

## 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**

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

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### **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 an 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 –**

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : Randy Yard  
Property Owner: Randy Yard  
Representative: Randy Yard

Date: 1-15-19  
Case #: 2019-089  
Map & Parcel: 41-5-1

Council District 3

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance in front setback to allow 32' front setback. Street average is 68.5' this would be a 36.5' Reduction

Activity Type: New Construction - Single Family  
Location: 4136 Creek Trail Dr.

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Does not meet front setback requirement  
Section(s): 17.12.030(c) 3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Randy Yard  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

3456 Chandler Cove Way  
Address

Address

Antioch, TN 37013  
City, State, Zip Code

City, State, Zip Code

253-279-1625  
Phone Number

Phone Number

randyy11@hotmail.com  
Email

Email

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3594757

**ZONING BOARD APPEAL / CAAZ - 20190002651**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 04105000100

APPLICATION DATE: 01/15/2019

## SITE ADDRESS:

4136 CREEK TRAIL DR WHITES CREEK, TN 37189  
LOT 13 CREEK TRAIL SUB-REVISED

PARCEL OWNER: YARD, RANDY

CONTRACTOR:

## APPLICANT:

## PURPOSE:

request variance to allow a front setback of 32'. street average is 68.5', this represents a 36.5' reduction.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Randy Yard  
**APPELLANT**

1/15/19  
**DATE**

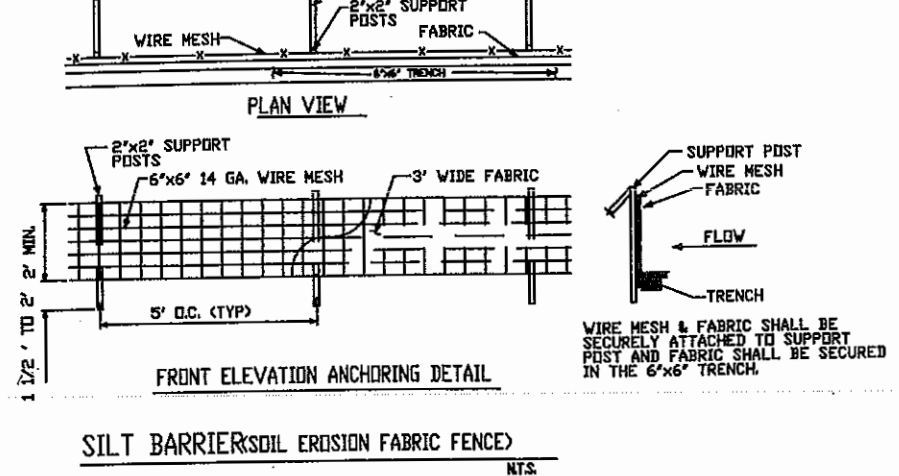
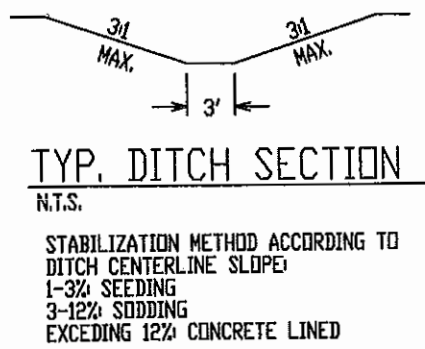
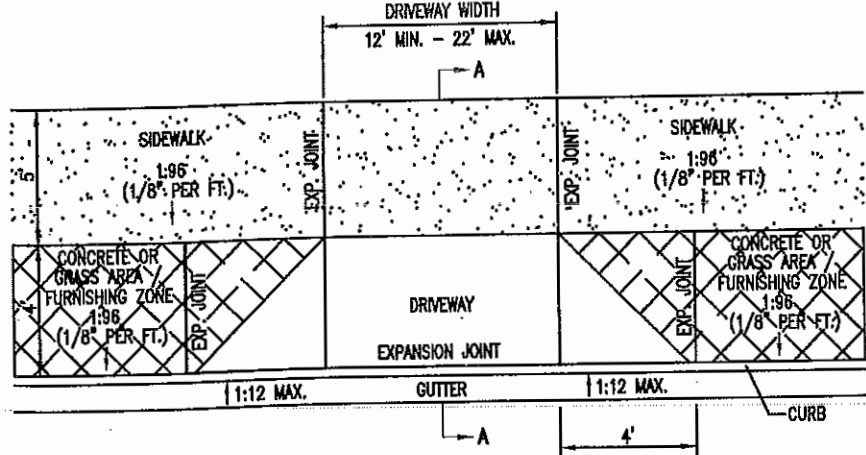
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

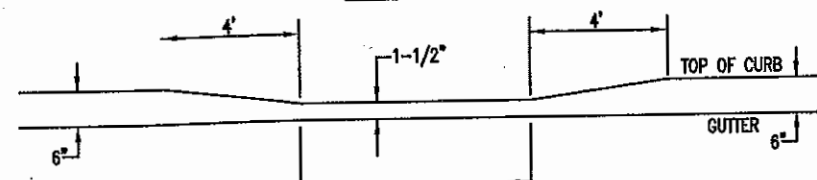
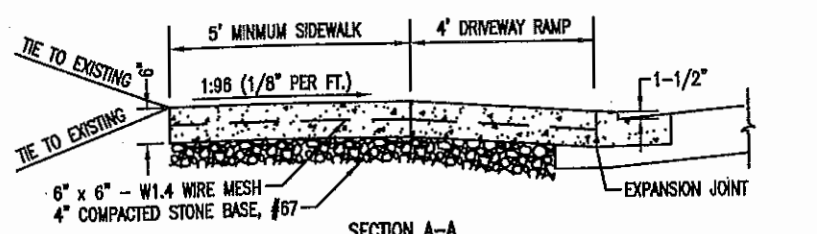
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Topographic. If I build to the required set back there is 20' of slope through the foundation. If I can move forward there is only 6'



- 1) STONE SIZE 1-1/2" TO 2" DIAMETER
- 2) MAINTAIN A CONDITION WHICH WILL TRACKING OF MUD ONTO PUBLIC ST



NOTE: CROSS-SLOPE OF SIDEWALK SHALL NOT EXCEED 1:48 (VERTICAL:HORIZONTAL).

RESIDENTIAL CONCRETE DRIVEWAY RAMP NOT TO SCALE

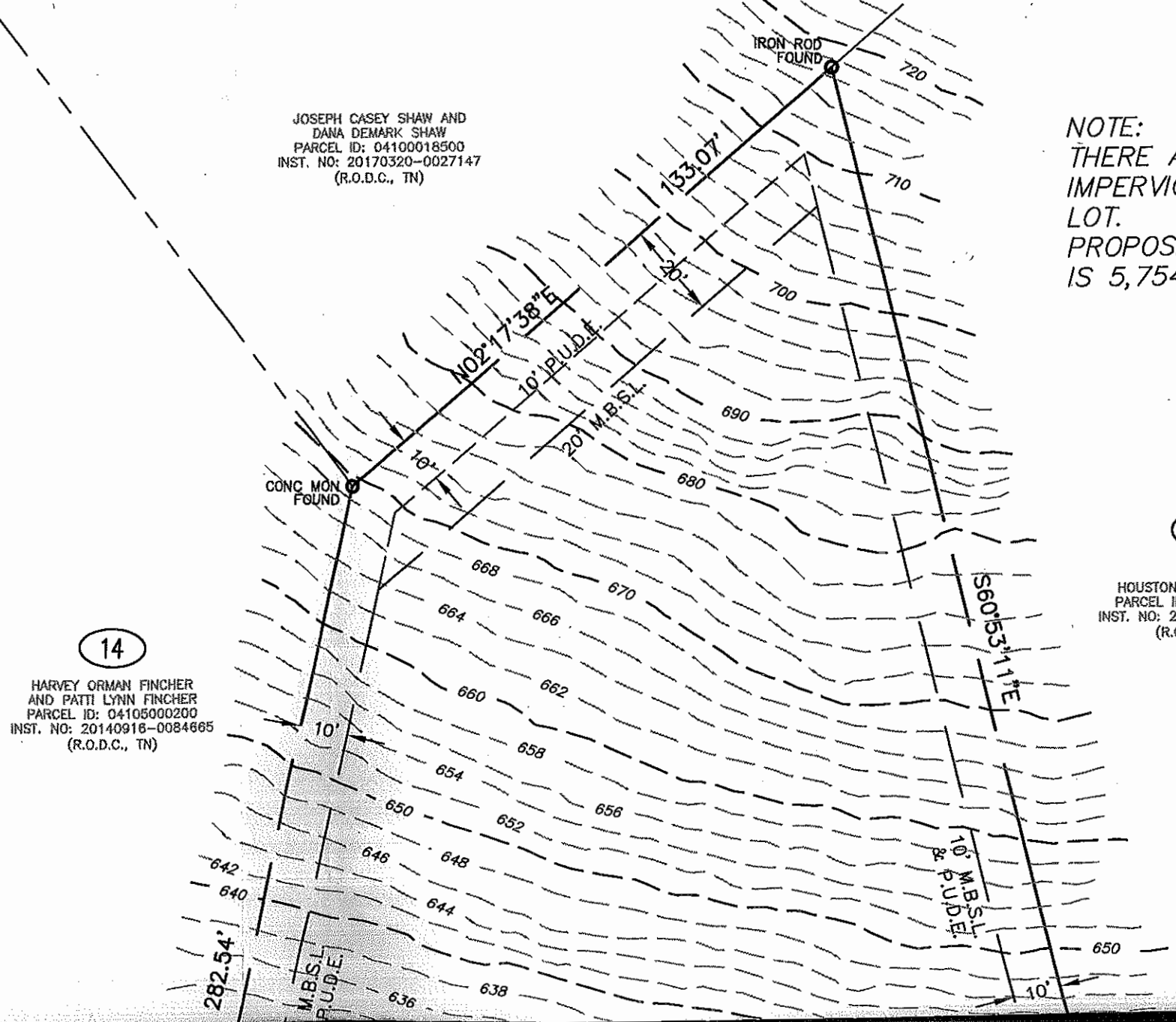
### CRITICAL LOT PLAN

**CRITICAL LOT NOTE**  
 FOR LOTS DESIGNATED CRITICAL, PRIOR TO ISSUANCE OF A BUILDING PERMIT, A GRADING PLAN COMPLETE WITH THE FOLLOWING INFORMATION AT A SCALE OF 1" = 20'-0" SHALL BE SUBMITTED TO THE PLANNING COMMISSION STAFF FOR APPROVAL: BUILDING LOCATIONS AND FINISHED FLOOR ELEVATIONS; LOCATION OF ALL PROPOSED SITE IMPROVEMENTS; TOP AND BOTTOM ELEVATIONS OF RETAINING WALLS; EXISTING AND PROPOSED CONTOURS AT A MAXIMUM INTERVAL OF TWO FEET; SPECIFIED AND ILLUSTRATED METHODS OF STABILIZING GRADED SLOPES STEEPER THAN 33 PERCENT; LIMITS OF GRADING; AND EXISTING TREES TO BE PRESERVED WITHIN THE LIMITS OF GRADING AND METHOD OF PROTECTION DURING CONSTRUCTION.

APPROVAL WILL BE BASED UPON CARE TO MINIMIZE BOTH LOT AREAS SUBJECT TO GRADING AND THE AMOUNT OF CUT/FILL REQUIRED TO PREPARE THE LOT AS A BUILDING SITE.

NO CORNERS WERE SET OR RESET AT THE TIME OF THIS INSPECTION.

NOTE: HAY OR STRAW BALES ARE NOT PERMISSIBLE AS SILTATION BARRIERS.



14  
 HARVEY ORMAN FINCHER AND PATTI LYNN FINCHER  
 PARCEL ID: 04105000200  
 INST. NO: 20140916-0084665  
 (R.O.D.C., TN)

NOTE:  
 THERE ARE NO EXISTING IMPERVIOUS AREAS ON THE LOT.  
 PROPOSED IMPERVIOUS AREA IS 5,754 Sq.Ft.±

12  
 HOUSTON H. FRENCHMAN  
 PARCEL ID: 04102003500  
 INST. NO: 20101109-0089863  
 (R.O.D.C., TN)



HORIZONTAL LOCATION DATA SHOWN ON THIS SURVEY WAS GATHERED USING STANDARD RADIAL SURVEYING TECHNIQUES WITH AN ELECTRONIC TOTAL STATION AND DATA COLLECTOR AND GLOBAL POSITIONING SYSTEM (GPS) UNIT AND IS BASED ON A POSITIONAL SOLUTION DERIVED FROM REAL-TIME KINEMATIC GPS OBSERVATIONS PROCESSED BY TENNESSEE DOT NETWORK. BEARINGS ARE EXPRESSED IN THE TENNESSEE STATE PLANE COORDINATE SYSTEM (HORIZONTAL = NAD83-C.O.R.S.; VERTICAL = NAVD88; ZONE TN 4100, GEOID MODEL MID TN 12A), USING SOKKIA GPS MODEL GRX2 GNSS RECEIVER RTK (L1+L2), HORIZONTAL ACCURACY=5mm+.05ppm AND VERTICAL ACCURACY=10mm+.08ppm.

WITHIN DESCRIBED TRACT OF LAND LIES WITHIN ZONE X AS SAID TRACT IDENTIFIED BY SCALE ON FEMA MAP NUMBER 47037C0118H ON THE FLOOD HAZARD SURVEILLANCE RATE MAPS FOR NASHVILLE AND DAVIDSON COUNTY, TENNESSEE REVISION P REVISED APRIL 5, 2017).

LIEN INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS.

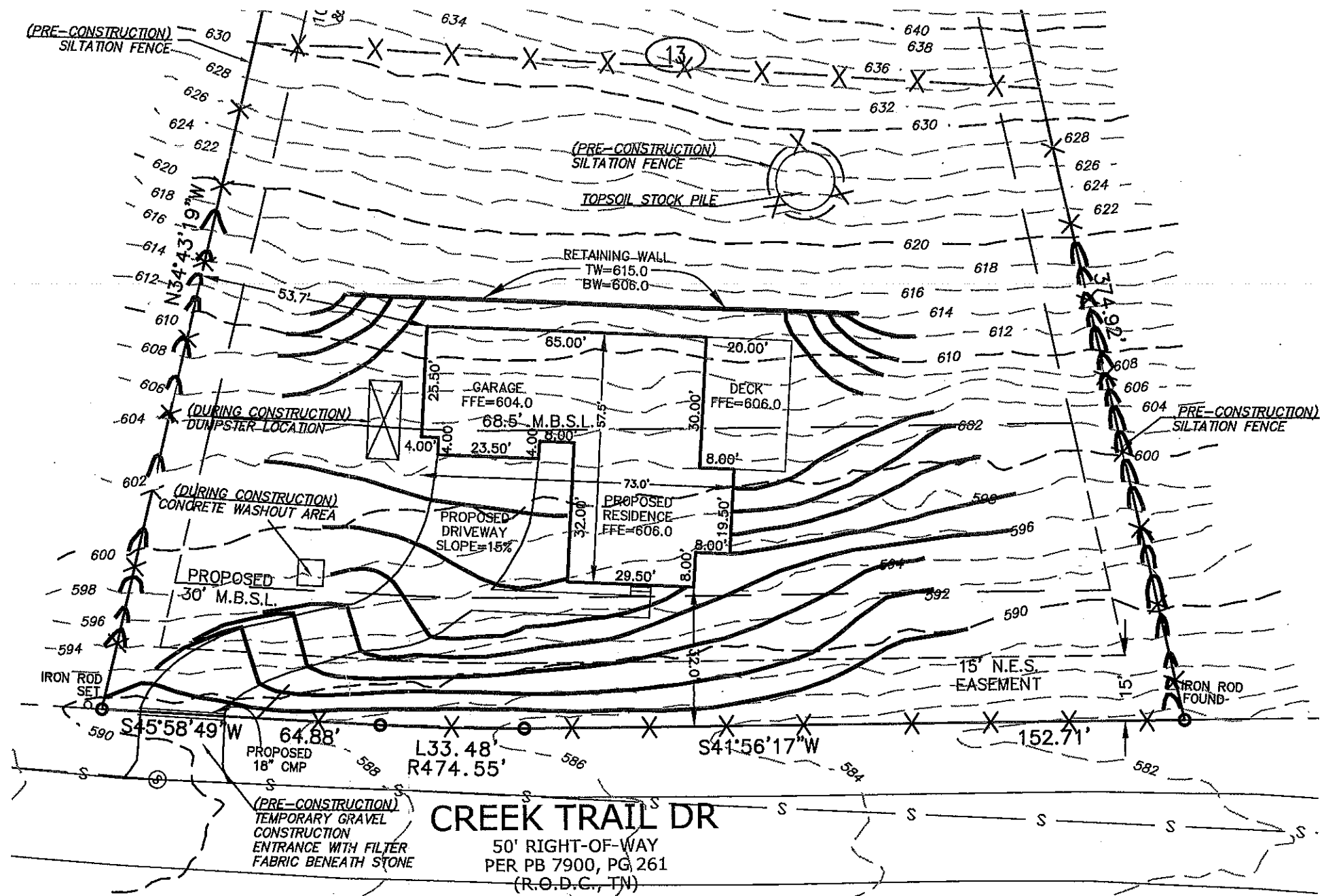
SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE RECORDS AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IF MADE. LIABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY.

IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNER(S) NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY HAZARD OR CONFLICT. THE TENNESSEE ONE CALL SERVICE PHONE NUMBER IS 1-800-351-1111. UTILITIES WERE NOT CHECKED DURING THE COURSE OF THIS SURVEY.

WITHIN PLAT AND SURVEY WERE PREPARED WITHOUT BENEFIT OF CURRENT EVIDENCE OF SOURCE OF TITLE FOR THE SUBJECT TRACT OR ADJOINERS AND THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY EXAMINATION OF SUCH DOCUMENTS.

SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THOSE MATTERS IDENTIFIED IN THE CERTIFICATION AND DOES NOT EXTEND TO ANY OTHER PARTY.

PROPERTY IS SUBJECT TO ALL MATTERS SET FORTH ON THE RECORDED INSTRUMENT PLAT OF CREEK TRAIL SUBDIVISION AS RECORDED IN PLAT BOOK 7900, PAGE 261 R.O.D.C., TN. AND IS SUBJECT TO ALL RESTRICTIONS OF RECORD. BUILDER TO VERIFY BEFORE CONSTRUCTION ON THIS LOT.

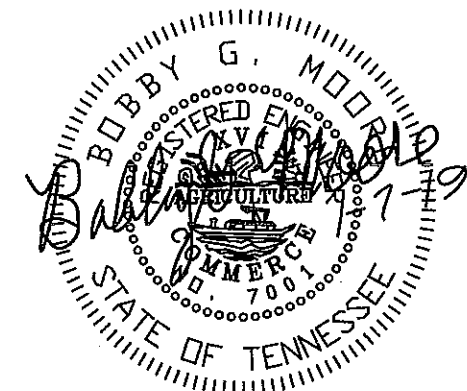


**RANDY YARD**  
 4136 CREEK TRAIL DR.  
 CREEK, DAVIDSON COUNTY, TENNESSEE  
 SUBD. CREEK TRAIL SUBDIVISION  
 PLAT BOOK 7900, PAGE 261, R.O.D.C., TN  
 DATE: JANUARY 7, 2019  
 PARCEL: 01.00 PLAN: # 73.00'X57.50' LHFE  
 419 SQ.FT. ± OR 1.32 AC±

**MINIMUM SET BACKS**  
 FRONT YARD: SEE NOTE (A)  
 SIDE YARD: 5'  
 REAR YARD: 35'

**NOTE A: FRONT/STREET SETBACK PER METRO GOVERNMENT OF NASHVILLE MUNICIPAL CODES, CHAPTER 17.12.030, NOTE C(5) PER ORDINANCE NO. BL2017-833**

STREET SETBACK TABLE	
ADDRESS	SETBACK
#4140 CREEK TRAIL DR	83.1'
#4144 CREEK TRAIL DR	37.0'
#4150 CREEK TRAIL DR	111.4'
#4154 CREEK TRAIL DR	42.3'
AVERAGE SETBACK = 68.5'	



JANUARY 7, 2019 | DWN. BY: ACB | CKD. BY: BGM | TITLE: CRITICAL LOT PLAN

Scale : 1" = 30'



**RANDY YARD**  
 LOT 13-CREEK TRAIL SUBDIVISION  
 INSTRUMENT # 20180907-0089019, R.O.D.C., TN.

**H & H LAND SURVEYING, INC.**

612 A FITZHUGH BLVD.  
 SMYRNA, TENNESSEE 37167  
 PHONE: (615) 831-0756

**BEFORE THE METROPOLITAN NASHVILLE DAVIDSON COUNTY BOARD OF  
ZONING APPEALS**

<b>Appellant:</b>	<b>Randy Yard</b>	)	
<b>Site Address:</b>	<b>4136 Creek Trail Dr. (Lot 13)</b>	)	<b>Case #: 2019-089</b>
	<b>Whites Creek, TN 37189</b>	)	<b>Map &amp; Parcel: 41-5-1</b>
		)	

**OBJECTIONS TO SETBACK VARIANCE**

Comes now the below owners of residences (hereinafter Opponents) in the Creek Trail Subdivision (hereinafter Subdivision) objecting to the setback variance sought by Appellant, a "self-contractor".

**FACTS**

As part of Appellant's application for his building permit for an 1800 square foot single family residence, on November 5, 2018 Appellant submitted to the Metropolitan Department of Codes and Building Safety a Critical Lot Plan which provided for a 60-foot setback. See Exhibit 3 attached hereto. Subdivision residents advised Appellant of the Restrictive Covenant and its provisions, see Exhibit 2 attached hereto, and provided him a copy of same. On January 7, 2019, Appellant submitted another document entitled Critical Lot Plan to support his request for a variance to allow a 32-foot front setback, reporting that the street/front average setback is 68.5 feet. See Exhibit 4. Both Critical Lot Plans state that property "is subject to all restrictions of record. Builder to verify before construction on this lot." See Exhibits 3 and 4. Of note, Appellant's Lot 13, 4136 Creek Trail Drive is subject to the 68.5 feet average street/front setback as well as the Subdivision Restrictive Covenant provisions of a minimum 2400 square foot residence and placement of the garage on the side or to the rear of the residence. See,

e.g., Exhibits 1 and 2, Paragraphs 4 and 5, Davidson County Register of Deeds Book 7762 Page 423. Appellant's proposed construction violates all three requirements.

### Analysis and Argument

Opponents aver that the granting of the variance substantially impairs the intent and purpose of Section 17.40.370, Metro Code of Ordinances and should be denied for the following reasons.

1. The physical characteristics of Appellant's property are not sufficient or unique to impose a topographic hardship, permitting a 36.5' variance from the average 68.5' setback. "Based on recent field observations and parcel comparisons..., it appears to be no apparent negative impact on parcel 04105000700 (4136 Creek Trail Drive), that would prohibit a builder from achieving the existing average building setback distance or the average building square footage as demonstrated by the other above referenced [4140 Creek Trail, parcel 04105000200; 4144 Creek Trail, parcel 04105000300; 4150 Creek Trail, parcel 04105000400; 4154 Creek Trail, parcel 04105000500] parcels." See Exhibit 1 attached hereto; see also Exhibit 6 ("With some excavation, the need for the setback variance would not be needed....") These expert opinions are substantially supported by the fact that Appellant *himself* initially submitted a Critical Lot Plan which provided for a 60-foot setback. See Exhibit 3. Additionally, Opponents assert that all lots in the Creek Trail Subdivision are challenged by similar sloped and topographical conditions. See Exhibit 5 attached hereto (pictures of Subdivision residences and topography); Exhibit 6.

As the Court of Appeals found in *Cobble et al. v. Green County, Tennessee, et al.*, No. E2017-00896-COA-R3-CV (Tenn. Ct. App. 2017) "if every lot is exceptional, no lot is exceptional... and the subject property simply is not distinctive." To take a position that the topography and slope is a challenge warranting a variance would mean "the exceptions collapse the rule in this subdivision." *Id.* The Court of Appeals consequently reversed the Board of Zoning Appeals' grant of a variance. *Id.* Similarly, in this case, the variance should be denied.

2. Upon information and belief, based upon conversations with Appellant, the Appellant's alleged hardship is solely based upon a desire to effectuate a cost savings and therefore is self-imposed to avoid or minimize the additional construction costs, including but not limited to, grading Lot 13 and complying with the minimum 2400 square footage. See Exhibit 1 ("Based on recent field observations and parcel comparisons..., it appears to be no apparent negative impact on parcel 04105000700 (4136 Creek Trail Drive), that would prohibit a builder from achieving the existing average building setback distance or the average building square footage as demonstrated by the other above referenced [4140 Creek Trail, parcel 04105000200; 4144 Creek Trail, parcel 04105000300; 4150 Creek Trail, parcel 04105000400; 4154 Creek Trail, parcel 04105000500] parcels."); Exhibit 6 ("The request for setback consideration in our expert opinion is solely for the purpose of cost saving for this project. Several structures in the subdivision performed the needed excavation to meet the setback minimum of 68.5 feet. Based upon our visual observation, any proposed structure

constructed on Lot 13, 4136 Creek Trail Drive in our expert opinion can with additional costs meet this minimum setback as other builds have....”) Opponents aver that properly grading/excavating Lot 13 would remedy Appellant’s alleged, self-imposed topography hardship. See Exhibits 1 and 6. Pecuniary loss is not a sufficient basis upon which to grant a variance. See, e.g., *McClurkan v. Board of Zoning Appeals*, 565 S.W.2d 495, 497 (Tenn. 1977). All other existing houses in the Subdivision excavated to achieve the required setback and/or compliance with the Subdivision’s Restrictive Covenants. See Exhibit 5 attached hereto.

3. Opponents aver that “[t]his proposal to allow the setback will diminish the aesthetics and flow of the neighborhood thereby possibly impacting the values of the existing homes.” See Exhibit 6.
4. Lastly, Opponents respectfully submit that this Board cannot appropriately or effectively evaluate Appellant’s request for a front setback variance where Appellant is otherwise in violation of the Restrictive Covenants and thus does not meet requirements to build in this Subdivision. Opponents aver that the granting of the variance will compromise the integrity of the Subdivision’s Restrictive Covenants and thus the neighborhood. See Exhibit 6. The Appellant is seeking a variance utilizing an invalid permit for an 1800 square foot home where the minimum square footage pursuant to the Subdivision’s Restrictive Covenant is 2400 square feet, exclusive of open porches, garages and carports. See Exhibits 2 (paragraph 4, Davidson County Register of Deeds Book 7762 Page 423) and 3. Further, Appellant’s plan places the garage on the front of the house in violation of the Subdivision’s Restrictive Covenant. See Exhibits 2 (paragraph

5, Davidson County Register of Deeds Book 7762 Page 423), 3 and 4. All residences in the Subdivision have garage doors either to the side or rear as set forth in the Restrictive Covenant. See, e.g., Exhibit 5. There is nothing about the physical characteristics of Lot 13, 4136 Creek Trail Drive sufficient or unique to make it distinctive from the other residences in the Subdivision. It is opined by a contracting and/or engineering expert that there is no reason Appellant cannot comply with not only the front setback, but also the 2400 square footage and the placement of the garage on the side or rear. See Exhibits 1 and 6.

'A permit for use prohibited by a valid zoning ordinance, regulation or restriction is void and subject to revocation.'  
 8 Eugene McQuillen, *The Law of Municipal Corporations* Section 25.153 (3d ed. 2000) 'A zoning or building permit or certificate may be revoked or nullified where it was illegally issued, as where it was unauthorized, or violates or does not comply with, or conform to, the zoning laws, or where it was issued under a mistake of fact.'  
 101 A C.J.S. *Zoning & Land Planning* Section 293 (2005). 'The issuance of a building permit results in a vested right only when the permit was legally obtained in every respect, and was validly issued.' 101A C.J.S. *Zoning & Land Planning* Section 290 (2005).

*Capps d/b/a Stephanie's Cabaret and Smith Investment Group, L.P. v.*

*Metropolitan Government of Nashville and Davidson County*, No. M2007-01013-COA-R3-CV (Tenn. Ct. App. 2008).

### **Conclusion**

Based upon the foregoing, Appellant's variance should be denied: 1) The variance is not needed because Appellant can excavate his lot to achieve the setback requirement. His lot has no physical characteristics and/or is not unique from other lots in the Subdivision to permit variance due to a topography hardship. 2) Upon information and belief, the variance is only sought to

effectuate a cost savings. 3) The variance request diminishes the aesthetics and flow of the neighborhood thereby possibly impacting the values of the existing homes; and 4) The Board cannot appropriately or effectively evaluate Appellant's request for a variance where he is in violation of the Subdivision's Restrictive Covenant in that his building permit is invalid inasmuch it is for an 1800 square foot house with a front facing garage. The Restrictive Covenant provides for a minimum square footage of 2400 and a side or rear facing garage.

Respectfully submitted,

Owners:

Patti Fincher

Address:

4140 Creek Trail Dr.

Owners:

John Richardson  
Bonnie Richardson

Address:

4154 CREEK TRAIL DR.

Owners:

John H. Blair  
Stacy M. Blair

Address:

4171 Creek Trail Dr

Owners: Colleen  
Sharon

Address: 4150 CREEK TRAIL DR.

Owners: Terica Coleman

Address: 209 APARNA CT.

Owners: [Signature]  
209 (w)

Address: 209 APARNA CT.

Owners: Theresa H. Reed  
[Signature]

Address: 212 ATARACT

Owners: [Signature]  
Regina Night

Address: 101 MEGHANA DRIVE

Owners: Alynn E. Wade  
Rosa Wade

Address: 109 Meghana Dr.  
37189



Owners: Ray P. Brown

Janice Brown

Address: 4104 CREEK TRAIL DR.  
Whites Creek, TN 37189

Owners: Donzale Rivers

4187 Creek Trail

Address: Whites Creek 37189

Owners: Shawn Lee

4196 Creek Trail D

Address: Whites Creek TN 37189

Owners: Greg & Julia Powell

Address: 4160 Creek Trail Whites Creek, TN 37189

Owners: Oran Miller

Jammy Miller

Address: 4144 Creek Trail

Owners: Mark T. B.

Ralph Brown

Address: 4174 Brick Church PK  
Whites Creek, TN 37189

Owners: David R. Monahan  
Sherrin M. Monahan  
Address: 108 Meghana Dr.

Owners: David Rodriguez  
[Signature]  
Address: 4178 Buick Church Ave.

Owners: Richard Brennan  
[Signature]  
Address: 4116 Creek Trail Dr

Owners: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

Owners: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Randy Yard, 3456 Chandler Cove Way, Antioch, TN 37013, via hand delivery, on this 4th day of March, 2019.

Tommy L. Miller



# EXHIBIT 1

# TYLER

Construction Engineers, P.C.  
810 Dominican Drive, Nashville, TN 37228  
tel. 615.469.5398

February 21, 2019

## RESIDENTIAL PROPERTY – LIMITED BUILDING SITE ANALYSIS

**Prepared For:** *John Richardson and several additional residents of Creek Trail Drive, Nashville, TN*

**Requested By:** *John Richardson and several additional residents of Creek Trail Drive, Nashville, TN*

**Date of Inspection:** **February 17, 2019**

**Weather:** **Partly Cloudy - 43 Deg F**

**Parcel ID:** Creek Trail Drive, Nashville, TN 37189  
Parcel Numbers: 04105000100, 04105000200, 04105000300, 04105000400, 04105000500, 04105000600, 04105000700

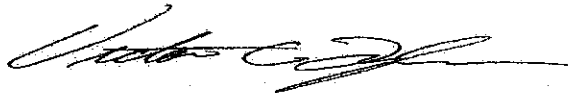
Tyler Construction Engineers, P.C. was engaged by Mr. John Richardson, owner-occupant of 4154 Creek Trail, to conduct a limited site analysis on parcels on Creek Trail Drive as referenced above and evaluate the general existing topography relative to buildable area.

All parcels, except for parcel 04105000700 (4136 Creek Trail Drive), have existing residential structures present. All above referenced parcels' topography are generally considered moderate to steep slopes (i.e., a slope of 20% or more is usually considered steep). Based on recent field observations and parcel comparisons (see Chart 1 attached), it appears to be no apparent negative impact on parcel 04105000700 (4136 Creek Trail Drive), that would prohibit a builder from achieving the existing average building setback distance or the average building square footage as demonstrated by the other above referenced parcels.

Observations made on limited visual site analysis performed on February 17, 2019 and use of Metro Nashville Planning Department online GIS map system and general knowledge of typical construction practices. No warranties, expressed or implied, are made by the conclusions, opinions, recommendations, or services provided. This site analysis was limited to readily visible elements.

For questions or comments or to obtain additional information presented in this report, please contact:

**Victor C. Tyler, P.E., M.ASCE, NSPE**



---

President, Tyler Construction Engineers, P.C.  
810 Dominican Drive, Ste 313, Nashville, TN 37207  
Email: victor@tyler-engineers.com

attachment

**Chart 1**

Address	Parcel	Approx. Slope	Bldg. Sq. Ft.	Bldg. Setback
4136 Creek Trail	04105000100	31%	N/A	N/A
4140 Creek Trail	04105000200	19%	3131 sf	83.1 ft.
4144 Creek Trail	04105000300	21%	3499 sf	37.0 ft.
4150 Creek Trail	04105000400	20%	3628 sf	111.4 ft.
4154 Creek Trail	04105000500	26%	2708 sf	42.3 ft.
4160 Creek Trail	04105000600	23%	3627 sf	
4164 Creek Trail	04105000700	18%	4197 sf	

**Average Slope:** 22.6%

**Average Bldg SF:** 3,462 square feet

**Average Bldg Setback:** 68.5 feet





# EXHIBIT 2



**Bill Garrett**

**Davidson**

**CUSTOMER RECEIPT - RECORDING SERVICES**

Receipt Number: **T20130094912**  
 Date/Time: **11/06/2013 12:18:40**  
 Method Received: **Walk-In**  
 Clerk: **ahite**

Customer Name : **OSCAR MILLER**

**HOLD AT COUNTER**

**Transaction Detail**

<u>Instrument Number</u>	<u>Instrument Type</u>	<u>Gen. Fee</u>	<u>Equip. Fee</u>	<u>Transfer Tax</u>	<u>Mortgage Tax</u>	<u>Copy</u>	<u>Cert. Copy</u>	<u>Total Copy Fee</u>	<u># Pgs</u>	<u>Consideration</u>	<u>Subtotal</u>
201311060115208	REST	\$10.00	\$2.00	\$0.00	\$0.00	N	N	\$0.00	1		\$12.00
<u>First Party Name</u>						<u>Second Party Name</u>					
CREEK TRAIL						CREEK TRAIL					

**Payment Information**

<u>Method of Payment</u>	<u>Payment Control ID</u>	<u>Authorized Agent</u>	<u>Company</u>	<u>Amount</u>
Check	1296			\$12.00

**AMOUNT PAID: \$12.00**  
**LESS AMOUNT DUE: \$12.00**  
**CHANGE RECEIVED: \$0.00**

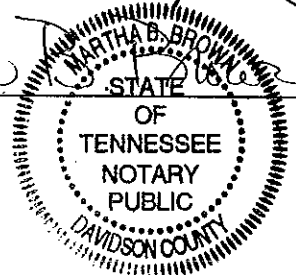


Creek Trail Subdivision  
Ballot to Extend Restrictive Covenants

By signature below, I vote to extend the original Restrictive Covenants for Creek Trail Subdivision, executed on 27 January 1989, and recorded in the Register's Office of Davison County, Tennessee, Book 7762 Pages 422-229.

Lot		Lot	
1		18	<i>[Signature]</i>
2	<i>[Signature]</i>	19	<i>[Signature]</i>
3		20	
4		21	
5	<i>Raymond P. Brown</i>	22	<i>[Signature]</i>
6		23	
7	<i>Alvin Wade</i>	24	
8	<i>Regina Wright</i>	25	<i>[Signature]</i>
9	<i>[Signature]</i>	26	
10	<i>Mayglora Merrimon</i>	27	
11		28	<i>[Signature]</i>
12		29	<i>[Signature]</i>
13		30	<i>[Signature]</i>
14		31	<i>[Signature]</i>
15	<i>Oscar Miller 10/28/13</i>	32	<i>[Signature]</i>
16	<i>[Signature] 11/4/13</i>	33	<i>[Signature]</i>
17	<i>[Signature] 10/28/13</i>		

*Martha B. Brown*  
Notary Public



11-28-2013

*Oscar Miller 10/28/13*  
Prepared by: Oscar Miller Date

My Commission Expires:  
January 6, 2014

TAI

BK

7762

BOOK 7762 PAGE 422

This instrument prepared by:  
DR. KHUSHRU H. FRENCHMAN  
Imperial Boulevard  
Hendersonville, TN 37075

1002 01/31 0101 03CHECK 24.00

RESTRICTIVE COVENANTS  
CREEK TRAIL SUBDIVISION

The following covenants and restrictions are hereby declared as covenants running with the land and binding upon all lots in Creek Trail Subdivision, a plat of which is of record in Plat Book 6900, Page 774, Register's Office of Davidson County, Tennessee; and all subsequent owners thereof in any capacity whatsoever, until November 1, 2013, and subject to extension thereafter in intervals of ten (10) years by a vote of 51% of the owners of lots in said subdivision area; but with the understanding and agreement that any of the said restrictions may be changed or altered upon written consent of the owners of the 75% of the lots in said subdivision, said instruments of extension or instruments of change and consent shall be duly acknowledged and recorded in the Register's Office of Davidson County, Tennessee, in order to become effective.

The Restrictive Covenants are as follows:

1. All of the lots in Creek Trail Subdivision hereinafter referred to as the "subdivision" are to be used for single family residences exclusively. Plans for all buildings, garages, outbuildings, and any variance must be submitted, prior to commencing building, to a committee consisting of three (3) members, herein after referred to as the Architectural Review Committee, consisting of Dr. Kush Frenchman, A. C. Sloan, and Diana Currey. Dr. Kush Frenchman, as developer of said subdivision, shall have the power and authority to remove the other two (2) members of the committee and appoint their successors.

All matters submitted to the Architectural Review Committee for review shall be decided within fourteen (14) days after submission by owners or builders.

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BOOK 7762 PAGE 423

2. No building or any part thereof, including porches, steps, patios, etc., shall be erected any closer than the minimum building setback lines as set out in Exhibit "A" hereto attached.

3. A perpetual easement is reserved on each lot as shown on the recorded plat of said subdivision for the construction and maintenance of drainage and utilities and no structure of any kind shall be erected or maintained upon or over said easements as to interfere with the proper uses thereof. All of said lots shall be subject to the Power Line Agreement exhibited hereto as Exhibit "B".

4. The Ground Floor area of the main structure, exclusive of open porches, garages and carports, shall not be less than 2,400 square feet for a one story dwelling and not less than 1,500 square feet on ground floor level for a dwelling of more than one story. In no instance shall the structure contain less than 2,400 square feet exclusive of open porches, garages, and carports. In calculating square footage, all rooms must be at least six (6) feet in height. Areas over garages, sometimes referred to as "Bonus Rooms", shall count one half (1/2) of floor space for square footage requirements. The exterior of any structure must be approved by the Architectural Review Committee. No exposed foundation of building blocks will be allowed. No building materials may be stored on lots longer than a period of thirty (30) days before construction begins and not more than thirty (30) days after completion of construction, and all structures shall be completed within one year from starting date. All structures shall have landscaping and shrubbery.

5. Garages and carports must open to side or rear of dwelling and shall not open so as to be visible from street, unless said lot is absolutely not conducive to specifications and must be constructed in the front.

6. No used house or other residential unit for either temporary or permanent residence purposes shall be moved onto any lot or site for the purpose of being finished thereon.

7. Any outbuildings, vegetable gardens, clotheslines, dog pens, etc., shall be located to the rear of the dwelling. Outbuildings shall be permanently constructed on said lot and shall be screened as to not be visible to adjoining property owners.

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BOOK 7762 PAGE 424

8. Contractors, builders and owners of lots will not be permitted to stock pile mounds of dirt, sod, stumps, trees or other items of a similar nature on vacant lots in such a manner that weeds and grass cannot be easily cut and raked. Any owner of a lot shall be responsible for keeping the weeds and grass cut on the same during the entire period of ownership. Failure to comply will give the developer or his authorized agent the right to have it mowed at the expense of the owner.

9. No lot or lots may be divided or altered to produce less area than shown on the recorded plat of the subdivision unless the division be approved by 75% of the Lot Owners in the subdivision and also by the governing Planning Commission. Any lot affected by said division or alteration will remain subject to these restrictive covenants.

10. Flower beds, garden plots, and the like shall be maintained on any lot in such manner that erosion will not cause mud or debris to wash on driveways, streets, or neighboring property, and immediately following the harvest season of any articles in such flower beds or gardens, all stalks, sticks, supports, and the like shall be removed. The height of the shrubbery along streets and driveways at or near the public streets shall be kept trimmed so as not to constitute a safety hazard to persons entering or leaving such premises or persons located thereon.

11. No mailboxes other than conventional mailboxes approved by the United Post Office Department may be used.

12. All driveways are to be gravel or any upgrade such as concrete.

13. All areas for the storage of garbage cans, incinerators, trash burners and the like, and all other containers for trash shall be so screened as to not be visible from any street within the development.

14. No signs shall be permitted on any lot or building, except real estate signs placed upon the property for sale.

15. No structure of a temporary character, trailer, basement, tent, shack, garage, motor home, barn or other outbuilding, shall be

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used on any lot at any time as a residence either temporarily or permanently.

BOOK 7762 PAGE 425

16. No illegal use of any kind shall be made of or carried on upon any lot, nor shall anything be done thereon which is or may become a nuisance or annoyance to the neighborhood.

17. No animals, livestock, or poultry of any kind shall be raised, bred, kept or maintained on any lot except that dogs, cats, or other household pets may be kept, provided that they are not kept, bred or maintained for any commercial purpose.

18. Any drainage structure including driveway culverts, headwalls, or ditching to be approved by the Davidson County Highway Department and shall be of the same type as the existing structures in the subdivision.

19. No vehicle of any type including, boats and similar watercraft, shall be dismantled for repair or painting on any lot or site except where the same is carried out inside of a garage or basement.

20. Satellite Antennas are permitted as follows:

1. Located back of house.

21. If any present or subsequent owner of any of the lots in the said subdivision, including their heirs and assigns, shall violate any of the covenants or restrictions contained herein, or in said recorded plat of said development, it shall be lawful for any person or persons owning other properties in said development at the time to institute any proceedings at law or in equity against the person or persons violating or attempting to violate such covenants or restrictions, and to prevent the same by injunction, or recover damages for such violations.

22. If any one or more of the restrictions or covenants herein contained are declared invalid by any order of any court having jurisdiction, such invalidation shall in no way affect any other restrictions herein contained, all of which shall remain in full force and effect, each being treated as a separate instrument.

23. All restrictions, covenants and conditions herein contained including the restrictions in said plat of the development are hereby declared to be covenants to be running with the land, and shall be binding upon and applicatory upon all persons who now own property or who may after own, possess, or occupy any part of said property during the term of said covenants as aforesaid.

Executed this 27th day of JAN, 1989.

Approved and accepted by *[Signature]* *[Signature]*

Exhibit B to Restrictive Covenants of  
Creek Trail Subdivision

BOOK 7762 PAGE 428

AGREEMENT FOR CONSTRUCTION OF OVERHEAD PRIMARY ELECTRIC POWER LINES

This Agreement made and entered into this 1st day of December, 1988, between THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, acting by and through THE ELECTRIC POWER BOARD of said Government, and operating under the service name of NASHVILLE ELECTRIC SERVICE, hereinafter referred to as NES or Distributor and DR. KUSH FRENCHMAN, hereinafter referred to as Developer.

WITNESSETH:

WHEREAS, NES is a public utility authorized to provide electrical service and is willing to do so with its usual customary and established overhead distribution system, and pursuant to its rules and regulations and conditions; and

WHEREAS, Developer is developing Creek Trail Subdivision located on Brick Church Pike in Nashville, Tennessee; and

WHEREAS, Developer desires to use overhead electric service, the parties here and now agree as follows:

1. Developer agrees to use all-electric power for the 33 lots in Creek Trail Subdivision in Nashville, Tennessee.
2. NES agrees to supply overhead primary service to all of these lots at no additional cost, and in consideration thereof Developer agrees to not install any gas service in the development area.
3. It is agreed that for five years from and after the date of this agreement, the Developer shall not install any gas service to any of the 33 lots, and in the event gas service is provided to any of the 33 lots to the effect that the residence built would not be all-electric, the Developer then shall pay NES \$710.00 per lot.
4. This agreement binds Developer, its successors and assigns, and it is agreed that if the Subdivision is transferred or conveyed to a new owner, the new owner agrees to accept the terms and conditions of this agreement. If the new owner or assigns do not accept or fail to accept the terms and conditions of this agreement, then Developer shall remain fully responsible and bound by the terms of this agreement.
5. In the event this agreement is placed in the hands of an attorney for collection, the Developer agrees to pay all the costs, including court cost and reasonable attorney's fees.

OFF REC



BK

77621

OFF REC

STATE OF TENNESSEE  
COUNTY OF HENDERSON

BOOK 7762 PAGE 426

Before me, the undersigned, a Notary Public of the State and County aforesaid, personally appeared, KHUSHRU H. FRENCHMAN & KITA FRENCHMAN, the bargainor, with whom I am personally acquainted, and who, upon oath, acknowledged that he executed the foregoing instrument for the purpose therein contained.

Witness my hand and seal at office in Hendersonville, Tennessee, this the 27 day of January, 1989.

*Parlette J. Oldham*  
NOTARY PUBLIC

My Commission expires 1-21-91



05506

IDENTIFICATION  
JUN 31 3 51 PM '89  
FELIX Z. WILSON, JR. REGISTER  
HENDERSON COUNTY, TN

BK

7762

OFF REC

BOOK 7762 PAGE 429

IN WITNESS WHEREOF, we have hereto set our hands and sealed this agreement on the date above first written.

THE METROPOLITAN GOVERNMENT  
OF NASHVILLE & DAVIDSON COUNTY,  
Acting By and Through the  
ELECTRIC POWER BOARD  
of Said Government

ATTEST:

*W. J. Roberts*  
Secretary  
Electric Power Board

ATTEST:

By *John J. Hatcher*  
Chairman

Approved: F. & L.  
By *F. W.*  
Legal Dept.  
Date: 12-29-86

DR. KUSH FRENCHMAN

By *K. Frenchman*  
Title *MD*

DA

1762

OFF REC

BILL HONER, MAYOR

Exhibit A to Restrictive Covenants  
of Creek Trail Subdivision



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

BUILDING  
ELECTRICAL  
HOUSING  
PLUMBING  
ZONING

DEPARTMENT OF CODES ADMINISTRATION  
METRO HOWARD BUILDING  
700 2ND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37201

BOOK 7762 PAGE 427

January 26, 1989

RE: Creek Trail Subdivision

To Whom It May Concern:

The referenced subdivision has a 30 ft. front setback, 10 ft. side setback  
and a 20 ft. rear setback unless otherwise noted on plat.

If you have any further questions, please do not hesitate to contact me at  
259-6750.

Sincerely,

*Rick Shepherd*  
Rick Shepherd  
Zoning Examiner

dw

DA

1762



# EXHIBIT 3



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3575716

**BUILDING RESIDENTIAL - NEW / CARN - T2018069872  
Permit Tracking Checklist**

PARCEL: 04105000100

APPLICATION DATE: 11/05/2018 PERMIT TRACKING #: 3575716

**SITE ADDRESS:**

4136 CREEK TRAIL DR WHITES CREEK, TN 37189  
LOT 13 CREEK TRAIL SUB-REVISED

PARCEL OWNER: YARD, RANDY

**CONTRACTOR:**

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE AP  
SELF RESIDENTIAL

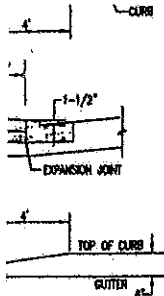
SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT

**PURPOSE:**

to construct a single family residence with 1800 sf living area, 900 sf attached garage and 612 sf deck/porch areas. must comply with tree regulations one new two inch tree for every 30' road frontage. 60' min front s/b; 10' min side s/b; 20' min rear s/b. will be owners personal residence.

*Before a Building Permit can be issued for this project, the following approvals are required.*

[A] Site Plan Review	APPROVED	615-862-6500 Walter.Morgan@nashville.gov
[A] Zoning Review	APPROVED	615-862-6500 Walter.Morgan@nashville.gov
[B] Fire Life Safety Review On Bldg App		862-5230
[E] Sewer Availability Review For Bldg		862-7225
[E] Sewer Variance Approval For Bldg		MWS.DevelopmentServicesCenter@nashville.gov
[E] Water Availability Review For Bldg		862-7225
[E] Water Variance Approval For Bldg		MWS.DevelopmentServicesCenter@nashville.gov
[A] Bond & License Review On Bldg App	APPROVED	862-7225
[F] Address Review On Bldg App		MWS.DevelopmentServicesCenter@nashville.gov
[D] Grading Plan Review For Bldg App		615-862-6500 Walter.Morgan@nashville.gov
[C] Flood Plain Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		(615) 862-6038 Logan.Bowman@nashville.gov
[F] Solid Waste Review On Bldg App		862-6038 logan.bowman@nashville.gov
		862-8782 PWPermitsI@nashville.gov
		862-8782



CALCULATIONS

RAMP

**PLAN**

PER TO ISSUANCE OF A COMPLETE WITH THE OF 1" = 20'-0" SHALL BE PROVIDED FOR THE FINISHED FLOOR LEVEL (SEE SITE IMPROVEMENTS/RETAINING WALLS) EXISTING IN INTERVAL OF TWO METHODS OF STABILIZING (RECENT) LIMITS OF PROTECTION

TO MINIMIZE BOTH THE AMOUNT OF LOT AS A BUILDING

THE TIME

PERMISSIBLE AS SILTATION BARRIERS.

IN THIS SURVEY WAS GATHERED USING WITH AN ELECTRONIC TOTAL STATION USING SYSTEM (GPS) UNIT AND IS BASED ON REAL-TIME KINEMATIC GPS DOT NETWORK. BEARINGS ARE EXPRESSED IN DEGREES (HORIZONTAL) AND IN FEET IN 4100, GEOID MODEL MID TN GNSS RECEIVER RTK (L1+L2), HORIZONTAL ACCURACY=10mm+0.08ppm.

AS WITHIN ZONE X AS SAID TRACT 47037C0118H ON THE FLOOD MAP AND DAMSDON COUNTY, TENNESSEE

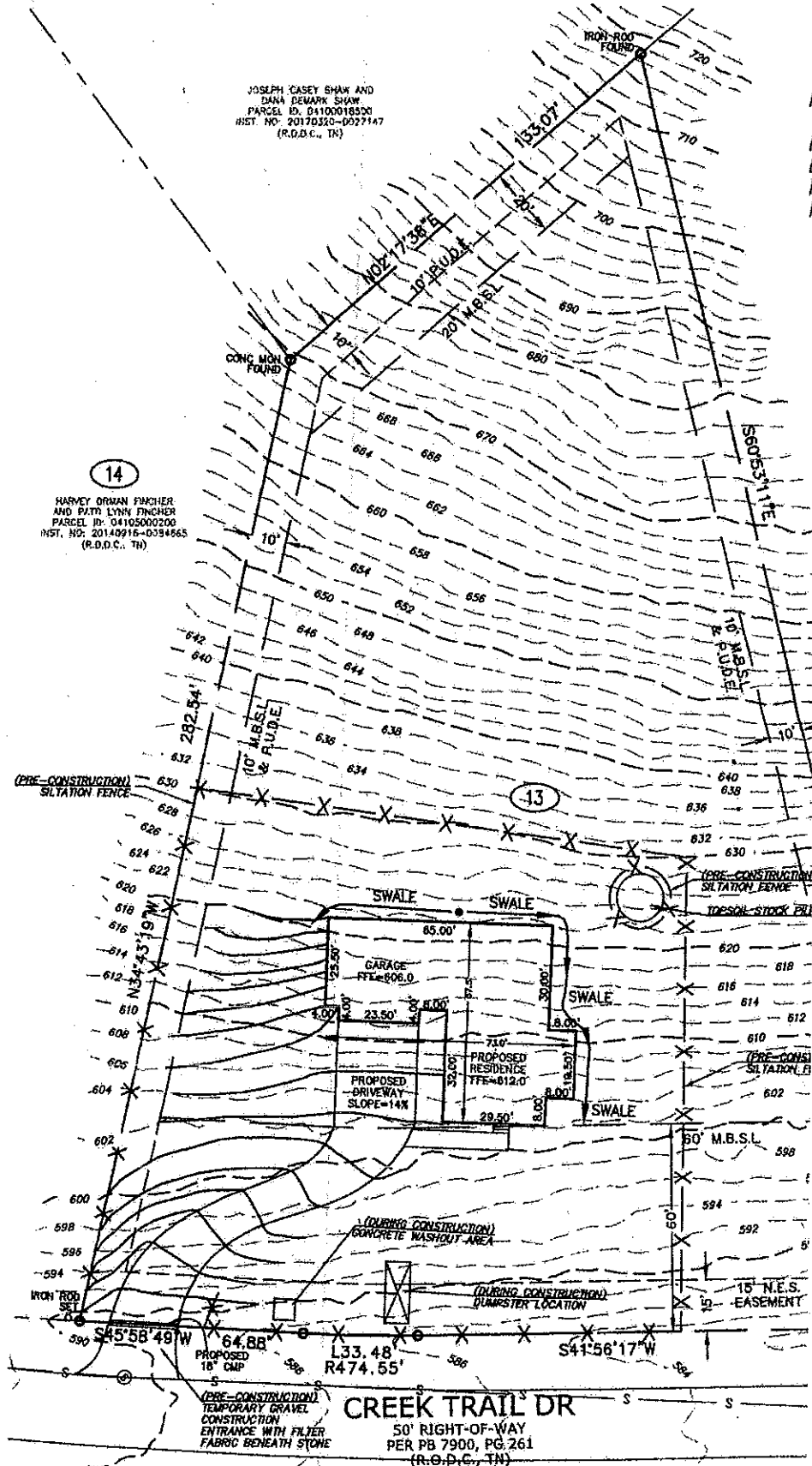
AS IS AS IDENTIFIED IN COUNTY

ALL UNDERGROUND UTILITIES, AS SHOWN WERE TAKEN FROM VISIBLE RECORDS, AND/OR MAPS PREPARED BY OTHERS. UNLESS THE UNDERGROUND UTILITIES IN THE AREA, EITHER IN SERVICE DOES NOT WARRANT THAT THE LOCATION AS INDICATED, BEARING AND LOCATION OF ALL UTILITIES WITH THIS CIRCUMSTANCE. BEARING, LOCATION AND DEPTH INFORMATION RELATIVE THERETO IS MADE. IT SHALL BE CONFIRMED WITH THE

IF UNDERGROUND UTILITY DAMAGE OCCURS DURING EXCAVATION MUST NOTIFY THE UTILITY OWNER(S) NO LESS THAN THREE (3) BUSINESS DAYS BEFORE THE DATE OF THEIR INTENT TO EXCAVATE. THE TENNESSEE ONE CALL PROGRAM UTILITIES WERE NOT CHECKED DURING

PREPARED WITHOUT BENEFIT OF CURRENT SURVEY OF SUBJECT TRACT OR ADJOINERS AND THE CONTENTS OF THIS PLAN SHALL BE LIMITED TO THOSE SHOWN AND DOES NOT EXTEND TO ANY OTHER INFORMATION

RECORDS SET FORTH ON THE RECORDED PLAN AS RECORDED IN PLAT BOOK. SUBJECT TO ALL RESTRICTIONS OF RECORDS ON THIS LOT.



JOSEPH CASEY SHAW AND DANA DEMARK SHAW  
PARCEL ID: 04100018500  
INST. NO: 20170320-0027147  
(R.O.D.C., TN)

14  
HARVEY ORWAN FINCHER AND PATR LYNN FINCHER  
PARCEL ID: 04105000200  
INST. NO: 20140916-0394665  
(R.O.D.C., TN)

13

NOTE A: FRONT/STREET SETBACK PER METRO GOVERNMENT OF NASHVILLE MUNICIPAL CODES, CHAPTER 17.02.030 NOTIF (2/3)



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3575716

**BUILDING RESIDENTIAL - NEW / CARN 2018069872**

**ISSUED ON: 11/20/2018**

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

Approval (Where Required)

Date

SELF RESIDENTIAL

CARN

**FEE / PAYMENT:**

[2018/11/05] CA BUILDING ZONING EXAMINE FEE...	\$ 25.00	\$ 25.00
[2018/11/05] CA BUILDING VALUATION FEE - RESID...	\$ 1,127.09	\$ 1,127.09
[2018/11/20] CA - CONVENIENCE FEE...	\$ 26.50	\$ 26.50
<b>PERMIT FEE/PAYMENT</b>	<b>\$ 1,178.59</b>	<b>\$ 1,178.59</b>

**Payment Detail:**

11/20/2018	CREDIT	182005	<b>Pmt Total:</b>	\$ 1178.59
<b>Issue Date:</b>	11/20/2018		<b>Issued By:</b>	MPOTTER

*A 2.30% convenience fee has been charged on this credit card transaction. This fee is collected by a third party processor and Metro does not receive any part of it. By tendering your card or card number you were charged the convenience fee as calculated above and you agree to pay this fee to the card issuer.*





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3575716

**BUILDING RESIDENTIAL, NEW / CARN - 2018069872**

**ISSUED ON: 11/20/2018**

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

Approval (Where Required)

Date

SELF RESIDENTIAL

**SITE ADDRESS:**

4136 CREEK TRAIL DR WHITES CREEK, TN 37189  
LOT 13 CREEK TRAIL SUB-REVISED

**PARCEL:** 04105000100  
**Tax District:** GSD  
**Census Tr:** 37010106

**PARCEL OWNER:****PURPOSE:**

to construct a single family residence with 1800 sf living area, 900 sf attached garage and 612 sf deck/porch areas. must comply with tree regulations one new two inch tree for every 30' road frontage. 60' min front s/b; 10' min side s/b; 20' min rear s/b. will be owners personal residence.

**CONTRACTOR:**

SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT INFORMATION) MCN00000

**APPLICANT:**

SELF CONTRACTOR RESIDENTIAL (SEE SELF RESIDENTIAL

555555555

**PERMIT DETAILS:**

Estimated Value: \$270,250.56

Const Type: VB-100 VB-100

Sq Footage: 1800 1512

Parking Required: N

Parking Provided: N

Sprinklers? N

Metro Water:

Public Constr? N

Number of Floors:

Sewer or Septic:

Total # Buildings:

Total # Units:

Garage: N

Number of Bedrooms:

Number of Kitchens:

**ZONING ASSIGNMENTS:**

RS20 SINGLE FAMILY 20,000 SQUARE FOOT LOT



# EXHIBIT 4

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Randy Yard  
**APPELLANT**

1/15/19  
**DATE**

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Topographic. If I build to the required set back there is 20' of slope through the foundation. If I can move forward there is only 6'



HORIZONTAL LOCATION DATA SHOWN ON THIS SURVEY WAS GATHERED USING STANDARD RADIAL SURVEYING TECHNIQUES WITH AN ELECTRONIC TOTAL STATION, A DATA COLLECTOR AND GLOBAL POSITIONING SYSTEM (GPS) UNIT AND IS BASED ON A POSITIONAL SOLUTION DERIVED FROM REAL-TIME KINEMATIC GPS OBSERVATIONS PROCESSED BY TENNESSEE DOT NETWORK. BEARINGS ARE EXPRESSED AS THE TENNESSEE STATE PLANE COORDINATE SYSTEM (HORIZONTAL = 183-C.O.R.S.; VERTICAL = NAVD83; ZONE TN 4100, GEOID MODEL MD TN 12A). USING SOKKIA GPS MODEL GRX2 GNSS RECEIVER RTK (L1+L2), HORIZONTAL ACCURACY=5mm+0.05ppm AND VERTICAL ACCURACY=10mm+0.06ppm.

WITHIN DESCRIBED TRACT OF LAND LIES WITHIN ZONE X AS SAID TRACT SET OUT BY SCALE ON FEMA MAP NUMBER 47037C0118H ON THE FLOOD SURVEILLANCE RATE MAPS FOR NASHVILLE AND DAVIDSON COUNTY, TENNESSEE P REVISED APRIL 5, 2017).

PROPERTY INTEREST INFORMATION INDICATED HEREON IS AS IDENTIFIED IN COUNTY RECORDS.

SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES. THE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE SURVEILLANCE AT THE SITE, PUBLIC RECORDS, AND/OR MAPS PREPARED BY OTHERS. THIS SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THIS AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION AS INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF ALL UNDERGROUND UTILITIES SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. THE LIABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY.

IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENTION ACT" THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ANY KNOWN UNDERGROUND UTILITY OWNER(S) NO LESS THAN THREE NOR MORE THAN TEN WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE ALSO TO AVOID ANY HAZARD OR CONFLICT. THE TENNESSEE ONE CALL PHONE NUMBER IS 1-800-351-1111. UTILITIES WERE NOT CHECKED DURING COURSE OF THIS SURVEY.

WITHIN PLAT AND SURVEY WERE PREPARED WITHOUT BENEFIT OF CURRENT RECORDS OF SOURCE OF TITLE FOR THE SUBJECT TRACT OR ADJOINERS AND THEREFORE SUBJECT TO ANY STATEMENT OF FACTS REVEALED BY RECORDS OF SUCH DOCUMENTS.

SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THOSE INTERESTS IDENTIFIED IN THE CERTIFICATION AND DOES NOT EXTEND TO ANY UNNAMED PARTY.

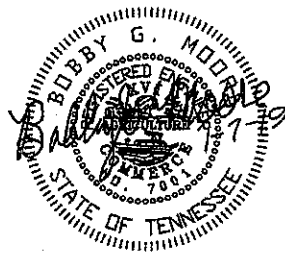
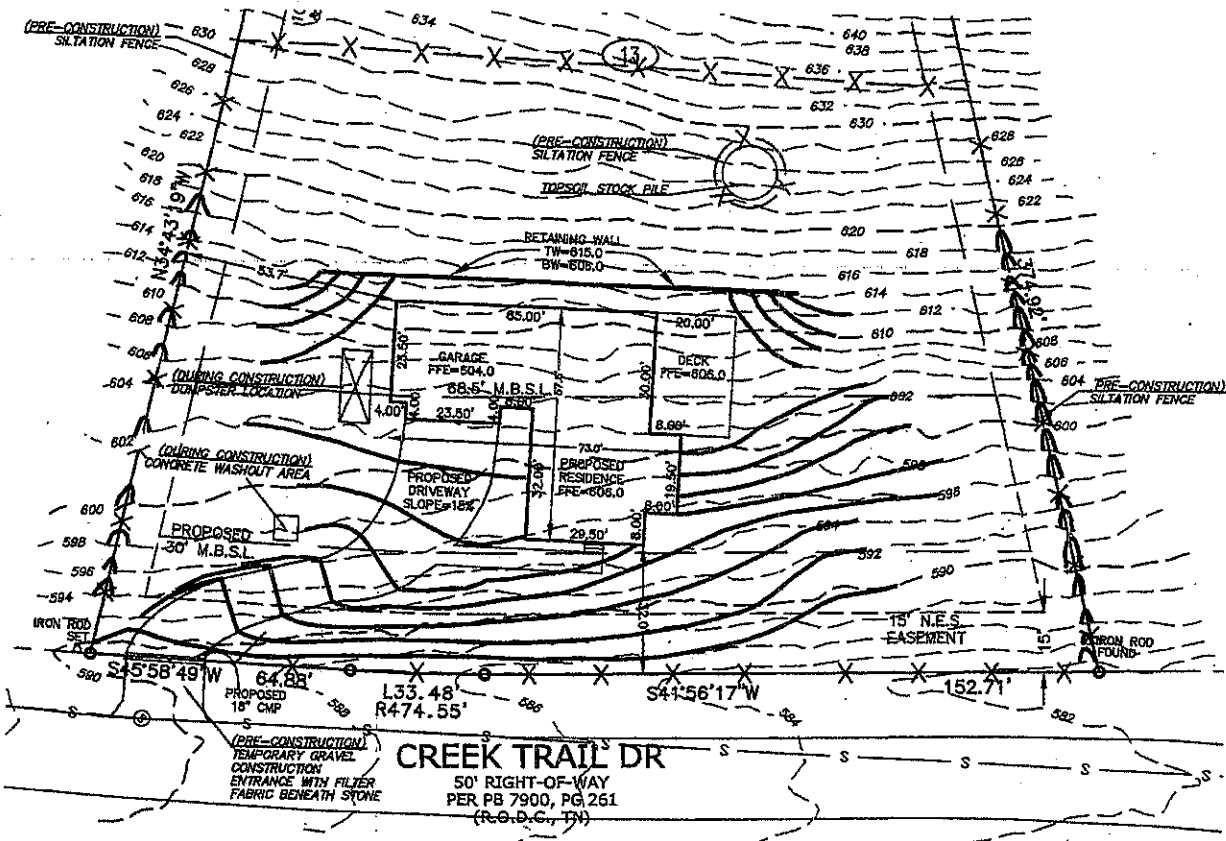
PROPERTY IS SUBJECT TO ALL MATTERS SET FORTH ON THE RECORDED PLAT OF CREEK TRAIL SUBDIVISION AS RECORDED IN PLAT BOOK 9, PAGE 261 R.O.D.C., TN, AND IS SUBJECT TO ALL RESTRICTIONS OF RECORD. BUYER TO VERIFY BEFORE CONSTRUCTION ON THIS LOT.

**RANDY YARD**  
 41.36 CREEK TRAIL DR.  
 YES CREEK, DAVIDSON COUNTY, TENNESSEE  
 SUBD. CREEK TRAIL SUBDIVISION  
 PLAT BOOK 7900, PAGE 261, R.O.D.C., TN  
 30' DATE: JANUARY 7, 2019  
 05 PARCEL: 01.00 PLAN: # 23.00 X 57.50' L.H.E.E.  
 419 SQ.FT. ± OR 1.32 AC±

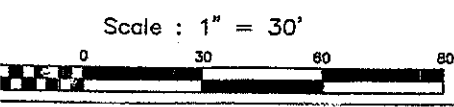
MINIMUM SET BACKS  
 FRONT YARD: SEE NOTE (A)  
 SIDE YARD: 5'  
 REAR YARD: 35'

NOTE A: FRONT/STREET SETBACK PER METRO GOVERNMENT OF NASHVILLE MUNICIPAL CODES, CHAPTER 17.12.030, NOTE C(5) PER ORDINANCE NO. BL2017-833

STREET SETBACK TABLE	ADDRESS	SETBACK
	#4140 CREEK TRAIL DR	83.1'
	#4144 CREEK TRAIL DR	37.0'
	#4150 CREEK TRAIL DR	111.4'
	#4154 CREEK TRAIL DR	42.3'
	AVERAGE SETBACK = 68.5'	



JANUARY 7, 2019 || DWN. BY: ACB || CKD. BY: BGM || TITLE: CRITICAL LOT PLAN



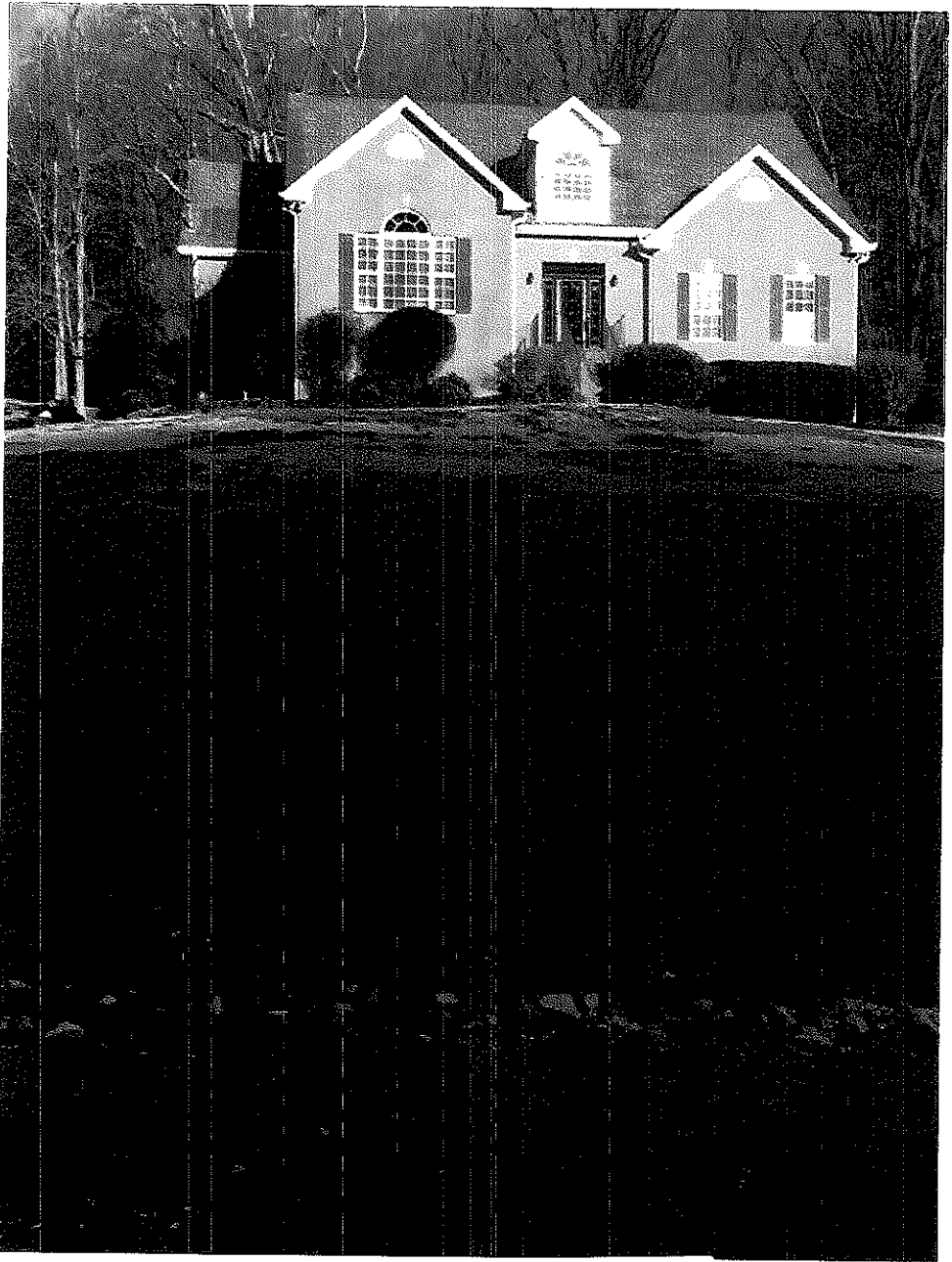
**RANDY YARD**  
 LOT 13-CREEK TRAIL SUBDIVISION  
 INSTRUMENT # 20180907-0089019, R.O.D.C., TN.

**H & H LAND SURVEYING, INC.**  
 612 A FITZHUGH BLVD.  
 SMYRNA, TENNESSEE 37167  
 PHONE: (615) 831-0756





# EXHIBIT 5



Sent from my iPhone

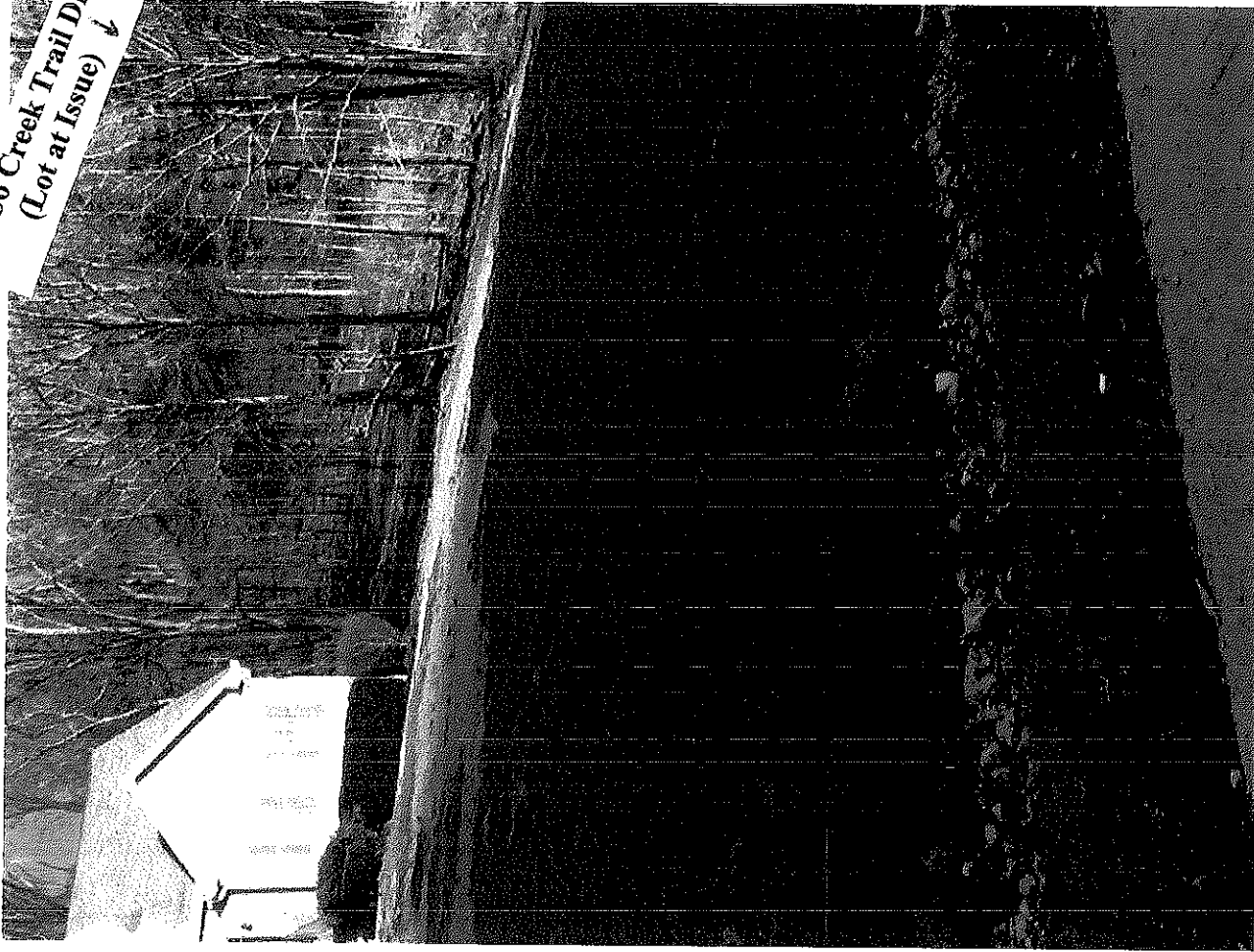
4140 Creek Trail Drive



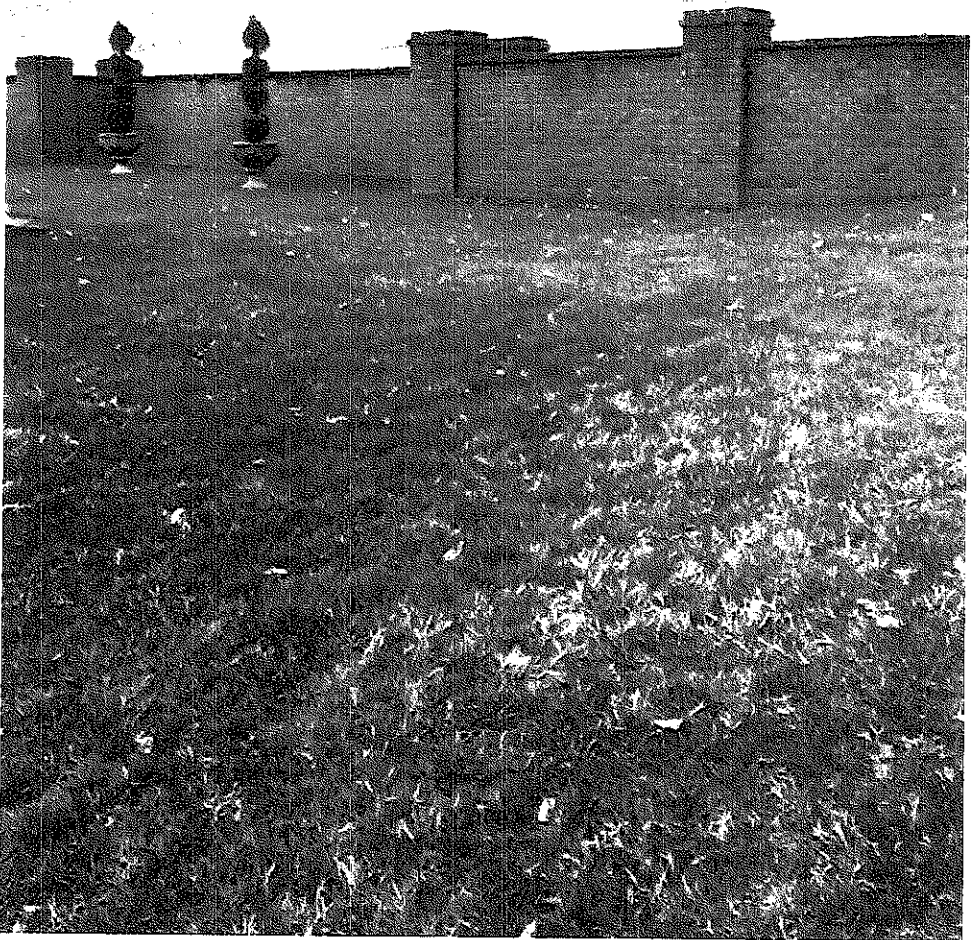
Sent from my iPhone

4140 Creek Trail Drive  
(REAR)

4136 Creek Trail Drive  
(Lot at Issue) ↓

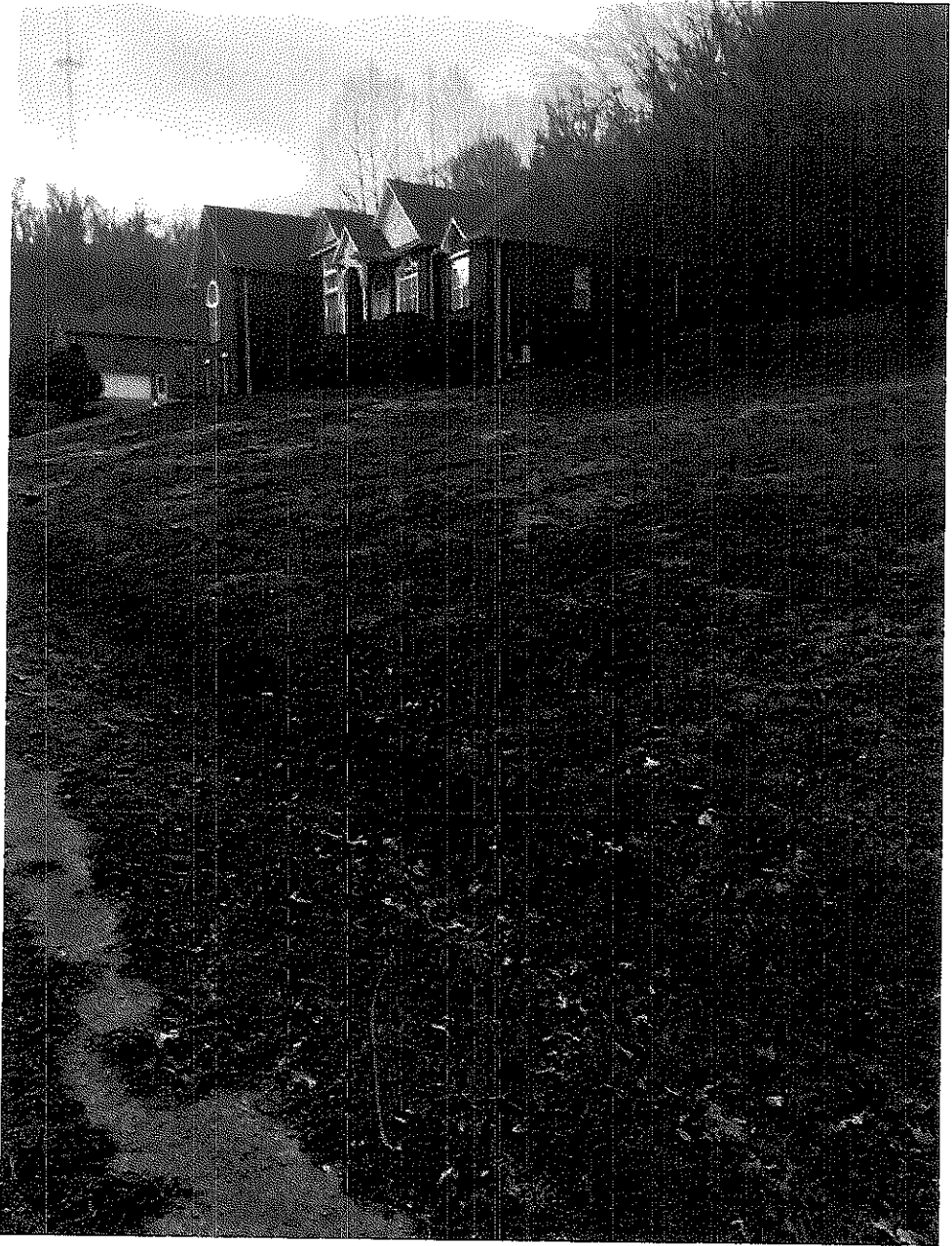


Sent from my iPhone



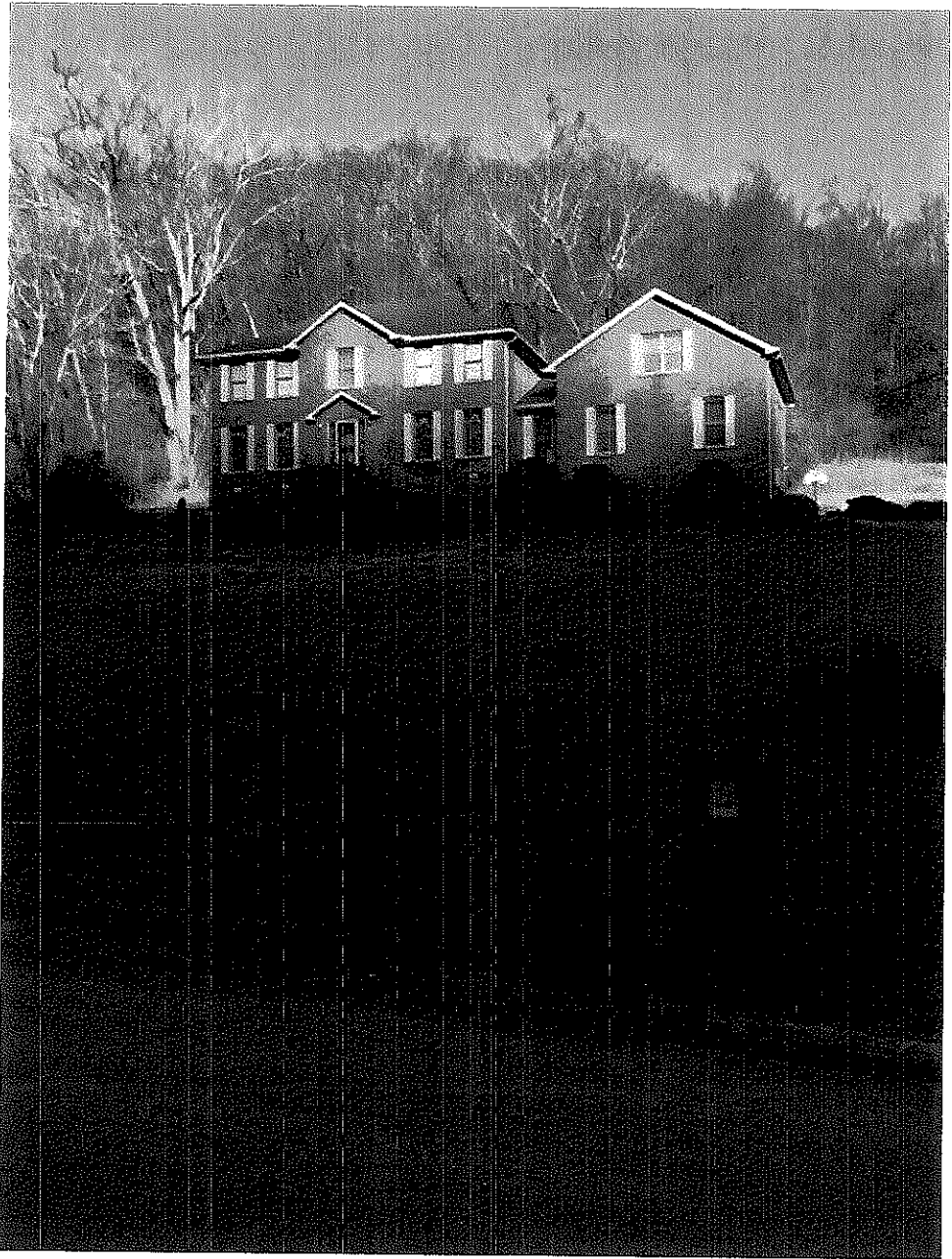
Sent from my iPhone

4144 Creek Trail Drive  
(Rear)



**4154 Creek Trail Drive**  
(Side)

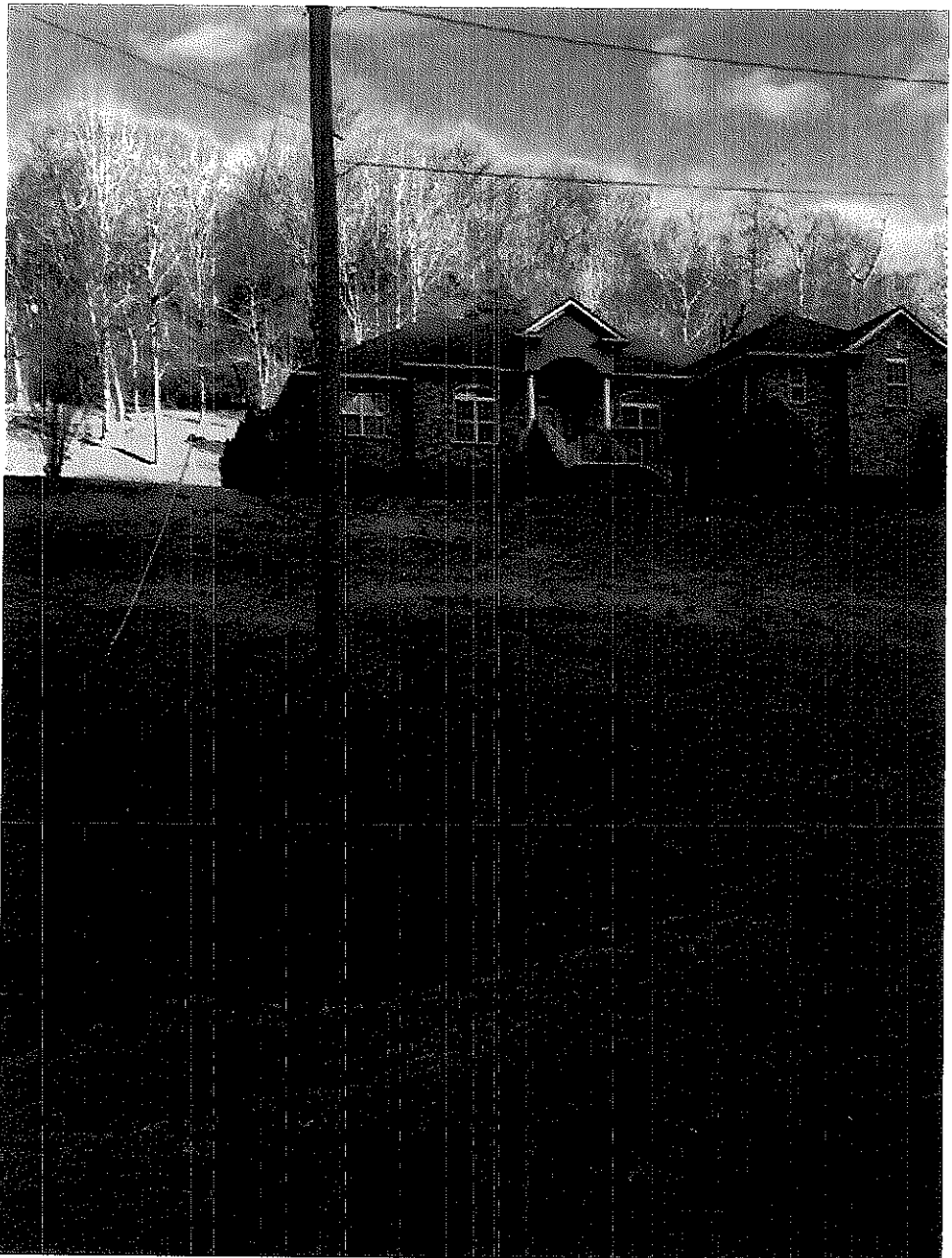
Sent from my iPhone



4150 Creek Trail Drive

Sent from my iPhone

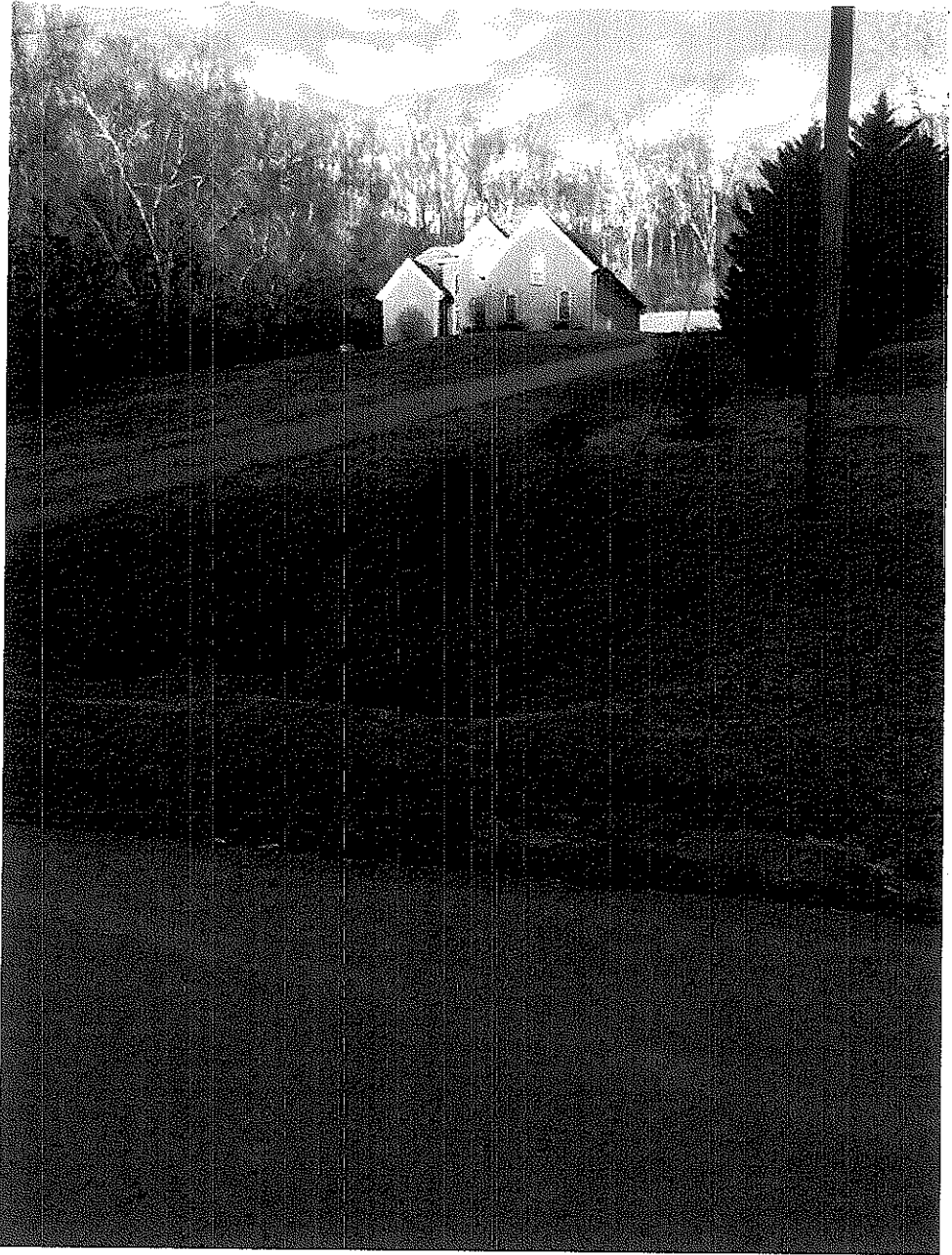




4160 Creek Trail Drive

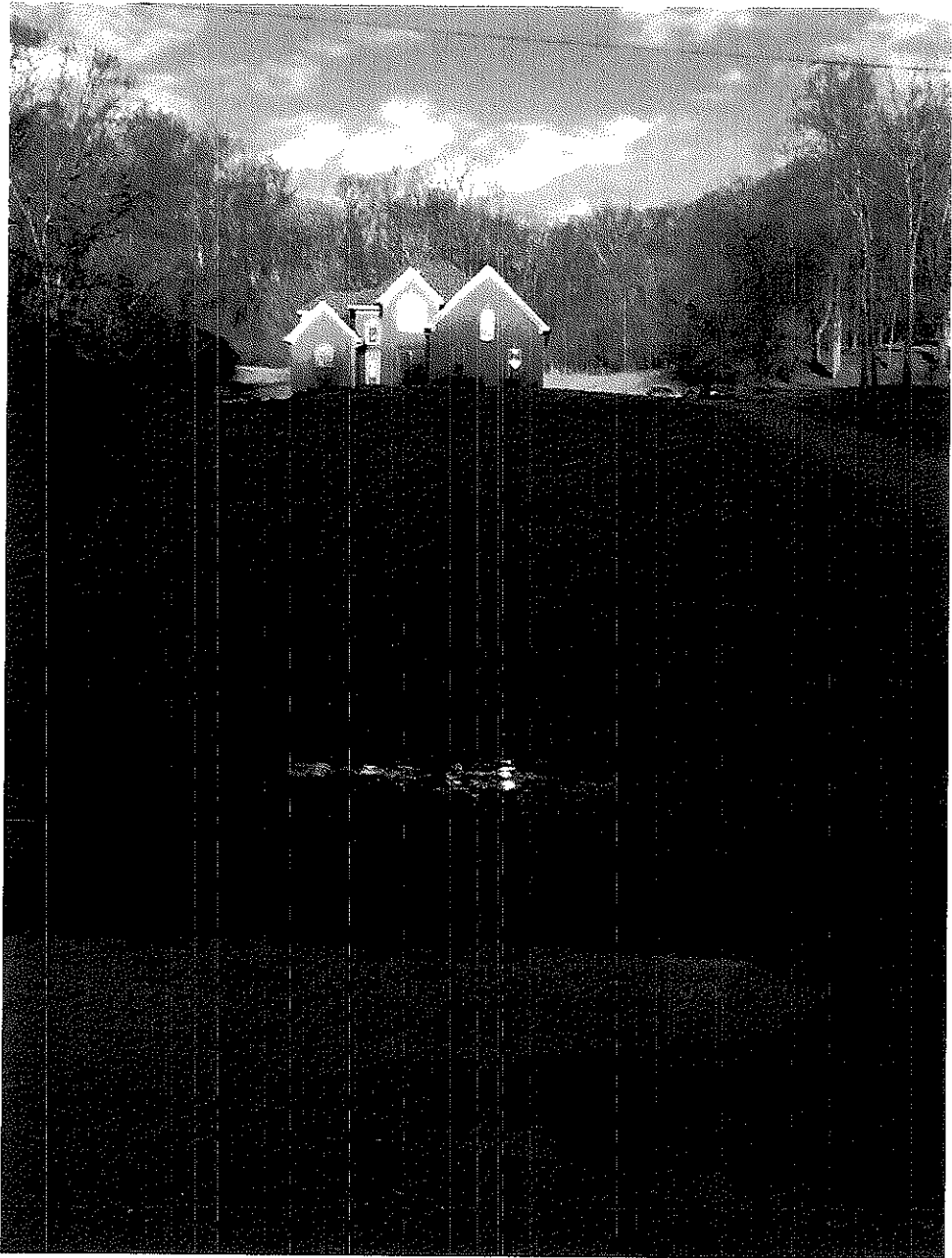
Sent from my iPhone





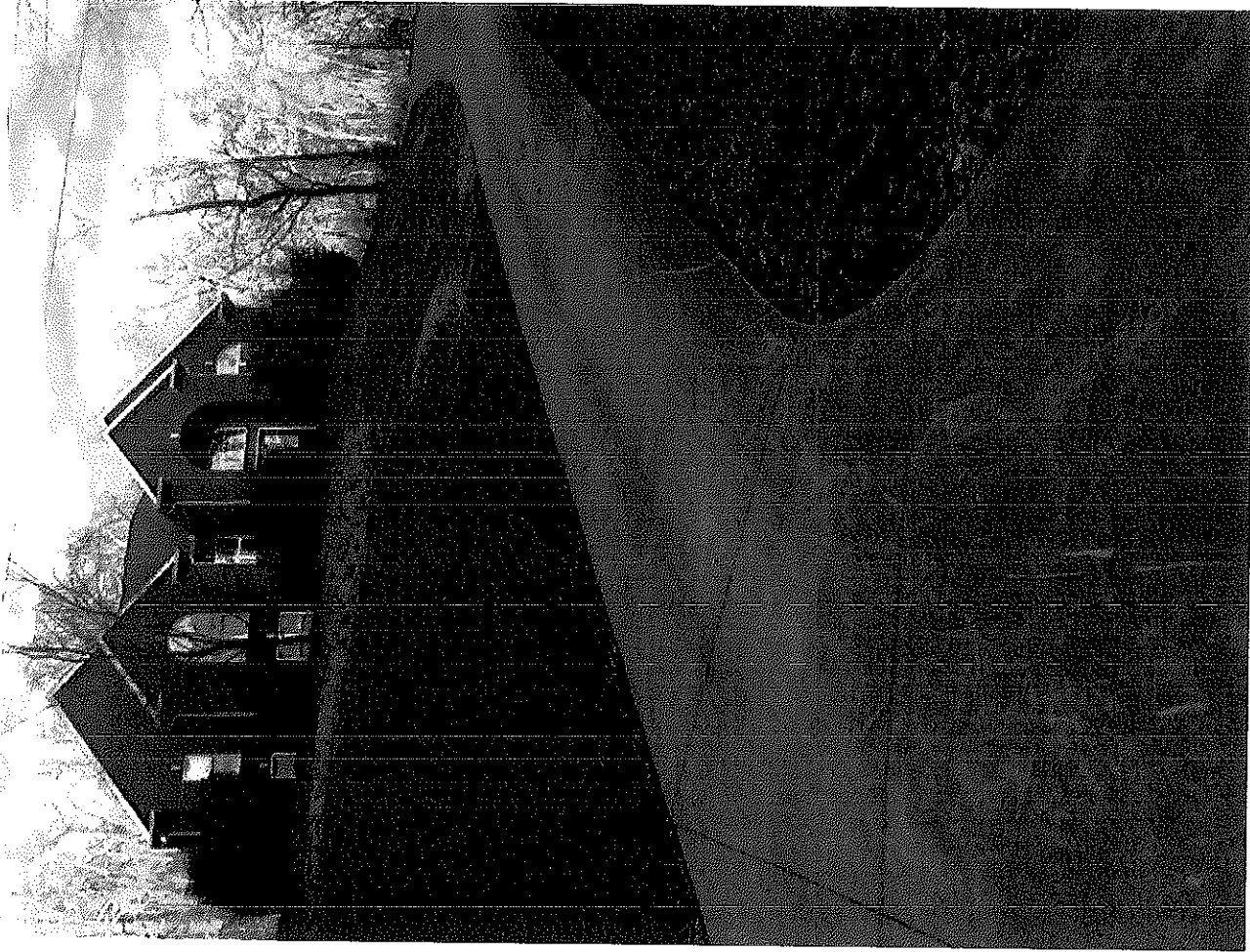
Sent from my iPhone

4164 Creek Trail Drive



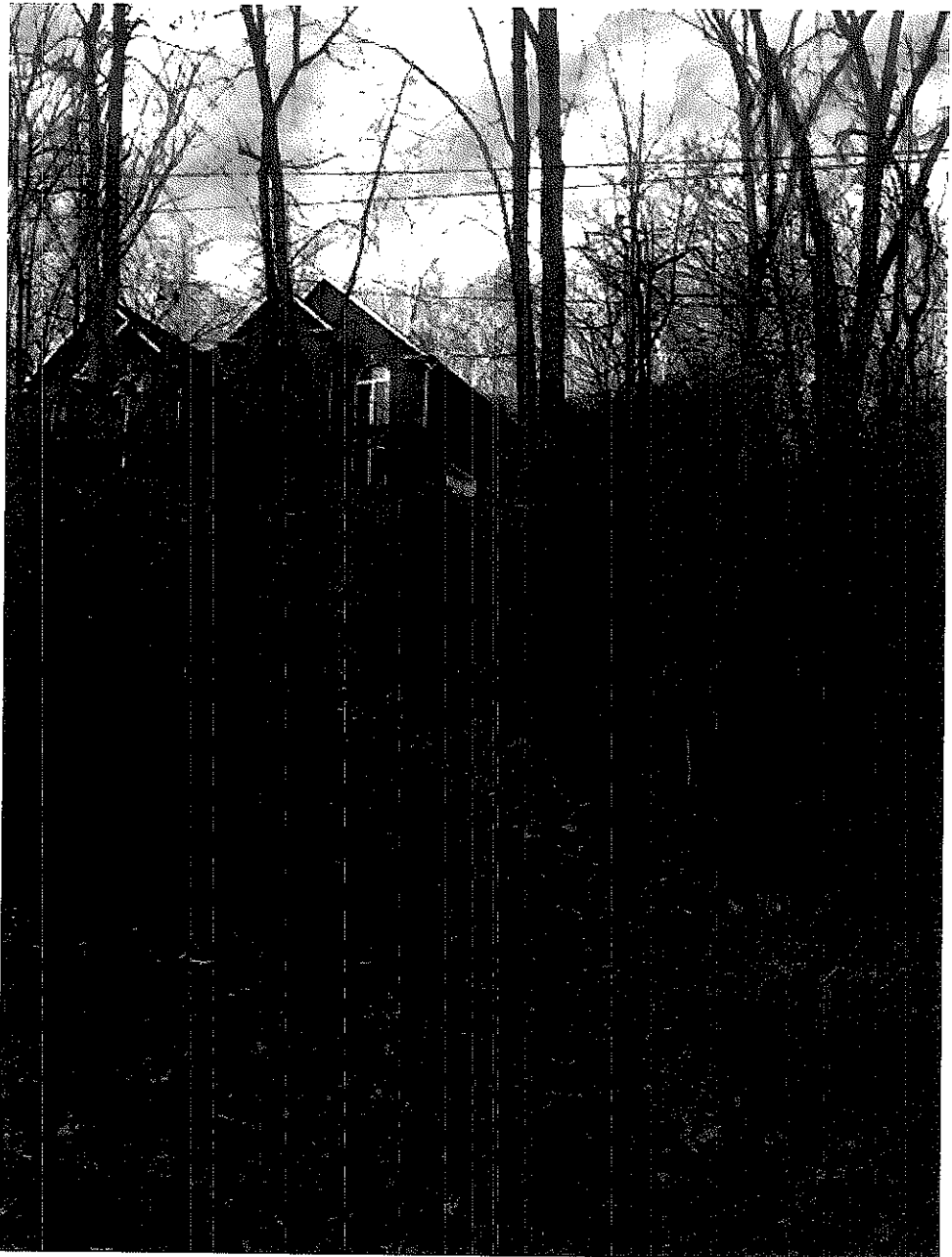
4164 Creek Trail Drive

Sent from my iPhone



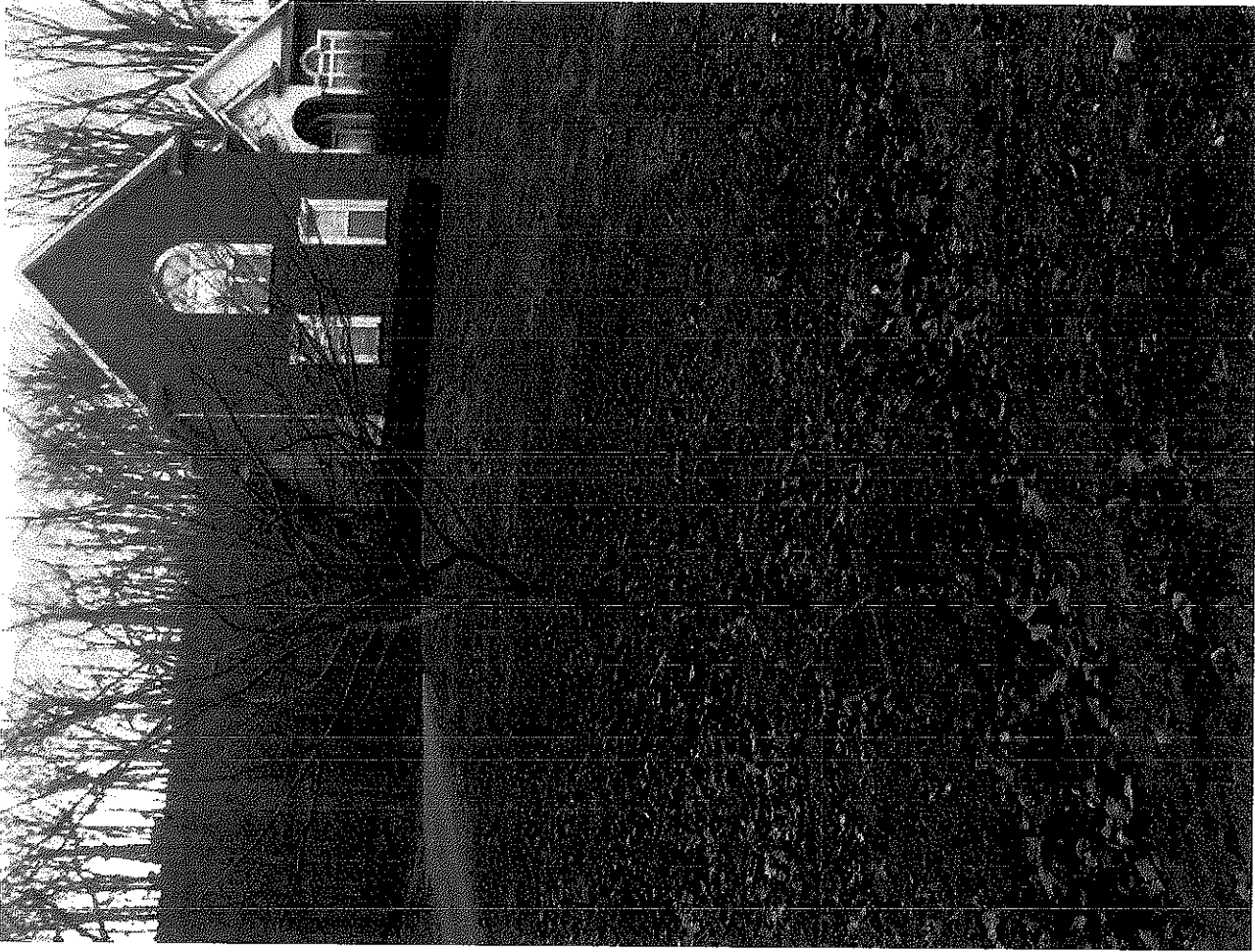
4176 Creek Trail Drive

Sent from my iPhone



4176 Creek Trail Drive  
(SIDE)

Sent from my iPhone



4187 Creek Trail Dr

Sent from my iPhone



4191 Creek Trail Drive

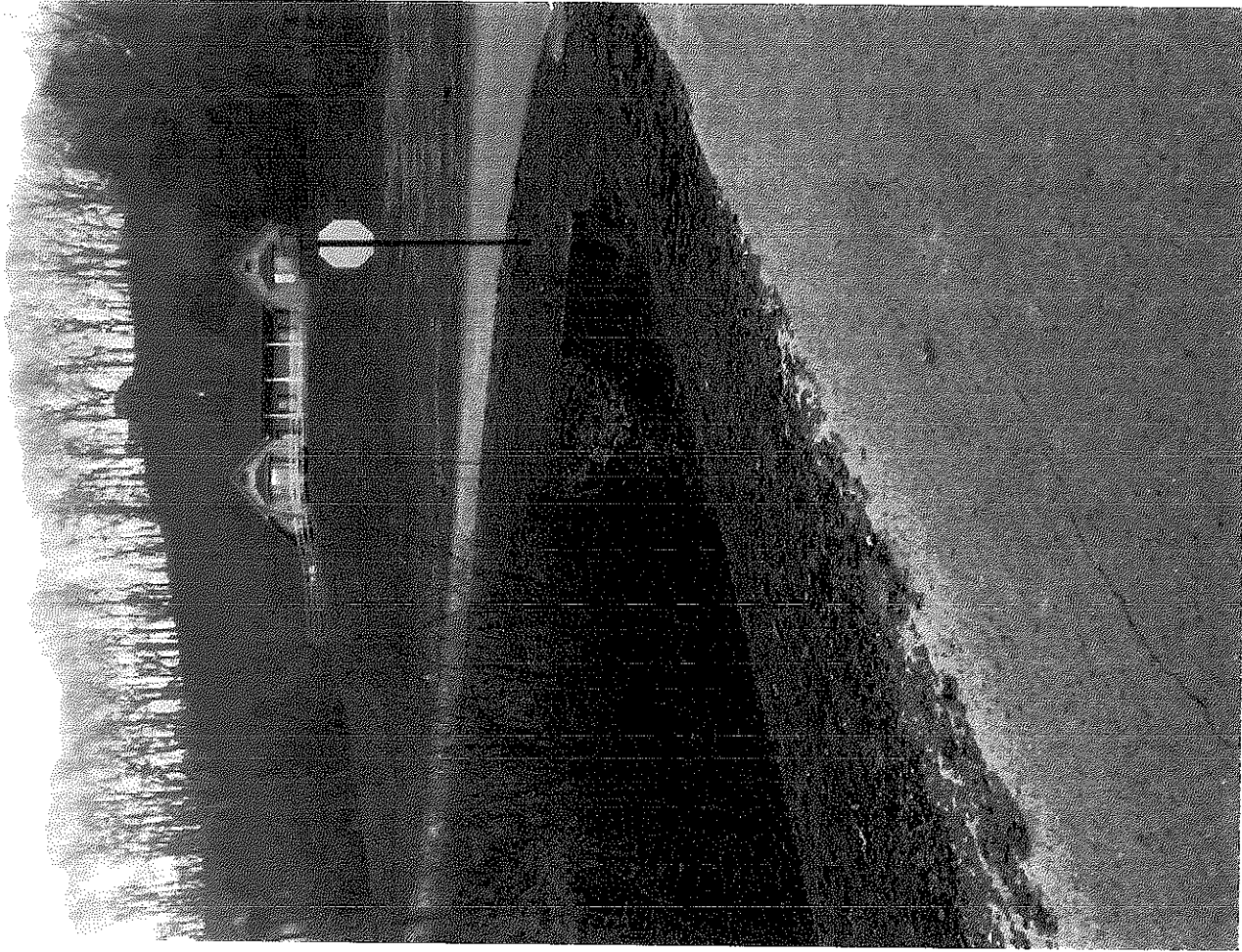
Sent from my iPhone



Sent from my iPhone

4191 Creek Trail Drive





200 Aparna Court

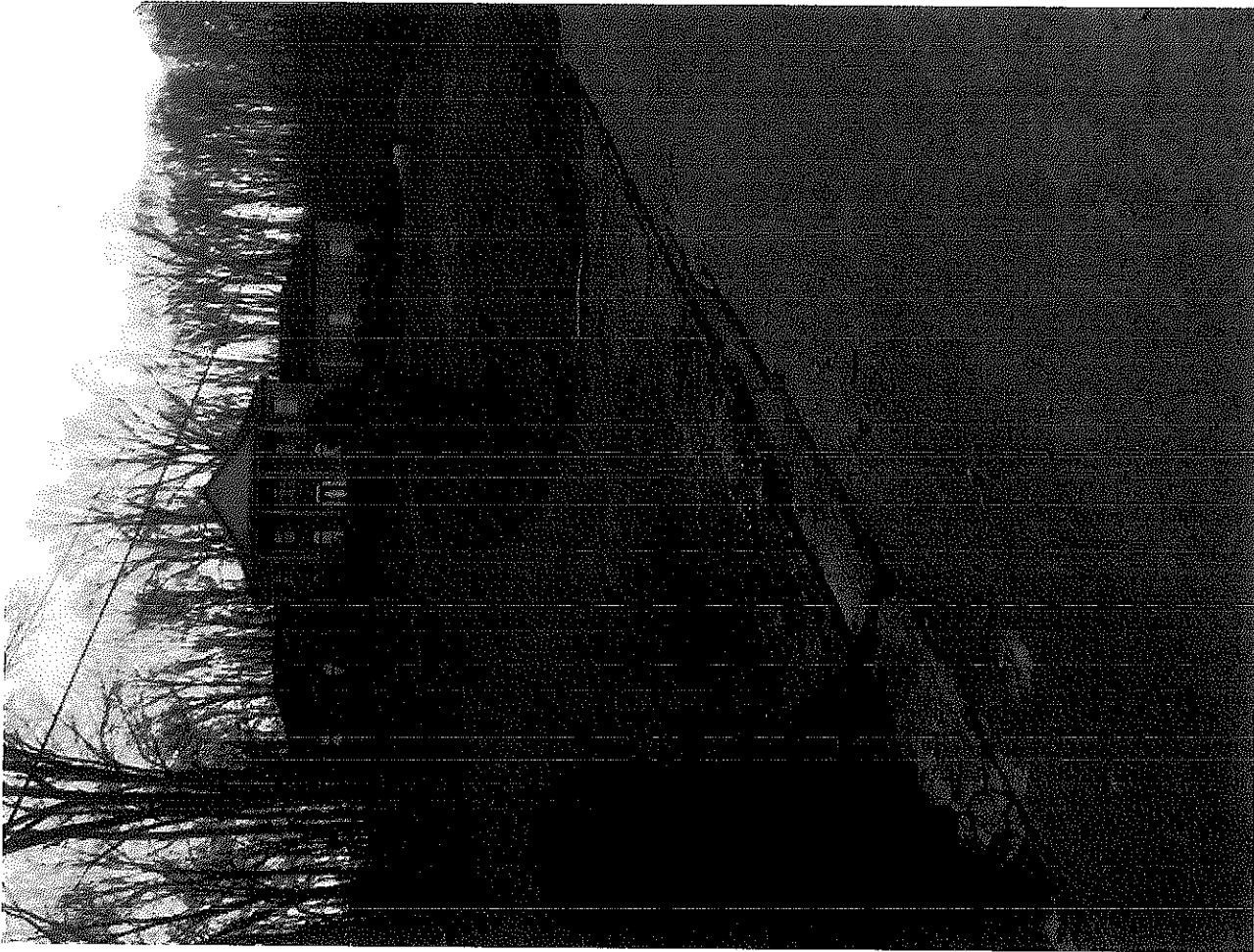
Sent from my iPhone





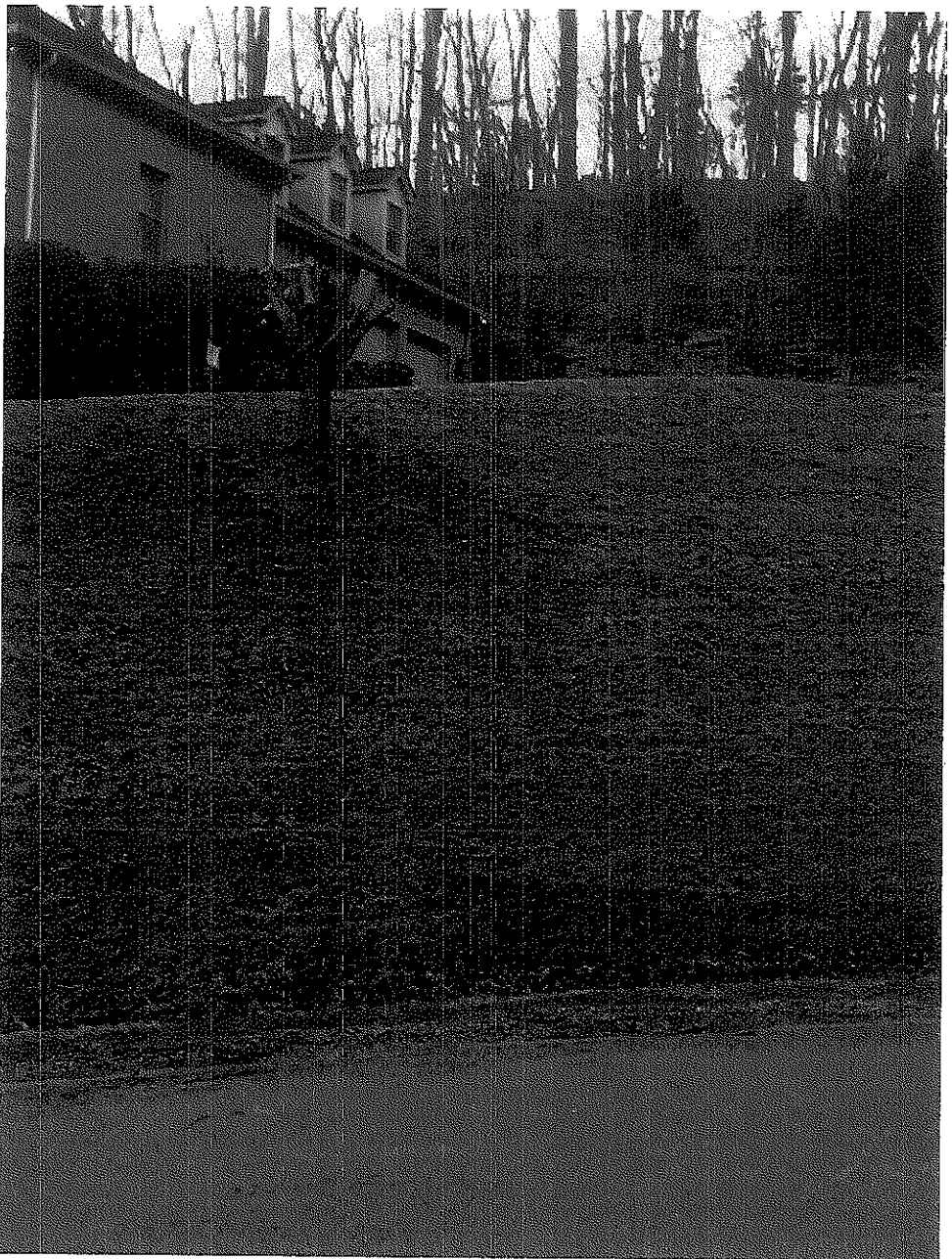
212 Aparna Court

Sent from my iPhone



209 Aparna Court

Sent from my iPhone



**209 Aparna Court**

(SIDE)

Sent from my iPhone



Sent from my iPhone

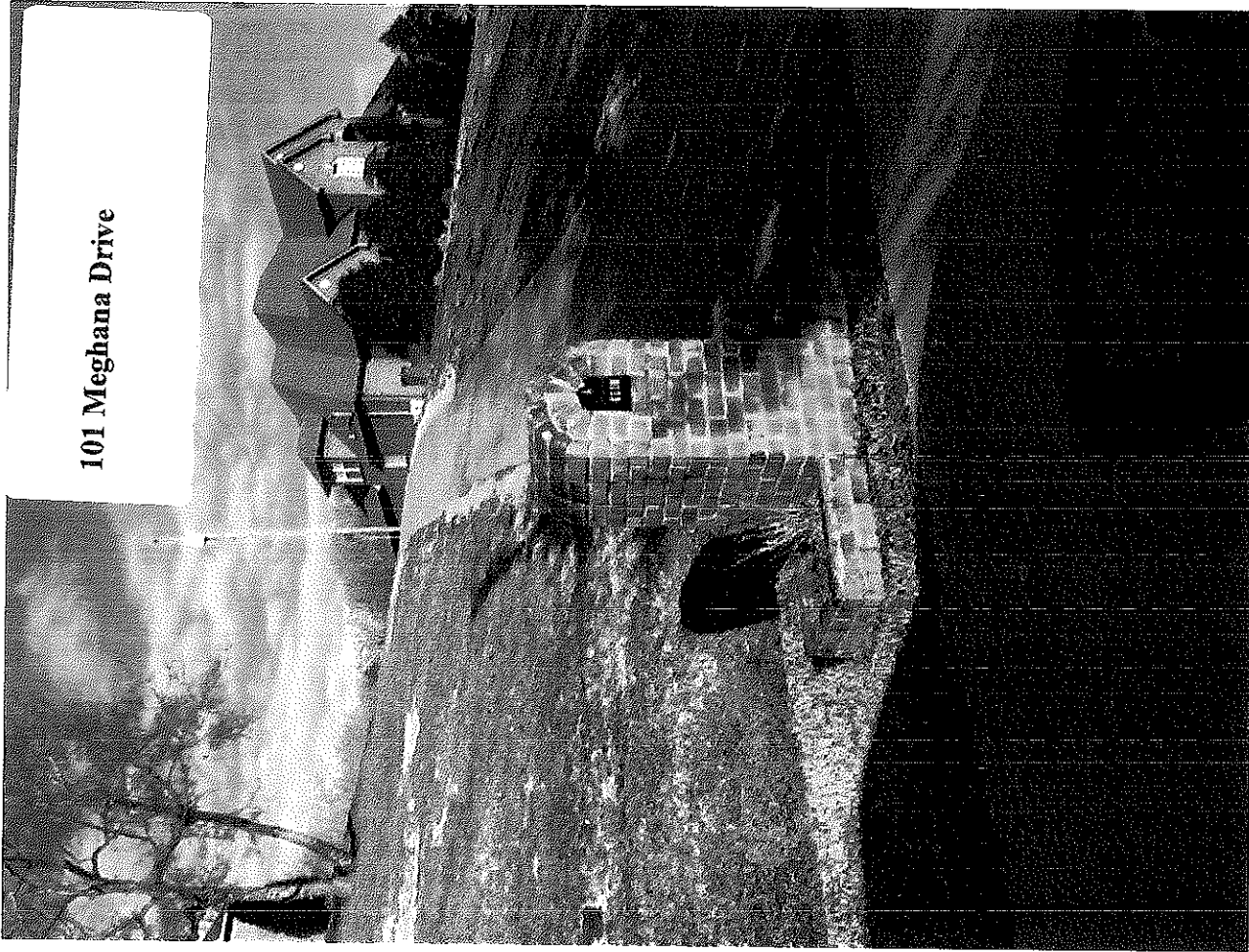
4175 Creek Trail Drive



Sent from my iPhone

4171 Creek Trail Drive





Sent from my iPhone

Sent from my iPhone



4116 Creek Trail Drive



4120 Creek Trail Drive

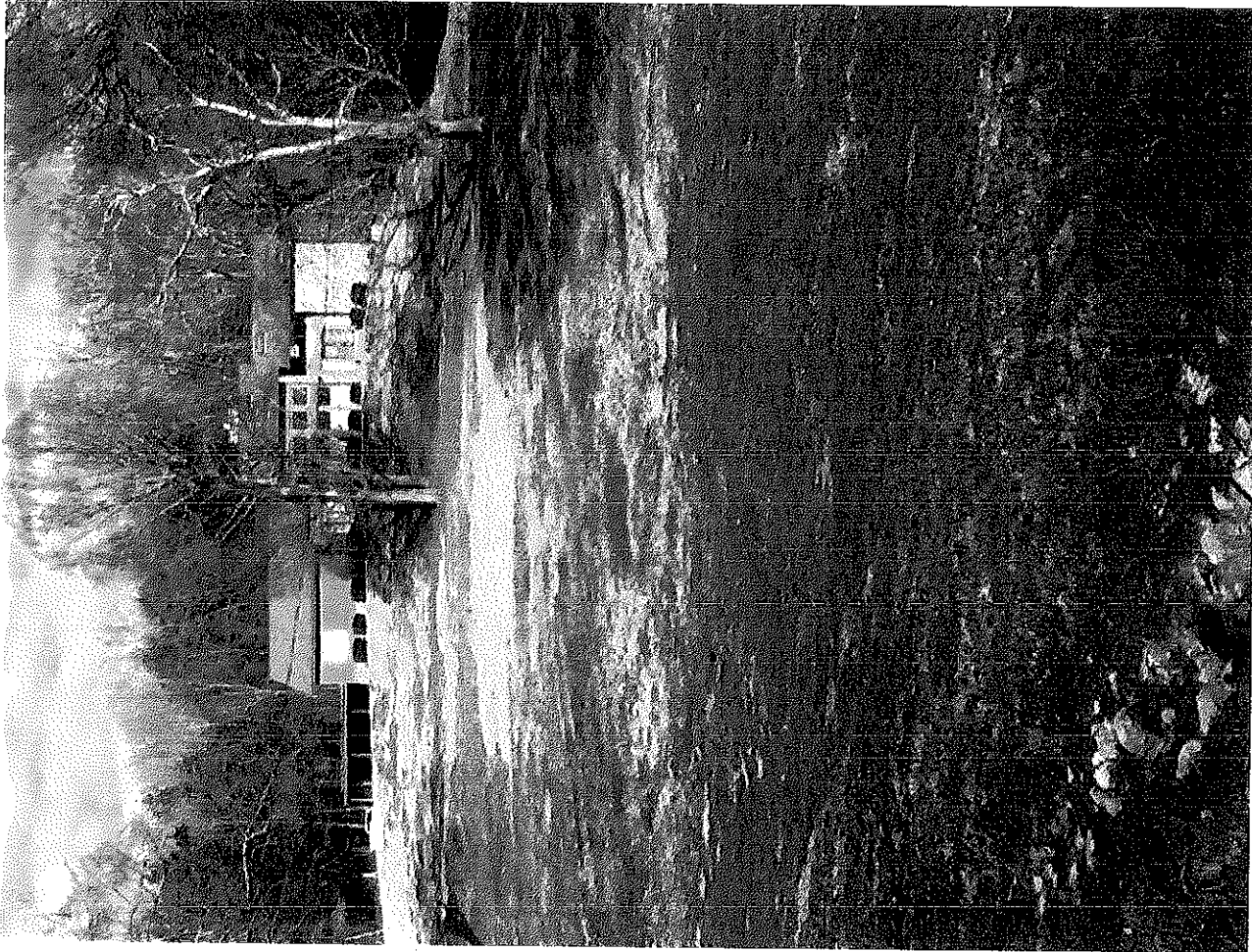
Sent from my iPhone





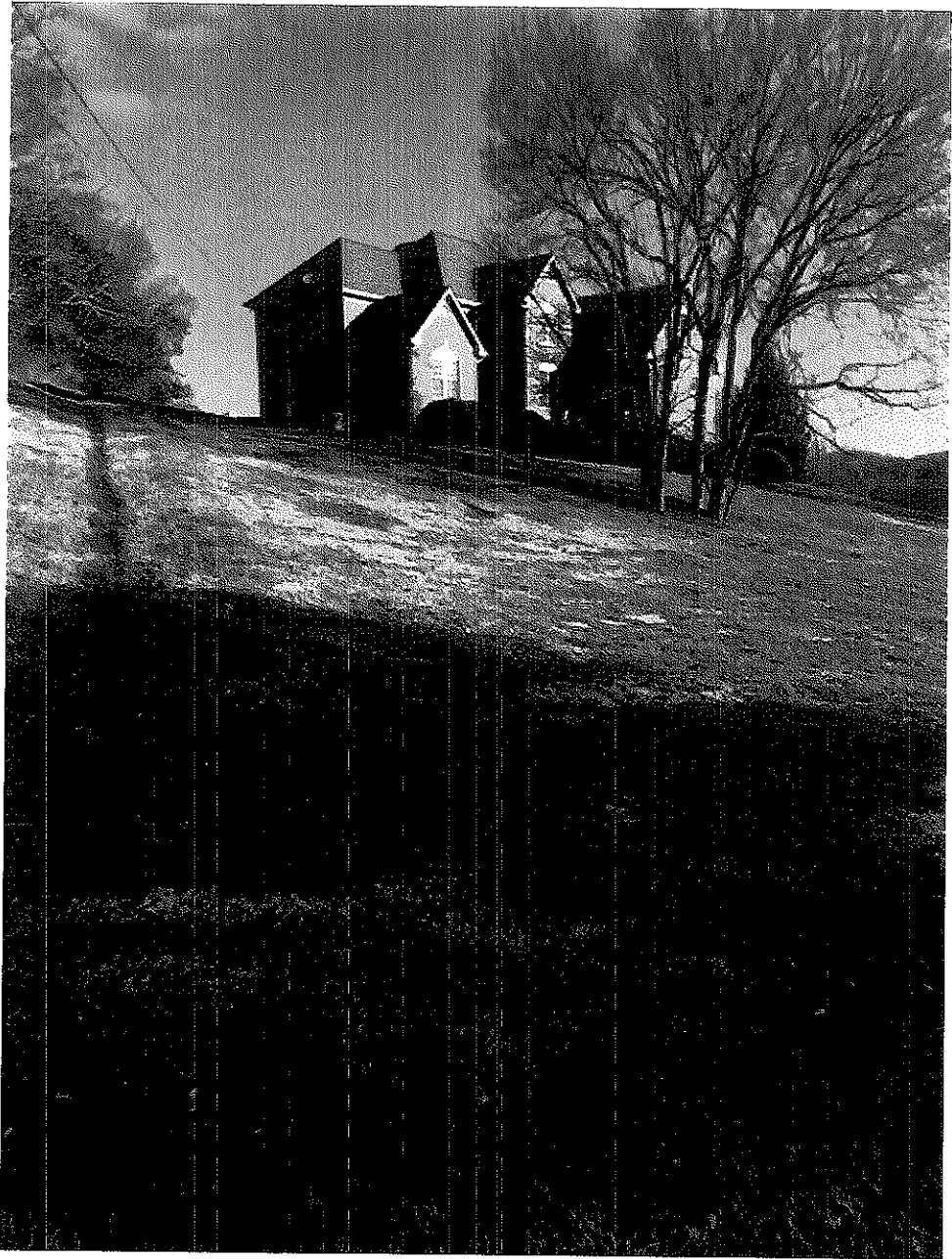
108 Meghana Drive

Sent from my iPhone



109 Meghana Drive

Sent from my iPhone



4104 Creek Trail Drive

Sent from my iPhone



# EXHIBIT 6

# W & A

## Wright & Associates Quality Contractors

101 MEGHANA DR  
WHITES CREEK TN 37189  
LICENCE # 00048616  
wright.associates@comcast.net.

### Creek Trail Subdivision:

PROPERTY: 4136 Creek Trail Dr. Lot 13  
CITY, STATE: Whites Creek TN 37139  
MAP & PARCEL: 41-5-1

### Setback(s):

The request for setback consideration in our expert opinion is solely for the purpose of cost saving for this project. Several structures in the subdivision performed the needed excavation to meet the setback minimum of 68.5 feet. Based upon our visual observation, any proposed structure constructed on Lot 13, 4136 Creek Trail Drive in our expert opinion can with additional costs, can meet this minimum setback as other builds have (see addresses listed below).

### **Creek Trail Drive:**

4116 – Minimum excavation  
4120 – Excavation  
4140 – Minimum excavation/retaining wall built  
4144 – Minimum excavation/retaining wall built  
4150 - Minimum excavation/retaining wall built  
4164 – Excavation  
4176 – Excavation  
4175 – Minimum excavation  
4187 - Minimum excavation  
4171/4191 - Minimum excavation/retaining wall built

### **Aparna Court:**

200 - Minimum excavation/retaining wall built  
209 - Minimum excavation/retaining natural  
212 - Minimum excavation/retaining natural

### **Meghana Drive:**

101 – Excavation/retaining wall built  
109 – Excavation/retaining wall built  
131 – Excavation

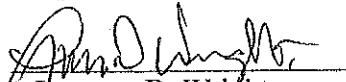
### Garage Modification:

Modifying the garage front of structure to side(s) of the structure should be easily accomplished without extensive costs according to the plans presented to some members of the Creek Trail Subdivision (plans were not stamped but were sketched). Material

costs should not change. The only costs that may be incurred is a change order, but notations on the plans prior to the build should prevent that from occurring. With some excavation, the need for the setback variance would not be needed, and this will also allow easy access to side garage doors bringing the structure closer to the guidelines of the restricted covenant and in line with all builds in the Creek Trail Subdivision.

It is our belief that the board should rule in the favor of the Creek Trail Subdivision because of the investments made by the existing residents. This proposal to allow the setback will diminish the aesthetics and flow of the neighborhood thereby possibly impacting the values of the existing homes. All other homeowners have complied with the restricted covenant to maintain the values of each of their neighbors, at varying costs to themselves. To allow this structure which has not proven to be the size requirement of the restricted covenant, along with a setback that isn't a necessary setback but one that saves this builder the cost that all others have paid, and to allow the garage to remain in the front because of the argument that the costs of excavation is too great, would be an affront to those who have complied with this covenant. None of the arguments or requests have validity, but only excuses this builder/owner of the costs that others paid which demonstrates their adherence to a common interest, *their values both financial and personal*.

Respectfully,

  
Lorenzo D. Wright

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DAVIDSON COUNTY



Appellant: Devan McClish Date: 10/9/18  
Property Owner: Stanley Hopp Case #: 2018-644  
Representative: Devan McClish Map & Parcel: 93-15-0 D 001  
93-15-0 D 002

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: HPR Two S.F. Houses  
Front + Back NOT Connected!  
Already Built

Activity Type: HPR: TWO SINGLE FAMILY HOUSES... FRONT AND REAR UNITS MIN 6' BETWEEN HOUSE  
1044 A & B 2ND AVE S. NASHVILLE, TN 37210  
Location: MAP 93-15-0-D PARCELS 1 & 2.

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: DENIED: REQUIRED SIDE SETBACK FOR BOTH 5'....  
REQUEST 6" ON THE FRONT UNIT AND  
Section(s): REQUEST 3'3" ON THE REAR UNIT.  
17.12.020

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Devan McClish  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Address

\_\_\_\_\_  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-418-3133  
Phone Number

\_\_\_\_\_  
Phone Number

devan@torquedevelopment.com  
Email

\_\_\_\_\_  
Email

Appeal Fee: 200<sup>00</sup>





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567425

**ZONING BOARD APPEAL / CAAZ - 20180064110  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 093150D00100CO

APPLICATION DATE: 10/09/2018

**SITE ADDRESS:**

1044 A 2ND AVE S NASHVILLE, TN 37210  
UNIT A 1044 2ND AVENUE SOUTH TOWNHOMES

PARCEL OWNER: HOPP, STANLEY G.

CONTRACTOR:

**APPLICANT:****PURPOSE:**

HPR: TWO SINGLE FAMILY HOUSES... FRONT AND REAR UNITS MIN 6' BETWEEN HOUSES.

1044 A &amp; B 2ND AVE S. NASHVILLE, TN 37210

MAP 93-15-0-D PARCELS 1 &amp; 2.

DENIED: REQUIRED SIDE SETBACK FOR BOTH 5'....

REQUEST 6" ON THE FRONT UNIT AND

REQUEST 3'3" ON THE REAR UNIT.

17.12.020

POC: DEVAN MCCLISH 615-418-3133

devan@torquedevelopment.com

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

*There are currently no required inspections*

*There are currently no required inspections*

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

10/9/18  
DATE

### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

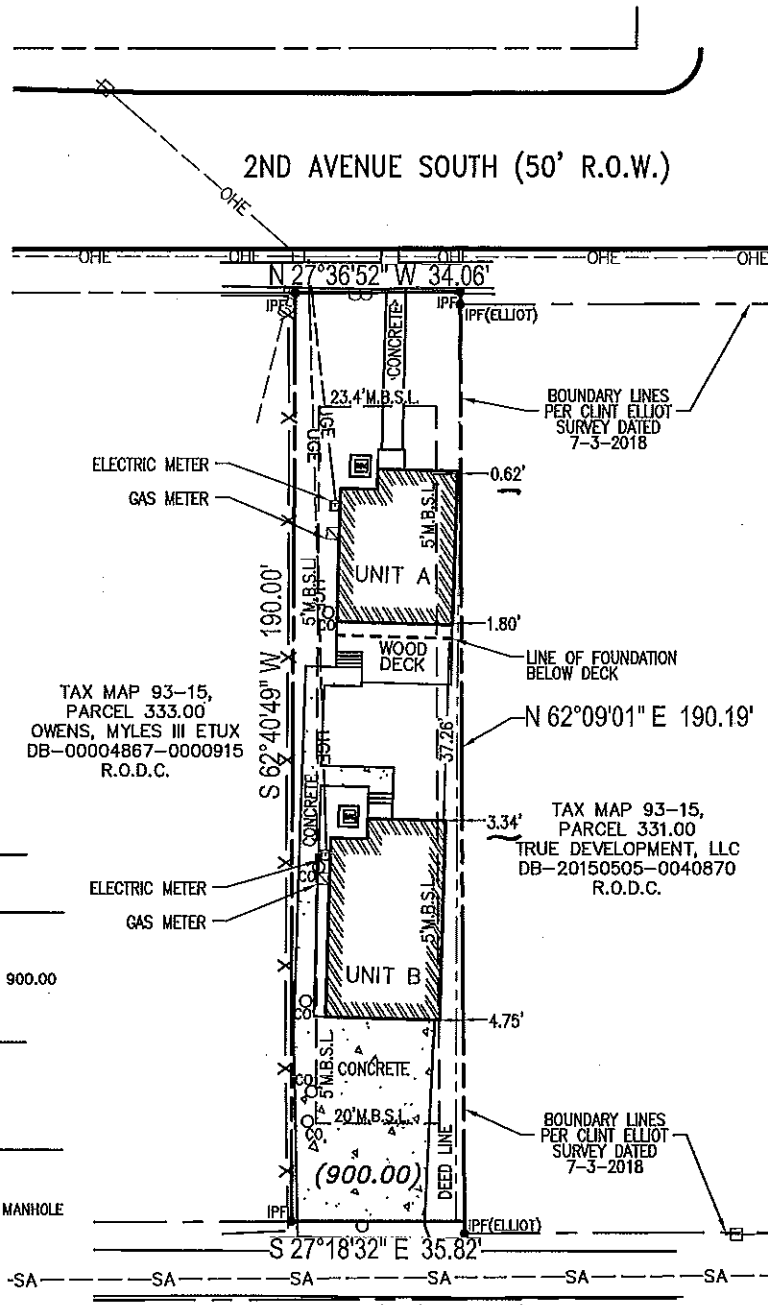
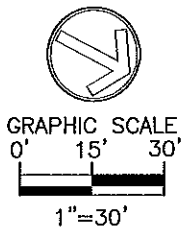
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

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TAX MAP 93-15,  
PARCEL 333.00  
OWENS, MYLES III ETUX  
DB-00004867-0000915  
R.O.D.C.

TAX MAP 93-15,  
PARCEL 331.00  
TRUE DEVELOPMENT, LLC  
DB-20150505-0040870  
R.O.D.C.

**AREA PARCEL 900.00**

6,641.60 SQ. FT. OR 0.15 ACRES

**OWNER INFORMATION**

TORQUE DEVELOPMENT GROUP  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
TAX MAP 93-15, GROUP D, PARCEL 900.00  
MA-201703200-0027082, R.O.D.C.

**PLAT REFERENCE**

BEING PART OF LOT NO. 3,  
PELHAM AND BERCIER'S SUBDIVISION  
PLAT BOOK 17, PAGE 460, R.O.D.C.

**LEGEND:**

- ⊕ POWER POLE
- x LIGHT POLE
- ⊙ SANITARY SEWER MANHOLE
- O CLEANOUT
- IPF IRON PIN FOUND
- IPS IRON PIN SET

**NOTES:**

- 1) THE SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL PURCHASER AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE SIGNATURE APPEARS UPON THIS SURVEY.
- 2) UPON REVIEWING FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, MAP NUMBER 47037C0244H, DATED APRIL 5, 2017, IT HAS BEEN DETERMINED THAT THE LIMITS OF THE DETAIL STUDY DO NOT REACH THE SUBJECT PROPERTY. (FLOOD ZONE "X")
- 3) BASIS OF BEARING, REFERENCES TENNESSEE STATE PLANE.
- 4) ALL MEASUREMENTS TAKEN FROM THE OUTSIDE OF BLOCK.



PREPARED BY:  
DONLON LAND SURVEYING, LLC  
TIMOTHY MARK DONLON  
1539 BELLE FOREST CIRCLE  
NASHVILLE, TN 37221  
TEL. (615) 673-8116, FAX (615) 673-8117  
tmdonlon@bellsouth.net  
<http://www.DonlonLandSurveying.com/>

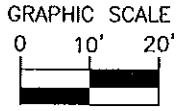
AS-BUILT  
FOR  
**TAX MAP 93-15**  
**GROUP D,**  
**PARCEL 900.00 CO**

MA-20170320-0027082  
DAVIDSON COUNTY, TENNESSEE

PREPARED FOR:  
**TORQUE**

**DEVELOPMENT GROUP**  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
DATED: AUGUST 29, 2018

### EXHIBIT B HORIZONTAL PROPERTY REGIME 2ND AVENUE SOUTH (50' R.O.W.)



1"=20'

**AREA PARCEL 332.00**

6,460.00 SQ. FT. OR 0.15 ACRES

**OWNER INFORMATION**

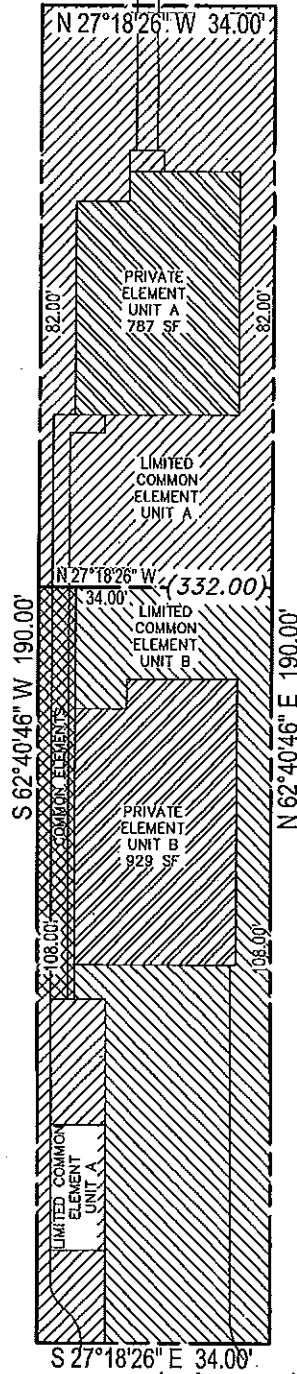
GRAY, JANIE M.  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
TAX MAP 93-15, PARCEL 332.00  
DB-00009255-0000728, R.O.D.C.

