

Docket

4/4/2019

**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
MS. ASHONTI DAVIS
MS. CHRISTINA KARPYNEC
MR. ROSS PEPPER
MR. DAVID TAYLOR, Chairman
MS. ALMA SANFORD**

Election of Board 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 2018-644 (Council District - 17)

DEVAN MCCLISH, appellant and **HOPP, STANLEY G.**, owner of the property located at **1044A 2ND AVE S**, requesting variances from front and rear setbacks in the R6 District, to maintain two already constructed houses. Referred to the Board under Section 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Single Family

Map Parcel 093150D00100CO

Map Parcel 093150D00200CO

RESULT -

CASE 2018-656 (Council District - 24)

DILLINGHAM, MARTIN, JR., appellant and owner of the property located at **3509 B WRENWOOD DR**, requesting a variance from side setback requirements in the R6 District, to maintain an existing garage. Referred to the Board under Section 17.12.040 E.1.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10401040800

RESULT -

CASE 2019-082 (Council District - 2)

ANTHONY EUBANKS, appellant and **LIVING DEVELOPMENT CONCEPTS**, owner of the property located at **2205 11TH AVE N**, 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 17.20.10. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08103017800

RESULT -

CASE 2019-085 (Council District - 19)

15TH AND CHURCH EQUITY INVESTORS, LLC, 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 -Deferred

CASE 2019-114 (Council District - 5)

KARLA NEWMAN, appellant and **MCKEEVER, REGINALD**, owner of the property located at **209 C DUKE ST**, requesting a variance from sidewalk requirements in the R6-A District, to construct two single family residences 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 071070I90000CO

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, 17.20. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed Use

Map Parcel 10507000200

RESULT –

CASE 2019-121 (Council District - 16)

GRAY, BERNARD W. & ROBIN L., appellants and owners of the property located at **3020 NOLENSVILLE PIKE**, requesting variances from setback and height requirements in the CS District, to allow an existing chain link fence around the perimeter of the property within 25 feet of the right of way. Referred to the Board under Section 17.12.040.E.26.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Auto Sales

Map Parcel 11913032400

RESULT -

CASE 2019-122 (Council District - 21)

AFFORDABLE HOUSING RESOURCES INC., appellant and owner of the property located at **1524 B 23RD AVE N**, requesting variances from sidewalk and setback 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, 17.40.670. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08115001300

RESULT -

CASE 2019-123 (Council District - 21)

AFFORDABLE HOUSING RESOURCES INC., appellant and owner of the property located at **1620 12TH AVE N**, requesting variances from sidewalk and setback requirements in the RS5 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, 17.40.670. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08111054700

RESULT -

CASE 2019-124 (Council District - 21)

AFFORDABLE HOUSING RESOURCES INC., appellant and, owner of the property located at **1540 12TH AVE N**, 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 08112020100

RESULT -

CASE 2019-125 (Council District - 26)

ADKINS, JILL C., appellant and owner of the property located at **5132 COCHRAN DR**, requesting a variance from setback requirements in the RS20 District, to construct an attached carport to the rear of existing house. 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-Single Family

Map Parcel 14713002300

RESULT -

CASE 2019-126 (Council District - 21)

AFFORDABLE HOUSING RESOURCES INC., appellant and owner of the property located at **811 LENA ST**, requesting variances from sidewalk and setback 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, 17.40.670. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09206043200

RESULT –

CASE 2019-127 (Council District - 2)

JODY ROBERTS, appellant and **O.I.C. FOURTEENTH AVENUE TOWNHOMES**, owner of the property located at **2302 B 14TH AVE N**, requesting a variance from minimum lot size requirements in the R6 District, to construct two single family houses. 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-Single Family

Map Parcel 081031L90000CO

RESULT -

CASE 2019-130 (Council District - 17)

TYLER CAIN, appellant and **OPERATION STAND DOWN NASHVILLE, INC.**, owner of the property located at **1119 12TH AVE S**, requesting a variance from sidewalk requirements in the CS District, to renovate a commercial space 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 10501031600

RESULT –

CASE 2019-131 (Council District - 7)

JACOB BENDER, appellant and **JACKSON VALLEY LAND PARTNERS, LLC**, owner of the property located at **1525 PRESTON DR**, requesting a variance from sidewalk requirements in the R10 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-Two-Family

Map Parcel 072161E00100CO

RESULT -

CASE 2019-134 (Council District - 23)

ROY WILLIAMS, appellant and **WACHAL, WARREN R. & DONALD H. & DOUGLAS L.**, owners of the property located at **5101 HARDING PIKE**, requesting a variance from sidewalk requirements in the CS District, to renovate a commercial space 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-Commercial

Map Parcel 11613009800

RESULT -

CASE 2019-135 (Council District - 17)

