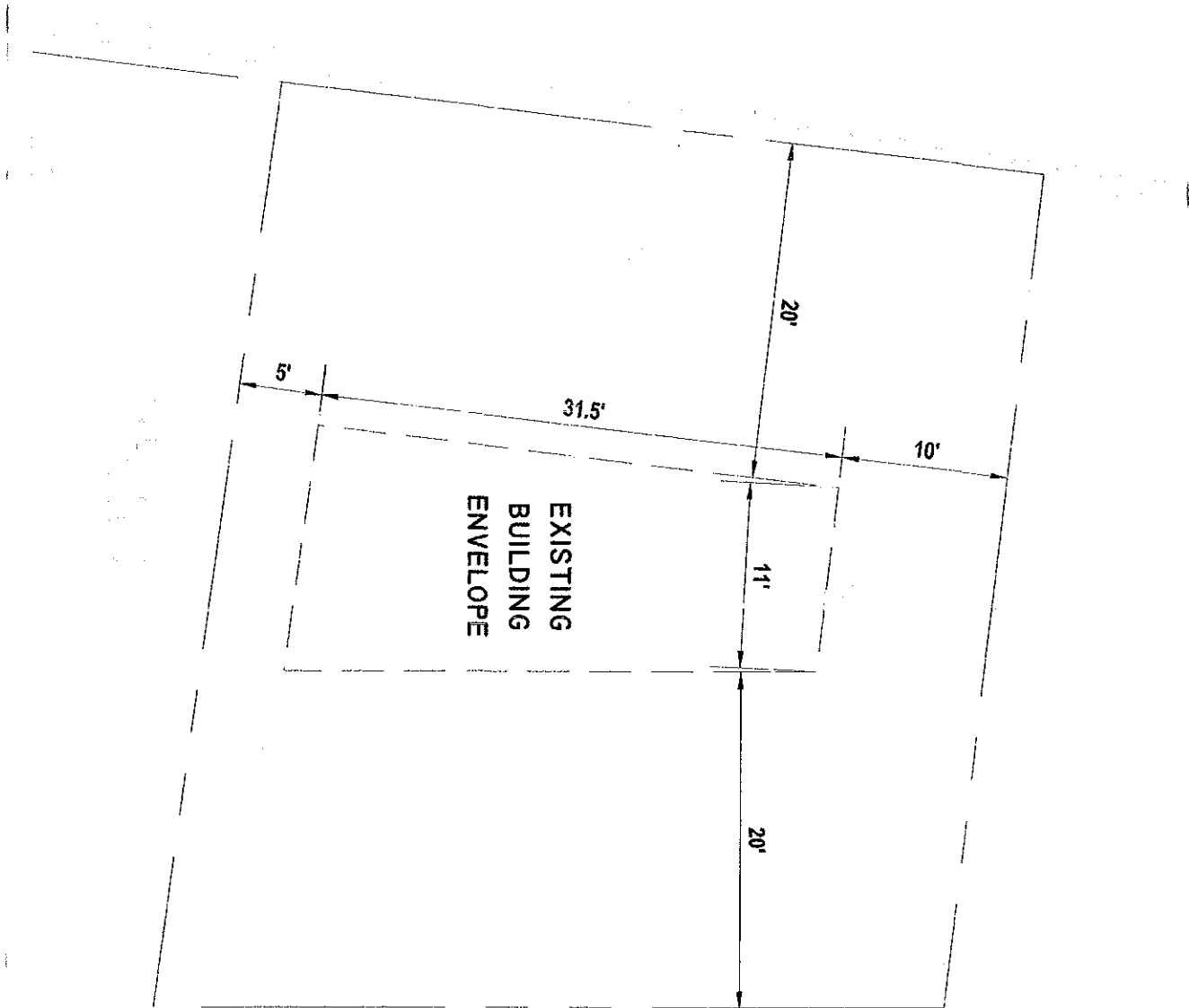
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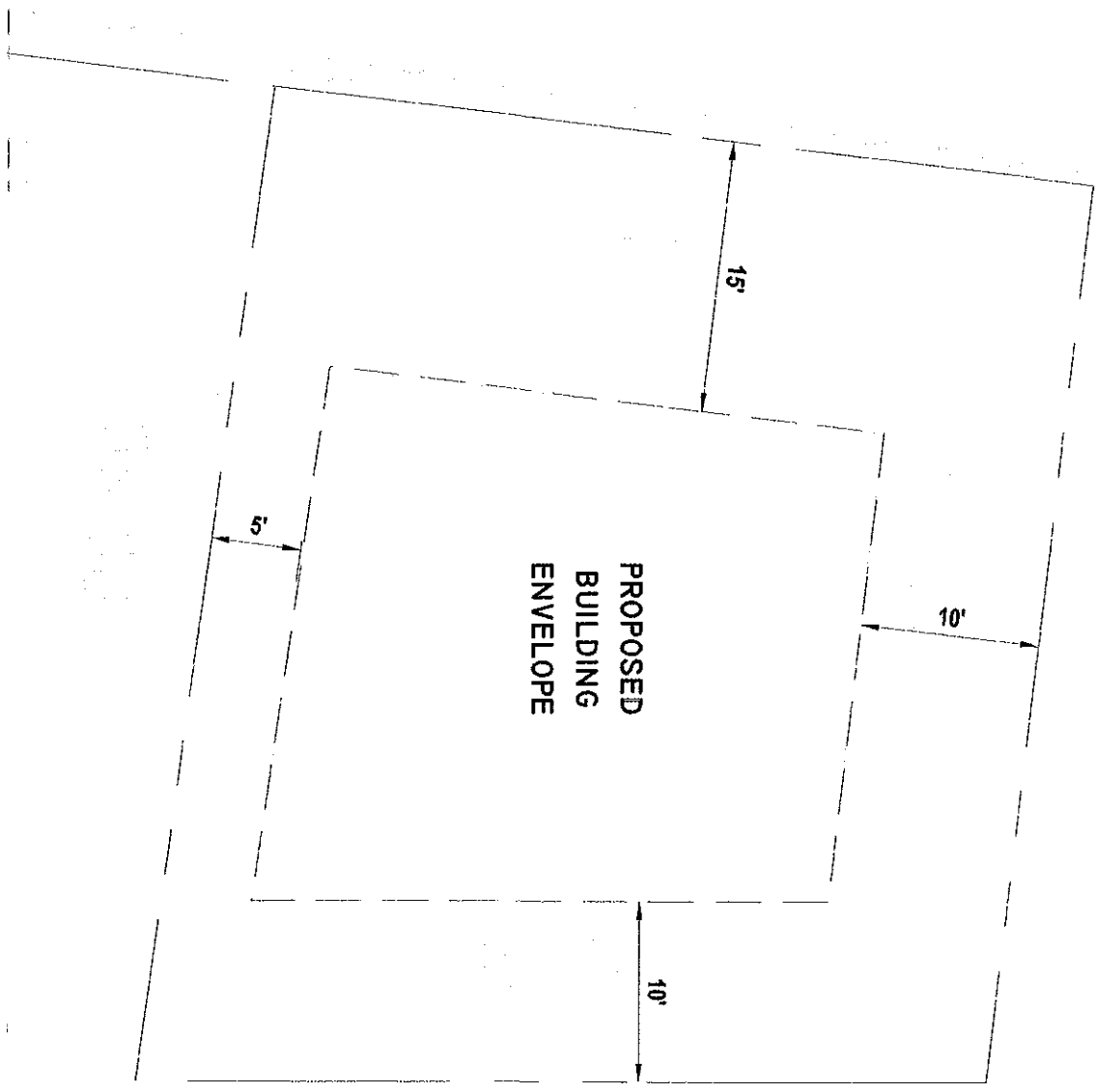
**JAMES TERRY & ASSOCIATES**  
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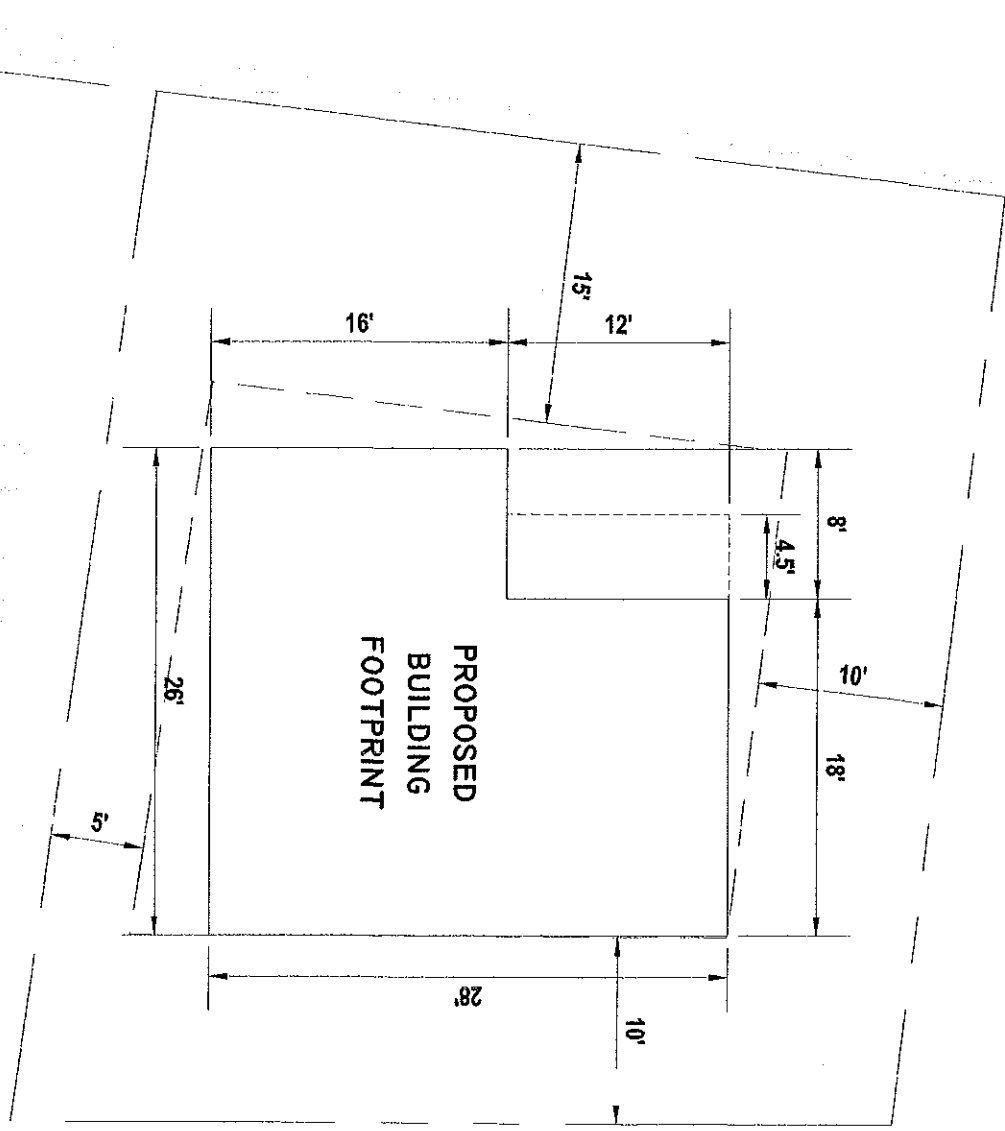
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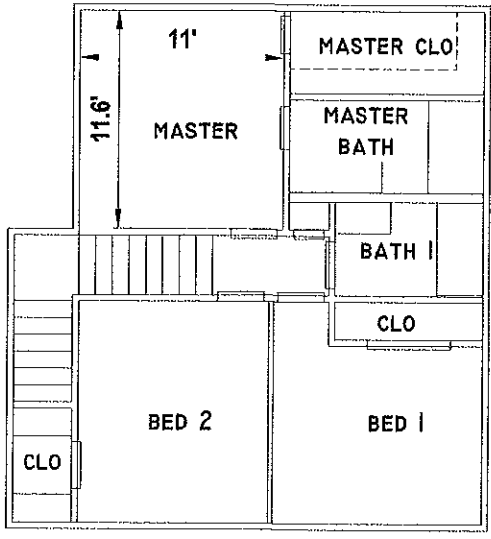




Front Lincoln St

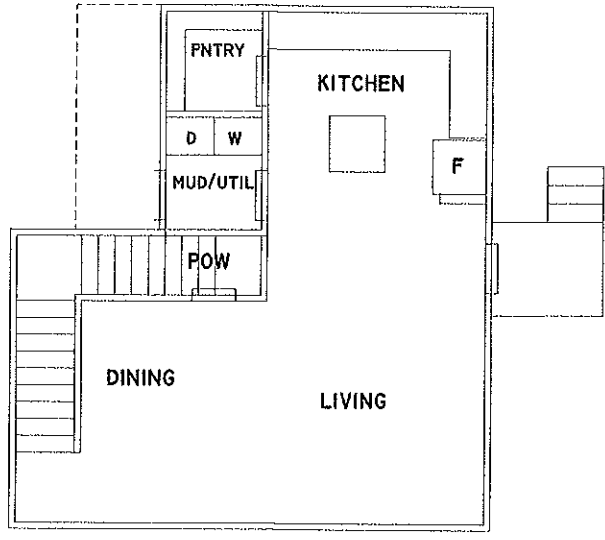






630 SF

1262 SF TOTAL



632 SF

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-035 (59 Lincoln Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks
Zoning	R6
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	Approximately 0.22 miles from #25 – Midtown
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 the lack of existing sidewalks along the Lincoln Street block face. Per the Zoning Ordinance, the applicant is eligible to contribute in lieu of construction. Electing to make the contribution in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction.** The applicant shall also dedicate right-of-way for future sidewalk construction.

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

---

Good morning, Board members,

Here are my stances on the District 17 items before you next week:

- **Oppose** a request for a sidewalk variance on Pillow St. I have asked the applicant for the reason, and have not received one. (2018-619)
- **Neutral** on a setback variance request on 2nd Ave S., because I think the private parties are working this one out. (2018-644)
- **Strongly oppose** a request on Wade Ave. to build three units instead of two and not build sidewalks. The applicant has reached out via email, but I don't agree with the argument. (2018-677)
- **Neutral** on a request to raise the sign two feet at Enterprise on 8th Ave S. (2019-027)
- **Oppose** a request for all kinds of variances and exceptions to build on a substandard lot on Lincoln St. Substandard (too small to build on) lots are throughout Chestnut Hill/Trimble Bottom, and I'm going to be asking Planning/Zoning for a more comprehensive approach to them rather than this piecemeal one. (2019-035)
- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

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: Josh Kurtz

Date: 12/4/18

Property Owner: Global Outreach

Case #: 2019-036

Representative: Josh Kurtz

Map & Parcel: G3-8-114

Council District 11

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

Purpose:

- ① SE → New Construction (17.16.120E)
- ② Street setbacks. 40' Required: Request 20.17.12.030
- ③ Sidewalks: request Not to install + Not to contribute (17.20.120)

Activity Type: Church

Location: 401 Center St Old Hickory, TN 37138

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: SE: 17.16.120E / 17.12.030 / 17.20.120

Section(s): \_\_\_\_\_

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

Josh Kurtz  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

401 Center St  
Address

\_\_\_\_\_  
Address

Old Hickory TN  
City, State, Zip Code

37138  
City, State, Zip Code

615-481-6665  
Phone Number

\_\_\_\_\_  
Phone Number

jkurtz@godinternational.org  
Email

\_\_\_\_\_  
Email

Appeal Fee: 200<sup>00</sup>



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



3584041

**ZONING BOARD APPEAL / CAAZ - 20180075813  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 06308011400

APPLICATION DATE: 12/04/2018

**SITE ADDRESS:**

401 CENTER ST OLD HICKORY, TN 37138  
BLK A 1 BLK C 1 AND BLK C 2 HADLEY BEND CITY

PARCEL OWNER: GLOBAL OUTREACH DEVELOPMENT, INC.      CONTRACTOR:

**APPLICANT:****PURPOSE:**

THIS IS NOT A MASTER PERMIT NOR A CONSTRUCTION PERMIT ...THIS IS FOR BZA ONLY.: SE; STREET SETBACKS; AND SIDEWALKS...WILL NEED INDIVIDUAL CONSTRUCTION PERMITS..

\*\*\*\*\*BZA 2018- 036

\*\*\*\*\* NOT INCREASING THE # OF SEATS IN THE SANCTUARY AND small lot...5.73 ac...allowed 273 students. ....

I

SPECIAL EXCEPTION...17.16.170 E...

A....6 SINGLE FAMILY HOUSES FOR CHURCH USE....TWO MOVED FROM WEST SIDE OF THE PROPERTY TO EAST SIDE...AND 4 NEW HOUSES FOR A TOTAL OF SIX....

B....THREE MODULAR ACADEMY CLASSROOMS AT THE SOUTH END OF THE PROPERTY...2 @ 28X70 AND 1 @ 60X60....

C....TWO STORY 50X100 INSTITUTE BUILDING APPROVED UNDER BZA 16-171 BUT NEVER ISSUED.

II

\*\*\*\*VARIANCE APPEAL TO STREET SETBACK...17.12.030

A....REQUIRED SETBACKS FOR THE SINGLE FAMILY UNITS AT 40' ...REQUEST 20' (REASON 40' ON PAPER THIS IS A STREET-UNIMPROVED STREET, BUT CLASSIFIED AS A STREET NONE THE LESS...17.12.030.

B.....REQUIRED SETBACKS FOR THE THREE MODULAR ACADEMY CLASSROOMS AT THE SOUTH END OF PROPERTY...REQUIRED 40' ..REQUEST 20' ....THIS IS A STREET UNIMPROVED.....17.12.030.

III

\*\*\*VARIANCE TO SIDEWALK REQUIREMENT..17.20.120

SIDEWALKS REQUIRED BUT ALLOWED TO CONTRIBUTE....REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE...17.20.120.

\*\*\*\*\*PAST BZA APPEALS...SEE ATTACHED LIST.

POC: JOSH KURTZ 615-481-6665

jkurtz@godinternational.org

*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***

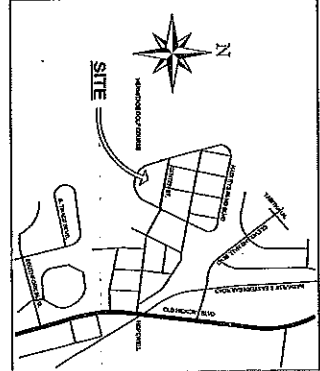
Inspection requirements may change due to changes during construction.

# Global Outreach Developments International Site Plan

Development Summary

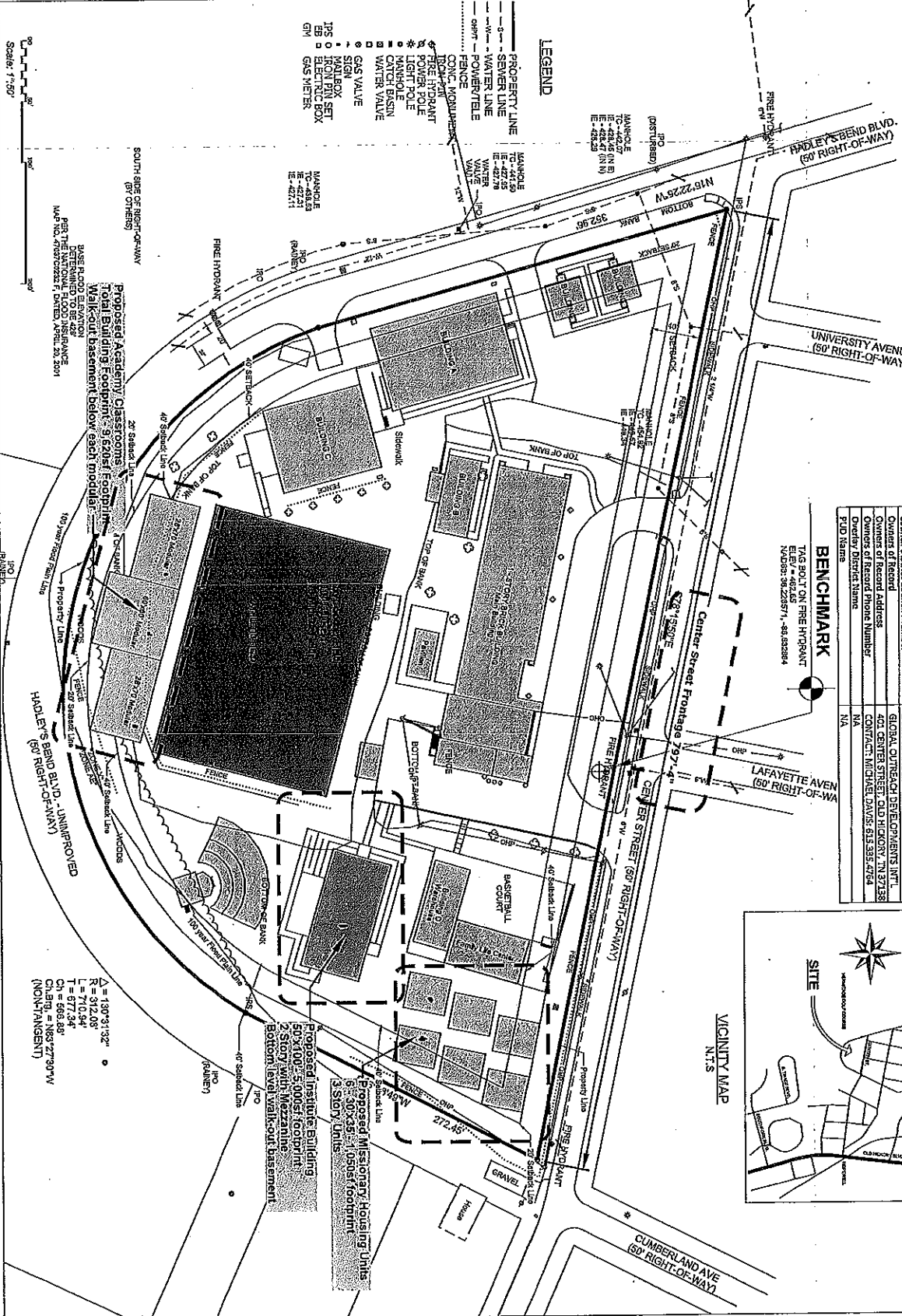
Council District Number	13
Council District Council Member	LARRY H. HAGER
Owners of Record	GLOBAL OUTREACH DEVELOPMENTS INT'L
Owners of Record Address	401 CENTER STREET, OLD HICKORY, TN 37138
Owners of Record Phone Number	CONTACT: MICHAEL DAVIS, 813.385.4768
Overlay District Name	NA
PLO Name	NA

**BENCHMARK**  
TAG 8017 ON FIRE HYDRANT  
ELEV. = 482.65  
NAD83: 88228711, -88.88284



## LEGEND

- PROPERTY LINE
- SEWER LINE
- WATER LINE
- POWER/TELE
- FENCE
- CONC. MODULAR
- TRUNK MAIN
- FIRE HYDRANT
- POWER POLE
- METER
- CATCH BASIN
- WATER VALVE
- GAS VALVE
- MANHOLE
- IRON RIV SET
- ELECTRIC BOX
- GAS METER



THIS IS NOT A CONSTRUCTION OR MASTER PERMIT..

\*\*\*\*.THIS IS FOR BZA APPROVAL ONLY...FOR. GLOBAL OUTREACH CHURCH...SIDEWALKS & SE.. & SIDE SETBACK VARIANCES.

\*\*BZA 2009-061 APPROVED 60'X30' CLASSROOM AND 44'X64' GARAGE.

\*\*BZA 2012-073 APPROVED 28'X64' MOBILE OFFICE/CLASSROOM.

\*\*BZA 2014-067 APPROVED NEW MODULAR BUILDING FOR A REDUCED SCHOOL SITE SIZE.

\*\*\*\*\*2016-171

- 1...MISSIONAY HOUSING...6 UNITS AT 2 FLOORS @ 30'X30'
- 2....ELEMENTARY CLASSROOM--MODULAR BLDG...4900 SQFT..
- 3...PARENTS DAY OUT SUNDAY SCHOOL MODULAR..1792 SQFT.
- 4...COFFEE SHOP AT 560 SQFT....ORGANIZATINAL RELATED ACTIVITIES.
- 5...OUTDOOR BATHROOMS...240 SQFT.
- 6....FAMILY LIFE CENTER AT 1920 SQFT..
- 7....INSTITUTE BUILDING AT 2 FLOORS AND 5000 SQFT FOOTPRINT...

## 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. Notices will be sent to the district councilmember, *The Tennessean*, and the neighboring property owners within 300 feet of the property. The neighbor notices will be mailed approximately twenty-three (23) days prior to the public hearing.

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

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

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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 HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.**

  
APPELLANT

12-4-2018  
DATE



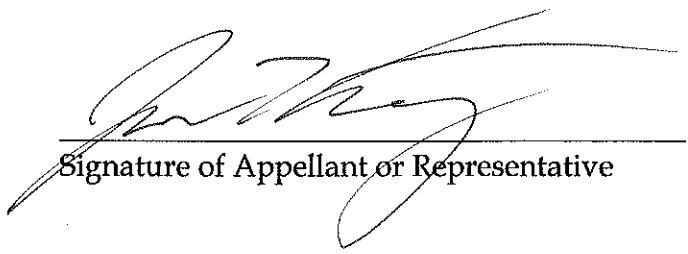
## SPECIAL EXCEPTION REQUESTS

On May 1, 2003, the Board of Zoning Appeals approved a new condition/requirement for all special exception applications. It reads as follows:

**"BZA Rules of Procedure Item 9. (2) e** In the interest of having informed stake holders in special exception cases, it is required that the appellant make contact with the district councilperson and neighbors within 300 feet of the subject property from a mailing list provided by the board staff. Information to be furnished by the applicant shall include a contact person and include a reasonable representation of your proposal and hold a meeting at a geographically convenient place, date and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

In other words, we will provide you a mail list of those persons within 300 feet of the location designated for a special exception permit. We are required by law to notify these people (within 300 feet) of your request. The Board requires that you contact those persons on the mail list, give them a date, time, place to meet with you and discuss your request. If there is opposition, this will give you a chance to address their concerns prior to the public hearing.