**PLAT REFERENCE**

BEING PART OF LOT NO. 3,  
PELHAM AND BERGIER'S SUBDIVISION  
PLAT BOOK 17, PAGE 46D, R.O.D.C.

**LEGEND:**

- LIMITED COMMON ELEMENTS
- PRIVATE ELEMENTS
- COMMON ELEMENTS



S 27°18'26" E 34.00'  
ALLEY #169 (16' R.O.W.)

UNIT A & UNIT B  
HOMES AT 1044 2ND AVE S.  
FORMERLY KNOWN AS  
**TAX MAP 93-15  
PARCEL 332.00**

DB-00009255-0000728  
DAVIDSON COUNTY, TENNESSEE

PREPARED FOR:  
**TORQUE DEVELOPMENT  
GROUP, LLC**

1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
DATED: MARCH 14, 2017

217016 GRAY MM



PREPARED BY:  
DONLON LAND SURVEYING, LLC  
TIMOTHY MARK DONLON

8120 SAWYER BROWN RD.  
SUITE 110 A  
NASHVILLE, TN 37221  
TEL. (615) 673-9116, FAX (615) 673-9117  
m.donlon@bellsouth.net  
<http://www.DonlonLandSurveying.com/>

09315032800

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09315033000

09315034200

09315037600

09315037700

09315033100

09315029700

093150D90000CO

09315034100

CAMERON ST

R6

093150D00200CO

Site

093150D00100CO

09315033300

093150E90000CO

09315034000

09315029600

093150E00200CO

093150E00100CO

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093150C00500CO

09315038600

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093150C90000CO  
093150C00300CO

093150C01000CO

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093150C00900CO

09315038500

093150C00100CO

093150C00200CO

093150C00800CO

SP(R)

093150C00600CO

093150C00700CO

09315033800

09315029200

105030E90000CO

09315029100

SP(MR)

105030I00100CO

105030E00400CO

105030I90000CO

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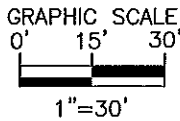
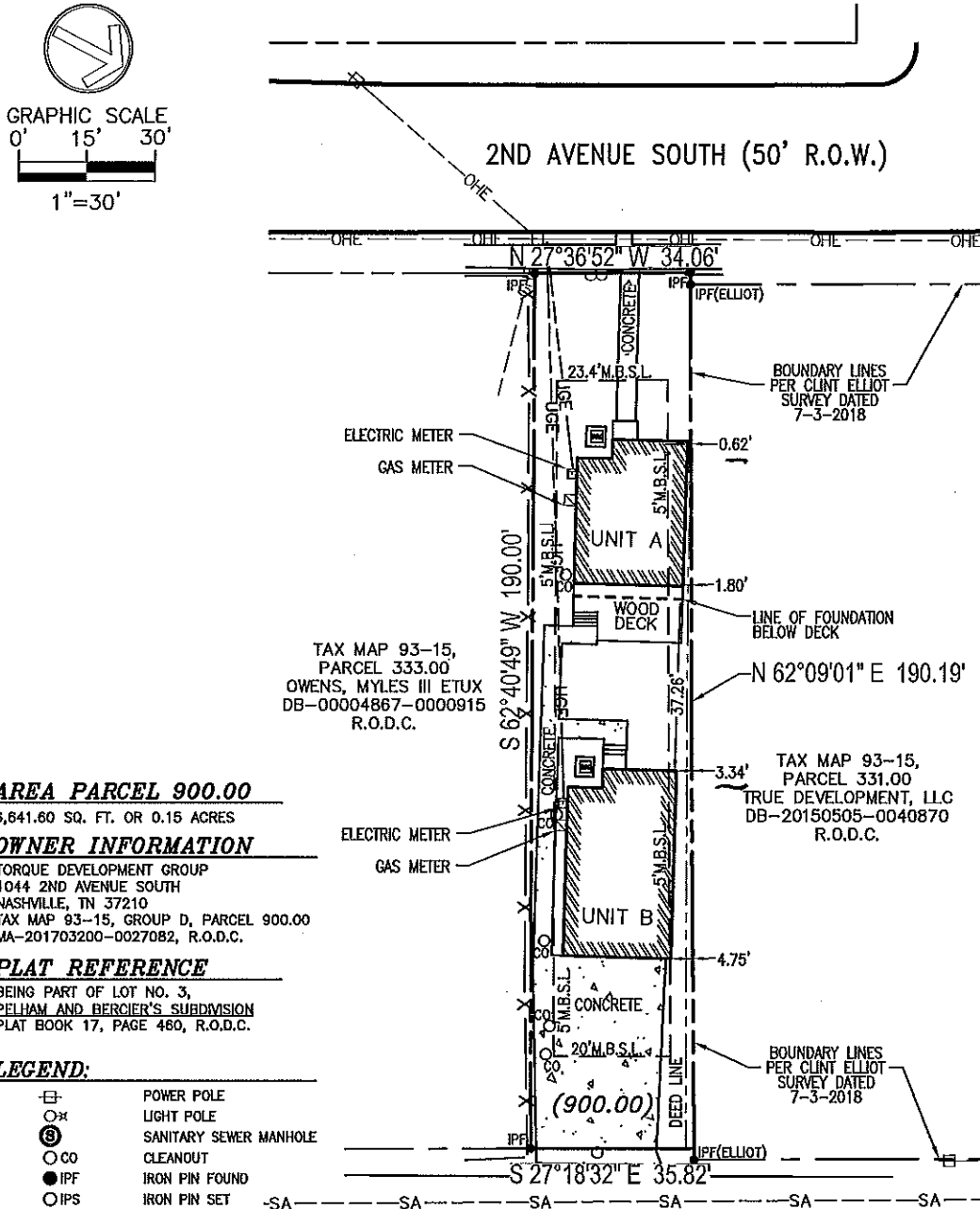
105030E00100CO

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105030A90200CO

1/48 ALY





**AREA PARCEL 900.00**

6,641.60 SQ. FT. OR 0.15 ACRES

**OWNER INFORMATION**

TORQUE DEVELOPMENT GROUP  
 1044 2ND AVENUE SOUTH  
 NASHVILLE, TN 37210  
 TAX MAP 93-15, GROUP D, PARCEL 900.00  
 MA-201703200-0027082, R.O.D.C.

**PLAT REFERENCE**

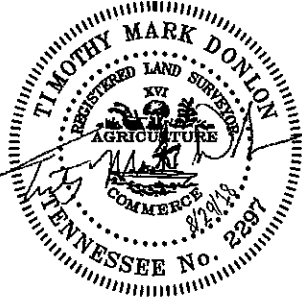
BEING PART OF LOT NO. 3,  
 PELHAM AND BERCIER'S SUBDIVISION  
 PLAT BOOK 17, PAGE 460, R.O.D.C.

**LEGEND:**

- ⊕ POWER POLE
- x LIGHT POLE
- ⊙ SANITARY SEWER MANHOLE
- CO CLEANOUT
- IPF IRON PIN FOUND
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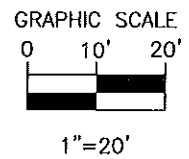
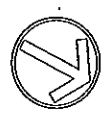
AS-BUILT  
 FOR  
**TAX MAP 93-15**  
**GROUP D,**  
**PARCEL 900.00 CO**

MA-20170320-0027082  
 DAVIDSON COUNTY, TENNESSEE

PREPARED FOR:  
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 1044 2ND AVENUE SOUTH  
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 DATED: AUGUST 29, 2018



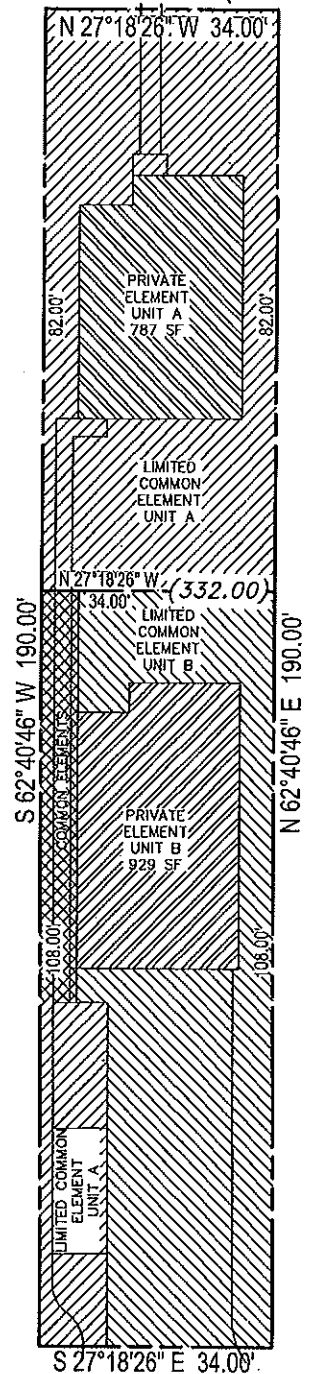
EXHIBIT B  
HORIZONTAL PROPERTY REGIME  
2ND AVENUE SOUTH (50' R.O.W.)



**AREA PARCEL 332.00**  
6,460.00 SQ. FT. OR 0.15 ACRES  
**OWNER INFORMATION**  
GRAY, JANIE M.  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
TAX MAP 93-15, PARCEL 332.00  
DB-00009255-0000728, R.O.D.C.

**PLAT REFERENCE**  
BEING PART OF LOT NO. 3,  
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PLAT BOOK 17, PAGE 460, R.O.D.C.

**LEGEND:**  
LIMITED COMMON ELEMENTS  
PRIVATE ELEMENTS  
COMMON ELEMENTS



S 27°18'26" E 34.00'  
ALLEY #169 (16' R.O.W.)

UNIT A & UNIT B  
HOMES AT 1044 2ND AVE S.  
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PREPARED FOR:  
**TORQUE DEVELOPMENT**  
**GROUP, LLC**  
1044 2ND AVENUE SOUTH  
NASHVILLE, TN 37210  
DATED: MARCH 14, 2017



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09315037700

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09315029700

R6

093150D90000CO

09315034100

CAMERON ST

093150D00200CO

Site

093150D00100CO

09315033300

093150E90000CO

09315034000

09315029600

093150E00200CO

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09315029500

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093150C00400CO

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093150C01000CO

41A

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09315029400

093150C00100CO  
093150C00200CO

093150C00800CO

11

SP(R)

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09315029100

SP(MR)

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148 ALY

105030I90000CO

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105030I90100CO

105030E00300CO

105030E90100CO

105030E00200CO

105030E00800CO

105030E00100CO

105030E00700CO

105030A90200CO

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** D17 items for Jan. 17  
**Date:** Friday, January 11, 2019 10:20:07 AM

---

Good morning, Board members,

Here are my stances on the District 17 items before you next week:

- **Oppose** a request for a sidewalk variance on Pillow St. I have asked the applicant for the reason, and have not received one. (2018-619)
- **Neutral** on a setback variance request on 2nd Ave S., because I think the private parties are working this one out. (2018-644)
- **Strongly oppose** a request on Wade Ave. to build three units instead of two and not build sidewalks. The applicant has reached out via email, but I don't agree with the argument. (2018-677)
- **Neutral** on a request to raise the sign two feet at Enterprise on 8th Ave S. (2019-027)
- **Oppose** a request for all kinds of variances and exceptions to build on a substandard lot on Lincoln St. Substandard (too small to build on) lots are throughout Chestnut Hill/Trimble Bottom, and I'm going to be asking Planning/Zoning for a more comprehensive approach to them rather than this piecemeal one. (2019-035)
- **Oppose** a request to regain a short-term rental permit on 2nd Ave S. (2018-514)

Thank you, as always, for your invaluable service!

Colby

-----  
Colby Sledge  
Metro Council, District 17  
(615) 442-3727  
[ColbySledge.com](http://ColbySledge.com)  
[Sign up for my weekly newsletter here!](#)

2018-644  
OPPOSE

**Lifsey, Debbie (Codes)**

---

**From:** Michael, Jon (Codes)  
**Sent:** Friday, December 14, 2018 2:14 PM  
**To:** Lifsey, Debbie (Codes); Shepherd, Jessica (Codes)  
**Subject:** FW: D17 positions for Dec. 20 meeting

For the file.

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**From:** Sledge, Colby (Council Member)  
**Sent:** Friday, December 14, 2018 2:14 PM  
**To:** Board of Zoning Appeals (Codes)  
**Cc:** Michael, Jon (Codes); Lamb, Emily (Codes)  
**Subject:** D17 positions for Dec. 20 meeting

Good afternoon,

Here are my positions on D17 items before you next week.

- 2018-522: I continue to **oppose** a request for exemption to create front-loading garages on Carvell Ave.
- 2018-644: I **oppose** a setback variance request on 2nd Ave S.
- 2018-709: I **tentatively support** a request for parking requirement variances for a microunit development on Humphreys Ave. The applicant will be at a community meeting on Monday, and I'll want to hear from residents.
- 2018-725: I **strongly oppose** a request not to pay into the sidewalks fund on Wharf Ave.
- 2018-662: I **oppose** a short-term rental permit appeal on West Grove Ave.
- 2018-704: I **oppose** a short-term rental appeal on Summit Ave.

Thank you all, as always, for your service, and I hope you have a great weekend!

Colby

-----  
Colby Sledge  
Metro Council, District 17  
(615) 442-3727  
[ColbySledge.com](http://ColbySledge.com)  
[Sign up for my weekly newsletter here!](#)

**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Lamb, Emily \(Codes\)](#)  
**Subject:** BZA positions for Dec. 6 meeting  
**Date:** Tuesday, November 20, 2018 7:31:14 PM

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Board members,

You have quite the task ahead of you for this meeting's agenda! Below are my positions on the District 17 items on the Dec. 6 agenda:

2018-522: **Deny**  
2018-619: **Strongly deny**  
2018-637: **Support**, as applicant has spoken with me  
2018-638: **Deny**  
2018-644: **Deny**  
2018-662: **Strongly deny** based on resident complaints  
2018-671: **Deny**  
2018-672: **Deny**  
2018-677: **Strongly deny**

Thank you, as always, for your service, and Happy Thanksgiving!

Colby

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Colby Sledge  
Metro Council, District 17  
(615) 442-3727

[ColbySledge.com](#)

[Sign up for my weekly newsletter here!](#)

2018-644  
OPPOSE

3-15-19

2018-644 Appeal Case  
1044 A 2nd Ave South

I Live on 2nd Ave S and I oppose this. Builders should take in consideration before Constructing a home they will need a place to park and not be allowed to destroy our sidewalks in order to sell them. After the fact, Plan for Parking. Those of us that live here enjoy the walkability of the neighborhood. Please Do Not Allow builders to take that away from us. It is part of the charm. Our Children use the sidewalks to walk to school. I  
OPPOSE THIS VARIANCE FOR 1044A 2nd Ave S,

Thank you  
Terry Talley

# true

DEVELOPMENT, LLC

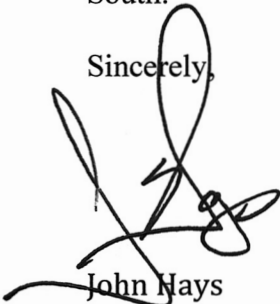
April 2, 2019

Members of the BZA,

I am the general manager of True Development, LLC and True Development owns the property directly north of 1044 Second Avenue South, Nashville, TN 37209, which is 1042 Second Avenue South. I have received notice that my neighbor is requesting a building setback variance.

I am writing to inform you that True Development, LLC supports his variance request of reducing setbacks in order to keep his building as currently placed, as long as it has no adverse effect upon any future construction on the property at 1042 Second Avenue South.

Sincerely,

A handwritten signature in black ink, appearing to read "John Nays", written over a horizontal line.

John Nays  
True Development, LLC

cc: file

113 19<sup>th</sup> Avenue South Nashville, Tennessee 37203  
615.864.7013

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Martin Dillingham  
Property Owner: Martin Dillingham  
Representative: Martin Dillingham

Date: 10-16-18  
Case #: 2018-656  
Map & Parcel: 10401040800

Council District 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

GARAGE CONSTRUCTED DOES NOT MEET  
3 FT REQUIRED SIDE SETBACK.  
USED EXISTING FOUNDATION, NEW CONSTRUCTION  
GARAGE IS 2 1/2 FT FROM SIDE PROPERTY LINE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 3509 WRENWOOD DR

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO SIDE SETBACK

Section(s): 17.12.040 E1b

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Martin Dillingham  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

3509 Wrenwood Ave B  
Address

Address

Nashville, TN 37205  
City, State, Zip Code

City, State, Zip Code

615-948-7761  
Phone Number

Phone Number

Martin.Dillingham@Comcast.net  
Email

Email

Appeal Fee: \_\_\_\_\_





Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3569443

**ZONING BOARD APPEAL / CAAZ - 20180065598**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 10401040800

APPLICATION DATE: 10/16/2018

**SITE ADDRESS:**

3509 B WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Variance to 17.12.040 E1b requesting 2 1/2 ft side setback.

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence.

Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.*

*Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018064267  
THIS IS NOT A PERMIT**

PARCEL: 10401040800

APPLICATION DATE: 10/10/2018

**SITE ADDRESS:**

3509 WRENWOOD DR NASHVILLE, TN 37205

LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Matrin Dillingham 615-948-7761

**PURPOSE:**

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolltion waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..\*\*\*SITE PLAN SENT TO FILE

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[E] Sewer Availability Review For Bldg		862-7225
[E] Sewer Variance Approval For Bldg		
[E] Water Availability Review For Bldg		862-7225
[E] Water Variance Approval For Bldg		
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

This was an existing building so the hardship  
is would be to relocate and remove the existing  
Abandonment.

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

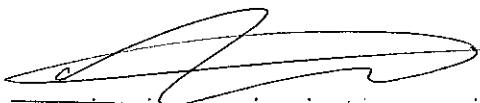
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



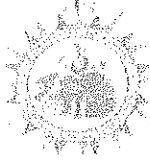
APPELLANT

18-16-18

DATE

MAILING ADDRESS

P. O. Box 196300  
 NASHVILLE, TENNESSEE 37219  
 TELEPHONE (615) 862-6590  
 FACSIMILE (615) 862-6593

NOTICE TO CORRECT VIOLATION

Noticia Para Corregir Violacion

## DEPARTMENT OF CODES &amp; BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING - 3rd Floor  
 800 SECOND AVENUE, SOUTH  
 NASHVILLE, TENNESSEE 37210

Date of Notice:

Property Owner:

**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

Case Number:

01/25/2018

18-1173788

DILLINGHAM, MARTIN B., SR. & MARTIN B., JR.

7112 CRYSTAL SPRINGS RD

FAIRVIEW TN 37062

LL#: 200800723

Location of Violation:

3509 WRENWOOD DR

Map/Parcel Number:

10401040800

You are hereby notified as owner, occupant or agent in control of the above referenced property, that the following conditions about said premises are a violation of the Metropolitan Code Section(s).

**VIOLATION(S):**

1)

Section 16.24.330 - Parking on Grass: Parking or storing motor vehicles on the grass is prohibited. Vehicles must be parked on a paved or graveled area, other than a sidewalk. This shall not be applicable to any vehicle for which a valid disabled driver license plate or placard has been issued and is visibly displayed on or in the vehicle.

2)

Section 16.24.330 (B) -- Open Storage (Vehicles): It is unlawful for the owner, occupant, or person or entity in control of a building, structure, or premises to utilize the premises of such property for the open storage of any inoperable, unlicensed, or unregistered motor vehicle and/or tires and automotive parts.

Therefore, you are to have the violation or cause removed and/or corrected before: February 26, 2018

If you have any questions, believe this notice has been issued to you in error, or believe the code section indicated above is inapplicable and you are not in violation, please contact our office immediately to discuss this matter.

Said Section of the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, as referenced above, provides that the cited violation must be abated within the time set out; and that, upon failure to abate said violation, the Department of Codes Administration is empowered to prosecute the owner, occupant, or agent for failure to abate the violation.

The Metropolitan Code provides for a penalty for anyone convicted of violating the laws of the Metropolitan Government of up to Fifty (\$50.00) Dollars for each offense and each day it continues Section 1.01.030. Note: In addition you will be held responsible for the payment of all court costs incurred with the processing of the court case regardless of whether or not the property is brought into compliance by the court date.

Notice Issued by: Jay Summers

3509 WRENWOOD

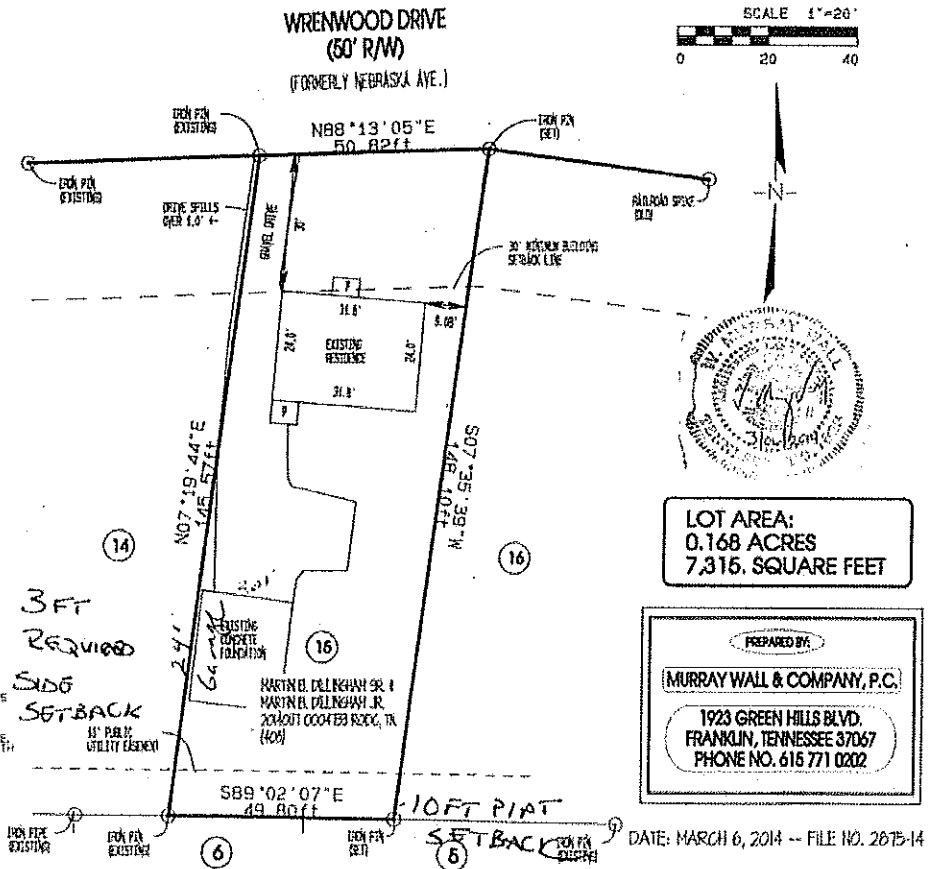
**PROPERTY SURVEY FOR:**  
**MARTIN B. DILLINGHAM SR. &**  
**MARTIN B. DILLINGHAM JR.**  
**PROPERTY ADDRESS:**  
**3509 WRENWOOD DRIVE**  
**NASHVILLE, DAVIDSON COUNTY, TN.**

**PARCEL ID:**  
 10401040800

**PROPERTY INFORMATION:**  
 BEING LOT NO. 15, WRENWOOD ASSHOWN  
 ON THE PLAT OF RECORD IN PLAT BOOK 1130,  
 PAGE 65, R.O.D.C., TN.

**MISCELLANEOUS NOTES**

1. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY 1 LEAN AND SUBSEVISION LAND SURVEY, AS PER THE STANDARD OF PRACTICE AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1 TO 500 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS SHOWN THIS (S) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.
5. IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UTILITY OWNER(S). TENNESSEE ONE CALL 811. \*UTILITIES NOT CHECKED.  
 THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPURTENANCES AT THE SUBJECT SITE. INFORMATION MADE AVAILABLE BY THE RESPECTIVE UTILITY AND/OR PLAT(S) OF RECORD OR OTHER SOURCES AS NOTED HEREON. THE SURVEYOR MAKES NO GUARANTEE(S) THAT THE UNDERGROUND UTILITIES SHOWN HEREON COMPILE ALL SUCH UTILITIES ON THE TRACT OR PARCEL. EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION AS INDICATED THEREON. RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES AS SHOWN SHOULD BE DONE SO WITH THESE CIRCUMSTANCES CONSIDERED. RETAINED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD BE MADE PRIOR TO ANY DECISION RELATIVE THEREON TO MAKE AVAILABILITY AND COST OF SERVICES SHOULD BE CONFERRED WITH THE APPROPRIATE UTILITY COMPANY.
6. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH. NO TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



3509 WRENWOOD

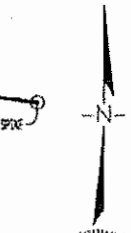
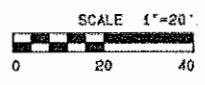
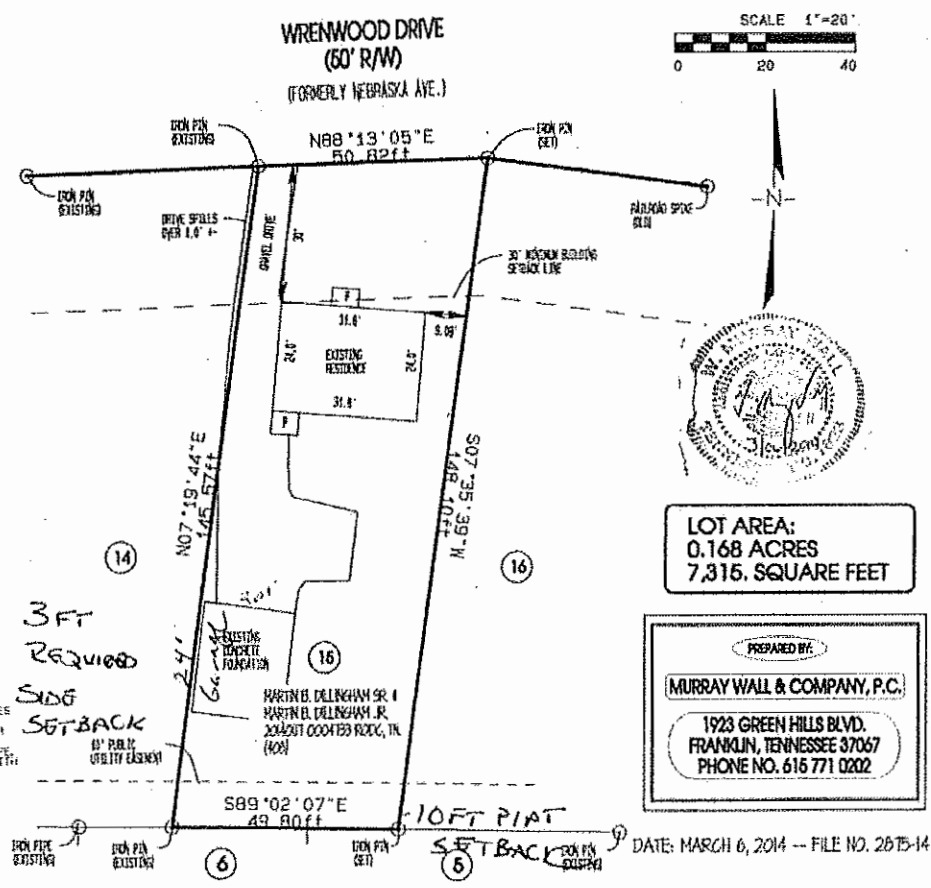
**PROPERTY SURVEY FOR:**  
**MARTIN B. DILLINGHAM SR. &**  
**MARTIN B. DILLINGHAM JR.**  
**PROPERTY ADDRESS:**  
**3509 WRENWOOD DRIVE**  
**NASHVILLE, DAVIDSON COUNTY, TN.**

**PARCEL ID:**  
 1040T040800

**PROPERTY INFORMATION:**  
 BEING LOT NO. 15, WRENWOOD AS SHOWN  
 ON THE PLAT OF RECORD IN PLAT BOOK 1130,  
 PAGE 65, R.O.D.C., TN.

**MISCELLANEOUS NOTES**

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2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:10,000 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
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6. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH, NO TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



**LOT AREA:**  
 0.168 ACRES  
 7,315. SQUARE FEET

PREPARED BY:  
**MURRAY WALL & COMPANY, P.C.**  
 1923 GREEN HILLS BLVD.  
 FRANKLIN, TENNESSEE 37067  
 PHONE NO. 615 771 0202

DATE: MARCH 6, 2014 -- FILE NO. 2675-14





# Permit Status U&O Report

**Permit:** CARN - 2018064267

**Parcel:** 10401040800

**Address:** 3509 B WRENWOOD DR 37205

**Owner:** DILLINGHAM, MARTIN, JR.

**Professional:** SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT INFORMATION) [ {MCN00000} 12/31

**Permit Name:**

**Scope:** Accessory Structure, Garage Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ...Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.

1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any propose electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..\*\*\*SITE PLAN SENT TO FILE

<b>CARN - 2018064267</b>	<b>Building Residential - New</b>	<b>ISSUED</b>
--------------------------	-----------------------------------	---------------

Description	Result	Result Date	Comment
Building Final			
Building Final	TEMP	10/11/2018	garage construction is good, homeowner will go before the appeals board on setbacks, once that is granted will final the permit
Building Floor Elevation			
Building Footing			
Building Foundation			
Building Framing			
Building Framing - Ceiling			
Building Framing - Wall			
Building Slab			
CA Building Progress Inspection			
U&O Letter			

**Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety**

Site Address: 3509 B WRENWOOD DR NASHVILLE, TN 37205

Permit #: 2018064267

# BUILDING PERMIT

Inclusive of Permits for New Construction, Additions, Renovations or Repairs

Issue Date: October 10, 2018

Parcel: 10401040800

Contractor: SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT INFORMATION) [ {MCN000

## NOTICE

No work may be done on any part of a building or structure beyond the point indicated by each of the required inspections. This permit card must be posted securely, be visible from the street, and protected from the weather. Removal, alteration, or mutilation of this sign until completion of such work is in violation of the law.

All inspections required by this permit must be completed prior to issuance of Use & Occupancy Certificate.

Any building permit issued shall become invalid unless the work authorized by it shall have been commenced within six (6) months after the date of issuance, or if the work authorized by such permit is suspended or abandoned for a period of one (1) year after its issuance provided that for cause: if work authorized by it is sufficiently under way and is being diligently pursued, one or more extensions of time, for periods not exceeding ninety (90) days each, may be allowed in writing by the Director.

**Keep Job Sites Clean and Safe.**



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567659

**BUILDING RESIDENTIAL - NEW / CARN - 2018064267**

**Inspection Checklist for Use and Occupancy**

**This is not a Use and Occupancy Notification**

**PARCEL:** 10401040800

**APPLICATION DATE:** 10/10/2018

**SITE ADDRESS:**

3509 B WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

**PARCEL OWNER:** DILLINGHAM, MARTIN, JR.

**CONTRACTOR:**

**APPLICANT:** SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Matrin Dillingham 615-948-7761

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

**PURPOSE:**

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..\*\*\*SITE PLAN SENT TO FILE

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.*

*Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

- Building Framing - Ceiling
- Building Floor Elevation
- Building Footing
- Building Foundation
- Building Framing
- Building Framing - Wall
- CA Building Progress Inspection
- Building Slab
- Building Final
- U&O Letter

615-862-6527 tawanna.dalton@nashville.gov

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567659

**BUILDING RESIDENTIAL - NEW / CARN - 2018064267**

**ISSUED ON: 10/10/2018**

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

Approval (Where Required)

Date

Matrin Dillingham 615-948-7761

**SITE ADDRESS:**

3509 B WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

**PARCEL:**

10401040800

**Tax District:**

USD

**Census Tr:**

37016700

**PARCEL OWNER:**

**PURPOSE:**

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

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**CONTRACTOR:**

SELF CONTRACTOR RESIDENTIAL (SEE APPLICANT INFORMATION) MCN00000

5555555555

**APPLICANT:**

SELF CONTRACTOR RESIDENTIAL (SEE Matrin Dillingham 615-948-7761

**PERMIT DETAILS:**

Estimated Value: \$3,000.00

Const Type:

Sq Footage:

Parking Required: N

Parking Provided: N

Sprinklers? N

Metro Water:

Public Constr? N

Number of Floors:

Sewer or Septic:

Total # Buildings:

Total # Units:

Garage: N

Number of Bedrooms:

Number of Kitchens:

**ZONING ASSIGNMENTS:**

OV-IMP	I-440 IMPACT OVERLAY
OV-UZO	URBAN ZONING OVERLAY
R6	ONE&TWO FAMILY 6,000 SQUARE FOOT LOT



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567659

**BUILDING RESIDENTIAL - NEW / CARN - 2018064267**

**ISSUED ON: 10/10/2018**

I hereby certify that I am the agent of the owner, or other person in control of this property, and that the information given herein, and as shown on the application and the permit, is true; and that I am authorized by said owner, or other person in control of this property, to obtain this permit. I understand that if the construction and/or installation for which this permit is issued is contrary to the requirements of Metropolitan codes or regulations, said violations must be corrected, and the permit may be voided. I further certify that I am in compliance with the State of Tennessee statutes relating to licensing contractors for the work described in this permit. Work must start within six(6) months and must be completed within two(2) years of issue date. Permits become invalid if work does not start within six(6) months or is suspended for one(1) year after start date. Extensions of ninety(90) days each may be allowed in writing by the Director.

Approval (Where Required)

Date

Matrin Dillingham 615-948-7761

CARN

**FEE / PAYMENT:**

[2018/10/10] CA BUILDING ZONING EXAMINE FEE...	\$ 25.00	\$ 25.00
[2018/10/10] CA BUILDING VALUATION FEE - RESID...	\$ 34.62	\$ 34.62
[2018/10/10] CA - CONVENIENCE FEE...	\$ 1.37	\$ 1.37
<b>PERMIT FEE/PAYMENT</b>	<b>\$ 60.99</b>	<b>\$ 60.99</b>

**Payment Detail:**

10/10/2018      CREDIT      3625      **Pmt Total:**      \$ 60.99  
**Issue Date:**      10/10/2018      **Issued By:**      CSTEPHENS

*A 2.30% convenience fee has been charged on this credit card transaction. This fee is collected by a third party processor and Metro does not receive any part of it. By tendering your card or card number you were charged the convenience fee as calculated above and you agree to pay this fee to the card issuer.*

**EXTERIOR INFORMATION**

Type: R1 - SINGLE FAM	Full Bath: 1	Rating: AVERAGE
Sty Ht: 01 - ONE STY	A Bath:	Rating:
(Liv) Units: 1	3/4 Bath:	Rating:
Total: 1	A 3QBth:	Rating:
Foundation: 02 - CRAWL	1/2 Bath: 0	Rating:
Frame: 01 - RESD FRAME	A Hbth:	Rating:
Prime Wall: 02 - FRAME	AtrFix: 5	Rating: AVERAGE
Sec Wall:	<b>OTHER FEATURES</b>	
Roof Struct:	Kits: 1	Rating: AVERAGE
Roof Cover: 01 - ASPHALT	A Kits:	Rating:
Color:	Fprl:	Rating:
View / Descri: 46P - 2126	WSF:ue:	Rating:
<b>GENERAL INFORMATION</b>		
Grade: D - RES GRADE	<b>CONDO INFORMATION</b>	
Year Blt: 1947	Eff Yr Blt: 1947	Location:
Alt LUC:	Alt %:	Total Units:
Jurisdct:	Fact:	Floor:
Const Mod: 1.000000	% Owr:	Name:
Lump Sum Adj:		

**BATH FEATURES**

Full Bath: 1	Rating: AVERAGE
A Bath:	Rating:
3/4 Bath:	Rating:
A 3QBth:	Rating:
1/2 Bath: 0	Rating:
A Hbth:	Rating:
AtrFix: 5	Rating: AVERAGE

**COMMENTS**

CHG CND TO FAIR FOR 2011. 27.

**RESIDENTIAL GRID**

1st Res Grid	Desc: Line 1	# Units: 1
Level	FY LR DR D I K FR RR BR FB HB L O	
Other		
Upper		
Lvl 2		
Lvl 1		
Lower		
Totals	RMs: 4	Brs: 2
	Baths: 1	HB: 0

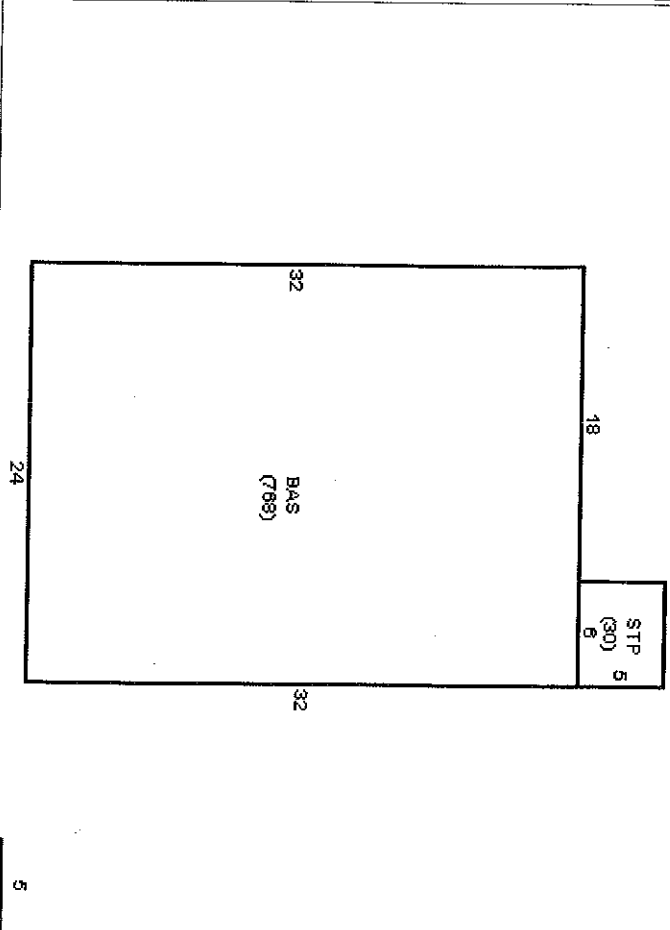
**REMODELING**

Exterior:	No Unit	RMS	BRS	FL
Interior:	1	4	2	
Additions:				
Kitchen:				
Baths:				
Plumbing:				
Electric:				
Heating:				
General:	1	4	2	

**RES BREAKDOWN**

Exterior:	No Unit	RMS	BRS	FL
Interior:	1	4	2	
Additions:				
Kitchen:				
Baths:				
Plumbing:				
Electric:				
Heating:				
General:	1	4	2	

**SKETCH**



**INTERIOR INFORMATION**

Avg Ht/F: STD	Phys Cond: FR - Fair	50%
Prim Int Wall: A - AVERAGE	Functional:	
Sec Int Wall:	Economic:	
Partition:	Special:	
Prim Floors: T - TYPICAL	Override:	
Sec Floors:	Total:	50.8%

**DEPRECIATION**

Basic \$ / SQ: 72.33	Rate	Parcel ID	Typ	Date	Sale Price
Size Adj: 1.08000004	65.5	104 01 0 923 00	8/22/2008	289,000	
Const Adj: 2.04240012					
Adj \$ / SQ: 159.545					
Other Features: 5795					
Grade Factor: 0.84					
Neighborhood Int: 1.000000000					
LUCC Factor: 1.00					
Adj Total: 1081.55					
Depreciation: 549.43					
Depreciated Total: 532.12					

**CALC SUMMARY**

**COMPARABLE SALES**

Subfloor:	Basic \$ / SQ: 72.33
Bsmnt Gar:	Size Adj: 1.08000004
Electric: T - TYPICAL	Const Adj: 2.04240012
Insulation: T - TYPICAL	Adj \$ / SQ: 159.545
Int vs Ext:	Other Features: 5795
Heat Fuel: T - TYPICAL	Grade Factor: 0.84
Heat Type: 02 - HTG/CLG	Neighborhood Int: 1.000000000
# Heat Sys: 1	LUCC Factor: 1.00
% Heated:	Adj Total: 1081.55
Solar Hw: NO	Central Vac: NO
% Com Wall:	Depreciation: 549.43
% Sprinkled:	Depreciated Total: 532.12

**SPEC FEATURES/YARD ITEMS**

Code	Description	A	Y/S	Qty	Size/Dim	Qual	Con	Year	Unit Price	DIS	Dep	LUC	Fac	NB	Fe	Appr Value	JCod	JFeat	Jur	Value
DFRG	DET FR GAR	D	Y	1	20X24	D	PR	1998	23.48	T	90	RR1				1,100				1,100

**PARCEL ID**

104 01 0 408 00

**SUB AREA**

Code	Description	Area - SQ	Rate - AV	Undepr Value	Sub Area	% Uspl	Descrip	% Type	Qu	# Ten
BAS	BASE AREA	768	156,540	122,531						
STP	STP	30	14,350	431						
Net Sketched Area: 798		Total:		122,982						
Size Adj: 768		Gross Are		798						
		FinAre		768						

**SUB AREA DETAIL**

Code	Description	Area - SQ	Rate - AV	Undepr Value	Sub Area	% Uspl	Descrip	% Type	Qu	# Ten
BAS	BASE AREA	768	156,540	122,531						
STP	STP	30	14,350	431						

**IMAGE**



AssessPro Patriot Properties, Inc

More: N Total Yard Items: 1,100 Total Special Features: 1,100 Total: 1,100

January 24th, 2019

Donald and Melissa Bouchard  
3511 Wrenwood Dr.  
Nashville, TN 37205

Metropolitan Board of Zoning Appeals  
Council District 24  
800 2nd Ave South  
Nashville, TN 37210

**Re: Rehearing Request Case 218-656**

Dear Metro Board of Zoning Appeals,

Please accept this letter as notification of a request for a rehearing of Case 218-656. We are requesting that the case be reheard due to new evidence.

Following the 1/3/2019 BZA meeting, my husband and I were extremely confused about statements made by Mr. Dillingham during the meeting. In order to clarify where the confusion stemmed from, we have listed quotes from the meetings on 12/6/2018 and 1/3/2019. We have also included the YouTube time clip segments.

During the original hearing on 12/06/2018 City Council Woman Kathleen Murphy was present and spoke regarding the case. Per the public video, (YouTube) she spoke between minutes 21:30-22:37. She stated the following:

***"I wanted to lend my support to them [neighbors] and encourage you to deny the variance because, again, it's not forgiveness. When you don't get a permit, there are consequences for that".***

This hearing was postponed that day during the BZA meeting per Mr. Dillingham's request. It was rescheduled for 1/3/2019. Mr. Dillingham stated the following at minutes 32:05-32:55:

***"She (meaning Kathleen Murphy) had spoken to a neighbor and was given information that was not correct. I have spoken with her since that and she has like become neutral".***

The above statement confused us as we were in contact with Ms. Murphy between the dates of 12/7/2018 and 1/2/20/2019. She never mentioned that she had any change of opinion about the case as Mr. Dillingham stated on 1/3/2019. That being said, you can imagine how we felt when Mr. Dillingham stated that "she was given incorrect information" and "she has like become neutral". We were taken back by Mr. Dillingham's comments and not sure how to proceed. It is not within our character to speak on behalf of Ms. Murphy or anyone who is not in able to speak on their own behalf.



I contacted Mrs. Murphy directly after the meeting on 1/3/2019. I gave her a brief recap of what happened, and she asked if she could call us back on 1/4/2019. We spoke to Ms. Murphy on 1/4/2019 and she stated that she had ***not become neutral between 12/6/2018 and 1/3/2019 as Mr. Dillingham told the board during the hearing.*** Her opinion and statement on the variance request remained the same as it was on the 12/6/2018 meeting. She indicated that she never received incorrect information from any neighbor and she still supported the neighbors in this case. Ms. Murphy stated that if we are granted a rehearing that she will be present to tell the board the facts of her conversations with Mr. Dillingham.

By watching the YouTube clips from both BZA meetings you can clearly see the Zoning Board was misled by Mr. Dillingham's testimony on 1/3/2019. We understand the board holds our elected official's opinions in very high regard.

Since Mr. Dillingham misrepresented our elected official's stance, we would like to ask the board for a rehearing. Based on the video clips of the false statements made by Mr. Dillingham, it obvious the board was misguided. It is impossible to make an accurate decision without knowing all the facts of the case. Mr. Dillingham misrepresented Ms. Murphy's stance on the variance. Based on this, we feel that it is only fair to the board and all 21 neighbors listed on the petition to have this case reheard.

Thank you for your time and consideration of rehearing this case.

Warm Regards,

Don and Melissa Bouchard

## BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Martin Dillingham Appeal Case 2018-656  
 3509 B WRENWOOD DR  
 Map Parcel: 10401040800  
 Zoning Classification: R6

**ORDER**

This matter came to be heard in public hearing on 1/3/2019, before the Metropolitan Board of Zoning Appeals, upon application for a variance from side setback requirements to permit an existing garage.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.

The appellant sought this permit under Section 17.40.180 (B) of the Metropolitan Code.

The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is, therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED, subject to the following conditions: the appellant must paint the garage the same color as the house.

UPON MOTION BY: Alma Sanford

Seconded By: Ross Pepper

Ayes: David Taylor, Christina Karpyneec, Cynthia Chappell

Nays: David Ewing

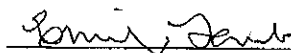
Abstaining:

Absent: David Harper

ENTERED THIS 8<sup>th</sup> DAY OF January, 2019

METROPOLITAN BOARD OF ZONING APPEALS

  
 Chair

  
 Secretary

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF WASHINGTON AND DAVIDSON COUNTY



Appellant: Martin Dillingham  
Property Owner: Martin Dillingham  
Representative: Martin Dillingham

Date: 10-16-18  
Case #: 2018-656  
Map & Parcel: 10401040800

Council District 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: GARAGE CONSTRUCTED DOES NOT MEET 3 FT REQUIRED SIDE SETBACK. USED EXISTING FOUNDATION, NEW CONSTRUCTION. GARAGE IS 2 1/2 FT FROM SIDE PROPERTY LINE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 3509 WRENWOOD DR

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO SIDE SETBACK

Section(s): 17.12.040 E1b

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Martin Dillingham  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

3509 Wrenwood Ave B  
Address

Address

Nashville, TN 37205  
City, State, Zip Code

City, State, Zip Code

615-948-7761  
Phone Number

Phone Number

Martin.Dillingham@Comcast.net  
Email

Email

Appeal Fee: \_\_\_\_\_



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



**ZONING BOARD APPEAL / CAAZ - 20180065598**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 10401040800

APPLICATION DATE: 10/16/2018

**SITE ADDRESS:**

3509 B WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

CONTRACTOR:

APPLICANT:

PURPOSE:

Variance to 17.12.040 E1.b requesting 2 1/2 ft side setback.

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence.  
Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space,  
no kitchen or full bath, no commercial use. Must comply with all easements.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567659

**APPLICATION FOR BUILDING RESIDENTIAL - NEW // GARN - T2018064267  
THIS IS NOT A PERMIT**

PARCEL: 10401040800

APPLICATION DATE: 10/10/2018

**SITE ADDRESS:**

3509 WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Martin Dillingham 615-948-7761

**PURPOSE:**

Garage built without a permit.

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat. No trades needed. Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

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*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[E] Sewer Availability Review For Bldg		862-7225
[E] Sewer Variance Approval For Bldg		
[E] Water Availability Review For Bldg		862-7225
[E] Water Variance Approval For Bldg		
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crumby@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

This was an existing building so the hardship  
is would be to relocate and remove the existing  
Academy

### APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

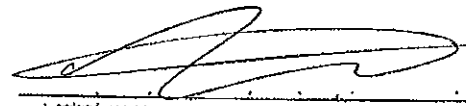
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
\_\_\_\_\_  
APPELLANT

10-16-18  
\_\_\_\_\_  
DATE



**MAILING ADDRESS**

P. O. Box 186300  
 NASHVILLE, TENNESSEE 37219  
 TELEPHONE (615) 862-6590  
 FACSIMILE (615) 862-6593

**NOTICE TO CORRECT VIOLATION**

Noticia Para Corregir Violacion

**DEPARTMENT OF CODES & BUILDING SAFETY****OFFICE ADDRESS**

METRO OFFICE BUILDING - 3rd Floor  
 800 SECOND AVENUE, SOUTH  
 NASHVILLE, TENNESSEE 37210

**Date of Notice:****Property Owner:****METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY****Case Number:**

01/25/2018

18-1173788

DILLINGHAM, MARTIN B., SR. &amp; MARTIN B., JR.

7112 CRYSTAL SPRINGS RD

FAIRVIEW TN 37062

LL#: 200800723

**Location of Violation:**

3509 WRENWOOD DR

**Map/Parcel Number:**

10401040800

You are hereby notified as owner, occupant or agent in control of the above referenced property, that the following conditions about said premises are a violation of the Metropolitan Code Section(s).

**VIOLATION(S):**

1)

Section 16.24.330 - Parking on Grass: Parking or storing motor vehicles on the grass is prohibited. Vehicles must be parked on a paved or graveled area, other than a sidewalk. This shall not be applicable to any vehicle for which a valid disabled driver license plate or placard has been issued and is visibly displayed on or in the vehicle.

2)

Section 16.24.330 (B) - Open Storage (Vehicles): It is unlawful for the owner, occupant, or person or entity in control of a building, structure, or premises to utilize the premises of such property for the open storage of any inoperable, unlicensed, or unregistered motor vehicle and/or tires and automotive parts.

Therefore, you are to have the violation or cause removed and/or corrected before: February 26, 2018

If you have any questions, believe this notice has been issued to you in error, or believe the code section indicated above is inapplicable and you are not in violation, please contact our office immediately to discuss this matter.

Said Section of the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, as referenced above, provides that the cited violation must be abated within the time set out; and that, upon failure to abate said violation, the Department of Codes Administration is empowered to prosecute the owner, occupant, or agent for failure to abate the violation.

The Metropolitan Code provides for a penalty for anyone convicted of violating the laws of the Metropolitan Government of up to Fifty (\$50.00) Dollars for each offense and each day it continues Section 1.01.030. Note: In addition you will be held responsible for the payment of all court costs incurred with the processing of the court case regardless of whether or not the property is brought into compliance by the court date.

Notice Issued by: Jay Summers

3509 WRENWOOD

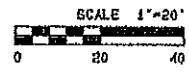
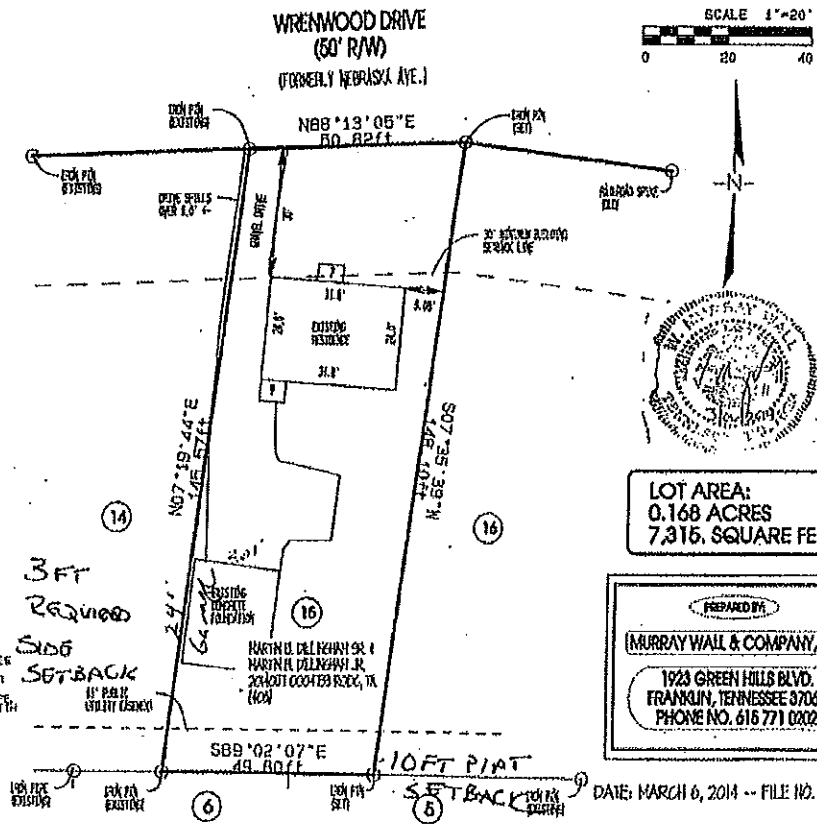
**PROPERTY SURVEY FOR:**  
**MARTIN B. DILLINGHAM SR. &**  
**MARTIN B. DILLINGHAM JR.**  
**PROPERTY ADDRESS:**  
**3509 WRENWOOD DRIVE**  
**NASHVILLE, DAVIDSON COUNTY, TN.**

**PARCEL ID:**  
 10401040800

**PROPERTY INFORMATION:**  
 BEING LOT NO. 16, WRENWOOD ASSHOWN  
 ON THE PLAT OF RECORD IN PLAT BOOK 1130,  
 PAGE 65, R.O.D.C., TN.

**MISCELLANEOUS NOTES**

- THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY I (URBAN AND SUBURBAN) LAND SURVEY, AS PER THE STANDARDS OF PRACTICE AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
- THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1:10,000 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIVE ERROR AT ANY CORNER.
- BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD
- MANHOLE CORNER MARKS (60) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0
- IN TENNESSEE IT IS A REQUIREMENT OF THE "COMPREHENSIVE UTILITY DUNGS PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL HIGH QUALITY UTILITIES (BY PHONE OR BY VISUAL INSPECTION) PRIOR TO EXCAVATION.
- THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES (GAS, WATER AND SEWERAGE) UTILITIES SHOWN HEREIN FROM FIELD SURVEY. INFORMATION AVAILABLE TO THE SURVEYOR AT THE TIME OF THIS SURVEY IS LIMITED TO THE RECORDS OF THE RESPECTIVE UTILITIES AND/OR PLATS OF RECORD OR OTHER SOURCES AS NOTED HEREON. THE SURVEYOR MAKES NO GUARANTEE AS TO THE ACCURACY OF THE LOCATION OF ANY UTILITIES OR OTHER MARKERS SHOWN ON THE PLAT OF RECORD. EITHER IN SERVICE OR OTHERWISE, THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION AS INDICATED HEREON. ANY WORK TO BE DONE WITH THESE UTILITIES SHOULD BE DONE WITH DUE CARE AND PRECAUTION. DETAILED VERIFICATION OF EXISTING UTILITIES AND OTHER MARKERS SHOULD BE MADE PRIOR TO ANY EXCAVATION. THE SURVEYOR IS NOT RESPONSIBLE FOR THE COST OF SERVICE CHECKS TO BE COMPLETED WITH THE APPROPRIATE UTILITY COMPANY.
- PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CORNER AND ACQUAINT TITLE SEARCH AS TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



**LOT AREA:**  
 0.168 ACRES  
 7,315 SQUARE FEET

PREPARED BY:  
**MURRAY WALL & COMPANY, P.C.**  
 1923 GREEN HILLS BLVD.  
 FRANKLIN, TENNESSEE 37067  
 PHONE NO. 615 771 0202

DATE: MARCH 6, 2014 -- FILE NO. 2013-14

**Request for Denial of Variance**

Case 218-656

3509 Wrenwood Drive

**Section 1**

Denial Request Letter and Neighborhood Petition

Petition Signatures

**Section 2**

Photos of Garage located at 3509 Wrenwood Drive

**Section 3**

Copy of Applicant Application

Copy of Property Survey

**Section 4**

Supporting Documentation

Application for Building Permit

Property Record Card

Appraisal of 3511A Wrenwood Ave

Social Media Post dated May 28, 2018

Statement from Property Owner of 3507B Wrenwood Dr

Request for Denial of Variance Request Case 218-656

Donald and Melissa Bouchard  
3511A Wrenwood Dr.  
Nashville, TN 37205

Metropolitan Board of Zoning Appeals  
Council District 24  
800 2<sup>nd</sup> Ave South  
Nashville, TN 37210

November 15, 2018

Dear Metropolitan Board of Zoning Appeals,

As concerned neighbors of the property at 3509 Wrenwood Avenue (Parcel ID 10401040800) we are opposed to the variance request for the property (case 218-656) which will be before the board on December 6, 2018. We respectfully ask that no variance to be granted.

**Our most compelling reasons include:**

***The variance request for a 2.5 side setback is not consistent with the current zoning requirements according to Section 17.12.040 E1b.***

"Accessory buildings (including above-ground swimming pools extending more than twelve inches above ground level) of seven hundred square feet or less, when located to the rear of a principal structure, shall provide a minimum side setback equal to one-half of that required for the district (**but not less than three feet**) and a minimum rear setback of at least three feet, except when garage doors open directly to an alley, in which case the minimum rear setback shall be ten feet". As residents of the neighborhood, we feel that if this variance is granted it may set a precedence for future requests. Based on the proximity of the homes in the neighborhood, a minimum of a 3 ft setback is necessary for safety, privacy and consistency in the neighborhood.

***No building permit was obtained prior to construction.***

The garage was constructed without a building permit. "A building permit is required for a new accessory structure or addition thereto (accessory structures include garages, carports, patio covers, decks, porches and storage buildings including portable storage buildings of 100 square feet or more.) The newly constructed garage located at 3509 Wrenwood is 440 square feet and requires a building permit. The garage was built without going through proper procedure and obtaining building permit. As a result, the application and plans were not reviewed and approved by the Development Services Departments prior to the construction in May 2018.

***Granting the variance creates a safety hazard for all adjacent properties.***

The garage is located less than 3 feet from a wooden privacy fence. This fence is attached to two homes located on lots A and B of 3511 Wrenwood Ave. The proximity of the garage to the wooden fence presents a fire hazard to the neighboring homes.

Currently, the garage has no power source located in the structure. The owner is running an extension cord from the main home to the garage in order to provide power to the garage. He uses various power tools to work on the garage and to perform work on a vehicle located in the garage. This presents an electrical and fire hazard for all neighbors.

***Granting the variance will result in a decrease in property values.***

A decrease in property values will cause financial harm to the immediate neighbors. The size and location of the garage are not in line with the current standards of the neighborhood.

***Self-Imposed Hardship***

The hardship claimed by the property owner is a direct result of his action and is not within the standards for variance. No hardship would exist had the property owner obtained a building permit prior to construction in May. The variance appeal states that the garage was an "existing structure" which is not the case. The garage was built over a concrete slab that existed prior to May 2018. It is our opinion that the physical characteristics of the property do not prohibit him from complying with set back regulations.

***Inconsistent with the design of the neighborhood***

The parcel size is .17 acres or 7,405 square feet. The one story residence located on the property is 768 square feet. The garage is 440 square feet. Currently, there are no homes on Wrenwood Ave with any accessory structure of this size. The addition of a garage of this size is not consistent with the design and plan of the neighborhood. This will also cause additional harm to the adjacent neighbor's property values.

We respectfully ask that this variance request be denied.

Yours Sincerely,

*Melissa and Donald Bouchard*

Melissa Bouchard

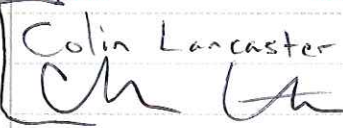



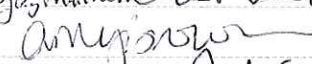


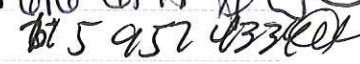



Donald Bouchard

*11-15-2018*



# Petition Signatures

Case 218-656

NO.	NAME	Address	PHONE	EMAIL	Signature
01	Colin Lancaster	3503 Wrenwood	917-364-0546	ColinLancaster87@gmail.com	
02					
03	Megan Lancaster	"	"	meg419@gmail.com	
04	Matthew McKenna	3501 Wrenwood	410 949 0506	matthew.t.mckenna@gmail.com	
05	Justin Werthan	3507 Wrenwood	415 772-3325	justinwerthan@gmail.com	
06	Hilay Werthan	3507 Wrenwood	615-496-4880	hking.werthan@gmail.com	
07	DANIEL BALASUBRAMANIAN	3506 Wrenwood	615-830-8429	danielbal@gmail.com	
08	Jay Burkhardt	3508 Hillside	615-508-4676	burkhardtj@gmail.com	
09	Amy Brown	3508 Hillside	702-429-6972	AmyBrown	
10	Jodee Warwick	3506 Hillside Ave.	312 961 4225	JodeeWarwick	
11	Grace Woodside	3506 Hillside Ave	731-616-6090	GraceWoodside	
12	Andres Mutallana	3510A Wrenwood Ave	615 952 4330	AndresMutallana	
13	Brittany Nizzi	3505B Wrenwood Ave	nizzi@bellsouth.net	404 713 0115	
14	Kris Bergmann	3505A Wrenwood Ave	Kberg713@gmail.com	842 834 222	
15	Phillip Buchanan	3506A Wrenwood Ave	phillip.buchanan05@gmail.com	260-609-7207	
16					
17	Melissa Bouchard	3511A Wrenwood Ave	310-499-3415	MelissaBouchard	
18				melissajacksonbouchard@gmail.com	
19	Donald Bouchard	3511A Wrenwood Ave	310-728-9283		
20				dbouch544@gmail.com	
21	Allison Loehr	3507B Wrenwood Ave.	38918-704-5144	loehra@aol.com	

# Petition Signatures

Case 218-656

NO.	NAME	Address	PHONE	EMAIL	Signature
01					
02					
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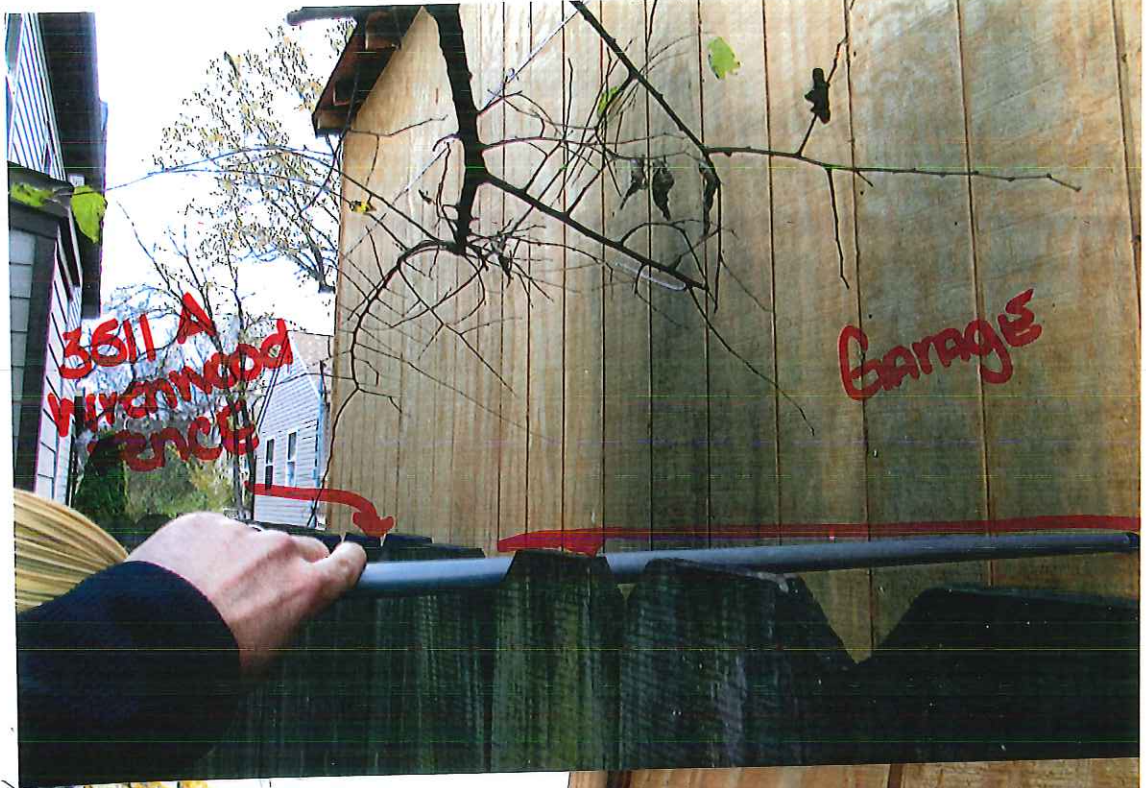


























Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Martin Dillingham  
Property Owner: Martin Dillingham  
Representative: Martin Dillingham

Date: 10-16-18  
Case #: 2018-656  
Map & Parcel: 10401040800

Council District 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

GARAGE CONSTRUCTED DOES NOT MEET 3 FT REQUIRED SIDE SETBACK. USED EXISTING FOUNDATION, NEW CONSTRUCTION GARAGE IS 2 1/2 FT FROM SIDE PROPERTY LINE.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 3509 WRENWOOD DR

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO SIDE SETBACK

Section(s): 17.12.040 E1b

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Martin Dillingham  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

3509 Wrenwood Ave B  
Address

Address

Nashville, TN 37205  
City, State, Zip Code

City, State, Zip Code

615-948-7761  
Phone Number

Phone Number

Martin.Dillingham@comcast.net  
Email

Email

Appeal Fee: \_\_\_\_\_

### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

Physical characteristics of the property - The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property.

Unique characteristics - The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.

Hardship not self-imposed - The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of this Zoning Code.

Financial gain not only basis - Financial gain is not the sole basis for granting the variance.

No injury to neighboring property - The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare - The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.

Integrity of Master Development Plan - The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.

The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-C, nor the required size of residential lots approved by the Planning Commission under the authority of Section 3.7 (Lot Averaging), Section 3.8 (Cluster Lot Option) or Section 9.B.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.



In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

This was an existing building so the hardship  
 would be to relocate and remove the existing  
 foundation.

3509 WRENWOOD

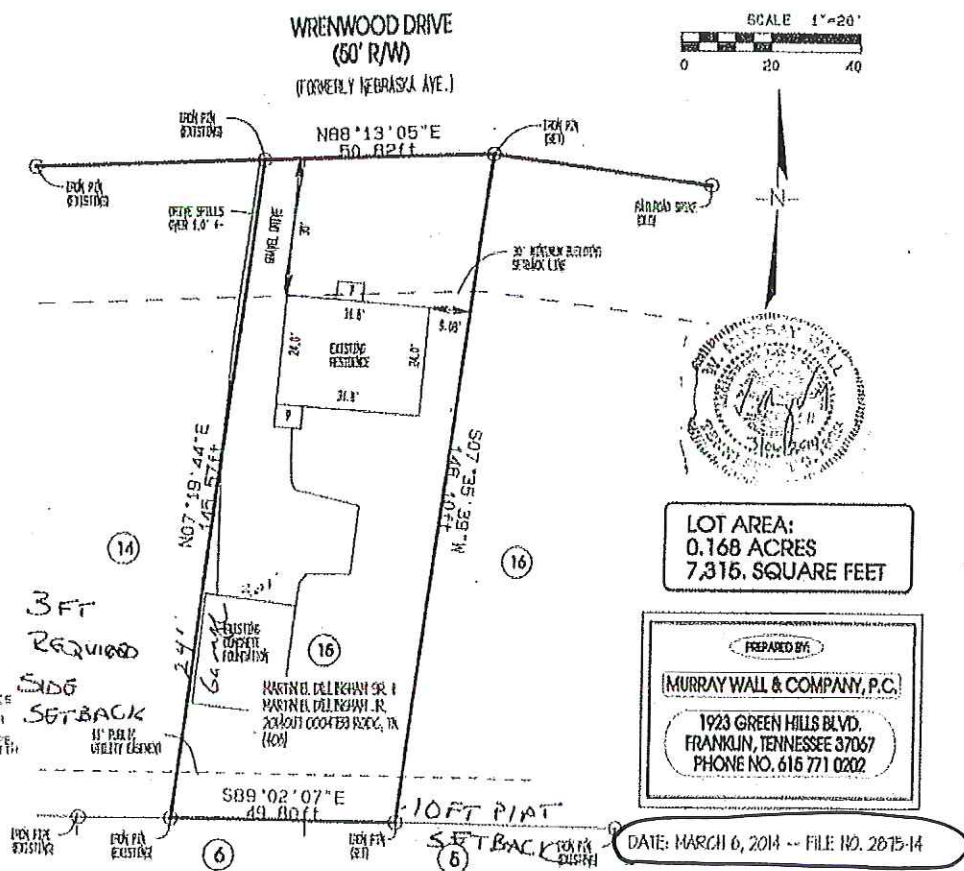
**PROPERTY SURVEY FOR:**  
**MARTIN B. DILLINGHAM SR. &**  
**MARTIN B. DILLINGHAM JR.**  
**PROPERTY ADDRESS:**  
**3509 WRENWOOD DRIVE**  
**NASHVILLE, DAVIDSON COUNTY, TN.**

**PARCEL ID:**  
 10401040800

**PROPERTY INFORMATION:**  
 BEING LOT NO. 16, WRENWOOD ASSHOWN  
 ON THE PLAT OF RECORD IN PLATBOOK 1130,  
 PAGE 55, R.O.D.C., TN.

**MISCELLANEOUS NOTES**

1. THIS SURVEY MEETS OR EXCEEDS THE REQUIREMENTS OF A CATEGORY I HUMAN AND SUBDIVISION LAND SURVEY, AS PER THE STANDARD OF PRACTICE, AS REVISED AND ADOPTED BY THE BOARD OF EXAMINERS FOR LAND SURVEYORS STATE OF TENNESSEE.
2. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS GREATER THAN 1/10,000 OR DOES NOT EXCEED 1/10 OF A FOOT OF POSITIONAL ERROR AT ANY CORNER.
3. BEARING SYSTEM DERIVED FROM THE PLAT OF RECORD.
4. NUMBERS FROM THIS (CO) PERTAIN TO PROPERTY TAX MAP NUMBER 104-01-0.
5. IN TENNESSEE IT IS A REQUIREMENT OF THE "UNDERGROUND UTILITY DAMAGE PREVENT ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UTILITY OWNERS. TENNESSEE DUG CALL 811. UTILITIES NOT CHECKED.  
 THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPROPRIATED AT THE SUBJECT SITE. INFORMATION MADE AVAILABLE BY THE RESPECTIVE UTILITY PROVIDER (PLAT IS) OF RECORD OR OTHER SOURCES AS NOTED HEREON. THE SURVEYOR MAKES NO GUARANTEE (S) THAT THE UNDERGROUND UTILITIES SHOWN HEREON CORRELATE ALL SUCH UTILITIES ON THE SUBJECT PARCEL. EITHER IN SERVICE OR OTHERWISE. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION AS INDICATED THEREON. RELIANCE UPON THE SIZE, SIZE AND LOCATION OF UTILITIES AS SHOWN SHOULD BE DONE SO WITH THESE CIRCUMSTANCES CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD BE MADE PRIOR TO ANY DECISION RELATIVE TO MAINTENANCE, AVAILABILITY AND COST OF REMOVAL SHOULD BE OBTAINED WITH THE APPROPRIATE UTILITY COMPANY.
6. PROPERTY SUBJECT TO ANY AND ALL FINDINGS OF A CURRENT AND ACCURATE TITLE SEARCH, NO TITLE REPORT FURNISHED TO THIS SURVEYOR PRIOR TO SURVEY.



\*Survey completed in 2014 shows a concrete foundation. This clearly shows there was not an "existing building" as stated by Mr. Dillingham in the attached Application

3509 WRENWOOD

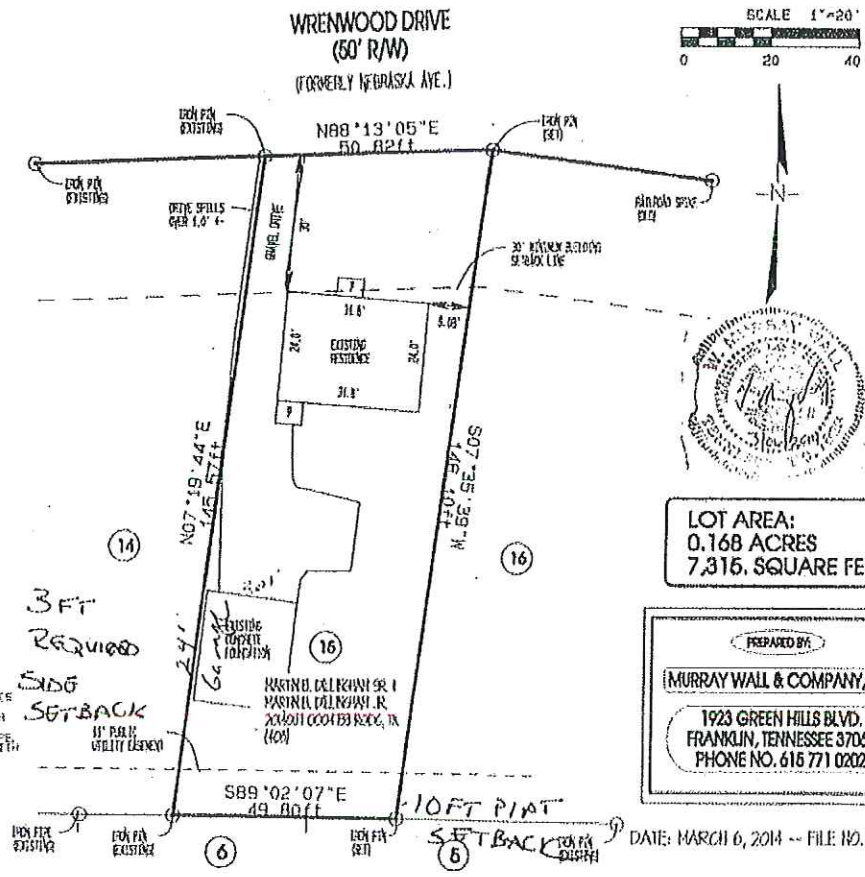
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**LOT AREA:**  
 0.168 ACRES  
 7,316 SQUARE FEET

PREPARED BY:  
**MURRAY WALL & COMPANY, P.C.**  
 1923 GREEN HILLS BLVD.  
 FRANKLIN, TENNESSEE 37067  
 PHONE NO. 615 771 0202

DATE: MARCH 6, 2014 -- FILE NO. 2075-14





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3567659

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018064267  
THIS IS NOT A PERMIT**

PARCEL: 10401040800

APPLICATION DATE: 10/10/2018

**SITE ADDRESS:**

3509 WRENWOOD DR NASHVILLE, TN 37205  
LOT 15 WRENWOOD

PARCEL OWNER: DILLINGHAM, MARTIN, JR.

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Matrin Dillingham 615-948-7761

**PURPOSE:****Garage built without a permit.**

To construct a 20 ft x 24 ft (440 sq ft) detached single story garage to rear of existing single family residence. Minimum 3 ft side setbacks, minimum 10 ft rear setback per plat .No trades needed. ..Not to be used as living space, no kitchen or full bath, no commercial use. Must comply with all easements.1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

2. Pursuant # 2006-1263 Metro code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...3...You can dig your footers, but do not pour any concrete until you call for an inspection. Also do not put up any drywall until you call for an inspection. The idea is you do not cover up anything with concrete or drywall until an inspector has had a chance to review..\*\*\*SITE PLAN SENT TO FILE

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[E] Sewer Availability Review For Bldg		862-7225
[E] Sewer Variance Approval For Bldg		
[E] Water Availability Review For Bldg		862-7225
[E] Water Variance Approval For Bldg		
[A] Bond & License Review On Bldg App	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[F] Address Review On Bldg App		862-8781 bonnie.crummy@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

11/4/2018

Unofficial Property Record Card

Davidson County, TN  
Assessor of Property

Unofficial Property Record Card

### GENERAL PROPERTY INFORMATION

**Map & Parcel:** 104 01 0 408.00  
**Current Owner:** DILLINGHAM, MARTIN, JR.  
**Mailing Address:** 3509 WRENWOOD DR  
NASHVILLE, TN 37205  
**Zone:** 2  
**Neighborhood:** 2126

**Location:** 3509 WRENWOOD DR  
**Land Area:** 0.17 Acres  
**Most Recent Sale Date:** 11/20/2017  
**Most Recent Sale Price:** \$0  
**Deed Reference:** 20171211-0125736  
**Tax District:** USD

### CURRENT PROPERTY APPRASIAL

**Assessment Year:** 2018  
**Land Value:** \$200,000  
**Improvement Value:** \$60,200  
**Total Appraisal Value:** \$260,200

**Assessment Classification\*:** RES  
**Assessment Land:** \$50,000  
**Assessment Improvement:** \$15,050  
**Assessment Total:** \$65,050

### LEGAL DESCRIPTION

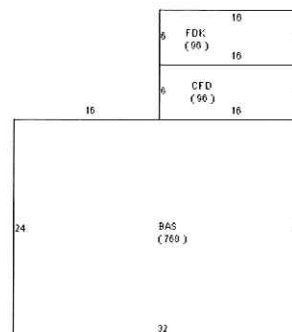
LOT 15 WRENWOOD

### IMPROVEMENT ATTRIBUTES - Card 1 of 1

**Building Type:** SINGLE  
FAM  
**Year Built:** 1947  
**Square Footage:** 768  
**Number of Living Units:** 1  
**Building Grade:** D  
**Building Condition:** Fair

**Rooms:** 4  
**Beds:** 2  
**Baths:** 1  
**Half Bath:** 0  
**Fixtures:** 5

**Exterior Wall:** FRAME  
**Frame Type:** RESD  
FRAME  
**Story Height:** ONE STY  
**Foundation Type:** CRAWL  
**Roof Cover:** ASPHALT



\*This classification is for assessment purposes only and is not a zoning designation, nor does it speak to the legality of the current use of the subject property.



**SUMMARY OF SALIENT FEATURES**

SUBJECT INFORMATION	Subject Address	3511A Wrenwood Ave
	Legal Description	Unit A 3511 Wrenwood Avenue Townhomes / Neighborhood Code And Name: 2126 Vanderbilt
	City	Nashville
	County	Davidson
	State	TN
	Zip Code	37205
	Census Tract	0167.00
	Map Reference	104
SALES PRICE	Sale Price	\$ 475,400
	Date of Sale	05/02/2017
CLIENT	Borrower/Client	Don and Melissa Bouchard
	Lender	FRANKLIN SYNERGY BANK - MORTGAGE
DESCRIPTION OF IMPROVEMENTS	Size (Square Feet)	1,988
	Price per Square Foot	\$ 239.13
	Location	N,Res;
	Age	3
	Condition	C2
	Total Rooms	6
	Bedrooms	2
	Baths	2.1
APPRAISER	Appraiser	Shawn P. Stine
	Date of Appraised Value	05/22/2017
VALUE	Final Estimate of Value	\$ 460,000

Borrower/Client	Don and Melissa Bouchard	File No.	TRI0047
Property Address	3511A Wrenwood Ave		
City	Nashville	County	Davidson
State	TN	Zip Code	37205
Lender	FRANKLIN SYNERGY BANK - MORTGAGE		

**APPRAISAL AND REPORT IDENTIFICATION**

This Report is one of the following types:

- Appraisal Report** (A written report prepared under Standards Rule 2-2(a) , pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- Restricted Appraisal Report** (A written report prepared under Standards Rule 2-2(b) , pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

**Comments on Standards Rule 2-3**

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- Unless otherwise indicated, I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

**Reasonable Exposure Time** (USPAP defines Exposure Time as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.)

My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: 0-90 days

The Exposure Time for the subject property was developed from sales information deemed to be similar to the subject and captured as median days on the market between 0 and 90 days.

**Comments on Appraisal and Report Identification**

Note any USPAP-related issues requiring disclosure and any state mandated requirements:

Per USPAP 2016-2017: An Appraisal Report must summarize the appraiser's analysis and the rationale for the conclusions. Unless otherwise indicated or included, the appraisal excludes the development and analysis of the Income Approach to value as income capitalization methods are not typically considered applicable by real estate appraiser peers when appraising an amenity-type residential property such as the subject property.

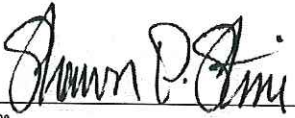
Therefore, this appraisal is not intended to be a full "narrative" report.

I have knowledge and experience in appraising this type of property in this market area. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as the MTRMLS multiple listing service, tax assessment records (CRS Tax System), public land records, and other such data sources for the area in which the property is located to the extent that these are available in my market area.

This appraisal contains additional commentary text addenda, maps and exhibits which are all an integral part of this appraisal report.

Prior Services Statement: I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

**APPRAISER:**

Signature:   
 Name: Shawn P. Stone

State Certification #: 4564  
 or State License #:

State: TN Expiration Date of Certification or License: 05/31/2016  
 Date of Signature and Report: 05/28/2017

Effective Date of Appraisal: 05/22/2017

Inspection of Subject:  None  Interior and Exterior  Exterior-Only  
 Date of Inspection (if applicable): 05/22/2017

**SUPERVISORY or CO-APPRAISER (if applicable):**

Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_

State Certification #: \_\_\_\_\_  
 or State License #:

State: \_\_\_\_\_ Expiration Date of Certification or License: \_\_\_\_\_  
 Date of Signature: \_\_\_\_\_

Inspection of Subject:  None  Interior and Exterior  Exterior-Only  
 Date of Inspection (if applicable): \_\_\_\_\_

**Subject Photo Page**

Borrower/Client	Don and Melissa Bouchard				
Property Address	3511A Wrenwood Ave				
City	Nashville	County	Davidson	State	TN Zip Code 37205
Lender	FRANKLIN SYNERGY BANK - MORTGAGE				



**Subject Front**

3511A Wrenwood Ave	
Sales Price	475,400
Gross Living Area	1,988
Total Rooms	6
Total Bedrooms	2
Total Bathrooms	2.1
Location	N,Res;
View	N,Res;
Site	7841 sf
Quality	Q3
Age	3



**Subject Rear**



**Subject Street**



**Subject Photo Page**

<b>Borrower/Client</b>	Don and Melissa Bouchard				
<b>Property Address</b>	3511A Wrenwood Ave				
<b>City</b>	Nashville	<b>County</b>	Davidson	<b>State</b>	TN
<b>Lender</b>	FRANKLIN SYNERGY BANK - MORTGAGE				
		<b>Zip Code</b>	37205		



**Subject Side Elevation**

3511A Wrenwood Ave  
 Sales Price 475,400  
 Gross Living Area 1,988  
 Total Rooms 6  
 Total Bedrooms 2  
 Total Bathrooms 2.1  
 Location N;Res;  
 View N;Res;  
 Site 7841 sf  
 Quality Q3  
 Age 3



**Subject Side Elevation**



**Subject Street**

**Subject Photo Page**

<b>Borrower/Client</b>	Don and Melissa Bouchard				
<b>Property Address</b>	3511A Wrenwood Ave				
<b>City</b>	Nashville	<b>County</b>	Davidson	<b>State</b>	TN
<b>Lender</b>	FRANKLIN SYNERGY BANK - MORTGAGE				
				<b>Zip Code</b>	37205



**Subject HVAC**

3511A Wrenwood Ave	
<b>Sales Price</b>	475,400
<b>Gross Living Area</b>	1,988
<b>Total Rooms</b>	6
<b>Total Bedrooms</b>	2
<b>Total Bathrooms</b>	2.1
<b>Location</b>	N,Res;
<b>View</b>	N,Res;
<b>Site</b>	7841 sf
<b>Quality</b>	Q3
<b>Age</b>	3



**Subject Water Heater**



**Subject Electric Panel**



Joseph Young  
May 28 · 🌐

Summer time barn raising at Martin Dillingham's house...



This facebook post dated May 28<sup>th</sup> shows the garage being constructed at 3509 Wrenwood. Which is the property owned by Martin Dillingham

Application for Building permit filed on October 10<sup>th</sup> 2018.

Like Comment Share

5

Write a comment... GIF 😊



November 27, 2018

From:

Allison Loehr  
3507B Wrenwood Dr  
Nashville, TN 37205

To:

Metropolitan Board of Zoning Appeals  
Council District 24  
800 2<sup>nd</sup> Ave South  
Nashville, TN 37210

Re: Appeal Case Number 2018-656

Dear Metropolitan Board of Zoning Appeals,

I am writing in regard to Appeal Case Number 2018-656 which requests a variance from side setback requirements. I am a property owner adjacent to the appellant's property at 3509 Wrenwood Drive. It is my understanding that the variance appeal submitted states that the garage structure, which is the subject of the appeal, was an "existing structure". This is not the case. The garage was newly built in May 2018 over a concrete slab. The slab without walls or any other containment was all that existed in this location prior to May 2018. I hope this information is helpful in your review of the case.

Sincerely,



Allison Loehr

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Anthony Eubanks Date: 1/10/19  
Property Owner: Living Development Case #: 2019- 82  
Representative: Anthony Eubanks Map & Parcel: 81-8-178

Council District 2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: New S.F House

Activity Type: S.F  
Location: 2205 11<sup>th</sup> Av N N.T. 37208

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Sidewalks Required But allowed to contribute,  
Section(s): 17.20.120 Request Not to Install + Not to contribute  
Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Anthony Eubanks  
Appellant Name (Please Print)

Representative Name (Please Print)

Address

Address

City, State, Zip Code

City, State, Zip Code

615-400-4550  
Phone Number

Phone Number

Cookieeubcookie@gmail.com  
Email

Email

Appeal Fee: 100<sup>00</sup>



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3593407

**APPLICATION FOR BUILDING RESIDENTIAL - NEW // CARN - T2019001781**

**THIS IS NOT A PERMIT**

PARCEL: 08103017800

APPLICATION DATE: 01/10/2019

**SITE ADDRESS:**

2205 11TH AVE N NASHVILLE, TN 37208  
P/O LOTS 2 & 3 BUENA VISTA

PARCEL OWNER: LIVING DEVELOPMENT CONCEPTS

**APPLICANT:****PURPOSE:**

TO CONSTRUCT A NEW SINGLE FAMILY RES AT 1300 SQFT WIT PORCHES AND DECKS.

1...CORNER LOT.

2...FRONT FACACE TO FACE 11TH AV N.

3...FRONT SETBACK MIN 22' BASED ON AVERAGE.

4...REAR MIN 20'.

5...SIDE STREET SETBACK (CECILIA AVE) 10'...IF A GARAGE DOOR FACES CECILIA THE SETBACK FOR THE GARAGE DOOR ONLY IS 20'...REST OF HOUSE 10'.

6...INTERIOR SIDE LOT LINE SETBACK MIN 5'.

**DENIED:**

SIDEWALKS REQUIRED AND ALLOWED TO CONTRIBUTE.

\*\*\*REQUEST NOT TO INSTALL AND NOT TO CONTRIBUTE.

\*\*\*BARNES FUND AND AFFORDABLE HOUSING.

POC: ANTHONY EUBANKS...615-400-4550

cookieeubcookie@gmail.com

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review

[A] Zoning Review

CA - Zoning Sidewalk Requirement Review

[B] Fire Life Safety Review On Bldg App

862-5230

[E] Sewer Availability Review For Bldg

862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[E] Sewer Variance Approval For Bldg

862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[E] Water Availability Review For Bldg

862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[E] Water Variance Approval For Bldg

862-7225

MWS.DevelopmentServicesCenter@nashville.gov

[A] Bond &amp; License Review On Bldg App

[D] Grading Plan Review For Bldg App

(615) 862-6038 Logan.Bowman@nashville.gov

[F] Ramps &amp; Curb Cuts Review For Bldg A

862-8782 PWPermitsI@nashville.gov

[F] Solid Waste Review On Bldg App

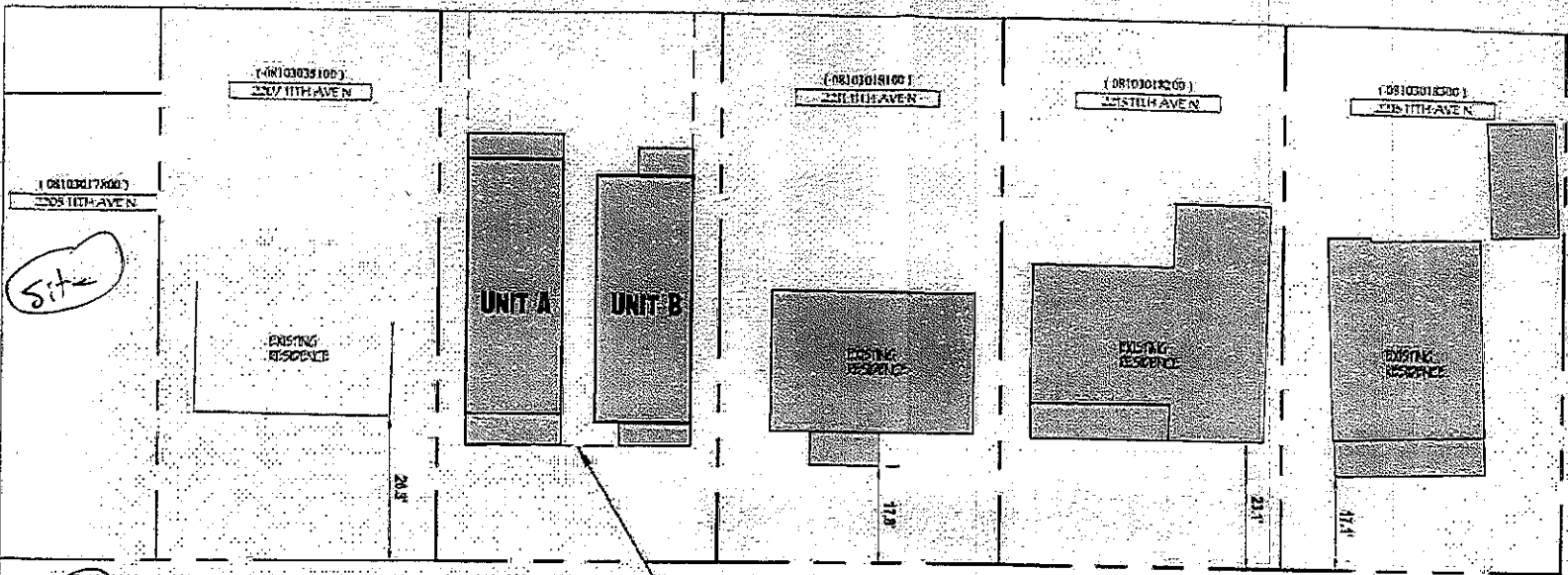
862-8782

BZA Hearing

615-862-6505 Debbie.Lifsey@nashville.gov



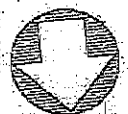




WALSH STREET  
(50' R.O.W.)

11TH AVENUE NORTH  
(R.O.W. VARIES)

22.



**CLINT T. ELLIOTT**  
**REGISTERED LAND SURVEYOR**  
 7930 Hwy 70 South, Nashville, TN, 37221  
 p: (615) 533-2054  
 e: cte@clintelliotts.com

**Building Setbacks**  
 2209 11th Ave North, Units A & B  
 Nashville, Davidson County, Tennessee

Sheet No.  
**V-23**

BZA  
19-82

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number.** Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

\_\_\_\_\_  
**APPELLANT**

1/10/19  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

**Hardship not self-imposed**- *The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

**Financial gain not only bases**- *Financial gain is not the sole basis for granting the variance.*

**No injury to neighboring property**- *The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

- ① Ir-Shape
- ② Barnes Ford
- ③ Affordable housing



3033400  
50

08103033500  
51

08103033300  
73.5  
35

08103033300

WALSH ST

7385

58.75

150

150

08103032900

081031D90000CO

081031E90000CO

081031B90000CO

081031C90000CO

0810303570

081033J90000CO

081033H90000CO

081033J00100CO

081033J00200CO

081033H00100CO

081033H00200CO

08103017600

36

50

50

08103038200

CECILIA AVE

52/26

11TH MEN

37.42  
62

53.5

40

43

26

35

08103024400

08103024200

75

1600

82

145

450

4300

145

08103024201

75

75

UNNUMBERED ALY  
08103024100

12TH MEN

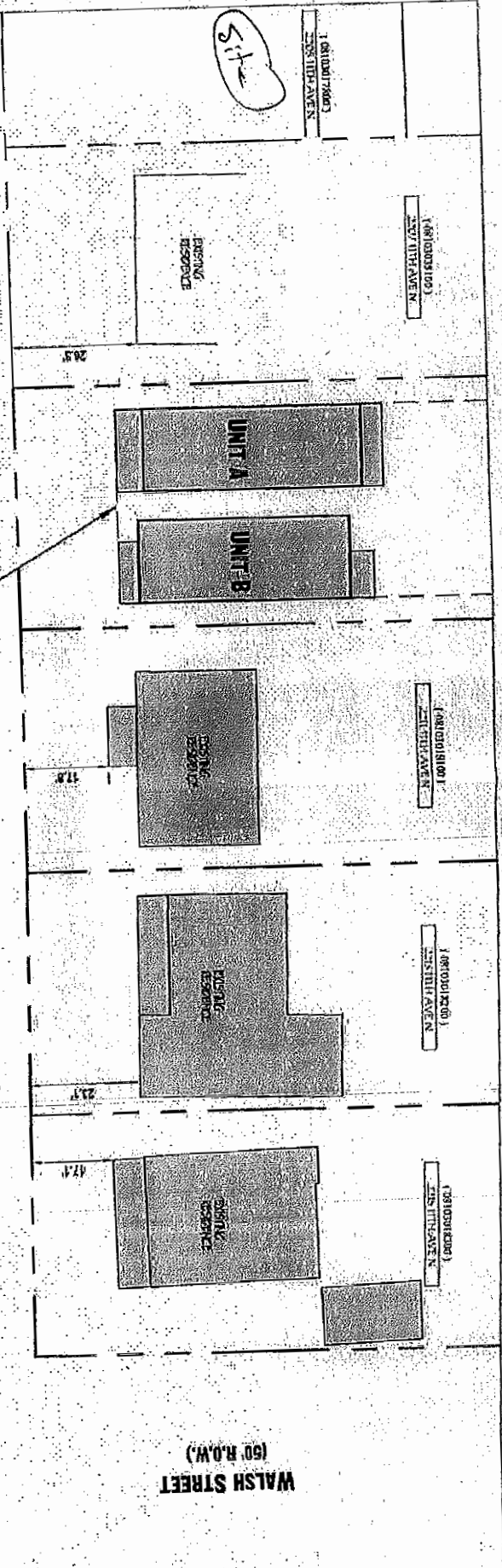
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08103025000

157.5

08103025100

325

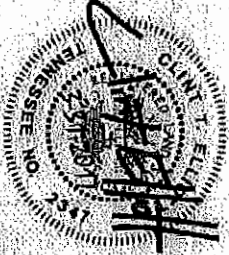


22.1

Site



**CLINT T. ELLIOTT**  
 REGISTERED LAND SURVEYOR  
 7930 Hwy 70 South, Nashville, TN 37221  
 pl (615) 533-2054  
 clt@clintelliottsurvey.com



**Building Setbacks**  
 2209 11th Ave North, Units A & B  
 Nashville, Davidson County, Tennessee

Sheet No.  
**V-2.3**

**11TH AVENUE NORTH**  
 (R.O.W. VARIES)

**21.1' FRONT SETBACK**  
 (CONTEXTUAL AVERAGE)

**WALSH STREET**  
 (50' R.O.W.)

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-082 (2205 11<sup>th</sup> Avenue North)

Metro Standard:	11 <sup>th</sup> Avenue North – 4' grass strip, 5' sidewalk, as defined by the Local Street Standard
	Cecilia Street – 4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (eligible)
Zoning:	R6
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	11 <sup>th</sup> Avenue North – Local Street
	Cecilia Street – Local Street
Transit:	592' east from #42 – St. Cecilia/Cumberland
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family structure on the property through the Barnes Housing Trust Fund, which helps to provide more affordable housing in the city. Planning evaluated the following factors for the variance request:

- (1) Right-of-way dedications will ensure that Metro does not have to purchase portions of the property in the future to construct sidewalks.
- (2) Requiring additional infrastructure on properties already donated by Metro through the Barnes Fund for affordable housing competes with Metro's priority to provide more affordable housing in Nashville.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way along both property frontages to accommodate a future 4' grass strip and 5' sidewalk.





## METROPOLITAN COUNCIL

Member of Council

### DeCosta Hastings

Metro Councilmember District 2

2412 14<sup>th</sup> Avenue North • Nashville, TN 37208

Telephone 615-779-1565

March 27, 2019

Chairman, David Ewing and Members  
Metropolitan Board of Zoning Appeals  
Metro Office Building  
800 Second Avenue South  
Nashville, TN 37219-6300

RE: Case Number: 2019-082  
2205 11<sup>th</sup> Avenue North

Dear Chair Ewing and Members,

I am writing to express my support for the above referenced variance request at 2205 11<sup>th</sup> Avenue North. This case will be heard on the BZA's agenda for the meeting of April 4, 2019.

The variance excuses the sidewalks for the property zoned for affordable housing. Also if granted, it will allow affordability to our low-income participants. Thank you for moving to approve this variance request.

Also, thank you for your time and service you give to our city.

Sincerely,

DeCosta Hastings  
Councilmember, District 2

DH/dc

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: 15<sup>th</sup> Church Equity Investors Date: \_\_\_\_\_  
Property Owner: 15<sup>th</sup> Church & Investors Case #: 2019-085  
Representative: Lee Molette Map & Parcel: 92-12/340

Council District 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To reduce parking spaces

Activity Type: Residential - Short Term Rental Condos

Location: 1506 Church St Nashville 37203

This property is in the MU1-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 17.20.030  
Section(s): Variance from parking requirements.

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

15<sup>th</sup> Church Equity Investors  
Appellant Name (Please Print)

Lee Molette  
Representative Name (Please Print)

1506 Church St #130  
Address

1506 Church St #131  
Address

Nashville, TN 37203  
City, State, Zip Code

Nashville, TN 37203  
City, State, Zip Code

(615) 300.7862  
Phone Number

(615) 300.7862  
Phone Number

lee.fs.developers@gmail.com  
Email

lee.fs.developers@gmail.com  
Email

Appeal Fee: \_\_\_\_\_

**Frank Stanton Developers, LLC**

**1506 Church St #130**

**Nashville, TN 37203**

**(615) 600.7862**

**1.11.19**

**Re: Variance Request**

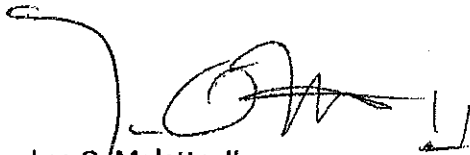
**Dear Zoning Appeals Board**

The property at 1506 Church is being developed as a Short-term rental condominium building. We are appealing to have the required parking requirement of 40 spaces reduced to 14. This requirement burdens the development with significant excessive parking requirements. We will submit supporting documentation and studies prior to our hearing. However, with the growth of ride-share and other alternative means of transportation including buses, most visitors are no longer driving. Therefore, they do not require as much parking. Our location is within walking distance of the majority of Nashville's entertainment districts & venues for our guests.

This reduction will allow us to create a more pedestrian friendly environment while avoiding both above grade parking and un-utilized building areas.

We respectfully submit this appeal for your consideration.

Warm regards

A handwritten signature in black ink, appearing to read 'Lee O. Molette, II', with a large, sweeping initial 'L' on the left side.

Lee O. Molette, II

President

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

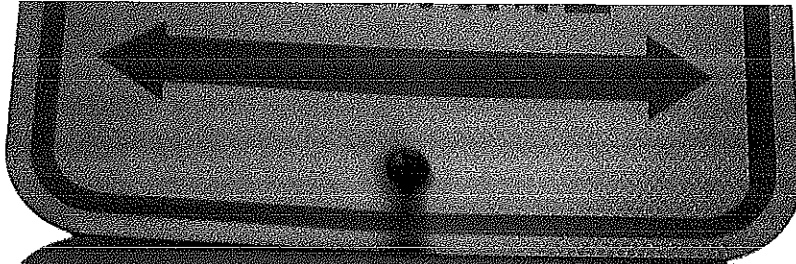
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

1.11.19  
DATE



2019-085



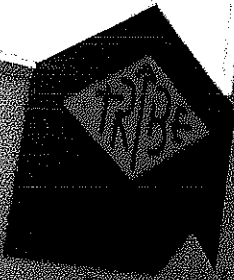
Metropolitan  
Transit  
Authority

BUS

BUS  
STOP

**DISCONTINUED**  
Effective date(s):

Customer Service Center 242-6050





**E.S.S., Inc.**

**203 McMillin St. • Nashville, TN 37203-2912**

**(615) 340-9033 • Fax (615) 340-9642**

**www.essnashville.com**

To: Metro Nashville Zoning Appeals Board

Re: case# 2019-085

I own and operate ESS Inc. ESS is located on McMillin Street, and it is across the street from the proposed project.

I am requesting that the board please reject this application for a reduction in the required number of parking spaces because of the very negative impacts it will have on my business, my employees, my neighbors and the neighborhood in general. Below I have listed multiple reasons why the zoning variance should not be granted.

- There is precious little available on street parking in the neighborhood. This is especially true at night when is when residents and guests will need the parking facilities the most. All on street parking fills up extremely quickly on the weekends and on Wednesday. I often work late into the evenings, and I have witnessed this personally. I also have CCTV camera video that could easily be provided upon request. When people can't find parking on the street, they often trespass and park on the property of other local businesses including ESS.
- There is no plan for parking for the two commercial businesses that will also occupy the building. Those two businesses by themselves could easily overwhelm the proposed parking facility with their own employees and clients.
- It is my understanding that a reduction in the parking spaces requirement has already been granted based on the availability of public transportation. It is true that there is a bus stop sign located at the location, but that stop is no longer an active one, and that has been the case for a very long time. There is a decal on the sign notifying the public of this. The nearest bus stop is several blocks away. I have included a photo of the bus stop sign. I took that photo this morning. I have also checked the Metro Nashville bus map. The closest bus stop is several blocks away on Charlotte Avenue. There are no bus stops conveniently located to this project location.
- I believe that the appellant is vastly underestimating the parking needs of vacation rental guests. It is true that once guests arrive in Nashville that they are very likely to use ride sharing services, taxis, scooters and so on, but they have to travel to Nashville, and if they are driving to get here as many people do, they will need to park their vehicles while here. A one bedroom short term rental unit can easily house four adult guests because you can have a sleeper sofa in the living room. Similarly, a two bedroom unit can house up to six adult guests. With each adult guest there is potential need for a parking space. So, you could easily fill all available parking spaces with vehicles



belonging to guests from just a few of the 52 units.

- This project (and its sister project "Alto") will impose significant hardship upon the neighbors during construction. While speaking to this board during a previous hearing on this matter, the appellant has described a necessary "painful transition" while his two projects are being constructed. He realized that during the height of construction, there will be even less street parking, and the neighbors will be inconvenienced. During a recent meeting with the appellant and other concerned neighbors, he mentioned that temporary additional parking could be made available on a lot adjacent to the Deju Vu club that is owned by a Mr. Patel. I asked if he had anything in writing from Mr. Patel on the subject, he said no he did not, and he did not offer to obtain such. Therefore, we have no real assurance that we would receive any kind of relief during the construction process. Furthermore, the alleys adjacent to the project will be closed during much of the construction. This will impair access for multiple businesses in the area. Mr. Alex Crooke, owner of Precision Autohaus asked me this morning to mention this to you specifically. He is very concerned about this because it will be a significant problem for him.
- This project in general is ill advised. Variances should not be granted for a project that very likely will pose a significant public nuisance. The vacation rental units in this building will have very little supervision. There won't be the hotel staff who are aware and involved as guests check in and out. In an apartment building, the staff gets to know the residents because they become familiar. Here, the people will constantly change, and there will be no supervision other than video cameras. In fact, we were told by the appellant they will not be allowed to have an attended lobby because they are not a hotel as such. Security cameras will definitely be helpful, but I don't think that they will deter the criminal activity that can occur inside the units. We need to be realistic about what occurs in a neighborhood with multiple adult oriented businesses. As it is, there have been many incidents of people fornicating and using drugs on fire escapes, on outside staircases and in our parking lots over the years. So, it is likely that many of these people will seek out a far more comfortable location for their activities inside the Contralto building. On the short term rental front, the units in this building will be most attractive to bachelor parties and so on because of the location. Unfortunately, this also means that conditions will be ripe for prostitution and drug trafficking.

Sincerely,



Ann E. Braun  
Owner/President, ESS

**From:** [Justin W. Leach](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** BZA Appeal Case No. 2019-085 / 15th & Church Equity Investors  
**Date:** Monday, February 11, 2019 6:02:04 PM

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To Whom It May Concern:

I'm a neighbor to the subject property owner. I own a historic home located at 227 15<sup>th</sup> Avenue North, and I support the appellant's request for a variance from parking requirements. This neighborhood needs more thoughtful development like that contemplated by the appellant.

Please feel free to contact me with any questions. Thank you.

Sincerely,  
Justin Leach  
615-403-4315

**From:** [Michael, Jon \(Codes\)](#)  
**To:** [Lamb, Emily \(Codes\)](#)  
**Cc:** [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)  
**Subject:** FW: Variance for Parking at 1506 Church St  
**Date:** Thursday, March 7, 2019 12:53:52 PM

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**From:** Lee Molette II [mailto:[lee.fsdevelopers@gmail.com](mailto:lee.fsdevelopers@gmail.com)]  
**Sent:** Thursday, March 07, 2019 12:56 PM  
**To:** Michael, Jon (Codes)  
**Subject:** Fwd: Variance for Parking at 1506 Church St

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Lee O Molette II, President  
Frank Stanton Developers, LLC  
533 Church Street #130  
Nashville, Tn 37219

----- Forwarded message -----

**From:** **O'Connell, Freddie (Council Member)** <[Freddie.OConnell@nashville.gov](mailto:Freddie.OConnell@nashville.gov)>  
**Date:** Thu, Mar 7, 2019, 12:17 PM  
**Subject:** Variance for Parking at 1506 Church St  
**To:** Linda Schipani <[cralms@aol.com](mailto:cralms@aol.com)>, Lee Molette <[lee.fsdevelopers@gmail.com](mailto:lee.fsdevelopers@gmail.com)>

Linda and Lee,

Thanks again for the time yesterday.

After looking at the maps, driving through the area, and reviewing signage, I'm personally comfortable with a variance that allows for a parking reduction. I don't know whether the board will have a conversation about how much of a reduction is appropriate, but I think the geographic location, regardless of Lee's intended use for the project, put some pressure on the need for us to be more mindful of shared parking and whether our current parking minimums continue to be valid for midtown.

I do intend to inform the board of my opinion, acknowledging that there is clearly not consensus among area property owners.

I will also advise Midtown Hills of the board's decision from an enforcement perspective and work with Public Works on improvements to signage and striping in the area.

--

Freddie O'Connell  
Metro Councilman, District 19

<http://readyforfreddie.com/>  
<http://twitter.com/freddieoconnell>  
<http://facebook.com/FreddieForNashville>

615-260-0005

Greg Kyser, MD, LLC

1500 Church St. Ste. #200

Nashville TN, 37203

615 750 3696

Fax: 750 3749

Certified ABPN

Adult, Occupational and

Distinguished Fellow APA

Forensic Psychiatry

TO: Board of Zoning Appeals Members:

RE: BZA Case # 2019-085

I wish to express my opposition for the above stated appeal. My medical practice is located at 1500 Church Street which is next to Mr. Molette's proposed project. We do not have enough available parking on our block or surrounding streets to accommodate a 52 unit condo plus retail space with only 11 parking spaces, as requested.

The proposed limited parking will be injurious to my practice and clients. My clients are accustomed to available parking and easy access to my office. I do not have the resources to provide a parking attend to assure only my patients are parking in designated spaces plus over-night guest will be parked there after office hours and remain after our morning arrival. It would be a 24 hour job! Unfortunately, we have several businesses within our area with limited or no parking. We simply cannot absorb another one. Our narrow side streets are already congested without this additional burden. We have cars parked on the sidewalk leading into our building, which is a no parking zone.

Please consider the established businesses in this area and the safety issues which we face. We have provided parking for our use and have suffered with the encroachment of others. It is incumbent on Mr. Mollette to provide adequate parking for his building and for the board to vote NO for this appeal.

Sincerely,

Greg Kyser MD

3/4/19

**From:** [Jack Wilder](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Case 2019-085 Lee Mollette  
**Date:** Friday, March 1, 2019 3:58:08 PM

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I understand that Lee is asking for a variance to reduce the parking space requirement from 63 to 11 spaces. I have heard that bza suggested a reduction to 37 spaces, which sounds reasonable to me. I'm opposed to allowing only 11 spaces. I don't know what plan Lee has to accommodate parking for 52 units, but there is very little on-street parking available now. It sure seems like something close to 37 spaces would be more appropriate.

Jack Wilder  
Wilder Equipment Co.  
301 15<sup>th</sup> Ave. North  
Nashville, Tn.

**From:** [Lisa Booy](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Oppose Case# 2019-085  
**Date:** Thursday, February 28, 2019 11:45:47 AM  
**Importance:** High

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I am opposed to the zoning variance which has been requested in Case #2019-085.

I respectfully ask that the Board deny this variance as there is no hardship to justify such. If granted, the hardship will be our business and the other existing area businesses.

The proposed project consists of a 52 unit building with retail on the ground floor. It is my understanding that Codes requires 62 parking spaces for this project but they are asking for a 51 space REDUCTION (from 62 to 11 spaces). Our business is located adjacent to this project and I have first-hand knowledge of the limited parking available in the area without the additional living and/or short term rental space. Eleven parking spaces, as requested, is insufficient for the retail space proposed and to add 52 units of living space that will share the 11 parking spots is irrational.

Our business cannot share or contribute any parking as we utilize all of our parking to conduct our own business. We have a full-time staff, patients, repair, service and janitorial parking. We cannot assume the cost of a parking attendant to supervise our parking lot/spaces. We cannot assume the cost of an employee to supervise the towing of unauthorized automobiles. Our business has met codes requirements for parking and request the same be required of surrounding businesses.

There is very limited street parking and much of that is taken by area businesses, both during and after hours. There is NO access to a parking garage in our area. Although there is a paid parking lot with 18 spots that is only available after hours, they do not accommodate any parking during the day except to their own customers (all others are towed).

If this project plans to rely on the Uber/Lift model, then they will still require parking/pickup areas for these vehicles. Déjà Vu has attempted this model which has resulted in **severe congestion** on 15<sup>th</sup> Avenue that overflows onto Church Street. This area has become **dangerously overcrowded** with cars parked in “no parking” and/or loading zones, streets being blocked due to double-parking of Uber/Lift drop off and pickup, pedestrian foot traffic around vehicles that park on the sidewalks, and very restricted traffic flow for emergency vehicles.

Once again, for the safety of our employees, clients, customers and community, I ask that the Board deny the request for a reduction in required parking space.

Sincerely,

*Lisa B. Booy*

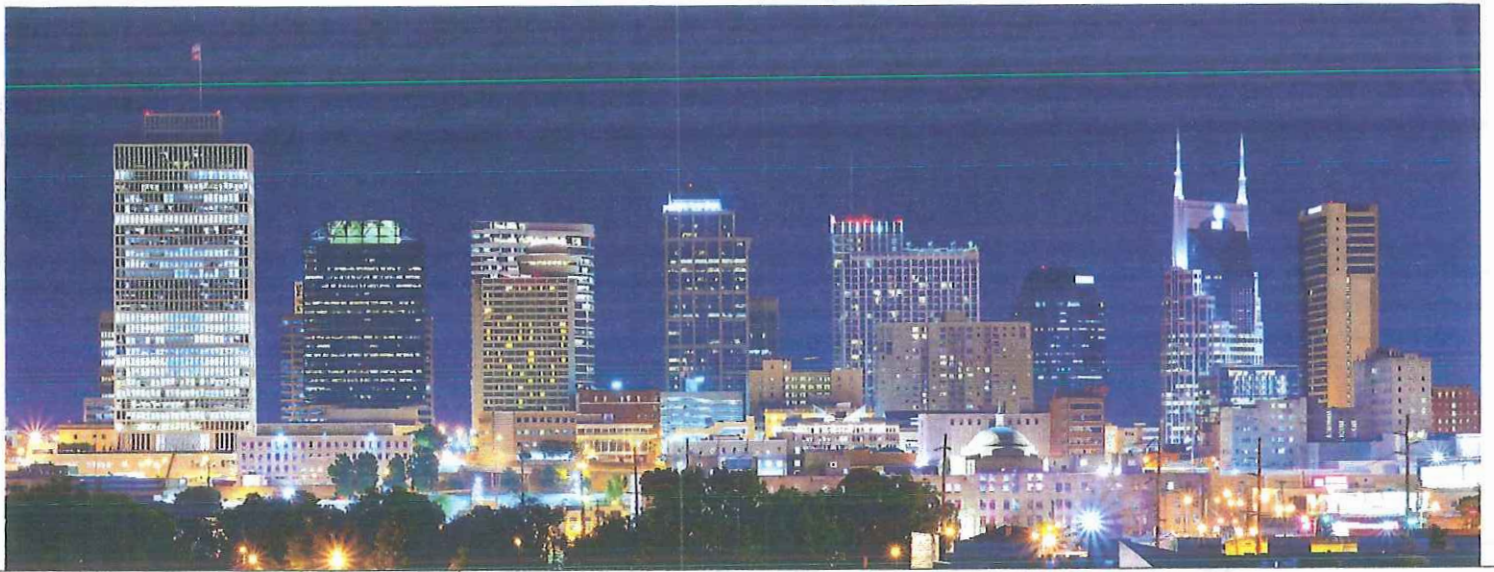
Lisa B. Booy  
Director, Regulatory and Financial Affairs  
Clinical Research Associates, Inc.  
1500 Church St., Suite 100  
Nashville, TN 37203  
615-329-0197 (phone)



615-320-7883 (fax)

[Lisa@CRAnashville.com](mailto:Lisa@CRAnashville.com)

52 Condos | Studio, 1- and 2- Bedroom Options | All Qualify for Short-term Rental

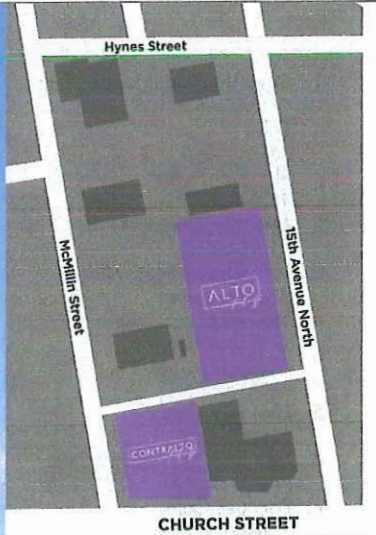


COMING 2020 TO 1506 CHURCH STREET IN NASHVILLE

AltoContralto.com

615.861.4164

MARKETED BY **VILLAGE**  
615.383.6964



CONTRALTO  
*central city*



**Frank Stanton Developers, LLC****1506 Church St #130****Nashville, TN 37203****(615) 600.7862****2.26.19**

**Re: Variance Request Case #2019-085**

Dear Zoning Appeals Board

The property at 1506 Church is being developed as a Short- term rental condominium building. We are appealing to have the required parking requirement of 37 spaces reduced to 11. This requirement burdens the development with significant excessive parking requirements. In support of our request, we have provided the following:

- A letter from a seasoned short-term rental management company
- A parking study used to secure a similar request a couple of blocks away
- Several pictures of nearby free and pay parking within 10-500 feet from the site
- Letters of Support from neighbors
- Letter from our Sales team

This reduction will allow us to create a more pedestrian friendly environment while avoiding both above grade parking and un-utilized building areas. Furthermore, this aligns with Metro's objective to promote the use of alternative means of transportation. Finally, urban planners are advising developers to plan for fewer drivers and even build garages so that can be converted to office or other uses. Especially in neighborhoods like Church Street.

We respectfully submit this appeal for your consideration.

Warm regards



Lee O. Molette, II

President



*A Luxury Vacation Rental Management Company*

806 Third Avenue South, Nashville, Tennessee 37210

Mr. Lee O Molette II, President  
Frank Stanton Developers, LLC  
533 Church Street #130  
Nashville, Tn 37219

Dear Lee:

It was great speaking with you and discussing our experience with parking for vacation rentals in downtown Nashville. As you know we have managed properties in downtown for over five years. We believe that we understand the market.

After our discussion, I went back and confirmed our experience with downtown guests that stay in our properties. Approximately 30% of the visitors to our properties require parking for their stay. In one building on Second Avenue North, we have 15 units, and we offer parking for guests renting those units. However, we only secured 8 dedicated spaces for the 15 units. We also have additional spaces for the other guests that stay in other downtown properties. In three years of offering these parking options, we have not used all the spaces at one time.

Having nearby pay parking lots and some small percentage of dedicated spaces for guests to purchase would be my recommendation, based on our experience. Please let me know, if we can assist you further.

Sincerely,

A handwritten signature in black ink that reads "Alfonzo Alexander". The signature is written in a fluid, cursive style.

Alfonzo Alexander  
Chief Executive Officer



Graduate Parking Demand



8/31/2017

Table  
Project: Graduate  
Description: Mixed-use Development

SHARED PARKING DEMAND SUMMARY

PEAK MONTH: AUGUST - PEAK PERIOD: 9 PM WEEKEND

Land Use	Project Data Quantity Unit	Weekday					Weekend					Weekday			Weekend		
		Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Base Rate	Mode Adj	Non-Captive Ratio	Project Rate	Unit	Peak Hr	Peak Mo	Estimated Parking Demand	Peak Hr	Peak Mo	Estimated Parking Demand
												9 PM	August		9 PM	August	
Hotel/Leisure	200 Units	0.50	0.35	1.30	0.32	Rooms	1.00	0.35	1.00	0.35	Rooms	0.95	1.00	61	0.95	1.00	67
Restaurant/Lounge	5,850 sq ft GLA	18.00	0.50	0.50	3.00	Rest GLA	10.00	0.50	0.60	3.00	Rest GLA	0.67	0.69	12	0.67	0.69	12
Conference Ctr/Banquet (20 to 50 sq ft/ga)	7,500 sq ft GLA	30.00	0.50	0.25	3.75	Rest GLA	30.00	0.50	0.25	3.75	Rest GLA	1.00	1.00	28	1.00	1.00	28
Employee		0.25	0.50	1.00	0.13	Rooms	0.15	0.50	1.00	0.09	Rooms	0.20	1.00	5	0.25	1.00	10
											Customer		107	Customer		107	
											Employee		5	Employee		10	
											Reserved		0	Reserved		0	
											Total		105	Total		117	

ULI base data have been modified from default values.

Our review includes both the Nashville Code requirement for a project in the UZO district as well as the "market demand" as prepared by Hastings Architecture. Also, as a comparison of these two methods of determining parking demand, we have also prepared an estimate of the parking needed for the Graduate using the Urban Land Institute's Shared Parking Model. This model allows for using the ULI established baselines for parking demand but also incorporating the variables unique for each development. The variables to be used in the model include estimates of how many of the hotel guests will use alternative methods of transportation to arrive at the hotel (other than personal or rented automobile) and how many of the customers of the restaurant/ bar and meeting space will also be guests of the hotel and therefore not generate additional parking demand. My analysis (using the ULI model) projects the following peak parking demand for the Hotel:

- Hotel - 67 Spaces
  - Employee - 10 Spaces
  - Restaurant/Bar - 12 Spaces
  - Meeting - 28 Spaces
- TOTAL - 117 Spaces

Please note that the variables used in the calculations are based upon our own experience and empirical data of similar product hotels and also reflect the local conditions of this Nashville area.

Using the ULI model calculations and our experience the results are that the estimate for parking demand aligns with the market demand as prepared by Hastings Architecture and that building the requirement per the Nashville UZO code would result in excessive parking supply and the negative impact of wasted land resources, unnecessary maintenance and capital repair/replacement costs.

Please let me know if we can provide further information or clarification for our analysis.

Thanks,

Ryan

Ryan Hunt / COO - Partner / 615-554-7472 / [ryanhunt@premierparking.com](mailto:ryanhunt@premierparking.com)

Premier Parking Office: 615-238-2250

421 Church Street / Nashville, TN 37219 / [www.premierparking.com](http://www.premierparking.com)

## BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: HP Architecture APPEAL CASE 2017-272  
 2000 West End Avenue  
 Map: 92-16 Parcel: 4  
 Zoning Classification: MUI-A

ORDER

This matter came to be heard in public hearing on 11/16/2017, before the Metropolitan Board of Zoning Appeals, upon application for a variance from parking requirements to reduce parking spaces from 202 to 117.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- 1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- 2) The appellant sought this permit under Section 17.40.180 (B) of the Metropolitan Code.
- 3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be Granted.

UPON MOTION BY: David Ewing

Seconded by: Cynthia Chappell

Ayes: David Taylor, Richard King  
 Nays: Christina Karpyneo, David Harper  
 Abstaining:  
 Absent: Alma Sanford

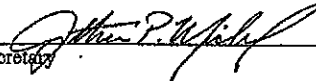
ENTERED THIS 20<sup>th</sup> DAY OF November, 2017

## METROPOLITAN BOARD OF ZONING APPEALS

Chair



Secretary



Behind Contralto



Alto parking lot  
Friday 10.12.18



After 5:00 pay parking <sup>FRIDAY</sup> 10-12-18 Across the Street +



Friday 10.12.18 McMillan STR 3 out of 10

Case # 2019-085



Friday 1.4.19 McMillan STR property

cont of 10





Friday 10-12-18 Mc Millan 2 out of 7



Friday 1.4.19 McMillan STR

2 out of 7



Friday 10.12.18 Across the Street directly 4 meters





Friday 1.4.19 Church St directly across from Conralto  
4 meters + 20 more free spaces





Friday 10.12.18 Church Street 20+ spaces directly across the street





Friday 1.4.19 Church St across from Contralto 20+ spaces



Friday 10.12.18 McMillan adjacent to Contralto

Case # 2019-085





1.4.19 McMillan Street + parking



Cynthia Kinnard & family

Sweetbriar

Nashville, TN

February 13, 2019

Re: 1506 Church St parking appeal

Dear BZA commission members:

We are writing this letter of support for the above appeal because it is an excellent project for our neighborhood and its growth. In fact, we sought Lee Mulette out and offered our support unsolicited. As we consider the new modes of transportation many visitors of the city use, we believe it only makes sense to reduce the number of parking spaces required. In addition, as significant landowners and former residents of nearby land since 1923, our family does not see a downside to the development.

Commission members, realizing there was concern from one or two of your members regrading parking during construction, we have offered use of our land for parking and staging during the process if necessary. We are excited to see a development of such high quality coming to our neighborhood and fully expect to reap benefits from it.

We urge you the commission to approve the appeal as applied for knowing that one of the families with nearly a 100 year legacy is supportive. Lastly, we are not planning to sell our land, and have turned down numerous lucrative offers.

Warm Regards



Cynthia H Kinnard & family

Landowners, neighbors & supporters

**Shiv Investment Group**  
**970 S Jefferson Avenue**  
**Cookeville, TN 38501**

**February 22, 2019**

**Re: Appeal #2019-085**

Dear BZA commission members:

Please consider this letter of support as you deliberate the appeal for a reduction of parking. As hoteliers with over 30 properties across the country. We have seen the use of our parking lots by guests reduced in recent years as a result of rideshare services. Therefore, we are comfortable with this project and do not see a negative impact for our neighborhood. In- fact a new development would be very beneficial. Lastly, we are willing to allow staging or parking for the development on our property if needed.

We own 216,218,220,222, & 224 15<sup>th</sup> Ave N. Also 215 & 217 14<sup>th</sup> Ave N. Please note as investors in this project, we have a vested interest in accommodating the needs of the development. We do not have any immediate plans for our property.

Respectfully

  
Neil Patel

Shiv Investment Group





February 27, 2019

Dear BZA,

Village is the sales team for the short-term rental community Contralto condominiums. As a firm that is heavily involved in the STR market, it is our experience that the development will need very little parking as most guests will use alternative modes of transportation.

With the addition of Publix, Whole Foods and all the restaurants, entertainment, and new office buildings in walking distance, this area is truly a walking community.

Our experience is no more than 30% of guests will need to park a vehicle.

Regards,

Mark Deutschmann  
Founder & Chair Emeritus, Village  
markd@villagetn.com  
o: 615.383.6964 x113  
d: 615.369.6151

villagetn.com

2206 21<sup>st</sup> Avenue South | Nashville, Tennessee 37212 | 615.383.6964

Board of Zoning Appeals

February 20, 2019

RE: Lee Molette Zoning Appeal Case # 2019-085

We respectfully submit our objections to the zoning variance mentioned above. The proposed project would be at the corner of Church and McMillin Streets. As provided below, our objection is based on statistical data for parking requirements, the physical limitations of parking on McMillin Street and Church Street and the disruption to the business of the existing establishments in the project area.

We operate a 15-unit short-term rental property (STRP) located at 321 McMillin Street. Our business, McMillin Court Vacation Rentals, has been in business for approximately 3 1/2 years. We have 26 on-site-private parking spaces available to our guests. Our data regarding the parking needs for operating a STRP complex is as follows:

- Our research shows a need of 1 ½ to 2 parking spots per rental unit. The number increases in higher tourist destinations such as Nashville.
- STRP's are often shared by multiple parties and require more than one parking space per unit.
- A high percentage of our guests bring their own vehicle to Nashville even though they may use riding services to get around town.
- Our 26 parking spaces are normally fully utilized when all 15 rental units have guests.
- STRP's also require parking for deliveries and cleaning crew.

Based on our experience and data, the proposed project would need a minimum of 1 ½ parking spaces per unit, or a total of 78 parking spaces for 52 units. This does not include the parking space required for the retail portion of the project.

McMillin Street has become a busy corridor between Charlotte and Church Streets. McMillin Street is not wide enough to accommodate side-street parking. The two "end" streets connected to McMillin Street (Church Street and Charlotte Ave.) both have heavy traffic flow. Any vehicles parked on McMillin Street resulting from an overflow from this project would obstruct the driver's ability to turn onto either Church Street or Charlotte Ave. and result in traffic congestion and potentially traffic accidents.

McMillin Street has approximately nine (9) retail businesses located on a street that is approximately ¼ mile long. The existing businesses have on-site private parking for their customers. There is not a surplus of parking available for anyone other than the customers of these establishments. The overflow

(continued)

of parked vehicles on McMillin Street from the project would interfere with the business of these established companies.

The area of Church Street surrounding the project is already adversely by other establishments operating without parking. Obviously, the parking problem on Church Street would be exacerbated by the lack of adequate parking by this project.

Sincerely,

Norton Smith

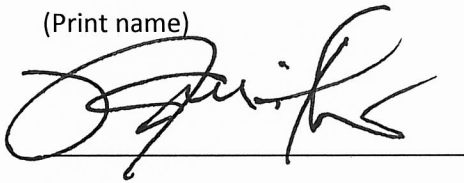
CFO

2/20/19

(Print name)

(title)

(date)



(signature)

Clay Louallen

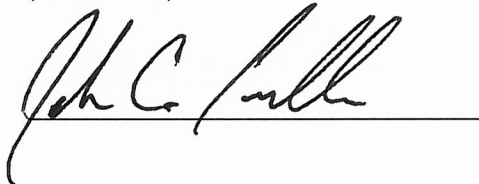
Property Manager

2/20/19

(Print name)

(title)

(date)



(signature)

**From:** [Patrick Schipani](mailto:Patrick.Schipani)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Fwd: Appeal Case Number 2019-085  
**Date:** Thursday, February 28, 2019 2:33:40 PM

---

Sent from my iPhone

Begin forwarded message:

**From:** Patrick Schipani <[phschipani@aol.com](mailto:phschipani@aol.com)>  
**Date:** February 28, 2019 at 2:03:34 PM CST  
**To:** [CRALMS@AOL.COM](mailto:CRALMS@AOL.COM)  
**Cc:** [phschipani@aol.com](mailto:phschipani@aol.com)  
**Subject:** Fwd: Appeal Case Number 2019-085

-----Original Message-----

From: Patrick Schipani <[phschipani@aol.com](mailto:phschipani@aol.com)>  
To: BZA <[BZA@nashville.gov](mailto:BZA@nashville.gov)>  
Sent:  
Subject: Appeal Case Number 2019-085

Jon Michael, Zoning Administrator

#### METRO BOARD OF ZONING APPEALS

My wife and I are Frank Moore Holdings, owners of the building at 1500 Church St. that is adjacent to this proposed project. We are opposed to any variance for parking as requested for 1506 Church St. All parking presently in the area is private except on street parking. The demand for this parking is already beyond capacity.

We are opposed to this variance as it will create illegal parking on our property and the surrounding neighbors.

We are not in the core business district that has many public parking garages available for those businesses.

There are no physical or unique characteristics associated with 1506 Church St. that we feel would justify the granting of this proposed variance. We see none listed on the application

nor are there any visible unique characteristics at the property.

The VRBO as requested is something like a private residence/hotel. This will bring many renters and their visitors into the area looking for parking even though some will use taxis or Uber/Lyft.

The retail will also attract customers along with the employees that will need parking. We need our parking for the employees and staff at 1500 Church.

We feel that if adequate parking is not required it will cause injury to our property and require constant monitoring of illegal parking. We all want to be neighborly.

Church St. is a busy road and the alley in the rear needs to remain open to traffic at all times as we all use it several times a day. I cannot imagine all the renters, customers, employees, repairmen, etc. converging onto 11 parking spaces.

Mr. Lee Molette is a good man and has been a good neighbor to us all. We are not against his project, just very much opposed to the parking variance and the injury it will cause to the neighborhood.

We are opposed to granting any variance as requested in: Appeal Case Number 2019-085.

Thank You

Patrick Schipani  
Frank Moore Holdings  
1500 Church St./221, 223 15th Ave North. 37203  
615.969.0829

February 28, 2019

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

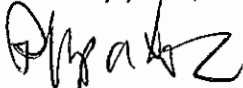
RE: Appeal Case #2019-085  
1506 Church Street, Suite 100  
Map parcel: 09212034000

To whom it may concern:

My business, Precision Autohaus, would be severely impacted by the proposed variance. We are located directly across an alley from the proposed development. The proposed reduction in parking spaces to accommodate a relatively large mixture of residential and commercial units is unrealistic. The area is already underserved by sufficient parking for a variety of business, including the Déjà vu Gentleman's Club which has zero onsite parking and Fit Factory which has limited parking. Our business and our neighbors, Clinical Research Associates, Inc. and E.S.S., Inc., have made the comment to secure sufficient parking for their employees and customers and we believe that the overflow from the proposed spaces will probably find its way to our parking areas.

In conclusion, I am strongly against this variance.

Sincerely yours,



Philip A. Crooke  
Precision Autohaus  
202 McMillin Street  
Nashville, TN 37203  
615-320-6551



February 21, 2019

VIA EMAIL ([bza@nashville.gov](mailto:bza@nashville.gov))

Dear Board of Zoning Appeals Members:

Equitable Trust Company, Trustee of the J. M. Wilkerson, Jr. Trusts, is the owner of the parcels located at 1515, 1517, and 1519 Church Street. After reviewing the recording of the November 15<sup>th</sup> hearing, I am writing today to express our strong opposition to the parking variance request from 15<sup>th</sup> & Church Equity Investors at 1506 Church Street – BZA Case 2019-085. Here are our reasons:

**OWNER HAS THE ABILITY TO SOLVE THIS REQUEST HIMSELF.** Mr. Molette stated in the November 15<sup>th</sup> hearing that he owned property adjacent to this project's property on which he intended to build 74 condos. He stated that this project was required to have 70 spaces, and he was providing 105 spaces, for a gain of 35 spaces over code requirements.

It is my understanding that the property owner has the right to find parking at another location within a certain distance of his property to meet the parking requirements of this project. Based upon Mr. Molette's testimony, it would appear that he has the ability between these two projects to provide ample parking for both buildings and thus does not need a parking variance for the Church Street project. He should work this out with his investors and the Codes Department and not through the BZA.

**NEARLY EVERY NEIGHBOR OPPOSED.** It is my understanding that nearly every adjacent business to this project is now on record opposing this variance request. That should be a clear indication of the negative impact that this variance will have on his neighbors and the neighborhood.

It is my understanding that one of the requirements for the variance, in addition to proving a hardship, is "no injury to neighboring property." The property owner clearly shows our buildings in his example of "ample street parking," which means he clearly wants to use that street parking for *his* tenants. It is my belief that this will directly impact *our* tenants' businesses in a negative way.

**PARKING REQUIREMENT ALREADY REDUCED.** This project will have 52 units, which are required by Codes to have 53 spaces. That number has **ALREADY BEEN REDUCED** to a Code-required 37 spaces based on public access and transit reductions. Codes already allows for 30% of the units (16) in this building to NOT have a parking space. If the variance is granted, only 20%

Board of Zoning Appeals  
November 30, 2018  
Page Two

of the units would have a parking space with NO spaces at all for the retail space. We believe that this is excessive.

**PRIVATE CONDOS / NOT A HOTEL.** It was argued at the November 15<sup>th</sup> hearing that this would be similar to the Graduate Hotel parking variance that was given by the BZA in November 2017. However, it is my understanding that the Graduate Hotel variance asked to provide 57% of the required parking spaces (provide 117 of the 202 required) based on the fact that the hotel was only blocks away from a different zone that required fewer spaces AND sister hotel data showing actual parking needs that were less than what was required by codes in this zone.

The Church Street project at issue is asking to provide only 30% of the required spaces (11 of 37) and, to my knowledge, has provided no evidence that this project will be limited permanently to being short-term, hotel-like rentals. There are no known covenants that restrict an owner's use, and therefore the comparison to a hotel, in my opinion, is simply not accurate.

Even if the Board were to believe that the proposed short-term rental use will happen in perpetuity, the owner is asking for a far greater variance than was approved for the Graduate Hotel.

**COMPLETE LACK OF HARDSHIP.** The owner has not described a legitimate hardship that would warrant a parking variance, especially since he has a remedy in which he is in full control.

While we are generally pleased to support the development of this land, and wish Mr. Molette and his investors well in this project, we cannot support the request for less parking than required by Metro Codes. We urge you to vote "No" on this request.

Sincerely,

Equitable Trust Company, Trustee

By:   
W. Keith Keisling, Vice President & Trust Officer



# CLINICAL RESEARCH ASSOCIATES, INC.

1500 CHURCH ST. • SUITE 100 • NASHVILLE, TN 37203 • 615-329-0197

FAX 615-320-7883 • [www.ClinicalResearchAssociates.com](http://www.ClinicalResearchAssociates.com)

February 28, 2019

Via Email

Regarding: BZA Case 2019-085

Board of Zoning Appeals Members:

I am writing to respectfully voice my strong opposition to the variance requested by Mr. Lee Molette/15<sup>th</sup> & Church Equity Investors. I am the owner of the building and business adjacent and the parking lot running parallel to the proposed project.

For the past 10 years, Mr. Molette and I have had a handshake agreement to swap parking spaces as I own the ones closer to his office and likewise, his spaces are in close proximity to my office. On any given day, his building utilizes all of my spaces as well as over-flow into his parking lot. It is inconceivable with the same retail plus an additional 52 unit building could be served with only 11 parking spaces!! Even if every unit were filled with shared riders, as Mr. Molette suggested, there would not be enough parking for employees, customers, cleaning crews etc. Also, our handshake agreement will not be extended as construction begins. I will need all of my parking spaces for my employees and clients.

As stated in the **Standards For A Variance (Section 17.40.370)**, there has to be a hardship. The hardship cannot be self-imposed or solely for financial gain. Based

March 28, 2019

Board of Zoning Appeals  
Via Email

Regarding: BZA Case 2019-085

Dear Board of Zoning Appeals Members:

We the owners of the businesses located in close proximity to the proposed project at 1506 Church Street, strongly oppose the parking variance requested by 15<sup>th</sup> & Church Equity Investors. Here are our reasons:

As stated in the Standards for A Variance (Section 17.40.370), there has to be a hardship. The hardship cannot be self-imposed or solely for financial gain nor inconvenience to the appellant. No legitimate hardship has been identified. There are no physical or unique characteristics at this property.

Parking requirements for this building should be 63 spaces and the variance request is for 14 spaces; current plans submitted has less than the 14 requested. The number has already been reduced to 40 adjusted for transit, pedestrian access and public parking. However, the closest bus stop is several blocks away with no stop conveniently located to this project. Codes have already allowed 30% of the units NOT to have a single parking space.

If granted, the variance will be injurious to our businesses. According to short-term rental property (STRP) rules and requirements, the maximum number of occupants permitted shall not exceed twice the number of sleeping rooms plus four. A one bedroom unit can have up to 6 adults and a 2 -bedroom up to 8 adults. Our established businesses have provided adequate parking for our customers/clients and employees. Street parking is very limited in our neighborhood. The entirety of McMillan Street is a no parking zone. There are no public parking garages and certainly none of us have surplus parking. The over-flow of parked vehicles on our properties will interfere with our businesses.

The first floor of this project will have two retail spaces. In prior meetings, the appellant stated the dentist office would require 7 parking spaces. The other business will be a barber shop with four barbers. There are no provisions for deliveries and cleaning crews. We believe the parking needs for this building is vastly underestimated.

Board of Zoning Appeals

March 28, 2019

Page 2

We are concerned about public safety. Our streets are already congested on McMillan and 15<sup>th</sup>.

Dean Foods has been in business since 1921. They operate large dairy trucks for 24 hour pickup and delivery service. Their drivers are experiencing difficulties maneuvering on 15<sup>th</sup> Avenue when vehicles are parked on both sides of the street and meeting oncoming cars and pedestrians. Emergency vehicles have limited access as a result of such. Our businesses and affiliates are at risk now and cannot absorb any additional burden.

The project will impose significant hardship upon the neighbors during construction. The appellant has described a necessary "painful transition" and the neighbors will be inconvenienced. The alleys adjacent will be closed during much of the construction. This will impair access to multiple businesses. We are established businesses and must have continuation of our businesses to survive.

This project is being advertised as condos and studios all qualifying for Short-term rentals. There is no evidence that this project will be limited permanently to STRP. In fact, two units have been sold as residences. The Graduate Hotel parking variance has been the "gold standard" by the appellant for his parking variance. There are several flaws in this premise. This project is a private condo NOT a hotel. The Graduate Hotel provides for 57% of required parking spaces and this requested variance provides for only 30%. Even if this project is used in perpetuity as a STRP, the owner is asking for a much greater variance than the Graduate.

We would urge you to support our established businesses and vote NO on this requested variance.

Sincerely,

Precision Autohaus

Company Name

Philip A Crooke <sup>Owner</sup>

Printed Name and Title

Philip A Crooke

Signature

Clinical Research Associates, Inc.

Company Name

Linda Moore Schjerve, Resident CEO

Printed Name and Title

Linda Moore Schjerve

Signature

Board of Zoning Appeals

March 28, 2019

Page 3

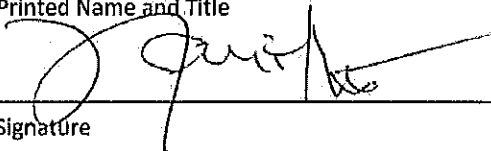
Greg Kyser MD LLC  
Company Name

Jack Cawthon's BESC  
Company Name

Greg Kyser MD  
Printed Name and Title

Northern Smith CFO  
Printed Name and Title

  
Signature


  
Signature


Williams Medical Supply  
Company Name

Integra Connect LLC  
Company Name

CHRISTINA CARTER  
Printed Name and Title

Lisa Boyd, CFO  
Printed Name and Title

  
Signature

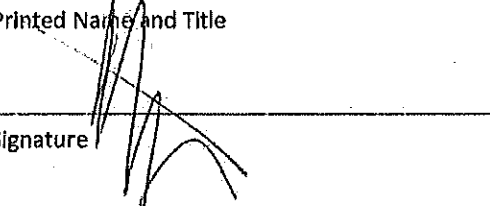
  
Signature


Nashville Funeral & Cremation  
Company Name

Wilder Motor & Equipment  
Company Name

CHRISTINA TAYLOR - MANAGER  
Printed Name and Title

Jack Wilder, President  
Printed Name and Title

  
Signature

  
Signature



Board of Zoning Appeals

March 28, 2019

Page 4

Hardwoods of Nashville  
Company Name

Frank Moore Holdings, LLC  
Company Name

Harold Johnson member  
Printed Name and Title

Patrick Schipani, Owner  
Printed Name and Title

[Signature]  
Signature

[Signature]  
Signature

McMILLIN COURT  
Company Name

Fit Factory Nashville LLC  
Company Name

JAN C. LOVALLEN (MANAGER)  
Printed Name and Title

Jonathan Diaz Owner  
Printed Name and Title

[Signature]  
Signature

[Signature]  
Signature

Medical Data Services  
Company Name

202, 207, 209 McMillan St.  
Company Name

Ron Wood Owner  
Printed Name and Title

ANDREW KRYCH Owner  
Printed Name and Title

[Signature]  
Signature

[Signature]  
Signature

Board of Zoning Appeals

March 28, 2019

Page 5

Jack Morris Auto Glass

Company Name

210 McMillin St Property

Company Name

Paul Morris, President

Printed Name and Title

Dwain Davenport, Owner

Printed Name and Title

*Paul Morris*

Signature

*Dwain Davenport*

Signature

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Printed Name and Title

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Printed Name and Title

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Company Name

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Company Name

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Printed Name and Title

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Printed Name and Title

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Signature

\_\_\_\_\_  
Signature

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Karla Newman

Date: 2-5-19

Property Owner: Reginald McKeever

Case #: 2019-114

Representative: Karla Newman

Map & Parcel: 07107010010000  
07107010020000

Council District 5

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance from sidewalk requirement to construct HPR

Activity Type: New Construction - HPR

Location: 209 C Duke St.

This property is in the RB-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Requesting variance from sidewalk requirement

Section(s): 17.12-120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Karla Newman  
Appellant Name (Please Print)

Karla Newman  
Representative Name (Please Print)

4012 Calumet Dr  
Address

4012 Calumet Dr  
Address

Antioch TN 37013  
City, State, Zip Code

Antioch TN 37013  
City, State, Zip Code

615-474-8406  
Phone Number

615-474-8406  
Phone Number

K.Newman73@Rocketmail.com  
Email

K.Newman73@Rocketmail.com  
Email

Zoning Examiner: CH

Appeal Fee: \$200.00

NO SITE  
Plan  
Submitted



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3601316

**ZONING BOARD APPEAL / CAAZ - 20190007292**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 071070190000CO

APPLICATION DATE: 02/05/2019

## SITE ADDRESS:

209 C DUKE ST NASHVILLE, TN 37207

COMMON AREA 209 DUKE ST HOMES

PARCEL OWNER: MCKEEVER, REGINALD

CONTRACTOR:

## APPLICANT:

## PURPOSE:

requesting variance from sidewalk requirements to construct HPR

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)**

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Karla Newman  
**APPELLANT**

2-4-19  
**DATE**

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Survey shows height difference from curb/street to the homes as curb and gutter will push water from street down to the home located at the left and the right on Duke Street which is also very low compared to the height of curb/gutter/sidewalk. The slope of the street will push all water from 209a & 209b to the side of properties from the curb and gutter.



