

DOCKET

5/2/2019

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

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

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

PROPOSED CHANGE TO RULE 6(D)

Consideration of a change to BZA Rule 6(D) which currently requires all case documents to be submitted no later than Noon the Monday prior to a public hearing. The proposed revision would require documents to be submitted by close of business on the Thursday (1 week) prior to the hearing.

CASE 2019-079 (Council District - 20)

COLLINS, JAMES CHARLES, appellant and owner of the property located at **6503 PREMIER DR**, requesting a variance from lot size requirements in the R10 District, to construct a second house on the property. 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 10204007900

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 2019-141 (Council District - 1)

BRITTNEY FITZGERALD, appellant and **WEATHERSBY, CALPURNIA P.**, owner of the property located at **4243 EATONS CREEK RD**, requesting a special exception for a day care home in the RS15 District, to open a day care home. Referred to the Board under Section 17.16.170.C. 1 thru 7. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Daycare

Map Parcel 05813000100

RESULT -

CASE 2019-174 (Council District - 24)

WERTS, MARGARET G. & ERNEST DAY, appellant and owner of the property located at **3600 CHALMETTE CT**, requesting a variance from setback requirements in the RS20 District, to enclose an existing rear patio. Referred to the Board under Section 17.12.020.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Single Family

Map Parcel 117010C00100CO

RESULT –

CASE 2019-177 (Council District - 19)

ROGERS JACKSON, appellant and **BARS, BRADLEY JOSEPH**, owner of the property located at **1716 A NASSAU ST**, requesting a variance from sidewalk requirements in the R6-A District, to build two single family homes 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 081083N00100CO

RESULT –

CASE 2019-178 (Council District - 7)

TYLER THOMSON, appellant and **HARMONY HOMES OF TENNESSEE, LLC**, owner of the property located at **1612 CAHAL AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family houses without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Single Family

Map Parcel 07214028600

RESULT -

CASE 2019-179 (Council District - 14)

LEO MORENO, appellant and **MEDINA, GALILEO JUAN CARLOS MORENO**, owner of the property located at **4057 MILLS RD**, requesting a variance from floor area ratio requirements in the R8 District, to construct a garage. Referred to the Board under Section 17.12.050.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09700006502

RESULT -

CASE 2019-180 (Council District - 19)

JEFF STROMATT, appellant and **NEW LEVEL COMMUNITY DEVELOPMENT CORPORATION**, owner of the property located at **1001 11TH AVE N**, requesting a variance from sidewalk requirements in the RS3.75, MDHA-PJ, OV-UZO 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 08116056800

RESULT -

CASE 2019-181 (Council District - 17)

JEFF STROMATT, appellant and **NEW LEVEL COMMUNITY DEVELOPMENT CORPORATION**, owner of the property located at **34 SHEPARD ST**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family home 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 10504011900

RESULT –

CASE 2019-182 (Council District - 17)

ELLIOTT DEVELOPERS, appellant and **BUCHANAN, SAMUEL ET AL**, owner of the property located at **16 CLAIBORNE ST**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family houses without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two Family

Map Parcel 10504001000

RESULT -

CASE 2019-183 (Council District - 21)

OGGS, JASON, appellant and owner of the property located at **1000 43RD AVE N**, requesting a variance from sidewalk 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. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09108008600

RESULT -

CASE 2019-187 (Council District - 24)

LANDON DEVELOPMENT GROUP, LLC, appellant and owner of the property located at **5813 VINE RIDGE DR**, requesting a variance from sidewalk requirements in the RS40 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 10309009900

RESULT - Withdrawn

CASE 2019-189 (Council District - 6)

L & E PROPERTIES DEVELOPERS & CONTRACTORS, INC, appellant and owner of the property located at **2114 & 2116 GREENWOOD AVE**, requesting a variance from height requirements in the R6 District, to allow the continued legal use of the existing residences as constructed. Referred to the Board under Section 17.12.050.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 083033F00200CO

RESULT -

Map Parcel 083033F00100CO

CASE 2019-191 (Council District - 17)

GABRIAL SCOTT, appellant and **WARNER, TREGLOWN PATTON**, owner of the property located at **901 12TH AVE S**, requesting a variance from sidewalk requirements in the CS District, to convert an existing building into a restaurant without building sidewalks. 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 10501008900

RESULT -

CASE 2019-192 (Council District - 20)

DIGNITY, LLC, appellant and owners of the property located at **545 WESTBORO DR** and **6300 THUNDERBIRD DR**, requesting a variance from sidewalk requirements in the R8 District, to construct two single-family homes 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 090160I00200CO

RESULT -

Map Parcel 090160I00100CO

CASE 2019-193 (Council District - 34)

SLOAN, BENSON, IV & CAROLINE RHETT, appellant and, owner of the property located at **114 B TAGGART AVE**, requesting a variance from height requirements in the RS20 District, to construct a garage. Referred to the Board under Section 17.12.060.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 13005008100

RESULT -

CASE 2019-195 (Council District - 21)

JEREMY PAYTON, appellant and **AVENUE 11 DEVELOPMENT, LLC**, owner of the property located at **808 28TH AVE N**, requesting variances from sidewalk and rear setback requirements in the RS5 District, to construct a single family house. Referred to the Board under Section 17.20.020 and 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09206042100

RESULT -

SHORT TERM RENTAL CASES

CASE 2019-171 (Council District - 17)

WILKINS, STEPHEN CODY & LAWLESS, ANGIE appellant and owner of the property located at **803 HILLVIEW HTS. UNITS 107 & 108** requesting an Item A appeal challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after the issued STRP permit had expired in the CS District. Referred to the Board under Section 17.16.250.E. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Short Term Rental

Map Parcel 105140I03100CO

RESULT -

Map Parcel 105140I03000CO

CASE 2019-209 (Council District - 5)

Alex Porter, appellant and **PORTER, ALEXANDRA C.**, owner of the property located at **316 WILBURN ST**, 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 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(B).

Use-Short Term Rental

Map Parcel 08207013000

RESUL -

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : James Collins
Property Owner: " "
Representative: " "

Date: 1/7/19
Case #: 2019-079
Map & Parcel: 102-04-0 079.00

Council District 20

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

Purpose:

Existing 9622# R10 parcel.
request Appeal to lot size to
allow 2nd House

Activity Type: S.F Duplex

Location: 6503 Premier Dr N.E. 37209

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: Small lot / To allow a 2nd House

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 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.

James Collins
Appellant Name (Please Print)

Representative Name (Please Print)

Address

Address

City, State, Zip Code

City, State, Zip Code

615-794-9461
Phone Number

Phone Number

collins_jamie@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**



3592179

ZONING BOARD APPEAL / CAAZ - 20190000894

Inspection Checklist for Use and Occupancy

This is not a Use and Occupancy Notification

PARCEL: 10204007900

APPLICATION DATE: 01/07/2019

SITE ADDRESS:

6503 PREMIER DR NASHVILLE, TN 37209

LOT 727 SEC 12 CHARLOTTE PARK

PARCEL OWNER: COLLINS, JAMES CHARLES

CONTRACTOR:

APPLICANT:**PURPOSE:**

1...R10 ZONED PROPERTY....EST BY PLAT 1960...

2...PROPERTY AT 9622 SQFT.

3...EXISTING SINGLE FAMILY HOUSE.

4....IRR-SHAPED EASEMENT TO THE REAR OF THE PROPERTY.

5....IRR-SHAPED REAR LOT LINE.

6...NOT ZONED -A...SO PARKING ALLOWED IN FRONT OF EXISTING HOUSE...NEED 4 SPACES FOR TWO HOUSES.

7....not to be over the easement...

****THIS PERMIT REQUEST BZA TO ALLOW THE 2ND SINGLE FAMILY HOUSE ON THIS SMALL LOT.... 17.12.020 A....

POC: JAMES COLLINS 615-794-9461

Collins_jamie@hotmail.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

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.

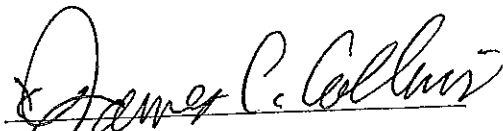
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

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

11/2/19
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.

James Collins 6503 Premier Dr. Nashville, TN 37209

I request lot 727 of Charlotte Park be granted a variance from R-10 to R-8. Most lots in Charlotte Park are 10,000 sq. feet. Mine is not. Lot 727 is a few hundred sq. feet less due to the odd shaping, probably since 1960's. It is due to this hardship that I apply.

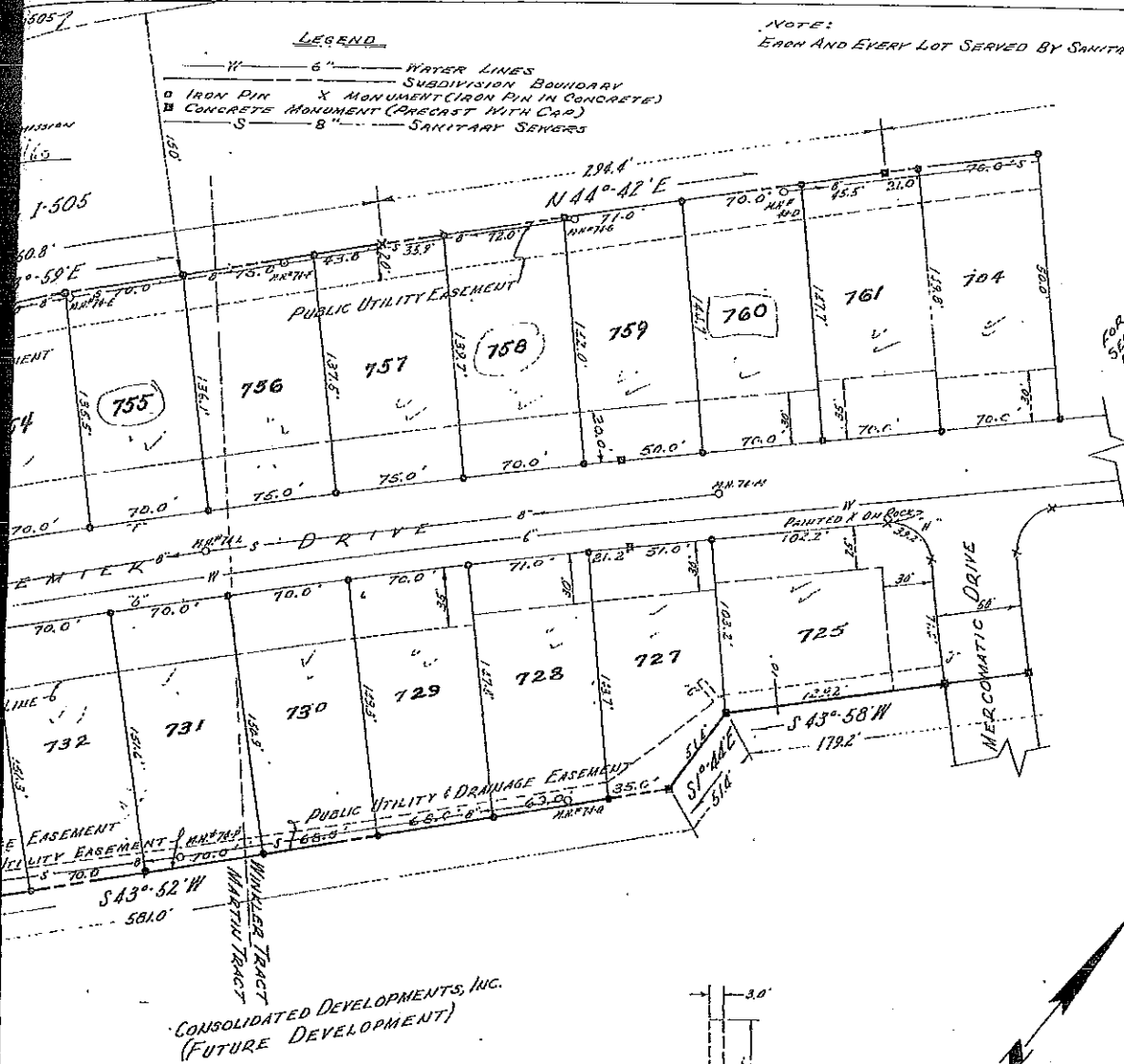
I would like to build a small 400-500 sq. foot, single story apartment which will be tied into my electrical, plumbing and water services. This variance causes no known injury, does not impair surrounding values or any access to light or air quality. I can see no known harm to public welfare or integrity to the rest of the area's zoning. There already exists a variety of home owners, rentals, apartments and duplexes nearby.

The variable size I mention is due to the easement complication. While I would be willing to comply with the 20 ft. of utility easements, I would like the board to consider granting me a variance with a 15 feet easement since the bizarre cut of my back line to the desired location of this apartment is about 18 feet. I already had Travis Shoemaker come out to the property, and he said NES would be ok with the 10 feet requirement. But I'll leave the final word with the board.

As far as the financial aspect of this, a small apartment would allow me to stay in my home when I retire in a few years, live independently as a viable member of our West Nashville community, rather than a burden on it. I doubt I would be able to survive on social security alone.

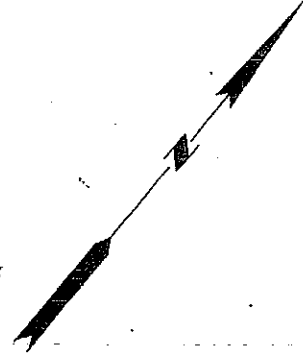
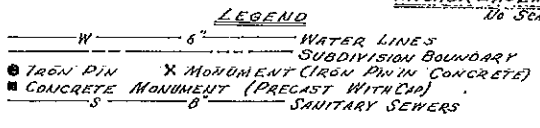
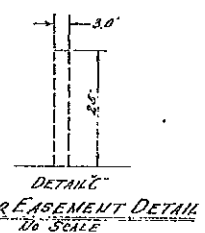
In any on sight research to this possible approval, please note - that there is an oak tree between this desired apartment location and my house. I will remove this and replant another in a different location.

Thank You for your consideration.



FOR CONTINUATION
SEE SHEET 1 OF 2
BOOK REC. PAGE 126 2

2009 127



CURVE DATA

| L | T | L | R | REMARKS |
|-------|-------|-------|---|-------------|
| 28.0 | 40.2 | 25.0 | | |
| 28.4 | 37.6 | 25.0 | | |
| 15.0 | 22.8 | 202.4 | | INTERSECTED |
| 26.2 | 40.5 | 25.0 | | |
| 23.0 | 38.0 | 25.0 | | |
| 200.0 | 401.5 | 611.0 | | |
| 192.2 | 388.2 | 611.8 | | |
| 21.8 | 39.2 | 25.0 | | |
| 35.8 | 71.6 | 147.6 | | INTERSECTED |
| 25.0 | | | | |
| 25.0 | | | | |
| 25.0 | | | | |

MASTER FILE

CHARLOTTE PARK
SECTION TWELVE

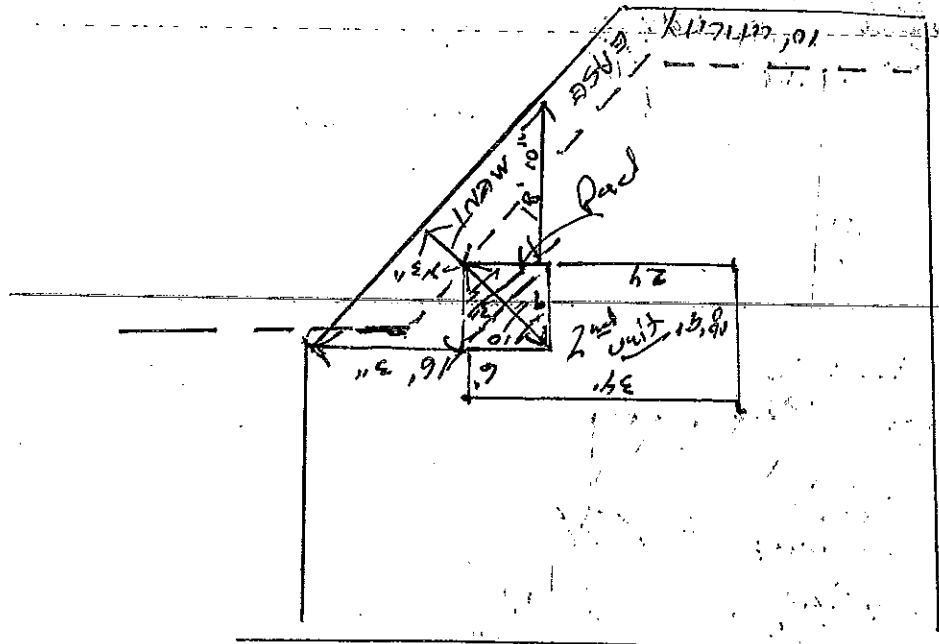
8TH CIVIL DISTRICT-DAVIDSON COUNTY, TENNESSEE
OWNERS AND DEVELOPERS: CONSOLIDATED DEVELOPMENTS, INC.
SCALE-1"=50'

TURNER ENGINEERING COMPANY
CONSULTING ENGINEERS
NASHVILLE, TENNESSEE

SHEET 2 OF 2

11-10-60
JOB No. 135

2500 127



Detail of shed pad.

SHED IS US E L S S . R U S T Y
 + holes in side. It will be
 removed, the pad will stay.

~~Detail of shed pad:~~

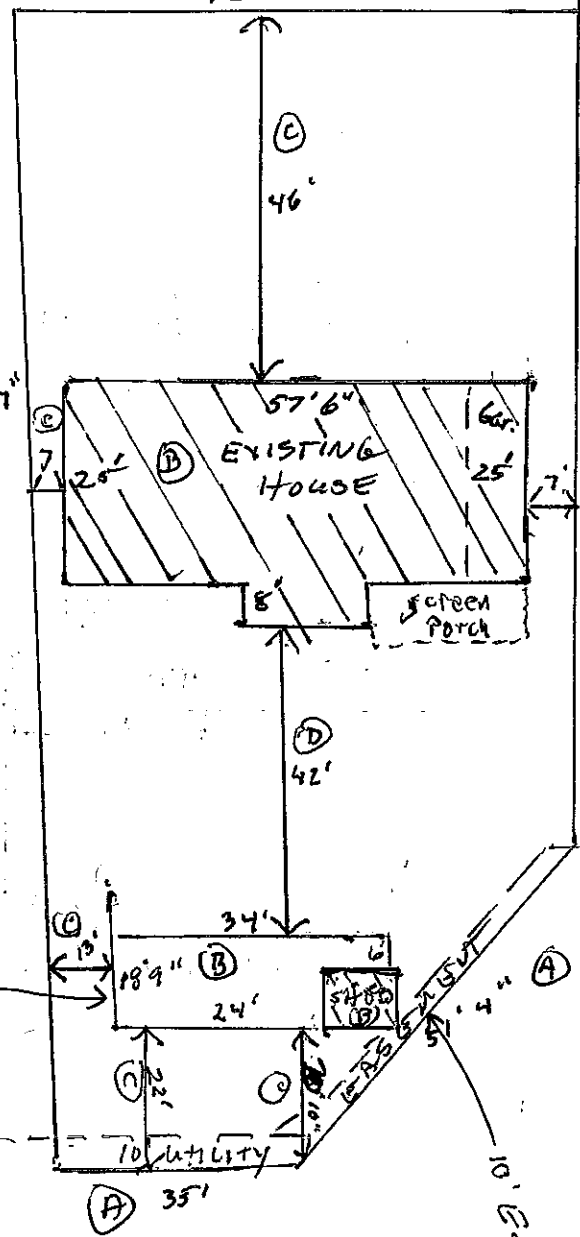
James Collins 6503 Premier Dr
Lot 727 Charlotte Park



1" = 25'
(F)

PREMIER DR

72' 2" (A)



2nd House

BZA
19-0000894

Detail of Shed pad
on other side.

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



Appellant: Jacob Bender Date: 2-13-19
Property Owner: Jackson valley Land Partners Case #: 2019-131
Representative: Jacob Bender Map & Parcel: 072161E0010000

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 R-10 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@TouchStonebuilders Inc.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**



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 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.

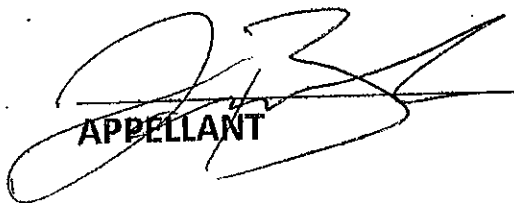
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

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

2-8-19
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 sidewalks. It is impossible to move one pole alone, NES engineer says it has to be all poles. Attached letter goes into more detail.

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.

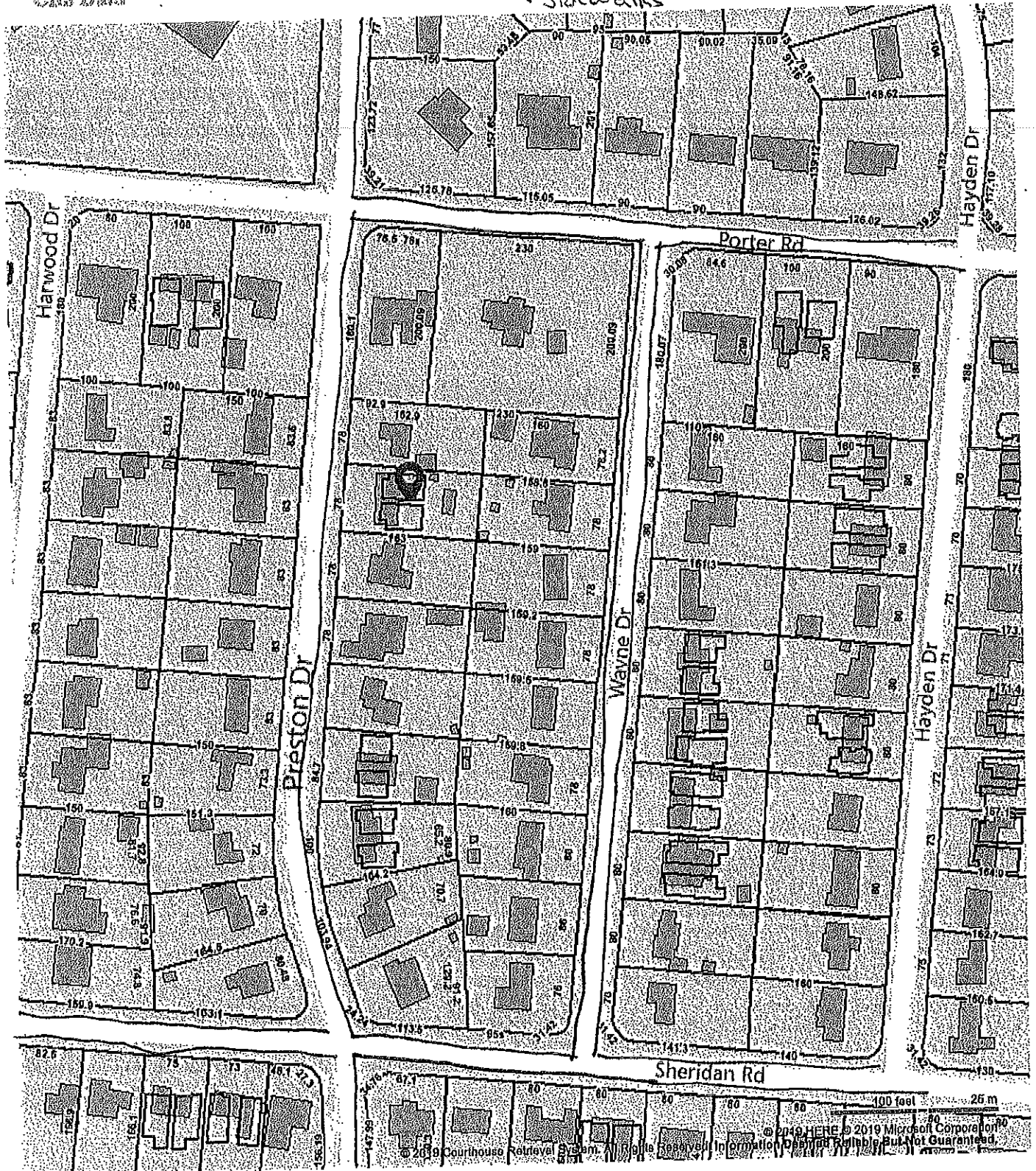


GIS Data

Map for Parcel Address: 1625 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 REGULATIONS FOR EROSION, SEDIMENT AND SLOPE CONTROL FOR THE WATERSHED FROM OR STATED ON THIS PLAN.
2. CONTRACTOR MUST GUARANTEE THAT THE CONSTRUCTION SITE IS PROTECTED FROM THE EFFECTS OF ANY STORM. CONTRACTOR SHALL HAVE ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE FOR THE WHOLE MONTH PRIOR TO THE START OF CONSTRUCTION.
3. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL THE EROSION AND SEDIMENT CONTROL PLAN IS COMPLETED. CONTRACTOR SHALL MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES IN PLACE UNTIL THE WHOLE MONTH PRIOR TO THE START OF CONSTRUCTION.
4. USE TO UNIMPROVED FIELD CONDITIONS. THIS PLAN MAY NOT COVER RUNOFF FROM AREAS 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 WORKS TO DISPLACE MEASURES ARE RELOCATING PROPERLY.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A LOG AT THE SITE OF ALL IMPROVEMENTS OR MAINTENANCE OF EROSION AND SEDIMENT CONTROL MEASURES, AS WELL AS, ANY CHANGES MADE TO EROSION AND SEDIMENT CONTROL MEASURES ON EROSION AND SEDIMENT CONTROL PLAN.
7. IN AREAS WHERE SOIL IS EXPOSED, PROTECT REMAINING SOIL BY COVERING EXPOSED AREAS WITH MULCH OR OTHER MEASURES. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION TEMPORARY CONST. ENTRANCE TO FACILITATE TRAFFIC OPERATIONS. ALL CONSTRUCTION TRAFFIC DURING THE WINTER MONTHS SHALL BE LIMITED TO THE ROAD BASE NOSE CURB OR EQUIVALENT.
9. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL STRUCTURES EXPOSED TO CONSTRUCTION. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONSTRUCTION SHALL ADHERE TO THE FOLLOWING PRACTICES AS FOLLOWS:
 - a. CONSOLE MATS: PROVIDE A PROTECTED AREA FOR A TEMPORARY USE TO BE USED FOR CONSOLE MATS WITHOUT DAMAGING THE UNDERLYING SOIL. MATS SHALL BE CLEANED AND MAINTAINED TO CONTROL EROSION AND SEDIMENT FROM EXPOSED AREAS.
 - b. PAINT AND EROSION CONTROL: PROVIDE EROSION CONTROL MEASURES INCLUDING PAINT AND EROSION CONTROL MEASURES TO CONTROL EROSION AND SEDIMENT FROM EXPOSED AREAS.
 - c. VEGETATION: MAINTAIN EXISTING VEGETATION TO PREVENT THE OCCURRENCE OF EROSION. VEGETATION SHALL BE MAINTAINED AND REPLANTED AS NECESSARY. VEGETATION SHALL BE MAINTAINED AND REPLANTED AS NECESSARY.
12. STABILIZATION MEASURES SHALL BE INSTALLED WITHIN SEVEN (7) DAYS OF THE DATE OF CONSTRUCTION. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
13. STABILIZATION MEASURES TO BE INSTALLED WITHIN SEVEN (7) DAYS OF THE DATE OF CONSTRUCTION. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.
14. PROTECTION OF ALL EROSION MEASURES AND RESTORED AREAS MUST BE MAINTAINED UNTIL THE EROSION MEASURES ARE COMPLETED. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY. MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY.

POST CONSTRUCTION AND SLOPE STABILIZATION NOTES

1. SLOPES SHOWN HEREON TO BE STABILIZED BY VEGETATION SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OF THE DATE OF CONSTRUCTION.
2. SLOPES SHOWN HEREON TO BE STABILIZED BY VEGETATION SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OF THE DATE OF CONSTRUCTION.

PRESERVING EXISTING VEGETATION NOTES

1. MAINTAIN EXISTING VEGETATION EXCEPT TREES, SHRUBS AND OTHER PLANTS SHOWN ON THIS PLAN.
2. TO PREVENT ROOT DAMAGE, DO NOT GRADE, PLACE SOIL DEEPER, OR PAVE UNDERNEATH TREES MARKED FOR PRESERVATION.

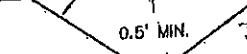
REVEGETATION NOTES

1. REVEGETATION SHALL BE STABILIZED AS SOON AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR SOIL PROTECTIVE MEASURES.
2. REVEGETATION SHALL BE STABILIZED AS SOON AS PRACTICABLE WITH TEMPORARY VEGETATION AND/OR SOIL PROTECTIVE MEASURES.

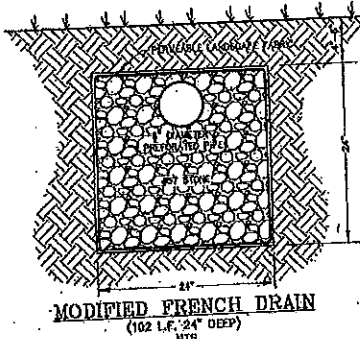
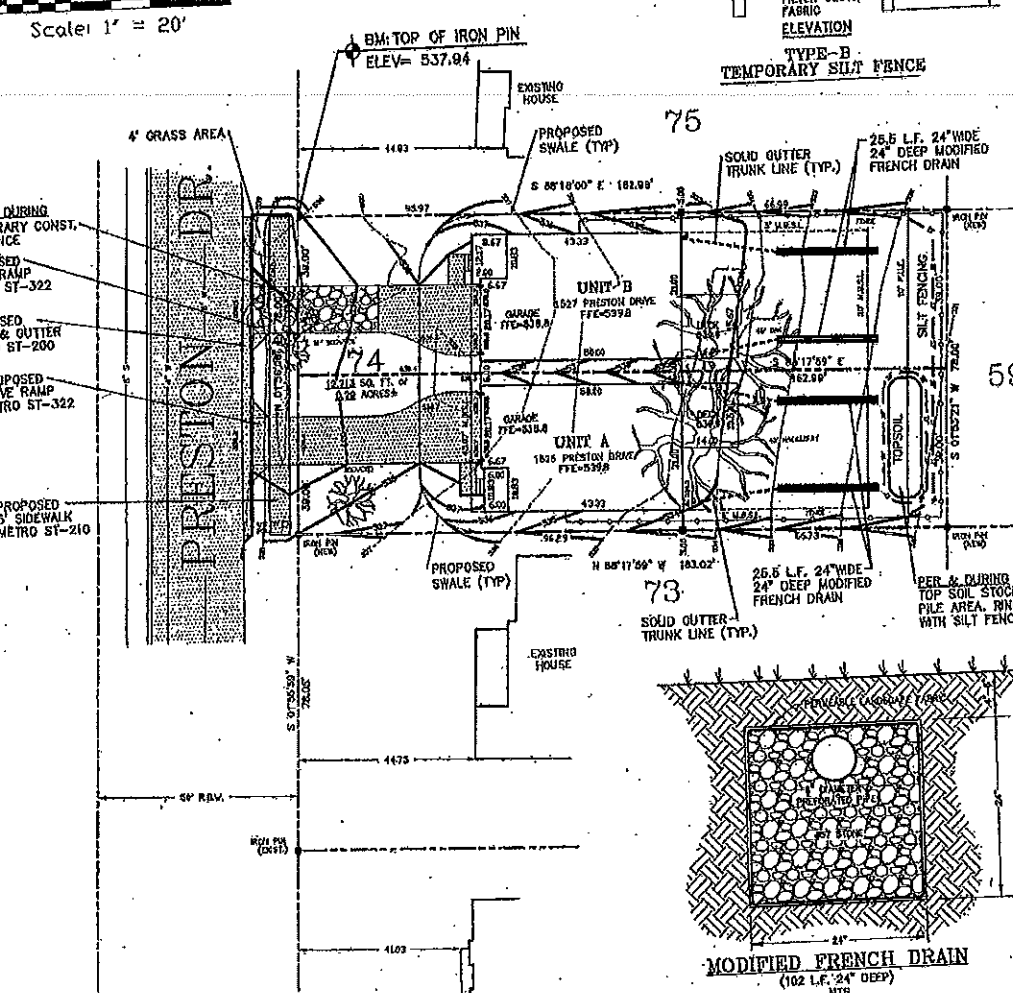
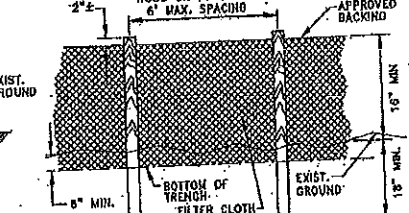
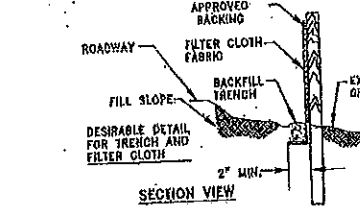
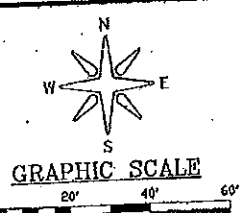
FRONT SETBACK AVERAGE

| | |
|----------------|--------------|
| LOT #76 | 44.83 |
| LOT #73 | 44.75 |
| LOT #72 | 41.03 |
| LOT #71 | 43.08 |
| AVERAGE | 43.67 |

SOIL COVER, SETBACK AND FULL EROSION CONTROL SHALL BE MAINTAINED UNTIL SOIL IS STABILIZED.



TYPICAL SWALE SECTION



PROPOSED LAYOUT

SITE INFORMATION

TOTAL SITE AREA: 12,313 SQ. FT. OF 232 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 | 2,745 S.F. or 21.7% |
|------------------|---------------------|

NET IMPERVIOUS AREA

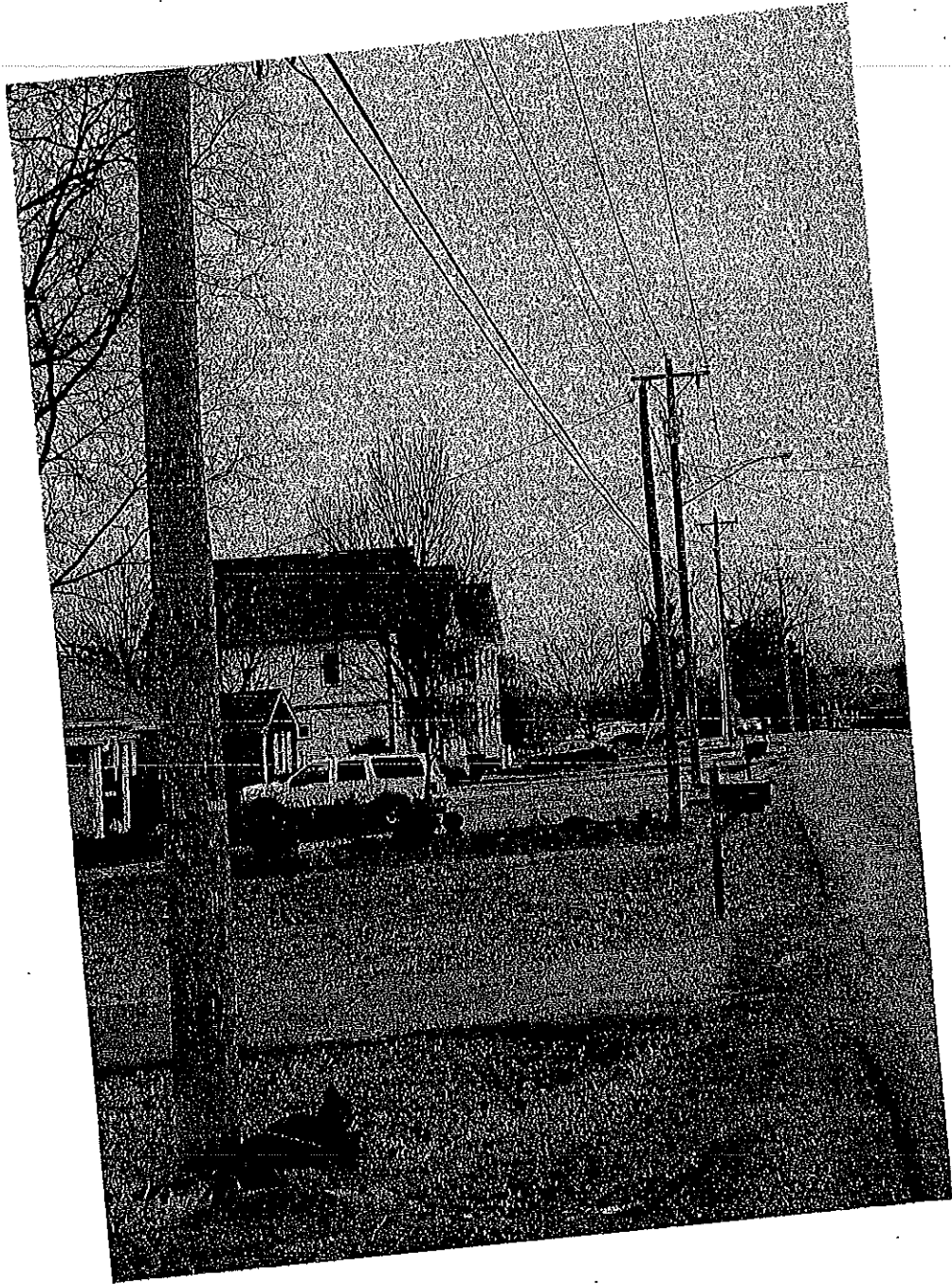
2,120 S.F.