You must make documentation to present to the Board concerning your efforts to contact these people. Failure to do so can result in a deferral or denial of your request.



---

Signature of Appellant or Representative

## 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 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.

  
APPELLANT

12-4-2018  
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.*



# Request for Variance

12/4/2018

As a preface, Global Outreach Developments International (G.O.D. Int'l) is a church that is located at 401 Center Street, Old Hickory, Tennessee 37138. As a church, we are a community service organization, educational institution, and third world development agency.

Our community service and educational programs focus on both children and adults. The Academy for G.O.D. serves children in the local area and the Institute for G.O.D. is our post-secondary education program. In addition, G.O.D. Int'l is funded and overseen by NAZA for our after-school programming with DuPont Hadley, DuPont Tyler, and Donelson Middle Schools. We also have kids summer programming (sponsored by MDHA) in multiple locations in Nashville. Furthermore, we've been awarded grants by Metro for first-job summer work programs for 14-16 year old youth, which assists in skill development. Not only, do we facilitate different program sites in the area, we also host these programs on our campus as well.

These are mentioned to demonstrate a few of the activities we are involved in that impact the greater Nashville area, as well as to highlight how our facilities are utilized for more than church programming; they provide a safe environment for those in our area who participate in and benefit from these programs.

## Special Exception

Due to previous BZA approval expiring on 11/22/2018, we would like to request further approval of the variances requested and approved by the BZA on 11/17/2016 for the housing units and Institute building. These are the remaining two items on our original site plan to complete. In addition, we request approval for constructing a new classroom facility for our Academy. The Institute would be for post-secondary education and the Academy would be used for children's education.

## Hardship

### 1. Sidewalk Ordinance

- a. With the construction of the Institute Building we are required to abide by the new sidewalk ordinance. However, we request a variance from the new sidewalk ordinance due to 1) the properties frontage being nearly 800 feet in length along Center Street, 2) removing the existing sidewalk and setting it back 4 feet from the curb would put the sidewalk in the same line as the utility poles that supply power to a portion of the neighborhood, 3) property fence would need removed and setback, and 4) there would be some topography concerns on the eastern side of the property that would require to bring grade up to become compliant.

Sidewalk is in good condition and highly used through the week by residence of the neighborhood and students who walk to school.

**2. Setback Lines**

- a. With the housing units, we'd like to request a variance from the commercial set back of 40 feet to be allowed to build our housing units at the normal 20 foot setback for residential. This would match the variance given to existing residential units.
- b. We would like to request a variance for the Newly Proposed Academy Building to allow building to sit within the 40 foot commercial setback line but not to extend beyond the 20 foot setback line on the south side of the property along the unimproved right of way of Hadley's Bend Blvd. We'd like to maintain the athletic field space while utilizing the steep grade on the south side of property to cut in a walkout basement to maximize usable space on the property. In addition this project would also assist in further developing the unimproved Hadley's Bend Blvd.

# Proposed Buildings

Global Outreach Developments International

12/04/2018

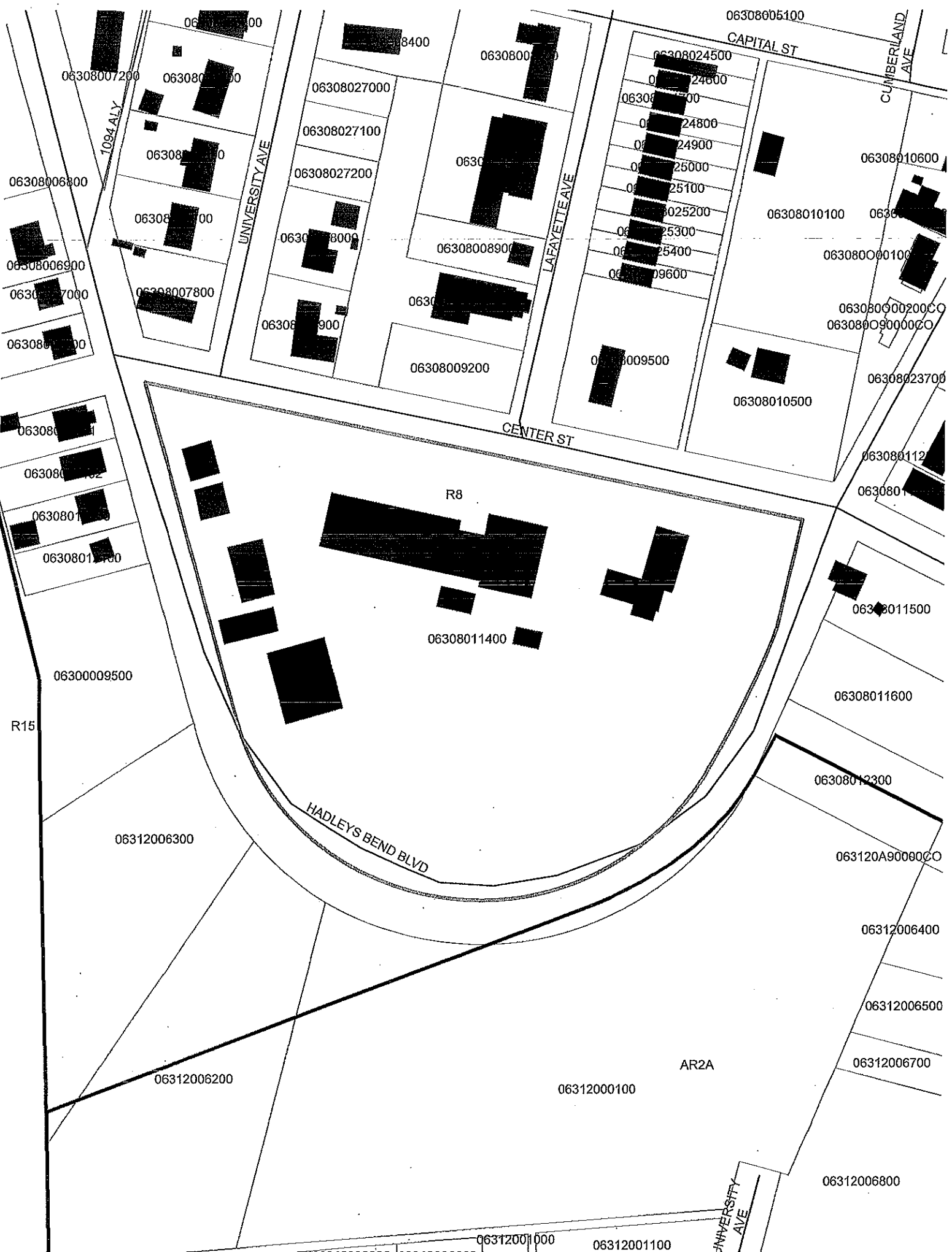
## Structures

### Re-Applying for Approval

- Institute Building
  - Reapplication for Zoning Approval
    - Previously Approved under T2016054950 - 11/17/2016
  - Plans for structure have been submitted and waiting for re-approval from BZA due to previous BZA approval expiring.
  - 2 story with Mezzanine Level (basement level is an open walkout basement)
  - 5,000 sf footprint
  - 11,000 sf structure
  - Sits within designated 40 foot setback line
  
- Housing Units
  - Reapplication for Zoning Approval with Amendment
    - Previously Approved under T2016054950 - 11/17/2016
  - Amendment
    - 3 story housing units (previously approved 2 story unit)
    - 1050 sf footprint (previously approved 900 sf footprint)
    - 3,150 sf structure (previously approved 1,800 sf structure)
    - 6 housing units on east side of property (previously had 4 housing units on east side of property and additional 2 units on west side of property)
  - Sits within 20 foot R8 setback for housing unit
  - Housing Unit floor plan is not solidified, but would like building area approved. Housing dimensions may change based on need.

### New Additional Structure for Approval

- Academy for G.O.D. Classroom Modular
  - 2 Story (walk-out basement level)
  - 9,620 sf footprint
  - 19,240 sf structure
  - Sits outside of 40 foot setback line from undeveloped Hadley's Bend Blvd Right of Way, but sits within 20 foot setback line used for R8 zoned lots.
  - Floor plan has not been solidified, but would like to request approval to build within 20 foot setback line in designated area identified on site plan.





http://ins... Sidewalk Requirements

### Sidewalk Requirements

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

Search

Choose the Development Type  
[Multi-Family or Non-Residential]

[Calculate Requirements]

You are eligible to contribute to the Pedestrian Benefit Zone in lieu of construction, provided that there is not a substandard sidewalk on the property, existing sidewalk on the block face or proposed sidewalk on the block face. To help determine whether there is existing or proposed sidewalk on the block face, use the sidewalk and open building permit information. Open building permits will require additional research.

Legend

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

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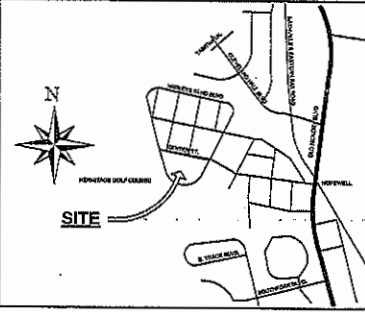


# Global Outreach Developments International Site Plan

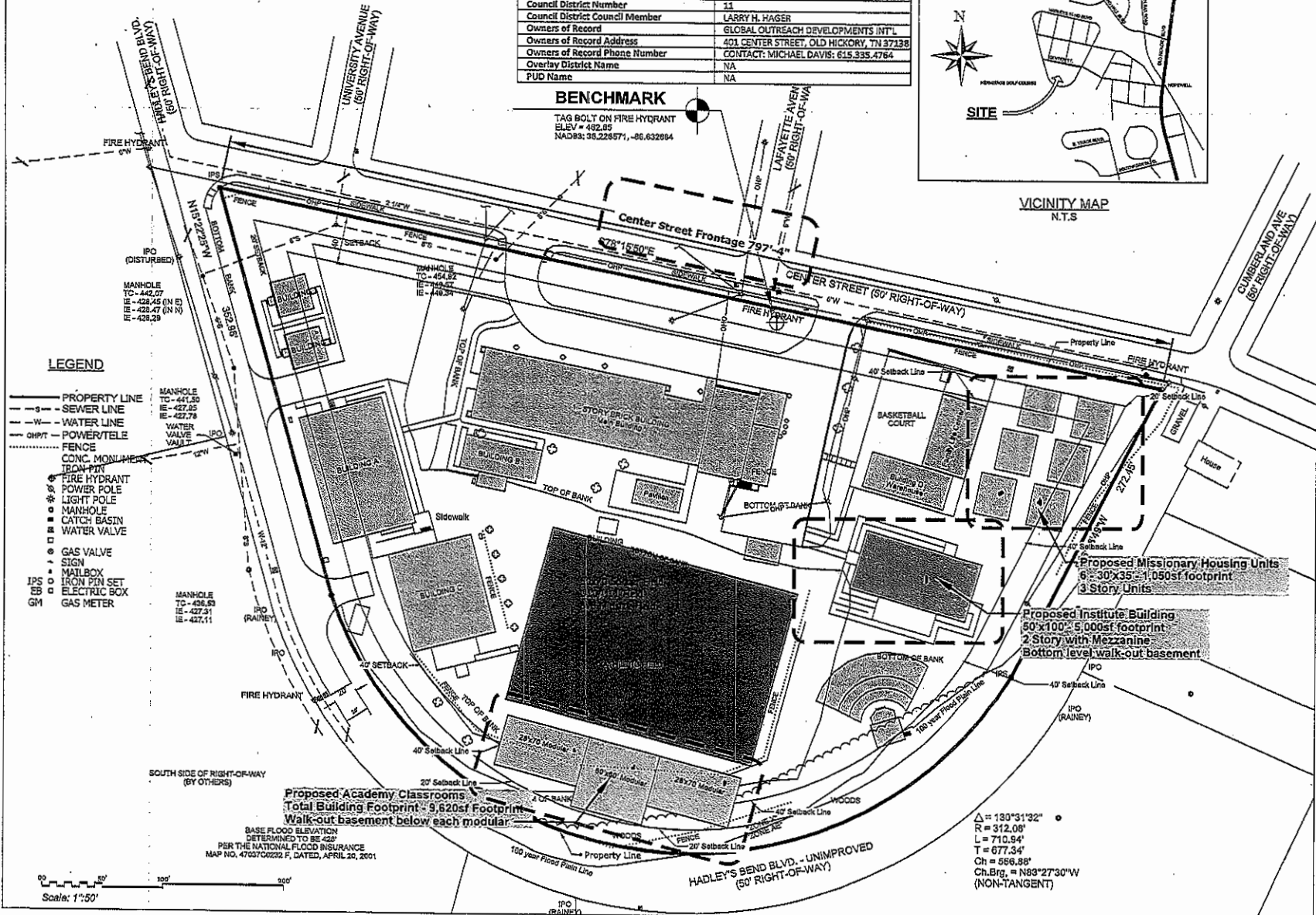
Development Summary	
Council District Number	11
Council District Council Member	LARRY H. HAGER
Owners of Record	GLOBAL OUTREACH DEVELOPMENTS INT'L
Owners of Record Address	401 CENTER STREET, OLD HICKORY, TN 37138
Owners of Record Phone Number	CONTACT: MICHAEL DAVIS: 615.335.4764
Overlay District Name	NA
PUD Name	NA

### BENCHMARK

TAG BOLT ON FIRE HYDRANT  
ELEV = 482.65  
NAD83: 38,228571, -86.632894



VICINITY MAP  
N.T.S.



### LEGEND

- PROPERTY LINE
- s- SEWER LINE
- w- WATER LINE
- W- POWER/TELE
- CHPT- FENCE
- CONC. MONUMENT
- IRON PIN
- FIRE HYDRANT
- ⊕ POWER POLE
- ⊕ LIGHT POLE
- ⊕ MANHOLE
- ⊕ CATCH BASIN
- ⊕ WATER VALVE
- ⊕ GAS VALVE
- ⊕ SIGN
- ⊕ MAILBOX
- ⊕ IRON PIN SET
- ⊕ ELECTRIC BOX
- ⊕ GM GAS METER

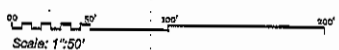
MANHOLE  
TC - 447.30  
IE - 427.25  
IE - 427.78

MANHOLE  
TC - 436.53  
IE - 427.31  
IE - 427.11

SOUTH SIDE OF RIGHT-OF-WAY  
(BY OTHERS)

Proposed Academy Classrooms  
Total Building Footprint - 9,620sf Footprint  
Walk-out basement below each modular

BASE FLOOD ELEVATION  
DETERMINED TO BE 428'  
PER THE NATIONAL FLOOD INSURANCE  
MAP NO. 470270222 F, DATED, APRIL 20, 2001



Δ = 130°31'32"  
R = 312.08'  
L = 710.94'  
T = 677.34'  
Ch.Brg. = N83°27'30"W  
(NON-TANGENT)

Proposed Missionary Housing Units  
6 - 30'x35' - 1,050sf footprint  
3 Story Units

Proposed Institute Building  
50'x100' - 5,000sf footprint  
2 Story with Mezzanine  
Bottom level walk-out basement

HADLEY'S BEND BLVD. - UNIMPROVED  
(50' RIGHT-OF-WAY)



Map browser window showing Sidewalk Requirements. The browser address bar contains <http://maps.mnps.org/SidewalkRequirements/>.

### Sidewalk Requirements

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

Search: [ ] [ ]

Choose the Development Type:  
[Multi-Family or Non-Residential]

[Calculate Requirements]

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Legend

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11:23 AM 12/1/2018







## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-036 (401 Center Street)

Metro Standard:	Center Street - 4' grass strip, 5' sidewalk, as defined by the Local Street standard
	Hadleys Bend Boulevard – 4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not upgrade sidewalks on Center Street; not construct sidewalks on Hadleys Bend Boulevard
Zoning:	R8
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Center Street - Local Street
	Hadleys Bend Boulevard – Local Street
Transit:	None existing; none planned
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes expanding an existing church complex with 20,000 square feet of new buildings with various uses, and requests a variance from upgrading sidewalks on the Center Street and Hadleys Bend Boulevard property frontages to the Local Street standard due to an existing sidewalk on the Center Street property frontage and topography on the Hadleys Bend Boulevard. Planning evaluated the following factors for the variance request:

- (1) There is a 5' sidewalk with no grass strip along the Center Street property frontage. Most obstructions including utility poles are set directly behind the sidewalk, with some minor signs installed in the sidewalk.
- (2) There is no sidewalk on the Hadleys Bend Boulevard property frontage. The street has head-in parking and unconstructed right-of-way. Sidewalk construction along this frontage should coincide with street 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, including working with Metro Public Works to relocate signs to behind the sidewalk.
2. Prior to the issuance of building permits, dedicate right-of-way along both property frontages to accommodate future sidewalks per the Local Street standards.



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

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# Memo

**To:** Metropolitan Nashville Board of Zoning Appeals  
**From:** Metropolitan Nashville Planning Department  
**CC:** Emily Lamb  
**Date:** January 4, 2019  
**BZA Hearing Date:** January 17, 2019  
**Re:** Planning Department Recommendation for a Special Exception, Case 2019-036

---

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 2019-036 Global Outreach Developments International Additions (401 Center Street)**

**Request:** A Special Exception to permit construction of the following additions to the Global Outreach Church campus:

- Six 1,050 square-foot missionary housing units (multi-family residential units) three stories in height
- Two-story (with mezzanine) classroom building, known as the Institute Building, with a 5,000 square-foot building footprint (11,000 square feet in total)
- Two-story (walk-out basement level) modular classroom building consisting of three modular buildings with a total building footprint of 9,620 square feet (19,420 square feet in total)
- Variance to permit a 20-foot street setback for six multi-family residential units (missionary housing) and a non-residential use (modular classrooms)

**Zoning:** One and Two-Family Residential (R8) requires a minimum 8,000 square-foot lot and is intended for one and two-family dwellings at a density of 5.44 dwelling units per acre.

**Land Use Policy:** T3 Suburban Neighborhood Maintenance (T3 NM) policy is intended to maintain the general character of developed suburban residential neighborhoods. T3 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. T3 NM areas have an established development pattern consisting of low- to moderate-density

residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

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

**Planning Department Analysis:** The property, which is the existing site of Global Outreach Developments Church, is a horseshoe-shaped site created by Center Street and the southern portion of Hadley's Bend Boulevard, which is currently unbuilt. The property is 5.73 acres in size. The property lies approximately 0.50 mile east of the Cumberland River and approximately 0.35 mile west of Old Hickory Boulevard. The site is separated from the river by a golf course. The site is adjacent to single-family residential development to the northeast and northwest and across Center Street from First Baptist Church Hopewell and additional single-family residential development. The properties to the south, around the bend of unbuilt Hadley's Bend Boulevard, are vacant and are currently owned by the Church. The CO land use policy present on the property is a result of the presence of floodway, floodplain, and steep slopes on these vacant properties to the south and east, as well as along the southeastern portion of the subject property.

The proposal is for a number of additions to the existing church campus outlined in the list above. A special exception is required for the expansion of the existing religious institution. Existing access points along Center Street will remain. An existing access driveway, serving the two existing housing units located in the northwest corner of the property, will be extended to provide access to the proposed elementary classroom building and other buildings to the south. The extension is located within the Hadley's Bend Boulevard right-of-way but does not extend all the way around the loop to constitute completion of Hadley's Bend Boulevard.

The six proposed multi-family residential units (missionary housing) are located on a vacant area in the northeast portion of the site adjacent to the location of the proposed 2-story classroom building (Institute Building). Per Metro Zoning Code, parking for religious institutions is calculated based on the number of seats within the sanctuary. The Global Outreach church also operates a school on this property, parking for which would be calculated based on the number of students.

The applicant is concurrently seeking approval of several setback variances to allow reduced setbacks from Hadley's Bend Boulevard and Center Street for several of the proposed additions including the missionary housing, elementary classroom modular building, and institute building.

The location and continued use of the property for a religious institution and associated school is consistent with the T3 NM policy as it maintains the established character of the neighborhood. Buildings for such uses should be oriented toward the street, with parking behind or beside to preserve open spaces in front or frame the street with the buildings. The property is already developed, and the proposed additions, with the exception of the family life center and the missionary housing units, are located to the interior of the site or opposite Hadley's Bend Boulevard from vacant parcels that are also owned by the church, which reduces the impact on surrounding residential uses. The site plan does not indicate where any additional parking that may be needed for the proposed additions would be located. Such parking should be placed beside or behind the buildings for consistency with the policy, and landscaping buffers shall be provided to screen the development and lessen impacts on surrounding residential properties.

**Planning Recommendation: Approve with conditions.**

**Conditions**

1. Parking shall meet the requirements of the Metro Zoning Code and any additional parking required should be located beside or behind buildings.
2. A Type B landscape buffer yard should be provided along the eastern and western property boundaries between proposed additions and single-family residences opposite Hadley's Bend Boulevard.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: H. MICHAEL HINDMAN ARCH. Date: DECEMBER 4, 2019  
Property Owner: NORTHFIELD INV. LLC Case #: 2019-038  
Representative: MICHAEL HINDMAN Map & Parcel: 06513000900

Council District 11

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

Purpose: APPLICATION FOR VARIANCE

Activity Type: RETAIL CENTER  
Location: 4800 LEBANON PIKE, HERMITAGE, TN 37076

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

Reason: SIDEWALK REQUIREMENT  
Section(s): METRO COUNCIL BILL 2016-453

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.

H. MICHAEL HINDMAN ARCHITECTS MICHAEL HINDMAN  
Appellant Name (Please Print) Representative Name (Please Print)

1607 WESTGATE CIR. \_\_\_\_\_  
Address Address

BRENTWOOD, TN 37027 (SAME)  
City, State, Zip Code City, State, Zip Code

615.370.3252 \_\_\_\_\_  
Phone Number Phone Number

mhindman@hnharchitects.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**



3584086

**ZONING BOARD APPEAL / CAAZ - 20180075846  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 06513000900

APPLICATION DATE: 12/04/2018

**SITE ADDRESS:**

4800 LEBANON PIKE HERMITAGE, TN 37076  
S/E COR LEBANON PK & TULIP GROVE RD

PARCEL OWNER: NORTHBOUND INVESTMENT, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Requesting a sidewalk variance to rehab existing non-res building per METZO section 17.20.120. See application CACR T2018073579

*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.



## H. Michael Hindman

Architects, P.C.

December 4, 2018

Metropolitan Board of Zoning Appeals  
 Metro Howard Building  
 800 Second Avenue South  
 Nashville, Tennessee 37210

RE: Permit Tracking #3580787  
 Retail Renovation  
 4800 Lebanon Pike  
 Hermitage, TN

To Whom it May Concern:

We are the architects for the proposed renovation of an existing aged retail center at the above noted address. Plans for the building renovation have been completed and were submitted for permitting on November 21, 2018. We have received notice that the permit can not be issued until the Metro requirement for a sidewalk has been addressed.

The existing buildings on this site are in a state of extreme disrepair. All tenants have vacated the buildings. The intention is to repair and reface one existing building, creating a far more visually acceptable facility and allowing for new and higher quality tenants. A small building on the site is to be demolished. Work is proposed for the building only with minimal work on the site immediately adjacent to the building. No substantial site modifications are proposed or anticipated.

The buildings were originally built on the site with sufficient room for parking and all then-required setbacks, drives and curbs. Unfortunately, subsequent widening of both Lebanon Road and Tulip Grove Rd. have resulted in substantial increased right-of-way and reduction of usable land area for this development.

Respectfully, we are requesting a variance from the sidewalk requirement for the following reasons:

1. Providing a new sidewalk and green strip would result in further reducing the usable area of the site.
2. The parking on site has been impacted by the previous taking of land. The further setback required by the addition of a sidewalk and green strip would render the existing parking unusable.
3. Reduction of parking would, of course, result in the building itself being unusable and unleaseable.
4. The existing building does have an adjacent sidewalk which runs the length of the building and is also most of the length of the site. Pedestrians may traverse the site by use of this sidewalk.

Please note that the existing building is definitely an eyesore and is detrimental to the community. It is our intention that, by making substantial improvement to the building, we would also be improving the community.

A site plan and site photographs are attached as exhibits to this request.