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-114 (209C Duke Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks
Zoning:	R6-A
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Property is approximately 877' from #23 – Dickerson Road and #43 – Hickory Hills
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Disapprove.*

**Analysis:** The applicant proposes constructing a two family dwelling and requests a variance from constructing sidewalks. Per the Zoning Ordinance, the applicant is eligible to contribute in-lieu of construction. Electing to make the contribution in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction.** The applicant shall also dedicate right-of-way for future sidewalk construction.

**From:** [Brandon Devlin](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** zoning appeal permit #20190007292  
**Date:** Friday, March 1, 2019 11:46:20 AM

---

Hello

I am writing in reference to zoning appeal permit #20190007292 regarding 209C Duke Street Nashville TN 37207.

I own several properties on Queen Avenue - 198, 217, and 219 Queen - and am opposed to granting Karla Newman any variance from the sidewalk requirements. Talbot's Corner is a very walkable area with narrow streets and sidewalks are an important part of keeping that neighborhood's growth and renewal on tract in a safe manner. I believe any developer should be happy to provide safe sidewalks for the neighbors to use and stay out of the streets. As a parent with small children I am always grateful when there are sidewalks to walk on and keep our kids safely out of the street traffic. Thank you

Brandon Devlin  
Realtor  
(804) 338-3659  
Hodges and Fooshee

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Land Development Solutions Date: 2.5.19  
Property Owner: Loney Hutchins Case #: 2019- 117  
Representative: Duane Cuthbertson Map & Parcel: 10507 - 02

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: permit a mixed use development

Activity Type: Mixed Use

Location: 444 Humphreys St.

This property is in the MVL Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: \_\_\_\_\_

Section(s): 17.12.030A, 17.12.020.C, 17.20.130, 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Same  
Appellant Name (Please Print)

Duane Cuthbertson  
Representative Name (Please Print)

Address

2814 12th Av. S.  
Address

City, State, Zip Code

Nashville, TN 37203  
City, State, Zip Code

Phone Number

615.924.9618  
Phone Number

Email

dcuthber@gmail.com  
Email

Zoning Examiner: TC

Appeal Fee: \$200



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3601510

**ZONING BOARD APPEAL / CAAZ - 20190007412  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 10507000200

APPLICATION DATE: 02/05/2019

**SITE ADDRESS:**

444 HUMPHREYS ST NASHVILLE, TN 37203

LOT 81 HUMPHREY HOUSTON &amp; MARTIN, ADDN TO SO NASH.&amp; PT CL AL

PARCEL OWNER: HUTCHINS, LONEY JOHN

**CONTRACTOR:****APPLICANT:****PURPOSE:**

To construct multi-use development... ..office... ..cultural... ..retail... ..restaurant... .. residential... ..

Required: Per 17.12.030A Minimum street setback is ten (10') feet along Brown Street...

Request a zero (0) foot street setback... .. (Build ten (10') feet into street setback area along Brown Street)

Required: Per 17.12.020C Minimum rear setback is twenty (20') feet...

Request a seven and one half (7.5') foot rear setback... .. (Build twelve and one half (12.5) feet into rear setback area)

Required: Per 17.20.130 Commercial Land Use 2,000-9,999 sqft of gross floor space requires one (1) 10'x25' loading space...

Request no build loading space requirement...

Required: Per 17.20.120 Sidewalks required

Request not to install sidewalks or contribute

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
**APPELLANT**

2.5.19  
 \_\_\_\_\_  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

**Hardship not self-imposed-** *The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

**Financial gain not only bases-** *Financial gain is not the sole basis for granting the variance.*

**No injury to neighboring property-** *The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

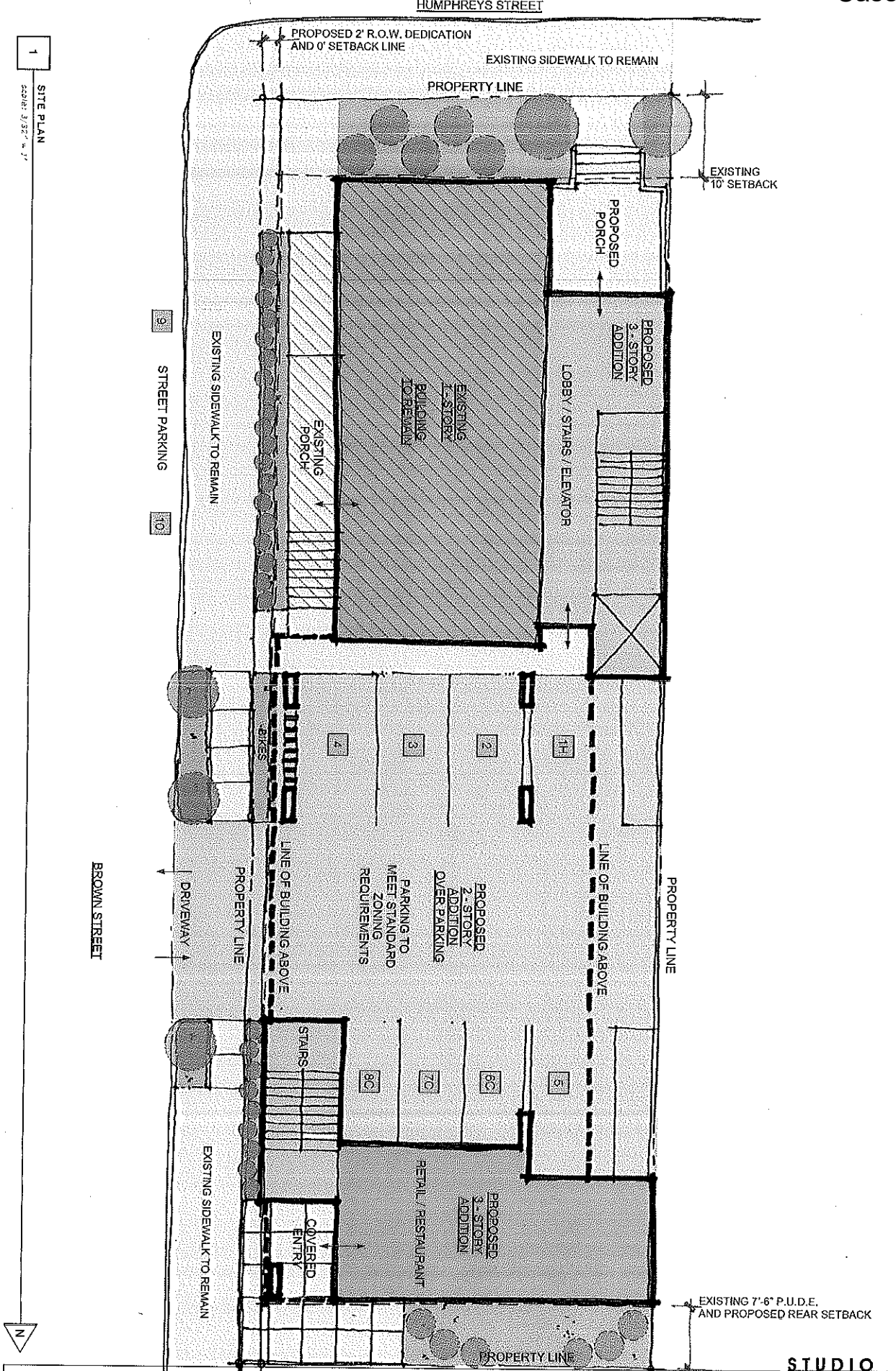
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Neighborhood context and Land Use Policy  
Neighborhood support for dense urban infill.  
Paved portion of sidewalks exceed standard.



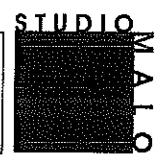
1 SITE PLAN  
SCALE: 3/32" = 1'



01 444 HUMPHREYS  
444 humphreys street, nashville, tn 37203  
Tuesday 5 February 2019

SITE PLAN  
BZA SUBMISSION

STUDIOMALO  
1701 stewart place, nashville tn 37203  
615.775.6491 www.studiomalo.com

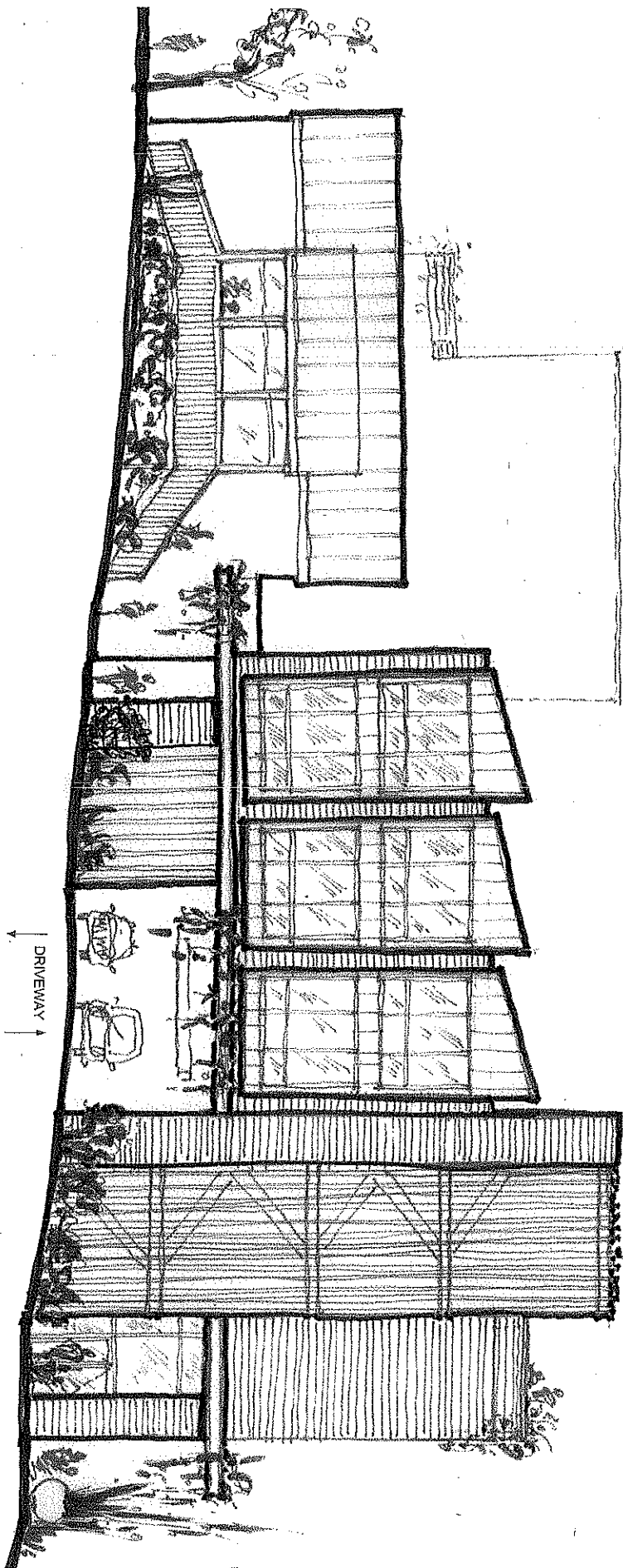


1  
PROPOSED BROWN STREET ELEVATION CONCEPT  
SCALE: 3/32" = 1'

EXISTING 1-STORY BUILDING  
TO REMAIN

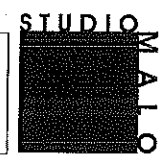
PROPOSED 2-STORY ADDITION  
OVER PARKING

PROPOSED 3-STORY ADDITION  
45' HEIGHT LIMIT  
PER STANDARD ZONING



STAIRS & ELEVATOR BEYOND  
WITH ACCESS TO ROOF DECK

STAIRS  
WITH ACCESS TO ROOF DECK



**BZA 2019-117****444 Humphreys Street****3/21/19****Request:****Special Exception** to reduce the side street setback along Brown Street from 10' to 0';**Special Exception** to reduce the rear setback from 20' to 7.5'; Section 17.12.035.D.1:**Variance** of the loading requirement (one – 10' x 25' space);**Variance** of the sidewalk requirement along Brown and Humphreys Streets.

All to permit an addition to an existing building allowing a mixed use development in the MUL zoning district.

444 Humphreys has served as a multi-use arts space since 2013. It's aim is to keep arts and music oriented work spaces accessible in the heart of Nashville. Its current tenants are:

**The Julia Martin Gallery**, which serves as the face of the building. Julia is a founding contributor to the 1st-Saturday of the month arts walks in the Wedgewood/Houston neighborhood since 2013 and has been regularly featured in local press and abroad. The gallery is known for its engaging shows from different corners of Nashville's arts community, including involvement by other outreach programs like Youth Empowerment through Arts and Humanities (Y.E.A.H.). [www.juliamartingallery.com](http://www.juliamartingallery.com) [www.am-wh.com](http://www.am-wh.com)

**YK Records** houses its label office and podcasting studio in the back unit of 444 Humphreys. The independent label hosts some of Nashville's most up and coming music artists on its roster and provides podcasting facilities to long running audio blog, 'We Own This Town.' [www.ykrecords.com](http://www.ykrecords.com) [www.weownthistown.net](http://www.weownthistown.net)

The entire basement level of 444 Humphreys is a professional audio recording studio, occupied by **Reel Recording** and **Cleft Music**, the latter of which is the building owner, **Loney John Hutchins'** own production space there. Reel Recording offers multi faceted audio services as well as providing numerous internship opportunities to Belmont University. Cleft Music is an active partner with the upstairs gallery for arts walk events, providing live music on the gallery porch many months out of the year. [www.reelrecording.com](http://www.reelrecording.com) [www.cleftmusic.net](http://www.cleftmusic.net)

The building addition will include a three (3) story addition including two (2) stories over a parking area. The building addition will not exceed the zoning district's 45' height limit.

The new building will include approximately 7000sf of art-focused rental space

- 1 ground floor commercial unit (art gallery, retail, or small restaurant space)
- 3-5 art studios on second floor
- 2-4 artist residential lofts on third floor
- roof deck

The proposed setback reductions are requested in order to accommodate utilization (and partial preservation) of the existing building which dates back to the late 1800's.

The **proposed setback reduction along Brown Street** will allow the proposed building to engage the public sidewalk in an intimate manner. Fenestration along the adjacent building wall will be programmed so as to ensure an interactive and pedestrian sensitive relationship. The proposed street setback will compliment the existing structure (raised entrance) along Brown.

The **proposed rear setback** reduction will, again, aid in accommodating utilization (and partial preservation) of the existing building. The reduced rear setback functions (is experienced) as a side setback along Brown Street and there is not a uniform rear setback pattern within this block.

The property is located within an older neighborhood in Nashville containing a variety of building types with a more urban fabric. Shallow setbacks on all sides of buildings are commonplace. Our requested setbacks will be consistent with the residential building recently constructed immediately to the west as well as many other building types found in the greater neighborhood.

The **loading space requirement** anticipates a traditional commercial use. The proposed addition, in combination with the existing building will host a variety of small uses. It is not anticipated that large truck deliveries will be necessary for any of the uses. Delivery has evolved and smaller more mobile options exist and will serve the proposed uses adequately ( UPS, FedEx, Amazon...). The loading requirement anticipates a suburban context. The subject property is located within an urban neighborhood where compact building design is desirable leaving less room for large loading spaces. Additionally, the subject property is surrounded by ample street parking and loading/delivery space on both Humphreys and Brown Streets.

Finally, **sidewalks** exist along both frontages. The standard would require a 4' grass strip and a 5' walkway. Currently there is a 10' paved sidewalk which exceeds the width of the standard sidewalk section. Our request would be to keep the existing sidewalk as it exceeds the intent of the sidewalk ordinance.

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-117 (444 Humphreys Street)

Metro Standard:	Humphreys Street – 4’ grass strip, 5’ sidewalk, as defined by the Local Street Standard
	Brown Street – 4’ grass strip, 5’ sidewalk, as defined by the Local Street Standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	MUL
Community Plan Policy:	T4 MU (Urban Mixed Use)
MCSP Street Designation:	Humphreys Street – Local Street
	Brown Street – Local Street
Transit:	911’ from #325 – Midtown, planned for rapid bus per nMotion
Bikeway:	None existing; bike boulevard planned per WalknBike

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes constructing a mixed use development and requests a variance from upgrading sidewalks and contributing in-lieu of construction due to the presence of existing sidewalks along the frontage of the site. Planning evaluated the following factors for the variance request:

- (1) An 8-9’ wide sidewalk without a grass strip exists along both of the property’s frontages, which is consistent with adjacent properties. The width of the sidewalk exceeds the Local Street standard.
- (2) There is a clear path of travel. Obstructions are located where a grass strip would be located.

Given the factors above, staff recommends **approval with conditions:**

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201  
615.862.7150  
615.862.7209

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# Memo

**To:** Metropolitan Nashville Board of Zoning Appeals  
**From:** Metropolitan Nashville Planning Department  
**CC:** Emily Lamb  
**Date:** March 4, 2018  
**BZA Hearing Date:** March 21, 2019  
**Re:** Planning Department Recommendation for a Special Exception, Case 2019-117

---

Pursuant to Section 17.40.300 of the Metro Zoning Code, the Metropolitan Planning Department is providing a recommendation on the following Special Exception case:

## 1. Case 2019-117 (444 Humphreys Street)

**Request:** A Special Exception to reduce the street setback to 0 feet along the frontage of Brown Street. The applicant also requests relief from the requirement to provide a loading space for commercial vehicles, relief from the requirement to construct sidewalks and paying the fee in lieu of construction, and request to reduce the rear setback to 7 and half feet.

**Zoning:** Mixed Use Limited (MUL) is intended for a moderate intensity mixture of residential, retail, restaurant, and office uses.

**Land Use Policy:** T4 Urban Mixed Use Neighborhood (T4 MU) is intended to maintain, enhance, and create urban, mixed use neighborhoods with a development pattern that contains a variety of housing along with mixed use, commercial, institutional, and even light industrial development. T4 MU areas are served by high levels of connectivity with complete street networks, sidewalks, bikeways, and existing or planned mass transit.

**Planning Department Analysis:** The site is located at the northwest corner of Humphreys and Brown Street, approximately 415 feet east of the intersection of Humphreys and Martin Street. Both Humphreys Street and Brown Street are identified as local streets. Existing site conditions include a one story commercial building which has a street setback of approximately 15 feet along Humphreys Street and a side setback along Brown Street of 4 feet. Existing context includes an adjacent two vacant lots, a lot located to the east of this site across Brown Street and a vacant lot located to the rear of the site. There are several lots across Humphreys Street which

contain a mixture of residential and light industrial uses. A multi-family structure is located to the west immediately adjacent to this site.

The existing structure will remain on site. The special exception request is associated with proposed additions to the existing building; the proposed building additions will be built around the existing structure. The requested setback variance of 0 feet along Brown Street is consistent with the urban character for structures located within a T4 MU policy area. While there are proposed additions to the existing structure on along Humphreys Street, these improvements will comply with the setbacks required per zoning.

Transportation Planning has provided an analysis for the sidewalk variance request. An 8-9' wide sidewalk without a grass strip exists along both of the property's frontages, which is consistent with adjacent properties.

The requested special exception to is consistent with the policy for the area and is an appropriate given the surrounding land uses and land use policy. The special exception will allow for redevelopment of a lot that has existing infrastructure in a manner which enhances and maintains the character of the street frontages. The MUL zone district would also ensure and appropriate bulk by limiting the height consistent with the multifamily structure to the west.

**Planning Recommendation: Approve.**



**From:** [Sledge, Colby \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Lamb, Emily \(Codes\)](#); [Braisted, Sean \(Codes\)](#)  
**Subject:** Positions on March 21 D17 agenda items  
**Date:** Friday, March 15, 2019 4:48:00 PM

---

Good afternoon,

Board members, here are my positions on March 21 agenda items in District 17:

- Case 2019-105: A request to be exempt from sidewalk requirements for the interior renovation of a warehouse in an industrial zone (901 6th Ave S). I **support** this request, as this is a purely industrial area.
- Case 2019-117: This request in Wedgewood-Houston (444 Humphreys St) wants a ton of variances, which I normally would be fine with, **except** the applicant wants to get out of the sidewalk fund. Therefore, I **oppose** this request.
- Case 2019-101: I **oppose** the reinstatement of an illegally-rented short-term rental on 17th Ave S.

Thank you for your work!

Colby

-----  
Colby Sledge  
Metro Council, District 17  
(615) 442-3727  
[ColbySledge.com](#)  
[Sign up for my weekly newsletter here!](#)

**Lifsey, Debbie (Codes)**

---

**From:** Duane Cuthbertson <dcuthber@gmail.com>  
**Sent:** Thursday, March 14, 2019 10:21 PM  
**To:** Lamb, Emily (Codes); Shepherd, Jessica (Codes); Lifsey, Debbie (Codes)  
**Subject:** Fwd: 444 Humphreys letters of support

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Please find below communication of support for our requests related to 444 Humphreys St. - Case No. 2019-117. Thank you.

**Anna Zeitlin** <[anna@zeitgeist-art.com](mailto:anna@zeitgeist-art.com)>

to me

As someone who lives and works in Wedgewood Houston, I appreciate how Loney has contributed to the cultural life of the neighborhood, and support his effort to expand. I am in favor of his zoning board appeal.

Anna Zeitlin

615-306-3128

511 Hamilton Ave 37203

**Michael Eades, owner YK Records**

I support the proposed zoning changes from Loney Hutchins for Case No. 2019-117. As a tenant of 444 Humphreys I have experienced the benefits of Mr. Hutchins efforts to support creative endeavors in the Nashville area. He has provided me with a space to run an independent record label and a podcast studio, as well as instilled in me the confidence that his motivations for changing the lot are aimed at enriching the neighborhood and Nashville culture at large.

Thank you,  
Michael Eades  
yk LLC  
Home Address:  
2202 Grantland Ave  
Nashville, TN 37204  
615 497 6521

michael@ykrecords.com

**Barbara Moutenot**

to me

My husband and I have owned 491 Humphreys Street for 14 years. We support the zoning request for 444 Humphreys Street.

Loney Hutchins is a great neighbor and will add to the vibrancy of the neighborhood.

Barbara and Roger Moutenot

barbara@villagetn.com

615-812-6526

491 Humphreys Street

**Jon Sewell**

to me

Re: BZA Csase 2019-117

BZA,

I wholeheartedly support the project proposed by the owner for 444 Humphreys St. Long before the neighborhood became the arts hub that it is today, Mr. Hutchins provided a space for the type of creative businesses that have attracted the rapid growth that developers have tapped into. Allowing the conditions for Mr. Hutchins to continue his growth benefits the neighborhood by providing more creative spaces to complement the current tenants he has made a home for, incl. Julia Martin Gallery, YK Records, Cleft Music and Reel Recording. Spending a small fortune to save the railroad built house on his lot indicates Mr. Hutchins' sincere commitment to the past of the neighborhood while also focusing on growing a more inclusive community of local creative businesses that now more than ever are being displaced.

Jon Sewell

Owner: The Packing Plant

507 Hagan St

**Lauren Brown**

to me

To whom it may concern,

I am writing to express my support of renovations for 444 Humphreys St., BZA Case 2019-17. The owner of this property, Loney Hutchins, is a friend and neighbor of mine (as I live on the corner of Chestnut and Humphreys at 477 Chestnut St). As a property owner in the neighborhood, I believe Mr. Hutchins' property has already made a great contribution to our neighborhood; more, I am excited about the proposed renovations and how his property will continue to enrich the culture of our neighborhood.

Please contact me for any further inquiries about my support,

-Lauren Brown

Lauren Brown, PhD, LCSW  
615-557-3499  
[lbrownsocialworker@gmail.com](mailto:lbrownsocialworker@gmail.com)  
Symmetry Counseling  
4205 Hillsboro Rd., Suite 314  
Nashville, TN, 37215

--  
Duane Cuthbertson  
615.924.9618

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Bernard Gray  
Property Owner: " "  
Representative: " "

Date: 2-11-19  
Case #: 2019-121  
Map & Parcel: 119-13-324

Council District 16

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance to allow 6' chain link fence around perimeter of the property and to allow fence within 25' of public ROW

Activity Type: Auto sales

Location: 3020 Nolensville Pl.

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 17.12.040(E) 26(b)  
Section(s): Does not meet height or setback requirement

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

BERNARD GRAY  
Appellant Name (Please Print)

BERNARD GRAY  
Representative Name (Please Print)

9333 ANSLEY LANE  
Address

9333 ANSLEY LANE  
Address

BRENTWOOD TN 37027  
City, State, Zip Code

BRENTWOOD TN 37027  
City, State, Zip Code

615-708-9031  
Phone Number

615-708-9031  
Phone Number

GRAYBW@AOL.COM  
Email

GRAYBW@AOL.COM  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \$ 200.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3602774

**ZONING BOARD APPEAL / CAAZ - 20190008264**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 11913032400

APPLICATION DATE: 02/11/2019

**SITE ADDRESS:**

3020 NOLENSVILLE PIKE NASHVILLE, TN 37211  
LOT 1 PT 2 RESUB PLEASANT VIEW MCCOMB

PARCEL OWNER: GRAY, BERNARD W. &amp; ROBIN L.

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting variance to allow 6' chain link fence around perimeter of the property and to allow fence within 25' of public ROW.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

BERNARD GRAY

APPELLANT

FEB. 11, 2019

DATE



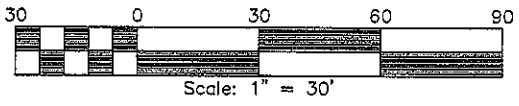
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

THE INSTALLATION OF THE FENCE WAS APPROVED BY MR. TERRY COBB OF THE CODES DEPARTMENT WHEN IT WAS INSTALLED IN LATE 2016. MR. MICHAEL SMITH OF RG FENCE COMPANY MET WITH MR. COBB AT THAT TIME AND GOT APPROVAL FOR THE PLANS AND WAS TOLD THAT THEY MET CODE. WE WERE TOLD BY THE POLICE DEPARTMENT AT THAT TIME THAT A FENCE WOULD BE THE BEST WAY TO PREVENT THE NUMEROUS VEHICLE BREAKINS THAT WERE OCCURRING.



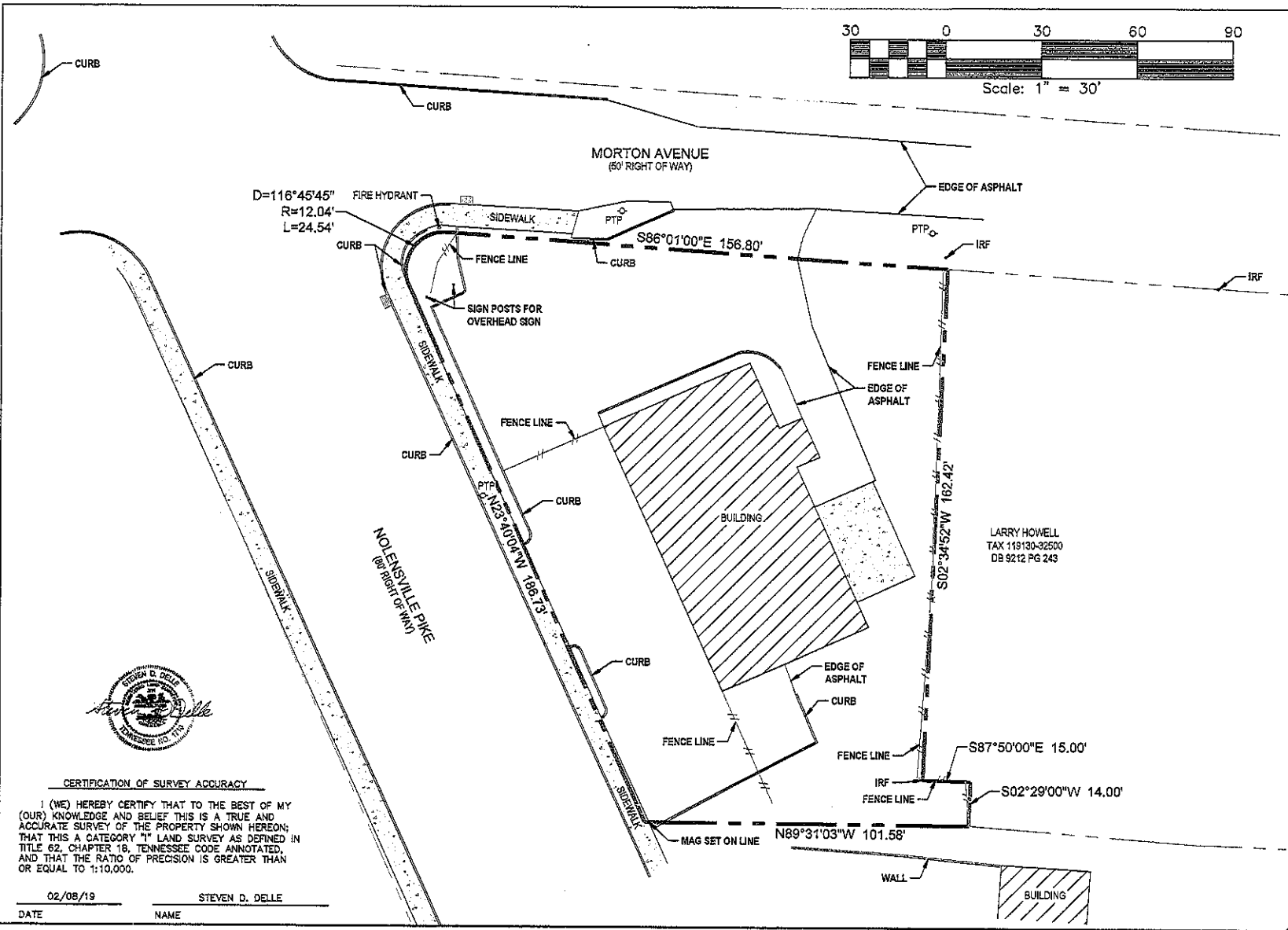
DRAWN BY: KSL  
 DATE: 02/05/19  
 REV:  
 JOB #

**BOUNDARY SURVEY**  
**3020 NOLENSVILLE PIKE**

TAX MAP 119130-32500  
 NASHVILLE, TENNESSEE

LARRY HOWELL  
 TAX 119130-32500  
 DB 9212 PG 243

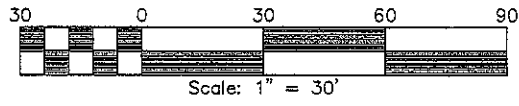
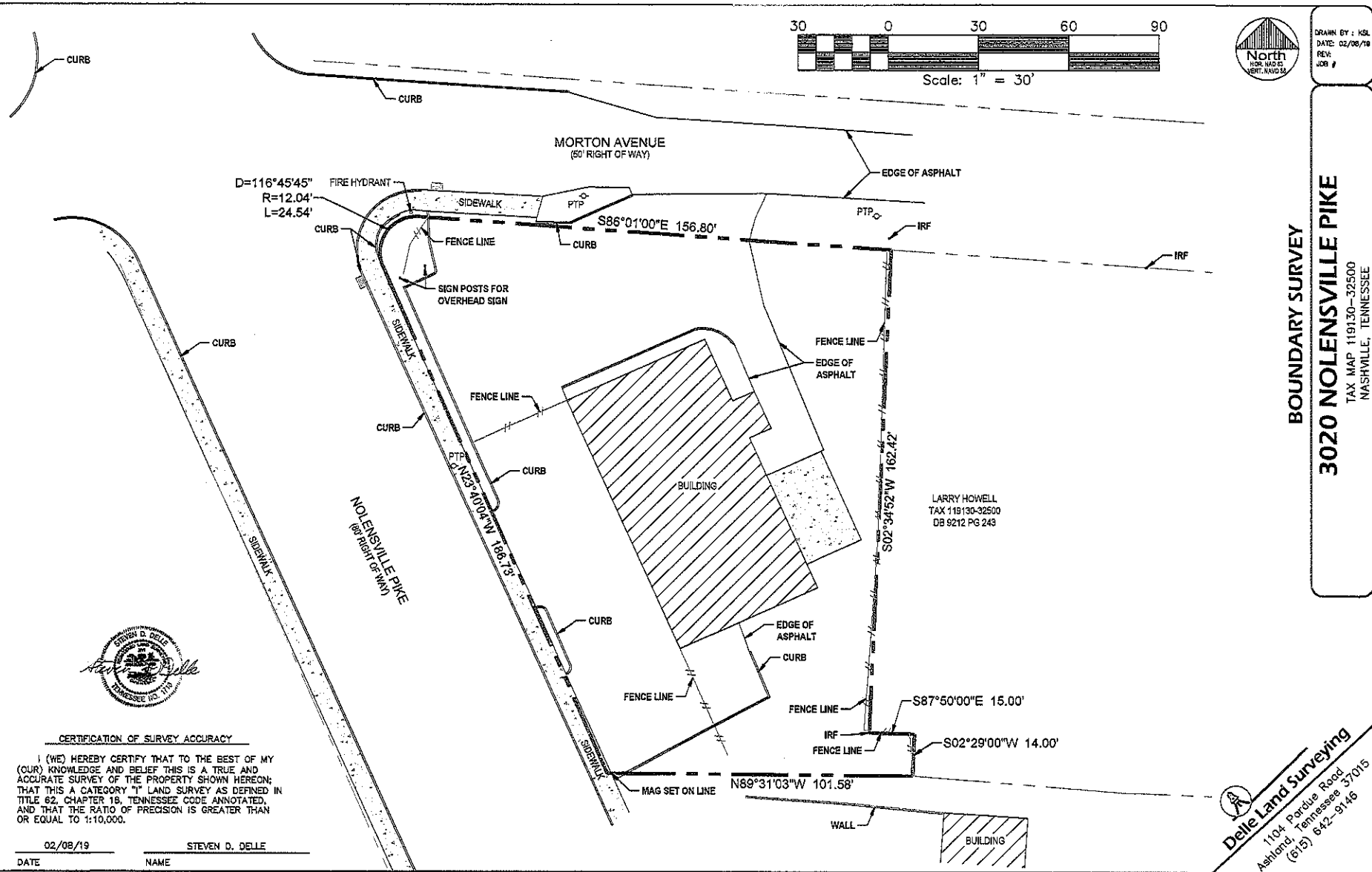
**Delle Land Surveying**  
 1104 Porchule Road  
 Ashland, Tennessee 37015  
 (615) 642-9146



**CERTIFICATION OF SURVEY ACCURACY**

I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS A CATEGORY "1" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 18, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.

DATE: 02/08/19 NAME: STEVEN D. DELLE



DRAWN BY: KSL  
 DATE: 02/08/19  
 REV: JDE #

**BOUNDARY SURVEY**  
**3020 NOLENSVILLE PIKE**  
 TAX MAP 119130-32500  
 NASHVILLE, TENNESSEE

LARRY HOWELL  
 TAX 119130-32500  
 DB 9212 PG 243



**CERTIFICATION OF SURVEY ACCURACY**

I (WE) HEREBY CERTIFY THAT TO THE BEST OF MY (OUR) KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON; THAT THIS A CATEGORY "I" LAND SURVEY AS DEFINED IN TITLE 62, CHAPTER 18, TENNESSEE CODE ANNOTATED, AND THAT THE RATIO OF PRECISION IS GREATER THAN OR EQUAL TO 1:10,000.

02/08/19                      STEVEN D. DELLE  
 DATE                              NAME

**Delle Land Surveying**  
 1104 Pardee Road  
 Ashland, Tennessee 37015  
 (615) 642-9146

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Affordable Housing Resources Date: 2/8/19  
Property Owner: AHR Case #: 2019-122  
Representative: Sean Roberge Map & Parcel: \_\_\_\_\_

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

SINGLE FAMILY RESIDENTIAL  
NEW CONSTRUCTION

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 1524 B 23rd Ave N

This property is in the R55 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 1. REQUEST NOT TO CONSTRUCT SIDEWALKS & NOT TO CONTRIBUTE  
REQUEST 5' MINIMUM SIDE SETBACK

Section(s): 1. 17.20.120 2. 17.40.670

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Affordable Housing Resources  
Appellant Name (Please Print)

Sean Roberge  
Representative Name (Please Print)

50 Vantage Way  
Address

925 N 5<sup>th</sup> St  
Address

Nashville, TN 37228  
City, State, Zip Code

Nashville, TN 37207  
City, State, Zip Code

(615) 251-0025  
Phone Number

(615) 967-4787  
Phone Number

Edlatimer@ahrhousing.org  
Email

sean@rscbuild  
Email

Zoning Examiner: TR

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3602550

**ZONING BOARD APPEAL / CAAZ - 20190008126**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 08115001300

APPLICATION DATE: 02/08/2019

**SITE ADDRESS:**

1524 B 23RD AVE N NASHVILLE, TN 37208  
PT LOT 135 S A CHAMPION SUB

PARCEL OWNER: AFFORDABLE HOUSING RESOURCES, INC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Required: Per 17.20.120 Sidewalks required

Request not to install sidewalks or contribute

Required: Per 17.40.670 Required 3' setback for at least 25% of the depth of the structure beginning at the street...

Request: Minimum 5' side setback...

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Affordable Housing Resource*  
**APPELLANT**

*2/5/19*  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*



In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

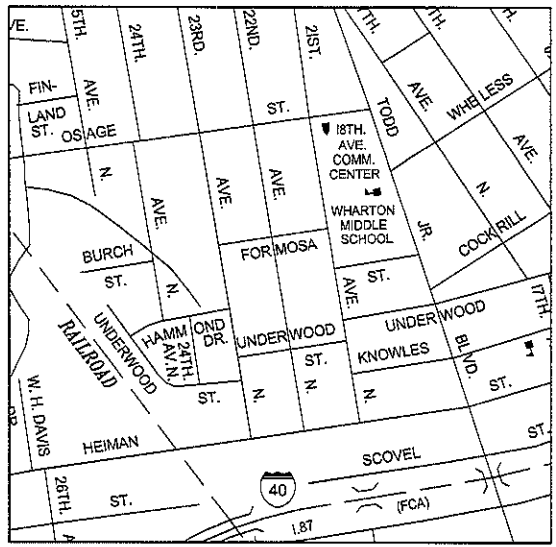
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Affordable Housing Resources - requesting variance:*  
- *for sidewalk requirements*  
- *from side setback requirements due to the size of the lots*

**SHEET INDEX:**

- C1.0 - COVER SHEET (GENERAL NOTES)
- S1.0 - SITE PLAN
- S2.0 - SITE CALCULATIONS (IMPERVIOUS-LOT COVERAGE)
- E1.0 - EROSION PREVENTION & SEDIMENT CONTROL PLAN
- E2.0 - EROSION PREVENTION & SEDIMENT CONTROL DETAILS
- B1.0 - BUILDING CONTEXTUAL AVERAGE SETBACKS
- W1.0 - SIDEWALK CONSTRUCTION PLAN
- W2.0 - SIDEWALK CONSTRUCTION DETAILS
- W3.0 - SIDEWALK CONSTRUCTION NOTES



**LOCATION-MAP**  
NOT-TO-SCALE

**SITE DATA:**

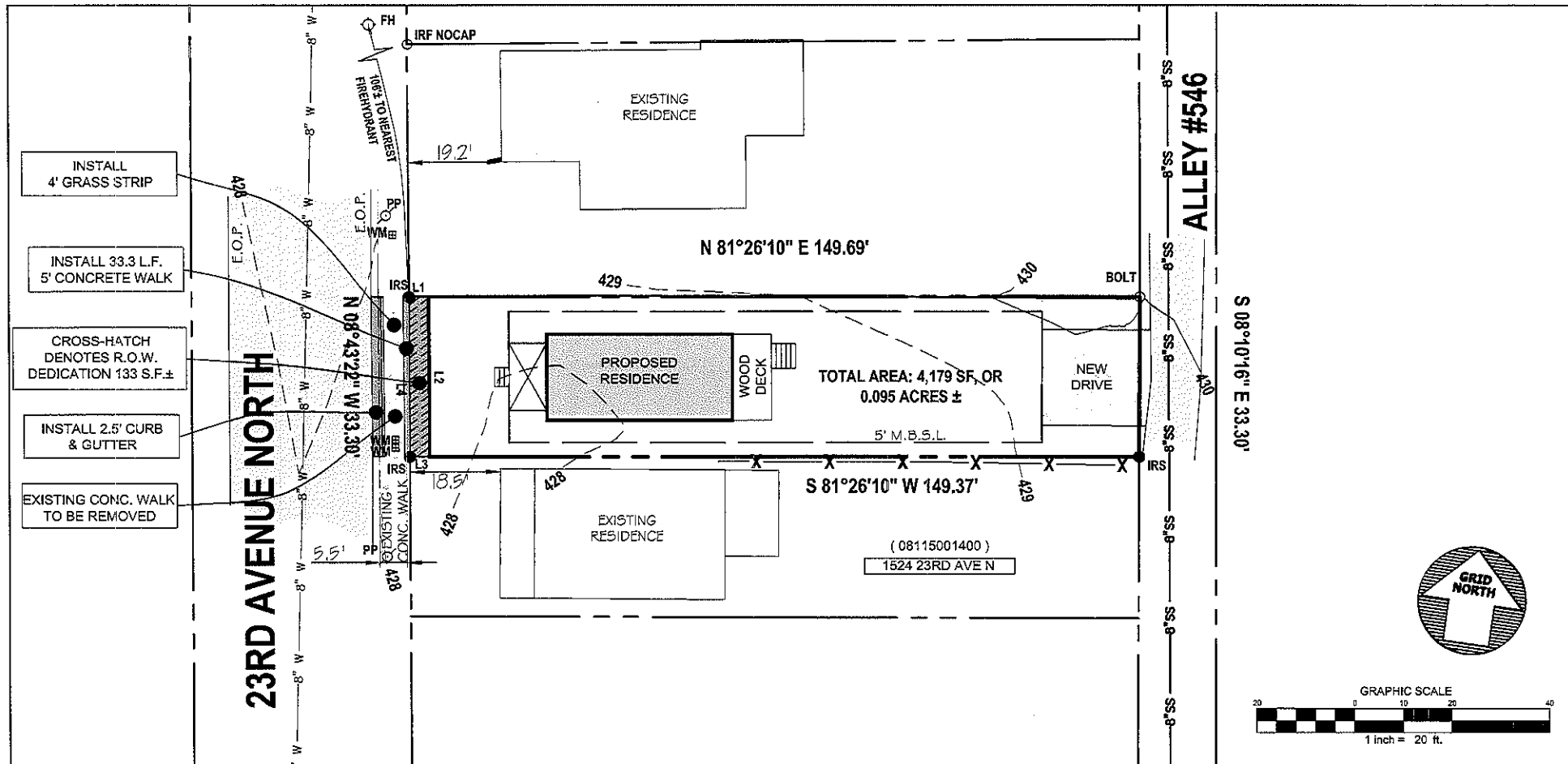
1. Total Site Area 4,179 S.F., or 0.095 Acres ±
2. Tax ID: 08115001300
3. **Owner and/or Developer**  
Sean Roberge  
RSC, LLC  
925 N 5th St  
Nashville, Tn. 37207  
Phone:(615)-967-4787, Email: sean@rsc.build
4. Subject property base zoning - **RS5.**
5. **Setbacks:**  
Contextual Front M.B.S.L. - 28.8'  
Side M.B.S.L. - 3'  
Rear M.B.S.L. - 20'
6. **Districts:**  
Urban Services District  
21st Councilman District  
Councilman - Ed Kindall

Prepared By:  
***W.T. Smith- Land Surveying***  
  
1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



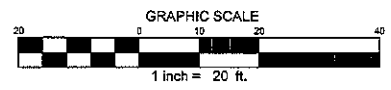
**COVERSHEET**  
**1524 B 23rd Ave North**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**C-1.0**



S 08°10'16" E 33.30'

ALLEY #546



Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

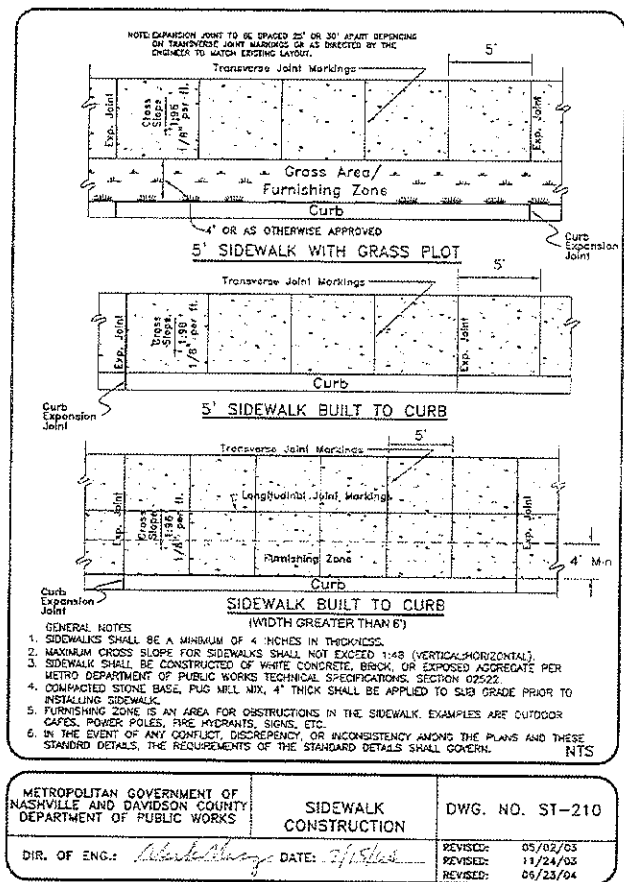
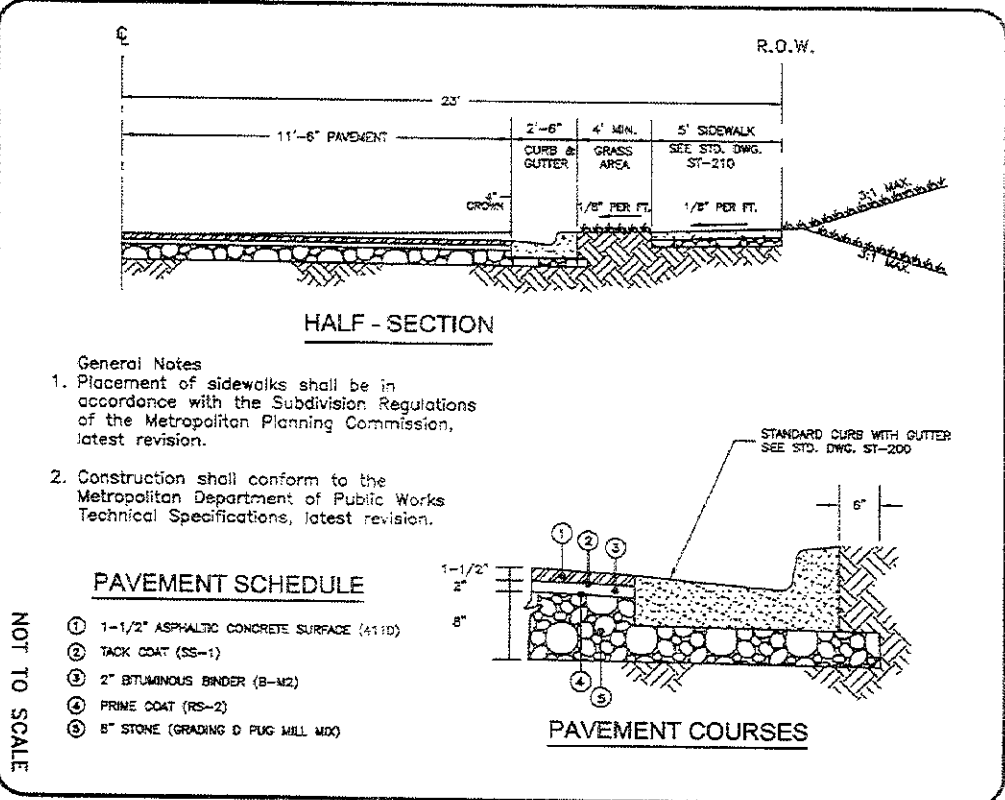


**Sidewalk**  
**Construction Plan**  
 1524 B 23rd Ave North  
 Nashville - Davidson Co., Tn.

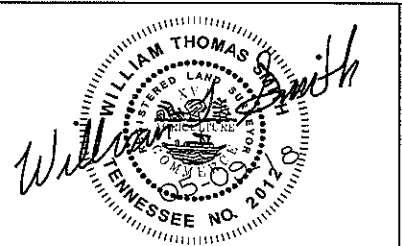
SHEET NO.  
**W-1.0**

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS  
 ASST. DIR. ENGR. *W. T. Smith*  
 DIRECTOR: *A. Decker*  
 DATE: *5/1/01*  
 REVISED: *04/09/01*

RESIDENTIAL-LOW DENSITY MINOR LOCAL STREET (46' R.O.W.)  
 DWG. NO. ST-251

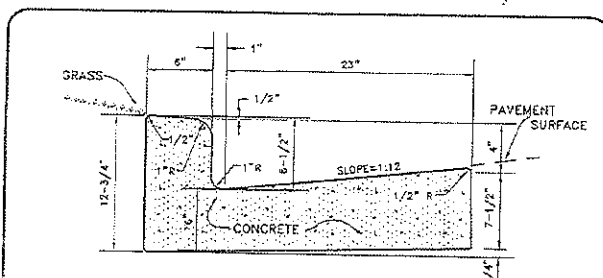


Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

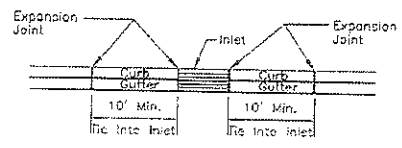


**Sidewalk Construction Details**  
 1524 B 23rd Ave North  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-2.0**



TYPICAL CROSS - SECTION



FRONT VIEW

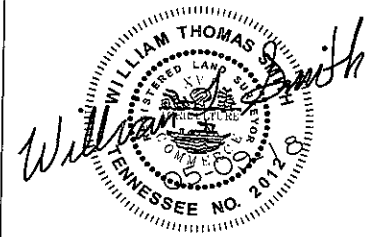
GENERAL NOTES

1. Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
2. Expansion joints will also be required at tangent points, ramps, and inlets.
3. Contraction joints are to be cut into curb and gutter every 10 feet to a depth of D/4, where D equals the thickness of the section. The spacing of 10 feet may be reduced at closures but no section of curb and gutter shall be less than 10 feet.
4. There will be a minimum of 10 feet tie in at curb inlets on each side of the inlet. An expansion joint will be used on each side of the tie in.
5. Cost of contraction joints to be included in the unit bid price for concrete curb with gutter.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	STANDARD CURB WITH GUTTER	DWG. NO. ST-200
DIR. OF ENG.: <i>Mark May</i>	DATE: <i>5/12/03</i>	REVISED: 07/21/00 REVISED: 05/02/03 REVISED:

Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

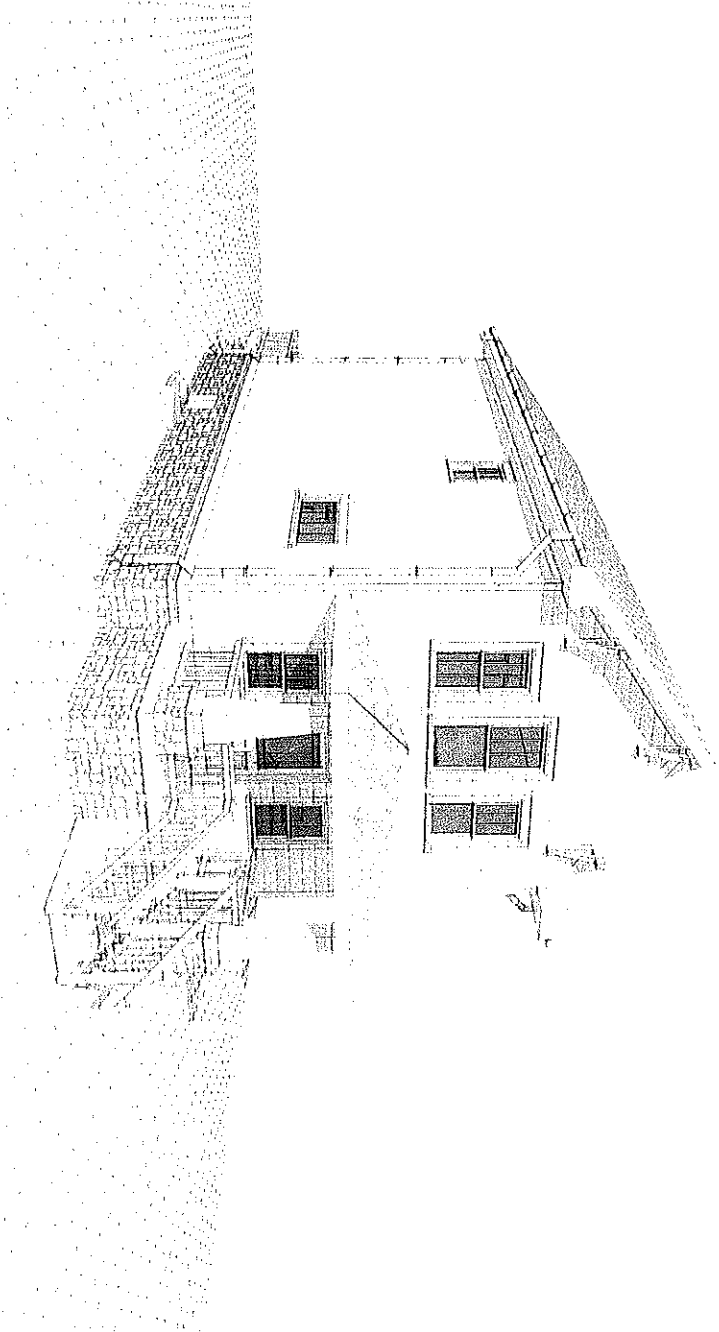


**Sidewalk Construction  
 Details & Notes**  
 1524 B 23rd Ave North  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-3.0**

# BARNES FUND WINBERRY HOME

## SINGLE FAMILY HOME



SITE MAP

### PROJECT TEAM

**OWNER:**  
AFFORDABLE HOUSING RESOURCES  
1400 17th Ave S  
Nashville, TN 37203  
info@ahresources.org

**ARCHITECT:**  
EXOTERRA | Architects+Consultants  
2700 Park Plaza  
Nashville, TN 37203  
info@exoterra.com

### CONSULTANTS

### CODES REFERENCED

- APPLICABLE CODES:**
- 1. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 2. 2012 INTERNATIONAL PLUMBING CODE WITH LOCAL AMENDMENTS\*
  - 3. 2012 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS\*
  - 4. 2012 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS\*
  - 5. 2012 INTERNATIONAL PIRE CODE WITH LOCAL AMENDMENTS\*
  - 6. 2012 INTERNATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS\*
  - 7. 2011 NATIONAL ELECTRICAL CODE WITH LOCAL AMENDMENTS\*
  - 8. 2012 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS\*
  - 9. 2008 CANADA A-117 ACCESSIBLE AND USABLE BUILDINGS AND FACILITIES
  - 10. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 11. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 12. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 13. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 14. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 15. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 16. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 17. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 18. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 19. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*
  - 20. 2012 INTERNATIONAL RESIDENTIAL CODE WITH LOCAL AMENDMENTS\*

### AREA CALCULATIONS

CONDITIONED SQUARE FOOTAGE	
FIRST FLOOR	824 S.F.
SECOND FLOOR	452 S.F.
<b>TOTAL CONDITIONED S.F.</b>	<b>1,268 S.F.</b>

UNCONDITIONED SQUARE FOOTAGE	
COVERED PORCH	102 S.F.
SUBTOTAL UNCONDITIONED S.F.	102 S.F.
<b>TOTAL S.F. (CONDITIONED &amp; UNCONDITIONED)</b>	<b>1,470 S.F.</b>

### SHEET INDEX:

NO.	TITLE
001	COVER
002	PROJECT DATA
003	GENERAL NOTES
004	FOUNDATION & ROOF PLAN
005	FLOOR PLAN
006	SECTION DETAILS



## BARNES FUND WINBERRY HOME

### SINGLE FAMILY HOME

AFFORDABLE HOUSING RESOURCES  
SITE TBD  
NASHVILLE, TN 37208

EXOTERRA | Architects+Consultants  
Project #: 228-17

### COVER

NO.	DATE	DESCRIPTION

**CVR**

WWW.EXOTERRA.COM





**SCHEDULE NOTES**

1. CONTRACTOR SHALL VERIFY ALL WINDOW SCHEDULES AND DOOR SCHEDULES SHALL CHECK, COMPARE AND APPROVE THE WINDOW AND DOOR SCHEDULES, ELEMENTS AND VENDOR PROPOSALS PRIOR TO PLACING THE ORDER AND WINDOW ORDERING.
2. CONTRACTOR IS RESPONSIBLE FOR ALL SHIPPING CHARGES AND INSTALLATION PRACTICES.

OPENING	SECTION	SIZE	WALL TYPE	FOOTING
0 TO 4'-0"	1	12x8	SINGLE	SINGLE
4'-0" TO 4'-6"	2	12x10	SINGLE	SINGLE
4'-6" TO 12'-0"	3	12x12	SINGLE	SINGLE
12'-0" TO 16'-0"	4	12x16	DOUBLE	DOUBLE

OPENING	SECTION	SIZE	WALL TYPE
0 TO 6'-0"	1	4x4	4" BRICK
6'-0" TO 6'-6"	2	4x4	4" BRICK
6'-6" TO 12'-0"	3	4x4	4" BRICK
12'-0" TO 16'-0"	4	4x4	4" BRICK

OPENING	SECTION	WALL TYPE
0 TO 6'-0"	1	8" BLOCK
6'-0" TO 6'-6"	2	12" BLOCK
6'-6" TO 12'-0"	3	8" BLOCK
12'-0" TO 16'-0"	4	12" BLOCK

OPENING	SECTION	WALL TYPE
0 TO 6'-0"	1	8" BLOCK
6'-0" TO 6'-6"	2	12" BLOCK
6'-6" TO 12'-0"	3	8" BLOCK
12'-0" TO 16'-0"	4	12" BLOCK

**GENERAL NOTES - OPENINGS:**

1. THE ARCHITECT, CONTRACTOR AND OWNER APPROVED WINDOW AND DOOR VENDORS SHALL CHECK, COMPARE AND APPROVE THE WINDOW AND DOOR SCHEDULES, ELEMENTS AND VENDOR PROPOSALS PRIOR TO PLACING THE ORDER AND WINDOW ORDERING.
2. TO THE EXTENT PERMITTED BY LAW, THE ARCHITECT'S SCHEDULES SHALL BE BROUGHT TO THE ATTENTION OF THE CONTRACTOR AND OWNER PRIOR TO ORDERING.
3. DOOR AND WINDOW SCHEDULES SHALL BE RESPONSIBLE FOR ALL SHIPPING CHARGES AND INSTALLATION PRACTICES.
4. IT IS RECOMMENDED THAT ALL DOORS AND WINDOWS BE INSTALLED BY THE APPLICABLE DOOR AND WINDOW MANUFACTURER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY AND ALL PROBLEMS OR ISSUES RELATED TO THE ITEMS INSTALLED PERFORMANCE AND/OR OPERATION.
5. ALL DETAIL RELATED INQUIRIES SHALL BE SUBMITTED IN WRITING TO THE ARCHITECT PRIOR TO PLACING ORDERS.

**DOOR NOTES:**

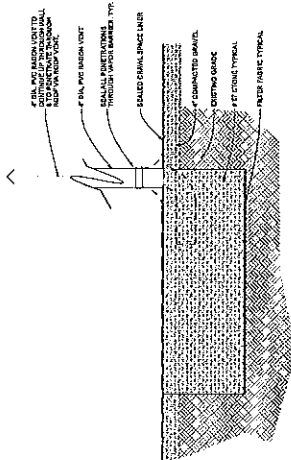
1. INTERIOR DOORS SHALL BE 1-3/4" SOLID CORE JACO OR PRIMED WOOD ONLY AND PREPARED PER SCHEDULE. UNFINISHED DOORS, ALL DOOR TYPES SHALL BE AS SHOWN IN SCHEDULE.
2. ALL INTERIOR DOORS TO BE CALIBERED UNLESS OTHERWISE NOTED.
3. ALL HARDWARE SHALL BE GRADE 18-8 STAINLESS STEEL UNLESS OTHERWISE NOTED.
4. ALL DOOR HARDWARE TO BE ADA COMPLIANT.

**DOOR SCHEDULE**

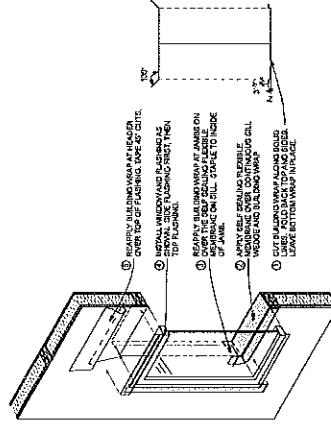
DOOR #	SIZE	FRAME MATERIAL	HARDWARE	DESCRIPTION/NOTES
101	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
102	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
103	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
104	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
105	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
106	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
107	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
108	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
109	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
110	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
111	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
112	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
113	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
114	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
115	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
116	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
117	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
118	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
119	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR
120	2'-4" x 2'-4"	WOOD	INDUSTRIAL WATER TIGHTENING BELL DEADBOLT	EXTERIOR

**LEGEND**

- ① ITEM # • TEMPERED SAFETY GLAZING
- ② ITEM # • LAMINATED SAFETY GLAZING
- ③ ITEM # • 1/4" PLEXIGLASS
- HW • HOLLOW METAL
- MI • MILD STEEL
- SCWD • SOLID CORE WOOD
- AL • ALUMINUM
- GL • GLASS
- IGL • INSULATED GLASS
- DH • DOUBLE HUNG
- FC • FIBROGLASS



**RADON PIT DETAIL**  
SCALE: 1/4"



**WINDOW FLASHING DETAIL**  
SCALE: 1/4"

**BARNES FUND WINBERRY HOME**  
SINGLE FAMILY HOME  
AFFORDABLE HOUSING RESOURCES  
SITE TBD  
NASHVILLE, TN 37208  
EXOTERRA Architects+Consultants  
Project # 229-17

**SCHEDULES & NOTES**

ISSUE DATE	DESCRIPTION
11/27/17	CONSTRUCTION SCHEDULE

**A0.1**

www.exoterra.com





17100 Main Street, Suite 100, The Woodlands, TX 77380  
www.exoterra.com

**FOUNDATION & ROOF PLANS**

REV.	DATE	DESCRIPTION
01	10/27/17	FOUNDATION & ROOF PLANS

DESIGNED BY	CHECKED BY	DATE

**A1.0**

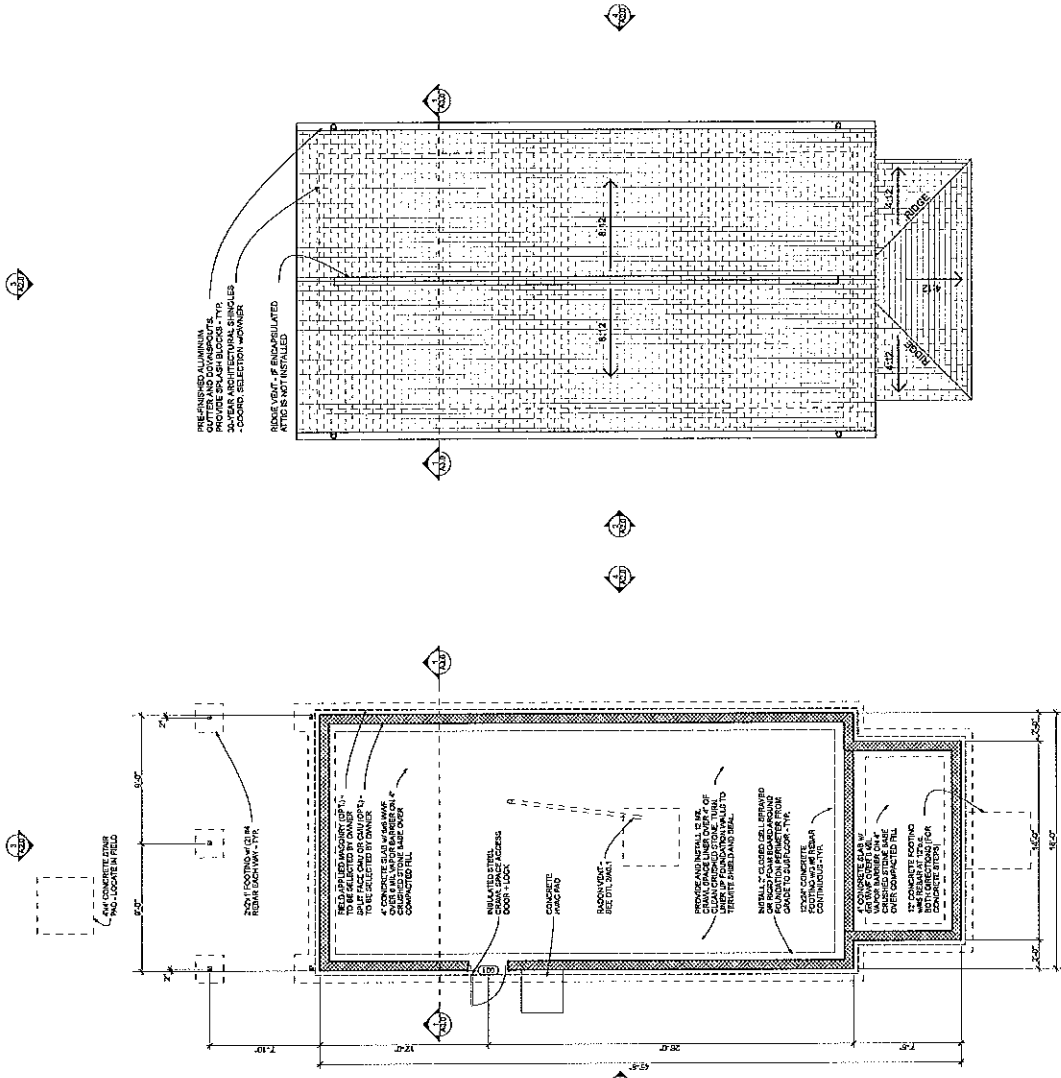
www.exoterra.com

**GENERAL ROOF PLAN NOTES:**

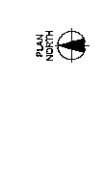
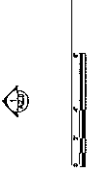
- A. PROVIDE ALL MATERIALS, FINISHES, AND METHODS OF CONSTRUCTION AND STYLE WITH OWNER.
- B. PROVIDE ALL GUTTER AND DOWNSPOUT STYLES, TYPES AND LOCATIONS W/ OWNER PRIOR TO BEGINNING INSTALLATION. GUTTER SEALS AND UNDERGROUND DRAIN SYSTEM SHALL BE DESIGNED BY A QUALIFIED ENGINEER.
- C. PROVIDE AND INSTALL NEW 5/8" LAPSED 20# FELT OR ARCHITECT APPROVED SYNTHETIC UNDERLAYMENT AT ALL ROOF AREAS.
- D. PROVIDE 2" AND 3" ROOF VENTS PER CODE IF SPRAY FOAM INSULATION IS NOT INSTALLED IN THE UPPER PORTION OF THE ROOF TRUSSES AND/OR RAFTERS.
- E. PROVIDE CONTINUOUS ELASTIC AND COMPRESSION RESISTANT CONNECTION BETWEEN ALL ROOF WALLS AND ROOF TRUSSES AND/OR RAFTERS.
- F. PROVIDE CONTINUOUS STRIP OVER ALL ROOF WALLS AND ROOF TRUSSES AND/OR RAFTERS.
- G. PROVIDE ALL WARRANTY INFORMATION, INCLUDING A MINIMUM ONE YEAR WARRANTY ON ALL ROOFING, FLASHING, FLASHINGS AND WATERPROOFING COMPONENTS.
- H. PROVIDE CONTINUOUS 1/2" AND WATER-SHIELD UNDER 3:12 SLOPES.
- I. PROVIDE OVERLAPPING CONTINUOUS 3/4" STRIP OF CEILING AND WATER-SHIELD AT PERIMETER OF ALL ROOF EXGES ON BOTH SIDES OF ALL ROOF WALLS, AND AT SINGLE-W/ CONTINUOUS STRIP OVER ALL RIDGES AND HIPS.

**GENERAL FOUNDATION PLAN NOTES:**

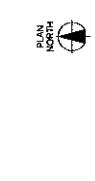
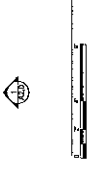
- A. THE CONTRACTOR IS RESPONSIBLE FOR ALL EXCAVATION, GRADING, CONCRETE, AND FOOTING WORK. THE FOUNDATION SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THE FOUNDATION PLAN AND ALL APPLICABLE LOCAL, STATE AND FEDERAL CODES AND REGULATIONS.
- B. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- C. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- D. THE CONTRACTOR SHALL COORDINATE ALL REQUIRED FOOTING AND FOUNDATION INSPECTIONS WITH THE LOCAL JURISDICTIONS AS REQUIRED.
- E. THE CONTRACTOR SHALL VERIFY THE LOCATIONS OF THE PROPOSED RADON PITS AND COORDINATE THEIR INSTALLATION AND THROUGH-ROOF VENTING.
- F. THE CONTRACTOR SHALL PROVIDE AND INSTALL EXTERIOR PERIMETER FOUNDATION DRAIN AND DRAIN LIGHT TO LOW POINT(S) ON SITE.
- G. THE CONTRACTOR SHALL PROVIDE AND INSTALL EXTERIOR PERIMETER FOUNDATION DRAIN AND DRAIN LIGHT TO LOW POINT(S) ON SITE.
- H. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- I. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- J. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- K. FOUNDATION CRAWL SPACE BLOCK SHALL BE INSTALLED A MINIMUM OF 4" ABOVE EXISTING GRADES ON SITE.
- L. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION, SILT FENCE AND/OR RAY BALES AND/OR AS REQUIRED BY LOCAL JURISDICTION.
- M. CONCRETE W/ DEBRIS SHALL BE AS SPECIFIED BY THE OWNER'S SEPARATE STRUCTURAL ENGINEER OR BE A MINIMUM OF 5,000 PSI DESIGN.
- N. THE NUMBER OF EXTERIOR RISERS FROM PORCHES TO GRADE SHALL BE DETERMINED BY THE LOCAL JURISDICTIONS AND APPROVED BY THE OWNER AND ARCHITECT.
- O. CONTRACTOR SHALL PROVIDE TERMITE SOIL TREATMENT AND PRE-TREATMENT OF THE FOUNDATION WALLS, INCLUDING A BORATE TREATMENT OF THE FIRST 3'-4" FEET OF ALL COLLECTIVE (WOOD) FRAMING.
- P. THE CONTRACTOR SHALL INSTALL SEALED DRAIN, SPACE SYSTEMS SHOWN ON THE FOUNDATION PLAN AND ALL FOUNDATION VENTILATION SYSTEMS AS REQUIRED BY CODE.



FOUNDATION SCALE: 1/8" = 1'-0"  
ROOF PLAN SCALE: 1/8" = 1'-0"



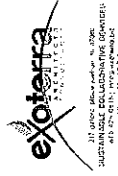
FOUNDATION SCALE: 1/8" = 1'-0"  
ROOF PLAN SCALE: 1/8" = 1'-0"



FOUNDATION SCALE: 1/8" = 1'-0"  
ROOF PLAN SCALE: 1/8" = 1'-0"



FOUNDATION SCALE: 1/8" = 1'-0"  
ROOF PLAN SCALE: 1/8" = 1'-0"

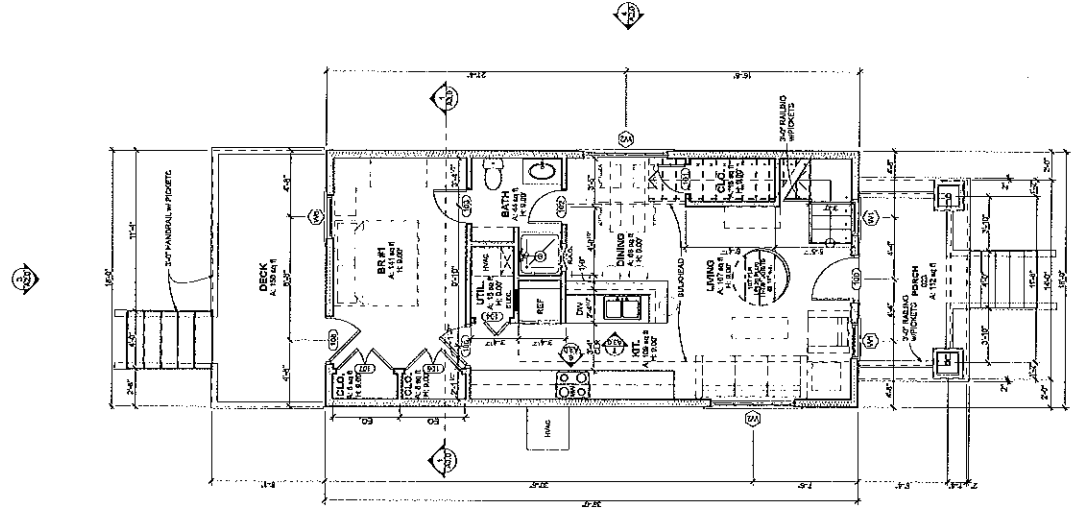


**BARNES FUND WINBERRY HOME**  
**SINGLE FAMILY HOME**  
**AFFORDABLE HOUSING RESOURCES**  
**SITE TBD**  
**NASHVILLE, TN 37208**  
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 Project # 228-17

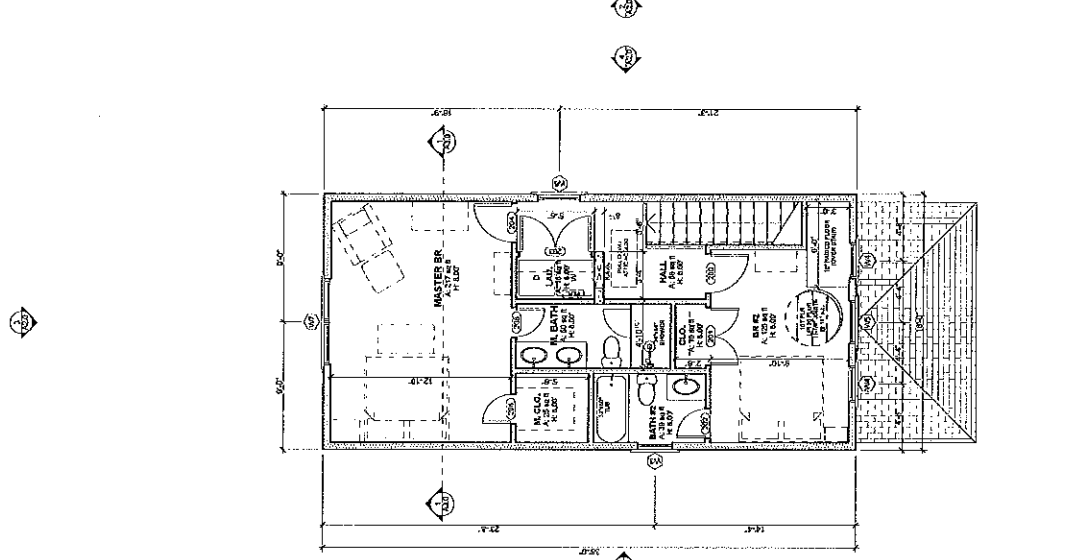
**FLOOR PLANS**

NO.	DATE	DESCRIPTION
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03	11/02/17	CONCEPTUAL DESIGN
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99	11/02/17	CONCEPTUAL DESIGN
100	11/02/17	CONCEPTUAL DESIGN

**A1.1**  
 www.exoterra.com



**FIRST FLOOR PLAN**  
 SCALE: 3/4" = 1'-0"



**2ND FLOOR PLAN**  
 SCALE: 3/4" = 1'-0"

**GENERAL PLAN NOTES:**

- A. ALL PLAN DIMENSIONS ARE SHOWN TO THE FACE OF STUD AND/OR FACE OF CHL AS APPLICABLE. ADMINISTRATION SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND COORDINATING WITH ALL APPLICABLE AGENCIES.
- B. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
- C. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
- D. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND COORDINATING ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ALL EXISTING CONDITIONS SHALL BE VERIFIED AND COORDINATED WITH THE OWNER AND ALL APPLICABLE AGENCIES PRIOR TO CONSTRUCTION.
- E. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING AND COORDINATING ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ALL EXISTING CONDITIONS SHALL BE VERIFIED AND COORDINATED WITH THE OWNER AND ALL APPLICABLE AGENCIES PRIOR TO CONSTRUCTION.
- F. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
- G. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
- H. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS PRIOR TO CONSTRUCTION.
- I. PROVIDE APPROPRIATE DOOR HINGES WHERE DOOR SWINGS ARE SHOWN EXCEEDING 90 DEGREES.
- J. ALL DOOR HINGES SHALL BE INSTALLED WITH THE HINGE PIN END OF THE DOOR TO THE INTERIOR OF THE ROOM.
- K. ALL EXTERIOR DOORS SHALL BE INSTALLED WITH THE DOOR SWING TO THE INTERIOR OF THE ROOM.
- L. THE CONTRACTOR SHALL INSTALL BIRD SCREEN ON DRYER EXHAUST.
- M. THE CONTRACTOR SHALL INSTALL BIRD SCREEN ON ALL FRESH AIR INTAKES.
- N. ALL JOINTS AND INTERSECTIONS BETWEEN DISSIMILAR MATERIALS SHALL BE WEATHERED AND SEALED WITH AN APPROPRIATE WEATHER RESISTANT JOINT.
- O. ALL EXTERIOR PENETRATIONS SHALL BE SEALED WITH APPROPRIATE SEALANTS TO PROVIDE A MINIMUM 10 YEAR WEATHER RESISTANT JOINT.
- P. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING THE SELECTION OF MATERIALS FOR EACH APPLICATION. COORDINATE ANY COLOR SELECTIONS WITH THE ARCHITECT.
- Q. EXTERIOR WALLS SHALL BE SET BACK FROM PORCHES, PATIOS, DECKS, AND OTHER AREAS BY A MINIMUM OF 4" TO 6".
- R. ALL LAMBER BEARING WALLS SHALL BE BLOTTED.
- S. EXTERIOR WALLS SHALL BE SET BACK FROM PORCHES, PATIOS, DECKS, AND OTHER AREAS BY A MINIMUM OF 4" TO 6".
- T. ALL INTERIOR STUD WALLS SHOULD BE INSULATED WITH A MINIMUM 5" ACOUSTIC BATT INSULATION.
- U. PROVIDE CONTINUOUS RAISING AROUND PORCHES HIGHER THAN 2'6" ABOVE GRADE.



**BARNES FUND WINBERRY HOME**  
 SINGLE FAMILY HOME  
 AFFORDABLE HOUSING RESOURCES  
 NASHVILLE, TN 37208  
 Project # 228-17  
 EXOTERRA Architects+Consultants

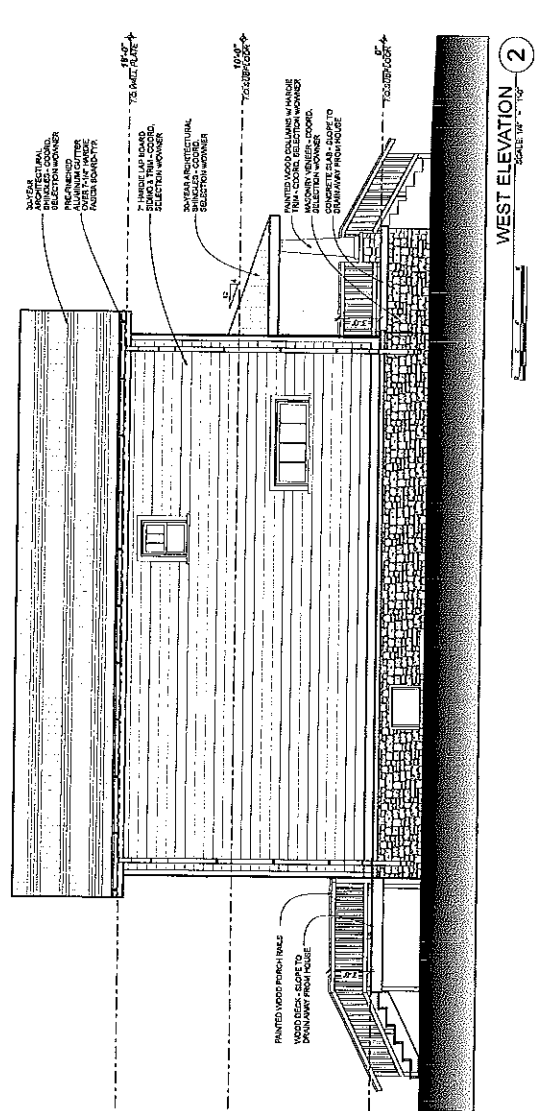
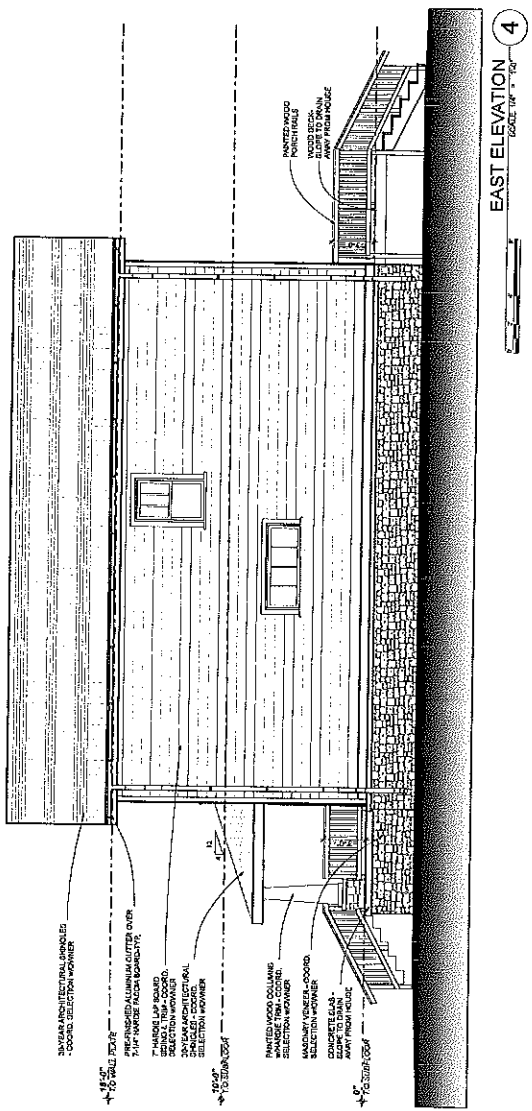
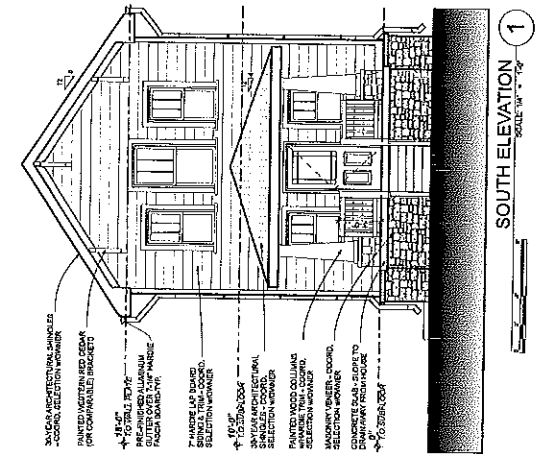
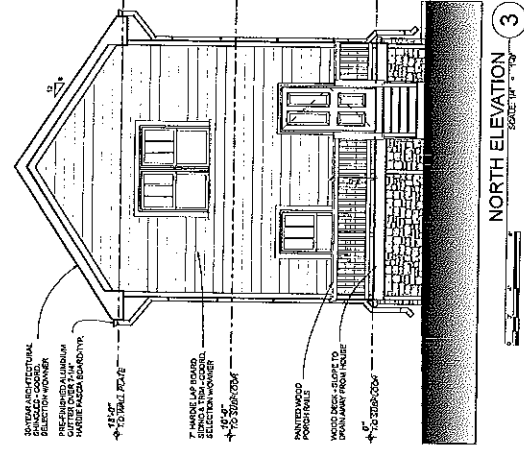
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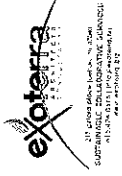
ISSUE	DATE	DESCRIPTION
01	1/20/19	CONSTRUCTION DOCUMENTS

DRAWN BY: LCB  
 CHECKED BY: LPM

**A2.0**

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**BARNES FUND WINBERRY HOME**

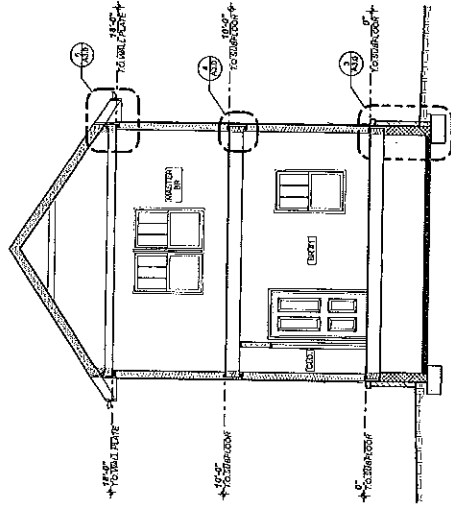
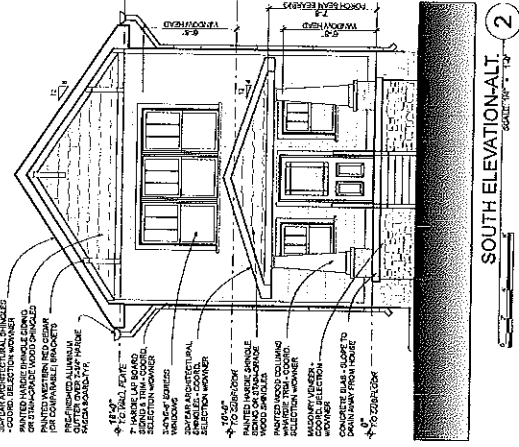
AFORDABLE HOUSING RESOURCES  
 SITE TBD  
 NASHVILLE, TN 37208  
 PROJECT # 228-17  
 EXOTERRA Architects+Consultants

**SECTIONS & DETAILS**

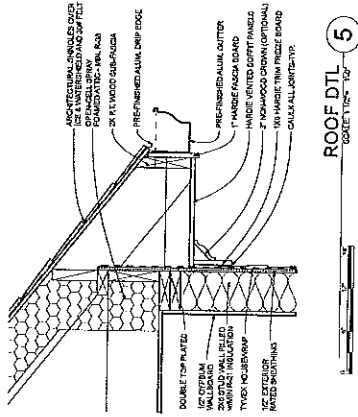
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DRAWN BY: MKD		
CHECKED BY: JTW		

**A3.0**  
 ARCHITECTS, P.C.

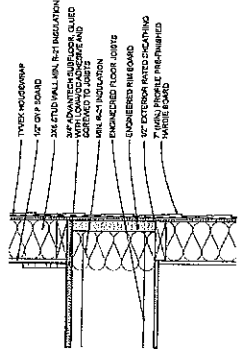
www.a3.0.com



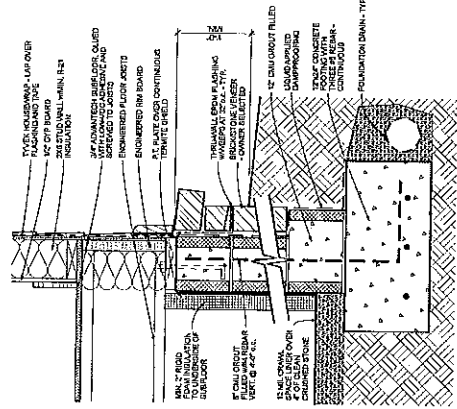
**BUILDING SECTION**  
 SCALE: 1/8\"/>



**ROOF DTL**  
 SCALE: 1/8\"/>



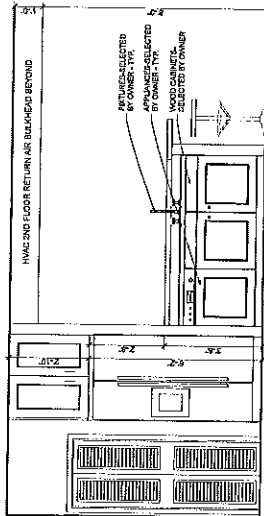
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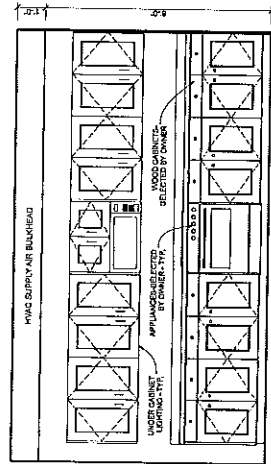
**FOUNDATION DTL**  
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**SPECIFIC SECTION NOTES**

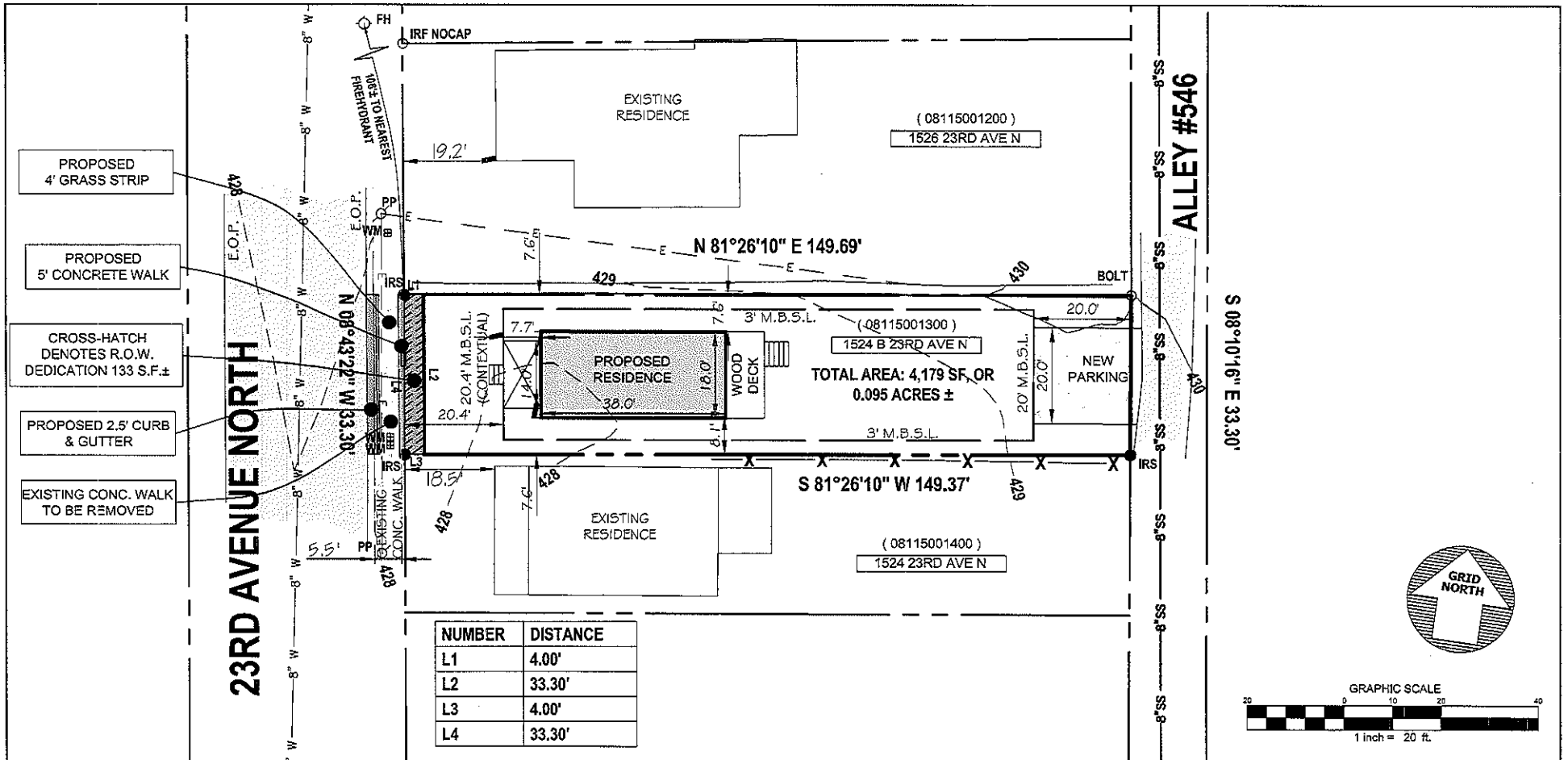
- A. ALL SECTIONS AND CALCULATIONS SHALL BE PERFORMED BY A LICENSED STRUCTURAL ENGINEER.
- B. TRUSS MEMBERS TO BE SUBD BY STRUCTURAL OR TRUSS ENGINEERS.
- C. ALL JOISTS AND WALLS SHALL BE CONFORMANT WITH ALL APPLICABLE LOCAL, STATE AND FEDERAL BUILDING CODES.
- D. FINISHES AND VERTICAL FINISHES ARE SHOWN TO INDICATE LOCATION AND ARE NOT TO BE TAKEN AS STRUCTURALLY ACCURATE.
- E. COORDINATE WITH MECHANICAL ENGINEERS FOR ANY AND ALL DUCTING.



**KITCHEN ELEVATION**  
 SCALE: 3/8\"/>



**KITCHEN ELEVATION**  
 SCALE: 3/8\"/>



Prepared By:  
**W.T. Smith- Land Surveying**

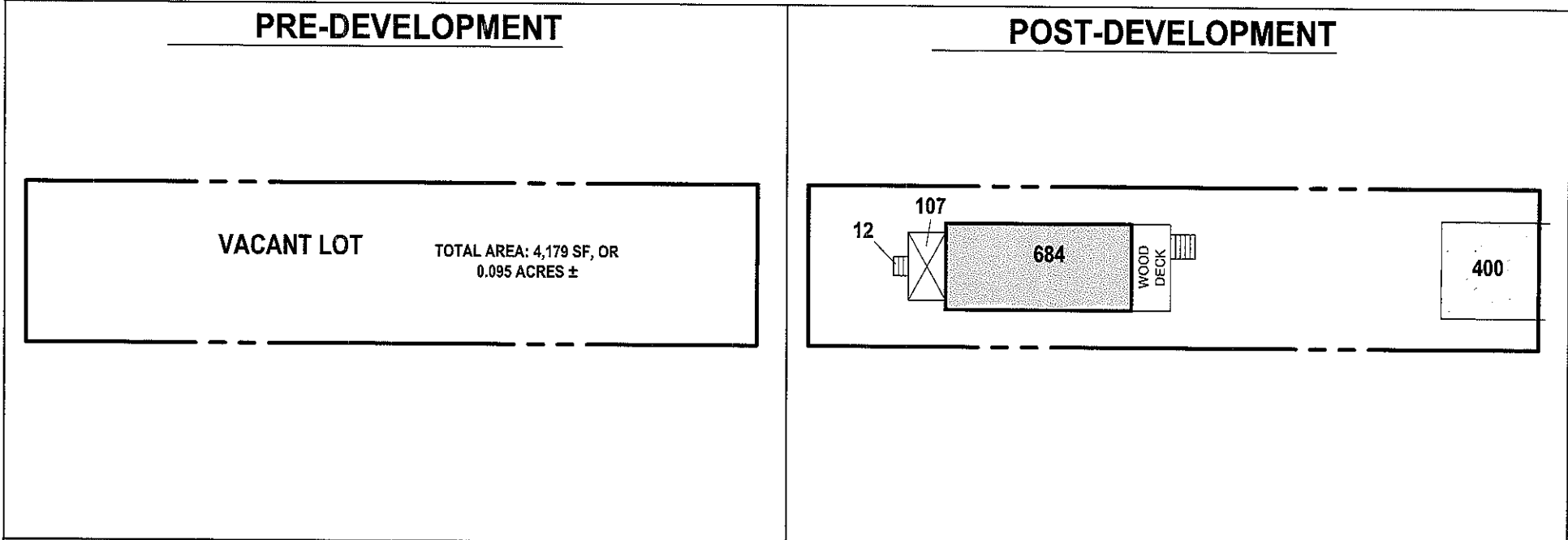
1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**Site Plan**  
**1524 B 23rd Ave North**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**S-1.0**



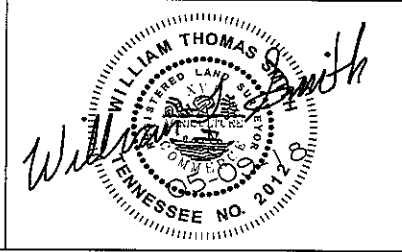


SITE DATA: PRE-DEVELOPMENT	SITE DATA: POST-DEVELOPMENT	STORM WATER NET GAIN TREATMENT
<p>TOTAL SITE AREA: 4,979 SF</p> <p>PRE-DEVELOPMENT IMPERVIOUS AREA: 0 SF</p> <p>Buildings: 0 SF Porches: 0 SF Parking/Drives: 0 SF Walks/Pads/Misc. 0 SF</p>	<p>TOTAL SITE AREA: 4,979 SF</p> <p>POST-DEVELOPMENT IMPERVIOUS AREA: 1,203 SF @ 24.1%</p> <p>Buildings: 684 SF Porches: 107 SF Parking/Drives: 400 SF Walks/Pads/Misc. 12 SF</p> <p>POST-DEVELOPMENT NET GAIN: 1,203 SF</p>	<p>TOTAL SITE AREA: 4,979 SF</p> <p>POST-DEVELOPMENT IMPERVIOUS AREA: 1,203 SF</p> <p>TREATMENT - NOT APPLICABLE</p> <div style="text-align: right; margin-top: 10px;"> <p>GRAPHIC SCALE</p> <p>1 inch = 20 ft.</p> </div>

Prepared By:

W.T. Smith- Land Surveying

1004 Hickory Hill Lane - Suite #10  
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Email: tommy@wtsmithsurvey.com



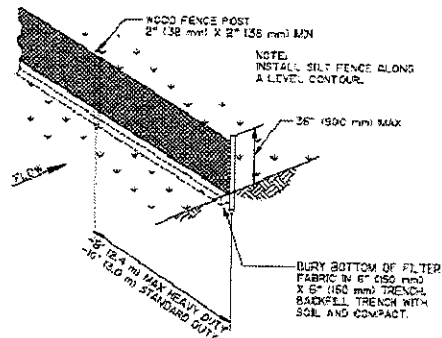
Impervious Areas

1524 B 23rd Ave North  
Nashville - Davidson Co., Tn.

SHEET NO.

S-2.0





TYPICAL PREFABRICATED SILT FENCE INSTALLATION  
N.T.S.

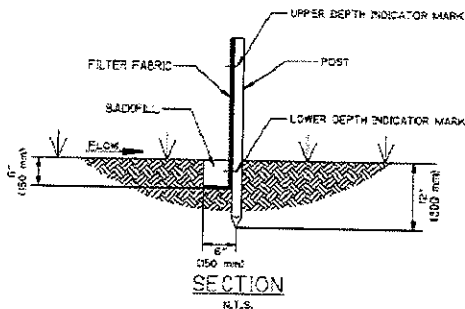


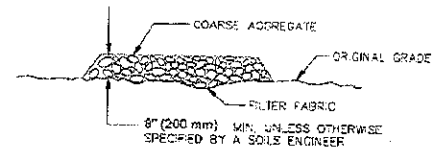
Figure TCP-13-1  
Silt Fence Anchoring

**SITE GRADING & EROSION CONTROL NOTES**

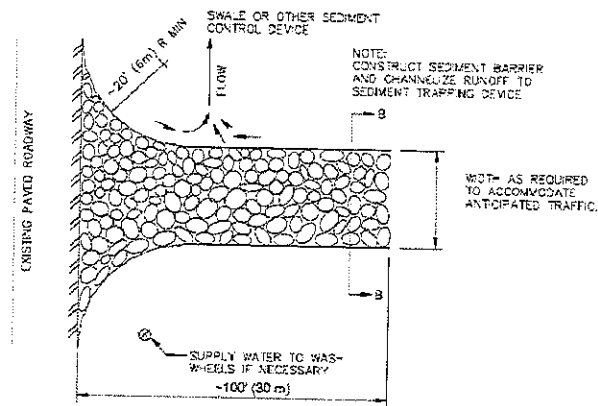
1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
2. CLEAN SILT BARRIERS WHEN THEY ARE APPROXIMATELY 33 % FILLED WITH SEDIMENT, SILT BARRIERS SHALL BE REPLACED AS EFFECTIVENESS IS SIGNIFICANTLY REDUCED, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
3. REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(S), DRIVEWAYS, GRADE ADJACENT TO BUILDINGS, AND SWALES REGARDLESS WHETHER PLANS GRAPHICALLY PORTRAY OR INDICATE SLOPE. FINAL CONSTRUCTION SHALL NOT PERMIT PONDING OF WATER IN ANY OF FOREGOING AREAS.



**CALL BEFORE YOU DIG!**  
**TENNESSEE ONE CALL IT'S THE LAW**  
 UTILITIES PROTECTION CENTER  
 IN TENNESSEE CALL  
 1-800-351-1111  
 1-800-366.1987  
**THREE WORKING DAYS BEFORE YOU DIG**  
 IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT UTILITY COMPANIES PRIOR TO ANY CONSTRUCTION. THE LOCATION OF UTILITIES SHOWN HEREON ARE APPROXIMATE AND POSSIBLY INCOMPLETE. THEREFORE CERTIFICATION TO THE LOCATION OF ALL UNDERGROUND UTILITIES IS WITHHELD.



SECTION B-B  
N.T.S.

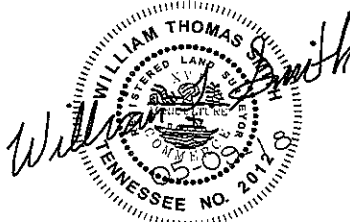


PLAN VIEW  
N.T.S.

Figure TCP-03-1  
Stabilized Construction Entrance

Prepared By:  
**W.T. Smith- Land Surveying**

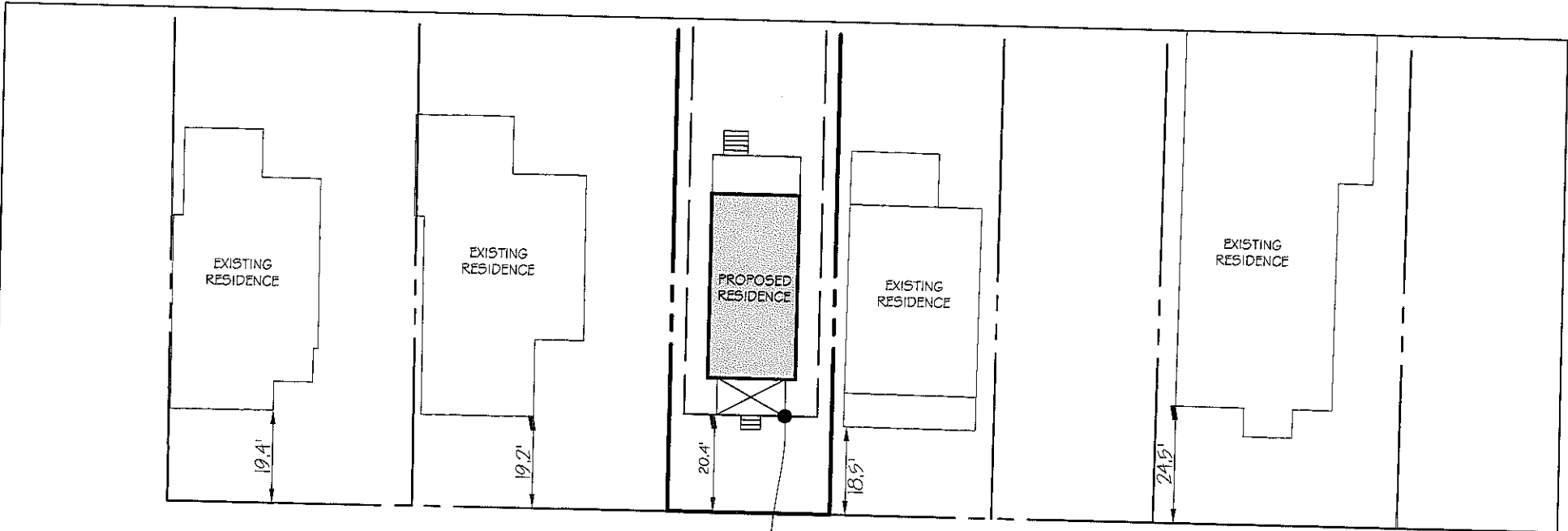
1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Erosion-Sediment Control Details**  
 1524 B 23rd Ave North  
 Nashville - Davidson Co., Tn.

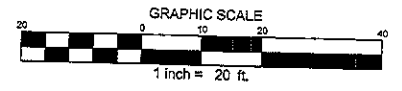
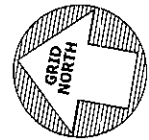
SHEET NO.

**E-2.0**



20.4 FRONT SETBACK (CONTEXTUAL)

# 23RD AVENUE NORTH



Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Building Setbacks**  
 1524 B 23rd Ave North  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**B-1.0**



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-122 (1524 B 23<sup>rd</sup> Avenue North)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	RS5
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	#42 – St. Cecilia/Cumberland
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family structure on the property through the Barnes Housing Trust Fund, which helps to provide more affordable housing in the city. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage which is consistent with adjacent parcels to the north and south.
- (2) Right-of-way dedications will ensure that Metro does not have to purchase portions of the property in the future to construct sidewalks.
- (3) Requiring additional infrastructure on properties already donated by Metro through the Barnes Fund for affordable housing competes with Metro's priority to provide more affordable housing in Nashville.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way along the property frontage to accommodate a future 4' grass strip and 5' sidewalk.

**From:** [kevin.thomas](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** zoning appeal case# 2019-122  
**Date:** Monday, March 25, 2019 10:24:39 AM

---

I am sending this email as I will not be able to attend the public hearing scheduled for April 4, 2019.

Regarding case# 2019-122 for the lot at 1524B 23rd Ave N, Map parcel 08115001300, I am opposed to a zoning variance that would effect the sidewalk and/or setback requirements and/or allow the applicant to build a residence without sidewalks or pay into the sidewalk fund. This requested variance is not consistent with the rest of the neighborhood and would have a negative effect.

Please kindly confirm receipt of this email letter.

Respectfully,  
Kevin Thomas  
1529 21st Ave N - Nashville, LLC  
512-775-5578



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Affordable Housing Resources Date: 2/8/19  
Property Owner: AHR Case #: 2019-123  
Representative: Sean Roberge Map & Parcel: 08111054700

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: SINGLE FAMILY RESIDENTIAL  
NEW CONSTRUCTION

Activity Type: RESIDENTIAL CONSTRUCTION  
Location: 1620 12<sup>TH</sup> AVE N

This property is in the \_\_\_\_\_ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reasons: 1. REQUEST NOT TO CONSTRUCT SIDEWALKS (NOT TO CONTRIBUTE  
REQUEST 5' MINIMUM SIDE SETBACK  
Section(s): 1. 17.20.120 2. 17.40.670

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Affordable Housing Resources  
Appellant Name (Please Print)

Sean Roberge  
Representative Name (Please Print)

50 Vantage Way  
Address

925 N 5<sup>TH</sup> ST  
Address

Nashville, TN 37228  
City, State, Zip Code

Nashville, TN 37207  
City, State, Zip Code

(615) 251-0025  
Phone Number

(615) 967-4787  
Phone Number

Edlatimer@dhrhousing.org  
Email

sean@rscbuild  
Email

Zoning Examiner: [Signature]

Appeal Fee: \$100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3602562

**ZONING BOARD APPEAL / CAAZ - 20190008129  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 08111054700

APPLICATION DATE: 02/08/2019

**SITE ADDRESS:**

1620 12TH AVE N NASHVILLE, TN 37208

PT LOTS 126 &amp; 127 D T MCGAVOCK AND OTHERS ADDITION

PARCEL OWNER: AFFORDABLE HOUSING RESOURCES, INC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Required: Per 17.20.120 Sidewalks required

Request not to install sidewalks or contribute

Required: Per 17.40.670 Required 3' setback for at least 25% of the depth of the structure beginning at the street...

Request: Minimum 5' side setback...

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Affordable Housing Resources*  
**APPELLANT**

*2/8/19*  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Affordable Housing Resources - requesting variance:*  
*- from sidewalk requirements*  
*- from side setback requirements due to the size of the lots*

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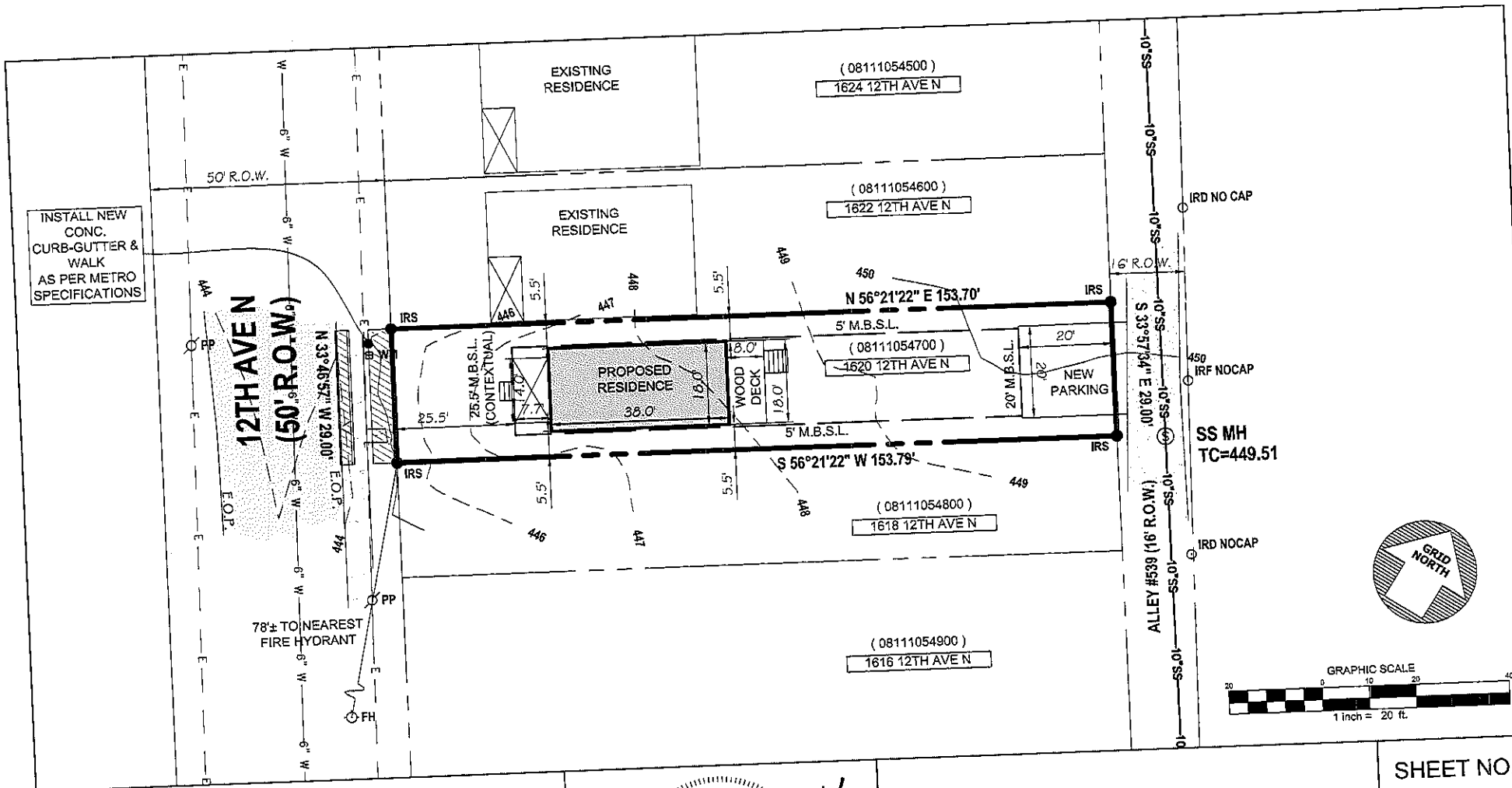
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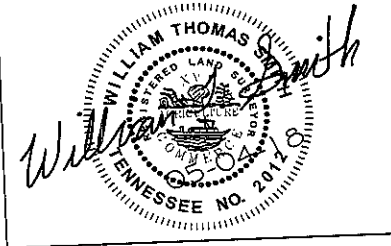
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Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



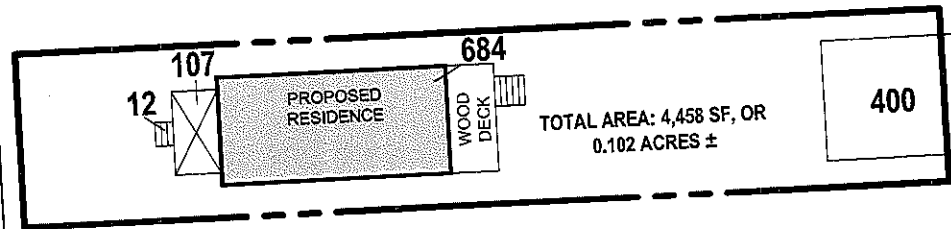
**Site Plan**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**S-1.0**

**PRE-DEVELOPMENT**

TOTAL AREA: 4,458 SF, OR  
0.102 ACRES ±

**POST-DEVELOPMENT**



**SITE DATA: PRE-DEVELOPMENT**

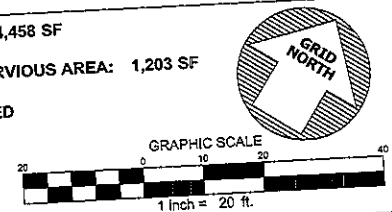
TOTAL SITE AREA: 4,458 SF  
PRE-DEVELOPMENT IMPERVIOUS AREA: 0 SF  
Buildings: 0 SF  
Porches: 0 SF  
Parking/Drives: 0 SF  
Walks/Pads/Misc. 0 SF

**SITE DATA: POST-DEVELOPMENT**

TOTAL SITE AREA: 4,458 SF  
POST-DEVELOPMENT IMPERVIOUS AREA: 1,203 SF @ 27.0%  
Buildings: 684 SF  
Porches: 107 SF  
Parking/Drives: 400 SF  
Walks/Pads/Misc. 12 SF  
POST-DEVELOPMENT NET GAIN: 1,203 SF

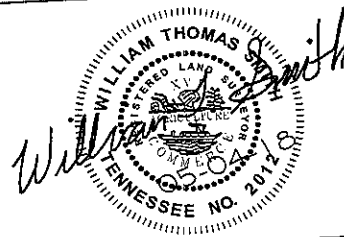
**STORM WATER NET GAIN TREATMENT**

TOTAL SITE AREA: 4,458 SF  
POST-DEVELOPMENT IMPERVIOUS AREA: 1,203 SF  
TREATMENT - NOT REQUIRED



Prepared By:  
**W.T. Smith- Land Surveying**

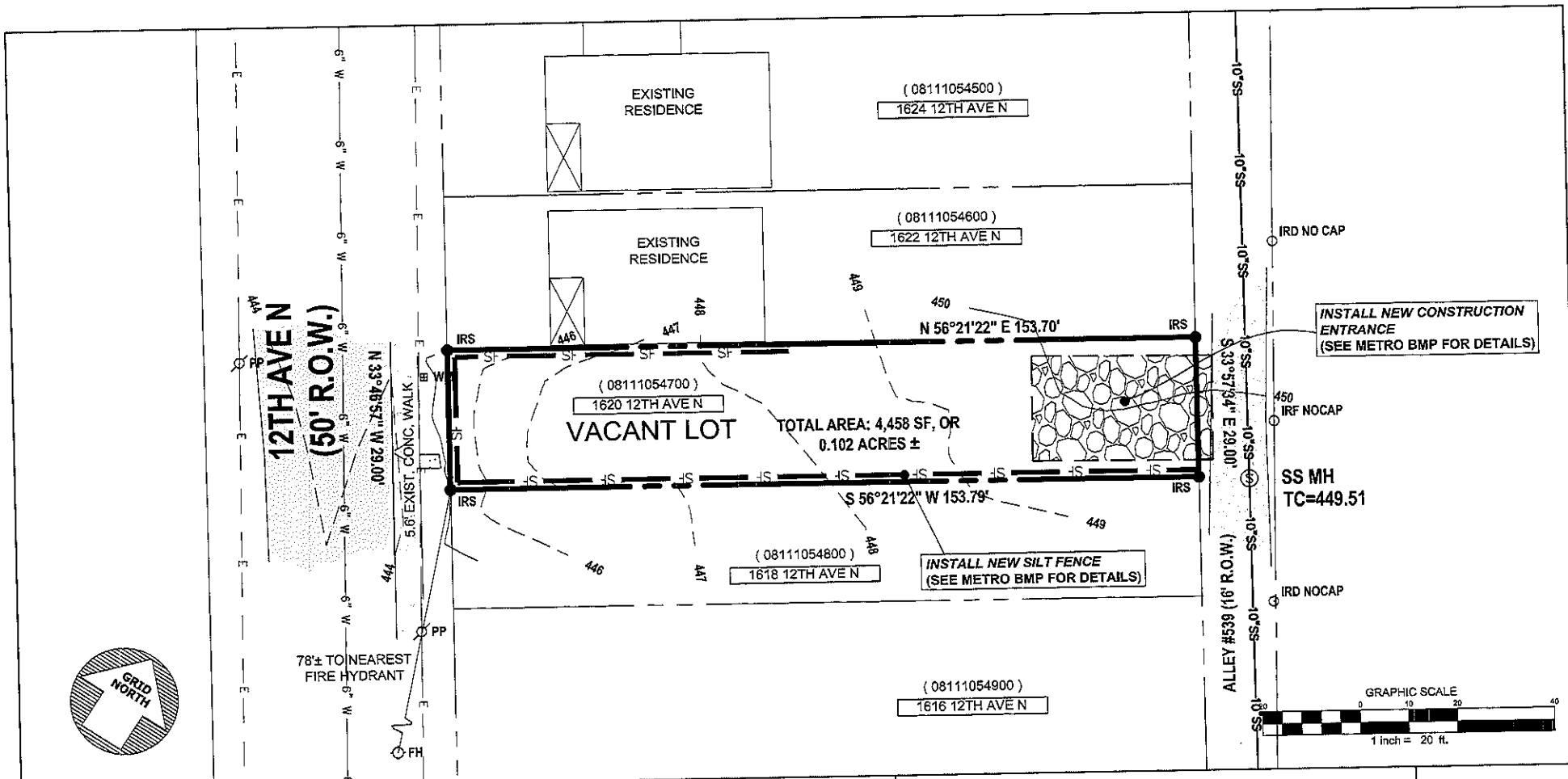
1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**Impervious Areas**  
1620 12th Ave N  
Nashville - Davidson Co., Tn.

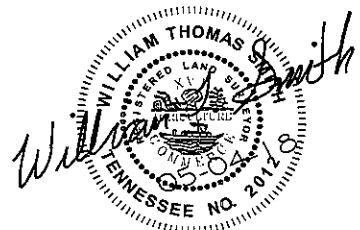
SHEET NO.  
**S-2.0**





Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**EPSC Plan**  
1620 12th Ave N  
Nashville - Davidson Co., Tn.

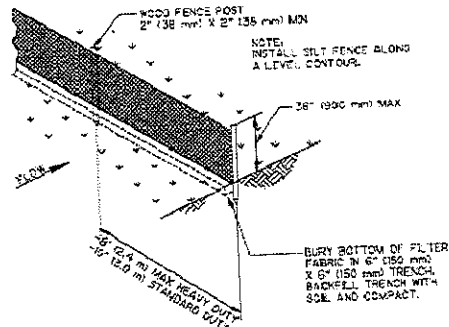
SHEET NO.  
**E-1.0**

**SITE GRADING & EROSION CONTROL NOTES**

1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
2. CLEAN SILT BARRIERS WHEN THEY ARE APPROXIMATELY 33 % FILLED WITH SEDIMENT. SILT BARRIERS SHALL BE REPLACED AS EFFECTIVENESS IS SIGNIFICANTLY REDUCED, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
3. REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(S), DRIVEWAYS, GRADE ADJACENT TO BUILDINGS, AND SWALES REGARDLESS WHETHER PLANS GRAPHICALLY PORTRAY OR INDICATE SLOPE. FINAL CONSTRUCTION SHALL NOT PERMIT PONDING OF WATER IN ANY OF FOREGOING AREAS.



CALL BEFORE YOU DIG!  
 TENNESSEE ONE CALL IT'S THE LAW  
 UTILITIES PROTECTION CENTER  
 IN TENNESSEE CALL  
 1-800-351-1111  
 1-800-366.1987  
 THREE WORKING DAYS BEFORE YOU DIG  
 IT IS THE CONTRACTORS RESPONSIBILITY  
 TO CONTACT UTILITY COMPANIES PRIOR  
 TO ANY CONSTRUCTION. THE LOCATION  
 OF UTILITIES SHOWN HEREON ARE  
 APPROXIMATE AND POSSIBLY INCOMPLETE.  
 THEREFORE CERTIFICATION TO THE LOCATION  
 OF ALL UNDERGROUND UTILITIES IS  
 WITHHELD.



TYPICAL PREFABRICATED SILT FENCE INSTALLATION  
 N.T.S.

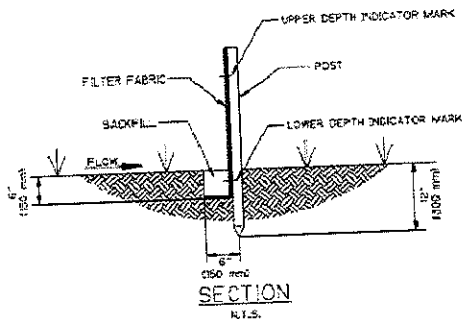
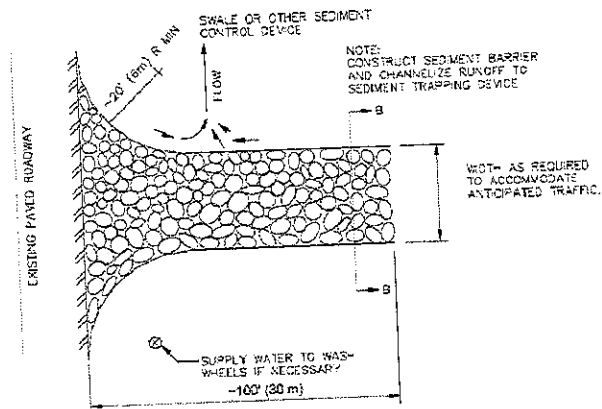
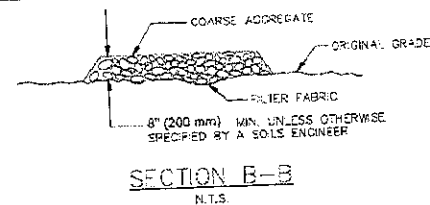


Figure TCP-13-1  
 Silt Fence Anchoring

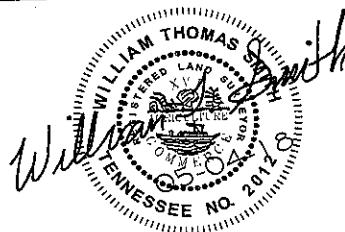


PLAN VIEW  
 N.T.S.

Figure TCP-03-1  
 Stabilized Construction Entrance

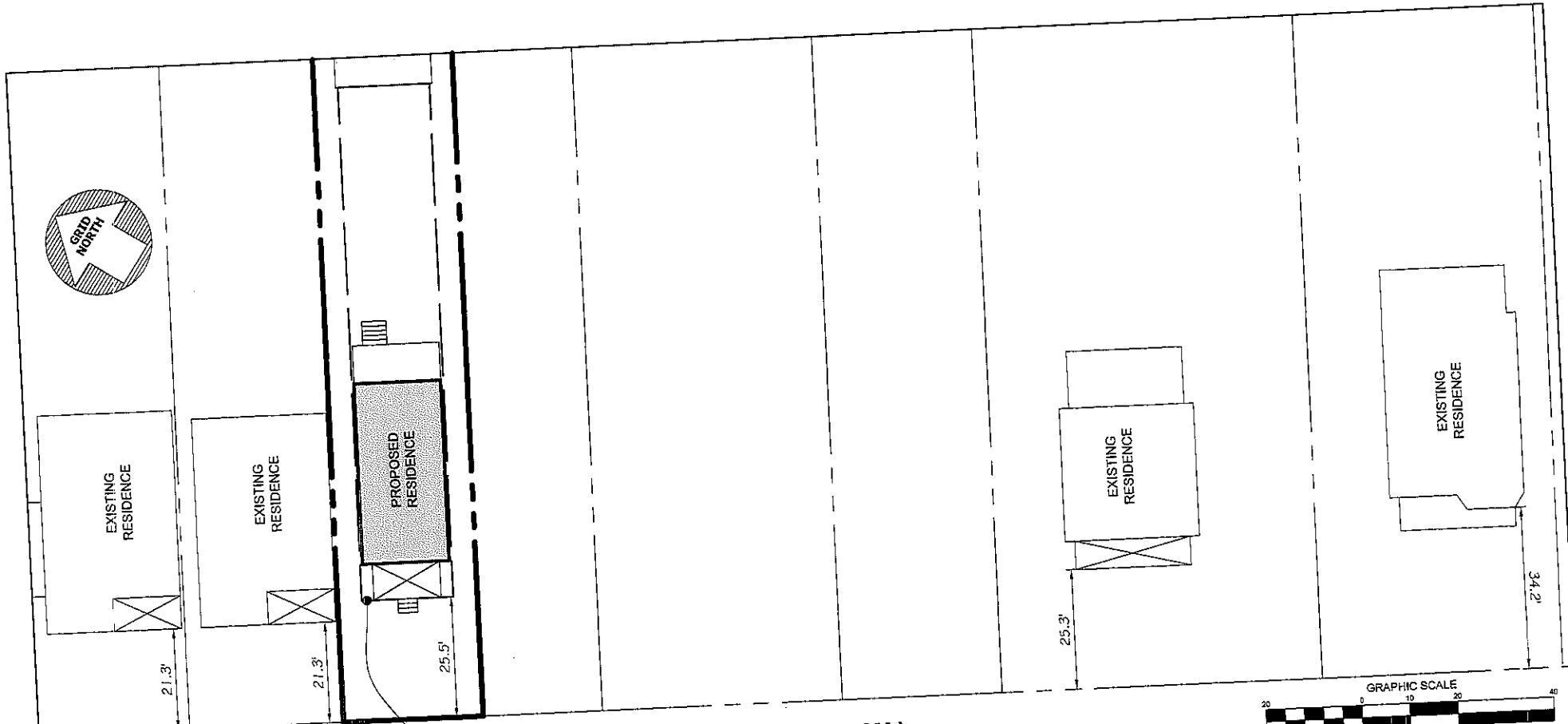
Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



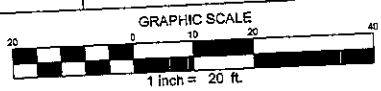
**Erosion-Sediment  
 Control Details**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**E-2.0**



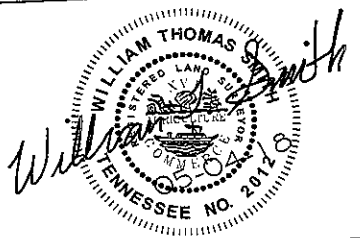
25.5 FRONT SETBACK  
(CONTEXTUAL AVERAGE)

12TH AVE N (50' R.O.W.)



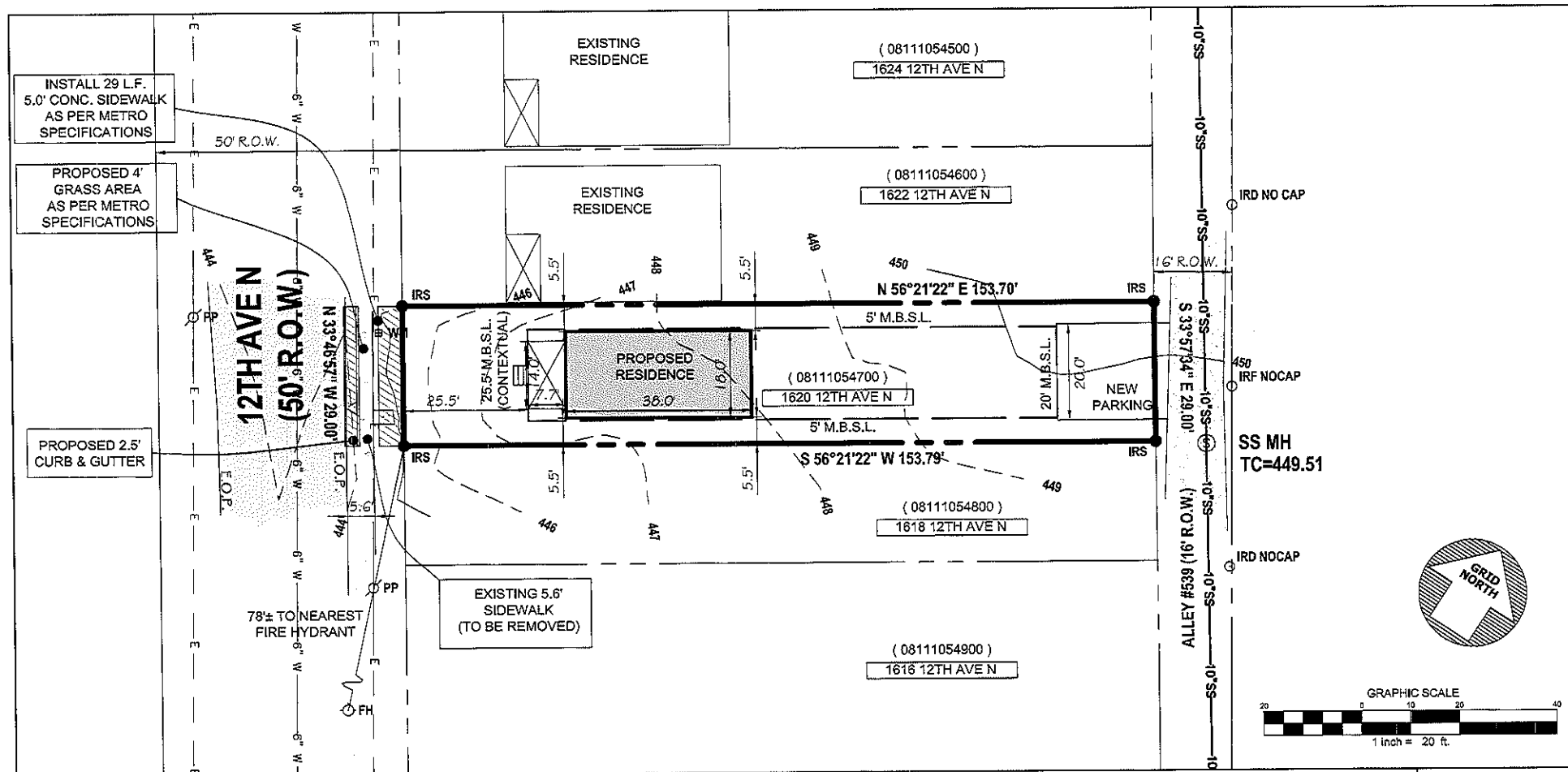
Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



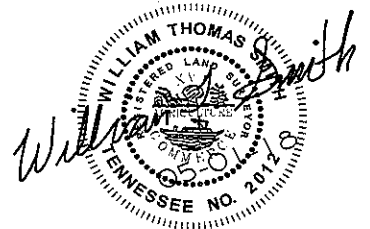
**Building Setbacks**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**B-1.0**



Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**Sidewalk  
Construction Plan  
1620 12th Ave N  
Nashville - Davidson Co., Tn.**

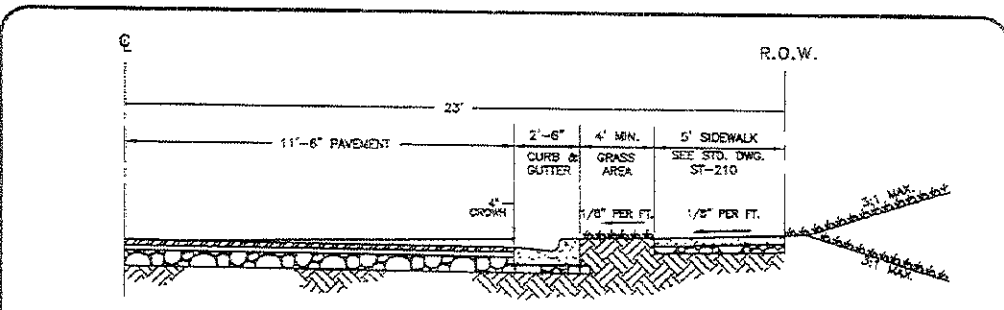
SHEET NO.  
**W-1.0**

ASST. DIR. ENG. *Shelley*  
 DIRECTOR: *Shelley*  
 DATE: *5/1/01*  
 REVISED: 04/09/01

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS

RESIDENTIAL-LOW DENSITY MINOR LOCAL STREET (46' R.O.W.)

DWG. NO. ST-251

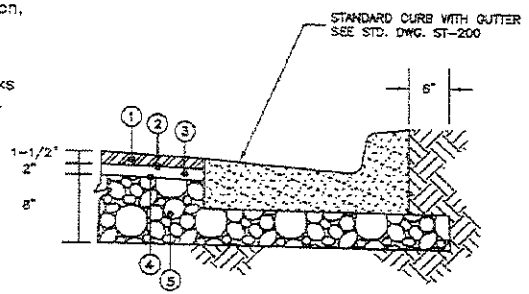


HALF - SECTION

- General Notes
1. Placement of sidewalks shall be in accordance with the Subdivision Regulations of the Metropolitan Planning Commission, latest revision.
  2. Construction shall conform to the Metropolitan Department of Public Works Technical Specifications, latest revision.

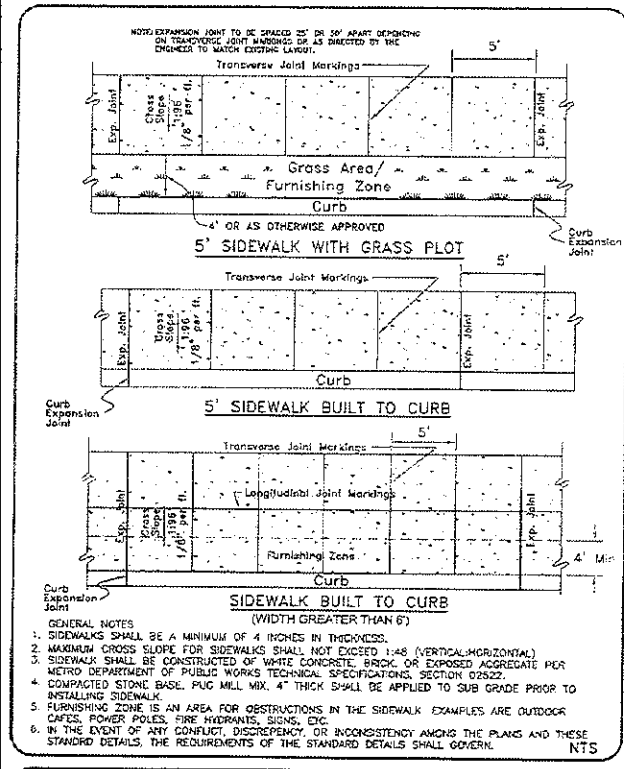
PAVEMENT SCHEDULE

- ① 1-1/2" ASPHALTIC CONCRETE SURFACE (A110)
- ② TACK COAT (SS-1)
- ③ 2" BITUMINOUS BINDER (B-M2)
- ④ PRIME COAT (RS-2)
- ⑤ 8" STONE (GRADING D PUG MILL MIX)



PAVEMENT COURSES

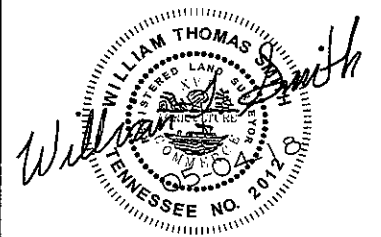
NOT TO SCALE



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	SIDEWALK CONSTRUCTION	DWG. NO. ST-210
DIR. OF ENG. <i>Shelley</i>	DATE: <i>5/1/01</i>	REVISED: 06/02/03 REVISED: 11/24/03 REVISED: 08/23/04

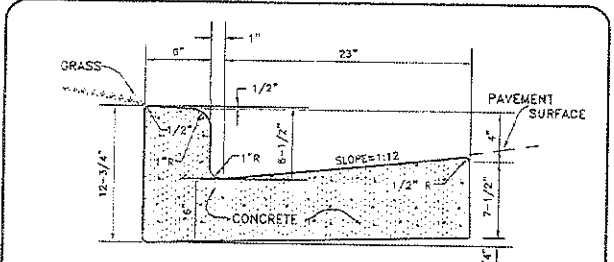
Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

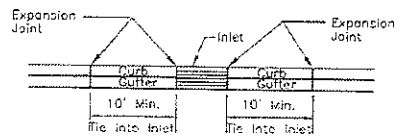


**Sidewalk Construction Details**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-2.0**



TYPICAL CROSS - SECTION



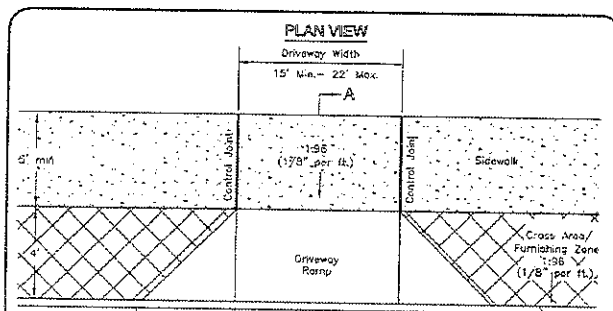
FRONT VIEW

GENERAL NOTES

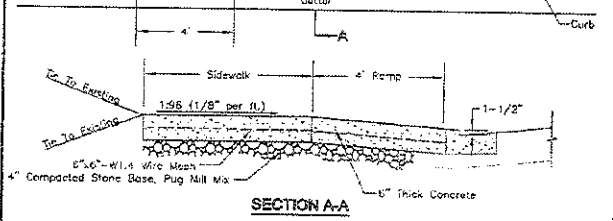
- Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
- Expansion joints will also be required at tangent points, ramps, and inlets.
- Contraction joints are to be cut into curb and gutter every 10 feet to a depth of  $D/4$ , where D equals the thickness of the section. The spacing of 10 feet may be reduced at closures but no section of curb and gutter shall be less than 10 feet.
- There will be a minimum of 10 feet tie in at curb inlets on each side of the inlet. An expansion joint will be used on each side of the tie in.
- Cost of contraction joints to be included in the unit bid price for concrete curb with gutter.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	STANDARD CURB WITH GUTTER	DWG. NO. ST-200
DIR. OF ENG.: <i>Mark May</i>	DATE: 5/12/03	REVISED: 07/21/02 REVISED: 05/02/03



PLAN VIEW



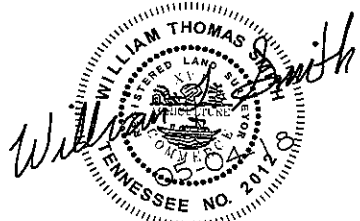
SECTION A-A

- NOTE:
- Cross-slope of sidewalk shall not exceed 1:48 (vertical:horizontal).
  - Fiber mesh reinforcement is an approved alternative for the wire mesh. Fiber mesh reinforcement will be added to the concrete at the batch plant at the rate of 1 1/2 pounds per cubic yard.
  - Concrete shall be 6 inches thick.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP	DWG. NO. ST-322
DIR. OF ENG.: <i>Mark May</i>	DATE: 5/12/03	REVISED: 07/21/02 REVISED: 05/06/03

Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

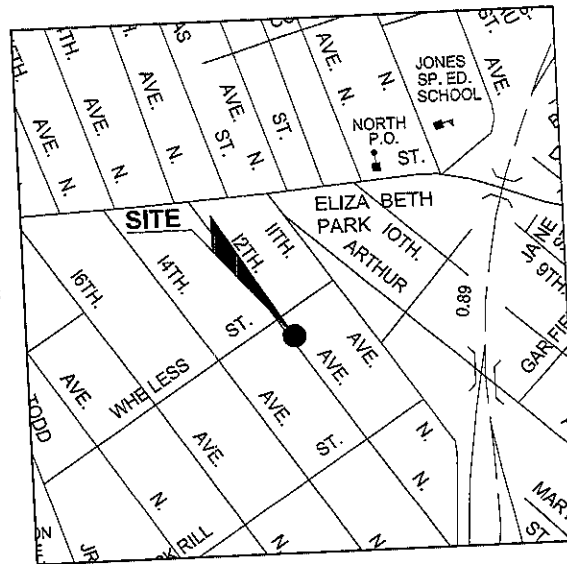


**Sidewalk Construction**  
**Details & Notes**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-3.0**

**SHEET INDEX:**

- C1.0 - COVER SHEET (GENERAL NOTES)
- S1.0 - SITE PLAN
- S2.0 - SITE CALCULATIONS (IMPERVIOUS-LOT COVERAGE)
- E1.0 - EROSION PREVENTION & SEDIMENT CONTROL PLAN
- E2.0 - EROSION PREVENTION & SEDIMENT CONTROL DETAILS
- B1.0 - BUILDING CONTEXTUAL AVERAGE SETBACKS
- W1.0 - SIDEWALK CONSTRUCTION PLAN-PROFILE
- W2.0 - SIDEWALK CONSTRUCTION DETAILS
- W3.0 - SIDEWALK CONSTRUCTION DETAILS & NOTES



**LOCATION-MAP**  
NOT-TO-SCALE

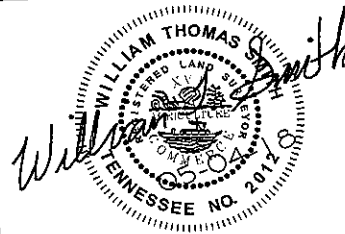
**SITE DATA:**

1. Total Site Area 4,458 S.F., or 0.102 Acres ±
2. Tax ID: 08111054700
3. **Owner and/or Developer**  
Sean Roberge  
RSC, LLC  
925 N 5th St  
Nashville, Tn. 37207  
Phone:(615)-967-4787, Email: sean@rsc.build
4. Subject property base zoning - **RS5**.
5. **Setbacks:**  
Contextual Front M.B.S.L. - 25.5'  
Side M.B.S.L. - 5'  
Rear M.B.S.L. - 20'
6. **Districts:**  
Urban Services District  
21st Councilman District  
Councilman - Ed Kindall

Prepared By:

**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**COVERSHEET**

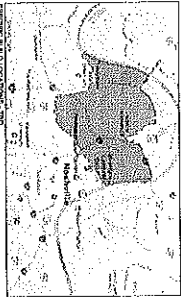
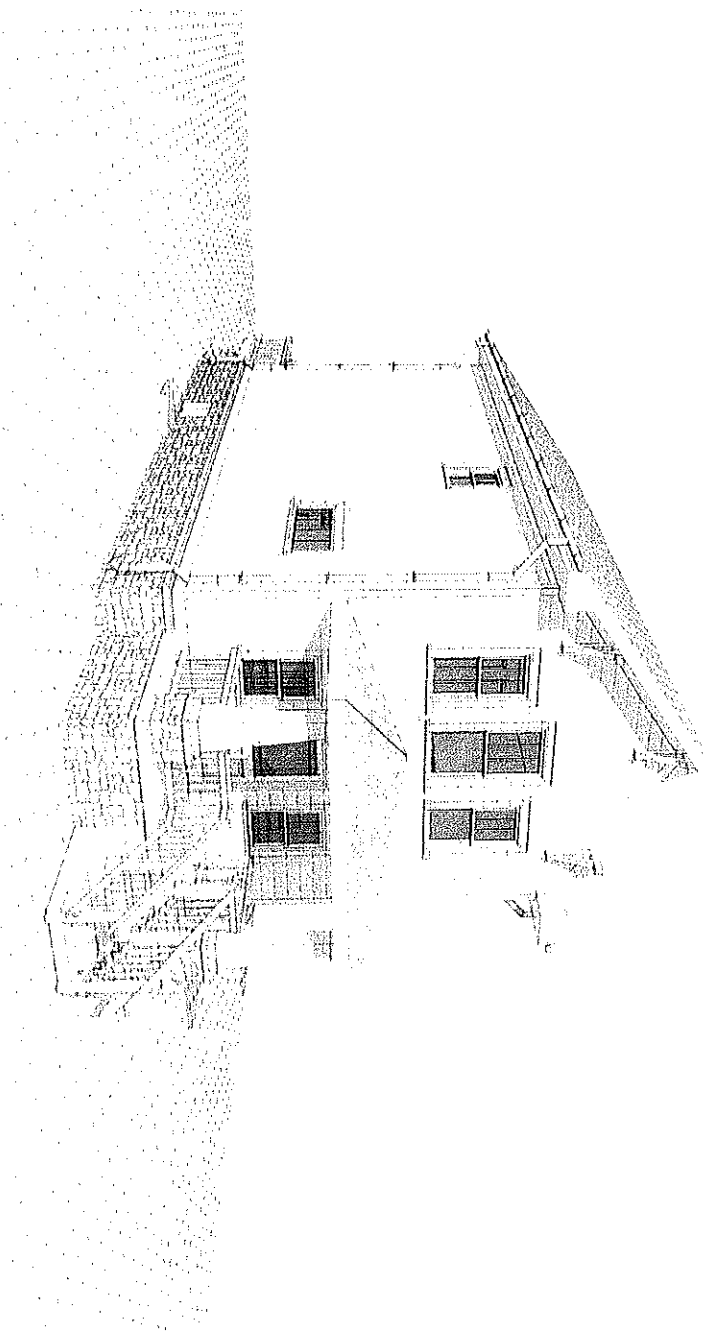
**1620 12th Ave N  
Nashville - Davidson Co., Tn.**

SHEET NO.