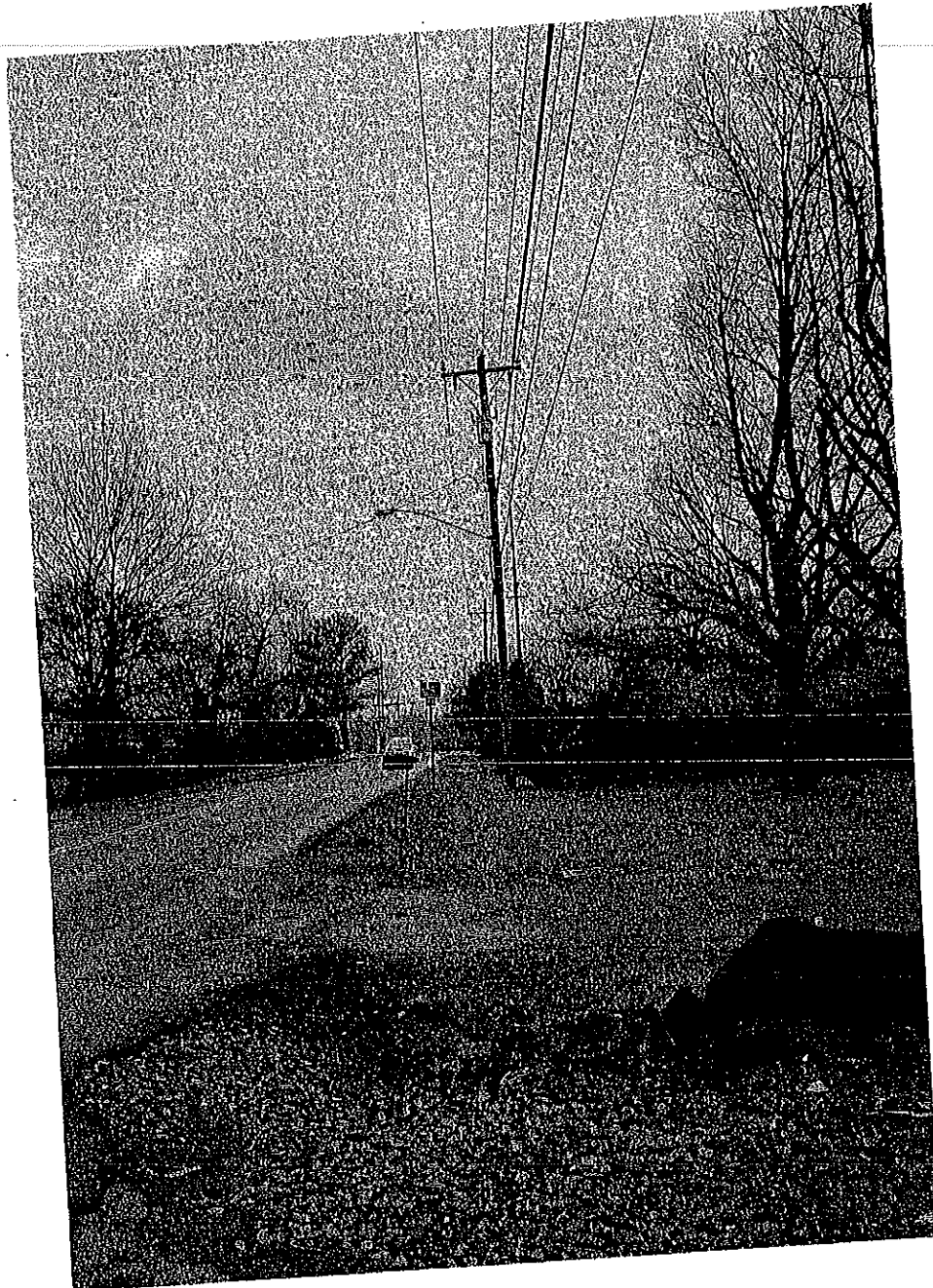


SITE GRADING PLAN
LOT NO. 74
PART TWO
PORTER HEIGHTS SUBDIVISION
 1525 PRESTON DRIVE
 7th COUNCIL DISTRICT
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE 37208

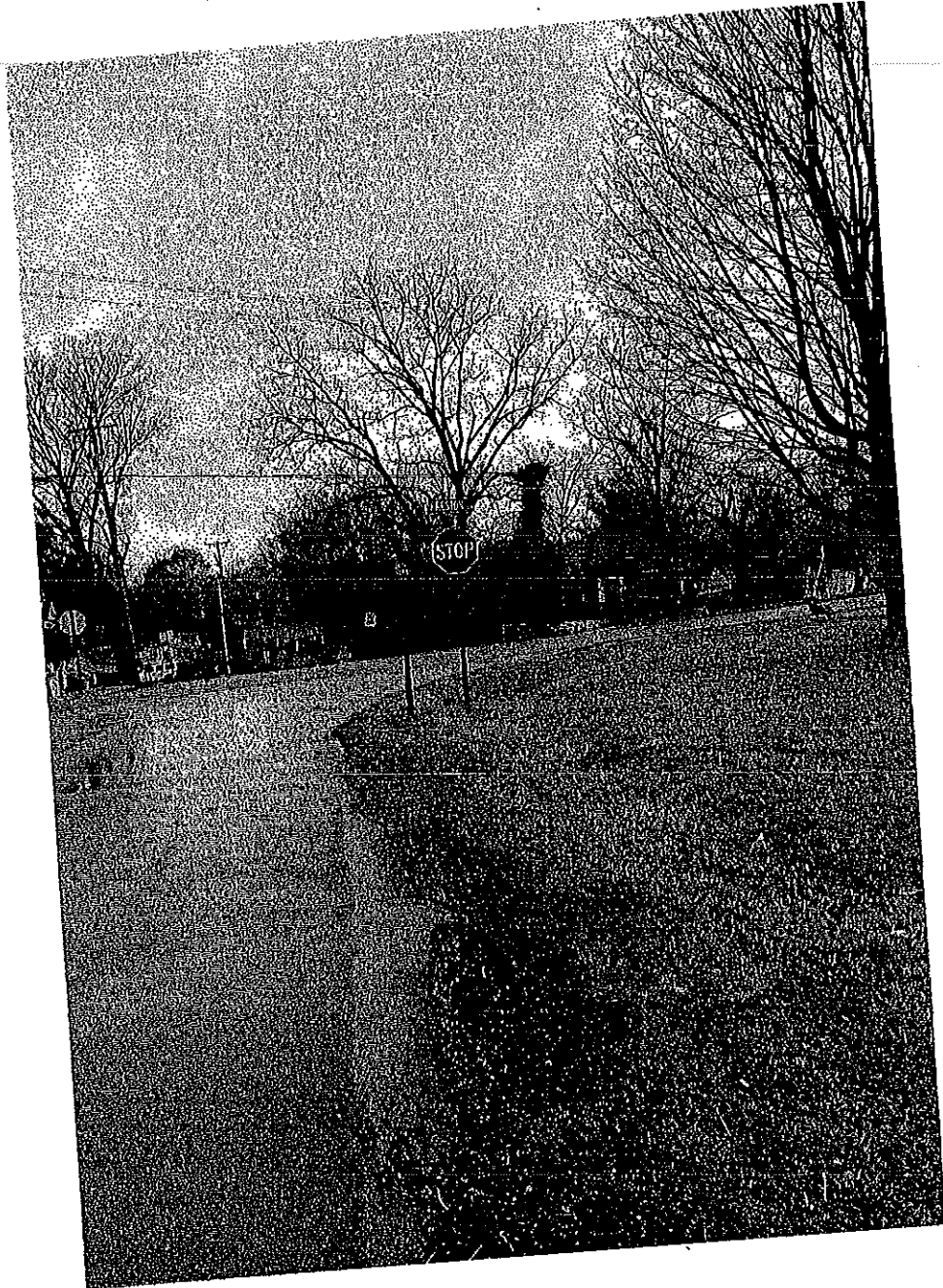
Delta Associates
 INCORPORATED
 Design - Surveying
 7121 Crossroads Blvd., Brentwood, TN 37027
 PHONE: (615) 850-3501

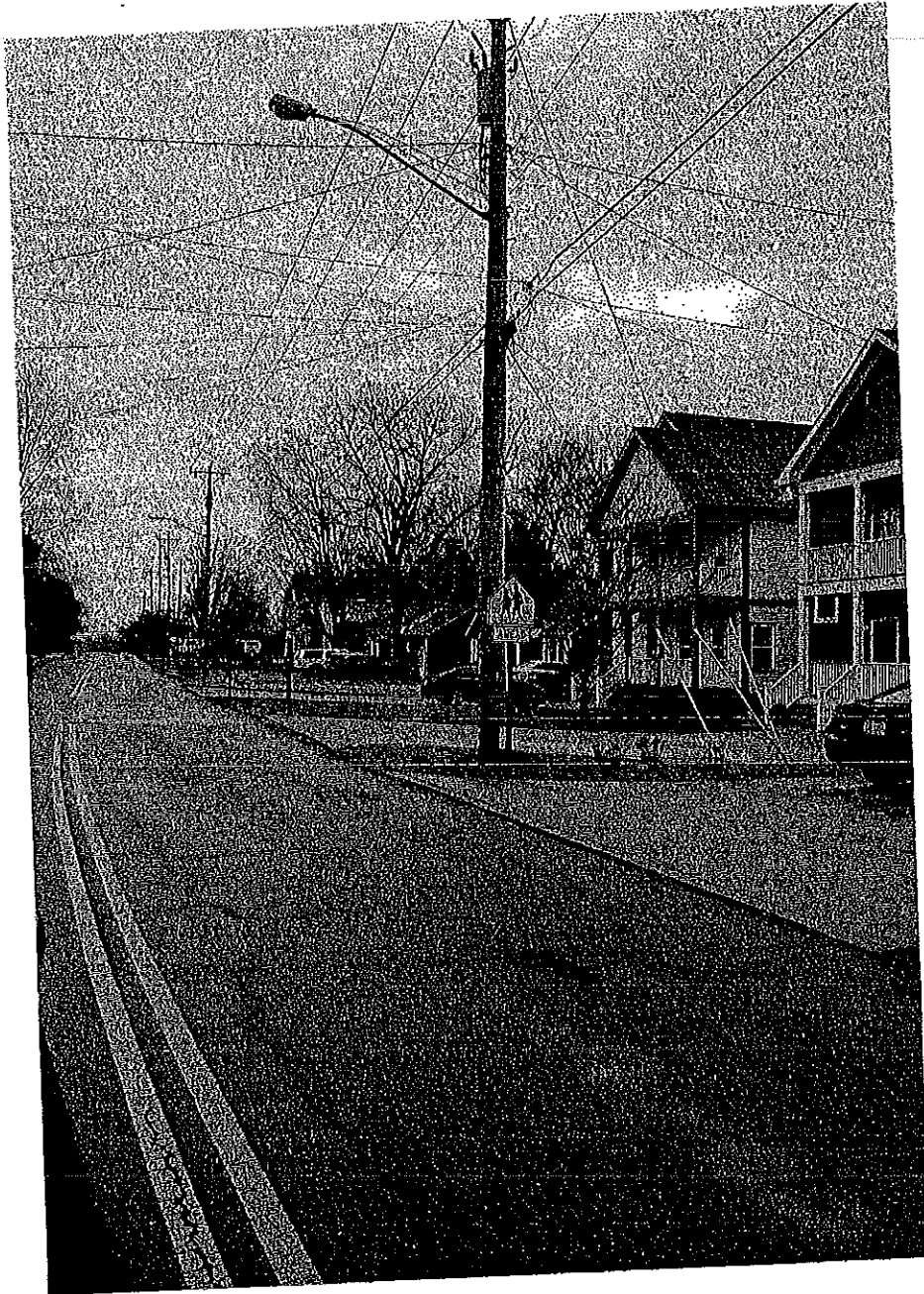
| | | | | | |
|-------------|----------|------------|--------|-------------|----------|
| SCALE | 1" = 20' | DATE | 6-1-18 | DRAWING NO. | 1 OF 2 |
| DESIGNED BY | FDL | CHECKED BY | FDL | DATE | 07-10-18 |

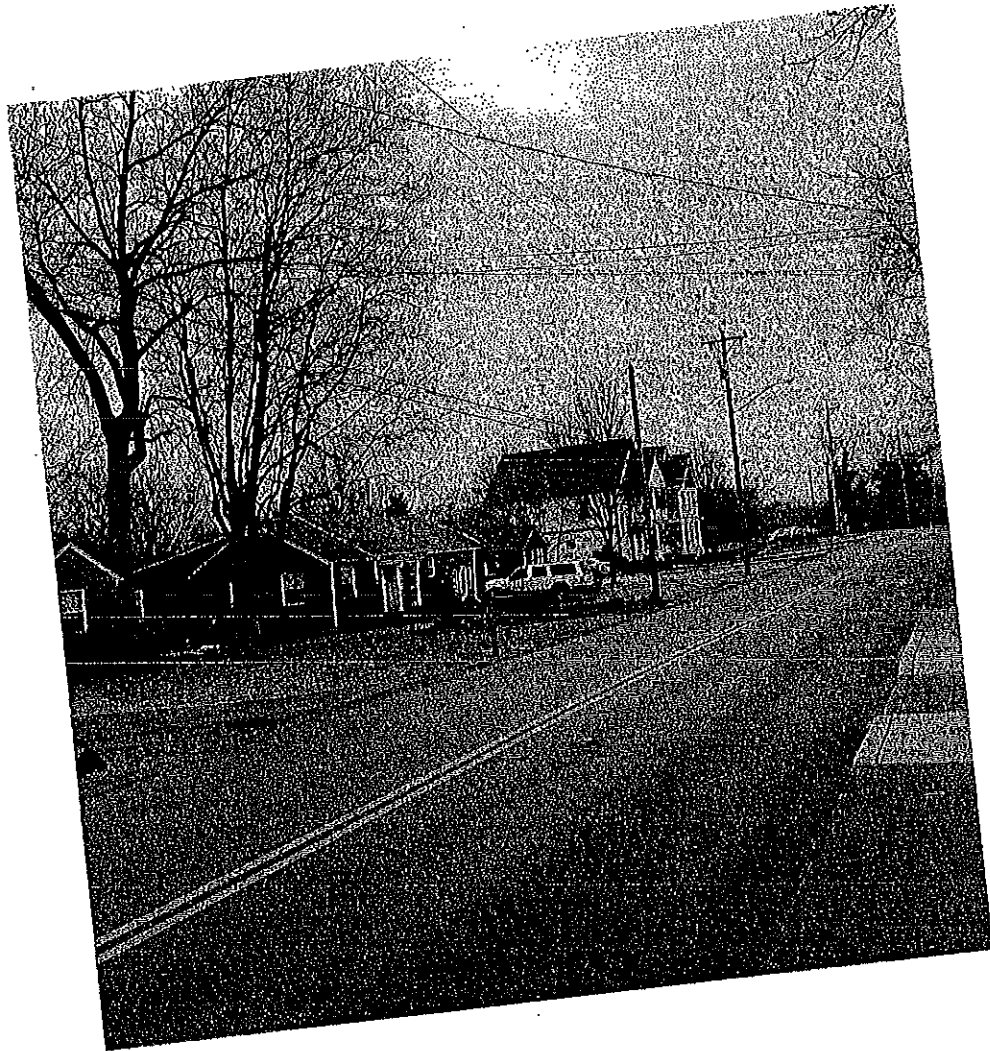


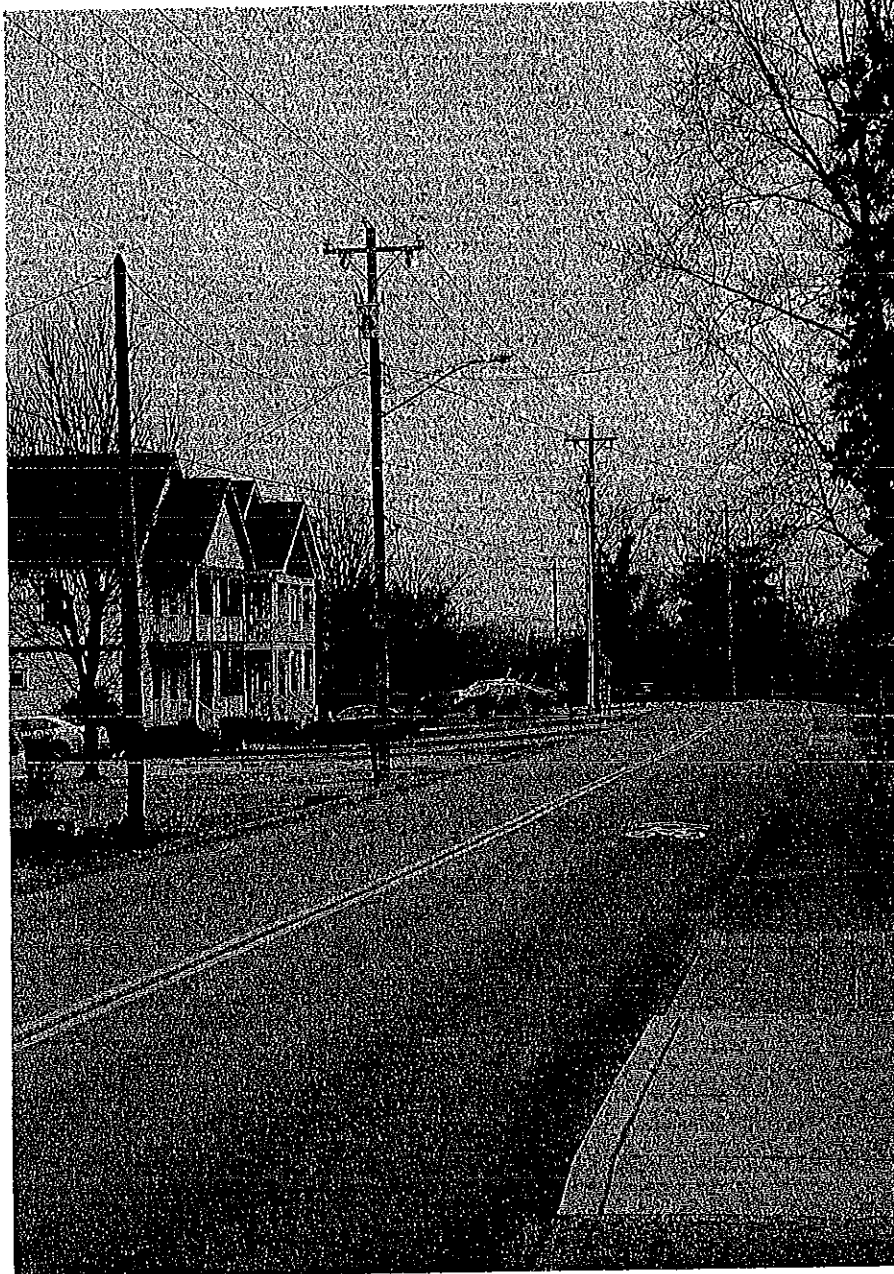


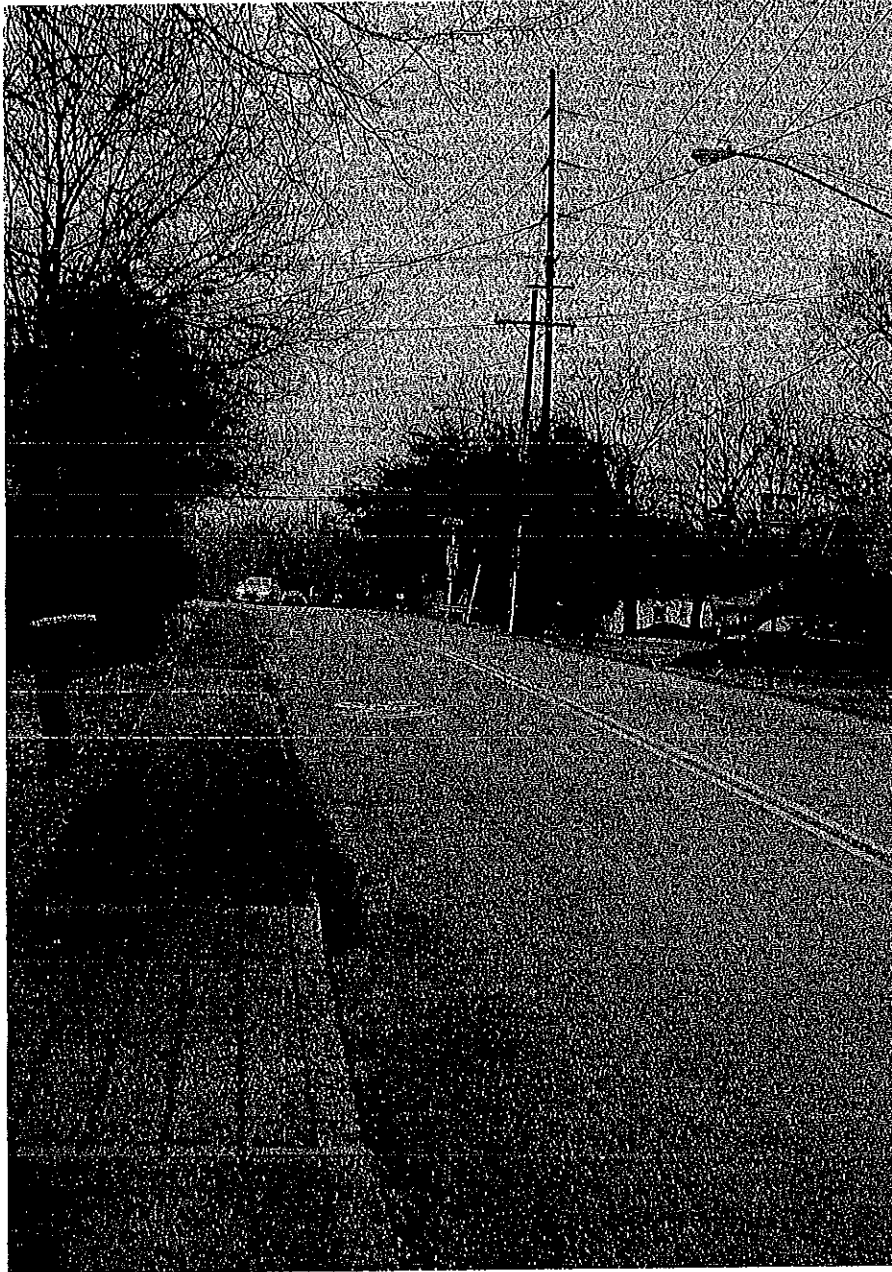






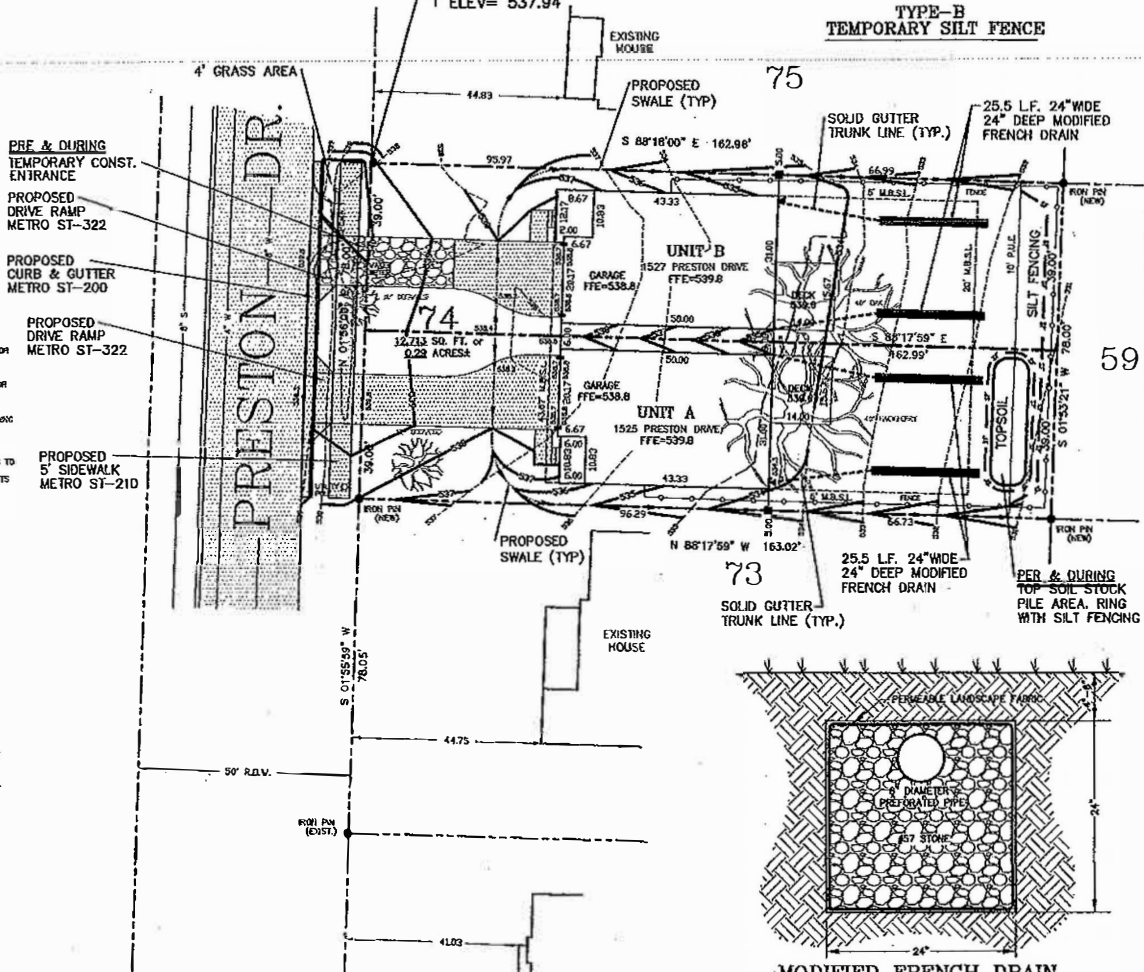
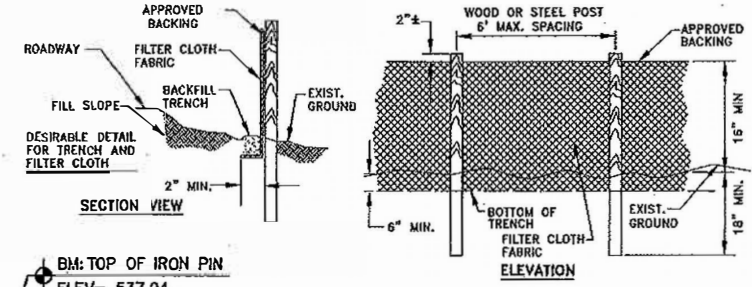
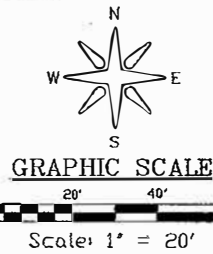






STANDARD EROSION AND SEDIMENT CONTROL NOTES

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 WORK BEING PERFORMED TO OCCUR.
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 VECIT 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 PRIOR TO CONSTRUCTION. VARIATIONS MAY BE MADE TO THE PLAN IF IN THE FIELD SUBJECT TO THE APPROVAL OR AT THE DIRECTION OF A REPRESENTATIVE OF THE APPROPRIATE GOVERNING DEPARTMENT.
5. ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE CRODDED 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 RE-PLANTING WITH NATIVE, COMPATIBLE DROUGHT-RESISTANT VEGETATION SHALL BE PROVIDED. NO AREAS WILL BE LEFT EXPOSED OVER THE WINTER SEASON.
8. THE CONTRACTOR SHALL INSTALL THE STABILIZED CONSTRUCTION ENTRANCE PRIOR TO MOVEMENT OF GRADING. LOCATION OF THE ENTRANCE MAY BE ADJUSTED PRIOR TO CONSTRUCTION. ALL 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 DEBRIS DEPOSITED ON PAVED ROADWAYS SHALL BE SKIPPED AT THE END OF EACH WORKING DAY OR AS NECESSARY.
10. CONTRACTOR SHALL PLACE EROSION CONTROL MEASURES AROUND ALL NEW BRANCH STRUCTURE OPENINGS IMMEDIATELY AFTER THE STRUCTURE GRADING IS COMPLETED. THESE EROSION CONTROL MEASURES SHALL BE MAINTAINED AND DEMONSTRATED IN PLACE UNTIL CONSTRUCTION IS COMPLETED.
11. CONTRACTOR SHALL IMPLEMENT HOUSEKEEPING PRACTICES AS FOLLOWS:
 - A. CONDUCT WASTE: PROVIDE A DESIGNATED AREA FOR A TEMPORARY PIT TO BE USED FOR CONCRETE TRUCK WASHOUT. LOCATE PIT OFF-ROAD AT NO TIME SHALL A CONCRETE TRUCK DUMP ITS WASTE AND CLEAN ITS TRUCK WITH THE CITY STREET OR WITHIN DRIVEWAYS AND GUTTER METES. RESPECT DAILY TO CONTROL RUNOFF AND READY FOR REMOVAL OF WASHOUT WASTE.
 - B. PAINT AND PAINTING SUPPLIES: PROVIDE INSTRUCTION TO EMPLOYEES AND SUBCONTRACTORS REGARDING ADDITION OF POLLUTANTS INCLUDING MATERIALS STORAGE, USE AND CLEAN UP. REPORT RESULT FOR EXPOSURE OF WASTE.
 - C. HAZARDOUS WASTE MANAGEMENT: PREVENT THE DISCHARGE OF POLLUTANTS FROM HAZARDOUS WASTES TO THE DRAINAGE SYSTEMS THROUGH CONSTRUCTION. HAZARDOUS WASTE PRODUCTS CONSIDERED TO BE: SOLVENTS, BUT NOT LIMITED TO: PAINTS & SOLVENTS, PETROLEUM PRODUCTS, FERTILIZERS, HERBICIDES & PESTICIDES, SOIL STABILIZATION PRODUCTS, ASPHALT PRODUCTS AND CONCRETE CURING 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 COMPLETION OF OTHER EROSION CONTROL STABILIZATION WITH PERMANENT VEGETATION (SUCH AS NATIVE HERBACEOUS AND WOODY PLANTS WHERE FEASIBLE) OR OTHER PERMANENTLY STABLE, AREA-DRIVING SPECIES SHALL REPLACE ANY TEMPORARY MEASURES AS SOON AS FEASIBLE. STABILIZATION PRACTICES MAY INCLUDE: TEMPORARY SEEDING, PERMANENT SEEDING, MULCHING, GEOTEXTILES, SOIL STABILIZATION AND OTHER APPROPRIATE MEASURES.
13. STRUCTURAL PRACTICES TO PREVENT OR REDUCE FLOODS FROM AREAS OF LAND INSTABILITY OR OTHERWISE UNSTABLE RUNOFF AND THE DISCHARGE OF POLLUTANTS FROM EXPOSED AREAS OF THE SITE MUST BE IMPLEMENTED. SUCH PRACTICES MAY INCLUDE: SILT FENCES, EARTH DAMS, BRANAGE SWALES, SEDIMENT TRAPS, CHECK DAMS, SUBSURFACE DRAINS, PIPE SLOPE DRAINS, STORM DRAIN INLET PROTECTORS, ROCK OUTLET PROTECTORS, REINFORCED SOIL NAILING SYSTEMS, AND GABIONS.
14. INSPECTIONS OF ALL CONTROL MEASURES AND DISTURBED AREAS MUST BE PERFORMED BEFORE AN IMPENDING STORM EVENT OR SERIES OF STORM EVENTS SUCH AS INTERMITTENT STORMS OVER ONE (1) 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 DETAILED AND INCLUDE THE SCOPE OF THE INSPECTIONS, DATES AND TITLE OR QUALIFICATION OF PERSONNEL MAKING THE INSPECTION, THE DATES OF THE INSPECTIONS, MAJOR OBSERVATIONS RELATING TO THE ADEQUACY OF THE CONTROL MEASURES (INCLUDING THE LOCATION) OF DISCHARGE OF SEDIMENT OR OTHER POLLUTANTS FROM THE SITE AND OF ANY CONTROL DEVICE THAT FAILED TO OPERATE AS DESCRIBED OR PROVIDE INDICATORS FOR A PARTICULAR LOCATION. BASED ON THE RESULTS OF THE INSPECTION, ANY INADEQUATE CONTROL MEASURES OR CONTROL MEASURES IN DISTRESS MUST BE REPAIRED 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

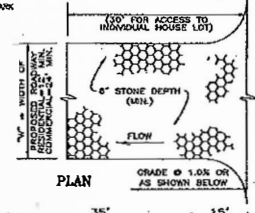
1. SLOPES SHOWN HEREIN TO BE GRADED FOR STABILIZATION.
 2. SLOPES SHOWN HEREIN TO BE STABILIZED WITH NORTH AMERICAN GREEN SOYBE EROSION CONTROL BLANKET OR APPROVED SUBSTITUTE STABLE PATTERN "D".
- NOTE: EXTRA MEASURES MAY BE NEEDED IF YOUR SITE:
- IS WITHIN 300 FEET OF A STREAM OR WETLAND.
 - IS WITHIN 1,000 FEET OF A LAKE.
 - IS STEEP SLOPE OF 1:25 OR WORSE.
 - RECEIVES RUN OFF FROM (AND) SOIL IT, OR MORE OF ADJACENT LAND.
 - HAS MORE THAN AN ACRE OF DISTURBED GROUND.

PRESERVING EXISTING VEGETATION NOTES

1. WHICHEVER POSSIBLE, PRESERVE EXISTING TREES, SHRUBS, AND OTHER VEGETATION. TREES MARKED FOR PRESERVATION:

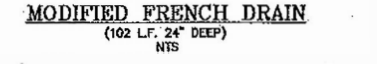
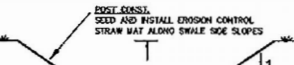
REVEGETATION NOTES

- 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 BAGS OF STRAW PER 1,000 SQ. FT.
- * NOT REQUIRED, BUT HIGHLY RECOMMENDED
 - * INSTALL AS SOON AS SITES AND BROWN SPOTS ARE COMPLETED
 - * ROUTE WATER TO A GRASSED AREA
 - * MAINTAIN UNTIL A LAWN IS ESTABLISHED
- REMOVE 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 |
| AVERAGE | 43.67 |



PROPOSED LAYOUT

SITE INFORMATION

TOTAL SITE AREA=12,213 SQ. FT. OR 0.28 ACRES

PROPOSED IMPERVIOUS DATA

| | |
|--------------|----------------------------|
| HOUSES/DECKS | 3,580 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.



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: TOC
 DATE: 9-8-18
 CHECKED BY: RFL
 JOB NO.: 18-0079-1525
 DRAWING NO.: 1 OF 2

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



Appellant: Brittney Fitzgerald
Property Owner: Kim Patterson
Representative: _____

Date: Feb. 19, 2019
Case #: 2019-141
Map & Parcel: 05813000/00

Council District 01

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

Purpose: proposed Day Care Home

Activity Type: Child care (Group Home)
Location: 4243 Eaton's Creek Road, Nashville, TN 37218

This property is in the RS15 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: special exception
Section(s): 17.16.170-C.1 thru 7

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.

Brittney Fitzgerald
Appellant Name (Please Print)

Representative Name (Please Print)

4243 Eatons Creek Rd.
Address

Address

Nashville, TN 37218
City, State, Zip Code

City, State, Zip Code

615-715-6778
Phone Number

Phone Number

brittfitz123@gmail.com
Email

Email

Zoning Examiner: Wm

Appeal Fee: \$ 200

jlaukin@tlg30.com



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



3610669

ZONING BOARD APPEAL / CAAZ - 20190010894
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 05813000100 **APPLICATION DATE:** 02/25/2019

SITE ADDRESS:

4243 EATONS CREEK RD NASHVILLE, TN 37218
LOT 186 ENCHANTED HILLS SEC. 6

PARCEL OWNER: WEATHERSBY, CALPURNIA P.

CONTRACTOR:

APPLICANT:

PURPOSE:

Requesting a Special Exception permit per METZO section 17.16.170 C 1 thru 7 for a proposed Day Care Home. see scope on permit application for 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.



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



3610653

**BUILDING USE & OCCUPANCY / CAUO - T2019010886
Permit Tracking Checklist**

PARCEL: 05813000100

APPLICATION DATE: 02/25/2019

PERMIT TRACKING #: 3610653

SITE ADDRESS:

4243 EATONS CREEK RD NASHVILLE, TN 37218
LOT 186 ENCHANTED HILLS SEC. 6

PARCEL OWNER: WEATHERSBY, CALPURNIA P.

CONTRACTOR:

APPLICANT:**PURPOSE:**

Applicant states there will be no construction. parcel is zoned RS15 and contains 1 acre. this permit to use existing residence for a group day care home for 12 children with the following conditions as required by zoning code and BZA. no other day care center/home to be located on this block face. for appellant only. hours of operation to be between 6 A.M. and 6 P.M.. appellant must reside at this residence. no signs. no dogs and no swimming pools. Special Exception required per METZO section 17.16.170 (D) 1 thru 7. POC Jimmy Larkin 615-999-2854

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

| | |
|---|---|
| [A] Site Plan Review | |
| [A] Zoning Review | |
| [B] Building Plans Received | 615-862-6614 teresa.patterson@nashville.gov |
| [B] Plans Picked Up By Customer | 615-880-2649 Ronya.Sykes@nashville.gov |
| [B] Building Plans Review | 615-862-6581 Teresa.Patterson@nashville.gov |
| [B] Fire Life Safety Review On Bldg App | 862-5230 |
| [B] Fire Sprinkler Requirement | 862-5230 |
| [B] Fire Sprinkler Review On Bldg App | 862-5230 |
| [D] Grading Plan Review For Bldg App | (615) 862-6038 Logan.Bowman@nashville.gov |
| [E] Cross Connect Review For Bldg App | 862-7225 MWS.DevelopmentServicesCenter@nashville.gov |
| [F] Address Review On Bldg App | 862-8781 bonnie.crumby@nashville.gov |
| [F] Ramps & Curb Cuts Review For Bldg A | 862-8782 PWPPermitsl@nashville.gov |
| [F] Solid Waste Review On Bldg App | 862-8782 |
| [A] Bond & License Review On Bldg App | |
| [C] Flood Plain Review On Bldg App | 862-6038 logan.bowman@nashville.gov |
| BZA Hearing | 615-862-6505 Debbie.Lifsey@nashville.gov |

APPLICATION FOR SPECIAL EXCEPTION REQUESTS

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 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 case number. Fold and insert the notices into the 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.) Finally, BZA Rules require that you conduct a neighborhood meeting regarding the special exception request before the BZA hearing date.

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.

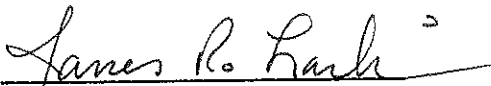
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

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.

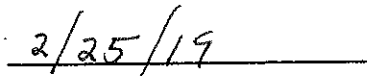
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEAL (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing. I am aware that I am required to conduct a neighborhood meeting.



 APPELLANT



 DATE

SPECIAL EXCEPTION REQUEST

BZA Rules of Procedure, Item 9(2) (e) requirements to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rules specifies, "In the interest of having informed stake holder in special exception cases. It is required that the appellant make contact with the district council person and neighbors within 600 feet of the subject property from a mailing list provided by the board staff. Information by the applicant shall include a contact person and include a reasonable representation of the proposal and hold a meeting at a geographically convenient place, date, and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

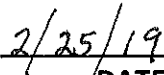
Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mailing list, provide them with the date, time and place of meeting, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

I ACKNOWLEDGE MY RESPONSIBILITIES regarding the neighborhood meeting preceding the public hearing for by BZA appeal for a special exception



APPELLANT (OR REPRESENTATIVE)



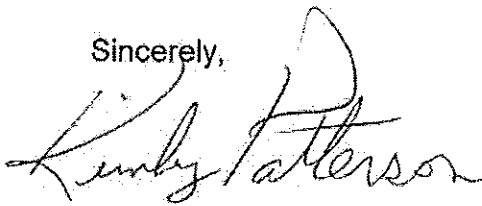
DATE

11/16/2018

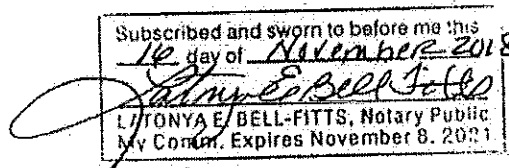
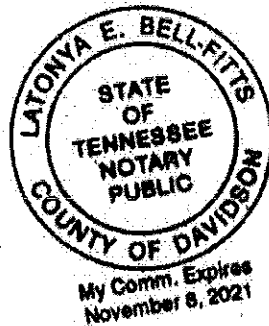
To whom it may concern,

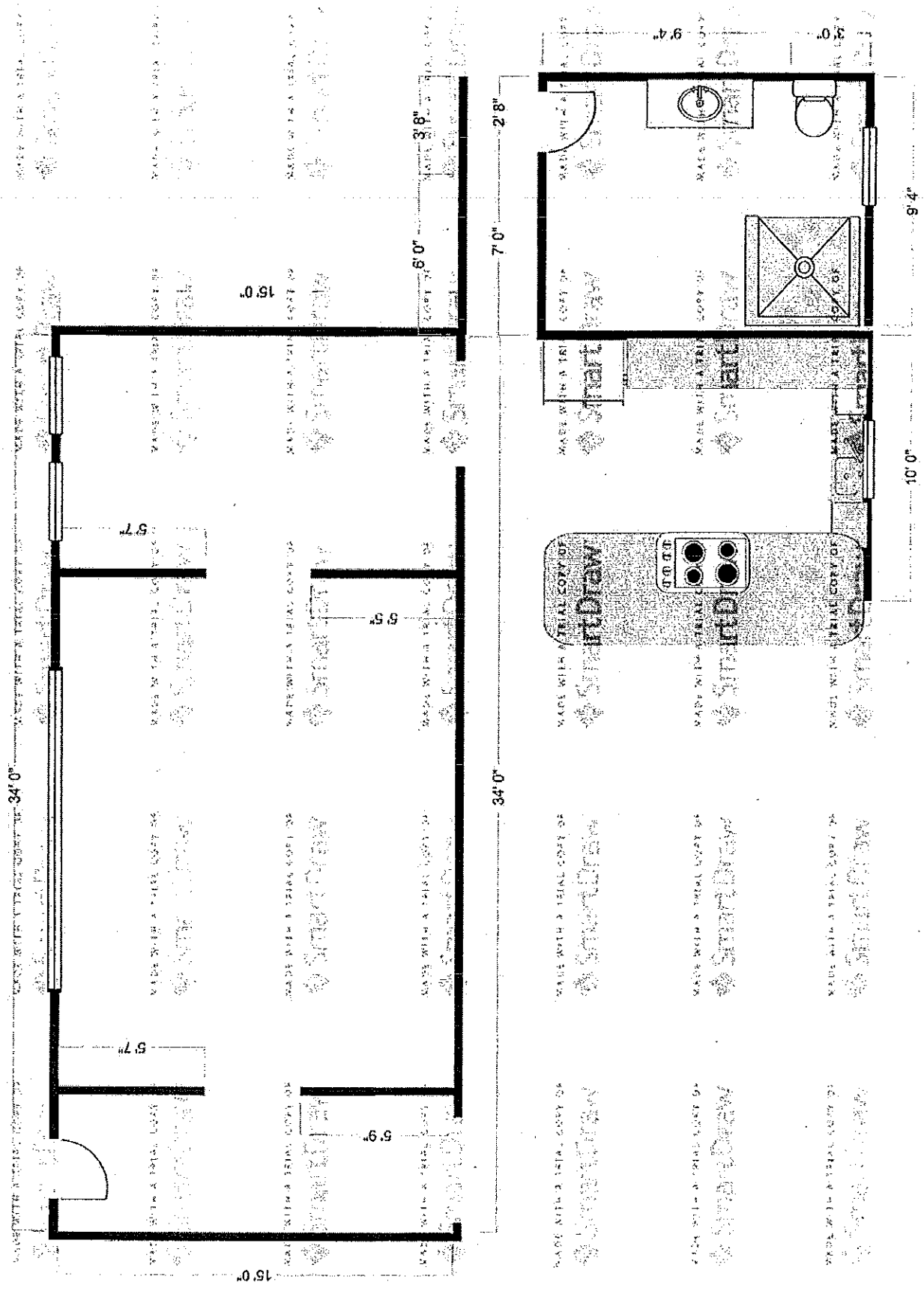
I, Kimberly Patterson give Brittney Fitzgerald permission to get licensed for child care services at the family home located at 4243 Eatons Creek Road Nashville, TN 37218. If there are any questions in regards to this statement or letter, please feel free to contact me at (615) 484-1085.