Respectfully submitted,

H. Michael Hindman, AIA, President  
 H. MICHAEL HINDMAN ARCHITECTS, PC

## APPLICATION FOR A VARIANCE REQUEST

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**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**

12.4.10  
**DATE**

## Standards for a Variance

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*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?**

SEE ATTACHED LETTER AND SITE PLAN  
EXHIBIT

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Google Maps 4806 Lebanon Pike

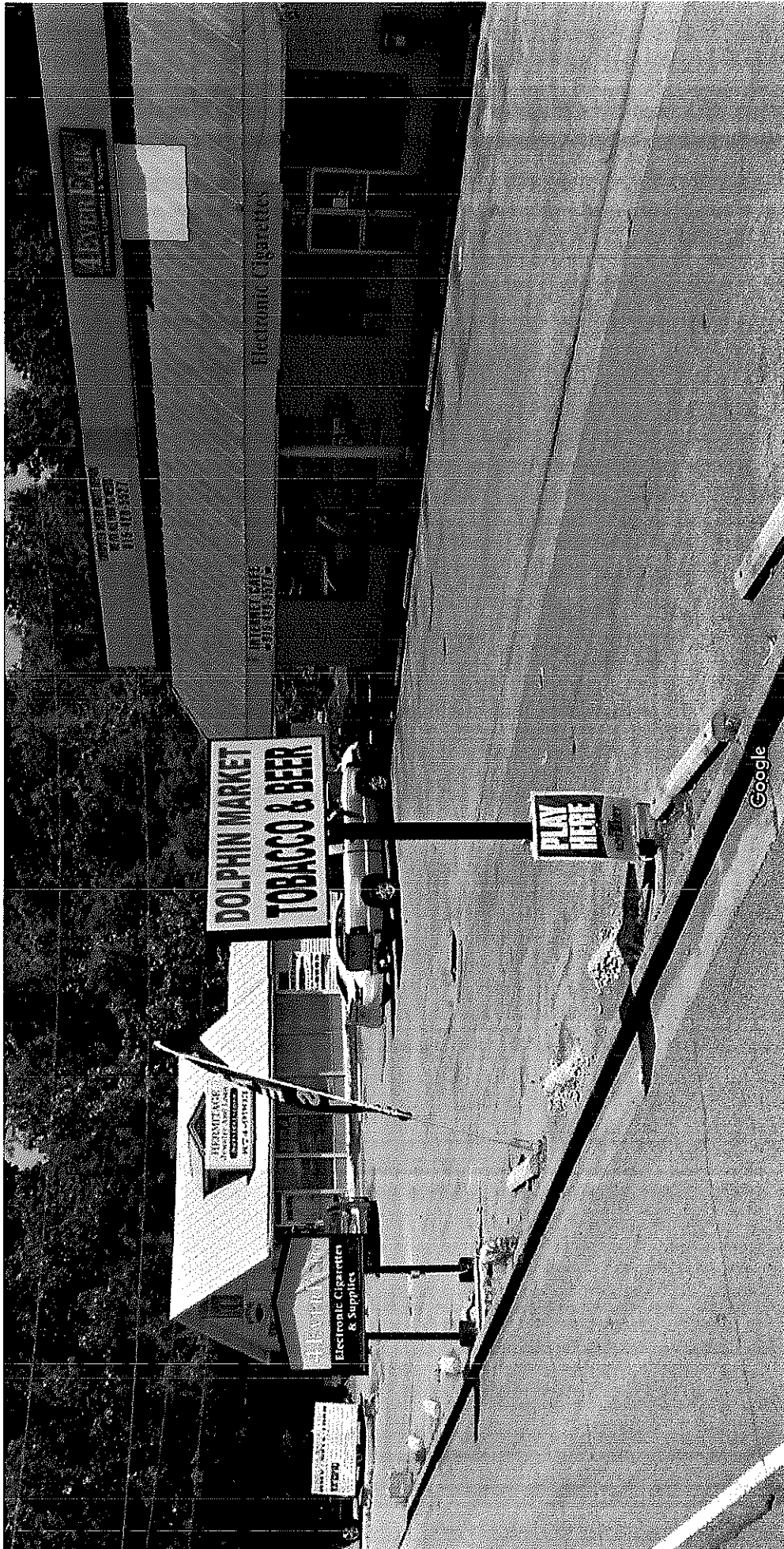


Image capture: May 2017 © 2016 Google

Nashville, Tennessee

Google, Inc.

Street View - May 2017

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Google Maps 4806 Lebanon Pike

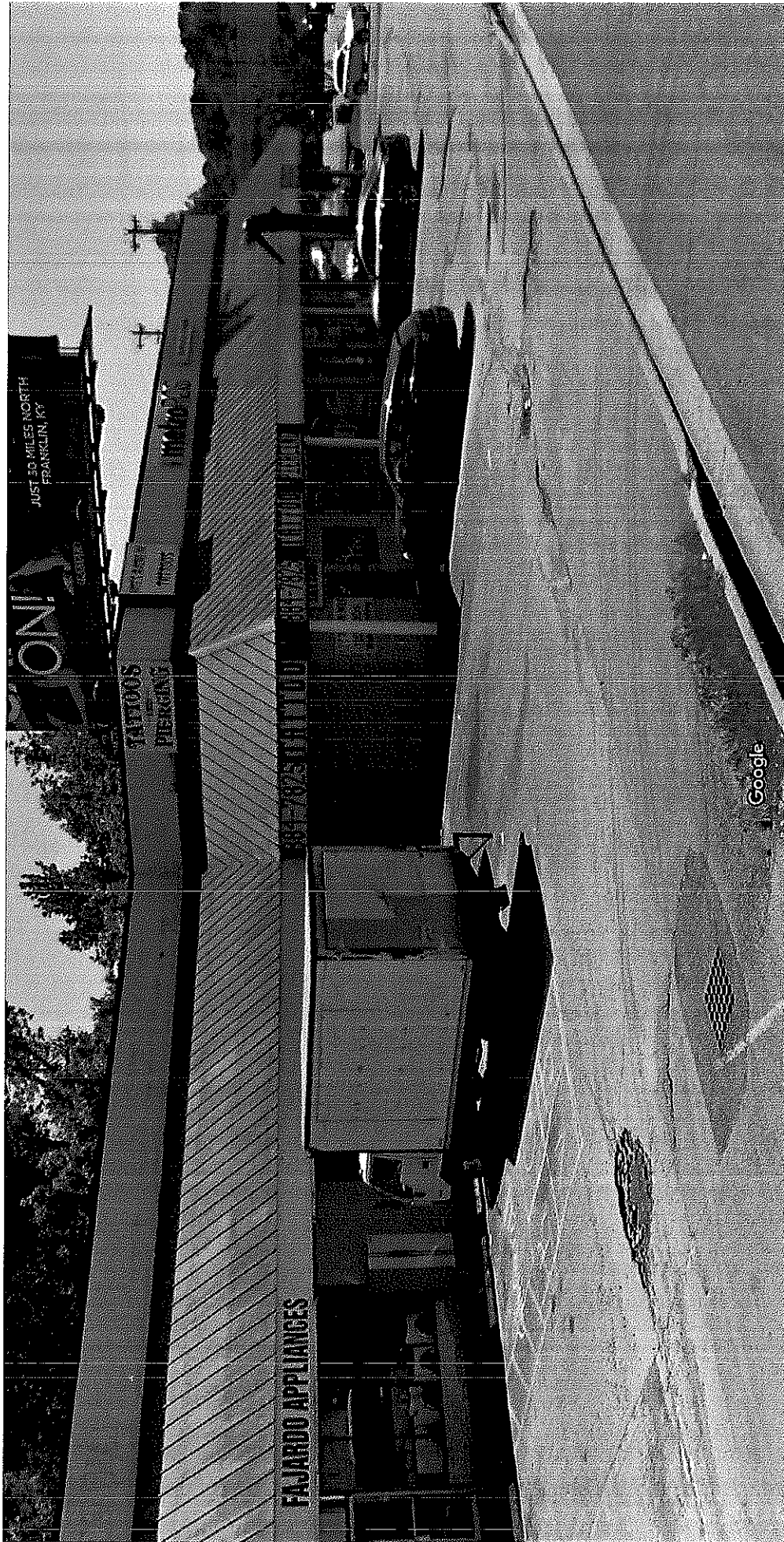


Image capture: May 2017 © 2018 Google

Nashville, Tennessee



Street View - May 2017

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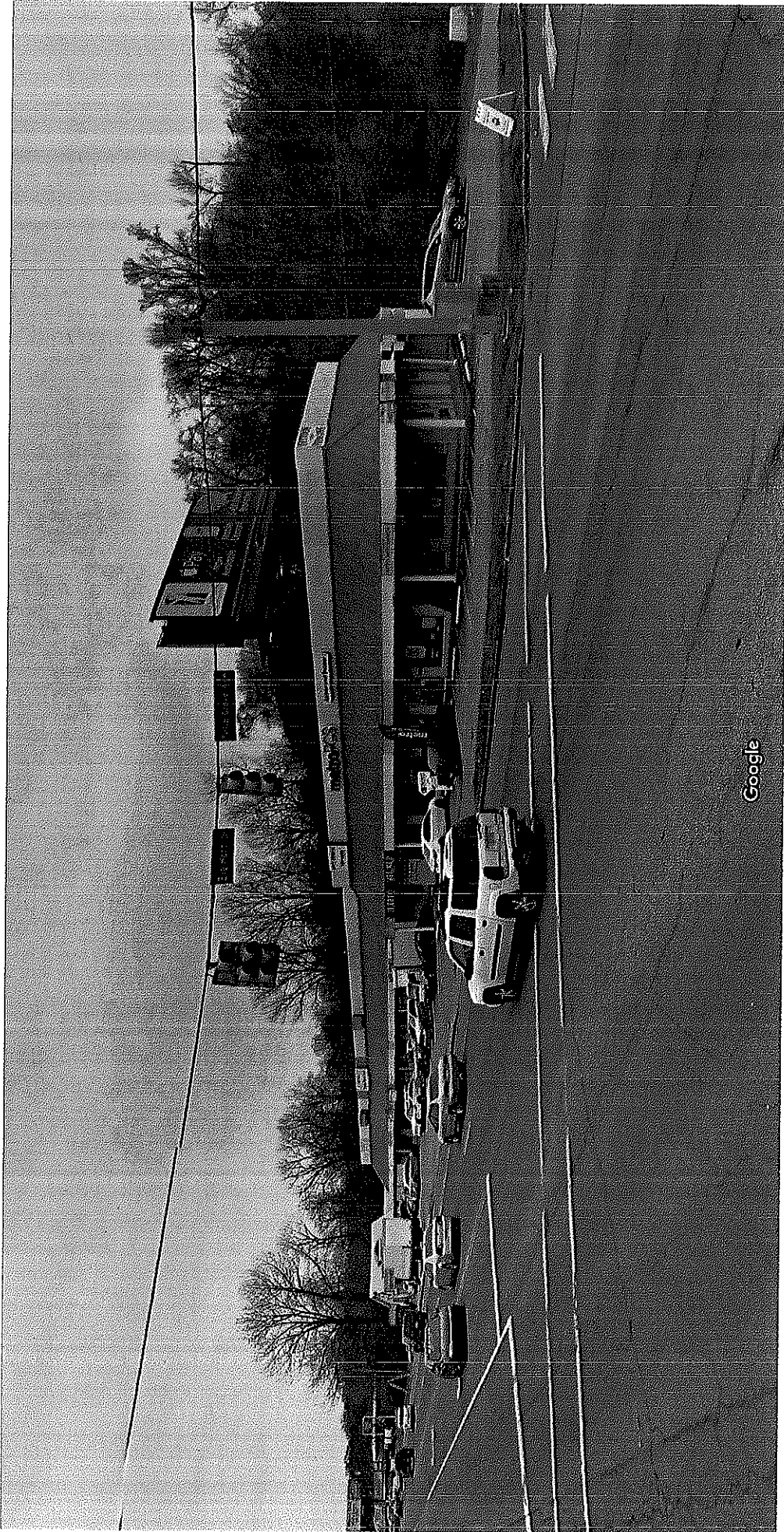




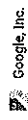
1/29/2018

Big Horn Dr - Google Maps

Google Maps Big Horn Dr



Nashville, Tennessee



Google, Inc.

Street View - Mar 2016

Image capture: Mar 2016 © 2018 Google

<https://www.google.com/maps/@36.2154467,-86.5886522,3a,52.2y,121.6h,30.38t/data=!3m4!1s3W3wajjvYsTjxGjgfhLwI2e0J713312Bj8656>





1/29/2018

4806 Lebanon Pike - Google Maps

Google Maps 4806 Lebanon Pike



Image capture: May 2017 © 2018 Google

Nashville, Tennessee

Google, Inc.

Street View - May 2017

<https://www.google.com/maps/@36.2154935,-86.5877391,3a,27.5y,109.12h,84.75t/data=!3m6!1e1!3m4!1s1ZUnfq3QsbCbXUyP7YwWbAI2e0!7!13312!8!6656>

Google Maps 4806 Lebanon Pike

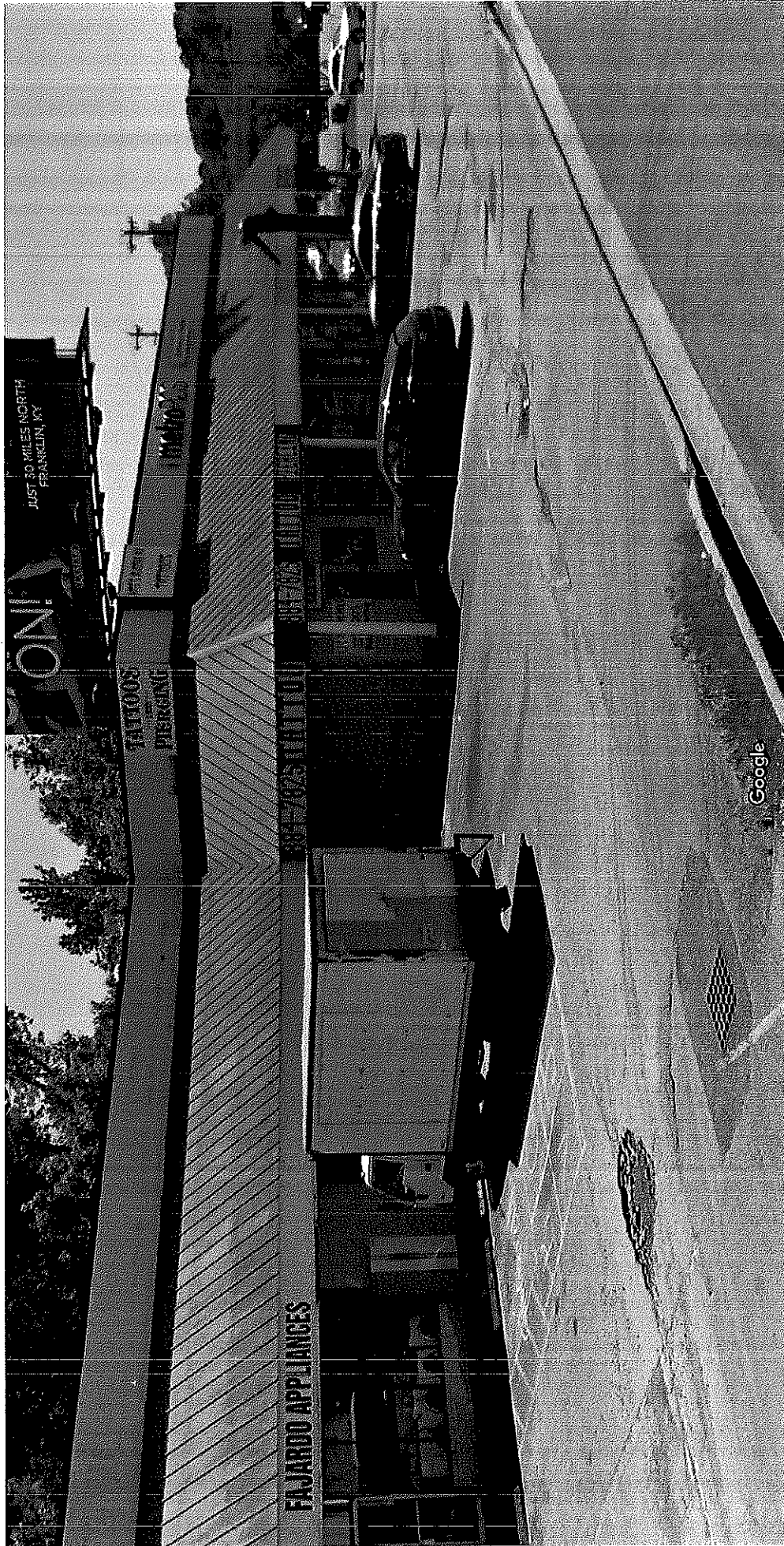
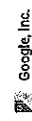


Image capture: May 2017 © 2016 Google

Nashville, Tennessee



Street View - May 2017

<https://www.google.com/maps/@36.2154835,-86.5677391,35.275y,218.43h,86.14t/data=!1s13m4!1s1ZLm6Q3bCbXUjPT7YwW6A2e07113312816556>



1/29/2016

Google Maps 4816 Lebanon Pike

4816 Lebanon Pike - Google Maps

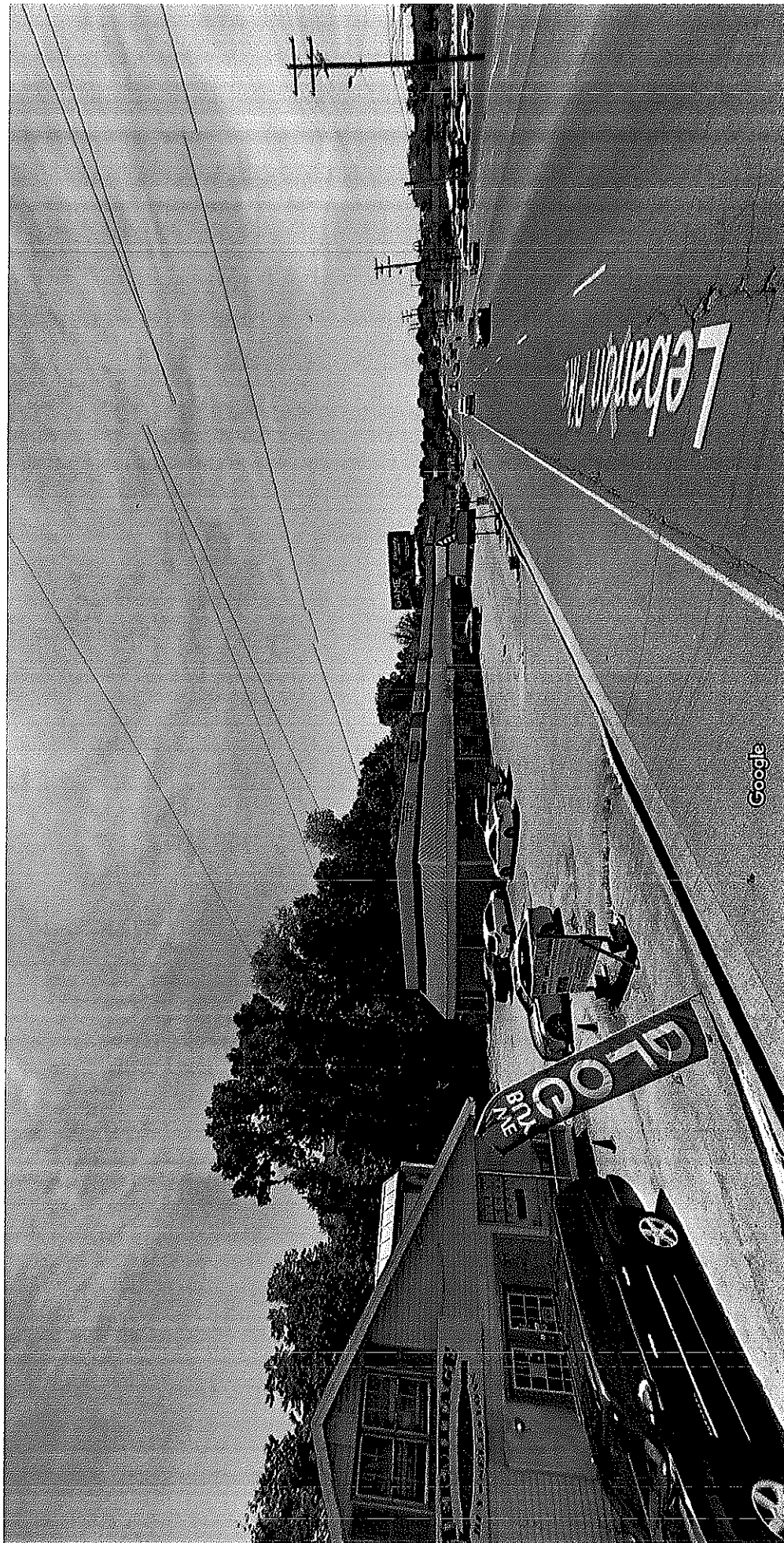


Image capture: May 2017 © 2018 Google

Nashville, Tennessee

Google, Inc.

Street View - May 2017

[https://www.google.com/maps/@36.215624,-86.5871173,3a,75y,219.6h,95.38t/data=!3m1!1st0t0WV7jw1eSxcByz5s8jQz07f113312189656](https://www.google.com/maps/@36.215624,-86.5871173,3a,75y,219.6h,95.38t/data=!3m1!1e3m1!1st0t0WV7jw1eSxcByz5s8jQz07f113312189656)



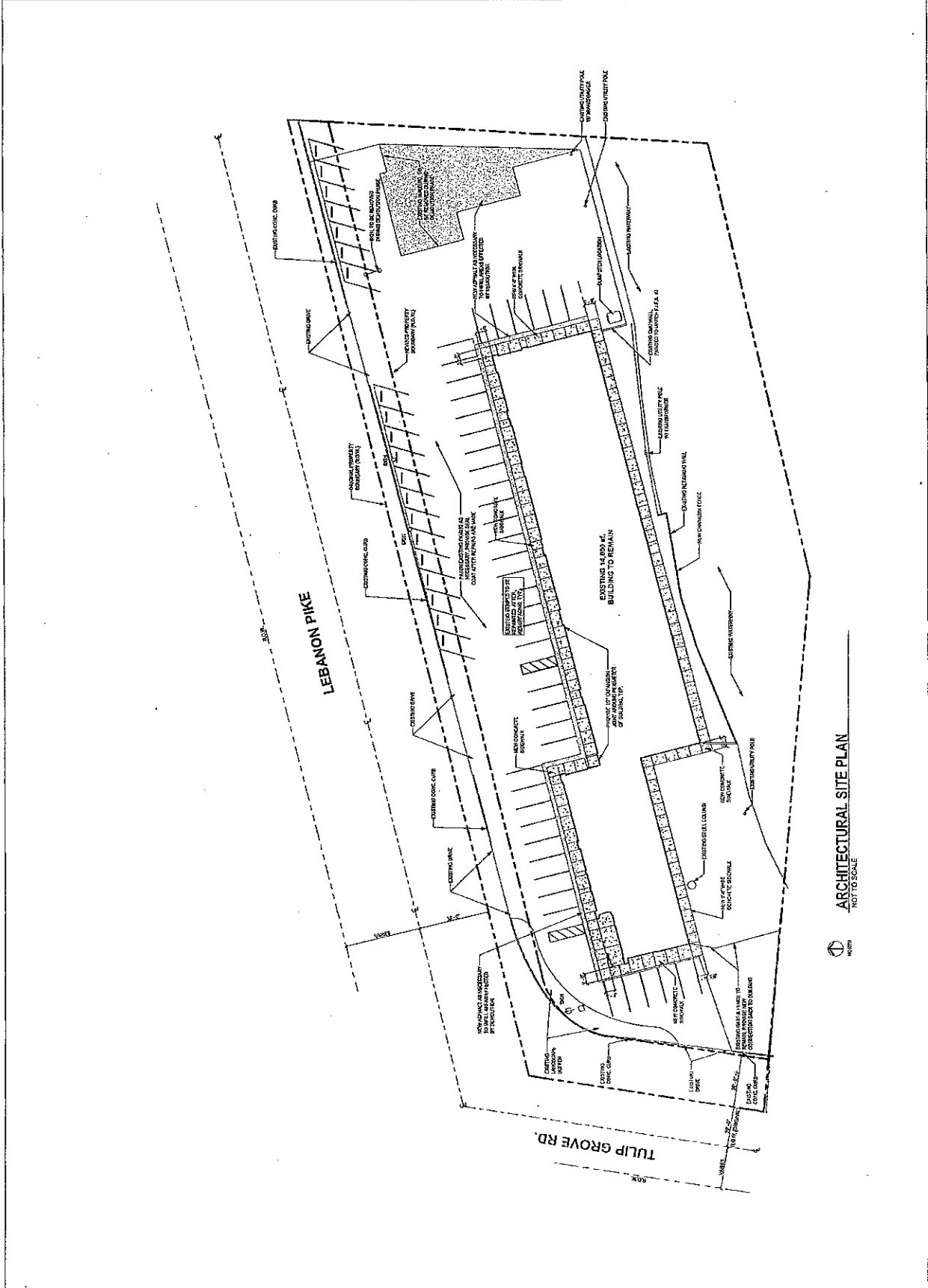


H. Michael Hindman  
Architects, P.C.  
Northbound  
Investments,  
LLC

4800 LEBANON PIKE  
HERVAGE, TN

4800 LEBANON PIKE  
HERVAGE, TN

Revisions  
HURN JOB Number  
19005  
Drawn by  
Author  
Date  
04/27/2018  
Drawing  
ARCHITECTURAL SITE  
PLAN  
BZA-1



ARCHITECTURAL SITE PLAN  
NOT TO SCALE



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-038 (4800 Lebanon Pike)

Metro Standard:	Lebanon Pike – 6' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan standard
	Tulip Grove Road - 6' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan standard
Requested Variance:	Not construct sidewalks
Zoning:	CS
Community Plan Policy:	T3 CC (Suburban Community Center)
MCSP Street Designation:	Lebanon Pike – T3-M-AB5
	Tulip Grove Road – T3-M-AB3
Transit:	Approximately ½ mile from #6 – Lebanon Pike
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes to renovate an existing retail center and requests a variance due to infrastructure constraints along both frontages of the site. Planning evaluated the following factors for the variance request:

- (1) No sidewalks exist along either property frontage along Lebanon Pike and Tulip Grove Road,
- (2) Twenty parking spaces are located directly to the rear of the curb along the Lebanon Pike property frontage. Constructing sidewalks to the Major and Collector Street Plan standard will require a redesign of existing utilities, drive aisles, and parking. This is a significant hardship in this situation with the depth of the lot from Lebanon Pike and the applicant's program to re-use the existing building.

