

DOCKET

2/7/2019

1:00 P.M.

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

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

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

CASE 2018-663 (Council District - 16)

JUSTIN BUSTILLO, appellant and **IGLESIA DE CRISTO JEHOVA-SHAMA NASHVILLE TN**, owner of the property located at **520 RAYMOND ST**, requesting a special exception in the RS7.5 District, to construct an 1120 square foot addition to a church. Referred to the Board under Section 17.40.180 C. The appellant alleged the Board would have jurisdiction under Section 17.40.18 C.

Use-Religious Institution

Map Parcel 13301023200

RESULT -

CASE 2018-728 (Council District - 21)

PATRIC MARTIN, appellant and **RMRTN, LLC**, owner of the property located at **2404 ELLISTON PL**, requesting a variance from sidewalk requirements in the MUG-A District, to make improvements to an existing restaurant without building sidewalks. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 09215006600

RESULT -

CASE 2019-005 (Council District - 8)

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

Use-Office

Map Parcel 06111012400

RESULT –Deferred 3/7/19

CASE 2019-006 (Council District - 8)

MICHAEL WOODS, appellant and **COBELL PROPERTIES, LLC**, owner of the property located at **4117 GALLATIN PIKE**, requesting a variance from front and rear setbacks in the OR20-A, OV-UDO, OV-NHL District, to construct an office addition. Referred to the Board under Section 17.12.020D, 17.40.660 C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 06111012400

RESULT –Deferred 3/7/19

CASE 2019-007 (Council District - 8)

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

Use-Office

Map Parcel 06111012400

RESULT –Deferred 3/7/19

CASE 2019-008 (Council District - 8)

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

Use-Office

Map Parcel 06111012400

RESULT –Deferred 3/7/19

CASE 2019-009 (Council District - 8)

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

Use-Office

Map Parcel 06111012400

RESULT –Deferred 3/7/19

CASE 2019-013 (Council District - 18)

ANTHONY EUBANKS, appellant and **SHEKINAH GLORY COMMUNITY CHURCH**, owner of the property located at **933 WARREN ST**, requesting an Item D appeal requesting a change in non-conforming use in the RS3.5 District, to convert an existing building into a coffee shop and build two single family houses without updating sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.40.180 D, 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Restaurant and Duplex

Map Parcel 08116070200

RESULT -

CASE 2019-020 (Council District - 6)

ANDERSON GREEN, appellant and **GLOZ WOODLAND, L.P.**, owner of the property located at **943-947 WOODLAND ST**, requesting a variance from sidewalk requirements in the CS, MDHA-EB District, to renovate a commercial property without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 08212035200

RESULT -

Map Parcel 08212035300

Map Parcel 08212035400

CASE 2019-032 (Council District - 28)

GILBERTO ALVERADO, 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 alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 14806016200

RESULT -

CASE 2019-033 (Council District - 33)

PURSER ARCHITECTURE and 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 alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 17400009100

RESULT -

CASE 2019-043 (Council District - 17)

AZIZ ASHUROV, appellant and **CAPITAL INVEST, LLC**, owner of the property located at **1008 2ND AVE S**, requesting a variance from sidewalk requirements in the R6 District, to construct a single-family house without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09315031800

RESULT -

CASE 2019-044 (Council District - 1)

AUDRA MOORE, appellant and **SMITH, SHERMAN R. ET UX**, owner of the property located at **3513 B HUNTLAND DR**, requesting a side setback variance in the AR2A District, to construct a detached garage. Referred to the Board under Section 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 03900020800

RESULT -

CASE 2019-045 (Council District - 25)

JOEL CAMPBELL, appellant and owner of the property located at **2032 OVERHILL DR**, requesting a variance from front setback requirements in the R15 District, to build an addition to the front of an existing single family home. Referred to the Board under Section 17.12.030. C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 131020Z00100CO

RESULT – Deferred 2/21/19

CASE 2019-047 (Council District - 19)

ASHLEY QUINN, appellant and **KNA PROPERTIES, LLC**, owner of the property located at **502 A & B DR D B TODD JR BLVD**, requesting a variance from sidewalk requirements in the R6 District, to construct two single-family units on one property without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 092080E00100CO

RESULT -

Map Parcel 092080E00200CO

CASE 2019-048 (Council District - 28)

ISRAEL OLIVA, appellant and owner of the property located at **895 IRMA DR**, requesting a variance from rear setback requirements in the R8 District, to maintain an already existing shed. Referred to the Board under Section 17.20.040.E.1.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Shed

Map Parcel 14812007700

RESULT -

CASE 2019-050 (Council District - 25)

CATALYST DESIGN GROUP, appellant and **WOODMONT CHRISTIAN CHURCH**, owner of the property located at **3605 HILLSBORO PIKE**, requesting a special exception and variance from sidewalk requirements in the RS40 District, to construct an addition to a church. Referred to the Board under Section 17.40.170.E.1 and 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 11711000200