Sincerely,



Kimberly Patterson





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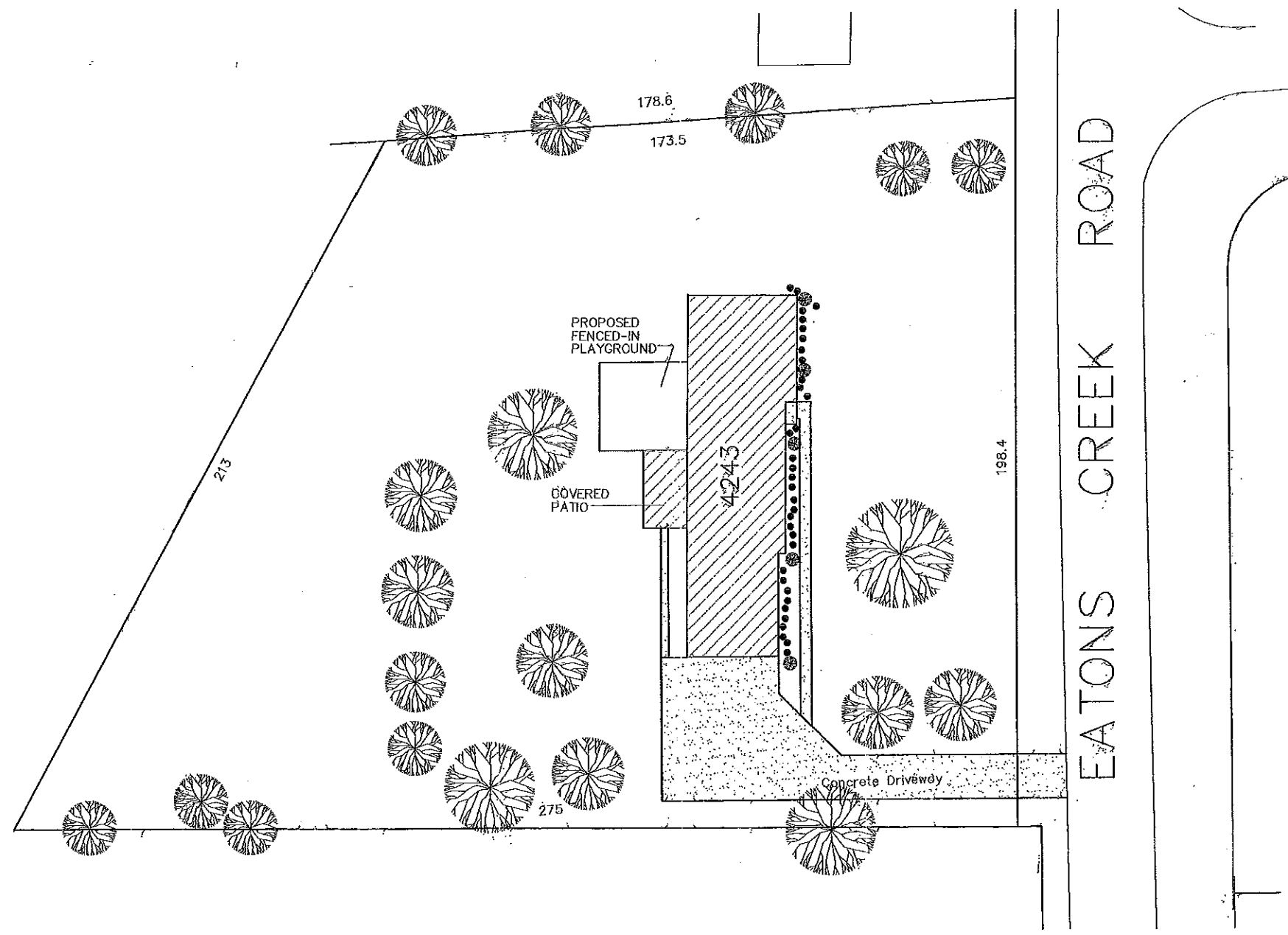
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SITE PLAN
NORTH

D
B
A

A PROPOSED DAY-CARE FOR:
BRITTNEY FITZGERALD
4243 EATONS CREEK ROAD
Map/Parcel No. 05813000100
NASHVILLE, TN 37208



HENRY A. WATKINS, JR.
architect
3401 John Mallette Dr., Ste 100
Nashville, TN 37218
(615) 732-3723
hwatkins@thelarkinggrouponline.com

| REVISIONS | | |
|-----------|------|-------------|
| NO. | DATE | DESCRIPTION |
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| | | |
| | | |
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| | |
|-----------------------|------------------------|
| PROJECT NO. JL2019 | ISSUED DATE 7/23/19 |
| DRAWN BY: Jesse | REVIEWED BY: |

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

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Emily Lamb
Date: April 4, 2019
BZA Hearing Date: April 18, 2017
Re: Planning Department Recommendation for a Special Exception, Case 2019-141

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:

Case 2019-141 (4243 Eatons Creek Road- Parcel ID 05813000100)

Request: Special Exception to permit a day care home for up to 12 individuals at 4243 Eatons Creek Road.

Zoning: Single-Family Residential (RS15) requires a minimum 15,000 square foot lot and is intended for single-family dwellings at a density of 2.90 dwelling units per acre.

Land Use Policy: T3 Suburban Neighborhood Maintenance (T3 NM) is intended to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low- to moderate-density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

Conservation (CO) is intended to preserve environmentally sensitive land features through protection and remediation. CO policy applies in all Transect Categories except T1 Natural, T5 Center, and T6 Downtown. CO policy identifies land with sensitive environmental features including, but not limited to, steep slopes, floodway/floodplains, rare or special plant or animal habitats, wetlands, and unstable or problem soils. The guidance for preserving or enhancing these features varies with what Transect they are in and whether or not they have already been disturbed.

Site and Context: The site consists of 1 acre of land located at 4243 Eatons Creek Road in the Bordeaux-Whites Creek-Haynes Trinity Community Plan Area. Existing conditions include a one-story 2,804 square-foot single-family residential structure. This site has frontage along Eatons Creek Road, a collector-avenue according to the Major and Collector Street Plan. This site is also located within a large area of Single-Family Residential (RS15) zoning in a neighborhood that primarily has a single-family residential pattern of development.

Planning Department Analysis: This proposal is for a day care home, which will allow up to 12 individuals. The applicant resides on-site per the attached letter submitted with this application. The application does not propose modifications to the site or existing structure. This request does not incorporate an outdoor play area. By not proposing site modifications, the proposal will maintain the existing suburban residential character of the neighborhood and not disturb environmentally sensitive areas, which are encouraged by the T3 Suburban Neighborhood Maintenance and Conservation policy areas. Staff recommends approval of this special exception request as the proposal is consistent with the land use policy.

Planning Recommendation: Approve

From: [Gregory, Christopher \(Public Works\)](#)
To: [Lifsey, Debbie \(Codes\)](#)
Cc: [Ammarell, Beverly \(Public Works\)](#)
Subject: 4/18/19 BZA Hearing Cases
Date: Monday, March 18, 2019 10:57:36 AM

See below for Public Works comments on the requested cases

2019-141 4243 Eastons Creek Rd. Proposed Day Care Home in RS15 Zoning

Variance: 17.40.180, 17.16.170 C. (1-7)

Response: Public Works takes no exception with condition.

-Adequate parking must be provided on site per code.

This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

2019-163 1221 Old Hickory Blvd. Religious Institution in R40 Zoning District

Variance: 17.40.180, 17.16.170 E.

Response: Public Works takes no exception. This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

Christopher E. Gregory, E.I.T.

Metropolitan Government of Nashville

Department of Public Works

Engineering Division

720 South Fifth Street

Nashville, TN 37206

Ph: (615) 880-1678

Annie R. Kinzer
4234 Eaton's Creek
Nashville, TN 37218

April 1, 2019

To: Metropolitan Board of Zoning Appeal

Re: Appeal Case Number 2019-143-141
4243 Eaton's Creek Rd
Map Parcel: 0581300100
Zoning Classification: RS15
Council District: 1

This is to inform you, I oppose of the request for a day care home at 4243 Eaton's Creek Rd for a business. The property is back up to a creek and a heavily traffic street, this will endanger children.

Using this property as a business will only allow other to use their property for a business of their choice which will destroy this neighborhood and community.

Thanks for your attention:

Annie R. Kinzer



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



3626768

ZONING BOARD APPEAL / CAAZ - 20190014302
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 117010C00100CO

APPLICATION DATE: 03/12/2019

SITE ADDRESS:

3600 CHALMETTE CT NASHVILLE, TN 37215
UNIT 1-B LOT 1 CHALMETTE SQUARE-SECOND REVISION

PARCEL OWNER: WERTS, MARGARET G. & ERNEST DAY

CONTRACTOR:

APPLICANT:

PURPOSE:

PER METZO TABLE 17.12.020 (A) REQUESTING A 9' REAR S/B VARIANCE FOR PROPOSED COVER TO REAR PATIO. 20' MIN REQUIRED REAR S/B PROVIDING 11' FOR A 9' VARIANCE REQUEST.

*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.

E. Day Werts
APPELLANT

3/12/19
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.

Shepherd, Jessica (Codes)

From: Day Werts <edwerts@gmail.com>
Sent: Tuesday, March 12, 2019 10:46 AM
To: Shepherd, Jessica (Codes)
Cc: Margaret Werts
Subject: Request for variance - 3600 Chalmette Ct. Nashville, 37215

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

Jessica,

Per your instruction this morning, I have included below a statement explaining why we need a variance for construction of a patio cover and will appreciate your including this statement along with the pictures and drawing that I left with you for the review board in May.

E. Day Werts
3600 Chalmette Ct. Nashville, 37215
828/773-1341

We wish to build an approximately 11'W X 16'L patio cover on the southeast side of our home (see accompanying drawing and pictures). We are limited on the east side by the existing 20' MBSL and are requesting a 9' variance that would allow us to build an approximately 16' long roofed cover. Since the back yard on the east side is only 27' deep, the current 20' MBSL would only allow a patio cover extending 7' long which is neither useful or practical. With the requested variance of 9', this would allow us to build the ~16' cover and still leave approximately 11' to the property line.

E. Day Werts
3600 Chalmette ct
Nashville, TN. 37215
Edwerts@gmail.com
828/773-1341

Street

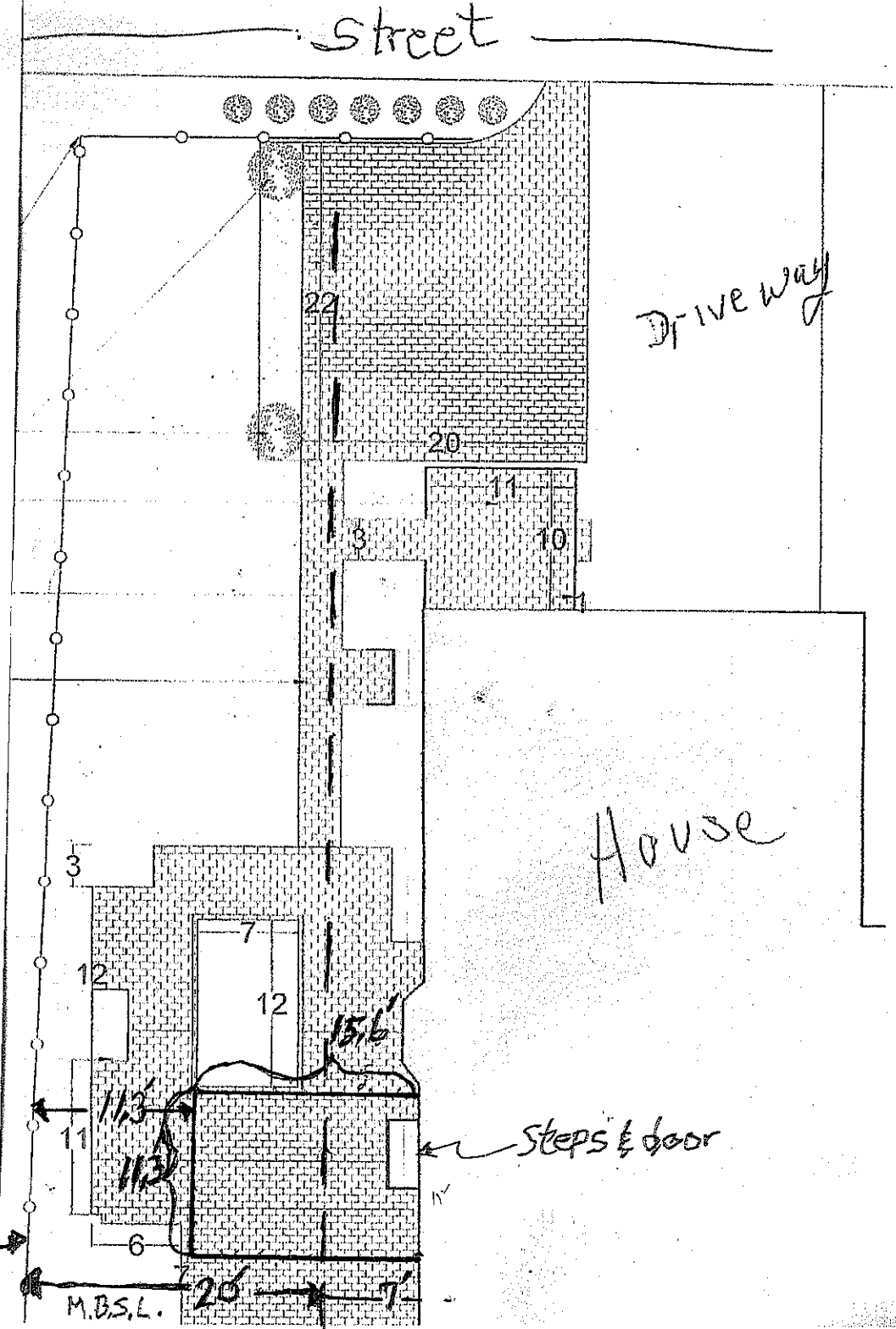
Driveway

House

Fence

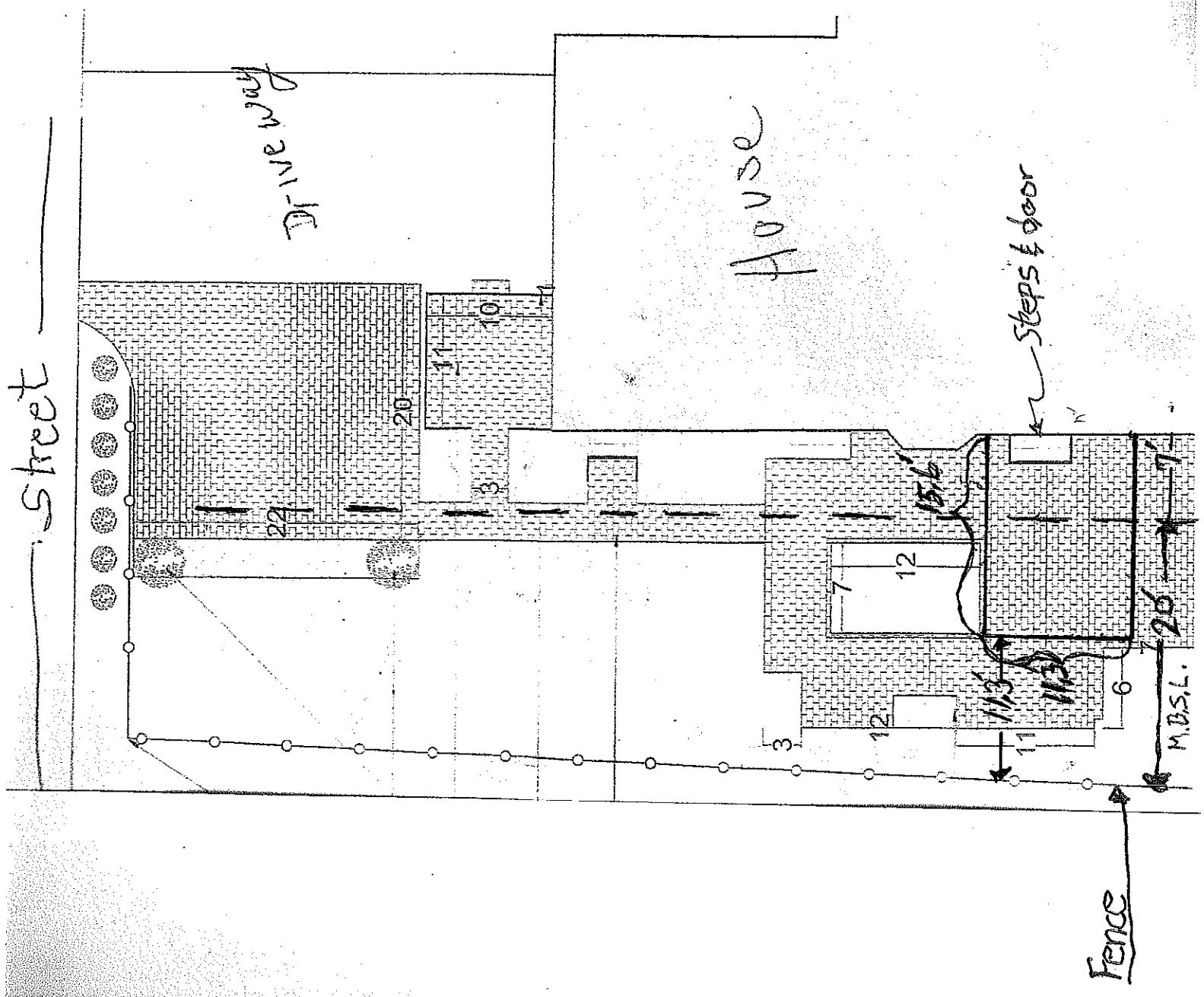
Steps & door

M.B.S.L.









Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: ROGERS JACKSON

Date: 3/12/19

Property Owner: HOLLY MAHER

Case #: 2019-177

Representative: ROGERS JACKSON

Map & Parcel: 081083N0010000

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 build 2 single family homes

Activity Type: 2 family

Location: 1716^(A) NASSAU ST, NASHVILLE,

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: 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.

ROGERS JACKSON
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

1200 49th AVE NORTH
Address

SAME
Address

NASHVILLE, TN, 37209
City, State, Zip Code

SAME
City, State, Zip Code

615-207-5803
Phone Number

SAME
Phone Number

rogers@jbgbuilt.com
Email
justin@builderassistllc.com

SAME
Email

Zoning Examiner: NM

Appeal Fee: 6105



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



3627080

**ZONING BOARD APPEAL / CAAZ - 20190014414
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 081083N00100CO

APPLICATION DATE: 03/12/2019

SITE ADDRESS:

1716 A NASSAU ST NASHVILLE, TN 37208
UNIT A HOMES AT 1716 NASSAU ST

PARCEL OWNER: BARS, BRADLEY JOSEPH

CONTRACTOR:

APPLICANT:**PURPOSE:**

Requesting a sidewalk variance per METZO section 17.20.120 for proposed second dwelling on property.

*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.)

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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

3/12/19

DATE

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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?

irregularly sloped lot, existing sidewalk in
historic overlay

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-177 (1716A Nassau Street)

| | |
|--------------------------|--|
| Metro Standard: | 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| Requested Variance: | Not upgrade sidewalks |
| Zoning: | R6-A |
| Community Plan Policy: | T4 NE (Urban Neighborhood Evolving) |
| MCSP Street Designation: | Local Street |
| Transit: | Property 660' east from #22 – Bordeaux; Planned Rapid Bus per nMotion |
| Bikeway: | None existing; none planned |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a two family dwelling and requests a variance from upgrading sidewalks due to topographic features and existing sidewalks along the frontage of the site. Planning evaluated the following factors for the variance request:

- (1) A 2' grass strip and 5' wide sidewalk exists along the property's frontage, which is consistent with the adjacent properties to the north and south along the block face.
- (2) The existing 2' grass strip and 5' sidewalk has a retaining wall and steps located at the back of the sidewalk that provide access to dwellings along the street. Upgrading the sidewalks to the Metro Local Standard will impact adjacent parcels to the immediate north and south at this location.

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 to accommodate a future 4' grass strip and 5' sidewalk.
3. 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 Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: TYLER THOMASSON Date: 3/12/19
Property Owner: HARMONY HOMES OF TN Case #: 2019- 178
Representative: TYLER THOMASSON Map & Parcel: 07214028600

Council District 07

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

Purpose: to add second home behind existing

Activity Type: 2 family
Location: 1612 CAHAL AVE, NASHVILLE, TN, 37206

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: 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.

TYLER THOMASSON SAME
Appellant Name (Please Print) Representative Name (Please Print)

538 BRANDIES CIRCLE STE 101 SAME
Address Address

MURFREESBORO, TN, 37128 SAME
City, State, Zip Code City, State, Zip Code

615-427-9530 SAME
Phone Number Phone Number

tylerthomason@gmail.com SAME
Email justin@builderassistllc.com Email

Zoning Examiner: 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



3627104

ZONING BOARD APPEAL / CAAZ - 20190014419
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 07214028600

APPLICATION DATE: 03/12/2019

SITE ADDRESS:

1612 CAHAL AVE NASHVILLE, TN 37206
LOT 11 STRATTON SUB OF CAHAL

PARCEL OWNER: HARMONY HOMES OF TENNESSEE, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

Requesting a sidewalk variance per METZO section 17.20.120 for a proposed 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

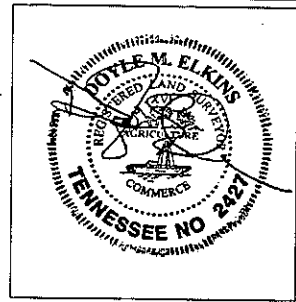
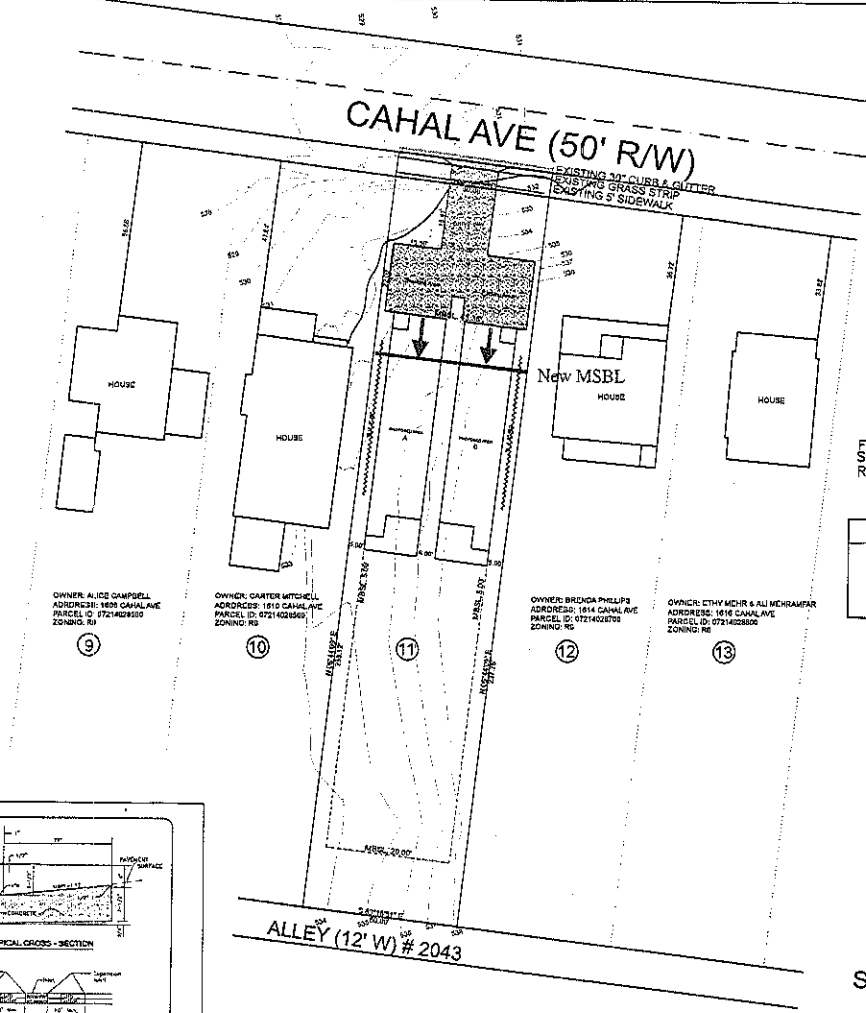
Inspection requirements may change due to changes during construction.



6208 NEW YORK AVE
FRONT SETBACK
#LOT 13 33.52
#LOT 12 35.72
#LOT 9 47.64
#LOT 8 56.56
173.44 ± 4
AVG = 43.36'

Surveyor's Notes:

- All bearings were GPS EST. and do not necessarily match a previously recorded plat.
- This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
- Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
- TRASH TO BE CARTED TO ROAD IN PRIVATE CANISTERS.
- THE PERVIOUS PAVEMENT SHALL CONFORM TO METRO INFILL STANDARDS, THE DETAILS CAN BE LOCATED IN APPENDIX H, PAGE 27.



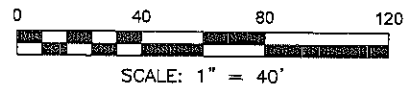
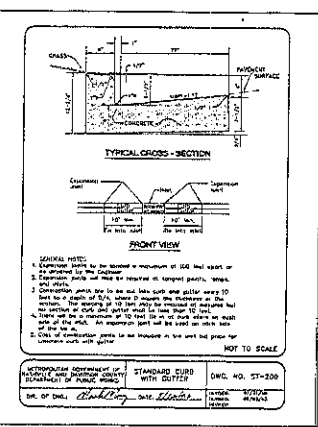
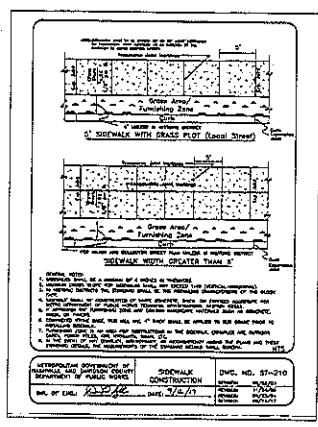
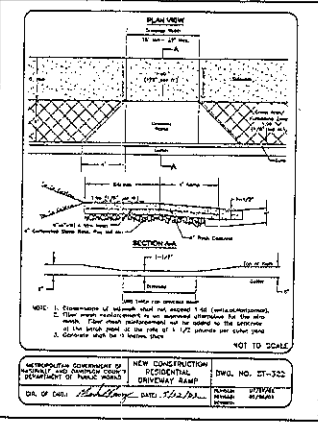
FRONT SETBACK 43.36'
SIDE SETBACK 5' CODE 17.12.020A
REAR SETBACK 20'

1612 CAHAL AVE

| IMPERVIOUS AREA(S) DATA TABLE | |
|-------------------------------|-----------|
| PRE-IMPERVIOUS AREA | = 2725 sf |
| POST-IMPERVIOUS AREA | = 3885 sf |
| INCREASED IA | = 1160 sf |
| TEIR ONE MFD BMP FOR INFILL | |
| 50 LF OF 30" MFD | |

Doyle M. Elkins
610 W. College St #135
Murfreesboro, TN 37130
TN RLS #2427
615-406-9761

SITE PLAN FOR:
LOT 11 STRATTON SUB OF CAHAL
1612 CAHAL AVE
NASHVILLE, TN 37206
PARCEL 07214028600
DB 20050124 0008378
DATE: NOVEMBER. 07, 2018



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.

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

3/12/19

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.

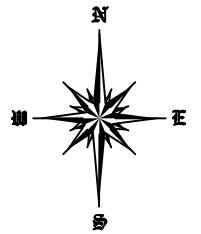
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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.

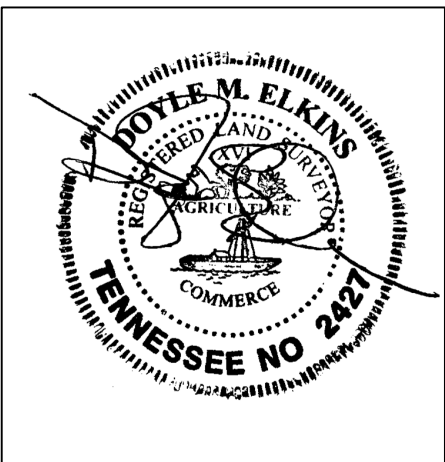
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

irregularly sloped lot, existing sidewalks



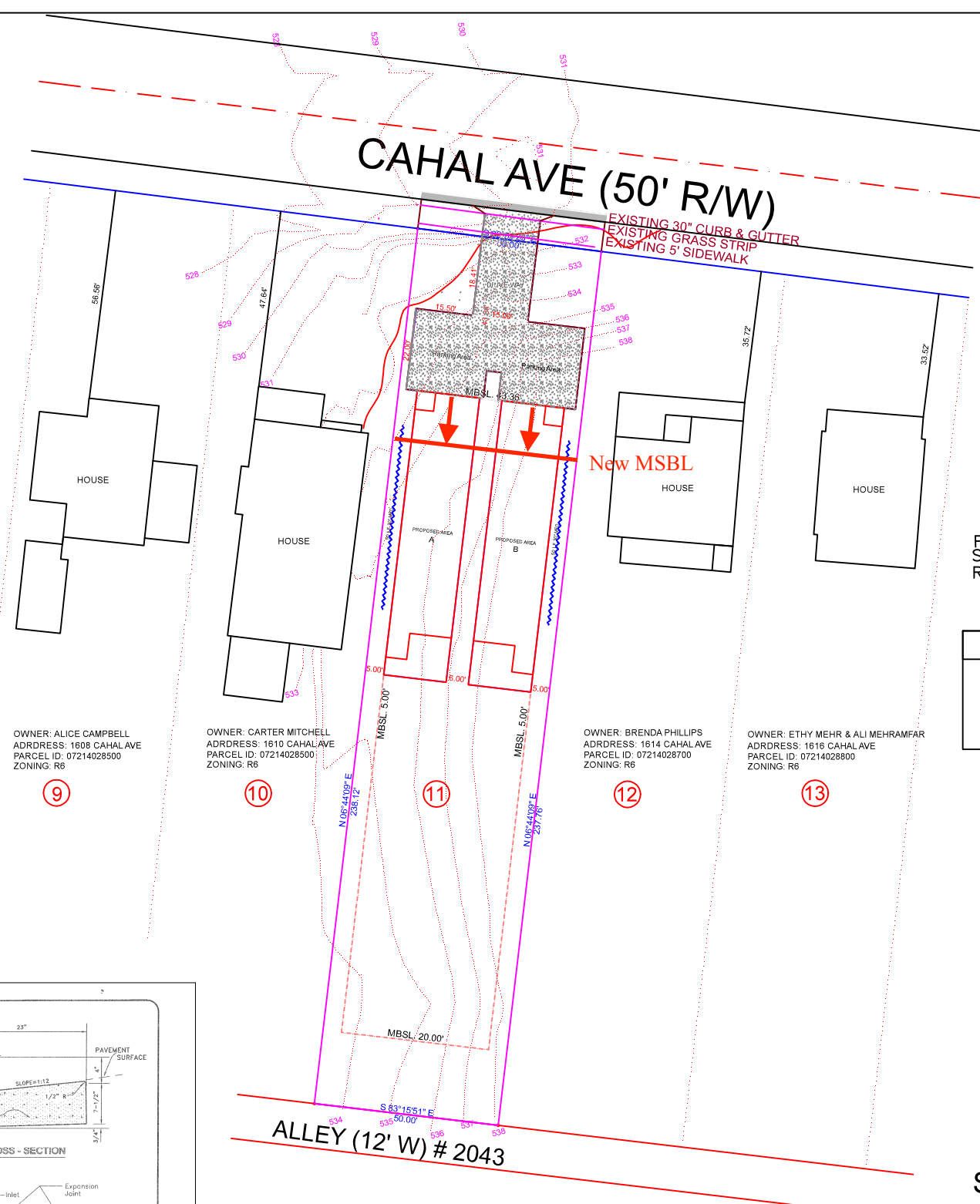
TN STATE PLANE GPS

| | |
|------------------------------------|-------|
| 6208 NEW YORK AVE FRONT SETBACK | |
| #LOT 13 | 33.52 |
| #LOT 12 | 35.72 |
| #LOT 10 | 47.64 |
| #LOT 9 | 56.56 |
| 173.44 ÷ 4 | |
| AVG = 43.36' | |



Surveyor's Notes:

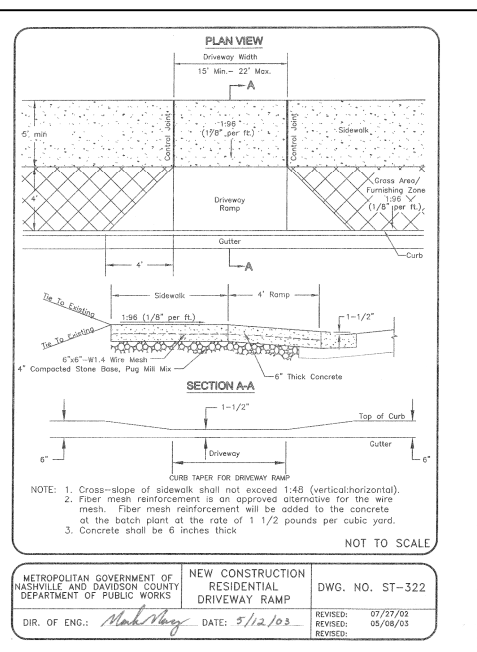
1. All bearings were GPS EST. and do not necessarily match a previously recorded plat.
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4. TRASH TO BE CARTED TO ROAD IN PRIVATE CANISTERS.
5. THE PERVIOUS PAVEMENT SHALL CONFORM TO METRO INFILL STANDARDS, THE DETAILS CAN BE LOCATED IN APPENDIX H, PAGE 27.



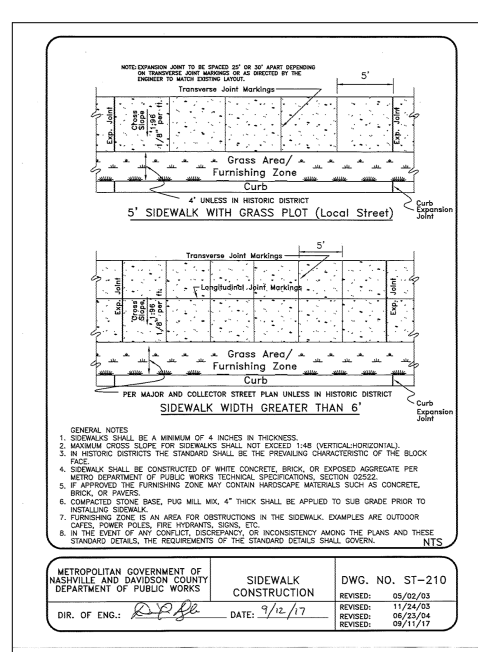
FRONT SETBACK, 43.36'
SIDE SETBACK 5' CODE 17.12.020A
REAR SETBACK 20'

| | |
|--------------------------------------|-----------|
| 1612 CAHAL AVE | |
| IMPERVIOUS AREA(S) DATA TABLE | |
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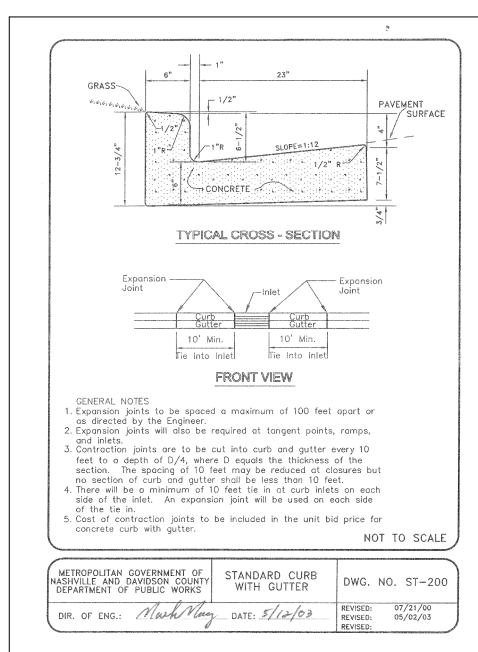
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TN RLS #2427
615-406-9761



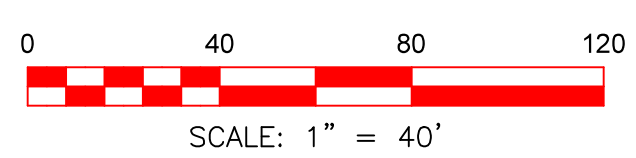
| | | |
|---|--|-------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP | DWG. NO. ST-322 |
| DIR. OF ENG.: <i>Mark Whig</i> | DATE: 5/12/03 | REVISED: 07/27/02 05/08/03 |



| | | |
|---|-----------------------|---|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | SIDEWALK CONSTRUCTION | DWG. NO. ST-210 |
| DIR. OF ENG.: <i>Mark Whig</i> | DATE: 9/12/17 | REVISED: 05/02/03 11/24/03 05/21/04 09/11/17 |



| | | |
|---|---------------------------|-------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | STANDARD CURB WITH GUTTER | DWG. NO. ST-200 |
| DIR. OF ENG.: <i>Mark Whig</i> | DATE: 5/12/02 | REVISED: 07/21/00 09/02/03 |



SITE PLAN FOR:
LOT 11 STRATTON SUB OF CAHAL
1612 CAHAL AVE
NASHVILLE, TN 37206
PARCEL 07214028600
DB 20050124 0008378
DATE: NOVEMBER. 07, 2018

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-178 (1612 Cahal Avenue)

| | |
|--------------------------|--|
| Metro Standard: | 6' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan |
| Requested Variance: | Not upgrade sidewalks; not contribute in-lieu of construction (not eligible) |
| Zoning: | R6 |
| Community Plan Policy: | T4 NM (Urban Neighborhood Maintenance) |
| MCSP Street Designation: | T4-R-CA2 |
| Transit: | Property 630' from #20 – Scott |
| Bikeway: | Bike lanes existing; no changes planned |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a second single family dwelling on the property and requests not to upgrade the existing sidewalk or contribute in lieu of constructing sidewalks on the Cahal Avenue frontage, due to the presence of an existing sidewalk, and topography. Planning evaluated the following factors for the variance request:

- (1) A 2' grass strip and 5' sidewalk exist along the property's frontage, which is consistent with the adjacent properties to the east and west along the block face.

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 to accommodate a future 6' grass strip and 6' sidewalk.
3. 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 Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Leo Moreno

Date: 3/13/19

Property Owner: Galileo Moreno

Case #: 2019- 179

Representative: Galileo Moreno

Map & Parcel: 09700006502

Council District 14

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

Purpose: I need a garage to park my cars

Activity Type: Personal Car Garage

Location: Back Yard, 4057 Mills Rd, Hermitage

This property is in the R8 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: Garage is 1,800 SF

Section(s): 12.12.050 A

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.

Galileo Moreno

Appellant Name (Please Print)

Representative Name (Please Print)

4057 Mills Rd

Address

Address

Hermitage TN 37076

City, State, Zip Code

City, State, Zip Code

615-642-6435

Phone Number

Phone Number

leom@ubgtn.com

Email

Email

Zoning Examiner: PS



Appeal Fee: \$105

Nashville / Davidson County Parcel Viewer

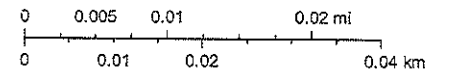
190716831)



March 4, 2019

- Ownership Parcels
-  Planned Unit Development
-  Zoning

1:564



Metro GIS; Pictometry International
Nashville Planning Department, MetroGIS

APPLICATION FOR A VARIANCE REQUEST

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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.

Galileo Moreno

APPELLANT

03/13/19

DATE

Standards for a Variance

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

I need a big enough garage to park 2 cars and 2 motorcycles.



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



3627757

ZONING BOARD APPEAL / CAAZ - 20190014545
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09700006502

APPLICATION DATE: 03/13/2019

SITE ADDRESS:

4057 MILLS RD HERMITAGE, TN 37076
ES MILLS ROAD & N OF STEWART FERRY PK

PARCEL OWNER: MEDINA, GALILEO JUAN CARLOS MOREN

CONTRACTOR:

APPLICANT:**PURPOSE:**

construct 30x60 detached garage to rear of residence
17.12.050 A
POC LEO MORENO 615-642-6435

*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 Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JEFF STROMATT

Date: 3/13/2019

Property Owner: NEW LEVEL CDC

Case #: 2019-180

Representative: _____

Map & Parcel: 08116056800

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 a single family home

Activity Type: Single Family

Location: 1001 11th 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:

RS3.75
MDHA-PJ
OV-U20

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.

Jeff Stromatt
Appellant Name (Please Print)

Representative Name (Please Print)

JEFF STROMATT
402 CHURCHILL CROSSING
Address

Address

MADISON TN 37115
City, State, Zip Code

City, State, Zip Code

615-509-7905
Phone Number

Phone Number

stromatt34@gmail.com
Email

Email

Zoning Examiner: 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



3628042

ZONING BOARD APPEAL / CAAZ - 20190014633
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08116056800

APPLICATION DATE: 03/13/2019

SITE ADDRESS:

1001 11TH AVE N NASHVILLE, TN 37208
PT LOT 176 MCNAIRY

PARCEL OWNER: NEW LEVEL COMMUNITY DEVELOPMENT

CONTRACTOR:

APPLICANT:

PURPOSE:

Requesting a sidewalk variance per METZO section 17.20.120 for proposed single family residence.

*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.)

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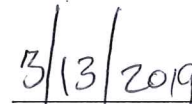
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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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



APPELLANT



DATE

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.

