

DOCKET

2/21/2019

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

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

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

Previously Heard Cases Requiring Board Action:

Case 2018-656 (3509 B Wrenwood Dr.) Motion to Set Aside the board order previously entered on 1/8/19 granting a variance from side setback requirements to permit an existing garage.

CASE 2019-001 (Council District - 2)

R.J. YOUNG, appellant and **METRO FAIRWAYS BUSINESS PARK, LLC**, owner of the property located at **730 A FREELANDS STATION RD**, requesting a variance from sidewalk requirements in the IWD District, to make interior renovations 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 Renovations

Map Parcel 07014000100

RESULT –Deferred 3/7/19

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)

ALVARADO, GILBERTO, appellant and owner of the property located at **3711 EZELL RD**, requesting a variance from side 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 –Deferred 3/21/19

CASE 2019-035 (Council District - 17)

BUFORD, JESSICA & ANDREW, appellant and 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 alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10504004900

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 17.40.18 B.

Use-Single Family

Map Parcel 09315031800

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 -

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 construct an addition to existing church on a non-conforming structure in the RS5 District. Referred to the Board under Section 17.16.170. E.1, 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 2019-055 (Council District - 5)

POWELL ARCHITECTURE AND BUILDING STUDIO, appellant and **305 ARRINGTON PARTNERS, LLC**, owner of the property located at **305 ARRINGTON ST**, requesting a variance from sidewalk requirements in the CL District, to renovate an existing restaurant 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-Restaurant

Map Parcel 08207013900

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 2019-060 (Council District - 21)

POWELL ARCHITECTURE AND BUILDING STUDIO, appellant and **1705 STATE STREET, LLC**, owner of the property located at **1705 STATE ST**, requesting a variance from sidewalk requirements in the MUI-A District, to renovate apartments 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-Multi-Family

Map Parcel 09212024000

RESULT -

CASE 2019-063 (Council District - 34)

SHORT, MARY HELEN, appellant and owner of the property located at **3910 CAYLOR DR**, requesting a variance from fence height requirements in the R20 District, to permit an existing fence. Referred to the Board under Section 17.12.040 26 A. and B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11713012500

RESULT -

CASE 2019-064 (Council District - 5)

CHAD HARRIS, appellant and **O.I.C. NORTH 2ND STREET COTTAGES**, owner of the property located at **607 & 609 N 2ND ST**, requesting a variance from sidewalk requirements in the R6-A District, to construct two new single family houses 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-Two-Family

Map Parcel 082070K90000CO

RESULT -

Map Parcel 082070K00100CO

CASE 2019-066 (Council District - 2)

DRUMEL, JORDAN & KELLEY, RONNIE JR, appellant and owner of the property located at **1010 A & B ALICE ST**, requesting an Item A appeal to determine numbers of stories in an HPR residence and a variance to allow a covered area on roof in the R8 District, to construct a single-family residence. Referred to the Board under Section 17.40.180 and 17.4.060. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-R8

Map Parcel 070070L00100CO

RESULT -

CASE 2019-067 (Council District - 23)

DUSTIN TIMMONS, appellant and **RYMAN, JOHN EDWARD & ROSIE C.**, owner of the property located at **995 DAVIDSON DR**, requesting a variance from sidewalk requirements in the RS15 District, to construct a single family residence 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 11502002700

RESULT -

CASE 2019-069 (Council District - 2)

ISRAEL HOLIDAY, appellant and, **DEEP RIVER DEVELOPMENT**, owner of the property located at **2225 A 24TH AVE N**, requesting a variance from setback requirements in the R6 District, to construct two single family residences. Referred to the Board under Section 17.12.020 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 081022C00100CO

RESULT -

CASE 2019-073 (Council District - 21)

JOSH HELLMER, appellant and **LIBERTY PLUS, LLC**, owner of the property located at **3833 DR WALTER S DAVIS BLVD**, requesting a variance to construct new homes using the existing curb cut and driveway in the R6 District. Referred to the Board under Section 17.20.170 B. 1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09104001001

RESULT -

CASE 2019-074 (Council District - 17)

JOSH HELLMER, appellant and **OSTEEN, MILDRED K. & BLACKMAN, CARL ETAL**, owner of the property located at **16 SHEPARD ST**, requesting variances from lot size, front setback and sidewalk requirements in the R6 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.40.670, 17.12.030, 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10504012800

RESULT -

CASE 2019-075 (Council District - 6)

DEWEY ENGINEERING, appellant and **HARRIS, ANTHONY N.**, owner of the property located at **815 MAIN ST**, requesting variances from sidewalk requirements and build to requirements in the MUG-A, MDHA District, to construct a mixed-use development with an alternative sidewalk design. Referred to the Board under Section 17.20.120 and 17.12.020 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed-use

Map Parcel 08212022100

RESULT -

CASE 2019-076 (Council District - 19)

KATHRYAN WITHERS, appellant and **BELMONT AVE. CHURCH OF CHRIST, TRS.**, owner of the property located at **1001 16TH AVE S**, requesting a variance from rear setback requirements in the ORI District, to construct a hotel. Referred to the Board under Section 17.12.020 C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Hotel

Map Parcel 10404017300

RESULT –Deferred Indefinitely

SHORT TERM RENTAL CASES

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 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 –Deferred 3/7/19

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 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 issued STRP permit was cancelled due to a change in ownership in the MUN District, to obtain a permit. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 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 of ownership 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 –Deferred 3/7/19

CASE 2019-039 (Council District - 5)

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

Use-Short Term Rental

Map Parcel 08207019900

RESULT - Withdrawn

CASE 2019-072 (Council District - 17)

ANDRADY, AUTUMN & GERALD, appellant and owner of the property located at **754 BENTON AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. The permit was revoked due to a change in property ownership. 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 10510022700

RESULT -