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

1. The applicant shall contribute in lieu of construction for the Tulip Grove Road property frontage.
2. Prior to the issuance of building permits, dedicate right-of-way along the Tulip Grove Road property frontage to accommodate future sidewalks per the Arterial-Boulevard Standard.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DAVIDSON COUNTY



Appellant: Robin Graham

Date: 12/4/18

Property Owner: \_\_\_\_\_

Case #: 2019-40

Representative: Robin Graham

Map & Parcel: 083 09004200

Council District B6

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

Purpose: renovate an existing restaurant

Activity Type: Restaurant

Location: 311 Gallatin Rd

This property is in the MUH-A, OV-UDD, JV-UZO, MPA-FP 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.

Appellant Name (Please Print) \_\_\_\_\_

Robin Graham  
Representative Name (Please Print)

Address \_\_\_\_\_

308 Seaboard  
Address

City, State, Zip Code \_\_\_\_\_

Franklin, TN 37067  
City, State, Zip Code

Phone Number \_\_\_\_\_

615-618-9926  
Phone Number

Email \_\_\_\_\_

robin.graham@exodusindustries.com  
Email

Appeal Fee: \_\_\_\_\_



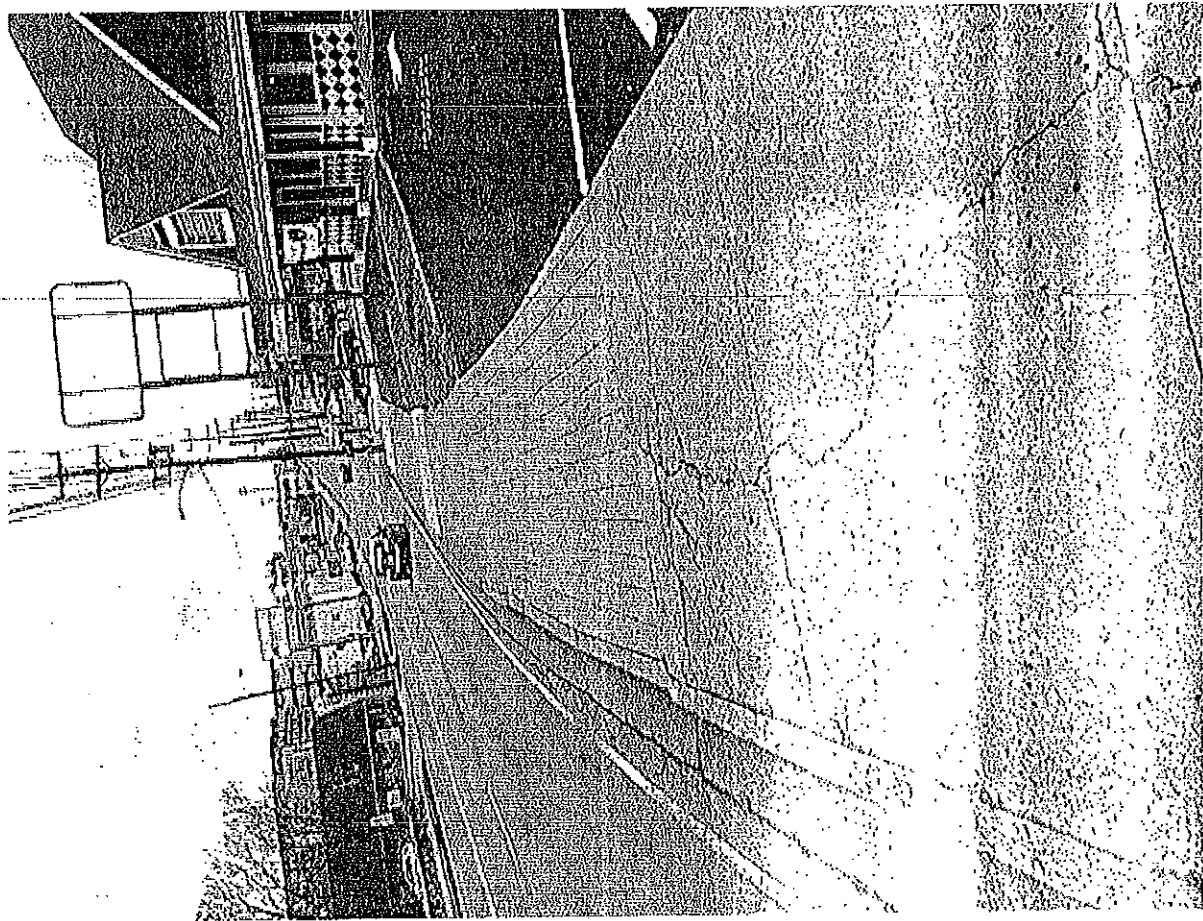
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements,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

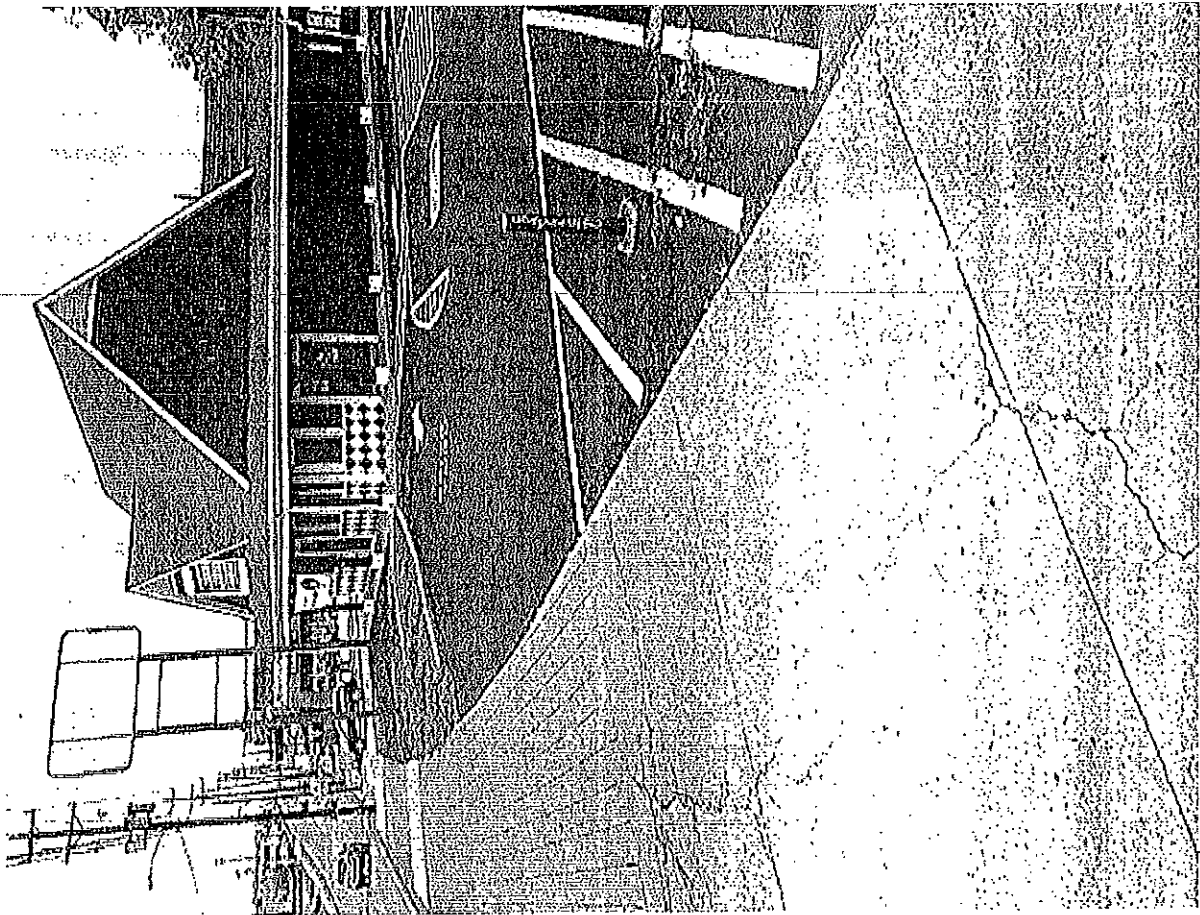
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

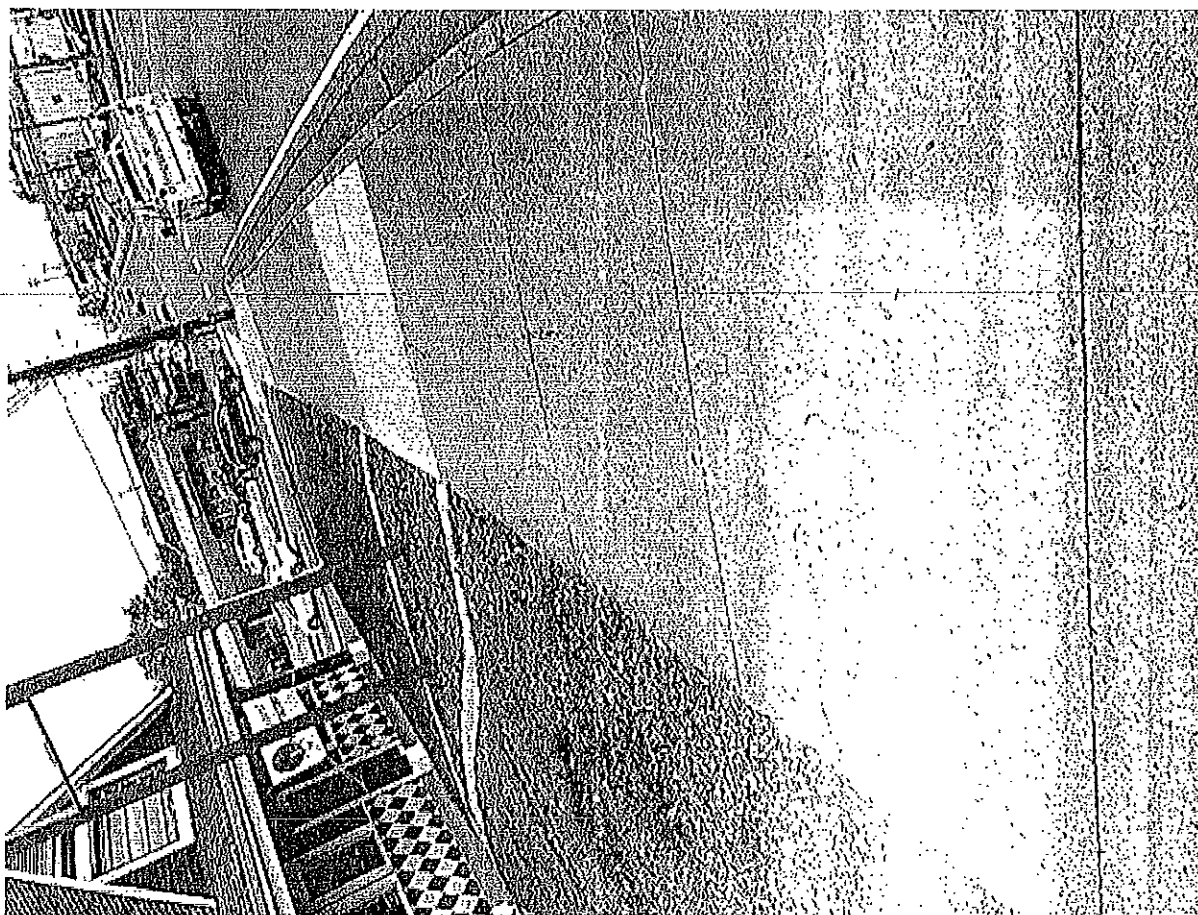
**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

We are asking for a variance or hardship based on the existing parking lot + landmark sign placement. By bringing the ~~en~~ sidewalks to code requirements, the current parking would not be functional or meet code requirements for it. Also, the current sign would be affected and its placement would not work. We are asking to be able to use existing sidewalks as is, as meeting new code requirements will make using this building + trying to bring new business to the area a hardship. Thank you for your consideration



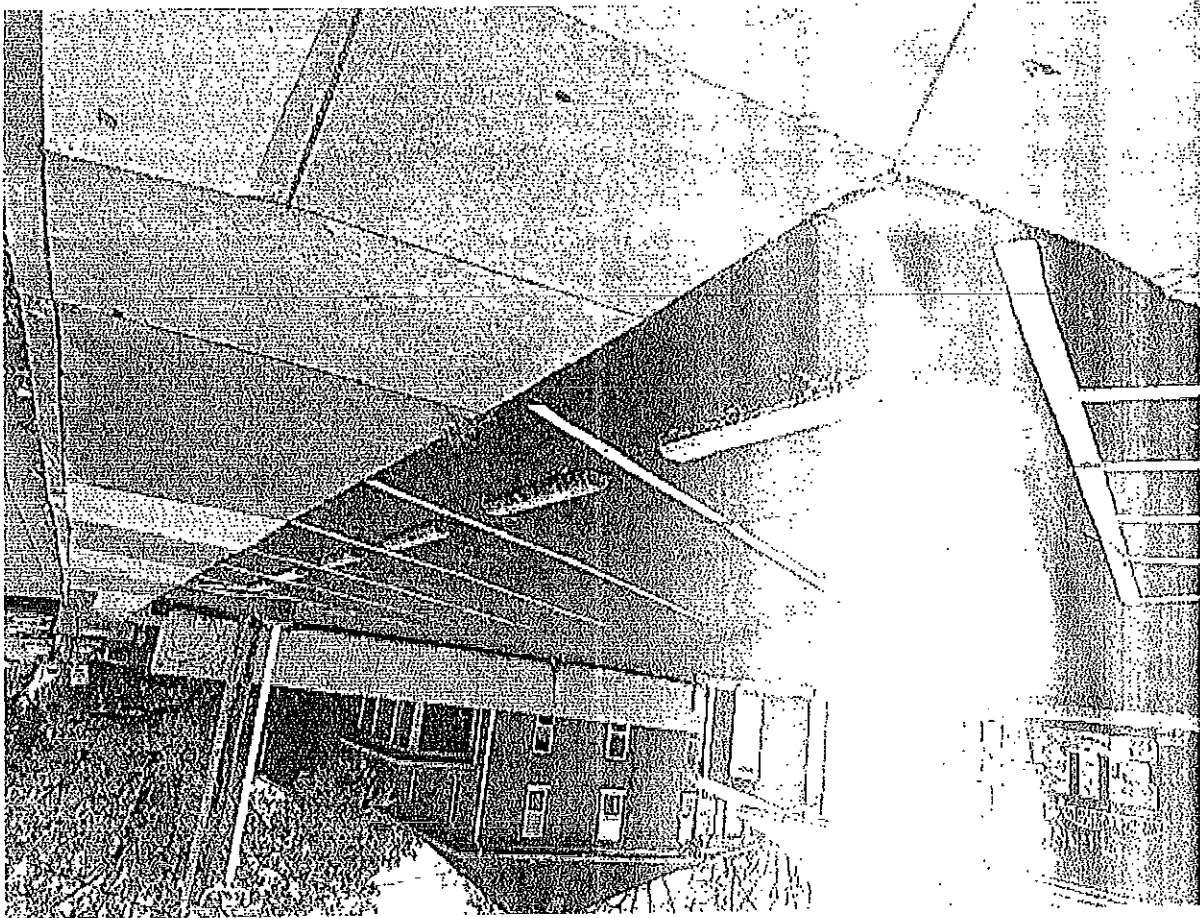


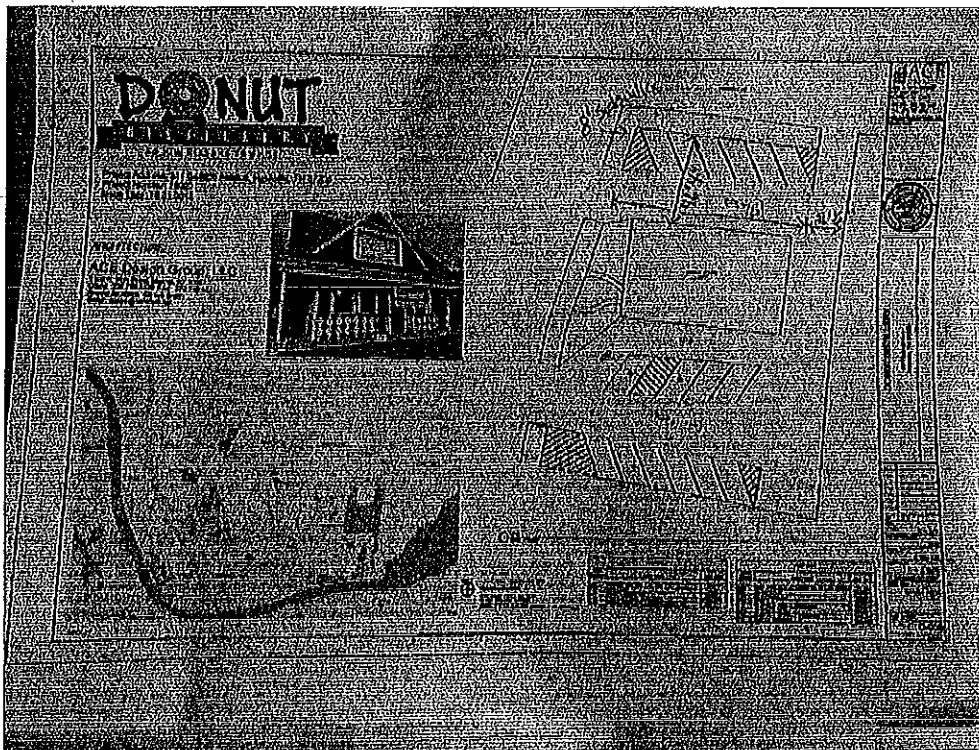


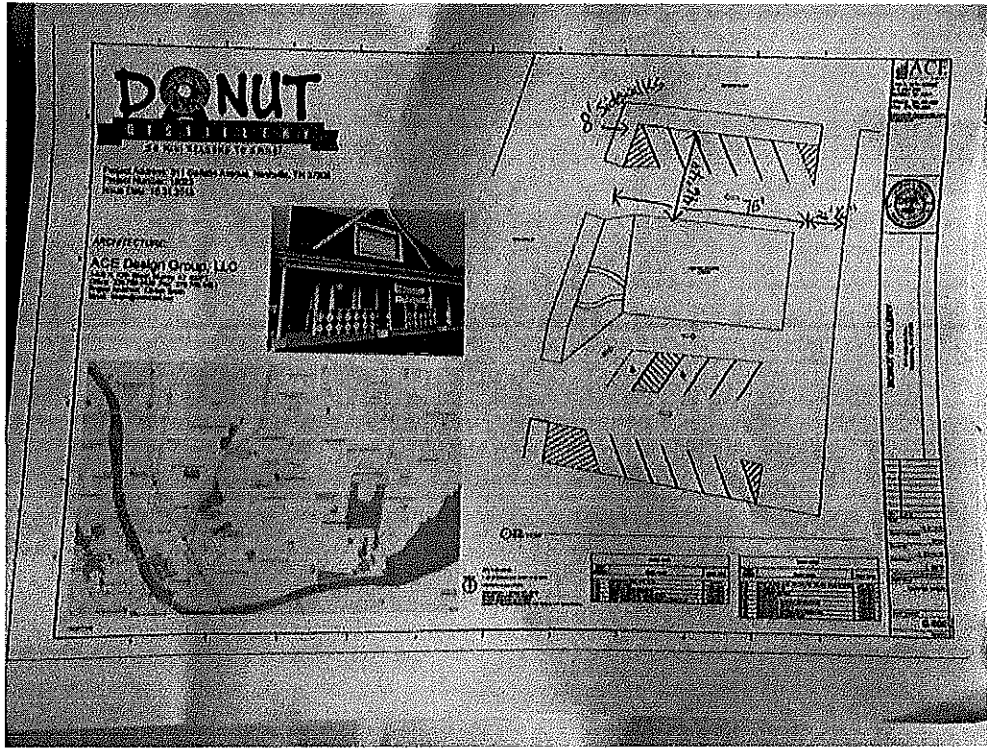














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**From:** Withers, Brett (Council Member)  
**Sent:** Tuesday, January 15, 2019 12:33 PM  
**To:** Lamb, Emily (Codes); Shepherd, Jessica (Codes); Lifsey, Debbie (Codes)  
**Cc:** Priest, Joni (Planning)  
**Subject:** Re: Inquiry about BZA case 2019-040 311 Gallatin Ave

Oh my goodness! No worries on my part, as long as the applicant knows where to go. I am in support of this appeal and will try to get a note over to the Board this afternoon. My schedule will not permit me to attend the meeting on Thursday.

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

Sent via iPhone

On Tue, Jan 15, 2019 at 12:27 PM -0600, "Lamb, Emily (Codes)"  
<[Emily.Lamb@nashville.gov](mailto:Emily.Lamb@nashville.gov)> wrote:

CM Withers,

It appears there was a misunderstanding, and it turns out this particular project does not need to go to MDHA first. Because the notice letters have been sent out and the sign is still up advertising today's date, we can put it back on the agenda for tomorrow's meeting.

Thanks,

Emily Lamb  
Metro Codes Department

This email and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this communication in error. If you have received this communication in error, please notify the sender immediately and in the interim please do not use, disseminate, forward, print or copy this communication.

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**From:** Withers, Brett (Council Member)  
**Sent:** Monday, January 14, 2019 9:21 AM  
**To:** Shepherd, Jessica (Codes)  
**Cc:** Lamb, Emily (Codes)  
**Subject:** RE: Inquiry about BZA case 2019-040 311 Gallatin Ave

## Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210  
615-862-6530

METROPOLITAN GOVERNMENT OF METRO AREA AND DAVIDSON COUNTY

Appellant : Brandon McDonald

Date: 8-9-18

Property Owner: Brandon McDonaldCase #: 2018-514Representative: Brandon McDonald

Map &amp; Parcel 105030I00400CO

Council District 17

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

Purpose: To obtain a STRP permit.Activity Type: Short Term RentalLocation: 1067 B 2<sup>nd</sup> Ave. S

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

•Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after transfer of ownership name.

Section(s): 17.16.250(E)

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

Completed and witnessed, Date

Brandon McDonald  
Name (Please Print)

brandonm@urbandwellhomes.com

Applicant's e-mail address

Signature

(615) 594-6838

Applicant's phone

203 Point East Dr.  
Mailing Address

Nashville, TN 37216  
City, State, Zip Code

(615) 594-6838  
Phone Number

*This will also serve as a receipt of (cash) (check) to  
partly compensate for the expenses under this appeal.*

Appeal Fee: \$ 100.00



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



**ZONING BOARD APPEAL / CAAZ - 20180047285**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 105030I00400CO

**APPLICATION DATE:** 08/09/2018

**SITE ADDRESS:**

1067 B 2ND AVE S NASHVILLE, TN 37210

UNIT 2B 1067 2ND AVENUE SOUTH TOWNHOMES

**PARCEL OWNER:** MCDONALD, ROBERT BRANDON

**CONTRACTOR:**

**APPLICANT:**

**PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after transfer of ownership name.

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

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

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](http://www.nashville.gov/codes)

July 20<sup>th</sup>, 2018

Amanda Coaker  
2002 Richard Jones Rd.  
Nashville, TN 37215

RE: Permit CASR #201545923  
1067 B 2<sup>nd</sup> Ave S

Dear Mrs. Coaker

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 any transfers of STRP permits, this permit has been invalid since the January 6, 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 action at the Board of Zoning Appeals.

Sincerely,

Jon Michael  
Metro Codes

CC: Robert McDonald  
203 Point East Dr.  
Nashville, TN 37216



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
03-Jan-19 10:21:13AM

## Owner Change

Parcel: 105030I00400CO

Parcel Acreage: 0.00

Parcel Created: 28-Jan-15

### ADDRESS

1067 B 2ND AVE S ,NASHVILLE, TN 37210 - Property

### Current Owner

MCDONALD, ROBERT BRANDON, 203 POINT EAST DR, NASHVILLE, (US) TN, 37216

Sale		Instrument	
Code	I	Type	Quit Claim Deed
Source	I	Number	QC-20160119 0004900
Valid Sale		Acquired	6-Jan-16
Price	\$208,000.00	Historical	

### Previous Owners

URBAN DWELL HOMES LP, 203 POINT EAST DR, NASHVILLE, (US) TN, 37216

Sale		Instrument	
Code	M	Type	Deed
Source	V	Number	DB-20140801 0068972
Valid Sale		Acquired	31-Jul-14
Price	\$250,000.00	Historical	06-Jan-16



**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](http://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. G. 18

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** District 17 stances for Nov. 1  
**Date:** Friday, October 26, 2018 4:04:34 PM

---

BZA members,

Good Friday afternoon! Below are my stances on District 17 items before you on Thursday, Nov. 1. Thank you, as always, for your service.