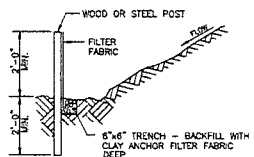
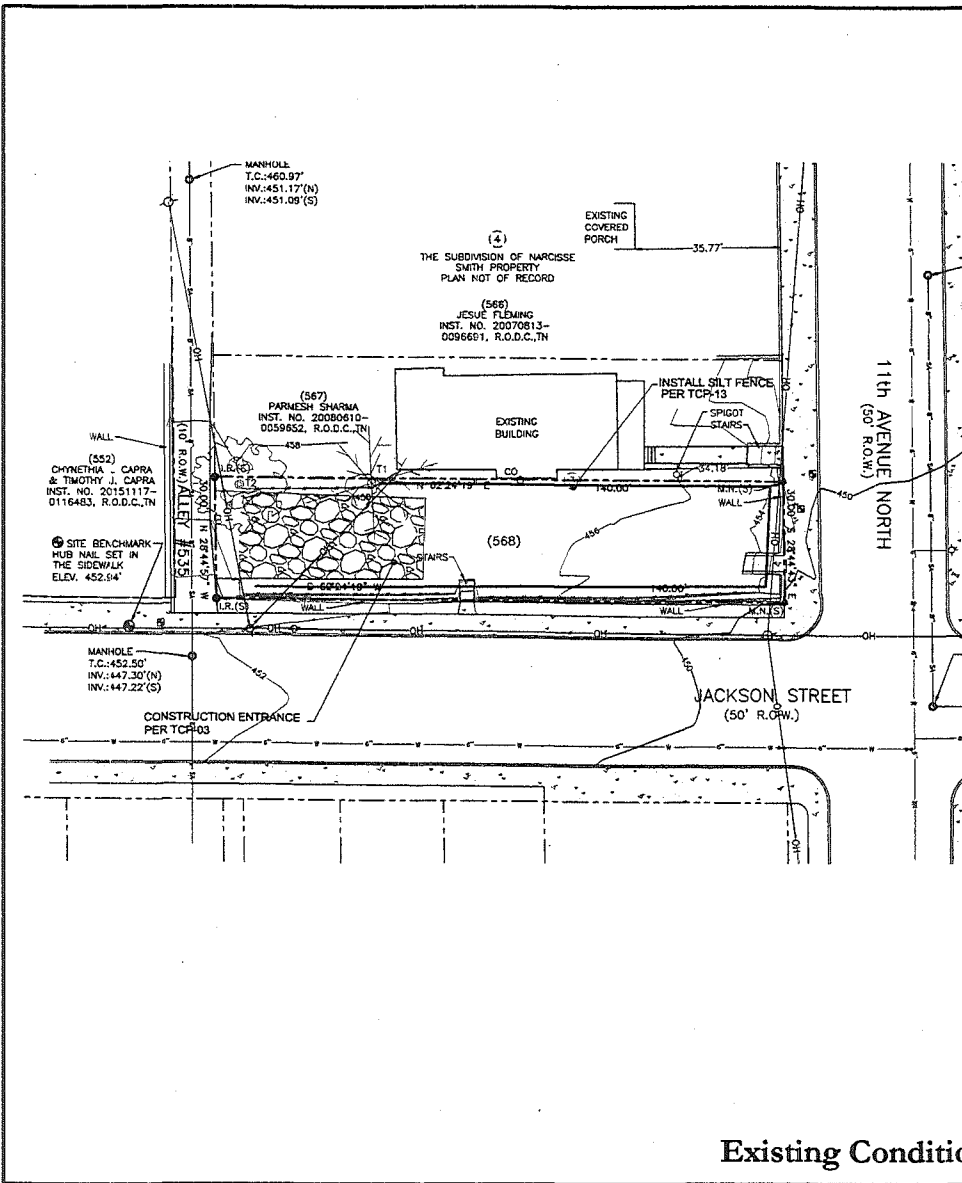
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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?

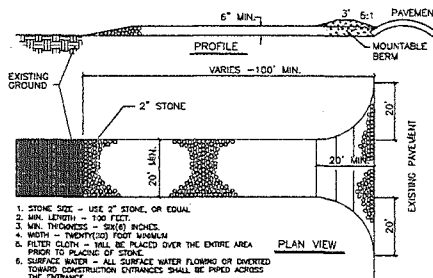
THIS IS LOW INCOME PROJECT USING
BARNES FUNDS -
PROJECT DONE WITH METRO & MDHA



- 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 GEOSYNTHESIS GROUP SPEC. OR EQUIV. WITH EQUIVALENT OPENING SIZE (ECS) OF NO.100 SIEVE MIN., NO.40 SIEVE MAX., AS DETERMINED.

SILT FENCE DETAIL
REFER TO METRO DETAIL TCP-13

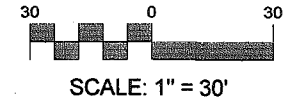


1. STONE SIZE - USE 2" STONE, OR EQUAL.
2. MIN. LENGTH - 100 FEET.
3. MIN. THICKNESS - SIX(6) INCHES.
4. WIDTH - TWENTY(20) FOOT MINIMUM.
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE DRAINAGE.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND, AND REPAIR AND/OR CLEAROUT OF ANY WEARERS USED TO TRAP SEDIMENT. ALL SEDIMENT COLLECTED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.

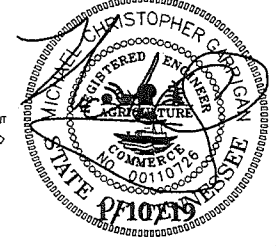
TEMPORARY CONSTRUCTION ENTRANCE
SEE METRO STORMWATER MANAGEMENT MANUAL
VOLUME 4 SECTION TCP-03
NOT TO SCALE

TOTAL AREA = 0.096 ACRES
= 4,199.04 S.F.

Existing Conditions and Erosion Control Plan



| EXISTING IA SUMMARY | |
|--------------------------|------------------|
| Rooftops | 0 Sq.Ft. |
| Driveways | 0 Sq.Ft. |
| Misc. Concrete | 69 Sq.Ft. |
| Total IA Existing | 69 Sq.Ft. |



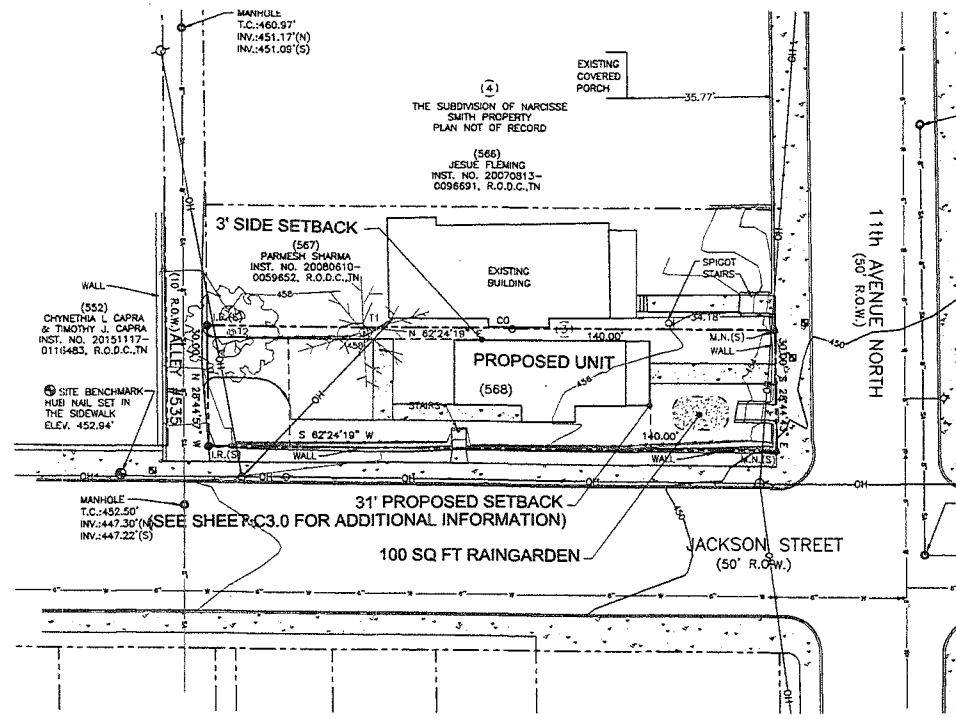
Dale & Dale Associates
Consulting Civil Engineering
Land Planning & Zoning
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516 Heather Place
Nashville, Tennessee 37204
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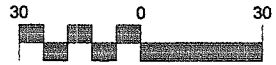
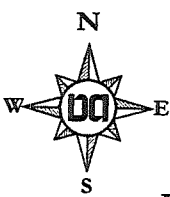
Revisions:
DATE: JAN 2019

1001 11th Avenue North
BEING PARCEL 568 ON TAX MAP 81-16
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PROJECT # 18138
1001 11th Avenue North
C1.0
1 OF 3



TOTAL AREA = 0.096 ACRES
= 4,199.04 S.F.



SCALE: 1" = 30'

Infill Development Plan

PROPOSED IA SUMMARY

| | |
|--------------------------|--------------------|
| Rooftops | 830 Sq.Ft. |
| Driveways | 626 Sq.Ft. |
| Misc. Concrete | 365 Sq.Ft. |
| Total IA Proposed | 1821 Sq.Ft. |

1821 Sq.Ft. - 69 Sq.Ft. (Ex.) = 1752 Sq. Ft.

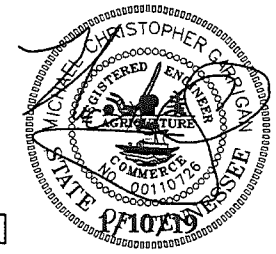
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DEVELOPER BMP OPTIONS

| 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 lf at 36" Gravel Depth |
| Permeable Pavement | Not Applicable | Not Applicable |
| Rain Gardens | See Table Based upon 2000 sf Contributing Area | 100 SF Rain Garden W/ 30" Depth of Amended Soil |

SUMMARY OR RECCOMENDATION

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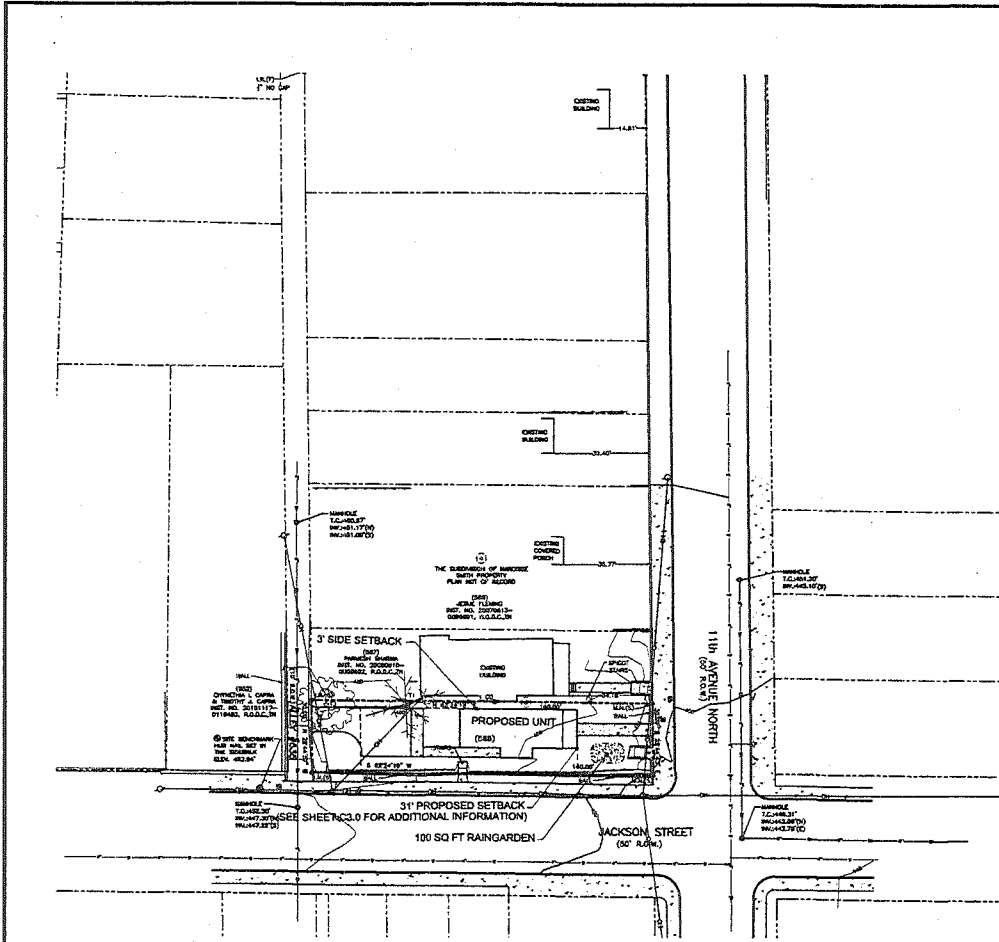
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1001 11th Avenue North
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Dale & Associates
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Land Planning & Zoning
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516 Heather Place
Nashville, Tennessee 37204
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PROJECT # 18138
1001 11th Avenue North
C2.0
2 OF 3

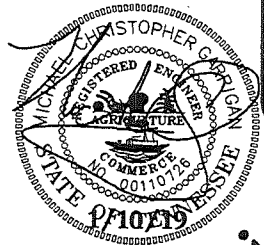
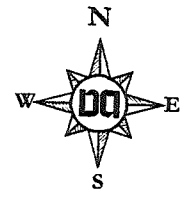
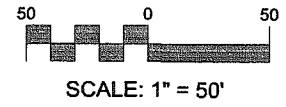


| EXISTING BUILDING OFFSETS | |
|---------------------------|-------------------|
| ADDRESS | DISTANCE FROM R/W |
| 1013 11th Avenue North | 14.81' |
| 1007 11th Avenue North | 39.40' |
| 1005 11th Avenue North | 35.77' |
| 1003 11th Avenue North | 34.18' |

* SETBACK SHOULD BE VERIFIED BY CLIENT BEFORE DEVELOPMENT.

SETBACK SUMMARY

31.0' AVERAGE S/B
31.0' PROPOSED SETBACK



Dale & DA Associates
 Consulting Civil Engineering
 Land Planning & Zoning
 Landscape Architecture

TOTAL AREA = 0.096 ACRES
 = 4,199.04 S.F.
Adjacent Setbacks Plan

516 Heather Place
 Nashville, Tennessee 37204
 (615) 297-5166

Revisions:
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1001 11th Avenue North
 BEING PARCEL 568 ON TAX MAP 81-16
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PROJECT # 18138
 1001 11th Avenue North
C3.0
 3 OF 3

| STORMWATER Checklist - Metropolitan Government of Davidson County, Nashville Residential Infill Lot Developments | | | | | |
|--|--------|---|---|--|------------------------------|
| A. PROJECT DATA | | | | SWSF: | |
| Applicant Name: | | | Property Address: 1001 11 th Ave N | | |
| Address: | | | Lot Area: 0.096 Ac | Parcel(s): 81-16 P: 568 | |
| City: | State: | Zip: | PRE Impervious Area: 69 SF | POST Impervious Area: 1821 SF | NET Impervious Area: 1752 SF |
| Phone No.: | Email: | | Tier of Development: <input checked="" type="checkbox"/> Tier 1: 800-2,500 sf Fill/Check Appropriate Tier <input type="checkbox"/> Tier 2: 2,500-8,000 sf based on NET Impervious Area <input type="checkbox"/> Tier 3: 8,000-15,000 sf | | |
| Building Permit(s): | | | * If total POST Impervious Area less than 30% of Lot Area - exempt * Professional Engineer's stamp required for Tier 3, 10-year peak flow calculations must be submitted for review and approval | | |
| B. GREEN INFRASTRUCTURE CONTROLS & PRACTICES | | | | <i>FILL/CHECK appropriate Green Infrastructure</i> | |
| Refer to Residential Infill Ordinance | | | | | |
| <input type="checkbox"/> Cisterns | | <input type="checkbox"/> Permeable Pavers | | <input type="checkbox"/> Tree Credit (for qualifying trees) _____ | |
| <input type="checkbox"/> Dry Well | | <input checked="" type="checkbox"/> Rain Gardens | | <input type="checkbox"/> Alternative Method (for Tier 2 & Tier 3, Professional Engineers stamp required) _____ | |
| <input type="checkbox"/> Modified French Drain | | <input type="checkbox"/> Vegetated Filter Strips | | | |
| C. SITE PLAN <i>Attach a copy of the site plan depicting specifications below. FILL/CHECK items included with plan</i> | | | | | |
| <input checked="" type="checkbox"/> Impervious area (existing & proposed) | | <input checked="" type="checkbox"/> Lot/building layout with dimensions | | <input checked="" type="checkbox"/> Erosion & sediment control measures <small>(Silt fence, weighted sediment tubes, construction entrance)</small> | |
| <input type="checkbox"/> Culvert/Drainage pipe(s) proposed in ROW | | <input checked="" type="checkbox"/> Contours (existing & proposed) | | <input type="checkbox"/> Buffers (stream, floodway) zones | |
| <input checked="" type="checkbox"/> Structure, finish floor elevation | | <input checked="" type="checkbox"/> Plan to Scale (scale on drawing) | | <input type="checkbox"/> 100-yr floodplain boundary | |
| <input checked="" type="checkbox"/> Plan stamped by a licensed surveyor/engineer | | <input type="checkbox"/> Easements on property | | <input checked="" type="checkbox"/> Location of green infrastructure | |
| D. AGREEMENT (by applicant) | | | | | |
| <input type="checkbox"/> Culvert/drainage pipe proposed in Metro right-of-way (ROW). The minimum diameter is 15 inches and must be constructed of <input type="checkbox"/> reinforced concrete (RCP) or <input type="checkbox"/> corrugated metal (CMP) and anchored with headwalls. Diameter: _____ Length: _____ | | | | | |
| <input checked="" type="checkbox"/> The increase in impervious area (IA) will be less than 15,000 square feet and meet grading permit exemption criteria. | | | | | |
| <input checked="" type="checkbox"/> Erosion and sediment control measures will be installed prior to any site disturbance and maintained during the entire construction phase to prevent sediment from leaving the site. | | | | | |
| <input checked="" type="checkbox"/> All disturbed areas on the site will be stabilized with vegetation before requesting a final inspection. | | | | | |
| <input checked="" type="checkbox"/> No post-development drainage issues will result from completion of this project on adjacent property owners, the Metro drainage easement, or Metro public right of way. Any damage to existing drainage structures from construction activities will be replaced by comparable materials at the builder's expense. | | | | | |
| <i>I certify that I have reviewed this document and understand the stormwater requirements herein. I understand that these requirements will be inspected and enforced by the Metro Water Services, Stormwater Office and failure to comply may result in the issuance of a Stop Work Order, monetary penalties, or Environmental Court Injunctions.</i> | | | | | |
| Print Name: | | Signature: | | Date: | |

If you have questions related to infill development, contact Kimberly Hayes: kimberly.hayes@nashville.gov or phone (615)862-4276.

| Activity | Date | Inspector |
|--------------------|------|-----------|
| EPSC Inspection | | |
| Routine Inspection | | |
| Final Inspection | | |



Revisions:
DATE: JAN 2019

1001 11th Avenue North
BEING PARCEL 568 ON TAX MAP 81-16
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

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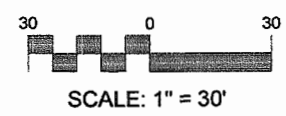
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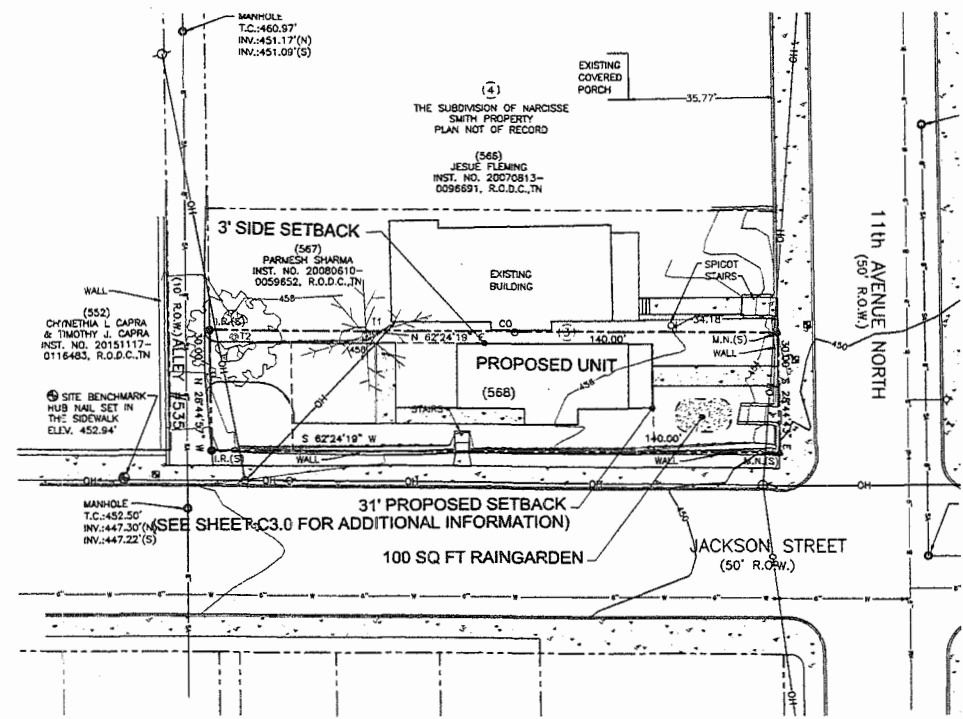
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Infill Development Plan

Dale & Associates
Consulting Civil Engineering
Land Planning & Zoning
Surveying Architecture

PROJECT # 18138
1001 11th Avenue North
C2.0
2 OF 3

516 Heather Place
Nashville, Tennessee 37204
(615) 297-5166



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-180 (1001 11th Avenue North)

| | |
|--------------------------|--|
| Metro Standard: | 11 th Avenue North – 8’ sidewalk, as defined by the Major and Collector Street Plan Jackson Street –5’ sidewalk, as defined by the Major and Collector Street Plan |
| Requested Variance: | Not upgrade sidewalks |
| Zoning: | RS3.75 |
| Community Plan Policy: | T4 NM (Urban Neighborhood Maintenance) |
| MCSP Street Designation: | 11 th Avenue North – Local Street Jackson Street – Local Street |
| Transit: | 750’ north of #19 – Herman |
| Bikeway: | None existing; none planned |

Planning Staff Recommendation: *Approve.*

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) The property is located within Hope Gardens Neighborhood Supplemental Policy Area (09-T4-DN-HG-01) of the Downtown Community Plan Area. The intent of the Supplemental Policy is to maintain existing street conditions and sidewalk dimensions to protect the historic character of the neighborhood.
- (2) An 8’ sidewalk without a grass strip currently exists along the property frontage with 11th Avenue North, which is consistent with adjacent parcels to the north and meet the Major and Collector Street Plan standard.
- (3) A 5’ sidewalk without a grass strip currently exists along the property frontage with Jackson Street, which is consistent with adjacent parcels to the west and meet the Major and Collector Street Plan standard.
- (4) 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**.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : JEFF STROMATI Date: 3/13/2019
Property Owner: NEW LEVEL CDC Case #: 2019- 181
Representative: : _____ Map & Parcel: 10504011900

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 build a single family home

Activity Type: Single Family

Location: 34 SHEPARD ST

This property is in the P6 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.

JEFF STROMATI
Appellant Name (Please Print)

Representative Name (Please Print)

402 CHURCHILL CROSSING
Address

Address

MADISON TN 37115
City, State, Zip Code

City, State, Zip Code

615-509-7905
Phone Number

Phone Number

stromatt34@gmail.com
Email

Email

Zoning Examiner: WM

Appeal Fee: \$100

incomplete CAAZ



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



3628033

**ZONING BOARD APPEAL / CAAZ - 20190014630
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL:

APPLICATION DATE: 03/13/2019

SITE ADDRESS:

PARCEL OWNER:

CONTRACTOR:

APPLICANT:

PURPOSE:

Requesting a sidewalk variance per METZO section 17.20.120 for proposed single family residence.

*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

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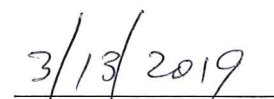
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METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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APPELLANT



DATE

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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.

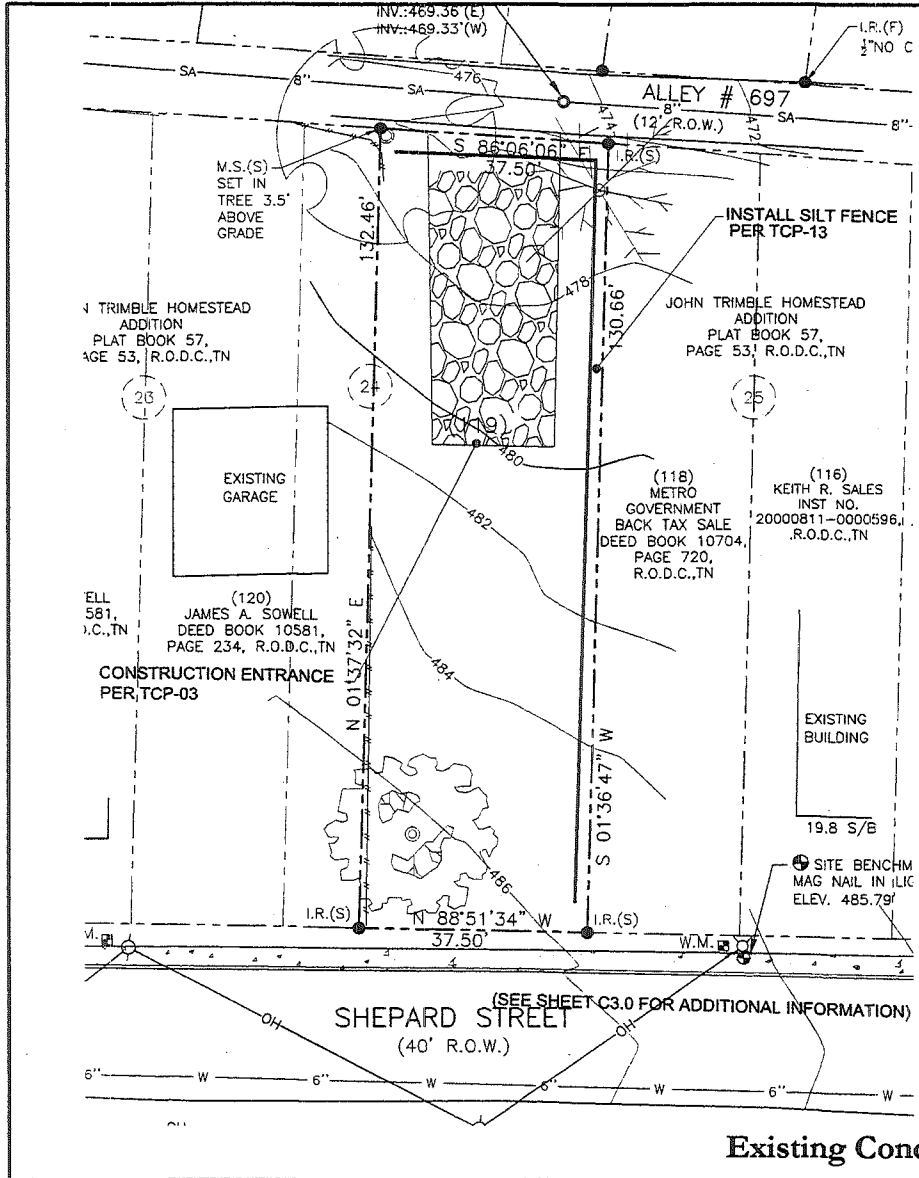
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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.

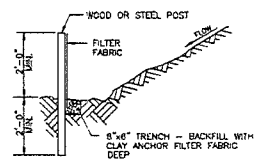
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively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

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

THIS IS A LOW INCOME PROJECT
USING BARNES FUNDS -
PROJECT DONE WITH - METRO - MDHA



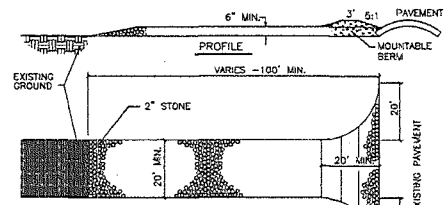
Existing Conditions and Erosion Control Plan



- 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 COMPS OF ENGINEERS GRADE SPEC. CW 622.5, WITH EQUIVALENT OPENING SIZE (EOS) OF NO.100 SIEVE MIN. NO.40 SIEVE MAX. AS DETERMINED.

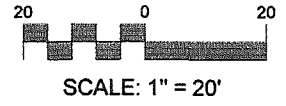
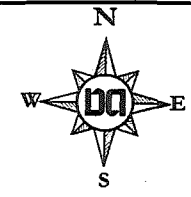
SILT FENCE DETAIL
REFER TO METRO DETAIL TCP-13



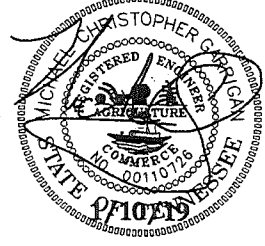
1. STONE SIZE - USE 2" STONE, OR EQUAL
2. MIN. LENGTH - 100 FEET
3. MIN. THICKNESS - 50#/S/B
4. WIDTH - TWENTYFOOT MINIMUM
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PAVED ACROSS THE ENTRANCE.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-OF-WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MACHINES USED TO TAMP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHTS-OF-WAY MUST BE REMOVED IMMEDIATELY.

TEMPORARY CONSTRUCTION ENTRANCE
SEE METRO STORMWATER MANAGEMENT MANUAL
VOLUME 4, SECTION TCP-03
NOT TO SCALE

TOTAL AREA = 0.113 ACRES
= 4,931.49 S.F.



| EXISTING IA SUMMARY | |
|--------------------------|-----------------|
| Rooftops | 0 Sq.Ft. |
| Driveways | 0 Sq.Ft. |
| Misc. Concrete | 0 Sq.Ft. |
| Total IA Existing | 0 Sq.Ft. |



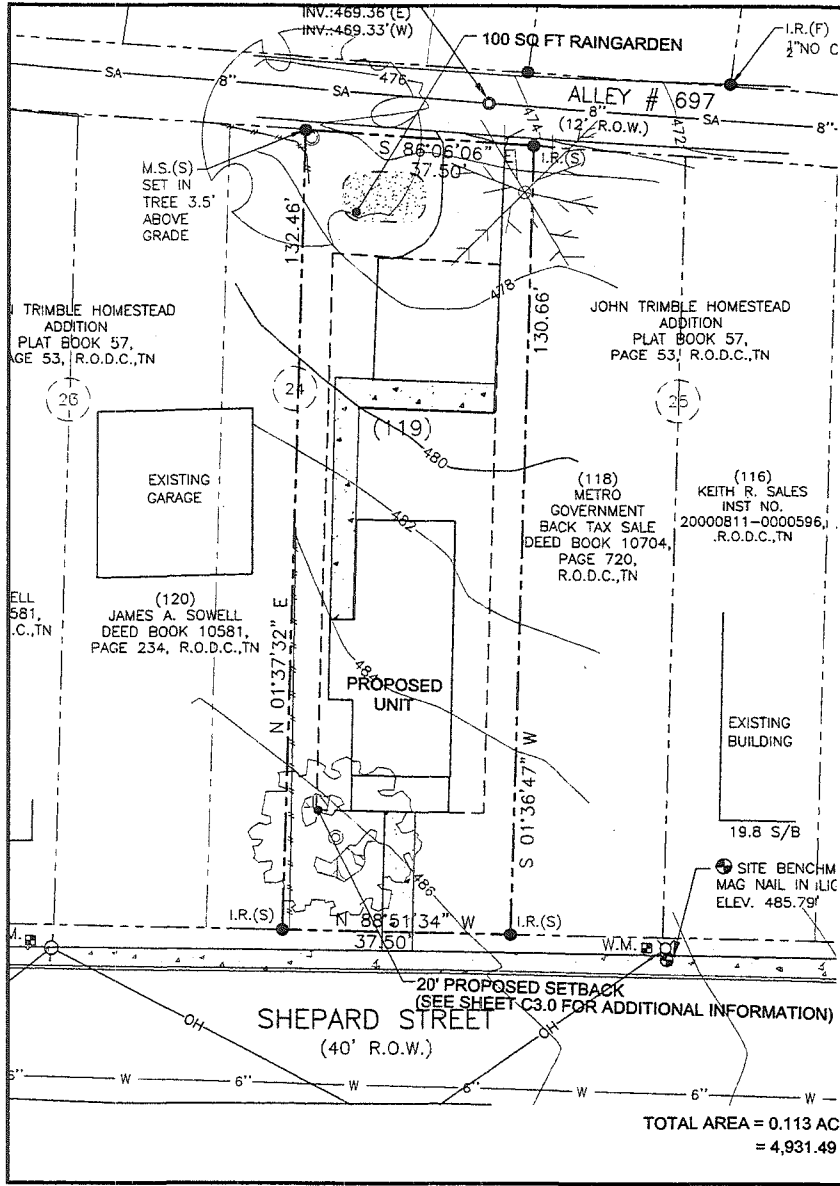
Dale & DD
Consulting Civil Engineering
Land Planning & Zoning
Landscape Architecture

Revisions:
DATE: JAN 2019

34 Shepard Street
BEING PARCEL 119 ON TAX MAP 105-4
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PROJECT # 18139
34 Shepard Street
C1.0
1 OF 3

516 Heather Place
Nashville, Tennessee 37204
(615) 277-5166



PROPOSED IA SUMMARY

| | |
|--------------------------|--------------------|
| Rooftops | 830 Sq.Ft. |
| Driveways | 626 Sq.Ft. |
| Misc. Concrete | 365 Sq.Ft. |
| Total IA Proposed | 1821 Sq.Ft. |

1821 Sq.Ft. - 0 Sq.Ft. (Ex.) = 1821 Sq. Ft.

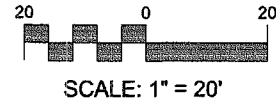
NET IA = 1821 Sq.Ft. which must Follow Tier I Design

DEVELOPER BMP OPTIONS

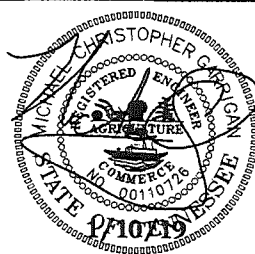
| BMP | DESIGN | REQUIRED |
|------------------------|---|---|
| Cisterns | Not Applicable | Not Applicable |
| Dry Well | Not Applicable | Not Applicable |
| Vegetated Filter Strip | Not Applicable | Not Applicable |
| Modified French Drain | See Table Based upon 2000 sf Contributing Area | 65 lf at 36" Gravel Depth |
| Permeable Pavement | Not Applicable | Not Applicable |
| Rain Gardens | See Table Based upon 2000 sf Contributing Area | 100 SF Rain Garden W/ 30" Depth of Amended Soil |

SUMMARY OR RECCOMENDATION

Client/Developer May Choose From Any of the Above Described BMPs. Engineer Recommends The Raingardens as Depicted Herein. It is of the Upmost Importance that the Builder/Contractor ensure all Rooftop Runoff be Directed to the BMP of Choice.



Infill Development Plan



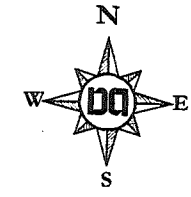
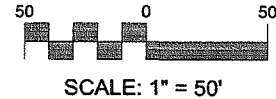
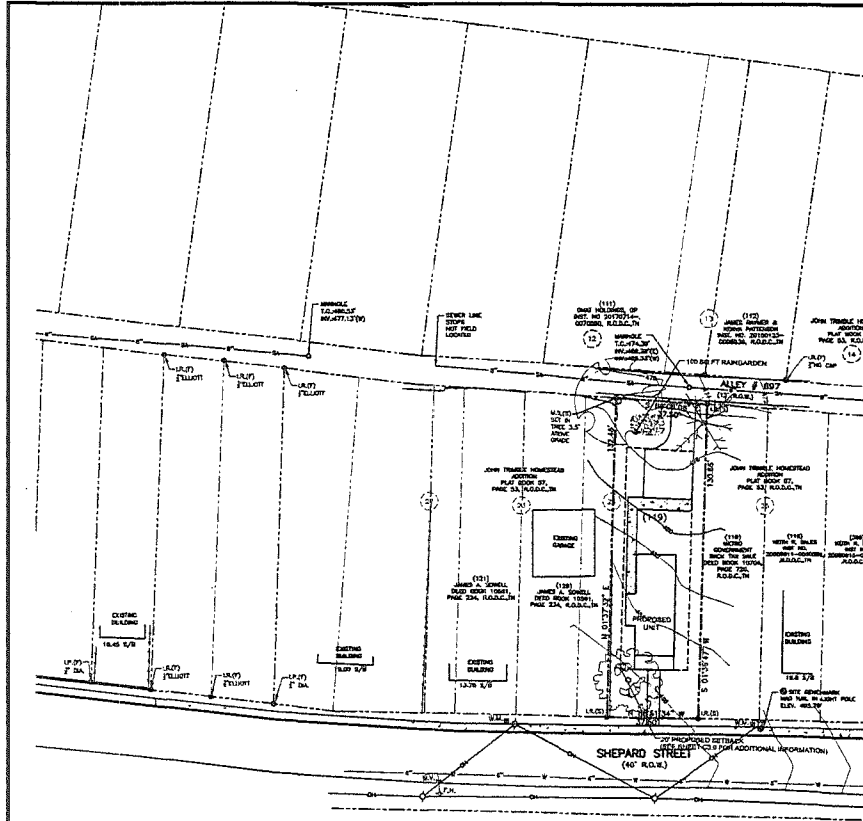
Revisions:
DATE: JAN 2019

34 Shepard Street
BEING PARCEL 119 ON TAX MAP 105-4
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

Dale & DD Associates
Consulting Civil Engineering
Land Planning & Zoning
Surveying

PROJECT # 18139
34 Shepard Street
C2.0
2 OF 3

516 Heather Place
Nashville, Tennessee 37204
(615) 277-5166



| EXISTING BUILDING OFFSETS | |
|---------------------------|-------------------|
| ADDRESS | DISTANCE FROM R/W |
| 20 SHEPARD STREET | 19.45' |
| 28 SHEPARD STREET | 19.09' |
| 30 SHEPARD STREET | 13.76' |
| 38 SHEPARD STREET | 19.80' |

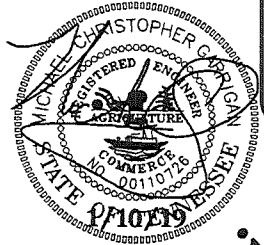
* SETBACK SHOULD BE VERIFIED BY CLIENT BEFORE DEVELOPMENT.