RESULT -

CASE 2019-051 (Council District - 16)

SOUVANNA STANDIFER, appellant and **LAO BUDDHAPATHIPP TEMPLE**, owner of the property located at **104 B GLENMONT DR**, requesting a special exception and variances from setback and sidewalk requirements in the RS15 District, to construct an accessory shelter for use of intermittent social religious functions. Referred to the Board under Section 17.16.170.E.1 , 17.20.120, 17.12.020.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 11911015000

RESULT -

CASE 2019-052 (Council District - 24)

SPERO DEI CHURCH, INC, appellant and owner of the property located at **3701 PARK AVE**, requesting a special exception to use an existing building for a church and to construct An addition to a non-conforming structure in the RS5 District. Referred to the Board under Section 17.16.170.E, 17.16.660 C. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Religious Institution

Map Parcel 09213013600

RESULT -

CASE 2019-053 (Council District - 10)

CEC, appellant and **WASTE MANAGEMENT, INC. OF TENNESSEE**, owner of the property located at **630 MYATT DR**, requesting a variance from sidewalk requirements in the IR District, to make interior renovations and expand the parking lot without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Material Recovery Facility

Map Parcel 03410012400

RESULT -

CASE 2019-054 (Council District - 21)

SCOTT MORTON, appellant and **22 DEVELOPMENTS LLC**, owner of the property located at **209 22ND AVE N**, requesting variances from build to zone, step back, and parking requirements in the MUG-A District, to construct a hotel, restaurant, and mixed use development. Referred to the Board under Section 17.12.020.D, 17.12.020.D, 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Hotel

Map Parcel 09215011500

RESULT -

CASE 2019-054 (Council District - 21)

SCOTT MORTON, appellant and **22 DEVELOPMENTS LLC**, owner of the property Located at **217 22ND AVE N**, requesting variances from build to zone, step back, and parking requirements in the MUG-A District, to construct a hotel, restaurant, and mixed use development. Referred to the Board under Section 17.12.020.D, 17.12.020.D, 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Hotel

Map Parcel 09215012000

RESULT -

CASE 2019-056 (Council District - 23)

CURTIS, ABBY, appellant and owner of the property located at **605 STARLIT RD**, requesting a variance from height restrictions in the RS40 District, to construct a detached structure with a chimney above height restrictions. Referred to the Board under Section 17.12.060.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Residential Construction

Map Parcel 10216003200

RESULT -

CASE 2019-057 (Council District - 17)

DUANE CUTHBERTSON, appellant and **1004 CALDWELL 33, GP**, owner of the property located at **1004 CALDWELL AVE**, requesting a variance from sidewalk requirement in the R8 District, to construct two single-family units without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 10509020700

RESULT -

CASE 2019-058 (Council District - 20)

DUANE CUTHBERTSON, appellant and **MRB DEVELOPERS, LLC**, owner of the property located at **610 45TH AVE N**, requesting a variance from side setback requirements in the R6 District, to construct two single-family units. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 09112011600

RESULT -

CASE 2019-061 (Council District - 11)

BARGE CAUTHEN and ASSOCIATES, appellant and **METRO GOV'T S DUPONT**, owner of the property located at **431 TYLER DR**, requesting a special exception in the R10 District, to construct a fire hall on a residentially zoned property. Referred to the Board under Section 17.16.140. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Safety Services

Map Parcel 07500004500

RESULT -

SHORT TERM RENTAL CASES

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 alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 11809000100

RESULT -

CASE 2018-684 (Council District - 6)

SWIFT, DAVID & CHELSEA, appellant and owner of the property located at **914 BOSCOBEL ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated on an expired permit in the R8 District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short term Rental

Map Parcel 08216035100

RESULT -

CASE 2019-012 (Council District - 6)

SHIM, ERIN L. & DECHANT, ANNE E, appellant and owner of the property located at **1306 GARTLAND AVE**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit for an isolated portion of single family residence to be used for short-term rental after initial fire marshal inspection revealed non-conforming window size in upper bedroom in the R6 District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 08309006900

RESULT -

CASE 2019-014 (Council District - 19)

LORI LANE, appellant and **3L PROPERTIES, LLC**, owner of the property located at **900B 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

RESULT -

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 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 alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 082090B00200CO

RESULT -

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 in ownership in the AR2a District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 15500007300

RESULT -

CASE 2019-041 (Council District - 1)

DAVID C RISNER ESQ, appellant and **ARI HOLDINGS, LLC**, owner of the property located at **5753 RIVER TRCE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required short term rental permit in the AR2A District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 06600001900

RESULT -

CASE 2019-049 (Council District - 5)

GRAY, TIFFANY N, appellant and owner of the property located at **1032 BURCHWOOD AVE**, requesting item A appeal, challenging the zoning administrator's denial of an owner occupied short term rental permit due to separate ownership of two units on one lot in the R6 District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 072100G00200CO

RESULT -