- I **oppose** a request for a variance to build front loading garages at 1704 Carvell Ave. (2018-522)
- I **oppose** a sidewalk variance request at 353 Glenrose Ave. (2018-575)
- I am **neutral** on a short-term rental permit appeal at 1067 B 2nd Ave S., as there appeared to be some sort of paperwork mixup. (2018-514)
- I **support** a short-term rental permit appeal at 14 A Garden St., as the owners contacted me and have neighbor support. (2018-581)

Thanks again,

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 : Abbey AdamsDate: 9-12-18Property Owner: Abbey AdamsCase #: 2018-574Representative: Abbey AdamsMap & Parcel: 105133A00100COCouncil 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: 1203 A Ashwood Ave.

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: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the proper permit.

Section(s): 17.16.250 (E)

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

Abbey Adams

Appellant Name (Please Print)

Same as Appellant

Representative Name (Please Print)

1203 A Ashwood Ave.

Address

Address

Nashville, TN 37212

City, State, Zip Code

City, State, Zip Code

(615) 417-8587

Phone Number

Phone Number

abbey@alignmusicgroup.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**



3558660

**ZONING BOARD APPEAL / CAAZ - 20180058258  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 105133A00100CO**APPLICATION DATE:** 09/12/2018**SITE ADDRESS:**

1203 A ASHWOOD AVE NASHVILLE, TN 37212  
UNIT A 1203 ASHWOOD COTTAGES

**PARCEL OWNER:** ADAMS, AUSTEN & ABBEY**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](http://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.

*NOT APPLICABLE*

*RDF*

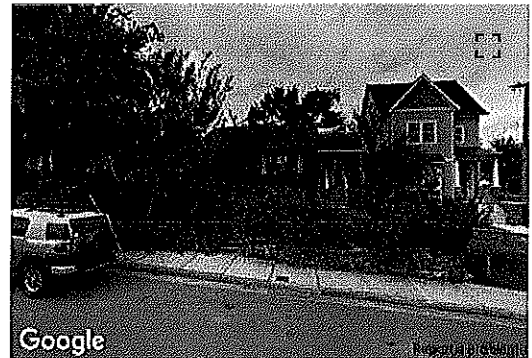
Rental Unit Record

# 1203 Ashwood Ave, Nashville, TN 37212, USA

Removed ✗  
Identified ✓  
Compliant ✓

PRINT

Airbnb - 19191976



### Identified Address

1203 Ashwood Ave, Nashville, TN 37212, USA

### Identified Unit Number

None

### Identified Latitude, Longitude

36.128505, -86.789394

### Parcel Number

105133A00100

### Owner Name

ADAMS, AUSTEN & ABBEY

### Owner Address

1203 Ashwood Ave  
Nashville, TN 37212, US

## Matched Details

### Analyst

WVG

### Explanation

The exterior shown on the listing is a match with Google street view. You will see the same color on the body of the house along with the same windows. The front porch is identical and you will even see the same lawnmower to the left of the porch. You will also see on the mailbox an A to indicate the residence is 1203A.

### Listing Photos



### Matching 3rd Party Sources



Same exterior.



Mailbox indicates residence is 1203A.

### Timeline of Activity

View the series of events and documentation pertaining to this property

✗ Listing air19191976 Removed August 26th, 2018

Zip Code Match

Owner Name Match

City Name Match

### Listing Details

Listing URL - <https://www.airbnb.com/rooms/19191976>

Listing Status ● Inactive

Host Compliance Listing ID - air19191976

Listing Title - BEAUTIFUL FAMILY HOME

Property type - House

Room type - Entire home/apt

Listing Info Last Captured - Aug 20, 2018

Screenshot Last Captured - Aug 28, 2018

Price - \$595/night

Cleaning Fee - \$95

### Information Provided on Listing

Contact Name - Adams Family

Latitude, Longitude - 36.128037, -86.790406

Minimum Stay (# of Nights) - 2

Max Sleeping Capacity (# of People) - 7

Number of Reviews - 9

Last Documented Stay - 05/2018

### Listing Screenshot History

View Latest Listing Screenshot

July 3

August 3

September 0

- Listing air19191976 Reposted August 5th, 2018
- ✕ Listing air19191976 Removed July 20th, 2018
- Listing air19191976 Reposted June 30th, 2018
- ✕ Listing air19191976 Removed June 30th, 2018
- Listing air19191976 Reposted June 23rd, 2018
- ✕ Listing air19191976 Removed June 22nd, 2018
- 📅 2 Documented Stays May, 2018
- ✈️ Airbnb Letter: Delivered April 9th, 2018
- ✈️ Airbnb Letter: Sent April 3rd, 2018
- 📅 1 Documented Stay March, 2018
- ✈️ First Warning - No STR or Tax: Delivered March 10th, 2018
- Listing air19191976 Reposted March 4th, 2018
- ✈️ First Warning - No STR or Tax: Sent March 4th, 2018
- ✕ Listing air19191976 Removed March 2nd, 2018
- ✈️ First Warning - No Tax Reg: Delivered January 6th, 2018
- 📅 1 Documented Stay January, 2018
- ✈️ First Warning - No Tax Reg: Sent December 29th, 2017
- 📅 1 Documented Stay November, 2017
- 📅 1 Documented Stay October, 2017
- 📅 2 Documented Stays September, 2017
- 📅 1 Documented Stay August, 2017
- ✓ Listing air19191976 Identified August 14th, 2017
- ✳️ Listing air19191976 First Crawled July 8th, 2017
- Listing air19191976 First Activity July 1st, 2017

August 07, 2018 - 11:08PM America/Chicago



Search

Become a host Earn credit Help Sign up Log in

Aug 7, 2018 11:08pm America/Chicago

Share Save



View Photos

ENTIRE HOUSE

# BEAUTIFUL FAMILY HOME

Nashville



Adams Family

7 guests 4 bedrooms 4 beds 3 baths

### HOME HIGHLIGHTS

**Great location** · 100% of recent guests gave this home's location a 5-star rating.

Helpful · Not helpful

**Self check-in** · Easily check yourself in with the keypad.

Helpful · Not helpful

**Adams Family is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Helpful · Not helpful

New family home with a lot of charm in one of Nashville's hottest areas. Easy walking distance to all 12South restaurants and shops. Also only 5 minutes from The Gulch and 8 from downtown.

Cuddle up in front of the wood burning fireplace or enjoy the breeze in the back porch. Our home is the ideal getaway for up to 3 couples, 2 couples with young children or a family.

### The space

Very comfortable and lots of natural light. All bedrooms are sizable. The downstairs bedroom has a Queen bed and the full bath is just next to it. Upstairs there is the Master suite with a King size bed, a laundry room available to your

\$595 per night  
★★★★☆

Dates

Check in → Check out

Guests

1 guest

**Request to Book**

You won't be charged yet

Report this listing

use, a small kids bedroom with a twin size bed and a VERY large kids bedroom with 2 Full size beds. The two kids' rooms are connected with a Jack 'n' Jill bath. In the bathroom the toilet and shower can be private to the sinks with the pocket door.

All beds are memory foam.

Guest access

Entire House

Interaction with guests

Always available via text

Other things to note

You will not be disappointed with the home, amenities or the location. Truly, you can't beat it.

Hide ^

Contact host

Amenities

- Free parking on premises
- Indoor fireplace
- Kitchen
- Cable TV
- Wifi
- Iron

Show all 43 amenities

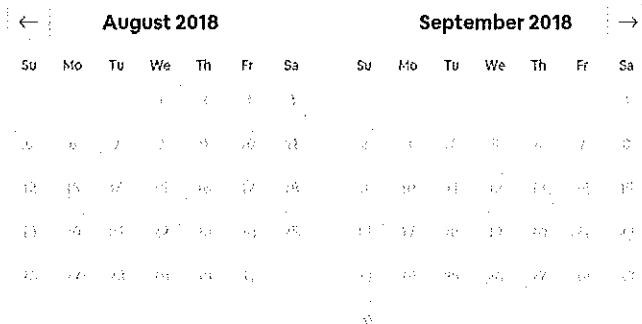
Sleeping arrangements



Common spaces  
1 king bed, 1 queen bed, 1 double bed, 1 single bed

Availability

Updated 1 month ago



9 Reviews ★★★★★

Search reviews

- Accuracy ★★★★★
- Location ★★★★★
- Communication ★★★★★
- Check-in ★★★★★
- Cleanliness ★★★★★
- Value ★★★★★



The house felt like home. Very comfortable. Excellent location. Easy walk to all the stores and restaurants in 12 South

THE STORES AND RESTAURANTS IN 12 SOUTH.



Tracey  
May 2018



Very nice home in a great neighborhood!



Moira  
March 2018



Such a cute house with fabulous decor and style in a walkable neighborhood full of great food options (all accurately recommended by the Adam's family). Super quiet and plenty of space for 5 of us. Wish we had more time to sit on the back porch to enjoy a cup of coffee and donuts from Five Sisters ( easy walk to get these).



Erica  
January 2018



Great house! Very accommodating and close to downtown. We loved our trip, and much of that had to do with our Airbnb spot!



Keeli  
November 2017



We had an amazing weekend staying here!! The house is so cute and is honestly in the most ideal location!! 12 South is the cutest neighborhood with great restaurants and shops, and this home is in walking distance to everything. The Adams Family host was so nice and accommodating- she offered to help set-up for my mom's 60th birthday and offered great recommendations. Check in and check out was so easy. We LOVED everything about our stay and would highly recommend it. We had the best time! Thank you!!!!



Matt  
October 2017



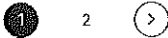
What a neat place in an awesome are of town. Plenty to walk to and do! Great local food and drink! Cheap Cab or Uber into the strip.



Keith  
September 2017



Great house. Plenty of room. Incredible location. We will be back when we come see our girls at Belmont and Vanderbilt.



### Hosted by Adams Family



Joined In Tuesday, May 23, 2017

★ Reviews

Adams Family is a Superhost · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Response rate: 100%

Response time: within a few hours

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. Learn more

### The neighborhood

Adams Family's home is located in Nashville, Tennessee, United States



Adams Family's home is located in Nashville, Tennessee, United States.

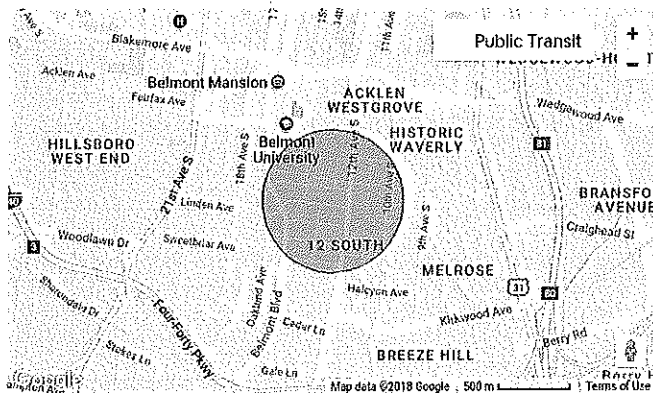
The house is the 2nd house off of 12th. It is walking distance to the hottest are in Nashville - 12th South. You will have several restaurants and shops you can walk to and a very nice park. If you enjoy running, you will love running along Belmont Blvd. where some of Nashvilles prettiest 4-square homes are. A quick 5 minute drive to the Guich area where there is more shopping and options to eat. Also just 8 minutes to everything downtown including the infamous neon lights and honkytonks down on Broadway. If you want more upscale shopping, you'll only be 15 minutes from a drive to The Green Hills Mall.

**Getting around**

Parking isn't too bad but you pay to park just about everywhere. I recommend Uber or Lyft especially if you're headed downtown (or drinking).

Hide ^

**Things to do in Nashville**



Exact location information is provided after a booking is confirmed.

**Policies**

**House Rules**

- No smoking
- Not suitable for pets
- No parties or events
- Check-in is anytime after 11AM
- Check out by 11AM
- Self check-in with keypad

- No smoking
- NO SHOES on bedroom carpets
- No dogs
- BEFORE YOU CHECKOUT...
- Please put all dirty dishes in dishwasher and set to clean
- Please leave used beds unmade
- Please leave any dirty towels in the laundry room
- Please trash any food you purchased
- Please take trash beside the house to the larger trash cans.
- Otherwise, please leave the home the way you found it.

**You must also acknowledge**

- Pet(s) live on property
- Must climb stairs
- Security Deposit - if you damage the home, you may be charged up to \$400

Hide rules ^

**Cancellations**

Moderate policy -- Free cancellation within 48 hours  
Cancel within 48 hours of booking to get a full refund.

- Cancel up to 5 days before check-in to get a refund, minus Airbnb service fees.
- Cancel within 5 days of check-in and the cost of the first night plus 50% of remaining nights are non-refundable.

- Airbnb service fees are refunded only if the reservation is cancelled within 48 hours of booking and the guest has not checked-in yet.

[Get details](#)

[Hide policies](#) ^

**Explore other options in and around Nashville**

## Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant : Jerry & Christine WiseDate: 9-19-18Property Owner: Jerry & Christine WiseCase #: 2018-591Representative: Jerry & Christine WiseMap & Parcel: 17800007400Council 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: 9478 Hwy. 96

This property is in the AR2A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the proper permit.

Section(s): 17.16.250 (E)

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

Jerry & Christine Wise

Appellant Name (Please Print)

Same as Appellant

Representative Name (Please Print)

9478 Hwy 96

Address

Address

Nashville, TN 37064

City, State, Zip Code

City, State, Zip Code

(615) 351-8314

Phone Number

Phone Number

ristywise@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**



**ZONING BOARD APPEAL / CAAZ - 20180059653  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 17800007400

**APPLICATION DATE:** 09/19/2018

**SITE ADDRESS:**

9478 HIGHWAY 96 FRANKLIN, TN 37064  
E SIDE HWY 96 S OF OLD HARDING PK

**PARCEL OWNER:** WISE, JERRY D. & CHRISTINE E.

**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) 862-6700  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://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.

*Christine Dine*  
9/19/18

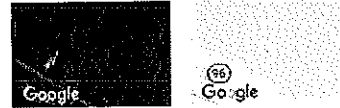
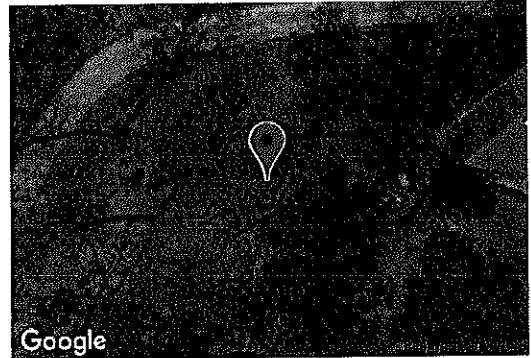
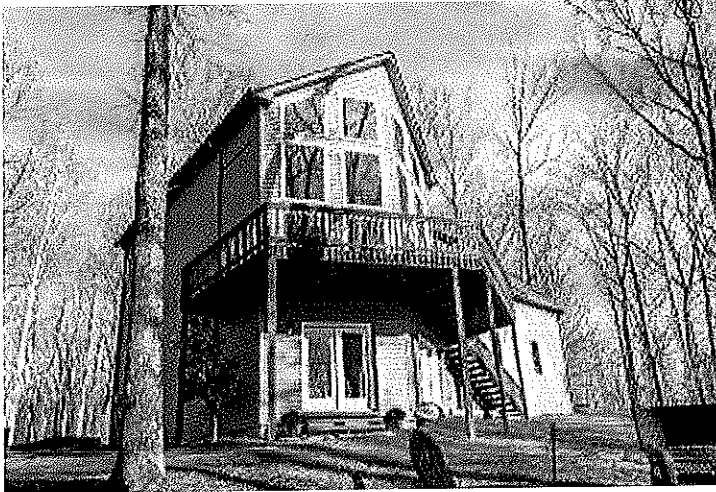
Rental Unit Record

# 9478 TN-96, Franklin, TN 37064, USA

Active ●  
 Identified ✓  
 Compliant X

PRINT

Airbnb - 16777301    Airbnb - 20972238    VRBO - 321.759386.1307324



### Identified Address

9478 TN-96, Franklin, TN 37064, USA

### Identified Unit Number

None

### Identified Latitude, Longitude

36.001424, -87.018058

### Parcel Number

17800007400

### Owner Name

WISE, JERRY D. & CHRISTINE E.

### Owner Address

9478 NEW HIGHWAY 96 W  
FRANKLIN, TN 37064, US

## Matched Details

Analyst 9XN5

### Explanation

Owners are Christine and Jerry Don Wise. Listing lists their names and search shows address of house in the search area. Also, the listing lists it as an 8 acre property as does the county assessor

Zip Code Match

City Name Match

## Listing Details

Listing URL — <https://www.airbnb.com/rooms/16777301>

Listing Status ● Active

Host Compliance Listing ID — air16777301

Listing Title — Wise Acres is located 10 min outside of Franklin,TN

Property type — Guest suite

### Timeline of Activity

View the series of events and documentation pertaining to this property

First Warning - No STR or Tax: Delivered   
September 13th, 2018

First Warning - No STR or Tax: Sent

9/19/2018

Matched property listing


Room type	— Private room
Listing Info Last Captured	— Sep 16, 2018
Screenshot Last Captured	— Sep 15, 2018
Price	— \$150/night
Cleaning Fee	— \$50

---

**Information Provided on Listing**

Contact Name	— Chris
Latitude, Longitude	— 36.003011, -87.021808
Minimum Stay (# of Nights)	— 1
Max Sleeping Capacity (# of People)	— 4
Number of Reviews	— 2
Last Documented Stay	— 08/2017

---

**Listing Screenshot History**
 View Latest Listing Screenshot

July 4

August 3

September 3

- September 5th, 2018
- Listing air20972238 Reposted June 30th, 2018
- ✕ Listing air20972238 Removed June 30th, 2018
- Listing air16777301 Reposted June 23rd, 2018
- Listing air20972238 Reposted June 23rd, 2018
- ✕ Listing air16777301 Removed June 22nd, 2018
- ✕ Listing air20972238 Removed June 22nd, 2018
- Listing hma321.759386.1307324 Reposted April 21st, 2018
- ✕ Listing hma321.759386.1307324 Removed April 19th, 2018
- Listing air16777301 Reposted March 4th, 2018
- ✕ Listing air16777301 Removed March 2nd, 2018
- Listing hma321.759386.1307324 Reposted February 26th, 2018
- ✕ Listing hma321.759386.1307324 Removed February 21st, 2018
- Listing air16777301 Reposted February 5th, 2018
- Listing air20972238 Reposted February 5th, 2018
- ✕ Listing air16777301 Removed January 31st, 2018
- ✕ Listing air20972238 Removed January 31st, 2018
- 📅 1 Documented Stay November, 2017
- ✓ Listing air20972238 Identified October 12th, 2017
- ✓ Listing hma321.759386.1307324 Identified October 12th, 2017
- ✱ Listing air20972238 First Crawled September 23rd, 2017
- Listing hma321.759386.1307324 Reposted September 16th, 2017
- Listing air20972238 First Activity September 16th, 2017
- 📅 1 Documented Stay August, 2017
- ✓ Listing air16777301 Identified August 22nd, 2017
- 📅 1 Documented Stay May, 2017
- ✱ Listing air16777301 First Crawled

9/19/2018

## Matched property listing

- January 21st, 2017
  - Listing air16777301 Reposted  
January 21st, 2017
  - ✕ Listing hma321.759386.1307324 Removed  
January 7th, 2017
  - ✕ Listing air16777301 Removed  
January 7th, 2017
  - Listing air16777301 First Activity  
January 1st, 2017
  - 📅 5 Documented Stays  
October, 2016
  - 📅 1 Documented Stay  
September, 2016
  - \* Listing hma321.759386.1307324 First  
Crawled  
July 20th, 2016
  - Listing hma321.759386.1307324 Reposted  
July 20th, 2016
  - ✕ Listing hma321.759386.1307324 Removed  
July 19th, 2016
  - 📅 1 Documented Stay  
July, 2016
  - 📅 1 Documented Stay  
June, 2016
  - 📅 2 Documented Stays  
May, 2016
  - 📅 1 Documented Stay  
November, 2015
  - 📅 2 Documented Stays  
September, 2015
  - Listing hma321.759386.1307324 First  
Activity  
September 1st, 2015



September 15, 2018 - 02:26PM America/Chicago

Search

Become a host Earn credit Help Sign up Log in

Sep 15, 2018 2:26pm America/Chicago

Share Save



View Photos

**Urgent Accommodations for those displaced by Hurricane Florence**

[I need a place to stay](#) [I can offer my space for free](#)

PRIVATE ROOM IN GUEST SUITE

## Wise Acres is located 10 min outside of Frankin,TN

Franklin

4 guests 2 bedrooms 2 beds 1 private bath



Chris

\$150 per night

Dates

Check in → Check out

Guests

1 guest

**Request to Book**

You won't be charged yet

Report this listing

HOME HIGHLIGHTS

**Self check-in** · You can easily check in with the doorman.  
Helpful · Not helpful

Private hilltop wooded setting on 8 acres. Spacious living room and two bedrooms/full bath. You won't want to miss the view! Homeowners Don and Chris Wise live upstairs and are available to meet any of your needs, but you still have total privacy. Location is only 10 minutes from downtown Franklin and 20 minutes to downtown Nashville. Don and Chris have been hosting since 2015 with Trip Advisor and (Hidden by Airbnb) as well and (SENSITIVE CONTENTS HIDDEN) have all high ratings. You will not be disappointed!

Read more about the space

Contact host

Amenities

- Free parking on premises
- Laptop friendly workspace
- Wifi
- TV
- Iron
- Hangers

Show all 15 amenities

Sleeping arrangements



Bedroom 1  
1 queen bed



Bedroom 2  
1 double bed



Common spaces  
1 couch

Availability

Updated 3 months ago

September 2018							October 2018						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1	1	2	3	4	5	6	
7	8	9	10	11	12	13	7	8	9	10	11	12	13
14	15	16	17	18	19	20	14	15	16	17	18	19	20
21	22	23	24	25	26	27	21	22	23	24	25	26	27
28	29	30	31				28	29	30	31			
30													

2 Reviews

Search reviews



Alexander  
August 2017

My stay at Chris and Don's home was excellent. We arrived a bit later in the evening than expected, but Don helped us locate the driveway off of the main road. They set us up with everything we would ever need—refreshments, snacks, coffee, towels, blankets, and most importantly...Read more



Erman  
May 2017

Chris is a great host and her cozy and beautiful house give me and my friend a very enjoyable night.

Hosted by Chris

Nashville, Tennessee, United States · Joined in January 2017



★ 2 Reviews

Response rate: 100%

Response time: within an hour

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. Learn more

The neighborhood

Chris's home is located in Franklin, Tennessee, United States.

We love our easy access to Franklin Tennessee and the other direction easy access to downtown Nashville. The view from our home is stunning!

Read more about the neighborhood ▾

Things to do in Nashville

Exact location information is provided after a booking is confirmed.

### Policies

#### House Rules

- No smoking
- No pets
- No parties or events
- Check-in is anytime after 4PM
- Check out by 11AM
- Self check-in with building staff

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 ▾

### More homes you may like



**ENTIRE LOFT - 1 BED**  
**The Loft at Quest Ridge**  
 \$125 per night  
 ★★★★★ 239



**FARM STAY - 1 BED**  
**Special! The Guesthouse @ Gratitude Ranch**  
 \$125 per night  
 ★★★★★ 96



**ENTIRE APARTMENT - 1 BED**  
**Downtown Historic Franklin 1899Loft**  
 \$195 per night  
 ★★★★★ 77

### Explore other options in and around Franklin

More places to stay in Franklin: Apartments · Houses · Bed and breakfasts · Lofts · Villas

San Juan Capistrano Vacation Rentals  
 St Louis  
 Snohomish  
 Atlanta

Asheville Vacation Rentals  
 Louisville  
 Burlingame  
 Citrus Heights

Nashville  
 Lewisville  
 Englewood  
 Kansas

Matched property listing

Avenue  
Memphis  
Reading

Citrus Heights  
Mount Vernon  
Lone Tree

Norco  
Micanopy  
Brooklyn

Airbnb

Discover

Hosting



January 7, 2019

Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety  
P.O. Box 196300  
Nashville TN 37219-6300

Re: Appeal Case Number 2018-591

Dear Metropolitan Board of Zoning Appeals:

As the owner of 9458 HIGHWAY 96, I oppose any permit of short-term rentals to any nearby property. I will not be able to make the meeting on Thursday 1/17/19, but would like for this letter to serve as my vote to not approve Appeal Case Number 2018-591.

Please call me at 615-347-4434 if you have any additional questions.

Sincerely,

A handwritten signature in black ink that reads "Jennifer A. Sexton". The signature is written in a cursive style with a large, flowing "J" and "S".

Jennifer A. Sexton

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : Matthew Carney

Date: 10-5-18

Property Owner: Matthew Carney

Case #: 2018-636

Representative: Matthew Carney

Map & Parcel: 11809000100

Council District 25

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

Purpose: To obtain a STRP permit.

Activity Type: Short Term Rental

Location: 1009 Battlefield Dr.

This property is in the RS10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 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.

Matthew Carney  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

1009 Battlefield Dr.  
Address

\_\_\_\_\_  
Address

Nashville, TN 37204  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(615) 429-4676  
Phone Number

\_\_\_\_\_  
Phone Number

matthewacarney@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



3566379

**ZONING BOARD APPEAL / CAAZ - 20180063419**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 11809000100

APPLICATION DATE: 10/05/2018

## SITE ADDRESS:

1009 BATTLEFIELD DR NASHVILLE, TN 37204  
S SIDE BATTLEFIELD DR W OF LEALAND LN

PARCEL OWNER: CARNEY, MATTHEW

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.