SETBACK SUMMARY
 18.0' AVERAGE S/B
 20.0' PROPOSED SETBACK

TOTAL AREA = 0.113 ACRES
 = 4,931.49 S.F.
Adjacent Setbacks Plan

Revisions:
 DATE: JAN 2019

34 Shepard Street
 BEING PARCEL 119 ON TAX MAP 105-4
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE



Dale & Associates
 Consulting Civil Engineering
 Land Planning & Zoning
 Surveying Architecture

PROJECT # 18139
 34 Shepard Street
C3.0
 3 OF 3

516 Heather Place
 Nashville, Tennessee 37204
 (615) 297-5166

| STORMWATER Checklist - Metropolitan Government of Davidson County, Nashville Residential Infill Lot Developments | | | | METRO WATER SERVICES | |
|--|---|---|--|---|------------------------------|
| A. PROJECT DATA | | | | SWSF: | |
| Applicant Name: | | Property Address: 34 Shepard St | | | |
| Address: | | Lot Area: 0.113 Ac | Parcel(s): 105-4 P: 119 | | |
| City: | State: | Zip: | PRE Impervious Area: 0 SF | POST Impervious Area: 1821 | NET Impervious Area: 1821 SF |
| Phone No.: | Email: | | Tier of Development: <input type="checkbox"/> Tier 1: 800-2,500 sf <input type="checkbox"/> Tier 2: 2,500-8,000 sf <input checked="" type="checkbox"/> Tier 3: 8,000-15,000 sf <small>Fill/Check Appropriate Tier based on NET Impervious Area</small> | | |
| Building Permit(s): | | | <small>* If total POST Impervious Area less than 30% of Lot Area - exempt * Professional Engineer's stamp required for Tier 3. 10-year peak flow calculations must be submitted for review and approval.</small> | | |
| B. GREEN INFRASTRUCTURE CONTROLS & PRACTICES | | | | FILL/CHECK appropriate Green Infrastructure | |
| <div style="border: 1px solid black; padding: 2px; display: inline-block;">Refer to Residential Infill Ordinance</div> | | | | | |
| <input type="checkbox"/> Cisterns | <input type="checkbox"/> Permeable Pavers | <input type="checkbox"/> Tree Credit (for qualifying trees) _____ | | | |
| <input type="checkbox"/> Dry Well | <input checked="" type="checkbox"/> Rain Gardens | <input type="checkbox"/> Alternative Method (for Tier 2 & Tier 3, Professional Engineers stamp required) _____ | | | |
| <input type="checkbox"/> Modified French Drain | <input type="checkbox"/> Vegetated Filter Strips | | | | |
| C. SITE PLAN Attach a copy of the site plan depicting specifications below. FILL/CHECK items included with plan | | | | | |
| <input checked="" type="checkbox"/> Impervious area (existing & proposed) | <input checked="" type="checkbox"/> Lot/building layout with dimensions | <input type="checkbox"/> Erosion & sediment control measures (Silt fence, weighted sediment tubes, construction entrance) | | | |
| <input type="checkbox"/> Culvert/Drainage pipe(s) proposed in ROW | <input checked="" type="checkbox"/> Contours (existing & proposed) | <input type="checkbox"/> Buffers (stream, floodway) zones | | | |
| <input checked="" type="checkbox"/> Structure, finish floor elevation | <input checked="" type="checkbox"/> Plan to Scale (scale on drawing) | <input type="checkbox"/> 100-yr floodplain boundary | | | |
| <input checked="" type="checkbox"/> Plan stamped by a licensed surveyor/engineer | <input type="checkbox"/> Easements on property | <input checked="" type="checkbox"/> Location of green infrastructure | | | |
| D. AGREEMENT (by applicant) | | | | | |
| <input type="checkbox"/> Culvert/drainage pipe proposed in Metro right-of-way (ROW). The minimum diameter is 15 inches and must be constructed of <input type="checkbox"/> reinforced concrete (RCP) or <input type="checkbox"/> corrugated metal (CMP) and anchored with headwalls. Diameter: _____ Length: _____ | | | | | |
| <input checked="" type="checkbox"/> The increase in impervious area (IA) will be less than 15,000 square feet and meet grading permit exemption criteria. | | | | | |
| <input checked="" type="checkbox"/> Erosion and sediment control measures will be installed prior to any site disturbance and maintained during the entire construction phase to prevent sediment from leaving the site. | | | | | |
| <input checked="" type="checkbox"/> All disturbed areas on the site will be stabilized with vegetation before requesting a final inspection. | | | | | |
| <input checked="" type="checkbox"/> No post-development drainage issues will result from completion of this project on adjacent property owners, the Metro drainage easement, or Metro public right of way. Any damage to existing drainage structures from construction activities will be replaced by comparable materials at the builder's expense. | | | | | |
| <small>I certify that I have reviewed this document and understand the stormwater requirements herein. I understand that these requirements will be inspected and enforced by the Metro Water Services, Stormwater Office and failure to comply may result in the issuance of a Stop Work Order, monetary penalties, or Environmental Court Injunctions.</small> | | | | | |
| Print Name: | | Signature: | | Date: | |

If you have questions related to infill development, contact Kimberly Hayes: kimberly.hayes@nashville.gov or phone (615)862-4276.

| Activity | Date | Inspector |
|--------------------|------|-----------|
| EPSC Inspection | | |
| Routine Inspection | | |
| Final Inspection | | |

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-181 (34 Shepard Street)

| | |
|--------------------------|---|
| Metro Standard: | 4' grass strip and 5' sidewalk, as defined by the Metro Local Street standard |
| Requested Variance: | Not upgrade sidewalks |
| Zoning: | R6 |
| Community Plan Policy: | T4 NE (Urban Neighborhood Evolving) |
| MCSP Street Designation: | Local Street |
| Transit: | 1319' south of #25 – Midtown |
| 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 4' sidewalk without a grass strip currently exists along the property frontage with Shepard Street, which is consistent with adjacent parcels to the east and west along the block face.
- (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: ELLIOTT DEVELOPMENT Date: 3/13/19
Property Owner: SAMUEL BUCHANAN Case #: 2019- 182
Representative: MICHAEL ELLIOTT Map & Parcel: 10504001000

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: HFR DUPLEX
NEW CONSTRUCTION
Activity Type: HFR
Location: 16 CLAIBORNE ST.

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 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.

ELLIOTT DEVELOPMENT Appellant Name (Please Print) MICHAEL ELLIOTT Representative Name (Please Print)
3844 S MOUNT JULIET RD Address
HERMITAGE, TN 37076 City, State, Zip Code
615-405-3577 Phone Number
MICHAEL@ELLIOTTGROUP.TN.COM Email
Zoning Examiner: K Appeal Fee: _____



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



3628404

ZONING BOARD APPEAL / CAAZ - 20190014743
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 10504001000

APPLICATION DATE: 03/13/2019

SITE ADDRESS:

16 CLAIBORNE ST NASHVILLE, TN 37210
LOT 407 MAURY & CLAIBORNE PLAN

PARCEL OWNER: BUCHANAN, SAMUEL ET AL

CONTRACTOR:

APPLICANT:**PURPOSE:**

NEW CONSTRUCTION RESIDENTIAL HPR

PER: 17.20.120 SIDEWALKS REQUIRED

REQUEST TO NOT INSTALL SIDEWALKS AND NOT 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.



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



3628404

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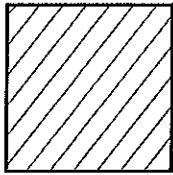
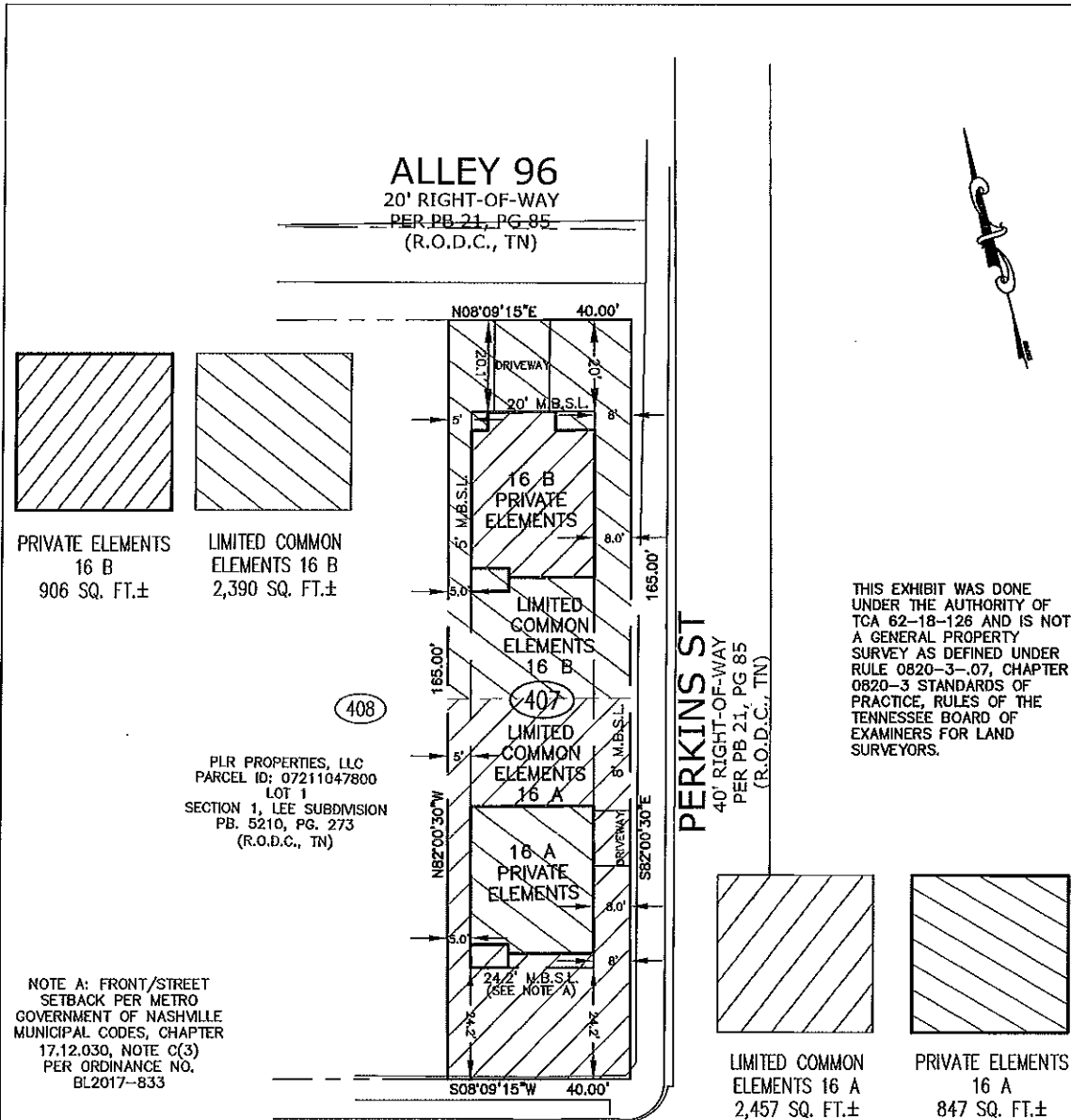
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REQUEST TO NOT INSTALL SIDEWALKS AND NOT CONTRIBUTE

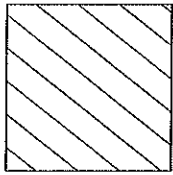
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PRIVATE ELEMENTS
16 B
906 SQ. FT.±



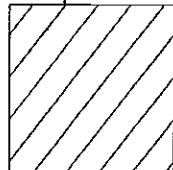
LIMITED COMMON
ELEMENTS 16 B
2,390 SQ. FT.±

408

PLR PROPERTIES, LLC
PARCEL ID: 07211047800
LOT 1
SECTION 1, LEE SUBDIVISION
PB. 5210, PG. 273
(R.O.D.C., TN)

NOTE A: FRONT/STREET
SETBACK PER METRO
GOVERNMENT OF NASHVILLE
MUNICIPAL CODES, CHAPTER
17.12.030, NOTE C(3)
PER ORDINANCE NO.
BL2017-833

THIS EXHIBIT WAS DONE
UNDER THE AUTHORITY OF
TCA 62-18-126 AND IS NOT
A GENERAL PROPERTY
SURVEY AS DEFINED UNDER
RULE 0820-3-.07, CHAPTER
0820-3 STANDARDS OF
PRACTICE, RULES OF THE
TENNESSEE BOARD OF
EXAMINERS FOR LAND
SURVEYORS.



LIMITED COMMON
ELEMENTS 16 A
2,457 SQ. FT.±

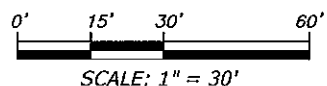


PRIVATE ELEMENTS
16 A
847 SQ. FT.±

| STREET SETBACK TABLE | |
|-------------------------|---------|
| ADDRESS | SETBACK |
| #14 CLAIBORNE ST | 28.8' |
| #12 CLAIBORNE ST | 27.4' |
| #10 CLAIBORNE ST | 25.6' |
| #2 CLAIBORNE ST | 15.0' |
| AVERAGE SETBACK = 24.2' | |

SETBACKS
FRONT/STREET: SEE NOTE A
SIDE: 5'/8' STREET
REAR: 20'

CLAIBORNE ST
50' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)

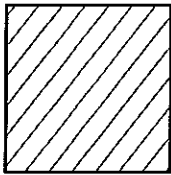
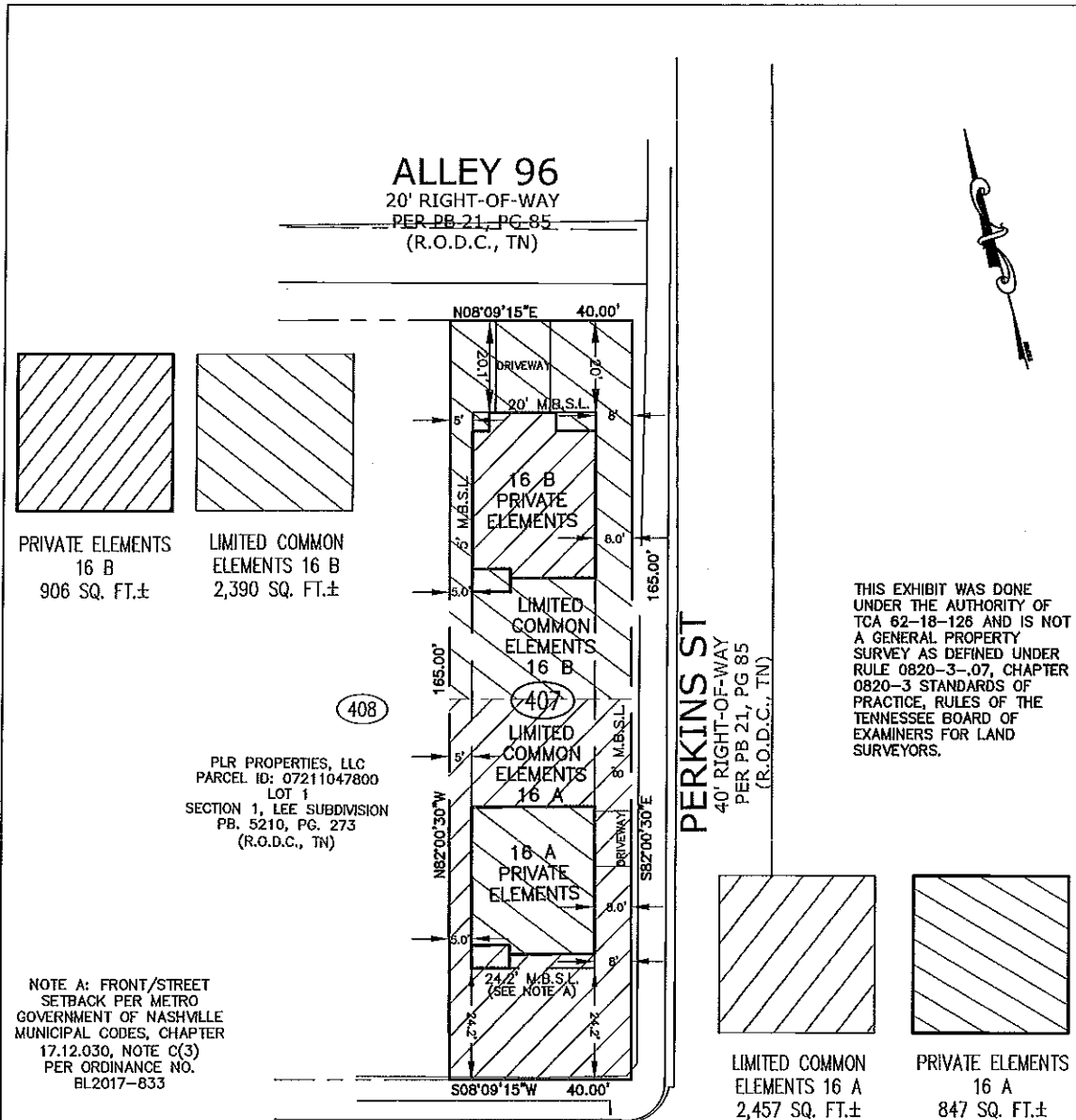


**A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS
EXHIBIT MAP**

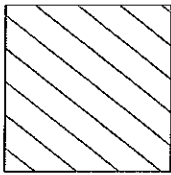
OWNER: JOSH HELLMER
ADDRESS: 16 CLAIBORNE STREET
CITY: NASHVILLE, DAVIDSON COUNTY, TENNESSEE
LOT #407
SUBD. MAURY AND CLAIBORNE ADDITION
PLAT: PLAT BOOK 21, PAGE 85
RECORD: INSTRUMENT# 20180417-0036213 (R.O.D.C., TN)
SCALE: 1"=30' DATE: AUGUST 21, 2018
MAP: 105-04 PARCEL: 10.00

16 A: 27.00'X35.00'
16 B: 27.00'X39.00'
16 A AREA: 3,304 SQ. FT.± OR 0.08 AC.±
16 B AREA: 3,296 SQ. FT.± OR 0.07 AC.±
LOT AREA: 6,600 SQ. FT.± OR 0.15 AC.±
DWG PATH: Drawings\2018-0493\dlpra\2018-0493_HPR.dwg

H & H LAND SURVEYING INC.
612 A FITZHUGH BLVD.
SMYRNA, TENNESSEE 37167
PHONE: 615-355-6905 EMAIL: handhland@bellsouth.net
JOB: 2018-0493 DRAWN BY: ACB



PRIVATE ELEMENTS
16 B
906 SQ. FT.±



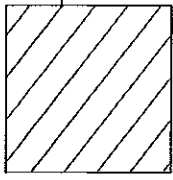
LIMITED COMMON
ELEMENTS 16 B
2,390 SQ. FT.±

408

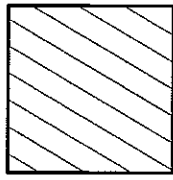
PLR PROPERTIES, LLC
PARCEL ID: 07211047800
LOT 1
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PB. 5210, PG. 273
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NOTE A: FRONT/STREET
SETBACK PER METRO
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PER ORDINANCE NO.
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UNDER THE AUTHORITY OF
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0820-3 STANDARDS OF
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LIMITED COMMON
ELEMENTS 16 A
2,457 SQ. FT.±

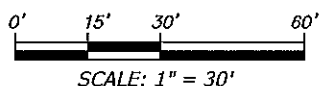


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847 SQ. FT.±

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CLAIBORNE ST
50' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)

SETBACKS
FRONT/STREET: SEE NOTE A
SIDE: 5'/8' STREET
REAR: 20'



A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS
EXHIBIT MAP

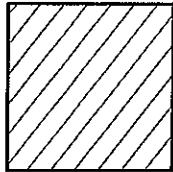
OWNER: JOSH HELLMER
ADDRESS: 16 CLAIBORNE STREET
CITY: NASHVILLE, DAWDSON COUNTY, TENNESSEE
LOT #407
SUBD. MAURY AND CLAIBORNE ADDITION
PLAT: PLAT BOOK 21, PAGE 85
RECORD: INSTRUMENT# 20180417-0036213 (R.O.D.C., TN)
SCALE: 1"=30' DATE: AUGUST 21, 2018
MAP: 105-04 PARCEL: 10.00
16 A: 27.00'X35.00'
16 B: 27.00'X39.00'
16 A AREA: 3,304 SQ. FT.± OR 0.08 AC.±
16 B AREA: 3,296 SQ. FT.± OR 0.07 AC.±
LOT AREA: 6,600 SQ. FT.± OR 0.15 AC.±
DWG PATH: Drawings\2018-0493\ldt\prof\2018-0493_HPR.dwg

H & H LAND SURVEYING INC.
612 A FITZHUGH BLVD.
SMYRNA, TENNESSEE 37167
PHONE: 615-355-6905 EMAIL: handhland@bellsouth.net
JOB: 2018-0493 DRAWN BY: ACB

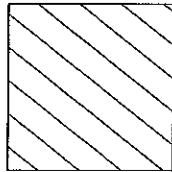


ALLEY 96

20' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)



PRIVATE ELEMENTS
16 B
906 SQ. FT.±

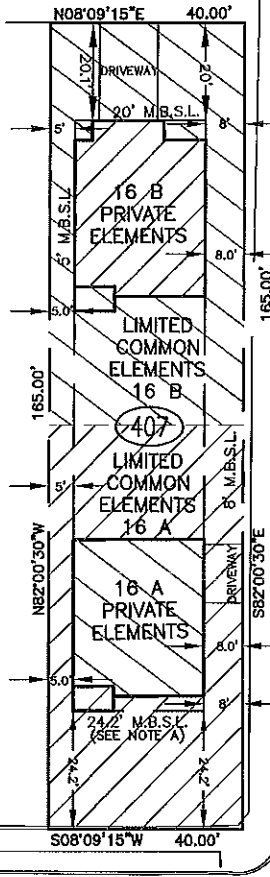


LIMITED COMMON
ELEMENTS 16 B
2,390 SQ. FT.±

(408)

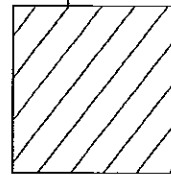
PLR PROPERTIES, LLC
PARCEL ID: 07211047800
LOT 1
SECTION 1, LEE SUBDMISION
PB. 5210, PG. 273
(R.O.D.C., TN)

NOTE A: FRONT/STREET
SETBACK PER METRO
GOVERNMENT OF NASHVILLE
MUNICIPAL CODES, CHAPTER
17.12.030, NOTE C(3)
PER ORDINANCE NO.
BL2017-833

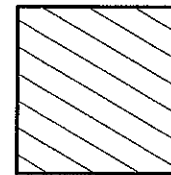


PERKINS ST
40' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)

THIS EXHIBIT WAS DONE
UNDER THE AUTHORITY OF
TCA 62-18-126 AND IS NOT
A GENERAL PROPERTY
SURVEY AS DEFINED UNDER
RULE 0820-3-.07, CHAPTER
0820-3 STANDARDS OF
PRACTICE, RULES OF THE
TENNESSEE BOARD OF
EXAMINERS FOR LAND
SURVEYORS.



LIMITED COMMON
ELEMENTS 16 A
2,457 SQ. FT.±



PRIVATE ELEMENTS
16 A
847 SQ. FT.±

CLAIBORNE ST

50' RIGHT-OF-WAY
PER PB 21, PG 85
(R.O.D.C., TN)

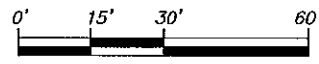
| STREET SETBACK TABLE | |
|-------------------------|---------|
| ADDRESS | SETBACK |
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| AVERAGE SETBACK = 24.2' | |

SETBACKS

FRONT/STREET: SEE NOTE A

SIDE: 5'/8' STREET

REAR: 20'



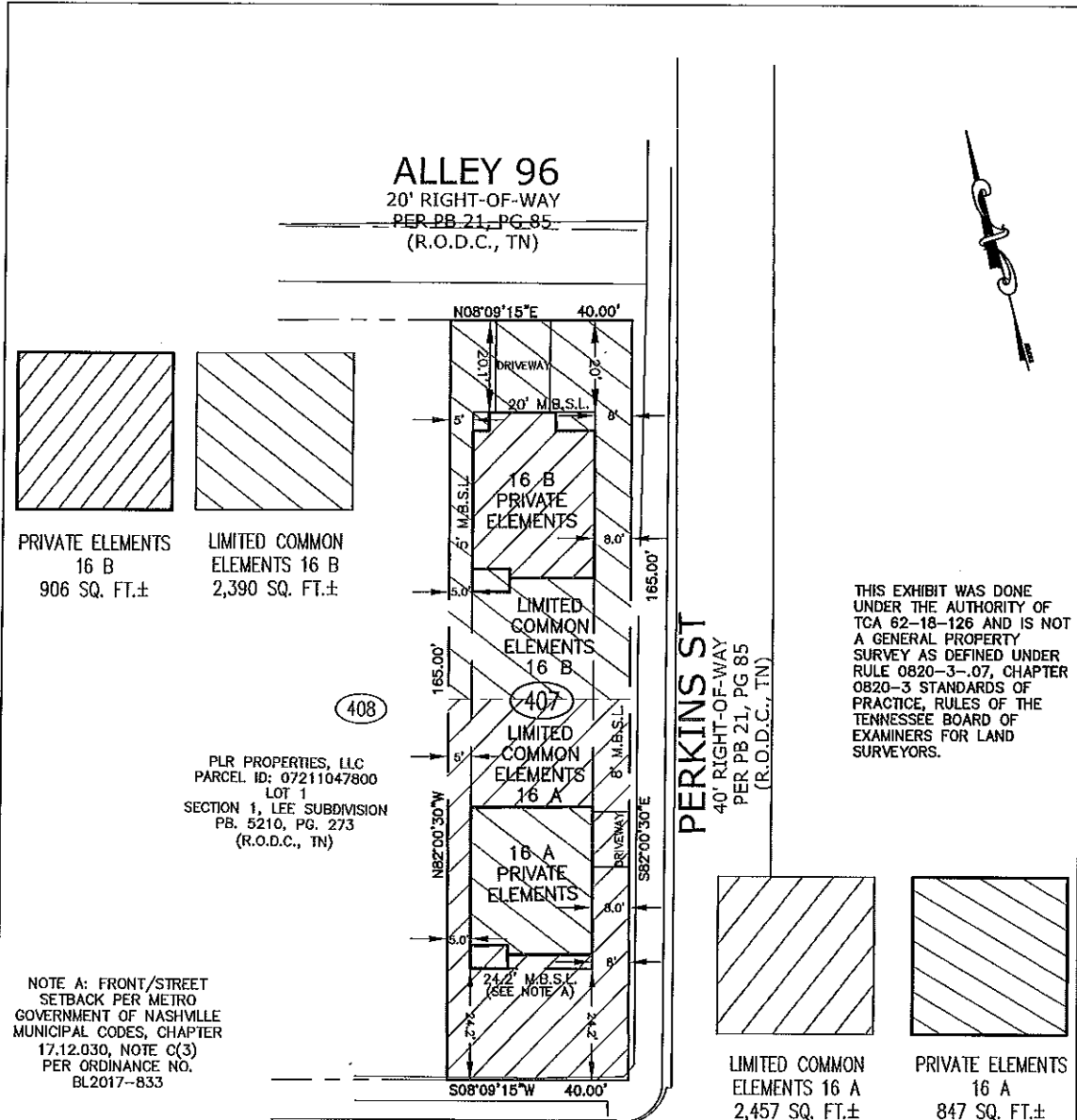
SCALE: 1" = 30'

**A HORIZONTAL PROPERTY REGIME WITH PRIVATE ELEMENTS
EXHIBIT MAP**

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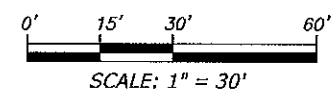


408

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PHONE: 615-355-6905 EMAIL: handhland@bellsouth.net
JOB: 2018-0493 DRAWN BY: ACB

2019-182

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.

ELLIOTT DEVELOPMENT

APPELLANT

3 | 13 | 19

DATE

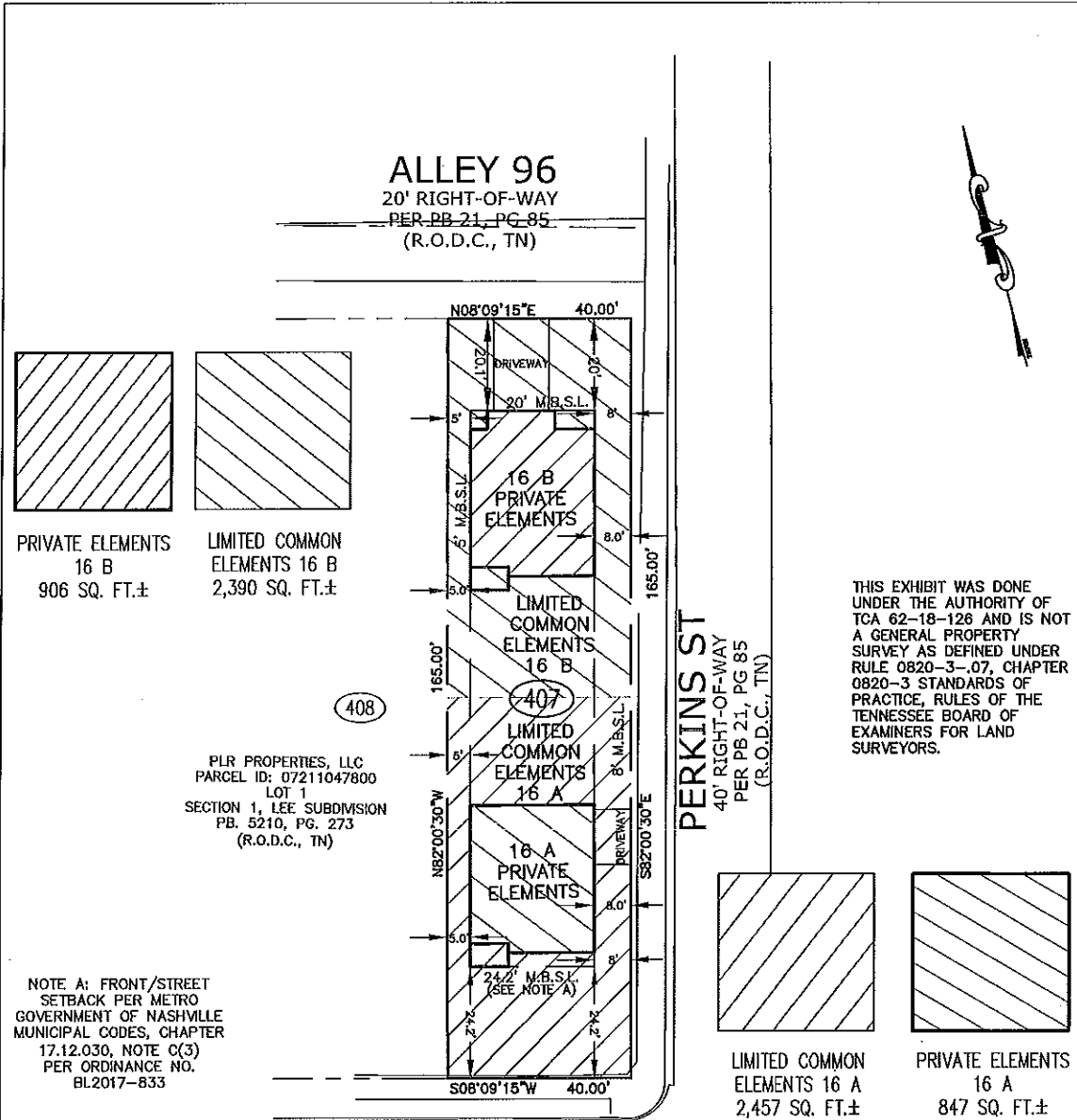
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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.

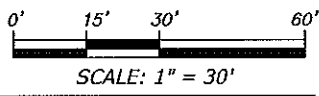
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

CORNER LOT. WE WILL MODIFY / BUILD THE
EXISTING SIDEWALKS ON CLAIRBORNE, BUT WERE
ASKING TO NOT BUILD OR PAY IN FOR THE
SIDEWALKS ON PERKINS, AS THEY ALREADY
EXIST. WE WILL FIX ANY THAT NEED
REPLACING. THANKS.



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|-------------------------|-------|
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FRONT/STREET: SEE NOTE A
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EXHIBIT MAP

OWNER: JOSH HELLMER
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SMYRNA, TENNESSEE 37167
PHONE: 615-355-6905 EMAIL: handhland@bellsouth.net
JOB: 2018-0493 DRAWN BY: ACB

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-182 (16 Claiborne Street)

| | |
|--------------------------|--|
| Metro Standard: | Claiborne Street – 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| | Perkins Street – 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| Requested Variance: | Not upgrade sidewalks along Claiborne Street; Construct alternative sidewalk design along Perkins Street |
| Zoning: | R6 |
| Community Plan Policy: | T4 NE (Urban Neighborhood Evolving) |
| MCSP Street Designation: | Claiborne Street – Local Street |
| | Perkins Street – Local Street |
| Transit: | Property 190' east from #25 – Midtown; Planned Rapid Bus per nMotion |
| Bikeway: | None existing; none planned |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a two family dwelling and requests a variance due to the presence of existing sidewalks along the frontage of the site. Planning evaluated the following factors for the variance request:

- (1) A 3' grass strip and 5' wide sidewalk exists along Claiborne Street. While the existing sidewalk does not meet the Local Street standard, at this location the 3' grass strip provides adequate buffer from traffic and space for obstructions.
- (2) A 5' sidewalk without a grass strip is located along the Perkins Street frontage. There are two utility poles within the sidewalk space, approximately three feet from the back of curb. This condition is consistent across several properties along this block face. While providing a new grass strip and sidewalks to the Local Street standard is not optimal given the limited width of the parcel, staff finds no significant hardship in expanding the sidewalk width to provide sufficient space for ADA compliance and for people walking.

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

1. The applicant shall coordinate with Metro Public Works to expand the sidewalks along Perkins Street to reduce utility obstructions and ensure ADA compliance.
2. Maintain existing sidewalk conditions along Claiborne Street 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.

DAVID BRILEY
MAYOR

I AM OPPOSED TO THE APPROVAL OF THIS
VARIANCE. ITS NOT FAIR TO OTHER

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



PROPERTY OWNERS IN
THE AREA AND MAKES THE ROADWAY MORE DANGEROUS
FOR PEDESTRIANS.
March 25, 2019

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

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

RE: Appeal Case Number: 2019-182
16 CLAIBORNE ST
Map Parcel: 10504001000
Zoning Classification: R6
Council District: 17

BRYCE CARLOCK
133 LAFAYETTE ST
37210

This is to inform you that Elliott Development filed an appeal for the property at the above referenced location. The appellant requested a variance from sidewalk requirements. Should this request be approved, it would allow the applicant to construct two single family houses without building sidewalks or paying into the sidewalk fund.

*******THIS IS NOT A ZONE CHANGE REQUEST*******

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 5/2/2019, beginning at 1:00 p.m. in the Sonny West Conference Center of the Howard Office Building, 700 2nd Avenue South. If you wish to show support or opposition to your neighbor's request, you may do so in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. We cannot guarantee written communication to be a part of the record unless it is received no later than Noon the Monday before the meeting date.

This letter is being sent to you because you are the owner of property located within 600' of the subject location. This request is only for the property at the above location. We are required by law to notify you of what your neighbor wishes to do on his/her property.

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at permits.nashville.gov and search by permit # 20190014743 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : JASON 0665
Property Owner: JASON 0665
Representative: JASON 0665

Date: 3/18/19
Case #: 2019-183
Map & Parcel: 09108008600

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: RESIDENTIAL - SINGLE FAMILY

NEW CONSTRUCTION

Activity Type: RESIDENTIAL

Location: 1000 43RD 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 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.

JASON 0665
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

4088 BARNES COVE DR
Address

Address

ANTIOCH, TN 37013
City, State, Zip Code

City, State, Zip Code

615-210-5812
Phone Number

Phone Number

JASON_0665@BRENTWOODACADEMY.COM
Email

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**



3628404

**ZONING BOARD APPEAL / CAAZ - 20190014743
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10504001000

APPLICATION DATE: 03/13/2019

SITE ADDRESS:

16 CLAIBORNE ST NASHVILLE, TN 37210

LOT 407 MAURY & CLAIBORNE PLAN

PARCEL OWNER: BUCHANAN, SAMUEL ET AL

CONTRACTOR:

APPLICANT:**PURPOSE:**

NEW CONSTRUCTION RESIDENTIAL SINGLE FAMILY

PER: 17.20.120 SIDEWALKS REQUIRED

REQUEST TO NOT INSTALL SIDEWALKS AND NOT 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.



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



3628404

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ELLIOTT
CLINT
SURVEY

1114 Hazel Street
Nashville, TN 37203
(615) 499-3236

Boundary & Topographic Survey

1000 43rd Avenue North
Nashville, Davidson County, Tennessee 37209

Scale: 1" = 200'

North Arrow

Graphic Scale (in feet)

0 10 20 30 40 50

TOTAL LOT AREA:
53,666 SF OR 0.122 ACRES

MAP REFERENCE:
Sheet 123 for subject property is Polytopography on Davidson County Property Map.

DEED REFERENCE:
Deed 123456789, Davidson County, Tennessee.

PLAT REFERENCE:
Plat 123456789, Davidson County, Tennessee.

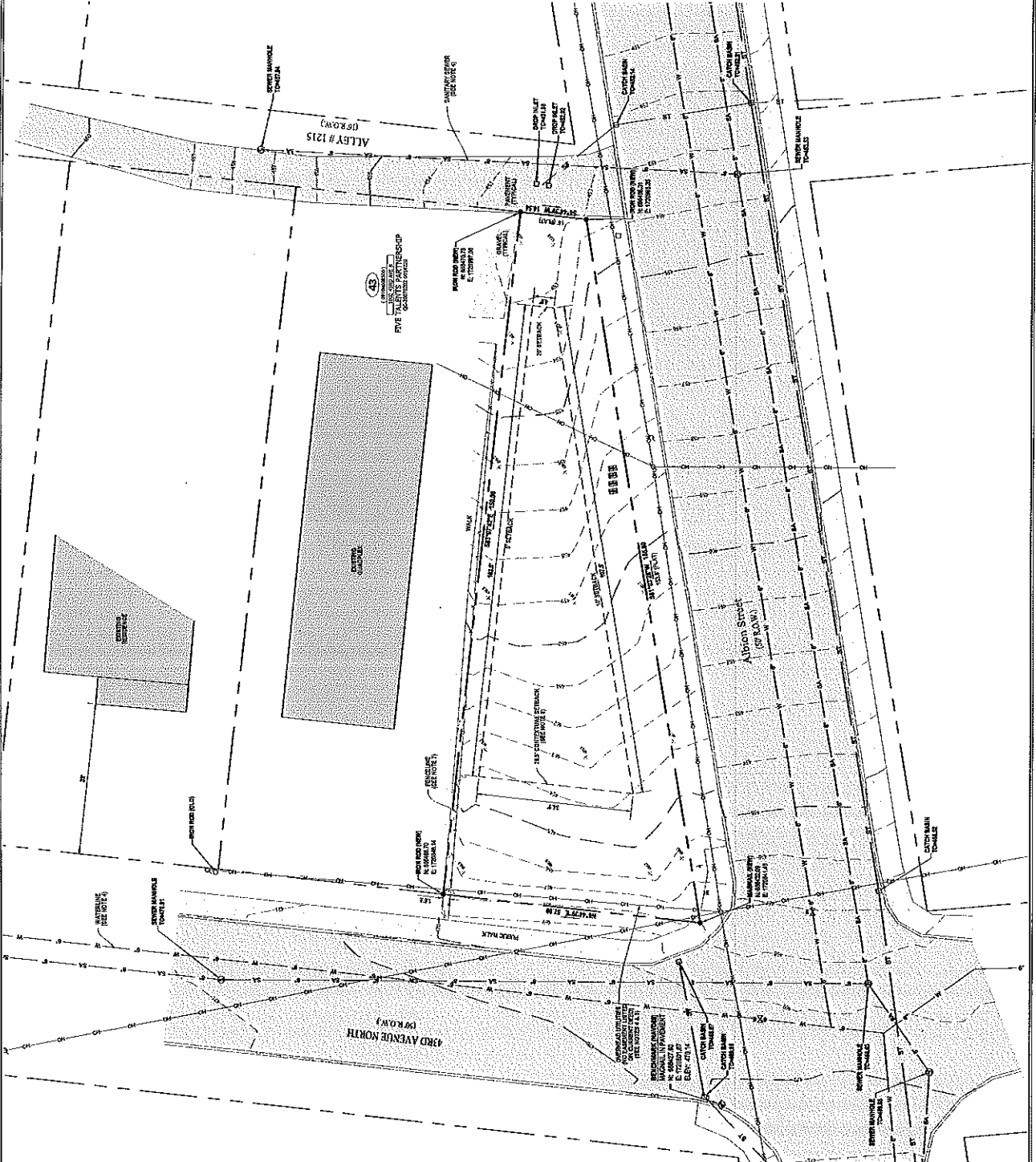
SURVEYOR'S NOTES:

- The Property is located in the 2nd Civil District of Davidson County, Tennessee.
- Boundaries, Dimensions and Contour Elevations are based on Topographic Data (MGRS, NAVD83, 04/10/2018).
- The Property is located in the 2nd Civil District of Davidson County, Tennessee.
- Utilities shown herein were taken from various structures and other sources available to me at the time of this survey. Verification of existence, size, location and depth should be confirmed with the appropriate utility company.
- A "This Survey" was not provided by the responsible party. Therefore, the survey is subject to the same limitations as any other survey of this nature.
- No known encroachments were noted by the surveyor. Therefore, the survey does not address the same.
- This survey does not address the same as any other survey of this nature.
- Property is currently zoned R12. Schedule for current zoning, verify with Jackson County Administration.
- Site Address: 1000 43rd Avenue North, Nashville, Tennessee 37209.

SURVEYOR'S CERTIFICATE

I hereby certify that this survey was made by me or under my direct supervision, and that I am a duly Licensed Professional Surveyor in the State of Tennessee. I am duly Licensed in the State of Tennessee, License No. 123456789. I am duly Licensed in the State of Tennessee, License No. 123456789. I am duly Licensed in the State of Tennessee, License No. 123456789.

John A. Green, TNSRS # 12345



2019-183

APPLICATION FOR A VARIANCE REQUEST

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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.

JASON OGGS

APPELLANT

3/13/19

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?

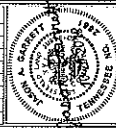
CORNER LOT. I'M HAPPY TO BUILD OR PAY THE
IN- LIEU- OF FEE FOR THE FRONTAGE SIDEWALKS,
BUT I'M ASKING FOR A BREAK ON THE
SIDE STREET SIDEWALKS. NO OTHER SIDEWALKS
ON ALBION, LARGE POWER LINES PREVENT
WALKABILITY. THANKS.

ELLIOTT SURVEY
 1715 Hixon Street
 Nashville, TN 37203
 (615) 493-5236
 elliottsurvey.com



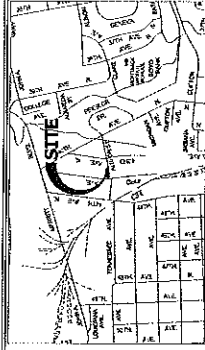
Boundary & Topographic Survey
 1000 43rd Avenue North
 Nashville, Davidson County, Tennessee 37209

| DATE | REVISIONS |
|------|-----------|
| | |
| | |
| | |



| | |
|--------------|-------------------------------|
| Drawn By: | BRN/2019 |
| Checked By: | AKC |
| Field Notes: | AKC |
| Scale: | AS |
| Sheet Title: | Boundary & Topographic Survey |

Sheet No. **V-1.00**



TOTAL LOT AREA:
 5,366 SF OR 0.123 ACRES

MAP REFERENCE:
 Parcel ID of subject property is 0200000000 in Davidson County Property Map.