**C-1.0**



# BARNES FUND WINBERRY HOME SINGLE FAMILY HOME



**SITE MAP**

**PROJECT TEAM**

**DESIGNER:**  
AFFORDABLE HOUSING RESOURCES  
217 GORDON PLACE  
NASHVILLE, TN 37208  
615-259-4413

**ARCHITECT:**  
EXOTERRA ARCHITECTS+CONSULTANTS  
217 GORDON PLACE  
NASHVILLE, TN 37208  
615-259-4413

**CONTRACTOR:**  
TBD

**CODES REFERENCED**

- APPLICABLE CODES:**
- 1. 2012 INTERNATIONAL BUILDING CODE WITH LOCAL AMENDMENTS
  - 2. 2012 INTERNATIONAL MECHANICAL CODE WITH LOCAL AMENDMENTS
  - 3. 2012 INTERNATIONAL PLUMBING AND MECHANICAL CODE WITH LOCAL AMENDMENTS
  - 4. 2012 INTERNATIONAL FIRE CODE WITH LOCAL AMENDMENTS
  - 5. 2012 INTERNATIONAL ENERGY CONSERVATION CODE
  - 6. 2012 INTERNATIONAL ENERGY CONSERVATION CODE
  - 7. 2012 INTERNATIONAL ENERGY CONSERVATION CODE
  - 8. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 9. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 10. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 11. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 12. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 13. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 14. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 15. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 16. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 17. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 18. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 19. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE
  - 20. 2009 INTERNATIONAL COMMERCIAL AND RESIDENTIAL BUILDING AND FACILITIES CODE

**AREA CALCULATIONS**

**CONDITIONED SQUARE FOOTAGE**

FIRST FLOOR 684 S.F.  
SECOND FLOOR 684 S.F.  
**TOTAL CONDITIONED S.F. 1,368 S.F.**

**UNCONDITIONED SQUARE FOOTAGE**

COVERED PORCH 107 S.F.  
SUBTOTAL UNCONDITIONED S.F. 107 S.F.  
**TOTAL S.F. (CONDITIONED & UNCONDITIONED) 1,475 S.F.**

**SHEET INDEX:**

NO.	COVER
001	PROJECT PLAN
002	PROJECT SITE PLAN
003	PERMISSIONS
004	FOUNDATION & ROOF PLAN
005	FLOOR & SECOND FLOOR PLANS
006	EXTENSION ELEVATIONS
007	SECTION & DETAIL

**BARNES FUND WINBERRY HOME  
SINGLE FAMILY HOME**

AFFORDABLE HOUSING RESOURCES  
SITE TBD  
NASHVILLE, TN 37208  
EXOTERRA | Architects+Consultants  
Project #: 228-17

**COVER**

**SCALE DATE REVISION**

NO.	DATE	DESCRIPTION

DRAWN BY: [Name]  
CHECKED BY: [Name]



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**SCHEDULE NOTES**

1. CONSULT WITH ARCHITECT AND/OR PRODUCT CONTRACTOR. CONSULT WITH ARCHITECT IN ADVANCE OF CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR ALL ORDERING, BRACING, AND INSTALLATION PRACTICES.

OPENING	SECTION	SIZE	JACK	WALL TYPE
6" TO 6'4"	[Diagram]	12x8	8x8	8" BRICK
6'4" TO 6'8"	[Diagram]	12x10	8x8	8" BRICK
6'8" TO 12'0"	[Diagram]	12x12	8x8	8" BRICK
12'0" TO 14'0"	[Diagram]	12x14	8x8	8" BRICK

OPENING	SECTION	SIZE	WALL TYPE
6" TO 6'4"	[Diagram]	4x4	8" BRICK
6'4" TO 6'8"	[Diagram]	4x6	8" BRICK
6'8" TO 12'0"	[Diagram]	4x8	8" BRICK
12'0" TO 14'0"	[Diagram]	4x10	8" BRICK

OPENING	SECTION	WALL TYPE
6" TO 6'4"	[Diagram]	8" BLOCK
6'4" TO 6'8"	[Diagram]	12" BLOCK
6'8" TO 12'0"	[Diagram]	12" BLOCK
12'0" TO 14'0"	[Diagram]	12" BLOCK

OPENING	SECTION	WALL TYPE
6" TO 6'4"	[Diagram]	8" BLOCK
6'4" TO 6'8"	[Diagram]	12" BLOCK
6'8" TO 12'0"	[Diagram]	12" BLOCK
12'0" TO 14'0"	[Diagram]	12" BLOCK

**GENERAL NOTES - OPENINGS:**

1. THE ARCHITECT HAS PROVIDED GENERAL NOTES AND SCHEDULES. CONTRACTOR SHALL VERIFY ALL NOTES AND SCHEDULES PRIOR TO ORDERING AND INSTALLATION.
2. ANY ALTERNATE SUBSTITUTIONS OR VARIATIONS TO THESE SCHEDULES SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT AND OWNER PRIOR TO PLACING ANY ORDERS.
3. DOOR AND WINDOW VENDOR(S) SHALL BE RESPONSIBLE FOR ALL APPLICABLE CODES AND REGULATIONS. THE ARCHITECT HAS PROVIDED GENERAL NOTES AND SCHEDULES FOR THE ARCHITECT'S INFORMATION AND USE ONLY. THE ARCHITECT IS NOT RESPONSIBLE FOR THE PERFORMANCE AND OPERATION OF THE PRODUCTS.
4. IT IS RECOMMENDED THAT ALL DOORS AND WINDOWS BE INSTALLED BY THE APPLICABLE DOOR AND WINDOW VENDOR. SHOULD THE GENERAL CONTRACTOR PROVIDE FOR INSTALLATION BY ANY OTHER MEANS, THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE PERFORMANCE AND OPERATION OF THE PRODUCTS.
5. ALL MATERIALS AND PRODUCTS SHALL BE SUBMITTED IN WRITING TO THE ARCHITECT PRIOR TO PLACING ANY ORDERS.

**DOOR NOTES:**

1. NUMBERED DOORS SHALL BE 1-1/2" MIN. CORE JOES OR BRICKMASONRY ONLY AND PRE-CAST PER SCHEDULE. UNNUMBERED DOORS SHALL BE AS SHOWN IN SCHEDULE.
2. ALL INTERIOR DOORS SHALL BE CALCULATED AND ENGINEERED TO MEET ALL APPLICABLE CODES AND REGULATIONS.
3. ALL DOOR HARDWARE TO BE ADA COMPLIANT.

**DOOR SCHEDULE**

DOOR #	SIZE	FRAME MATERIAL	HARDWARE	DESCRIPTION / NOTES
101	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
102	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
103	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
104	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
105	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
106	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
107	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
108	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
109	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
110	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
111	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
112	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
113	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
114	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
115	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
116	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
117	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
118	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
119	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL
120	3'6" x 6'6"	WOOD	INSULATED WEATHER STRIPPING, BELL DISCONNECT	INTERNAL

**LEGEND**

- ① (TEMP) = THERMED SAFETY GLAZING
- ② (PANEL) = LAMINATED SAFETY GLAZING
- ③ (FR) = 1/4" FR GLASS
- ④ (FR) = 1/2" FR GLASS
- ⑤ (FR) = 3/4" FR GLASS
- ⑥ (FR) = 1" FR GLASS
- ⑦ (FR) = 1 1/4" FR GLASS
- ⑧ (FR) = 1 1/2" FR GLASS
- ⑨ (FR) = 1 3/4" FR GLASS
- ⑩ (FR) = 2" FR GLASS
- ⑪ (FR) = 2 1/4" FR GLASS
- ⑫ (FR) = 2 1/2" FR GLASS
- ⑬ (FR) = 2 3/4" FR GLASS
- ⑭ (FR) = 3" FR GLASS
- ⑮ (FR) = 3 1/4" FR GLASS
- ⑯ (FR) = 3 1/2" FR GLASS
- ⑰ (FR) = 3 3/4" FR GLASS
- ⑱ (FR) = 4" FR GLASS
- ⑲ (FR) = 4 1/4" FR GLASS
- ⑳ (FR) = 4 1/2" FR GLASS
- ㉑ (FR) = 4 3/4" FR GLASS
- ㉒ (FR) = 5" FR GLASS
- ㉓ (FR) = 5 1/4" FR GLASS
- ㉔ (FR) = 5 1/2" FR GLASS
- ㉕ (FR) = 5 3/4" FR GLASS
- ㉖ (FR) = 6" FR GLASS
- ㉗ (FR) = 6 1/4" FR GLASS
- ㉘ (FR) = 6 1/2" FR GLASS
- ㉙ (FR) = 6 3/4" FR GLASS
- ㉚ (FR) = 7" FR GLASS
- ㉛ (FR) = 7 1/4" FR GLASS
- ㉜ (FR) = 7 1/2" FR GLASS
- ㉝ (FR) = 7 3/4" FR GLASS
- ㉞ (FR) = 8" FR GLASS
- ㉟ (FR) = 8 1/4" FR GLASS
- ㊱ (FR) = 8 1/2" FR GLASS
- ㊲ (FR) = 8 3/4" FR GLASS
- ㊳ (FR) = 9" FR GLASS
- ㊴ (FR) = 9 1/4" FR GLASS
- ㊵ (FR) = 9 1/2" FR GLASS
- ㊶ (FR) = 9 3/4" FR GLASS
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- ㊸ (FR) = 10 1/4" FR GLASS
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- ㊾ (FR) = 11 3/4" FR GLASS
- ㊿ (FR) = 12" FR GLASS

**SCHEDULES & NOTES**

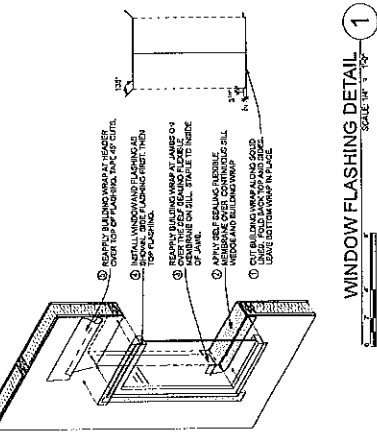
ISSUE DATE	DESCRIPTION
01/15/2024	ISSUE FOR PERMITTING
02/15/2024	ISSUE FOR PERMITTING
03/15/2024	ISSUE FOR PERMITTING
04/15/2024	ISSUE FOR PERMITTING
05/15/2024	ISSUE FOR PERMITTING
06/15/2024	ISSUE FOR PERMITTING
07/15/2024	ISSUE FOR PERMITTING
08/15/2024	ISSUE FOR PERMITTING
09/15/2024	ISSUE FOR PERMITTING
10/15/2024	ISSUE FOR PERMITTING
11/15/2024	ISSUE FOR PERMITTING
12/15/2024	ISSUE FOR PERMITTING

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**WINDOW SCHEDULE**

W	D	H	HT	HT	OP	FR	ES	RS	PT	NT
1	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
2	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
3	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
4	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
5	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
6	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
7	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
8	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
9	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
10	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
11	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
12	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
13	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
14	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
15	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
16	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
17	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
18	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
19	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR
20	36"	48"	48"	48"	48"	WOOD	FR	FR	FR	FR



**WINDOW FLASHING DETAIL** SCALE: 1/4" = 1'-0"

**RADON PIT DETAIL** SCALE: 1/4" = 1'-0"



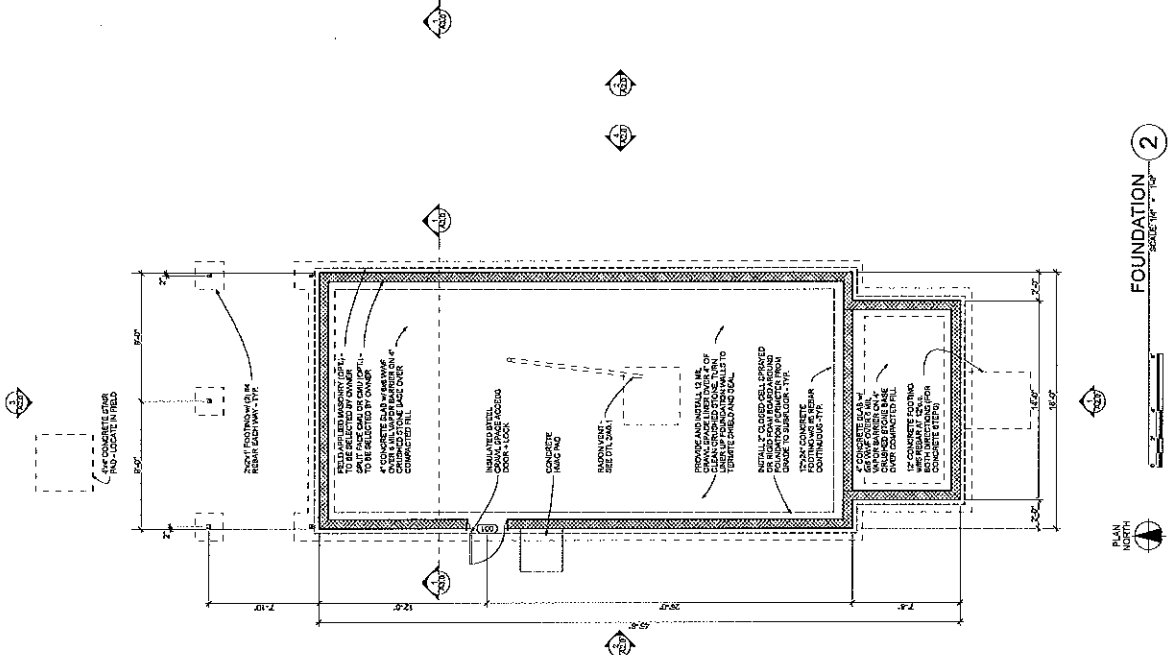
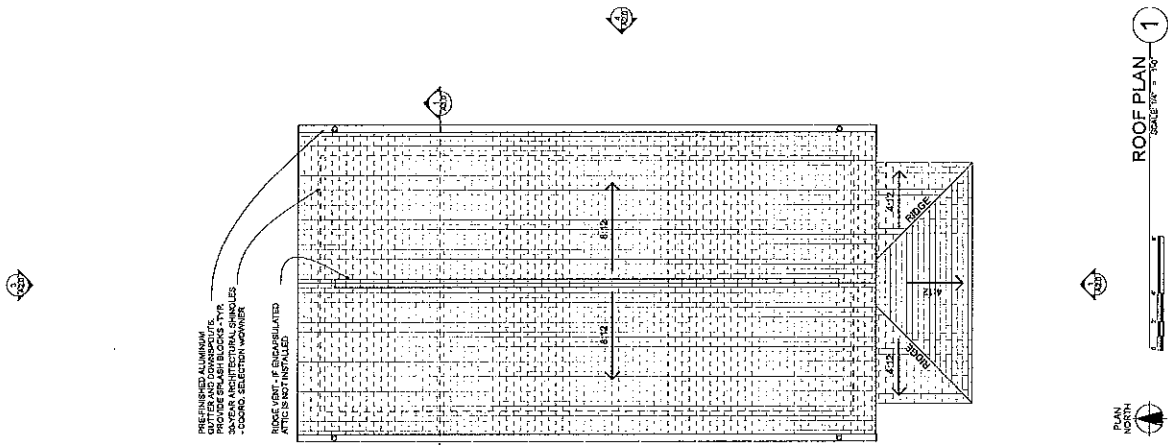


**BARNES FUND WINBERRY HOME**  
**SINGLE FAMILY HOME**  
**AFFORDABLE HOUSING RESOURCES**  
**SITE 19D**  
**NASHVILLE, TN 37208**  
**EXOTERRA Architects+Consultants**  
 Project # 228-17

**FOUNDATION & ROOF PLANS**

ISSUE	DATE	DESCRIPTION
1	11/19/20	COORDINATION
2		
3		
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**GENERAL ROOF PLAN NOTES:**

- A. PROVIDE ALL-ROOF EXTERIOR GUTTER AND DOWNSPOUTS WITH 30-YEAR WARRANTY. COORDINATE GUTTER SELECTION AND STYLE WITH OWNER.
- B. COORDINATE ALL GUTTER AND DOWNSPOUT SIZES, PIPES AND CONNECTIONS WITH ARCHITECT PRIOR TO BUILDING AND/OR INSTALLATION. GUTTER SIZING AND UNDERGROUND DRAIN SYSTEM SHALL BE DESIGNED BY A QUALIFIED ENGINEER.
- C. PROVIDE AND INSTALL NEW 1/2" LAP 30 YEAR ARCHITECT APPROVED SYNTHETIC UNDERLAYMENT AT ALL ROOF RISERS.
- D. PROVIDE AT LEAST TWO RIDGE VENTS PER 1000 SQ FT OF ROOF AREA INSULATION IS NOT INSTALLED IN THE UPPER CORNERS OF THE ROOF TRUSSES AND/OR RAFTERS.
- E. PROVIDE CONTINUOUS STRIP OVER ALL RIDGES AND HIPS.
- F. PROVIDE CONCRETE BLOCK FOUNDATION WALLS WITH INSULATION AND WATERPROOFING.
- G. PROVIDE AND INSTALL 2" POLYISOCYANURATE INSULATION OVER CONCRETE FOUNDATION WALLS. PROVIDE AND INSTALL 1/2" POLYISOCYANURATE INSULATION OVER CONCRETE FOUNDATION WALLS. PROVIDE AND INSTALL 1/2" POLYISOCYANURATE INSULATION OVER CONCRETE FOUNDATION WALLS.
- H. PROVIDE ALL WARRANTY INFORMATION, INCLUDING A MINIMUM ONE-YEAR WARRANTY ON ALL ROOFING, FLASHING AND WATERPROOFING COMPONENTS.
- I. PROVIDE CONTINUOUS ICE AND WATER SHIELD UNDER 1:12 SLOPES.
- J. PROVIDE EXTRA STRAP CONTROLS USE OF STRAP CEILING AND WATER SHIELD AT PERIMETER OF ALL ROOF EXTERIOR, ON BOTH SIDES OF ALL ROOF VALLEYS, AND A SINGLE 2"X4" CONTINUOUS STRIP OVER ALL RIDGES AND HIPS.

**GENERAL FOUNDATION PLAN NOTES:**

- A. THE CONTRACTOR IS RESPONSIBLE FOR ALL EXCAVATION, GRADING, CONCRETE FOUNDATION AND INSULATION. PROVIDE AND INSTALL INSULATION AS INDICATED BY THESE CONSTRUCTION DOCUMENTS.
- B. THE CONTRACTOR SHALL PROTECT ALL EXISTING FOUNDATIONS FROM THE EXCAVATED WORK FOR USE IN FINAL GRADING. TOPSOIL SHALL BE PROTECTED FROM EROSION USING SELF-DEFENDING SAND BAGS. SAND BAGS ARE REQUIRED BY LOCAL JURISDICTIONS.
- C. THE CONTRACTOR SHALL HIRE A LICENSED SURVEYOR TO REVIEW AND FINAL WORK REQUIRED FOR FOOTING AND FOUNDATION WALL INSTALLATION.
- D. THE CONTRACTOR SHALL COORDINATE ALL REQUIRED FOOTING AND FOUNDATION INSPECTIONS WITH THE LOCAL JURISDICTION AS REQUIRED.
- E. FITS AND COORDINATE THEIR INSTALLATION AND THRU-ROOF VENTING.
- F. THE CONTRACTOR SHALL REVIEW THE LOCATIONS OF THE PROPOSED RADON MITIGATION SYSTEM AND PROVIDE A RADON MITIGATION SYSTEM THAT IS APPROVED BY THE LOCAL JURISDICTION.
- G. THE CONTRACTOR SHALL PROVIDE AND INSTALL EXTERIOR PERIMETER FOUNDATION DRAIN AND DRAIN TO LOW POINTS ON SITE.
- H. THE CONTRACTOR SHALL PROVIDE AND DOWNSPOUTS INTO A CENTRAL DRAINAGE SYSTEM AND DRAIN TO GRADE. SYSTEM AND PIPING SHALL BE REVIEWED AND APPROVED BY A LICENSED CIVIL ENGINEER.
- I. THE CONTRACTOR SHALL PROVIDE CMU BLOCK WATERPROOFING FROM FOOTING TO GRADE PERMANENTLY PRIOR TO INSTALLATION OF FINISH BACKSPLASH.
- J. THE CONTRACTOR SHALL PROVIDE AND INSTALL INSULATION AS INDICATED BY THESE CONSTRUCTION DOCUMENTS AND AS REQUIRED BY LOCAL JURISDICTIONS.
- K. FOUNDATION GRAVEL SPACE CMU BLOCK SHALL BE INSTALLED A MINIMUM OF 2" BELOW FINISH GRADE. PROVIDE AND INSTALL INSULATION AS INDICATED BY THESE CONSTRUCTION DOCUMENTS AND AS REQUIRED BY LOCAL JURISDICTIONS. COORDINATE ADDITIONAL CMU BLOCK WITH ARCHITECT PRIOR TO INSTALLATION.
- L. THE CONTRACTOR SHALL PROVIDE AND INSTALL EXTERIOR PERIMETER DRAINAGE SYSTEM PROVIDING A MINIMUM BEARING CAPACITY OF 2,500 PSF PRIOR TO FOUNDATION INSTALLATION. THE CONTRACTOR SHALL HIRE A LICENSED SURVEYOR TO REVIEW AND APPROVE THE LOCATION OF THE PERIMETER DRAINAGE SYSTEM PRIOR TO FOOTING INSTALLATION.
- M. CONCRETE MIX DESIGN SHALL BE SPECIFIED BY THE OWNER'S SEPARATE STRUCTURAL ENGINEER, OR BE A MINIMUM OF 3,500 PSI DESIGN.
- N. THE NUMBER OF EXTERIOR RISERS FROM PORCHES TO GRADE SHALL BE DETERMINED BY THE ARCHITECT. PROVIDE AND INSTALL INSULATION AS INDICATED BY THESE CONSTRUCTION DOCUMENTS AND AS REQUIRED BY LOCAL JURISDICTIONS.
- O. CONTRACTORS SHALL PROVIDE EXTERIOR AIR TIGHTNESS AND AIR RESISTANCE OF THE FOUNDATION WALLS INCLUDING A BORATE TREATMENT OF THE FIRST 2" OF FEET OF ALL CELLULOSIC (WOOD) FRAMING.
- P. THE CONTRACTOR SHALL INSTALL SEALED GRAVEL SPACE SYSTEM AS SHOWN ON THESE CONSTRUCTION DOCUMENTS AND AS REQUIRED BY LOCAL JURISDICTIONS. PROVIDE AND INSTALL FOUNDATION VENTILATION AS REQUIRED BY CODE.

FOUNDATION SCALE: 1/8" = 1'-0"

ROOF PLAN SCALE: 1/8" = 1'-0"

PLAN NORTH



**BARNES FUND WINBERRY HOME**  
 SINGLE FAMILY HOME  
 AFFORDABLE HOUSING RESOURCES  
 SITE B/D  
 NASHVILLE, TN 37208  
 Project #: 228-17  
 EXOTERRA | Architects+Consultants

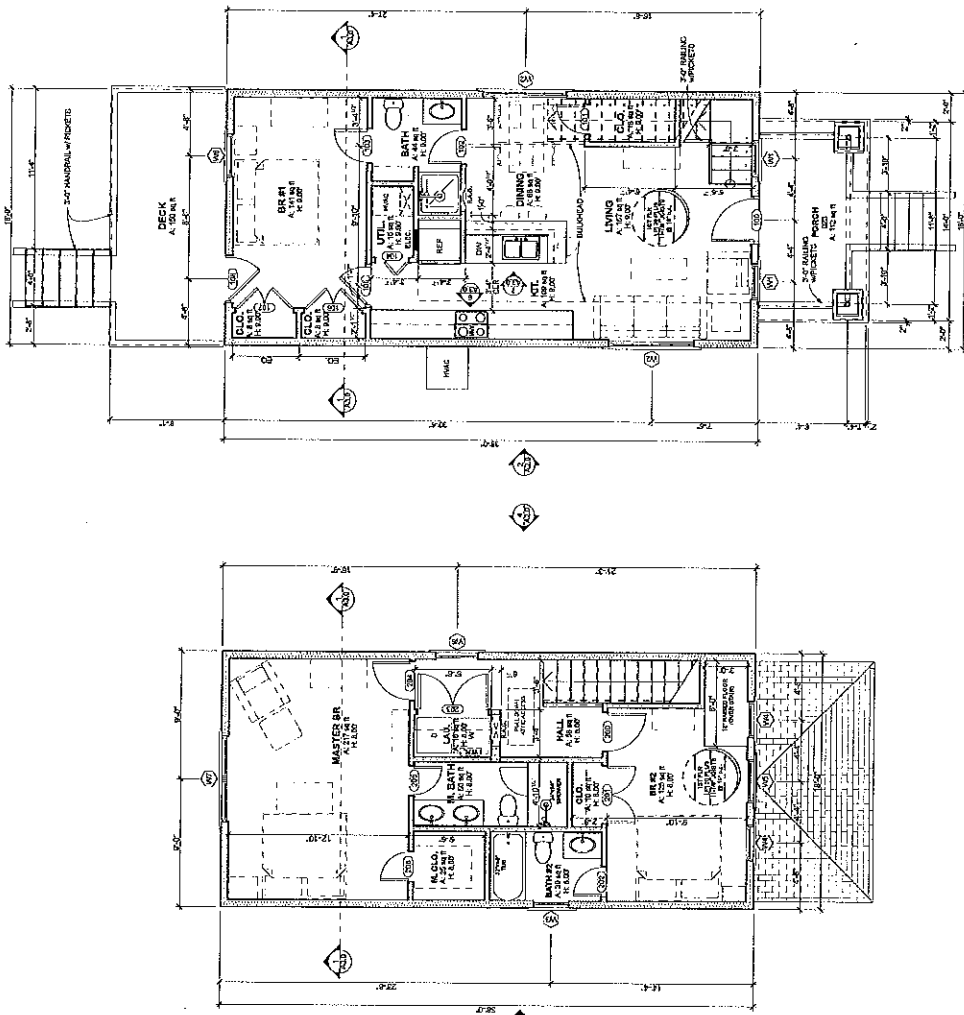
**FIRST & SECOND FLOOR PLANS**

ISSUE	DATE	DESCRIPTION
01	10/20/19	ISSUE FOR PERMITS
02	11/15/19	ISSUE FOR PERMITS
03	11/15/19	ISSUE FOR PERMITS
04	11/15/19	ISSUE FOR PERMITS
05	11/15/19	ISSUE FOR PERMITS
06	11/15/19	ISSUE FOR PERMITS
07	11/15/19	ISSUE FOR PERMITS
08	11/15/19	ISSUE FOR PERMITS
09	11/15/19	ISSUE FOR PERMITS
10	11/15/19	ISSUE FOR PERMITS
11	11/15/19	ISSUE FOR PERMITS
12	11/15/19	ISSUE FOR PERMITS
13	11/15/19	ISSUE FOR PERMITS
14	11/15/19	ISSUE FOR PERMITS
15	11/15/19	ISSUE FOR PERMITS
16	11/15/19	ISSUE FOR PERMITS
17	11/15/19	ISSUE FOR PERMITS
18	11/15/19	ISSUE FOR PERMITS
19	11/15/19	ISSUE FOR PERMITS
20	11/15/19	ISSUE FOR PERMITS

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**GENERAL PLAN NOTES:**

- A. ALL DIMENSIONS ARE SHOWN TO THE FACE OF UNLESS OTHERWISE NOTED.
- B. ALL DIMENSIONS ARE SHOWN TO THE FACE OF UNLESS OTHERWISE NOTED.
- C. THE CONTRACTOR IS RESPONSIBLE FOR ALL MECHANICAL, ELECTRICAL, AND PLUMBING CONDITIONS ENCOUNTERED DURING CONSTRUCTION. THE CONTRACTOR SHALL VERIFY ALL MECHANICAL, ELECTRICAL, AND PLUMBING CONDITIONS IN THE FIELD PRIOR TO INSTALLATION OF WORK.
- D. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING ALL MECHANICAL, ELECTRICAL, AND PLUMBING CONDITIONS WITH THE OWNER AND MAINTENANCE OF ALL REQUIRED SERVICES. COORDINATE ALL APPLICABLE CODES DURING CONSTRUCTION.
- E. THE CONTRACTOR IS RESPONSIBLE TO VERIFY ALL LUMBER DIMENSIONS EXCEEDS 90 TOLERANCE.
- F. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING STRUCTURE PRIOR TO CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY PROPOSED CHANGES PRIOR TO CONSTRUCTION.
- G. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS OF EXISTING STRUCTURE PRIOR TO CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY PROPOSED CHANGES PRIOR TO CONSTRUCTION.
- H. THE CONTRACTOR SHALL COORDINATE ALL MECHANICAL, ELECTRICAL, AND PLUMBING CONDITIONS WITH THE OWNER.
- I. PROVIDE APPROPRIATE DOOR HINGES WHERE DOOR SWINGS ARE SHOWN EXCEEDING 90 TOLERANCE.
- J. SPECIFIED FLOOR JOISTS SHALL BE INSTALLED AS SHOWN AND SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. NOTIFY THE ARCHITECT OF ANY PROPOSED CHANGES PRIOR TO CONSTRUCTION.
- K. RISE AND RUN OF EXTERIOR STEPS FROM PORCHES SHALL BE DETERMINED IN THE FIELD FOLLOWING THE ESTABLISHMENT OF FINAL GROUND.
- L. THE CONTRACTOR SHALL INSTALL BRID SCREEN ON DRYER EXHAUST.
- M. THE CONTRACTOR SHALL INSTALL BRID SCREEN ON ALL FRESH AIR INTAKES.
- N. ALL JOISTS AND INTERSECTIONS BETWEEN DIMENSIONAL MATERIALS SHALL BE WEATHERTIGHT JOINT.
- O. ALL EXTERIOR PENETRATIONS SHALL BE SEALED WITH APPROPRIATE SEALANTS TO PROVIDE A MINIMUM 10 YEAR WEATHERTIGHT JOINT.
- P. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING THE SELECTION OF FINISH MATERIALS FOR EACH APPLICATION. COORDINATE ANY COLOR SELECTIONS WITH THE ARCHITECT PRIOR TO CONSTRUCTION.
- Q. EXTERIOR WALLS SHALL BE EXTERIOR FINISH AS SHOWN UNLESS OTHERWISE NOTED. EXTERIOR WALLS SHALL BE BLOTTED AT PANEL EDGES ATTACHMENT TO TOP WALL @ 4" OC.
- R. ALL LOADED BEARING WALLS SHALL BE BLOTTED.
- S. EXTERIOR STUD WALLS SHALL BE BLOTTED AND CALCULATED @ 48" OC. VERTICALLY AND BE FALLED WITH BATT INSULATION.
- T. ALL INTERIOR STUD WALLS SHOULD BE INSULATED WITH A MINIMUM 7" ACUSTIC BATT INSULATION.
- U. PROVIDE CONTINUOUS RAILING AROUND PORCHES HIGHER THAN 3'-0" ABOVE



**FIRST FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"

**2ND FLOOR PLAN**  
 SCALE: 1/8" = 1'-0"





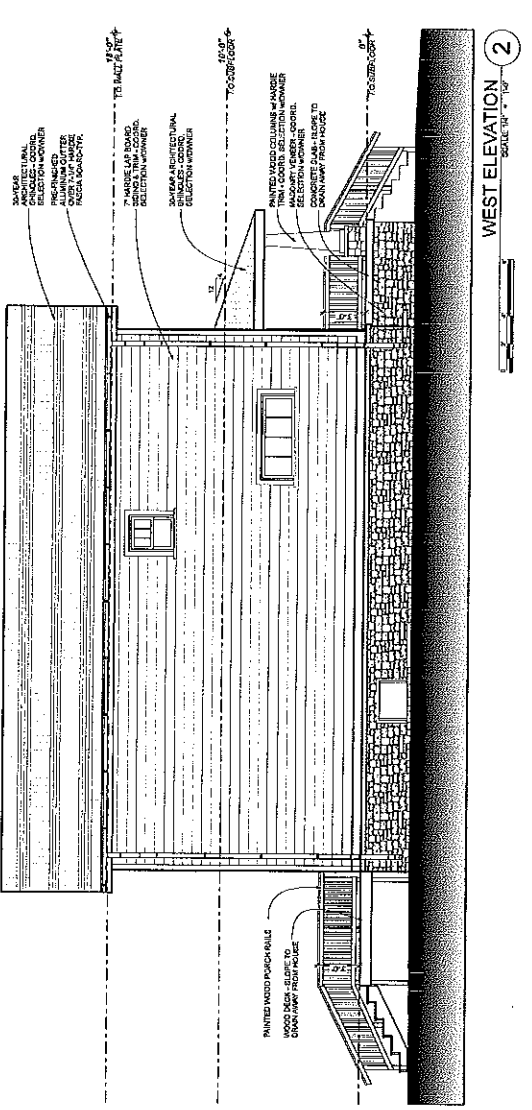
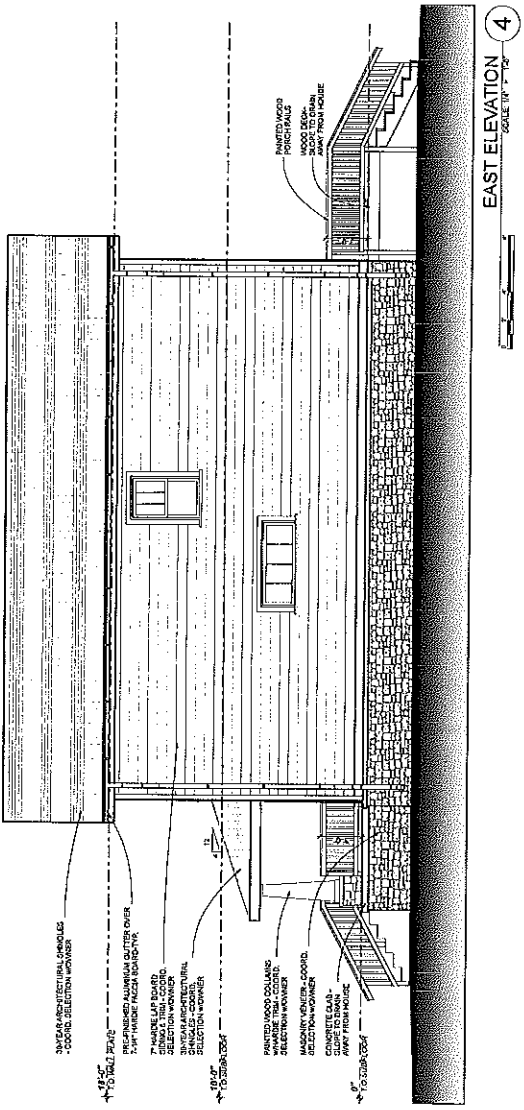
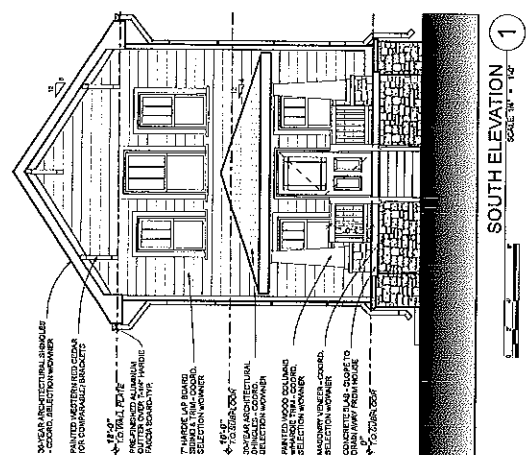
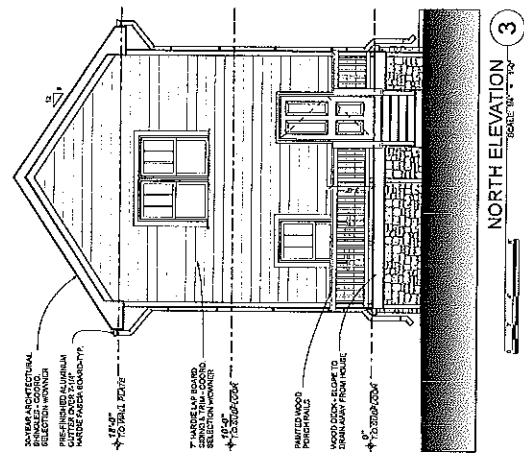
**BARNES FUND WINBERRY HOME**  
SINGLE FAMILY HOME  
AFFORDABLE HOUSING RESOURCES  
NASHVILLE, TN 37208  
Project # 228-17  
EXOTERRA | Architects+Consultants

**EXTERIOR ELEVATIONS**

ISSUE	DATE	DESCRIPTION
01	11/07/17	PERFORMING WORK
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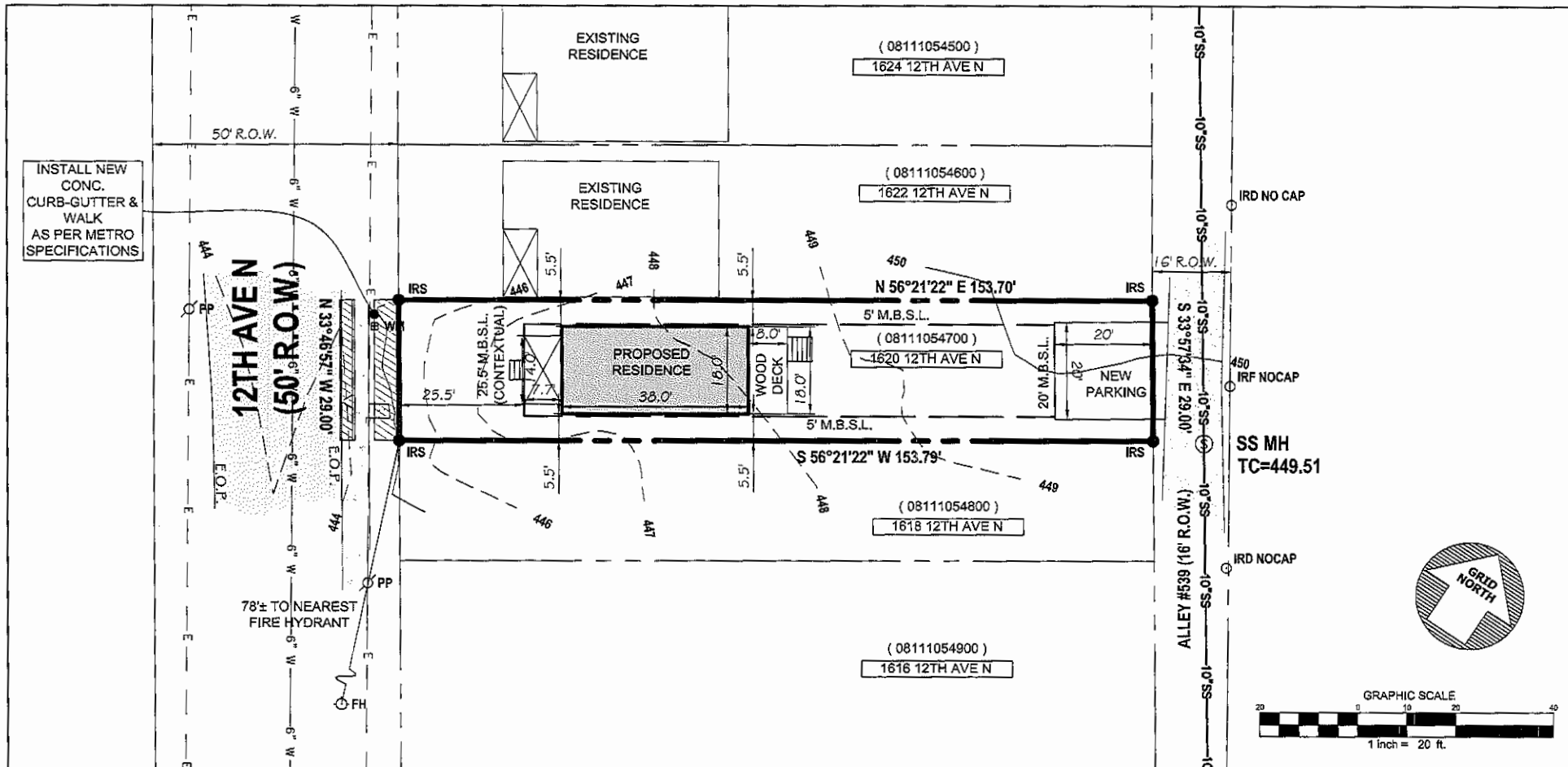
DRAWN BY: RSD  
CHECKED BY: JMW

**A2.0**  
www.exoterra.com

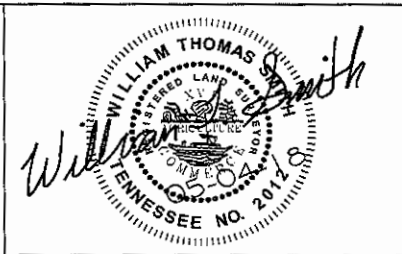








Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Site Plan**  
 1620 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**S-1.0**

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-123 (1620 12<sup>th</sup> Avenue North)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	RS5
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Approximately 695' west of #42 – St. Cecilia/Cumberland
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family structure on the property through the Barnes Housing Trust Fund, which helps to provide more affordable housing in the city. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage which is consistent with adjacent parcels to the north and south.
- (2) Right-of-way dedications will ensure that Metro does not have to purchase portions of the property in the future to construct sidewalks.
- (3) Requiring additional infrastructure on properties already donated by Metro through the Barnes Fund for affordable housing competes with Metro's priority to provide more affordable housing in Nashville.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way along the property frontage to accommodate a future 4' grass strip and 5' sidewalk.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Affordable Housing Resources Date: 2/8/19

Property Owner: AHR Case #: 2019-124

Representative: Sean Roberge Map & Parcel: 0812020100

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

SINGLE FAMILY RESIDENCE  
NEW CONSTRUCTION

Activity Type: SINGLE FAMILY RESIDENTIAL

Location: 1540 12TH AVE N

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST NOT TO INSTALL SIDEWALKS & NOT CONTRIBUTE

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name (Please Print) Affordable Housing Resources Representative Name (Please Print) Sean Roberge

Address 50 Vantage Way

Address 925 N 5<sup>th</sup> St

City, State, Zip Code Nashville, TN 37228

City, State, Zip Code Nashville, TN 37207

Phone Number (615) 251-0025

Phone Number (615) 967-4787

Email

Email

Zoning Examiner: TC

Appeal Fee: \$100



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3602543

**ZONING BOARD APPEAL / CAAZ - 20190008119**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 081.12020100

APPLICATION DATE: 02/08/2019

**SITE ADDRESS:**

1540 12TH AVE N NASHVILLE, TN 37208  
PT LOT 133 D T MCGAVOCK AND OTHERS ADD

PARCEL OWNER: AFFORDABLE HOUSING RESOURCES, INC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Required: Per 17.20.120 Sidewalks required  
Request not to install sidewalks or contribute

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Affordable Housing Resources*  
**APPELLANT**

*2/8/19*  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*



In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

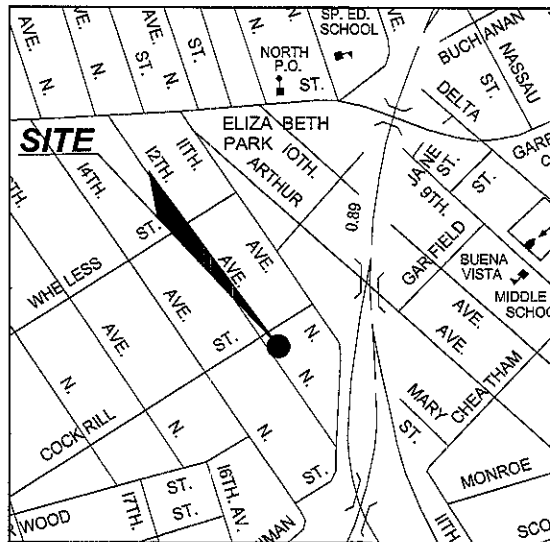
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Affordable Housing Requirements - requesting variance:*  
- *for sidewalk requirements*  
- *from side setback requirements due to the size of the lots*

**SHEET INDEX:**

- C1.0 - COVER SHEET (GENERAL NOTES)
- S1.0 - SITE PLAN
- S2.0 - SITE CALCULATIONS (IMPERVIOUS-LOT COVERAGE)
- E1.0 - EROSION PREVENTION & SEDIMENT CONTROL PLAN
- E2.0 - EROSION PREVENTION & SEDIMENT CONTROL DETAILS
- B1.0 - BUILDING CONTEXTUAL AVERAGE SETBACKS
- W1.0 - SIDEWALK CONSTRUCTION PLAN-PROFILE
- W2.0 - SIDEWALK CONSTRUCTION DETAILS
- W3.0 - SIDEWALK CONSTRUCTION DETAILS & NOTES



**LOCATION-MAP**  
NOT-TO-SCALE

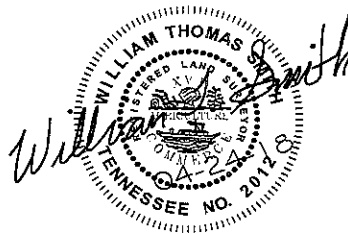
**SITE DATA:**

1. Total Site Area 5,139 S.F., or 0.117 Acres ±
2. Tax ID: 08112020100
3. **Owner and/or Developer**  
Sean Roberge  
RSC, LLC  
925 N 5th St  
Nashville, Tn. 37207  
Phone:(615)-967-4787, Email: sean@rsc.build
4. Subject property base zoning - RS5.
5. **Setbacks:**  
Contextual Front M.B.S.L. - 28.8'  
Side M.B.S.L. - 5'  
Rear M.B.S.L. - 20'
6. **Districts:**  
Urban Services District  
21st Councilman District  
Councilman - Ed Kindall

Prepared By:

**W.T. Smith- Land Surveying**

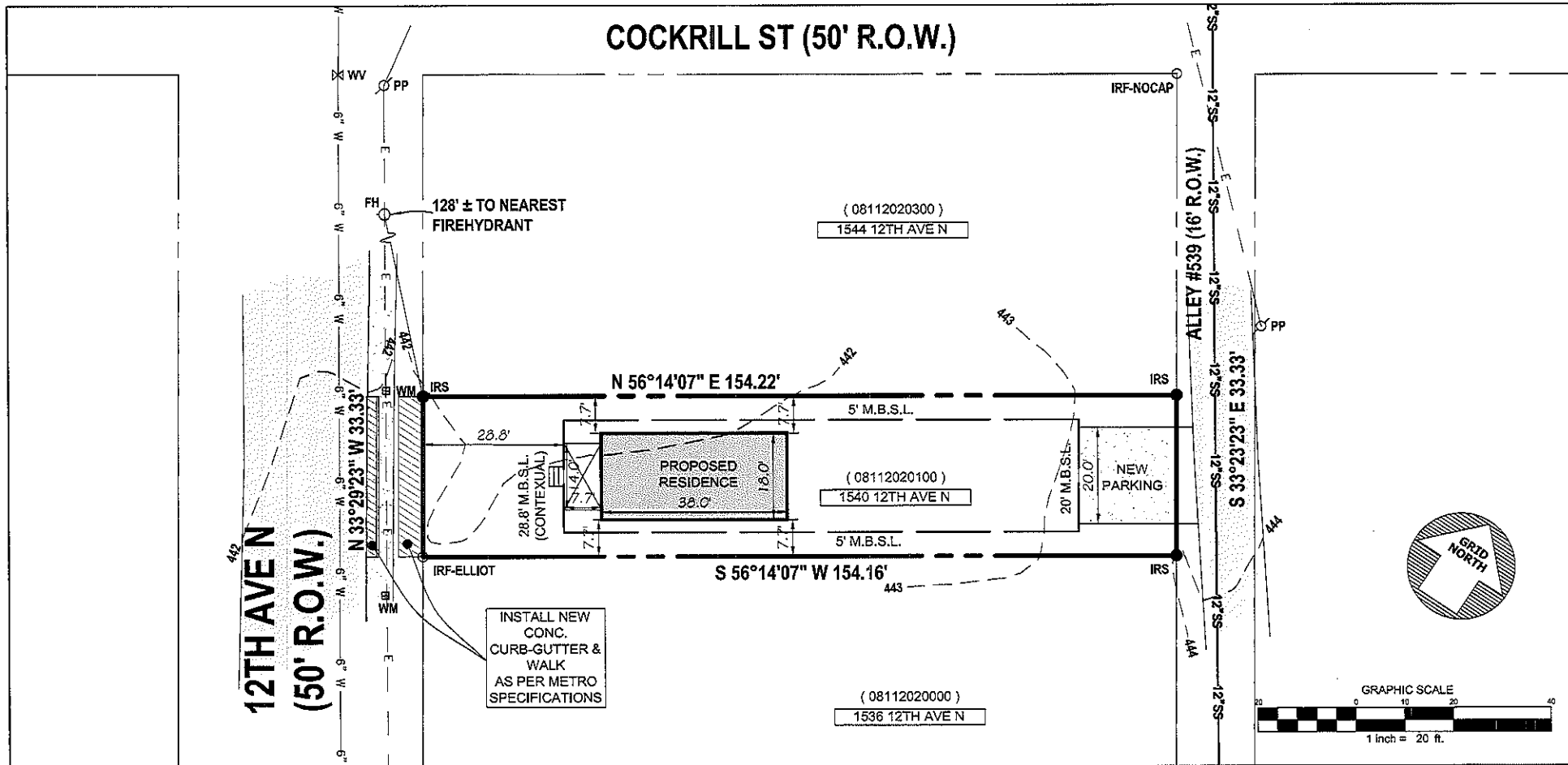
1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



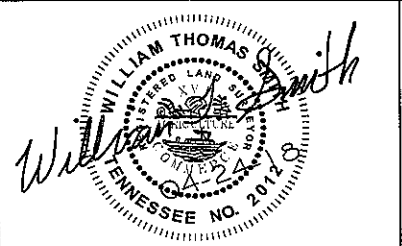
**COVERSHEET**  
**1540 12th Ave N**  
**Nashville - Davidson Co., Tn.**

SHEET NO.

**C-1.0**

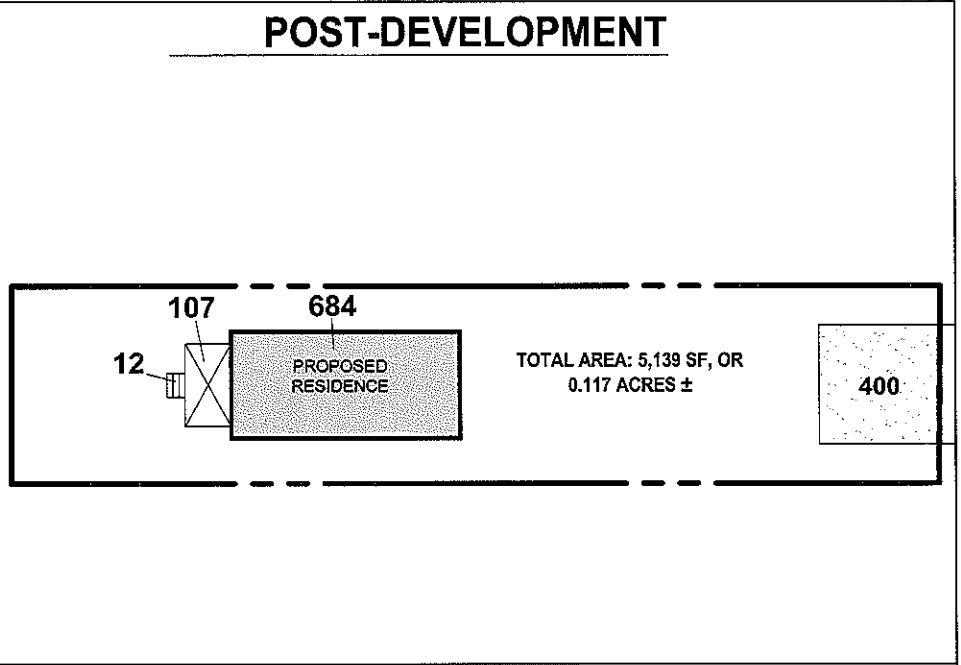
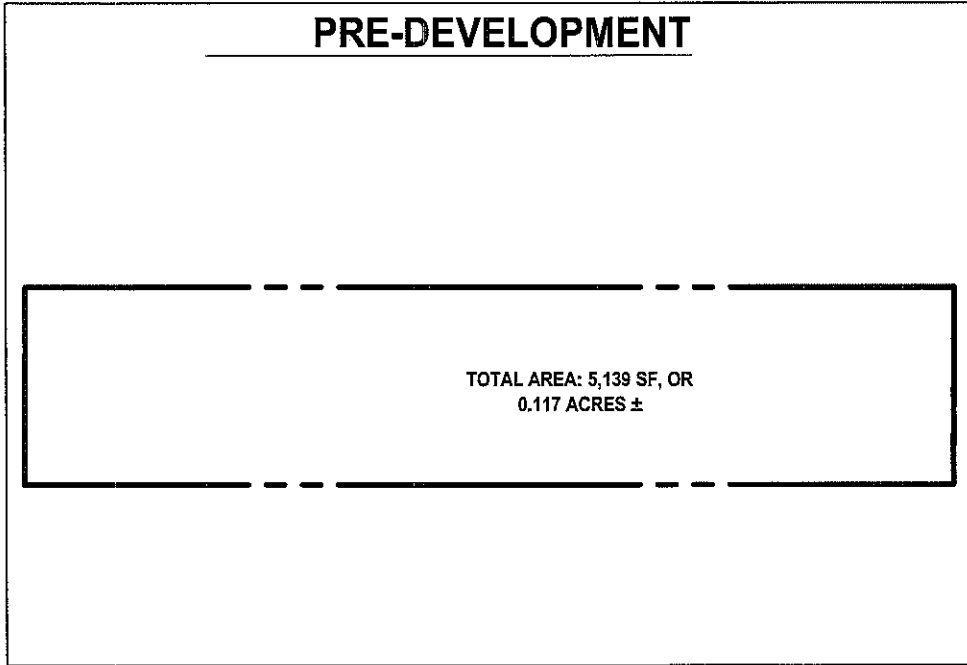


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**W.T. Smith- Land Surveying**  
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 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Site Plan**  
**1540 12th Ave N**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**S-1.0**

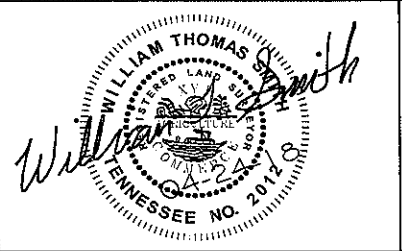


SITE DATA: PRE-DEVELOPMENT	
TOTAL SITE AREA:	5,139 SF
PRE-DEVELOPMENT IMPERVIOUS AREA:	0 SF
Buildings:	0 SF
Porches:	0 SF
Parking/Drives:	0 SF
Walks/Pads/Misc.	0 SF

SITE DATA: POST-DEVELOPMENT	
TOTAL SITE AREA:	5,139 SF
POST-DEVELOPMENT IMPERVIOUS AREA:	1,203 SF @ 23.4%
Buildings:	684 SF
Porches:	107 SF
Parking/Drives:	400 SF
Walks/Pads/Misc.	12 SF
POST-DEVELOPMENT NET GAIN:	1,203 SF

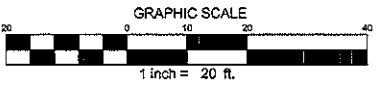
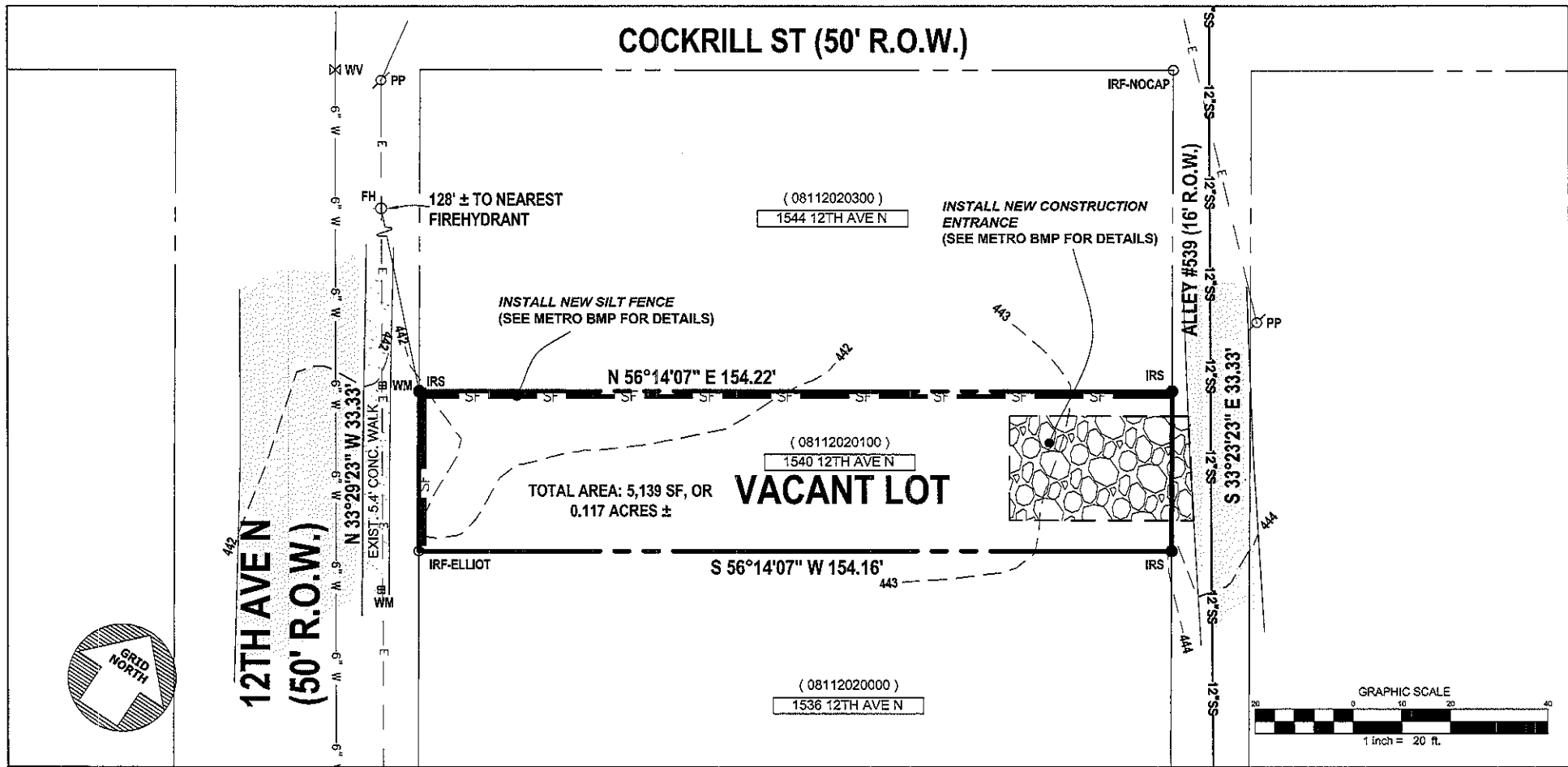
STORM WATER NET GAIN TREATMENT	
TOTAL SITE AREA:	5,139 SF
POST-DEVELOPMENT IMPERVIOUS AREA:	1,203 SF
TREATMENT - NOT REQUIRED	

Prepared By:  
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 Phone: 615-712-6693  
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**Impervious Areas**  
**1540 12th Ave N**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**S-2.0**



Prepared By:  
**W.T. Smith- Land Surveying**

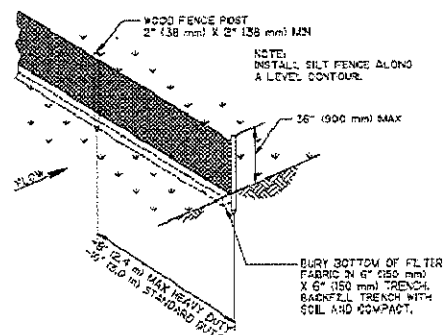
1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
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**EPSC Plan**  
**1540 12th Ave N**  
**Nashville - Davidson Co., Tn.**

SHEET NO.

**E-1.0**



TYPICAL PREFABRICATED SILT FENCE INSTALLATION  
N.T.S.

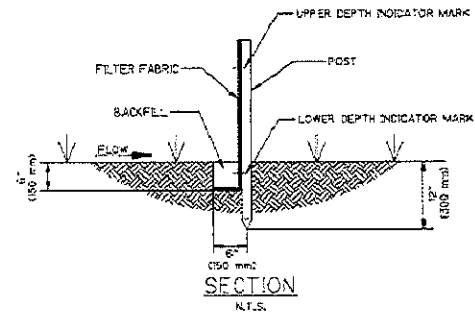


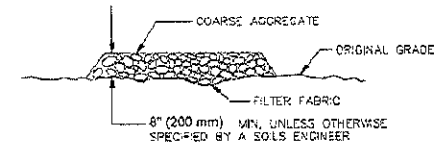
Figure ICP-13-1  
Silt Fence Anchoring

**SITE GRADING & EROSION CONTROL NOTES**

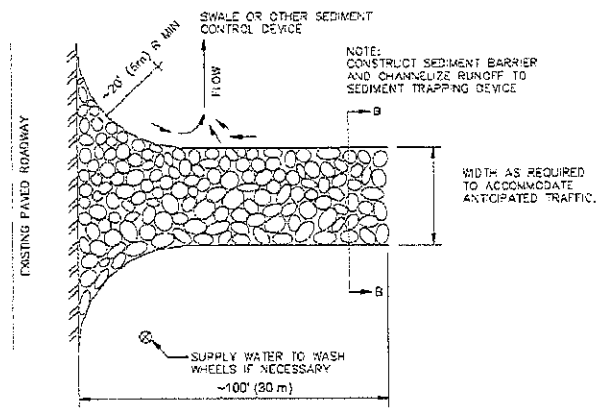
1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
2. CLEAN SILT BARRIERS WHEN THEY ARE APPROXIMATELY 33 % FILLED WITH SEDIMENT, SILT BARRIERS SHALL BE REPLACED AS EFFECTIVENESS IS SIGNIFICANTLY REDUCED, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
3. REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(S), DRIVEWAYS, GRADE ADJACENT TO BUILDINGS, AND SWALES REGARDLESS WHETHER PLANS GRAPHICALLY PORTRAY OR INDICATE SLOPE. FINAL CONSTRUCTION SHALL NOT PERMIT PONDING OF WATER IN ANY OF FOREGOING AREAS.



CALL BEFORE YOU DIG!  
TENNESSEE ONE CALL IT'S THE LAW  
UTILITIES PROTECTION CENTER  
IN TENNESSEE CALL  
1-800-351-1111  
1-800-366.1987  
THREE WORKING DAYS BEFORE YOU DIG  
IT IS THE CONTRACTORS RESPONSIBILITY  
TO CONTACT UTILITY COMPANIES PRIOR  
TO ANY CONSTRUCTION. THE LOCATION  
OF UTILITIES SHOWN HEREON ARE  
APPROXIMATE AND POSSIBLY INCOMPLETE.  
THEREFORE CERTIFICATION TO THE LOCATION  
OF ALL UNDERGROUND UTILITIES IS  
WITHHELD.



SECTION B-B  
N.T.S.



PLAN VIEW  
N.T.S.

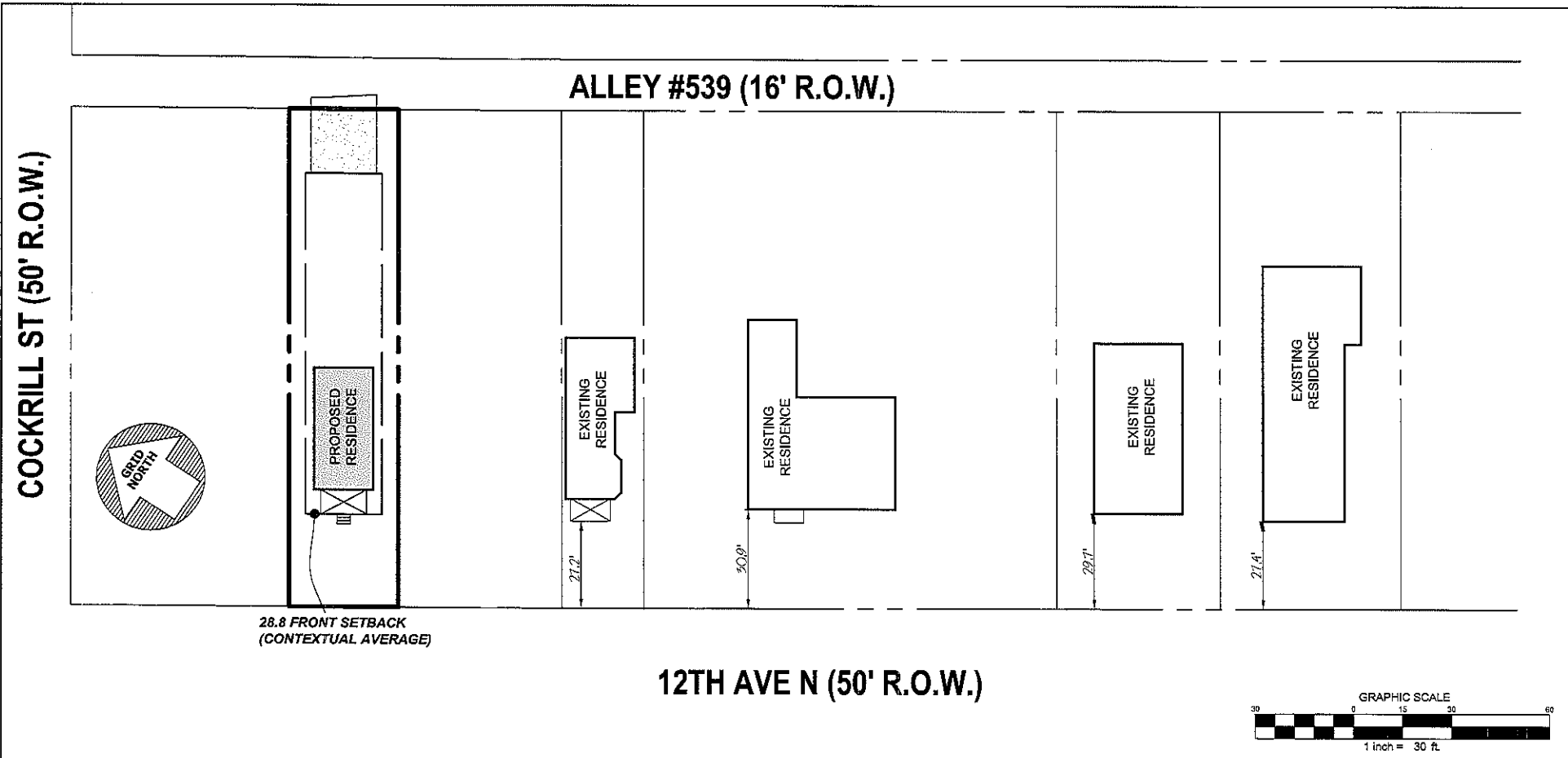
Figure ICP-05-1  
Stabilized Construction Entrance

Prepared By:  
**W.T. Smith- Land Surveying**  
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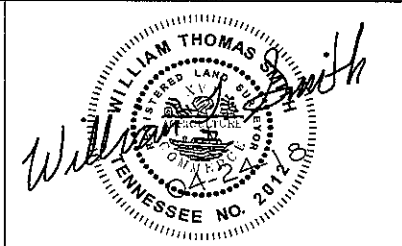


**Erosion-Sediment  
Control Details**  
1540 12th Ave N  
Nashville - Davidson Co., Tn.

SHEET NO.  
**E-2.0**

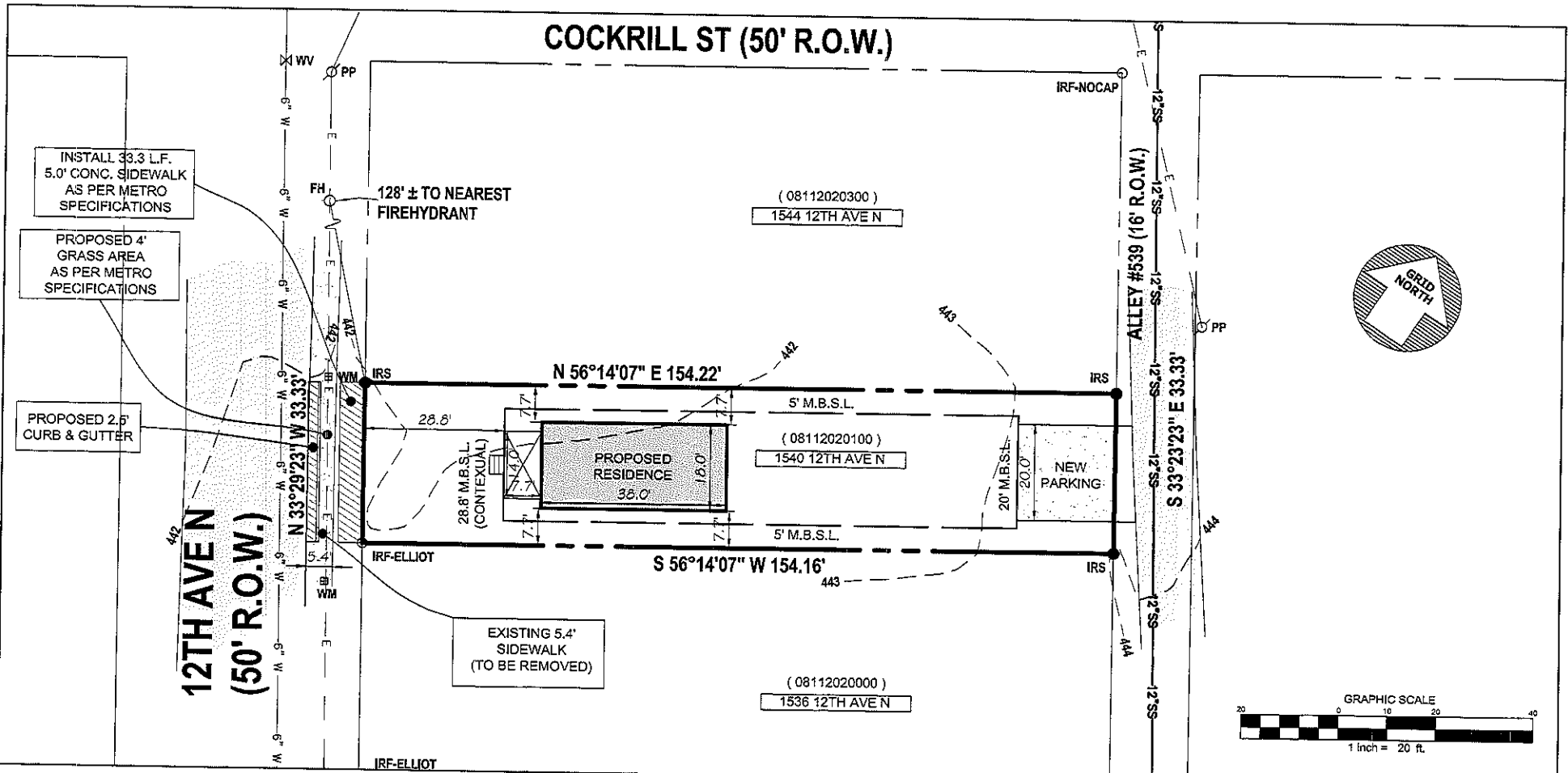


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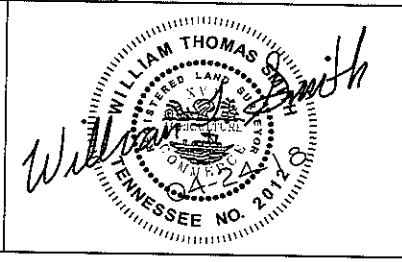


**Building Setbacks**  
**1540 12th Ave N**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**B-1.0**



Prepared By:  
**W.T. Smith- Land Surveying**  
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**Sidewalk  
 Construction Plan**  
 1540 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-1.0**

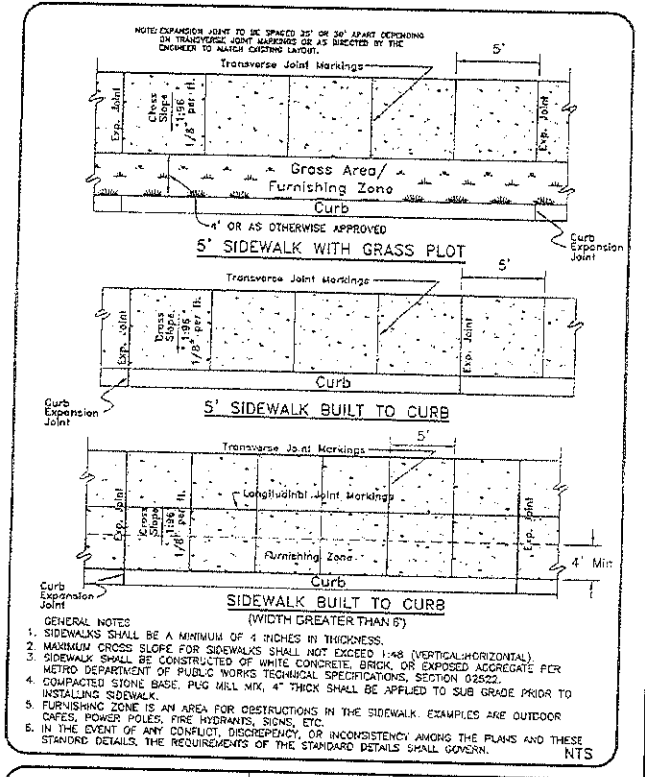
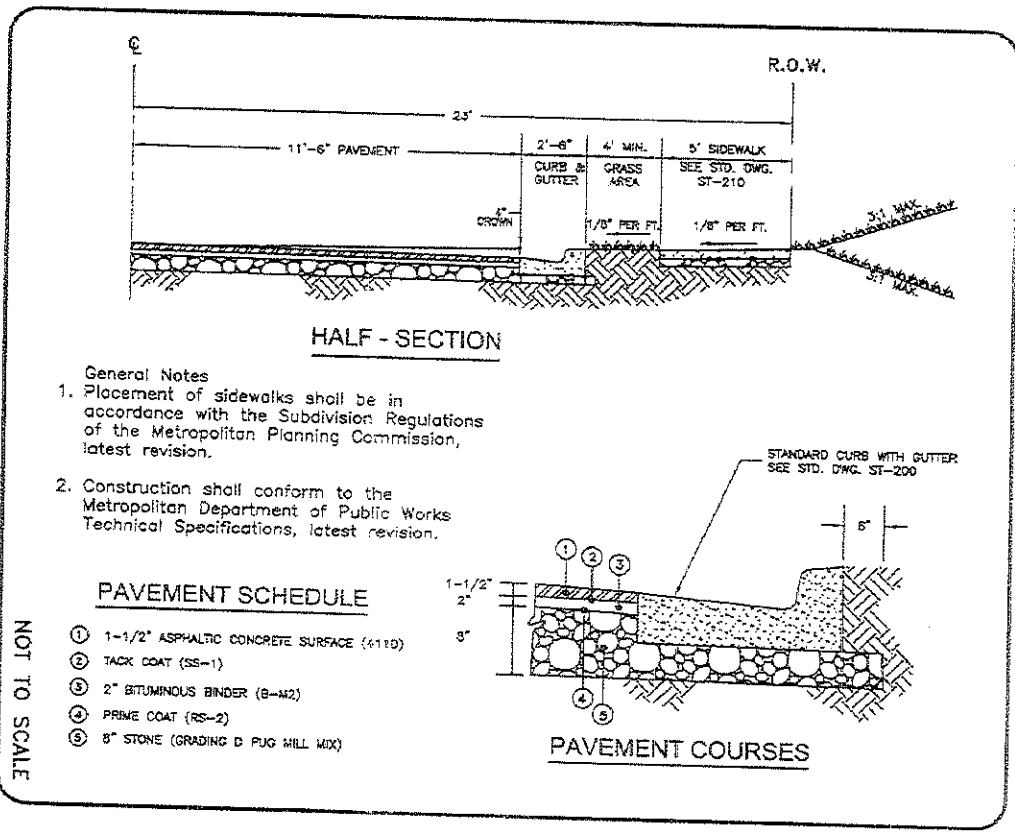


ASST. DIR. *Mark Hays* DATE: *5/2/01*  
 DIR. *Mark Hays* DATE: *5/2/01*  
 REVISED: 04/09/01

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS

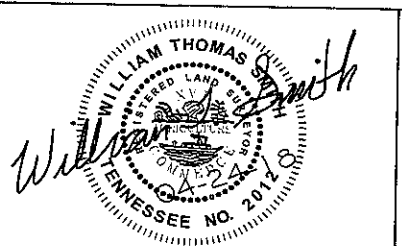
RESIDENTIAL-LOW DENSITY MINOR LOCAL STREET (46' R.O.W.)

DWG. NO. ST-251



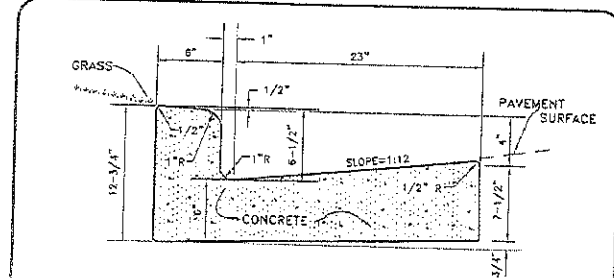
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	SIDEWALK CONSTRUCTION	DWG. NO. ST-210
DIR. OF ENG.: <i>Mark Hays</i>	DATE: <i>2/19/01</i>	REVISED: 05/02/03 REVISED: 11/24/03 REVISED: 06/23/04

Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

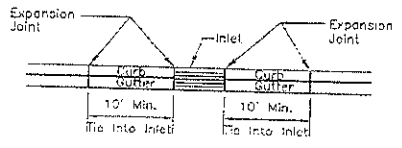


**Sidewalk Construction Details**  
 1540 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-2.0**



TYPICAL CROSS - SECTION

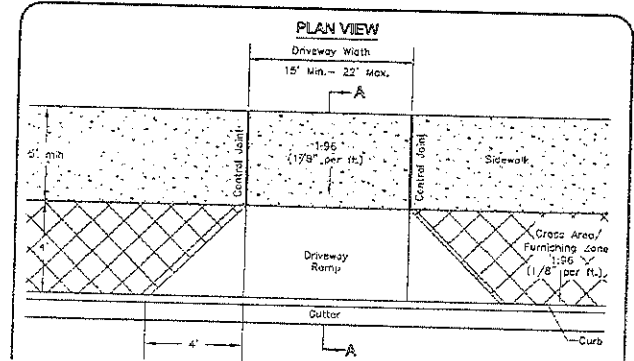


FRONT VIEW

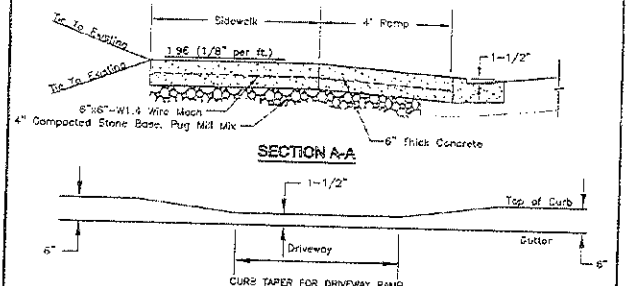
- GENERAL NOTES
1. Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
  2. Expansion joints will also be required at tangent points, ramps, and inlets.
  3. Contraction joints are to be cut into curb and gutter every 10 feet to a depth of D/4, where D equals the thickness of the section. The spacing of 10 feet may be reduced at closures but no section of curb and gutter shall be less than 10 feet.
  4. There will be a minimum of 10 feet tie in at curb inlets on each side of the inlet. An expansion joint will be used on each side of the tie in.
  5. Cost of contraction joints to be included in the unit bid price for concrete curb with gutter.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	STANDARD CURB WITH GUTTER	DWG. NO. ST-200
DIR. OF ENG.: <i>Mark Hogg</i>	DATE: 5/12/03	REVISED: 07/21/08 REVISED: 05/02/03 REVISED:



PLAN VIEW



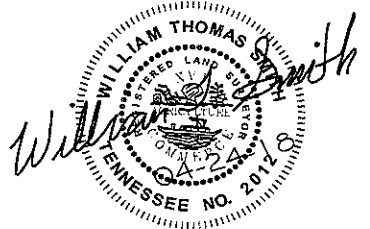
SECTION A-A

- NOTE:
1. Cross-slope of sidewalk shall not exceed 1:48 (vertical/horizontal).
  2. Fiber mesh reinforcement is an approved alternative for the wire mesh. Fiber mesh reinforcement will be added to the concrete at the batch plant at the rate of 1 1/2 pounds per cubic yard.
  3. Concrete shall be 6 inches thick.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP	DWG. NO. ST-322
DIR. OF ENG.: <i>Mark Hogg</i>	DATE: 5/12/03	REVISED: 07/27/02 REVISED: 05/08/03 REVISED:

Prepared By:  
**W.T. Smith- Land Surveying**  
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 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Sidewalk Construction**  
**Details & Notes**  
 1540 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-3.0**





**SCHEDULE NOTES**

1. FOR ALL OTHER SIZES AND/OR UNUSUAL PROJECT CONDITIONS CONSULT WITH ARCHITECT IN ADVANCE OF CONSTRUCTION.
2. CONTRACTOR IS RESPONSIBLE FOR ALL SIZING, BRACKETS, AND INSTALLATION PROCEDURES.

**WOOD HEADER SCHEDULE**

OPENING	SECTION	SIZE	WALL TYPE
10" TO 6"	10	2x4	8" BLOCK
4" TO 8"	10	2x4	8" BLOCK
8" TO 12"	10	2x6	8" BLOCK
12" TO 18"	10	2x8	8" BLOCK

**STEEL LINTEL SCHEDULE**

OPENING	SECTION	SIZE	WALL TYPE
0 TO 6"	1	4x4	4" BLOCK
6" TO 8"	1	5x5	4" BLOCK
8" TO 12"	1	5x5	4" BLOCK
12" TO 18"	1	7x7	4" BLOCK

**CONCRETE LINTEL SCHEDULE**

OPENING	SECTION	SIZE	WALL TYPE
0 TO 6"	1	8" RC CONC. W/2-#4 T18	8" BLOCK
6" TO 8"	1	8" RC CONC. W/2-#4 T18	8" BLOCK
8" TO 12"	1	12" RC CONC. W/2-#4 T18	8" BLOCK
12" TO 18"	1	12" RC CONC. W/2-#4 T18	8" BLOCK

**CMU LINTEL SCHEDULE**

OPENING	SECTION	SIZE	WALL TYPE
0 TO 6"	1	2x8" SOLID BDM W/2-#4 T18	8" BLOCK
6" TO 8"	1	2x8" SOLID BDM W/2-#4 T18	8" BLOCK
8" TO 12"	1	2x10" SOLID BDM W/2-#4 T18	8" BLOCK
12" TO 18"	1	2x10" SOLID BDM W/2-#4 T18	8" BLOCK

**GENERAL NOTES - OPENINGS:**

1. THE ARCHITECT, CONTRACTOR AND OWNER SHALL VERIFY WINDOW AND DOOR SIZES SHALL BE CORRECT FOR THE PROJECT. VERIFY WINDOW AND DOOR SIZES SHALL BE CORRECT FOR THE PROJECT. VERIFY WINDOW AND DOOR SIZES SHALL BE CORRECT FOR THE PROJECT.
2. ANY ALTERATIONS, SUBSTITUTIONS OR MODIFICATIONS TO THESE SCHEDULES SHALL BE PROVIDED TO THE ARCHITECT AND OWNER PRIOR TO PLACING ANY ORDERS.
3. DOOR AND WINDOW VENDOR SHALL BE RESPONSIBLE FOR ALL PERMITS, CODES, REGULATIONS, AND INSURANCE REQUIREMENTS. THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL PERMITS, CODES, REGULATIONS, AND INSURANCE REQUIREMENTS.
4. IT IS RECOMMENDED THAT ALL DOORS AND WINDOWS BE INSTALLED BY THE PERMITSABLE DOOR AND WINDOW VENDOR. THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL PERMITS, CODES, REGULATIONS, AND INSURANCE REQUIREMENTS. THE ARCHITECT SHALL BE RESPONSIBLE FOR ALL PERMITS, CODES, REGULATIONS, AND INSURANCE REQUIREMENTS.
5. ALL OPENINGS SHALL BE SQUARED IN WORKING TO THE ARCHITECT PRIOR TO PLACING ORDERS.

**DOOR NOTES:**

1. INTERIOR DOORS SHALL BE 1 3/4" SQ. DOOR USE OR FINISH WOOD ONLY AND ARE RATED PER INTERIOR DOOR SCHEDULES. ALL DOOR TYPES SHALL BE AS SHOWN IN SCHEDULE.
2. ALL INTERIOR DOORS TO BE ON VERTICAL GLASS AND SHALL BE AS SHOWN IN SCHEDULE.
3. ALL ASSUMPTIONS SHALL BE AS SHOWN IN SCHEDULE. ALL ASSUMPTIONS SHALL BE AS SHOWN IN SCHEDULE.
4. ALL DOOR SIZES SHALL BE AS SHOWN IN SCHEDULE.

**DOOR SCHEDULE**

DOOR #	SIZE	FRAME	DOOR	DESCRIPTION/NOTES
01	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
02	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
03	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
04	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
05	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
06	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
07	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
08	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
09	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
10	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
11	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
12	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
13	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
14	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
15	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
16	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
17	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
18	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
19	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
20	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
21	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
22	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
23	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
24	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
25	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
26	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
27	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
28	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
29	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
30	36" x 80"	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR

**LEGEND**

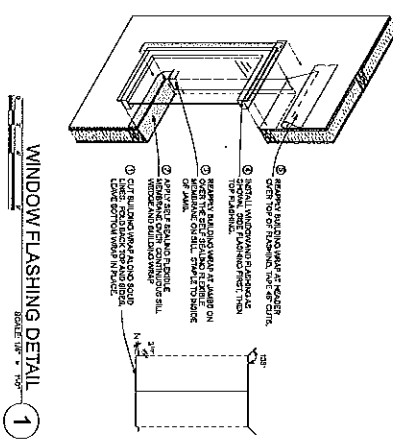
- ① (T) = TYPED SAFETY GLAZING
- ② (U) = UNGLAZED SAFETY GLAZING
- ③ (P) = 1/4" P. GLASS
- HM = HOLLOW METAL
- WO = WOOD
- SC = SOLID CORE WOOD
- AL = ALUMINUM
- CL = GLASS
- IC = INSULATED GLASS
- DM = DOUBLE GLAZING
- FD = FIBERGLASS

**WINDOW NOTES:**

1. PASS-ON WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
2. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
3. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
4. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
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21. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
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23. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
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27. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
28. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
29. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.
30. PROVIDE OPERABLE WINDOW SCHEDULES TO THE ARCHITECT FOR REVIEW AND APPROVAL.

**WINDOW SCHEDULE**

DOOR #	WIDTH	HEIGHT	FRAME	GLASS	OPERATION	NOTES
01	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
02	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
03	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
04	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
05	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
06	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
07	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
08	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
09	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
10	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
11	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
12	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
13	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
14	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
15	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
16	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
17	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
18	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
19	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
20	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
21	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
22	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
23	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
24	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
25	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
26	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
27	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
28	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
29	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR
30	36"	80"	WOOD	WOOD	WOOD	INSULATED WOOD FRAME INTERIOR FULL GLAZED DOOR



WINDOW FLASHING DETAIL 1  
RADON PIT DETAIL 2

# SPECIFICATIONS:

## DIVISION 01 General Conditions

~~01.01.00 - SUMMARY~~

~~01.01.01 - GENERAL NOTES~~

~~01.01.02 - CONTRACT ADMINISTRATION~~

~~01.01.03 - PERMITS~~

~~01.01.04 - SITE PREPARATION~~

~~01.01.05 - CONSTRUCTION ACCESS~~

~~01.01.06 - PROTECTION OF EXISTING CONDITIONS~~

~~01.01.07 - UTILITIES~~

~~01.01.08 - EROSION CONTROL~~

~~01.01.09 - TEMPORARY STRUCTURES~~

~~01.01.10 - SAFETY~~

~~01.01.11 - ENVIRONMENTAL PROTECTION~~

~~01.01.12 - HISTORIC PRESERVATION~~

~~01.01.13 - ARCHITECTURAL RECORDS~~

~~01.01.14 - ARCHITECTURAL RECORDS~~

~~01.01.15 - ARCHITECTURAL RECORDS~~

~~01.01.16 - ARCHITECTURAL RECORDS~~

~~01.01.17 - ARCHITECTURAL RECORDS~~

~~01.01.18 - ARCHITECTURAL RECORDS~~

~~01.01.19 - ARCHITECTURAL RECORDS~~

~~01.01.20 - ARCHITECTURAL RECORDS~~

## DIVISION 02 Structures

~~02.01.00 - SUMMARY~~

~~02.01.01 - FOUNDATIONS~~

~~02.01.02 - CONCRETE~~

~~02.01.03 - MASONRY~~

~~02.01.04 - METAL DECKING~~

~~02.01.05 - METAL PANELS~~

~~02.01.06 - METAL ROOFING~~

~~02.01.07 - METAL CLADDING~~

~~02.01.08 - METAL CURTAINS~~

~~02.01.09 - METAL SKELETON~~

~~02.01.10 - METAL STRUCTURES~~

~~02.01.11 - METAL STRUCTURES~~

~~02.01.12 - METAL STRUCTURES~~

~~02.01.13 - METAL STRUCTURES~~

~~02.01.14 - METAL STRUCTURES~~

~~02.01.15 - METAL STRUCTURES~~

~~02.01.16 - METAL STRUCTURES~~

~~02.01.17 - METAL STRUCTURES~~

~~02.01.18 - METAL STRUCTURES~~

~~02.01.19 - METAL STRUCTURES~~

~~02.01.20 - METAL STRUCTURES~~

## DIVISION 03 Masonry

~~03.01.00 - SUMMARY~~

~~03.01.01 - BRICK~~

~~03.01.02 - BLOCK~~

~~03.01.03 - CONCRETE BLOCK~~

~~03.01.04 - CONCRETE BLOCK~~

~~03.01.05 - CONCRETE BLOCK~~

~~03.01.06 - CONCRETE BLOCK~~

~~03.01.07 - CONCRETE BLOCK~~

~~03.01.08 - CONCRETE BLOCK~~

~~03.01.09 - CONCRETE BLOCK~~

~~03.01.10 - CONCRETE BLOCK~~

~~03.01.11 - CONCRETE BLOCK~~

~~03.01.12 - CONCRETE BLOCK~~

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~~03.01.15 - CONCRETE BLOCK~~

~~03.01.16 - CONCRETE BLOCK~~

~~03.01.17 - CONCRETE BLOCK~~

~~03.01.18 - CONCRETE BLOCK~~

~~03.01.19 - CONCRETE BLOCK~~

~~03.01.20 - CONCRETE BLOCK~~

## DIVISION 04 Carpentry

~~04.01.00 - SUMMARY~~

~~04.01.01 - CARPENTRY~~

~~04.01.02 - CARPENTRY~~

~~04.01.03 - CARPENTRY~~

~~04.01.04 - CARPENTRY~~

~~04.01.05 - CARPENTRY~~

~~04.01.06 - CARPENTRY~~

~~04.01.07 - CARPENTRY~~

~~04.01.08 - CARPENTRY~~

~~04.01.09 - CARPENTRY~~

~~04.01.10 - CARPENTRY~~

~~04.01.11 - CARPENTRY~~

~~04.01.12 - CARPENTRY~~

~~04.01.13 - CARPENTRY~~

~~04.01.14 - CARPENTRY~~

~~04.01.15 - CARPENTRY~~

~~04.01.16 - CARPENTRY~~

~~04.01.17 - CARPENTRY~~

~~04.01.18 - CARPENTRY~~

~~04.01.19 - CARPENTRY~~

~~04.01.20 - CARPENTRY~~

## DIVISION 05 Paints and Coatings

~~05.01.00 - SUMMARY~~

~~05.01.01 - PAINTS AND COATINGS~~

~~05.01.02 - PAINTS AND COATINGS~~

~~05.01.03 - PAINTS AND COATINGS~~

~~05.01.04 - PAINTS AND COATINGS~~

~~05.01.05 - PAINTS AND COATINGS~~

~~05.01.06 - PAINTS AND COATINGS~~

~~05.01.07 - PAINTS AND COATINGS~~

~~05.01.08 - PAINTS AND COATINGS~~

~~05.01.09 - PAINTS AND COATINGS~~

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~~05.01.16 - PAINTS AND COATINGS~~

~~05.01.17 - PAINTS AND COATINGS~~

~~05.01.18 - PAINTS AND COATINGS~~

~~05.01.19 - PAINTS AND COATINGS~~

~~05.01.20 - PAINTS AND COATINGS~~

## DIVISION 06 Flooring

~~06.01.00 - SUMMARY~~

~~06.01.01 - FLOORING~~

~~06.01.02 - FLOORING~~

~~06.01.03 - FLOORING~~

~~06.01.04 - FLOORING~~

~~06.01.05 - FLOORING~~

~~06.01.06 - FLOORING~~

~~06.01.07 - FLOORING~~

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~~06.01.16 - FLOORING~~

~~06.01.17 - FLOORING~~

~~06.01.18 - FLOORING~~

~~06.01.19 - FLOORING~~

~~06.01.20 - FLOORING~~

## DIVISION 07 Partitions and Windows

~~07.01.00 - SUMMARY~~

~~07.01.01 - PARTITIONS~~

~~07.01.02 - PARTITIONS~~

~~07.01.03 - PARTITIONS~~

~~07.01.04 - PARTITIONS~~

~~07.01.05 - PARTITIONS~~

~~07.01.06 - PARTITIONS~~

~~07.01.07 - PARTITIONS~~

~~07.01.08 - PARTITIONS~~

~~07.01.09 - PARTITIONS~~

~~07.01.10 - PARTITIONS~~

~~07.01.11 - PARTITIONS~~

~~07.01.12 - PARTITIONS~~

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~~07.01.14 - PARTITIONS~~

~~07.01.15 - PARTITIONS~~

~~07.01.16 - PARTITIONS~~

~~07.01.17 - PARTITIONS~~

~~07.01.18 - PARTITIONS~~

~~07.01.19 - PARTITIONS~~

~~07.01.20 - PARTITIONS~~

## DIVISION 08 Doors and Windows

~~08.01.00 - SUMMARY~~

~~08.01.01 - DOORS~~

~~08.01.02 - DOORS~~

~~08.01.03 - DOORS~~

~~08.01.04 - DOORS~~

~~08.01.05 - DOORS~~

~~08.01.06 - DOORS~~

~~08.01.07 - DOORS~~

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~~08.01.16 - DOORS~~

~~08.01.17 - DOORS~~

~~08.01.18 - DOORS~~

~~08.01.19 - DOORS~~

~~08.01.20 - DOORS~~

## DIVISION 09 Cabinetry

~~09.01.00 - SUMMARY~~

~~09.01.01 - CABINETS~~

~~09.01.02 - CABINETS~~

~~09.01.03 - CABINETS~~

~~09.01.04 - CABINETS~~

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## DIVISION 10 Specialties

~~10.01.00 - SUMMARY~~

~~10.01.01 - SPECIALTIES~~

~~10.01.02 - SPECIALTIES~~

~~10.01.03 - SPECIALTIES~~

~~10.01.04 - SPECIALTIES~~

~~10.01.05 - SPECIALTIES~~

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~~10.01.18 - SPECIALTIES~~

~~10.01.19 - SPECIALTIES~~

~~10.01.20 - SPECIALTIES~~

## DIVISION 11 Electrical

~~11.01.00 - SUMMARY~~

~~11.01.01 - ELECTRICAL~~

~~11.01.02 - ELECTRICAL~~

~~11.01.03 - ELECTRICAL~~

~~11.01.04 - ELECTRICAL~~

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~~11.01.20 - ELECTRICAL~~

## DIVISION 12 Plumbing

~~12.01.00 - SUMMARY~~

~~12.01.01 - PLUMBING~~

~~12.01.02 - PLUMBING~~

~~12.01.03 - PLUMBING~~

~~12.01.04 - PLUMBING~~

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~~12.01.20 - PLUMBING~~

## DIVISION 13 Mechanical

~~13.01.00 - SUMMARY~~

~~13.01.01 - MECHANICAL~~

~~13.01.02 - MECHANICAL~~

~~13.01.03 - MECHANICAL~~

~~13.01.04 - MECHANICAL~~

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~~13.01.19 - MECHANICAL~~

~~13.01.20 - MECHANICAL~~

## DIVISION 14 HVAC

~~14.01.00 - SUMMARY~~

~~14.01.01 - HVAC~~

~~14.01.02 - HVAC~~

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~~14.01.19 - HVAC~~

~~14.01.20 - HVAC~~

## DIVISION 15 Fire Protection

~~15.01.00 - SUMMARY~~

~~15.01.01 - FIRE PROTECTION~~

~~15.01.02 - FIRE PROTECTION~~

~~15.01.03 - FIRE PROTECTION~~

~~15.01.04 - FIRE PROTECTION~~

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~~15.01.20 - FIRE PROTECTION~~

## DIVISION 16 Safety

~~16.01.00 - SUMMARY~~

~~16.01.01 - SAFETY~~

~~16.01.02 - SAFETY~~

~~16.01.03 - SAFETY~~

~~16.01.04 - SAFETY~~

~~16.01.05 - SAFETY~~

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~~16.01.19 - SAFETY~~

~~16.01.20 - SAFETY~~

## DIVISION 17 Signage

~~17.01.00 - SUMMARY~~

~~17.01.01 - SIGNAGE~~

~~17.01.02 - SIGNAGE~~

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~~17.01.04 - SIGNAGE~~

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## DIVISION 18 Miscellaneous

~~18.01.00 - SUMMARY~~

~~18.01.01 - MISCELLANEOUS~~

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~~18.01.20 - MISCELLANEOUS~~



**BARNES FUND WINBERRY HOME**  
**SINGLE FAMILY HOME**

AFFORDABLE HOUSING RESOURCES  
 SITE TBD  
 NASHVILLE, TN 37208

EXOTERRA | Architects + Consultants  
 Project #: 228-17

**SPECIFICATIONS**

ISSUE DATE	DESCRIPTION
01	ISSUE
02	ISSUE
03	ISSUE
04	ISSUE
05	ISSUE
06	ISSUE
07	ISSUE
08	ISSUE
09	ISSUE
10	ISSUE
11	ISSUE
12	ISSUE
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17	ISSUE
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19	ISSUE
20	ISSUE

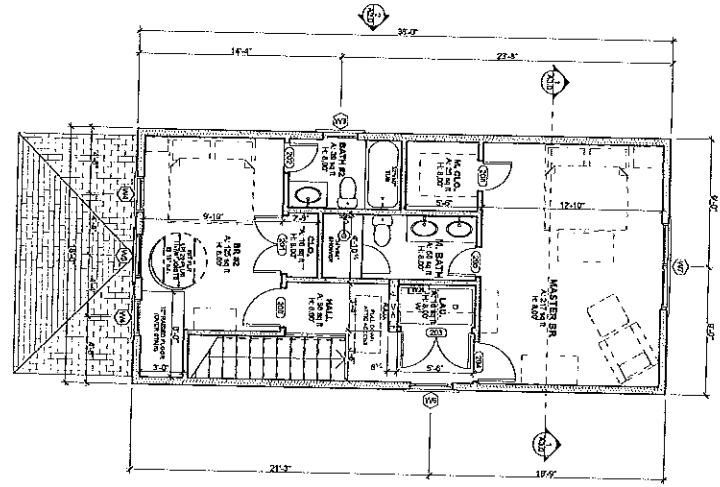
**A02**

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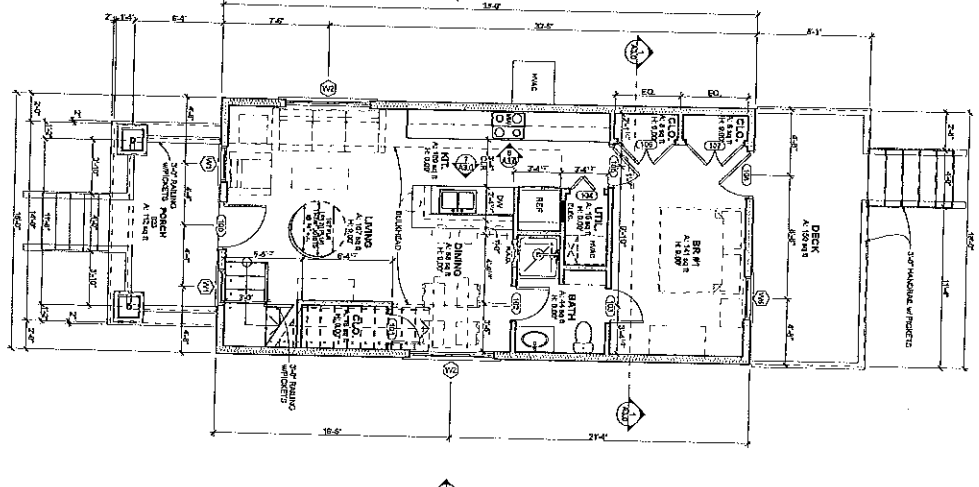


**GENERAL PLAN NOTES:**

- A. ALL EXISTING CONDITIONS SHOWN ON THE FACE OF STUDY RECORD PAGE OR DUL AS APPLICABLE. DEMOLITION SHALL BE ACCORDING TO THE CITY OF NASHVILLE, TENNESSEE, CHAPTER 18-100, AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 220, SECTION 5.1.2.1.1.
- B. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- C. THE CONTRACTOR IS RESPONSIBLE FOR ALL MECHANICAL, ELECTRICAL, AND PLUMBING CONDITIONS EXISTING DURING CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT AND CORRECTED IN THE FIELD PRIOR TO THE START OF THE NEXT CONSTRUCTION PHASE.
- D. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- E. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- F. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- G. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- H. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- I. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- J. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- K. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- L. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- M. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- N. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
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- P. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- Q. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- R. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- S. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- T. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.
- U. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF NASHVILLE, TENNESSEE, AND THE STATE OF TENNESSEE.



2ND FLOOR PLAN  
SCALE: 1/8" = 1'-0"

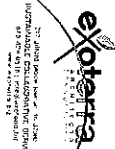


FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"

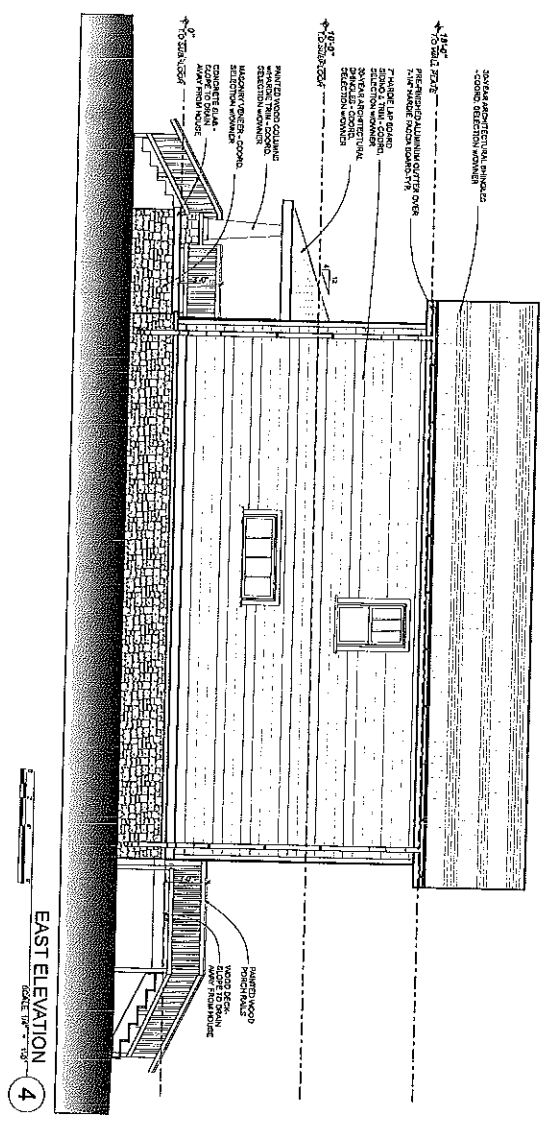
**BARNES FUND WINBERRY HOME**  
 SINGLE FAMILY HOME  
 AFFORDABLE HOUSING RESOURCES  
 SITE TBD  
 NASHVILLE, TN 37208  
 EXOTERRA | Architects+Consultants  
 Project #: 228-17

REVISION	DATE	BY	DESCRIPTION

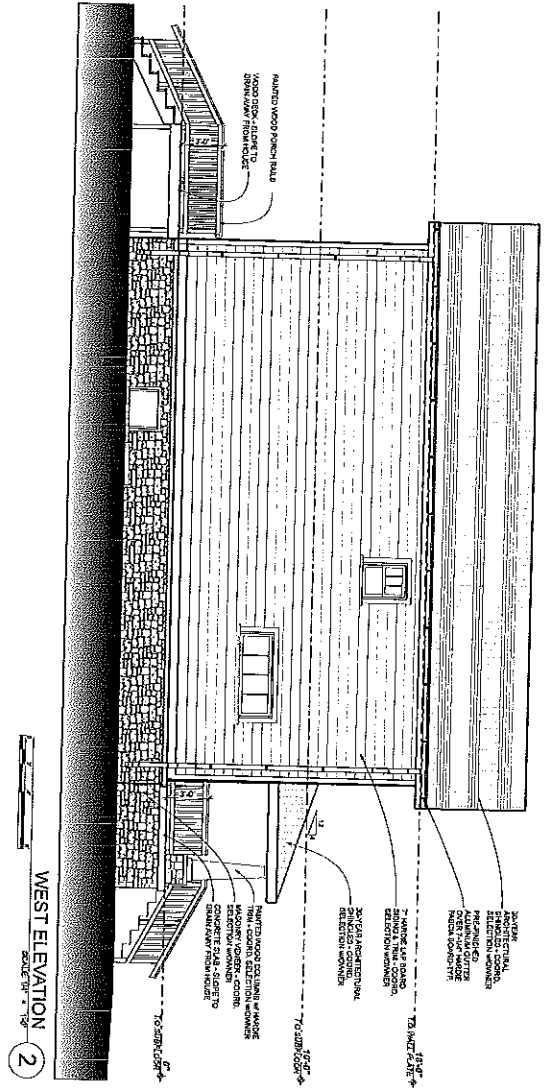
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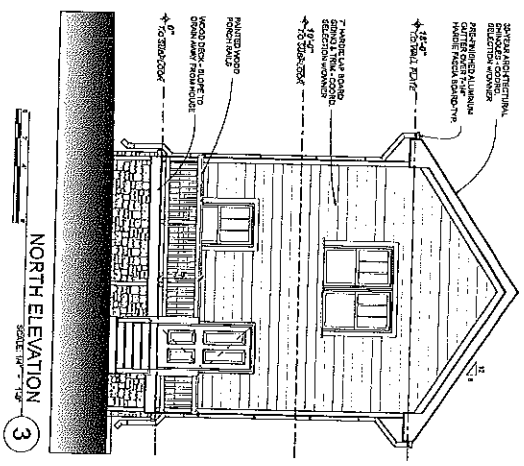




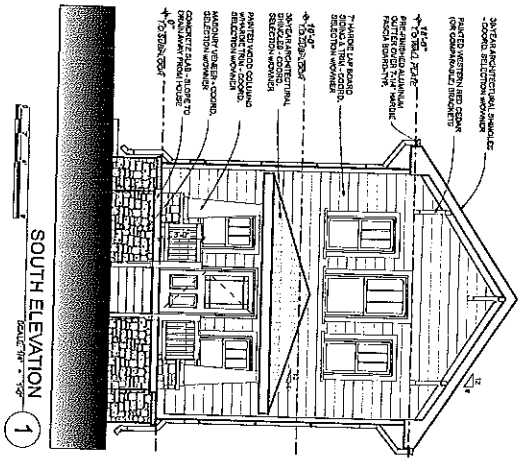
EAST ELEVATION  
SCALE: 1/8" = 1'-0"



WEST ELEVATION  
SCALE: 1/8" = 1'-0"



NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

**BARNES FUND WINBERRY HOME**  
**SINGLE FAMILY HOME**  
 AFFORDABLE HOUSING RESOURCES  
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 NASHVILLE, TN 37208  
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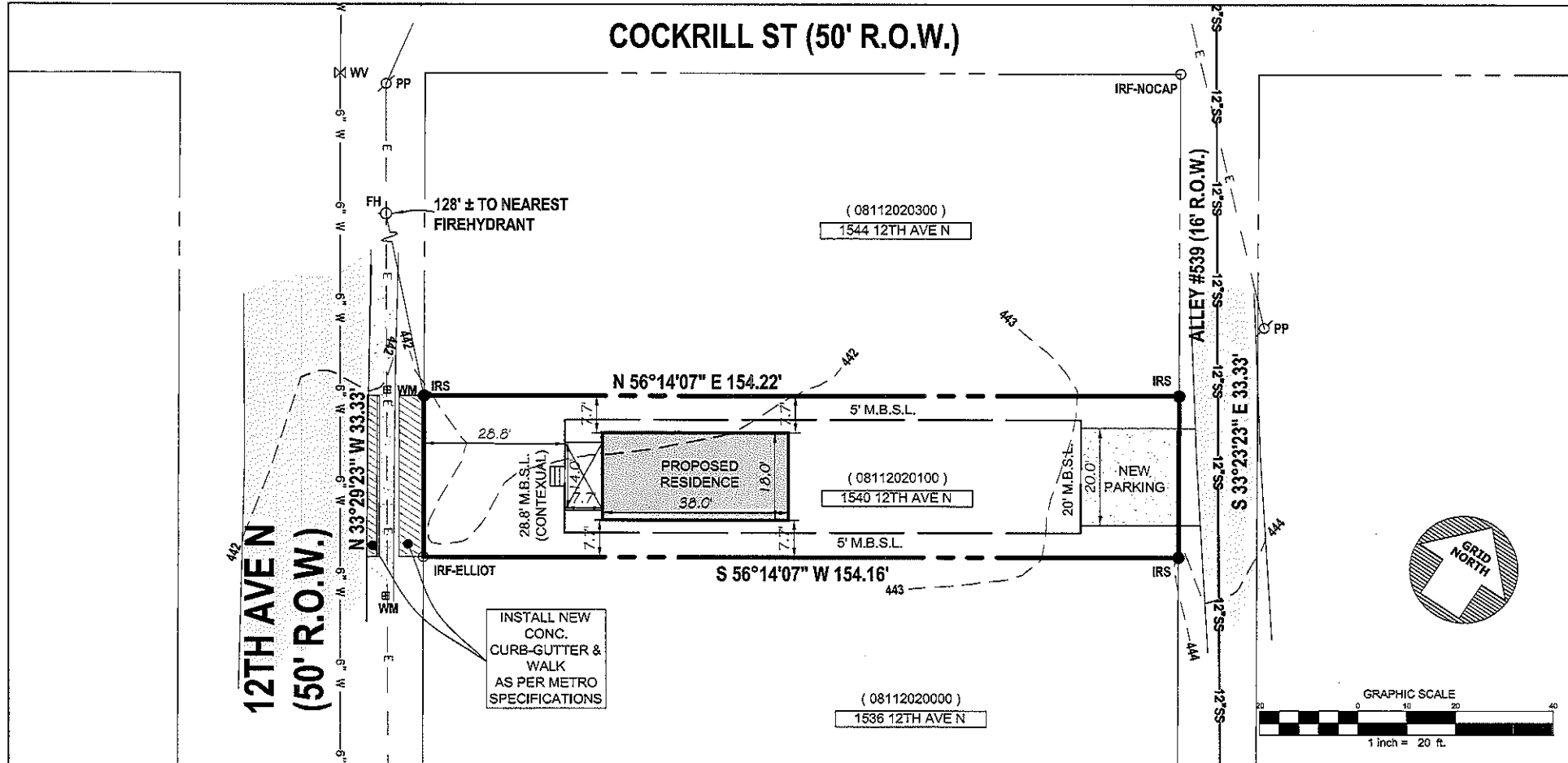
EXTERIOR ELEVATIONS

NO.	DATE	DESCRIPTION
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2	02/07/18	REVISED
3	03/07/18	REVISED
4	04/07/18	REVISED
5	05/07/18	REVISED
6	06/07/18	REVISED
7	07/07/18	REVISED
8	08/07/18	REVISED
9	09/07/18	REVISED
10	10/07/18	REVISED
11	11/07/18	REVISED
12	12/07/18	REVISED
13	01/07/19	REVISED
14	02/07/19	REVISED
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16	04/07/19	REVISED
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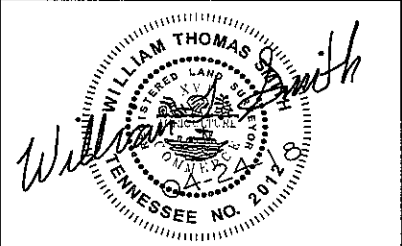
A2.0







Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Site Plan**  
 1540 12th Ave N  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**S-1.0**

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-124 (1540 12<sup>th</sup> Avenue North)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	RS5
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Approximately 95' south of #42 – St. Cecilia/Cumberland
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family structure on the property through the Barnes Housing Trust Fund, which helps to provide more affordable housing in the city. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage which is consistent with adjacent parcels to the north and south.
- (2) Right-of-way dedications will ensure that Metro does not have to purchase portions of the property in the future to construct sidewalks.
- (3) Requiring additional infrastructure on properties already donated by Metro through the Barnes Fund for affordable housing competes with Metro's priority to provide more affordable housing in Nashville.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way along the property frontage to accommodate a future 4' grass strip and 5' sidewalk.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Jill Adkins-Simmons Date: 2/8/19

Property Owner: same

Case #: 2019-125

Representative: same

Map & Parcel: 14713002300

Council District 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT A 24 FT X 28 FT  
ATTACHED CARPORT TO REAR OF  
EXISTING HOUSE  
REQUESTING 13 FT SETBACK, 20 FT REQUIRED

Activity Type: RESIDENTIAL ADDITION

Location: 5132 COCHRAN DRIVE

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REAR SETBACK VARIANCE

Section(s): 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jill Adkins-Simmons  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

5132 Cochran Dr.  
Address

\_\_\_\_\_  
Address

Nashville TN 37220  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-289-0038  
Phone Number

\_\_\_\_\_  
Phone Number

jca2b@yahoo.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Michelle Simmons*  
APPELLANT

*2/8/19*  
DATE

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Our home backs up to the back side of Ellington Agricultural Center, which leaves us with a narrow, wide but shallow back yard. We have an existing driveway that we wish to put a carport over. The carport would go directly over the existing driveway without further intrusion into the backside of the property line. The carport will attach to the house.

Because the carport will attach to the house, we need a 20 foot setback. However, because the backyard is so narrow, we cannot achieve that. Currently, the existing driveway is about 13 feet from the back of the property line. Thus, the carport would ended up being about 13 feet from the back of the property line too. Carports are very common in our neighborhood. The front and right side of the lot is sloped. The only flat parts of the yard are the back yard and the left side of the house, but there is no driveway on the left side. The driveway is on right side of the house.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3602595

**ZONING BOARD APPEAL / CAAZ - 20190008154  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 14713002300**APPLICATION DATE:** 02/08/2019**SITE ADDRESS:**

5132 COCHRAN DR NASHVILLE, TN 37220  
LOT 1057 SEC 14 BRENTWOOD HALL

**PARCEL OWNER:** ADKINS, JILL C.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Rear Setback Variance request. 20 ft required setback, requesting a 13 ft setback (reduction of 7 ft).

Constructing an attached 24 ft x 28 ft carport to rear of existing single family residence. No construction Permit Application started.

**POC:** Jill Atkins 615-289-0038

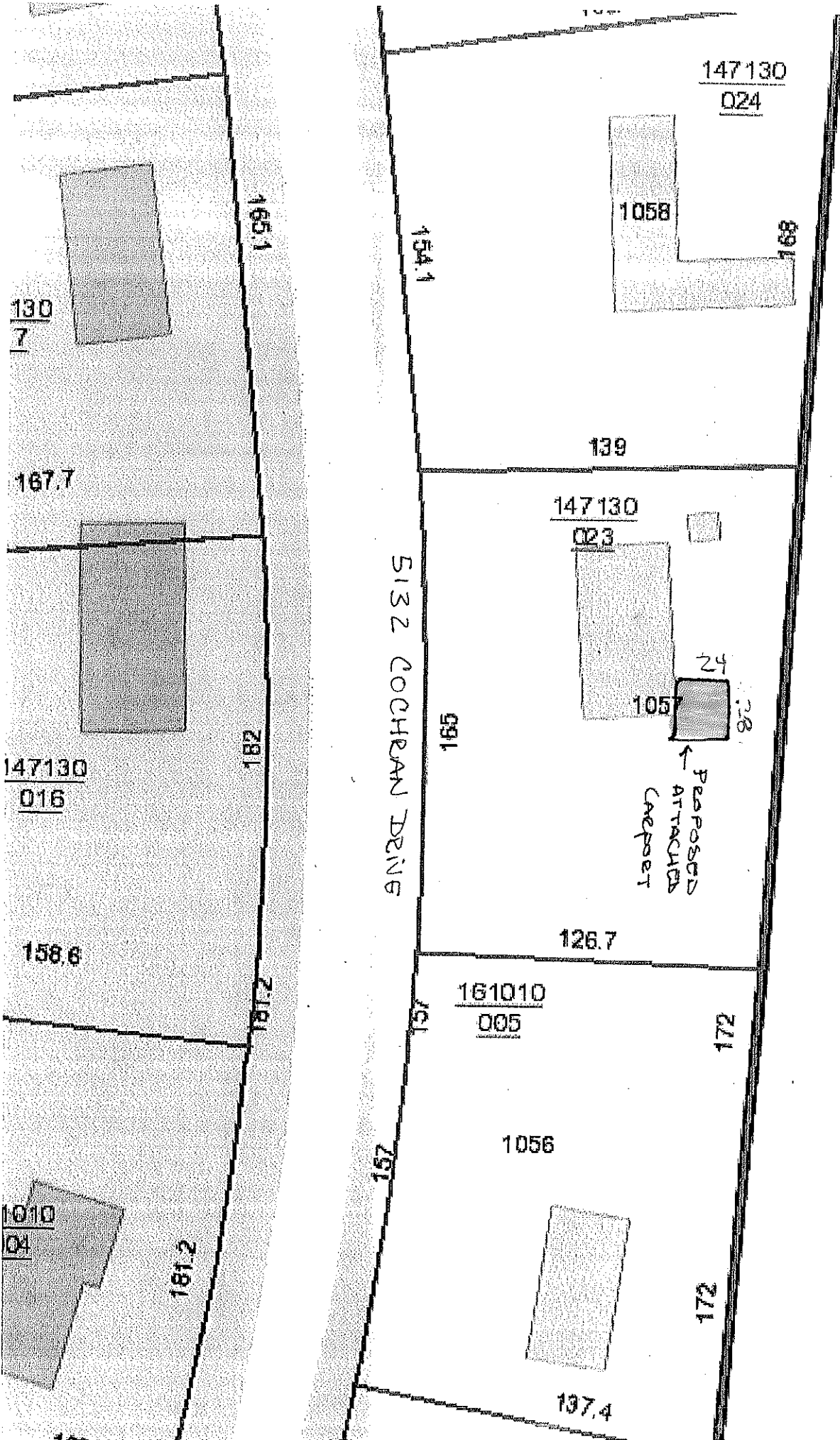
*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

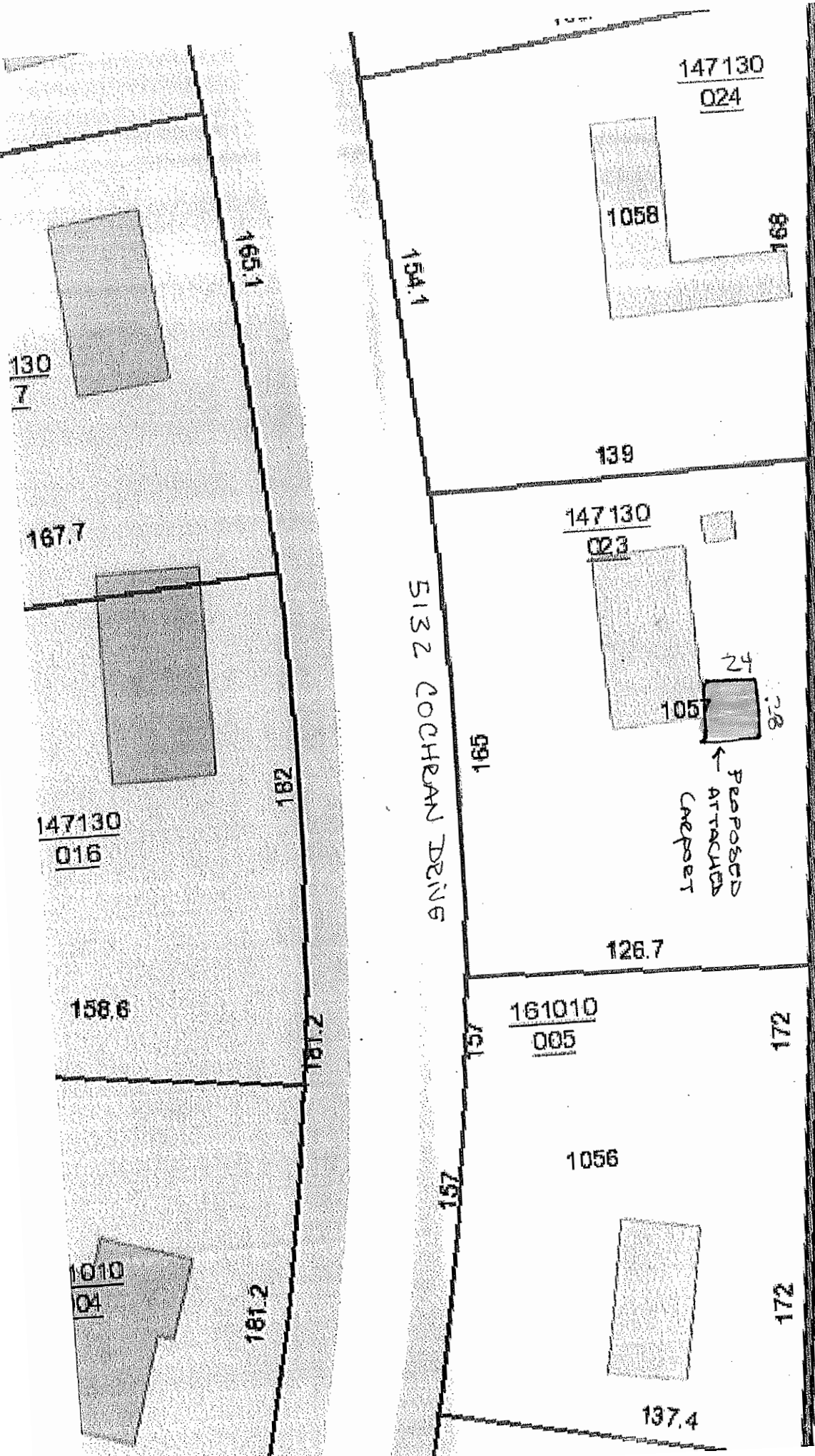
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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.







130  
7

159.1

167.7

147130  
016

158.6

1010  
04

161.2

5132 COCHRAN DRING

154.1

165

157

157

147130  
024

1058

168

139

147130  
023

1057

24

PROPOSED  
ATTACHED  
GARAGEPORT

126.7

161010  
005

1056

137.4

172

172

**From:** [Elrod, Jeremy \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Case # 2019-125 - Support from District Council Member  
**Date:** Monday, April 1, 2019 10:09:11 AM

---

I writing to express my support for Appeal Case 2019-125 (Permit # 20190008154). As the district council member for the property, I respectfully request that you approve this appeal

Jill and Felix Adkins are wanting to build a carport beside their home at 5132 Cochran Drive. This appeal should be granted for the following reasons:

1. The carport will be built over their existing driveway, so there is no additional encroachment toward the neighboring property.
2. The typical setback is 20 feet, but since it is a carport the setback becomes 10 feet. The carport would be built approximately 13 feet from the neighboring property, but since it will be built over the existing driveway there will not be any additional encroachment to the neighboring property.
3. The home's garage has space for one car, and if another car is in the driveway a car cannot enter or leave the garage.
4. Most of their property is sloped and unsuitable for a carport, except for the left side of the house. The driveway is currently on the right side of the house.
5. This carport will have minimal impact on surrounding properties.
6. The Adkins have discussed this with their neighbors, and I am not aware of any opposition to this appeal.

Again, I respectfully request that you approve this request.

Thanks,

**JEREMY L. ELROD**  
Nashville Metro Councilman, District 26  
mobile 615.852.7197 | office 615.862.6780  
[JeremyElrod26.com](http://JeremyElrod26.com) | [facebook.com/JeremyElrod26](https://facebook.com/JeremyElrod26) | [twitter.com/jeremyelrod26](https://twitter.com/jeremyelrod26)

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Affordable Housing Resources Date: 2/8/19  
Property Owner: AHR Case #: 2019-126  
Representative: Sean Roberge Map & Parcel: 09206043200

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: SINGLE FAMILY RESIDENTIAL  
NEW CONSTRUCTION

Activity Type: RESIDENTIAL CONSTRUCTION  
Location: 811 LENA ST

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 1. REQUEST NOT TO CONSTRUCT SIDEWALKS & NOT TO CONTRIBUTE  
2. REQUEST 5' MINIMUM SIDE SETBACK  
Section(s): 1. 17.20.120 2. 17.40.670

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Affordable Housing Resources  
Appellant Name (Please Print)

Sean Roberge  
Representative Name (Please Print)

50 Vantage Way  
Address

925 N 5<sup>th</sup> St  
Address

Nashville, TN 37228  
City, State, Zip Code

Nashville, TN 37207  
City, State, Zip Code

(615) 251-0025  
Phone Number

(615) 967-4787  
Phone Number

Edl@timar@ahrhousing.org  
Email

sean@rscbuild  
Email

Zoning Examiner: [Signature]

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3602565

**ZONING BOARD APPEAL / CAAZ - 20190008132**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 09206043200

APPLICATION DATE: 02/08/2019

**SITE ADDRESS:**

811 LENA ST NASHVILLE, TN 37208  
PT LOTS 13 & 14 LENA COURT

PARCEL OWNER: AFFORDABLE HOUSING RESOURCES, INC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Required: Per 17.20.120 Sidewalks required

Request not to install sidewalks or contribute

Required: Per 17.40.670 Required 3' setback for at least 25% of the depth of the structure beginning at the street...

Request: Minimum 5' side setback...

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Affordable Housing Resource*  
**APPELLANT**

*2/5/19*  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

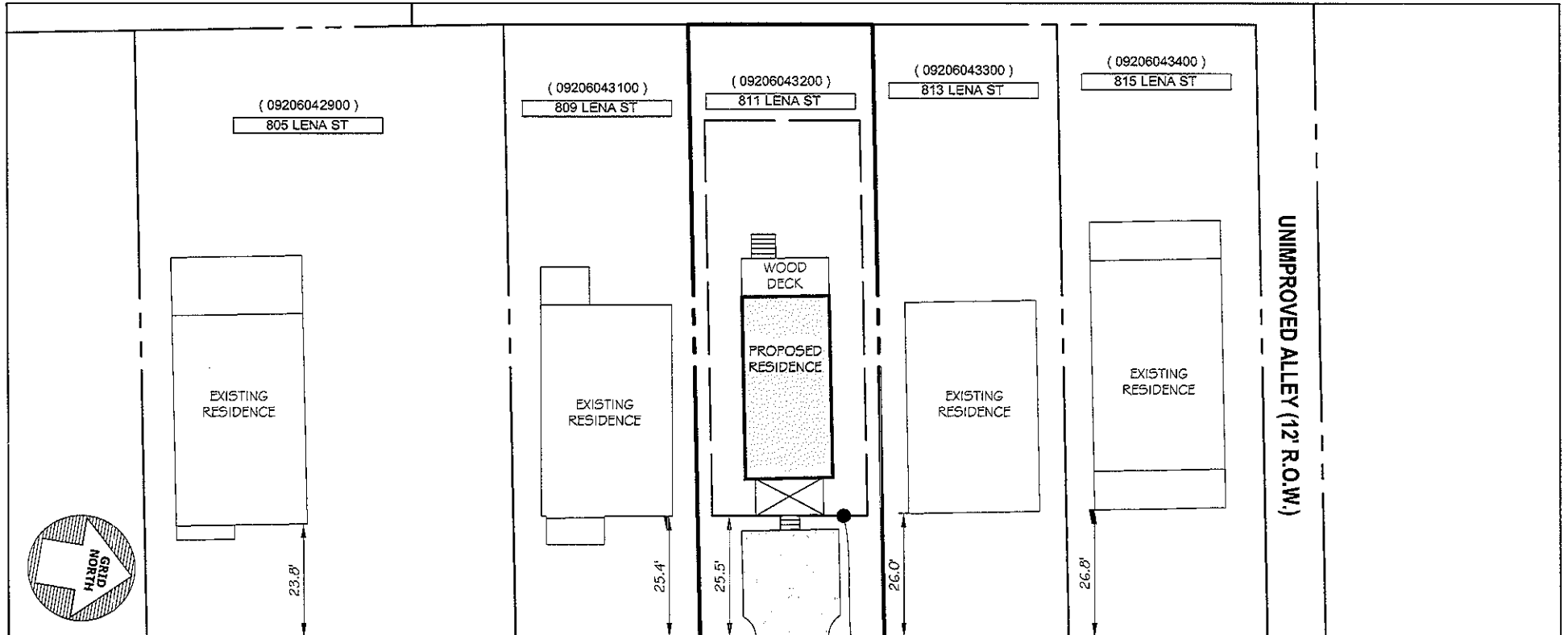
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Affordable Housing Resources - requesting variance:  
- for sidewalk requirements  
- for side setback requirements due to the size of the lots*

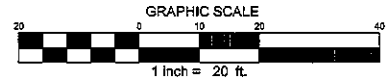
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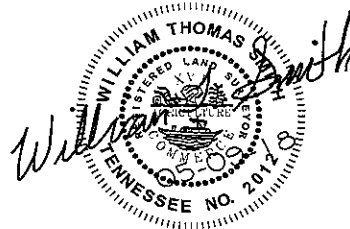
**LENA ST (50' R.O.W.)**

25.5' FRONT SETBACK  
(CONTEXTUAL)



Prepared By:  
**W.T. Smith- Land Surveying**

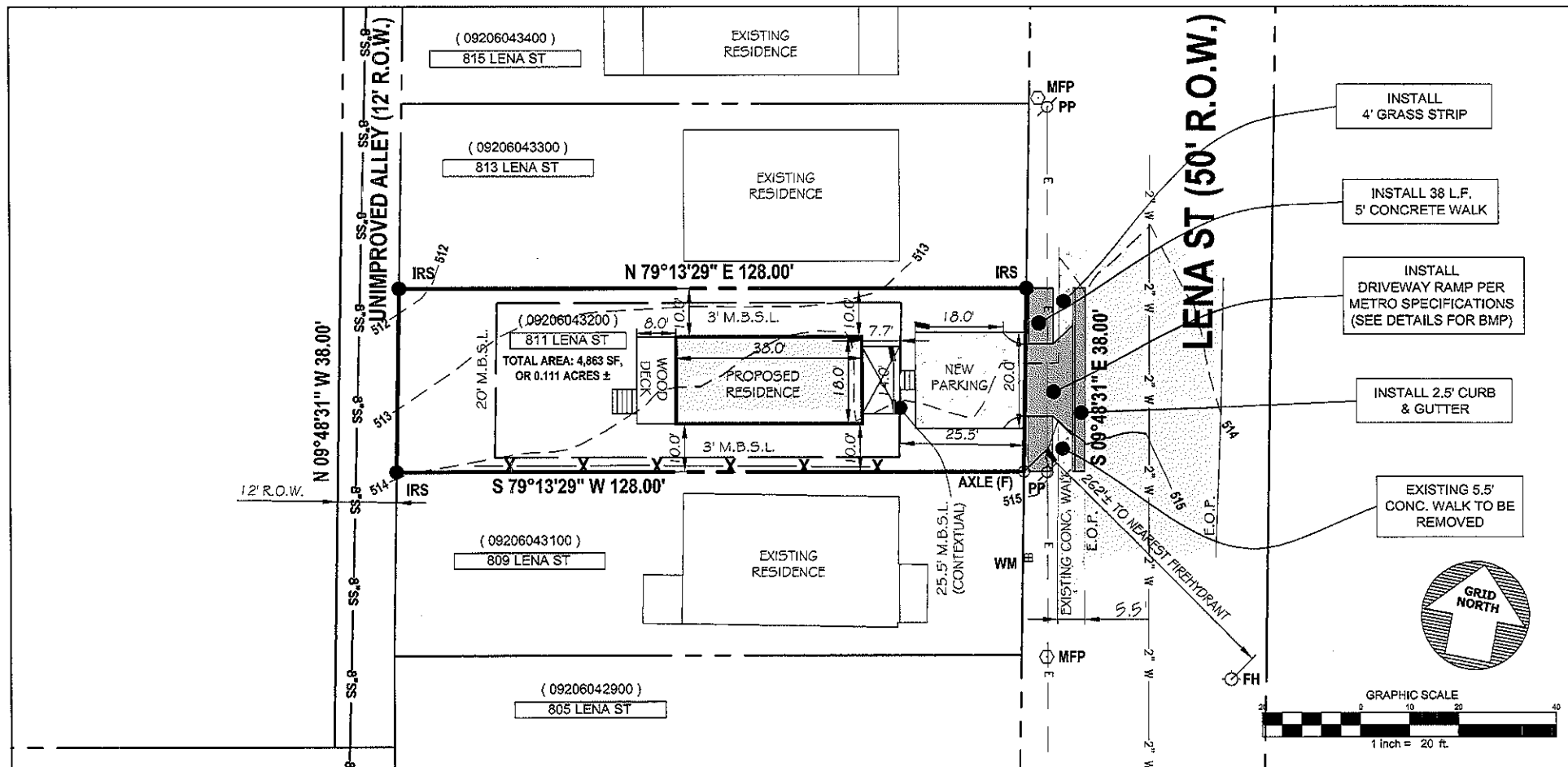
1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**Building Setbacks**  
811 Lena Street  
Nashville - Davidson Co., Tn.

SHEET NO.

**B-1.0**



Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

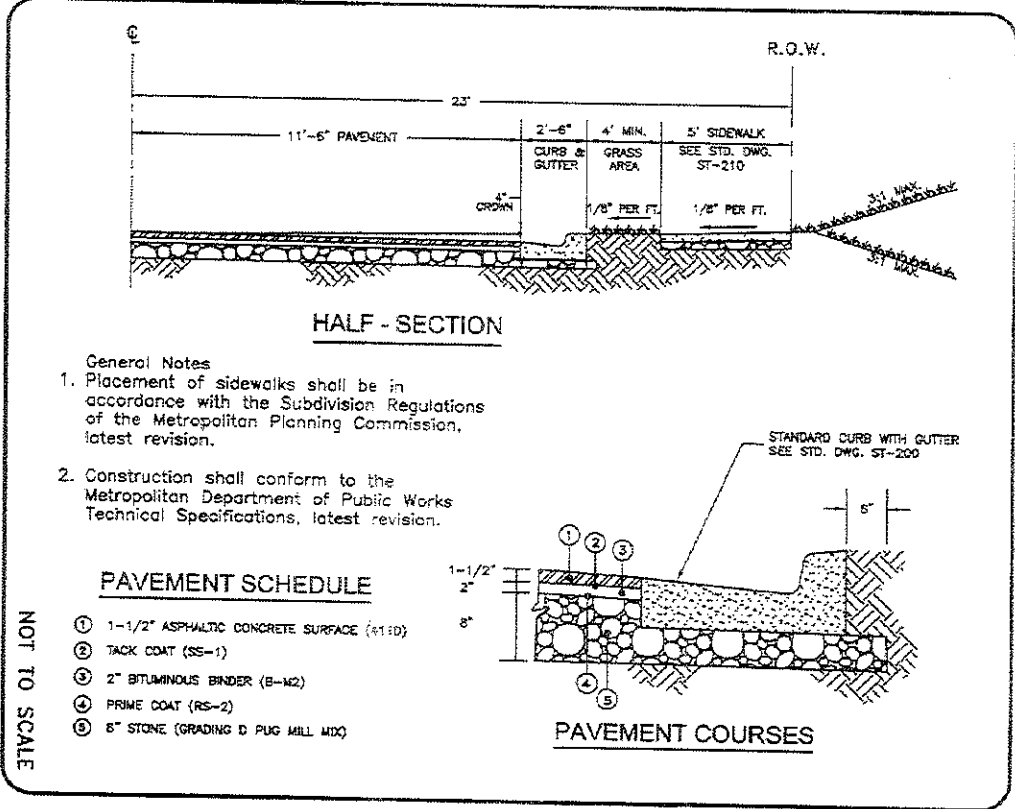


**Sidewalk  
 Construction Plan**  
 811 Lena Street  
 Nashville - Davidson Co., Tn.

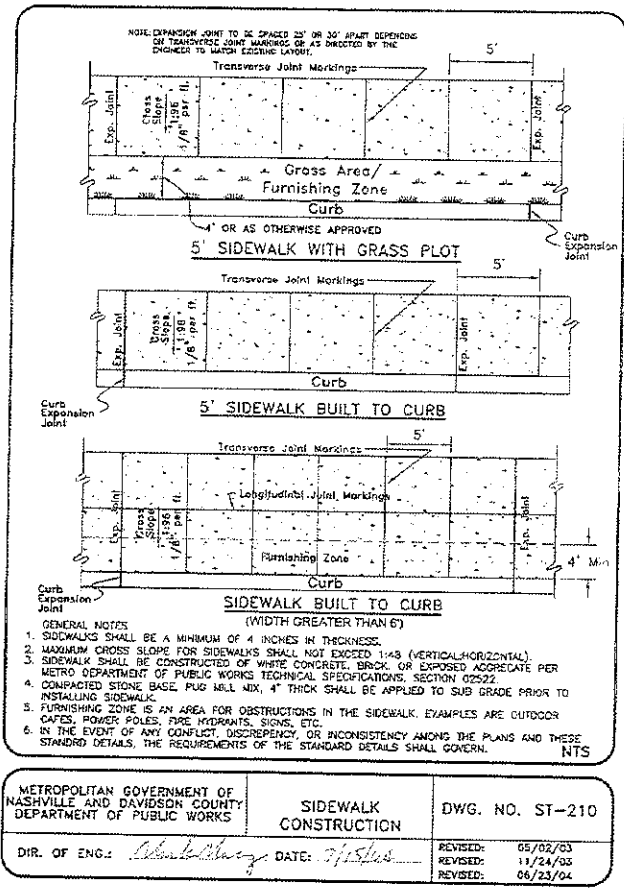
SHEET NO.  
**W-1.0**

ASST. DIR. ENG. *W. T. Smith*  
 DIRECTOR: *A. J. Steiner*  
 DATE: 5/3/01  
 REVISED: 04/09/01

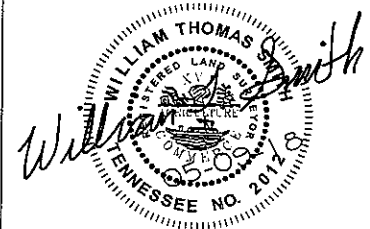
METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS  
 RESIDENTIAL - LOW DENSITY MINOR LOCAL STREET (46' R.O.W.)  
 DWG. NO. ST-251



NOT TO SCALE

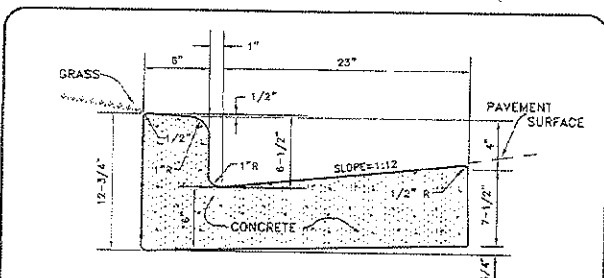


Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com

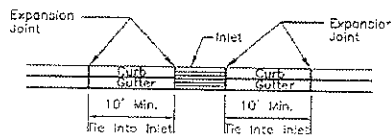


**Sidewalk Construction Details**  
 811 Lena Street  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**W-2.0**



TYPICAL CROSS - SECTION



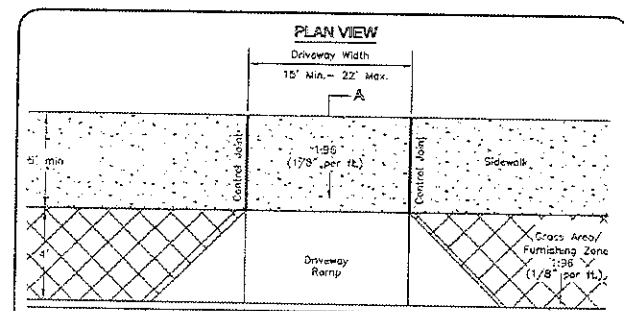
FRONT VIEW

GENERAL NOTES

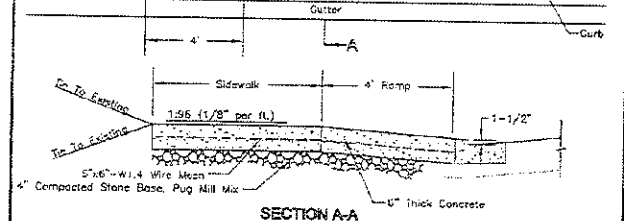
- Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
- Expansion joints will also be required at tangent points, ramps, and inlets.
- Contraction joints are to be cut into curb and gutter every 10 feet to a depth of D/4, where D equals the thickness of the section. The spacing of 10 feet may be reduced at closures but no section of curb and gutter shall be less than 10 feet.
- There will be a minimum of 10 feet tie in at curb inlets on each side of the inlet. An expansion joint will be used on each side of the tie in.
- Cost of contraction joints to be included in the unit bid price for concrete curb with gutter.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	STANDARD CURB WITH GUTTER	DWG. NO. ST-200
DIR. OF ENG.: <i>Mark May</i> DATE: 5/12/03	REVISED: 07/23/00 REVISED: 05/05/03	



PLAN VIEW



SECTION A-A

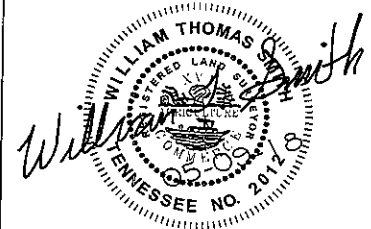
- NOTE: 1. Cross-slope of sidewalk shall not exceed 1:48 (vertical:horizontal).  
2. Fiber mesh reinforcement is an approved alternative for the wire mesh. Fiber mesh reinforcement will be added to the concrete at the batch plant at the rate of 1 1/2 pounds per cubic yard.  
3. Concrete shall be 6 inches thick.