ROB CUSHMAN, appellant and **MC2 GROUP, THE**, owner of the property located at **151 A & 151 B RAINS AVE**, requesting a variance from sidewalk requirements in the R6-A District, to construct two single family houses 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 105112H00200CO

RESULT -

Map Parcel 105112H00100CO

CASE 2019-137 (Council District - 19)

ANTHONY EUBANKS, appellant and **DURANI, HAMIDULLAH**, owner of the property located at **933 WARREN ST**, requesting a variance from setback requirements in the RS3.75, MDHA District, to construct two single family houses. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 08116070200

RESULT –

CASE 2019-138 (Council District - 21)

JIM ALDERMAN appellant and **GHC-GALEN HEALTH CARE, LLC**, owner of the property located at **1 PARK PLZ**, requesting a variance from setback requirements in the MUG-A District, to install 4 signs. Referred to the Board under Section 17.32.070. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Medical Office

Map Parcel 09214008900

RESULT -

CASE 2019-139 (Council District - 15)

FIRST BAPTIST CHURCH OF DONELSON, appellant and owner of the property located at **2526 LEBANON PIKE**, requesting a variance from sign requirements in the OR20, CL District, to install an LED sign on a UDO. Referred to the Board under Section 17.32.050.2 and 17.40.130. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 09504001100

RESULT -

CASE 2019-140 (Council District - 17)

ELI BATES, appellant and owner of the property located at **2027 HUTTON DR**, requesting variances from setback and house orientation requirements in the R6 District, to construct two single-family houses. Referred to the Board under Section 17.12.030.C.6 and 17.12.030.C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Two-Family

Map Parcel 106130W00200CO

RESULT -

CASE 2019-144 (Council District - 34)

JOHN NELSON, appellant and **BBW PROPERTIES, LLC**, owner of the property located at **3912A CAYLOR DR**, requesting a variance from fence height requirements in the R20 District, to maintain 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 117130J00200CO

RESULT -

CASE 2019-145 (Council District - 29)

STERICYCLE appellant and **DUKE SECURED FINANCING 2009-UNM, LLC**, owner of the property located at **800 AIRPARK COMMERCE DR 801**, requesting variances from landscape buffer and setback requirements in the IWD District, to have a medical waste facility at this location. Referred to the Board under Section 17.16.110.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Medical Waste

Map Parcel 121110A00200CO

RESULT -Deferred

CASE 2019-146 (Council District - 34)

CLAY KUNZE, appellant and **RUSH, NANCY E.**, owner of the property located at **2203 HOBBS RD**, requesting a variance from sidewalk requirements in the R20 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 13102003800

RESULT -

CASE 2019-148 (Council District - 6)

MELISSA HATCHETT, appellant and **MG STREET HOLDINGS, LLC**, owner of the property located at **921 GALLATIN AVE**, requesting a variance from sidewalk requirements in the MUG-A 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-Commercial

Map Parcel 08301043300

RESULT –

CASE 2019-149 (Council District - 17)

TAYLOR, H DENNY JR & JENNIFER appellant and owner of the property located at 2019A 19TH 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 10412015700

RESULT -

CASE 2019-150 (Council District - 17)

DUANE CUTHBERTSON appellant and **O.I.C. HOMES AT 423 A & B MALLORY STREET**, owner of the property located at **423 & 425 MALLORY ST**, requesting a variance from setback requirements in the R6-A District, to construct two single family houses with a parking pad within the required front setback. Referred to the Board under Section 17.12.020.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 105074V90000CO

RESULT -Deferred

Map Parcel 105074V00200CO

SHORT TERM RENTAL CASES

CASE 2019-012 (Council District - 6)

SHIM, ERIN L. & DECHANT, ANNE E., appellants and owners of the property located at **1306 GARTLAND AVE**, requesting an 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 indefinitely

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 ownership in the SP 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 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 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 06100001600

RESULT –

CASE 2019-099 (Council District - 2)

FITZPATRICK, JOSEPH R. & HERRERA, MARIE S., appellants and owners of the property located at **1800A 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 in the RS5 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 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 in the OR20 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 10408028900

RESULT -

CASE 2019-102 (Council District - 28)

ULUMENFO, CHRISTOPHER & FATIMA, appellants and owners 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 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 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 the legally required short term rental permit in the RS5 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 09213000500

RESULT -

CASE 2019-118 (Council District - 27)

LAFEVER, CODY & AUSTIN, appellants and owners of the property located at **626 HUNTINGTON PKWY**, 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 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 16110000700

RESULT -

CASE 2019-133 (Council District - 6)

KIM WATKINS, appellant and **AERIAL GLOBAL, LLC**, owner of the property located at **805 S 19TH ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. The appellant operated without a legally required permit in the RS5 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 09402020100

RESULT –