Rental Unit Record

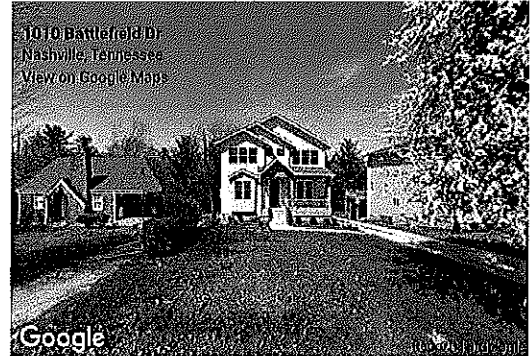
# 1009 Battlefield Dr, Nashville, TN 37204, USA

Removed X  
Identified ✓  
Compliant ✓



Airbnb - 19912518

Airbnb - 18238539



### Identified Address

1009 Battlefield Dr, Nashville, TN 37204, USA

### Identified Unit Number

None

### Identified Latitude, Longitude

36.114576, -86.788349

### Parcel Number

11809000100

### Owner Name

CARNEY, MATTHEW

### Owner Address

1009 Battlefield Dr  
Nashville, TN 37204, US

### Registration / Permit Number

505273

## Matched Details

Analyst

QHQC

Explanation

Exterior image from the listing matches aerial view image.

Listing Photos

Matching 3rd Party Sources



The deck has not been constructed yet in this aerial view, but the rest of the home/door matches

Zip Code Match

Owner Name Match

City Name Match

### Timeline of Activity

View the series of events and documentation pertaining to this property

## Listing Details



Listing URL	- https://www.airbnb.com/rooms/19912518
Listing Status	● Inactive
Host Compliance Listing ID	- air19912518
Listing Title	- The Battlefield Tudor "B" 12South Living
Property type	- House
Room type	- Private room
Listing Info Last Captured	- Aug 15, 2018
Screenshot Last Captured	- Aug 19, 2018
Price	- \$98/night
Cleaning Fee	- \$35

Information Provided on Listing

Contact Name	- Matthew
Latitude, Longitude	- 36.115480, -86.789342
Minimum Stay (# of Nights)	- 2
Max Sleeping Capacity (# of People)	- 2
Number of Reviews	- 25
Last Documented Stay	- 08/2018

Listing Screenshot History

View Latest Listing Screenshot

August 2      September 0      October 0

- ✘ Listing air18238539 Removed August 21st, 2018
- ✘ Listing air19912518 Removed August 21st, 2018
- 2 Documented Stays August, 2018
- 3 Documented Stays July, 2018
- 4 Documented Stays June, 2018
- Listing air18238539 Reposted June 23rd, 2018
- Listing air19912518 Reposted June 23rd, 2018
- ✘ Listing air18238539 Removed June 22nd, 2018
- ✘ Listing air19912518 Removed June 22nd, 2018
- 7 Documented Stays May, 2018
- ✓ Listing air19912518 Identified May 24th, 2018
- 7 Documented Stays April, 2018
- ✉ Airbnb Letter: Delivered April 9th, 2018
- ✉ Airbnb Letter: Sent April 3rd, 2018
- 7 Documented Stays March, 2018
- ✉ First Warning - No STR or Tax: Delivered March 10th, 2018
- Listing air18238539 Reposted March 4th, 2018
- Listing air19912518 Reposted March 4th, 2018
- ✉ First Warning - No STR or Tax: Sent March 4th, 2018
- ✘ Listing air18238539 Removed March 2nd, 2018
- ✘ Listing air19912518 Removed March 2nd, 2018
- 4 Documented Stays February, 2018
- Listing air18238539 Reposted February 5th, 2018
- Listing air19912518 Reposted February 5th, 2018
- ✘ Listing air18238539 Removed January 31st, 2018
- ✘ Listing air19912518 Removed January 31st, 2018

- 📅 2 Documented Stays  
January, 2018
- 📅 1 Documented Stay  
December, 2017
- 📅 4 Documented Stays  
November, 2017
- 📅 5 Documented Stays  
October, 2017
- 📅 6 Documented Stays  
September, 2017
- ✓ Listing air18238539 Identified  
September 19th, 2017
- 📅 4 Documented Stays  
August, 2017
- ✳ Listing air19912518 First Crawled  
August 6th, 2017
- Listing air19912518 First Activity  
August 3rd, 2017
- 📅 3 Documented Stays  
July, 2017
- 📅 4 Documented Stays  
June, 2017
- ✳ Listing air18238539 First Crawled  
April 22nd, 2017
- Listing air18238539 First Activity  
April 18th, 2017

August 19, 2018 - 02:32AM America/Chicago



Search

Become a host Earn credit Help Sign up Log in

Aug 19, 2018 2:32am America/Chicago

Share

Save



View Photos

PRIVATE ROOM IN HOUSE

# The Battlefield Tudor "B" 12 South Living

Nashville



Matthew

2 guests 1 bedroom 1 bed 1 private bath

Dates

Check In → Check Out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

### HOME HIGHLIGHTS

**Great location** · 95% of recent guests gave this home's location a 5-star rating.

Helpful  · Not helpful

**Quick responses** · 14 recent guests said this host responded quickly.

Helpful  · Not helpful

**Outstanding hospitality** · 15 recent guests said this host offered outstanding hospitality.

Helpful  · Not helpful

If you are looking for location and relaxation you found it! This 1942 Tudor home was fully renovated in 2017 with all the best features. You may fall in love with it and want to stay longer. A quick 3 block walk past the park gets you access to all the shops and restaurants on 12th!

### The space

This newly renovated Tudor offers the perfect upstairs queen guest bedroom getaway. It is owned by a local restaurateur and he knows the town pretty well. The home is just minutes from downtown and includes a full bath with a jetted tub/shower, small galley kitchen (fridge) with laundry giving you everything you need for a short or extended stay.

**Guest access**

You will have access to the upstairs common area that includes a TV, recliner and love seat for relaxing. The love seat has a twin sized memory foam pull out if needed. The space also includes a stocked fridge (water, soda's, adult beverages) and a washer/dryer that are available for your use. Directly off your bedroom is a massive 16'x40' deck with your own entrance. There is an identical bedroom & bathroom directly across the common area that may or may not have another AirBNB guest staying as well.

**Interaction with guests**

If you have any questions at any time of the day don't hesitate to call or text. I love to host and like to keep my guests happy and feeling at home. Your privacy will be respected at all times. But feel free to relax with me and Mr Kitty at any time.







**Other things to note**

Mr Kitty is the ruler of the house. He's a little pug dog that enjoys saying hello from time to time. He's friendly, entertaining, cute and very playful. He will most likely be the first to greet you. It's ok, give him a rub and you'll be good to go your entire stay and he will keep you safe. (there is a gate that blocks him off from your accommodations should you not want him in your space) (he can roam as he pleases though the back yard but please be cautious when opening doors or gates. He's not fun to chase down the street with his playful nature) 2 available street parking spots. (never block the driveway please) Should you need specific off street parking please let us know. Always keep the gates closed in the back yard to let Mr Kitty have his space.

Hide ^

**Contact host**

**Amenities**

-  Free parking on premises
-  TV
-  Kitchen
-  Dryer
-  Wifi
-  Hangers

Show all 28 amenities

**Sleeping arrangements**



**Bedroom 1**  
1 queen bed

**Accessibility**

- Wide doorway to the home's entrance
- Wide hallway clearance

Show all


**Availability**

..


25 Reviews ★ ★ ★ ★ ★

Search reviews

Accuracy	★ ★ ★ ★ ★	Location	★ ★ ★ ★ ★
Communication	★ ★ ★ ★ ★	Check-in	★ ★ ★ ★ ★
Cleanliness	★ ★ ★ ★ ★	Value	★ ★ ★ ★ ★

 Lee  
August 2018

This place was amazing! Highly recommend staying here. Great location, walkable to 12 South and quick reasonable Uber rides to everywhere else. Super clean, newly updated, all of the features were top of the line. Although this is listed as a shared space with a private bath, we felt as if we had the place to ourselves because of the privacy it offered. Check in and out with your own lockbox made it super easy to come and go as you please. To top it all off a nice and friendly host, who was very quick to respond to messages.

 Brian  
August 2018

Awesome place! And especially awesome if you're a pair of couples looking to stay together but would still like your own private space (book both the A & B suites). Close to 12 South but on a quiet street away from the hubbub. Very cool private entrance with a huge shared deck. Nice size bedroom with a large closet and shelves. Very nice and super-clean bathroom. And even a nice little shared living room space with a big TV and recliner. If that wasn't enough, Matthew is an awesome, chill host that really cares about making your stay great. A superb AirBnB experience - highly recommended!!!

 Michaela  
July 2018

Amazing location a short uber ride from anywhere in Nashville. The space was spotless and the house was beautiful. The private entrance was convenient as well. Overall, we thoroughly enjoyed our stay!

 Tracy  
June 2018

We had a wonderful trip to Nashville, and Matthew's place was superb. It was only a mile from all the restaurants on 12 South and a \$9 uber ride to Broadway (cheaper and more convenient than parking yourself). The room and bathroom were much larger than expected and sooo nice. We're couldn't have asked for better.

 Teresa  
June 2018

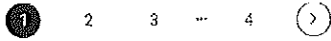
What a wonderful place to stay! Comfortable, clean, close to many area attractions and downtown.. We very much enjoyed staying here. Will definitely be back!

 Zach  
May 2018

Matthew has an awesome home in a wonderful neighborhood. His new deck and upstairs renovations are impressive! Our room was perfect for our weekend stay. Matthew was an accommodating host and gave us plenty of suggestions for places to visit in Nashville. I definitely recommend him.

 Erica  
May 2018

This place is great! I highly recommend it. Walkable to shops and restaurants and super quick Uber ride to downtown. His place is extremely clean and nice, and amazing deck off the bedroom. I would definitely stay here again.



### Hosted by Matthew



Nashville, Tennessee, United States · Joined in May 2015

★ 67 Reviews • Verified

Nashville business owner that enjoys literally everything that life has to offer. Cars, Boats, Business, Moonshine & Bourbon are on the top end of the list.

Languages: English

Response rate: 100%

Response time: within an hour

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. Learn more

### The neighborhood

Matthew's home is located in Nashville, Tennessee, United States.

Great shops, restaurants and bars. Walkability gives you convenience to everything around. There is a brand new community center around the block at Sevier Park which is a great option for a workout (\$3 for guests). Multiple privately owned yoga studios or gyms are close by as well. The 12th South Farmers Market is every Tuesday afternoon from 3:30-6:30 at the park. Nashville is a very active town with so much to do.

### Getting around

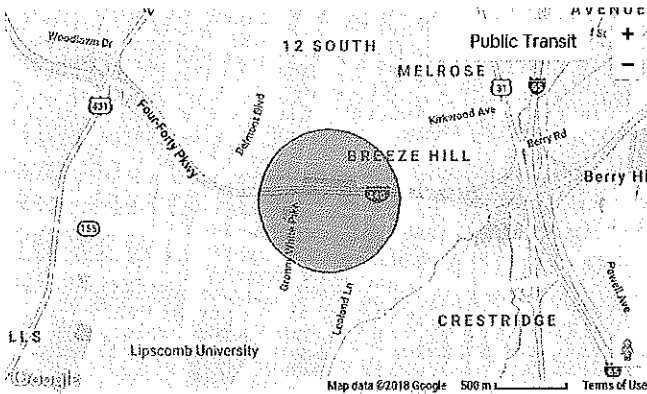
Any cab, lyft or uber ride will be inexpensive since you are 3 miles from downtown. One of the Nashville B-cycle bike rental stations is located at the north side of the sevier park. There is a bus route that is close by if needed.

Hide ^

Matthew's Guidebook Things to do in Nashville

### Nearby landmarks

- Frist Art Museum 3.3 mi
- Country Music Hall of Fame and Museum 3.5 mi
- Centennial Park 3.5 mi
- Ryman Auditorium 3.7 mi
- The Parthenon 3.8 mi



Exact location information is provided after a booking is confirmed.

### Policies

#### House Rules

- Not suitable for children and infants
- No smoking

- No pets
- No parties or events
- Check-in time is 3PM - 2AM (next day)
- Check out by 10AM
- Self check-in with lockbox

The house is ruled by one adorable little pug dog named "Mr Kitty" he will most likely come say hello and would like a second to smell you and note that you are ok and safe. There is a barrier gate to keep him out from your space and away from you so feel free to use it.

**You must also acknowledge**

Pet(s) live on property - "Mr Kitty" is my friendly little pug dog... He loves to say hello with a sniff but will give you your space.

Must climb stairs - Your private space is located in the upper level of the home and up an easy 13-14 step staircase.

Some spaces are shared - There is a common area between 2 individual rentals with a TV, couch, table and chair along with a stocked fridge & washer/dryer for your common use.

Hide rules ^

**Explore other options in and around Nashville**

More places to stay in Nashville: Apartments · Bed and breakfasts · Lofts · Villas · Condominiums

Asheville Vacation Rentals  
 Stone Mountain  
 Princeton  
 St Louis  
 Memphis  
 Rutland

Cloverdale Vacation Rentals  
 Louisville  
 Sherman Oaks  
 Atlanta  
 Rosemont  
 Braintree

Highland Vacation Rentals  
 Nashville  
 Centreville  
 Portsmouth  
 River Ranch  
 League City

Airbnb

Discover

Hosting



**From:** [Pulley, Russ \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Lamb, Emily \(Codes\)](#)  
**Subject:** BZA case 2018-636  
**Date:** Wednesday, November 28, 2018 11:46:24 AM

---

I am writing to address the appeal of Matthew Carney for the property at 1009 Battlefield Drive, challenging the zoning administrator's denial of a short term rental permit.

I have heard from Zoning Examiner Robert Osborn who worked on this case. He stated that he communicated with Mr. Carney via email informing Mr. Carney that he did not have a valid permit. Mr. Osborn then informed Mr. Carney to cease operation of his short term rental. Evidence indicates that Mr. Carney did not comply with Mr. Osborn and continued to operate.

I have not heard from the appellant regarding this matter. It appears to me that the evidence of non compliance is compelling. I certainly trust the judgement of this board. Considering the evidence, I do support denial of the appeal.

Again, thank you all for the fine work this Board does and the long hours you are called on to serve. I very much appreciate the thought you all put into your decisions and your service to this city.

Russ Pulley  
Nashville Metro Council  
District 25  
615-308-4972



RE: Appeal Case Number: 2018-636  
1009 BATTLEFIELD DR  
Map Parcel: 11809000100  
Zoning Classification: RS10  
Council District: 25

November 25, 2018


Dear Office of Zoning,

I am writing to express my concern about the appellant, Mr. Matthew Carney's, request to Item A appeal to challenge the zoning denial of a short-term rental permit. Allowing Mr. Carney, or any future appellant, to follow through with this appeal poses a number of threats. Short-term rentals have no stake in the community and are not worth altering the neighborhood's character merely to provide lodging for tourist and given privilege to individual business ventures. This is a single-family resident and should be kept in tact for young families raising their kids and retired residents to find security among their long-time neighbors. It would be unfair to alter our neighborhood to accommodate complete strangers simply for profit.

We genuinely oppose to Mr. Carney's request for a short-term rental permit.

Name: Elmer & Fatima Terry

Address: 1007 Battlefield Drive Nashville, TN 37204

Signature: 

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : SHIRLEE BURCH-STEVENSON Date: 11/5/18  
Property Owner: SHIRLEE BURCH STEVENSON Case #: 2018-714  
Representative: Scott Davis Map & Parcel: 01700026200

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 obtain STRP permit

Activity Type: Short Term Rental

Location: 2253 Luster Rd

This property is in the AR2D 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 of challenge the zoning administrator's denial of short term rental Application submitted prior to obtaining permit  
Section(s): 17.16.250(4)

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.

SHIRLEE BURCH STEVENSON  
Appellant Name (Please Print)

SAME AS APPELLANT  
Representative Name (Please Print)

9638 ROCKY HILL RD  
Address

Address

LASCASSAS, TN 37085  
City, State, Zip Code

City, State, Zip Code

615-995-1795  
Phone Number

Phone Number

shirleebsterens@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**



**ZONING BOARD APPEAL / CAAZ - 20180069772  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 01700026200

**APPLICATION DATE:** 11/05/2018

**SITE ADDRESS:**

2253 LUSTER RD GOODLETTSVILLE, TN 37072  
LOT 1 THE JAMES P. SKAGGS LAND

**PARCEL OWNER:** BURCH-STEVEN, SHIRLEE

**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 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.

Rental Unit Record

# 2253 Luster Rd, Goodlettsville, TN 37072, USA

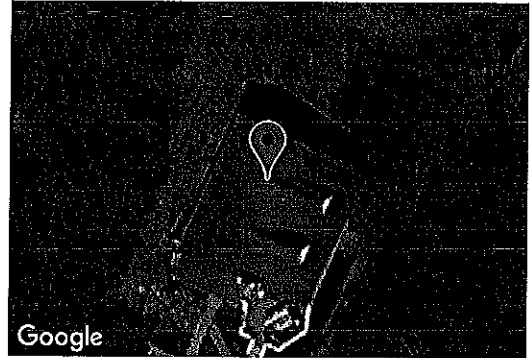
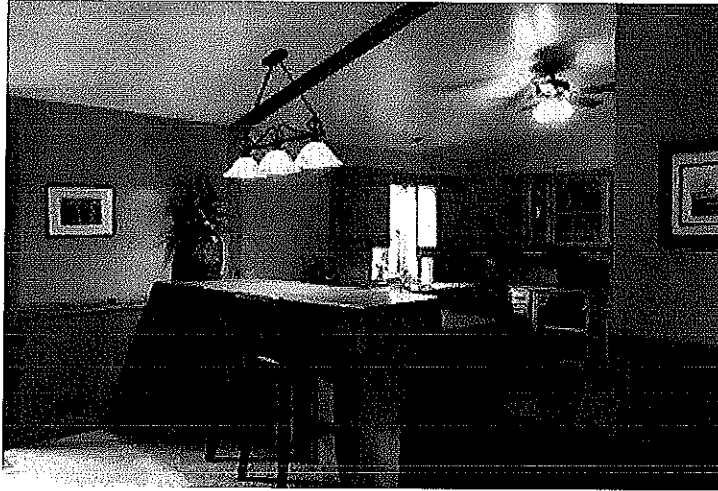
Active ●  
Identified ✓  
Compliant X

PRINT

VRBO - 321.1431145.1989666

Airbnb - 27681600

Airbnb - 27371787



### Identified Address

2253 Luster Rd, Goodlettsville, TN 37072, USA

### Identified Unit Number

None

### Identified Latitude, Longitude

36.329658, -86.788964

### Parcel Number

01700026200

### Owner Name

BURCH-STEVEN, SHIRLEE

### Owner Address

9638 ROCKY HILL RD  
LASCASSAS, TN 37085, US

## Matched Details

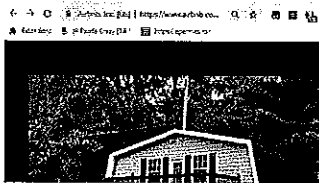
### Analyst

QZ4P

### Explanation

The property was successfully identified after finding the home via google maps then validating the address with the pictures on the listing and the images from a youtube video, then getting all other information from the tax assessor site.

### Listing Photos



same property

### 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 hma321.1431145.1989666 Identified November 4th, 2018

Listing Details

Listing URL	- <a href="https://www.airbnb.com/rooms/27371787">https://www.airbnb.com/rooms/27371787</a>
Listing Status	● Active
Host Compliance Listing ID	- air27371787
Listing Title	- 13.5 Miles from Downtown Nashville
Property type	- Loft
Room type	- Entire home/apt
Listing Info Last Captured	- Nov 02, 2018
Screenshot Last Captured	- Nov 04, 2018
Price	- \$85/night
Cleaning Fee	- \$70

Information Provided on Listing

Contact Name	- Shirlee
Latitude, Longitude	- 36.330041, -86.789933
Minimum Stay (# of Nights)	- 31
Max Sleeping Capacity (# of People)	- 5
Number of Reviews	- 6
Last Documented Stay	- 10/2018

Listing Screenshot History

View Latest Listing Screenshot

September **4**

October **8**

November **1**

- Listing air27371787 Reposted October 22nd, 2018
- Listing air27681600 Reposted October 22nd, 2018
- ✕ Listing air27371787 Removed October 20th, 2018
- ✕ Listing air27681600 Removed October 20th, 2018
- 📅 3 Documented Stays October, 2018
- 🚩 First Warning - No STR or Tax: Delivered 📅 October 11th, 2018
- Listing air27371787 Reposted October 10th, 2018
- ✕ Listing air27371787 Removed October 9th, 2018
- 🚩 First Warning - No STR or Tax: Sent 📅 October 5th, 2018
- 📅 7 Documented Stays September, 2018
- ✓ Listing air27681600 Identified September 24th, 2018
- ✓ Listing air27371787 Identified September 24th, 2018
- ✳ Listing hma321.1431145.1989666 First Crawled September 8th, 2018
- Listing hma321.1431145.1989666 First Activity September 6th, 2018
- 📅 1 Documented Stay August, 2018
- ✳ Listing air27681600 First Crawled August 15th, 2018
- Listing air27681600 First Activity August 15th, 2018
- ✳ Listing air27371787 First Crawled August 5th, 2018
- Listing air27371787 First Activity August 5th, 2018

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Lori Lane Date: 11/19/2018  
Property Owner: Lori Lane Case #: 2019-014  
Representative: Jamie Hollin Map & Parcel: 08213036400

Council District 19

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

Purpose: STP permit revocation. Change of ownership

Activity Type: \_\_\_\_\_

Location: 900 B Locklayer

This property is in the RS3.5 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: Zoning administrator erred.

Section(s): 11.14.250 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.

Lori Lane  
Appellant Name (Please Print)

Jamie R. Hollin  
Representative Name (Please Print)

711 Rosebank Ave.  
Address

511 Rosebank Ave.  
Address

Nashville, TN 37206  
City, State, Zip Code

Nashville, TN 37206  
City, State, Zip Code

615-870-4650  
Phone Number

615-870-4650  
Phone Number

j.hollin@me.com  
Email

j.hollin@me.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



3580149

**ZONING BOARD APPEAL / CAAZ - 20180073111**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 08213036400

APPLICATION DATE: 11/20/2018

**SITE ADDRESS:**

900 B LOCKLAYER ST NASHVILLE, TN 37208  
LOT 24 BLK. B. BRANS. RLTY. CO. SUB. OF NO. HILL TRACT

PARCEL OWNER: 3L PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

an 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 change in ownership

*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  
03-Jan-19 10:32:20AM

## Owner Change

Parcel: 08213036400

Parcel Acreage: 0.08

Parcel Created: 10-Nov-73

### ADDRESS

900 B LOCKLAYER ST ,NASHVILLE, TN 37208 - Property

### Current Owner

3L PROPERTIES, LLC, 1720 6TH AVE N A2, NASHVILLE, (US) TN, 37208

Sale		Instrument	
Code	I	Type	Quit Claim Deed
Source	I	Number	QC-20160407 0033586
Valid Sale		Acquired	1-Apr-16
Price	\$0.00	Historical	

### Previous Owners

LANE, LORI, 900 B LOCKLAYER ST, NASHVILLE, (US) TN, 37208

Sale		Instrument	
Code	Q	Type	Deed
Source	I	Number	DB-20150610 0054645
Valid Sale		Acquired	8-Jun-15
Price	\$332,000.00	Historical	01-Apr-16



MEGAN HARRY  
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](http://www.nashville.gov/codes)

February 8, 2018

Ms. Lori Lane  
900 B Locklayer Street  
Nashville, TN 37208

RE: Permit CASR #201523523  
900 B Locklayer Street

Dear Ms. Lane:

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. 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 April 1, 2016 ownership change.

All short term rental advertising, operations, and actual renting at this address must cease immediately. Any such further actions at this 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

2019-014. Oppose

Bonnie S. Bashor  
902A Locklayer St  
Nashville, TN 37208

December 29, 2018

Metropolitan Board of Zoning Appeals  
P.O. Box 196300  
Nashville, TN 37210-6300

Re: Zoning Appeal Case Number: 2019-014  
900B Locklayer St

To Whom It May Concern:

I wish to show opposition to this appeal request.

This neighborhood, Hope Gardens, is a quiet residential neighborhood and a part of an MDHA redevelopment district. This area of Hope Gardens is zoned RS. However, it is being overrun with short-term rentals (STRs), both legal and illegal, owner-occupied and non-owner-occupied. The property in question operated legally as a non-owner occupied STR; it then changed ownership, the permit was cancelled, and it continued to operate illegally without a permit. The original owner is now appealing not receiving a new permit for this non-owner-occupied STR, long after the original permit was cancelled.

The rules about STRs are quite clear. No new non-owner occupied STR permits will be issued in residentially-zoned areas. When a permitted property in a residentially-zoned area changes hands, it is no longer eligible for a non-owner-occupied STR permit.

Please uphold these very sensible rules. Hope Gardens does not need more STRs. In fact, there are already several within about 200 feet of my house.

Thank you for your consideration.



Bonnie S Bashor  
Owner and occupant of 902A Locklayer St.

**From:** [Jake Marshall](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Appeal Case Number 2019-014  
**Date:** Tuesday, January 1, 2019 11:12:14 AM

---

To Whom it May Concern:

I am the property owner and resident of 914 Ireland St and am within 600 ft of the property attempting to gain a short term rental permit as mentioned in appeal case number 2019-014 and reference permit #20180073111. I wish my comments to be entered into the public record for the appeal decision.

I do not support the property being granted a short term rental license as I believe it is a threat to public safety, detriment to property values, and quality of life for current residents.