NOT TO SCALE

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS	NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP	DWG. NO. ST-322
DIR. OF ENG.: <i>Mark May</i> DATE: 5/12/03	REVISED: 07/23/00 REVISED: 05/05/03	

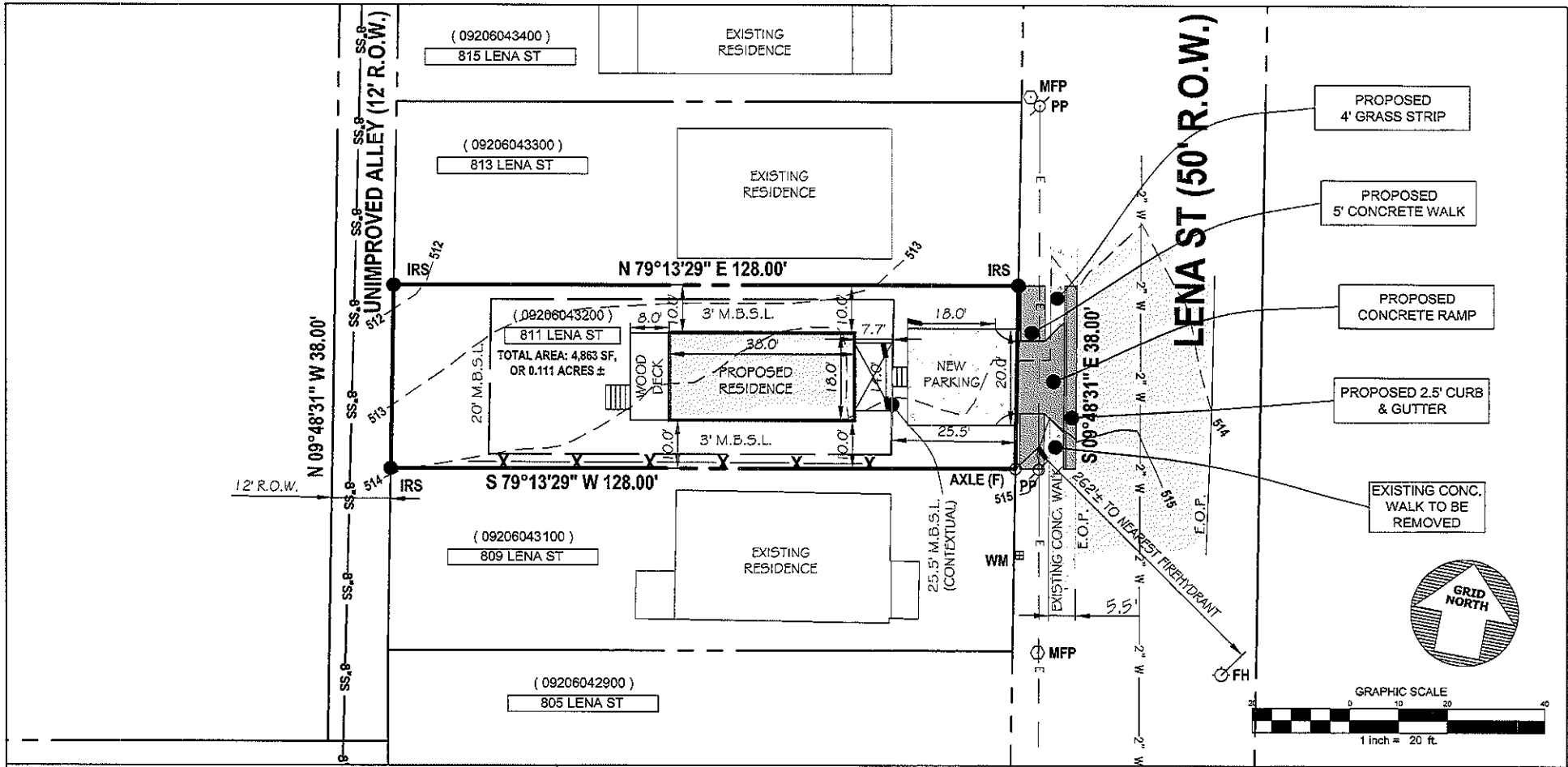
Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



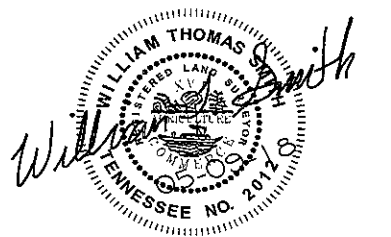
**Sidewalk Construction**  
**Details & Notes**  
811 Lena Street  
Nashville - Davidson Co., Tn.

SHEET NO.  
**W-3.0**



- PROPOSED 4' GRASS STRIP
- PROPOSED 5' CONCRETE WALK
- PROPOSED CONCRETE RAMP
- PROPOSED 2.5' CURB & GUTTER
- EXISTING CONC. WALK TO BE REMOVED

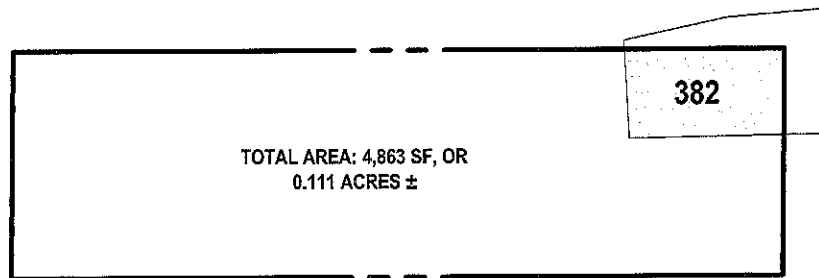
Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
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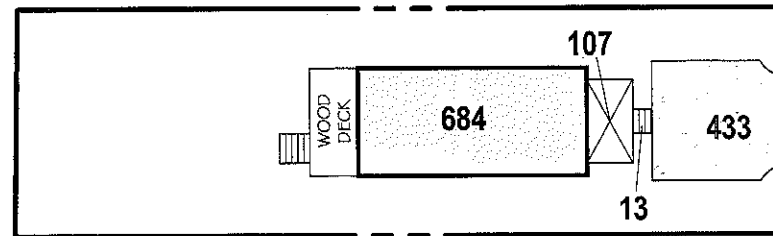
**Site Plan**  
**811 Lena Street**  
**Nashville - Davidson Co., Tn.**

SHEET NO.  
**S-1.0**

**PRE-DEVELOPMENT**



**POST-DEVELOPMENT**



**SITE DATA: PRE-DEVELOPMENT**

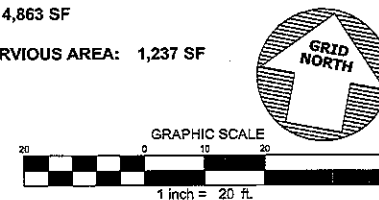
TOTAL SITE AREA: 4,863 SF  
 PRE-DEVELOPMENT IMPERVIOUS AREA: 382 SF  
 Buildings: 0 SF  
 Porches: 0 SF  
 Parking/Drives: 382 SF  
 Walks/Pads/Misc. 0 SF

**SITE DATA: POST-DEVELOPMENT**

TOTAL SITE AREA: 4,863 SF  
 POST-DEVELOPMENT IMPERVIOUS AREA: 1,237 SF @ 25.4%  
 Buildings: 684 SF  
 Porches: 107 SF  
 Parking/Drives: 433 SF  
 Walks/Pads/Misc. 13 SF  
 POST-DEVELOPMENT NET GAIN: 855 SF (TIER - N/A)

**STORM WATER NET GAIN TREATMENT**

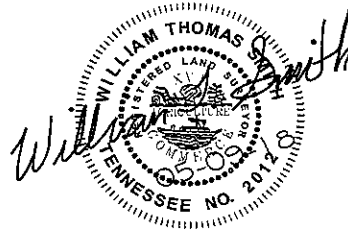
TOTAL SITE AREA: 4,863 SF  
 POST-DEVELOPMENT IMPERVIOUS AREA: 1,237 SF  
 TREATMENT - NOT NEEDED



Prepared By:

**W.T. Smith- Land Surveying**

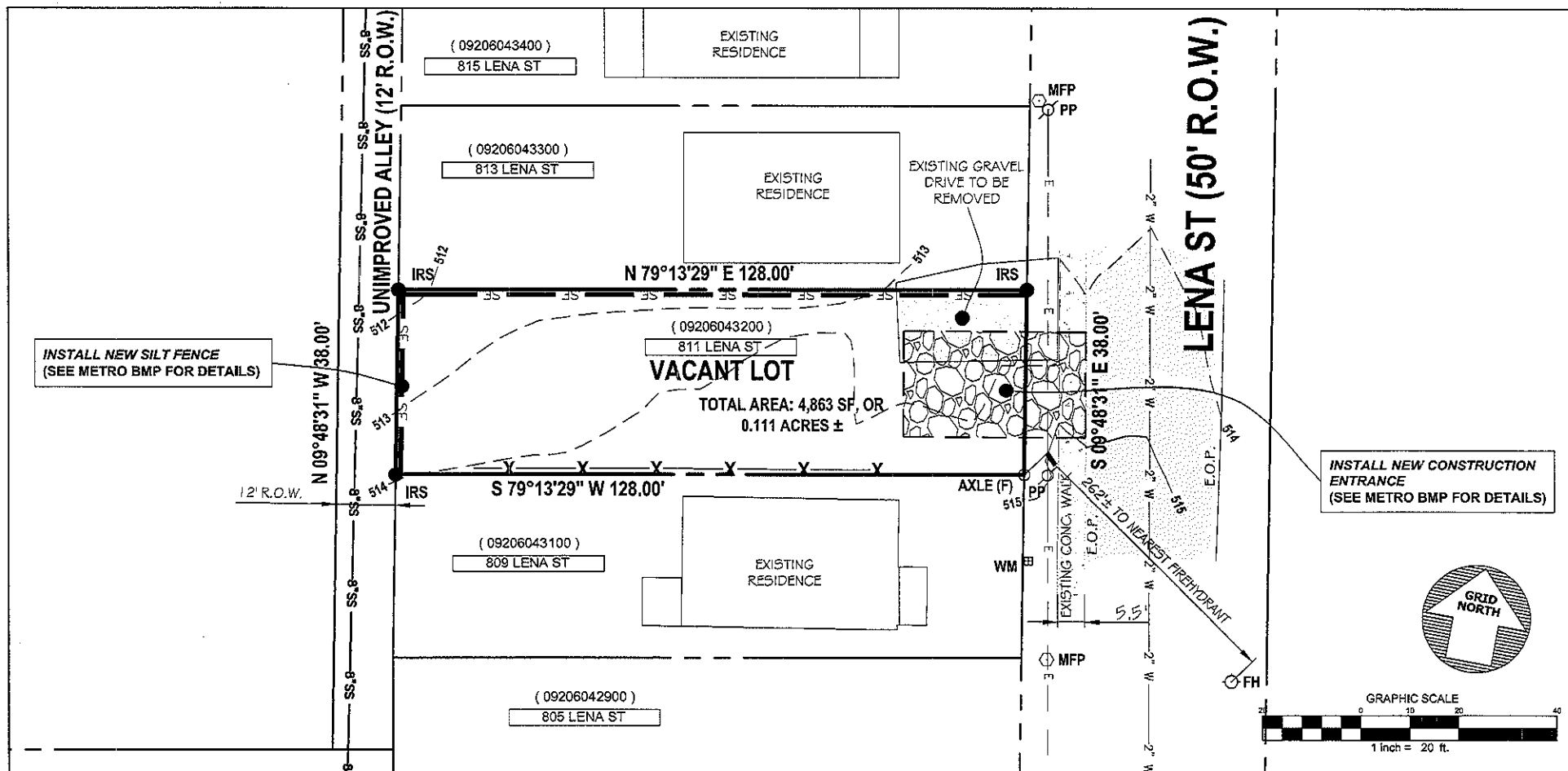
1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Impervious Areas**  
 811 Lena Street  
 Nashville - Davidson Co., Tn.

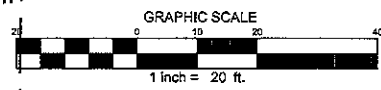
SHEET NO.

**S-2.0**

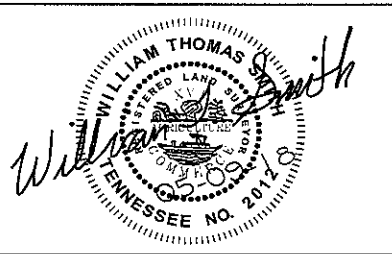


INSTALL NEW SILT FENCE  
(SEE METRO BMP FOR DETAILS)

INSTALL NEW CONSTRUCTION  
ENTRANCE  
(SEE METRO BMP FOR DETAILS)



Prepared By:  
**W.T. Smith- Land Surveying**  
 1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**EPSC Plan**  
**811 Lena Street**  
**Nashville - Davidson Co., Tn.**

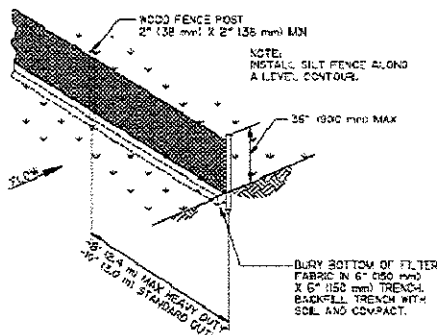
SHEET NO.  
**E-1.0**

**SITE GRADING & EROSION CONTROL NOTES**

1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
2. CLEAN SILT BARRIERS WHEN THEY ARE APPROXIMATELY 33 % FILLED WITH SEDIMENT, SILT BARRIERS SHALL BE REPLACED AS EFFECTIVENESS IS SIGNIFICANTLY REDUCED, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
3. REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(S), DRIVEWAYS, GRADE ADJACENT TO BUILDINGS, AND SWALES REGARDLESS WHETHER PLANS GRAPHICALLY PORTRAY OR INDICATE SLOPE. FINAL CONSTRUCTION SHALL NOT PERMIT PONDING OF WATER IN ANY OF FOREGOING AREAS.



**CALL BEFORE YOU DIG!**  
**TENNESSEE ONE CALL IT'S THE LAW**  
 UTILITIES PROTECTION CENTER  
 IN TENNESSEE CALL  
 1-800-351-1111  
 1-800-366.1987  
 THREE WORKING DAYS BEFORE YOU DIG  
 IT IS THE CONTRACTORS RESPONSIBILITY  
 TO CONTACT UTILITY COMPANIES PRIOR  
 TO ANY CONSTRUCTION. THE LOCATION  
 OF UTILITIES SHOWN HEREON ARE  
 APPROXIMATE AND POSSIBLY INCOMPLETE.  
 THEREFORE CERTIFICATION TO THE LOCATION  
 OF ALL UNDERGROUND UTILITIES IS  
 WITHHELD.



TYPICAL PREFABRICATED SILT FENCE INSTALLATION  
 N.T.S.

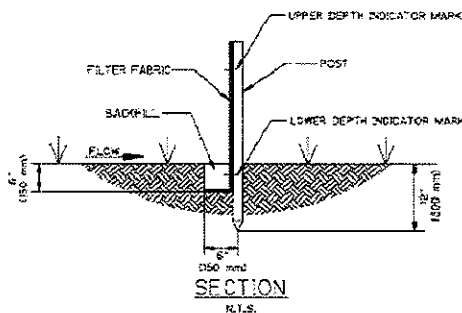
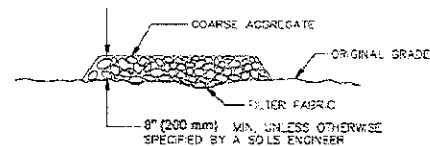
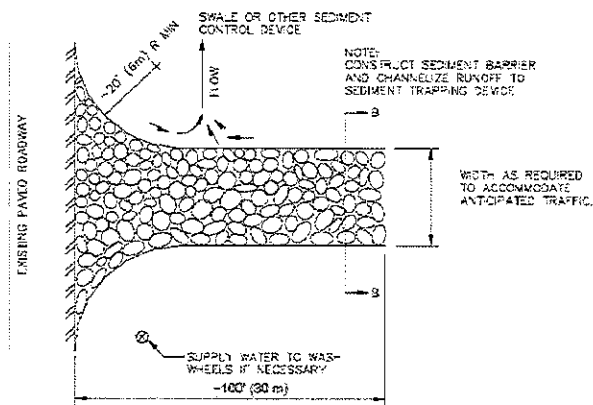


Figure TCP-13-1  
 Silt Fence Anchoring



SECTION B-B  
 N.T.S.

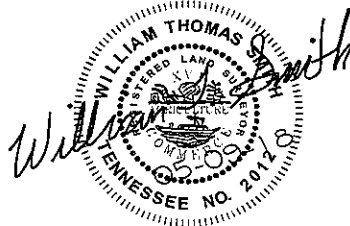


PLAN VIEW  
 N.T.S.

Figure TCP-05-1  
 Stabilized Construction Entrance

Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



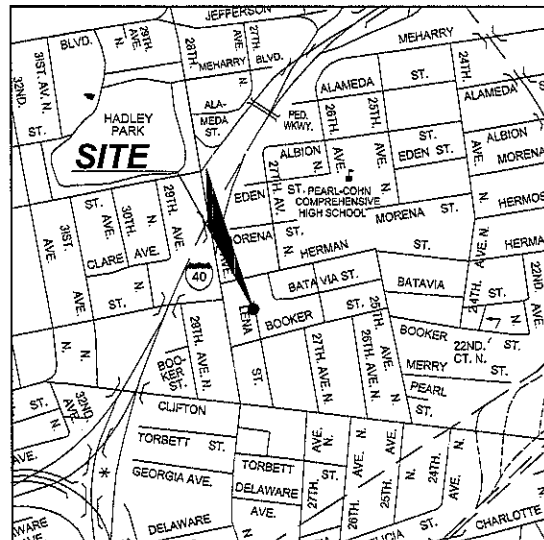
**Erosion-Sediment  
 Control Details**  
 811 Lena Street  
 Nashville - Davidson Co., Tn.

SHEET NO.  
**E-2.0**



**SHEET INDEX:**

- C1.0 - COVER SHEET (GENERAL NOTES)
- S1.0 - SITE PLAN
- S2.0 - SITE CALCULATIONS (IMPERVIOUS-LOT COVERAGE)
- E1.0 - EROSION PREVENTION & SEDIMENT CONTROL PLAN
- E2.0 - EROSION PREVENTION & SEDIMENT CONTROL DETAILS
- B1.0 - BUILDING CONTEXTUAL AVERAGE SETBACKS
- W1.0 - SIDEWALK CONSTRUCTION PLAN
- W2.0 - SIDEWALK CONSTRUCTION DETAILS
- W3.0 - SIDEWALK CONSTRUCTION NOTES



**LOCATION-MAP**  
NOT-TO-SCALE

**SITE DATA:**

1. Total Site Area 4,863 S.F., or 0.111 Acres ±
2. Tax ID: 09206043200
3. **Owner and/or Developer**  
Sean Roberge  
RSC, LLC  
925 N 5th St  
Nashville, Tn. 37207  
Phone:(615)-967-4787, Email: sean@rsc.build
4. Subject property base zoning - **RS5.**
5. **Setbacks:**  
Contextual Front M.B.S.L. - 25.5'  
Side M.B.S.L. - 3'  
Rear M.B.S.L. - 20'
6. **Districts:**  
Urban Services District  
21st Councilman District  
Councilman - Ed Kindall

Prepared By:

***W.T. Smith- Land Surveying***

1004 Hickory Hill Lane - Suite #10  
Hermitage, TN 37076  
Phone: 615-712-6693  
Email: tommy@wtsmithsurvey.com



**COVERSHEET**

**811 Lena Street  
Nashville - Davidson Co., Tn.**

SHEET NO.

**C-1.0**





**SCHEDULE NOTES**

1. SEE ALL PARTS, CONDITIONS, MATERIALS, FINISHES, AND CONDITIONS IN ALL RELATED SCHEDULES.
2. CONTRACTOR IS RESPONSIBLE FOR ALL SCHEDULING, SEQUENCING, AND INSTALLATION/REMOVALS.

**WOOD HEADER SCHEDULE**

DESCRIPTION	SECTION	SIZE	WALL TYPE
010 to 020'	1	2x4	DOUBLE
020 to 040'	2	2x4	DOUBLE
040 to 060'	3	2x4	DOUBLE
060 to 080'	4	2x4	DOUBLE
080 to 100'	5	2x4	DOUBLE
100 to 120'	6	2x4	DOUBLE
120 to 140'	7	2x4	DOUBLE

**STEEL UNTEL SCHEDULE**

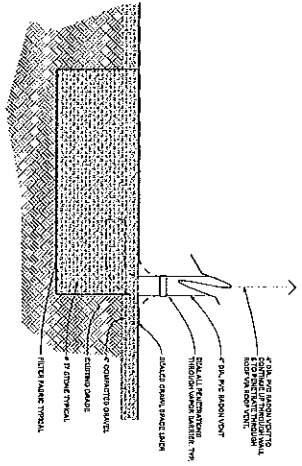
DESCRIPTION	SECTION	SIZE	WALL TYPE
010 to 020'	1	4x4	DOUBLE
020 to 040'	2	4x4	DOUBLE
040 to 060'	3	4x4	DOUBLE
060 to 080'	4	4x4	DOUBLE
080 to 100'	5	4x4	DOUBLE
100 to 120'	6	4x4	DOUBLE
120 to 140'	7	4x4	DOUBLE

**CONCRETE UNTEL SCHEDULE**

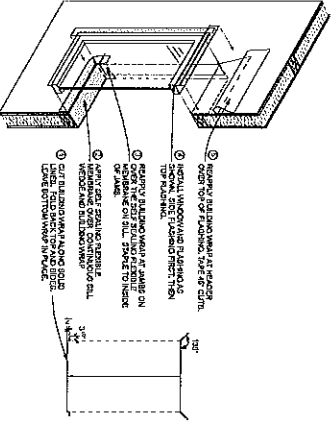
DESCRIPTION	SECTION	SIZE	WALL TYPE
010 to 020'	1	4x4 CONCRETE	DOUBLE
020 to 040'	2	4x4 CONCRETE	DOUBLE
040 to 060'	3	4x4 CONCRETE	DOUBLE
060 to 080'	4	4x4 CONCRETE	DOUBLE
080 to 100'	5	4x4 CONCRETE	DOUBLE
100 to 120'	6	4x4 CONCRETE	DOUBLE
120 to 140'	7	4x4 CONCRETE	DOUBLE

**CMU UNTEL SCHEDULE**

DESCRIPTION	SECTION	SIZE	WALL TYPE
010 to 020'	1	8" CMU	DOUBLE
020 to 040'	2	8" CMU	DOUBLE
040 to 060'	3	8" CMU	DOUBLE
060 to 080'	4	8" CMU	DOUBLE
080 to 100'	5	8" CMU	DOUBLE
100 to 120'	6	8" CMU	DOUBLE
120 to 140'	7	8" CMU	DOUBLE



**RADON PIT DETAIL**



**WINDOW FLASHING DETAIL**

**GENERAL NOTES - OPENINGS:**

1. THE ARCHITECT, CONTRACTOR AND OWNER APPROVED WINDOW AND DOOR SCHEDULES SHALL CHECK COMPATIBILITY AND APPROVE THE WINDOW AND DOOR SCHEDULES, ELEVATIONS AND SCHEDULES FOR THE WINDOW AND DOOR SCHEDULES.
2. ANY ALL PARTS, CONDITIONS, MATERIALS, FINISHES, AND CONDITIONS IN ALL RELATED SCHEDULES SHALL BE SUBJECT TO THE ARCHITECT'S REVIEW AND APPROVAL.
3. COMPATIBILITY OF WINDOW SCHEDULES SHALL BE BASED ON THE WINDOW SCHEDULES PROVIDED IN THESE DOCUMENTS.
4. IT IS RECOMMENDED THAT ALL DOORS AND WINDOWS BE INSTALLED BY THE APPLICABLE DOOR AND WINDOW SCHEDULES. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND FINISHES RELATED TO THE ITEMS INSTALLED PER WINDOW AND DOOR SCHEDULES.
5. ALL DETAIL RELATED INQUIRIES SHALL BE SUBMITTED IN WRITING TO THE ARCHITECT PRIOR TO PROCEEDING.

**DOOR NOTES:**

1. INTERIOR DOORS SHALL BE 1 3/8" SOLID CORE WIP OR PRIMED WOOD ONLY AND PNEUMATIC PER SCHEDULE. NO SOLID DOORS. ALL DOOR TYPES SHALL BE AS SHOWN IN SCHEDULE.
2. ALL INTERIOR DOORS TO BE OAK UNLESS OTHERWISE SPECIFIED.
3. ALL INTERIOR DOORS SHALL BE OAK UNLESS OTHERWISE SPECIFIED.
4. ALL DOOR HARDWARE TO BE ADA COMPLIANT.

**DOOR SCHEDULE**

DOOR	SIZE	FRAME	DOOR	HARDWARE	DESCRIPTION/NOTES
010	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
020	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
030	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
040	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
050	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
060	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
070	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
080	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
090	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
100	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
110	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
120	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
130	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
140	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
150	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
160	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
170	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
180	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
190	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
200	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
210	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
220	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
230	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
240	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
250	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
260	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
270	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
280	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
290	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE
300	3'-0" x 6'-0"	NO	NO	NO	INSULATED INTERIOR SWINGING SET DOOR/STAIR CASE

**LEGEND**

- ① PERI • TEMPERED SAFETY GLAZING
- ② LAMIN • LAMINATED SAFETY GLAZING
- ③ PLATEGL • 1/4" PLATEGLASS
- ④ HOLLOW • HOLLOW METAL
- NO • WOOD
- SO • SOLID CORE WOOD
- AL • ALUMINUM
- GL • GLASS
- IG • INSULATED GLASS
- SH • DOUBLE GLAZING
- PS • PSEUDOGLASS

**WINDOW NOTES:**

1. FINISHES OF WINDOW SCHEDULES SHALL BE BASED ON THE WINDOW SCHEDULES PROVIDED IN THESE DOCUMENTS.
2. FINISHES OF WINDOW SCHEDULES SHALL BE BASED ON THE WINDOW SCHEDULES PROVIDED IN THESE DOCUMENTS.
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7. FINISHES OF WINDOW SCHEDULES SHALL BE BASED ON THE WINDOW SCHEDULES PROVIDED IN THESE DOCUMENTS.
8. FINISHES OF WINDOW SCHEDULES SHALL BE BASED ON THE WINDOW SCHEDULES PROVIDED IN THESE DOCUMENTS.

**WINDOW SCHEDULE**

ID	DOOR	FRAME	GLASS	FINISHES	DESCRIPTION/NOTES
010	010	010	010	010	010
020	020	020	020	020	020
030	030	030	030	030	030
040	040	040	040	040	040
050	050	050	050	050	050
060	060	060	060	060	060
070	070	070	070	070	070
080	080	080	080	080	080
090	090	090	090	090	090
100	100	100	100	100	100
110	110	110	110	110	110
120	120	120	120	120	120
130	130	130	130	130	130
140	140	140	140	140	140
150	150	150	150	150	150
160	160	160	160	160	160
170	170	170	170	170	170
180	180	180	180	180	180
190	190	190	190	190	190
200	200	200	200	200	200
210	210	210	210	210	210
220	220	220	220	220	220
230	230	230	230	230	230
240	240	240	240	240	240
250	250	250	250	250	250
260	260	260	260	260	260
270	270	270	270	270	270
280	280	280	280	280	280
290	290	290	290	290	290
300	300	300	300	300	300



**SPECIFICATIONS:**

**DIVISION 01**  
**General Conditions**

The Contractor shall be responsible for the following items:  
1. Obtain all necessary permits from the local, state and federal authorities.  
2. Obtain all necessary utility information and locate all utilities.  
3. Obtain all necessary survey information and establish all control points.  
4. Obtain all necessary information regarding the site and its surroundings.  
5. Obtain all necessary information regarding the project and its requirements.  
6. Obtain all necessary information regarding the project and its schedule.  
7. Obtain all necessary information regarding the project and its quality.  
8. Obtain all necessary information regarding the project and its safety.  
9. Obtain all necessary information regarding the project and its environment.  
10. Obtain all necessary information regarding the project and its community.

**Permits and Inspections**

The Contractor shall be responsible for obtaining all necessary permits and inspections for the project. This includes, but is not limited to, the following:  
1. Building permit from the local authority.  
2. Electrical permit from the local authority.  
3. Mechanical permit from the local authority.  
4. Plumbing permit from the local authority.  
5. Fire department inspection.  
6. Health department inspection.  
7. Environmental inspection.  
8. Safety inspection.  
9. Quality inspection.  
10. Final inspection.

**Prior to Construction Commencement**

Before construction begins, the Contractor shall submit to the Owner a detailed construction schedule. This schedule shall include, but is not limited to, the following:  
1. A list of all construction activities.  
2. A list of all construction materials and equipment.  
3. A list of all construction labor.  
4. A list of all construction subcontractors.  
5. A list of all construction vendors.  
6. A list of all construction suppliers.  
7. A list of all construction contractors.  
8. A list of all construction consultants.  
9. A list of all construction inspectors.  
10. A list of all construction officials.

**Project Site Conditions**

The Contractor shall be responsible for identifying and addressing all project site conditions. This includes, but is not limited to, the following:  
1. Existing structures and foundations.  
2. Existing utilities and services.  
3. Existing site conditions and features.  
4. Existing site access and egress.  
5. Existing site boundaries and easements.  
6. Existing site zoning and regulations.  
7. Existing site environmental conditions.  
8. Existing site safety hazards.  
9. Existing site quality issues.  
10. Existing site community concerns.

**Substantial and Final Completion**

The Contractor shall be responsible for determining when the project is substantially complete and when it is finally complete. This includes, but is not limited to, the following:  
1. Substantial completion: The project is ready for occupancy and use.  
2. Final completion: The project is fully completed and ready for occupancy and use.  
3. The Contractor shall provide written notice to the Owner when the project is substantially complete.  
4. The Contractor shall provide written notice to the Owner when the project is finally complete.

**Project Warranties**

The Contractor shall be responsible for providing warranties for all work and materials provided under the contract. This includes, but is not limited to, the following:  
1. Workmanship warranty.  
2. Materials warranty.  
3. Equipment warranty.  
4. Labor warranty.  
5. Subcontractor warranty.  
6. Vendor warranty.  
7. Supplier warranty.  
8. Contractor warranty.  
9. Consultant warranty.  
10. Inspector warranty.

**DIVISION 02**  
**Structures**

The Contractor shall be responsible for the construction of all structures, including but not limited to:  
1. Foundations.  
2. Walls.  
3. Floors.  
4. Ceilings.  
5. Roofs.  
6. Stairs.  
7. Balconies.  
8. Decks.  
9. Porches.  
10. Other structures.

**DIVISION 03**  
**Electrical**

The Contractor shall be responsible for the installation of all electrical systems, including but not limited to:  
1. Wiring.  
2. Panels.  
3. Switches.  
4. Outlets.  
5. Lights.  
6. Motors.  
7. Transformers.  
8. Generators.  
9. UPS systems.  
10. Other electrical equipment.

**DIVISION 04**  
**Plumbing**

The Contractor shall be responsible for the installation of all plumbing systems, including but not limited to:  
1. Pipes.  
2. Fittings.  
3. Valves.  
4. Sinks.  
5. Toilets.  
6. Showers.  
7. Bathtubs.  
8. Water heaters.  
9. Sewer lines.  
10. Other plumbing fixtures.

**DIVISION 05**  
**Mechanical**

The Contractor shall be responsible for the installation of all mechanical systems, including but not limited to:  
1. HVAC systems.  
2. Boilers.  
3. Chillers.  
4. Pumps.  
5. Fans.  
6. Ductwork.  
7. Controls.  
8. Filters.  
9. Other mechanical equipment.  
10. Other mechanical systems.

**DIVISION 06**  
**Fire Protection**

The Contractor shall be responsible for the installation of all fire protection systems, including but not limited to:  
1. Fire alarm systems.  
2. Fire sprinkler systems.  
3. Fire extinguishers.  
4. Fire smoke detectors.  
5. Fire pull stations.  
6. Fire alarm control panels.  
7. Fire alarm notification appliances.  
8. Fire alarm initiating devices.  
9. Fire alarm control units.  
10. Other fire protection equipment.

**DIVISION 07**  
**Paint and Coatings**

The Contractor shall be responsible for the application of all paint and coatings, including but not limited to:  
1. Interior paint.  
2. Exterior paint.  
3. Primer.  
4. Undercoat.  
5. Topcoat.  
6. Sealant.  
7. Stain guard.  
8. Water repellent.  
9. UV inhibitor.  
10. Other paint and coating products.

**DIVISION 08**  
**Woodwork**

The Contractor shall be responsible for the installation of all woodwork, including but not limited to:  
1. Trim.  
2. Cabinetry.  
3. Millwork.  
4. Decking.  
5. Siding.  
6. Shingles.  
7. Roofing.  
8. Flooring.  
9. Stair treads.  
10. Other woodwork products.

**DIVISION 06 - Continued**

The Contractor shall be responsible for the construction of all structures, including but not limited to:  
1. Foundations.  
2. Walls.  
3. Floors.  
4. Ceilings.  
5. Roofs.  
6. Stairs.  
7. Balconies.  
8. Decks.  
9. Porches.  
10. Other structures.

**DIVISION 07**  
**Paint and Coatings**

The Contractor shall be responsible for the application of all paint and coatings, including but not limited to:  
1. Interior paint.  
2. Exterior paint.  
3. Primer.  
4. Undercoat.  
5. Topcoat.  
6. Sealant.  
7. Stain guard.  
8. Water repellent.  
9. UV inhibitor.  
10. Other paint and coating products.

**DIVISION 08**  
**Woodwork**

The Contractor shall be responsible for the installation of all woodwork, including but not limited to:  
1. Trim.  
2. Cabinetry.  
3. Millwork.  
4. Decking.  
5. Siding.  
6. Shingles.  
7. Roofing.  
8. Flooring.  
9. Stair treads.  
10. Other woodwork products.

**DIVISION 09**  
**Specialties**

The Contractor shall be responsible for the installation of all specialty items, including but not limited to:  
1. Mirrors.  
2. Artwork.  
3. Lighting fixtures.  
4. Sinks.  
5. Toilets.  
6. Showers.  
7. Bathtubs.  
8. Water heaters.  
9. Sewer lines.  
10. Other specialty items.

**DIVISION 10**  
**Partitions**

The Contractor shall be responsible for the installation of all partitions, including but not limited to:  
1. Drywall.  
2. Gypsum board.  
3. Acoustic tile.  
4. Acoustic panels.  
5. Acoustic baffles.  
6. Acoustic screens.  
7. Acoustic curtains.  
8. Acoustic blankets.  
9. Acoustic foam.  
10. Other partition products.

**DIVISION 11**  
**Finishes**

The Contractor shall be responsible for the installation of all finishes, including but not limited to:  
1. Carpeting.  
2. Hardwood flooring.  
3. Laminate flooring.  
4. Tile.  
5. Stone.  
6. Granite.  
7. Marble.  
8. Concrete.  
9. Stucco.  
10. Other finish products.

**DIVISION 12**  
**Hardware**

The Contractor shall be responsible for the installation of all hardware, including but not limited to:  
1. Door handles.  
2. Locks.  
3. Latches.  
4. Hinges.  
5. Handles.  
6. Pulls.  
7. Knobs.  
8. Plates.  
9. Escalator handrails.  
10. Other hardware products.

**DIVISION 07 - Continued**

The Contractor shall be responsible for the construction of all structures, including but not limited to:  
1. Foundations.  
2. Walls.  
3. Floors.  
4. Ceilings.  
5. Roofs.  
6. Stairs.  
7. Balconies.  
8. Decks.  
9. Porches.  
10. Other structures.

**DIVISION 08**  
**Woodwork**

The Contractor shall be responsible for the installation of all woodwork, including but not limited to:  
1. Trim.  
2. Cabinetry.  
3. Millwork.  
4. Decking.  
5. Siding.  
6. Shingles.  
7. Roofing.  
8. Flooring.  
9. Stair treads.  
10. Other woodwork products.

**DIVISION 09**  
**Specialties**

The Contractor shall be responsible for the installation of all specialty items, including but not limited to:  
1. Mirrors.  
2. Artwork.  
3. Lighting fixtures.  
4. Sinks.  
5. Toilets.  
6. Showers.  
7. Bathtubs.  
8. Water heaters.  
9. Sewer lines.  
10. Other specialty items.

**DIVISION 10**  
**Partitions**

The Contractor shall be responsible for the installation of all partitions, including but not limited to:  
1. Drywall.  
2. Gypsum board.  
3. Acoustic tile.  
4. Acoustic panels.  
5. Acoustic baffles.  
6. Acoustic screens.  
7. Acoustic curtains.  
8. Acoustic blankets.  
9. Acoustic foam.  
10. Other partition products.

**DIVISION 11**  
**Finishes**

The Contractor shall be responsible for the installation of all finishes, including but not limited to:  
1. Carpeting.  
2. Hardwood flooring.  
3. Laminate flooring.  
4. Tile.  
5. Stone.  
6. Granite.  
7. Marble.  
8. Concrete.  
9. Stucco.  
10. Other finish products.

**DIVISION 12**  
**Hardware**

The Contractor shall be responsible for the installation of all hardware, including but not limited to:  
1. Door handles.  
2. Locks.  
3. Latches.  
4. Hinges.  
5. Handles.  
6. Pulls.  
7. Knobs.  
8. Plates.  
9. Escalator handrails.  
10. Other hardware products.

**DIVISION 13**  
**Mechanical**

The Contractor shall be responsible for the installation of all mechanical systems, including but not limited to:  
1. HVAC systems.  
2. Boilers.  
3. Chillers.  
4. Pumps.  
5. Fans.  
6. Ductwork.  
7. Controls.  
8. Filters.  
9. Other mechanical equipment.  
10. Other mechanical systems.

**DIVISION 14**  
**Electrical**

The Contractor shall be responsible for the installation of all electrical systems, including but not limited to:  
1. Wiring.  
2. Panels.  
3. Switches.  
4. Outlets.  
5. Lights.  
6. Motors.  
7. Transformers.  
8. Generators.  
9. UPS systems.  
10. Other electrical equipment.

**DIVISION 15**  
**Plumbing**

The Contractor shall be responsible for the installation of all plumbing systems, including but not limited to:  
1. Pipes.  
2. Fittings.  
3. Valves.  
4. Sinks.  
5. Toilets.  
6. Showers.  
7. Bathtubs.  
8. Water heaters.  
9. Sewer lines.  
10. Other plumbing fixtures.

**DIVISION 16**  
**Fire Protection**

The Contractor shall be responsible for the installation of all fire protection systems, including but not limited to:  
1. Fire alarm systems.  
2. Fire sprinkler systems.  
3. Fire extinguishers.  
4. Fire smoke detectors.  
5. Fire pull stations.  
6. Fire alarm control panels.  
7. Fire alarm notification appliances.  
8. Fire alarm initiating devices.  
9. Fire alarm control units.  
10. Other fire protection equipment.

**DIVISION 17**  
**Paint and Coatings**

The Contractor shall be responsible for the application of all paint and coatings, including but not limited to:  
1. Interior paint.  
2. Exterior paint.  
3. Primer.  
4. Undercoat.  
5. Topcoat.  
6. Sealant.  
7. Stain guard.  
8. Water repellent.  
9. UV inhibitor.  
10. Other paint and coating products.

**DIVISION 18**  
**Woodwork**

The Contractor shall be responsible for the installation of all woodwork, including but not limited to:  
1. Trim.  
2. Cabinetry.  
3. Millwork.  
4. Decking.  
5. Siding.  
6. Shingles.  
7. Roofing.  
8. Flooring.  
9. Stair treads.  
10. Other woodwork products.

**DIVISION 19**  
**Specialties**

The Contractor shall be responsible for the installation of all specialty items, including but not limited to:  
1. Mirrors.  
2. Artwork.  
3. Lighting fixtures.  
4. Sinks.  
5. Toilets.  
6. Showers.  
7. Bathtubs.  
8. Water heaters.  
9. Sewer lines.  
10. Other specialty items.

**DIVISION 20**  
**Partitions**

The Contractor shall be responsible for the installation of all partitions, including but not limited to:  
1. Drywall.  
2. Gypsum board.  
3. Acoustic tile.  
4. Acoustic panels.  
5. Acoustic baffles.  
6. Acoustic screens.  
7. Acoustic curtains.  
8. Acoustic blankets.  
9. Acoustic foam.  
10. Other partition products.

**DIVISION 21**  
**Finishes**

The Contractor shall be responsible for the installation of all finishes, including but not limited to:  
1. Carpeting.  
2. Hardwood flooring.  
3. Laminate flooring.  
4. Tile.  
5. Stone.  
6. Granite.  
7. Marble.  
8. Concrete.  
9. Stucco.  
10. Other finish products.

**DIVISION 22**  
**Hardware**

The Contractor shall be responsible for the installation of all hardware, including but not limited to:  
1. Door handles.  
2. Locks.  
3. Latches.  
4. Hinges.  
5. Handles.  
6. Pulls.  
7. Knobs.  
8. Plates.  
9. Escalator handrails.  
10. Other hardware products.



**BARNES FUND WINBERRY HOME**  
AFFORDABLE HOUSING RESOURCES  
SITE TBD  
NASHVILLE, TN 37208  
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Project #: 226-17

**SPECIFICATIONS**

SECTION	DESCRIPTION
01	General Conditions
02	Structures
03	Electrical
04	Plumbing
05	Mechanical
06	Fire Protection
07	Paint and Coatings
08	Woodwork
09	Specialties
10	Partitions
11	Finishes
12	Hardware

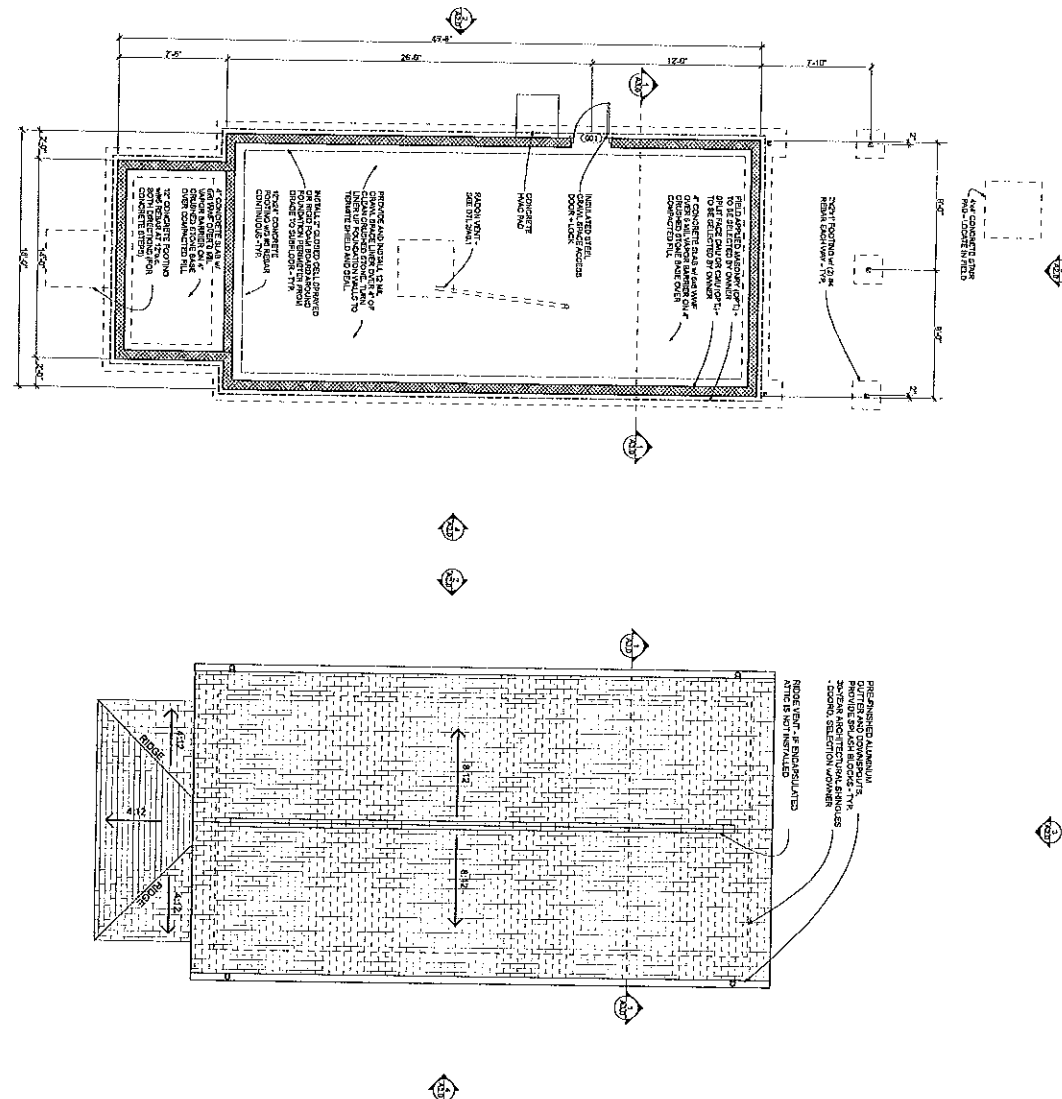
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**GENERAL ROOF PLAN NOTES:**

- A. PROVIDE ARCHITECTURAL ROOF FINISHES WITH FINISH GRADE FINISHES.
- B. COORDINATE COLOR SELECTION AND STYLE WITH OWNER.
- C. COORDINATE ALL GUTTER AND DOWNSPOUT SIZES, TYPES AND LOCATIONS WITH OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING GUTTERS, DOWNSPOUTS AND FINISHES. PROVIDE TO MATCH EXISTING NEIGHBORING GUTTERS, DOWNSPOUTS AND FINISHES.
- D. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- E. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- F. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- G. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- H. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
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- M. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- N. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- O. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.
- P. PROVIDE ALL DOWNSPOUTS WITH LID TO BE DETECTED BY OWNER. PROVIDE TO MATCH EXISTING NEIGHBORING DOWNSPOUTS.

**GENERAL FOUNDATION PLAN NOTES:**

- A. THE CONTRACTOR IS RESPONSIBLE FOR ALL EXCAVATION, GROUND CONDITIONS, AND FOUNDATION DESIGN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
- B. THE CONTRACTOR SHALL STAKE OUT ALL EXISTING FOUNDATION, FOOTING, AND FOUNDATION WALL LOCATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
- C. THE CONTRACTOR SHALL STAKE OUT ALL EXISTING FOUNDATION, FOOTING, AND FOUNDATION WALL LOCATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.
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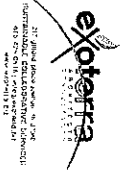
**BARNES FUND WINBERRY HOME**  
**SINGLE FAMILY HOME**  
 AFFORDABLE HOUSING RESOURCES  
 SITE TBD  
 NASHVILLE, TN 37208  
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 Project #: 228-17

FOUNDATION & ROOF PLANS

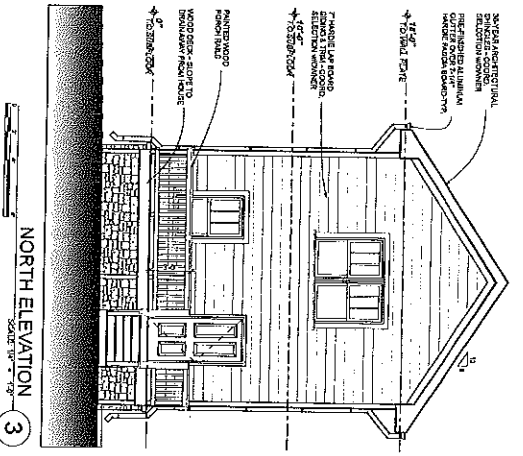
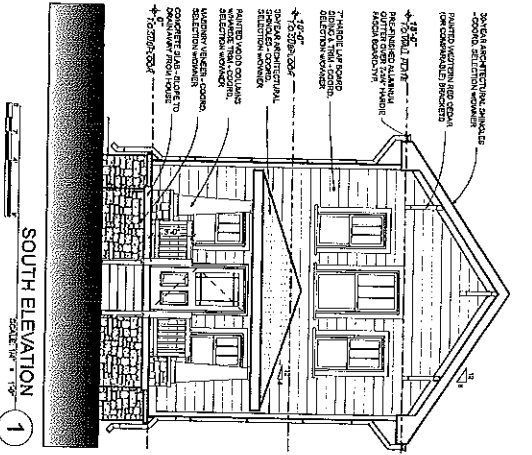
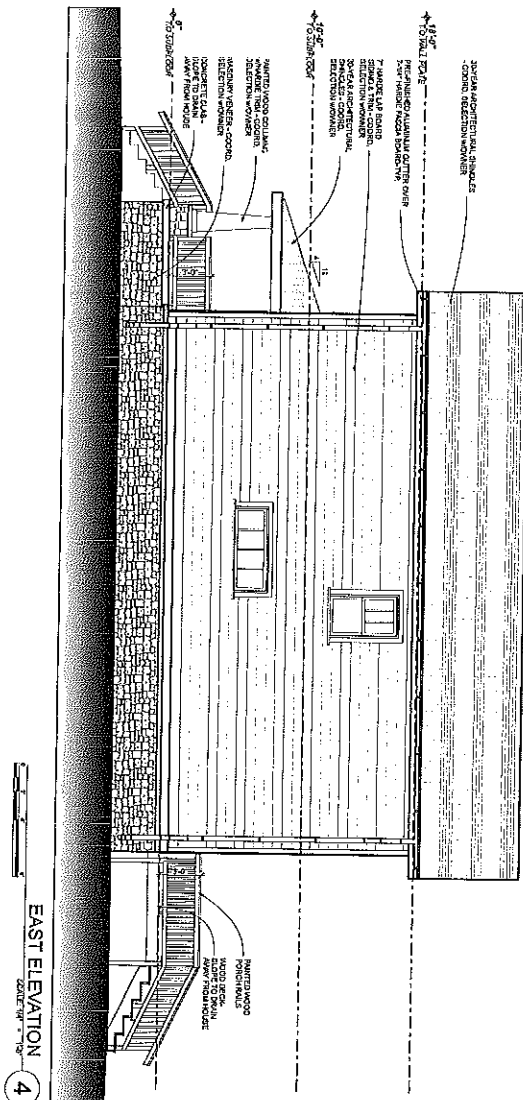
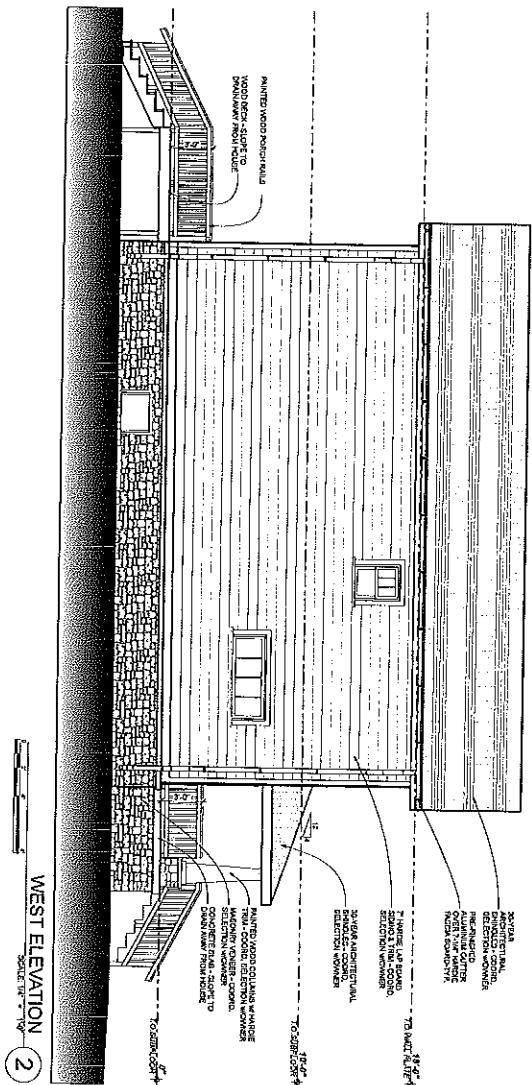
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2	11/21/2019	ISSUED FOR PERMIT
3	11/21/2019	ISSUED FOR PERMIT
4	11/21/2019	ISSUED FOR PERMIT

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 SITE 1B0  
 NASHVILLE, TN 37208  
 EXOTERRA | Architects+Consultants  
 Project #: 228-17

**EXTERIOR ELEVATIONS**

ISSUE DATE	DESCRIPTION
02	ISSUE FOR PERMIT
03	REVISIONS
04	REVISIONS
05	REVISIONS
06	REVISIONS
07	REVISIONS
08	REVISIONS
09	REVISIONS
10	REVISIONS
11	REVISIONS
12	REVISIONS

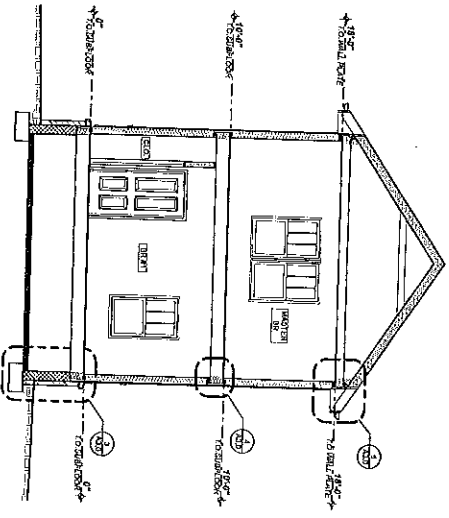
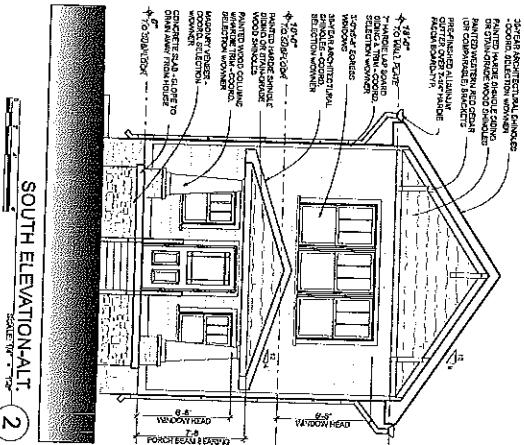
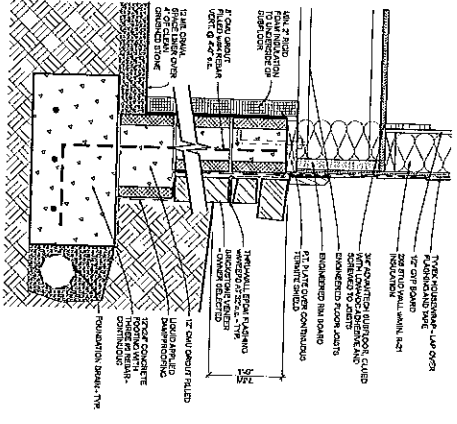
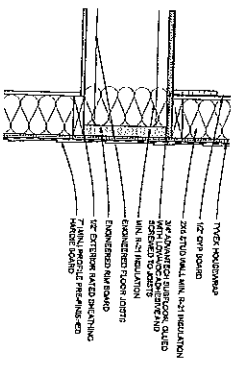
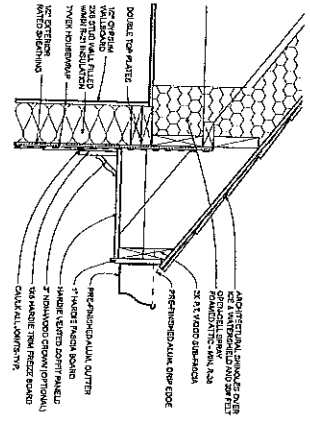
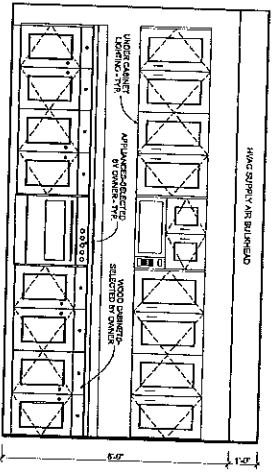
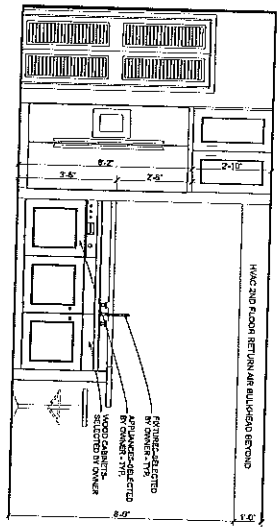
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 ARCHITECTURAL  
 SCALE: 1/8" = 1'-0"





**SPECIFIC SECTION NOTES**

1. ALL SECTION DETAILS SHALL BE DRAWN TO THE MINIMUM DIMENSIONS AND MATERIALS SPECIFIED IN THE ARCHITECTURAL SPECIFICATIONS.
2. TRUSS MEMBERS TO BE SIZED BY STRUCTURAL OR TRUSS ENGINEERS.
3. ALL CEILING JOISTS SHALL BE 2x6 SPACED AT 16" O.C. UNLESS OTHERWISE NOTED.
4. FLOOR AND CEILING FINISHES SHALL BE AS SHOWN ON THE FINISH SCHEDULE.
5. FLOOR AND CEILING JOISTS SHALL BE SIZED BY STRUCTURAL ENGINEERS.
6. APPROPRIATE MEASUREMENTS SHALL BE SHOWN ON THE FINISH SCHEDULE.
7. APPROPRIATE MEASUREMENTS SHALL BE SHOWN ON THE FINISH SCHEDULE.
8. APPROPRIATE MEASUREMENTS SHALL BE SHOWN ON THE FINISH SCHEDULE.
9. APPROPRIATE MEASUREMENTS SHALL BE SHOWN ON THE FINISH SCHEDULE.
10. APPROPRIATE MEASUREMENTS SHALL BE SHOWN ON THE FINISH SCHEDULE.



**BARNES FUND WINBERRY HOME**  
SINGLE FAMILY HOME

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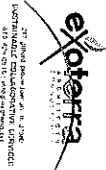
EXOTERRA | Architects+Consultants  
Project #: 226-17

**SECTIONS & DETAILS**

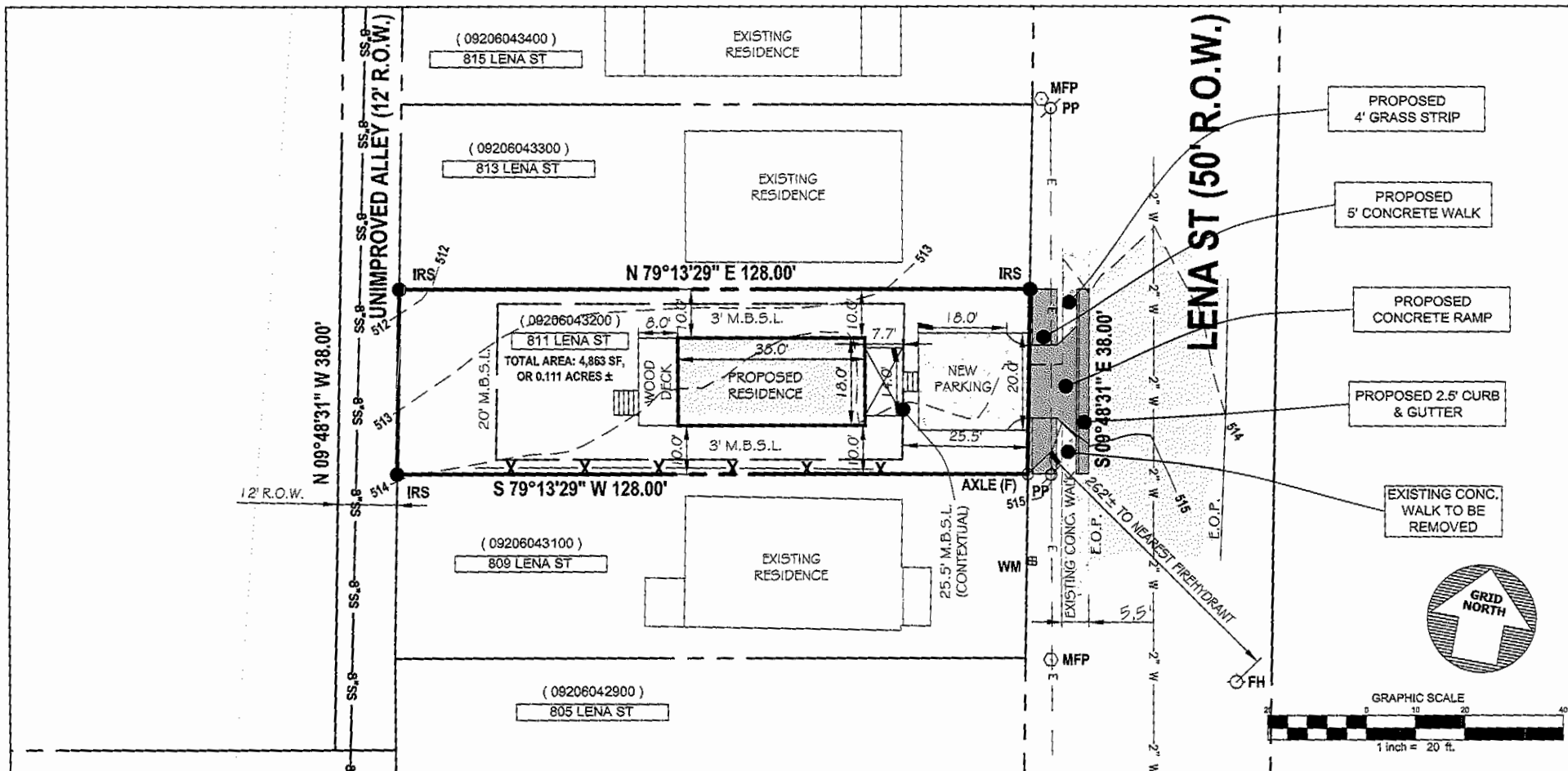
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3	11/15/19	REVISION
4	11/15/19	REVISION
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6	11/15/19	REVISION
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9	11/15/19	REVISION
10	11/15/19	REVISION

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11/15/19

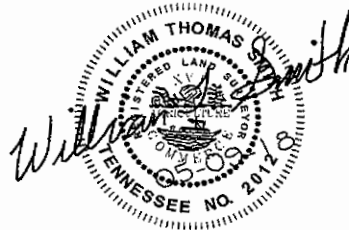


27 JUNE 2019  
EXOTERRA ARCHITECTS+CONSULTANTS  
415 5TH AVENUE, SUITE 1111  
NASHVILLE, TN 37203



Prepared By:  
**W.T. Smith- Land Surveying**

1004 Hickory Hill Lane - Suite #10  
 Hermitage, TN 37076  
 Phone: 615-712-6693  
 Email: tommy@wtsmithsurvey.com



**Site Plan**  
 811 Lena Street  
 Nashville - Davidson Co., Tn.

SHEET NO.

**S-1.0**

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-126 (811 Lena Street)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	RS5
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	Approximately 511' east of #21 – University Connector
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family structure on the property through the Barnes Housing Trust Fund, which helps to provide more affordable housing in the city. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage which is consistent with adjacent parcels to the north and south.
- (2) Right-of-way dedications will ensure that Metro does not have to purchase portions of the property in the future to construct sidewalks.
- (3) Requiring additional infrastructure on properties already donated by Metro through the Barnes Fund for affordable housing competes with Metro's priority to provide more affordable housing in Nashville.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way along the property frontage to accommodate a future 4' grass strip and 5' sidewalk.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Jody Roberts

Date: Feb 13 2019

Property Owner: Land Development.com Inc

Case #: 2019-127

Representative: Jody Roberts

Map & Parcel: 08103015800

Council District B2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: New Residential Construction, HRR To Build Duplex

Activity Type: Residential

Location: 2304 14<sup>th</sup> Ave W Nashville TN 37208

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST TO BUILD DUPLEX

Section(s): ~~17.12.020~~ 17.12.020A MINIMUM LOT AREA

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jody Roberts  
Appellant Name (Please Print)

Jody Roberts  
Representative Name (Please Print)

209 Woodford Pl  
Address

209 Woodford Pl  
Address

Nashville TN 37215  
City, State, Zip Code

Nashville TN ~~37208~~ 37215  
City, State, Zip Code

615-533-4499  
Phone Number

615-533-4499  
Phone Number

jodyroberts13@gmail.com  
Email

jodyroberts13@gmail.com  
Email

Zoning Examiner: TC

Appeal Fee: \_\_\_\_\_



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3603892

**ZONING BOARD APPEAL / CAAZ - 20190008993**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 081031L90000CO APPLICATION DATE: 02/13/2019

**SITE ADDRESS:**

2302 B 14TH AVE N NASHVILLE, TN 37208  
COMMON AREA FOURTEENTH AVENUE TOWNHOMES

PARCEL OWNER: O.I.C. FOURTEENTH AVENUE TOWNHOM CONTRACTOR:

**APPLICANT:**

**PURPOSE:**

REQUEST TO BUILD DUPLEX ON PARCEL WITH 5,850 SQUARE FEET OF AREA... ..

REJECTED: PER 17.12.020A MINIMUM LOT AREA IS 6000 SQUARE FEET... .. (5,850 IS 98% OF 6,000)

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. ~~So they will have a better ideal of the nature of your request.~~ Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Jody Roberts  
APPELLANT

Feb 13 2019  
DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Metro Parceled this Property in 1859 prior to Zoning. It Predates Zoning Regulations. The Lot Meets 98% of the Required minimum Area to be Duplex Eligible. All of my Front, Side, + Rear Setbacks are Easily Met.

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2019-121

OWNER:  
AFRAKHITEH, ARDAVAN

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ADDRESS: 2304 14TH AVE N

---

NASHVILLE, DAVIDSON CO, TN 37208

---

LOT 3 A B SHANKLAND PLAN

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DB-20171020 0107612

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BEING PARCEL 158 ON TAX MAP 81-03

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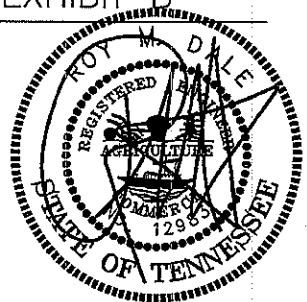
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DA JOB NUMBER: 17158

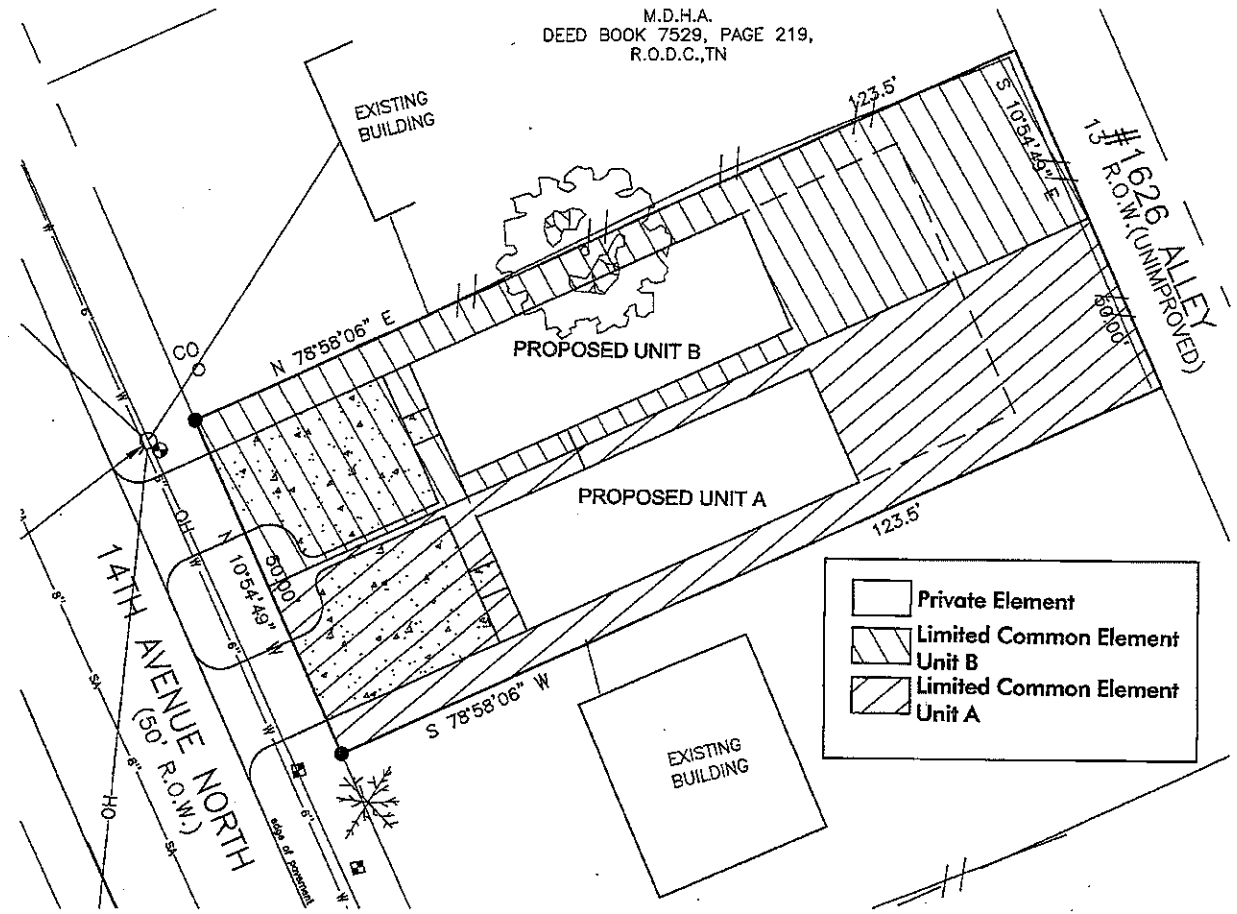
THIS DRAWING SHOULD NOT BE REPRESENTED TO BE A LAND SURVEY. IT SHOULD NOT BE RELIED UPON FOR THE CONSTRUCTION OF FENCES OR ESTABLISHING THE EXACT LOCATION OF PROPERTY LINES. NO CORNERS WERE SET OR RESET AT THE TIME OF THIS INSPECTION. THIS SITE HAS NOT BEEN FIELD RAN BY A SURVEY CREW. BOUNDARIES ARE APPROXIMATE.

"EXHIBIT B"



1/28/18

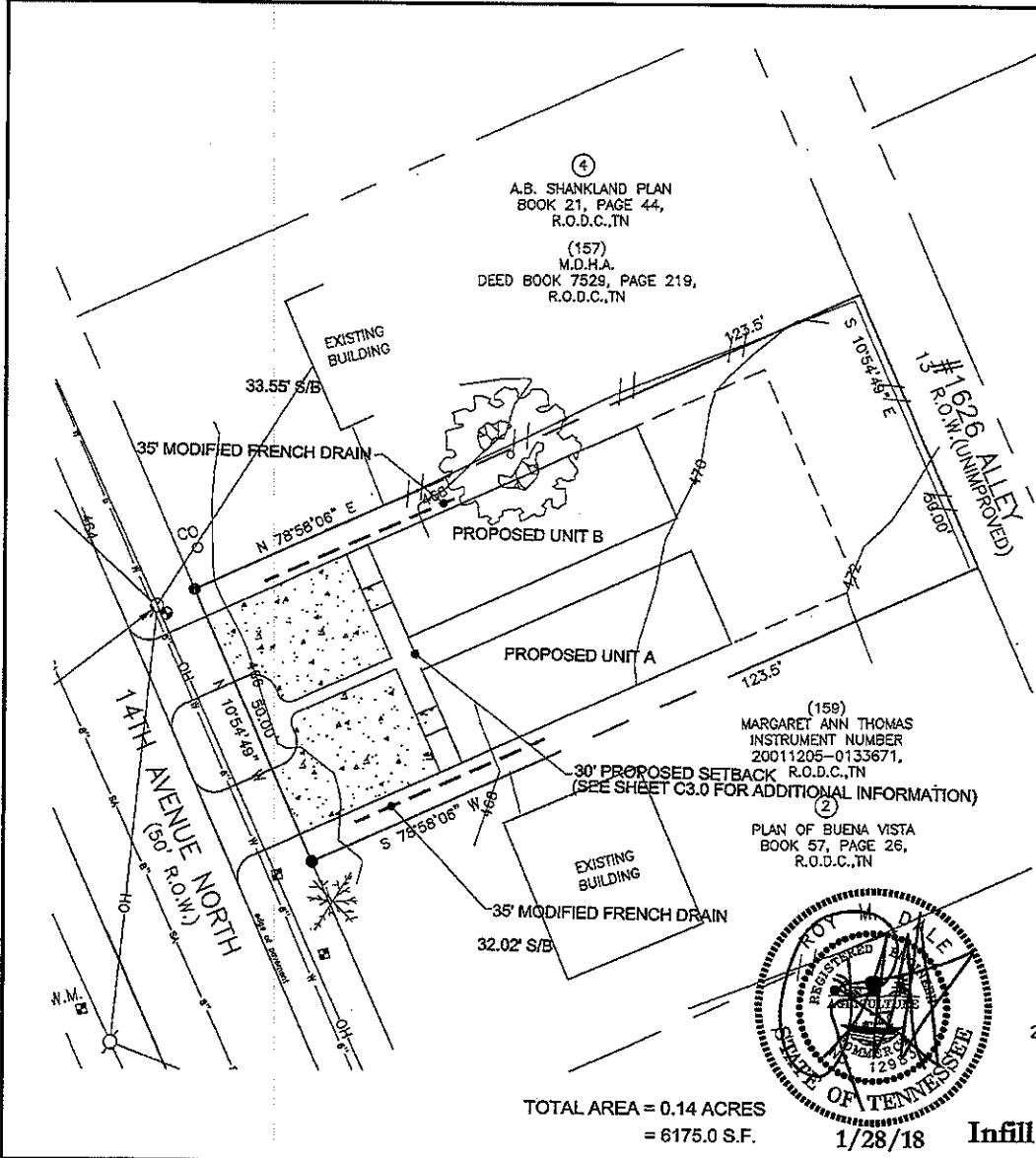
2304 14TH AVE N  
A HORIZONTAL PROPERTY REGIME  
WITH PRIVATE ELEMENTS



M.D.H.A.  
DEED BOOK 7529, PAGE 219,  
R.O.D.C., TN

	Private Element
	Limited Common Element Unit B
	Limited Common Element Unit A

**DA** **Dale & Associates**  
 Consulting Civil Engineering/Land Planning & Zoning  
 Landscape Architecture/Surveying  
 516 Heather Place Nashville, TN 37204 (615) 297-5166



**PROPOSED IA SUMMARY**

Rooftops	1700 Sq.Ft.
Driveways	861 Sq.Ft.
Misc. Concrete	31 Sq.Ft.
Total IA Proposed	2592 Sq.Ft.

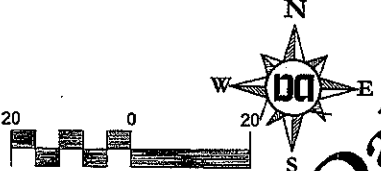
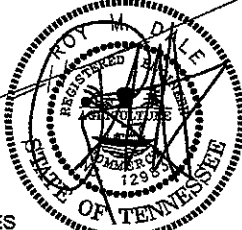
**NET IA = 1287 Sq.Ft. which must Follow Tier I Design**

**DEVELOPER BMP OPTIONS**

BMP	DESIGN	REQUIRED
Cisterns	Not Applicable	Not Applicable
Dry Well	Not Applicable	Not Applicable
Vegetated Filter Strip	Not Applicable	Not Applicable
Modified French Drain	See Table Based upon 2000 sf Contributing Area	65' Long w/ 36" Stone (Two 35' Mod. French Drains Proposed)
Permeable Pavement	Not Applicable	Not Applicable
Rain Gardens	Not Applicable	Not Applicable

**SUMMARY OR RECCOMENDATION**

Client/Developer May Choose From Any of the Above Described BMPs. Engineer Recommends Modified French Drains. It is of the Upmost Importance that the Builder/Contractor ensure all Rooftop Runoff be Directed to the BMP of Choice.



SCALE: 1" = 20'

Revisions:

DATE: JAN 2018

**2304 14th Avenue North**

BEING PARCEL 158 ON TAX MAP 81-03  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

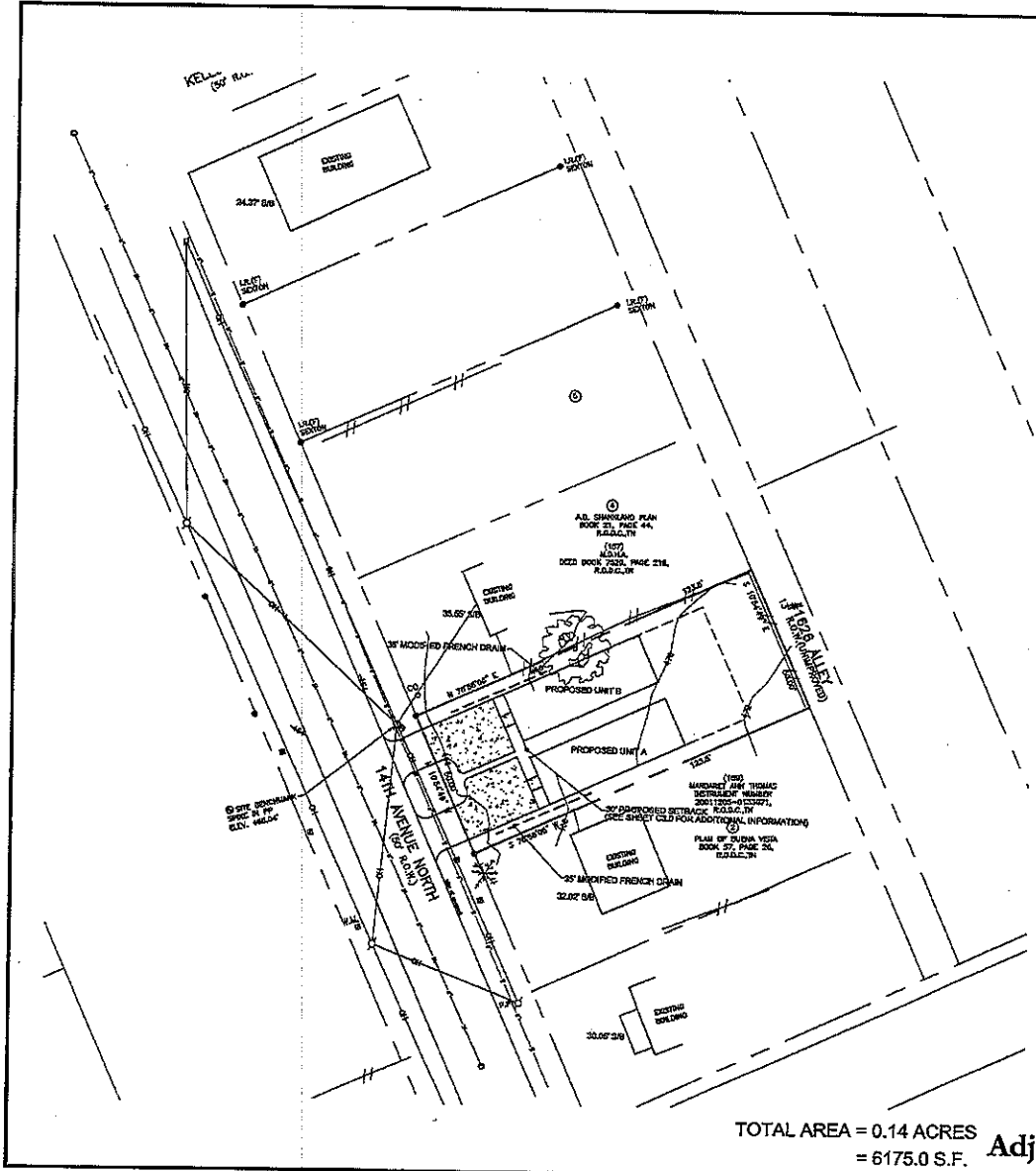
**Dale & Associates**  
 Consulting Civil Engineering  
 Land Planning & Zoning  
 Surveying

PROJECT # 17158  
2304 14th Avenue North

**C2.0**

2 OF 3

516 Heather Place  
Nashville, Tennessee 37204  
(615) 297-5166



**SETBACK SUMMARY**

30' AVERAGE SETBACK  
30' PROPOSED SETBACK

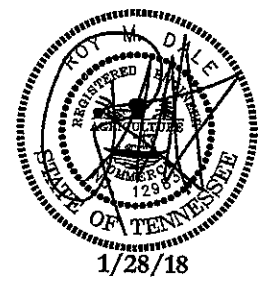


SCALE: 1" = 40'

**EXISTING BUILDING OFFSETS**

ADDRESS	DISTANCE FROM R/W
2216 14TH AVE N	30.06'
2218 14TH AVE N	32.02'
2306 14TH AVE N	33.55'
2312 14TH AVE N	24.37'

\* SETBACK SHOULD BE VERIFIED BY CLIENT BEFORE DEVELOPMENT.



TOTAL AREA = 0.14 ACRES  
= 6175.0 S.F.

**Adjacent Setbacks Plan**

Revisions:

DATE: JAN 2018

**2304 14th Avenue North**

BEING PARCEL 158 ON TAX MAP 81-03  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

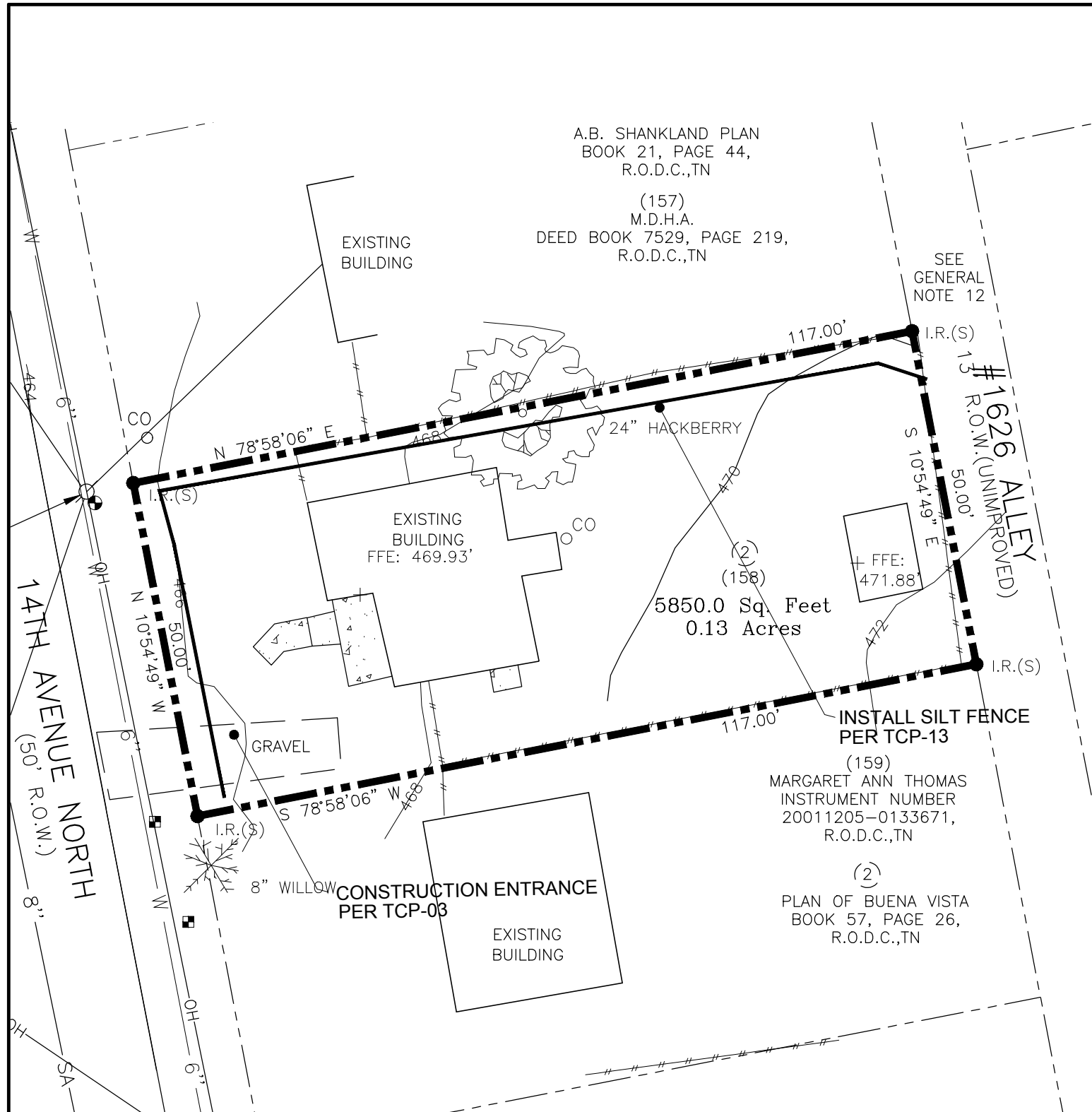
**Dale & Associates**  
Consulting Civil Engineering  
Land Planning & Zoning  
Surveying

PROJECT # 17158  
2304 14th Avenue North

**C3.0**

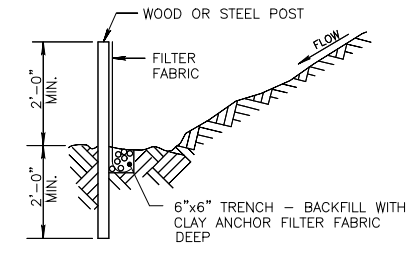
3 OF 3

516 Heather Place  
Nashville, Tennessee 37204  
(615) 297-5166



TOTAL AREA = 0.13 ACRES  
= 5850.0 S.F.

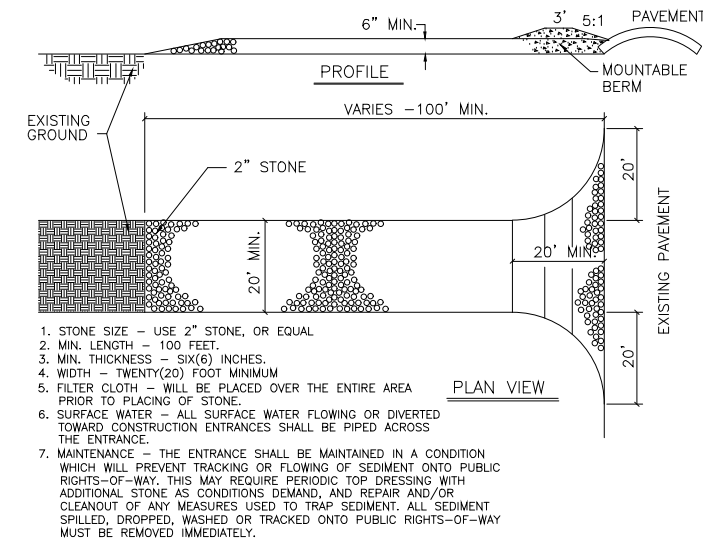
**Existing Conditions and Erosion Control Plan**



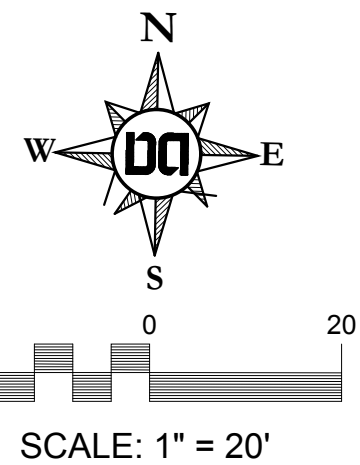
- MAINTENANCE NOTES:
1. INSPECT WEEKLY AND AFTER EACH RAINFALL
  2. REPAIR WHEREVER FENCE IS DAMAGED.
  3. REMOVE SEDIMENT WHEN IT REACHES 1/3 THE HEIGHT OF THE FENCE
  4. INSPECT SILT FENCE WHEN RAIN IS FORECAST. PERFORM REQUIRED MAINTENANCE BEFORE THE STORM EVENT.
  5. REMOVE SILT FENCE WHEN NO LONGER NEEDED. FILL AND COMPACT PAST HOLES AND ANCHOR TRENCH REMOVE SEDIMENT ACCUMULATION, AND GRADE ALIGNMENT TO BLEND WITH ADJACENT GROUND.

- NOTES:
1. FILTER FABRIC FENCE TO BE PLACED PRIOR TO START OF ROUGH GRADING.
  2. STEEL POSTS SHALL BE APPROVED BY OWNER PRIOR TO USE.
  3. WOOD POSTS SHALL BE 2"x 2" MIN., OAK OR SIMILAR HARDWOOD.
  4. POSTS SHALL BE SPACED AT 6' INTERVALS.
  5. FILTER FABRIC SHALL BE SECURELY BOUND TO POSTS WITH EITHER STAPLES OR WIRE TIES.
  6. FILTER FABRIC SHALL BE POLYPROPYLENE FABRIC BY CORPS OF ENGINEERS GUIDE SPEC. CW 02215. WITH EQUIVALENT OPENING SIZE (EOS) OF NO.100 SIEVE MIN., NO.40 SIEVE MAX., AS DETERMINED

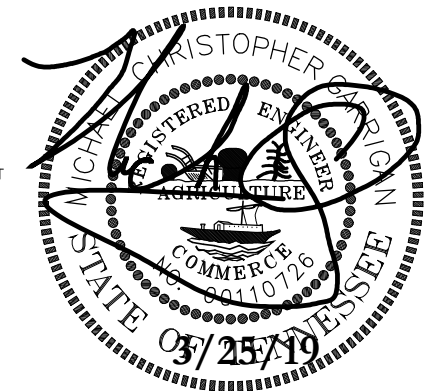
SILT FENCE DETAIL  
REFER TO METRO DETAIL TCP-13



TEMPORARY CONSTRUCTION ENTRANCE  
SEE METRO STORMWATER MANAGEMENT MANUAL  
VOLUME 4 SECTION TCP-03  
NOT TO SCALE



EXISTING IA SUMMARY	
Rooftops	890 Sq.Ft.
Driveways	280 Sq.Ft.
Misc. Concrete	135 Sq.Ft.
<b>Total IA Existing</b>	<b>1305 Sq.Ft.</b>



**Dale & DA**  
Consulting Civil Engineering  
Land Planning & Zoning  
Surveying

Revisions:  
DATE: JAN 2018

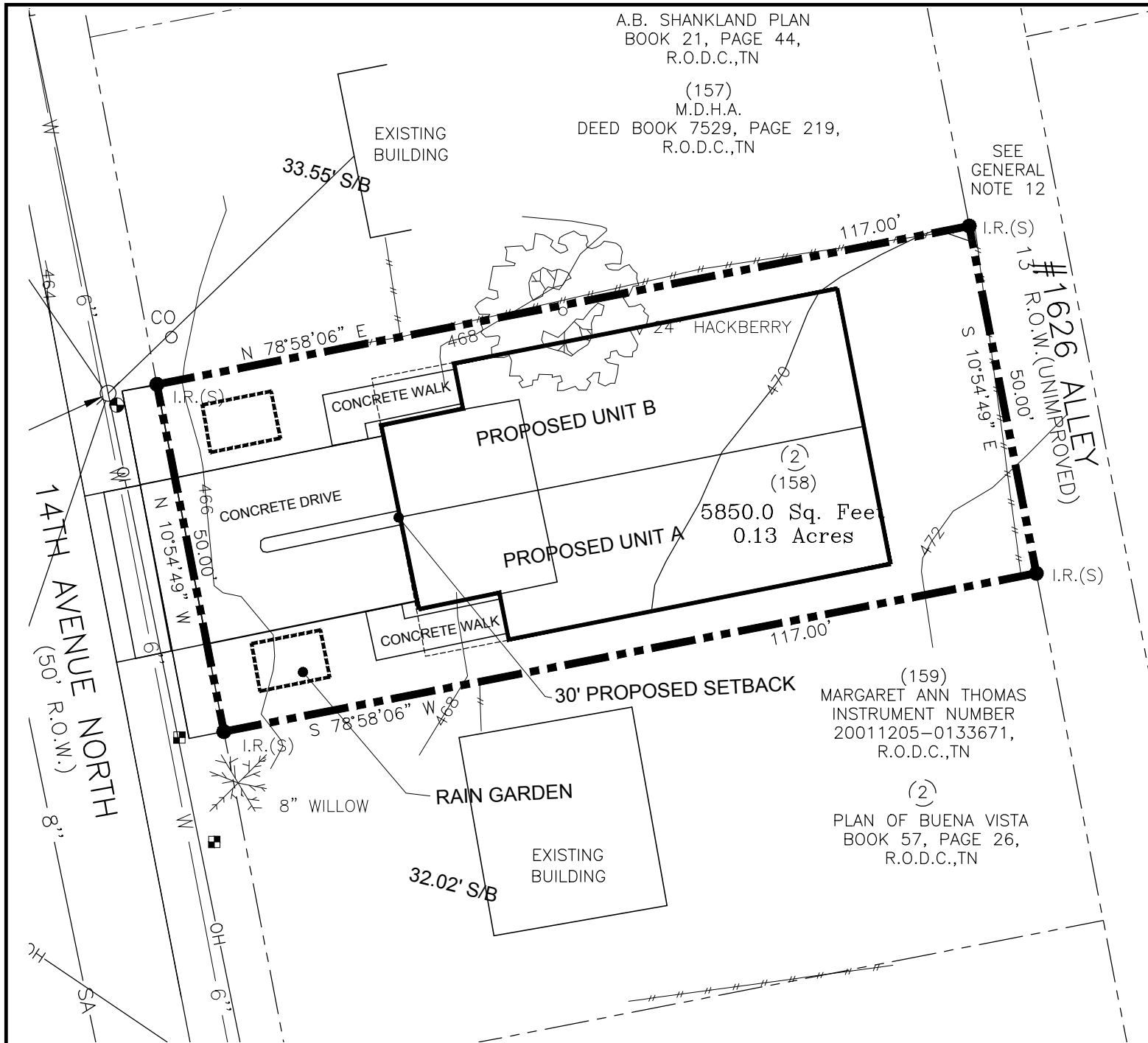
**2304 14th Avenue North**  
BEING PARCEL 158 ON TAX MAP 81-03  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PROJECT # 17158  
2304 14th Avenue North

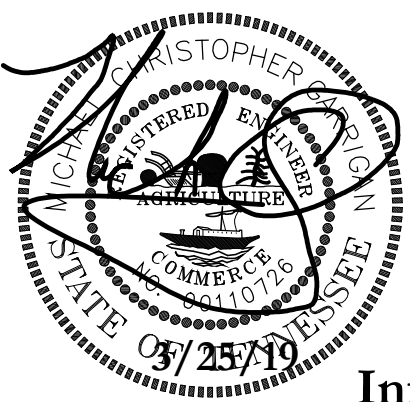
**C1.0**

1 OF 4

516 Heather Place  
Nashville, Tennessee 37204  
(615) 297-5166



TOTAL AREA = 0.13 ACRES  
= 5850.0 S.F.



**PROPOSED IA SUMMARY**

Rooftops	2700 Sq.Ft.
Driveways	680 Sq.Ft.
Misc. Concrete	200 Sq.Ft.
<b>Total IA Proposed</b>	<b>3580 Sq.Ft.</b>

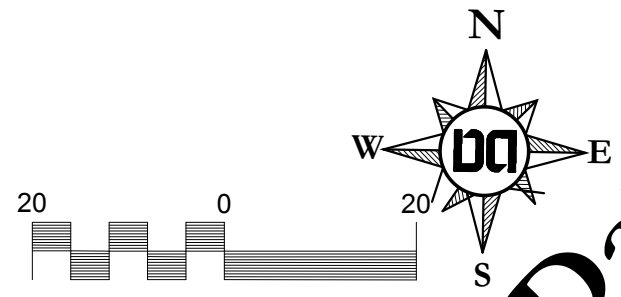
**NET IA = 2275 Sq.Ft. which must Follow Tier II Design**

**DEVELOPER BMP OPTIONS**

BMP	DESIGN	REQUIRED
Cisterns	Not Applicable	Not Applicable
Dry Well	Not Applicable	Not Applicable
Vegetated Filter Strip	Not Applicable	Not Applicable
Modified French Drain	Not Applicable	Not Applicable
Permeable Pavement	Not Applicable	Not Applicable
Rain Gardens	See Table Based upon 3000 sf Contributing Area	140 SF Rain Garden W/ 36" Depth of Amended Soil Total or 70 sf Per Unit

**SUMMARY OR RECOMENDATION**

Client/Developer May Choose From Any of the Above Described BMPs. Engineer Recommends Raingardens. It is of the Upmost Importance that the Builder/Contractor ensure all Rooftop Runoff be Directed to the BMP of Choice.



SCALE: 1" = 20'  
**Infill Development Plan**

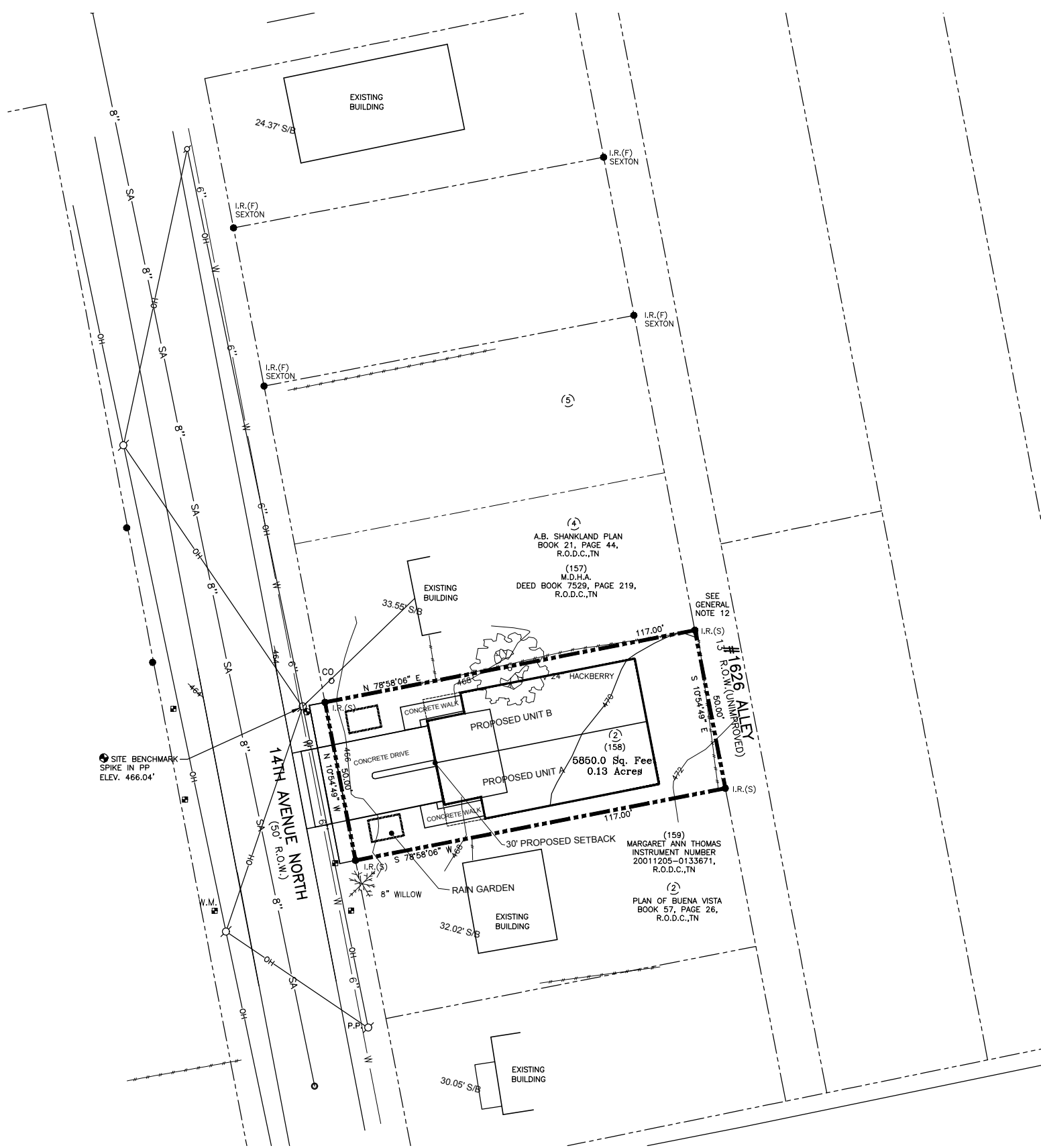
Revisions:  
  
DATE: JAN 2018

**2304 14th Avenue North**  
BEING PARCEL 158 ON TAX MAP 81-03  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

**Dale & DA**  
Consulting Civil Engineering  
Land Planning & Zoning  
Surveying

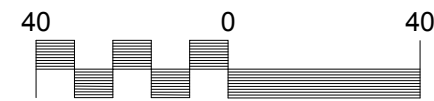
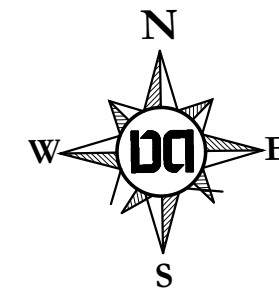
PROJECT # 17158  
2304 14th Avenue North  
**C2.0**  
2 OF 4

516 Heather Place  
Nashville, Tennessee 37204  
(615) 297-5166



TOTAL AREA = 0.13 ACRES  
= 5850.0 S.F.

**Adjacent Setbacks Plan**



SCALE: 1" = 40'

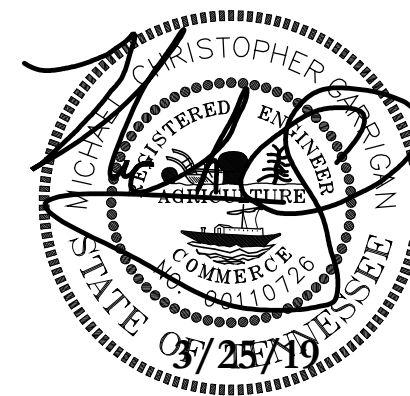
**EXISTING BUILDING OFFSETS**

ADDRESS	DISTANCE FROM R/W
2216 14TH AVE N	30.05'
2218 14TH AVE N	32.02'
2306 14TH AVE N	33.55'
2312 14TH AVE N	24.37'

\* SETBACK SHOULD BE VERIFIED BY CLIENT BEFORE DEVELOPMENT.

**SETBACK SUMMARY**

30' AVERAGE SETBACK  
30' PROPOSED SETBACK



**Dale & DD**  
Associates  
Consulting Civil Engineering  
Land Planning & Zoning  
Landscape Architecture

Revisions:

DATE: JAN 2018

**2304 14th Avenue North**

BEING PARCEL 158 ON TAX MAP 81-03  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PROJECT # 17158  
2304 14th Avenue North

**C3.0**

3 OF 4

516 Heather Place  
Nashville, Tennessee 37204  
(615) 297-5166



## METROPOLITAN COUNCIL

Member of Council

### DeCosta Hastings

Metro Councilmember District 2

2412 14<sup>th</sup> Avenue North • Nashville, TN 37208

Telephone 615-779-1565

March 27, 2019

Chairman, David Ewing and Members  
Metropolitan Board of Zoning Appeals  
Metro Office Building  
800 Second Avenue South  
Nashville, TN 37219-6300

RE: Case Number: 2019-127  
2302B 14<sup>th</sup> Avenue North

Dear Chair Ewing and Members,

I am writing to express my support for the variance request at 2302B 14<sup>th</sup> Avenue North. Requesting a variance from the minimum lot size requirements. This case will be heard on the BZA's agenda for the meeting of April 4, 2019.

I am in favor of a two build at the above stated address. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq. /ft. I understand that this is just 3 ft. short of meeting the 120 ft. minimum requirements. They have shared with me their site plan that easily meets the front, side, and rear setback requirements for the two new homes.

Thank you for moving to approve this variance request.

Also, thank you for your time and service you give to our city.

Sincerely,

DeCosta Hastings  
Councilmember, District 2

DH/dc

BZA

Case# 2019-127

I am in support of a two build at 2302 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.


They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely


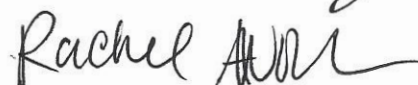
1. Cynthia Bass

Cynthia Bass 2301 14<sup>th</sup> Ave NO.

2. Troy Starnias

 2135A 14<sup>th</sup> Ave N

3. Kate Truscott

 2135 B 14<sup>th</sup> Ave N  
Rachel  2136 14<sup>th</sup> Ave N.



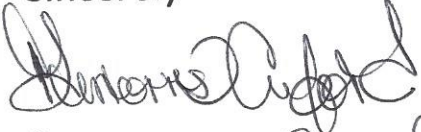
BZA

Case# 2019-127


I am in support of a two build at 230<sup>2</sup> 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely

4.   
Genorris Crawford  
2408 14<sup>th</sup> Ave North  
Nashville, TN 37208

7. Lindsay Roe  
Lindsay Roe  
2114A 14<sup>th</sup> Ave N  
Nashville, TN, 37208

5.   
Julian Samaroo  
2127A 14<sup>th</sup> Ave  
Nashville, TN 37208

6. Timothy Baylhan  
2118 14<sup>th</sup> Ave N.  
Nashville TN 37208

BZA

Case# 2019-127

I am in support of a two build at 2302 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely

8. Bobbie Jean Waggoner  
Bobbie Jean Waggoner  
2406 14<sup>th</sup> Avenue North

BZA

Case# 2019-127

I am in support of a two build at 2302 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely

9. Alvin Berry

Alvin Berry

2211-14<sup>th</sup> Ave N

10. Ryan McGuire

Ryann McGuire  
1207 Cecilia Ave.

BZA

Case# 2019-127

I am in support of a two build at 2302 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely

11. Ruth McDowell  
Ruth McDowell  
2133-14<sup>th</sup> Ave. N.

BZA

Case# 2019-127

I am in support of a two build at 230~~0~~<sup>2</sup> 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely

12. Brad Cole  
Brad Cole

Cole Woodworks, LLC  
JMR Investments LLC  
1102 A+B Cecilia Ave  
Nashville, TN 37208


BZA

Case# 2019-127

I am in support of a two build at 2302 14<sup>th</sup> Avenue North. Jody Roberts has fully explained to me that the parcel is 50x117, 5,850 sq/ft. I understand they are just 3 feet short of 120 feet of meeting the minimum requirement.

They have shared with me their site plan and that they easily meet the front, side, and rear setback requirements for the 2 new homes.

Sincerely,

13.  Milton Thomas Sr.  
1112 - 1114 Cecilia Avenue

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF WASHINGTON AND DAVIDSON COUNTY



Appellant: Tyler Cain Date: 2/14/19  
Property Owner: Operation Stand Down Case #: 2019-130  
Representative: Earl Swenson Associates Map & Parcel: 10501031600  
Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

COMMERCIAL INTERIOR RENOVATION  
OF VETERANS SUPPORT  
BUSINESS - OPERATION STAND DOWN

Activity Type: COMMERCIAL RENOVATION

Location: 1119 12th AVE S NASHVILLE, TN, 37203

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST NOT TO INSTALL SIDEWALKS & NOT CONTRIBUTE

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Tyler Cain  
Appellant Name (Please Print)

Mark Watson  
Representative Name (Please Print)

1033 Demonbreun St  
Address  
Nashville, TN 37203  
City, State, Zip Code

1033 Demonbreun St  
Address  
Nashville, TN 37203  
City, State, Zip Code

615-760-6928  
Phone Number

615-329-9445  
Phone Number

tylerc@esarch.com  
Email

mwatson@esarch.com  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_





Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3604148

**ZONING BOARD APPEAL / CAAZ - 20190009162**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 10501031600

APPLICATION DATE: 02/14/2019

**SITE ADDRESS:**

1119 12TH AVE S NASHVILLE, TN 37203  
LOT 1 SECOND REVISION SEC 31 EDGEHILL ESTATES

PARCEL OWNER: OPERATION STAND DOWN NASHVILLE, II      CONTRACTOR:

**APPLICANT:****PURPOSE:**

TO CONDUCT INTERIOR RENOVATIONS ON NON-RESIDENTIAL/COMMERCIAL BUILDING FOR OPERATION STAND DOWN, A VETERANS SUPPORT BUSINESS.

PER 17.20.120 SIDEWALKS REQUIRED  
REQUEST NOT TO INSTALL SIDEWALKS

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

02/14/19  
DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17:40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

See letter

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*Moving forward together to create environments that shape lives.*

Metropolitan Board of Zoning Appeals  
 Attn: Mr. David Ewing, Chair  
 800 2nd Avenue South  
 Nashville, Tennessee 37219

**RE: SIDEWALK CONSTRUCTION VARIANCE**  
**1119 12<sup>TH</sup> AVENUE SOUTH; MAP 105-01, PARCEL 316**

Dear Chairman Ewing and Board Members:

Operation Stand Down Tennessee (OSDTN) is a registered 501(c)(3) that focuses on helping all Veterans and their families by engaging, equipping, and empowering them. They offer a wide range of services, including employment assistance, VA benefits assistance, networking, housing, and much more. In Nashville, they are located at 1125 12th Avenue South--the site that is the subject of this request.

The current site is 2.14 acres and has frontage on 12<sup>th</sup> Avenue South (288.85'), Edgehill Avenue (249.05'), and 13<sup>th</sup> Avenue South (234.65'). Operation Stand Down intends to remodel the interior of their existing building and understands that this will trigger construction of sidewalks consistent with the Major and Collector Street Plan since the Renovation Cost is equal to or greater than 50% of the assessed value of all structures on the lot. Since there are currently serviceable sidewalks across the frontages of the property, Operation Stand Down respectfully requests a variance to the construction of sidewalks on the portions of the property not affected by the Victory Hall construction.

Last summer, Victory Hall, a project to provide housing for homeless veterans on a .17-acre portion of this site, was presented to the Board for the approval of a Special Exception for a minor setback and height variation. At that time, a sidewalk consistent with the Major and Collector Street Plan was proposed as part of the development of Victory Hall for 91 feet along 12<sup>th</sup> Avenue South. These sidewalks will be constructed along with Victory Hall later this year.

Recently, as part of the process to develop Victory Hall, Operation Stand Down has submitted a plat to abandon an unused utility easement across the portion of the site where Victory Hall has been planned. As part of the plat review process, Metro Planning and Metro Public Works required dedications along each road frontage consistent with the Major and Collector Street Plan or, in the case of 13<sup>th</sup> Avenue--a local street, to place the existing sidewalk fully within the right-of-way. Dedications are as follows:

- 12th Avenue South – dedication of 3 feet
- Edgehill Avenue – dedication of 3 feet
- 13<sup>th</sup> Avenue – dedication of 4.4 feet

Additionally, a Metro project to change the cross-section of 12<sup>th</sup> Avenue South is currently being designed.

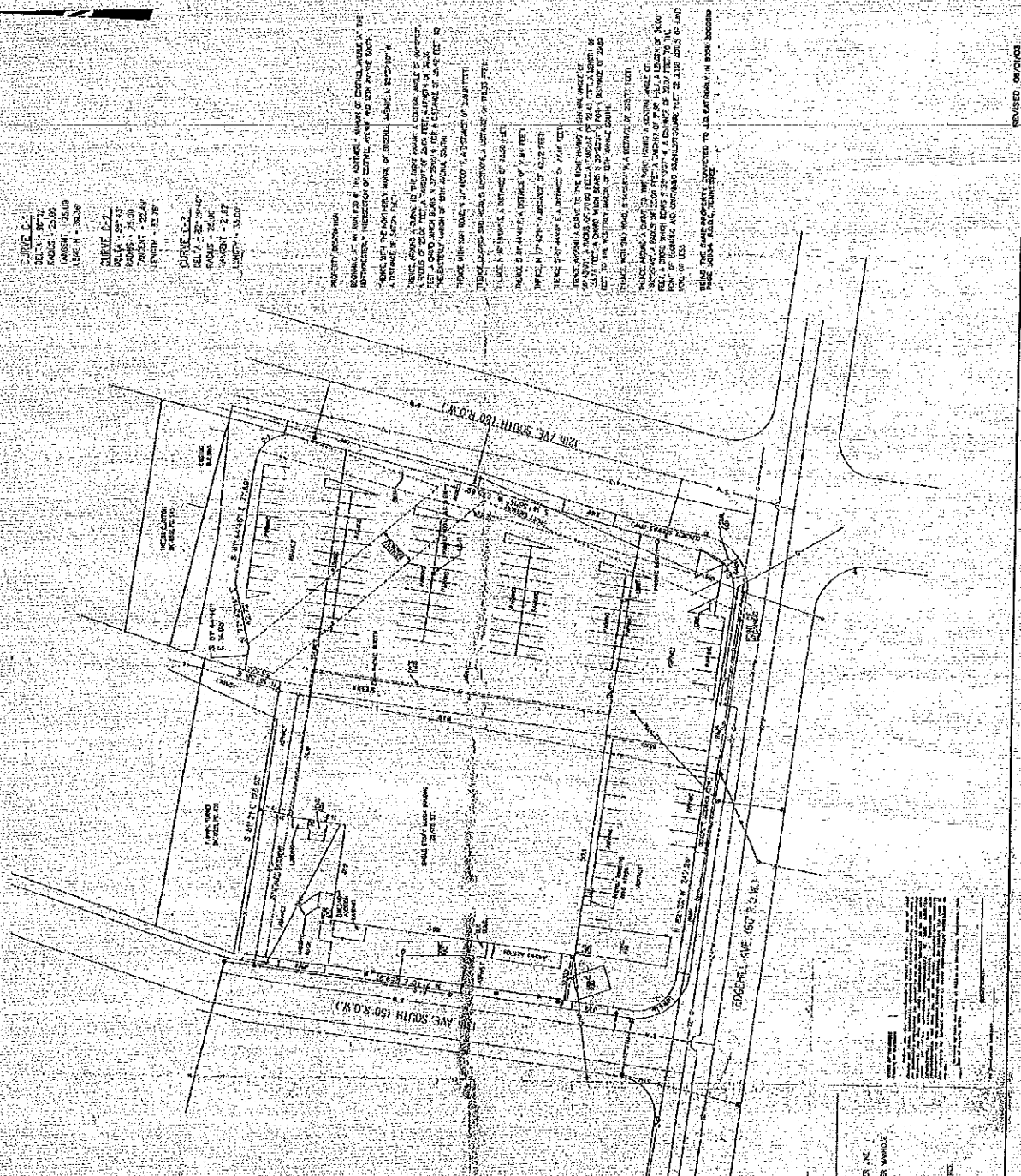
Operation Stand Down supports the spirit of the intent for sidewalk construction and has accommodated that intent in the Victory Hall project, where the cost of the sidewalk construction can be borne in a larger project, and is willing to dedicate right-of-way to allow for the future construction of the sidewalks to accommodate future Metro-led projects; however, the construction of the sidewalks is too great to be borne by an interior remodel, particularly in a location where serviceable sidewalks are located.

**ALTA LAND TITLE SURVEY**  
 OF  
**1121 12th Ave. South, Nashville, Tennessee**

DATE	11/16/2018
BY	ALTA
CHECKED BY	ALTA
APPROVED BY	ALTA
SCALE	AS SHOWN
DATE	11/16/2018
BY	ALTA
CHECKED BY	ALTA
APPROVED BY	ALTA

**LSC**

LAND SURVEYING PROFESSIONALS  
 LAND SURVEYING PROFESSIONALS  
 LAND SURVEYING PROFESSIONALS



**CURVE C-1**  
 BEARING - 37° 12'  
 DISTANCE - 21.00'  
 CHORD - 21.00'  
 AREA - 382.29'

**CURVE C-2**  
 BEARING - 22° 49'  
 DISTANCE - 22.49'  
 CHORD - 22.49'  
 AREA - 33.62'

NOTICE: This is a preliminary survey and should not be used for any purpose other than to show the location of the proposed easements. The surveyor is not responsible for any errors or omissions in this survey. The surveyor is not responsible for any errors or omissions in this survey. The surveyor is not responsible for any errors or omissions in this survey.

1. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
2. The survey was conducted on the 16th day of November, 2018, at the office of the Surveyor.
3. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
4. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
5. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
6. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
7. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
8. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
9. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.
10. The survey was conducted in accordance with the standards and practices of the Surveying and Mapping Board of the State of Tennessee.

**LEGEND**

- 1. EASEMENT
- 2. EASEMENT
- 3. EASEMENT
- 4. EASEMENT
- 5. EASEMENT
- 6. EASEMENT
- 7. EASEMENT
- 8. EASEMENT
- 9. EASEMENT
- 10. EASEMENT
- 11. EASEMENT
- 12. EASEMENT
- 13. EASEMENT
- 14. EASEMENT
- 15. EASEMENT
- 16. EASEMENT
- 17. EASEMENT
- 18. EASEMENT
- 19. EASEMENT
- 20. EASEMENT



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ALTA LAND TITLE SURVEY OF 1121 12th Ave. South, Nashville, Tennessee

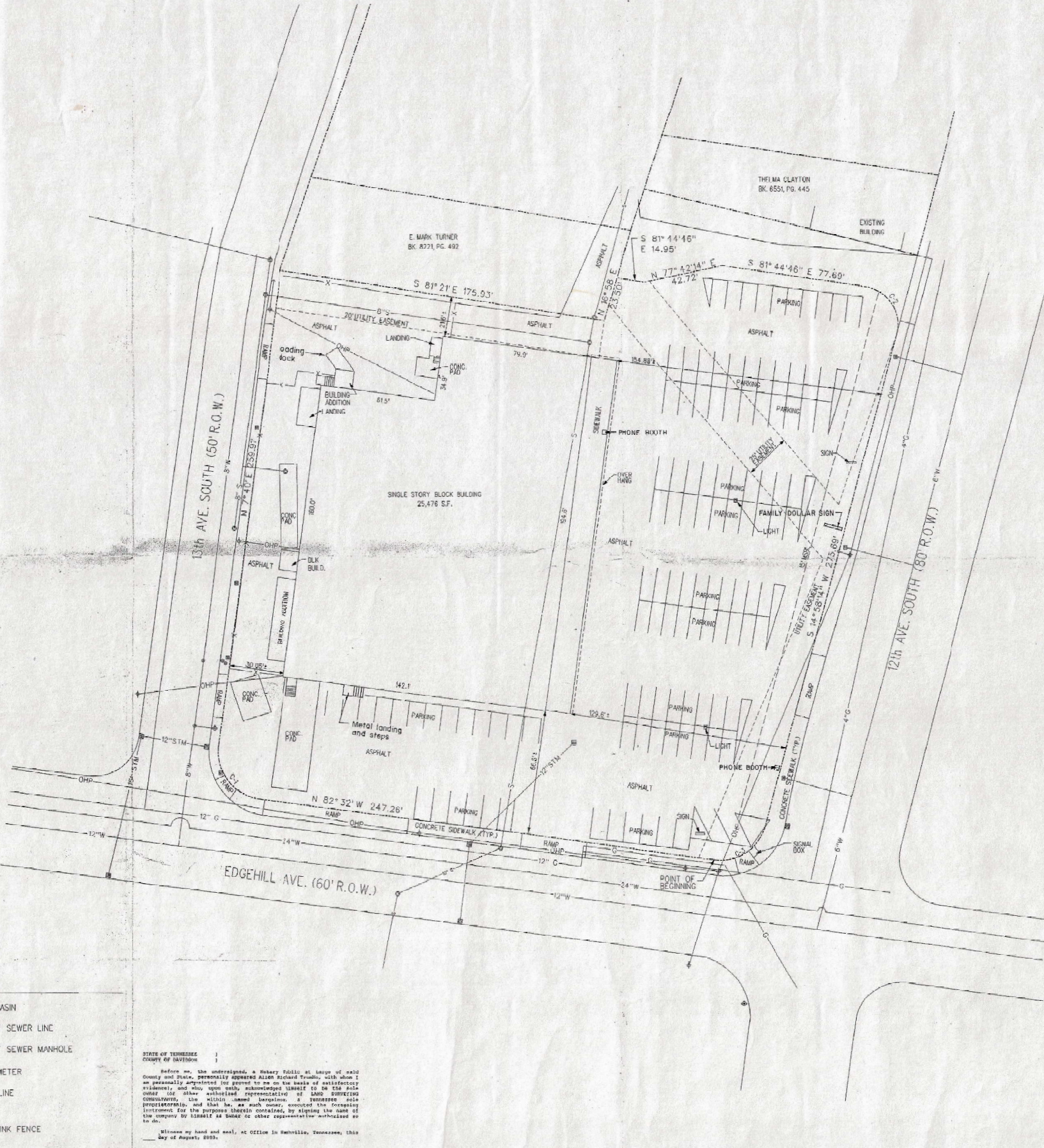
- 1. Being an "As-Built" Survey of the Second Revision of Edgell Estates Section Thirty-One of record in Plat Book 5210, Page 312...

DEED REFERENCE: TO: J.D. Eatherly Properties RECORD: Deed Book 2000519 Page 50534 R.O.D.C., Tenn. TAX MAP REFERENCE: Being parcel 316 as shown on Metro

- 1. The State of Tennessee, Nashville, Tennessee, Benjamin Lee, Chicago Title Insurance Company, as lender of title and Peter Weiss, Attorney, as lending agent for Chicago Title Insurance Company, Family Dollar, Inc. and Daniel W. Smith, Attorney, Charles Marcus, Brian A. Meyer, Attorney, as closing attorneys for the seller, and any other parties having an interest in the subject property...



LEGEND table with symbols for CONCRETE MONUMENT, IRON PIN (NEW), IRON PIN (OLD), FIRE HYDRANT, WATER VALVE, POWER POLE, ANCHOR, CATCH BASIN, SANITARY SEWER LINE, SANITARY SEWER MANHOLE, WATER METER, WATER LINE, LIGHT, CHAIN LINK FENCE.



- CURVE C-1 DELTA = 90° 12' RADIUS = 25.00 TANGENT = 25.00 LENGTH = 39.36' CURVE C-2 DELTA = 96° 43' RADIUS = 25.00 TANGENT = 22.49' LENGTH = 33.76' CURVE C-3 DELTA = 82° 29' 16" RADIUS = 25.00 TANGENT = 21.92' LENGTH = 36.00'

PROPERTY DESCRIPTION BEGINNING AT AN IRON ROD IN THE NORTHERLY MARGIN OF EDGEHILL AVENUE AT THE NORTHWESTERLY INTERSECTION OF EDGEHILL AVENUE AND 12TH AVENUE SOUTH. THENCE, WITH THE NORTHERLY MARGIN OF EDGEHILL AVENUE, N 82° 32' 00" W, A DISTANCE OF 247.26 FEET...

STATE OF TENNESSEE COUNTY OF DAVIDSON Before me, the undersigned, a Notary Public at large of said County and State, personally appeared Allen Richard Trumbo, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who upon oath acknowledged himself to be the sole owner (or other authorized representative) of LAND SURVEYING CONSULTANTS, the within named business, a Tennessee sole proprietorship, and that he, as such owner, executed the foregoing instrument for the purposes therein contained, by signing the name of the company he himself is owner or other representative authorized to do so.

Table with survey details: 8/24/03 DEED REFERENCE SURVEY CERTIFICATE, 5/26/00 FAMILY DOLLAR SIGN PHONE BOOTHS, REVISIONS May 9, 2000, DESIGNED BY, DRAWN BY: CDB, APPROVED BY: ART, SCALE: 1" = 10', DATE: 7-13-99, JOB NO. WF-CRDR 99105, SHEET NO. 1 OF 1



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-130 (1119 12<sup>th</sup> Avenue South)

Metro Standard:	12 <sup>th</sup> Avenue South - 4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
	Edgehill Avenue - 4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
	13 <sup>th</sup> Avenue South - 4' grass strip, 5' sidewalk, as defined by the Local Street Std.
Requested Variance:	Not upgrade sidewalks; not contribute in lieu of construction (not eligible)
Zoning:	CS
Community Plan Policy:	T4 NC (Urban Neighborhood Center)
MCSP Street Designation:	12 <sup>th</sup> Avenue South – T4-M-AB4
	Edgehill Avenue – T4 –R-CA2
	13 <sup>th</sup> Avenue South – Local Street
Transit:	#2 – Belmont, #17 – 12 <sup>th</sup> Avenue South, #22 – Bordeaux; all planned for rapid bus
Bikeway:	Bike lane existing on 12 <sup>th</sup> Avenue South, planned for major protected bike lanes per WalknBike (design currently underway); none existing on Edgehill Avenue; planned for minor protected bike lanes per WalknBike (design currently underway).

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is proposing internal renovations to an existing building on the property and requests a variance from sidewalk construction due to parking impacts relative to the scale of the renovation project. Alternatively, the applicant requests to close an existing driveway on Edgehill to improve pedestrian and bicyclist safety. Planning evaluated the following factors for the variance request:

- (1) All property frontages have a sidewalk that does not meet the current Metro design standards. An 8' sidewalk with no grass strip exists along 12<sup>th</sup> Avenue South; a 5' sidewalk with a 2' grass strip exists along Edgehill Avenue; and a 5' sidewalk with no grass strip exists along 13<sup>th</sup> Avenue South.
- (2) Metro Planning and Public Works are designing bike lanes along 12<sup>th</sup> Avenue South and Edgehill Avenue. Closing a driveway access along Edgehill will support improved walking and biking along that frontage.
- (3) Given the small scale of the proposed improvements, sidewalk construction meeting the current Metro design standards will support the Community Plan Policy with redevelopment.

Given the factors above, staff recommends **approval with conditions:**

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. Close the eastern driveway access point along Edgehill Avenue closest to the 12<sup>th</sup> Avenue South intersection.
3. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF WASHINGTON, DEALE AND DAVIDSON COUNTY



Appellant : Jacob Bender

Date: 2-13-19

Property Owner: Jackson valley Land Partners

Case #: 2019-131

Representative: Jacob Bender

Map & Parcel: 072161E00100C0

Council District 1

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

Proposed HPR

Activity Type: \_\_\_\_\_

Location: 1525 Preston Drive 1527 Preston Dr.

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

a variance from sidewalk requirements

Section(s):

17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jacob Bender  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

6121 Nolensville Pike  
Address

Address

Nashville TN 37211  
City, State, Zip Code

City, State, Zip Code

615-831-3900  
Phone Number

Phone Number

Jacob@TouchStonebuildersInc.com  
Email

Email

ZE: WM

Appeal Fee: \$100





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3603876

**ZONING BOARD APPEAL / CAAZ - 20190008980  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 072161E00100CO

APPLICATION DATE: 02/13/2019

**SITE ADDRESS:**

1525 PRESTON DR NASHVILLE, TN 37206  
UNIT A PRESTON DRIVE COTTAGES

PARCEL OWNER: JACKSON VALLEY LAND PARTNERS, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting a sidewalk variance for proposed HPR duplex per METZO section 17.20.120.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
**APPELLANT**

2-8-19  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

NES Power poles are in the sidewalk. It is impossible to move one pole alone, NES engineer says it has to be all poles. Attached letter goes into more detail.

Handwritten response area consisting of approximately 10 horizontal lines for writing.

Zoning appeal.

Metro board of zoning appeals,

At the address stated, 1525 and 1527 Preston Drive Nashville TN, we believe that the construction of sidewalks at the public right of way per each house are not necessary due to NES power pole hardship locations, along with the presence of sidewalks on the other side of the street and the nonexistent sidewalks on our side of the street.

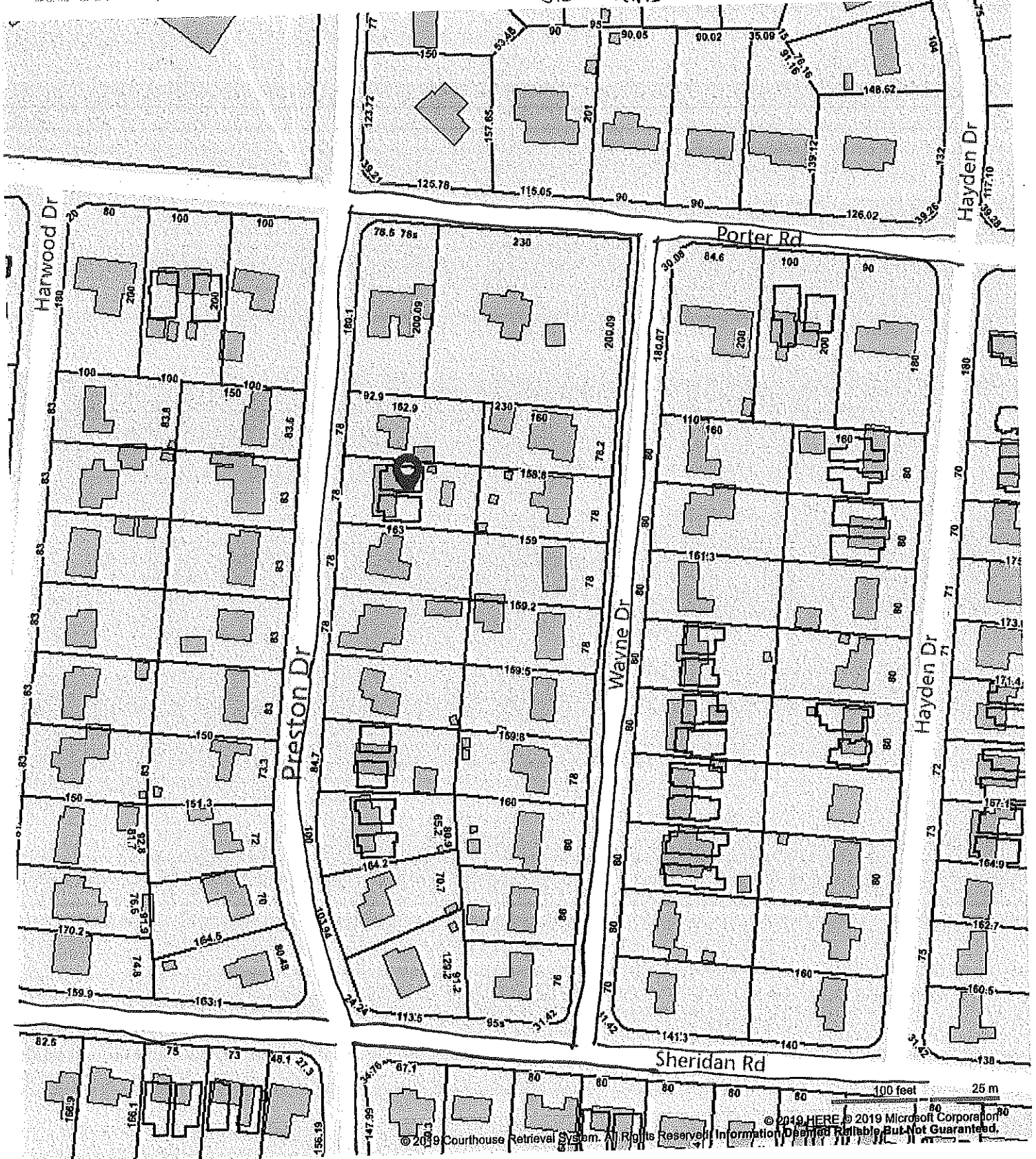
Our houses sit on the East side of Preston Drive, on this street the way NES has installed the power poles that service both sides of Preston Drive is a row of power poles that line the street. While pulling our permits on the construction of our houses, public works wants sidewalks installed at the front of our houses. Public works wants us to install curb and gutter, along with a grass strip, sidewalk and another grass strip. If this is to be done according to the standards set by public works one of the NES power poles will have to be moved. I have discussed this with an NES Engineer, Tim Ramey, and in his opinion, it cannot be done. In order to move one pole on this side of the street, all power poles on this side of the street along with poles on the other side of the street would have to be moved. This is due to the nature of how the poles are aligned to service the houses along with the lack of slack in the power lines. Moving one pole alone cannot be done according to the NES engineer.

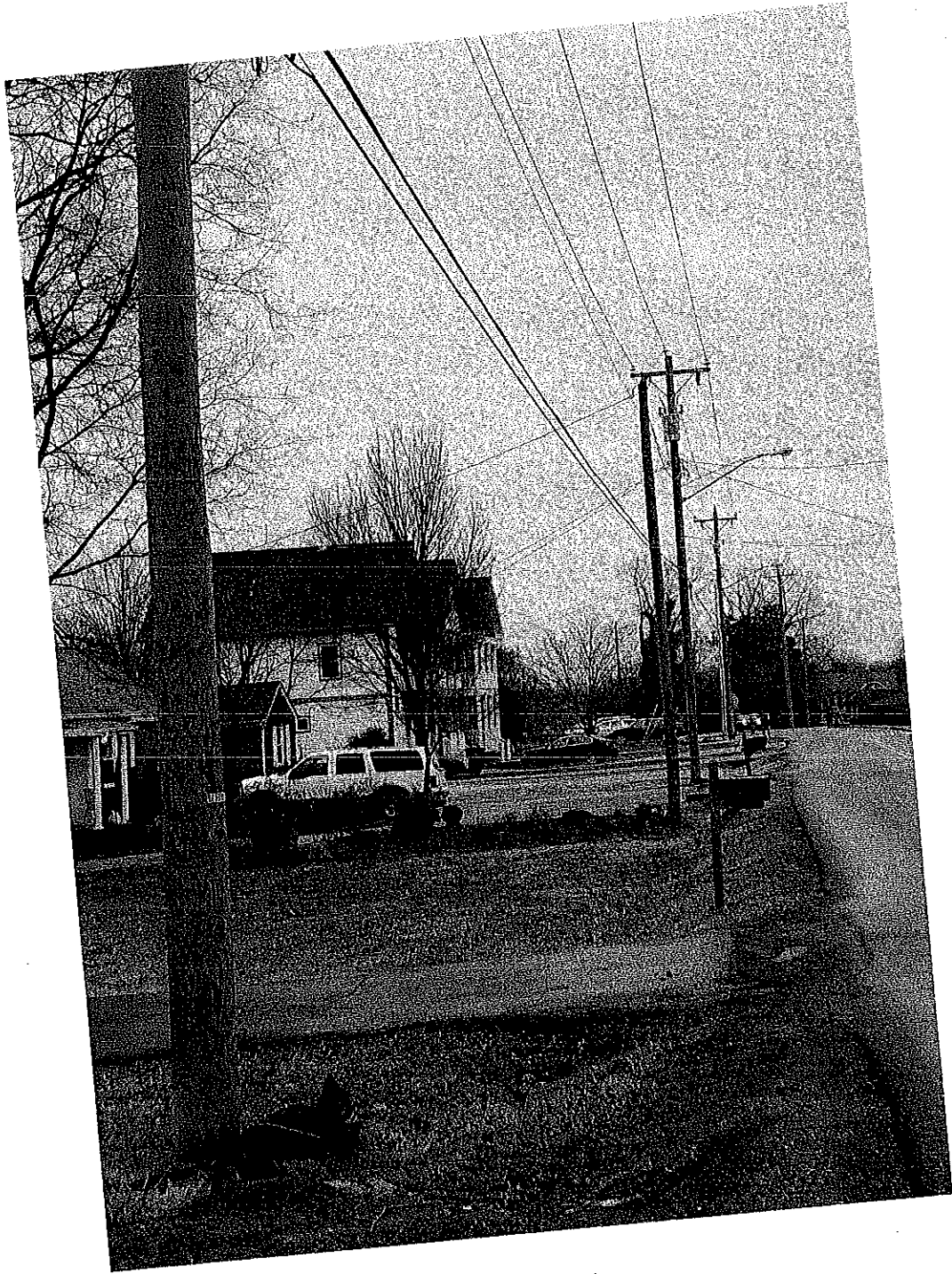
Also, there are currently already sidewalks built and established on the west side of Preston drive along with the west side Stratford avenue.