DEED REFERENCE:
 Other LOCAL RECORDS, Vol. 17, at 106 of 126, 04/17/15 014500 Davidson Office, Davidson County, Tennessee.

PLAT REFERENCE:
 Other LOCAL RECORDS, Vol. 17, at 106 of 126, 04/17/15 014500 Davidson Office, Davidson County, Tennessee.

- SURVEYOR'S NOTES**
- The Property is located in the 1st Civil District of Davidson County, Tennessee.
 - Existing Easements and Encroachments shown are based on Tennessee State Plane NAD83 (NAD83) coordinates. The Property is located in Zone 18N. The Survey is based on the 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 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PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-183 (1000 43rd Avenue North)

| | |
|--------------------------|--|
| Metro Standard: | 43 rd Avenue North - 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| | Albion Street - 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| Requested Variance: | Not construct sidewalks along Albion Street; not contribute in-lieu of construction along Albion Street |
| Zoning: | RS5 |
| Community Plan Policy: | T4 NM (Urban Neighborhood Maintenance) |
| MCSP Street Designation: | 43 rd Avenue North – Local Street Albion Street - Local Street |
| Transit: | Property 900 east from #20 – Scott |
| Bikeway: | None existing; neighborway planned on Albion Street per WalknBike |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a single family dwelling on the property and requests not to construct a sidewalk or contribute in lieu of constructing sidewalks along Albion Street, due to the large property frontage and utility conflicts. Planning evaluated the following factors for the variance request:

- (1) The applicant is willing to upgrade the existing sidewalk on the 43rd Avenue North frontage to the Local Street standard.
- (2) Dedicating right-of-way on the Albion Street frontage will allow Metro to construct a sidewalk there in the future without having to acquire additional property.

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

1. The applicant shall either upgrade the sidewalks along 43rd Avenue North to the Metro Local Street Standard or contribute in-lieu of constructing sidewalks along 43rd Avenue North.
2. The applicant shall dedicate right-of-way along Albion Street to accommodate a future 4' grass strip and 5' sidewalk.

From: Jason Oggs [mailto:jason_oggs@brentwoodacademy.com]
Sent: Friday, April 26, 2019 8:50 AM
To: Shepherd, Jessica (Codes)
Cc: Josh Hellmer
Subject: FW: Jason Oggs - Re: 1000 43rd Avenue BZA Sidewalk Variance/In Lieu of Fee Appeal

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,
I hope you are well.

Regarding my BZA hearing coming up next week, I wanted to share the email below I just forwarded to Councilman Kindall. I spoke with him this morning and he stated that he would support the Variance request.

Josh Hellmer, my builder also suggested forwarding this information to you as well.

If there is anything you can do to assist in this request, such as attaching this email to my case or following up with Councilman Kindall to note on his support for my case, I would be most appreciative. **The Appeal Case # is 2019-183 and the permit # is 20190014752.**

Please let me and Josh know if you have any questions.

Sincerely!

Jason Oggs

From: Jason Oggs
Sent: Friday, April 26, 2019 8:45 AM
To: 'etkindall@aol.com' <etkindall@aol.com>
Cc: 'Josh Hellmer' <hellmerj@hotmail.com>
Subject: Jason Oggs - Re: 1000 43rd Avenue BZA Sidewalk Variance/In Lieu of Fee Appeal

Hello Councilman Kindall,
Thanks for returning my call this morning and for your willingness to support my BZA request.

rd

rd

I own the property located at 1000 43rd Avenue North in your district (43rd and Albion Street). In the coming weeks, I will begin construction on a new home on this property.

Prior to moving dirt, I submitted a request with the BZA department for a sidewalk variance, to include a variance from the in lieu of fee as well. There is a sidewalk that runs adjacent to 43rd Avenue, and the house I will build will face 43rd Avenue. I will construct the required sidewalks as required on the 43rd Avenue side.

The reasons I am requesting a variance are as follows:

- 1) There is currently no sidewalk that runs the length of my property adjacent to Albion Street (and beyond in the direction for 42nd Avenue). I have attached pics for your reference.
- 2) As identified in the pics, there are three power poles that run parallel to Albion Street and my property. Were I required to install sidewalks, the power poles would be in the way of pedestrian traffic and obstruct the usefulness of the sidewalk.
- 3) Also, my property line, as indicated in the survey attached, does not go to the street. In essence, where the sidewalk would go, if I were required to put a sidewalk in, is not even a part of my property line.

My BZA hearing is coming up on May 2nd at 1pm. The Appeal Case # is 2019-183 and the permit # is 20190014752. Based on our earlier conversation this morning, I appreciate you verbally stating that you would support my variance request for sidewalks and my variance request regarding the in lieu of fee for the reasons stated above. If you can reply to this email stating your support and forward the email to the BZA stating the same, I would greatly appreciate it.

Sincerely,

Jason V. Oggs
Business Manager
Brentwood Academy
219 Granny White Pike
Brentwood, TN 37027
615-523-0621

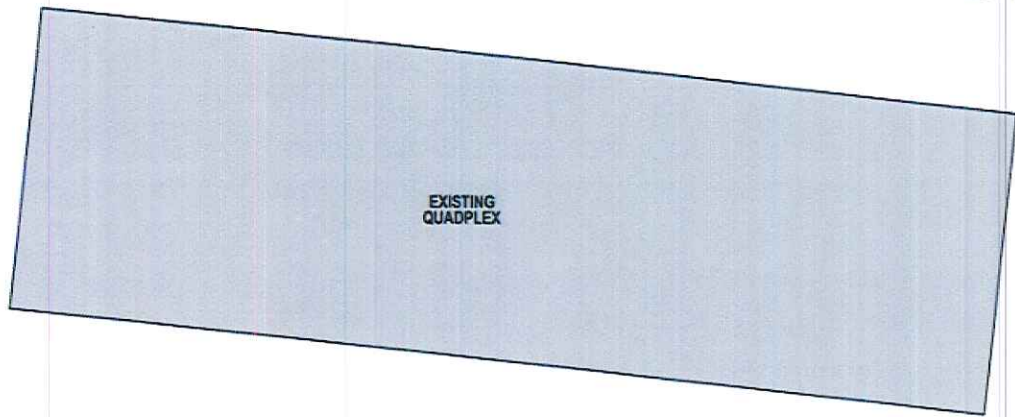
Jason_oggs@brentwoodacademy.com

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EXISTING QUADPLEX

43

(09108008500)

1002 43RD AVE N

FIVE TALENTS PARTNERSHIP

QC-20070202 0014229

IRON ROD (NEW)
N: 666488.70
E: 1720848.14

FENCELINE
(SEE NOTE 7)

IRON ROD (NEW)
N: 666470.75
E: 1720997.06

GRAVEL
(TYPICAL)

PAVE
(TYP)

PUBLIC WALK

WALK

103.5' S83°07'42"E / 150.00

5' SETBACK

20' SETBACK

26.5' CONTEXTUAL SETBACK
(SEE NOTE 8)

10' SETBACK

S61°03'28"W 155.80
153.8' (PLAT)

IRON ROD
N: 666545
E: 17209

N6°44'39"E 57.00

34.1'

14' (PLAT)
S6°41'39"W 14.54

Albion Street
(50' R.O.W.)

MAGNAIL (NEW)
N: 666432.00
E: 1720841.45

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: LE Properties

Date: 3-19-19

Property Owner: LE

Case #: 2019-189

Representative: Joey Hargis

Map & Parcel: 23-3-3-F-1 v2
cc

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: To allow the use of residences as constructed.

Activity Type: Single Family Townhomes

Location: 2114 1/2 Lile Greenwood 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: Variance in height

Section(s): 17.12.050 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.

Joey Hargis
Appellant Name (Please Print)

Same
Representative Name (Please Print)

211 Commerce St. Suite 800
Address

Address

N.J. 37201
City, State, Zip Code

City, State, Zip Code

615-726-7391
Phone Number

Phone Number

jhargis@bakerdonelson.com
Email

Email

Zoning Examiner: _____

Appeal Fee: 20000



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



3632348

**ZONING BOARD APPEAL / CAAZ - 20190015855
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 083033F00200CO

APPLICATION DATE: 03/19/2019

SITE ADDRESS:

2116 GREENWOOD AVE NASHVILLE, TN 37206
UNIT B 2114 GREENWOOD AVENUE

PARCEL OWNER: L & E PROPERTIES DEVELOPERS AND COM

CONTRACTOR:

APPLICANT:**PURPOSE:**

Requesting a variance from height requirements 13" too tall

To construct 2116 Greenwood Avenue of new HPR/duplex family residence with 2417 sq ft of living space, 427 sq ft of garage, and 522 sq ft of porches and decks. Minimum 5 ft side setbacks, minimum front setback at 53.6 per avg and 20' minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 50%....Note property is accessed from alley only, Greenwood Avenue (front façade) is an elevated bridge/road, no direct access to property on Greenwood....House has an entrance door on front and rear facades. 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

*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**



**BUILDING RESIDENTIAL - NEW / CARN - 2018023438
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 083033F00100CO

APPLICATION DATE: 04/26/2018

SITE ADDRESS:

2114 GREENWOOD AVE NASHVILLE, TN 37206
UNIT A 2114 GREENWOOD AVENUE

PARCEL OWNER: L & E PROPERTIES DEVELOPERS AND COM

CONTRACTOR:

APPLICANT: L & E PROPERTIES DEVELOPERS AND
CONTRACTORS

L & E PROPERTIES DEVELOPERS AND 70912 STBC-A

MURFREESBORO, TN 37129
6152024102

PURPOSE:

To construct 2114 Greenwood Avenue of new HPR/duplex family residence with 2417 sq ft of living space, 427 sq ft of garage, and 522 sq ft of porches and decks. Minimum 5 ft side setbacks, minimum front setback at 53.6 per avg and 20' minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 50%..Note property is accessed from alley only, Greenwood Avenue (front façade) is an elevated bridge/street, no direct access to property on Greenwood....House has an entrance door on front and rear facades. 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.; For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property. Sidewalks ARE required for this project because this parcel is within the USD and on a street in the Major and Collector Street Plan. Contribution of \$7,120.00 made to the Pedestrian Benefit Zone in-lieu of sidewalk construction on 4/26/2018 (receipt 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.*

| | | |
|---------------------------------------|-----------|---|
| U&O Sewer Availability Final Approval | | 862-7225 MWS.DevelopmentServicesCenter@nashville.gov |
| U&O Water Availability Final Approval | | 862-7225 MWS.DevelopmentServicesCenter@nashville.gov |
| SWGR U&O Sign-off | | 862-6038 logan.bowman@nashville.gov |
| Building Framing - Ceiling | | Larry.Dennis@nashville.gov |
| Building Floor Elevation | | Larry.Dennis@nashville.gov |
| Building Footing | APPROVED | Larry.Dennis@nashville.gov |
| Building Foundation | | Larry.Dennis@nashville.gov |
| Building Framing | REJ-NOFEE | Larry.Dennis@nashville.gov |
| Codes Tree U&O Final Inspection | | |
| Building Framing - Wall | | Larry.Dennis@nashville.gov |
| CA Building Progress Inspection | | Larry.Dennis@nashville.gov |
| Building Slab | APPROVED | Larry.Dennis@nashville.gov |
| Building Final | | Larry.Dennis@nashville.gov |
| U&O Letter | | 615-862-6527 tawanna.dalton@nashville.gov |



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



3489594

**BUILDING RESIDENTIAL - NEW / CARN - 2018023458
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 083033F00200CO

APPLICATION DATE: 04/26/2018

SITE ADDRESS:

2116 GREENWOOD AVE NASHVILLE, TN 37206
UNIT B 2114 GREENWOOD AVENUE

PARCEL OWNER: L & E PROPERTIES DEVELOPERS AND COM

CONTRACTOR:

APPLICANT: L & E PROPERTIES DEVELOPERS AND
CONTRACTORS

L & E PROPERTIES DEVELOPERS AND 70912 STBC-A

MURFREESBORO, TN 37129
6152024102

PURPOSE:

To construct 2116 Greenwood Avenue of new HPR/duplex family residence with 2417 sq ft of living space, 427 sq ft of garage, and 522 sq ft of porches and decks. Minimum 5 ft side setbacks, minimum front setback at 53.6 per avg and 20' minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 50%....Note property is accessed from alley only, Greenwood Avenue (front façade) is an elevated bridge/road, no direct access to property on Greenwood....House has an entrance door on front and rear facades. 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.; For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property. Sidewalks ARE required for this project because this parcel is within the USD and on a street in the Major and Collector Street Plan. Contribution of \$7,120.00 made to the Pedestrian Benefit Zone in-lieu of sidewalk construction on 4/26/2018 (receipt 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.

| | | |
|---------------------------------------|-----------|---|
| U&O Sewer Availability Final Approval | | 862-7225 MWS.DevelopmentServicesCenter@nashville.gov |
| U&O Water Availability Final Approval | | 862-7225 MWS.DevelopmentServicesCenter@nashville.gov |
| SWGR U&O Sign-off | | 862-6038 logan.bowman@nashville.gov |
| Building Framing - Ceiling | | Larry.Dennis@nashville.gov |
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| Building Framing | REJ-NOFEE | Larry.Dennis@nashville.gov |
| Codes Tree U&O Final Inspection | | |
| Building Framing - Wall | | Larry.Dennis@nashville.gov |
| CA Building Progress Inspection | | Larry.Dennis@nashville.gov |
| Building Slab | APPROVED | Larry.Dennis@nashville.gov |
| Building Final | | Larry.Dennis@nashville.gov |
| U&O Letter | | 615-862-6527 tawanna.dalton@nashville.gov |

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.

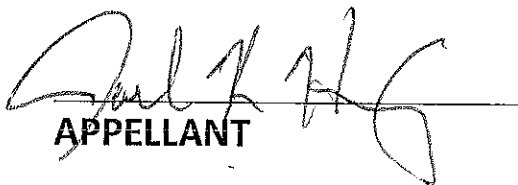
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

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

3-19-19
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.

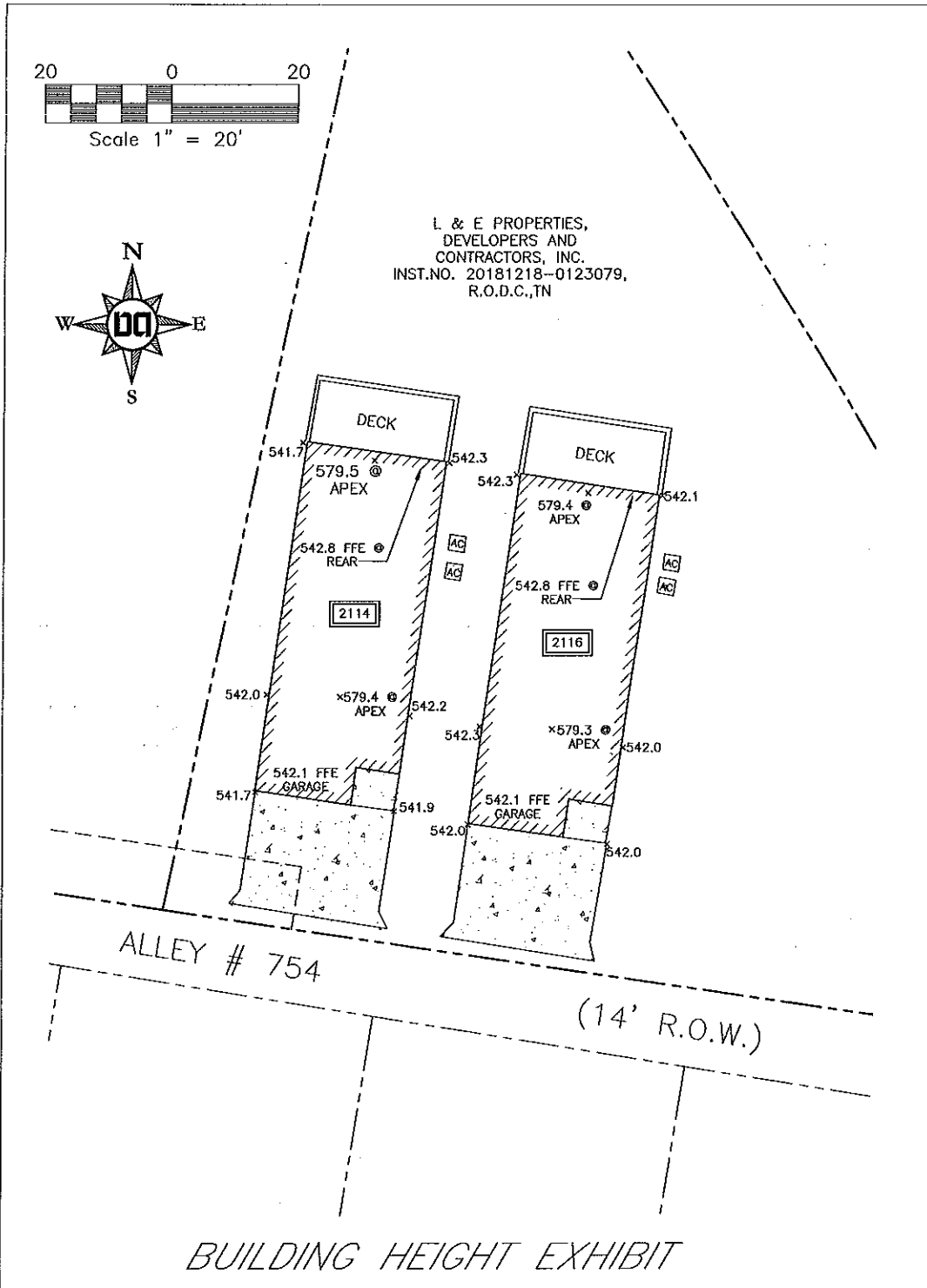
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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 hardship.
Error during framing caused homes to be approximately 13" too tall.
Discovered by the builder at final inspection



BUILDING HEIGHT EXHIBIT

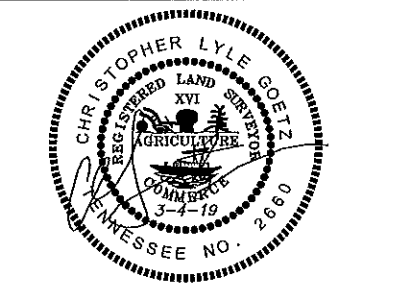
THE PURPOSE OF THIS EXHIBIT IS TO DEPICT EXISTING BUILDING HEIGHTS AS THEY RELATE TO CERTAIN GROUND ELEVATIONS.

THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820.03-7 AND WAS DONE UNDER THE AUTHORITY OF TCA 62-18-126.

OWNERS: L & E PROPERTIES, DEVELOPERS AND CONTRACTORS, INC.

ADDRESS: 2114 & 2116 GREENWOOD AVENUE
NASHVILLE, TN 37129

083033F00100CO [2114], 083033F00200CO [2116]



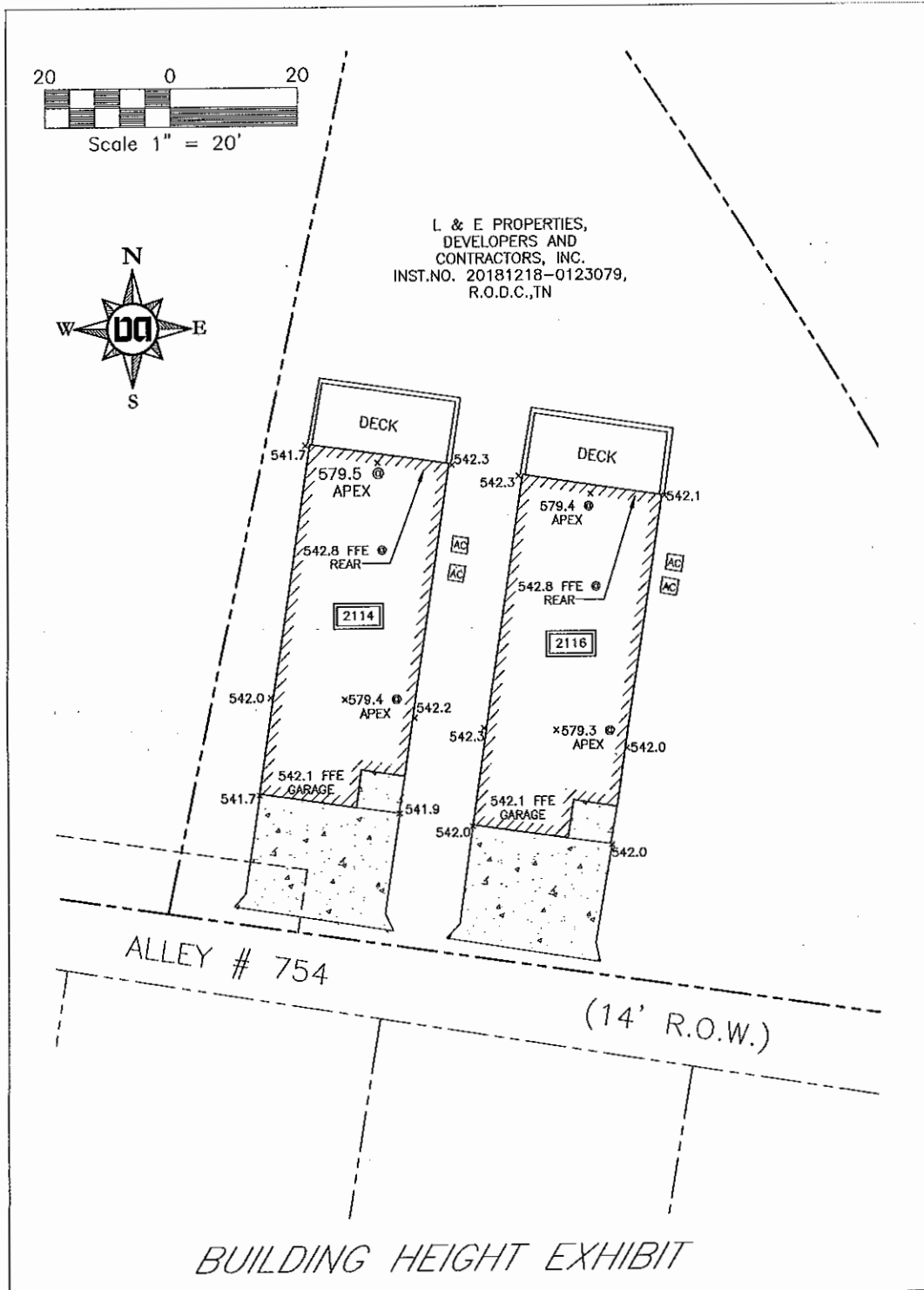
083033F90000CO [O.I.C.]

PROJECT NO. 17101

DATE: 3-4-2019

DA

Dale & Associates
 Consulting Civil Engineering/Land Planning & Zoning
 Landscape Architecture/Surveying
 516 Heather Place Nashville, TN 37204 (615) 297-5166



THE PURPOSE OF THIS EXHIBIT IS TO DEPICT EXISTING BUILDING HEIGHTS AS THEY RELATE TO CERTAIN GROUND ELEVATIONS.

THIS EXHIBIT IS NOT A GENERAL PROPERTY SURVEY AS DEFINED UNDER RULE 0820.03-7 AND WAS DONE UNDER THE AUTHORITY OF TCA 62-18-126.

OWNERS: L & E PROPERTIES, DEVELOPERS AND CONTRACTORS, INC.

ADDRESS: 2114 & 2116 GREENWOOD AVENUE

NASHVILLE, TN 37129

083033F00100CO [2114], 083033F00200CO [2116]



083033F90000CO [o.i.c.]

PROJECT NO. 17101

DATE: 3-4-2019



Dale & Associates
Consulting Civil Engineering/Land Planning & Zoning
Landscape Architecture/Surveying
516 Heather Place Nashville, TN 37204 (615) 297-5166

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: GABRIAL SCOTT
Property Owner: TREG WARNER
Representative: SCOTT MCKINNEY

Date: 3-19-19
Case #: 2019-191
Map & Parcel: 10501008900

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: CONVERTING EXISTING BUILDING INTO A FULL SERVICE RESTAURANT

Activity Type: COMMERCIAL RENOVATION

Location: 901 12TH AVE S.

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: 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 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.

GABRIAL SCOTT
Appellant Name (Please Print)

Scott McKinney
Representative Name (Please Print)

928 S. DOUGLAS AVE
Address

1513 Paris Avenue
Address

NASHVILLE TN 37204
City, State, Zip Code

Nashville, TN, 37212
City, State, Zip Code

615-335-4223
Phone Number

(352) 538-9686
Phone Number

thegabescott@gmail.com
Email

Scott.McKinney@Foundrycommercial.com
Email

Zoning Examiner: B

Appeal Fee: _____



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



3632585

**ZONING BOARD APPEAL / CAAZ - 20190015965
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10501008900

APPLICATION DATE: 03/19/2019

SITE ADDRESS:

901 12TH AVE S NASHVILLE, TN 37203
LOTS 6, 7 PT. LOT 1 BOYD ADDN SUB AMENT.

PARCEL OWNER: WARNER, TREGLOWN PATTON

CONTRACTOR:

APPLICANT:**PURPOSE:**

BZA Appeal requesting Variance from 17.20.120 Sidewalk requirements. Sidewalks ARE required for this project because this parcel is within the USD. You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction because the parcel is within the UZO. Requesting to not replace sidewalks.

POC: Gabe Scott 615-335-4223

No Permit Application started for Renovations to convert building to a Full Service Restaurant.

*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.)

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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.

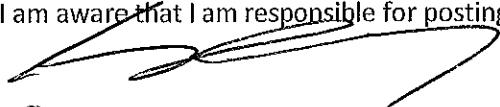
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Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

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.


GABRIAL SCOTT
 APPELLANT

3-19-19
 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:

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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.

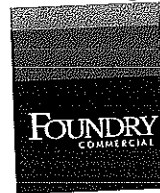
Financial gain not only bases- Financial gain is not the sole basis for granting the variance.

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.



150 3rd Ave S, Suite 1420
Nashville, TN 37210
Scott.McKinney@foundrycommercial.com

**Metropolitan Board of Zoning Appeals
Department of Codes and Administration
Metro Office Building
700 2nd Avenue South, Nashville, TN**

Subject: 901 12th Avenue South

Zoning Variance Request Letter

This letter provides a summary of the project requirements, the site considerations, and the subsequent request for a variance to the City of Nashville Board of Zoning Appeals to allow the property improvements and the renovations to the existing building at 901 12th Ave S to be converted from a family medical center to a full-service restaurant, Lady Bird Taco.

The existing building is located at 901 12th Avenue S, City of Nashville, County of Davidson, State of Tennessee. The site is bounded by 12th Avenue S to the east, South Street to the north, a metro alley to the west, and a full-service restaurant to the south. The subject site currently consists of an existing 2,649 SF building developed in 1970. The total site area is +/- 0.46 AC or 20,037.60 SF in size. The project will consist of an extensive interior remodel and updating the existing yard area for an outdoor patio area.

Per sub-section C.1 of Ordinance No. BL2016-493., Public Sidewalk Installation, the construction of new sidewalks is required along the property frontage when the property lies along a street in the Major and Collector Street Plan. For this requirement, the sidewalk design standards on section C.2. require that "sidewalk dimensions and required elements shall comply with the Major and Collector Street Plan." 12th Avenue S is classified as Arterial-Boulevard and identified as T4-M-AB4 which specifically requires a Pedestrian Travelway (Sidewalk) of 8 feet, a planting strip of 4 feet, a frontage zone of 4 feet, and a bike zone of 6 feet. Similarly, South Street is classified as a Collector-Avenue and identified as T4-R-CA2 which specifically requires a Pedestrian Travelway (Sidewalk) of 6 feet, a planting strip of 6 feet, and a bike zone of 8 feet.

The site's most unique characteristic are the parking spaces on the premise. They sit within close proximity to the entrance of the building and are perpendicular to both corridors. In order to comply with the Major and Collector Street Plan, a portion of the site must be dedicated as public right-of-way for 12th Avenue South and South Street. The amount of right-of-way required to be dedicated will in turn remove 100% of the existing parking spaces as it is today. Due to this fact and the already small size of the lot, the business owner is unable to forfeit any property over and above the portion along 12th Avenue South. The construction of a new parking lot in the existing green area would not only be cost prohibitive for Lady Bird Taco to move forward, but it would also completely replace the outdoor seating feature of the business.



150 3rd Ave S. Suite 1420
Nashville, TN 37210
Scott.McKinney@foundrycommercial.com

In order to comply with the spirit and intent of the code, the owner and Lady Bird Taco propose to make the required improvements along 12th Avenue South.

Project planning and due diligence has been on-going, and because a cross parking easement over 4 spaces will not be accepted by the owner of the property and removal of the outdoor seating area is at hand, the approval of this variance request is crucial to the success of the project.

Lady Bird Taco is a new concept being brought to town by way of a partnership between a local successful musician, Gabriel Scott and a very well accomplished Austin hospitality group, Edgewise Hospitality. This variance will allow this famed restaurant group from Nashville's sister city to bring a concept of fare that simply doesn't exist yet in town, the breakfast taco. Their vision is to capture people across all demographics in to a welcoming, airy, well designed spaced focused on service, quality, equality and culinary creativity. The hardship imposed by the ordinance in place is certainly a result of the unique nature of the placement of the building on the lot but is compounded by the placement of the parking spaces.

Should you have any questions or concerns, please do not hesitate to contact me at 615-324-0796.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott McKinney".

FOUNDRY COMMERCIAL, LLC.
Scott McKinney
Senior Associate / Broker

ACCORDING TO METRO GIS MAPS PROPERTY IS ZONED CS SETBACKS AND PERMITTED USES FOR THE CS ZONING DISTRICT ARE AVAILABLE IN THE DISTRICT BULK TABLES TITLE 17 "ZONING" CHAPTER 17.12 METRO ZONING ORDINANCE 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 PROPERTY IS LOCATED IN ZONE "X" UNSHADED MAP 470040 PANEL 0243 H EFFECTIVE DATE = 4-15-17

CONTOURS SCALED FROM METRO GIS MAPS

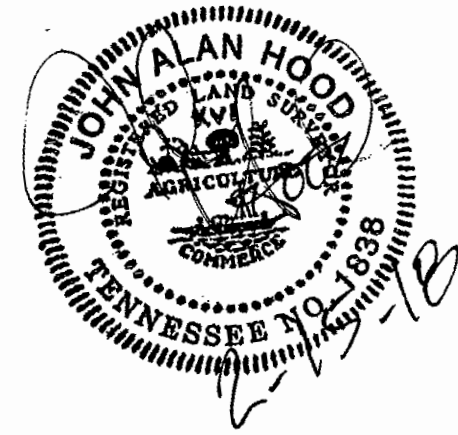
PREPARED BY: CAMPBELL, McRAE & ASSOCIATES, SURVEYING, INC. P.O. BX. 41153 NASHVILLE, TN, 37204 PH. 615-298-2424 FAX 615-297-2828 EMAIL cmas@att.net

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 FURNISHED PRIOR TO THE SURVEY.

UTILITIES SHOWN WERE TAKEN FROM PUBLIC AS-BUILT RECORDS & FIELD LOCATION. THERE MAY BE UTILITIES OR EASEMENTS PRESENT THAT ARE NOT SHOWN ON THIS SURVEY. CONTACT THE TENNESSEE ONE CALL SYSTEM PRIOR TO ANY CONSTRUCTION OR DIGGING.

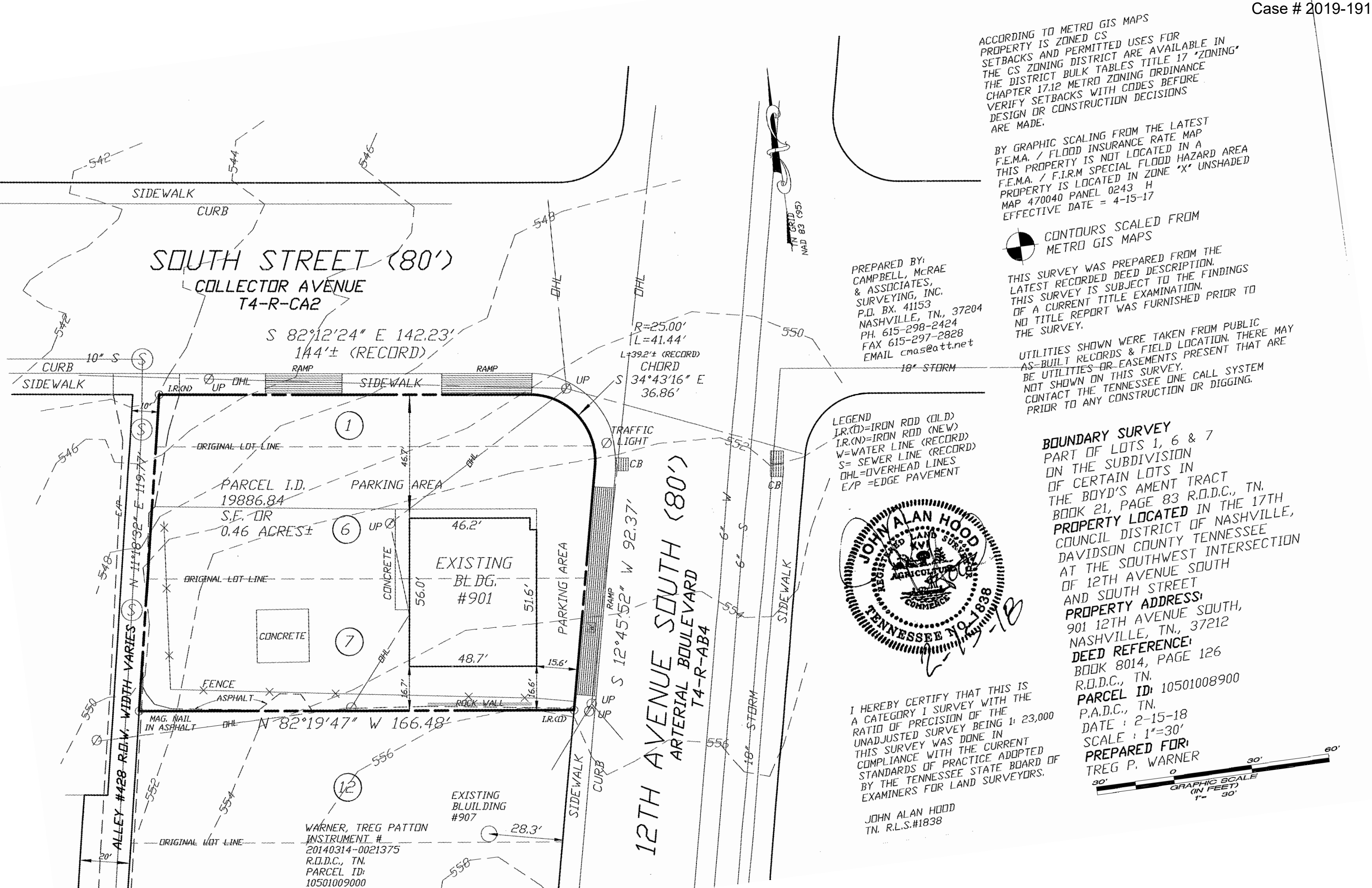
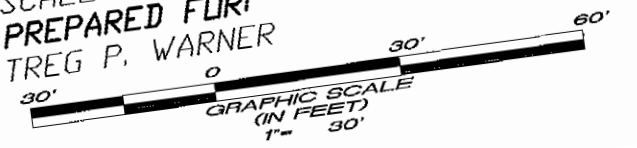
BOUNDARY SURVEY
PART OF LOTS 1, 6 & 7 ON THE SUBDIVISION OF CERTAIN LOTS IN THE BOYD'S AMENT TRACT BOOK 21, PAGE 83 R.O.D.C., TN. PROPERTY LOCATED IN THE 17TH COUNCIL DISTRICT OF NASHVILLE, DAVIDSON COUNTY TENNESSEE AT THE SOUTHWEST INTERSECTION OF 12TH AVENUE SOUTH AND SOUTH STREET
PROPERTY ADDRESS:
901 12TH AVENUE SOUTH, NASHVILLE, TN., 37212
DEED REFERENCE:
BOOK 8014, PAGE 126 R.O.D.C., TN.
PARCEL ID: 10501008900
P.A.D.C., TN.
DATE: 2-15-18
SCALE: 1"=30'
PREPARED FOR:
TREG P. WARNER

LEGEND
I.R.(D)=IRON ROD (OLD)
I.R.(N)=IRON ROD (NEW)
W=WATER LINE (RECORD)
S=SEWER LINE (RECORD)
DHL=OVERHEAD LINES
E/P =EDGE PAVEMENT



I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY WITH THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY BEING 1: 23,000 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



WARNER, TREG PATTON
INSTRUMENT #
20140314-0021375
R.O.D.C., TN.
PARCEL ID:
10501009000

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Dignity LLC
Property Owner: Dignity LLC
Representative: Semih Guler Hp.
Joey Hargis

Date: 3-19-19
Case #: 2019-192
Map & Parcel: 090160I0020000
090160I0020000

Council District 20

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
PERMIT APPLICATIONS 2018034163/2018034154

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 545 WESTBORO / 6300 THUNDERBIRD

This property is in the R8 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.

Semih Guler Hp (Dignity LLC)
Appellant Name (Please Print)

Dignity - Semih Guler Hp
Representative Name (Please Print)

1048 singing springs Rd.
Address

1048 singing springs Rd
Address

ME Juliet TN 37122
City, State, Zip Code

ME Juliet TN 37122
City, State, Zip Code

6158668042
Phone Number

6158668042
Phone Number

Sates1td@gmail.com
Email

info @ Dignityconstruction.com
Email

Zoning Examiner: [Signature]

Appeal Fee: _____



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



3632616

**ZONING BOARD APPEAL / CAAZ - 20190015987
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 090160I00200CO

APPLICATION DATE: 03/19/2019

SITE ADDRESS:

545 WESTBORO DR NASHVILLE, TN 37209
UNIT B HOMES AT WESTBORO & THUNDERBIRD

PARCEL OWNER: DIGNITY, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

BZA Sidewalk Appeal 2019-192 requesting to not construct sidewalks nor contribute in lieu of construction.

HPR 2 Houses on Parcel:545 Westboro Drive and 6300 Thunderbird Drive
Permit Applications 2018034163 and 2018034154

POC: Sam Gulertip 615-866-8042

*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.

Dignity LLC
Semih Gulertip

APPELLANT

3/19/2019

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?

- 1- We have hired an engineering firm for our 545 Westboro Dr, Nashville, TN 37207 property to draw the plans for approval of sidewalks and drainage construction by Nashville Water Services as required to pull the building permits.
2. We have lost so much time, since this procedure has taken almost six months as the plans needed to be submitted several times due to different reasons each time. We have finally got our plans approved on 02/25/19 which clearly show a strong hardship regarding storm water issues besides relocating power poles of NES removal of guardrails of Metro PW etc.
- 3- There are no sidewalks in the area as there is no foot traffic to schools, daycares, places of employment, retail services, churches or public places etc. Therefore our sidewalks will have dead ends at both sides of this corner lot.



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



3524329

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2018034163
THIS IS NOT A PERMIT**

PARCEL: 090160I00200CO

APPLICATION DATE: 06/13/2018

SITE ADDRESS:

545 WESTBORO DR NASHVILLE, TN 37209
UNIT B HOMES AT WESTBORO & THUNDERBIRD

PARCEL OWNER: DIGNITY, LLC

APPLICANT: DIGNITY LLC

MT JULIET, TN 37122 6153515892

PURPOSE:

BZA Sidewalk Appeal 2019-192 requesting to not construct sidewalks nor contribute in lieu of construction. To construct 545 Westboro Drive. of new HPR/duplex family residence with 2196 sq ft of living space, 420 sq ft of garage, and 180 sq ft of porches and decks. Minimum 5 ft side setback along adjacent parcel, 50 ft platted setback on Westboro Drive, minimum front setback at 42 ft per avg and 20 ft minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 45%..... 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.; For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property. Sidewalks ARE required for this project because this parcel is within the UZO. You are eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction.

*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 |
| [B] Fire Life Safety Review On Bldg App | IGNORE | 615-862-5421 Patricia.Reynolds@nashville.gov |
| CA - Zoning Sidewalk Requirement Review | BZAVARAPP | (615) 862-4138 Lisa.Butler@nashville.gov |
| [E] Sewer Availability Review For Bldg | COND | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Sewer Variance Approval For Bldg | N/A | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Water Availability Review For Bldg | COND | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Water Variance Approval For Bldg | N/A | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [A] Bond & License Review On Bldg App | APPROVED | (615) 862-4138 Lisa.Butler@nashville.gov |
| [F] Address Review On Bldg App | APPROVED | 615-862-8781 Bonnie.Crumby@nashville.gov |
| [D] Grading Plan Review For Bldg App | | (615) 862-6038 Logan.Bowman@nashville.gov |
| [F] Ramps & Curb Cuts Review For Bldg A | COND | 615-880-1678 Christopher.Gregory@nashville.gov |
| [F] Sidewalk Review For Bldg App | COND | 615-880-1678 Christopher.Gregory@nashville.gov |



**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 - T2018034154
THIS IS NOT A PERMIT**

PARCEL: 090160I00100CO

APPLICATION DATE: 06/13/2018

SITE ADDRESS:

6300 THUNDERBIRD DR NASHVILLE, TN 37209
UNIT A HOMES AT WESTBORO & THUNDERBIRD

PARCEL OWNER: DIGNITY, LLC

APPLICANT: DIGNITY LLC

MT JULIET, TN 37122 6153515892

PURPOSE:

BZA Sidewalk Appeal 2019-192 requesting to not construct sidewalks nor contribute in lieu of construction. To construct 6300 Thunderbird Ave. of new HPR/duplex family residence with 2410 sq ft of living space, 430 sq ft of garage, and 288 sq ft of porches and decks. Minimum 5 ft side setback along adjacent parcel, 50 ft platted setback on Westboro Drive, minimum front setback at 42 ft per avg and 20 ft minimum rear setback. Minimum 6 ft between structures. Must conform to all easements on property. Maximum height of 1.5 to width ratio from natural grade. Maximum building coverage on total parcel not to exceed 45%..... 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.; For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property. Sidewalks ARE required for this project because this parcel is within the UZO. You are eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction.