I may be reached at this email address or at 540.604.7864 should you have any needs for further inquiry of my beliefs.

Thank you,

John "Jake" Marshall

--

Sent from Gmail Mobile \_\_\_\_\_ Jake Marshall, MPS, PEM, FF/NRP  
540.604.7864

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF SHILLOH HILLS AND DAVIDSON COUNTY



Appellant: Lori Lane  
Property Owner: Lori Lane  
Representative: Jamie Hollin

Date: 11/19/2018  
Case #: 2019-015  
Map & Parcel: 082090800200C0

Council District 19

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

Purpose: STR permit revocation - Change of Ownership

Activity Type: Short Term Rental  
Location: 1412 5th Ave. North

This property is in the MUN 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 administrator email.  
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.

Lori Lane  
Appellant Name (Please Print)  
571 Rosebank Ave  
Address  
Nashville, TN 37206  
City, State, Zip Code  
615-870-4650  
Phone Number  
j.hollin@me.com  
Email

Jamie Hollin  
Representative Name (Please Print)  
571 Rosebank Ave.  
Address  
Nashville, TN 37206  
City, State, Zip Code  
615-870-4650  
Phone Number  
j.hollin@me.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



3580154

**ZONING BOARD APPEAL / CAAZ - 20180073113**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 082090B00200CO APPLICATION DATE: 11/20/2018

**SITE ADDRESS:**

1412 5TH AVE N NASHVILLE, TN 37208  
LOT 2 D T MCGAVOCK 1ST ADDN RESUB OF LOTS 63 & 64 SECOND REV

PARCEL OWNER: 3L PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:**

**PURPOSE:**

an 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 change in ownership

*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  
03-Jan-19 10:34:29AM

## Owner Change

Parcel: 082090B00200CO

Parcel Acreage: 0.06

Parcel Created: 02-Nov-01

### ADDRESS

1412 5TH AVE N ,NASHVILLE, TN 37208 - Property

### Current Owner

3L PROPERTIES, LLC, 1760 6TH AVE N A2, NASHVILLE, (US) TN, 37208

Sale		Instrument	
Code	I	Type	Quit Claim Deed
Source	I	Number	QC-20160407 0033587
Valid Sale		Acquired	1-Apr-16
Price	\$0.00	Historical	

### Previous Owners

LANE, LORI L., 1720 6TH AVE N A-2, NASHVILLE, (US) TN, 37208

Sale		Instrument	
Code	Q	Type	Deed
Source	I	Number	DB-20150527 0048691
Valid Sale		Acquired	26-May-15
Price	\$360,000.00	Historical	01-Apr-16

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](http://www.nashville.gov/codes)

September 17, 2018

3L Properties, LLC  
1760 6<sup>th</sup> Ave N A2  
Nashville, TN 37208

RE: Permit CASR #201520981  
1412 5<sup>th</sup> Ave N

Dear Ms. Lane

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. This property changed ownership after the date of permit issuance. Since the law does not allow any transfers of STRP permits, this permit has been invalid since the April 1, 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 action at the Board of Zoning Appeals.

Sincerely,

Jon Michael  
Metro Codes

CC: John Jihant  
1825 Championship Blvd  
Franklin, TN 37064

January 3, 2019

Metropolitan Board of Zoning Appeals  
Metro Office Building  
800 Second Avenue South  
Nashville, TN 37210

RE: Appeal Case No: 2019-015

Dear Members of the Board:

I would like to register my opposition for the above appeal to reinstate the STR permit to the property at 1412 5<sup>th</sup> Avenue N. Metro regulations clearly stipulate that an existing STRP issued to a property owner is no longer valid when ownership of that property changes, which has occurred in this case.

This property is also a member of the DT McGavock HOA, and I also own a home in this 10 unit HOA. I have attached a copy of our amended Bylaws which prohibit short term leasing. This property was grandfathered in until the expiration of the current permit effective at the date of the amendment (page 3, #9). Please reject this appeal for the abovementioned reasons.

Thank you for your time and consideration,

Kellye Joiner  
425 Van Buren Street  
Nashville, TN 37208



BILL GARRETT, Davidson County

Trans: T20160086168 REST

Recvd: 09/30/16 12:38 7 pgs

Fees: 37.00 Taxes: 0.00



20160930-0103316

This Instrument Prepared by:  
 Robert J. Notestine III  
 Attorney at Law  
 109 Kenner Avenue, Suite 201  
 Nashville, TN 37205

**AMENDMENT TO THE DECLARATION  
 OF RESTRICTIONS AND BYLAWS  
 OF THE D.T. MCGAVOCK, FIRST ADDITION  
 OF RECORD IN INSTRUMENT 20021213-0157068  
 AS PREVIOUSLY AMENDED IN INSTRUMENT 20031208-0176006, AND IN  
 INSTRUMENT 20090116-0004233, REGISTER'S  
 OFFICE FOR DAVIDSON COUNTY, TENNESSEE**

THIS AMENDMENT, executed and made effective this 22nd day of September, 2016 by the Members representing the owners of all of the units in D. T. McGavock, First Addition with the consent and agreement of the owners of units in the Van Buren Townhomes, as provided in the Restrictive Covenants, by a vote at a special meeting of the unit owners held on September 22, 2016, hereby amends the Restrictive Covenants and By-laws as follows:

1. The Restrictive Covenants shall apply as amended herein to all lots and/or units in the D. T. McGavock, First Addition (D. T. McGavock) and in the Van Buren Townhomes (Van Buren).
2. D.T. McGavock and Van Buren shall be administered according to their respective Restrictive Covenants and Master Deed except as is modified herein. Further, Van Buren shall be subject to the By-Laws of record in Instrument 20020802-0092618, Register's Office for Davidson County, Tennessee (the By-Laws) which are the Bylaws of the D.T. McGavock Homeowners' Association (the Association).

3. Article B of the By-Laws is amended to include both the Lot Owners in D. T. McGavock and the Unit Owners in Van Buren as Members.
4. The term "Lots" shall continue to describe the parcels of real property within D. T. McGavock. The term "Units" shall describe private elements in Van Buren.
5. The number of Lots and Units to be administered pursuant to these By-laws is ten (10) with six (6) Lots in D. T. McGavock and four (4) units in Van Buren.
6. Article 5 of the By-Laws is amended to change the number of directors in section 5.2 to four (4) and add the sentence at the end of the section as follows: Two (2) Directors shall be owners in D. T. McGavock and two (2) directors shall be owners in Van Buren.
7. Article 8 of the By-Laws is amended to add a new sentence 8.5 **SEPARATE BUDGETS**. A separate budget shall be prepared for D. T. McGavock and for Van Buren. However, financial administration of both D. T. McGavock and Van Buren shall be conducted by the Board and through any association manager it elects to employ. Funds shall be expended as directed by the Board taking into consideration the different maintenance responsibilities of the Board for each development as provided in The Restrictive Covenants and the Master Deed.
8. Article 8 of the By-Laws is further amended to add a new section 8.6 as follows:  
**DELINQUENT DUES**. Any member not current on dues forfeits the right to vote on any issues and Association business matters that arise during their delinquency. Late fees for dues and assessments will be charged as follows: \$25.00 each month for the first three months of delinquency, \$50.00 each month for the following three months of delinquency. After six months, the Board will cause to be placed a lien on

any delinquent member's property until all dues, assessments and fines are paid. In addition, the delinquent member will pay any fees associated with legal action and collection of monies. Any member not current on monies owed to the Association shall not rent their property as either a long-term basis or as a permitted short-term rental basis.

9. A new section 9.8 is added as follows: **Short Term Leasing.** Except as it otherwise provided herein, the attempt to lease any Unit or Lot or the improvements thereto, for less than thirty (30) days shall be a violation of the Restrictive Covenants, Master Deed and of the By-laws of the Association and the Board of the Association shall have recourse to all remedies as provided in the Restrictive Covenants, Master Deed and By-laws, including but not limited to imposing fines for said violations at a rate to be determined by the Board of the Association. Those two units who currently hold short-term vacation rental permits from the Metropolitan Government shall be permitted to lease on a short term or vacation rental basis as long as they hold all necessary permits. Upon expiration of these permits, said Lots or Units shall not be permitted to be leased for short-term or vacation rentals.

10. A new Article 10 to the Bylaws is adopted as follows:

**ARTICLE X: USE RESTRICTIONS.** The following use restrictions shall apply to

D. T. McGavock and Van Buren:

10.1 **Parking.** Parking is allowed only in designated parking spots. Parking is not allowed on the asphalt circle of the common area except in the two designated parking spots. Parking is not allowed in the back berm on the south of the common

area, nor on the adjacent asphalt. Any vehicle parked so that a portion of it extends outside a designated parking space and into the common area is in violation of the parking policy. Violators not impeding access to parking spots or garages will be fined \$25.00 per instance. Violators impeding access to parking spots and garages will be fined \$100.00 per instance and will be towed at their own expense. Violators parking in a way that does physical damage to the common area will be fined \$250.00 per instance and will be responsible for all costs related to repairing the damage. Contractors and other workers are allowed to park in the common area temporarily as long as their vehicles are attended and are able to give way for resident access. Any member needing to obstruct the common area for these purposes is responsible for notifying neighbors at least 24 hours in advance.

**10.2 Outer gates.** For security and to prevent access to the common area by unauthorized persons, any owner on property with a gate that opens onto 5<sup>th</sup> Avenue North or Van Buren Street is responsible for ensuring that it is closed and secured except when in active use. An open and/or unlocked gate is never to be left unattended.

11. These Amendments shall be effective Authorization of the Members and execution hereinafter. Exhibit A attached here contains the signatures of the Lot Owners approving the Amendment and the signatures of the Unit Owners of Van Buren, all of whom have consented to be part of the Association.

THIS AMENDMENT to the Restrictive Covenants and By-Laws shall in no way be construed to amend, alter, or revise any other provision of the Restrictive Covenants and By-

laws, except as provided herein. However, to the extent that the terms, condition and provisions of this Amendment are contrary and conflict with the terms, conditions, and provisions of the Restrictive Covenants and Bylaws, the terms, conditions, and provisions herein shall supersede and control over the terms, conditions, and provisions of the Restrictive Covenants and By-laws.

D. T. MCGAVOCK  
HOMEOWNER'S ASSOCIATION

By: [Signature]

Title: President

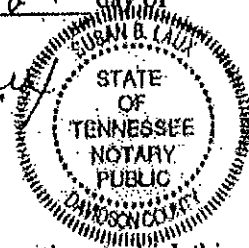
Robert D. Earp Jr.

STATE OF TENNESSEE  
COUNTY OF DAVIDSON

Before me, Susan B. Laux of the state and county mentioned, personally appeared Robert D. Earp Jr., with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him/herself to be President of D. T. McGavock Homeowner's Association, and as such President acknowledged that he/she is authorized to execute the foregoing instrument on behalf of the D.T. McGavock Homeowner's Association, the within named bargainor, a nonprofit corporation, and that he/she as such President, executed the foregoing instrument for the purpose therein contained, by signing the name of the nonprofit corporation by him/herself as President.

Witness my hand and seal, at office in Nashville this 22<sup>nd</sup> day of Sept, 2016.

Susan B. Laux  
Notary Public



My Commission Expires: 1/6/2020

I certify that the Owners of Lots and Units voting at the special meeting at which this Amendment is being considered by ballot and/or proxy.

D.T. MCGAVOCK  
HOMEOWNER'S ASSOCIATION

By: [Signature]

Greer Henry

Title: Secretary

STATE OF TENNESSEE)  
COUNTY OF DAVIDSON)

Before me, Susan B. Lantz of the state and county mentioned, personally appeared Greg Henry, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged him/herself to be Secretary of D.T. McGavock Homeowner's Association, and as such Secretary acknowledged that he/she is authorized to execute the foregoing instrument on behalf of the D. T. McGavock Homeowner's Association, the within named bargainer, a nonprofit corporation, and that he/she as such Secretary, executed the foregoing instrument for the purpose therein contained, by signing the name of the nonprofit corporation by him/herself as Secretary.

Witness my hand and seal, at office in Nashville this 22nd Sept, 2016.

Susan B. Lantz  
Notary Public



My Commission Expires: 1/6/2020

**From:** [Jessica Himes](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Opposition to permit 20180073113  
**Date:** Friday, January 11, 2019 11:32:17 AM

---

Good morning,

My husband and I live at 1326 5th Ave N and would like to express our opposition to an STRP permit being granted to the new owner of 1412 5th Ave N.

If you have any questions regarding this opposition, please feel free to contact me.

Respectfully,

Jessica Himes

**From:** [Board of Zoning Appeals \(Codes\)](#)  
**To:** [Braisted, Sean \(Codes\)](#)  
**Subject:** FW: Appeal Case No.: 2019-015  
**Date:** Monday, January 14, 2019 8:26:52 AM

---

**From:** Richard Audet [mailto:richardaudet414@gmail.com]  
**Sent:** Sunday, January 13, 2019 4:20 AM  
**To:** Board of Zoning Appeals (Codes)  
**Subject:** Appeal Case No.: 2019-015

Metropolitan Board of Zoning Appeals  
Metro Office Building  
800 Second Avenue South  
Nashville, TN 37210

RE: Appeal Case No.: 2019-015

Dear Members of the Board:

This is to register my opposition to the above referenced appeal for the reinstatement of the STRP permit to the new owner of the property at 1412 5<sup>th</sup> Avenue, N. Current regulations of both Metro Planning and the HOA of which this property is a part, clearly stipulate that an existing STRP permit is issued to the property owner and that this permit no longer remains valid when the ownership changes hands. Such a situation appears to be the case for this property and so the STRP should not automatically be transferred to the new ownership. Please reject this appeal for the above mentioned reason.

Thank you for your consideration.

Richard Audet  
414 Van Buren Street  
Nashville, TN 37208



## EXHIBIT A

Name(s)	Lot/Unit/Address	Signature
<u>Robert D. Eap Jr.</u>	<u>427 Van Buren St., 37208</u>	<u>[Signature]</u>
<u>Greer Henry</u> <u>MAURKEN MURPHY</u>	<u>415 Van Buren St, 37208</u> <u>419 VAN BUREN ST 37208</u>	<u>Greer Henry</u> <u>[Signature]</u>
<u>Kellye Joiner</u> <u>Lori Lane</u>	<u>425 Van Buren St</u> <u>1412 5th Ave N</u>	<u>Kellye Joiner</u> <u>[Signature]</u>
<u>Stephen Burke</u>	<u>1414 5th Ave N</u>	<u>[Signature]</u>
<u>Cindi Jones</u> <u>Woods</u>	<u>1410 5th Ave N</u>	<u>[Signature]</u>
<u>Jaclyn Moniot</u>	<u>421 Van Buren St. 37208</u>	<u>Jaclyn Moniot</u>
<u>Elias HADDAD</u>	<u>417 Van Buren St 37208</u>	<u>[Signature]</u>
<u>Jim Tard</u>	<u>1416 5th Ave North 37208</u>	<u>[Signature]</u>

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF SHARPLE AND DAVIDSON COUNTY



Appellant: Ken Wade

Date: 11-29-18

Property Owner: Ken Wade

Case #: 2019-024

Representative: Ken Wade

Map & Parcel: 09107044800

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 apply for a STRP permit.

Activity Type: Short Term Rental

Location: 5107 A Tennessee 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 refusal to renew existing STRP within grace period due to name change on 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.

Ken Wade  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

4910 Atwood Dr.  
Address

\_\_\_\_\_  
Address

Nashville, TN 37220  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(615) 394-1657  
Phone Number

\_\_\_\_\_  
Phone Number

loneoakinvoices@comcast.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



ZONING BOARD APPEAL / CAAZ - 20180074838  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 09107044800

APPLICATION DATE: 11/29/2018

**SITE ADDRESS:**

5107 A TENNESSEE AVE NASHVILLE, TN 37209  
LOT 1014 BLK 175 WEST NASH 1

PARCEL OWNER: WADE PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:**

**PURPOSE:**

Item A appeal, challenging the zoning administrator's refusal to renew existing STRP within grace period 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.



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
03-Jan-19 10:27:11AM

## Owner Change

Parcel: 09107044800

Parcel Acreage: 0.09

Parcel Created: 01-Jun-16

### ADDRESS

5107 A TENNESSEE AVE ,NASHVILLE, TN 37209 - Property

### Current Owner

WADE PROPERTIES, LLC, P O BOX 40466, NASHVILLE, (US) TN, 37204

Sale		Instrument	
Code	U	Type	Quit Claim Deed
Source	I	Number	QC-20170314 0024731
Valid Sale		Acquired	10-Mar-17
Price		Historical	

### Previous Owners

LONE OAK, LLC, P O BOX 40466, NASHVILLE, (US) TN, 37204

Sale		Instrument	
Code	U	Type	Quit Claim Deed
Source	I	Number	QC-20160603 0056037
Valid Sale		Acquired	1-Jun-16
Price		Historical	10-Mar-17

11/29/2018

Matched property listing

MyDashboards

Rental Unit Record

5107 Tennessee Ave, Nashville, TN 37209, USA

Removed X  
Identified ✓  
Compliant ✓

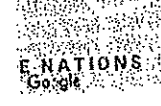
PRINT

Listing(s) Information

VRBO - 321,1013267,1561215



Rental Unit Information



Identified Address

5107 Tennessee Ave, Nashville, TN 37209, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.160603, -86.849809

Parcel Number

09107044800

Owner Name

WADE PROPERTIES, LLC

Owner Address

PO Box 40466  
Nashville, TN 37204, US

Registration / Permit Number

502645

Matched Details

Analyst RMIT

Explanation  
Listing matches a short-term rental permit holder.

Listing Details

Listing URL - <https://www.homeaway.com/vacation-rental/p1013267vb>

Listing Status ● Inactive

Host Compliance Listing ID - hma321,1013267,1561215

Listing Title - Available 30+ day rentals Only Beautiful Music City Retreat

Property type - House

Timeline of Activity

View the series of events and documentation pertaining to this property

11/29/2018

Matched property listing

Room type - Entire home/apt  
 Listing Info Last Captured - Nov 25, 2018  
 Screenshot Last Captured - Nov 28, 2018  
 Price - \$391/night  
 Cleaning Fee - \$250

Information Provided on Listing

Contact Name - Deann M. Howell  
 Latitude, Longitude - 36.160603, -86.849809  
 Minimum Stay (# of Nights) - 30  
 Max Sleeping Capacity (# of People) - 10  
 Max Number of People per Bedroom - 3.3  
 Number of Reviews - 26  
 Last Documented Stay - 06/2018

Listing Screenshot History [View Latest Listing Screenshot](#)

September 0    October 0    November 5

- X Listing hma321.1013267.1561215 Removed November 29th, 2018
- Listing hma321.1013267.1561215 Reposted November 12th, 2018
- X Listing hma321.1013267.1561215 Removed June 17th, 2018
- 📅 1 Documented Stay June, 2018
- Listing hma321.1013267.1561215 Reposted June 14th, 2018
- X Listing hma321.1013267.1561215 Removed May 11th, 2018
- 📅 2 Documented Stays May, 2018
- Listing hma321.1013267.1561215 Reposted May 4th, 2018
- X Listing hma321.1013267.1561215 Removed April 26th, 2018
- 📅 2 Documented Stays April, 2018
- Listing hma321.1013267.1561215 Reposted April 26th, 2018
- X Listing hma321.1013267.1561215 Removed April 14th, 2018
- ✉️ Airbnb Letter: Delivered April 6th, 2018
- 📅 4 Documented Stays March, 2018
- ✉️ Airbnb Letter: Sent March 29th, 2018
- ✉️ First Warning - No STR Permit: Delivered March 10th, 2018
- ✉️ First Warning - No STR Permit: Sent March 2nd, 2018
- Listing hma321.1013267.1561215 Reposted February 26th, 2018
- X Listing hma321.1013267.1561215 Removed February 21st, 2018
- 📅 2 Documented Stays November, 2017
- 📅 1 Documented Stay October, 2017
- ☹️ Itp: 5107 Tennessee Ave , Nashville October 20th, 2017
- 📅 5 Documented Stays September, 2017
- 📅 2 Documented Stays August, 2017
- ✓ Listing hma321.1013267.1561215 Identified July 29th, 2017
- 📅 1 Documented Stay July, 2017

11/29/2018

Matched property listing

- 3 Documented Stays  
June, 2017
- 1 Documented Stay  
May, 2017
- 2 Documented Stays  
March, 2017
- Listing hma321.10132671561215 First  
Crawled  
February 24th, 2017
- Listing hma321.10132671561215 First  
Activity  
February 21st, 2017

11/29/2018

Matched property listing

November 28, 2018 - 03:59AM America/Chicago

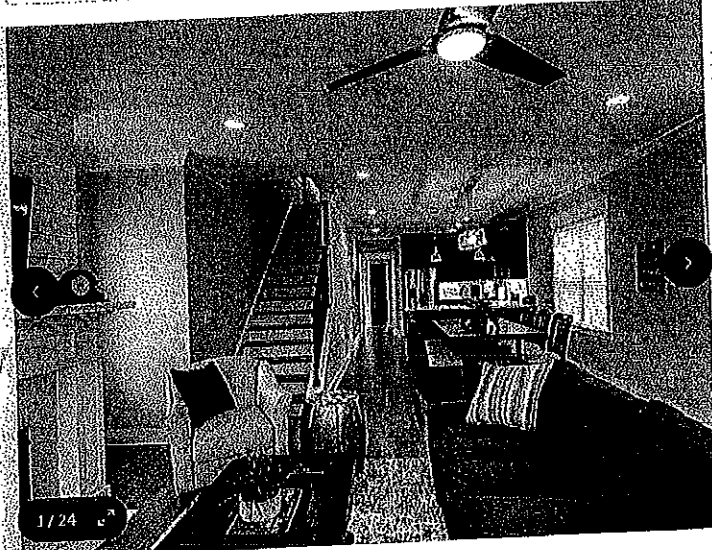
HomeAway

Trip Boards Login Help List your property Nov 28, 2018 3:59am CT

Where Nashville, TN, USA

Check In Check Out

Search



\$391 avg/night 5 stars 26 Reviews Wonderful 4.8/5

Enter dates for accurate pricing. Check In, Check Out, Guests

Check Availability

Deann M. Howell Ask Manager a Question

For booking assistance, call 888-640-7927 Property # 1013267vb

Vertical banner for Sun's shining in Islamorada with a map of Florida and VISITFLORIDA.CO

Overview Amenities Reviews Map Rates & Availability

Available 30+ day rentals Only Beautiful Music City Retreat

- House - 2110 sq. ft. The Nations, Nashville, TN, USA
Sleeps: 10
Bedrooms: 3
Bathrooms: 3
Min Stay: 3 - 30 nights

Air Conditioning No Smoking Internet

Perfect Nashville Getaway located at 5107 Tennessee Ave, Nashville TN

This is a modern new construction home with 3BR and 3baths plus covered outdoor living area. 5 miles away from the heart of music city PERFECT for Large Groups/Families, Bachelor/Bachelorette Parties! This house is geared up and ready for large groups visiting Nashville. Home features king bed, 3 queens, 1 double, bunks and a sleeper sofa. Approximately \$12 Uber/Lyft ride to all the best Nashville hot spots including the main Honkey Tonk street Broadway, 12th South, Vanderbilt, Belmont, Demonbreun Street and The Gulch! You will love this house for your Nashville vacation! permit # 2016062173

Bedrooms

3 Bedrooms Sleeps 10

- Bedroom 1 king
Bedroom 1 queen (2)

Vertical banner for PURPOSEFUL LIVING and ASHLEIGH w/ Garden with contact information



11/29/2018

Matched property listing

**Bedroom 1**



queen • double • bunk bed

Sleeps 10 in beds

**Property Manager**



**Deann M. Howell**  
Member Since 2013

[Ask Manager a Question](#)

Speaks:  
English

Calendar last updated:  
Nov 19, 2018

[View more about Deann M. Howell](#)

**Amenities**

- |                  |                    |                  |
|------------------|--------------------|------------------|
| Internet         | TV                 | Children Welcome |
| Air Conditioning | Satellite or Cable | Parking          |
| Fireplace        | Washer & Dryer     | Heater           |

**Bathrooms**

3 Bathrooms

- |                                     |  |                                     |
|-------------------------------------|--|-------------------------------------|
| <b>Bathroom 3</b><br>toilet, shower | <b>Bathroom 1</b><br>toilet, tub, shower, jetted tub, master | <b>Bathroom 2</b><br>toilet, shower |
|-------------------------------------|--|-------------------------------------|

**Location Type**

**Downtown**  
Vanderbilt University 4 miles west end area  
Bridgestone Arena 3.8 miles off Broadway  
The Gulch area 3.7 miles  
2nd Avenue 8.5 miles

**Meals**

Guests provide their own meals

**General**

- |   |   |                   |
|---|---|-------------------|
| Air Conditioning  | Fireplace<br>Indoors and outdoors on screened in back porch                 | Internet          |
| Heating   | Parking<br>detached parking garage parking in front of house also an option | Towels Provided   |
| Linens Provided   | Garage<br>Detached/Code provided  | Wireless Internet |
| Washing Machine<br>full size                                      |   | Iron & Board      |
| Clothes Dryer<br>Full size (in laundry room) located on 2nd floor |   | Living Room       |

11/29/2018

Matched property listing

**Kitchen**

Dishwasher

Oven

Dishes & Utensils

Refrigerator

Microwave

Kitchen  
Modern with sleek stainless steel  
appliances

Stove

Coffee Maker  
Keurig

**Dining**

Dining Area

Dining

**Entertainment**

Television

Satellite / Cable

**Outside**

Balcony  
off of 2nd bedroom upstairs

**Suitability**

Long-term Renters  
Welcome

**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: 25

Max occupancy: 10

**Cancellation Policy**

100% refund if canceled at least 60 days before arrival date.