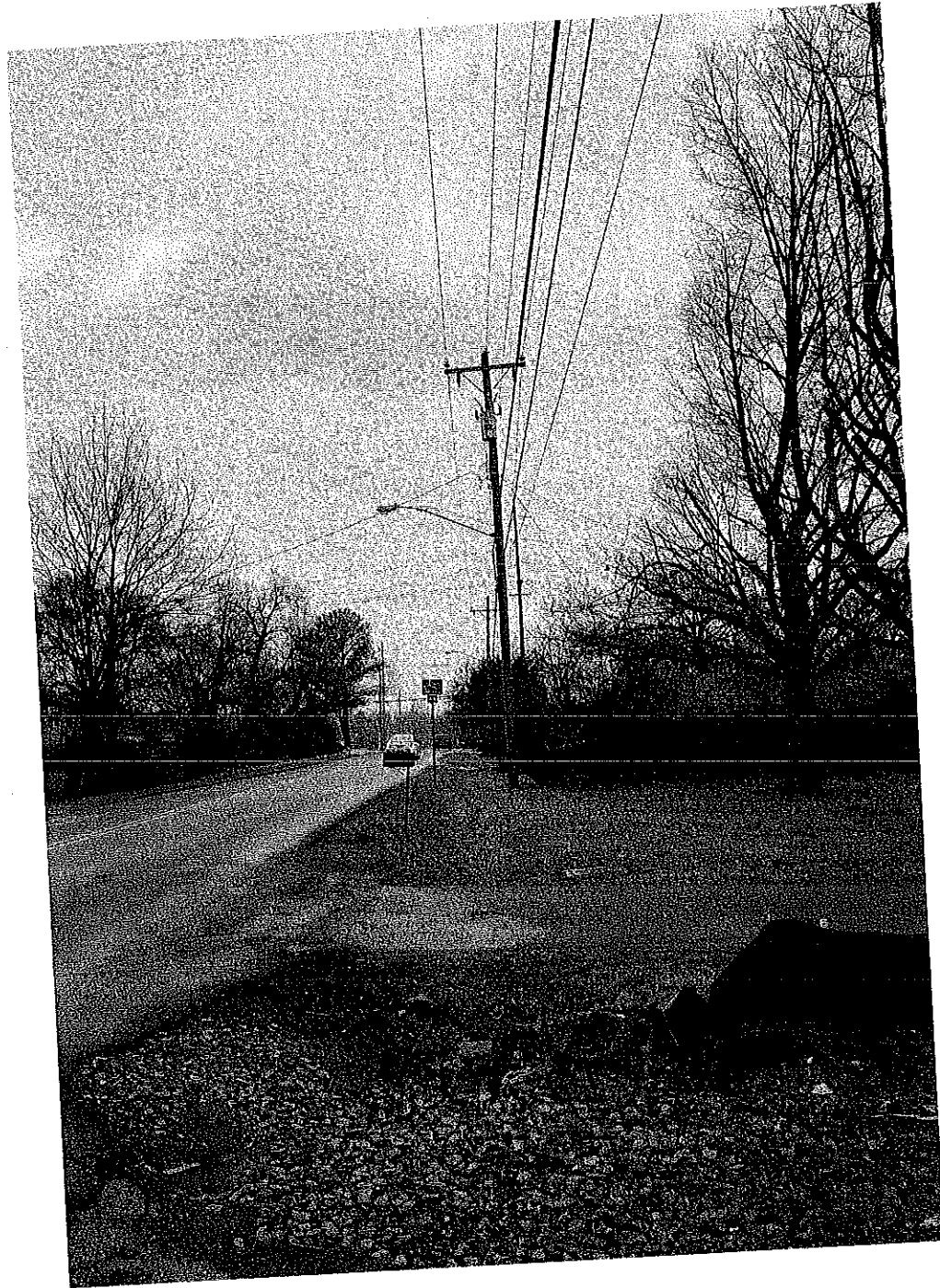
Map for Parcel Address: 1525 Preston Dr Nashville, TN 37206-1237 Parcel ID: 072-16-0-180.00



■ - No Sidewalks  
□ - Sidewalks

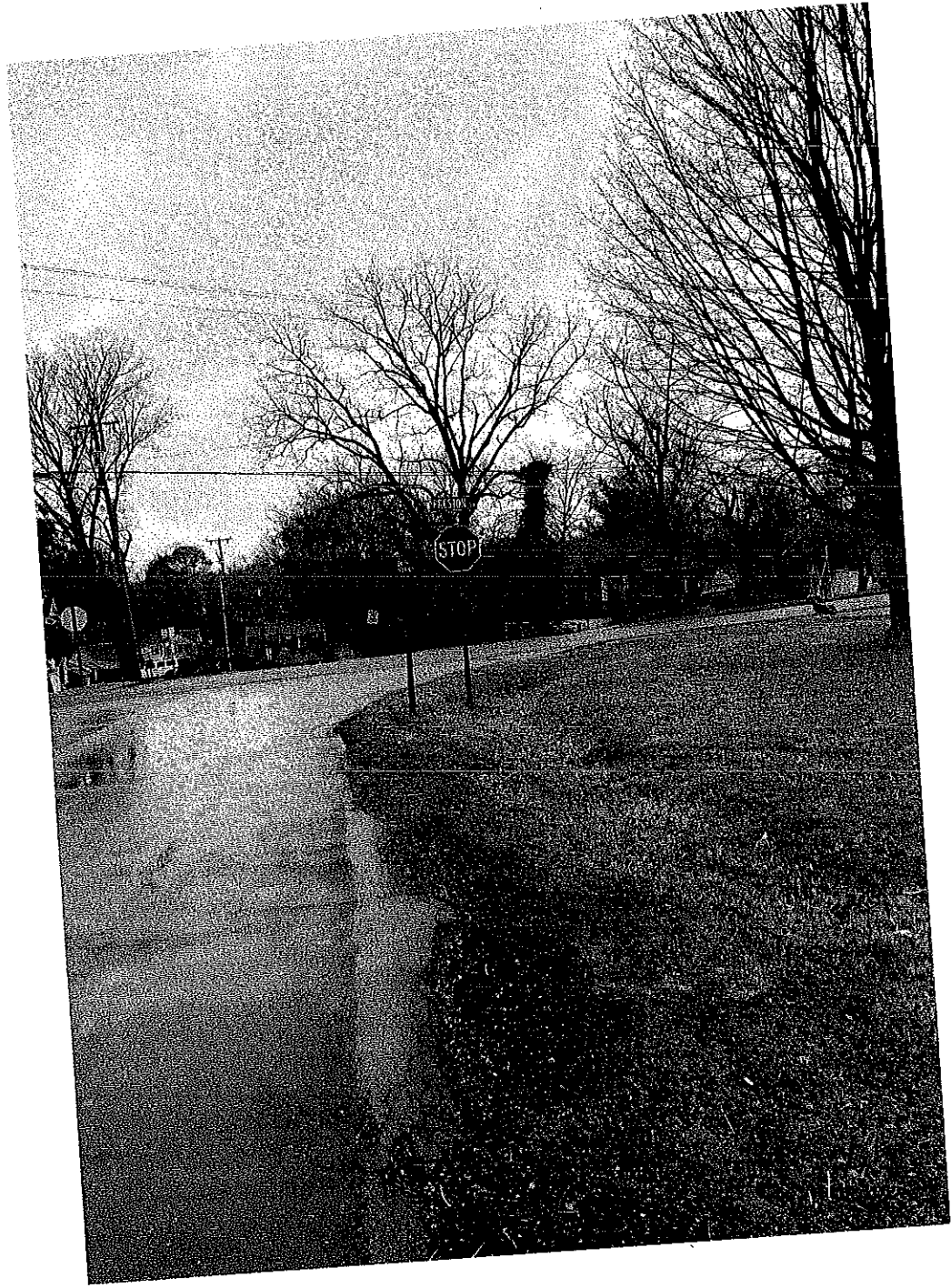


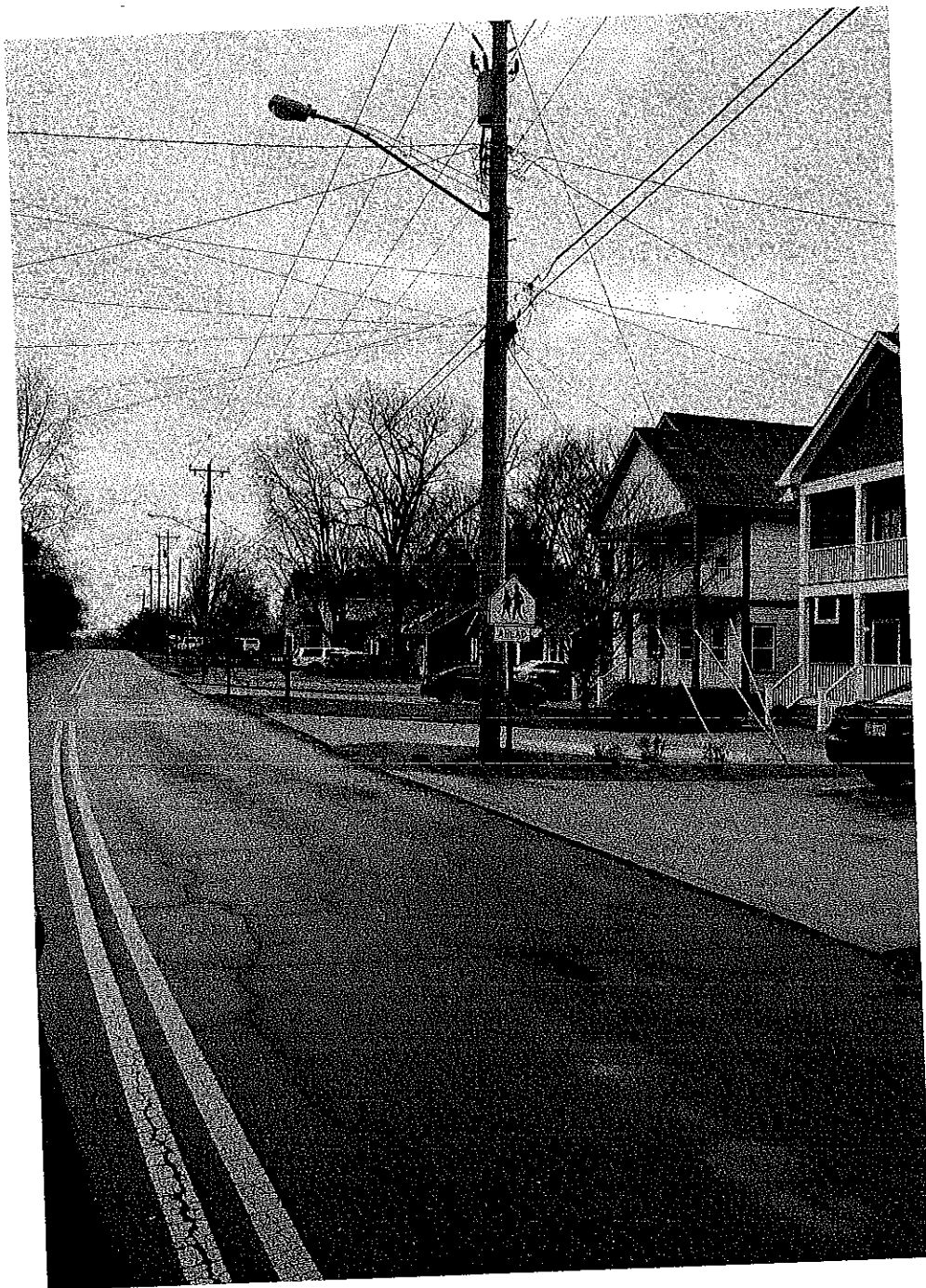


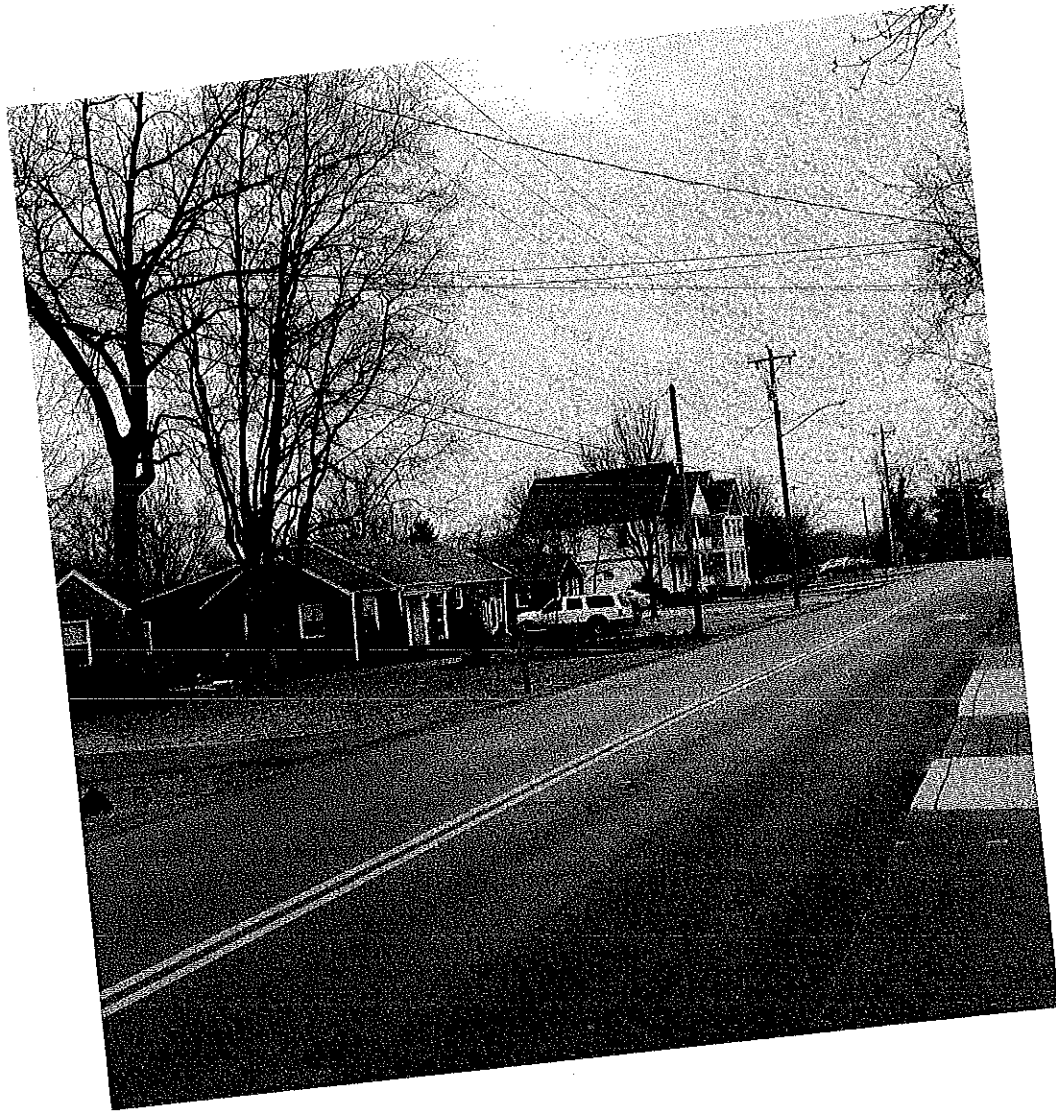


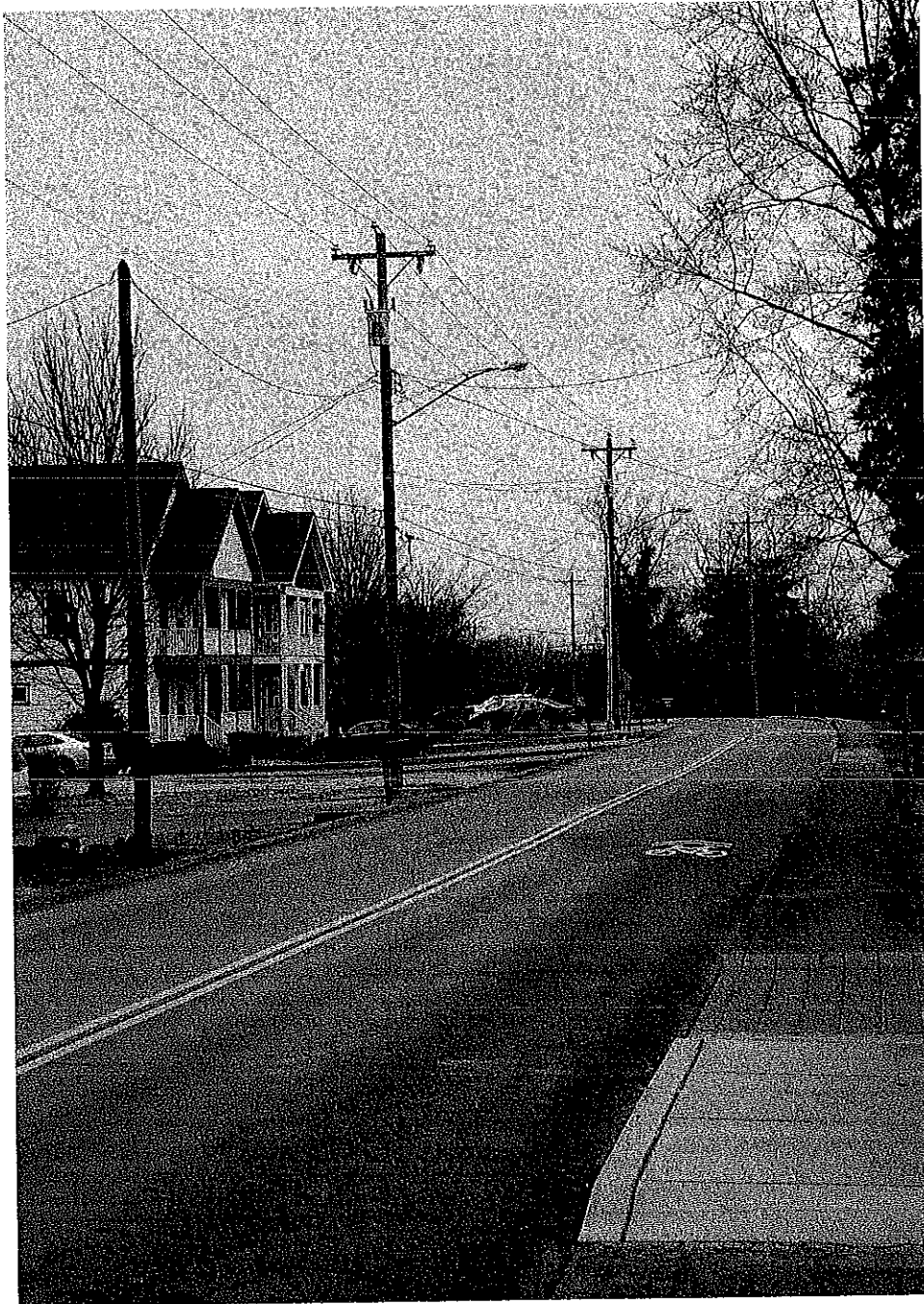




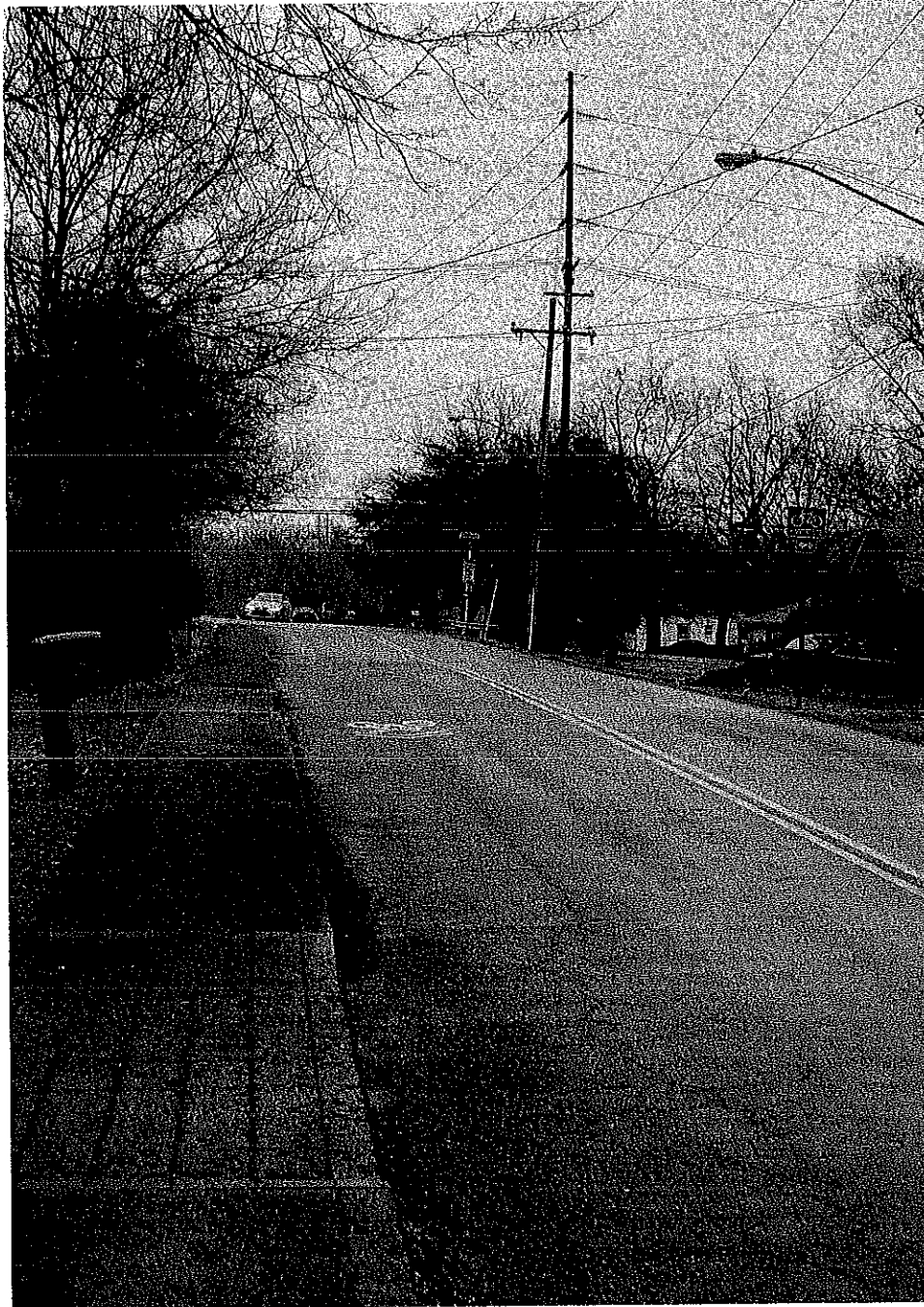












**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER ORDINANCE FOR EROSION, SEDIMENT AND SEDIMENT CONTROL FOR THE UNPAVED AREAS OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED FROM TO THE ONSET OF ANY STORM. CONSTRUCTION SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL INSURVED AREAS ARE RESTORED TO THE EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OF EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE OR COMPATIBLE BRIGHT-LIGHT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE THE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE WORK IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEP AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONSTRUCTION SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW EXCAVATION STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE OPENING IS CONSTRUCTED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASHING. CONCRETE TRUCKS SHALL BE WASHED AT THE PIT. AT NO TIME SHALL A CONCRETE TRUCK DUMP ITS WASTE OFFSITE. CONCRETE TRUCKS SHALL BE WASHED AT THE PIT. CONCRETE TRUCKS SHALL BE WASHED AT THE PIT. CONCRETE TRUCKS SHALL BE WASHED AT THE PIT.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE RESTRICTIONS TO DRIVERS AND SUBCONTRACTORS REGARDING THE REMOVAL OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. RESPECT "NO SPILL" SIGNS OF NEAREST DISPOSAL CLEAN UP.
  - C. HAZARDOUS WASTE MANAGEMENT: PROVIDE RESTRICTIONS TO DRIVERS AND SUBCONTRACTORS REGARDING THE REMOVAL OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. RESPECT "NO SPILL" SIGNS OF NEAREST DISPOSAL CLEAN UP.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS OR PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER FINISHING. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (USING NATIVE PERENNIALS AND WOODY PLANTS WHERE PRACTICABLE) OR OTHER PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION MEASURES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO DIVERT OR STORE FLOWS FROM AREAS OF LAND DISTURBANCE OR OTHERWISE LEAST RISKY AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE. MUST BE IMPLEMENTED, SUCH PRACTICES MAY INCLUDE: SILT FENCES, BARRIERS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, GROUND SURFACE DRAINAGE, PIPE SLOPE DRAINS, STORM DRAIN INLET PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND BARRIERS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS SUCH AS INTERMITTENT SHOWERS OVER THE COURSE OF SEVERAL DAYS), AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF 0.5 INCHES OR GREATER, AND AT LEAST ONCE EVERY FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE CONDUCTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, DATES, AND THE DATE OF THE INSPECTION, MAKE OBSERVATIONS RELATIVE TO THE LOCATION OF DISTURBANCES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESCRIBED ON PROVIDED INDICATORS FOR A PARTICULAR LOCATION, BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN NEED OF REPAIR MUST BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT STORM EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.

**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

- 1.1 SLOPES SHOWN HEREON TO BE SEEDING FOR STABILIZATION
  - 2.1 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GRASS SEED MIXTURE CONTROL GRANULES OR APPROVED SUBSTITUTE STABLE PARTIAL 70.
- HOUSE EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 300 FEET OF A STREAM OR WETLAND
  - IS WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 1:3 OR MORE)
  - RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

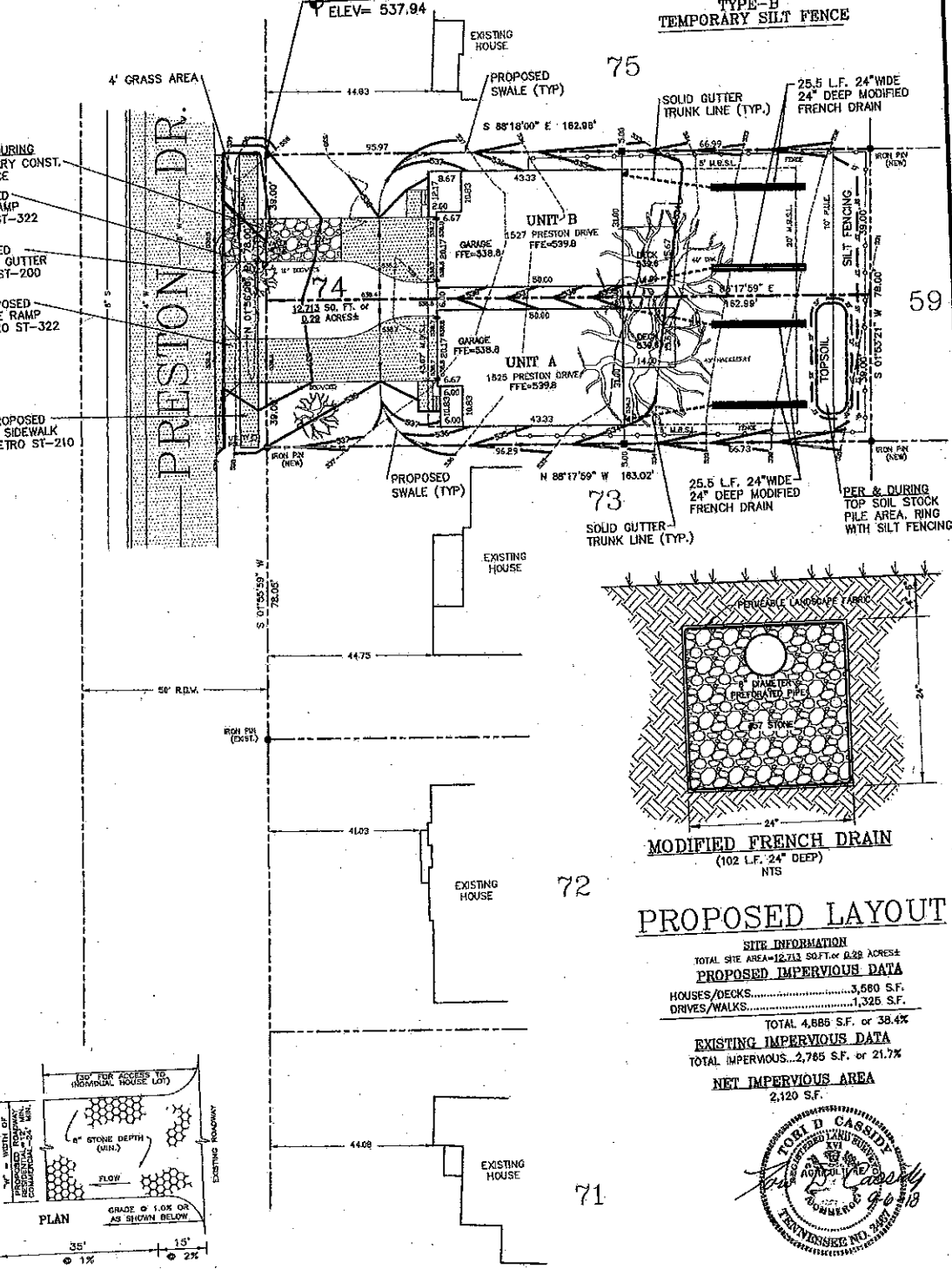
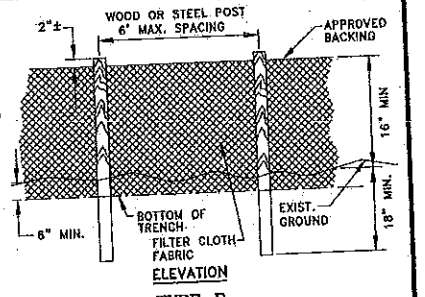
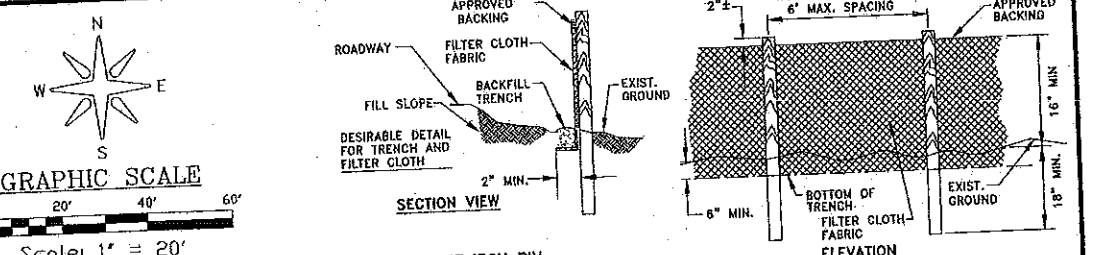
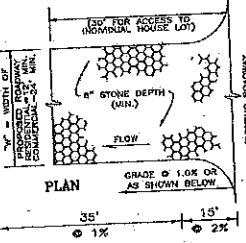
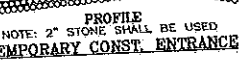
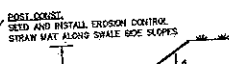
1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION NEAR TREES MARKED FOR PRESERVATION
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PAVE WITHIN THE SPREADER RADIUS OF PRESERVED TREES.

**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS SOON AS PRACTICABLE WITH TEMPORARY VEGETATION ANY/OR MULCHING TO PROTECT EXPOSED SOILS, AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BALES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS OUTLINES AND DOWN SPOUTS ARE COMPLETED
  - \* ROUTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN
- POST: ALL DISTURBED AREA TO BE SEEDING AND STRAWED OR SOO APPLIED.

**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
<b>AVERAGE</b>	<b>43.67</b>



**PROPOSED LAYOUT**

**SITE INFORMATION**

TOTAL SITE AREA=12,713 SQ.FT. 0.28 ACRES

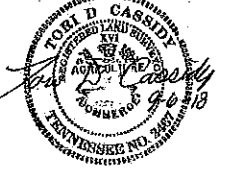
**PROPOSED IMPERVIOUS DATA**

HOUSES/DECKS.....	3,580 S.F.
DRIVES/WALKS.....	1,325 S.F.
<b>TOTAL</b>	<b>4,905 S.F. OR 38.4%</b>

**EXISTING IMPERVIOUS DATA**

<b>TOTAL IMPERVIOUS</b>	<b>2,785 S.F. OR 21.7%</b>
-------------------------	----------------------------

**NET IMPERVIOUS AREA**  
2,120 S.F.



**Delta Associates**  
INCORPORATED  
Design - Surveying

7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501

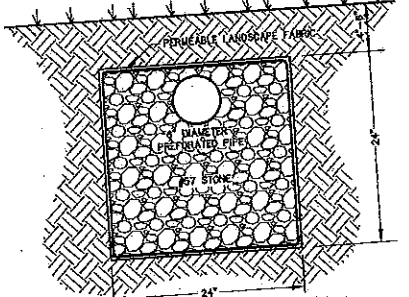
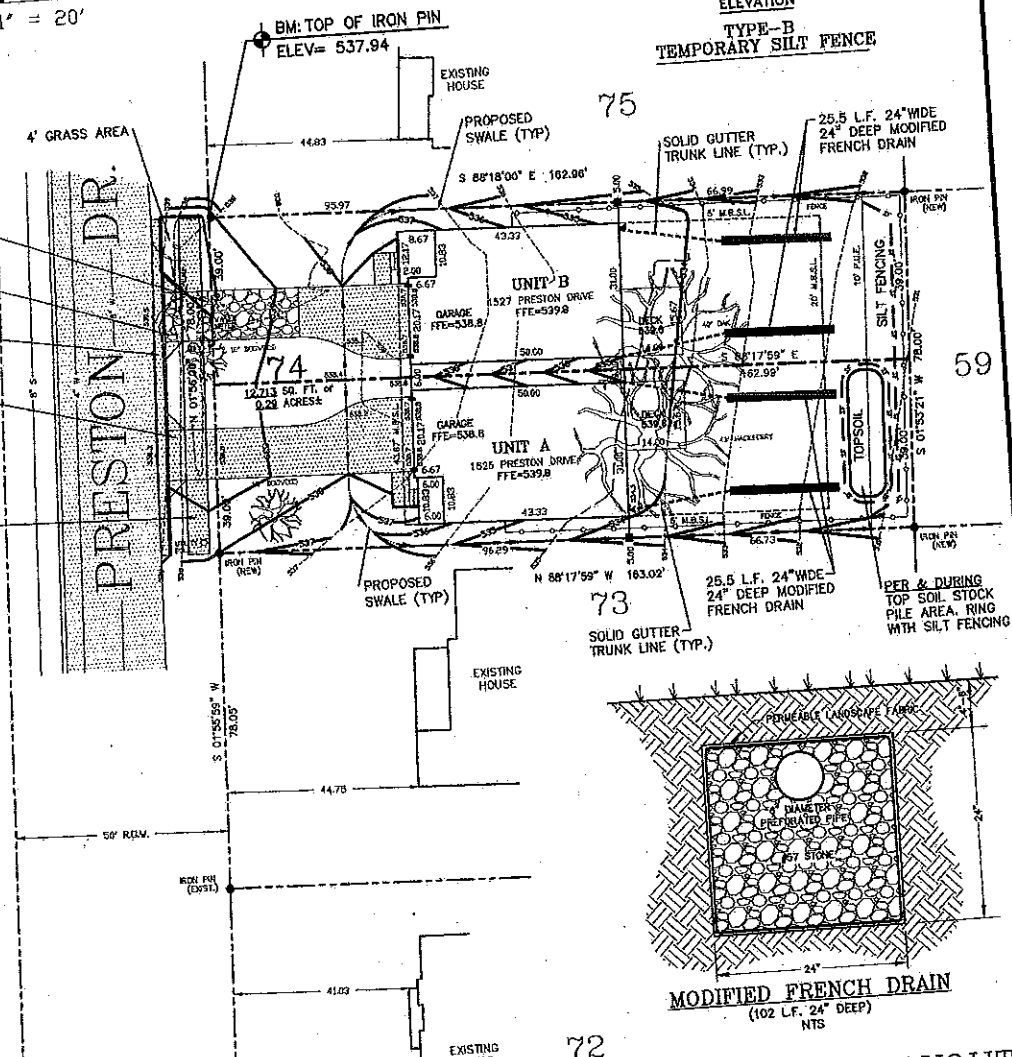
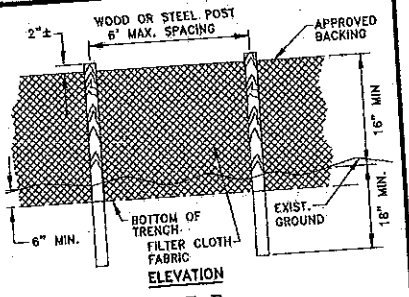
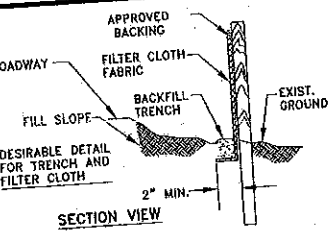
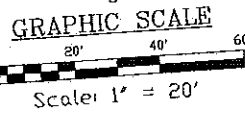
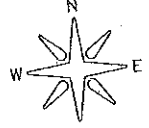
**SITE GRADING PLAN**  
**LOT NO. 74**  
**PART TWO**  
**PORTER HEIGHTS SUBDIVISION**

1525 PRESTON DRIVE  
7th COUNCIL DISTRICT  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37206

SCALE: 1" = 20'	DRAWN BY: TOC	DATE: 9-5-18	DRAWING NO.:
	CHECKED BY: RSL	REV: 10, 18-0070-1020	1 OF 2

### STANDARD EROSION AND SEDIMENT CONTROL NOTES

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STREAM WATER QUALITY ACTS FOR GRADING, EROSION AND SEDIMENT CONTROL, FOR THE MEASURES GIVEN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONTRACTOR SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DIRECTION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF AT THE DIRECTION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE OR SIMILAR DROUGHT-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEP AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW BRUSHING STRUCTURE OPERATIONS IMMEDIATELY AFTER THE STRUCTURE OPERATIONS ARE COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL MAINTAIN HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: THE CONTRACTOR SHALL PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR PROVIDE A DESIGNATED AREA FOR THE TEMPORARY STORAGE OF CONCRETE WASTE. THIS AREA SHALL BE PROTECTED FROM THE WIND AND RAIN AND CLEAN UP THIS AREA TO THE CITY STREET DRAINS VIA CURB AND GUTTER METE. INSERT ONLY TO CONTROL RUNOFF AND MAINTAIN FOR REMOVAL OF HAZARDOUS PRODUCTS.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE PROTECTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING PROTECTIVE CLOTHING AND EQUIPMENT. PROVIDE STORAGE, USE AND REDUCTION OF POLLUTANTS. PROVIDE PROTECTION FROM HAZARDOUS WASTE. CLEAN UP, REMOVE TRAILS FOR EVIDENCE OF HAZARDOUS DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE RELEASE OF POLLUTANTS FROM HAZARDOUS WASTE TO THE ENVIRONMENT THROUGH PROPER WASTE USE. WASTE STORAGE AND TRAILING OF EMPLOYEES. HAZARDOUS WASTE PRODUCTS, INCLUDING PAINTS, SOLVENTS, FERTILIZERS, PESTICIDES, HERBICIDES, AND OTHER PRODUCTS. SOIL STABILIZATION PRODUCTS, ASPHALT PRODUCTS, AND CONCRETE CURING PRODUCTS.
12. STABILIZATION MEASURES MUST BE WEARED WITHIN SEVEN (7) DAYS OR PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER SEPARATION. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (SHOULD HAVE PERENNIAL AND WOODY PLANTS WHERE PRACTICABLE) OR OTHER PERMANENTLY STABLE, HIGH-EROSION SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION MEASURES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR STOP FLOWS FROM AREAS OF LAND DISTURBANCE OR OTHERWISE LAST PARTY AND THE DISPENSURE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE: SILT FENCES, EARTH DOLS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SUBSURFACE DRAIN, PIPE SLOPE DRAIN, STORM DRAIN INLET PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS SUCH AS INTERMITTENT SHOWERS OVER ONE OR MORE DAYS) AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF ONE INCH OR GREATER AND AT LEAST ONCE EACH FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE: GUIDELINES OF PERSONNEL, NARRATIVE OF THE INSPECTION, MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION OF DISTURBANCES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED OR PROVIDED INADEQUATE FOR A PARTICULAR LOCATION). BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.

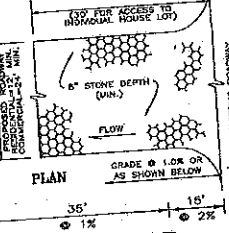


### POST CONSTRUCTION AND SLOPE STABILIZATION NOTES

- 31 SLOPES SHOWN HEREIN TO BE STABILIZED WITH NORTH AMERICAN GREEN SOLO DRAGON CONTROL BLANKET OR APPROVED SUBSTITUTE STAPLE PATTERN "D".
- NOISE EXTRA MEASURES MAY BE NEEDED IF:
  - S WITHIN 300 FEET OF A STREAM OR WETLAND
  - S WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 12% OR MORE)
  - RECEIVES RUN OFF FROM 1000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

### PRESERVING EXISTING VEGETATION NOTES

1. WHEREVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION NEAR TRACES MARKED FOR PRESERVATION.
  2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PARK VEHICLES NEAR TRACES MARKED FOR PRESERVATION.
- ### REVEGETATION NOTES
- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BALES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS CUTTERS AND DOWN SPROUTS ARE COMPLETED
  - \* ROUTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN EXIST.
- ALL DISTURBED AREAS TO BE SEEDED AND STRAWED OR SOG APPLIED.



**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
174.69/4=43.67	

### SITE GRADING PLAN LOT NO. 74 PART TWO

### PORTER HEIGHTS SUBDIVISION

1525 PRESTON DRIVE 7th COUNCIL DISTRICT NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37208

**SITE INFORMATION**

TOTAL SITE AREA=12,713 SQ.FT. OR 0.29 ACRES

**PROPOSED IMPERVIOUS DATA**

HOUSES/DECKS.....	3,860 S.F.
DRIVES/WALKS.....	1,325 S.F.
TOTAL 4,885 S.F. OR 38.4%	
<b>EXISTING IMPERVIOUS DATA</b>	
TOTAL IMPERVIOUS.....	2,788 S.F. OR 21.7%
<b>NET IMPERVIOUS AREA</b>	
2,120 S.F.	



Delta Associates INCORPORATED Design - Surveying

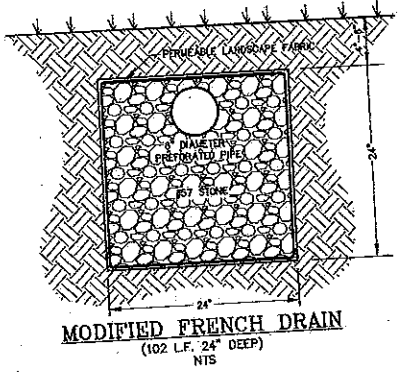
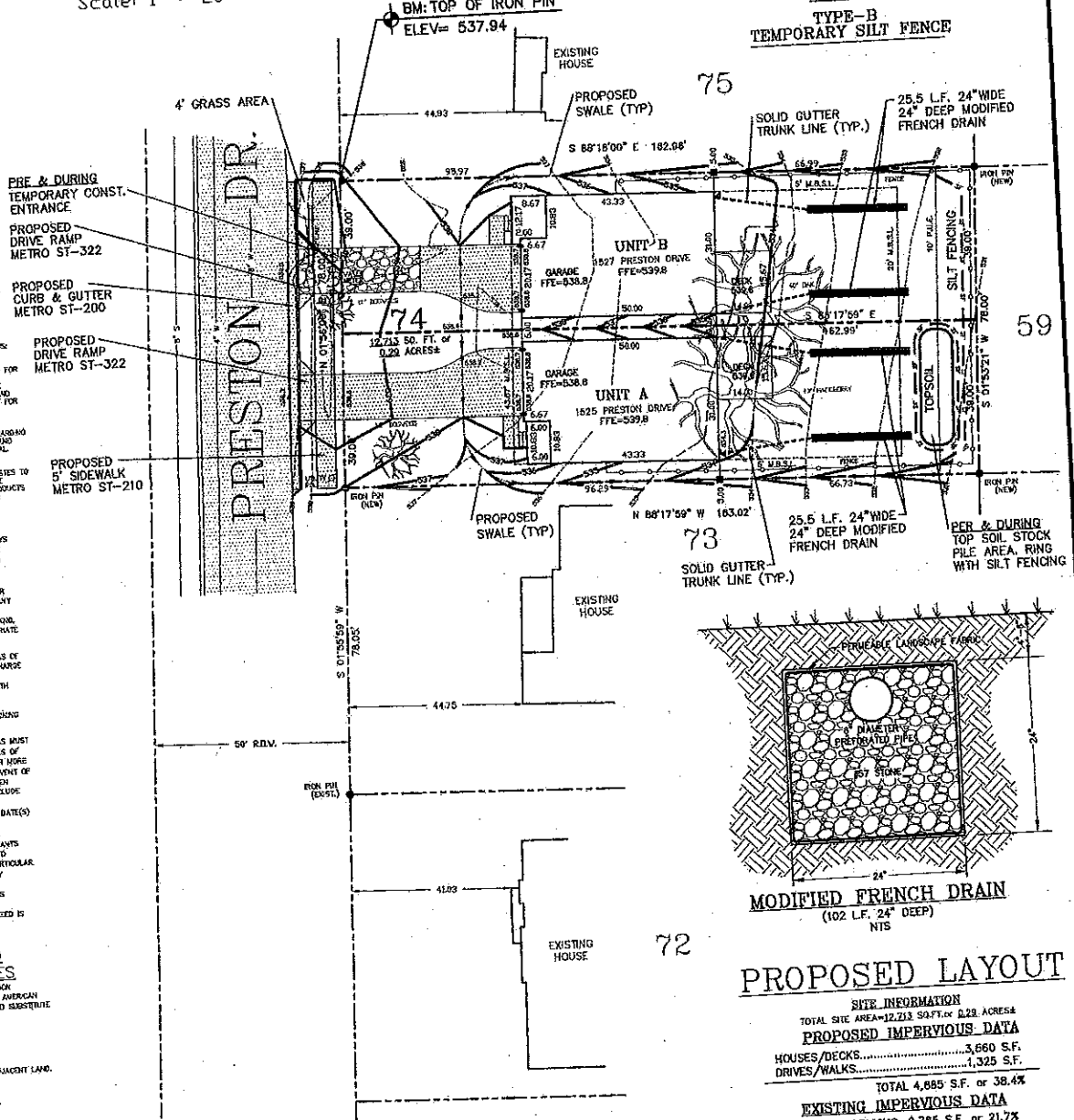
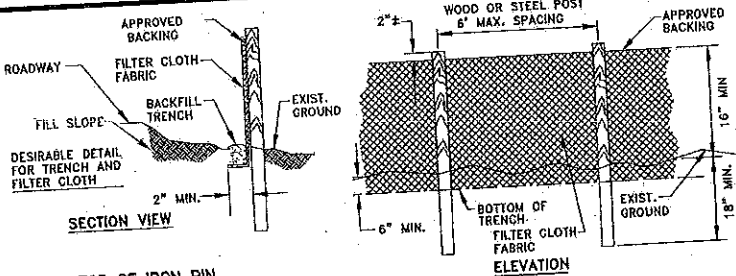
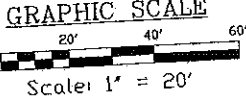
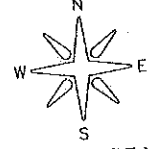
7121 Crossroads Blvd., Brentwood, TN 37027 PHONE: (615) 850-3501

SCALE: 1" = 20'	DRAWN BY: TDC	DATE: 8-5-18	DRAWING NO.
CHECKED BY: BOL	APP NO. 18-00790-1825		1 OF 2



**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY EROSION WATER ORDINANCE FOR GRADING, EROSION AND SEDIMENT CONTROL. FOR THE WEAKERS SHOWN ON STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE START OF ANY WORK. CONTRACTOR SHALL MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WATER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO THE DESIGN OF CONTRACTORS ONLY WITH THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE COVERING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE COVERING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MONITORING OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE & COMPATIBLE DROUGHT-PERSISTENT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT BARREN OVER THE WATER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE WILL BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEP AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW DRAINAGE STRUCTURE OPERATIONS IMMEDIATELY AFTER THE STRUCTURE GRADING IS COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIR IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE BRICK WASTES. DISPOSE OF WASTES IMMEDIATELY. WASTE OFFSETS, AT NO TIME SHALL BE ALLOWED TO LEAK OR SPILL. WASTE AND CLEAN UP BRICK INTO THE CITY STORM DRAIN VIA A SILENT GUTTER AND GUTTER INLETS. DISPOSE IN THE CITY STORM DRAIN VIA A SILENT GUTTER AND GUTTER INLETS.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTIONS TO EMPLOYEES AND SUBCONTRACTORS REGARDING PROTECTION OF POLYMERIZING MATERIAL STORAGE, USE AND CLEAN UP. INSPECT WEEKLY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE RELEASE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE DRAINAGE SYSTEMS THROUGH PROPER MATERIAL USE, WASTE DISPOSAL AND TRAFFIC. WASTES SHALL BE LIMITED TO PAINTS & COATINGS, PAINTS, SOLVENTS, FERTILIZERS, PESTICIDES, SOLVENTS, PETROLEUM PRODUCTS, ASPHALT PRODUCTS AND CONCRETE DURING PRODUCTS.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS ON PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER EARTHWORK. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (ORNAMENTALS) OR OTHER PERENNIALS AND WOOD PLANTS WHERE PRACTICABLE) OR OTHER PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION PRACTICES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR STORE FLOWS FROM AREAS OF LAND IMPROVEMENT OR EXPOSED SOIL ROOFS AND THE OCCURRENCE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE SOIL EROSION, EARTH EROSION, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SURFACE GRATING, PIPE, SLOPE DRAINS, STORM DRAIN BUILT PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR BEFORE STORM EVENTS BEGIN) AS INTERMITTENT SHOWERS OVER ONE (1) HOUR, STORM EVENTS BEGIN AS INTERMITTENT SHOWERS OVER ONE (1) HOUR (OR DAYS), AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT (OR DAYS). INSPECTIONS MUST BE DOCUMENTED AND INCLUDE:
  - DATE OF INSPECTION, NAME(S) AND TITLE OF INSPECTOR(S)
  - QUANTIFICATION OF PERSONNEL AMONG THE INSPECTION, THE DATE(S) OF THE INSPECTION, WATER OBSERVATIONS RELATING TO THE REPRESENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF DISCHARGES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS INTENDED OR PROVIDED INADEQUATE FOR A PARTICULAR LOCATION), BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN NEED OF REPAIR MUST BE REPAIRED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE. NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE. BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.



**PROPOSED LAYOUT**

**SITE INFORMATION**

TOTAL SITE AREA=12,713 SQ.FT. OR 0.29 ACRES

**PROPOSED IMPERVIOUS DATA**

HOUSES/DECKS.....3,660 S.F.

DRIVES/WALKS.....1,325 S.F.

TOTAL 4,985 S.F. OR 38.4%

**EXISTING IMPERVIOUS DATA**

TOTAL IMPERVIOUS...2,785 S.F. OR 21.7%

**NET IMPERVIOUS AREA**

2,120 S.F.



**Delta Associates**  
INCORPORATED  
Design - Surveying

7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501

**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

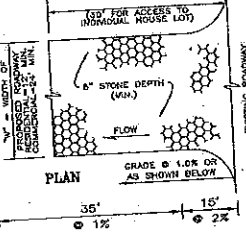
1. SLOPES SHOWN HEREON TO BE SEeded FOR STABILIZATION
  2. SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GREEN SOLO EROSION CONTROL, BLANKET OR APPROVED SUBSTITUTE STAPLE PATTERN "D".
- NOTE: EXTRA WEAKERS MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 500 FEET OF A STREAM OR WETLAND
  - IS WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (GRADE OF 10% OR MORE)
  - RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN INCH OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

1. WHEREVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PARK NEARBY TREES MARKED FOR PRESERVATION

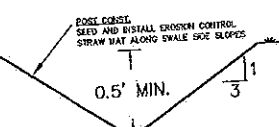
**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MACHINING TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MACHINING IS TO BE APPLIED AT THE RATE OF 2-3 BALES OF STRAW PER 1,000 SQ. FT.
- NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - INSTALL AS SOON AS OUTLETS AND DOWN SPOUTS ARE COMPLETED
  - ROUTE WATER TO A GRASSY AREA
  - MAINTAIN UNTIL A LAWN IS ESTABLISHED
- REMOVE TREES OUTSIDE LOTS OF GRADING TO REMAIN
- POST: ALL DISTURBED AREA TO BE SEeded AND STRAWED OR SOO APPLIED.



**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.18
<b>Average</b>	<b>174.89/4=43.67</b>



**PROFILE**  
NOTE: 2" STONE SHALL BE USED

**SITE GRADING PLAN**  
**LOT NO.74**  
**PART TWO**  
**PORTER HEIGHTS SUBDIVISION**

1525 PRESTON DRIVE  
7th COUNCIL DISTRICT  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37206

SCALE: 1" = 20'	DRAWN BY: TDC	DATE: 8-5-18	DRAWING NO.:
CHECKED BY: PDL	APP. NO. 15-00770-1525		1 OF 2

**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER ORDINANCE FOR EROSION AND SEDIMENT CONTROL. FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE CASSET OF ANY STORM COLLECTOR SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL RESTORED AREAS ARE STABILIZED. CONSTRUCTION OF EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. MEASURES MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE 1 COMPATIBLE DROUGHT-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE DETERMINED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC DURING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEP AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW GARAGE STRUCTURE CONSTRUCTED IMMEDIATELY AFTER THE STRUCTURE OPENING IS COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIR IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEHOLDING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASHOUT FOR THE PROJECT. PROVIDE A TRUCK WASHOUT PIT. AT NO TIME SHALL A CONCRETE TRUCK WASHOUT PIT BE USED TO CLEAN THE TRUCK OR CITY STREET. ALL WASTE AND GUTTER INLETS INSPECT DAILY TO CONTROL RUNOFF AND WASHOUT FOR REMOVAL OF HARDENED CONCRETE.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE RESTRICTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING REDUCTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. INSPECT WASTEWATER DISCHARGE OF PAINTS DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE RELEASE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE DRAINAGE SYSTEMS THROUGH PROPER HANDLING, USE, WASTE DISPOSAL AND TRAINING OF EMPLOYEES. HAZARDOUS WASTE PRODUCTS INCLUDING PAINTS, SOLVENTS, FERTILIZERS, PESTICIDES, HERBICIDES & PETROLEUM PRODUCTS, SOLIDIFIED, LIQUID, GASEOUS, AND OTHER HAZARDOUS WASTE PRODUCTS, ASBESTOS, AND OTHER HAZARDOUS WASTE PRODUCTS.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS OF PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER FINISHING. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (SUDDO GRASS, HERBACEOUS AND WOODY PLANTS WHERE PRACTICABLE) OR OTHER PERMANENT STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION PRACTICES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. EROSIONAL PRACTICES TO EXPORT OR STORE FLOWS FROM AREAS OF LAND DISTURBANCE OR OTHERWISE LIMIT RUNOFF AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE: SALT FENCES, BARRIERS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SURFACE DRAIN, PIPE SLOPE DRAIN, STORM DRAIN INLET PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS SUCH AS PRECIPITATION SHOWERS OVER ONE OR MORE DAYS), AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF 0.5 INCHES OR GREATER, AND AT LEAST ONCE EVERY FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, MEASURES (AND THE TYPE OR QUALIFICATIONS OF PERSONNEL MAKING THE INSPECTION), THE DATE(S) OF THE INSPECTION, MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF OBSERVATIONS OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED OR PROVIDED INADEQUATE FOR A PARTICULAR LOCATION), BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES BE REPAIRED MUST BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.

**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

- 3:1 SLOPES SHOWN HEREON TO BE SOODED FOR STABILIZATION
  - 2:1 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GRASS SOILS EROSION CONTROL, BLANKET OR APPROVED SUBSTITUTE STABLE PATTERN "D".
- NOTE: EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 300 FEET OF A STREAM OR WETLAND
  - IS WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 12% OR MORE)
  - RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

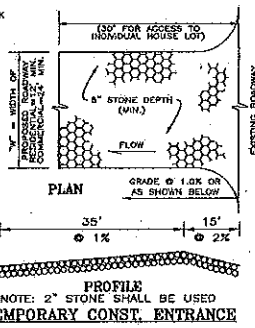
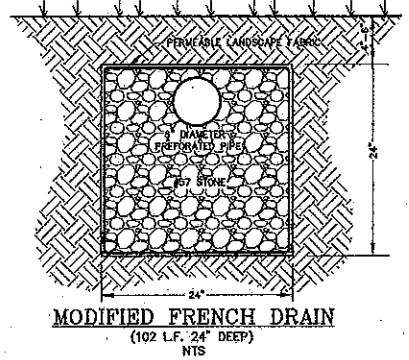
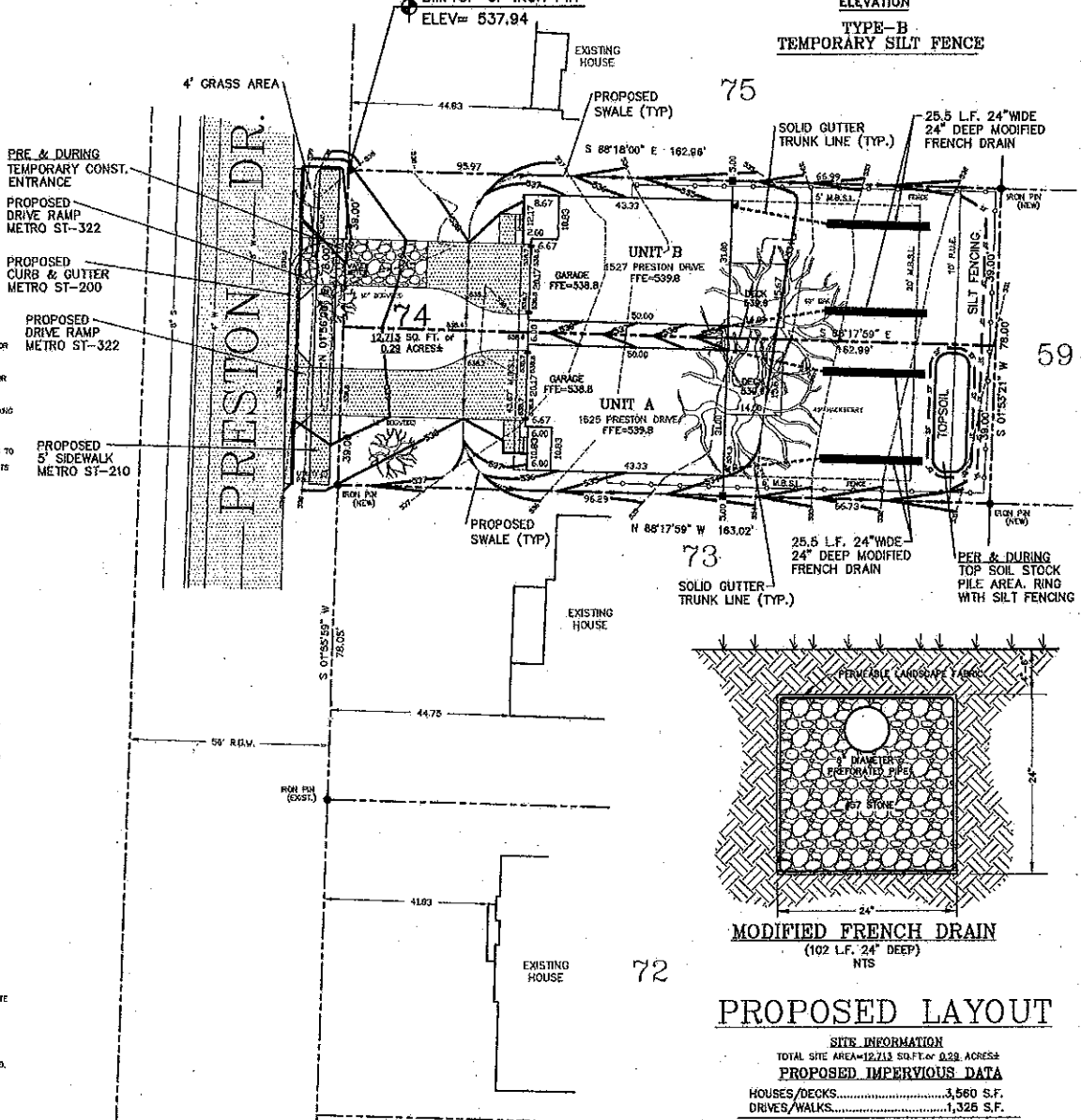
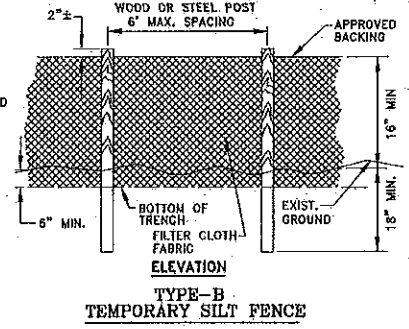
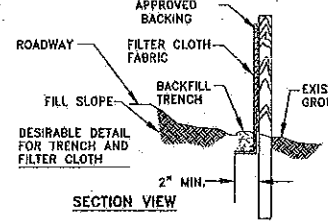
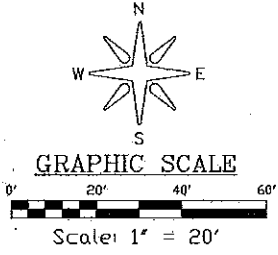
1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION. MARK TREES FOR PRESERVATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PIPES, OR PANK VEHICLES NEAR TREES MARKED FOR PRESERVATION.

**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PREVENT EXPOSED CRACKS. AREAS EXPOSED TO EROSION, TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BALES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS GUTTERS AND DOWN SPOUTS ARE COMPLETED
  - \* PERTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- NOTE: EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN EXIST. ALL DISTURBED AREA TO BE SEEDED AND STRAWED OR SOO APPLIED.

**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
174.69/4=43.67	



**SITE GRADING PLAN  
LOT NO. 74  
PART TWO**

**PORTER HEIGHTS SUBDIVISION  
1525 PRESTON DRIVE**



**Delta Associates**  
INCORPORATED  
Design - Surveying

7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501



**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER DRAINAGE, EROSION AND SEDIMENT CONTROL FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONTRACTOR SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE REQUEST OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF OR AT THE REQUEST OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE OR COMPARABLE PERENNIAL-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS SHALL BE LEFT EXPOSED OVER WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SHEPT AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW DRAINAGE STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE OPENING IS CONSTRUCTED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PILE TO BE USED FOR CONCRETE TRUCK WASHOUT DISPOSE OF HARDENED CONCRETE GUTTERS, AT NO TIME SHALL CONCRETE BE PLACED ON THE DRIVE AND CLEAN ITS TRUCK INTO THE CITY STORM DRAINS VIA CURBS AND GUTTER BAYS. INSPECT DAILY TO CONTROL, MONITOR AND NOTIFY FOR REMOVAL OF HARDENED CONCRETE.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING REDUCTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. INSPECT WEEKLY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE DISCHARGE OF POLLUTANTS FROM HAZARDOUS WASTE TO THE DRAINAGE SYSTEMS THROUGH IMPROPER MATERIAL USE, WASTE STORAGE AND STORAGE. EMPLOYEES HAZARDOUS WASTE PRODUCTS COMMONLY FOUND ON-SITE ARE, BUT NOT LIMITED TO PAINTS & SOLVENTS, FERTILIZERS, PESTICIDES, FUELS, OILS, GREASE, RESTORERS, SOIL STABILIZATION PRODUCTS, ASPHALT PRODUCTS AND CONCRETE CURING PRODUCTS.
12. STABILIZATION MEASURES MUST BE INITIATED WITHIN SEVEN (7) DAYS OF PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER EARTHWORK. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (USING NATIVE PERENNIALS AND WOODY PLANTS WHERE FEASIBLE) OR OTHER PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION PRACTICES MAY INCLUDE: TEMPORARY SEEDING, PERENNIAL SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR STORE FLOWS FROM AREAS OF LAND DISTURBANCE OR DRAINAGE (EARTHWORK) AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE SILT FENCES, EARTH DIVES, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SURFACE DRAINS, PIPE SLOPE DRAINS, STRIKE DRUM PILE PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SEVEN (7) DAYS AFTER THE END OF A STORM EVENT OF ONE OR MORE DAYS), AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF ONE OR MORE DAYS, AND AT LEAST ONCE EVERY FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, NAME(S) AND TITLE OR QUALIFICATIONS OF PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF IMPROVEMENTS OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED OR PROVIDED INADEQUATE FOR A PARTICULAR LOCATION). BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN DISREPAIR MUST BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.

**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

- 1.1 SLOPES SHOWN HEREON TO BE SLOPED FOR STABILIZATION
  - 2.1 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GREEN SCS50 EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE STRIKE PATTERN "X"
- NOTICE EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:
- IS NEAR 300 FEET OF A STREAM OR WETLAND
  - IS WITHIN 3,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 12% OR MORE)
  - RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

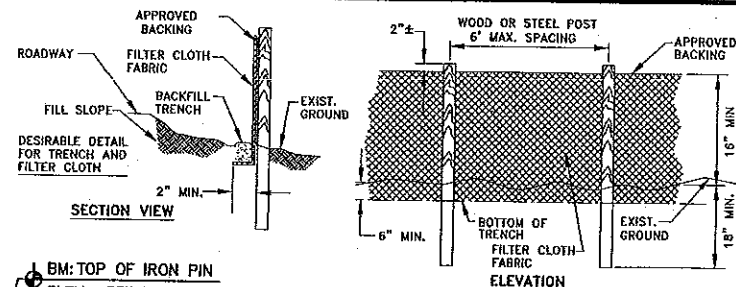
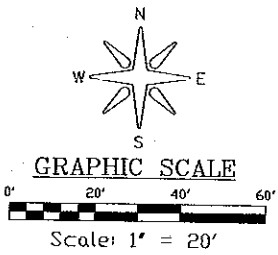
1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRAZE, PLACE SOIL TUBES, OR PAK NEAR TREES MARKED FOR PRESERVATION.

**REVEGETATION NOTES**

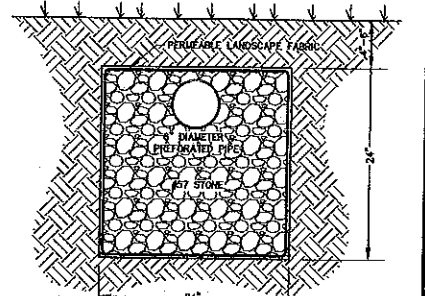
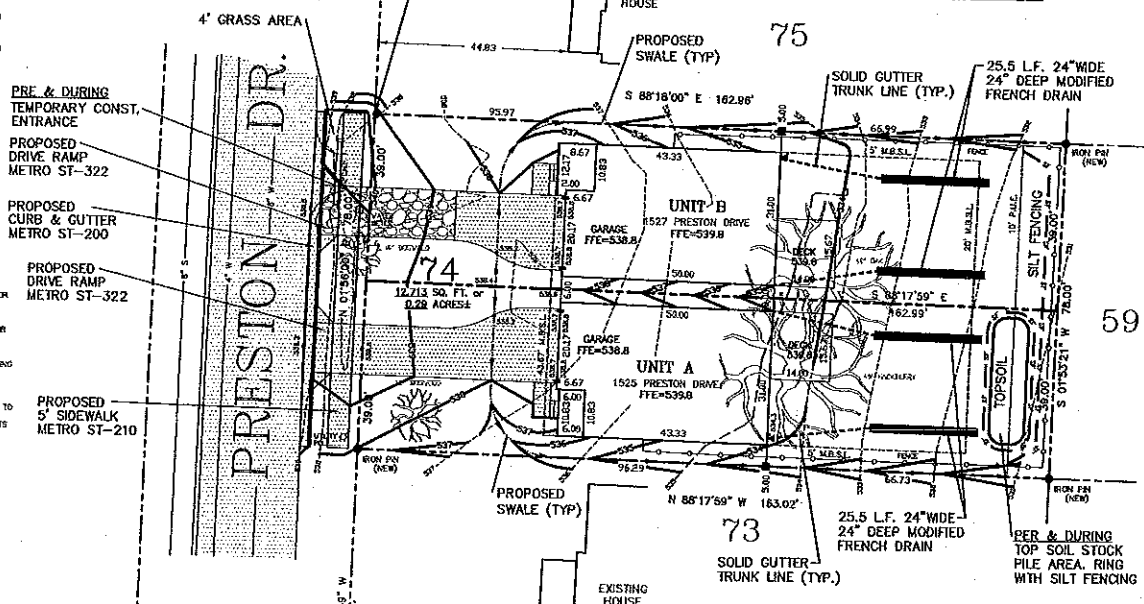
- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BALE(S) OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS GUTTERS AND DOWN SPOUTS ARE COMPLETED
  - \* ROUTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- NOTE: EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN
- NOTE: ALL DISTURBED AREA TO BE SEEDED AND STRAWED OR SOIL APPLIED.

**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
<b>AVERAGE</b>	<b>174.69/4=43.67</b>



**TYPE-B TEMPORARY SILT FENCE**



**MODIFIED FRENCH DRAIN (102 L.F. 24" DEEP) NTS**

**PROPOSED LAYOUT**

**SITE INFORMATION**

TOTAL SITE AREA=12,713 SQ.FT. OR 0.23 ACRE

**PROPOSED IMPERVIOUS DATA**

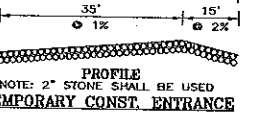
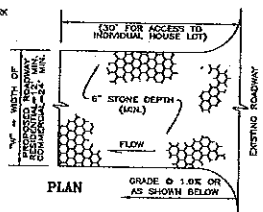
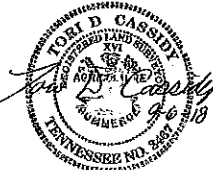
HOUSES/DECKS.....	3,560 S.F.
DRIVES/WALKS.....	1,325 S.F.
<b>TOTAL</b>	<b>4,885 S.F. OR 38.4%</b>

**EXISTING IMPERVIOUS DATA**

TOTAL IMPERVIOUS...2,785 S.F. OR 21.7%

**NET IMPERVIOUS AREA**

2,120 S.F.



**SITE GRADING PLAN**

**LOT NO.74 PART TWO**

**PORTER HEIGHTS SUBDIVISION**

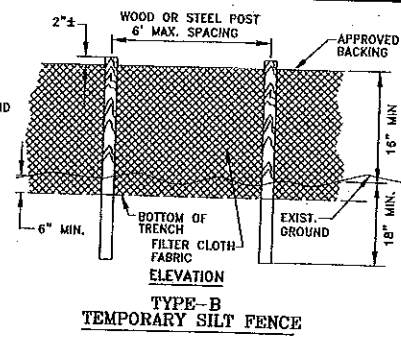
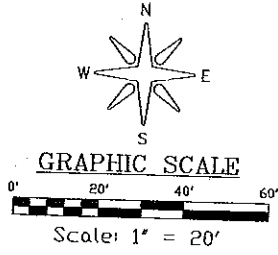
1525 PRESTON DRIVE  
7th COUNCIL DISTRICT



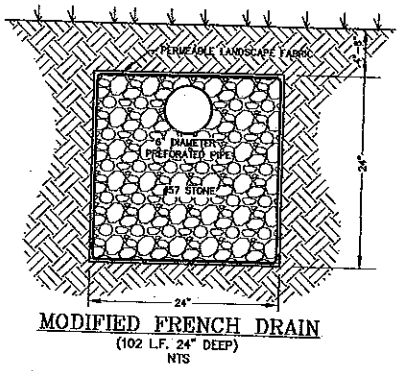
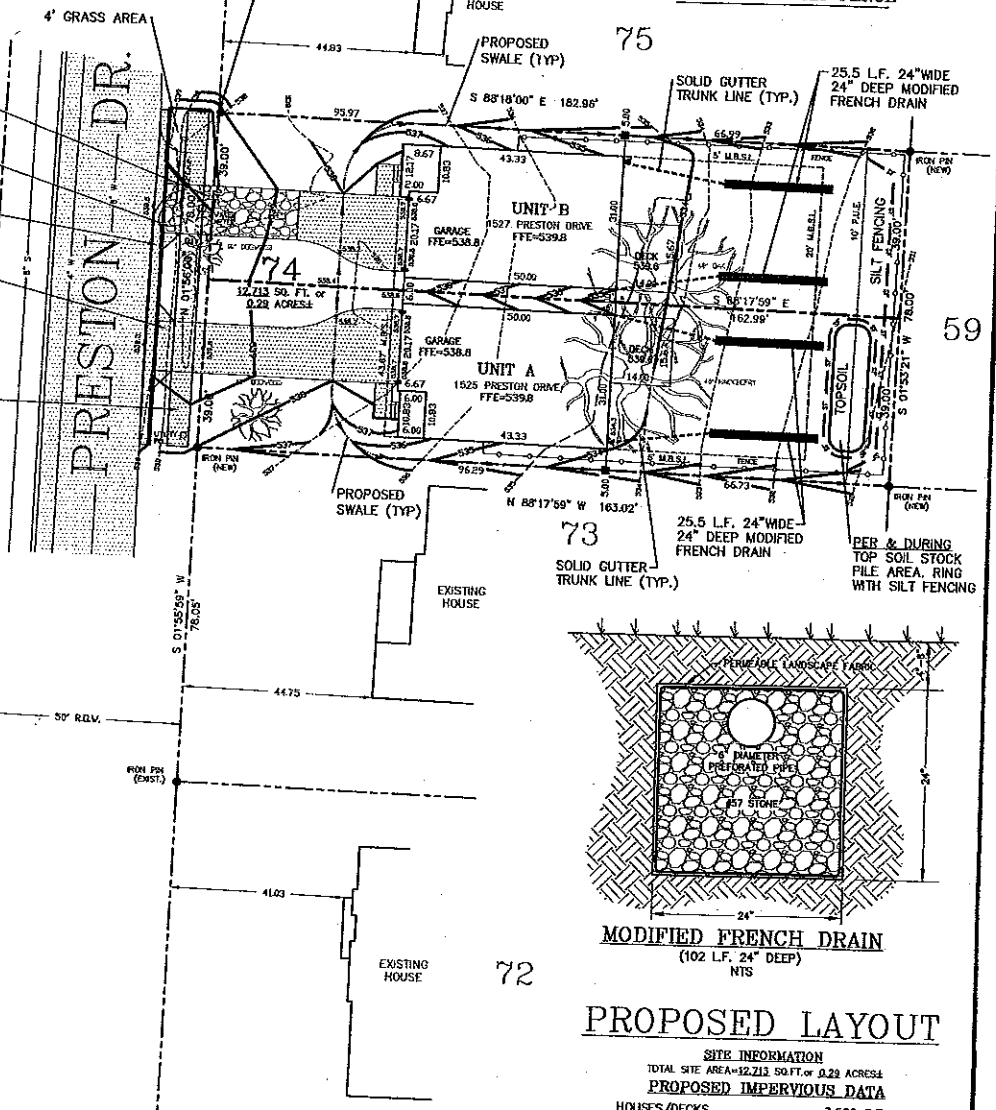
7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501

**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER ORDINANCE FOR GRADING, EROSION AND SEDIMENT CONTROL FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONSTRUCTION SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WHOLE WORKING PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THE EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF US AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OR GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REVEGETATION WITH NATIVE, COMPATIBLE DROUGHT-RESISTANT VEGETATION SHALL BE REQUIRED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW OR EXISTING STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE OPENING IS CONSTRUCTED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASHING. WASTE SHALL BE COLLECTED IN A PIT. AT NO TIME SHALL A CONCRETE TRUCK DUMP ITS WASTE AND CLEAN ITS TRUCK INTO THE CURB AND GUTTER AREAS. INSPECT DAILY TO CONTROL RUNOFF AND READY FOR REMOVAL OF HAZARDOUS CONCRETE.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTIONS TO EMPLOYEES AND SUBCONTRACTORS REGARDING PROTECTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. RESPECT ALL REGULATIONS OF HAZARDOUS DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE DISCHARGE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE ENVIRONMENT. HAZARDOUS WASTES SHALL BE PROPERLY STORED, TRANSPORTED AND DISPOSED OF AT AN APPROVED HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITY. HAZARDOUS WASTES SHALL NOT BE PLACED IN LANDFILLS, DUMPSTERS, OR OTHER UNAPPROVED DISPOSAL SITES.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS OF PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER SEPARATE STABILIZATION MEASURES WITH PERENNIAL VEGETATION (OR NATIVE HERBACEOUS AND WOODY PLANTS WHERE PRACTICABLE) OR OTHER PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION MEASURES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR STOP FLOWS FROM AREAS OF LAND DISTURBANCE OR OVERSEEN LIMIT RUNOFF AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE SILT FENCES, EARTH DAMS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SANDBAGS, DRAINAGE SWALES, STORM DRAIN INLET PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND CASCADS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS SUCH AS STRONG WINDS) OVER ONE OR MORE DAYS, AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF 0.5 INCHES OR GREATER, AND AT LEAST ONCE EVERY FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, NAMES AND TITLE OR QUALIFICATIONS OF PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATIONS) OF DISCHARGES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE, AS DESCRIBED OR PROVIDED NECESSARY FOR A PARTICULAR LOCATION. BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN GENERAL MUST BE REPLACED OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS KNOWN.



- PRE & DURING TEMPORARY CONST. ENTRANCE**
- PROPOSED DRIVE RAMP METRO ST-322
  - PROPOSED CURB & GUTTER METRO ST-200
  - PROPOSED DRIVE RAMP METRO ST-322
  - PROPOSED 5' SIDEWALK METRO ST-210



**PROPOSED LAYOUT**

**SITE INFORMATION**

TOTAL SITE AREA=12,212 SQ.FT. OR 0.28 ACRES

**PROPOSED IMPERVIOUS DATA**

HOUSES/DECKS	3,560 S.F.
DRIVES/WALKS	1,325 S.F.
<b>TOTAL</b>	<b>4,885 S.F. or 38.4%</b>

**EXISTING IMPERVIOUS DATA**

<b>TOTAL IMPERVIOUS</b>	<b>2,765 S.F. or 21.7%</b>
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**NET IMPERVIOUS AREA**

2,120 S.F.



**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

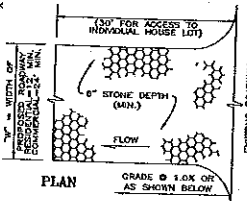
- 2.1 SLOPES SHOWN HEREON TO BE SLOTTED FOR STABILIZATION
  - 2.2 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GREEN SCISSOR EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE STAPLE PATTERN 'D'.
- ADDITIONAL MEASURES MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 500 FEET OF A STREAM OR WETLAND
  - IS WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 12% OR MORE)
  - RECEIVES RUN OFF FROM ROAD AND SOIL, OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION. CLEARING SHALL BE LIMITED TO NECESSARY FOR PRESERVATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PARK VEHICLES NEAR TREES MARKED FOR PRESERVATION.

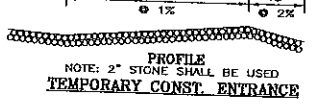
**REVEGETATION NOTES**

- DISTURBED SITES SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BAGES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS GUTTERS AND DOWN SPOUTS ARE COMPLETED
  - \* ROUTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- DESIGN: EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN POST: ALL DISTURBED AREA TO BE SEEDED AND STRAWED OR SOIL APPLIED.



**FRONT SETBACK AVERAGE**

LOT #75	44.83
LOT #73	44.75
LOT #72	41.03
LOT #71	44.08
<b>AVERAGE</b>	<b>43.67</b>

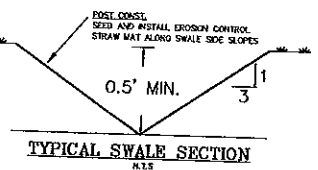


**SITE GRADING PLAN**  
**LOT NO. 74**  
**PART TWO**  
**PORTER HEIGHTS SUBDIVISION**  
 1525 PRESTON DRIVE  
 7th COUNCIL DISTRICT



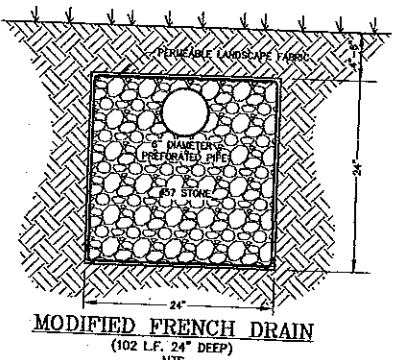
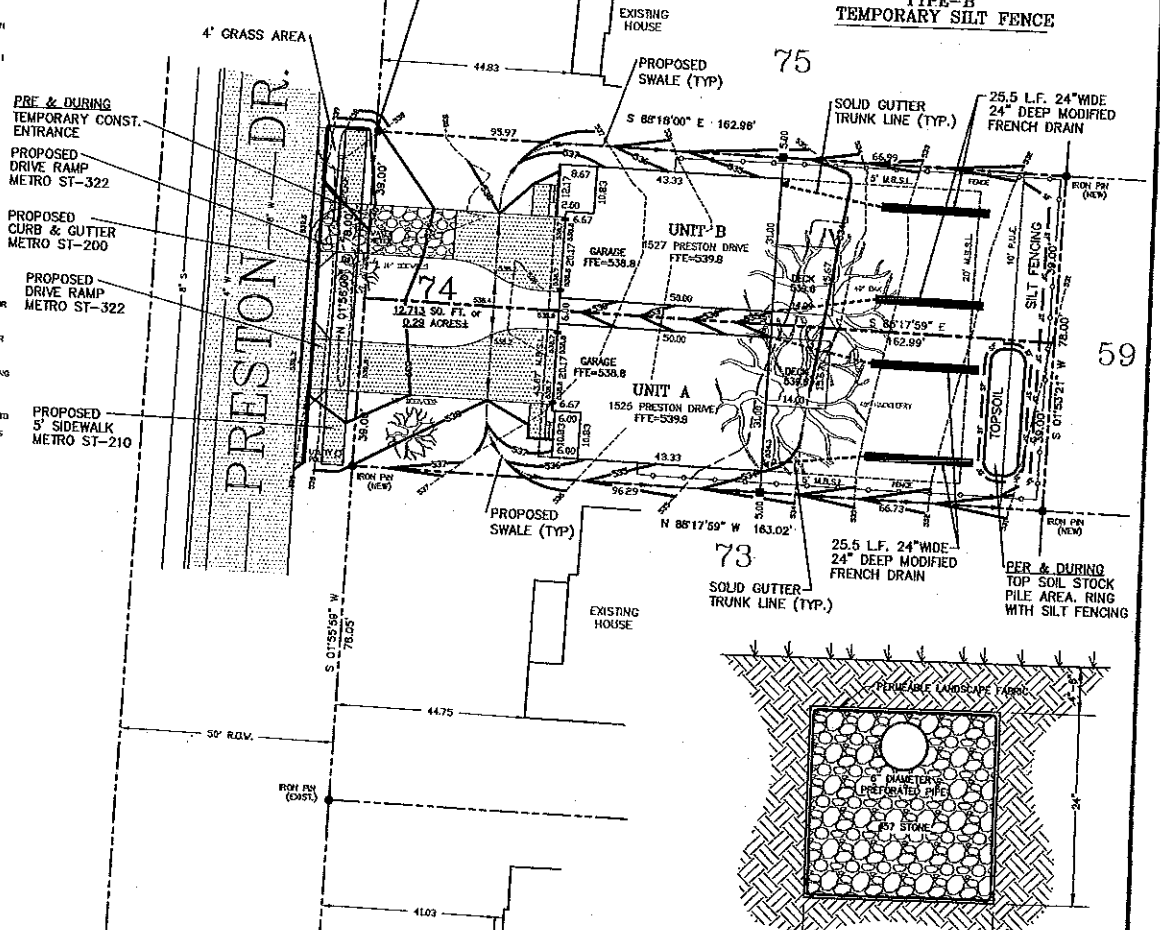
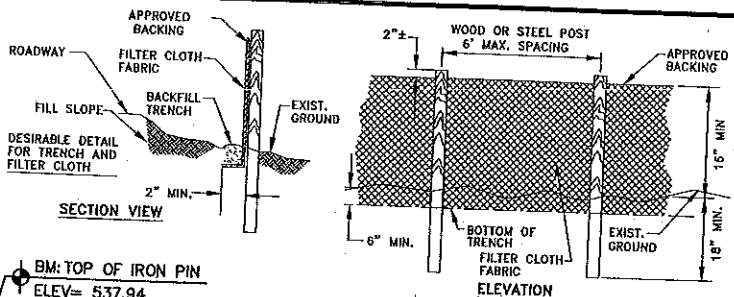
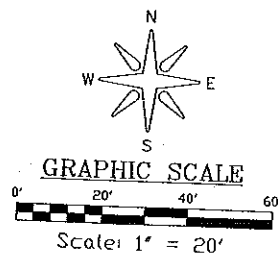
**Delta Associates**  
 INCORPORATED  
 Design - Surveying

7121 Crossroads Blvd., Brentwood, TN 37027  
 PHONE: (615) 850-3501



**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER ORDINANCE FOR GRADING, EROSION AND SEDIMENT CONTROL, FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONSTRUCTION SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WHOLE MONTHS FROM TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION CONTROL PLAN SHALL BE MADE TO MUST BE MADE TO THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT CAN OCCUR IN THE FIELD SUBJECT TO THE APPROVAL OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE 1 COMPATIBLE DROUGHT-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED TO ACCOMMODATE THE CONSTRUCTION OF THE DRIVEWAY. ALL CONSTRUCTION TRAFFIC ENTERING THE STABILIZED CONSTRUCTION ENTRANCE SHALL BE MAINTAINED IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW DRAINAGE STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE GRADING IS COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASHOUT. WASTE CONCRETE SHALL BE STORED IN A DESIGNATED AREA. WASTE CONCRETE SHALL BE CLEANED BY A CONCRETE TRUCK EQUIPPED WITH WATER AND GUTTER NETS. INSPECT DAILY TO CONTROL RUNOFF AND WASHOUT FOR CONTROL OF HAZARDOUS MATERIAL.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING REDUCTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE AND CLEAN UP. INSPECT DAILY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE DISCHARGE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE ENVIRONMENT. EMPLOYEES SHALL BE TRAINED IN THE PROPER HANDLING, STORAGE AND DISPOSAL OF HAZARDOUS WASTES. HAZARDOUS WASTES PRODUCTS INCLUDING PAINTS, SOLVENTS, PETROLEUM PRODUCTS, FERTILIZERS, PESTICIDES, SOIL STABILIZERS, ASPHALT PRODUCTS AND CONCRETE CURING PRODUCTS.
12. STABILIZATION MEASURES MUST BE INITIATED WITHIN SEVEN (7) DAYS ON PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER GRADING. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (USING NATIVE HERBACEOUS AND WOODY PLANTS WHERE PRACTICABLE) OR OTHER PERMANENT STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION MEASURES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO DIVERT OR STORE FLOWS FROM AREAS OF LAND DISTURBANCE OR OTHERWISE LIMIT RUNOFF AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE SIX FEET HIGH EARTH DAMS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SURFACE DRAINAGE, PIPE SLOPE DRAIN, STORM DRAIN INLET PROTECTION, ROCK OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS) SUCH AS PREDETERMINED SHOWERS OVER ONE OR MORE 24 HOUR PERIODS, AND AT LEAST ONCE EVERY FOURTEEN (14) CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, NAMES AND TITLE OR EQUIVALENTS OF PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, MAJOR OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF DISCHARGES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED BY PROVIDER ADEQUATE FOR A PARTICULAR LOCATION). BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN DISREPAIR MUST BE REPLACED OR REPAIRED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.



**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

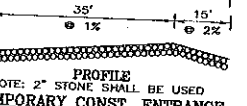
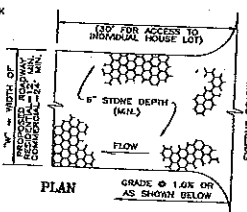
- 2.1 SLOPES SHOWN HEREON TO BE SEEDED FOR STABILIZATION
- 2.1 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GREEN SETSO EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE STABLE PATTERN "X".

**PRESERVING EXISTING VEGETATION NOTES**

1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PARK VEHICLES NEAR TREES MARKED FOR PRESERVATION.

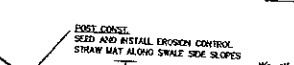
**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PROMOTE DEVELOPMENT OF CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BALS OF STRAW PER 1,000 SQ. FT.
- NOT REQUIRED, BUT HIGHLY RECOMMENDED
- INSTALL AS SOON AS GUTTERS AND DOWN SPOUTS ARE COMPLETED
- ROUTE WATER TO A GRASSED AREA
- MAINTAIN UNTIL A LAWN IS ESTABLISHED



**FRONT SETBACK AVERAGE**

LOT #75	44.83
LOT #73	44.75
LOT #72	41.03
LOT #71	44.08
<b>Average</b>	<b>43.67</b>

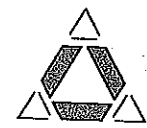


**SITE GRADING PLAN**

**LOT NO. 74 PART TWO**

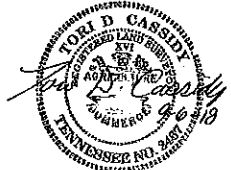
**PORTER HEIGHTS SUBDIVISION**

1525 PRESTON DRIVE  
7th COUNCIL DISTRICT  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37206



**Delta Associates**  
INCORPORATED  
Design - Surveying

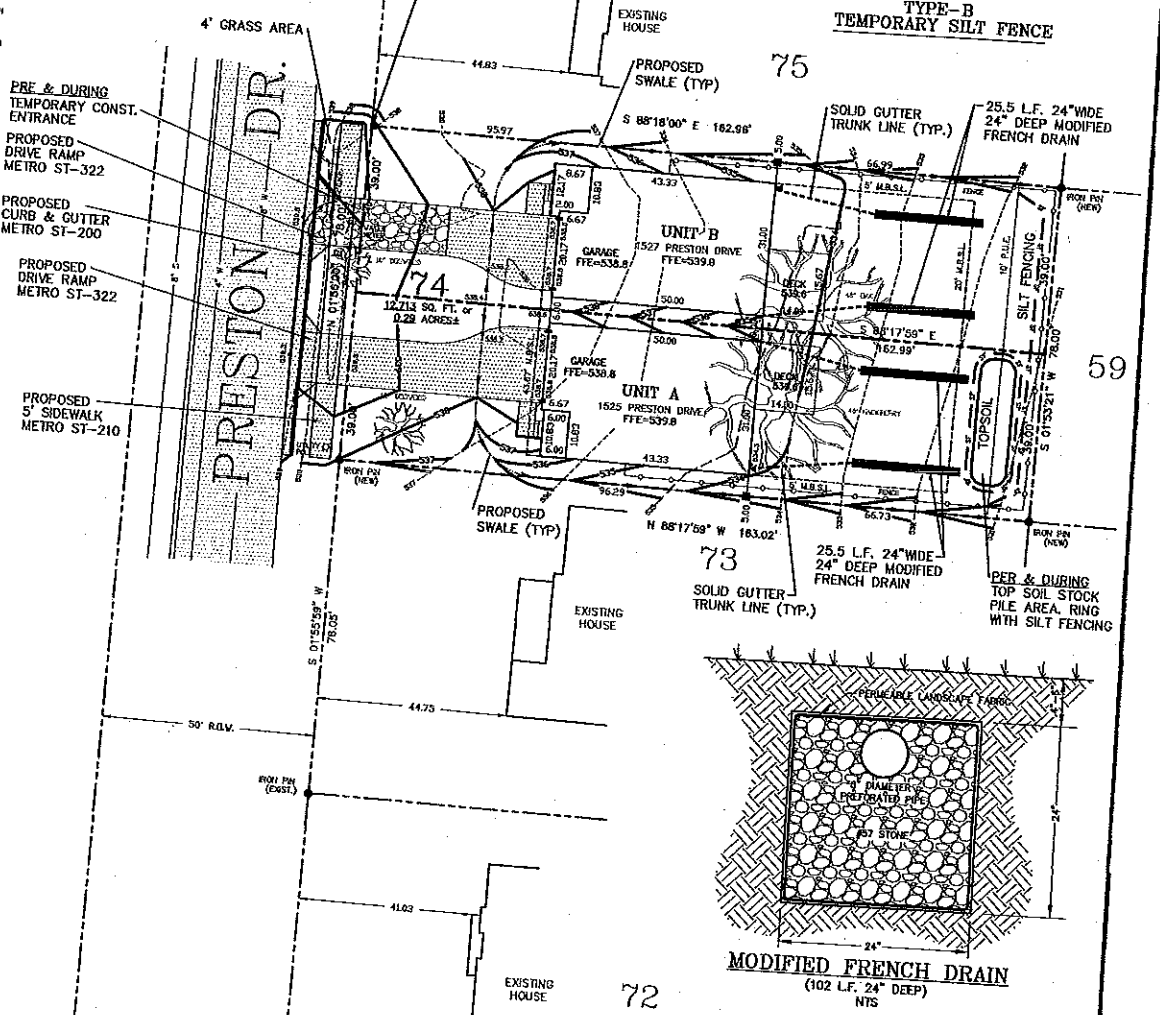
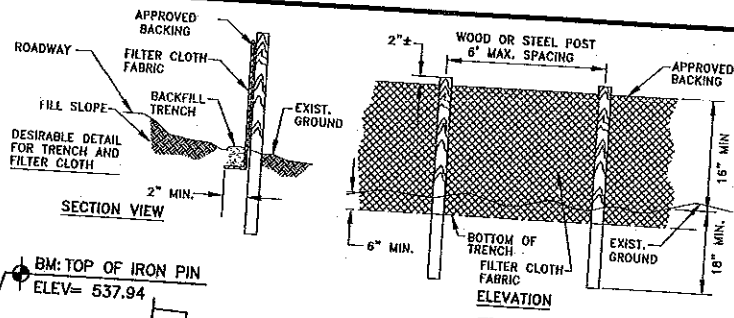
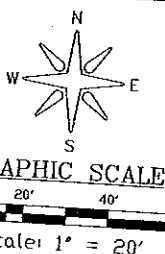
7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501



SCALE: 1" = 20'	DRAWN BY: TDC	DATE: 8-2-19
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**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY STORM WATER ORDINANCE FOR GRADING, EROSION AND SEDIMENT CONTROL FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PREPARED PRIOR TO THE ONSET OF ANY STORM. CONSTRUCTION SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS FROM TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS ONLY WITH THE APPROVAL OF OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS ANY CORRECTIVE CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE COMPATIBLE DROUGHT-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO COMMENCEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC DURING THE STABILIZED CONSTRUCTION PERIOD SHALL REMAIN IN PLACE UNTIL THE ROAD BASE/ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW DRAINAGE STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE OPENING IS CONSTRUCTED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE:
    - CONCRETE IS DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE. THE PIT SHALL BE FENCED OFF FROM ALL OTHER AREAS AND CLEAN UP SHALL BE DONE IMMEDIATELY. ALL CONCRETE WASTE SHALL BE PLACED IN THE PIT. ALL CONCRETE WASTE SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR.
  - B. PAINT AND PAINTING SUPPLIES AND SUBSTRUCTURES REGARDING REDUCTION OF POLLUTANTS INCLUDING MATERIAL STORAGE, USE, AND CLEAN UP. INSPECT REGULARLY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT:
    - THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROPER STORAGE, HANDLING AND TRACING OF HAZARDOUS WASTE. HAZARDOUS WASTE SHALL BE STORED IN A CONTAINER THAT IS PROPERLY LABELED AND SECURED. HAZARDOUS WASTE SHALL NOT BE MIXED WITH OTHER WASTE PRODUCTS. HAZARDOUS WASTE SHALL BE STORED IN A CONTAINER THAT IS PROPERLY LABELED AND SECURED. HAZARDOUS WASTE SHALL NOT BE MIXED WITH OTHER WASTE PRODUCTS.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS AFTER PORTIONS OF THE SITE WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER CONSTRUCTION. STABILIZATION MEASURES SHALL BE MAINTAINED UNTIL THE VEGETATION IS ESTABLISHED. PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION MEASURES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MACHINING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO OVERTOP OR STOP FLOWS FROM AREAS OF LAND DISTURBANCE OR OTHERWISE LIMIT FLOWS AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE: SILT FENCES, EARTH DAMS, DRAINAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SUBSURFACE DRAINS, PIPE SLOPE DRAINS, STORM DRAIN INLET PROTECTION, ROCK OR PIPE SLOPE PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANTICIPATED STORM EVENTS (OR SERIES OF STORM EVENTS SUCH AS INTERMITTENT SHOWERS OVER ONE OR MORE DAYS), AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF CALIBER DATE INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, NAMES AND TITLES OF QUALIFICATIONS OF PERSONNEL MAKING THE INSPECTION, THE DATE(S) OF THE INSPECTION, MARK OBSERVATIONS RELATING TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF DISCHARGES OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED OR PROVIDED IMMEDIATE FOR A PARTICULAR LOCATION. BASED ON THE RESULTS OF THE INSPECTION, ANY NECESSARY CORRECTIVE MEASURES OR CONTROL MEASURES MUST BE REPAIRED OR REPLACED AS NECESSARY, BEFORE THE NEXT STORM EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.



**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

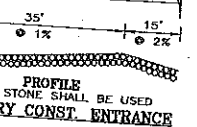
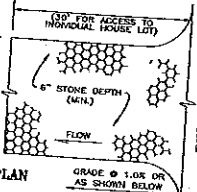
- 2.1 SLOPES SHOWN HEREON TO BE SODDED FOR STABILIZATION.
  - 2.1 SLOPES SHOWN HEREON TO BE STABILIZED WITH NORTH AMERICAN GREEN SOLO EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE STRAPLE PATTERN "D".
- NOTE: EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:  
 -IS WITHIN 500 FEET OF A STREET OR MEDIAN  
 -IS WITHIN 1,000 FEET OF A LAKE  
 -IS STEEP (GRADE OF 12% OR MORE)  
 -RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.  
 -HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION NEAR TREES PLANNED FOR PRESERVATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PILES, OR PARK VEHICLES NEAR TREES PLANNED FOR PRESERVATION.

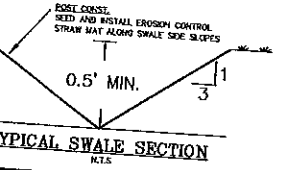
**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS SOON AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MEASURES TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MARCH IS TO BE APPLIED AT THE RATE OF 2-3 BALES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS OUTRIGS AND BORN SPOOTS ARE COMPLETED
  - \* ROUTE WATER TO A GRASSED AREA
  - \* MAINTAIN UNTIL A LAWN IS ESTABLISHED
- EXISTING TREES OUTSIDE LIMITS OF GRASSING TO REMAIN EXIST.
- ALL DISTURBED AREA TO BE SEEDED AND STRAWED OR SOD APPLIED.



**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
<b>174.69/4=43.67</b>	



**SITE GRADING PLAN**  
**LOT NO. 74**  
**PART TWO**  
**PORTER HEIGHTS SUBDIVISION**  
 1525 PRESTON DRIVE  
 7th COUNCIL DISTRICT  
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37206

**SITE INFORMATION**  
 TOTAL SITE AREA=12,711 SQ.FEET OR 0.28 ACRES  
**PROPOSED IMPERVIOUS DATA**  
 HOUSES/DECKS.....3,560 S.F.  
 DRIVES/WALKS.....1,325 S.F.  
 TOTAL 4,885 S.F. OR 38.4%  
**EXISTING IMPERVIOUS DATA**  
 TOTAL IMPERVIOUS.....2,785 S.F. OR 21.7%  
**NET IMPERVIOUS AREA**  
 2,120 S.F.



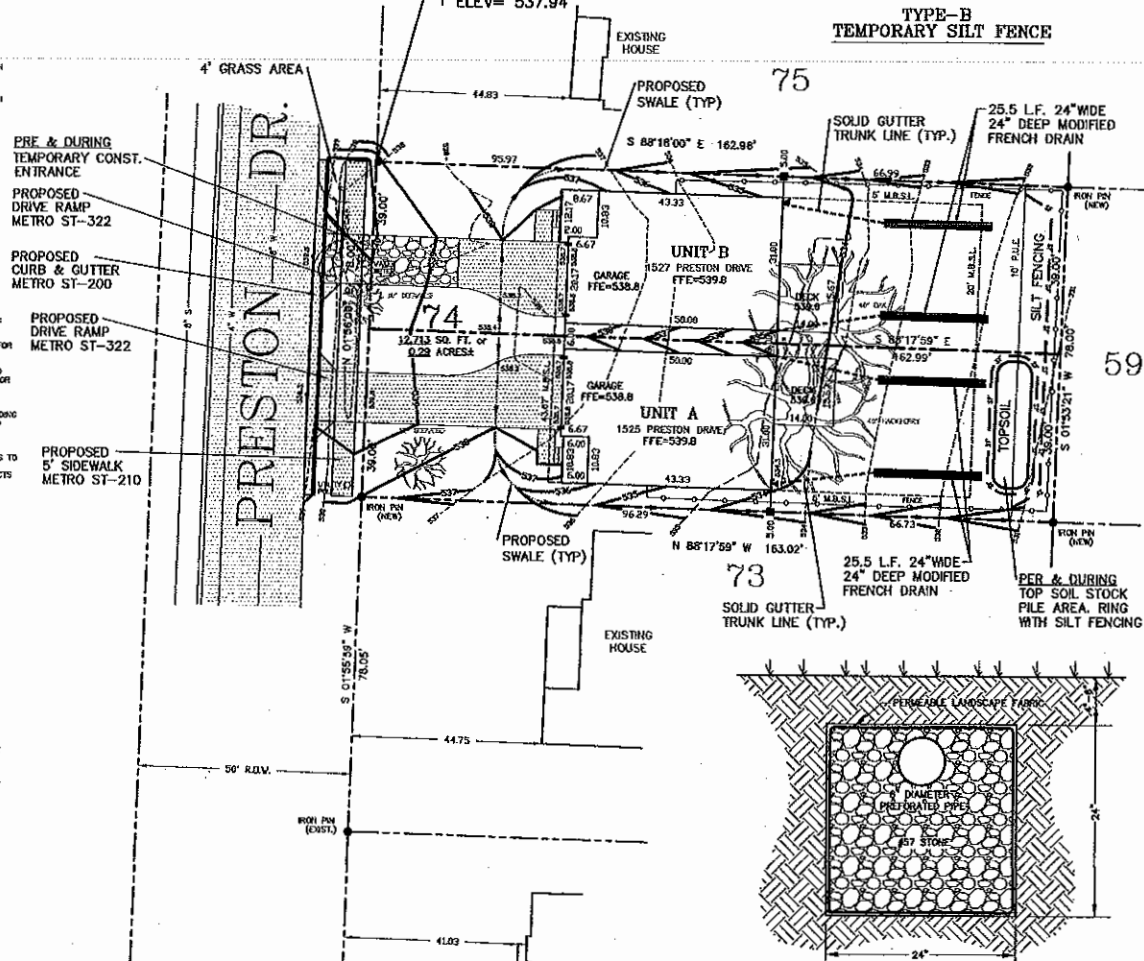
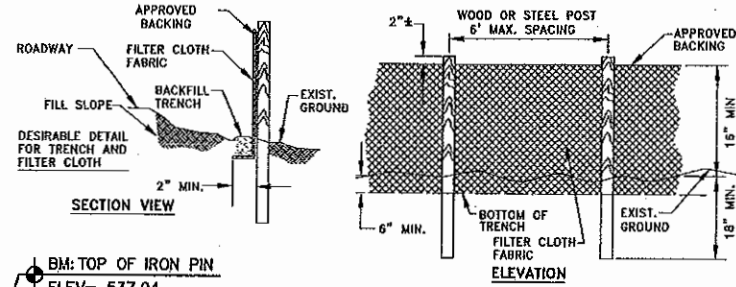
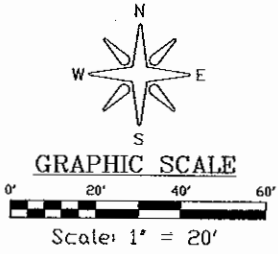
**Delta Associates INCORPORATED**  
 Design - Surveying  
 7121 Crossroads Blvd., Brentwood, TN 37027  
 PHONE: (615) 850-3501

SCALE: 1" = 20'  
 DRAWN BY: TDC  
 DATE: 9-5-18



**STANDARD EROSION AND SEDIMENT CONTROL NOTES**

1. THE CONTRACTOR SHALL BE SUBJECT TO AND FOLLOW ANY STATE, COUNTY OR CITY EROSION AND SEDIMENT CONTROL MEASURES OR ORDINANCES AND NEARBY CONTROL FOR THE MEASURES SHOWN OR STATED ON THIS PLAN.
2. CONTRACTOR MUST ENSURE THAT THE CONSTRUCTION SITE IS PROTECTED FROM THE ONSET OF ANY STORM. CONSTRUCTION SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WINTER MONTHS PRIOR TO OCTOBER 1.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL DISTURBED AREAS ARE STABILIZED. CHANGES TO THIS EROSION AND SEDIMENT CONTROL PLAN SHALL BE MADE TO MEET FIELD CONDITIONS. ONLY WITH THE APPROVAL OF OR IN THE PRESENCE OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
4. DUE TO UNANTICIPATED FIELD CONDITIONS, THIS PLAN MAY NOT COVER ALL SITUATIONS THAT ARISE DURING CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IN THE FIELD SUBJECT TO THE APPROVAL OR AT THE DISCRETION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CHECKED BEFORE AND AFTER ALL STORMS TO ENSURE MEASURES ARE FUNCTIONING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL INSPECTIONS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS ANY OTHER CHANGES TO EROSION AND SEDIMENT CONTROL MEASURES OR EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROMPT REPLANTING WITH NATIVE OR COMPANIBLE EROSION-RESISTANT VEGETATION SHALL BE PERFORMED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO THE COMMENCEMENT OF GRADING OPERATIONS. THE ENTRANCE MAY BE ADJUSTED BY THE CONTRACTOR TO FACILITATE GRADING OPERATIONS. ALL CONSTRUCTION TRAFFIC ENTERING THE PAVED ROAD MUST CROSS THE STABILIZED CONSTRUCTION ENTRANCE. THE STABILIZED CONSTRUCTION ENTRANCE SHALL REMAIN IN PLACE UNTIL THE ROAD BASE ROCK COURSE IS COMPLETED.
9. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE SWEEPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONSTRUCTION SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW GRADING STRUCTURE OPERATIONS IMMEDIATELY AFTER THE STRUCTURE GRADING IS COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
  - A. CONCRETE WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE. TRUCK WASHOUT DEPOSED OF HARDBACK CONCRETE DEBRIS. AT NO TIME SHALL A CONCRETE WASHOUT PIT BE USED TO CLEAN UP ITS TRUCK INTO THE CITY STREET DRAINAGE MAINTENANCE AND GUTTER SYSTEMS. PROVIDE EROSION CONTROL, PUMP-OUT AND WEEKLY FOR REMOVAL OF HARDBACK CONCRETE.
  - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTIONS TO EMPLOYEES AND SUBCONTRACTORS REGARDING PROTECTION OF POLLUTANTS INCLUDING MATERIALS STORAGE, USE AND CLEAN UP. RESPECT WEEKLY FOR EVIDENCE OF IMPROPER DISPOSAL.
  - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE ESCAPE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE DRAINAGE SYSTEMS THROUGH PROPER NATURAL USE. WASTE DISPOSAL AND TREATMENT OF HAZARDOUS WASTE PRODUCTS COMMONLY FOUND ON-SITE ARE, BUT NOT LIMITED TO PAINTS & SOLVENTS, FERTILIZERS, PESTICIDES, HERBICIDES, PESTICIDES, SOLID STABILIZATION PRODUCTS, ASPHALT PRODUCTS AND CONCRETE CURING PRODUCTS.
12. STABILIZATION MEASURES MUST BE INSTALLED WITHIN SEVEN (7) DAYS ON PORTIONS OF THE SOIL WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND WITHIN FIFTEEN (15) DAYS AFTER FINAL GRADING OR OTHER LANDFORMING. PERMANENT STABILIZATION WITH PERENNIAL VEGETATION (SUCH AS NATIVE HERBACEOUS AND WOODY PLANTS WHERE FEASIBLE) OR OTHER PERMANENTLY STABLE, NON-ERODING SURFACE SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS PRACTICABLE. STABILIZATION PRACTICES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR STORE FLOWS FROM AREAS OF LAND DISTURBANCE OR DRAINAGE UNIT BOUNDARY AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE SILT FENCES, EARTH DICES, BRUSHWOOD SWALES, SEDIMENT TRAPS, CHECK DAMS, SUBSURFACE DRAINS, PIPE SLOPE GRASS, STORM DRAIN INLET PROTECTION, FLOOD OUTLET PROTECTION, REINFORCED SOIL RETAINING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE ANY MAINTENANCE STORM EVENTS OR SERIES OF STORM EVENTS SUCH AS INTERMITTENT SHOWERS OVER ONE OR MORE DAYS, AND WITHIN 24 HOURS AFTER THE END OF A STORM EVENT OF 0.5 INCHES OR GREATER, AND AT LEAST ONCE EVERY FOURTEEN CALENDAR DAYS. INSPECTIONS MUST BE DOCUMENTED AND INCLUDE THE SCOPE OF THE INSPECTIONS, NAME(S) AND TITLE OR QUALIFICATION OF PERSONNEL MAKING THE INSPECTION, THE DATES OF THE INSPECTIONS, MAJOR OBSERVATIONS RELATED TO THE IMPLEMENTATION OF THE CONTROL MEASURES (INCLUDING THE LOCATION(S) OF DISBURGEMENTS OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND IF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESIGNATED OR PROVED INADEQUATE FOR A PARTICULAR LOCATION), BASED ON THE RESULTS OF THE INSPECTION, ANY NECESSARY CONTROL MEASURES OR CONTROL MEASURES BE REPAIR OR MAINTENANCE OR MODIFIED, OR REPAIRED AS NECESSARY, BEFORE THE NEXT RAIN EVENT IF POSSIBLE, BUT IN NO CASE MORE THAN SEVEN (7) DAYS AFTER THE NEED IS IDENTIFIED.



**POST CONSTRUCTION AND SLOPE STABILIZATION NOTES**

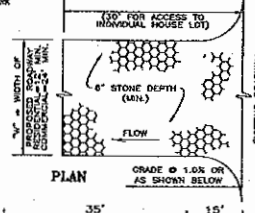
1. SLOPES SHOWN HEREIN TO BE SEEDED FOR STABILIZATION
  2. SLOPES SHOWN HEREIN TO BE STABILIZED WITH NORTH AMERICAN GREEN SCISSOR EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE SIMILAR PATTERN 70.
- NOTE: EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 300 FEET OF A STREAM OR WETLAND
  - IS WITHIN 1,000 FEET OF A LAKE
  - IS STEEP (SLOPE OF 10% OR MORE)
  - RECEIVES RUN OFF FROM 10,000 SQ. FT. OR MORE OF ADJACENT LAND.
  - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

**PRESERVING EXISTING VEGETATION NOTES**

1. WHENEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL PIPES, OR PARK VEHICLES NEAR TREES MARKED FOR PRESERVATION.

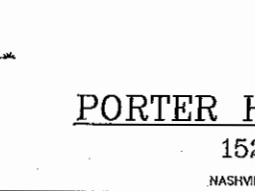
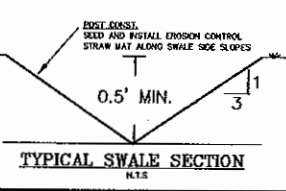
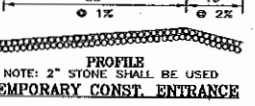
**REVEGETATION NOTES**

- DISTURBED SOILS SHALL BE STABILIZED AS QUICK AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR MULCHING TO PROTECT EXPOSED CRITICAL AREAS DURING DEVELOPMENT. TEMPORARY MULCH IS TO BE APPLIED AT THE RATE OF 2-3 BULKES OF STRAW PER 1,000 SQ. FT.
- \* NOT REQUIRED, BUT HIGHLY RECOMMENDED
  - \* INSTALL AS SOON AS GUTTERS AND DOWN SPOUTS ARE COMPLETED
  - \* FERTILIZE WATER TO A GRASSY AREA
  - \* MAINTAIN UNDER A LAWN IS ESTABLISHED
- DURING EXISTING TREES OUTSIDE LIMITS OF GRADING TO REMAIN FIRST ALL DISTURBED AREA TO BE SEEDED AND STRAWED OR SOIL APPLIED.



**FRONT SETBACK AVERAGE**

LOT #75.....	44.83
LOT #73.....	44.75
LOT #72.....	41.03
LOT #71.....	44.08
<b>174.69/4=43.67</b>	



**MODIFIED FRENCH DRAIN**  
(102 LF, 24\"/>

**PROPOSED LAYOUT**

**SITE INFORMATION**  
TOTAL SITE AREA=12,713 SQ. FT. OR 0.29 ACRES

**PROPOSED IMPERVIOUS DATA**

HOUSES/DECKS.....	3,580 S.F.
DRIVES/WALKS.....	1,325 S.F.
<b>TOTAL 4,885 S.F. OR 38.4%</b>	

**EXISTING IMPERVIOUS DATA**  
TOTAL IMPERVIOUS...2,785 S.F. OR 21.7%

**NET IMPERVIOUS AREA**  
2,120 S.F.

**Delta Associates INCORPORATED**  
Design - Surveying

7121 Crossroads Blvd., Brentwood, TN 37027  
PHONE: (615) 850-3501

SCALE: 1" = 20'  
DRAWN BY: TDC  
CHECKED BY: ROL  
DATE: 9-8-18  
JOB NO.: 18-0070-1525  
DRAWING NO.: 1 OF 2

**SITE GRADING PLAN**  
**LOT NO. 74**  
**PART TWO**  
**PORTER HEIGHTS SUBDIVISION**  
1525 PRESTON DRIVE  
7th COUNCIL DISTRICT  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37206

**PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION****BZA Case 2019-131 (1525 Preston Drive)**

Metro Standard:	6' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan standard
Requested Variance:	Not construct sidewalks
Zoning	R10
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	T3-R-CA2
Transit:	#4 – Shelby
Bikeway:	Existing bikeway for experienced cyclists

**Planning Staff Recommendation: *Disapprove.***

**Analysis:** The applicant is constructing two residential units on this parcel, and requests a variance from constructing sidewalks due to relocating utility poles to provide a clear sidewalk path along Preston Drive. Per the Zoning Ordinance, the applicant is eligible to contribute in lieu of construction. Electing to make the contribution in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction.** The applicant shall also dedicate right-of-way for future sidewalk construction.



March 25, 2019


Board of Zoning Appeals  
Metro Office Bldg.,  
800 Second Ave South  
P.O.Box 196300  
Nashville, T 37219-6300  
Case #2019-131

Reference letter of February 26, 2019 – Jacob Bender’s appeal.

I respectfully request that the Board deny this request because the construction of a two single family houses would not be in keeping with the ambience of the Neighborhood; in addition, Mr. would not be paying his fair share as a participant in the sidewalk fund.

Your consideration in this matter is appreciated.

Sincerely,

  
(Mrs.) Martha J. Benet-Holt  
195 Indian Lake Blvd Apt 3422  
Hendersonville, TN 37075  
(615)319-4993

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Roy Williams Date: 2-15-19  
Property Owner: Wachtel, Warren & Donald H Case #: 2019-1384  
Representative: Roy Williams Map & Parcel: 116-13-98

Council District 23

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance from sidewalk requirements

Activity Type: Commercial - Rehab

Location: 5101 Harding Pike

This property is in the CS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Requesting variance from sidewalk requirements

Section(s): 12.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Roy A. Williams  
Appellant Name (Please Print)

Roy A. Williams  
Representative Name (Please Print)

750 Old Hickory Blvd. Ste 250  
Address

750 Old Hickory Blvd, Suite 250  
Address

Brentwood, TN 37029  
City, State, Zip Code

Brentwood, TN 37027  
City, State, Zip Code

615-630-6529  
Phone Number

615-630-6529  
Phone Number

roy.williams@eandharch.com  
Email

roy.williams@eandharch.com  
Email

Zoning Examiner: CH

Appeal Fee: \$200.00

No site plan



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3604507

**ZONING BOARD APPEAL / CAAZ - 20190009396  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 11613009800**APPLICATION DATE:** 02/15/2019**SITE ADDRESS:**

5101 HARDING PIKE NASHVILLE, TN 37205  
LOTS 1&2 ALEX SUB MARTIN

**PARCEL OWNER:** WACHAL, WARREN R. & DONALD H. & D**CONTRACTOR:****APPLICANT:****PURPOSE:**

requesting variance from sidewalk requirements.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Roy Williams  
**APPELLANT**

2/15/19  
**DATE**

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Distance between street curb and existing parking is less than that required to install walks required. Also on site are several vertical obstructions and a storm water structure in the path of the proposed sidewalk. We seek relief due to this hardship.



**ON-SITE PARKING**

STANDARD SPACES - 26  
ACCESSIBLE SPACES - 1  
**TOTAL PARKING PROVIDED: 27**  
ALL PARKING IS EXISTING TO REMAIN

DASHED LINES INDICATE APPROXIMATE ROUTE OF SIDEWALKS  
PRESCRIBED UNDER CURRENT SIDEWALK ORDINANCE

2 EXISTING  
PARKING SPACES

6 EXISTING  
PARKING SPACES

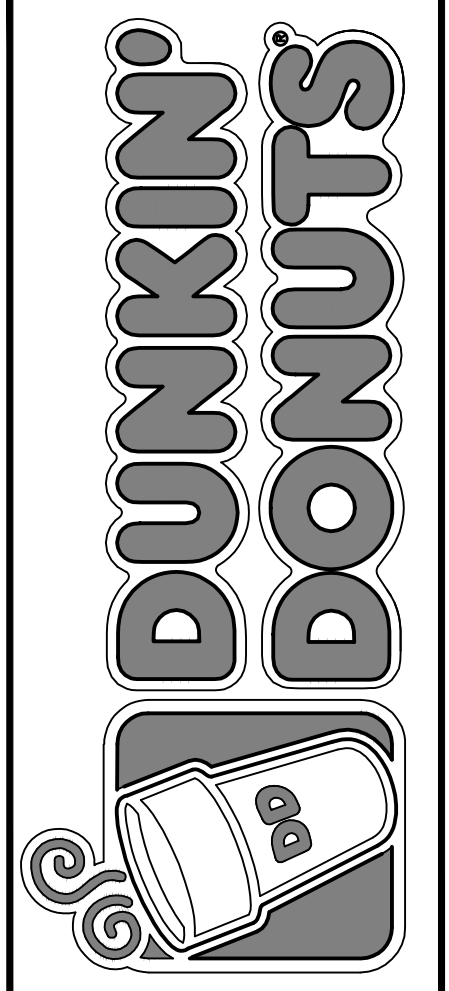
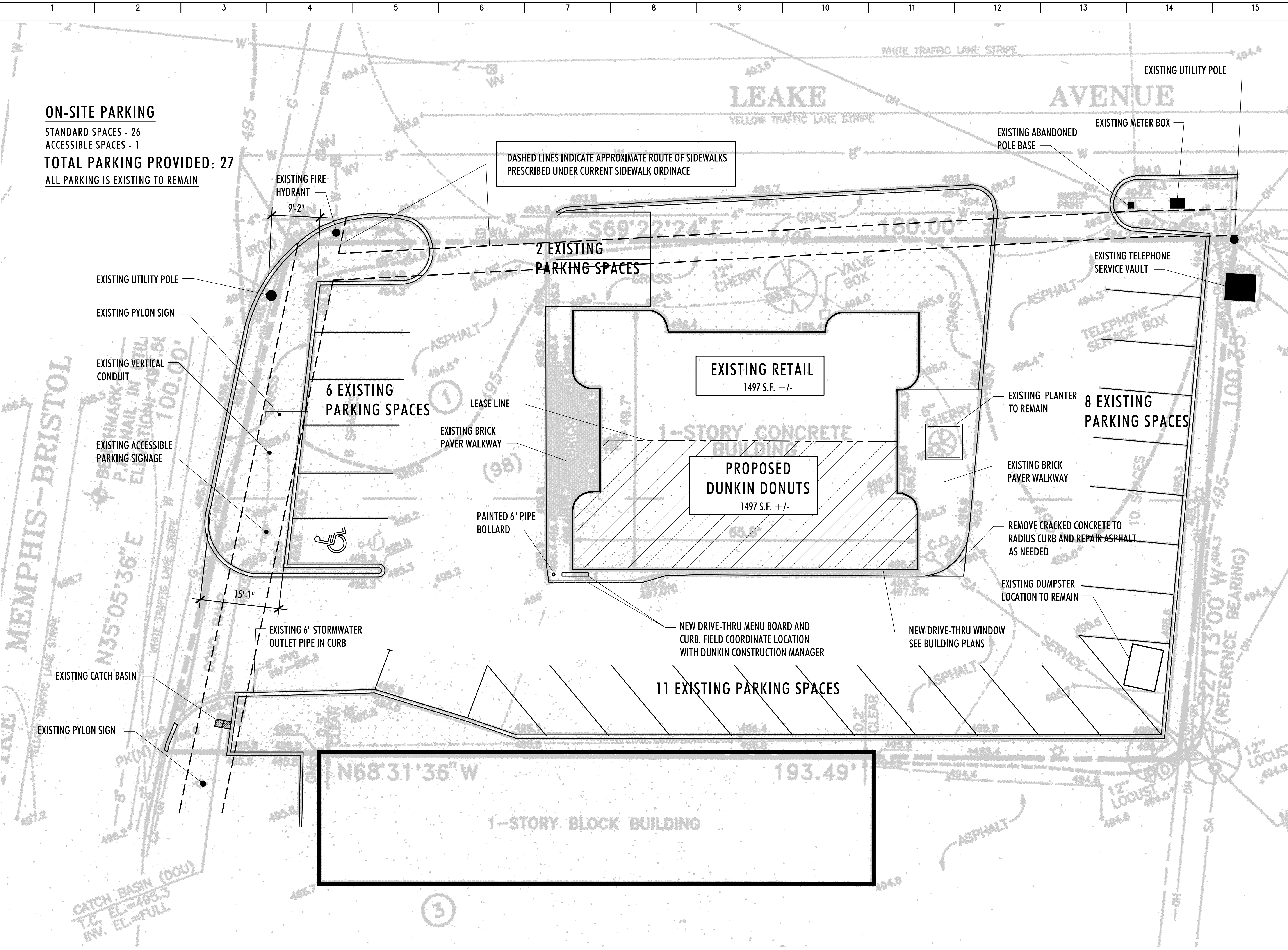
EXISTING RETAIL  
1497 S.F. +/-

PROPOSED  
DUNKIN DONUTS  
1497 S.F. +/-

8 EXISTING  
PARKING SPACES

11 EXISTING PARKING SPACES

1-STORY BLOCK BUILDING

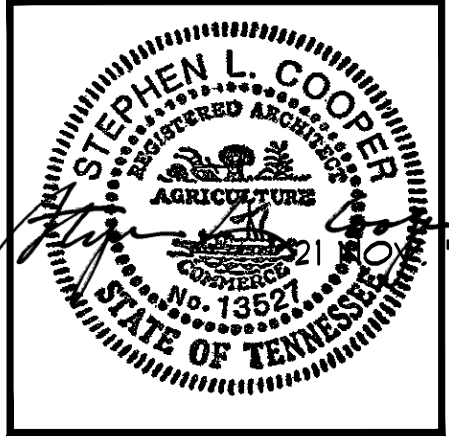


EDWARDS + HOTCHKISS  
ARCHITECTS, P.C.  
TWO BRENTWOOD COMMONS  
750 OLD HICKORY BLVD., SUITE 250  
BRENTWOOD, TN 37027  
p1615.377.3111 f1615.377.0978  
www.EdandHArch.com



NO.	DESCRIPTION	REVISIONS	DATE

5101 HARDING PLACE  
NASHVILLE, TN  
ARCHITECTURAL SITE PLAN  
P C # 3 5 8 7 6 1



ARCHITECTURAL SITE PLAN  
**SP1.0**  
PERMIT ISSUE DATE: 11-21-2018



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-134 (5101 Harding Pike)

Metro Standard:	Harding Pike – 6’ grass strip, 8’ sidewalk, as defined by the Major and Collector Street Plan
	Leake Avenue – 4’ grass strip, 5’ sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks
Zoning:	CS
Community Plan Policy:	T3 NC (Suburban Neighborhood Center) CO (Conservation: Floodplain)
MCSP Street Designation:	Harding Pike – T3-M-AB5 Leake Avenue – Local Street
Transit:	#5 – West End/Bellevue
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Disapprove.*

**Analysis:** The applicant proposes renovations to an existing shopping center use and requests a variance from constructing sidewalks along both property frontages. Planning evaluated the following factors for the variance request:

- (1) No sidewalk currently exists along the Harding Pike property frontage. A 3’ grass strip and 7’ sidewalk is under construction at 5115 Harding Pike 199’ to the south, pursuant to the Board of Zoning Appeals order related to Case Number 2018-510 (September 20, 2018 hearing).
- (2) No sidewalk currently exists along the Leake Avenue property frontage. Construction of a sidewalk along Leake Avenue will require relocating one parking space to the rear of the existing building.
- (3) Staff finds no hardship with constructing sidewalks with an alternative design along either street frontage to support the Suburban Neighborhood Center policy.

Given the factors above, staff recommends **disapproval**. The applicant should continue to coordinate with Metro Public Works and Metro Planning to construct an alternative sidewalk design along Harding Pike and along Leake Avenue.

2019-134  
OPPOSE

Paula D. Hughey  
5120 Boxcroft Pl.  
Nashville, TN 37205

March 14, 2019

Metropolitan Government of Nashville and Davidson County  
Department of Codes & Building Safety  
PO Box 196300  
Nashville, TN 37219-6300

Refer to : appeal case # 2019-134

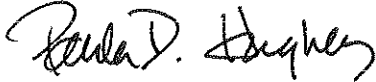
Dear Sir or Madam:

I do not approve of the applicant renovating the commercial space without paying into the sidewalk fund, at a minimum.

I would prefer the addition of a sidewalk.

Thank you.

Sincerely,



Paula D. Hughey



**From:** [Lamb, Emily \(Codes\)](#)  
**To:** [Johnson, Mina \(Council Member\)](#)  
**Cc:** [Lifsey, Debbie \(Codes\)](#)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019  
**Date:** Monday, April 1, 2019 2:13:17 PM

---

Thanks, CM Johnson. We'll include your position in the casefile.

Emily Lamb  
Metro Codes Department

This email and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this communication in error. If you have received this communication in error, please notify the sender immediately and in the interim please do not use, disseminate, forward, print or copy this communication.

---

**From:** Johnson, Mina (Council Member)  
**Sent:** Monday, April 1, 2019 10:52 AM  
**To:** Lamb, Emily (Codes); Gonzalez, Elwyn (Planning)  
**Cc:** Briggs, Michael (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Thank you, Emily,

I have not heard back from the applicant either. Under the circumstances, my opposition to the variance request including the suggested plan by the applicant remain.

Mina Johnson  
Councilmember, District 23  
(615) 429-7857  
[Sign up for District 23 Update](#)

---

**From:** Lamb, Emily (Codes)  
**Sent:** Monday, April 01, 2019 10:14 AM  
**To:** Johnson, Mina (Council Member); Gonzalez, Elwyn (Planning)  
**Cc:** Briggs, Michael (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Hi Councilmember Johnson,

Thus far we have not received a request from the applicant for a deferral, although it could still come. Regardless, I will include your comments in the casefile for the board to consider.

Thanks,

Emily Lamb  
Metro Codes Department

This email and any files transmitted with it may be confidential and are intended solely for the use of the individual or entity to whom they are addressed. If you are not the intended recipient or the person responsible for delivering the e-mail to the intended recipient, be advised that you have received this communication in error. If you have

received this communication in error, please notify the sender immediately and in the interim please do not use, disseminate, forward, print or copy this communication.

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**From:** Johnson, Mina (Council Member)  
**Sent:** Friday, March 29, 2019 3:29 PM  
**To:** Gonzalez, Elwyn (Planning)  
**Cc:** Briggs, Michael (Planning); Lamb, Emily (Codes)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Elwyn,

Thank you for sending the information. It is very helpful since the applicant has not provided me the plan when we spoke or afterwards to follow up.

Emily,

I spoke with the representative to the applicant on Wednesday and discussed the alternate sidewalk plan. Also I suggested to defer the upcoming BZA hearing until we have a chance to sit down and come up with mutually agreeable plan.

Hopefully we hear from the applicant early next week to work out the differences. Otherwise, I am in agreement with MPC recommendation on the disapproval of variance request or applicant's currently proposal.

Have a wonderful weekend!

Mina Johnson  
Councilmember, District 23  
(615) 429-7857  
[Sign up for District 23 Update](#)

---

**From:** Gonzalez, Elwyn (Planning)  
**Sent:** Friday, March 29, 2019 3:00 PM  
**To:** Johnson, Mina (Council Member)  
**Cc:** Briggs, Michael (Planning); Lamb, Emily (Codes)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

CM Johnson,

Attached to this email are the original site plan and application that we have received for the BZA case (2019-134). Also attached is a copy of the site plan with a sidewalk shown along Harding Pike that the applicant's consultant said could work that would avoid impacts to drainage facilities and existing signage.

I have copied Emily Lamb in the Codes Administration to this email. From my understanding, sidewalks were triggered as a result of the internal renovation and the new drive thru that is being added. As of right now, I would be recommending disapproval since they do not want to build sidewalks on either frontage.

Have a great weekend!

**Elwyn Gonzalez, AICP**  
Transportation Planner, Multimodal Transportation Planning  
Metropolitan Nashville Planning Department  
800 2nd Avenue South, PO Box 196300

Nashville, TN 37219-6300

(o) 615-862-7163

e-mail: [elwyn.gonzalez@nashville.gov](mailto:elwyn.gonzalez@nashville.gov)

---

**From:** Gonzalez, Elwyn (Planning)  
**Sent:** Thursday, March 28, 2019 4:30 PM  
**To:** Johnson, Mina (Council Member)  
**Cc:** Briggs, Michael (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

CM Johnson,

To you as well! We will go ahead and hold off sending our recommendation until we speak with you about the case. We can let the Codes Administration know that the applicant will likely defer for now.

Thank you,

**Elwyn Gonzalez, AICP**  
Transportation Planner, Multimodal Transportation Planning  
Metropolitan Nashville Planning Department  
800 2nd Avenue South, PO Box 196300  
Nashville, TN 37219-6300

(o) 615-862-7163

e-mail: [elwyn.gonzalez@nashville.gov](mailto:elwyn.gonzalez@nashville.gov)

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**From:** Johnson, Mina (Council Member)  
**Sent:** Wednesday, March 27, 2019 5:40 PM  
**To:** Gonzalez, Elwyn (Planning)  
**Cc:** Briggs, Michael (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Elwyn,

It was nice talking with you this morning. I did not have an entire picture of the plan that triggered sidewalk requirement when I talk with you this morning. This afternoon, I had a chance to talk with the owner of the business who is planning to lease the building. I was in favor of no variance of the sidewalk requirement when I talked with you not knowing plan was to renovate less than half portion of the building where the applicant will be leasing.

I would like to have continuous sidewalk in Harding Pk for sure. However, I would like to take a close look of the plan and would like to evaluate most feasible solution under the circumstances.

Could you please hold off sending the sidewalk recommendation to BZA until we have a chance to talk again?

I am asking the applicant about possibility of deferring the BZA hearing until we can evaluate the plan and come up with mutually agreeable solution.

Mina Johnson  
Councilmember, District 23  
(615) 429-7857  
[Sign up for District 23 Update](#)

**From:** Johnson, Mina (Council Member)  
**Sent:** Monday, March 25, 2019 11:16 AM  
**To:** Briggs, Michael (Planning)  
**Cc:** Gonzalez, Elwyn (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Thank you for the info. Please keep me posted on the final analysis and recommendation.

Mina Johnson  
Councilmember, District 23  
(615) 429-7857  
[Sign up for District 23 Update](#)

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**From:** Briggs, Michael (Planning)  
**Sent:** Monday, March 25, 2019 10:53 AM  
**To:** Johnson, Mina (Council Member)  
**Cc:** Gonzalez, Elwyn (Planning)  
**Subject:** RE: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

CM Johnson – Thanks for contacting me about this variance. I've copied Elwyn Gonzalez, the staff reviewer on this case. We haven't finalized the report because he was connecting with the applicant about extending the sidewalk along Leake. I believe the design along Harding is consistent with what we have discussed on the property further down the street.

I've attached his report, [which isn't finalized yet](#), so he can give you can update directly.

Thanks,  
Michael

**Michael Briggs, AICP**

Manager of Multimodal Transportation Planning  
Metro Nashville Planning Department  
800 Second Avenue South | P.O. Box 196300 | Nashville, TN 37219-6300  
615.862.7219 | [michael.briggs@nashville.gov](mailto:michael.briggs@nashville.gov) | [www.nashville.gov/MPC](http://www.nashville.gov/MPC)

[Bronze Bicycle Friendly Business](#)

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**From:** Johnson, Mina (Council Member)  
**Sent:** Saturday, March 23, 2019 11:37 AM  
**To:** Briggs, Michael (Planning)  
**Subject:** FW: BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

Michael,

Although the applicant has not contacted me, I was made aware of this sidewalk variance request on April 4th BZA agenda.

I would like to see the continuation of 2018-510 5115 Harding Pike as we previously discussed. Have you prepared a recommendation?

Mina Johnson  
Councilmember, District 23  
(615) 429-7857

[Sign up for District 23 Update](#)

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**From:** Fuqua, Barbara (Council Office)  
**Sent:** Thursday, March 21, 2019 10:12 AM  
**To:** Johnson, Mina (Council Member)  
**Subject:** BZA Applications and Letters BZA Meeting Thursday, April 4, 2019

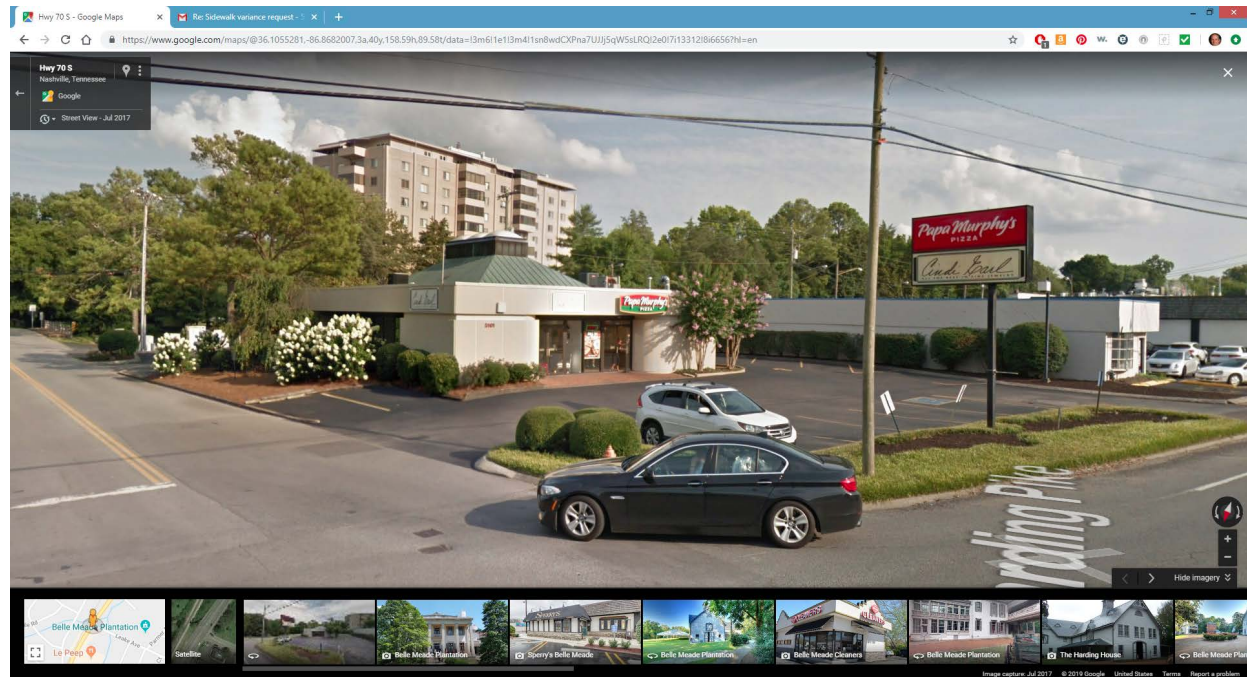
*Barbara Fuqua  
Metro Council Office  
204 Metro Courthouse  
615-862-6780*

**From:** [Alan Dooley](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Johnson, Mina](#); [Angie E. Henderson](#)  
**Subject:** Comment regarding Harding Road sidewalk CASE 2019-134 (Council District - 23)  
**Date:** Friday, March 29, 2019 10:18:57 AM  
**Attachments:** [image.png](#)

I, and several others in my neighborhood located near the location of this future Dunkin Donuts are against this requested variance to renovate the building without building sidewalks or paying into the sidewalk fund.

The neighborhood associations around this location have long been in communication about planning a redevelopment of the the 70/100 split, and sidewalks are key to that effort. In fact, we would rather that the sidewalk be built on both roads rather than money go into the sidewalk fund. But if this cannot be enforced, at least the developer should pay into the fund so that there is funding to ward the sidewalk efforts in our city. As one can see from a photo of the area, there is a neighborhood behind the location with higher density housing with residents who will want to walk down to get there morning coffee and donut without having to get in a car. To the left of the photo, across the street, is Belle Meade mansion that will certainly have visitors who will want to frequent this restaurant. Without a sidewalk, they will have to walk in the road. As you can see from the photo below, there is ample room for sidewalks on both the Harding Road and Leake Avenue. This part of Harding is the end of a long row of small businesses that would greatly benefit from being connected by sidewalks. Please do not grant this variance!

**Alan Dooley**  
 6319 Percy Drive  
 Nashville, TN 37205



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Justin Crandall  
Property Owner: MCA Group  
Representative: Rob Cushman

Date: 2-15-19  
Case #: 2019-135  
Map & Parcel: 105-112-H-1-CO  
105-112-H-2-CO

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance from sidewalk requirement

Activity Type: New Construction - HPR

Location: 151 A & B Rains Ave.

This property is in the RG-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Requesting variance from sidewalk requirements

Section(s): 17.12.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

JUSTIN CRANDALL  
Appellant Name (Please Print)

ROB CUSHMAN  
Representative Name (Please Print)

16 FAWN CREEK PASS  
Address

639 EAST MAIN ST, STE. B202  
Address

NASHVILLE, TN, 37204  
City, State, Zip Code

NASHVILLE, TN, 37075  
City, State, Zip Code

615-915-8288  
Phone Number

615-559-2212  
Phone Number

justin@builderassistllc.com  
Email

rob@stratosdevelopment.com  
Email

Zoning Examiner: CH

Appeal Fee: \$200.00

no site plan



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3604610

**ZONING BOARD APPEAL / CAAZ - 20190009470  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 10511003000**APPLICATION DATE:** 02/15/2019**SITE ADDRESS:**

151 RAINS AVE NASHVILLE, TN 37203  
PT LOT 2 J P WILLIAMS

**PARCEL OWNER:** MC2 GROUP, THE**CONTRACTOR:****APPLICANT:****PURPOSE:**

requesting variance from sidewalk requirements

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

2/15/19  
DATE



**From:** [rob@stratosdevelopment.com](mailto:rob@stratosdevelopment.com)  
**To:** [Shepherd, Jessica \(Codes\)](#)  
**Subject:** 151 Rains Sidewalk Variance  
**Date:** Thursday, March 21, 2019 9:02:21 AM

---

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Good Morning Jessica,

Here are the photos of 151 Rains Avenue existing sidewalks. The first 3 photos are of the property and the second 3 are what the sidewalk would look like for the foreseeable future if we build them per the sidewalk plan. The houses on either end of this block are new construction, leaving the subject property and 2 others as potential new sidewalks in the future. My request is to not build new sidewalks or pay into the fund, but to make sure the existing sidewalk is in good repair and repair/replace if deemed necessary.

Please let me know what else you may need, thanks Jessica.

















**Rob Cushman | Stratos Development**

639 East Main St, Ste. B202  
Hendersonville, TN 37075  
[stratosdevelopment.com](http://stratosdevelopment.com)

(615) 559-2212  
[rob@stratosdevelopment.com](mailto:rob@stratosdevelopment.com)



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-135 (151 Rains Avenue)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning	R6-A
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	#4 – Shelby
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing two residential units on this parcel, and requests a variance from constructing sidewalks due to existing utility poles and storm water concerns. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage which is consistent with adjacent parcels to the north and south.
- (2) Metro Storm Water has indicated that sidewalk construction in this location is typical and feasible.
- (3) Contributing in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **approval with conditions:**

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. The applicant shall contribute in-lieu of construction for the property frontage.
3. The applicant shall dedicate right-of-way along the property frontage to accommodate a future 4' grass strip and 5' sidewalk.

**From:** [Stephanie Maskas](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#); [Sledge, Colby \(Council Member\)](#)  
**Subject:** Appeal Case Number 2019-135  
**Date:** Monday, April 1, 2019 10:33:23 AM

---

April 1, 2019

RE: Appeal Case Number 2019-135

151 Rains Ave

To Whom it May Concern;

I am writing to voice my opinion regarding the request to build houses without building sidewalks are paying into the sidewalk funds.

Quite frankly, I do not understand why someone would choose to build in our neighborhood without supporting the walkability of it.

With that being said, I STRONGLY OPPOSE granting Rob Cushman the ability to build homes without contributing to sidewalks.

Thank you,

Stephanie Maskas  
507A Moore Ave.  
Nashville, TN 37203

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Anthony Eubanks Date: 2/15/19  
Property Owner: Hamidulah Durani Case #: 2019-137  
Representative: Anthony Eubanks Map & Parcel: 08116070200

Council District 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT 2 SINGLE FAMILY RESIDENCE ON A SINGLE PARCEL REQUIRED 20 FT SIDE STREET SETBACK ON JACKSON ST, NO PERMIT STARTED FOR CONSTRUCTION YET.

REQUESTING 10 FT SETBACK.

Activity Type: NEW RESIDENTIAL CONSTRUCTION

Location: 933 WARREN ST

This property is in the RS 375 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: STREET SETBACK VARIANCE

Section(s): 17.12.030

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Anthony Eubanks  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

1401-Hilton ave  
Address

\_\_\_\_\_  
Address

Nashville Tn. 37216  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-400-4550  
Phone Number

\_\_\_\_\_  
Phone Number

cookieeubcookie@hotmail.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: UB

Appeal Fee: \$100



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3604190

**ZONING BOARD APPEAL / CAAZ - 20190009195**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 08116070200

APPLICATION DATE: 02/14/2019

**SITE ADDRESS:**

933 WARREN ST NASHVILLE, TN 37208  
LOT 13 & PT LT 14 C M HOLT PLAN

PARCEL OWNER: DURANI, HAMIDULLAH

CONTRACTOR:

**APPLICANT:****PURPOSE:**

17.12.030 Setback Variance request. 20 ft required side street setback on Jackson Street, requesting reduction to 10 ft. Proposed construction of 2 single family residences on parcel. No Permit Applications started for construction as of 2/14/2019. .