*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 |
| [B] Fire Life Safety Review On Bldg App | IGNORE | 615-862-5421 Patricia.Reynolds@nashville.gov |
| CA - Zoning Sidewalk Requirement'Review | BZAVARAPP | (615) 862-4138 Lisa.Butler@nashville.gov |
| [E] Sewer Availability Review For Bldg | COND | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Sewer Variance Approval For Bldg | N/A | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Water Availability Review For Bldg | COND | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [E] Water Variance Approval For Bldg | N/A | 615-862-7170 Shawna.Rodriguez@nashville.gov |
| [A] Bond & License Review On Bldg App | APPROVED | (615) 862-4138 Lisa.Butler@nashville.gov |
| [F] Address Review On Bldg App | APPROVED | 615-862-8781 Bonnie.Crumby@nashville.gov |
| [D] Grading Plan Review For Bldg App | | (615) 862-6038 Logan.Bowman@nashville.gov |
| [F] Ramps & Curb Cuts Review For Bldg A | COND | 615-880-1678 Christopher.Gregory@nashville.gov |
| [F] Sidewalk Review For Bldg App | COND | 615-880-1678 Christopher.Gregory@nashville.gov |

2019-192

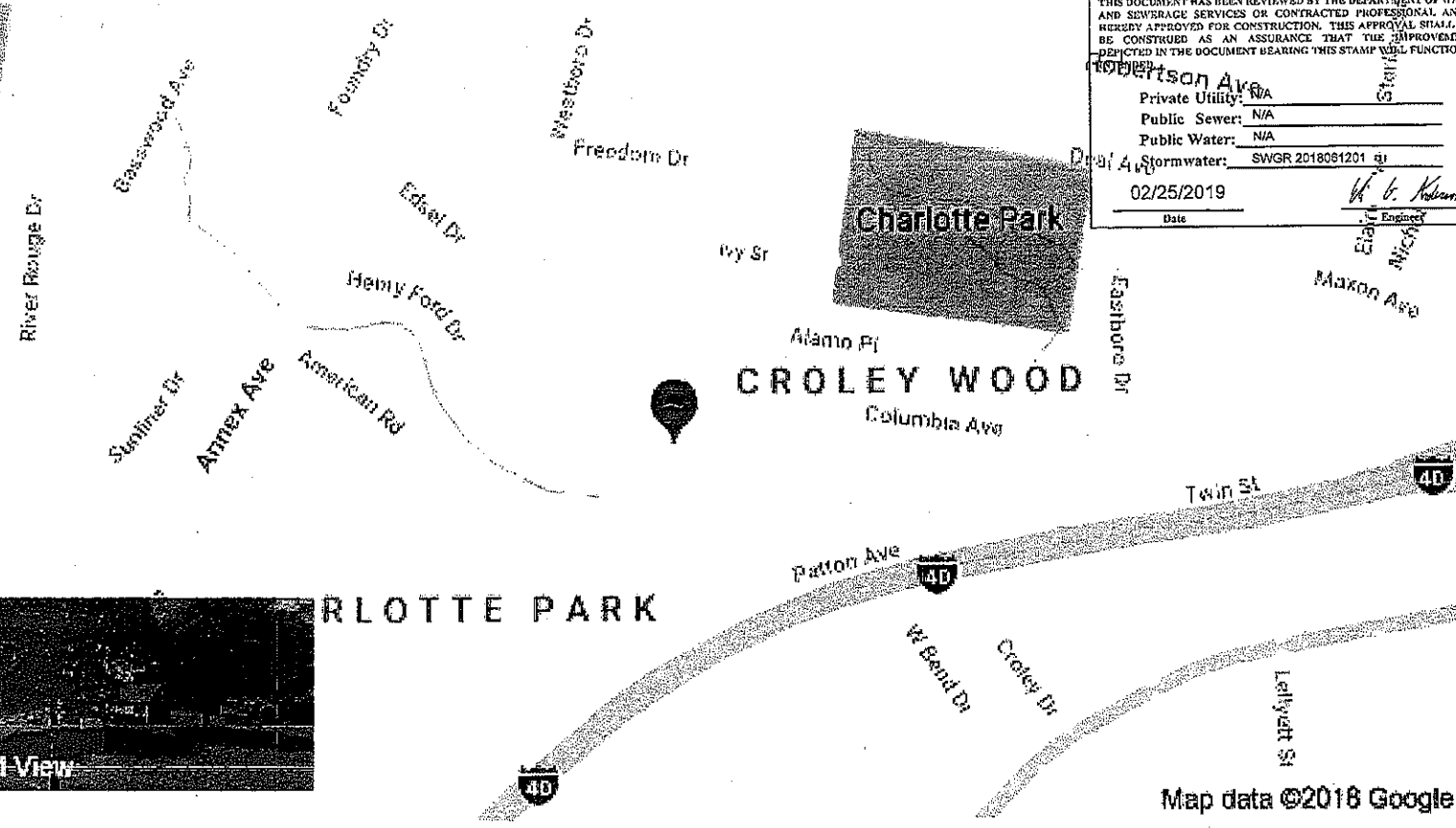
METRO WATER SERVICES - NASHVILLE, TN
 - APPROVED FOR CONSTRUCTION -

THIS DOCUMENT HAS BEEN REVIEWED BY THE DEPARTMENT OF WATER AND SEWERAGE SERVICES OR CONTRACTED PROFESSIONAL AND IS HEREBY APPROVED FOR CONSTRUCTION. THIS APPROVAL SHALL NOT BE CONSTRUED AS AN ASSURANCE THAT THE IMPROVEMENTS DEPICTED IN THE DOCUMENT BEARING THIS STAMP WILL FUNCTION AS INTENDED.

Private Utility: N/A
 Public Sewer: N/A
 Public Water: N/A
 Stormwater: SWGR 2018061201 g1

02/25/2019
 Date

W. G. Holman
 Engineer



545 Westboro Dr
 Nashville, TN 37209

Map data ©2018 Google



Prepared By:
 Ashfaq Memon, PE
 Brentwood, TN
 amemon1167@aol.com
 (615) 4291294

Project No. 2018-01
 Scale: As Shown
 File Name: SW-1
 Date: Rev2-Nov.15, 2018, June312018

Prepared For:
 American Eagle Construction Co.
 Nolensville, Tennessee
 Waleed.seder@gmail.com

Site Vicinity Map
 Proposed Residential Development - Grading Permit # SWGR#2018061201
 545 Westboro Drive - Map 90-16, new Parcel 090160100200C0
 Nashville, Tennessee

Figure
 1 of 5

Case # 2019-192

APPROVED FOR CONSTRUCTION

THIS DOCUMENT IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. THE SURVEYOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

Private Utility: NA
 Public Utility: NA
 Traffic Water: NA
 Stormwater: SWGR 2018061201

02/25/2019

G. W. Northcut

Surveyor's Notes:

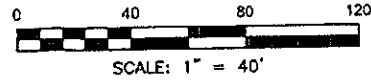
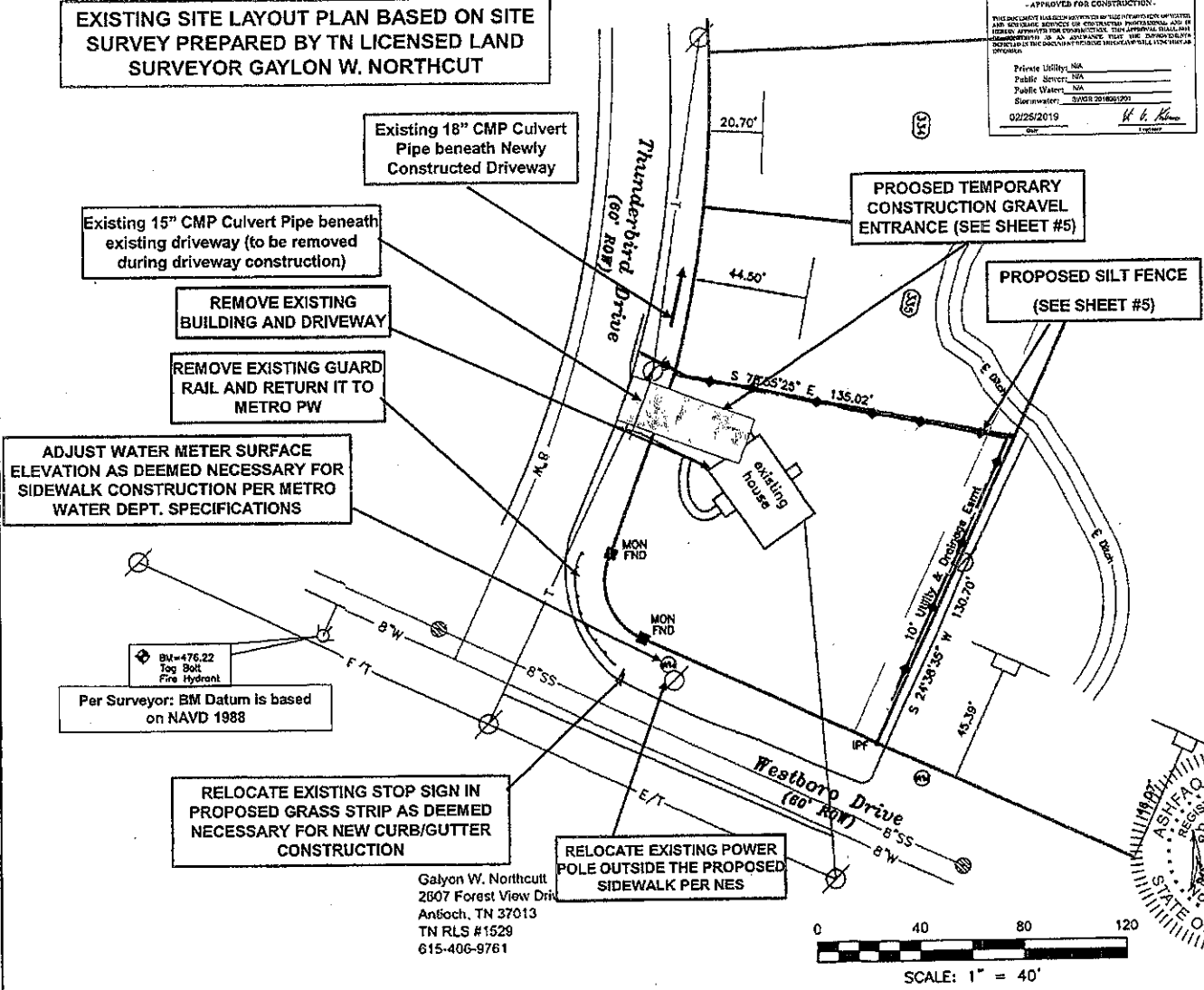
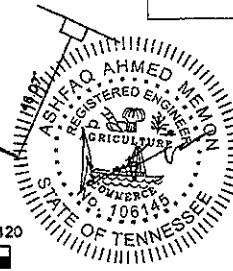
- All bearings are magnetic and do not necessarily match a previously recorded plat.
- This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
- Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
- (XX) Denotes parcel number from Tax Map 90-16.

Concrete Wash Down Note:

- Contractor shall provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting. Control of other site wastes such as discarded building materials, chemicals, litter and sanitary wastes that may cause adverse impacts to water quality is also required by the grading permittee.
- All temporary or permanent stabilization must be completed no later than 15 days (7 days for steep slopes) after construction activity in that portion of the site has temporarily or permanently ceased.
- All perimeter erosion and sediment control measures must be in place before starting grading.

Applicant/Owner: Dignity, LLC
Contact: Semih Gulertip
 615 351 5892 satesltd@gmail.com
 1048 Singing Springs Rd,
 Mt. Juliet, TN 37122

AS-BUILT FOR:
 DIGNITY, LLC
 545 WESTBROOK ROAD
 NASHVILLE, TN 37209
 MAP 90-16 PARCEL 97
 DB # 20170213-0015045
 DATE: JUNE 12, 2018



Prepared By:
 Ashfaq Memon, PE
 Brentwood, TN
amemon1167@aol.com
 (615) 4291294

Project No. 2018-01
 Scale: As Shown
 File Name: SW-1
 Date: 02/25/2019
 Revision: 12, 2019, June 31 2018

Prepared For:
 American Eagle Construction Co.
 Nolensville, Tennessee
Waleed.sader@gmail.com

Proposed Demolition and Erosion Control Plan
 Proposed Residential Development - Grading Permit # SWGR#2018061201
 545 Westboro Drive - Map 90-16, Parcel 090160100200C
 Nashville, Tennessee

Figure
 2 of 5

Case # 2019-192

LEGEND

- Proposed Corrugated Metal Pipe (CMP)
- Proposed Catch Basin w/Curb Inlet
- Proposed Sidewalk
- Proposed Spot Elevation
- Proposed Grade (Contour)

DRIVEWAY RAMP (ST-322)
(SEE SHEET 5 FOR DETAILS)

5' SIDEWALK (ST-210)
4' GRASS AREA
CURB & GUTTER (ST-200)
(SEE SHEET 5 FOR DETAILS)

DRAINAGE DESIGN DETAILS

| Code | From | To | Grade % | Pipe Size (inches) | Length (ft) | Flow Required (cfs) | Flow Provided (cfs) | Pipe Material |
|------|------|------|---------|--------------------|-------------|---------------------|---------------------|---------------|
| L-1 | HW#1 | CB#1 | 1.0 | 18 | 25 | 1.8 | 5.7 | CMP 1 |
| L-2 | CB#1 | CB#2 | 1.3 | 18 | 86 | 1.7 | 6.5 | CMP 1 |
| L-3 | CB#2 | CB#3 | 6.5 | 18 | 58 | 1.9 | 14.4 | CMP 1 |
| L-4 | CB#3 | HW | 3.3 | 18 | 73 | 2.1 | >8 | CMP 1 |

All pipes should be corrugated metal with aluminumized steel Type 2 Coating. All pipes shall be installed and trench backfill placed per metro guidelines. The fill placed above pipes shall be compacted engineered fill. All catch basin grates shall be per metro det. ST-506b (see sheet 5a)

| Drainage Structure | Rim Elev. | Invert Elevation | Remarks |
|--------------------|-----------|------------------|-----------------------------------|
| HW#1 | - | 478.00 | Winged Concrete Headwall w/riprap |
| HW#2 | - | 469.85 | Winged Concrete Headwall w/riprap |
| CB#1 | 481.0 | 477.75 (IN, OUT) | Precast Conc. |
| CB#2 | 479.8 | 476.6 (IN, OUT) | Precast Conc. |
| CB#3 | 475.35 | 472.25 (IN, OUT) | Precast Conc. |

HANDICAP RAMP (ADA COMPLIANT) (ST-320)
(SEE SHEET 5 FOR DETAILS)

GENERAL NOTES

- CONTRACTOR IS SOLELY RESPONSIBLE FOR JOB SITE SAFETY INCLUDING COMPLIANCE WITH ALL APPLICABLE OSHA REGULATIONS.
- ALL SIDEWALKS SHALL HAVE MAX. 2% CROSS SLOPE. SIDEWALKS SLOPES ALONG THE LENGTH SHALL NOT EXCEED 5%.
- CONTRACTOR SHALL ASSURE THAT ALL NECESSARY PERMITS HAVE BEEN OBTAINED PRIOR TO COMMENCING WORK.
- ALL CONSTRUCTION MUST CONFORM TO METRO STANDARDS AND SPECIFICATIONS.
- NOTIFY THE INSPECTOR TWENTY-FOUR (24) HOURS PRIOR TO CONSTRUCTION.
- CURB, SIDEWALK AND DRIVEWAY CONCRETE SHALL BE 3,500 PSI.
- CONTRACTOR MUST CALL TN-ONE CALL #1-800-351-1111 FOR UTILITY LOCATIONS 72-HOURS PRIOR TO ANY EXCAVATION.

AS-BUILT NOTE

In accordance with the Metro Stormwater Management Manual, Volume 1, Section 3.9, As-Built Certifications, MWS Stormwater Division must approve the following as-builts prior to issuance of the Use & Occupancy Permit:

- Underground detention and water quality infrastructure
- Above ground detention and water quality infrastructure
- Public storm sewer infrastructure
- Cut & fill in the floodplain
- Sinkhole alterations

The engineer shall contact Stormwater Development Review staff for submittal requirements.

METRO WATER SERVICES-NASHVILLE, TN
-APPROVED FOR CONSTRUCTION-

THIS DOCUMENT IS REVIEWED BY THE DEPARTMENT OF PUBLIC WORKS AND ADVISORY SERVICES OF CONTRACTED PROFESSIONAL ENGINEER IS READY APPROVED FOR CONSTRUCTION. THIS APPROVAL DOES NOT BE COONSIDERED AS AN ASSURANCE THAT THE APPROVED AS-BUILT DETAILS IN THIS DOCUMENT BEARING THE SEAL WILL BE CONFORM TO AS INTENDED.

Private Utility: N/A
Public Sewer: N/A
Public Water: N/A
Stormwater: SWGR 2018061201

02/25/2019

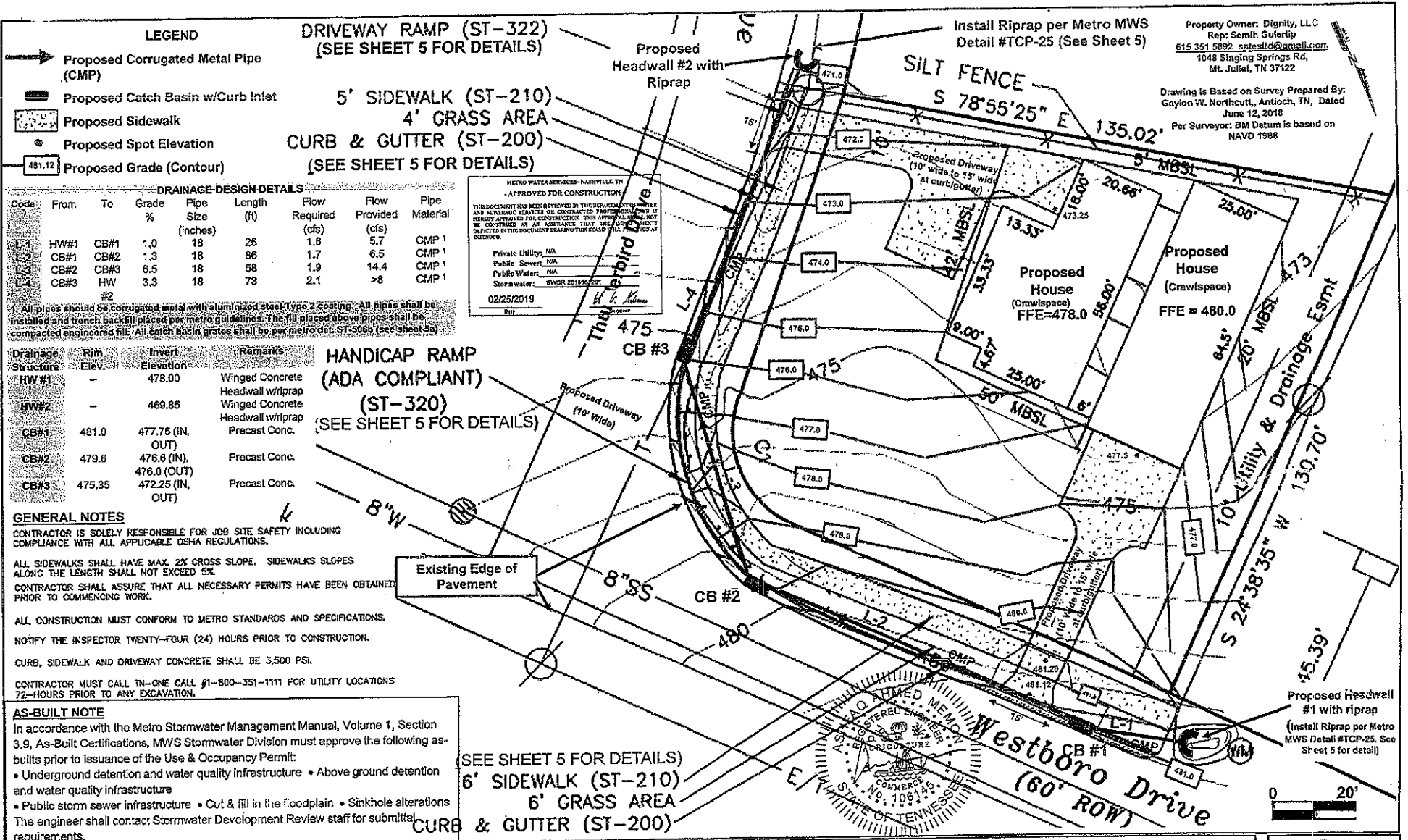
Prepared By:
Ashfaq Memon, PE
Brentwood, TN
amemon1167@aol.com
615 4291294

| | |
|-------------|-----------------------------------|
| Project No. | 2018-01 |
| Scale | As Shown |
| File Name | SW-1 |
| Date | June 22, 2018, Rev 4 Feb 22, 2018 |

Prepared For:
American Eagle Construction Company
Nolensville, Tennessee
Waleed.seder@gmail.com



Proposed Sidewalks and Drainage Construction Plan
Proposed Residential Development - Grading Permit # SWGR#2018061201
545 Westboro Drive - Map 90-16, New Parcel 090160100200C0
Nashville, Tennessee

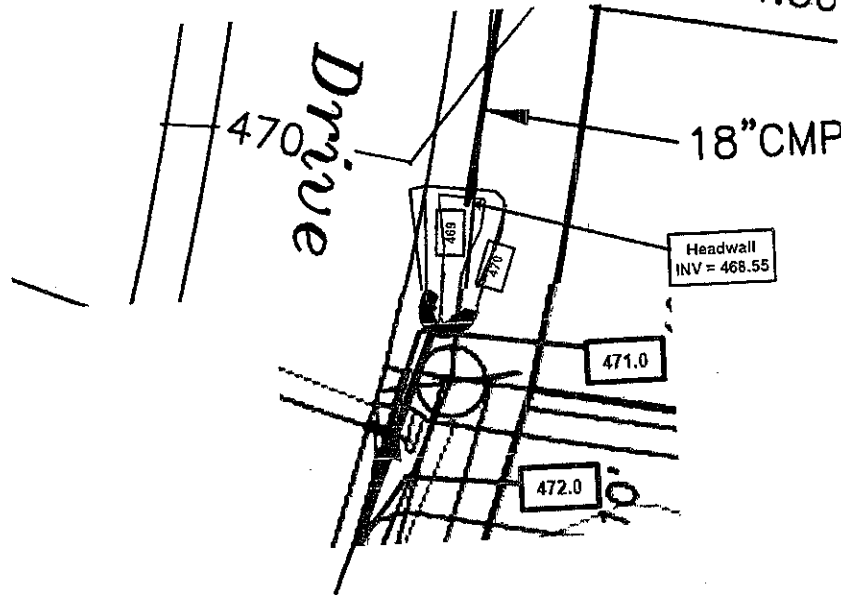
Figure
3 of 5



Property Owner: Dignity, LLC
Rep: Semih Gulertip
615 351 5892 sateslto@gmail.com
1048 Singing Springs Rd,
Mt. Juliet, TN 37122

Drawing is Based on Survey Prepared By:
Gaylon W. Northcutt, Antioch, TN, Dated
June 12, 2018
Per Surveyor: BM Datum is based on
NAVD 1988

- LEGEND**
-  Proposed Corrugated Metal Pipe (CMP)
 -  Proposed Grade (Contour)



METRO WATER SERVICES - NASHVILLE, TN
 - APPROVED FOR CONSTRUCTION -

THIS DOCUMENT HAS BEEN REVIEWED BY THE DEPARTMENT OF WATER AND SEWERAGE SERVICES OR CONTRACTED PROFESSIONAL AND IS HEREBY APPROVED FOR CONSTRUCTION. THIS APPROVAL SHALL NOT BE CONSTRUED AS AN ASSURANCE THAT THE IMPROVEMENTS DEPICTED IN THE DOCUMENT BEARING THIS STAMP WILL FUNCTION AS INTENDED.

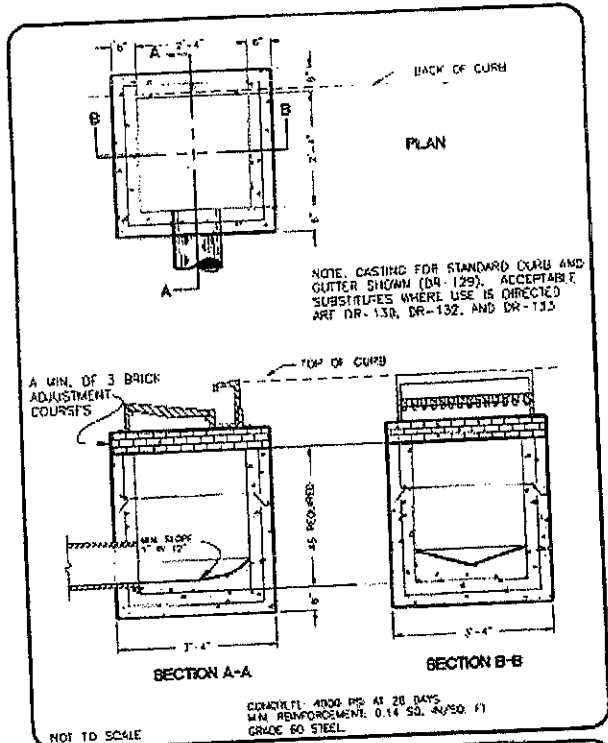
Private Utility: N/A
 Public Sewer: N/A
 Public Water: N/A
 Stormwater: SWGR 2018061201

02/25/2019 *W. G. Anderson*
 Date Engineer

ENLARGED VIEW OF GRADING PLAN SHOWING PROPOSED CONTOURS AROUND EXISTING CULVERT BENEATH DRIVEWAY ON ADJACENT DOWNSTREAM PROPERTY TO THE SOUTH ALONG THUNDERBIRD DRIVE

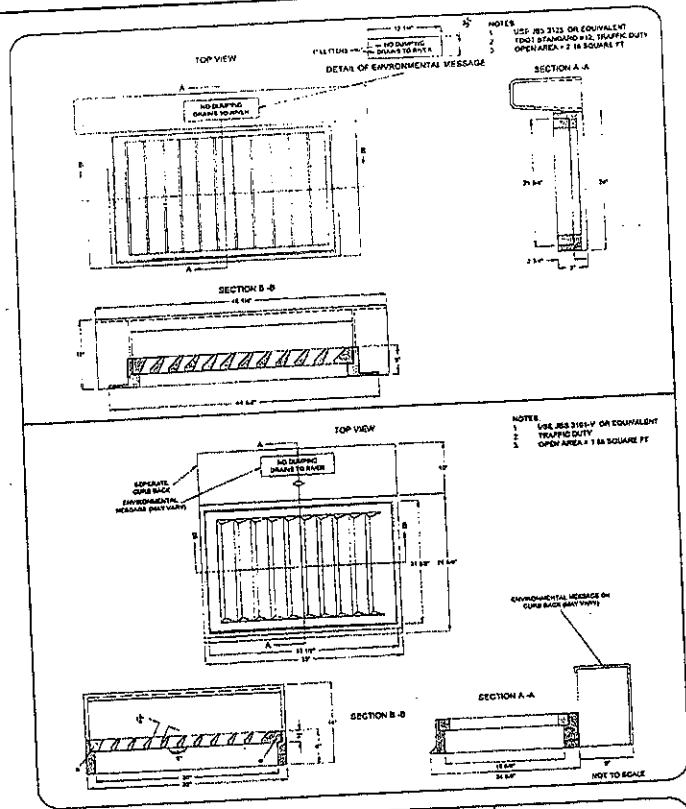


| | | | | |
|---|--|---|--|--------|
| Prepared By: Ashfaq Memon, PE Brentwood, TN amemon1167@aol.com 6154291294 | Project No. 2018-01 | Prepared For: American Eagle Construction Co. Nolensville, Tennessee Waleed.seder@gmail.com | Proposed Sidewalks and Drainage Construction Plan Proposed Residential Development - Grading Permit # SWGR#2018061201 545 Westboro Drive - Map 90-16, New Parcel 090160100200C0 Nashville, Tennessee | Figure |
| | Scale: As Shown File Name: SW-1 Date: Jan12, Rev Feb12, 2019 | | | 4 of 5 |



| | | |
|---|--|-------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | SINGLE INLET (PRECAST) | DWG. NO. DR-105 |
| ASST. DIR. PRO: <i>[Signature]</i> DATE: <i>1/17/19</i> | REVISOR: <i>[Signature]</i> DATE: <i>2/14/19</i> | REVISED: 02/08/00 |

Single Catch Basin Detail



| | | |
|---|---|---|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | BIKE FRIENDLY GRATE STANDARD | DWG. NO. ST-506b |
| DIR. OF ENG. <i>[Signature]</i> DATE: <i>7/6/19</i> | REVISOR: <i>[Signature]</i> DATE: <i>7/6/19</i> | REVISED: <i>[Signature]</i> DATE: <i>7/6/19</i> |

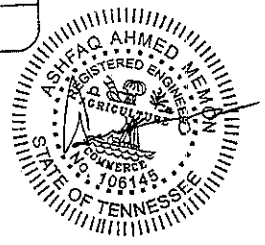
Bike Friendly Grate Detail

NOTE: ALL CATCH BASINS AND GRATES USED AT THE SITE SHALL BE PER METRO PW STANDARDS AS SHOWN ABOVE

APPROVED FOR CONSTRUCTION

STATE OF TENNESSEE
COMMERCIAL
No. 70614-B

02/25/2019



Prepared By:
Ashfaq Memon, PE
Brentwood, TN
amemon1167@aol.com
6154291294

Project No: 2018-01
Scale: As Shown
File Name: SW-1
Date: November 16 2018

Prepared For:
American Eagle Construction Co.
Nolensville, Tennessee
Waleed.seder@gmail.com

Proposed Construction Details
Proposed Residential Development - Grading Permit # SWGR#2018061201
545 Westboro Drive - Map 90-16, New Parcel 090160100200C0
Nashville, Tennessee

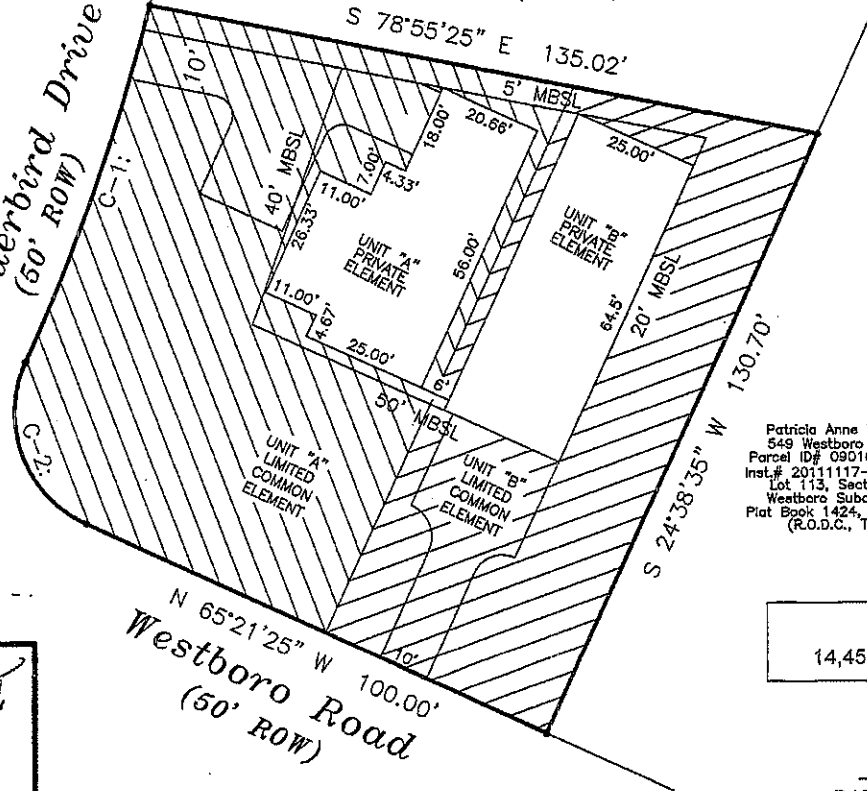
Figure
5a

C-1:
 R=436.54'
 DELTA=9°50'37"
 L=75.00'

C-2:
 R=24.52'
 DELTA=89°46'38"
 L=38.42'

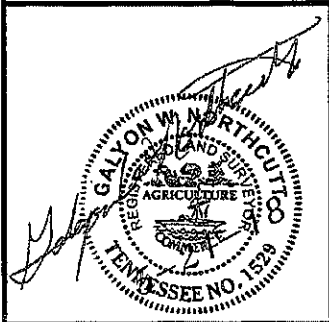
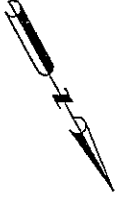
Advanced Equity, LLC
 6302 Thunderbird Drive
 Parcel ID# 09016033500
 Inst.# 20170808-0081057
 Lot 2-A, Re-Sub of Lot 2,
 of the Re-Sub of Lot 112
 of Westboro Subdivision Section 2
 Plat Book 6200, Page 543
 (R.O.D.C., TN.)

Thunderbird Drive
 (50' ROW)



Patricia Anne Wilson
 549 Westboro Drive
 Parcel ID# 09016009800
 Inst.# 20111117-0090042
 Lot 113, Section 2
 Westboro Subdivision
 Plat Book 1424, Page 60
 (R.O.D.C., TN.)

AREA:
 14,451.0 sq.ft. or 0.33 Ac.



Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

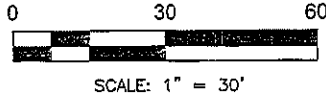
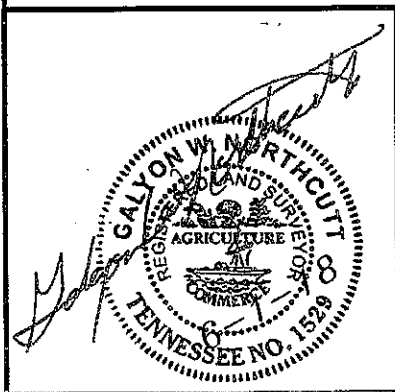
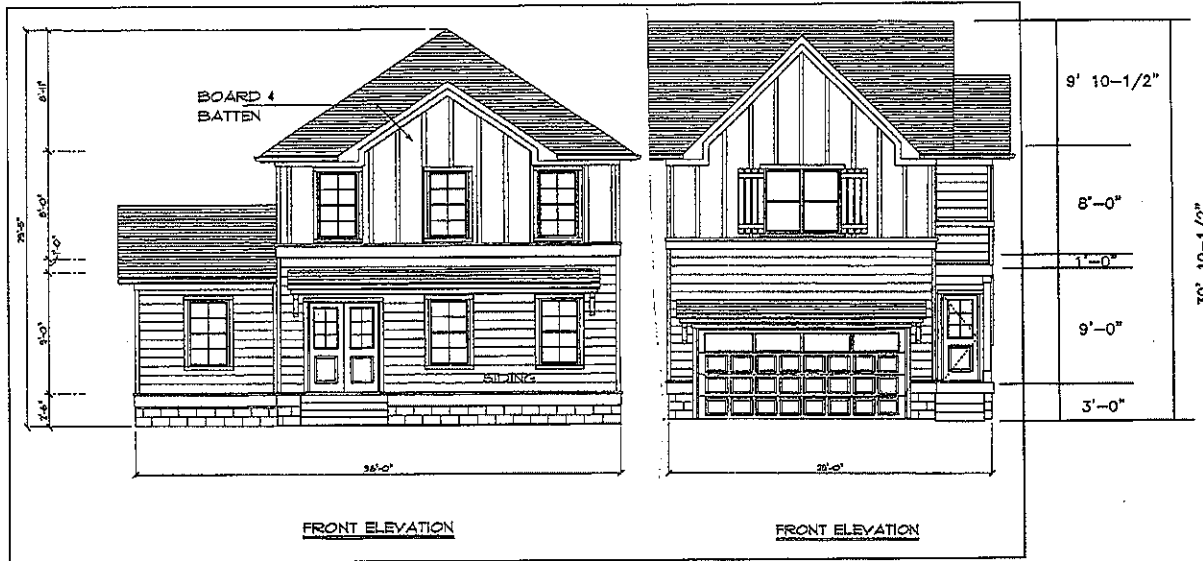


EXHIBIT MAP
 545 WESTBORO ROAD
 METRO PARCEL ID# 09016009700
 20TH CIVIL DISTRICT
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE
 SCALE: 1" = 30' DATE: 5/21/18



Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

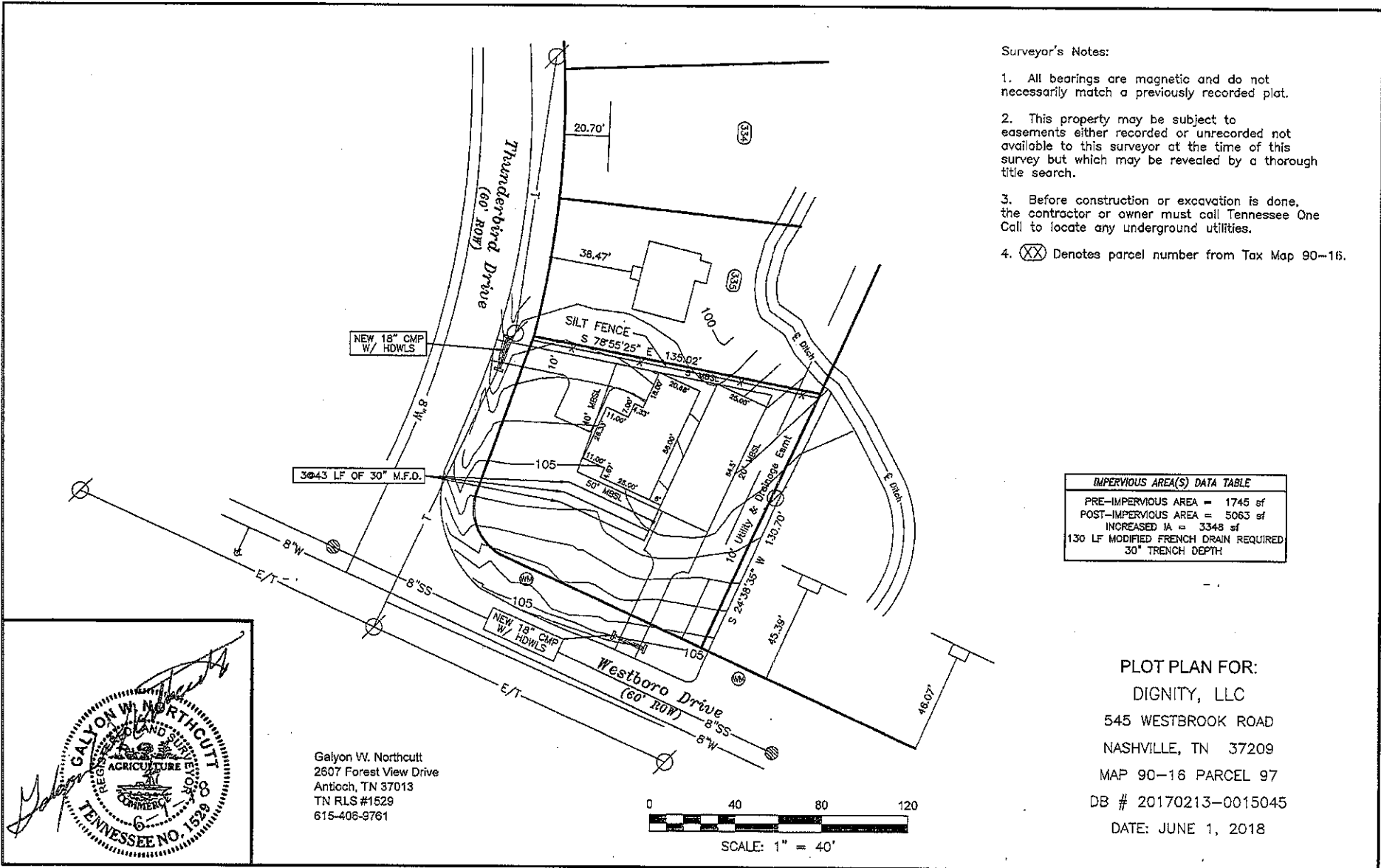
FRONT ELEVATION FOR:
 DIGNITY, LLC
 545 WESTBORO DRIVE
 NASHVILLE, TN 37209
 MAP 90-16, PARCEL 97
 INST # 20170809-0081538
 DATE: JUNE 1, 2018