**26 Reviews**

★★★★★ Wonderful 4.8/5



1 - 6 of 26



**Nicely Upgraded Home with a Fantastic Location**

4/5 ★★★★★ Stayed Apr 2018

Suzette F. Rancho Santa Margarita, CA

This home is in a renovated area of Nashville called The Nations. It's a short Uber to

11/29/2018

## Matched property listing

Broadway and The Gulch. It's walking distance to the Frothy Monkey coffee house and stumbling distance from The Corner Pub. The house is beautifully decorated and has the MOST comfortable mattresses I've ever slept on! The only improvement would be to provide more trash bags, hand soap, dishwasher detergent, toilet paper and paper towels. Perfect home for a group of ten!

Submitted May 1, 2018

**Owner's Response:**

Thank you so much for your review. It helps future guests know what to expect. I'm glad you enjoyed your stay in Nashville.

**Awesome!**

5/5 ★★★★★ Stayed Jun 2018

Cindy E.

Great trip. House was awesome!

Submitted Jun 18, 2018

**Amazing place!**

5/5 ★★★★★ Stayed May 2018

Edie C.

Plenty of space for the whole family. Walking distance to many fun spots.

Submitted May 13, 2018

**Owner's Response:**

Thank you for your comments.. they are always helpful to future guests. Glad you enjoyed your stay in Nashville Music City

**Great place to stay**

5/5 ★★★★★ Stayed May 2018

Allison D.

Clean and comfortable beds. Good location

Submitted May 7, 2018

**Very nice and clean**

5/5 ★★★★★ Stayed Apr 2018

Maggie F.

Beautiful home and nice area - wonderful stay. Would definitely recommend to others.

Submitted Apr 15, 2018

**Beautiful house!**

5/5 ★★★★★ Stayed Mar 2018

Kerrie D. Jefferson City, MO

I fell totally in love with this house! It is adorable. It was the perfect space for our bachelorette party (9 women) and it was close enough to anywhere that we wanted to go. I would highly recommend the house for anyone looking for a great place in Nashville.

Submitted Apr 6, 2018

**Owner's Response:**

It was a pleasure having you as guests. Glad you enjoyed your stay and hope you'll choose us again on your next trip to Nashville. Congratulations on the upcoming wedding.



11/29/2018

Matched property listing

13	14	15	16	17	18	19	20	21	22	23
125	125	125	125	125	125	125	125	125	125	125
20	21	22	23	24	25	26	27	28	29	30
125	125	125	125	125	125	125	125	125	125	125
27	28	29	30	31	32	33	34	35	36	37
125	125	125	125	125	125	125	125	125	125	125

Taxes and fees are additional

Additional Information about rental rates

Cleaning Fee	250
Property Damage Insurance	59

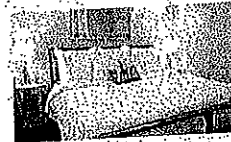
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209 avg/night



170 avg/night



317 avg/night

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11/29/2018

Matched property listing

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Popular Vacation Destinations ^

United States > Tennessee > Nashville > The Nations

Feedback

**From:** [Jeff Gaw](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** appeal case number 2019-024  
**Date:** Wednesday, December 19, 2018 3:35:00 PM  
**Attachments:** [image001.png](#)

---

Hello,

I am against any more short term rental permits being granted in the neighborhood. I own 5508 Tennessee Avenue. Short term rentals promote parties and obnoxious behavior. Please do not allow the appeal.

Thank you.

Jeff Gaw



**Jeffrey David Gaw**  
**B.A., M.B.A., Realtor**  
**Real Estate Development, Sales, Rentals,**  
**Management and Self-Storage**  
**615-275-8847 – Cell**  
**615-833-3056 – Fax**  
**[jdqaw@comcast.net](mailto:jdqaw@comcast.net)**  
**GAW Properties, Inc.**  
**Founder & Principal**  
**650 Wedgewood Avenue**  
**Nashville, TN 37203**

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Sandy Brainerd  
Property Owner: Sandy Brainerd  
Representative: Jamie Hollin

Date: 12/3/2018  
Case #: 2019-028  
Map & Parcel: 021160A0270060

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: Short-term rental revocation appeal.

Activity Type: Short-term rental

Location: 719 Douglas Ave #13 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: revoked in error - law @ issuance = residential vac

Section(s): D.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.

Sandy Brainerd  
Appellant Name (Please Print)

Jamie Hollin  
Representative Name (Please Print)

719 Douglas #13  
Address

511 Rosebank Ave.  
Address

Nashville TN 37207  
City, State, Zip Code

Nashville, TN 37206  
City, State, Zip Code

615.498.1994  
Phone Number

615.570.4600  
Phone Number

Sandycp13@gmail.com  
Email

johollin@me.com  
Email

Appeal Fee: \$100



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](http://www.nashville.gov/codes)

November 28, 2018

Sandy Brainard  
215 Gentry Ave  
Nashville, TN 37206

RE: Permit CASR #Permit CASR #2017000185  
719 Douglas Ave #13

Dear Ms. Brainard:

Pursuant to Section 17.16.250 of the Metropolitan Code of Laws this letter cancels the two above-referenced STRP permits as the permits were issued in error.

The subject property is zoned SP (Specific Plan). SP zoning districts allow short term rental use only if the SP ordinance for that particular property authorizes short term rental use. The Codes Department, the Planning Department, and the Legal Department and have reviewed this permit and have determined that the SP zoning district does not allow STRP operation without an owner occupied permit. Accordingly, all short term rental activity, including advertising and operating, at this address must cease immediately. Any such activity at the subject address will be a violation of law and will subject you to court proceedings.

Please be advised that you have the right to appeal this action at the Board of Zoning Appeals.

Sincerely,

Emily Herring Lamb  
Metro Codes

CC: Step 3 Properties LLC  
926 Marina St  
Nashville, TN 37206



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



3583462

**ZONING BOARD APPEAL / CAAZ - 20180075405  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 071160A02700CO**APPLICATION DATE:** 12/03/2018**SITE ADDRESS:**

719 DOUGLAS AVE 13 NASHVILLE, TN 37207  
UNIT 27 THE FLATS AT HIGHLAND HEIGHTS AMENDED

**PARCEL OWNER:** STEP 3 PROPERTIES, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrators revocation of a short term rental permit within the SP district.  
Challenging the SP ordinance

*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 Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DAVIDSON COUNTY



Appellant: William Walden  
Property Owner: William Walden  
Representative: Jamie P. Hollin

Date: 12/4/2018  
Case #: 2019-031  
Map & Parcel: 1550007300

Council District 38

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

Purpose: appeal revocation of short term rental permit

Activity Type: Short term rental

Location: 8153 Poplar Creek Rd

This property is in the APZ2A 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: ownership changed

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.

William Walden  
Appellant Name (Please Print)

Jamie Hollin  
Representative Name (Please Print)

8153 Poplar Creek Rd  
Address

511 Rosebank Ave.  
Address

Nashville, TN 37206  
City, State, Zip Code

Nashville, TN 37206  
City, State, Zip Code

615-406-2943  
Phone Number

615-870-4680  
Phone Number

with  
Email: w.walden@comcast.net

j.hollin@me.com  
Email

Appeal Fee: \$100



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



3583865

**ZONING BOARD APPEAL / CAAZ - 20180075682**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 15500007300

APPLICATION DATE: 12/04/2018

**SITE ADDRESS:**

8153 POPLAR CREEK RD NASHVILLE, TN 37221  
P/O LOT 1 D. G. WALDEN SUB

PARCEL OWNER: WALDEN WILLIAM G. &amp; PAMELA NELL RE

CONTRACTOR:

APPLICANT: WILLIAM WALDEN  
8159 POPULAR CREED ROAD  
Nashville, TN 37206

**PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Permit cancelled due to change of ownership. Permit cannot be transferred

*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 FL. COR.  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6511  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

November 28, 2018

William Walden  
8159 Poplar Creek Rd  
Nashville, TN 37221

RE: Permit CASR #201537120  
8153 Poplar Creek Rd

Dear Mr. Walden:

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. This property changed ownership after the date of permit issuance. Since the law does not allow any transfers of STRP permits, this permit has been invalid since the January 15, 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 action at the Board of Zoning Appeals.

Sincerely,

Emily Herring Lamb  
Metro Codes



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
03-Jan-19 10:36:30AM

## Owner Change

Parcel: 15500007300

Parcel Acreage: 11.53

Parcel Created: 03-Aug-72

### ADDRESS

8153 POPLAR CREEK RD ,NASHVILLE, TN 37221 - Property

### Current Owner

WALDEN WILLIAM G. & PAMELA NELL REVOCABLE TRUSTS, 8153 POPULAR CREEK RD,  
NASHVILLE, (US) TN, 37221

Sale		Instrument	
Code	U	Type	Deed
Source	I	Number	DB-20160128 0008055
Valid Sale		Acquired	15-Jan-16
Price	\$0.00	Historical	

### Previous Owners

WALDEN, WILLIAM G. & PAMELA N., 8153 POPLAR CREEK RD, NASHVILLE, (US) TN, 37221

Sale		Instrument	
Code	I	Type	Quit Claim Deed
Source	I	Number	QC-20120509 0040304
Valid Sale		Acquired	9-May-12
Price	\$0.00	Historical	15-Jan-16



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



2066722

**RESIDENTIAL SHORT TERM RENTAL / CASR - 201537120  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 15500007300

APPLICATION DATE: 08/28/2015

**SITE ADDRESS:**

8153 POPLAR CREEK RD NASHVILLE, TN 37221  
P/O LOT 1 D. G. WALDEN SUB

**PARCEL OWNER:****CONTRACTOR:**

**APPLICANT:** Walden, William G. & Pamela N.  
81593 POPLAR CREEK RD  
NASHVILLE, TN 37221 615-218-7929

**PURPOSE:**

By making this application for a Residential Short Term Rental permit, I certify that I will comply with all requirements of Ordinance BL2014-951.

2 BDRMS

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

U&O Life Safety Final Approval	APPROVED	615-862-5230 FMORrequest@nashville.gov
Renew Short Term Rental Permit	RENEWSR	615-862-6581 Teresa.Patterson@nashville.gov

Inspection requirements may change due to changes during construction.

12-30-18

To Metropolitan Board of Zoning Appeals

Appeal Case No: 2019-031  
8153 Poplar Creek Road  
Map Parcel: 15500007300  
Zoning Classification: AR2a  
Council District: 35

This is in response to a letter dated December 11, 2018 mailed to property owners within 600 feet of the subject location.

I do not believe that a short-term rental permit should transfer from one owner of property to a subsequent owner of that property automatically. I understand from the referenced letter that Metro has cancelled the permit because of change of ownership and that the new owner must reapply under the current Metro ordinance. That makes sense to me, therefore I am against this appeal and would prefer that Metro uphold the current rules and deny the appeal.

The subject property is a remnant of farm land surrounded by family-oriented neighborhoods. I am concerned that short term renters may seize upon the opportunity provided by that open land to attract a large party or shoot firearms. Short-term rentals can attract irresponsible renters who are incompatible with the adjacent neighborhood.

Thank you for the opportunity to express my opinion.

David Carter  
8137 Poplarwood Lane  
Nashville, TN 37221  
615-662-5859



DAVID BRILEY  
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

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TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
www.nashville.gov/codes

December 11, 2018

**ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS**

RE: Appeal Case Number: 2019-031  
8153 POPLAR CREEK RD  
Map Parcel: 15500007300  
Zoning Classification: AR2a  
Council District: 35

This is to inform you that filed an appeal **for the property at the above referenced location**. The appellant requested an Item A appeal, challenging the short term rental ordinance. Permit cancelled due to change of ownership and permit cannot be transferred from one owner to another. Should this request be approved, it would allow the applicant to reinstate permit.

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

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on **THURSDAY 1/17/2019, 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](mailto:BZA@nashville.gov). You can view this case at [epermits.nashville.gov](http://epermits.nashville.gov) and search by permit # **20180075682** 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 : Jason Boylan

Date: 12-4-18

Property Owner: Jason Boylan

Case #: 2019-037

Representative: Jason Boylan

Map & Parcel: 08209020200

Council District 19

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

Purpose: To apply for a STRP permit.

Activity Type: Short Term Rental

Location: 1323 3<sup>RD</sup> Ave N

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

**Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required 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.

Jason Boylan  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

812 Rosebank Ave.  
Address

\_\_\_\_\_  
Address

Nashville, TN 37206  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(615) 589-8652  
Phone Number

\_\_\_\_\_  
Phone Number

yourhealthathome@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**



3584089

**ZONING BOARD APPEAL / CAAZ - 20180075847  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 08209020200**APPLICATION DATE:** 12/04/2018**SITE ADDRESS:**

1323 3RD AVE N NASHVILLE, TN 37208  
PT LOT 17 D T MCGAVOCK 1ST ADDN

**PARCEL OWNER:** BOYLAN, JASON L.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the issued STRP permit expired.

*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.

Rental Unit Record

1323 3rd Ave N, Nashville, TN 37208, USA

Removed X  
Identified ✓  
Compliant ✓

PRINT

Listing(s) Information

Airbnb - 20979350    VRBO - 321.771342.1319280    VRBO - 321.1170323.1721052



Rental Unit Information



Identified Address

1323 3rd Ave N, Nashville, TN 37208, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.178854, -86.787493

Parcel Number

08209020200

Owner Name

BOYLAN, JASON L.

Owner Address

1323 3rd Ave N  
Nashville, TN 37208, US

Registration / Permit Number

503535

Timeline of Activity

View the series of events and documentation pertaining to this property

Matched Details

Analyst RMIT

Explanation

Listing matches a short-term rental permit holder.

Listing Details

Listing URL - <https://www.homeaway.com/vacation-rental/p771342vb>

Listing Status ● Inactive

Host Compliance Listing ID - hma321.771342.1319280

Listing Title - Shotgun style 3 bedroom, 2 bath Historic Home

Property type - House

12/4/2018

Matched property listing

Room type -- Entire home/apt  
 Listing Info Last Captured -- Oct 14, 2017  
 Screenshot Last Captured -- Oct 19, 2017  
 Price -- \$321/night  
 Cleaning Fee -- \$

- ✘ Listing air8740583 Removed November 22nd, 2018
- ✘ Listing hma321.1170323.1721052 Removed November 22nd, 2018
- Listing hma321.1170323.1721052 Reposted November 12th, 2018
- ✘ Listing hma321.1170323.1721052 Removed October 27th, 2018
- 📅 2 Documented Stays October, 2018
- Listing hma321.1170323.1721052 Reposted October 26th, 2018
- Listing air8740583 Reposted October 22nd, 2018
- ✘ Listing air8740583 Removed October 20th, 2018
- ✘ Listing hma321.1170323.1721052 Removed October 15th, 2018
- 📅 2 Documented Stays September, 2018
- ✔ First Warning - No STR Permit: Delivered September 13th, 2018 📄
- ✔ First Warning - No STR Permit: Sent September 5th, 2018 📄
- ✔ First Warning - No STR or Tax: Delivered August 11th, 2018 📄
- ✔ First Warning - No STR or Tax: Sent August 4th, 2018 📄
- 📅 3 Documented Stays July, 2018
- 📅 1 Documented Stay June, 2018
- 📅 2 Documented Stays May, 2018
- 📅 2 Documented Stays April, 2018
- ✔ Airbnb Letter: Delivered April 5th, 2018 📄
- ✔ Airbnb Letter: Sent March 29th, 2018 📄
- 📅 3 Documented Stays March, 2018
- Listing hma321.1170323.1721052 Reposted March 18th, 2018
- ✘ Listing hma321.1170323.1721052 Removed March 13th, 2018
- Listing air8740583 Reposted March 4th, 2018
- ✘ Listing air8740583 Removed March 2nd, 2018
- Listing hma321.1170323.1721052 Reposted February 26th, 2018

Information Provided on Listing

Contact Name -- Playlist Properties  
 Latitude, Longitude -- 36.178800, -86.787545  
 Minimum Stay (# of Nights) -- 2  
 Max Sleeping Capacity (# of People) -- 8  
 Max Number of People per Bedroom -- 2.7  
 Number of Reviews -- 18  
 Last Documented Stay -- 06/2017

Listing Screenshot History

📄 View Latest Listing Screenshot

October 0      November 0      December 0

- ✘ Listing hma321.1170323.1721052 Removed  
February 21st, 2018
- 📅 1 Documented Stay  
February, 2018
- Listing air8740583 Reposted -  
February 5th, 2018
- ✘ Listing air8740583 Removed  
January 31st, 2018
- ✓ Listing hma321.1170323.1721052 Identified  
December 26th, 2017
- 📅 4 Documented Stays  
December, 2017
- 📅 3 Documented Stays  
November, 2017
- ✔ First Warning - No Tax Reg: Delivered 📅  
November 6th, 2017
- ✔ First Warning - No Tax Reg: Sent 📅  
October 30th, 2017
- ✳ Listing hma321.1170323.1721052 First  
Crawled  
October 28th, 2017
- Listing hma321.1170323.1721052 Reposted  
October 28th, 2017
- ✘ Listing hma321.771342.1319280 Removed  
October 22nd, 2017
- ✘ Listing hma321.1170323.1721052 Removed  
October 14th, 2017
- ✘ Listing air20979350 Removed  
October 14th, 2017
- 📅 1 Documented Stay  
October, 2017
- Listing hma321.1170323.1721052 Reposted  
October 12th, 2017
- ✓ Listing air20979350 Identified  
October 9th, 2017
- ✘ Listing hma321.1170323.1721052 Removed  
October 5th, 2017
- Listing hma321.1170323.1721052 First  
Activity  
October 1st, 2017
- ✳ Listing air20979350 First Crawled  
September 23rd, 2017
- Listing air20979350 First Activity  
September 17th, 2017
- ✓ Listing air8740583 Identified  
August 7th, 2017
- ✓ Listing hma321.771342.1319280 Identified  
July 29th, 2017
- 📅 1 Documented Stay  
July, 2017
- 📅 1 Documented Stay  
June, 2017

- 📅 2 Documented Stays  
May, 2017
- 📅 2 Documented Stays  
April, 2017
- 📅 2 Documented Stays  
March, 2017
- 📅 1 Documented Stay  
February, 2017
- 📅 2 Documented Stays  
December, 2016
- 📅 1 Documented Stay  
November, 2016
- 📅 3 Documented Stays  
October, 2016
- 📅 3 Documented Stays  
August, 2016
- ✳ Listing air8740583 First Crawled  
July 21st, 2016
- ✳ Listing hma321.771342.1319280 First  
Crawled  
July 20th, 2016
- Listing hma321.771342.1319280 Reposted  
July 20th, 2016
- ✕ Listing hma321.771342.1319280 Removed  
July 19th, 2016
- 📅 1 Documented Stay  
June, 2016
- 📅 1 Documented Stay  
May, 2016
- 📅 1 Documented Stay  
April, 2016
- Listing hma321.771342.1319280 First  
Activity  
February 5th, 2016
- 📅 1 Documented Stay  
January, 2016
- 📅 2 Documented Stays  
December, 2015
- 📅 2 Documented Stays  
October, 2015
- Listing air8740583 First Activity  
October 18th, 2015

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Michael Gomez  
Property Owner: Michael Gomez  
Representative: Jamie Hollin

Date: 12/4/2018  
Case #: 2019-039  
Map & Parcel: 08207019900

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: allegedly property owner  
doesn't occupy short term  
rental

Activity Type: short term rental  
Location: 717 Joseph Avenue

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:

Reason: property is owner occupied  
Section(s): D. 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.

Michael Gomez  
Appellant Name (Please Print)  
717 Joseph Ave.  
Address  
Nashville, TN 37206  
City, State, Zip Code  
615.613.4461  
Phone Number  
mikealidmusic@gmail.com  
Email

Jamie R. Hollin  
Representative Name (Please Print)  
071 Rosebank Ave  
Address  
Nashville, TN 37206  
City, State, Zip Code  
615.870.4800  
Phone Number  
j.hollin@me.com  
Email  
Appeal Fee: \$100





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



3584141

**ZONING BOARD APPEAL / CAAZ - 20180075878**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 08207019900

APPLICATION DATE: 12/04/2018

## SITE ADDRESS:

717 JOSEPH AVE NASHVILLE, TN 37207  
LOT 9 SEC 1 TOWNWOOD HOMES

PARCEL OWNER: PADGETT, KELLY &amp; MCSWAIN, BRANDON

CONTRACTOR:

## APPLICANT:

## PURPOSE:

VIOLATION OF METRO CODES SECTION 17.16.070 U.1a

OPERATING A NON OWNER OCCUPIED STRP WITHOUT A NON OWNER OCCUPIED 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**



3546795

**RESIDENTIAL SHORT TERM RENTAL / CASR - 2018049225  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 08207019900

APPLICATION DATE: 08/16/2018

**SITE ADDRESS:**

717 JOSEPH AVE NASHVILLE, TN 37207  
LOT 9 SEC 1 TOWNWOOD HOMES

PARCEL OWNER: PADGETT, KELLY &amp; MCSWAIN, BRANDON

CONTRACTOR:

APPLICANT: Michael Gomez  
717 Joseph  
Nashville, TN 37207

**PURPOSE:**

*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.*

Renew Short Term Rental Permit

Renew Short Term Rental Permit

Inspection requirements may change due to changes during construction.

**STATE OF TENNESSEE, COUNTY OF DAVIDSON**

To Any Lawful Officer to Execute and Return:

Summon **GOMEZ, MICHAEL** 08207019900

To appear before the Metropolitan General Sessions Court of Davidson County, Tennessee, to be held in Courtroom 5D, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee, on **Wednesday, 9th day of January, 2019 at 1:00 p.m.**, then and there to answer in civil action brought by the Plaintiff(s)

ON 11 5 18 VIOLATION OF METRO CODE SECTION 17.16.070.U.1 a OPERATING A NON OWNER OCCUPIED STRP WITHOUT A NON OWNER OCCUPIED PERMIT AT 717 Joseph Ave Nashville, TN 37207. Metro seeks an Order to remedy violations. Robert Osborn (615-862-6590)

NOTICE: FAILURE TO APPEAR IN COURT IN THE DATE ASSIGNED BY THIS CITATION/WARRANT CAN RESULT IN THE COURT ORDERING YOU TO PAY A CIVIL FINE/PENALTY, COURT COSTS AND LITIGATION TAXES TO THE METROPOLITAN GOVERNMENT; THE ISSUANCE OF AN EXECUTION AND GARNISHMENT TO COLLECT THE FINE/ PENALTY, COSTS AND TAXES; AND THE ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST FOR CONTEMPT OF COURT, WITH A PENALTY OF UP TO FIVE (5) DAYS IN JAIL AND/OR A FINE OF UP TO

**J U D G M E N T**

Judgment for Metro codes against Defendant(s) f \_\_\_\_\_ and Cost,

Dismissed with cost taxed to Metro Codes,

Dismissed with cost taxed to Defendant(s), for which execution may issue.

Entered: \_\_\_\_\_ 20 \_\_\_\_\_



If you have a disability and require assistance, please contact 880-3309

Judge/Referee Division IV, Metropolitan General Sessions Court

**COURTROOM 5D**

No. \_\_\_\_\_

**ENVIRONMENTAL COURT**

Plaintiff(s) Metro Codes Department Robert Osborn

vs.

Defendant Gomez, MICHAEL

Address 2644 PADDOCK PARK DR THOMPSONS STATION, TN 37179

Defendant Address



Issued \_\_\_\_\_ 2019

Richard Rooker

By: \_\_\_\_\_

Deputy Clerk

Day of the week Wednesday

Set for 1:00 p.m. on 9th day of January, 2019

Courtroom 5D Justice A. A. Birch Building 408 Second Avenue North P.O. box 196304 Nashville, Tennessee

Reset for: \_\_\_\_\_

Came to hand same day issued and executed as commanded on:

Served: \_\_\_\_\_ 20 \_\_\_\_\_

Sheriff/Process Server

Attorney for Plaintiff

Telephone

Attorney for Defendant

NOTICE

TO THE DEFENDANT(S):

Failure to appear and answer this Summons will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollars (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. This list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.

**A F F I D A V I T**

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

\_\_\_\_\_  
Plaintiff or Attorney for Plaintiff

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
My Commission Expires

ORDER

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Judge, Division \_\_\_\_\_, Metropolitan General Sessions Court

ORDER

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Entered: \_\_\_\_\_ 20 \_\_\_\_\_

Judge, Division \_\_\_\_\_, Metropolitan General Sessions Court

ORDER

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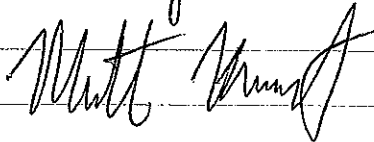
Entered: \_\_\_\_\_ 20 \_\_\_\_\_

Judge, Division \_\_\_\_\_, Metropolitan General Sessions Court

2019-039  
OPPOSE

To whom it may concern,

I hereby express my opposition to Appeal Case Number 2019-039, in regards to the property at 717 Joseph Ave. The owner is clearly operating a non-owner-occupied short-term rental without a permit. Guests at this property are frequently partying and making noise late into the night with no regard for the surrounding community. The owner is attempting to defraud the Nashville Metropolitan Authority at the expense of my community and I do not condone it. I strongly urge the Board to decline this appeal and permanently revoke this permit.



MATT KRAATZ  
Owner  
715 Joseph Ave.