POC" Anthony Eubanks 615-400-4550

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

2/14/19  
DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

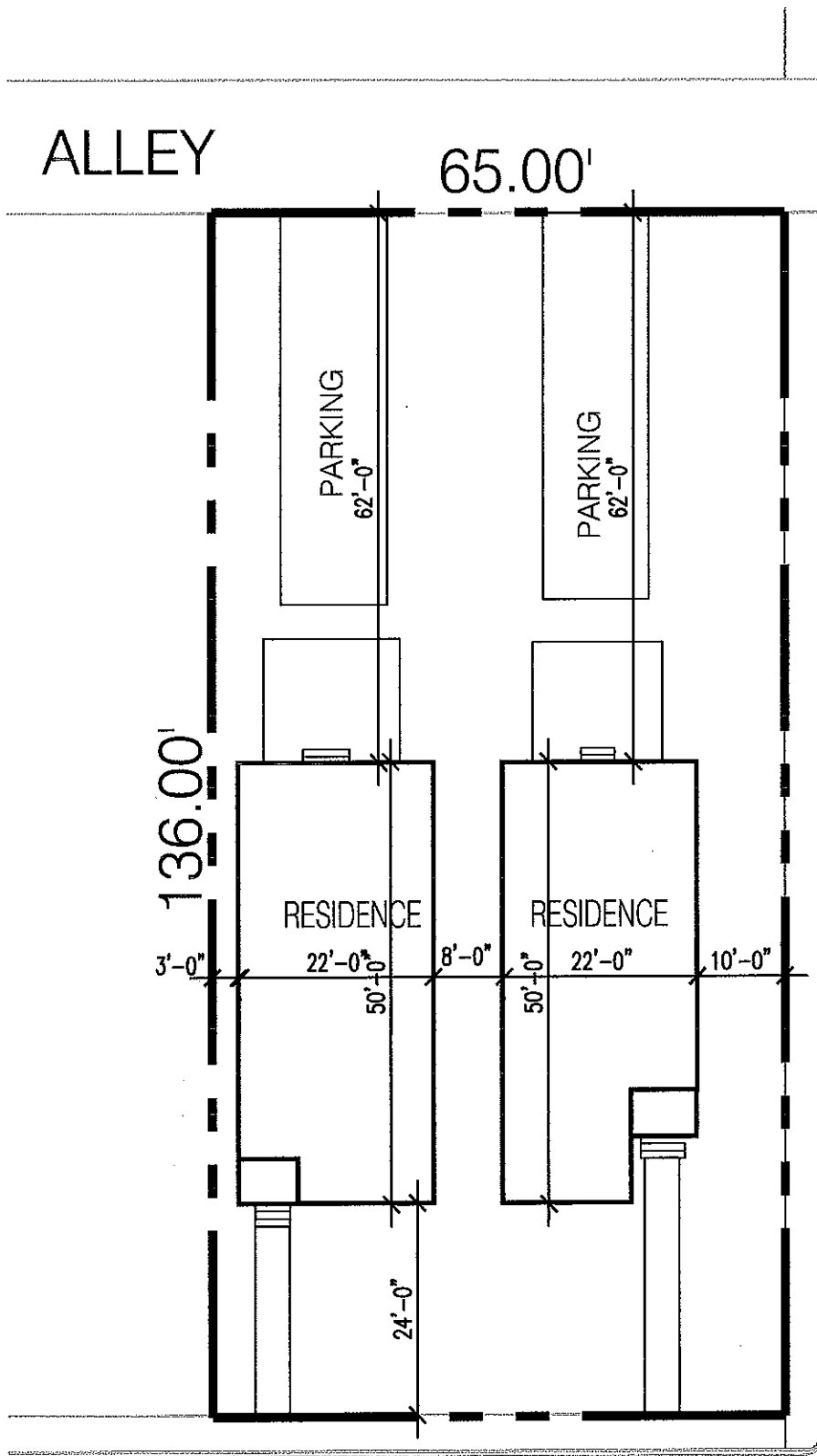
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

My name is Anthony E. Eubanks I live at 1401-  
Lifton ave Nashville, TN, 37216. I am requesting a  
side setback relocation at the property located  
at 933 - Warren St. Nashville, TN, 37208 due to  
the board approval to allow two (2) single family  
homes to be built at 933 - Warren St. Nashville,  
TN, 37208. The existing side setbacks, on  
the Southside is three foot (3') and the North  
side is twenty foot (20'), I am asking that the  
South side setback remain three foot (3') and  
the Northside setback be reset at Ten foot (10')



JACKSON STREET

WARREN STREET

SITE PLAN



Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Jim Alderman

Date: 2/15/19

Property Owner: HCA

Case #: 2019-138

Representative: \_\_\_\_\_

Map & Parcel: 09214008900

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

To be able to have 4 building identifying signs within view from the road

Activity Type: \_\_\_\_\_

Location: One Park Plaza

This property is in the MUH-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: change setback from 15' to 10'

Section(s): \_\_\_\_\_

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Jim Alderman  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

222 2nd Ave S. Ste 1400  
Address

\_\_\_\_\_  
Address

Nashville, TN 37201  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-770-8248  
Phone Number

\_\_\_\_\_  
Phone Number

jim.alderman@  
Email greshamsmith.com

shelbye.@joslinsign.com  
Email

Zoning Examiner: NM

Appeal Fee: \_\_\_\_\_



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3604645

**ZONING BOARD APPEAL / CAAZ - 20190009491  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 09214008900

APPLICATION DATE: 02/15/2019

**SITE ADDRESS:**

1 PARK PLZ NASHVILLE, TN 37203  
P/O LOT 1 PARK PLAZA SEC 2

PARCEL OWNER: GHC-GALEN HEALTH CARE, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

per METZO section 17.32.070, requesting a front setback variance for proposed directional signs required 15'  
proposing 10' for 5' variance.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



February 7, 2019

Department of Codes Administration  
800 2nd Avenue South  
Metro Office Building  
Nashville, Tennessee 37210

Subject: Application For Variance Request  
HCA Corporate Campus---One Park Plaza, Nashville, TN 37203

Dear Sirs:

Thank you for the opportunity to submit this request on behalf of HCA for new Building Entry signage on Park Plaza along the eastern edge of the HCA corporate campus. These new signs will be located at campus entrances aligned with HCA Buildings 1, 2, 3 and 4 (see attached exhibits). These signs are intended to function as entry markers for vehicles traveling in both directions along Park Plaza.

The variance requested is to allow installation of the new signs at less than the minimum fifteen foot setback required per the permanent on-premises signs section of Metro Code (Section 17.32.070). Due to the existing site conditions and configuration of the roadway entrances and parking areas, if placed at the required fifteen foot setback, the new signs will be outside of a comfortable viewing angle for motorists, and in some cases they will also be partially blocked from view from one direction or the other by trees or parked vehicles. We are requesting to locate the signs at a minimum eight foot setback in order to provide motorists with ample advance notification of the entries so that they can make a deliberate approach and enter the site safely.

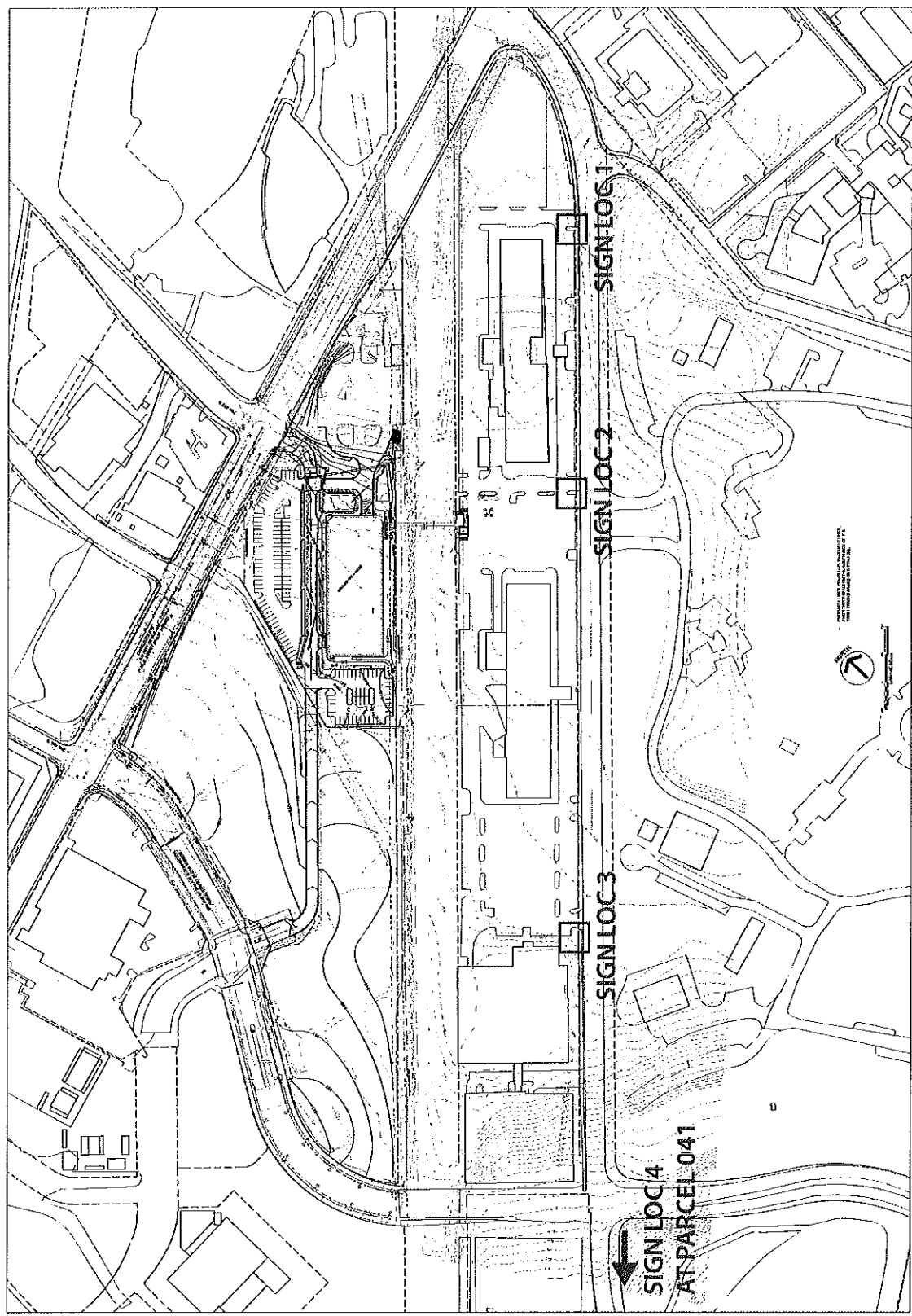
Sincerely,

Jim Alderman, SEGD  
Gresham, Smith and Partners  
222 Second Avenue South, Suite 1400  
Nashville, Tennessee 37201-2308  
[jim.alderman@greshamsmith](mailto:jim.alderman@greshamsmith)  
D: 615.770.8248  
M: 615.584.7904

Mikal Malik  
HCA Capital Deployment-CAMS  
and Design  
One Park Plaza, Bldg 2  
Nashville, Tennessee 37203

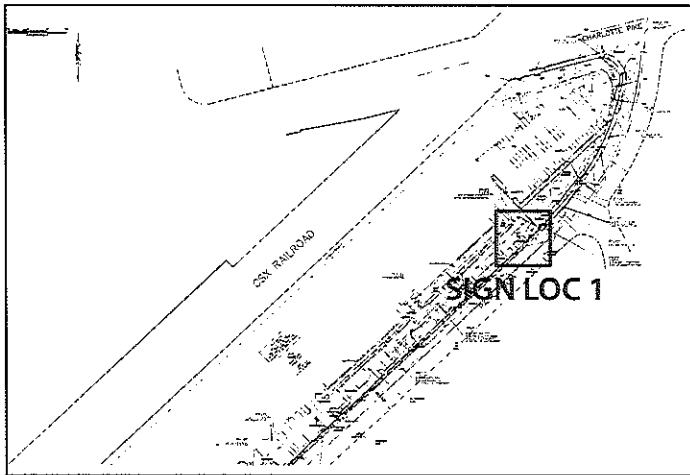
Genuine Ingenuity  
222 Second Avenue South  
Suite 1400  
Nashville, TN 37201  
615.770.8100  
GreshamSmith.com

Copy: File 43318.00

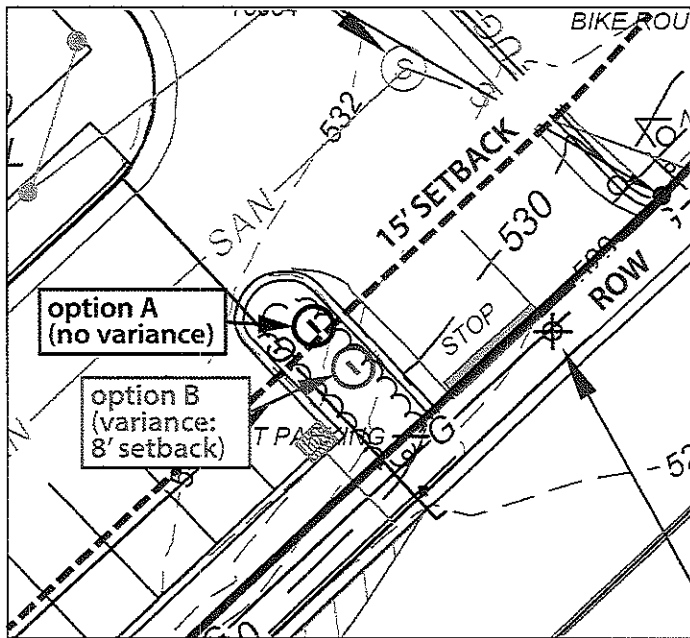


CAMPUS PLAN

HCA CAMPUS | SITE BRANDING | BUILDING ID SIGNS SETBACK STUDY 2.7.19



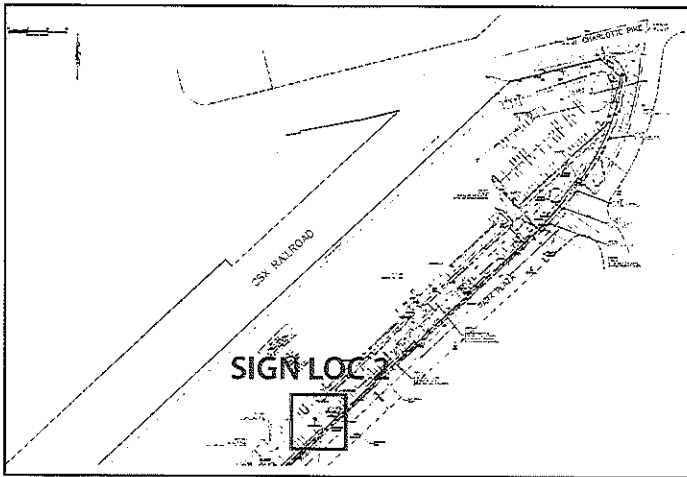
option A (no variance: 15' setback)



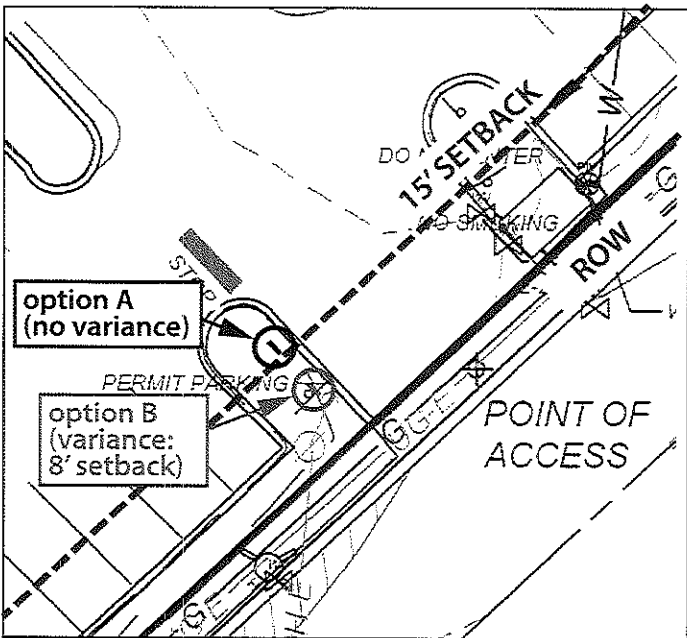
option B (variance: 8' setback)



SIGN LOCATION 1

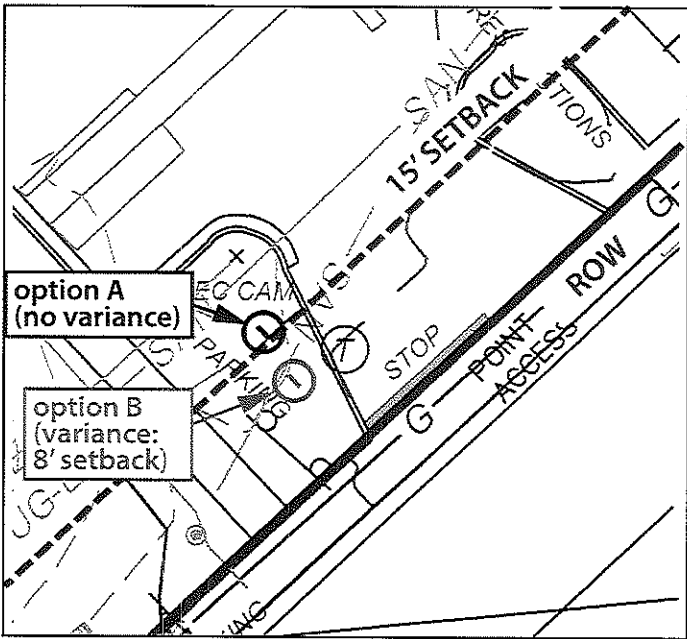
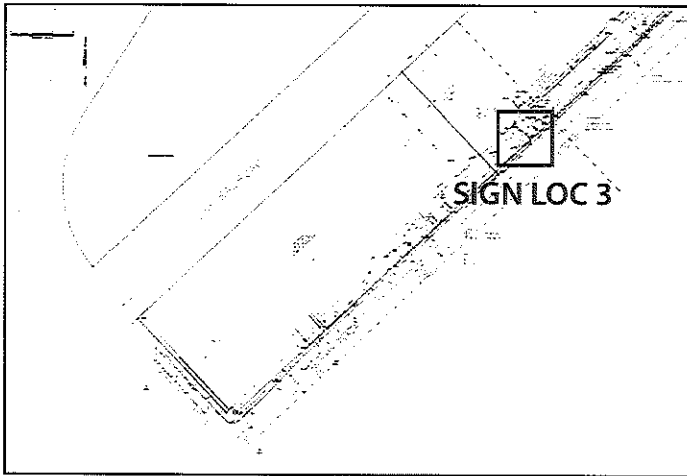


option A (no variance: 15' setback)



option B (variance: 8' setback)

**SIGN LOCATION 2**



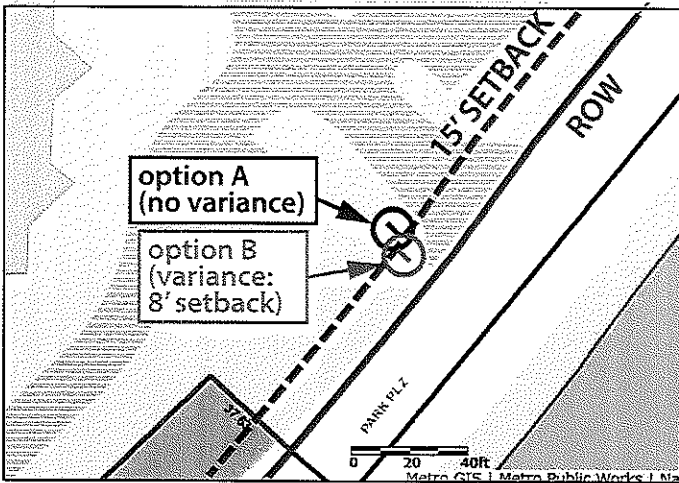
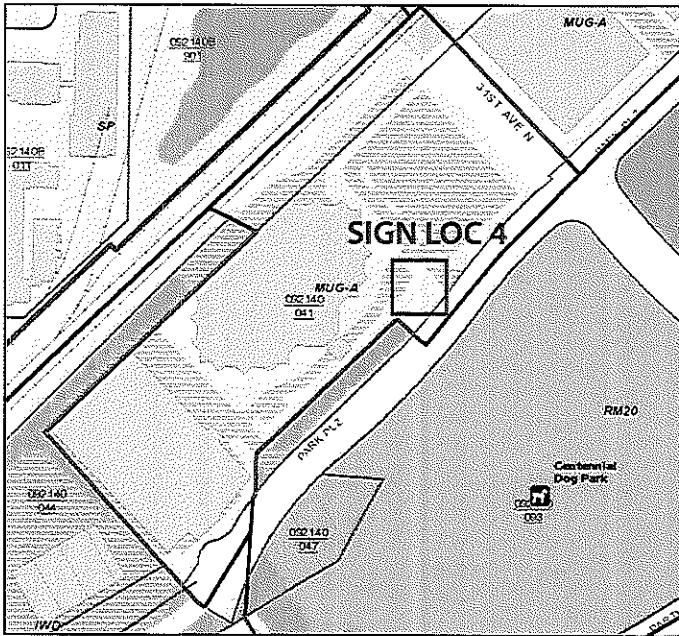
SIGN LOCATION 3

HCA CAMPUS | SITE BRANDING | BUILDING ID SIGNS SETBACK STUDY 2.7.19



option B (variance: 8' setback)    option A (no variance: 15' setback)



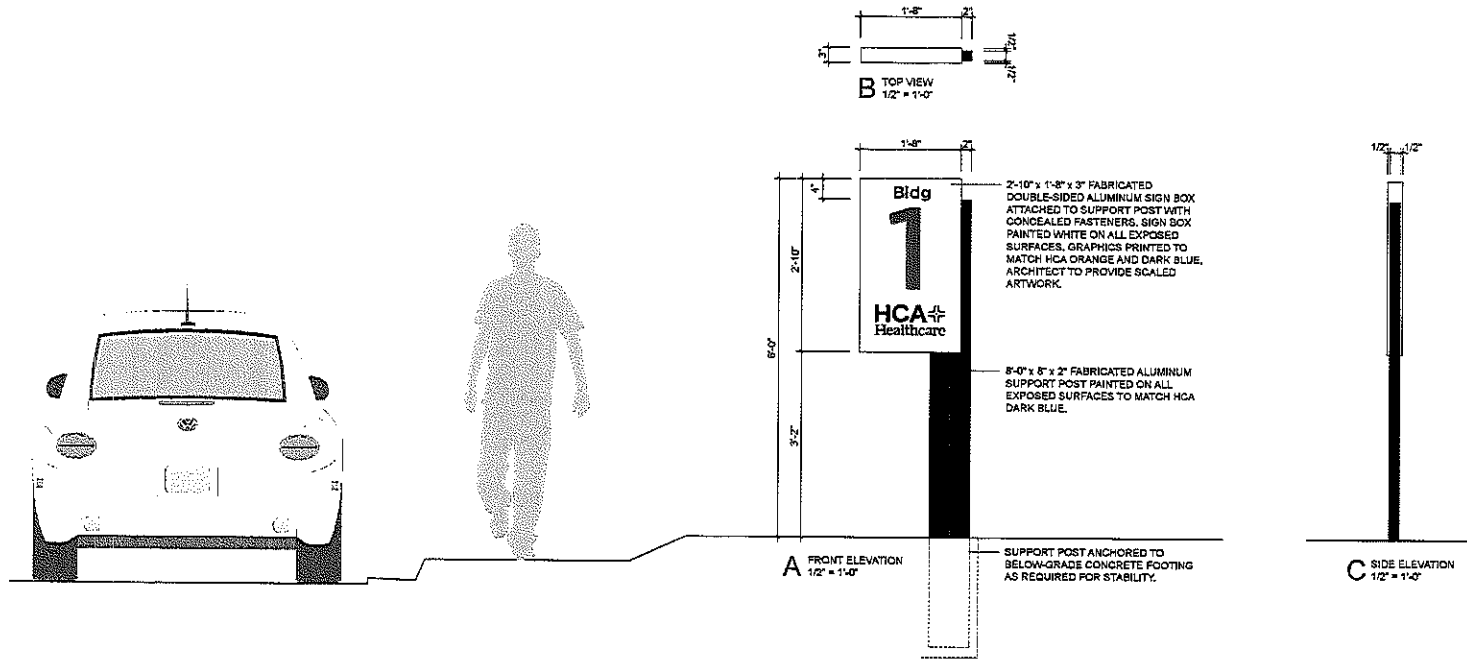
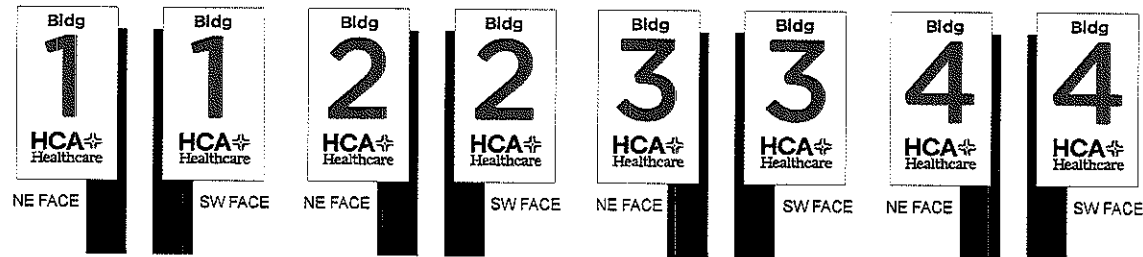


SIGN LOCATION 4

HCA CAMPUS | SITE BRANDING | BUILDING ID SIGNS SETBACK STUDY 2.7.19

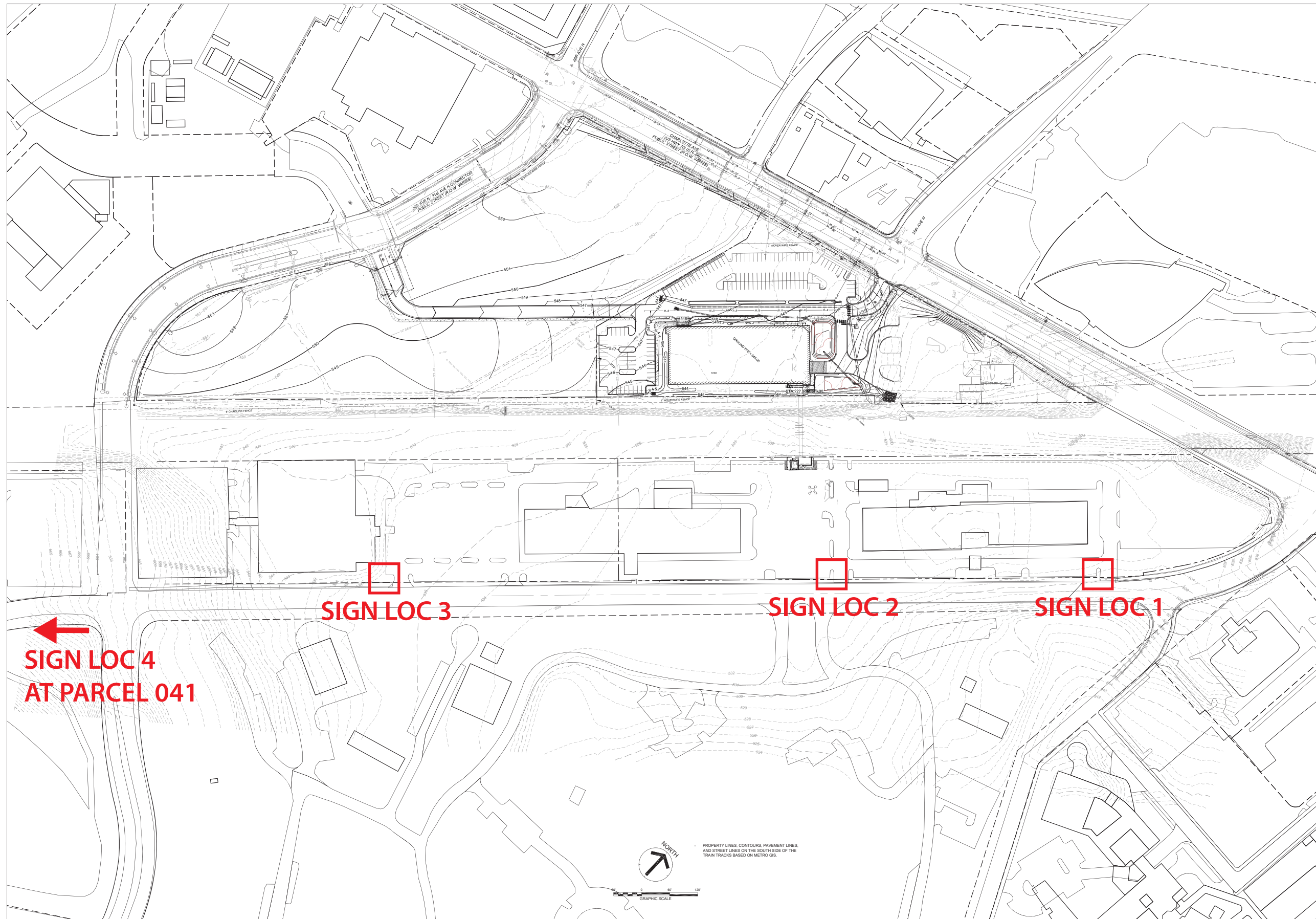


option B (variance: 8' setback)    option A (no variance: 15' setback)



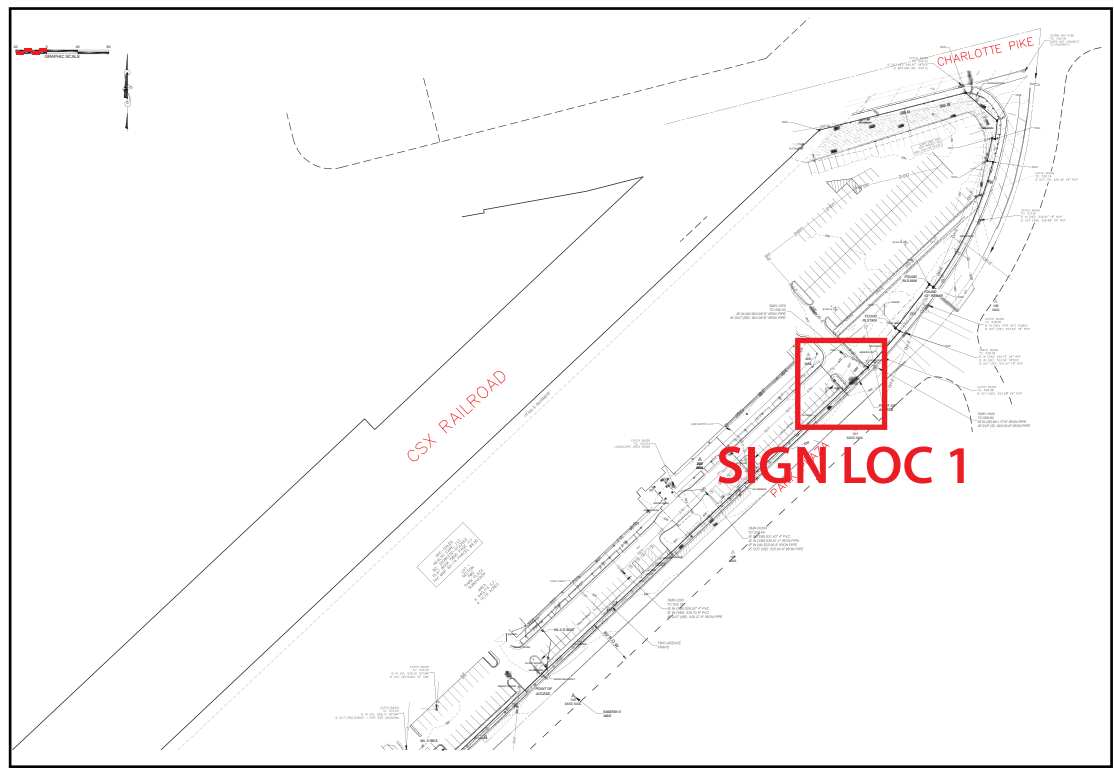
**BUILDING ID SIGN DETAILS**

**HCA CAMPUS | SITE BRANDING | BUILDING ID SIGNS SETBACK STUDY 2.7.19**

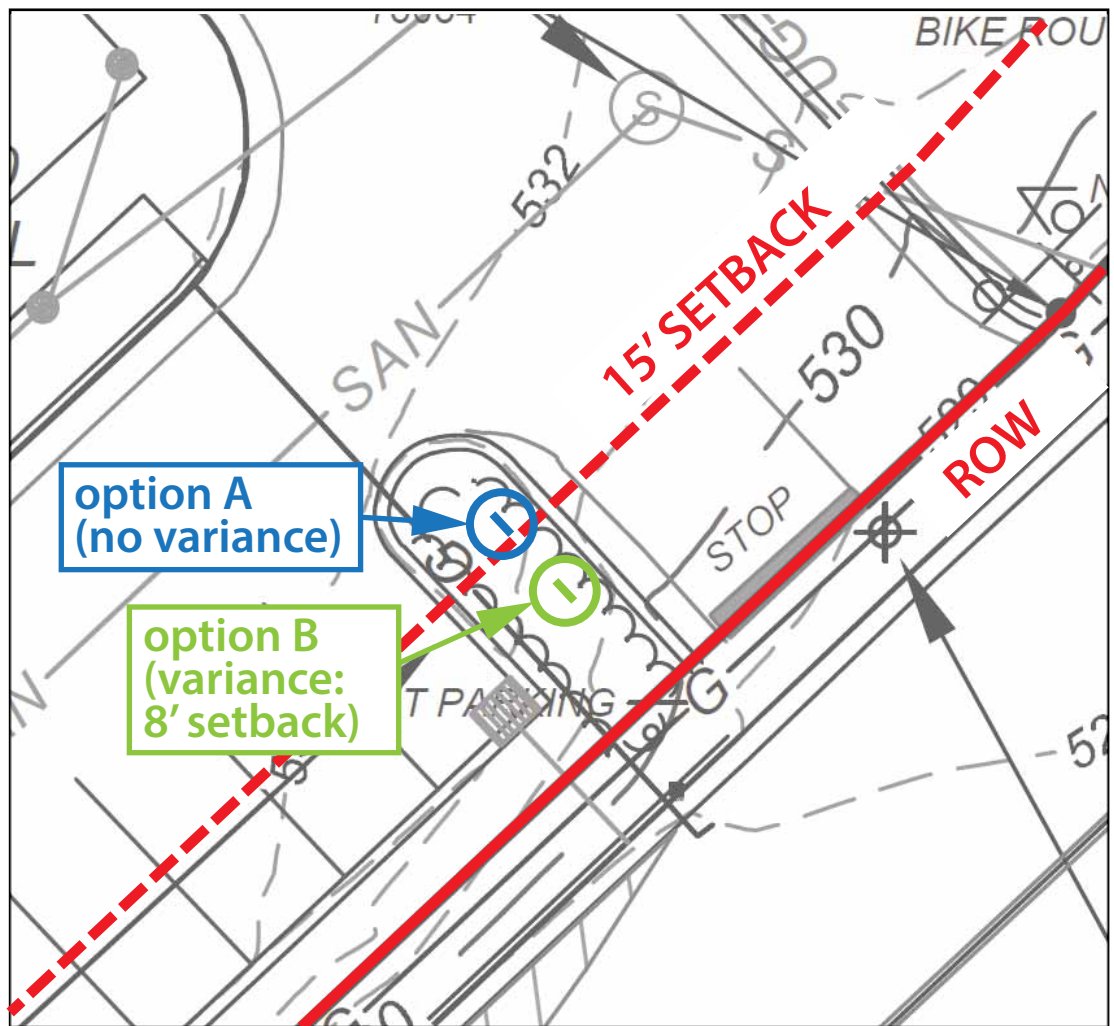


**CAMPUS PLAN**





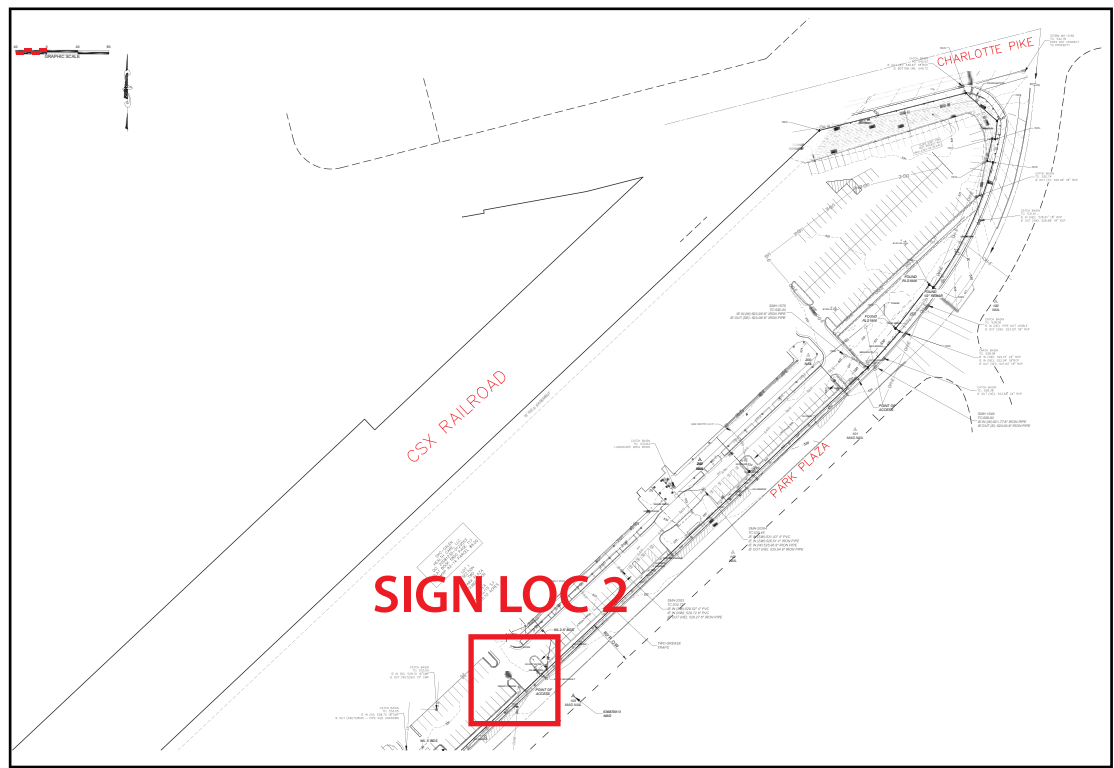
option A (no variance: 15' setback)



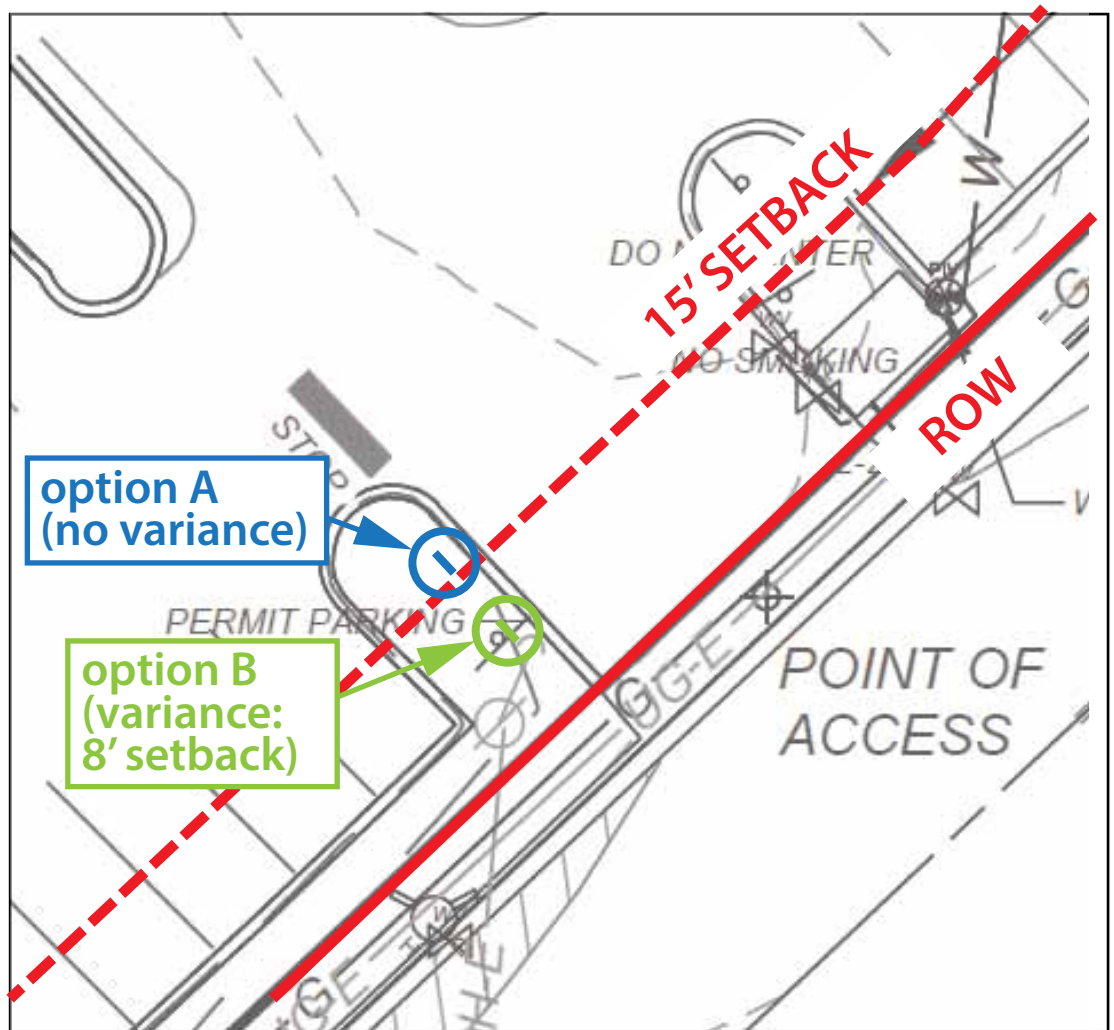
option B (variance: 8' setback)

SIGN LOCATION 1





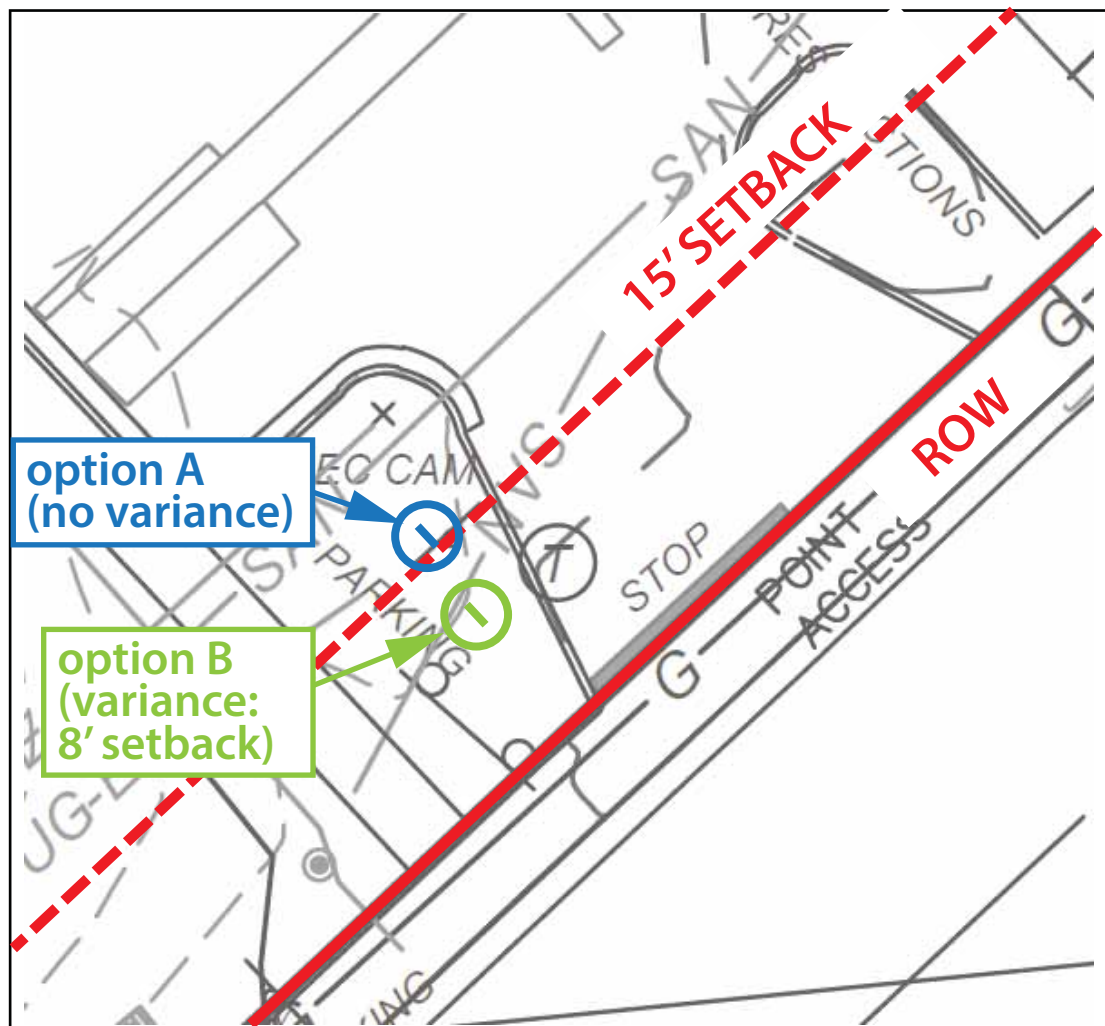
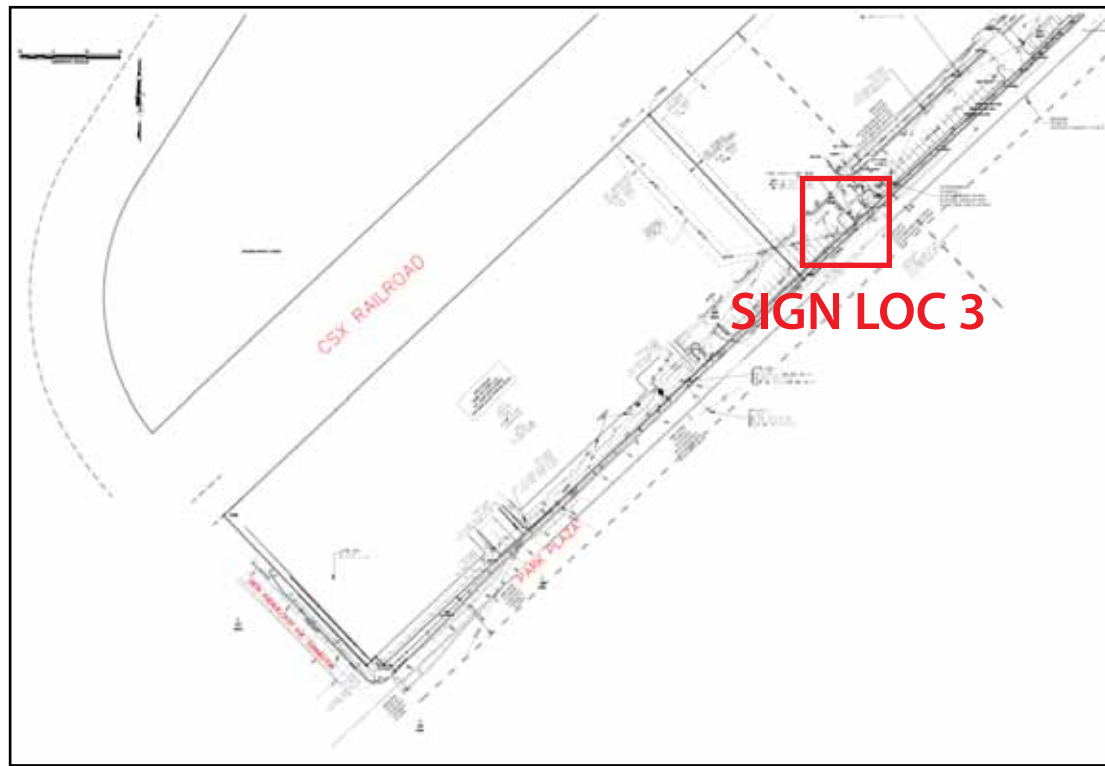
option A (no variance: 15' setback)



option B (variance: 8' setback)

SIGN LOCATION 2



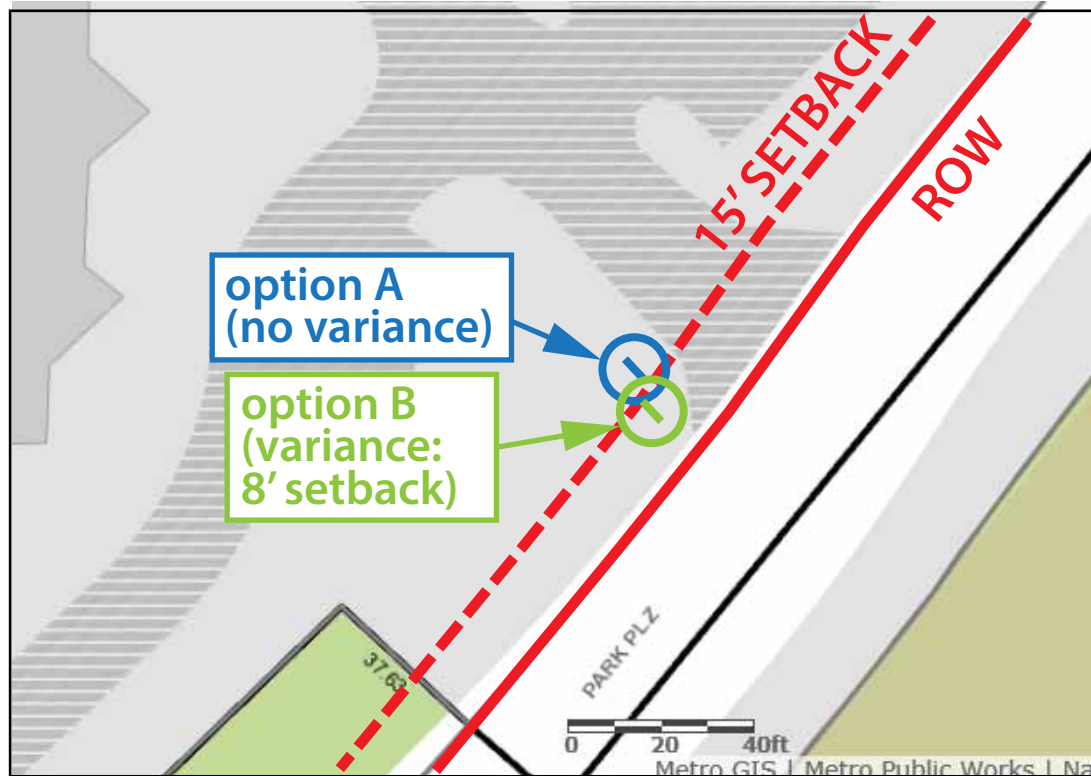
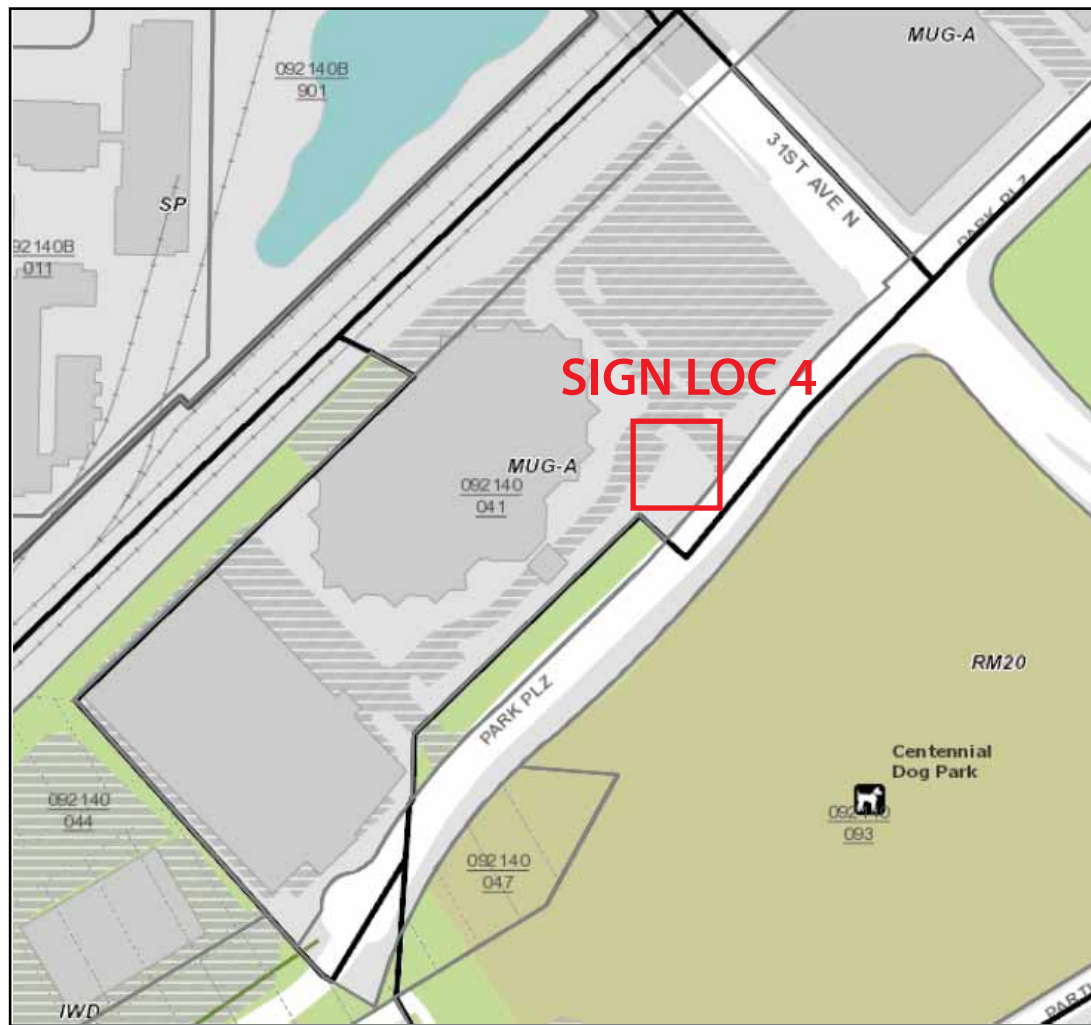


SIGN LOCATION 3

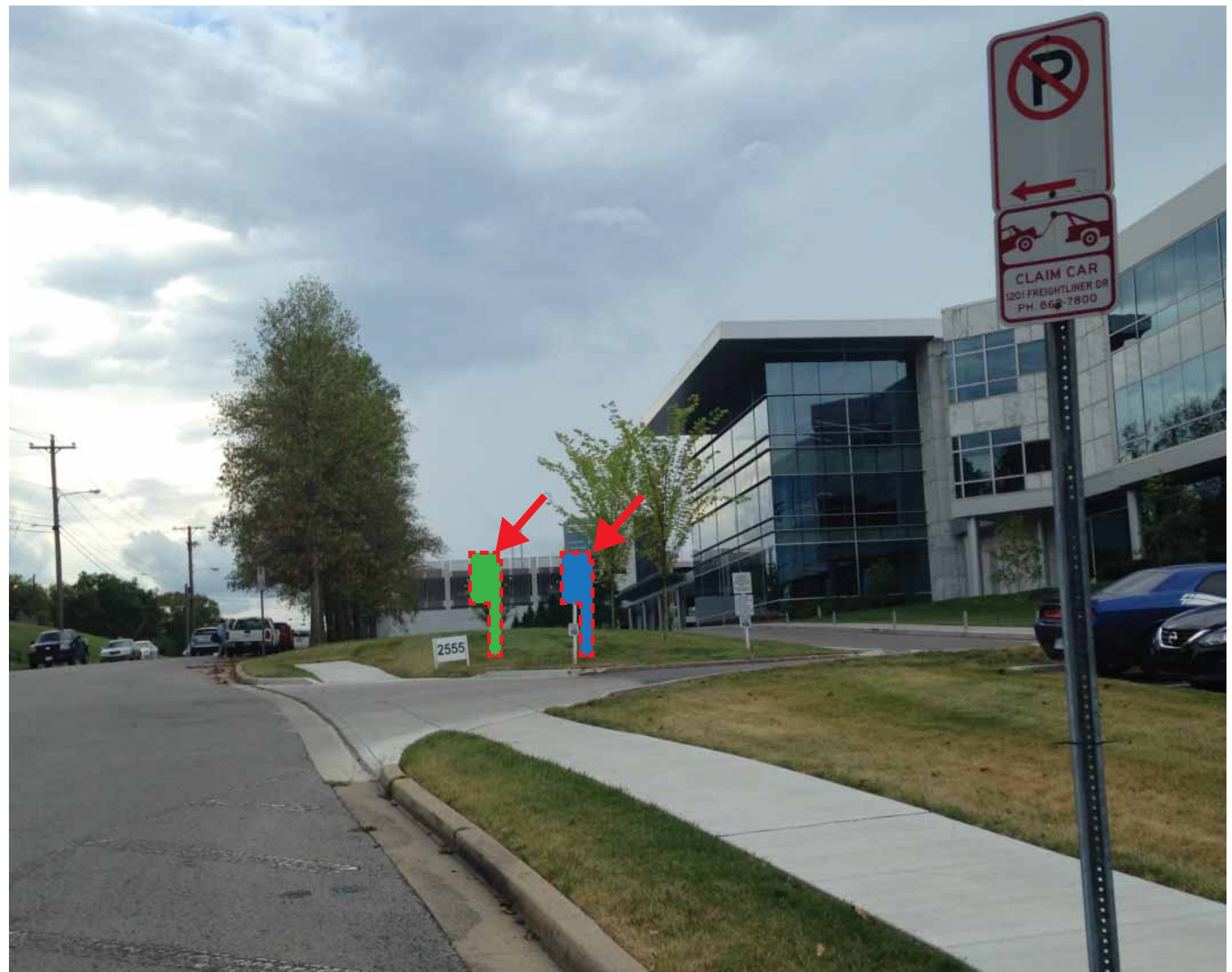


option B (variance: 8' setback) option A (no variance: 15' setback)





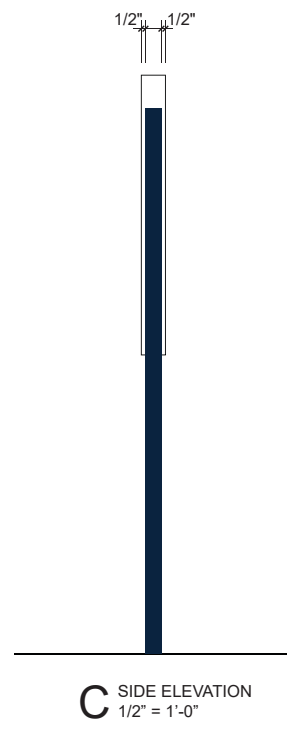
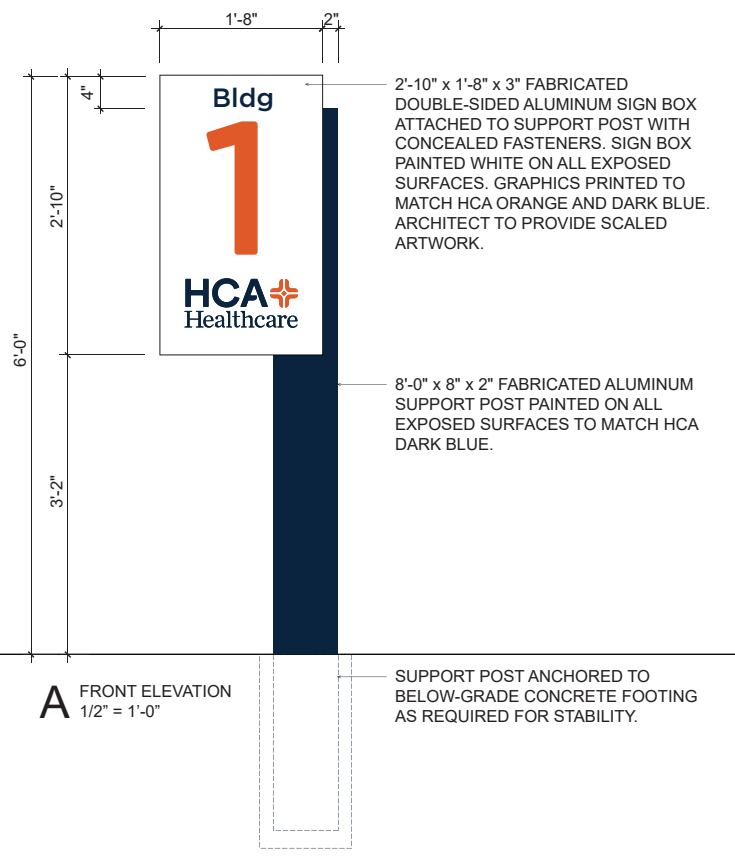
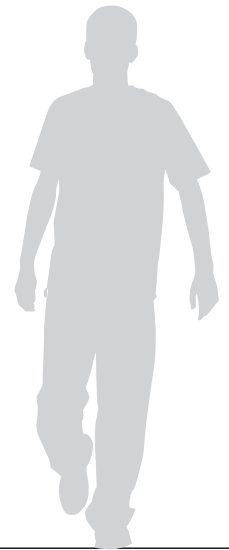
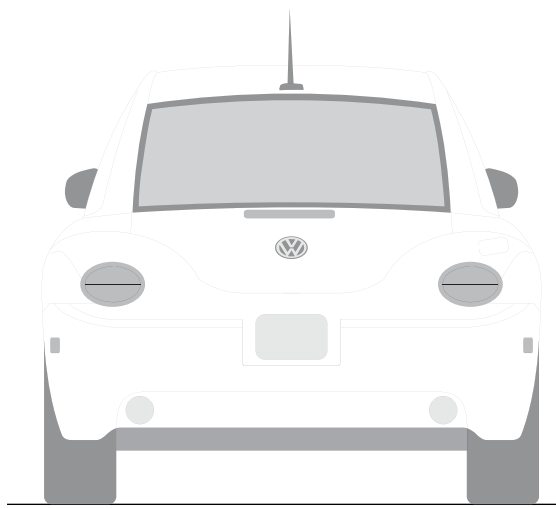
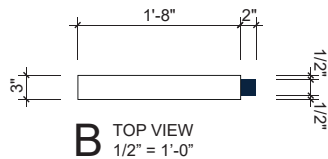
SIGN LOCATION 4



option B (variance: 8' setback)

option A (no variance: 15' setback)





**BUILDING ID SIGN DETAILS**

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: First Baptist Church <sup>of</sup> Donelson Date: 2/19/

Property Owner: Rev. James Cross Case #: 2019-139

Representative: First Baptist Church Donelson Map & Parcel: 09504001100

Council District 15

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: 3.2' x 8.5' LED PANEL ON EXISTING POLE SIGN FOR DONELSON FAMILY FIRST BAPTIST DONELSON

Activity Type: RELIGIOUS INSTITUTION

Location: 2526 LEBANON PIKE, NASHVILLE TN.

This property is in the OR20/CL Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason: UDO OVERLAY

Reason: LED MESSAGE BOARD URBAN DESIGN OVERLAY

Section(s): 17.32.050 H-2 17.40.130

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

First Baptist Church <sup>of</sup> Donelson Rev. James Cross  
Appellant Name (Please Print) Representative Name (Please Print)

2526 Lebanon Pike 2526 Lebanon Pike  
Address Address

Nashville, TN 37214 Nashville, TN 37214  
City, State, Zip Code City, State, Zip Code

615-883-2339 \_\_\_\_\_  
Phone Number Phone Number

Jim.cross@donelsonfamily.org ← same  
Email Email

Zoning Examiner: TC Appeal Fee: \$200



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605116

**ZONING BOARD APPEAL / CAAZ - 20190009841  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 09504001100

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

2526 LEBANON PIKE NASHVILLE, TN 37214

LOTS 15-16-17-PT 18&amp;50 DONELSON PR &amp; ACREAGE TRACT

PARCEL OWNER: DONELSON BAPT. CHURCH

CONTRACTOR:

**APPLICANT:****PURPOSE:**

RELIGIOUS INSTITUTION... ... FIRST BAPTIST CHURCH OF DONELSON... ...NEW POLE SIGN

REQUEST TO ERECT NEW POLE SIGN WITH 3.2'X8.5' LED MESSAGE BOARD MOUNTED UNDER PROPOSED  
CONVENTIONAL SIGNAGE...SEE PLANS... ..

REJECTED: PER 17.32.050 H.2 LED MESSAGE BOARDS PROHIBITED... ...PER 17.40.130 MUST COMPLY WITH URBAN  
DESIGN OVERLAY DISTRICT (UDO)... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Rev. James Cross  
APPELLANT

1/19/2019  
DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

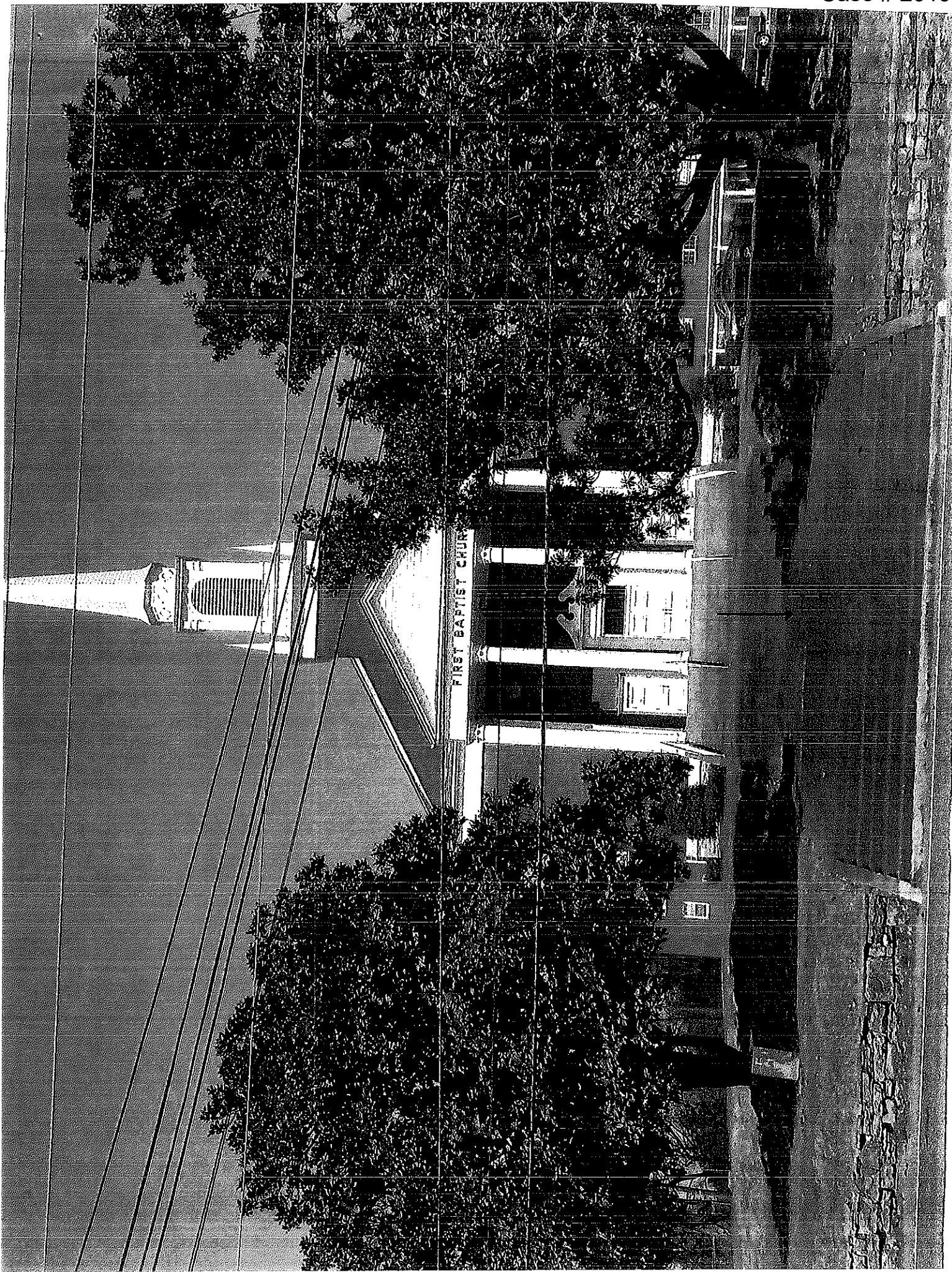
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*To more effectively communicate the  
community services we offer as  
A religious organization.*



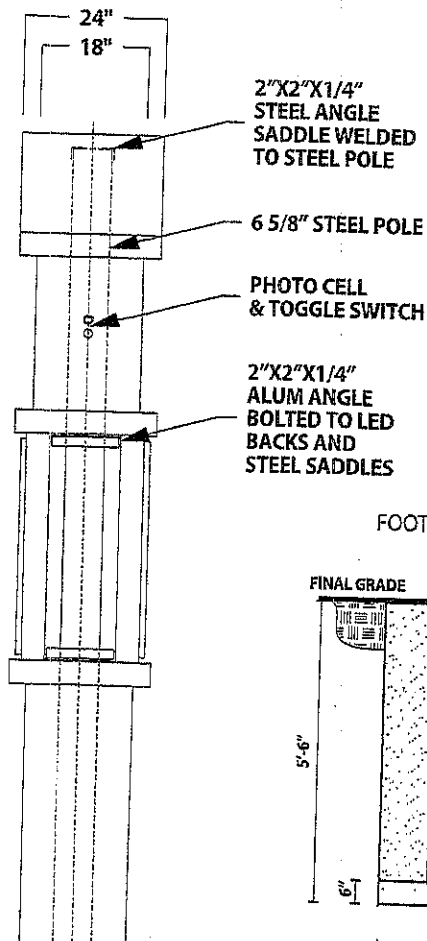
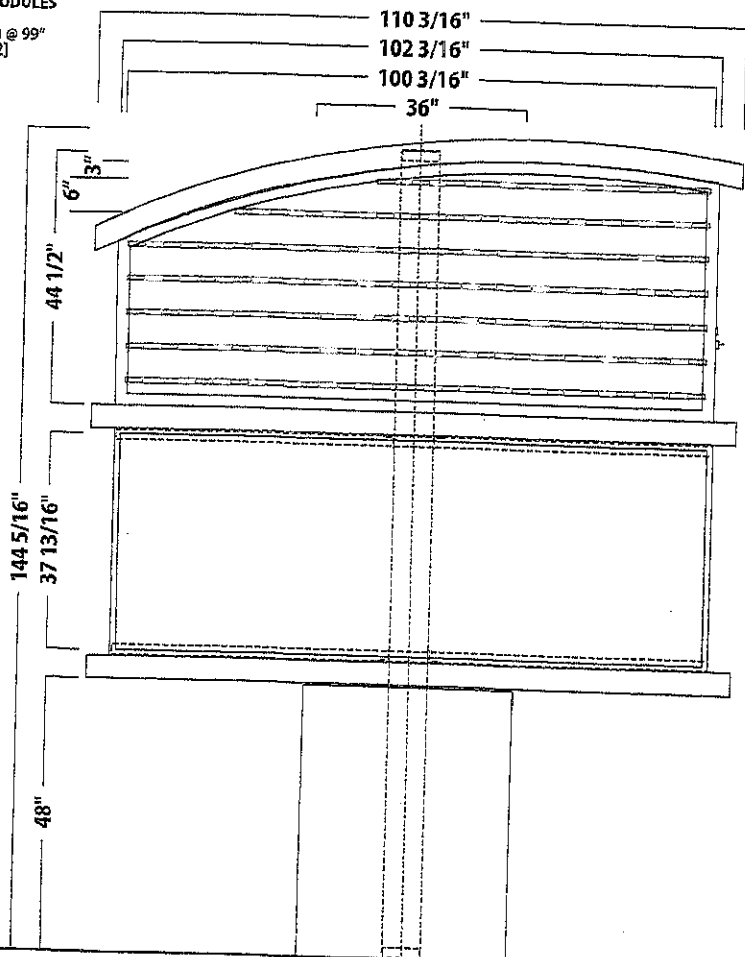


LIGHTING DETAIL

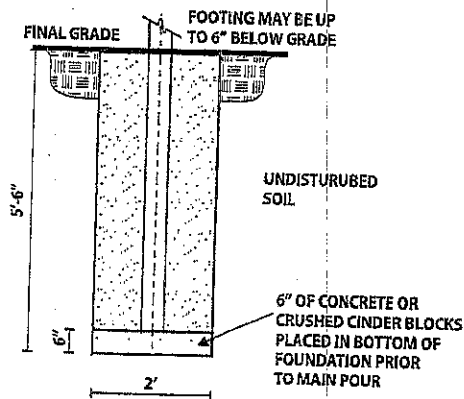
C-CHANNEL & LED MODULES  
218 MODULE TOTAL  
(1) @ 57" (1) @ 81" (5) @ 99"  
150W PWR SUPPLY (2)

FRONT VIEW 1

SIDE VIEW



FOOTER DETAIL



GRADE  
SCALE: 3/8"=1'



DONELSON FAMILY @ FIRST BAPTIST CHURCH

180724-1300-A

QU0-05619-56W6P0-2

CHELSEA PARTICK

07/24/2018

2526 LEBANON PIKE, NASHVILLE, TN, 37214

3'-1 13/16" X 8'-4 13/16" ECO FULL COLOR 10MM 96X256 MATRIX DOUBLE FACE SIGN

ARTIST: C. ISTRE  
PG 2 OF 4

1924 RANKIN RD. STE 300, HOUSTON, TX 77073




APPROVED BY

DATE


TOLL FREE: 800-888-5051  
SIGN-EXPRESS.COM

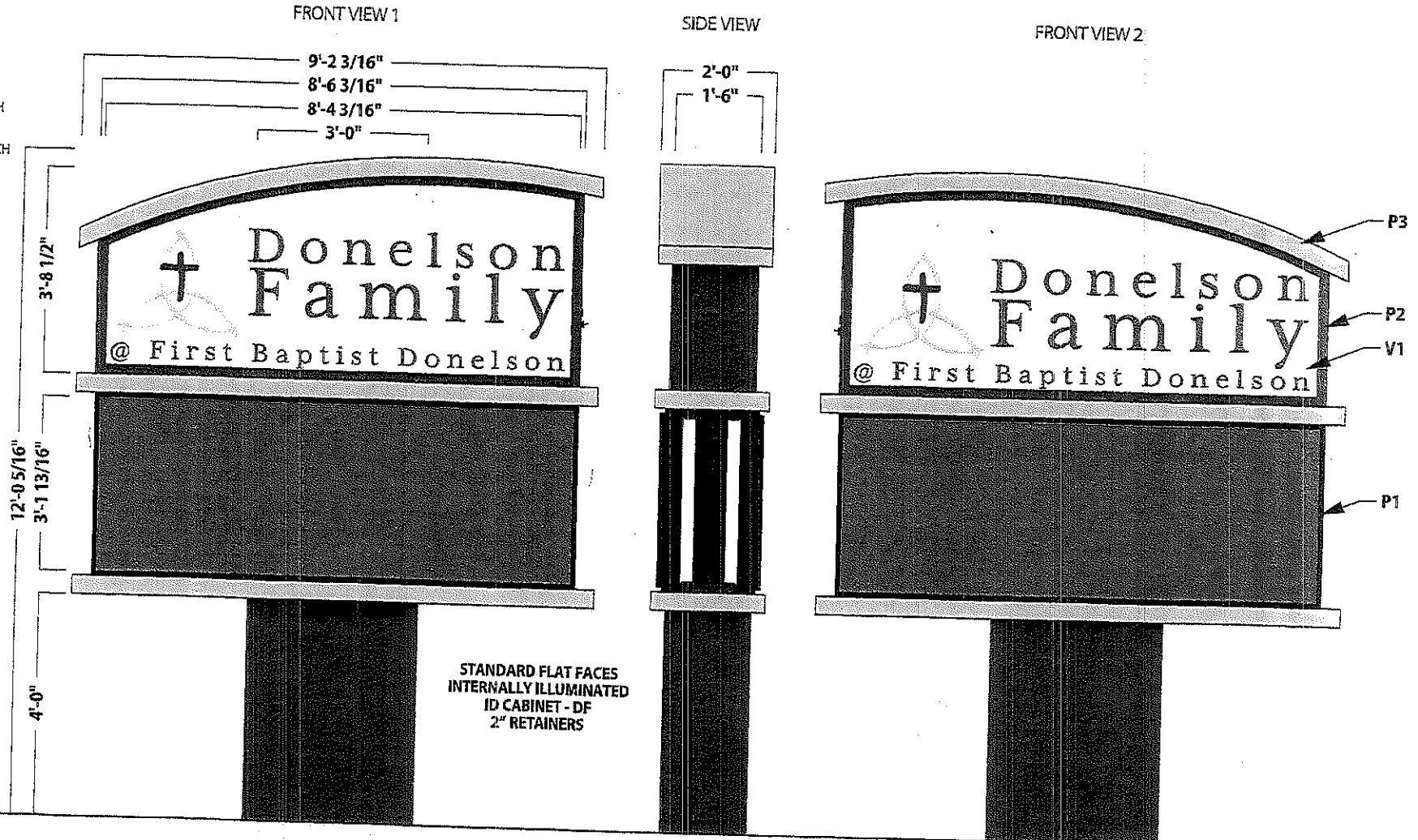
UNDER ARTICLE 27 OF THE PROVISIONS COMMITTEE COPY OF FAIR PRACTICE FOR THE GRAPHIC ARTS COMMUNICATIONS INDUSTRY... 2015 ALL RIGHTS RESERVED

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-  P1 - BLACK  
MPSV9295P
-  P2 - CUSTOM  
MP482 - 374 C MATCH
-  P3 - CUSTOM  
MP306 - 2603 C MATCH

VINYL COLORS

-  V1 - 2ND SURFACE  
FC DIGITAL PRINT  
3M U8150



DONELSON FAMILY@ FIRST BAPTIST CHURCH

180724-1300-A

QUO-05619-56W6P0-2

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3'-1 13/16" X 8'-4 13/16" ECO FULL COLOR 10MM 96X256 MATRIX DOUBLE FACE SIGN

ARTIST: C. ISTRE  
PG 1 OF 4

1924 RANKIN RD. STE 300, HOUSTON, TX 77073  
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APPROVED BY

DATE

TOLL FREE: 800-888-5051  
SIGN-EXPRESS.COM

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Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : ELI BATES

Date: 2/19/19

Property Owner: Black Cotton

Case #: 2019-140

Representative: BATES Construction

Map & Parcel: 104130 W00200C0

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

VARIANCES TO HOUSE ORIENTATION AND FRONT SETBACK.

BUILDING 2 HOUSES ON 1 LOT (HP2)

Activity Type: NEW RESIDENTIAL CONSTRUCTION

Location: 2027 HUNTON DRIVE

This property is in the \_\_\_\_\_ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: HOUSE ORIENTATION & SETBACK

Section(s): 17.12.030C.6 & 17.12.030C.3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

SCOTT STORY  
Appellant Name (Please Print)

ELI BATES  
Representative Name (Please Print)

209 10th Ave. S.  
Address

P.O. Box 394  
Address

Nashville TN, 37112  
City, State, Zip Code

GLADEVILLE, TN, 37071  
City, State, Zip Code

615-789-9189  
Phone Number

615-456-1680  
Phone Number

scott\_story@ohm-advisors.com  
Email

elibates32@comcast.net  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3605125

**ZONING BOARD APPEAL / CAAZ - 20190009848**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 106130W00200CO

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

2027 HUTTON DR NASHVILLE, TN 37210  
UNIT 2027B 2027 HUTTON DRIVE

**PARCEL OWNER:****CONTRACTOR:****APPLICANT:****PURPOSE:**

New construction of 2 single family residence on a one parcel (HPR). No construction Permit started.

Requesting (1) Variance to 17.12.030 C.6, which requires front facade orientation toward Hutton Drive, requesting to orientate houses toward Rosemary Lane.

(2) Variance to 17.12.030 C.3, which requires using the setbacks average of the 4 nearest houses (57.7 ft required) requesting to apply the platted setback of 30 ft.

POC: Eli Bates 615-486-1948 or Scott Story 615-789-9189

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
 APPELLANT

OHM-ADVISORS

2/19/2019  
 \_\_\_\_\_  
 DATE

In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

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The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

See letter dated Jan. 30, 2019



ARCHITECTS. ENGINEERS. PLANNERS.

Board of Zoning Appeals  
Metro Nashville Department of Codes Administration

January 31, 2019

Re: Variance Request to Metropolitan Board of Zoning Appeals for 2027 Hutton Avenue, Nashville, TN 37201.  
Parcel Number 1013010600.

This Letter of Intent is in support of our request for a variance to the front setback requirements and a variance as to the determining the orientation of the front façade of the principle structure(s) on a corner lot that has lot lines of unequal length. Current zoning for this site is "R6" and the property lies in the 17<sup>th</sup> Council District where Mr. Colby Sledge is the Councilperson.

The property is located at the northeast corner of Hutton Drive and Rosemary Lane. It is lot 36 of Woodcrest Subdivision, Section 1 as recorded in Plat Book 1835, page 25 in the office of the Register of Deeds of Davidson County, Tennessee. The plat was recorded on October 26<sup>th</sup> of 1950, at which time, the plat called for a 30 foot building setback line for both Hutton Drive and Rosemary Lane. The width of the lot is approximately 115 feet along Hutton Drive and approximately 130 feet along Rosemary Lane. The intent is to tear down the existing single-family resident and replace with two (2) separate single-family residences under the Horizontal Property Regime "HPR" (Instrument No. 20181214-0121928 R.O.D.C., TN).

Zoning code section 17.12.030.C.6 reads: "the front façade of a principal structure on a corner lot that has lot lines of unequal length abutting the streets shall be oriented to the shorter lot line, except where the zoning administrator determines that the longer lot line is more appropriate based on one or more of the following criteria:

- a. The longer lot line of a lot zoned for office, mixed-use, commercial, or industrial use is located along an arterial street as shown on the adopted major street plan;
- b. The proposed structure will contain multiple businesses with outside entrances;
- c. The predominant character or pattern of adjoining development is or will be oriented to the street on which the longer lot line is located."

We feel that configuring the lot so that both of the proposed structures are oriented along Rosemary Lane would be more in line with existing HPR structures in the area and would maximize open area for the new lots created.

Zoning code section 17.12.030.C.3 reads: "In residential areas with an established development pattern, the minimum required street setbacks for the R and R-A, RS and RS-A and MHP districts shall be the average setback, up to a maximum of three times the standard setback provided in Table 17.12.030A, of the four nearest single-family or two-family houses on the same block face that are oriented to the same street and that follow the established development pattern."

In this case, the four nearest single-family lots along Rosemary Lane have an average front setback of 57.7 feet but also an average lot "depth" of 206.0 feet with our lot having a depth of only 115 feet. We are requesting that we be allowed to use the 30-foot setback as indicated on the plat along Rosemary, as well as, along Hutton Drive.

If you have any question, please do not hesitate to contact Felton Berger of OHM Advisors (615) 610-5238.

Sincerely,

A handwritten signature in black ink, appearing to read "Eli Bates", is written over the word "Sincerely,". To the right of the signature, the words "OHM ADVISORS" are written in a stylized, handwritten font.

Mr. Eli Bates  
Bates Construction  
1575 Corinth Road  
Mount Juliet, TN. 37122  
(615) 486-1948

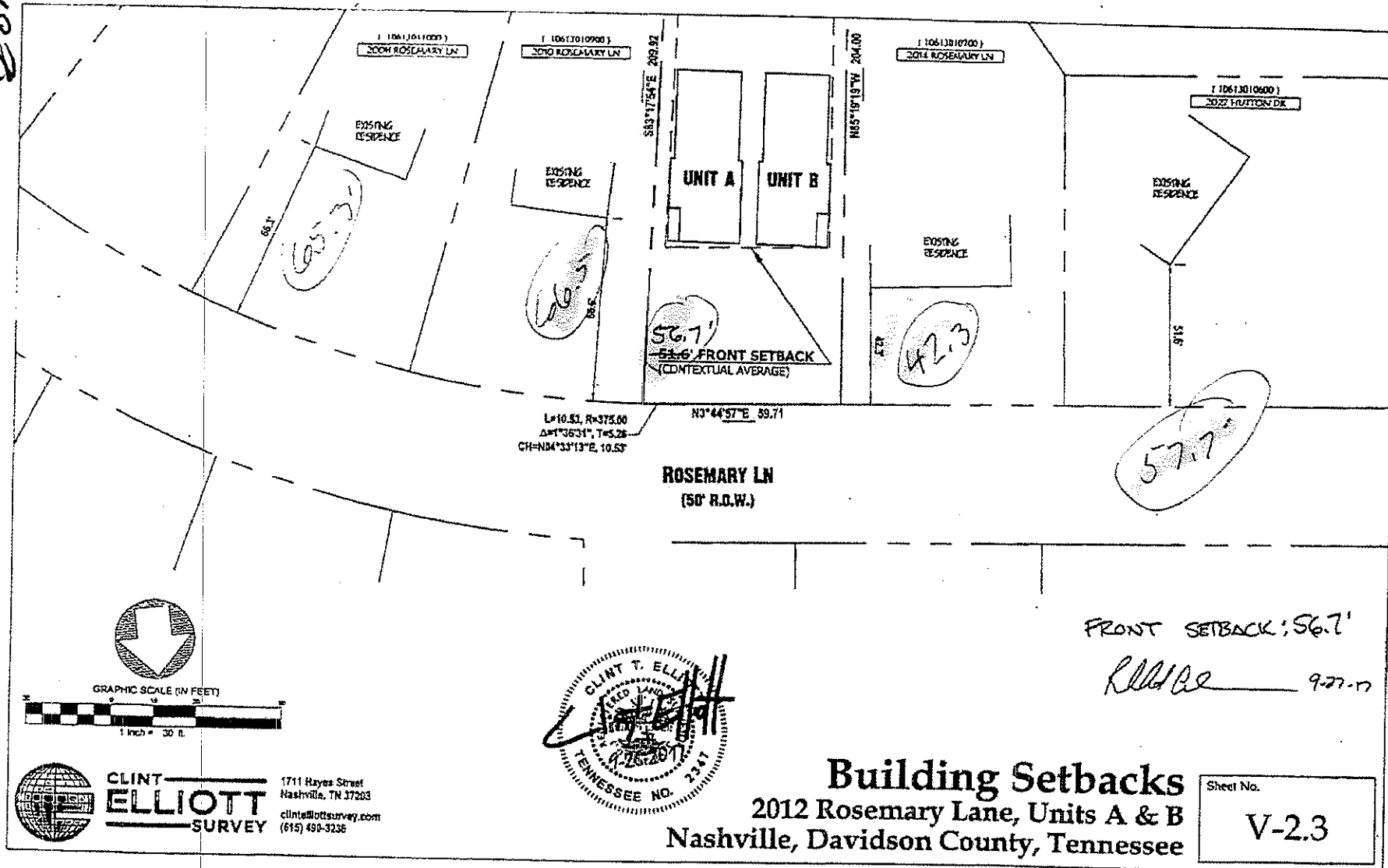
OHM Advisors  
209 10TH AVENUE SOUTH, SUITE 116  
NASHVILLE, TENNESSEE 37203

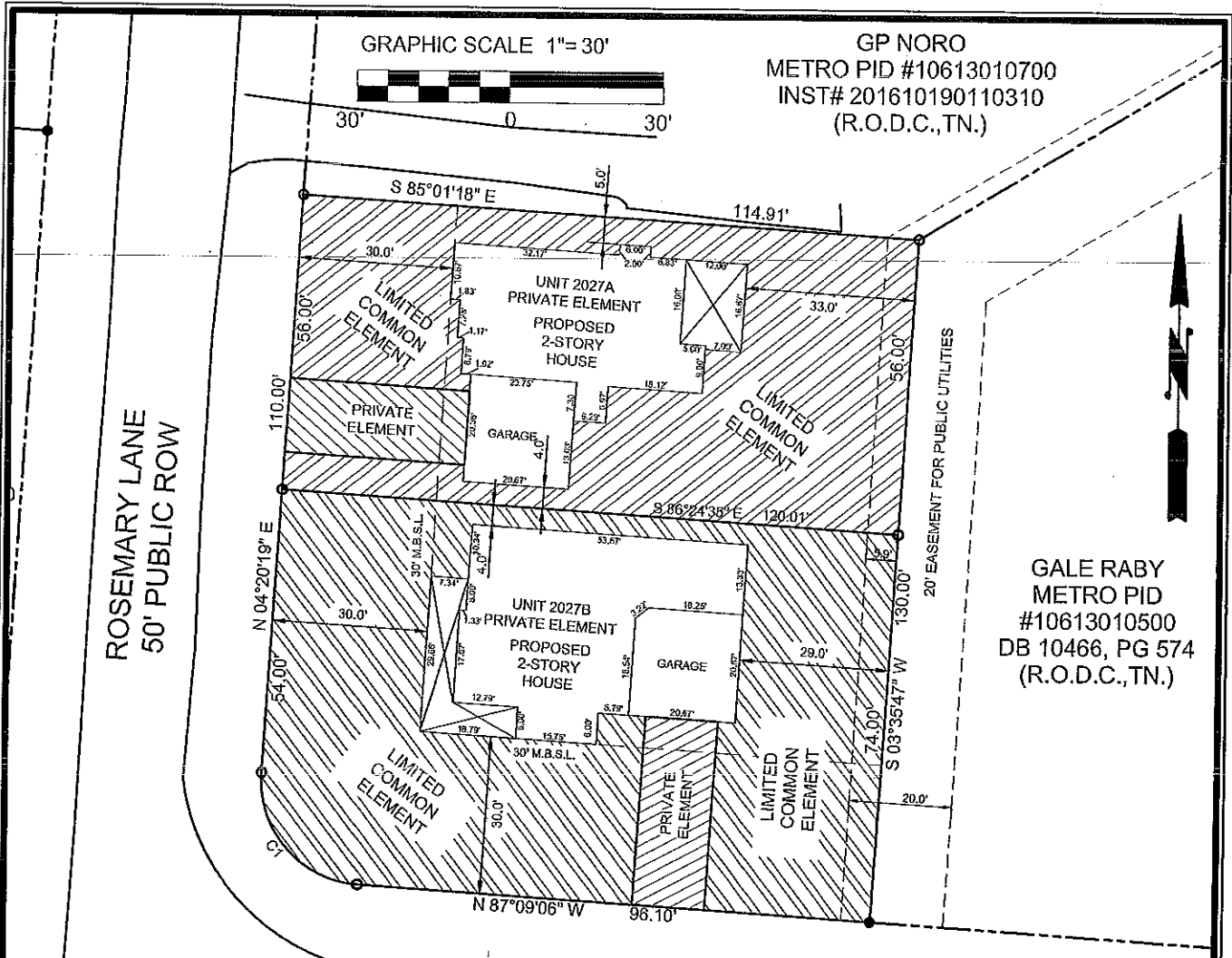
T 615.649.5264

OHM-Advisors.com



*Richard D  
Boonick*



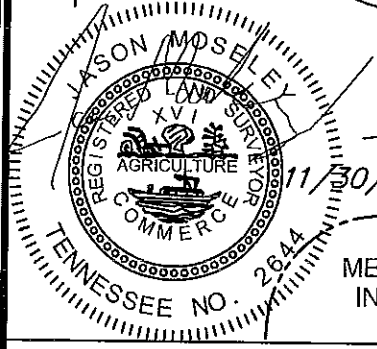


GP NORO  
 METRO PID #10613010700  
 INST# 201610190110310  
 (R.O.D.C., TN.)

GALE RABY  
 METRO PID  
 #10613010500  
 DB 10466, PG 574  
 (R.O.D.C., TN.)

ROSEMARY LANE  
 50' PUBLIC ROW

HUTTON DRIVE  
 50' PUBLIC ROW



11/30/2018

ROBERT S. OELZE  
 METRO PID #10613009800  
 INST# 201411030101369  
 (R.O.D.C., TN.)

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH
C1	20.00'	31.94'	28.65'

THIS EXHIBIT WAS DONE UNDER THE AUTHORITY OF T.C.A. 62-18-126 AND IS NOT A "GENERAL PROPERTY SURVEY" AS DEFINED BY RULE 0820-3-07 OF THE STANDARDS OF PRACTICE. THIS EXHIBIT IS FOR REFERENCE ONLY AND NOT INTENDED TO REPRESENT A BOUNDARY SURVEY.

**EXHIBIT**  
**HORIZONTAL PROPERTY REGIME**

UNITS 2027A & 2027B HUTTON DRIVE, NASHVILLE TN 37210  
 BEING LOT 38 OF WOODY CREST SUBDIVISION, SECTION 1, PB 1835, PG 25

FOR: BATES CONSTRUCTION	DATE: 11/30/2018
PARCEL : 1013010600	ZONING: R6
DEED: D.B. 6001, PG 262 (R.O.D.C., TN)	PROJECT #: 0223-18-0060
PLAT: PB 1835, PG 25 (R.O.D.C., TN)	SHEET 1 OF 1

**OHM**®  
 OHM ADVISORS  
 209 10th AVENUE SOUTH  
 SUITE 116  
 NASHVILLE, TN 37203  
 615-649-5264

**Heide Browne and Beverly Anderson**

2075 Whitney Avenue, Nashville TN 37205

Phone: 615-256-0688 e-mail: artbyheide@yahoo.com Email



March 20, 2019

Metropolitan Board of Zoning Appeals

Post Office Box 196300

Nashville, TN 37219-6300

CC: Colby Sledge

RE: Appeal Case # 2019-140

2027 Hutton Drive

Dear Metropolitan Board of Zoning Appeals,

Thank you for consulting us. While we are glad the neighborhood is renewing, we have some grave concerns with regard to this request based on what has been built in this neighborhood so far.

**Substantial loss of mature trees and green.**

Woodycrest is a small enclave of green space surrounded by treeless industrial zoned areas.

These trees are vital to the well-being of the people living here as well as to the ambience of the neighborhood. Building two larger houses on what was 1-family property has entailed the loss of one to three mature trees per lot. There are currently 7 mature trees on the parcel in question.

**Type of buildings erected.**

The Metro Planning Commission stated that it will preserve the character of the older neighborhoods. Here the modest houses generally have small front porches, good green front yards with mature trees. People walk here with their dogs and children and greet each other.



While some builders have made an effort to maintain the character of the neighborhood. Others have not. On the one house lot at 2071 Whitney Avenue an ugly 3-story, multiple unit building has been erected that in no way fits into the neighborhood. At each of the following addresses 2 oversized narrow shotgun houses with double garage doors and double concrete driveways facing the street have been squeezed onto each lot : 2084 Whitney Ave., 2130, 2005, 2006, 2012 Rosemary, 2038 Hutton. They turn their back on the neighborhood and truly alter its entire character.

The very fact that a variance of the existing restrictions is sought, for 2027 Hutton tells us that the houses planned for that lot will in size ,and likely in style, not fit well into the neighborhood and that all the trees close to the street will be cut down. **We therefore oppose this request.**

Sincerely,

  
Heide Browne

  
Beverly Anderson



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : John Nelson  
Property Owner: \_\_\_\_\_  
Representative: : John Nelson

Date: 2/19/19  
Case #: 2019-144  
Map & Parcel: 117130J00200C0

Council District 34

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: CONSTRUCT 8' PRIVACY FENCE  
RESIDENTIAL

Activity Type: RESIDENTIAL PRIVACY FENCE

Location: 3912 A CAYLOR DR.

This property is in the R20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: INSTALL 8' FENCE ALONG SIDELINE FROM STREET TO HOUSE

Section(s): 17.12.040 26 A & B

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

JUSTIN CRANDALL  
Appellant Name (Please Print)

JOHN NELSON  
Representative Name (Please Print)

6 FAWN CREEK PASS  
Address

725 NEWBERY RD  
Address

NASHVILLE, TN, 37205  
City, State, Zip Code

NASHVILLE, TN, 37205  
City, State, Zip Code

615-915-8288  
Phone Number

615-533-5952  
Phone Number

justincrandall1980@gmail.com  
Email

john@adsnash.com  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605244

**ZONING BOARD APPEAL / CAAZ - 20190009905  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 117130J00200CO

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

3912 A CAYLOR DR NASHVILLE, TN 37215  
UNIT 1 3912 CAYLOR HOMES

PARCEL OWNER: BBW PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

REQUEST TO INSTALL PRIVACY FENCY EIGHT (8) FEET IN HEIGHT... EXTENDING ALONG WESTERLY PARCEL SIDE LINE,  
FROM RIGHT-OF-WAY TO FRONT FAÇADE OF EXISTING RESIDENCE... ..

REJECTED PER 17.12.040 26 A&amp;B

26. SCREENING WALLS OR FENCES. THE MAXIMUM PERMITTED HEIGHT MEASURED FROM FINISH GRADE LEVEL ON  
THE SIDE OF THE WALL OR FENCE WITH THE GREATEST VERTICAL EXPOSURE SHALL BE:

- A. TWO AND ONE-HALF FEET IN HEIGHT WITHIN TEN FEET OF A STREET RIGHT-OF-WAY... ..
- B. SIX (6) FEET IN HEIGHT WITHIN THE REMAINDER OF THE REQUIRED FRONT SETBACK... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605244

**ZONING BOARD APPEAL / CAAZ - 20190009905  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 117130J00200CO

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

3912 A CAYLOR DR NASHVILLE, TN 37215  
UNIT 1 3912 CAYLOR HOMES

PARCEL OWNER: BBW PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

REQUEST TO INSTALL PRIVACY FENCY EIGHT (8) FEET IN HEIGHT... EXTENDING ALONG WESTERLY PARCEL SIDE LINE,  
FROM RIGHT-OF-WAY TO FRONT FAÇADE OF EXISTING RESIDENCE... ..

REJECTED PER 17.12.040 26 A&amp;B

26. SCREENING WALLS OR FENCES. THE MAXIMUM PERMITTED HEIGHT MEASURED FROM FINISH GRADE LEVEL ON  
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Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request, Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
\_\_\_\_\_  
**APPELLANT**

2/19/19  
**DATE**



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Stericycle

Date: 2-19-19

Property Owner: Duke LLC

Case #: 2019-145

Representative: \_\_\_\_\_

Map & Parcel: 121110 A0020000

Council District 29

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

To occupy current space in Suite 801  
for use as medical waste facility

Activity Type: USE AS MEDICAL WASTE BUSINESS

Location: 800 AIRPARK COMMERCE DR, SUITE 801

This property is in the IND Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO PC 17.16.110B #3 SETBACK FROM OWNED  
STELTON

Section(s): #4 "D" LANDSCAPE BUFFER

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

AND PARK  
PROPERTY  
136 UNA  
RECREATION  
PARK

Stericycle  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

800 Airpark Commerce Drive  
Address

\_\_\_\_\_  
Address

Nashville TN 37217  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-838-5423  
Phone Number

\_\_\_\_\_  
Phone Number

Mark.rose@stericycle.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: \_\_\_\_\_

\_\_\_\_\_  
Appeal Fee:

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

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Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

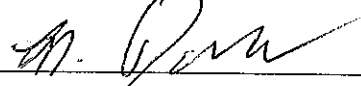
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**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

*Storie*  
  
 \_\_\_\_\_  
**APPELLANT**

*2/19/19*  
 \_\_\_\_\_  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*





February 18, 2019

To Whom It May Concern  
 Department of Codes and Building Safety  
 Metro Office Building  
 800 2nd Ave S.  
 Nashville, TN 37210

RE: Stericycle Proposed Use of 800 Airpark Commerce Drive

Gentlemen:

We are seeking to secure a zoning variance as a tenant of the building located at 800 Airpark Commerce Drive in Nashville. We have met with Mr. Jon Michael of your department recently, who has instructed us to appear at the department and work with a Zoning Examiner to determine what variances may be needed.

Our proposed use, as a Medical Waste facility, is listed as a permitted use with conditions in Zone IWD, according to Section 17.16.110.B of the zoning code. There are five conditions listed that must be met for this land use. We believe the facility, site, and our operations will meet two of these conditions, are willing to perform mitigative or corrective actions as needed to meet another, and need confirmation of two others, as outlined below.

**B. Medical Waste.**

**1. Lot Size.** The minimum site area shall be five acres.

MEET CONDITION (Lot is 13.956 acres and we will occupy approx. ½ of it)

**2. Street Standard.** Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector street or a street designated on the major street plan.

STATUS UNCERTAIN – MAY REQUIRE VARIANCE

**3. Setback.** All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure, and further, the facility shall not be located less than two thousand feet from the property line of any school or park.

STATUS UNCERTAIN – MAY REQUIRE VARIANCE

**4. Landscape Buffer Yard.** Along all residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. In addition, the entire facility shall be enclosed by a chain-link-type fence at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.

DO NOT MEET CONDITION BUT CAN MODIFY SITE TO INCLUDE FENCE AND MODIFY LANDSCAPING AS NEEDED TO COMPLY

**5. All loading, unloading, compacting, sorting, processing or storage shall take place within a completely enclosed building.**

MEET CONDITION (all of the above operations will take place inside the building)





Please review the forgoing, and advise of your opinion, or any direction you may have in this matter. Please do not hesitate to contact the undersigned or Mr. Mark Rose, at 615-862-6500, or Ms. Cassie Bittorf, at 905-330-6194, if you should have any questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Nold", with a horizontal line extending to the right.

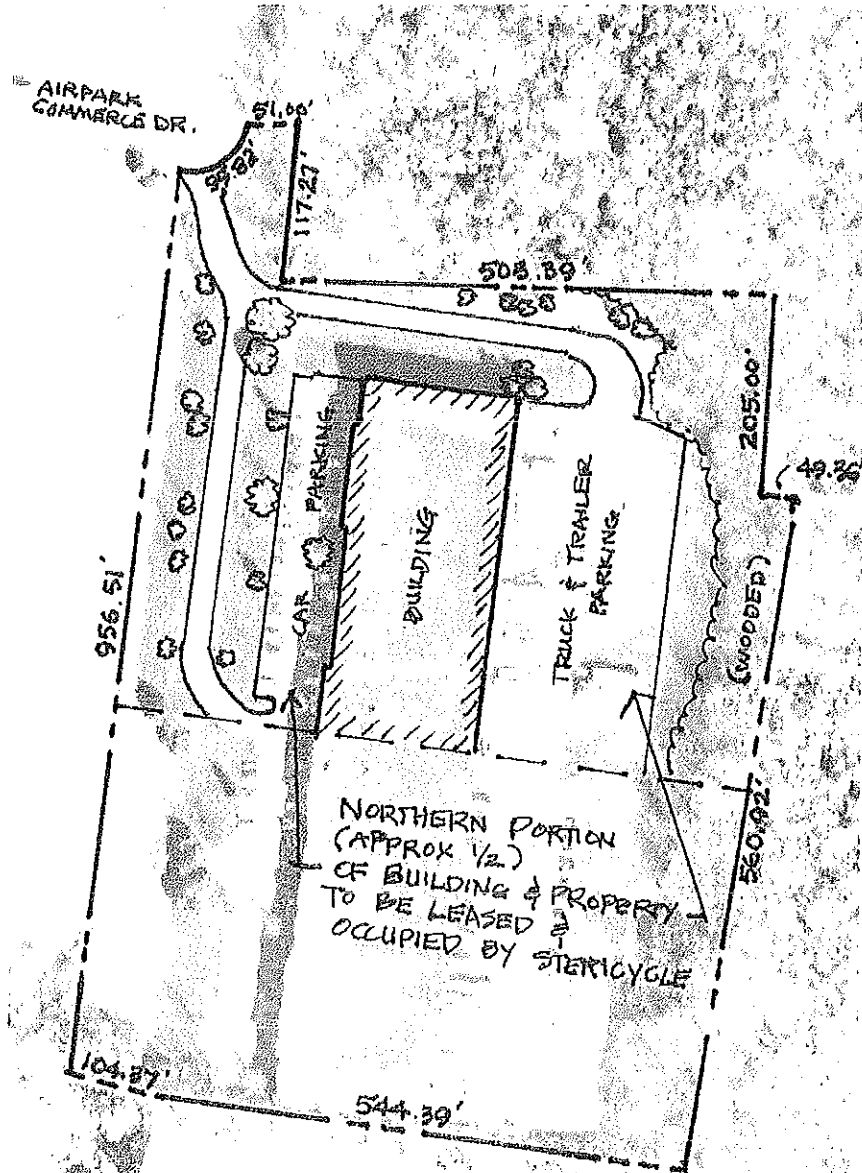
James W. Nold  
Director of Engineering  
Stericycle, Inc.  
618-781-6625

SITE PLAN

PROPERTY TO BE LEASED BY STERICYCLE

801 AIRPARK COMMERCE DRIVE

NASHVILLE, TN 37217



SCALE: 1" = 200'



March 28, 2019

To Whom It May Concern

Department of Codes and Building Safety  
Metro Office Building  
800 2nd Ave S.  
Nashville, TN 37210

RE: Stericycle Proposed Use of 800 Airpark Commerce Drive

To Community Stakeholders:

Stericycle has made an application to the Metropolitan Board of Zoning Appeals (BZA) to secure a zoning variance as a tenant of the building located at 800 Airpark Commerce Drive in Nashville. We have met with a Zoning Examiner to determine what variances may be needed. Attached is the worksheet and application from that meeting.

Stericycle has been a leader in medical waste management and related services for 30 years, and is committed to providing safe, environmentally-sound disposal services to our customers in the Nashville area and surrounding region.

Part of those services include providing secure collection, destruction, and recycling services for confidential documents. We have been performing this service at the current location at 800 Airpark Commerce Drive for the last 8 years. We occupy the northern portion of the warehouse building at this location, and employ 35 team members and 20 trucks currently. Attached is a slide presentation describing our facility and use, and outlining the conditions that apply.

We are seeking to expand our services by combining our document destruction and recycling operation with the transfer of medical waste. We would have 55 total team members and 30 trucks and trailers going forward at this location. We are permitted to do this under the zoning ordinance and code, under the IWD zoning classification, but we require a variance to some of the conditions regarding the location. Those conditions requiring a variance include:

- Setback from residential structures of 500' (we are set back 480')
- Setback from any school or park property of 2000' (we are set back 1600')
- A chain link fence surrounding the property (we are willing to erect a fence and/or modify the existing landscape buffer if required)



We have made the required applications, paid the specified fees, and provided the required notices to the community, including the posting of a sign at the property about the BZA process.

We will be attending the hearing on April 4<sup>th</sup> as required, and look forward to answering any questions you may have, and to continuing to operate and grow our business in the community as a good neighbor and good corporate citizen.

Should any questions arise, please do not hesitate at any time to contact me at the number or email below. Thank you in advance for your consideration.

A handwritten signature in black ink, appearing to read "J. Nold", with a horizontal line extending to the right.

James W. Nold

Engineering Manager  
Stericycle, Inc.  
618-781-6625  
[jnold@stericycle.com](mailto:jnold@stericycle.com)





**Stericycle Facility**  
800 Airpark Commerce Drive  
Nashville, TN

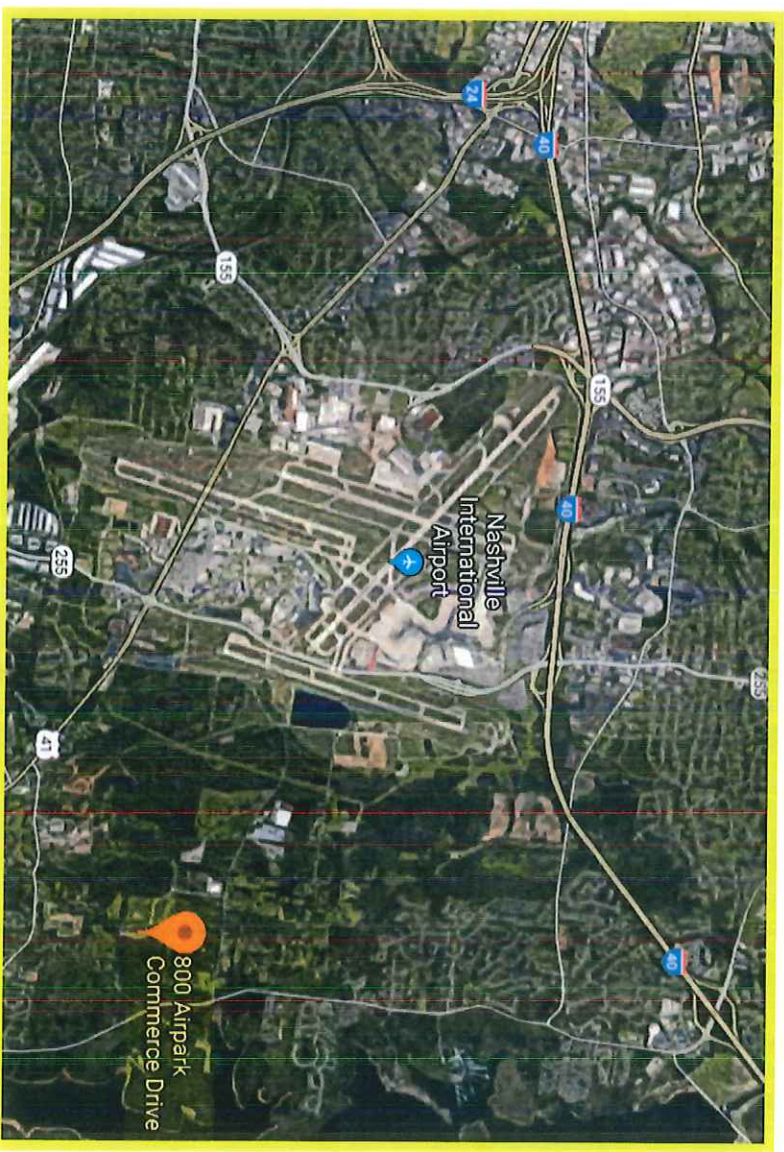
# Metropolitan Board of Zoning Appeals

BZA Hearing  
April 4, 2019



# Strategically and Appropriately Located

- Future Stericycle & Shred-it combined facility – at 800 Airpark Commerce Drive, Nashville TN
- Good truck access from I-24, I-40 and state highways
- Nearby compatible light industrial uses
- Proximity to airport enables efficient customer service for airport generated APHIS wastes requiring transfer and treatment



We protect what matters.





# Current Facility

## Document

## Destruction Process

- Includes shredding and baling documents collected on local routes
- Features specially designed equipment for secure information destruction
- Places highest priorities on security and safety. NAID certified.
- Trucks, equipment, and team members represent about two thirds of total facility operations



We protect what matters.





Documents are routed back to the facility where they are shredded and baled for transport to a local licensed recycler.



We protect what matters.

## Document Destruction Equipment

- Equipment includes Vecoplan (or similar) Shredder, baler, dust mitigation fans, and fire suppression systems incorporated for safe and secure processing.



# Proposed Additional Use

## Regulated Medical Waste Transfer

Waste Packaging requirements are stipulated by the US DOT. Stericycle provides every customer with Waste Packaging Guidelines and training.

### PACKAGING PROCEDURES FOR MEDICAL WASTE DISPOSAL • Reusable Containers and Corrugated Boxes



#### REGULATORY REQUIREMENTS

##### GENERAL

- Generators are responsible for packaging their waste.
- Each bag must be hand tied by grasping and twisting the neck of the bag and using a tie or hand knot to secure the bag, and each container must be securely closed.
- Closed bags must not be inside once secondary container is closed.
- Improperly packaged containers or damaged containers will be denied pick-up or returned to the generator.
- Only regulated medical waste can be placed in Stericycle containers.

##### SHARPS

- Sharp materials ("sharps") must be placed in a puncture-resistant container designed for "sharp" waste. "Sharps" include needles, syringes, brain pins, scalpels, culture sticks, culture dishes, broken capillary tubes, suture tips, probes, and exposed ends of dental wires.
- All sharps containers should be properly closed before being placed into secondary containers.
- No loose sharps are permitted outside of sharps containers.

For more information, contact Stericycle at (866) 338-5120

**Stericycle**  
Protecting People. Restoring Planet.

© 2019 Stericycle, Inc. All rights reserved.



SET UP



CORRUGATED BOXES:

- Tear open and seal bottom flap with tape.
- Adhesive tape boxes, require bottom flaps to be flat or required for flexible containers.



STEP 3

- Seal top of box with tape.
- Adhesive tape boxes, require top flaps to be flat or required for flexible containers.
- Secure all tear-stitch bottom reinforcement on straps.



STEP 1

LINE CONTAINER OR BOX WITH RED BAG\*



STEP 4

CHECK MARKINGS

- Federal markings (see section above)
- Additional state and local regulations may apply.
- Apply bar code label where available.

\*Instructions and standards for reusable sharps containers. The generator must comply with the requirements of 49 CFR 173.133 and 173.134, and the requirements of 49 CFR 173.135 and 173.136, and the requirements of 49 CFR 173.137 and 173.138.



STEP 2

TIE BAG WHEN BOX OR CONTAINER IS FULL



UNACCEPTABLE

All containers required have a maximum weight of 25 lbs. The generator must comply with the requirements of 49 CFR 173.133 and 173.134, and the requirements of 49 CFR 173.135 and 173.136, and the requirements of 49 CFR 173.137 and 173.138.

We protect what matters.

**Stericycle**



# Proposed Transfer Operations



- All wastes are packaged according to DOT regulations.
- Each transport vehicle is supplied with load securement devices.
- Waste containers are transferred from local route trucks to trailers utilizing hand carts or wheeled carts.
- Containers are sealed and can not be opened during transfer or during transportation by law.

We protect what matters.



## Transport Vehicles

- ✓ Once waste containers are removed from the local route truck they are directly transferred to a trailer.
- ✓ Transfer of containers occurs on a dock and within the building.
- ✓ Cargo is re-secured and the trailer locked.
- ✓ Cargo is not removed from the trailer until it reaches the treatment facility



# Different Handling Procedures



Collection Truck

TYPICAL SOLID WASTE  
TRANSFER STATION



Loaded into Transfer Trailer



Collection Truck

MEDICAL WASTE  
TRANSFER STATION



Loaded into Transfer Trailer

# Waste Container Tracking



- ✓ Each container of medical or non-hazardous Rx waste must be labeled with Generator & Transporter information as required by the **US DOT & the TDEC**
- ✓ Stericycle utilizes proprietary tracking software to track each container from source of generation to disposal.
- ✓ Stericycle documents all transfers by each generator.



# Proposed Facility Staffing & Equipment

- ✓ This facility will employ 55 Team Members
- ✓ We will have approximately 30 local collection vehicles (shown to right) on site.
- ✓ We will have 2 to 3 tractors on site.
- ✓ We will have approximately 6 trailers on site.
- ✓ Normal hours of operations will be from 5 AM to 12 AM. Monday through Friday
- ✓ We will typically move 4 trailers a day to distant treatment sites.
- ✓ Materials transferred will include Regulated Medical Waste in sealed containers, and secure documents and information shredded and baled for recycling



# Existing Zoning is IWD-Industrial Warehousing/Distribution

in which **Medical Waste** is a Permitted Use with **Conditions**

The screenshot shows the 'Parcel Viewer' interface for parcel 121110A00200C0. The page is divided into several sections:

- Parcel Information:** Nashville Planning Department, 800 2nd Ave S, P.O. Box 196300, Nashville, TN 37219-6300.
- General Information:** Ownership History, Property History, Zoning History.
- Zoning History Table:**

Zone Code	Description
IWD	INDUSTRIAL WAREHOUSING/DISTRIBUTION IS INTENDED FOR A WIDE RANGE OF INDUSTRIAL USES, INCLUDING BULK DISTRIBUTION USES.
- Effective Date:** 7/24/2000
- Case Number:** 992-154
- Status:** Current
- Assessment History:** Stormwater - Elevation Certificate
- Permit History:** Stormwater - Elevation Certificate

The map view shows the parcel highlighted in red, with a pop-up window displaying the following details:

- Parcel ID:** 121110A00200C0
- Address:** 800 AIRPARK COMMERCE DR, 2009-UNIV, LLC
- Zone Code:** IWD
- Parcel Area:** 12.96 Acres

The search results table at the bottom of the page is as follows:

Parcel ID	Owner	Address	Description	Acres
121110A00200C0	DUKE SECURED FINANCING 2009- UNIV, LLC	800 AIRPARK COMMERCE DR, NASHVILLE, TN 37217	LOT 2 AIRPARK EAST PH 1-A	12.96

We protect what matters.





# Nashville Zoning Code – Medical Waste (conditions for permitted use)

- **Medical Waste.**
  - 1. Lot Size. The minimum site area shall be **five** acres.
  - 2. Street Standard. Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector street or a street designated on the major street plan.
  - 3. Setback. All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, two hundred fifty feet from any residential zoning district boundary, and **five hundred feet from any residential structure**, and further, the facility shall not be located less than **two thousand feet from the property line of any school or park**.
  - 4. Landscape Buffer Yard. Along all residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. **In addition, the entire facility shall be enclosed by a chain-link-type fence at least eight feet in height.** The fence shall be patrolled each day to remove all windblown debris captured by the fence.
  - 5. All loading, unloading, compacting, sorting, processing or storage shall take place within a completely enclosed building.

# Condition #1

1. **Lot Size.** The minimum site area shall be **five acres.**

The subject lot is **13.96 acres, which meets this condition**

**Parcel Viewer**



Nashville Planning Department  
800 2nd Ave S  
P.O. Box 196300  
Nashville, TN 37219-6300

[gnrc@asthlc.gov](mailto:gnrc@asthlc.gov)  
[Comments or Questions](#)

---

**General Information**

Parcel ID:	121110A02000CO
	<a href="#">View in ArcGISPro</a>
Parcel Address:	800 AIRPARK COMMERCE DR NASHVILLE, TN 37217
Owner:	DUKE SECURED FINANCING 2009-UNK, LLC
Acquired Date:	3/17/2009
Sale Price:	\$ 0.00
Sale Instrument:	<a href="#">SC-20090402_0029970</a>
Mailing Address:	P O BOX 40509 C/O DUKE REALTY REFA INDIANAPOLIS IN 46240
Legal Description:	LOT 2 AIRPARK EAST PH 1-A
Acres:	13.96
Frontage Dimension:	0
Side Dimension:	0
Parcel Instrument:	<a href="#">P-20011120_0122724</a>
Parcel Instrument Date:	11/20/2001
Census Tract:	37015612
Tax District:	USD
Council District:	29
Ownership History	
Property History	
Zoning History	
Assessment History	
Permit History	
Stormwater - Elevation Certificate	

We protect what matters.



## Condition #2

**2. Street Standard.** Driveway access can be from any local street, provided that street is not bounded by any residential zoning district from the driveway access point to the street's intersection with a collector street or a street designated on the major street plan.

**Driveway of subject property is off the cul-de-sac of Airpark Commerce Drive, which connects to Airpark Center E,, which connects to Couchville Pike, labeled on the streets map as "T3-M-AB3".**  
**Airpark Center E,, is bordered on both sides between Couchville Pike and the subject property by IWD zones, which meets this condition.**



We protect what matters.





# Condition #3

**3. Setback.** All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure, and further, the facility shall not be located less than two thousand feet from the property line of any school or park.



We protect what matters.





# Condition #3

**3. Setback.** All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of **one hundred feet from any property line**, two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure, and further, the facility shall not be located less than two thousand feet from the property line of any school or park.

**The subject building is approx. 125 feet from the nearest property line, which meets this condition.**



We protect what matters.











# Condition #3

**3. Setback.** All buildings, structures, storage containers and areas, and vehicle loading/unloading areas shall be located a minimum of one hundred feet from any property line, two hundred fifty feet from any residential zoning district boundary, and five hundred feet from any residential structure, and further, **the facility shall not be located less than two thousand feet from the property line of any school or park.**

**The subject building is approx. 1600 feet from the nearest school or park (taken from the nearest corner of the proposed occupancy which is the north half of the building). A variance from this condition is requested.**



We protect what matters.

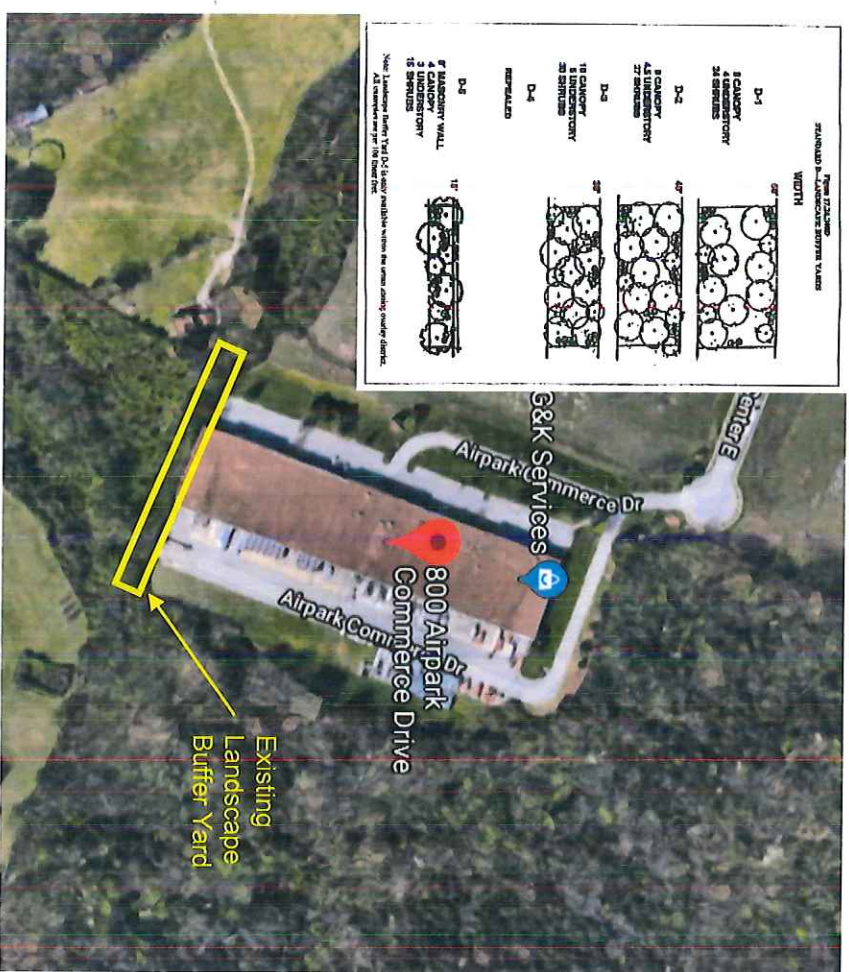


# Condition #4

**4. Landscape Buffer Yard.** Along all residential zone districts and districts permitting residential use, screening in the form of landscape buffer yard Standard D shall be applied. In addition, the entire facility shall be enclosed by a chain-link-type fence at least eight feet in height. The fence shall be patrolled each day to remove all windblown debris captured by the fence.

**Standard D is shown at right, and requires a dense packing of vegetative screening between 30 and 50 feet wide. The subject property meets this condition along the southern R-20 zoned border as it is naturally surrounded by dense woods.**

**The fence requirement appears to be specified for litter control, which will not be an issue with the proposed use due to no loose waste or debris occurring (see previous slides on Transfer Operations, Vehicle Loading, and Different Operations). Nevertheless, the applicant is willing to install fencing on the northern half of the property intended for transfer use if required.**



We protect what matters.





## Condition #5

5. All loading, unloading, compacting, sorting, processing or storage shall take place within a completely enclosed building.

The proposed use will restrict all loading, unloading, and temporary storage to the areas inside the building. There will be no sorting, processing, or compacting at this facility. This meets this condition.



We protect what matters.





Thank you.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Clay Kunze

Date: 2-19-19

Property Owner: Nancy Rusn

Case #: 2019-146

Representative: Clay Kunze

Map & Parcel: 13102003800

Council District 34

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To construct a 2nd house  
on parcel.

NO CONSTRUCTION PERMIT STARTED.

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 2203 HOBBS RD

This property is in the R20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: SIDEWALK VARIANCE

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Clay Kunze  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

2317 Cruzen Street  
Address

\_\_\_\_\_  
Address

Nashville TN 37211  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-513-0275  
Phone Number

\_\_\_\_\_  
Phone Number

Claywhitepinesbuilding.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: WB

\_\_\_\_\_  
Appeal Fee:





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605389

**ZONING BOARD APPEAL / CAAZ - 20190010003  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 13102003800

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

2203 HOBBS RD NASHVILLE, TN 37215  
LOT 12 STAMMER

PARCEL OWNER: RUSH, NANCY E.

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Requesting variance from Sidewalk Requirements per 17.20.120. Sidewalks required, ineligible to contribute in lieu of building due to existing sidewalks on neighboring property. Requesting to contribute into in-lieu of fund instead of constructing.

POC: Clay Kunze 615-513-0275

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
**APPELLANT**

2-19-19  
 \_\_\_\_\_  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Sidewalks are required on the property of 2203 Hobbs Road 37215. We are not able to pay the In lieu Fee. We are also not able to construct the proposed sidewalks due to a determined stream in the front yard per Storm water. We are willing to contribute to the sidewalk Fee.

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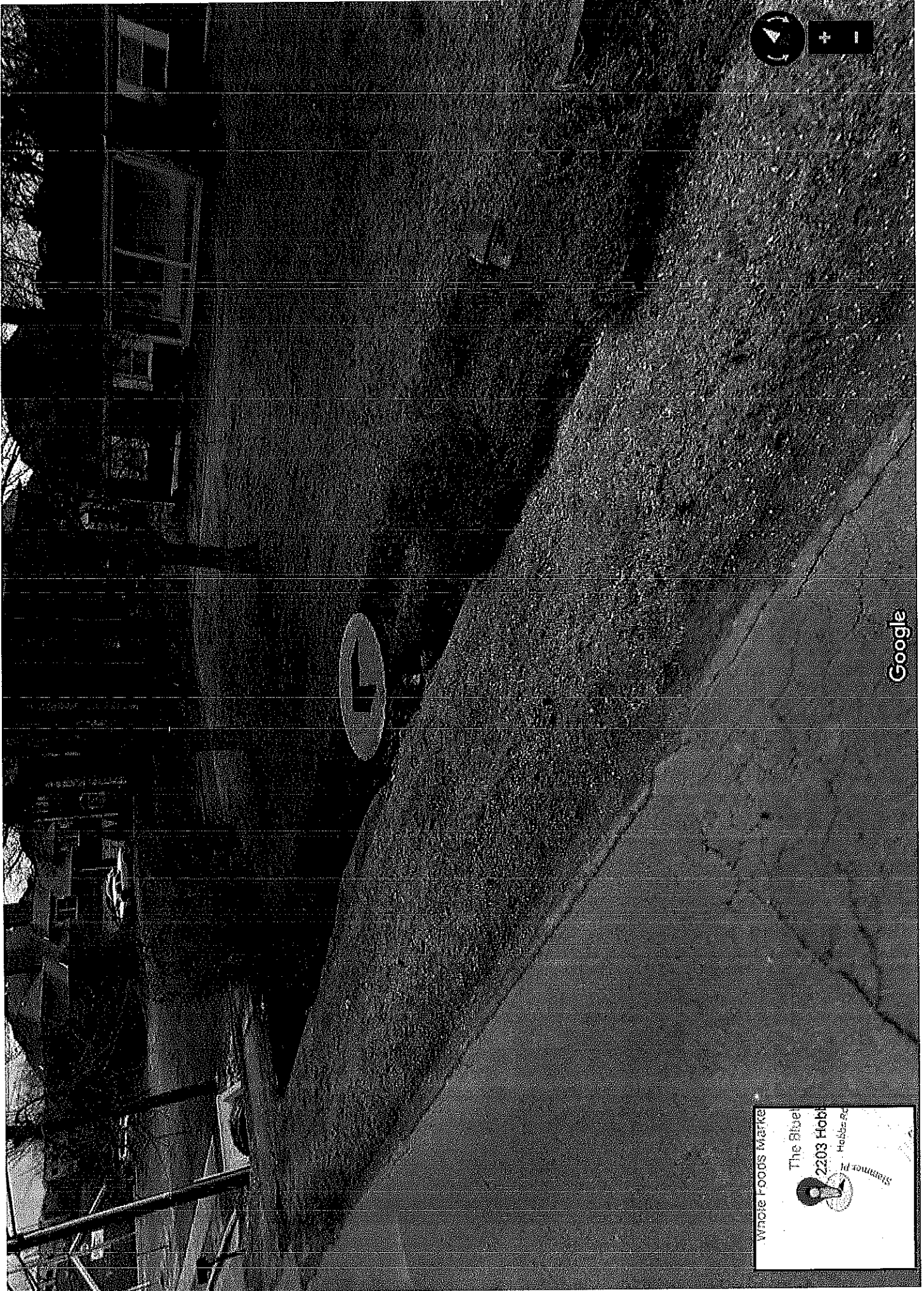
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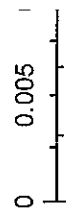


Google

WAGIE FOODS MARKET

The Bibles  
2203 Hobbs  
Hobbs, NM





2203 Horse Rd

STAMMER PARK  
OPEN SPACE

OPEN SPACE

131023A  
900

131020  
031B

10010  
154  
R20

180.09

100

100

91.6

64.2

SP

R6

28.8

36.6

33.26

34.84

33.42

92.24

92.2

92.2

92.2

92.2

92.2

28

32.5

31.5

32.8

31.5

28.8

35.02

97.53

15.53

33.02

45.42

97.55

32.48

35.37

25.32

51.69

54.50

88

97.09

239.8

12

100

239.53

33

12

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-146 (2203 Hobbs Road)

Metro Standard:	6' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan Standard
Requested Variance:	Contribute in-lieu of constructing sidewalks (not eligible)
Zoning:	R20
Community Plan Policy:	T3 RC (Suburban Residential Corridor) CO (Conservation: Stream)
MCSP Street Designation:	T3-R-CA2
Transit:	Property 739' west from #2 – Belmont and #21 – University Connector; 1,035' west of Planned BRT Lite per nMotion.
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes to construct an additional residential unit on the property and requests a variance from constructing sidewalks due to a stream along the frontage of the site. Planning evaluated the following factors for the variance request:

- (1) A blue line stream is located along the frontage of the property and identified with Conservation policy also along the property frontage. Constructing sidewalks to meet the Major and Collector Street Plan standard and Public Works' sidewalk standard with curb and gutter will require infrastructure that will impact drainage along adjacent property to the east and west.
- (2) There is a 4' grass strip and 5' sidewalk located along the frontage of the property to the immediate east. The stream buffer also runs along the frontage of the adjacent property but contains the stream through the usage of a box culvert below grade of the existing grass strip and sidewalk. Metro Stormwater has indicated that is ideal to leave the stream in its existing condition.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.
2. The applicant shall dedicate right-of-way along the property frontage per the Major and Collector Street Plan standard.



Bob Thompson  
4219 Stammer Place  
Nashville, Tennessee 37215  
March 16, 2019

Metropolitan Board of Zoning Appeals  
c/o Department of Codes and Building Safety  
P. O. box 196300  
Nashville, Tennessee 37219-6300

Re: Appeal Case Number 2019-146  
2203 Hobbs Road

Dear Sir or Madam:

According to the notice received, the developer, Klay Kunze, requests a variance from the sidewalk requirements. If granted, the developer would be permitted to either construct a single family house without building sidewalks or paying into the sidewalk. No rationale for this variance was included with the notice.

My wife and I are opposed to any variance in this case. We are residents of Stammer Parke, and our home is adjacent to common area that is adjacent to this parcel. Stammer Parke has a sidewalk along the adjacent property that is part of its common area. Sidewalks are needed on both sides of Hobbs Road. Sidewalks on both sides would help calm traffic on Hobbs, which has increased because of the increased residential density of the Green Hills area on streets leading to the retail area of Green Hills. Sidewalks would also increase pedestrian safety. Furthermore, future sidewalks on the south side of Hobbs will be less likely if developers of lots on that side are allowed variances from the sidewalk requirement. If this variance, for instance is permitted, there will be a gap in any future sidewalk on the south side of Hobbs. Pressure for sidewalk variances on adjacent lots likely to be developed will also increase. This in turn will increase pressure for traffic calming or other desperately needed pedestrian safety features. so that

eventually Metro Public Works will be forced to bear the cost of such safety features and/or sidewalk construction on the south side of Hobbs. This cost should be borne by developers of lots likely to need sidewalks as a result of present or future growth, such as this lot. I see no reason that this variance should be permitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Bob Thompson". The signature is written in a cursive style with a large initial "B".

Bob Thompson

cc: Gary M. Fradkin, 4221 Stammer Place  
Councilwoman Angie Henderson, [angie.henderson@nashville.gov](mailto:angie.henderson@nashville.gov)

4221 Stammer Place  
Nashville TN 37215  
March 14, 2019

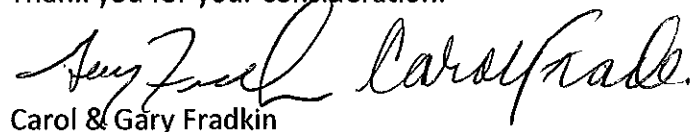
Metropolitan Board of Zoning Appeals  
PO Box 196300  
Nashville TN 37219-6300

Re: Appeal Case Number: 2019-146  
2203 Hobbs Road  
Map Parcel: 13102003800

Dear Board Members:

We are writing to inform you that we strongly object to granting Clay Kunze the variance from sidewalk requirements which he has requested. We are many years behind other cities in requiring that new construction include providing sidewalks on the property, and as neighbors who frequently walk in the neighborhood, we are advocating for many more sidewalks in the area. We all need to contribute to the welcoming community we have, and providing safe places to walk is an important step.

Thank you for your consideration.

  
Carol & Gary Fradkin

fradc@yahoo.com

**From:** [Cosby Stone](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#); [Henderson, Angie \(Council Member\)](#); [ecastone@gmail.com](mailto:ecastone@gmail.com); [Colin Bonfiglio](#)  
**Subject:** Appeal number 2019-146 neighbor comment, permit #20190010003  
**Date:** Wednesday, March 13, 2019 5:17:38 PM

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Hello,

We received the notification of a sidewalk zoning variance request for 2203 Hobbs Road and I wish to submit in writing that as the neighbors we are NOT in favor of granting this variance request to avoid both sidewalk construction and sidewalk contribution.

Green Hills, like Greater Nashville, is more than 70 years behind in sidewalk and pedestrian development, with unsafe sidewalks, crosswalks, and a lack of safe places for people to exercise contributing to poor health and pedestrian fatalities.

The Hobbs sidewalks are currently not safe for walking, as there is no setback from the street, despite the sidewalk leading to a public school.

When the time comes to assess our property for sidewalk improvements, we will happily contribute to these upgrades, as it will allow our children to walk to school, allow pedestrians safer access to the Green Hills shopping complex, and contribute to public health and safety.

Please do not grant any more zoning variances for sidewalk avoidance in our neighborhood. Our entire city will benefit from improved pedestrian infrastructure, and every little bit counts.

Sincerely,

Cosby and Elizabeth Stone

Sent from my iPhone

March 18, 2019

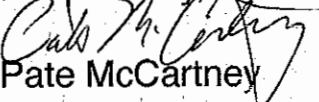
Department of Codes & Building Safety  
Metro Office Building, 3rd Floor  
800 Second Avenue, South  
Nashville, TN 37210

Re: Permit # 20190-010003, Appeal Case Number 2019-146

Dear Sir/Madam:

I am exercising my rights to provide input regarding the above change request. Accordingly, I am opposed to any exceptions to the sidewalk requirements for any address on Hobbs, which is frequently used by joggers, school children and their parents, dog walkers, and homeowners walking to nearby restaurants, YMCA and retail establishments.

Respectfully,

  
Pate McCartney  
4211 Stammer Pl  
Nashville, TN 37215

Re: Permit # 20190-010003, Appeal Case Number 2019-146

APPROVED: [Signature]  
DATE: [Date]  
BY: [Name]  
TITLE: [Title]

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: MELISSA HATCHETT Date: 2-19-19  
Property Owner: MG STREETHOLDINGS LLC Case #: 2019-148  
Representative: MELISSA HATCHETT Map & Parcel: 08301043300

Council District 04

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: INTERIOR RENOVATIONS FOR STATUS DOUGH  
COST OF RENOVATIONS REQUIRE SIDEWALK  
CONSTRUCTION. REQUESTING TO NOT BUILD  
NEW PAV IN - LIEU OF FEE. HARDSHIP TO MEETING

Activity Type: COMMERCIAL RENOVATION REQUIREMENT  
Location: 921 GALLATIN AVE IF SIDEWALKS  
ARE REQUIRED  
\*UDO

This property is in the MUG-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: SIDEWALK VARIANCE  
Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

<u>MELISSA HATCHETT</u> Appellant Name (Please Print)	_____ Representative Name (Please Print)
<u>2575 WILLOW POINT WAY STE. 105</u> Address	_____ Address
<u>KNOXVILLE, TN 37931</u> City, State, Zip Code	_____ City, State, Zip Code
<u>865-769-8075</u> Phone Number	_____ Phone Number
<u>mhatchett@r2rstudio.com</u> Email	_____ Email
Zoning Examiner: _____	Appeal Fee: _____



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605411

**ZONING BOARD APPEAL / CAAZ - 20190010016  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 08301043300**APPLICATION DATE:** 02/19/2019**SITE ADDRESS:**

921 GALLATIN AVE NASHVILLE, TN 37206  
LOT 1 RESUB OF THOS. K. SANDERS PROP.

**PARCEL OWNER:** MG STREET HOLDINGS, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

UDO.

Sidewalk Appeal, required to build due to cost of renovations. Requesting to not build due to not being able to meet parking requirement if sidewalks are built.

POC: Melissa Hatchett 865-769-8075

Renovation Permit Application 2018054652

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

MELISSA HATCHETT  
**APPELLANT**

2/19/19  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

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The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

SIDEWALK IMPROVEMENT TRIGGERED WITH INTERIOR TENANT BUILD-OUT BY BUILDING IMPROVEMENT COSTS. SIDEWALK IMPROVEMENT WOULD NOT ALLOW BUILDING TENANTS TO PROVIDE REQUIRED PARKING COUNT.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3553298

**BUILDING COMMERCIAL - REHAB / CACR - T2018054652  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 08301043300

**APPLICATION DATE:** 08/27/2018

**SITE ADDRESS:**

921 GALLATIN AVE NASHVILLE, TN 37206  
LOT 1 RESUB OF THOS. K. SANDERS PROP.

**PARCEL OWNER:** MG STREET HOLDINGS, LLC

**CONTRACTOR:**

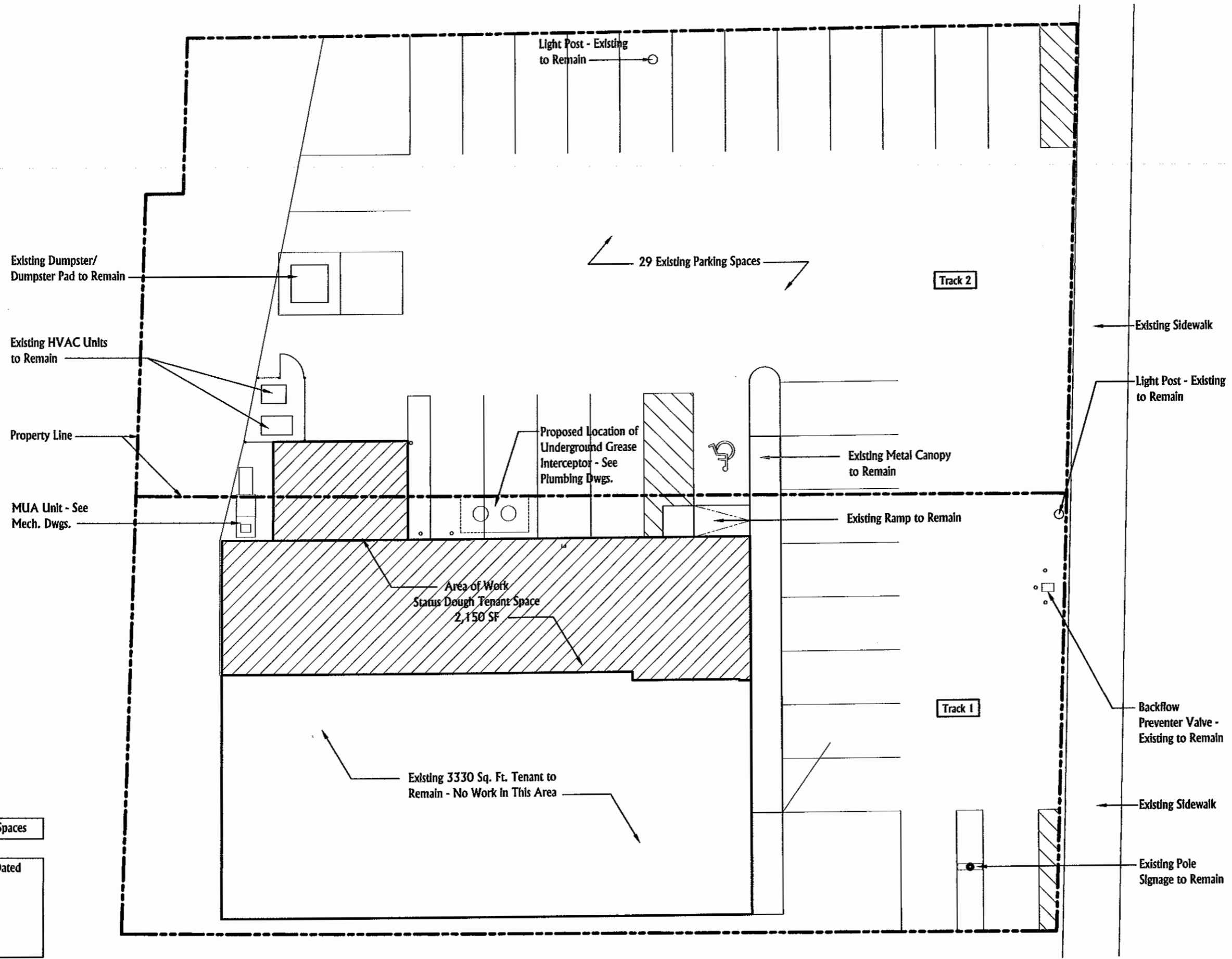
**APPLICANT:**

**PURPOSE:**

interior renovation for STATUS DOUGH 2150 sq.ft. new kitchen layout changes to all trades existing restroom to remain no changes to exterior  
POC MELISSA HATCHETT 865-769-8075

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.*

[A] Zoning Review	APPROVED	615-880-2649 Ronya.Sykes@nashville.gov
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	615-880-2649 Ronya.Sykes@nashville.gov
PW - Public Works Sidewalk Capital Project Coordination Revi		615-862-6558 Jonathan.Honeycutt@nashville.gov
[B] Building Plans Received	E-PLANS	615-880-2649 Ronya.Sykes@nashville.gov
[B] Building Plans Review	APPROVED	615-862-6611 Richard.Harris@nashville.gov
[B] Fire Life Safety Review On Bldg App	APPROVED	615-862-6612 Chanda.Williams@nashville.gov
[B] Fire Sprinkler Requirement	NO	615-862-6612 Chanda.Williams@nashville.gov
[E] Cross Connect Review For Bldg App		862-7225 MWS.DevelopmentServicesCenter@nashville.gov
[A] Bond & License Review On Bldg App		
[B] Plans Picked Up By Customer		
[E] Grease Control Review On Bldg App	COND	615-880-2649 Ronya.Sykes@nashville.gov
[D] Grading Plan Review For Bldg App	APPROVED	615-862-4590 joseph.welch@nashville.gov
[J] Planning Zoning Review - CA	IGNORE	(615) 862-6038 Logan.Bowman@nashville.gov
Kitchen Plans Review On Bldg App	APPROVED	Deborah.Sullivan@nashville.gov 615-340-5620 Steve.Crosier@nashville.gov



GALLATIN AVENUE

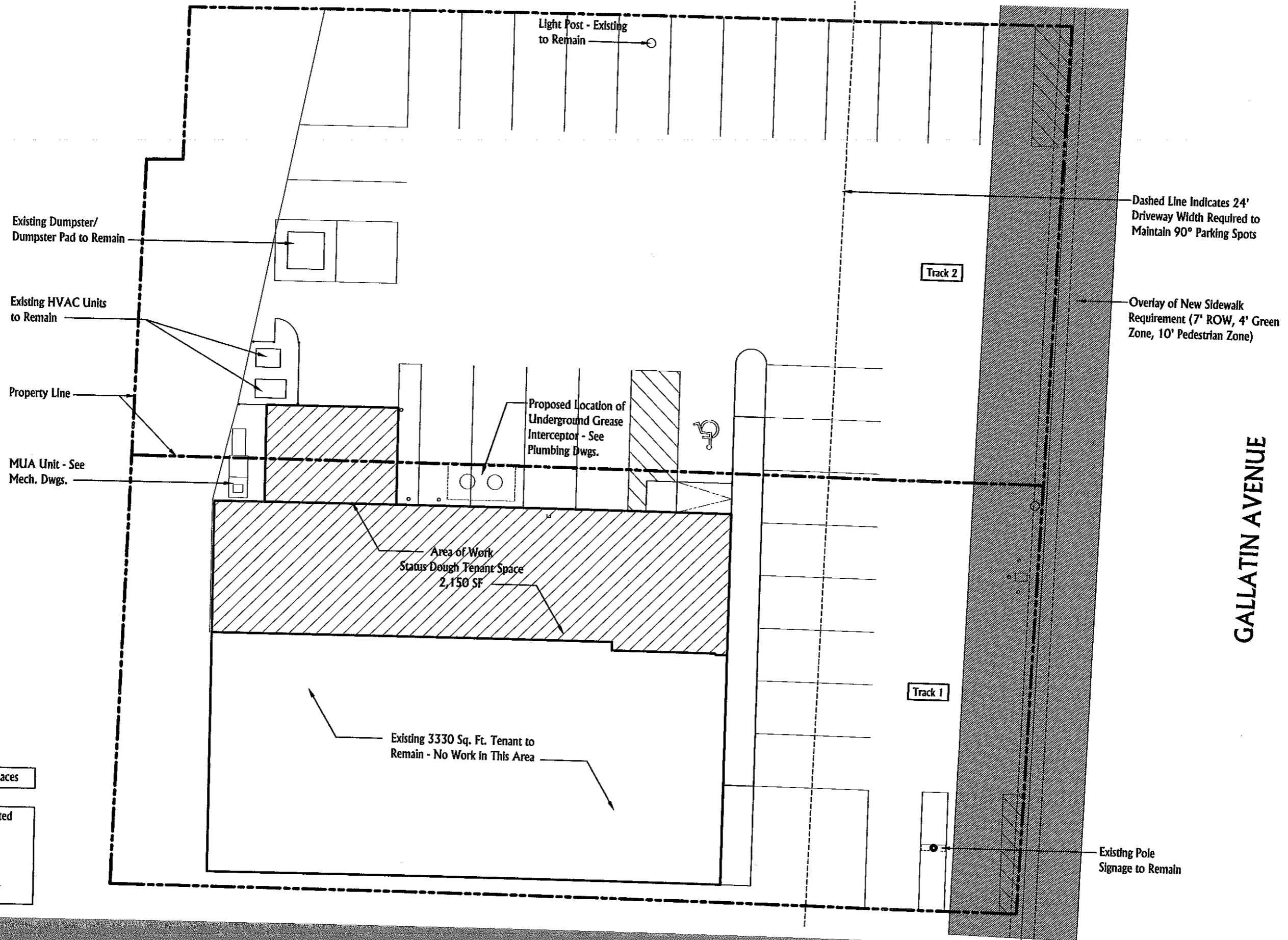
Minimum Parking Required - 26 Spaces

Information Taken From Survey Dated 3-5-15 Prepared by:

Delle Land Surveying  
 408 Nesblitt Lane  
 Madison, Tennessee 37115

921 Gallatin Avenue  
 Site Plan  
 1/16" = 1'-0"





Minimum Parking Required - 26 Spaces

Information Taken From Survey Dated 3-5-15 Prepared by:  
 Delle Land Surveying  
 408 Nesbitt Lane  
 Madison, Tennessee 37115

### 921 Gallatin Avenue - Sidewalk Impact Diagram

Site Plan  
1/16" = 1'-0"



## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-148 (921 Gallatin Avenue)

Metro Standard:	4' grass strip, 10' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	MUG-A
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor)
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#56 – Gallatin Corridor; planned for light rail per nMotion
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes repurposing an existing building on site for a restaurant, and requests a variance from upgrading sidewalks to the Major and Collector Street Plan standard due to existing sidewalks and impacts to parking. Planning evaluated the following factors for the variance request:

- (1) An 8' sidewalk with no grass strip exists along both the Gallatin Avenue property frontage.
- (2) Upgrading the sidewalk on Gallatin Avenue will impact parking on the property. Given the scale of the proposed redevelopment utilizing the existing structure, ensuring that the sidewalks are in good condition is suffice until further redevelopment takes place on the site more aligned with the Community Plan Policy.

