

Docket

3/21/2019

**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**

Election of Board Chair and Vice-Chair

Previously Heard Case Requiring Board Action:

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 2019-033 (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 alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 17400009100

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 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

Use-Hotel

Map Parcel 09215011500

RESULT -

Map Parcel 09215012000

CASE 2019-086 (Council District - 19)

BERT MORTON, appellant and **CHARLOTTE AVENUE LODGING, LLC**, owner of the property located at **1500 CHARLOTTE AVE**, requesting a variance from 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RESULT -Withdrawn

CASE 2019-092 (Council District - 7)

JOHN PIRTLE, appellant and **O.I.C. 1301 D PORTER ROAD TOWNHOMES**, owner of the property located at **1301 F PORTER RD**, requesting variances from access and driveway requirements as well as sidewalk requirements in the R6 District, to construct two single family houses without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120, 17.36.470.D.1.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 083031F90000CO

RESULT -

CASE 2019-093 (Council District - 7)

JOHN PIRTLE, appellant and **O.I.C. 1301 A PORTER ROAD TOWNHOMES**, owner of the property located at **1301 E PORTER RD**, requesting variances from driveway access and sidewalk requirements in the R6 District, to construct two 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-Single Family

Map Parcel 083031G90000CO

RESULT -

CASE 2019-095 (Council District - 1)

GEORGE DEAN, appellant and **SMYRNA READY MIX, LLC**, owner of the property located at **3730 AMY LYNN DR**, requesting an Item A Appeal challenging the Zoning Administrators denial of a permit to operate a concrete manufacturing plant in the IR District. Referred to the Board under Section 17.16.40. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-concrete manufacturing plant

Map Parcel 06800007100

RESULT -

CASE 2019-097 (Council District - 16)

GHASEMNEZHAD, MAHMOOD & ASHRAF, appellant and owner of the property located at **3601 NOLENSVILLE PIKE**, requesting a variance from size and material requirements on fencing for automotive sales in the CS District to maintain an existing fence. Referred to the Board under Section 17.16.070.V.1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Car Sales

Map Parcel 13306003700

RESULT -

CASE 2019-098 (Council District - 5)

SCOTT NICODENUS, appellant and **O.I.C. HOMES AT 915 RAMSEY STREET**, owner of the property located at **915 B RAMSEY ST**, requesting a variance from setback requirements in the RM20 District, to construct a multi-family residence. Referred to the Board under Section 17.12.030.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 082120Y90000CO

RESULT -

CASE 2019-103 (Council District - 2)

GREATER ST. MATTHEWS CHURCH appellant and owner of the property located at **1719 MCKINNEY AVE**, requesting a variance from sidewalk requirements in the R6 District, to conduct interior renovations without building sidewalks or paying in 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 08102013000

RESULT -

CASE 2019-104 (Council District - 24)

DUANE CUTHBERTSON, appellant and **MURPHY ROAD PROPERTIES, LLC**, owner of the property located at **4501 MURPHY RD**, requesting a variance from sidewalk requirements in the CS District, to conduct 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-Restaurant

Map Parcel 10308005300

RESULT -

CASE 2019-105 (Council District - 17)

STEWART DORN, appellant and **DALECO CO.**, owner of the property located at **901 6TH AVE S**, requesting a variance from sidewalk requirements in the CF District, to make interior renovations to an existing warehouse without building sidewalks or paying into the 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 09314058500

RESULT -

CASE 2019-109 (Council District - 5)

BRANDON RUSSELL, appellant and **WEBB, BRYAN L.**, owner of the property located at **326 DUKE ST**, requesting a variance from rear setback requirements in the R6-A District, to construct two single-family units. 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 07108004200

RESULT -

CASE 2019-110 (Council District - 28)

DUANE CUTHBERTSON, appellant and **APPALACHIAN LAND & LEASING COMPANY, LLC**, owner of the property located at **335 HARDING PL**, requesting a variance from sidewalk requirements in the CS District, to construct a carwash 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 D.

Use-Car Wash

Map Parcel 13414003700

RESULT -

CASE 2019-112 (Council District - 5)

LUKE HARDY, appellant and **PAIGE, RYAN & KIM, GRACE**, owner of the property located at **1128 MCFERRIN 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 08204017800

RESULT -

CASE 2019-113 (Council District - 5)

KARLA NEWMAN, appellant and **O.I.C. GRANT ESTATES II**, owner of the property located at **216 B DUKE ST**, requesting a variance from a sidewalk requirement in the R6-A 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 071070H90000CO

RESULT -

CASE 2019-115 (Council District - 5)

PAUL BOULIFAUD, appellant and **HINES, SUSANNE L. & LOESER, JONATHAN D.**, owner of the property located at **1200 N 2ND ST**, requesting a variance from setback requirements in the SP District, to construct an addition to a single family residence. Referred to the Board under Section 17.20.020 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08203010900

RESULT -

CASE 2019-116 (Council District - 10)

SONCERIA RADFORD, appellant and **HARRISON, DUANE E. ET UX**, owner of the property located at **2340 SPRING BRANCH DR**, requesting a special exception to operate a community center in an existing building as well as a variance from requirements of access from a collector street in the RS40 District. Referred to the Board under Section 17.40.180, 17.16.220.B.D.4. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Community Center

Map Parcel 02616005900

RESULT -

CASE 2019-117 (Council District - 17)

LAND DEVELOPMENT SOLUTIONS, appellant and **HUTCHINS, LONEY JOHN**, owner of the property located at **444 HUMPHREYS ST**, requesting variances from street setback, rear setback, loading space and sidewalk requirements in the MUL District, to construct a multi-use development without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.030.A, 17.12.020.C, 17.20.130 The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed Use

Map Parcel 10507000200

RESULT -

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. 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 2019-065 (Council District - 5)

ZARETH HOOKASSIAN, appellant and **MAD PROPERTIES, LLC**, owner of the property located at **1105 B N 8TH ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated after the legally required short term rental 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 08204042500

RESULT -

CASE 2019-094 (Council District - 8)

CLARK, PATRICK NEAL, appellant and, owner of the property located at **241 BEN ALLEN RD**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit due to applicant's operating on an expired 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 06100001600

RESULT -

CASE 2019-099 (Council District - 2)

FITZPATRICK, JOSEPH R. & HERRERA, MARIE S., appellant and owner of the property located at **1800 A SEMINARY ST**, 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. 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 07109014300

RESULT -

CASE 2019-101 (Council District - 17)

HERST, PERRY S., III, appellant and owner of the property located at **1402 17TH AVE S**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired. 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 10408028900

RESULT -

CASE 2019-102 (Council District - 28)

ULUMENFO, CHRISTOPHER & FATIMA, appellant and, owner of the property located at **5161 PEBBLE CREEK DR**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated prior to obtaining the legally required 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 Permit

Map Parcel 149070B01100CO

RESULT -

CASE 2019-111 (Council District - 24)

SUNNY MEADOWS LLC, appellant and owner of the property located at **3902 PARK AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. The applicant operated prior to obtaining a 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 09213000500

RESULT -