

**DOCKET**

**3/7/2019**

**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**

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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 2018-726 (Council District - 27)**

**JUSTIN PUCKETT**, appellant and **L & S FAMILY ENTERTAINMENT, LLC**, owner of the property located at **5315 NOLENSVILLE PIKE**, requesting variances from setback and buffer requirements in the CS District, to install a cell phone tower. Referred to the Board under Section 17.12.020 C and 17.24.240 B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Cell Tower

Map Parcel 16108002400

**RESULT -Withdrawn**

**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 -**

**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 office additions 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 -**

**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 -**

**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 2019-054 (Council District - 21)**

**SCOTT MORTON**, appellant and **22 DEVELOPMENTS LLC**, owner of the property located at **209 & 217 22ND AVE N**, requesting a special exception from build to zone and step back requirements, and a variance from 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 B.

Use-Hotel

Map Parcel 09215011500

**RESULT -**

Map Parcel 09215012000

**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 2019-068 (Council District - 24)**

**CAINE, JEFFERY & TIFFANY**, appellant and owner of the property located at **3722 NEVADA AVE**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence 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-Single Family

Map Parcel 09213023300

**RESULT -**

**CASE 2019-077 (Council District - 2)**

**BEN KELLY**, appellant and **EIGHT-NINE KING DEVELOPMENT, LLC**, owner of the property located at **903 MANILA AVE**, requesting a variance from sidewalk requirements in the RS5 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 08204041000

**RESULT -**

**CASE 2019-083 (Council District - 5)**

**EMILY MOGHADAM**, appellant and owner of the property located at **207 MYRTLE ST**, requesting a variance from sidewalk requirements in the SP District, to construct two residential units without building sidewalks. The appellant is requesting to contribute to 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 08212018700

**RESULT -**

**CASE 2019-084 (Council District - 16)**

**MYERS FLOORING**, appellant and **ADE 787, LLC**, owner of the property located at **2919 SIDCO DR**, requesting variances from setback and size requirements in the IR District, to install a ground sign and wall signs on three facades of the building. Referred to the Board under Section 17.32.070.B and 17.32.130.F.1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 11816000600

**RESULT -**

**CASE 2019-085 (Council District - 19)**

**15th and Church Equity Investors**, appellant and owner of the property located at **1506 CHURCH ST 100**, requesting a variance from parking requirements in the MUI-A District, to construct condominiums. Referred to the Board under Section 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Residential

Map Parcel 09212034000

**RESULT -**

**CASE 2019-086 (Council District - 19)**

**BERT MORTON**, appellant and **CHARLOTTE AVENUE LODGING, LLC**, owner of the property located at **1500 CHARLOTTE AVE**, requesting variances from landscaping and parking requirements in the MUI-A District, to construct a hotel. Referred to the Board under Section 17.24.4 and 17.20.30. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 09208017900

**RESULT -**

**CASE 2019-087 (Council District - 21)**

**DY CONSTRUCTION INC**, appellant and **DY PROPERTIES II LLC**, owner of the property located at **816 B 19TH AVE N**, requesting a variance from landscape buffer requirements in the MUL-A District, to construct a multi-family development. Referred to the Board under Section 17.24.230. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 09207030200

**RESULT -Withdrawn**

**CASE 2019-088 (Council District - 7)**

**HOMES AT 1319 OTAY ST**, appellant and owner of the property located at **2217 B SCOTT AVE**, requesting a variance from fence height requirements in the R6 District, to maintain an existing fence. Referred to the Board under Section 17.12.040.26. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 072100B90000CO

**RESULT -**

**CASE 2019-089 (Council District - 3)**

**RANDY YARD**, appellant and owner of the property located at **4136 CREEK TRAIL DR**, requesting a variance from front setback requirements in the RS20 District, to construct a 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 04105000100

**RESULT -**

**CASE 2019-090 (Council District - 19)**

**BARGE DESIGN SOLTIONS** appellant and **BELMONT AVENUE CHURCH OF CHRIST**, owner of the property located at **67 MUSIC SQ E**, requesting variances from setback requirements in the ORI District, to construct a commercial development. Referred to the Board under Section 17.12.020.C and 17.12.030.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 10404008600

**RESULT -Deferred indefinitely**

**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 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 -**

**CASE 2019-021 (Council District - 11)**

**MARTINEZ, MELVIN & BEATRIZ**, appellant and owner of the property located at **509 DES MOINES 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 short-term rental permit in the R10 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 07503000800

**RESULT -**

**CASE 2019-031 (Council District - 35)**

**WALDEN WILLIAM**, 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 cancellation 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 alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 15500007300

**RESULT -**

**CASE 2019-070 (Council District - 7)**

**HORNE, RYAN CHRISTOPHER**, appellant and owner of the property located at **2227 RAVENWOOD DR**, requesting an Item A appeal challenging the zoning administrator's denial of a short term rental permit. Applicant operated without a 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 07208023700

**RESULT -**



**CASE 2019-091 (Council District - 17)**

**TANNER, JAMES & JANUS & JAKE**, appellant and owner of the property located at **1010 B CALDWELL AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a non-owner short term rental permit based on the property's zoning 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 105094G00200CO

**RESULT -**