Given the factors above, staff recommends **approval with conditions**:

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.



Appeal 2019-148

Please see the (3) attached 11x17 drawings to support our variance request from sidewalk requirements at 921 Gallatin Avenue.

Please let us know if digital copies are sufficient, or if any printed copies are needed for review. Please let us know if you need anything else prior to our hearing April 4<sup>th</sup>.

Thanks so much!

**Melissa Hatchett**



**R2R studio, llc**

2575 Willow Point Way, Ste 105

Knoxville, Tennessee 37931

865.769.8075 v.

865.769.8076 f.

[mhatchett@r2rstudio.com](mailto:mhatchett@r2rstudio.com)

Please visit our website: [www.R2Rstudio.com](http://www.R2Rstudio.com)

**MINIMUM PARKING REQUIRED - 26 SPACES**

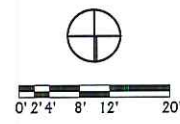
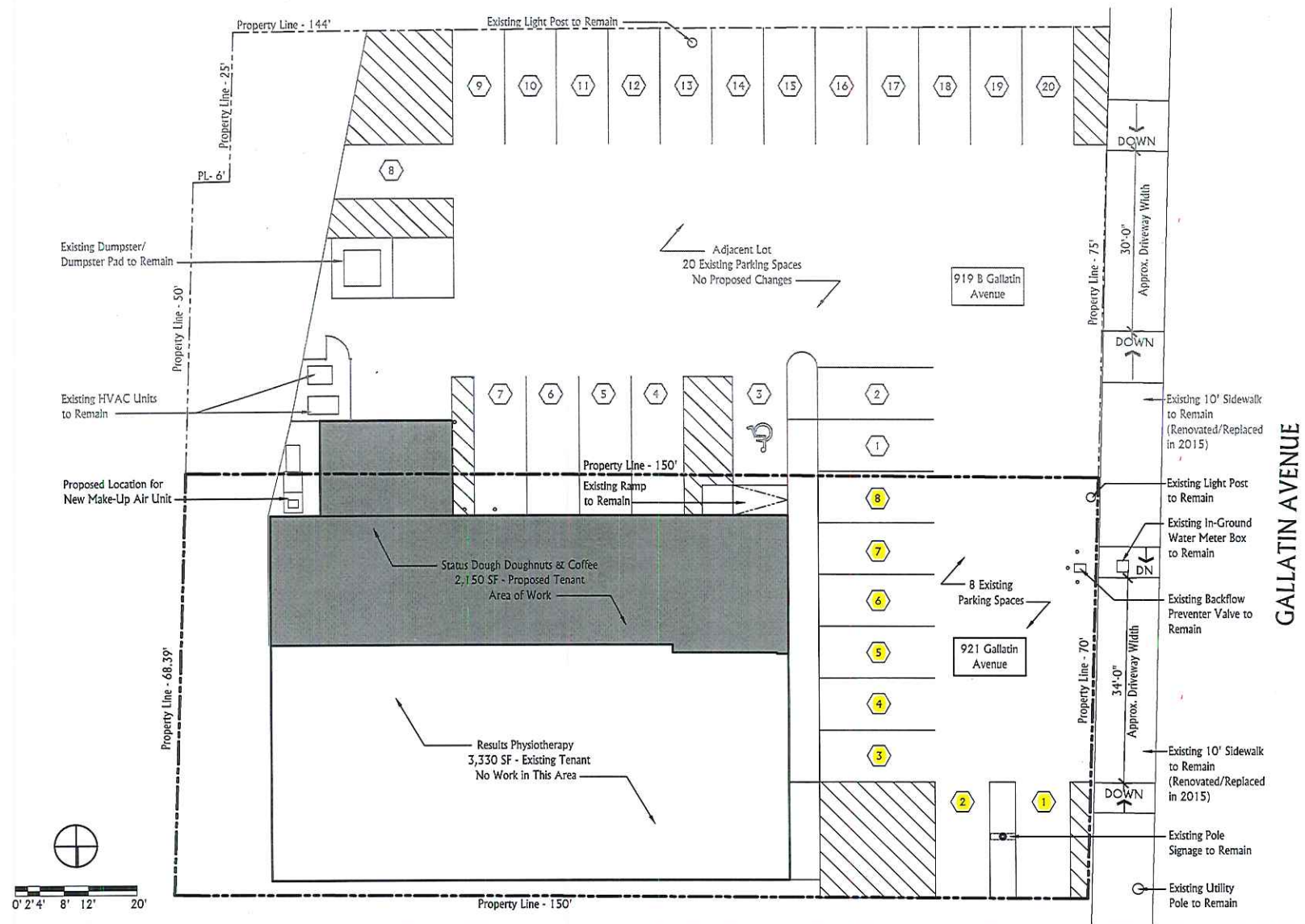
Status Dough Doughnuts & Coffee - 2,150 SF  
 Restaurant Fast-Food Use Category (32 Seats)  
 1 Space per 100 SF Parking Requirement  
 $2,150/100 = 21.5 = 22$  Spaces  
 22 Spaces Required for Status Dough

Existing Tenant - Results Physiotherapy - 3,330 SF  
 Medical Office Use Category  
 1 Space per 200 SF  
 UZO District - First 2,000 SF Exempt; 1 Space per  
 400 SF of Floorspace in Excess of 2,000 SF  
 $3,330 - 2,000 = 1,330$  SF in Excess  
 $1,330/400 = 3.325 = 4$  Spaces  
 4 Spaces Required for Results Physiotherapy

**Total Parking Requirements:**  
 Status Dough (22) + Results Phys. (4) = 26 Spaces

Information Taken From Survey Dated 3-5-15  
 Prepared by:

Delle Land Surveying  
 408 Nesbitt Lane  
 Madison, Tennessee 37115



**921 Gallatin Avenue - T2018054652 - Appeal 2019-148**

Existing Site Plan  
 1/16" = 1'-0"



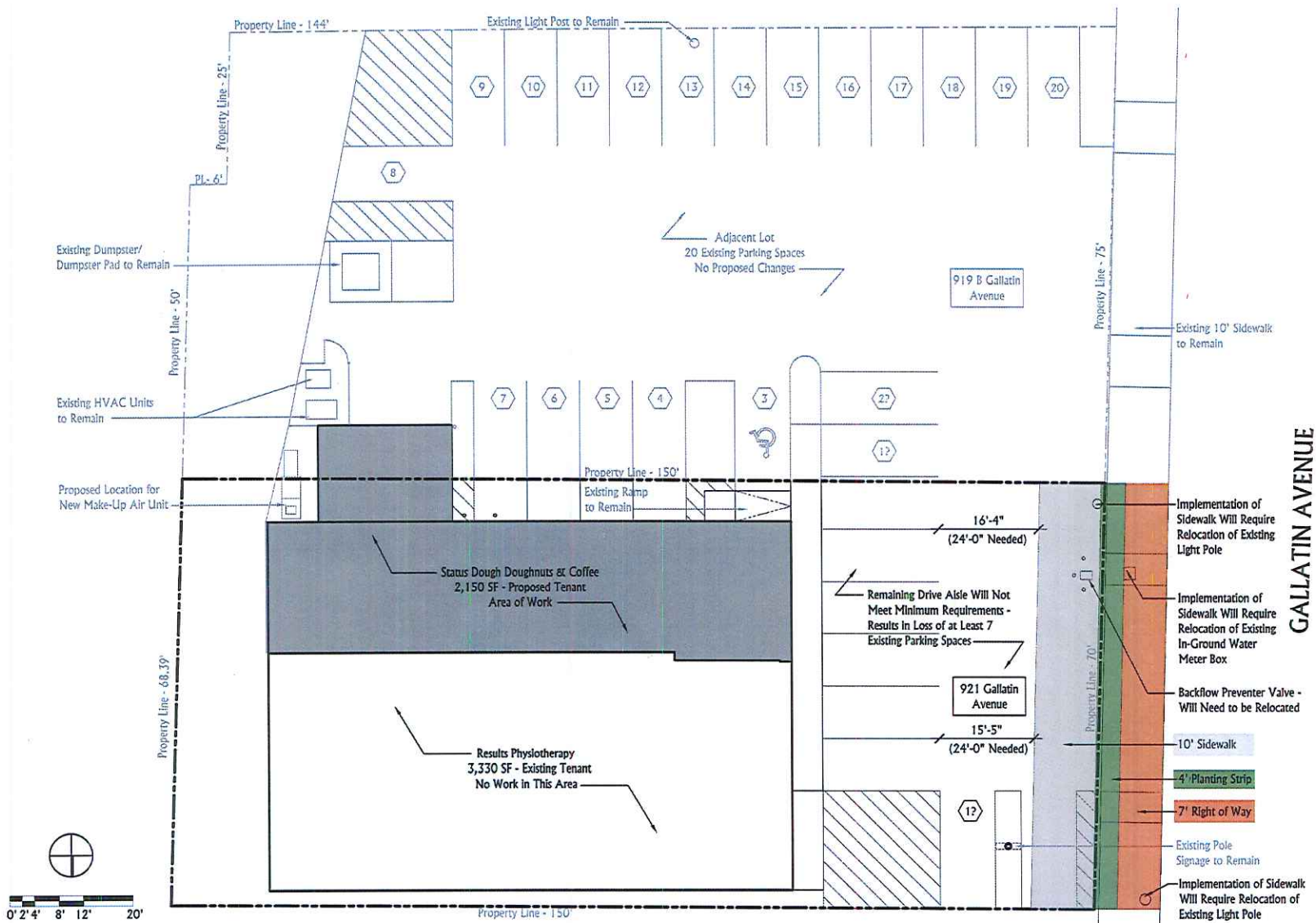
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 Prepared by:  
 Delle Land Surveying  
 408 Nesbitt Lane  
 Madison, Tennessee 37115



921 Gallatin Avenue - T2018054652 - Appeal 2019-148

Sidewalk Impact Diagram

1/16" = 1'-0"

2575 Willow Point Way Suite 105 • Knoxville, TN 37931 • v. 865.769.8075 • f. 865.769.8076 • www.R2Rstudio.com







921 Gallatin Avenue - Site Aerial View



Existing Sidewalk at Site Frontage



Sidewalk Connection to North Neighboring Property



Sidewalk Connection to South Neighboring Property



10' Sidewalk Width



10' Sidewalk Width



Existing Sidewalk Condition



Existing Sidewalk Condition



Existing Sidewalk Condition and Existing Utilities

921 Gallatin Avenue - T2018054652 - Appeal 2019-148

Existing Site Conditions

10' Sidewalk - Renovated/Repaired in 2015

2575 Willow Point Way Suite 105 - Knoxville, TN 37931 - v. 865.769.8075 - f. 865.769.8076 - www.R2Rstudio.com



**From:** [Gregory Pitts](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Case Number 2019-148  
**Date:** Monday, March 18, 2019 10:45:59 AM

---

I SUPPORT this appeal.

--

Gregory Pitts  
[greg@grandcanyonproperties.com](mailto:greg@grandcanyonproperties.com)  
615-566-2956

**From:** [Withers, Brett \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Braisted, Sean \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#); [shenry@tewlawfirm.com](mailto:shenry@tewlawfirm.com); [abrasivejms@gmail.com](mailto:abrasivejms@gmail.com); [mhatchett@r2studio.com](mailto:mhatchett@r2studio.com); [adam@doubleadevelopment.com](mailto:adam@doubleadevelopment.com)  
**Subject:** Summary email on District 6 items on tomorrow's BZA agenda  
**Date:** Wednesday, April 3, 2019 4:42:10 PM

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Members of the Board of Zoning Appeals:

I wanted to send you a quick email about the District 6 items on tomorrow's meeting agenda. Please accept this email in lieu of a formal letter. I apologize for my delay as the Metro Council has been quite engaged with constituent and Departmental emails regarding cherry trees . . . .

Case 2019-148 is a sidewalk variance request for property located at 921 Gallatin Ave. I support the Planning staff recommendation on this case and it is my understanding that the applicant agrees to those conditions. These sidewalks are in good shape and were constructed by Metro a few years ago and this is a renovation permit for a small portion of this existing building. If everyone is amenable to supporting the staff recommendation, I recommend placing this item on the consent agenda.

Case 2019-133 is a STR case for property located at 805 S 19th Street in the Shelby Hills neighborhood. I do not support this appeal as the applicant is not a natural person and is ineligible for a Type I permit. Council Member At Large Bob Mendes has already submitted a letter to you in opposition to this case and has articulated clearly his reasons for opposing this case. Several neighbors have also written or contacted me in opposition to this appeal. I cannot see a way of curing this issue unless the property is sold to a natural person who lives on site who could then start over with a fresh application for a Type I permit.

Thank you for your hard work in serving our county.

**Brett A. Withers**

Metro Council, District 6

Mobile (615) 427-5946 | [facebook.com/Brett A. Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/brettawithers)

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : DENNY TAYLOR  
Property Owner: DENNY TAYLOR  
Representative: HUNTER CONLEY

Date: 02/19/2019  
Case #: 2019- 149  
Map & Parcel: 10412015700

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: NEW CONSTRUCTION / SINGLE FAMILY / RESIDENTIAL

Activity Type: NEW CONSTRUCTION / SINGLE FAMILY

Location: 402 BERNARD AVE

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REQUEST NOT TO INSTALL SIDEWALKS NOT TO CONTRIBUTE

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

DENNY TAYLOR  
Appellant Name (Please Print)

HUNTER CONLEY  
Representative Name (Please Print)

Address

1618 16TH AVE S  
Address

City, State, Zip Code

NASHVILLE, TN  
City, State, Zip Code

Phone Number

615.345.1010  
Phone Number

Email

HCONLEY@ALLAPPELLARD.COM  
Email

Zoning Examiner: TC

Appeal Fee: \$ 100





Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3605429

**ZONING BOARD APPEAL / CAAZ - 20190010030**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 10412015700

APPLICATION DATE: 02/19/2019

**SITE ADDRESS:**

2019 A 19TH AVE S NASHVILLE, TN 37212  
PT LOT 29 BLAIR REV BELMONT HGTS

PARCEL OWNER: TAYLOR, H DENNY JR &amp; JENNIFER

CONTRACTOR:

**APPLICANT:****PURPOSE:**

PER 17.20.120 SIDEWALKS REQUIRED

REQUEST NOT TO INSTALL SIDEWALKS...NOT TO CONTRIBUTE

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



19 February 2019

Re: Application for Variance to Sidewalk Requirement at 1902 Bernard Avenue

Board of Zoning Appeals  
Metro Government of Nashville and Davidson County

The homeowner of 1902 Bernard Avenue, Denny and Jennifer Taylor would like to formally request a variance from the sidewalk required by Section 17.20.120 of the Metropolitan Code of Laws. The property is currently under construction and requires sidewalk along both edges of the corner lot (please see site plan).

The subject property currently contains a fully compliant front sidewalk on the 19<sup>th</sup> Avenue side of the property (which is actually the front of the house, though the address is on Bernard Avenue). The homeowner would request relief from providing the sidewalk along Bernard Avenue as it puts an unfair financial burden on the owner that other neighbor's (who are not corner lots) do not have to contend with. Along with the expense of the sidewalk installation, it is not physically possible to provide a compliant sidewalk on that edge of the property as the grade will not allow it. The maximum slope allowed under Metro's guidelines is 2% grade, but the slope of the property is more than double that (over 4% slope).

Should the sidewalk be required to be installed, it is not possible to continue past the alley due to a retaining wall that encompasses the property on the other side of the alley. It would only be a sidewalk to the alley (which in itself has an even more extreme grade to contend with).

The financial burden and physical characteristics of this property do not make it conducive to having a sidewalk installed on the Bernard Avenue side and to require such would be an undue burden (hardship) on the owner.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tyler F. LeMarinel', written in a cursive style.

Tyler F. LeMarinel, AIA, NCARB  
Partner  
Allard Ward Architects  
1618 16<sup>th</sup> Avenue South  
Nashville, Tennessee 37212

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

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Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT

2.19.2019

DATE

### STANDARDS FOR A VARIANCE

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See Letter.

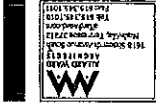
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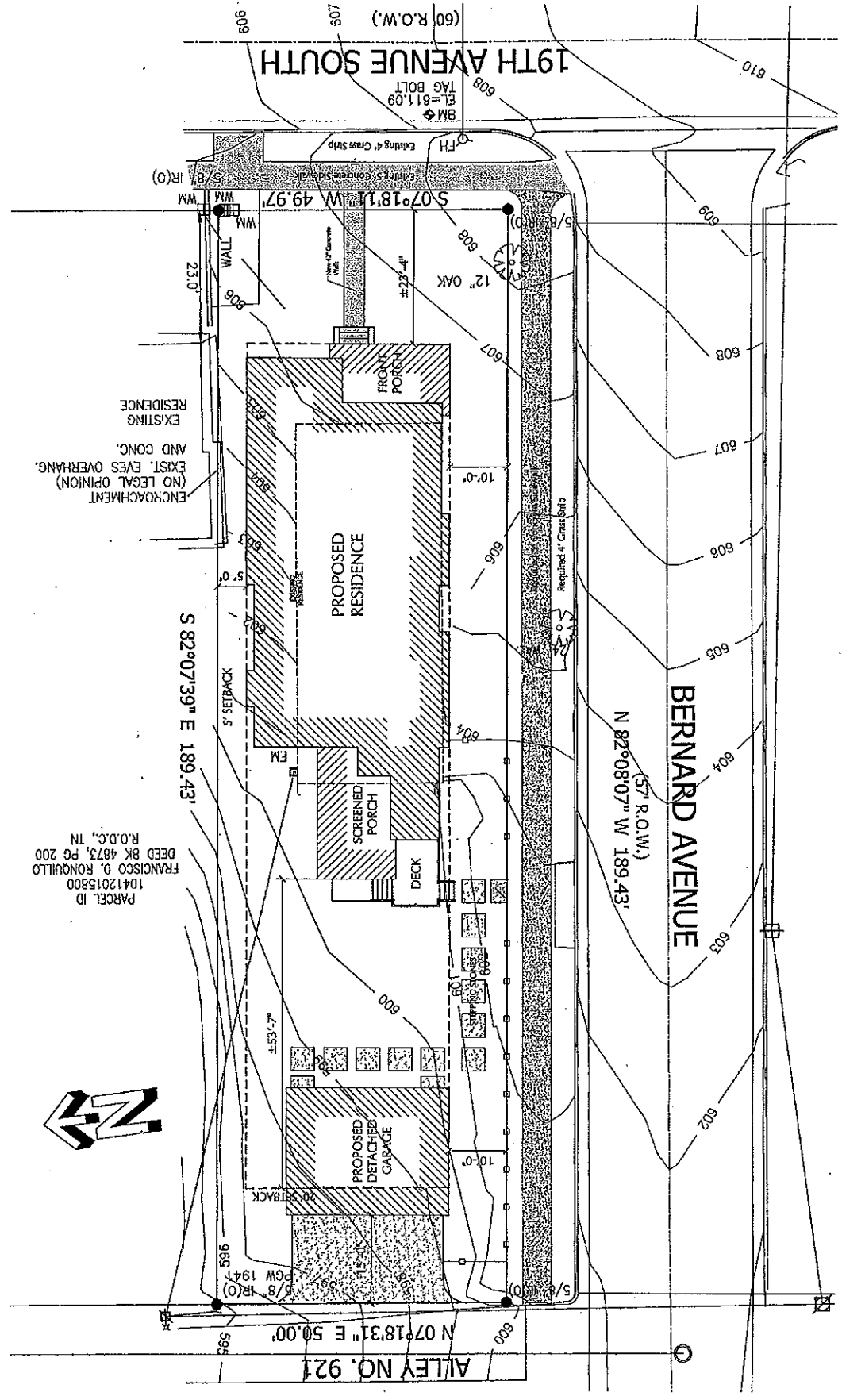
A1.0

Drawings:  
Site Layout Plan  
Date: 02.19.19



A New Home for  
The Taylor Residence  
1902 Bernard Avenue  
Nashville, Tennessee 37212

MHZC PRESERVATION PERMIT APPLICATION



PARCEL ID  
10412015800  
FRANCISCO D. RONGILLO  
DEED BK 4873, PG 200  
R.O.D.C., TN



Scale: 1/8" = 1'-0"  
1  
Site Layout Plan

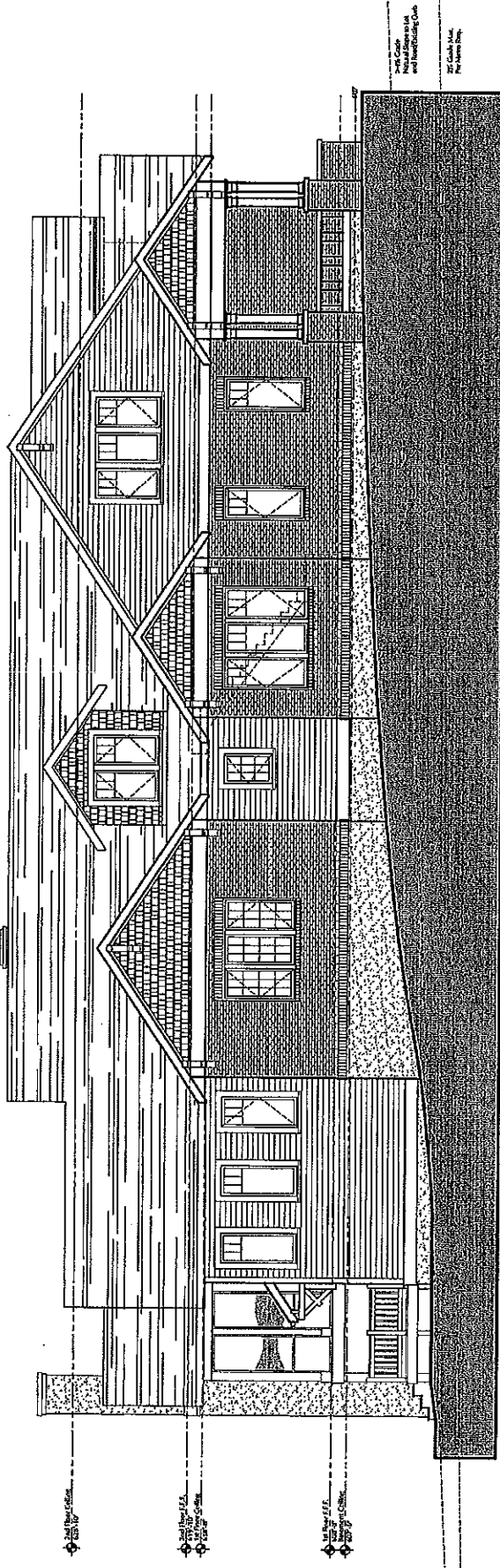
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Drawings:  
Exterior Elevation  
Date: 02/19/19

**M**  
ALLEN WARD  
ARCHITECT  
1618 SCOTT'S FARM ROAD  
NASHVILLE, TENNESSEE 37212  
TEL: 615.243.0513  
FAX: 615.243.0513

A New Home for:  
**The Taylor Residence**  
1902 Bernard Avenue  
Nashville, Tennessee 37212

MHZC PRESERVATION PERMIT APPLICATION



① Elevation: Site Section



Scale: 1/8"=1'-0"

Not to Scale  
For Reference Only  
Not for Construction  
22 Clark Hall  
Per: [Signature]

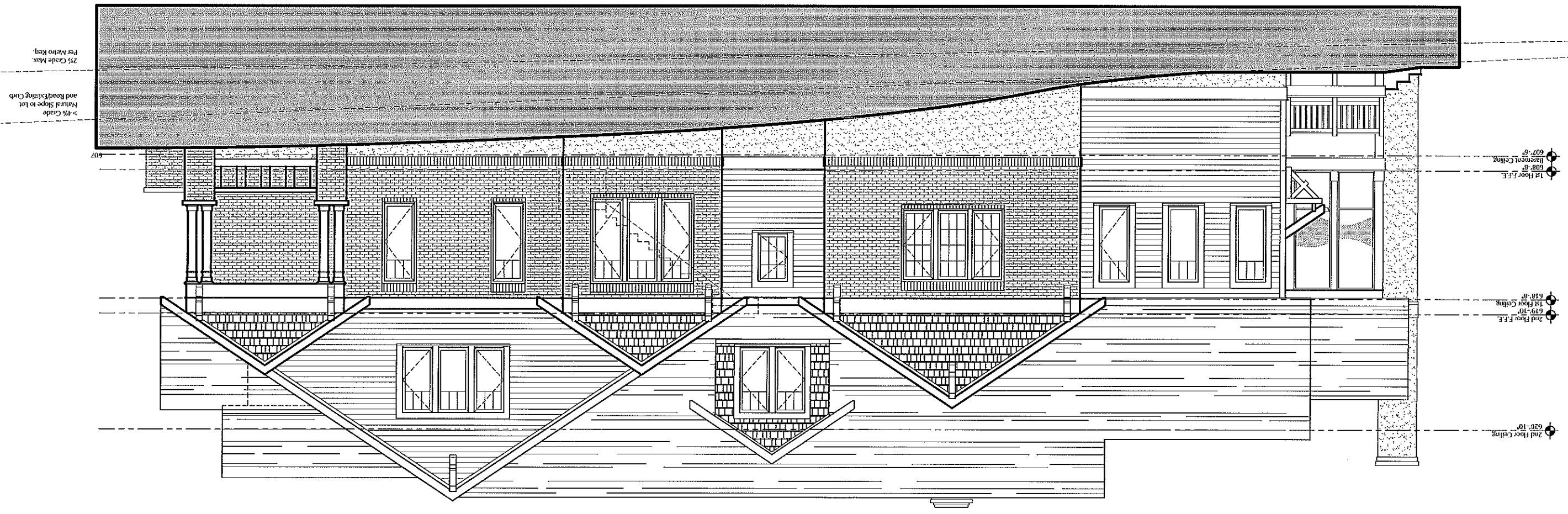




1  
Elevation: Site Section



Scale: 1/8"=1'-0"



607'-6"  
Basement Ceiling  
1st Floor F.F.  
608'-6"  
618'-6"  
1st Floor Ceiling  
619'-10"  
2nd Floor F.F.  
628'-10"  
2nd Floor Ceiling

2 1/2' Grade Max.  
Per Metro Reg.  
> 4% Grade  
Natural Slope to Lot  
and Road/Existing Curb

A2.0

Drawings:  
Exterior Elevation  
Date:  
02.19.19

**M.W.**  
ALLAN WARD  
ARCHITECTS  
1618 Sincenath Avenue South  
Nashville, Tennessee 37212  
Tel: 615.256.1070  
Fax: 615.256.1011

A New Home for:  
**The Taylor Residence**  
1902 Bernard Avenue  
Nashville, Tennessee 37212

MHZC PRESERVATION PERMIT APPLICATION

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2019-149 (1902 Bernard Avenue)

Metro Standard:	Bernard Avenue - 4' grass strip, 5' sidewalk, as defined by the Local Street standard 19 <sup>th</sup> Avenue South - 4' grass strip, 5' sidewalk, as defined by the Local Street standard
Requested Variance:	Not construct sidewalks along Bernard Avenue; not contribute in lieu (not eligible)
Zoning	R6-A
Community Plan Policy:	T4 NE (Urban Neighborhood Evolving)
MCSP Street Designation:	Local Street
Transit:	#4 – Shelby
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant is constructing a new single family residence on the property, and requests a variance from constructing sidewalks due to slope and existing mature trees. Planning evaluated the following factors for the variance request:

- (1) The property has frontages on both Bernard Avenue and 19<sup>th</sup> Avenue South. However sidewalks meeting the Local Street standard exist on 19<sup>th</sup> Avenue South, and no variance is needed for that property frontage.
- (2) No sidewalk exists along the Bernard Avenue property frontage. Sidewalks exist on the opposite side of the street.
- (3) While it is very feasible to construct sidewalks along Bernard Avenue, at least two mature trees on the frontage will be removed. Contributing in lieu of construction is an acceptable alternative in this location to supplement Metro's annual sidewalk capital program.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the Bernard Avenue property frontage.
2. Maintain existing sidewalk conditions along 19<sup>th</sup> Avenue South in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
3. The applicant shall dedicate right-of-way along the Bernard Avenue property frontage to accommodate a future 4' grass strip and 5' sidewalk.

**From:** [ALI RAFATJOO](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Appeal case 2019-149  
**Date:** Wednesday, March 27, 2019 2:30:21 PM

---

Permit # 20190010030

I am a new homeowner in your state. I just moved into my home a few weeks ago and I received a zoning appeal notice to neighboring owners.

I am trying to figure out where this house is and how building a home to the edge of the street and eliminating an entire sidewalk would affect my home. It sounds visually unappealing and goes against the norm of the beautiful neighborhood where my home is located.

**Thus I would like to object to this appeal and request that it not be granted.**

Perhaps the builder or homeowner should go around and inform his/her neighbors of his/her plans and have a discussion with them rather than just "serve" them with a "zoning appeal"

Ali Rafatjoo  
1906 Bernard Ave. unit B  
Nashville TN 37212

Barbara A. Cloud  
2105 20<sup>th</sup> Avenue South  
Nashville, TN 37212-4311

March 12, 2019

Metro Dept of Codes  
P.O. Box 196300  
Nashville, TN 37210

Re: Appeal Case Number 2019-149  
2019 A 19<sup>th</sup> Ave S  
Map Parcel: 10412015700  
Zoning Classification R6  
Council District: 17

I oppose this appeal. I assume this is about a putting a sidewalk along Bernard Avenue. To have a sidewalk there would be wonderful. This is an opportunity for a bit of an upgrade to the neighborhood.

My neighbor and I take walks together every day. We often walk on that part of Bernard Avenue. We would enjoy a sidewalk there very much.

Sincerely,



Barbara Cloud

**From:** [gerry.knab@att.net](mailto:gerry.knab@att.net)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** RE: Zoning appeal question  
**Date:** Thursday, March 14, 2019 11:29:16 AM

---

Dear Board:

I received a "Notice To Neighboring Owners" letter about an appeal for **2019A 19<sup>th</sup> Ave S. permit # 20190010030**. I would like to express **opposition** to this request but cannot attend in person. I believe any new homes built in the urban core needs to have sidewalks. I believe this request is unacceptable.

Kind regards,

Gerry Knab  
2207 18<sup>th</sup> Ave S  
615-370-1319

**From:** [Linda Marini](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Permit #20190010030  
**Date:** Tuesday, March 19, 2019 10:20:45 AM

---

Hello

I oppose Denny Taylor's request for a sidewalk variance at 2019A 19th Ave S. We need sidewalks in the neighborhood and he should supply one at this residence.

Linda Marini  
2007 20th Ave S, Nashville, TN 37212



---

Morton, Richard

2107 20th Ave S  
Nashville TN 37212

615-498-1647

[crsnmorton@gmail.com](mailto:crsnmorton@gmail.com)

---

3/29/2019

Dept of Codes and Building Safety  
P.O. Box 196350  
Nashville, TN 37219

Dear Sir or Madam

I am writing to oppose appeal case 2019-149. The builder of the new house on parcel 10412015700 should NOT receive a sidewalk variance. As a close neighbor, it is important for new buildings to follow the sidewalk code.

Sincerely,

Morton, Richard



2107 20th Ave S

**From:** [Robert E Patchin](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Appeals Case Number 2019-149.  
**Date:** Thursday, March 21, 2019 9:55:10 AM

---

I oppose Denny Taylor's requested variance from sidewalk requirements for the property at 2019A 19TH AVE S.

Sincerely Robert E Patchin. 2007 TH AVE S 37212

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Duane Cuthbertson  
Property Owner: P:P Development  
Representative: Duane Cuthbertson

Date: 2-20-19  
Case #: 2019-150  
Map & Parcel: 105074V00200C0  
105074V00100C0

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Request variance to allow parking pad within front setback in R6-A district

Activity Type: Residential  
Location: 425 423 Mallory Street

This property is in the R6-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Parking pads in front of houses

Section(s): 12.12.020B

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name (Please Print) \_\_\_\_\_  
Address \_\_\_\_\_  
City, State, Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Email \_\_\_\_\_  
Zoning Examiner: \_\_\_\_\_

Duane Cuthbertson  
Representative Name (Please Print)  
2814 12th Av. S.  
Address  
Nashville, TN 37204  
City, State, Zip Code  
615.924.9618  
Phone Number  
dcuthber@gmail.com  
Email  
Appeal Fee: \$200.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3605962

**ZONING BOARD APPEAL / CAAZ - 20190010264  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 105074V90000CO

APPLICATION DATE: 02/20/2019

**SITE ADDRESS:**

423 MALLORY ST NASHVILLE, TN 37203

COMMON AREA HOMES AT 423 A &amp; B MALLORY STREET

PARCEL OWNER: O.I.C. HOMES AT 423 A &amp; B MALLORY STI

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting variance to allow parking pad within front setback of R6-A zoning.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

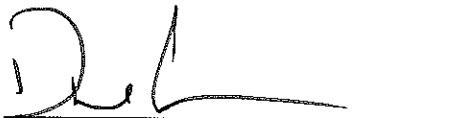
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



**APPELLANT**

2-20-19

**DATE**

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Shallow lot and utility easement at side restrict layout such that access to parking location in the rear is impractical.

Handwritten text on lined paper. The text is: "Shallow lot and utility easement at side restrict layout such that access to parking location in the rear is impractical." Below this text are several horizontal lines for additional writing.



CONTOURS FROM RADIAL TOPOGRAPHIC SURVEY

LEGEND  
 I.R.(D)=IRON ROD (OLD)  
 I.R.(N)=IRON ROD (NEW)  
 W=WATER LINE (RECORD)  
 S= SEWER LINE (RECORD)  
 OHL=OVERHEAD LINES  
 L/P =EDGE PAVEMENT

PREPARED BY:  
 CAMPBELL, McRAE  
 & ASSOCIATES,  
 SURVEYING, INC.  
 P.O. BOX 41153  
 NASHVILLE, TN, 37204  
 PH. 615-298-2424  
 EMAIL cmas@att.net

**SITE DATA**  
 ORIGINAL  
 PARCEL ID:  
 10507039400  
 P.A.D.C., TN  
 6778.35  
 S.F. DR  
 0.16 ACRES±  
**EXISTING I.A.**  
 HOUSE - 881 S.F.  
 DRIVE - 366 S.F.  
**TOTAL EXISTING I.A.**  
 1247 S.F.  
**PROPOSED I.A.**  
 HOUSE'S - 1766 S.F. (ROOFTOPS)  
 DECKS - 270 S.F.  
**TOTAL PROPOSED I.A.**  
 2036 S.F.  
 2036 - 1247 = 789  
**NET NEW I.A.**  
 789 S.F.

TENNESSEE PRISON  
 OUTREACH MINISTRY,  
 INC.  
 INSTRUMENT#  
 20021004-0121485  
 R.O.D.C., TN  
 PARCEL ID  
 10507037100  
 P.A.D.C., TN

SPRINGER,  
 LINDA M.  
 INSTRUMENT#  
 20150702-0064283  
 R.O.D.C., TN  
 PARCEL ID  
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MORGAN,  
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 INSTRUMENT#  
 20080905-0091293  
 R.O.D.C., TN  
 PARCEL ID  
 10507037600  
 P.A.D.C., TN

MORROW,  
 DEBRA A.  
 BOOK 8273, PAGE 842  
 R.O.D.C., TN  
 PARCEL ID  
 10507037700  
 P.A.D.C., TN

NGUYEN,  
 THANH VAN  
 INSTRUMENT#  
 20050411-0039426  
 R.O.D.C., TN  
 PARCEL ID  
 10507037800  
 P.A.D.C., TN

ACCORDING TO METRO GIS MAPS  
 PROPERTY IS ZONED R6  
 SETBACKS FOR R6 ZONING TAKEN FROM  
 DISTRICT BULK TABLES TITLE 17  
 "ZONING" CHAPTER 17.12

FRONT = STREET AVERAGE  
 SIDES = 5'  
 REAR = 20'  
 VERIFY SETBACKS WITH CODES BEFORE  
 DESIGN OR CONSTRUCTION DECISIONS  
 ARE MADE.

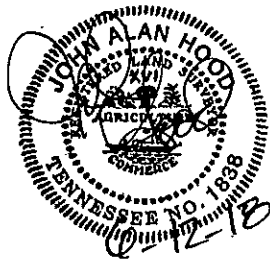
BY GRAPHIC SCALING FROM THE LATEST  
 F.E.M.A. / FLOOD INSURANCE RATE MAP  
 THIS PROPERTY IS NOT LOCATED IN A  
 F.E.M.A. / F.I.R.M SPECIAL FLOOD HAZARD  
 AREA  
 MAP 47037 PANEL 0244 "H"  
 EFFECTIVE DATE = 04-05-2017

THIS SURVEY WAS PREPARED FROM THE  
 LATEST RECORDED DEED DESCRIPTION.  
 THIS SURVEY IS SUBJECT TO THE FINDINGS  
 OF A CURRENT TITLE EXAMINATION.  
 NO TITLE REPORT WAS PROVIDED  
 TO SURVEYOR

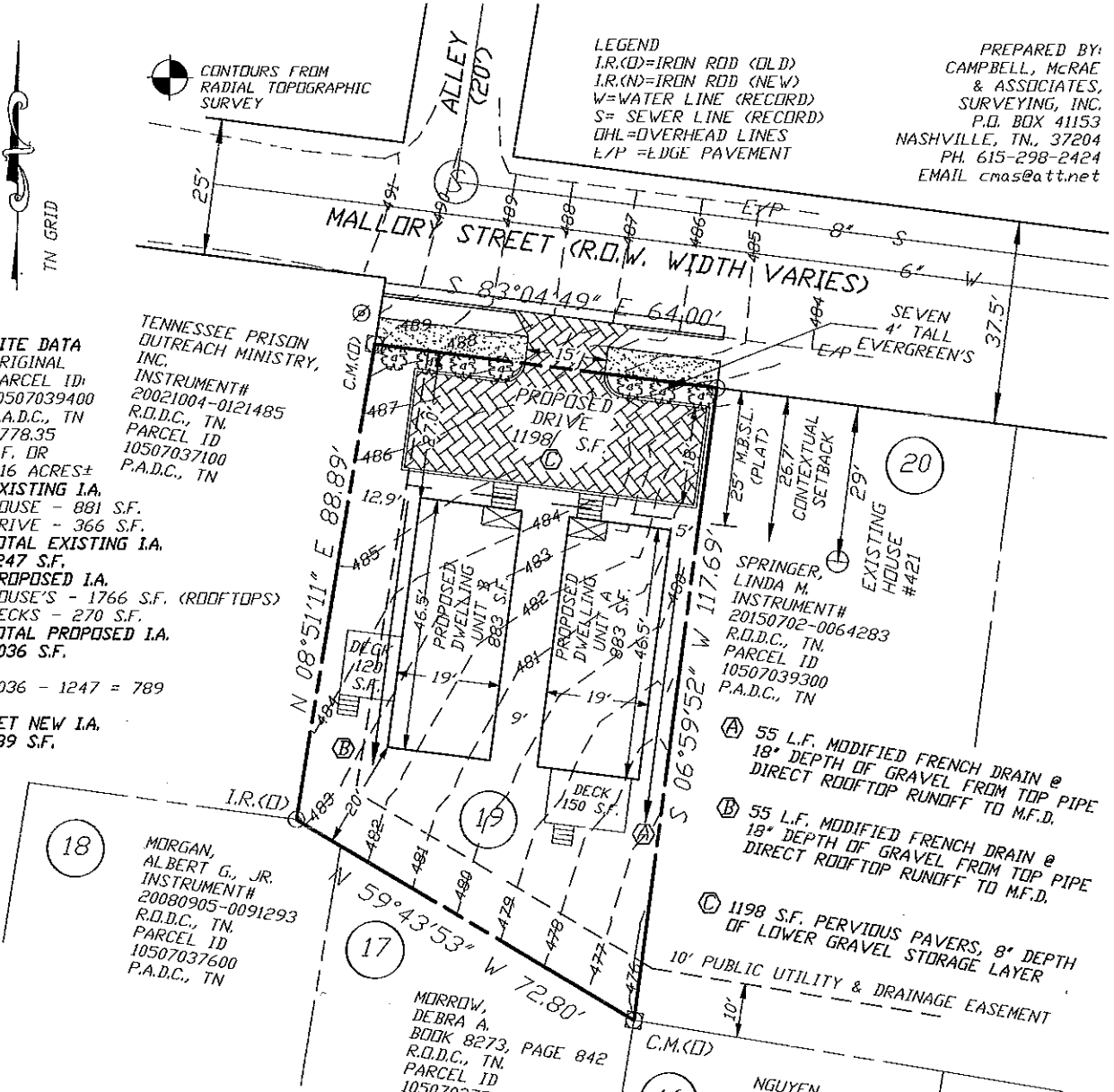
UTILITIES SHOWN WERE TAKEN FROM PUBLIC  
 AS-BUILT RECORDS & FIELD LOCATION. THERE  
 MAY BE UTILITIES OR EASEMENTS PRESENT  
 THAT ARE NOT SHOWN ON THIS EXHIBIT.  
 CONTACT THE TENNESSEE ONE CALL SYSTEM  
 PRIOR TO ANY CONSTRUCTION OR DIGGING.

I HEREBY CERTIFY THAT THIS IS  
 A CATEGORY 1 SURVEY WITH THE  
 RATIO OF PRECISION OF THE  
 UNADJUSTED SURVEY BEING 1: 18,000.  
 THIS SURVEY WAS DONE IN  
 COMPLIANCE WITH THE CURRENT  
 STANDARDS OF PRACTICE ADOPTED  
 BY THE TENNESSEE STATE BOARD OF  
 EXAMINERS FOR LAND SURVEYORS.

JOHN ALAN HOOD  
 TN. R.L.S.#1838



**SITE PLAN**  
 LOT 19 ON THE PLAN OF  
 RAINS HEIGHTS SUBDIVISION,  
 BOOK 2663, PAGE 46  
 R.O.D.C., TN.  
 PROPERTY LOCATED IN THE 17TH  
 COUNCIL DISTRICT OF NASHVILLE,  
 DAVIDSON COUNTY TENNESSEE  
 ON THE SOUTHERLY MARGIN OF  
 MALLORY STREET,  
 EAST OF RAINS AVENUE  
**PROPERTY ADDRESS:**  
 423 A & B MALLORY STREET  
 NASHVILLE, TN, 37203  
**DEED REFERENCE:**  
 INSTRUMENT #20021004-0121485  
 R.O.D.C., TN.  
**ORIGINAL PARCEL ID:**  
 10507039400 P.A.D.C., TN.  
**DATE:** 06-12-2018  
**SCALE:** 1"=20'  
**PREPARED FOR:**  
 MAURINE J. BRONAUH





PREPARED BY:  
 CAMPBELL, McRAE  
 & ASSOCIATES,  
 SURVEYING, INC.  
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CONTOURS FROM  
 RADIAL TOPOGRAPHIC  
 SURVEY

TN GRID

**SITE DATA**

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 THANH VAN  
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 20050411-0039426  
 R.O.D.C., TN.  
 PARCEL ID  
 10507037800  
 P.A.D.C., TN

ACCORDING TO METRO GIS MAPS  
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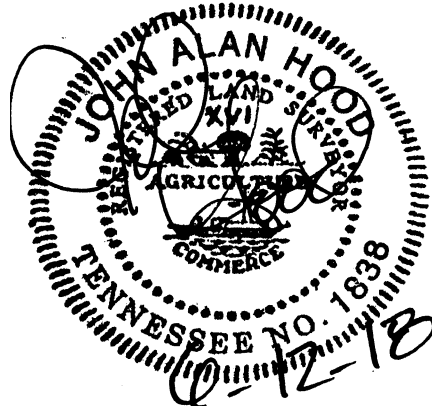
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UTILITIES SHOWN WERE TAKEN FROM PUBLIC  
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 THIS SURVEY WAS DONE IN  
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JOHN ALAN HOOD  
 TN. R.L.S.#1838



**SITE PLAN**

LOT 19 ON THE PLAN OF  
 RAINS HEIGHTS SUBDIVISION,  
 BOOK 2663, PAGE 46  
 R.O.D.C., TN.

**PROPERTY LOCATED** IN THE 17TH  
 COUNCIL DISTRICT OF NASHVILLE,  
 DAVIDSON COUNTY TENNESSEE  
 ON THE SOUTHERLY MARGIN OF  
 MALLORY STREET,  
 EAST OF RAINS AVENUE

**PROPERTY ADDRESS:**  
 423 A & B MALLORY STREET  
 NASHVILLE, TN., 37203  
**DEED REFERENCE:**  
 INSTRUMENT #20021004-0121485  
 R.O.D.C., TN.  
**ORIGINAL PARCEL ID:**  
 10507039400 P.A.D.C., TN.  
**DATE:** 06-12-2018  
**SCALE:** 1"=20'  
**PREPARED FOR:**  
 MAURINE J. BRONAUGH

**From:** [Duane Cuthbertson](#)  
**To:** [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)  
**Subject:** Fwd: MALLORY STREET 423 SITE 012919A.pdf  
**Date:** Thursday, March 28, 2019 3:34:28 PM

---

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Can I please include this in the case file for 2019-150? Please.

----- Forwarded message -----

**From:** Hayes, Kimberly (WS) <[Kimberly.Hayes@nashville.gov](mailto:Kimberly.Hayes@nashville.gov)>  
**Date:** Mon, Mar 18, 2019, 1:12 PM  
**Subject:** RE: MALLORY STREET 423 SITE 012919A.pdf  
**To:** Duane Cuthbertson <[dcuthber@gmail.com](mailto:dcuthber@gmail.com)>

Having front loading parking and/or garages will reduce the amount of impervious area being added to site, thus providing more green space for stormwater runoff to infiltrate and location for green infrastructure control practices that do not encroach the public utility and drainage easement (PUDE). The current plan as proposed has a gicp that extends to the property line and encroaches fully into the PUDE, this is not an acceptable practice. Furthermore, it could possible impact the downstream residents.

-Kimberly

---

**From:** Duane Cuthbertson [mailto:[dcuthber@gmail.com](mailto:dcuthber@gmail.com)]  
**Sent:** Tuesday, March 05, 2019 10:52 AM  
**To:** Hayes, Kimberly (WS)  
**Subject:** Fwd: MALLORY STREET 423 SITE 012919A.pdf

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Kimberly - Here is the plan we for 423 Mallory St. Can you provide me with some sort of analysis that essentially suggests why Stormwater would be better served if we were able to place parking out of the rear yard as proposed (and as directed by the current zoning)? Let me know if you need additional information.

Duane

----- Forwarded message -----

From: **Paul Ziady** <[paul\\_ziady@yahoo.com](mailto:paul_ziady@yahoo.com)>  
Date: Mon, Mar 4, 2019 at 9:27 AM  
Subject: MALLORY STREET 423 SITE 012919A.pdf  
To: Duane Cuthbertson <[dcuthber@gmail.com](mailto:dcuthber@gmail.com)>

Original site plan

Paul M. Ziady  
**Partner - P&P Development, LLC**

**Agent - Tarkington & Harwell Co. LLC**

Cell: 615-456-8239

The information in this e-mail transmission is confidential or legally privileged information. If you received this e-mail in error, please notify sender and delete immediately.

Please be advised that any distribution, reading, copying or other use of this e-mail communication by anyone other than the designated recipient is strictly prohibited.

--

Duane Cuthbertson

615.924.9618

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : Erin Shim & Anne DeChant  
Property Owner: Erin Shim & Anne DeChant  
Representative: Erin Shim & Anne DeChant

Date: 11-16-18  
Case #: 2019-012  
Map & Parcel: 09309006900

Council District 06

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To apply for a STRP permit.

Activity Type: Short Term Rental

Location: 1306 Gartland Ave.

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of 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.

Section(s): 17.16.250 (E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Erin Shim & Anne DeChant  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

1306 Gartland Ave.  
Address

\_\_\_\_\_  
Address

Nashville, TN 37206  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(440) 488-5189  
Phone Number

\_\_\_\_\_  
Phone Number

elshim.els@gmail.com  
Email

-----  
Email

Appeal Fee: \$100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3579331

**ZONING BOARD APPEAL / CAAZ - 20180072490  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 08309006900**APPLICATION DATE:** 11/16/2018**SITE ADDRESS:**

1306 GARTLAND AVE NASHVILLE, TN 37206  
PT LOT 6 BLK 2 BAILEY SUB ALLISON

**PARCEL OWNER:** SHIM, ERIN L. & DECHANT, ANNE E.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of 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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3561091

APPLICATION FOR RESIDENTIAL SHORT TERM RENTAL / CASR - T2018059738  
THIS IS NOT A PERMIT

PARCEL: 08309006900

APPLICATION DATE: 09/19/2018

## SITE ADDRESS:

1306 GARTLAND AVE NASHVILLE, TN 37206  
PT LOT 6 BLK 2 BAILEY SUB ALLISON

PARCEL OWNER: SHIM, ERIN L. &amp; DECHANT, ANNE E.

APPLICANT: Erin Shim  
1306 Gartland Ave.  
Nashville, TN 37210 440 488.5189

CONTACT: Erin Shim  
1306 Gartland Ave.  
Nashville, TN 37210

ORIGINAL PERMIT  
APPLICATION

## PURPOSE:

NOTE: In response to Fire Marshal inspection rejection of second floor window access, the area to be used for short term rental purposes will be confined to the first floor foyer, living room, owner's bedroom, and owner's bathroom as labeled on attached floor plan. Bedroom count is 1 with an occupancy count of 6.

By making this application for a Residential Short Term Rental Permit, I certify that I will comply with all requirements of Ordinance BL2014-951, BL2016-381, BL2016-492, BL2017-608, and State of Tennessee Public Chapter No. 972.

Property is Owner occupied, 1 sleeping rooms, 6 person maximum occupancy.

Proof of residence has been verified.

Owner compliance letter verified.

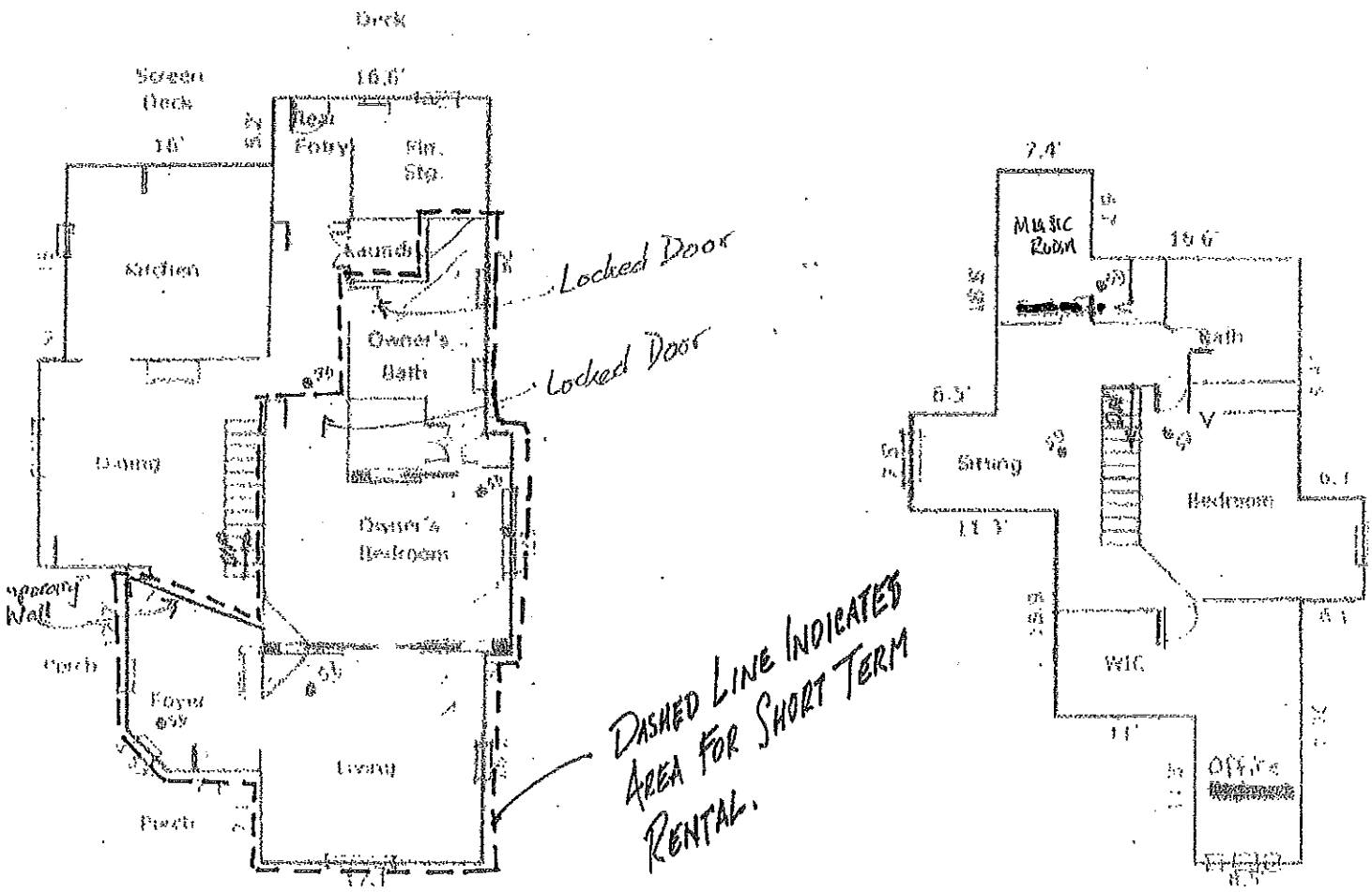
Floor Plan and smoke detectors verified.

Notification to adjacent residences confirmed.

\*Applicant has confirmed that subject property is not in violation of a Homeowners Association\*

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Zoning Review	APPROVED	615-880-3245 David.Frabutt@nashville.gov
[A] Bond & License Review On Bldg App	APPROVED	615-880-3245 David.Frabutt@nashville.gov
U&O Life Safety Final Approval - STRP	REJECTED	615-862-5233 Chad.Young@nashville.gov



First Floor  
(1717.85 Sq Ft)

STRP =  
Shaded Area

Second Floor  
(1020.91 Sq Ft)

1306 GARTLAND AVE  
NASHVILLE TN 37206



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Zareth Hookassian

Date: 12-21-18

Property Owner: '' ''

Case #: 2019-065

Representative: '' ''

Map & Parcel: 82-4-425

Council District 5

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance for operation of STRP without a permit. Change of ownership.

Activity Type: STRP

Location: 1105 B N 8th St.

This property is in the SP Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Variance for operation without Permit

Section(s): 17.12.250(E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

ZAREH HOOKASSIAN  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

1105 B N. 8th ST.  
Address

''  
Address

NASHVILLE, TN 37206  
City, State, Zip Code

''  
City, State, Zip Code

615-838-4820  
Phone Number

''  
Phone Number

Zhookassian@gmail.com  
Email

''  
Email

Appeal Fee: \$ 100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3589412

**ZONING BOARD APPEAL / CAAZ - 20180079494  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 08204042500

APPLICATION DATE: 12/21/2018

**SITE ADDRESS:**

1105 B N 8TH ST NASHVILLE, TN 37207

LOT 306 OAKWOOD PARK

PARCEL OWNER: MAD PROPERTIES, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting variance from operation of short term rental without permit. ownership change as of 11-2-18.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. ~~So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing.~~ You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

ZAREH HOOKASSIAN  
APPELLANT

12-21-18  
DATE

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. ~~The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan.~~ Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Previous owners used their permit to operate as an  
airbnb ~~let~~ AFTER THE CLOSING DATE OF NOV 2nd when  
new owner purchased the property.

[Dashboard](#)

Rental Unit Record

**1105 N 8th St, Nashville, TN 37207, USA**

Active ●  
Identified ✓  
Compliant ✓

[PRINT](#)

Listing(s) Information

Airbnb - 17386845    Airbnb - 17431556    VRBO - 321.1236239.1787147



Rental Unit Information



Identified Address

1105 N 8th St, Nashville, TN 37207, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.190533, -86.758103

Parcel Number

08204042500

Owner Name

MAD PROPERTIES, LLC

Owner Address

1105 N 8th St  
Nashville, TN 37207, US

Registration / Permit Number

2017006168, 502844

Matched Details

Analyst

KH6V

Explanation

Found address using parcel number from listing image and the assessor site.

Zip Code Match

City Name Match

Listing Details

Listing URL — <https://www.airbnb.com/rooms/17431556>

Listing Status ● Active

Host Compliance Listing ID — air17431556

Listing Title — East Nashville Apt-close to Lower Broadway!

Property type — Apartment

Room type — Entire home/apt

Timeline of Activity


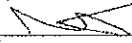
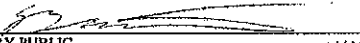
View the series of events and documentation pertaining to this property

✳ Listing hma121.7482829.6887387 First Crawled

Matched property listing

- March 16th, 2018
- ✘ Listing air17431556 Removed  
March 16th, 2018
- 📅 3 Documented Stays  
March, 2018
- ✔ First Warning - No STR Permit: Delivered  
March 10th, 2018
- ✔ First Warning - No STR Permit: Sent  
March 2nd, 2018
- Listing hma321.1236239.1787147 Reposted  
February 26th, 2018
- 📅 7 Documented Stays  
February, 2018
- ✘ Listing hma321.1236239.1787147 Removed  
February 21st, 2018
- ✔ Listing hma321.1236239.1787147 Identified  
February 13th, 2018
- Listing air17386845 Reposted  
February 4th, 2018
- ✘ Listing air17386845 Removed  
January 31st, 2018
- 📅 4 Documented Stays  
January, 2018
- 📅 5 Documented Stays  
December, 2017
- ✱ Listing hma321.1236239.1787147 First  
Crawled  
December 30th, 2017
- Listing hma321.1236239.1787147 First  
Activity  
December 27th, 2017
- 📅 4 Documented Stays  
November, 2017
- 📅 6 Documented Stays  
October, 2017
- 📅 7 Documented Stays  
September, 2017
- 📅 7 Documented Stays  
August, 2017
- ✔ Listing air17386845 Identified  
August 14th, 2017
- ✔ Listing air17431556 Identified  
August 7th, 2017
- 📅 9 Documented Stays  
July, 2017
- 📅 10 Documented Stays  
June, 2017
- 📅 14 Documented Stays  
May, 2017
- 📅 11 Documented Stays  
April, 2017
- 📅 6 Documented Stays  
March, 2017

RECORD AND RETURN TO:  
Limestone Title and Escrow, LLC  
580 Franklin Rd.  
Suite 203  
Franklin, Tennessee 37069  
File No.: TN1811216

<b>WARRANTY DEED</b>		STATE OF TENNESSEE COUNTY OF DAVIDSON
Karen Y Johnson Davidson County Batch# 158063 DEEDWARR 11/09/2018 10:43:32 AM 2 pgs Fees: \$13.00 Taxes: \$2,184.50  20181109-0111011		THE ACTUAL CONSIDERATION OR VALUE, WHICHEVER IS GREATER, FOR THIS TRANSFER IS \$585,000.00.  AFFIANT SUBSCRIBED AND SWORN TO BEFORE ME, THIS THE 2nd day of November, 2018.  NOTARY PUBLIC My commission expires: 6-20-2021
THIS INSTRUMENT PREPARED BY: Limestone Title and Escrow, LLC, 580 Franklin Road, Suite 203, Franklin, Tennessee 37069.		
ADDRESS NEW OWNER: Zareh Hookassian 1105 N. 8th Street Nashville, TN 37207	SEND TAX BILLS TO: Same address as new owner	MAP-PARCEL NUMBERS: 082 04 0 425.00

FOR AND IN CONSIDERATION of the sum of Five Hundred Eighty Five Thousand and 00/100 Dollars (\$585,000.00), and other good and valuable consideration, cash in hand paid by the hereinafter named Grantee(s), the receipt of which is hereby acknowledged; the undersigned, **MAD PROPERTIES, LLC, A TENNESSEE LIMITED LIABILITY COMPANY**, hereinafter called the Grantor(s), has bargained and sold and by these presents do hereby transfer and convey unto, **ZAREH HOOKASSIAN**, hereinafter called the Grantee(s), their heirs and assigns forever, that certain parcel of real estate situated in Davidson County, Tennessee, and being further described as follows, to-wit:

Being land in Davidson County, Tennessee, as set forth by survey of Delle Land Surveying, dated January 12, 2015, as described as Lot 1105 B on said attached Exhibit "A" and described more specifically as follows:

Beginning at an iron rod in the eastern right of way of North 8th Street, said point being the northwest corner of the Reginald Grady property as described in Instrument 20130306-0022537, Register's Office of Davidson County, Tennessee and the southwest corner of the Vernon Keesee property as described in Instrument No. 20160114-0004152, said Register's Office;

Thence, with said right of way, North 08 degrees 04 minutes 46 seconds East, 31.00 feet to an iron rod, the True Point of Beginning;

Thence, with said right of way, North 08 degrees 04 minutes 46 seconds East 31.00 feet to an iron rod, the southwest corner of 1105C;

Thence, with said right of way, with 1105C's south line, South 81 degrees 16 minutes 01 seconds West, 165.00 feet to an iron rod in the west right of way of alley #346;

Thence, with said alley, South 08 degrees 04 minutes 46 seconds West, 31.00 feet to an iron rod in the north line of 1105A



THIS LEGAL IS NOT COMPLETE IT IS MISSING A CALL.

Being that same property conveyed to Mad Properties, LLC, by Warranty Deed from Vernon Thomas Keesee, Jr., an unmarried man, dated November 18, 2016 and recorded in Instrument No. 20161122-0123166, Register's Office for Davidson County, Tennessee.

The address of the herein described property is believed to be 1105B N 8th Street, Nashville, TN 37207, and is shown on all tax records as same, but such addresses are not part of the legal description of the property herein and in the event of any discrepancy, the legal description herein shall control.

This conveyance is made subject to all matters as shown of record in the Register's Office for Davidson County, Tennessee; and to the zoning and subdivision regulations of the appropriate governmental body.

TO HAVE AND TO HOLD said real estate, together with all of the appurtenances, estate and title thereunto belonging, unto the said Grantee(s), their heirs and assigns, forever.

The undersigned covenant with the said Grantee(s) that they are lawfully seized and possessed of said real estate; that they have a good right to convey the same; and that it is unencumbered except by lien of the 2018 property taxes, which taxes are being prorated between the parties, and are being paid at closing.

The undersigned further covenant and bind themselves, their heirs and assigns, forever to warrant and defend the title to said real estate unto the said Grantee(s), their heirs and assigns, against the lawful claims of all persons, whomsoever.

WITNESS MY/OUR HANDS, this the 2nd day of November, 2018.

MAD Properties, LLC, a Tennessee Limited Liability Company

Michael Atchley

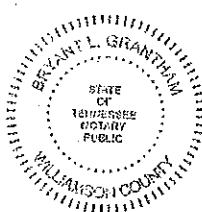
BY:

ITS:

STATE OF TENNESSEE  
COUNTY OF DAVIDSON

Personally appeared before me, a Notary Public, of said County and State, Michael Atchley, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be \_\_\_\_\_ of MAD Properties, LLC, a Tennessee Limited Liability Company, the within named bargainor and that he as such \_\_\_\_\_, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as, Member.

WITNESS my hand and seal, this the 2nd day of November, 2018.



[Signature]  
Notary Public

My commission expires: 6-20-2021

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Patrick Clark

Date: 1-18-2019

Property Owner: Patrick Clark

Case#: 2019-094

Representative: Patrick Clark

Map & Parcel:

Council District: 08

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit.

Activity Type: Short Term rental

Location: 241 Ben Allen Rd

This property is in the **RS10** Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated on expired permit.

Section(s): 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection A of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Patrick Clark

\_\_\_\_\_

\_\_\_\_\_

Appellant Name (Please Print)

Representative Name (Please Print)

241 Ben Allen Rd

Address

Address

Nashville, TN 37207

City, State, Zip Code

City, State, Zip Code

615-521-0091

Phone Number

Phone Number

pnealclark@gmail.com

Email

Email

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3595914

**ZONING BOARD APPEAL / CAAZ - 20190003503**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 06100001600**APPLICATION DATE:** 01/18/2019**SITE ADDRESS:**

241 BEN ALLEN RD NASHVILLE, TN 37207  
N SIDE BEN ALLEN RD E OF HILLSIDE RD

**PARCEL OWNER:** CLARK, PATRICK NEAL**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated on expired permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

*There are currently no required inspections*

Inspection requirements may change due to changes during construction.



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY


DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING—3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

## NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.



1/18/19

Dashboard

Rental Unit Record

**241 Ben Allen Rd, Nashville, TN 37207, USA**

Removed ✕  
Identified ✓  
Compliant ✓

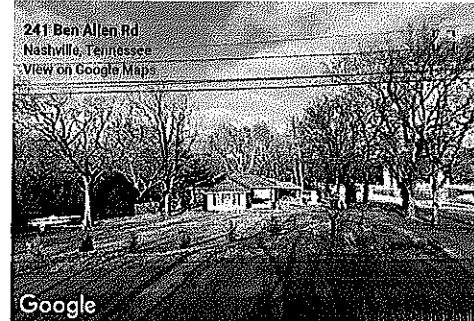
PRINT

Listing(s) Information

Airbnb - 21483076



Rental Unit Information



Identified Address

241 Ben Allen Rd, Nashville, TN 37207, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.226475, -86.752174

Parcel Number

06100001600

Owner Name

CLARK, PATRICK NEAL

Owner Address

241 Ben Allen Rd  
Nashville, TN 37207, US

Registration / Permit Number

503852

Matched Details

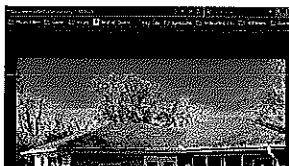
Analyst

CDZT

Explanation

Exterior matches in street view. The listing header calls the house "The 2-4-1". The Nashville records and map confirm the location and address and show APN 06100001600. <http://prntscr.com/frgne3>

Listing Photos



Matching 3rd Party Sources



Same exterior. #241 is visible on the photo.

Zip Code Match

Owner Name Match

City Name Match

Timeline of Activity

View the series of events and documentation pertaining to this property

✕ Listing air21483076 Removed

Listing Details

























Listing URL -- <https://www.airbnb.com/rooms/21483076>  
 Listing Status ● Inactive  
 Host Compliance Listing ID -- air21483076  
 Listing Title -- The 2-4-1  
 Property type -- House  
 Room type -- Entire home/apt  
 Listing Info Last Captured -- Dec 15, 2018  
 Screenshot Last Captured -- Dec 17, 2018  
 Price -- \$75/night  
 Cleaning Fee -- \$100

Information Provided on Listing

Contact Name -- Jess And Neal  
 Latitude, Longitude -- 36.226815, -86.751955  
 Minimum Stay (# of Nights) -- 2  
 Max Sleeping Capacity (# of People) -- 6  
 Max Number of People per Bedroom -- 3  
 Number of Reviews -- 31  
 Last Documented Stay -- 1/2018

Listing Screenshot History  View Latest Listing Screenshot



- December 19th, 2018
-  First Warning - No STR Permit: Delivered December 16th, 2018 
-  First Warning - No STR Permit: Sent December 10th, 2018 
-  2 Documented Stays November, 2018
-  4 Documented Stays October, 2018
- Listing air21483076 Reposted October 11th, 2018
- ✘ Listing air21483076 Removed October 10th, 2018
-  3 Documented Stays September, 2018
-  2 Documented Stays August, 2018
-  3 Documented Stays July, 2018
- Listing air21483076 Reposted June 30th, 2018
- ✘ Listing air21483076 Removed June 30th, 2018
-  1 Documented Stay June, 2018
-  5 Documented Stays May, 2018
-  3 Documented Stays April, 2018
-  Airbnb Letter: Delivered April 9th, 2018 
-  Airbnb Letter: Sent March 28th, 2018 
-  3 Documented Stays March, 2018
- Listing air21483076 Reposted March 4th, 2018
- ✘ Listing air21483076 Removed March 2nd, 2018
-  1 Documented Stay February, 2018
- Listing air21483076 Reposted February 4th, 2018
- ✘ Listing air21483076 Removed January 31st, 2018
-  First Warning - No Tax Reg: Delivered January 6th, 2018 
-  1 Documented Stay January, 2018
-  1 Documented Stay December, 2017
-  First Warning - No Tax Reg: Sent 

December 29th, 2017

- ✓ Listing air21483076 Identified  
December 26th, 2017
- 📄 2 Documented Stays  
November, 2017
- \* Listing air21483076 First Crawled  
November 4th, 2017
- Listing air21483076 First Activity  
November 4th, 2017



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Joseph Fitzpatrick

Date: 1-28-19

Property Owner: " "

Case #: 2019-099

Representative: " "

Map & Parcel: 21-9-143

Council District 2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Operation of STRP without permit

Activity Type: Short term Rental

Location: 1800 A Seminary St

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Operation without Permit

Section(s): 12.16.250 (E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Joseph Fitzpatrick  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

1800 A Seminary St  
Address

Same  
Address

Nashville, TN 37207  
City, State, Zip Code

Same  
City, State, Zip Code

615-524-1035  
Phone Number

Same  
Phone Number

josephfitzpatrick333@yahoo.com  
Email

Same  
Email

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3598267

**ZONING BOARD APPEAL / CAAZ - 20190005199**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 07109014300

APPLICATION DATE: 01/28/2019

**SITE ADDRESS:**

1800 A SEMINARY ST NASHVILLE, TN 37207  
LOT 117 SCRUGGS SUB BROOKLYN HGTS

PARCEL OWNER: FITZPATRICK, JOSEPH R. &amp; HERRERA, MA

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting variance for short term rental for operation without a permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
**APPELLANT**

1/28/19  
 \_\_\_\_\_  
**DATE**

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

I unfortunately did not realize that a short-term rental permit was necessary to operate my home as a short term rental unit. Upon being notified of this, I ceased all operation. I have also complied with every rule and guideline needed to obtain a permit. For this reason I respectfully request that my case be considered.

Rental Unit Record

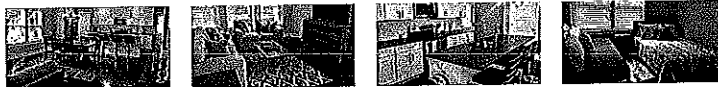
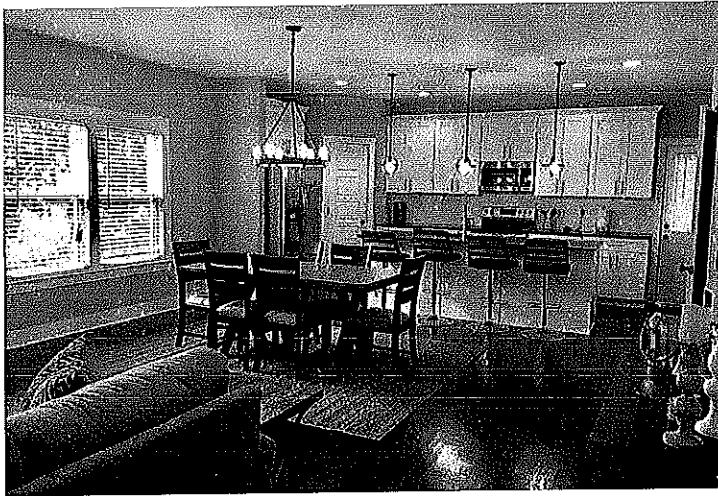
1800 Seminary St, Nashville, TN 37207, USA

Removed X  
Identified ✓  
Compliant ✓



Listing(s) Information

Airbnb - 26038912



Rental Unit Information



Identified Address

1800 Seminary St, Nashville, TN 37207, USA

Identified Unit Number

A

Identified Latitude, Longitude

36.202280, -86.785060

Parcel Number

07109014300

Owner Name

FITZPATRICK, JOSEPH R. & HERRERA, MARIE S.

Owner Address

1800A Seminary St  
Nashville, TN 37207, US

Matched Details

Analyst

WWCZ

Explanation

Trulla listing shows matching kitchen as airbnb listing. Also show two bathrooms with matching fixtures and layout as the airbnb listing.

Listing Photos



Matching 3rd Party Sources

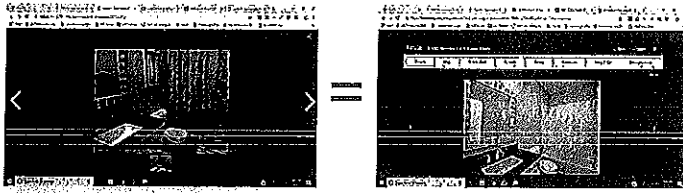


shows matching kitchen. light fixtures are the same, windows and doors in same location, kitchen island and fixtures are the same

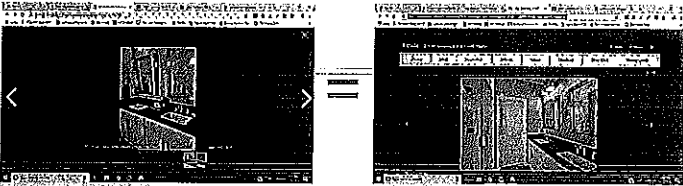
Timeline of Activity

View the series of events and documentation pertaining to this property

X Listing air26038912 Removed  
January 16th, 2019



matching bathroom number 1, sink and mirror are the same, toilet and tub in same location



bathroom number 2 matching sinks and mirrors, another picture shows matching shower

Zip Code Match

City Name Match

**Listing Details**

Listing URL	- <a href="https://www.airbnb.com/rooms/26038912">https://www.airbnb.com/rooms/26038912</a>
Listing Status	● Inactive
Host Compliance Listing ID	- air26038912
Listing Title	- Modern New Home 4 Minutes From Downtown
Property type	- House
Room type	- Entire home/apt
Listing Info Last Captured	- Jan 08, 2019
Screenshot Last Captured	- Jan 08, 2019
Price	- \$75/night
Cleaning Fee	- \$100

**Information Provided on Listing**

Contact Name	- Joey
Latitude, Longitude	- 36.202580, -86.785424
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 10
Max Number of People per Bedroom	- 3.3
Number of Reviews	- 42
Last Documented Stay	- 12/2018

- 6 Documented Stays  
December, 2018
- First Warning - No STR or Tax: Delivered   
December 16th, 2018
- First Warning - No STR or Tax: Sent   
December 10th, 2018
- 6 Documented Stays  
November, 2018
- Listing air26038912 Identified  
November 10th, 2018
- 6 Documented Stays  
October, 2018
- 9 Documented Stays  
September, 2018
- 7 Documented Stays  
August, 2018
- 7 Documented Stays  
July, 2018
- 1 Documented Stay  
June, 2018
- \* Listing air26038912 First Crawled  
June 22nd, 2018
- Listing air26038912 First Activity  
June 22nd, 2018

Listing Screenshot History

View Latest Listing Screenshot



Metropolitan Board of Zoning Appeals  
 Metro Howard Building  
 800 Second Avenue South  
 Nashville, Tennessee 37210

Appellant: Perry Herst Date: 1-29-2019  
 Property Owner: Perry Herst Case #: 2019-101  
 Representative: Shane & Trin Horton Map & Parcel: 10408028900  
 Council District: 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
 Activity Type: Short Term Rental  
 Location: 1402 17<sup>th</sup> Ave. S

This property is in the OR20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Perry Herst Representative: Shane & Trin Horton  
 Phone Number: \_\_\_\_\_ Phone Number: (615) 227-4664  
 Address: \_\_\_\_\_ Address: 310 Chapel Ave  
 \_\_\_\_\_ Nashville, TN 37206  
 \_\_\_\_\_  
 Email address: pherst@cattailprop.com Email address: hortonshane@comcast.net

Appeal Fee: \$100.00





Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3598772

**ZONING BOARD APPEAL / CAAZ - 20190005542**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 10408028900**APPLICATION DATE:** 01/29/2019**SITE ADDRESS:**

1402 17TH AVE S NASHVILLE, TN 37212  
PT LOT 42 O B HAYES ROKEBY PLAN

**PARCEL OWNER:** HERST, PERRY S., III**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



**RESIDENTIAL SHORT TERM RENTAL / CASR - 201523018  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 10408028900

**APPLICATION DATE:** 06/05/2015

**SITE ADDRESS:**

1402 17TH AVE S NASHVILLE, TN 37212  
PT LOT 42 O B HAYES ROKEYB PLAN

**PARCEL OWNER:**

**CONTRACTOR:**

**APPLICANT:** Herst, Perry S., Iii

15560 N. FRANK LLOYD WRIGHT BLVD.  
SCOTTSDALE, AZ 85260 760-809-5559

**CONTACT:** Trin Blakely

310 CHAPEL AVE  
NASHVILLE, TN 37206

**PURPOSE:**

By making this application for a Residential Short Term Rental permit, I certify that I will comply with all requirements of Ordinance BL2014-951. 1 bdr 6 max occ. this is unit B of 6 unit bldg.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

U&O Life Safety Final Approval

APPROVED

615-862-5230 FMORquest@nashville.gov

Inspection requirements may change due to changes during construction.

*Permit expired on 6-5-2017*



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING-- 3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

*Stane Fort*

*1-29-19*

Rental Unit Record

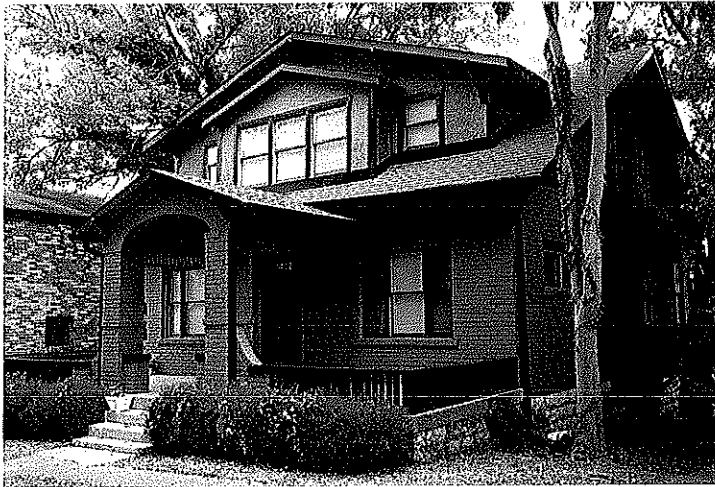
1402 17th Ave S, Nashville, TN 37212, USA

Removed X  
Identified ✓  
Compliant ✓

PRINT

Listing(s) Information

VRBO - 321.663694.1211596



Rental Unit Information



Identified Address

1402 17th Ave S, Nashville, TN 37212, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.140549, -86.794702

Parcel Number

10408028900

Owner Name

HERST, PERRY S., III

Owner Address

15560 N Frank Lloyd Wright Blvd # B4-409  
Scottsdale, AZ 85260, US

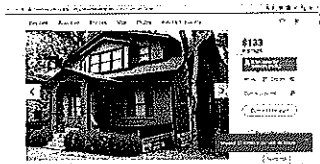
Matched Details

Analyst I5C2

Explanation

The outside photos from the listing match Google Streetview. The house number is visible.

Listing Photos



Matching 3rd Party Sources



Same exterior. House number visible

Owner Name Match

Timeline of Activity

View the series of events and documentation pertaining to this property

X Listing hma321.663694.1211596 Removed January 5th, 2019


Listing Details

Listing URL	- <a href="https://www.homeaway.com/vacation-rental/p663694vb">https://www.homeaway.com/vacation-rental/p663694vb</a>
Listing Status	● Inactive
Host Compliance Listing ID	- hma321.663694.1211596
Listing Title	- Nice Music Row Apartment, A Mile from Downtown and Close to Everything Else!
Property type	- Apartment
Room type	- Entire home/apt
Listing Info Last Captured	- Jan 01, 2019
Screenshot Last Captured	- Jan 02, 2019
Price	- \$114/night
Cleaning Fee	- \$100

Information Provided on Listing

Contact Name	- Perry Herst
Latitude, Longitude	- 36.140545, -86.794782
Minimum Stay (# of Nights)	- 3
Max Sleeping Capacity (# of People)	- 4
Max Number of People per Bedroom	- 4
Number of Reviews	- 47
Last Documented Stay	- 11/2018



























Listing Screenshot History

 [View Latest Listing Screenshot](#)

November 7

December 8

January 1

-  1 Comments  
December 10th, 2018  
 Emails
-  2 Documented Stays  
November, 2018
-  4 Documented Stays  
October, 2018
-  1 Documented Stay  
September, 2018
-  2 Documented Stays  
August, 2018
-  1 Documented Stay  
June, 2018
-  3 Documented Stays  
May, 2018
-  5 Documented Stays  
April, 2018
- Listing hma321.663694.1211596 Reposted  
April 25th, 2018
- ✘ Listing hma321.663694.1211596 Removed  
April 19th, 2018
-  Airbnb Letter: Delivered   
April 8th, 2018
-  Airbnb Letter: Sent   
April 2nd, 2018
-  1 Documented Stay  
March, 2018
- Listing hma321.663694.1211596 Reposted  
February 26th, 2018
- ✘ Listing hma321.663694.1211596 Removed  
February 21st, 2018
-  1 Documented Stay  
December, 2017
-  1 Documented Stay  
November, 2017
-  First Warning - No STR Permit: Delivered   
November 3rd, 2017
-  First Warning - No STR Permit: Sent   
October 27th, 2017
-  2 Documented Stays  
October, 2017
- ✓ Listing hma321.663694.1211596 Identified  
August 14th, 2017
-  1 Documented Stay  
August, 2017
-  2 Documented Stays  
July, 2017
-  1 Documented Stay  
June, 2017
-  2 Documented Stays  
May, 2017
-  3 Documented Stays

April, 2017

📅 1 Documented Stay  
March, 2017

📅 1 Documented Stay  
January, 2017

📅 2 Documented Stays  
October, 2016

📅 1 Documented Stay  
September, 2016

✳ Listing hma321.663694.1211596 First  
Crawled  
July 20th, 2016

● Listing hma321.663694.1211596 Reposted  
July 20th, 2016

✕ Listing hma321.663694.1211596 Removed  
July 19th, 2016

📅 1 Documented Stay  
May, 2016

📅 1 Documented Stay  
April, 2016

📅 1 Documented Stay  
December, 2015

📅 2 Documented Stays  
October, 2015

📅 1 Documented Stay  
September, 2015

📅 1 Documented Stay  
June, 2015

📅 2 Documented Stays  
April, 2015

📅 1 Documented Stay  
March, 2015

● Listing hma321.663694.1211596 First  
Activity  
March 14th, 2015

December 30, 2018 - 10:07AM America/Chicago

HomeAway



Trip Boards

Login

Help

List your property



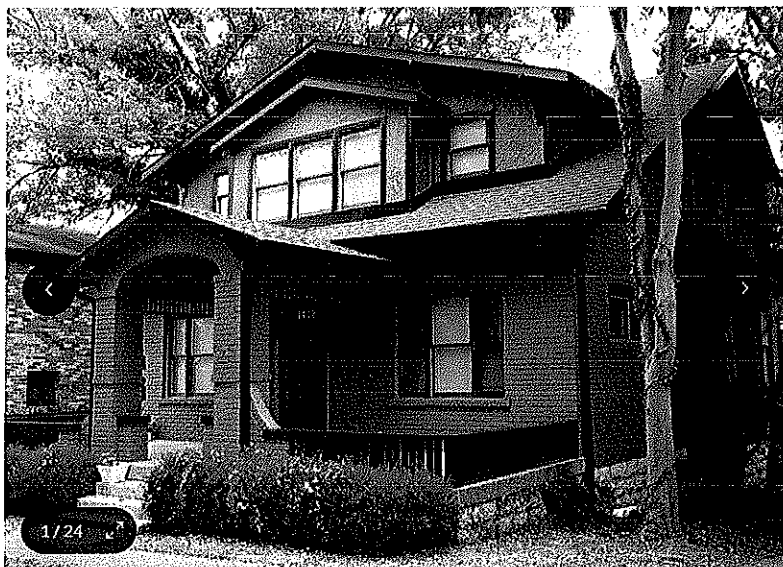
Dec 30, 2018 10:07am CT

Where  
Edgehill, Nashville, TN, USA

Check In

Check Out

Search



\$114 avg/night

★★★★★ 47 Reviews

Wonderful 4.8/5 - Good for families

Enter dates for accurate pricing

Check In

Check Out

Guests

Request to Book



Perry Herst

Ask Manager a Question

For booking assistance, call 888-640-7927

Property # 663694vb

Overview Amenities Reviews Map Rates & Availability

### Nice Music Row Apartment, A Mile from Downtown and Close to Everything Else!

Apartment - 800 sq. ft.

Edgehill, Nashville, TN, USA

Sleeps: 4

Bedrooms: 1

Bathrooms: 1

Min Stay: 3 nights

Good for families Air Conditioning No Smoking Internet

#### 1 Bedroom Apartment with Living Room and Nice Deck on Music Row

Located in a renovated 1911 Music Row Building, this refurbished 1 Br 1 Ba Apartment, on the quiet end of 17th Ave South, is a great place to hang your hat while visiting Music City. It is close to Vanderbilt, Belmont, Green Hills (The Bluebird), Hillsboro Village, the Studios and Downtown.

Furnished in country chic, with good parking, you will be feeling like the newest Country Music Star as soon as you cross the threshold.

#### Bedrooms

1 Bedroom

Sleeps 4

#### Master Bedroom

queen

#### Sitting Room

queen



Use Code  
BEST20  
Sitewide

VICI

Shop for all the festivities on your calendar with fully curated outfits - one stop shop!





The Sitting Room Sofa converts to a Queen Bed

There is a single Master Bedroom with a comfortable queen bed.

Property Manager



Perry Herst  
Member Since 2014

Ask Manager a Question

Speaks:  
English

Calendar last updated:  
Dec 29, 2018

View more about Perry Herst

Amenities

- Internet
- Satellite or Cable
- Heater
- Air Conditioning
- TV
- Children Welcome
- Washer & Dryer
- Parking

Bathrooms

1 Bathroom

Bathroom 1  
toilet, combination  
tub/shower, shower

Meals

Guests provide their own  
meals

General

- Telephone
- Washing Machine
- Towels Provided
- Air Conditioning
- Clothes Dryer
- Iron & Board
- Heating
- Parking
- Hair Dryer
- Linens Provided
- Internet
- Living Room

Kitchen

- Dishwasher
- Oven  
Electric Oven
- Pantry Items  
Limited Pantry items are on hand to  
get you started
- Refrigerator  
Refrigerator / Freezer
- Microwave
- Dishes & Utensils
- Stove  
Electric Stove
- Coffee Maker
- Kitchen  
There is a full fledged Kitchen, albeit  
a small one.
- Toaster

Dining

- Dining Area
- Dining
- comfy seating for 4 people

**Entertainment**

Television                      Satellite / Cable

**Outside**

Lawn / Garden                      Deck / Patio

**Suitability**

wheelchair inaccessible

**House Rules**

Check-in: 3:00 PM      Check-out: 10:00 AM

No parties/events

No smoking

No pets

Children allowed

Minimum age of primary renter: 26

Max occupancy: 4

**Cancellation Policy**

Canceled bookings will not receive a refund

**47 Reviews**

★★★★★ Wonderful 4.8/5



1 - 6 of 47



**Great Location, quiet, clean, lots of room for a 1 Bed, 1 Bath.**

5/5 ★★★★★ Stayed Nov 2018

Alan A.

When I stay in Nashville, I like to stay at this VRBO.

Submitted Nov 23, 2018

**Quiet Location with plenty to do a short walk away**

4/5 ★★★★★ Stayed Nov 2018

Jason E.

Property is split into 4 units with one 2 on the same level and one above all 3 units. Overall the unit was clean and functional as far as short term rentals go. Deducting one star due to the unannounced renovations going on in the unit above that woke us up at 8:30AM due to excessive noise.

Submitted Nov 5, 2018

Must be 18 or over

**MUSIC TO MY EARS ...**

5/5 ★★★★★ Stayed Oct 2018

Alan P.

Great Location - walk to shops restaurants on 21st Ave S., quiet ... everything as advertised and property manager very responsive.

Submitted Oct 28, 2018

**Charming place within walking distance to food, beer and music history (and 3 colleges)**

5/5 ★★★★★ Stayed Oct 2018

Rebecca P.

My husband and I stayed for a week for our second visit to Nashville. We are already talking about our next visit as there is so much to do and see here. Our apartment was on a quiet one-way street. There are 2 or 3 other apartments in this home. It was quiet and accessible. The manager (Trin) checked in by text at the time of our arrival, mid-week and day before we were leaving. We had no problems to address with this apartment. It was very clean! The kitchen was functional but we didn't use much more than the coffee maker, fridge, microwave and dishes etc. The bathroom was on the small side but functional. Towels were provided and there were more towels, blankets and pillows available in a closet. The bed was very comfortable and there is a TV in the bedroom as well as the living room. The couch in the living room was not super comfortable to sit on. It also was a sleeper sofa but we did not use it as such. There was a 4 person dining set (Tall bar style) we did not use this for dining as we dined out most of our stay. We decided not to rent a car so we did not utilize the parking that is available in back of house. Although a busy street, the bedroom in in back of unit and we were not bothered by any traffic noises. We were picked up by Uber or Lyft many times without difficulty. We also walked to many nearby restaurants, bars/taprooms. We walked to and from the Gulch and back from Broadway one night also. We felt safe and enjoyed the walks very much. This apartment was a great place to call home for our week in Nashville!

Submitted Oct 21, 2018

**The property was spacious, stylish, and comfortable! Close proximity to all main attractions!**

5/5 ★★★★★ Stayed Oct 2018

William G.

The apartment on Music Row was the perfect getaway to the city of Nashville. Within walking distance of local restaurants, Vanderbilt, and Belmont College. Only a 5-10 minute trip from the property to downtown! The interior of the apartment was well-equipped and stocked with minimum essentials. We had a fantastic time and would definitely stay in Perry's property again!

Submitted Oct 14, 2018

**Great place, great location.**

5/5 ★★★★★ Stayed Oct 2018

Greg J.

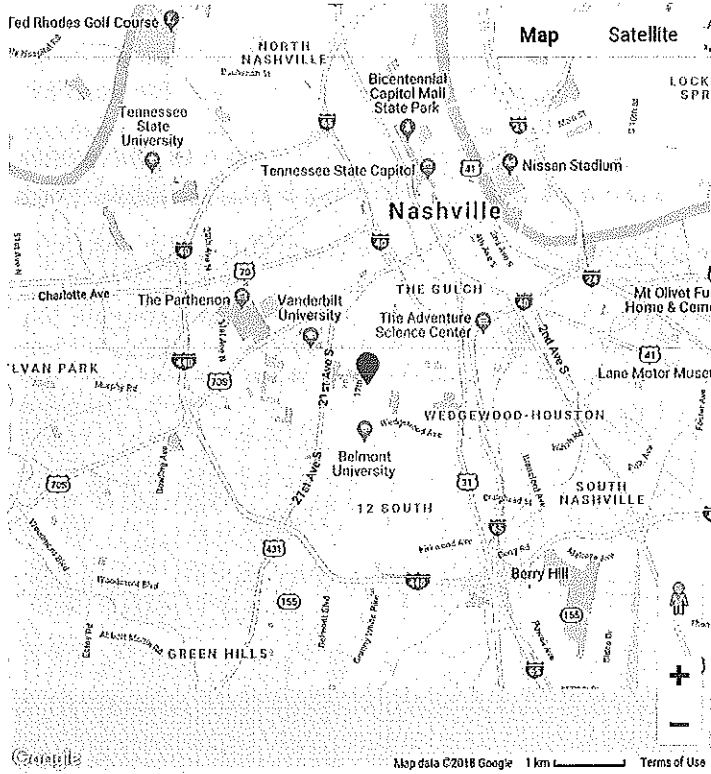
Very nice 1 bed, 1 bath in a great location. Very nice, quiet, neighborhood. Close to downtown but far enough away to avoid the crowds. Easy walk to Vanderbilt and to the Gulch areas. Plus There were lots of Lime and Bird scooters around for a motorized transit option. Trin, the local property manager, texted us every couple of days to see how things were going. The unit came with the typical appliances, including clothes washer/dryer which was very helpful. We highly recommend this property and we would definitely stay here again

Submitted Oct 8, 2018



1 - 6 of 47

**Map**



Edgehill, Nashville, TN, USA

### Rates & Availability

December 2018							January 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			2	3	4	5	
							150	150	150	150	150	150	
2	3	4	5	6	7	8	6	7	8	9	10	11	12
							150	150	150	150	150	150	150
9	10	11	12	13	14	15	13	14	15	16	17	18	19
							150	150	150	150	150	150	150
16	17	18	19	20	21	22	20	21	22	23	24	25	26
							150	150	150	150	150	150	150
23	24	25	26	27	28	29	27	28	29	30	31		
							150	150	150	150	150		

February 2019							March 2019						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2						1	2
					150	150						150	150
3	4	5	6	7	8	9	3	4	5	6	7	8	9
150	150	150	150	150	150	150	150	150	150	150	150	150	150
10	11	12	13	14	15	16	10	11	12	13	14	15	16
150	150	150	150	150	150	150	150	150	150	150	150	150	150
17	18	19	20	21	22	23	17	18	19	20	21	22	23
150	150	150	150	150	150	150	150	150	150	150	150	150	150
24	25	26	27	28			24	25	26	27	28	29	30
150	150	150	150	150			150	150	150	150	150	150	150
							31						
							150						

Taxes and fees are additional

#### Additional information about rental rates

Cleaning Fee	100
Property Damage Insurance	59

Music Row is leased under a short term lease. Payment can be made by VRBO / Homeaway, PayPal, Wire Transfer, or Check.

You might like these similar properties



122 avg/night



155 avg/night



197 avg/night



197 avg/night

Special Offers

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March 20, 2019

Metropolitan Board of Zoning Appeals  
C/O Ms. Emily Lamb, Zoning Chief  
Via [Emily.Lamb@nashville.gov](mailto:Emily.Lamb@nashville.gov)  
Metropolitan Codes Dept.

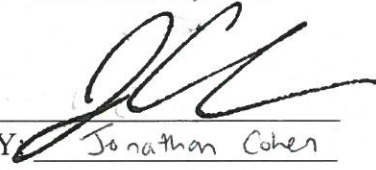
**RE: BZA Case #2019-101 (1402 17<sup>th</sup> Avenue South)**  
Application to RENEW Short Term Rental Permit

Dear BZA Members:

My company 17<sup>th</sup> and Horton, LLC owns the property at 1400 17<sup>th</sup> Avenue South, immediately adjacent to the property owned by Perry Herst. We have not experienced any problems and have no complaints regarding prior STR use. We have no objection to the requested renewal of the STR Permit.

Thank you.

**17<sup>th</sup> and Horton, LLC**

  
BY: Jonathan Cohen  
ITS: \_\_\_\_\_



March 20, 2019

Metropolitan Board of Zoning Appeals  
C/O Ms. Emily Lamb, Zoning Chief  
Via [Emily.Lamb@nashville.gov](mailto:Emily.Lamb@nashville.gov)  
Metropolitan Codes Dept.

**RE: BZA Case #2019-101 (1402 17<sup>th</sup> Avenue South)**  
Application to RENEW Short Term Rental Permit

Dear BZA Members:

My company Broker Title & Escrow, LLC operates its place of business next door to the property owned by Perry Herst. I know and respect Mr. Herst's property manager Trin Blakely. I have no objection and fully support a decision by the Board to allow Mr. Herst to continue operating part of his property for short term lodging. Music Row should have more such places.

Respectfully,

Greg Fairbette, Owner/Manager  
**Broker Title & Escrow, LLC**  
1404 17<sup>th</sup> Ave. S.  
Nashville, TN 37212

1404 17th Avenue South • Nashville, TN 37212  
Phone: 615.986.2213 • Fax: 615.329.3037 • Toll Free: 800.662.4734  
[www.brokertitle.com](http://www.brokertitle.com)



**From:** [Shawn R. Henry](#)  
**To:** [Lifsey, Debbie \(Codes\)](#)  
**Cc:** [Lamb, Emily \(Codes\)](#)  
**Subject:** RE: STR Case #101 - BZA Letter  
**Date:** Monday, April 1, 2019 1:08:57 PM

---

Emily and Debbie, as a result of the support letters from adjacent properties, Councilman Sledge has changed is position from opposed to neutral. This is from his newsletter:

“**Case 2019-101**: A short-term rental appeal at 1402 17th Ave S. has garnered support from the adjacent properties. Accordingly, I am **neutral** on this request.”

Thanks, Shawn  
615.244.2770  
*Tune, Entrekin & White, PC*

---

**From:** Shawn R. Henry  
**Sent:** Thursday, March 21, 2019 9:19 AM  
**To:** 'Lifsey, Debbie (Codes)' <Debbie.Lifsey@nashville.gov>  
**Cc:** 'Lamb, Emily (Codes)' <Emily.Lamb@nashville.gov>  
**Subject:** STR Case #101 - BZA Letter  
**Importance:** High

Debbie, I just received this. Please add to the file record for today.

Thanks, Shawn  
615.244.2770  
*Tune, Entrekin & White, PC*

**From:** John Toomey [<mailto:john@urbangrout.com>]  
**Sent:** Thursday, March 21, 2019 9:14 AM  
**To:** Shawn R. Henry <[shenry@tewlawfirm.com](mailto:shenry@tewlawfirm.com)>  
**Subject:** 1400 17th - BZA Letter

Shawn,

Good timing! They just sent the attached back. Please confirm receipt.

Glad to help.

JOHN E TOOMEY IV

Nashville Market Lead

[john@urbangrout.com](mailto:john@urbangrout.com)

615.933.1610

[www.urbangrout.com](http://www.urbangrout.com)

150 4th Ave N, Floor 22

Nashville, TN 37209

615.678.1022



Metropolitan Board of Zoning Appeals  
 Metro Howard Building  
 800 Second Avenue South  
 Nashville, Tennessee 37210

Appellant: Christopher Ulumenfo Date: 1-29-2019  
 Property Owner: Christopher Ulumenfo Case #: 2019-102  
 Representative: Christopher Ulumenfo Map & Parcel: 149070B01100CO  
 Council District: 28

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
 Activity Type: Short Term Rental  
 Location: 5161 Pebble Creek Dr.

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 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.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Christopher Ulumenfo Representative: Same  
 Phone Number: (615) 593-8256 Phone Number: \_\_\_\_\_  
 Address: 5161 Pebble Creek Dr. Address: \_\_\_\_\_  
Antioch, TN 37013  
 Email address: krismenfo@gmail.com Email address: hortonshane@comcast.net

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



**ZONING BOARD APPEAL / CAAZ - 20190005724**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 149070B01100CO APPLICATION DATE: 01/29/2019

**SITE ADDRESS:**

5161 PEBBLE CREEK DR ANTIOCH, TN 37013  
LOT 111 CANYON RIDGE PH 1

PARCEL OWNER: ULUMENFO, CHRISTOPHER & FATIMA

CONTRACTOR:

**APPLICANT:**

**PURPOSE:**

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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

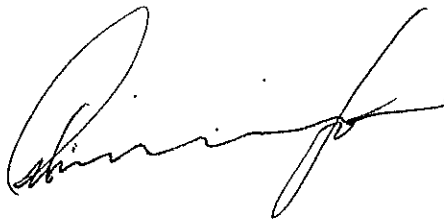
DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING--3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

## NOTICE

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

 1/29/19

Rental Unit Record

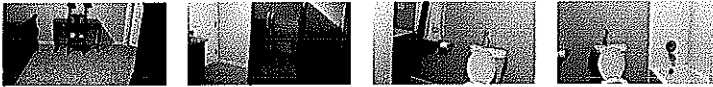
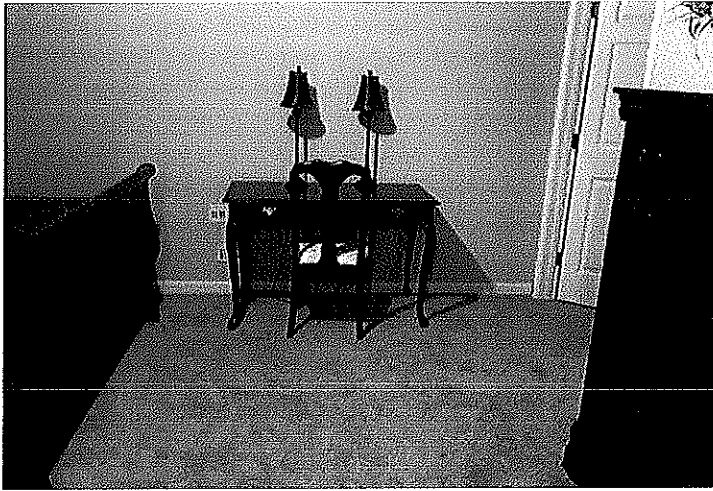
5161 Pebble Creek Dr, Antioch, TN 37013, USA

Removed X  
Identified ✓  
Compliant ✓

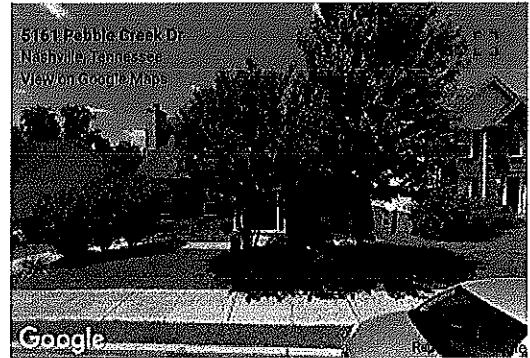
PRINT

Listing(s) Information

Airbnb - 24136182



Rental Unit Information



Identified Address

5161 Pebble Creek Dr, Antioch, TN 37013, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.071101, -86.649240

Parcel Number

149070B01100

Owner Name

ULUMENFO, CHRISTOPHER & FATIMA

Owner Address

5161 Pebble Creek Dr  
Antioch, TN 37013, US

Matched Details

Analyst: EGPL

Explanation: The zillow page for the address shows the same exterior and interior as the listing photos.

Listing Photos



The exterior is the same.

Matching 3rd Party Sources

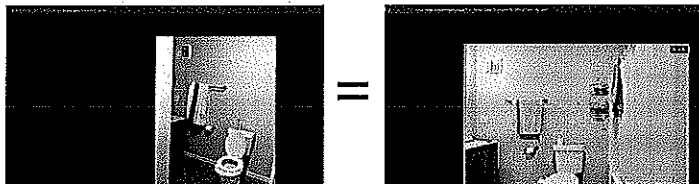


Timeline of Activity

View the series of events and documentation pertaining to this property

X Listing air24136182 Removed October 20th, 2018

The kitchen is the same.



The bathroom is the same.

Zip Code Match

City Name Match

### Listing Details

Listing URL	-- <a href="https://www.airbnb.com/rooms/24136182">https://www.airbnb.com/rooms/24136182</a>
Listing Status	● Inactive
Host Compliance Listing ID	-- air24136182
Listing Title	-- CUTIE HOME ANTIOCH
Property type	-- Guest suite
Room type	-- Private room
Listing Info Last Captured	-- Oct 16, 2018
Screenshot Last Captured	-- Oct 14, 2018
Price	-- \$33/night
Cleaning Fee	-- \$6

### Information Provided on Listing

Contact Name	-- Chris
Latitude, Longitude	-- 36.071691, -86.648690
Minimum Stay (# of Nights)	-- 1
Max Sleeping Capacity (# of People)	-- 2
Max Number of People per Bedroom	-- 2
Number of Reviews	-- 30
Last Documented Stay	-- 10/2018

Listing Screenshot History

View Latest Listing Screenshot

November 0

December 0

January 0

- Listing air24136182 Reposted  
October 18th, 2018
- ✕ Listing air24136182 Removed  
October 17th, 2018
- 📅 6 Documented Stays  
October, 2018
- ✔ First Warning - No STR or Tax: Delivered 📅  
October 12th, 2018
- ✔ First Warning - No STR or Tax: Sent 📅  
October 5th, 2018
- 📅 12 Documented Stays  
September, 2018
- ✔ Listing air24136182 Identified  
September 24th, 2018
- 📅 12 Documented Stays  
August, 2018
- ✳ Listing air24136182 First Crawled  
July 25th, 2018
- Listing air24136182 First Activity  
July 24th, 2018



October 14, 2018 - 11:30AM America/Chicago

Search

Become a host Help Sign up Log in

Oct 14, 2018 12:30pm CT



Share

Save

View Photos

PRIVATE ROOM IN GUEST SUITE

# CUTIE HOME ANTIOCH

Nashville



Chris

2 guests 1 bedroom 1 bed 1 private bath

### HOME HIGHLIGHTS

Great check-in experience - 95% of recent guests gave this home's check-in process a 5-star rating.

Helpful Not helpful

Brilliantly lighted rooms, baths, hall and kitchen for your pleasure. You got your IN and EXIT door to yourself-with you keeping your own key. Add to this, is well made and laid latest furniture sets that will take your breath away literally. You will love the well polished neighborhood and very friendly people of Antioch. Seeing is believing!

Read more about the space

Contact host

### Amenities

- Free parking on premises
- Iron
- Kitchen
- TV
- Wifi
- Hangers

Show all 15 amenities

### Sleeping arrangements

\$33 per night  
★★★★★ 29

Dates

Check in

→ Check out

Guests

1 guest

Book

You won't be charged yet

Report this listing

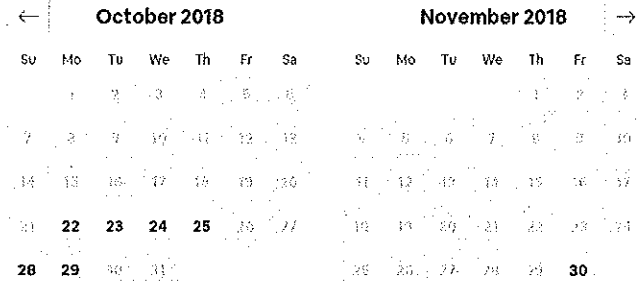


Common spaces

1 couch

Availability

Updated 1 day ago



29 Reviews ★★★★★

Search reviews

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check-In	★★★★★
Cleanliness	★★★★★	Value	★★★★★



Dawn · October 2018

It can sometimes be hard as a woman travelling alone, and I really appreciate the safe and comfortable spots I find. This was a nice and conveniently located Airbnb, with good wifi, nice hosts, and tons of space.



Kirsten · October 2018

If you are looking for a very budget friendly overnight this would be the place. I recommend this stay to a single or pair travelling. Details of the stay were provided the day of our arrival, there were no issues finding and entering the place. The accommodation was comfortable a...Read more



Jessica · October 2018

This space was much bigger than I expected. The host saw me arrive and the key wasn't working so she came down and helped me. I loved the privacy and the tv was great because I was traveling alone for the first time and was scared to be by myself so I kept the tv on at night. Eve...Read more



Lori · October 2018

Good location and good price. Nice to have entire lower level to yourself.



David · October 2018

My stay was great!!! Very private, clean. Great communication with my host when I had questions. Would definitely recommend this place to any future guests. The value on it was amazing.



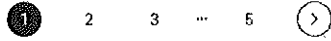
Kella And Bryan · September 2018

If I have one piece of advice with this listing, it's heed the advice of the other reviewers. You definitely get what you pay for. There was no issue finding the residence or parking and any communication we had with the host was fairly timely. However, upon arrival the problem... Read more



Alex · September 2018

Place was good. Host was nice and welcoming! Not close to downtown but overall good for the price and if you are looking for a quiet area.



### The neighborhood

Chris's home is located in Nashville, Tennessee, United States.

This neighborhood is quiet and the people very friendly. Highly lit at night with beautiful street lights.

[Read more about the neighborhood](#) ▾

Things to do in Nashville

#### Nearby landmarks

Nashville Zoo at Grassmere 5.9 mi

Exact location information is provided after a booking is confirmed.

### Hosted by Chris



Nashville, Tennessee, United States · Joined in March 2018

★ 29 Reviews

Friendly, Honest, Caring, Humorous and culturally unbiased.

[Contact host](#)

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

### Policies

#### House Rules

- No smoking
- Check-in is anytime after 12PM (noon)
- Check out by 11AM

[Read all rules](#) ▾

#### Cancellations

Flexible - Free cancellation for 48 hours  
After that, cancel up to 24 hours before check-in and get a full refund, minus the service fee.

[Read more about the policy](#) ▾

**Explore other options in and around Nashville**

*Maxine Cunningham, M.B.A.  
5164 Pebble Creek Drive  
Antioch, TN 37013-1870*

March 12, 2019

Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety  
P O Box 196300  
Nashville, TN 37219-6300

RE: Appeal Case #2019-102  
5161 Pebble Creek Drive  
Map Parcel: 149070B01100CO  
Zoning Classification: R10  
Council District: 28

Dear Sir/Madam:

This letter is written in response to a notice received by me pertaining the above reference property that is appealing an earlier decision by your board to not grant a short term rental permit. As the owner of my property, I am submitting my disapproval that this permit be granted due to the current property owner's previous action of utilizing the property at 5161 Pebble Creek Drive as a short term rental without receiving the proper permit.

Our community is one where we know a large majority of our neighbors and we are concerned that the granting of this permit will be disruptive as well as the possibility of property values might result in a decrease. This particular parcel has undergone several changes in ownership in the 14 years I have owned my home and would like to see some stability with the resident(s) of this property instead of its use as a short term rental.

I appreciate the opportunity provided to me to express my opposition to the appellant's appeal.

Sincerely,

  
Maxine Cunningham, MBA

**Lifsey, Debbie (Codes)**

---

**From:** Harper, Clint (Codes)  
**Sent:** Monday, March 18, 2019 9:15 AM  
**To:** Shepherd, Jessica (Codes)  
**Subject:** FW: Short Term Rental (STR)

*Clint Harper*  
*Zoning Examiner*  
*615-862-6621*

---

**From:** Valery Fletcher [mailto:Valery.Fletcher@tn.gov]  
**Sent:** Friday, March 15, 2019 2:53 PM  
**To:** Harper, Clint (Codes)  
**Subject:** Short Term Rental (STR)

Hi Mr. Harper 😊

My name is Valery Fletcher and I live at 5180 Pebble Creek Drive, (across the street from 5161 Pebble Creek Dr.) The appeal case # is 2019-102.

I strongly oppose the permit for a short term rental for the following reasons:

1. This is a residential neighborhood, not a business district. This residential neighborhood is on the outskirts and sandwiched between downtown, Music City Nashville and the increasingly busy Murfreesboro Rd/Hickory Hollow area. Our Neighborhood/Subdivision and street has a wide range of demographics from children to elderly. It is a walking district, very family oriented , uncluttered and safe. STRs would open up Pandora's box for a crowded, touristy, high traffic, unsafe community.
2. This particular street (Pebble Creek Dr.) is already a "thru". It is the connector between the busy Murfreesboro Rd. and Una Antioch Pike. It is the street that traffickers use to get to one side or the other. Therefore,the traffic on Pebble Creek is already constant 7 days a week. Also, on this end of Pebble Creek Dr., the only sidewalk is on the same side where the request for the STR permit is being made. That side is the only safe side for residents (adults & children) on Pebble Creek to utilize for walking, playing and riding tricycles.
3. The cause and effect of short term rentals result in communities no longer being affordable for families with medium to lower income.

Nashville is one of the fastest growing cities in the United States. Our construction and building is greater than 95% of all the cities in the US. Please consider this opposition in respect of maintaining and preserving nice,affordable, safe, family- friendly communities.

Sincerely,

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Metropolitan Board of Zoning Appeals  
 Metro Howard Building  
 800 Second Avenue South  
 Nashville, Tennessee 37210

Appellant: Sunny Meadows, LLC Date: 2-4-2019  
 Property Owner: Sunny Meadows, LLC Case #: 2019-111  
 Representative: Kevin Henderson Map & Parcel: 092.30005.00  
 Council District: 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:


Purpose: To obtain a STRP permit  
 Activity Type: Short Term Rental  
 Location: 3902 Park Ave.

This property is in the RS5 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Operating without a permit. 2.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Sunny Meadows Representative: Kevin Henderson  
 Phone Number: (615)708-9853 Phone Number: (615)866-7297  
 Address: 3902 Park Ave Address: 116 Brookfield Ave  
Nashville, TN 37209 Nashville, TN 37205  
 Email address: James.matthews@sunnymeadows.tlc.com Email address: kevin@hrg-realty.com 

Appeal Fee: \$100.00



## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING / NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for this request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of a non-conforming or non-complying structure, it is your job to explain to the Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

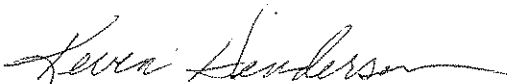
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.



APPELLANT



DATE

Dashboard

Rental Unit Record

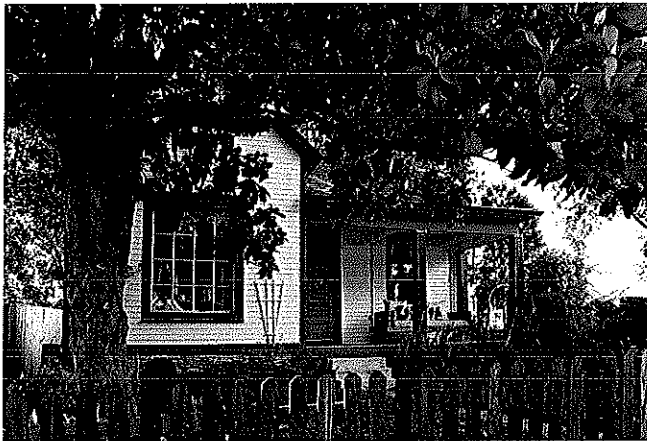
3902 Park Ave, Nashville, TN 37209, USA

Removed X  
Identified ✓  
Compliant ✓

PRINT

Listing(s) Information

Airbnb - 18997460



Rental Unit Information



Identified Address

3902 Park Ave, Nashville, TN 37209, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.151650, -86.832815

Parcel Number

09213000500

Owner Name

SUNNY MEADOWS LLC

Owner Address

1418 Lady Nashville Ct  
Hermitage, TN 37076, US

Registration / Permit Number

504145

Timeline of Activity

View the series of events and documentation pertaining to this property

Matched Details

Analyst

RS9Y

Explanation

I located a matching property on Google streetview and found a matching real estate listing at Realtor.com

Listing Photos



Exterior of the house is a match.


Matching 3rd Party Sources



The living room with high ceilings and crown moulding, the brick fireplace with windows on either side are a match.



X Listing air18997460 Removed

 Zip Code Match

 City Name Match

**Listing Details**

**Listing URL** - <https://www.airbnb.com/rooms/18997460>

**Listing Status** ● Inactive

**Host Compliance Listing ID** - air18997460

**Listing Title** - Historic Home & Garden with Modern Renovation!

**Property type** - House

**Room type** - Entire home/apt

**Listing Info Last Captured** - Feb 18, 2018

**Screenshot Last Captured** - Feb 26, 2018

**Price** - \$180/night

**Cleaning Fee** - \$150

**Information Provided on Listing**

**Contact Name** - Ashley

**Latitude, Longitude** - 36.150727, -86.831631

**Minimum Stay (# of Nights)** - 1


**Max Sleeping Capacity (# of People)** - 8

**Max Number of People per Bedroom** - 2.7

**Number of Reviews** - 21










**Last Documented Stay** - 02/2018

**Listing Screenshot History**

 [View Latest Listing Screenshot](#)



February 3rd, 2019

- Listing air18997460 Reposted  
January 22nd, 2019
- ✕ Listing air18997460 Removed  
February 25th, 2018
- ✔ First Warning - No STR or Tax: Delivered  
February 16th, 2018 
-  2 Documented Stays  
February, 2018
- ✔ First Warning - No STR or Tax: Sent  
February 10th, 2018 
-  1 Documented Stay  
January, 2018
-  5 Documented Stays  
December, 2017
-  2 Documented Stays  
November, 2017
-  3 Documented Stays  
October, 2017
-  4 Documented Stays  
September, 2017
- ✔ Listing air18997460 Identified  
August 7th, 2017
-  4 Documented Stays  
July, 2017
- ✱ Listing air18997460 First Crawled  
June 3rd, 2017
- Listing air18997460 First Activity  
June 2nd, 2017



## Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Cody Lafever Date: 2-7-2019  
 Property Owner: Cody & Austin Lafever Case #: 2019-118  
 Representative: Cleveland Bain Map & Parcel: 16110000700  
 Council District: 27

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
 Activity Type: Short Term Rental  
 Location: 626 Huntington Pkwy.

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 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.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Cody Lafever Representative: Cleveland Bain  
 Phone Number: \_\_\_\_\_ Phone Number: 615 942-6812  
 Address: 626 Huntington Pkwy. Address: 4800 Charlotte Ave.  
Nashville, TN 37211 Nashville, TN 37209  
 Email address: \_\_\_\_\_ Email address: cleveland@westnashvillelaw.com

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3602125

ZONING BOARD APPEAL / CAAZ - 20190007854  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 16110000700

APPLICATION DATE: 02/07/2019

## SITE ADDRESS:

626 HUNTINGTON PKWY NASHVILLE, TN 37211  
LOT 65 HUNTINGTON PARK SEC. 1

PARCEL OWNER: LAFEVER, CODY &amp; AUSTIN

CONTRACTOR:

## APPLICANT:

## PURPOSE:

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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING--3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

*x Nora El-Chaer*  
\_\_\_\_\_  
Nora El-Chaer

2-7-2019



Rental Unit Record

# 626 Huntington Pkwy, Nashville, TN 37211, USA

Active   
Identified   
Compliant

PRINT

### Listing(s) Information

Airbnb - 27463080    Airbnb - 27549211    HomeAway - 121.7220503.6420722



### Rental Unit Information



#### Identified Address

626 Huntington Pkwy, Nashville, TN 37211, USA

#### Identified Unit Number

None

#### Identified Latitude, Longitude

36.048678, -86.733441

#### Parcel Number

16110000700

#### Owner Name

LAFEVER, CODY & AUSTIN

#### Owner Address

626 Huntington Pkwy  
Nashville, TN 37211, US

### Matched Details

Analyst

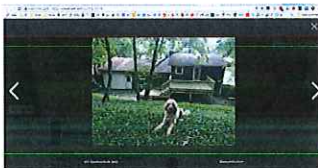
UOZO

#### Explanation

Interior and exterior photos from the listing match Redfin listing for the addressInterior and exterior photos from the listing match Zillow listing for the addressThe home is in the target area and matches listing descriptionThe host/owner name matches property records

#### Listing Photos

#### Matching 3rd Party Sources



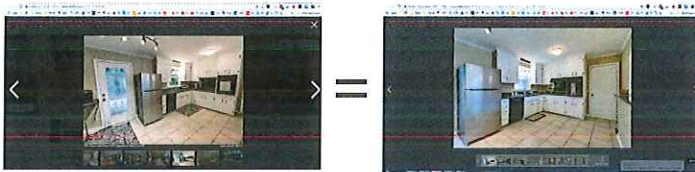
Identical exterior. Same deck. Same door and windows. Same trim. Same roof. Same satellite dish.

#### Timeline of Activity

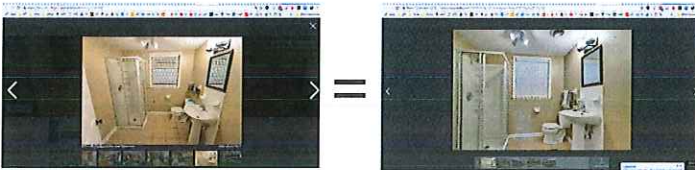
View the series of events and documentation pertaining to this property

**X** Listing hma121.7220503.6420722  
Removed  
February 7th, 2019





Same kitchen. Same cabinets, floor, dishwasher, fridge, window, light fixtures.



Same bathroom.

Zip Code Match

Owner Name Match

City Name Match

**Listing Details**

Listing URL	- <a href="https://www.airbnb.com/rooms/27463080">https://www.airbnb.com/rooms/27463080</a>
Listing Status	● Active
Host Compliance Listing ID	- air27463080
Listing Title	- Convenient Private Room in Nashville. Close to DT!
Property type	- House
Room type	- Private room
Listing Info Last Captured	- Feb 07, 2019
Screenshot Last Captured	- Dec 18, 2018
Price	- \$50/night
Cleaning Fee	- \$20

**Information Provided on Listing**

Contact Name	- Cody
Latitude, Longitude	- 36.048396, -86.732808
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 2
Max Number of People per Bedroom	- 2
Number of Reviews	- 12
Last Documented Stay	- 11/2018

Listing Screenshot History

View Latest Listing Screenshot

- ✗ Listing air26686134 Removed February 7th, 2019
- Listing air26686134 Reposted February 5th, 2019
- Listing air27463080 Reposted February 5th, 2019
- Listing air27549211 Reposted February 5th, 2019
- ✗ Listing air26686134 Removed February 3rd, 2019
- ✗ Listing air27463080 Removed February 3rd, 2019
- ✗ Listing air27549211 Removed February 3rd, 2019
- Listing air26686134 Reposted January 22nd, 2019
- Listing air27463080 Reposted January 22nd, 2019
- Listing air27549211 Reposted January 22nd, 2019
- Listing hma121.7220503.6420722 Reposted January 22nd, 2019
- ✗ Listing hma121.7220503.6420722 Removed December 29th, 2018
- ✗ Listing air26686134 Removed December 22nd, 2018
- ✗ Listing air27463080 Removed December 22nd, 2018
- ✗ Listing air27549211 Removed December 22nd, 2018
- First Warning - No STR or Tax: Sent December 10th, 2018
- 3 Documented Stays November, 2018
- First Warning - No Tax Reg: Delivered November 18th, 2018
- First Warning - No Tax Reg: Sent November 13th, 2018
- 7 Documented Stays October, 2018
- Listing air26686134 Reposted October 11th, 2018
- ✗ Listing air26686134 Removed October 10th, 2018
- 11 Documented Stays September, 2018
- ✓ Listing air27463080 Identified September 24th, 2018
- ✓ Listing air27549211 Identified September 24th, 2018

December 5

January 0

February 0

✓ Listing hma121.7220503.6420722 Identified  
September 24th, 2018

✓ Listing air26686134 Identified  
September 24th, 2018

📅 11 Documented Stays  
August, 2018

✳ Listing air27549211 First Crawled  
August 10th, 2018

✳ Listing hma121.7220503.6420722 First  
Crawled  
August 7th, 2018

● Listing air27549211 First Activity  
August 7th, 2018

● Listing hma121.7220503.6420722 First  
Activity  
August 6th, 2018

✳ Listing air27463080 First Crawled  
August 5th, 2018

● Listing air27463080 First Activity  
August 5th, 2018

📅 1 Documented Stay  
July, 2018

✳ Listing air26686134 First Crawled  
July 9th, 2018

● Listing air26686134 First Activity  
July 7th, 2018

December 18, 2018 - 09:00PM America/Chicago



Search

Become a host Help Sign up Log i

Dec 18, 2018 9:00pm CT



Share Save

View Photos

PRIVATE ROOM IN HOUSE

### Convenient Private Room in Nashville. Close to DT!

Nashville

2 guests 1 bedroom 1 bed 2 shared baths

HOME HIGHLIGHTS

Great check-in experience - 100% of recent guests gave this home's check-in process a 5-star rating.

Helpful · Not helpful

Self check-in - Check yourself in with the smartlock.

Helpful · Not helpful

Cody is a Superhost - Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Helpful · Not helpful



Cody

\$50 per night

★★★★★ 12

Dates

Check in → Check out

Guests

1 guest

Book

You won't be charged yet

Report this listing

Private room in a spacious house in a very safe neighborhood. There are two full bathrooms, a fully equipped kitchen, and a living room with cable/TV/wifi/etc which are shared spaces. The house is about ten minutes from the airport and about ten minutes outside of downtown Nashville.

Read more about the space

Contact host

Amenities

- Free parking on premises
- Wifi
- Kitchen
- Iron

Show all 16 amenities



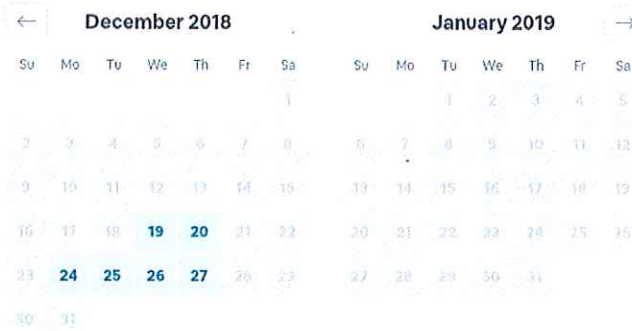
Sleeping arrangements



Bedroom 1  
1 king bed

Availability

Updated 1 month ago



12 Reviews ★★★★★

Search reviews

- Accuracy ★★★★★
- Communication ★★★★★
- Cleanliness ★★★★★
- Location ★★★★★
- Check-in ★★★★★
- Value ★★★★★

Jennifer  
October 2018

Cody's place is SO homey!! He is so quick to communicate and his home was so clean which was a plus for me! I came in town for a work trip and it was nice to come back and relax at such a nice spot! Will book again!

C  
September 2018

This home is a lovely gem outside the bustling downtown Nashville. Our room was stylish, clean and furnished for a comfortable stay. Would come back and recommend to others.

Trevor  
September 2018

Great location, tons of space. I brought my dog with and there's a nice back yard for him to run around. Would highly recommend

David  
August 2018

Cody's place was amazing! He was prompt with his responses and his place was as shown in the pictures. Clean, stylish, spacious! Cody was so hospitable and also provided us with local places to visit! The neighborhood is quiet and safe! Entry in and out the house was easy! Clean ...[Read more](#)

Pengfei  
August 2018

Great experience. Cody is quick at giving us instructions and the place is stylish and cleaning.



**Don**  
September 2018

Cody's place is great! Very Clean and Decor is nice just as described Great Stay



**Daniel**  
September 2018

Great place to stay. It was clean and everything. No issues at all.



### Hosted by Cody

Nashville, Tennessee, United States · Joined in June 2017



★ 33 Reviews ✨ Verified

**Cody is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

I am a Nashville Native born and raised. I work downtown and I will make your trip to Nashville the best possible! I can certainly suggest the best spots and help you in any way I can. I love Nashville very much and it's a great city to visit. I will be as hands on or hands off o...[Read more](#)

Response rate: 100%

Response time: **within an hour**

[Contact host](#)

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

### The neighborhood

Cody's home is located in Nashville, Tennessee, United States.

The neighborhood is very safe and conveniently located about ten minutes outside of downtown Nashville. The house is about ten minutes from the airport. There are plenty of bars, restaurants, and shops just within a few miles.

[Read more about the neighborhood](#) ▾

#### Nearby landmarks

- Nashville Zoo at Grassmere 4.2 mi
- Radnor Lake State Park 6.0 mi

Exact location information is provided after a booking is confirmed.

### Policies

**House Rules**

No smoking, parties, or events  
Check-in is anytime after 3PM and check out by 12PM (noon)  
Self check-in with smart lock

**Cancellations**

**Flexible - Free cancellation for 48 hours**  
After that, cancel up to 24 hours before check-in and get a full refund, minus the service fee.

[Read more about the policy](#) ▾

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Kim Watkins Date: 2-14-19  
Property Owner: Aerial Global, LLC Case #: 2019-133  
Representative: Kim Watkins Map & Parcel: 94-2-201

Council District 6

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance for operation of shop without permit.

Activity Type: Short Term Rental

Location: 805 S 19th St.

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Operation without Permit

Section(s): 17.16.250 (E)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Brittanie Turner  
Appellant Name (Please Print)

Kim Watkins  
Representative Name (Please Print)

805 S 19th St  
Address

150 3rd Ave S Ste 1800  
Address

Nashville TN 37206  
City, State, Zip Code

Nashville TN 37206  
City, State, Zip Code

615-829-4467  
Phone Number

615-693-2207  
Phone Number

Michael@aerial.com  
Email

Kim@aerial.com  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \$100.00





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3604374

**ZONING BOARD APPEAL / CAAZ - 20190009305  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 09402020100

APPLICATION DATE: 02/14/2019

**SITE ADDRESS:**

805 S 19TH ST NASHVILLE, TN 37206  
PT LOT 86 UNITED ELECTRIC RAILWAY

PARCEL OWNER: AERIAL GLOBAL, LLC

CONTRACTOR:

**APPLICANT:****PURPOSE:**

requesting variance for operation of short term rental without permit.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

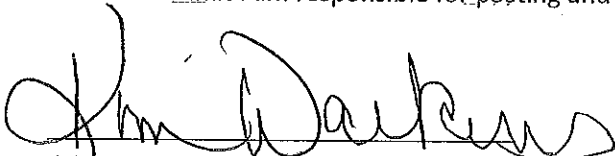
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

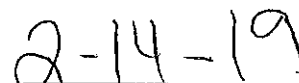
**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
**APPELLANT**

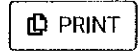
  
**DATE**



Rental Unit Record

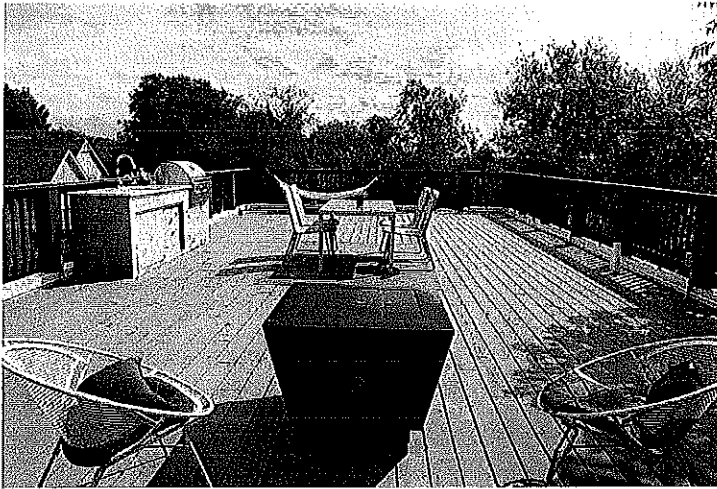
805 S 19th St, Nashville, TN 37206, USA

Removed X  
Identified ✓  
Compliant ✓



Listing(s) Information

Airbnb - 28860490



Rental Unit Information



Identified Address

805 S 19th St, Nashville, TN 37206, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.166408, -86.738074

Parcel Number

09402020100

Owner Name

AERIAL GLOBAL, LLC

Owner Address

521 5th Ave S  
Nashville, TN 37203, US

Matched Details

Analyst

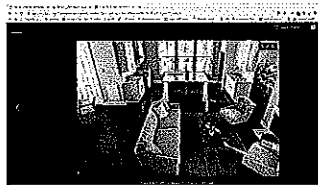
CK0G

Explanation

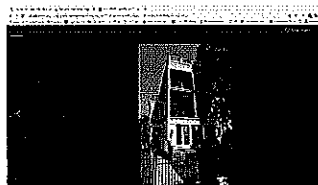
The listing photo of the kitchen and living room matches a photo on Zillow. The listing photo of the exterior matches a photo on Zillow.

Listing Photos

Matching 3rd Party Sources



The living room and kitchen are identical.



Timeline of Activity

View the series of events and documentation pertaining to this property

X Listing air28860490 Removed  
February 14th, 2019

The exterior matches.

Zip Code Match

Owner Name Match

City Name Match

### Listing Details

Listing URL	- <a href="https://www.airbnb.com/rooms/28860490">https://www.airbnb.com/rooms/28860490</a>
Listing Status	● Inactive
Host Compliance Listing ID	- air28860490
Listing Title	- The Johnny Cash House*
Property type	- House
Room type	- Entire home/apt
Listing Info Last Captured	- Nov 25, 2018
Screenshot Last Captured	- Nov 26, 2018
Price	- \$499/night
Cleaning Fee	- \$250

- Listing air28860490 Reposted February 5th, 2019
- ✕ Listing air28860490 Removed February 3rd, 2019
- Listing air28860490 Reposted January 22nd, 2019
- ✕ Listing air28860490 Removed November 29th, 2018
- ✔ First Warning - No STR or Tax: Delivered November 19th, 2018
- 📅 1 Documented Stay November, 2018
- ✔ First Warning - No STR or Tax: Sent November 13th, 2018
- ✔ Listing air28860490 Identified November 10th, 2018
- ✳ Listing air28860490 First Crawled October 9th, 2018
- Listing air28860490 Reposted October 9th, 2018
- ✕ Listing air28860490 Removed September 28th, 2018
- Listing air28860490 First Activity September 26th, 2018

### Information Provided on Listing

Contact Name	- Aerial BNB
Latitude, Longitude	- 36.167201, -86.737724
Minimum Stay (# of Nights)	- 2
Max Sleeping Capacity (# of People)	- 15
Max Number of People per Bedroom	- 3.8
Number of Reviews	- 1
Last Documented Stay	- 11/2018

### Listing Screenshot History

View Latest Listing Screenshot

December

January

February



## METROPOLITAN COUNCIL

Member of Council

March 20, 2019

Board of Zoning Appeals

**Re: April 4, 2019 Agenda – Case Number 2019-133  
805 S. 19th Street, Aerial Global, LLC**

Dear Board Members,

I am writing to encourage you to deny the Item A appeal in case number 2019-133. The information I see online in the BZA Tracker is that the owner, Aerial Global, LLC, seeks to be allowed to operate an owner-occupied short-term rental despite having failed to first obtain a permit.

As an initial matter, I don't understand how a limited liability company could be allowed a short-term rental permit at all on this property, which is zoned RS5. My understanding is that, since January 2018, the law in Nashville has been that limited liability companies are specifically not allowed to obtain owner-occupied permits.

Setting that issue aside, I would urge that no leniency be given to this owner in any way. I am the one who drafted the bill amendment requiring owner-occupied short-term rentals to be owned by natural persons. I drafted that amendment and got it passed specifically in response to the Aerial family of companies (and others) that are active in East Nashville.

After checking permit information and information available through the Tennessee Secretary of State, my conclusion in 2017 was that I felt like the Aerial family of companies was intentionally seeking to maneuver around existing short-term rental laws. Specifically, my research made me feel like there was an active intent to create multiple LLCs with Aerial employees as minority owners as a method to apply for owner-occupied short-term rental permits. I'm sure that whoever runs Aerial would deny any bad intent. But I offer this background for your consideration and as my explanation about why I urge that this appeal be denied.

Please know that before sending this letter, I checked to make sure this current owner is related to the Aerial entities that motivated my amendment to BL -608. It is related. Since May 2018 (a few months after -608 passed), the registered agent of Aerial Global, LLC, has been listed as Aerial Development Group, LLC, at an address on 3rd Avenue South. Prior to May 2018,

One Public Square, Suite 204  
Nashville, Tennessee 37219

March 20, 2019

Page 2

the Secretary of State's web site says that the registered agent was an individual with an address on 5th Avenue South. The 5th Avenue South address was also used by the other Aerial entities that had previously motivated the legislation requiring that LLCs cannot obtain owner-occupied permits.

In my opinion, there is a track record of intentionally seeking to find and exploit gray areas, even if they are clearly contrary to the spirit of the law. Given this, when they find themselves squarely on the wrong side of a rule, there should be no leniency.

Thank you for all you do for Nashville. Please deny this appeal.

Very truly yours,



Metro Council, At-Large Member

cc: Council Member Brett Withers



**From:** [J.P. Harris](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Withers, Brett \(Council Member\)](#)  
**Subject:** Re: 805 S. 19th St. STR appeal (case #2019-133)  
**Date:** Thursday, March 21, 2019 10:09:22 AM

---

To whom it may concern-

This is JP Harris, owner and occupant of 701 S. 16th St, 37206. As I will not be able to attend the hearing, I am writing to voice my concern over case #2019-133, the appeal of Aerial Global LLC for an STR permit.

As a long term resident of Shelby Hills, I have directly suffered from this company's building projects in my immediate area, including disrespectful building practices and an unresponsive series of "project managers," unmanaged construction debris on the streets, roads blocked by inconsiderate contractors hired by Aerial, unaddressed damage done to my own property, improperly managed silt and runoff control resulting in unsafe road conditions, and much more.

As a builder myself, I can say that the manner in which this company has worked over the last four years in my neighborhood has proven their lack of respect for the existing residents, an unwillingness to address issues related to their properties, and a disregard for Metro Nashville zoning, building, and permit regulations. I am voicing my strong opposition to granting this case an STR permit.

Thanks you for your time- JP Harris

--

*J.P. Harris*  
*P.O. Box 68374*  
*Nashville, TN 37206*  
[www.ilovehonkytonk.com](http://www.ilovehonkytonk.com)

*"Best 100 Albums of 2018" -Paste Magazine*

*"AmericanaFest 2018: Best See-You-Next-Year Event, JP Harris' Sunday Morning Coming Down" -Rolling Stone*

*"AmericanaFest 2017: 20 Best Things We Saw" -Rolling Stone*

*"Fall 2014's 20 Must-See Country Tours and Festivals" -Rolling Stone*

*"SXSW 2015: 21 Country-Music Artists You Need To See" -Rolling Stone*

*"Best Country Album of 2012" -The Nashville Scene*

[www.instagram.com/ilovehonkytonk](http://www.instagram.com/ilovehonkytonk)

[www.facebook.com/pages/JP-Harris-The-Tough-Choices/141711162547457](http://www.facebook.com/pages/JP-Harris-The-Tough-Choices/141711162547457)

**From:** [Withers, Brett \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Michael, Jon \(Codes\)](#); [Braisted, Sean \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#); [shenry@tewlawfirm.com](mailto:shenry@tewlawfirm.com); [abrasivejms@gmail.com](mailto:abrasivejms@gmail.com); [mhatchett@r2studio.com](mailto:mhatchett@r2studio.com); [adam@doubleadevelopment.com](mailto:adam@doubleadevelopment.com)  
**Subject:** Summary email on District 6 items on tomorrow's BZA agenda  
**Date:** Wednesday, April 3, 2019 4:42:10 PM

---

Members of the Board of Zoning Appeals:

I wanted to send you a quick email about the District 6 items on tomorrow's meeting agenda. Please accept this email in lieu of a formal letter. I apologize for my delay as the Metro Council has been quite engaged with constituent and Departmental emails regarding cherry trees . . . .

Case 2019-148 is a sidewalk variance request for property located at 921 Gallatin Ave. I support the Planning staff recommendation on this case and it is my understanding that the applicant agrees to those conditions. These sidewalks are in good shape and were constructed by Metro a few years ago and this is a renovation permit for a small portion of this existing building. If everyone is amenable to supporting the staff recommendation, I recommend placing this item on the consent agenda.

Case 2019-133 is a STR case for property located at 805 S 19th Street in the Shelby Hills neighborhood. I do not support this appeal as the applicant is not a natural person and is ineligible for a Type I permit. Council Member At Large Bob Mendes has already submitted a letter to you in opposition to this case and has articulated clearly his reasons for opposing this case. Several neighbors have also written or contacted me in opposition to this appeal. I cannot see a way of curing this issue unless the property is sold to a natural person who lives on site who could then start over with a fresh application for a Type I permit.

Thank you for your hard work in serving our county.

**Brett A. Withers**

Metro Council, District 6

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