Surveyor's Notes:

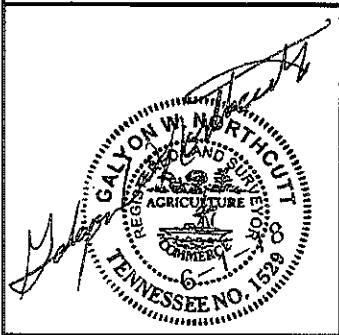
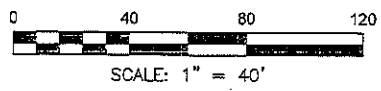
1. All bearings are magnetic and do not necessarily match a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 90-16.

| IMPERVIOUS AREA(S) DATA TABLE | |
|---|-----------|
| PRE-IMPERVIOUS AREA | = 1745 sf |
| POST-IMPERVIOUS AREA | = 5063 sf |
| INCREASED IA | = 3348 sf |
| 130 LF MODIFIED FRENCH DRAIN REQUIRED 30" TRENCH DEPTH | |

PLOT PLAN FOR:
 DIGNITY, LLC
 545 WESTBROOK ROAD
 NASHVILLE, TN 37209
 MAP 90-16 PARCEL 97
 DB # 20170213-0015045
 DATE: JUNE 1, 2018



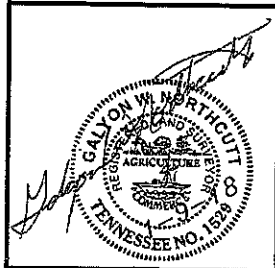
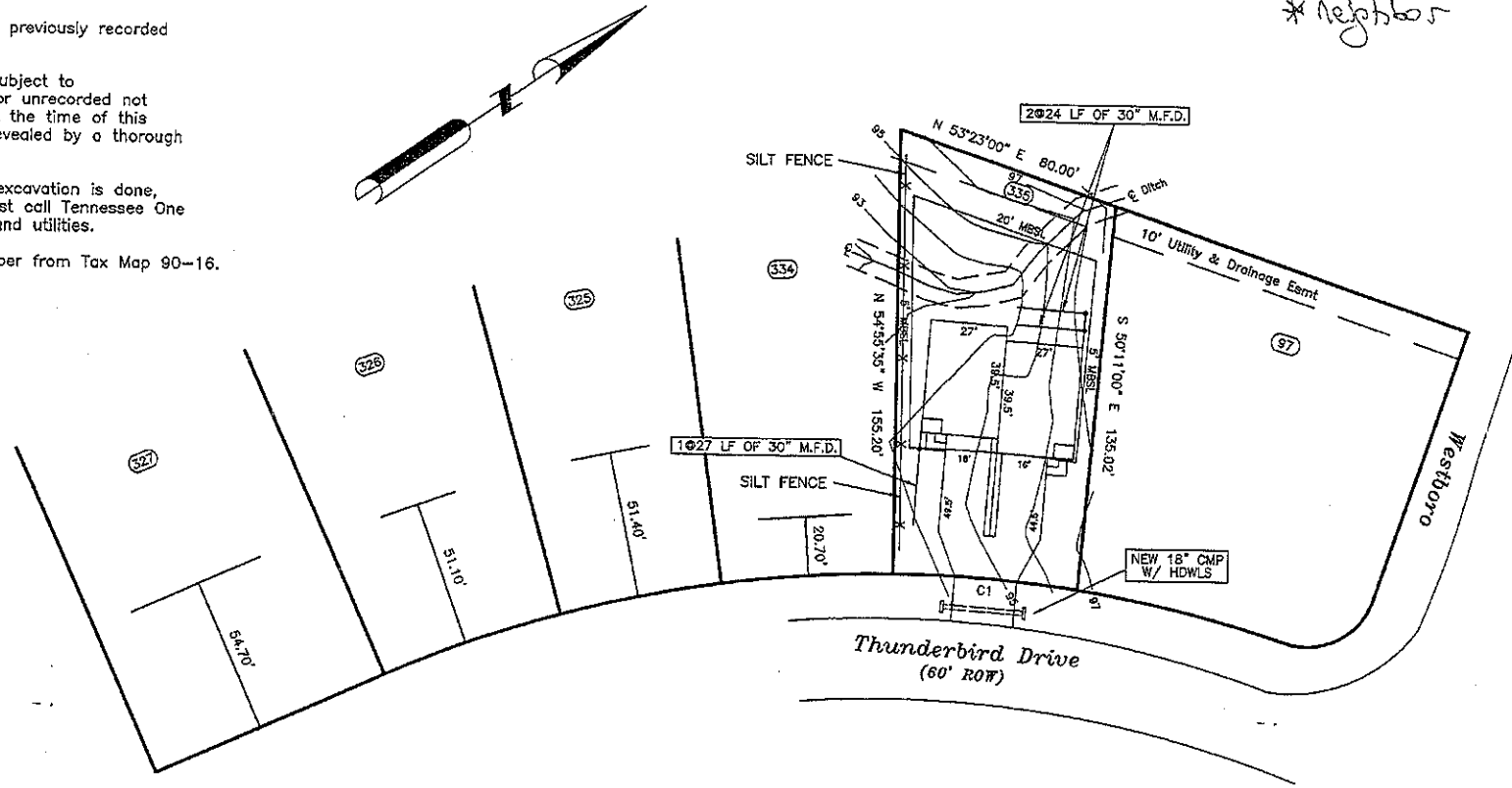
Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-408-9761



Surveyor's Notes:

1. All bearings are from a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 90-16.

* Neighbor

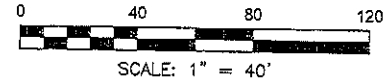


Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|---------|-------------|------------|----------------|--------------|
| C1 | 436.54' | 8°31'53" | 65.00' | IN 85°52'20" W | 64.94' |

| IMPERVIOUS AREA(S) DATA TABLE | |
|--|-----------|
| PRE-IMPERVIOUS AREA | = 1844 sf |
| POST-IMPERVIOUS AREA | = 3701 sf |
| INCREASED IA | = 1857 sf |
| 75 LF MODIFIED FRENCH DRAIN REQUIRED 30" TRENCH DEPTH | |

| PARCEL 335 FRONT SETBACK | |
|--------------------------|--|
| 20.70' | |
| 51.40' | |
| 51.10' | |
| 54.70' | |
| 177.9' | |
| + 4 | |
| 44.5' | |



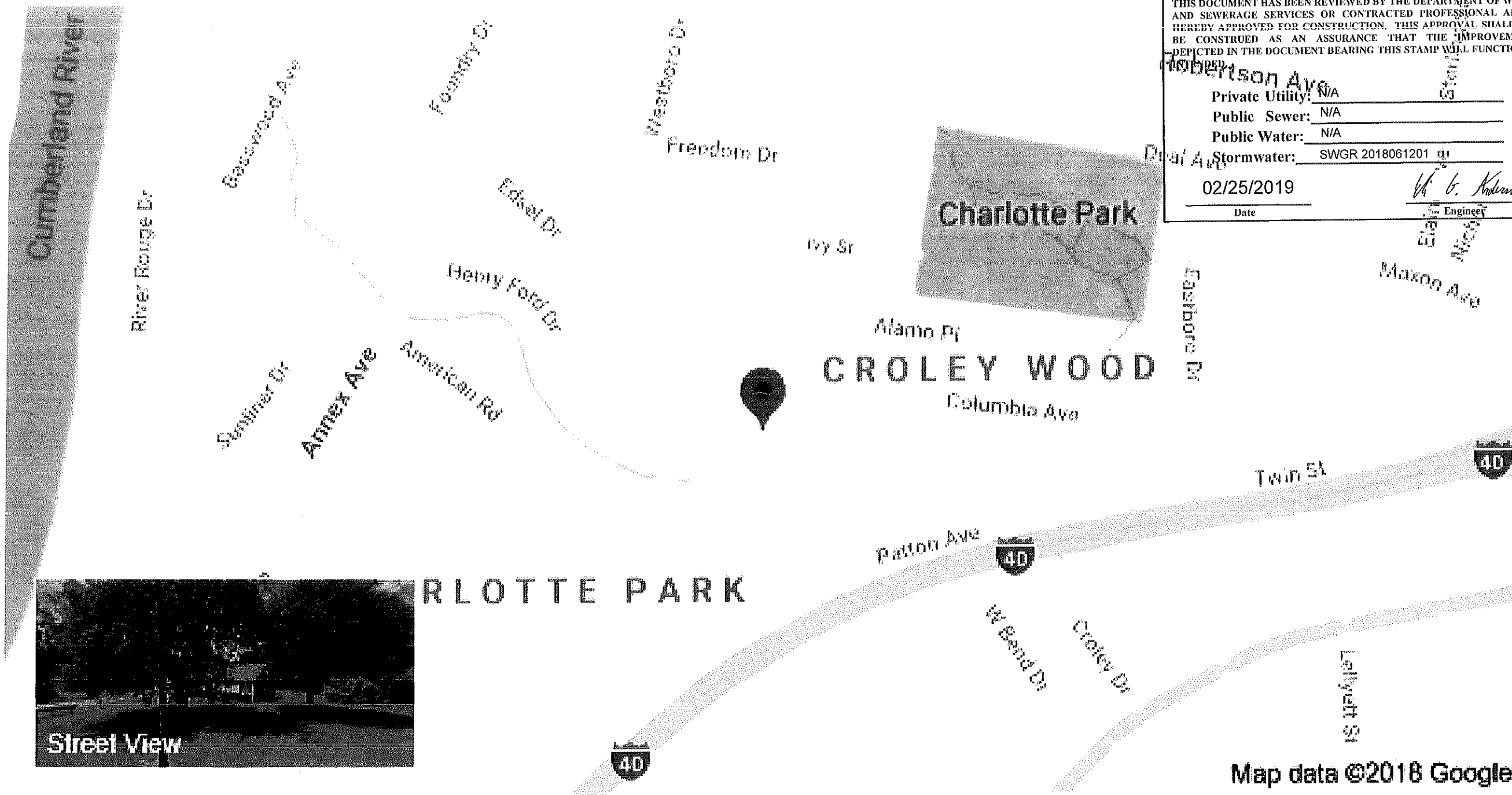
PLOT PLAN FOR:
ADVANCED EQUITY, LLC
6302 THUNDERBIRD DRIVE
NASHVILLE, TN 37209
MAP 90-16 PARCEL 335
INST # 20170808-0081057
DATE: JANUARY 9, 2018

2019-192

METRO WATER SERVICES - NASHVILLE, TN
- APPROVED FOR CONSTRUCTION -

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| | | |
|------------------|-----------------|-----------------------------------|
| Private Utility: | N/A | CS |
| Public Sewer: | N/A | |
| Public Water: | N/A | |
| Stormwater: | SWGR 2018061201 | CS |
| Date: | 02/25/2019 | <i>V. G. Kulkarni</i> Engineer |



545 Westboro Dr
Nashville, TN 37209

Map data ©2018 Google

DIRECTIONS

| | | | | | | |
|--|-------------|-------------------------------|---|---|--|--------|
| Prepared By: Ashfaq Memon, PE Brentwood, TN amemon1167@aol.com (615) 4291294 | Project No. | 2018-01 | Prepared For: American Eagle Construction Co. Nolensville, Tennessee Waleed.seder@gmail.com | Site Vicinity Map Proposed Residential Development – Grading Permit # SWGR#2018061201 545 Westboro Drive – Map 90-16, new Parcel 090160100200C0 Nashville, Tennessee | | Figure |
| | Scale: | As Shown | | 1 of 5 | | |
| | File Name: | SW-1 | | | | |
| | Date: | Rev2-Nov.15, 2018, June312018 | | | | |

EXISTING SITE LAYOUT PLAN BASED ON SITE SURVEY PREPARED BY TN LICENSED LAND SURVEYOR GAYLON W. NORTHCUT

METRO WATERSERVICES - NASHVILLE, TN
 - APPROVED FOR CONSTRUCTION -
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 Private Utility: N/A
 Public Sewer: N/A
 Public Water: N/A
 Stormwater: SWGR 2018061201
 02/25/2019
 Date
 W. G. Kibben
 Engineer

Surveyor's Notes:

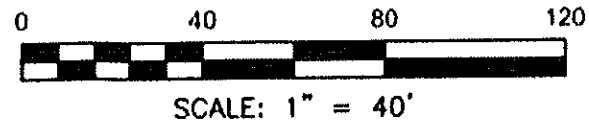
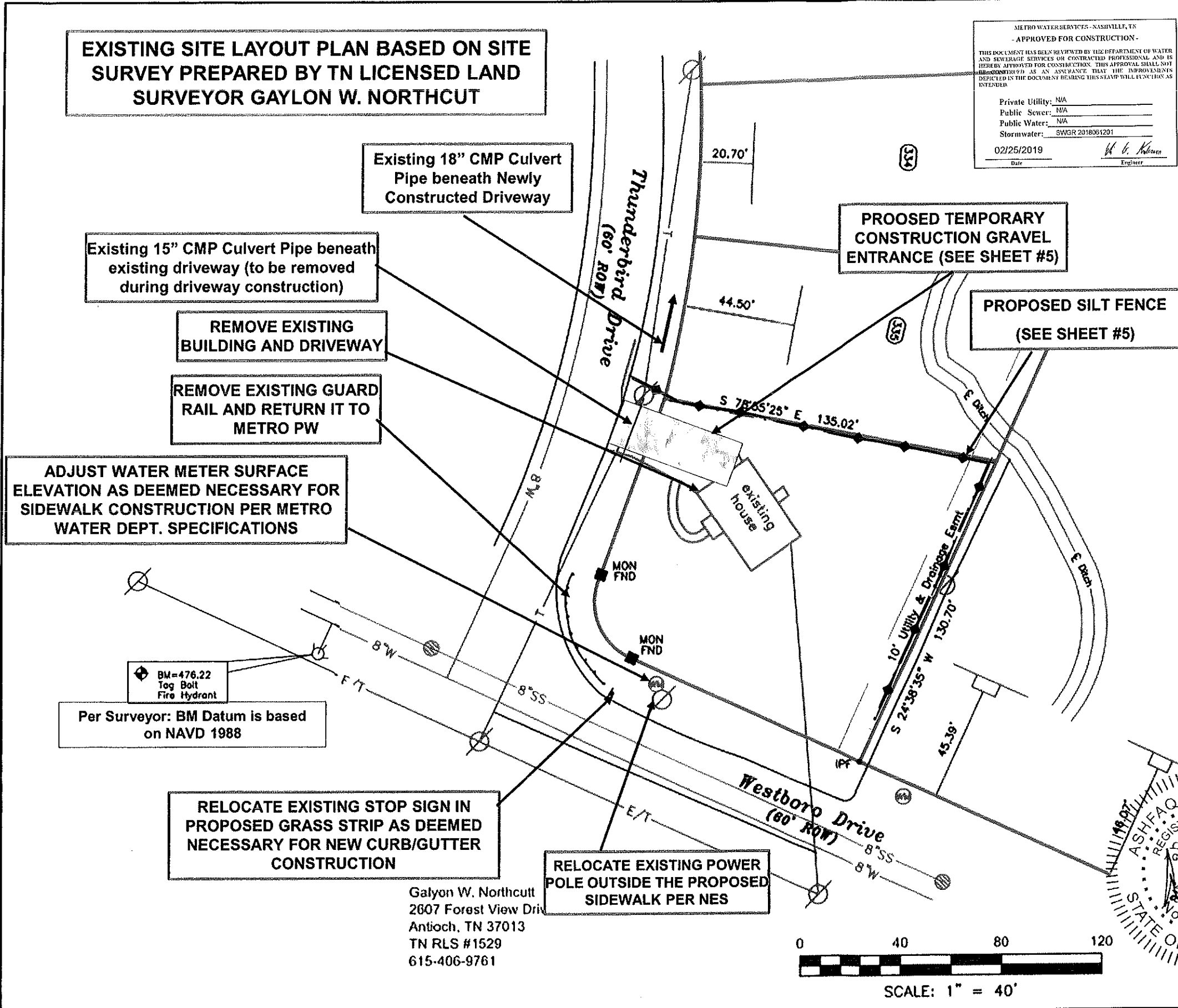
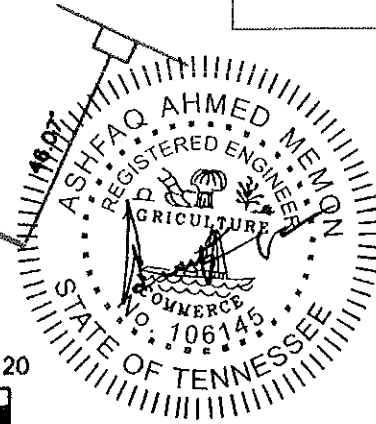
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3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 90-16.

Concrete Wash Down Note:

- Contractor shall provide an area for concrete wash down and equipment fueling in accordance with Metro CP-10 and CP-13, respectively. Contractor to coordinate exact location with NPDES department during preconstruction meeting. Control of other site wastes such as discarded building materials, chemicals, litter and sanitary wastes that may cause adverse impacts to water quality is also required by the grading permittee.
- All temporary or permanent stabilization must be completed no later than 15 days (7 days for steep slopes) after construction activity in that portion of the site has temporarily or permanently ceased.
- All perimeter erosion and sediment control measures must be in place before starting grading.

Applicant/Owner: Dignity, LLC
Contact: Semih Gulertip
615 351 5892 satesltd@gmail.com
1048 Singing Springs Rd,
Mt. Juliet, TN 37122

AS-BUILT FOR:
DIGNITY, LLC
545 WESTBROOK ROAD
NASHVILLE, TN 37209
MAP 90-16 PARCEL 97
DB # 20170213-0015045
DATE: JUNE 12, 2018



Prepared By:
 Ashfaq Memon, PE
 Brentwood, TN
 amemon1167@aol.com
 (615) 4291294

Project No. 2018-01
 Scale: As Shown
 File Name: SW-1
 Date: Rev Jan 12, 2019, June 31 2018

Prepared For:
American Eagle Construction Co.
 Nolensville, Tennessee
 Waleed.seder@gmail.com

Proposed Demolition and Erosion Control Plan
Proposed Residential Development – Grading Permit # SWGR#2018061201
 545 Westboro Drive – Map 90-16, Parcel 090160100200C0
 Nashville, Tennessee

Figure
2 of 5

LEGEND

- Proposed Corrugated Metal Pipe (CMP)
- Proposed Catch Basin w/Curb Inlet
- Proposed Sidewalk
- Proposed Spot Elevation
- Proposed Grade (Contour)

DRIVEWAY RAMP (ST-322)
(SEE SHEET 5 FOR DETAILS)

5' SIDEWALK (ST-210)
4' GRASS AREA
CURB & GUTTER (ST-200)
(SEE SHEET 5 FOR DETAILS)

Install Riprap per Metro MWS
Detail #TCP-25 (See Sheet 5)

Property Owner: Dignity, LLC
Rep: Semih Gulertip
615 351 5892 satesltd@gmail.com
1048 Singing Springs Rd,
Mt. Juliet, TN 37122

Drawing is Based on Survey Prepared by:
Gaylon W. Northcutt, Antioch, TN, Dated
June 12, 2018
Per Surveyor: BM Datum is based on
NAVD 1988

| DRAINAGE DESIGN DETAILS | | | | | | | | |
|-------------------------|------|------|---------|--------------------|-------------|---------------------|---------------------|---------------|
| Code | From | To | Grade % | Pipe Size (inches) | Length (ft) | Flow Required (cfs) | Flow Provided (cfs) | Pipe Material |
| L-1 | HW#1 | CB#1 | 1.0 | 18 | 25 | 1.6 | 5.7 | CMP 1 |
| L-2 | CB#1 | CB#2 | 1.3 | 18 | 86 | 1.7 | 6.5 | CMP 1 |
| L-3 | CB#2 | CB#3 | 6.5 | 18 | 58 | 1.9 | 14.4 | CMP 1 |
| L-4 | CB#3 | HW | 3.3 | 18 | 73 | 2.1 | >8 | CMP 1 |

1. All pipes should be corrugated metal with aluminized steel-Type 2 coating. All pipes shall be installed and trench backfill placed per metro guidelines. The fill placed above pipes shall be compacted engineered fill. All catch basin grates shall be per metro det. ST-506b (see sheet 5a)

| Drainage Structure | Rim Elev. | Invert Elevation | Remarks |
|--------------------|-----------|-------------------------|-----------------------------------|
| HW #1 | - | 478.00 | Winged Concrete Headwall w/riprap |
| HW#2 | - | 469.85 | Winged Concrete Headwall w/riprap |
| CB#1 | 481.0 | 477.75 (IN, OUT) | Precast Conc. |
| CB#2 | 479.6 | 476.6 (IN), 476.0 (OUT) | Precast Conc. |
| CB#3 | 475.35 | 472.25 (IN, OUT) | Precast Conc. |

GENERAL NOTES

- CONTRACTOR IS SOLELY RESPONSIBLE FOR JOB SITE SAFETY INCLUDING COMPLIANCE WITH ALL APPLICABLE OSHA REGULATIONS.
- ALL SIDEWALKS SHALL HAVE MAX. 2% CROSS SLOPE. SIDEWALKS SLOPES ALONG THE LENGTH SHALL NOT EXCEED 5%.
- CONTRACTOR SHALL ASSURE THAT ALL NECESSARY PERMITS HAVE BEEN OBTAINED PRIOR TO COMMENCING WORK.
- ALL CONSTRUCTION MUST CONFORM TO METRO STANDARDS AND SPECIFICATIONS.
- NOTIFY THE INSPECTOR TWENTY-FOUR (24) HOURS PRIOR TO CONSTRUCTION.
- CURB, SIDEWALK AND DRIVEWAY CONCRETE SHALL BE 3,500 PSI.
- CONTRACTOR MUST CALL TN-ONE CALL #1-800-351-1111 FOR UTILITY LOCATIONS 72-HOURS PRIOR TO ANY EXCAVATION.

AS-BUILT NOTE

In accordance with the Metro Stormwater Management Manual, Volume 1, Section 3.9, As-Built Certifications, MWS Stormwater Division must approve the following as-builts prior to issuance of the Use & Occupancy Permit:

- Underground detention and water quality infrastructure
- Above ground detention and water quality infrastructure
- Public storm sewer infrastructure
- Cut & fill in the floodplain
- Sinkhole alterations

The engineer shall contact Stormwater Development Review staff for submittal requirements.

METRO WATER SERVICES-NASHVILLE, TN
- APPROVED FOR CONSTRUCTION

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Private Utility: N/A
Public Sewer: N/A
Public Water: N/A
Stormwater: SWGR 2018061201

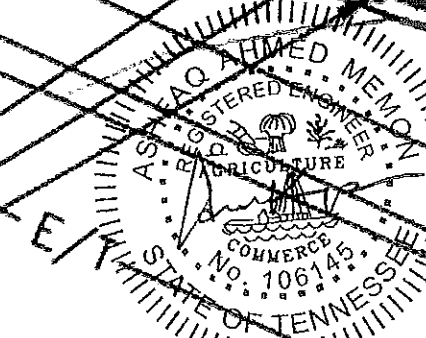
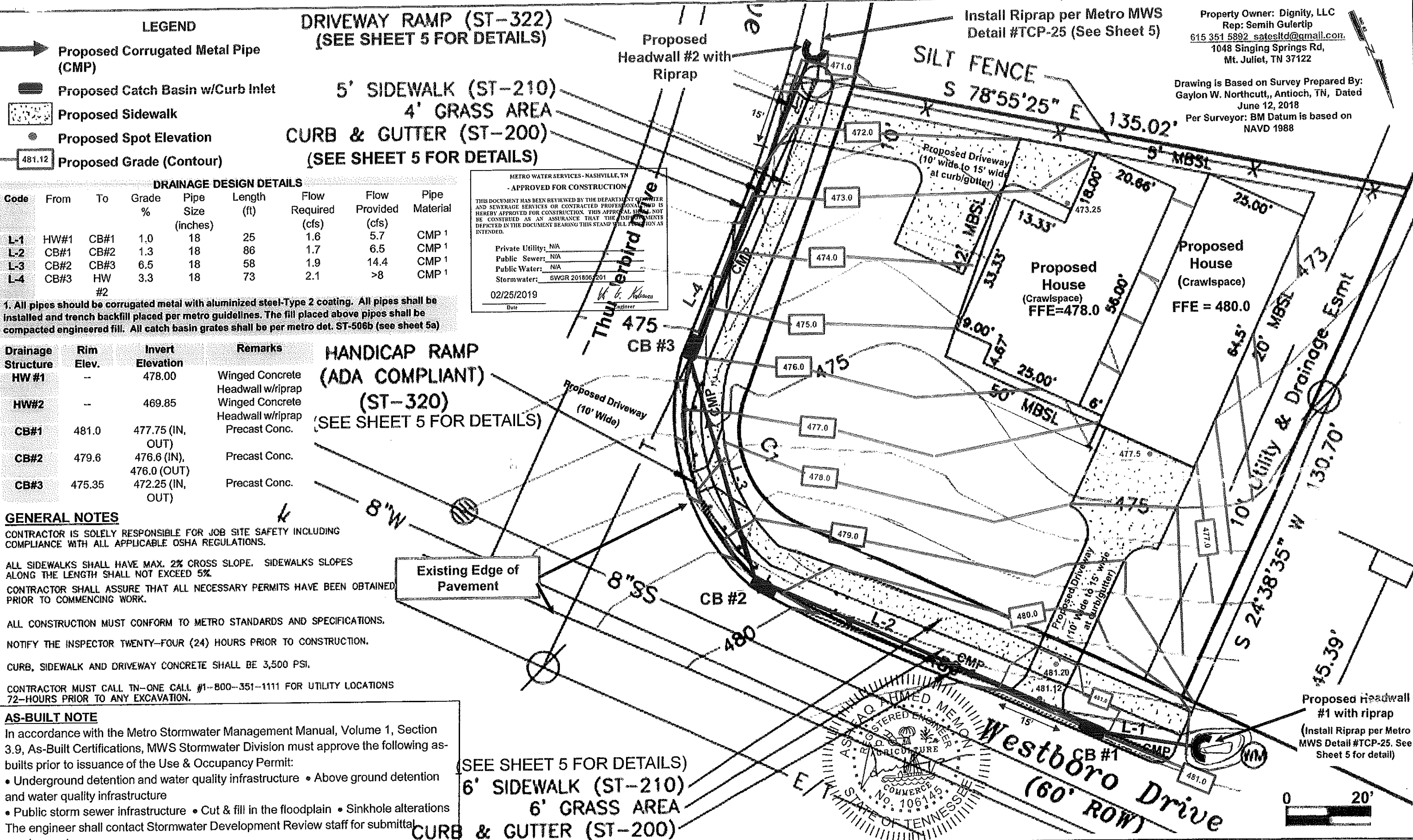
02/25/2019
Date

W. G. Nelson
Engineer

HANDICAP RAMP (ADA COMPLIANT)
(ST-320)
(SEE SHEET 5 FOR DETAILS)

Existing Edge of Pavement

(SEE SHEET 5 FOR DETAILS)
6' SIDEWALK (ST-210)
6' GRASS AREA
CURB & GUTTER (ST-200)



| | | | | |
|--|--|---|---|----------------------|
| Prepared By: Ashfaq Memon, PE Brentwood, TN amemon1167@aol.com 615 4291294 | Project No. 2018-01 | Prepared For: American Eagle Construction Company Nolensville, Tennessee Waleed.seder@gmail.com | Proposed Sidewalks and Drainage Construction Plan Proposed Residential Development – Grading Permit # SWGR#2018061201 545 Westboro Drive – Map 90-16, New Parcel 090160100200C0 Nashville, Tennessee | Figure 3 of 5 |
| | Scale: As Shown File Name: SW-1 Date: June 31 2018, Rev 4 Feb 22, 2019 | | | |

THIS DOCUMENT HAS BEEN REVIEWED BY THE DEPARTMENT OF WATER AND SEWERAGE SERVICES OR CONTRACTED PROFESSIONAL AND IS HEREBY APPROVED FOR CONSTRUCTION. THIS APPROVAL SHALL NOT BE CONSTRUED AS AN ASSURANCE THAT THE IMPROVEMENTS DEPICTED IN THE DOCUMENT BEARING THIS STAMP WILL FUNCTION AS INTENDED.

Private Utility: N/A
Public Sewer: N/A
Public Water: N/A
Stormwater: SWGR 2018061201

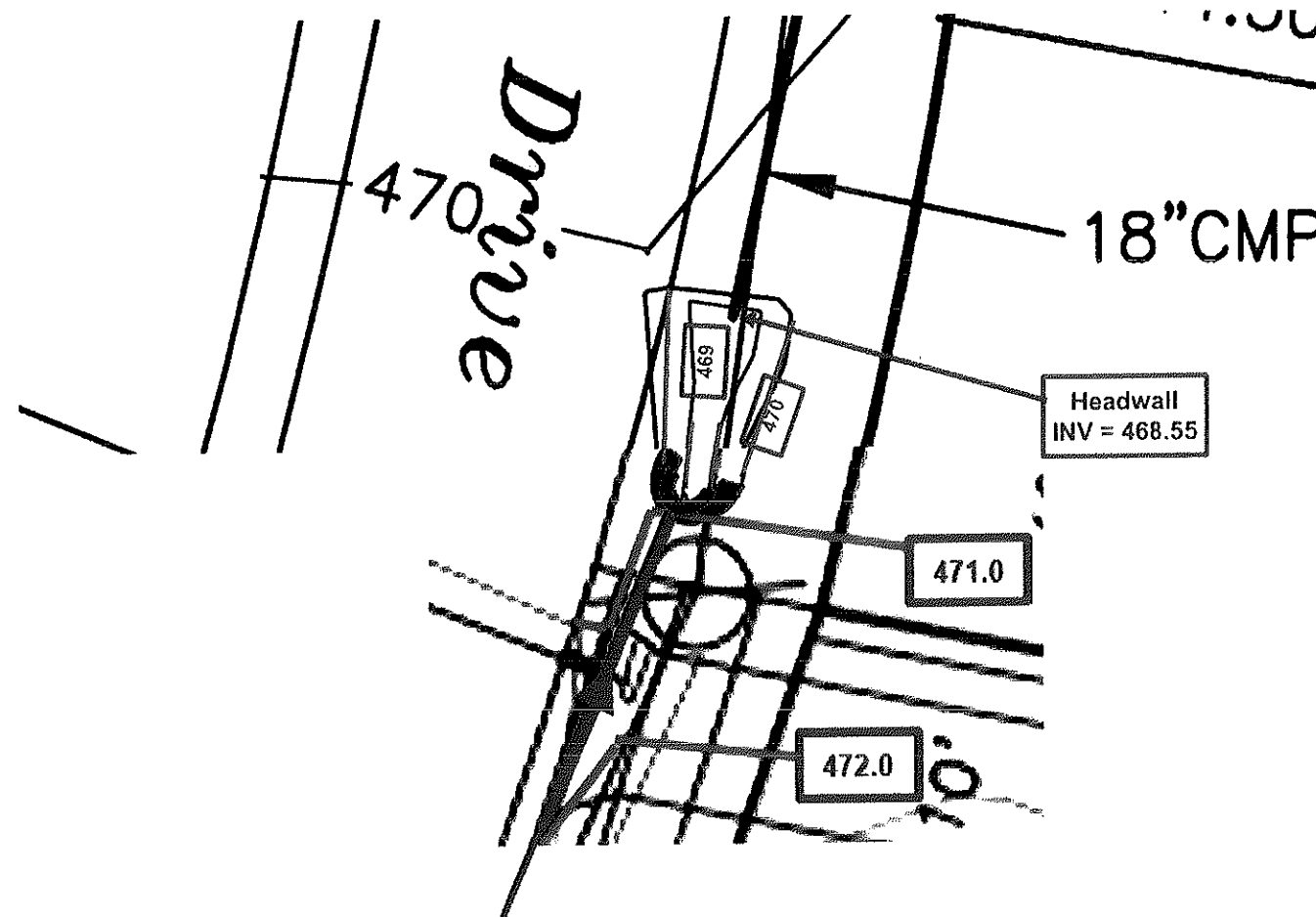
02/25/2019
Date

W. G. Anderson
Engineer

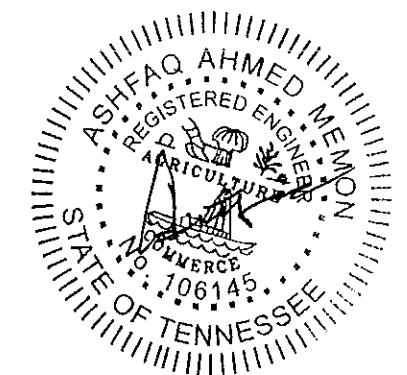
LEGEND

➔ Proposed Corrugated Metal Pipe (CMP)

476 Proposed Grade (Contour)



ENLARGED VIEW OF GRADING PLAN SHOWING PROPOSED CONTOURS AROUND EXISTING CULVERT BENEATH DRIVEWAY ON ADJACENT DOWNSTREAM PROPERTY TO THE SOUTH ALONG THUNDERBIRD DRIVE



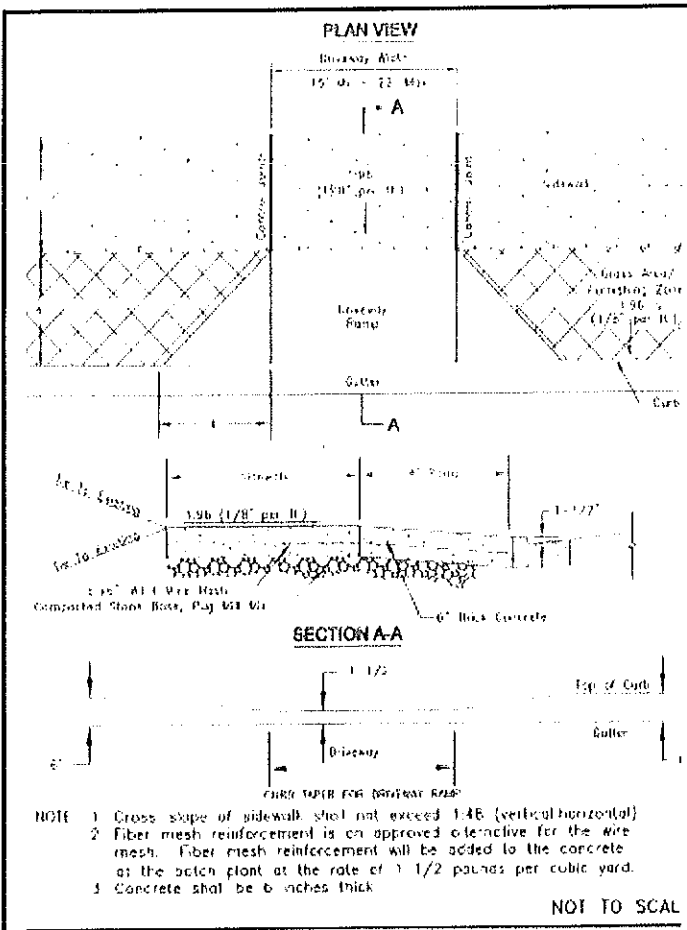
Prepared By:
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Brentwood, TN
amemon1167@aol.com
6154291294

Project No. 2018-01
Scale: As Shown
File Name: SW-1
Date: Jan12, Rev Feb12, 2019

Prepared For:
American Eagle Construction Co.
Nolensville, Tennessee
Waleed.seder@gmail.com

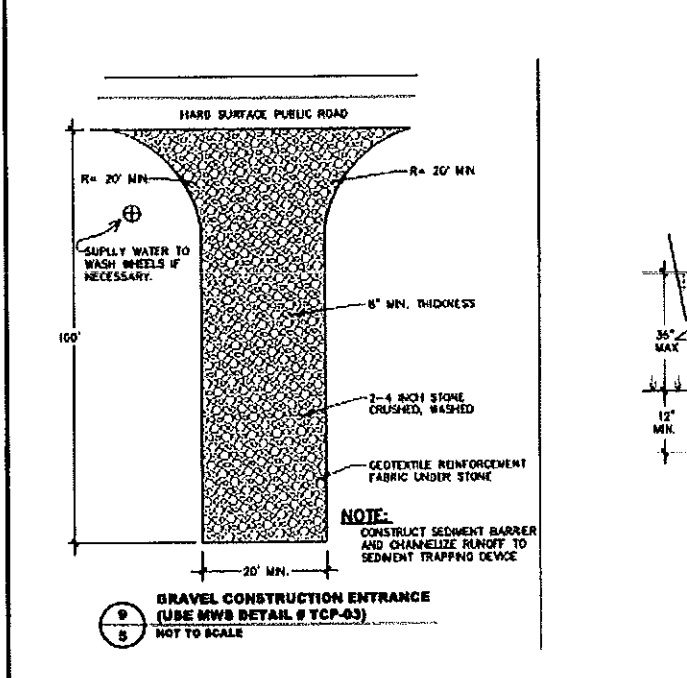
Proposed Sidewalks and Drainage Construction Plan
Proposed Residential Development – Grading Permit # SWGR#2018061201
545 Westboro Drive – Map 90-16, New Parcel 090160100200C0
Nashville, Tennessee

Figure
4 of 5

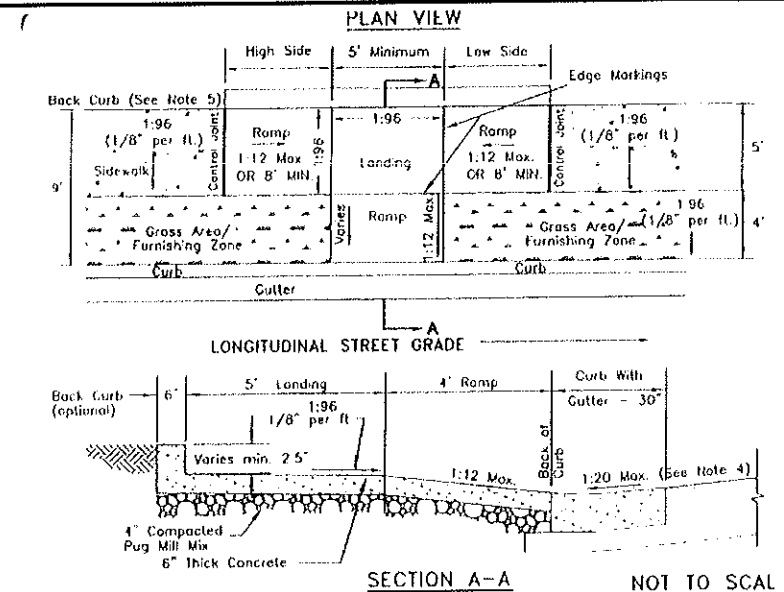


NOTE: 1. Gross slope of sidewalk shall not exceed 1:48 (vertical:horizontal).
 2. Fiber mesh reinforcement is an approved alternative for the wire mesh. Fiber mesh reinforcement will be added to the concrete at the batch plant at the rate of 1 1/2 pounds per cubic yard.
 3. Concrete shall be 6 inches thick.

| | | |
|---|--|-------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | NEW CONSTRUCTION RESIDENTIAL DRIVEWAY RAMP | DWG. NO. ST-222 |
| DIR. OF ENG.: Mark May | DATE: 5/12/03 | REVISED: 07/21/02 05/03/03 |

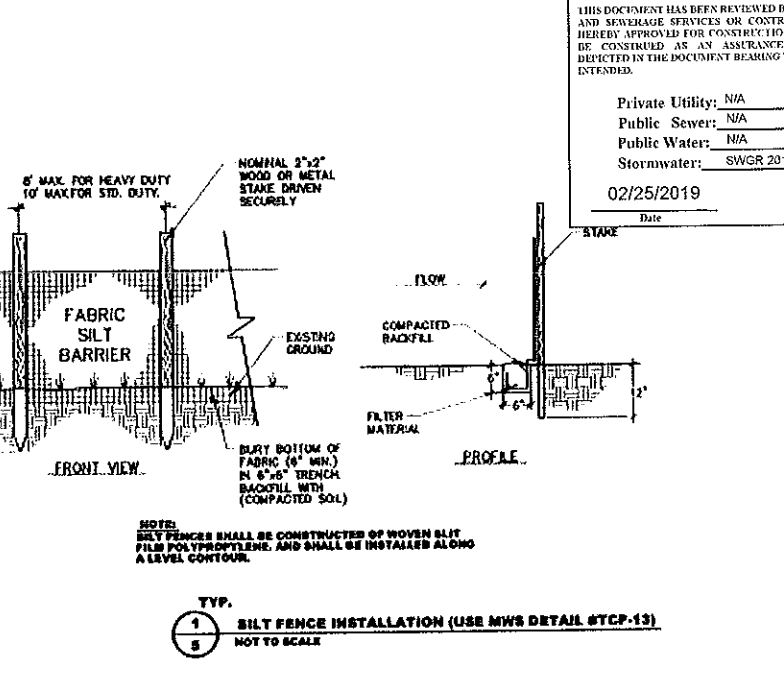


| | |
|---|---|
| Prepared By: Ashfaq Memon, PE Brentwood, TN amemon1167@aol.com 6154291294 | Project No.: 2018-01 Scale: As Shown File Name: SW-1 Date: August 19 2018, Rev. Jan 12, 2019 |
|---|---|

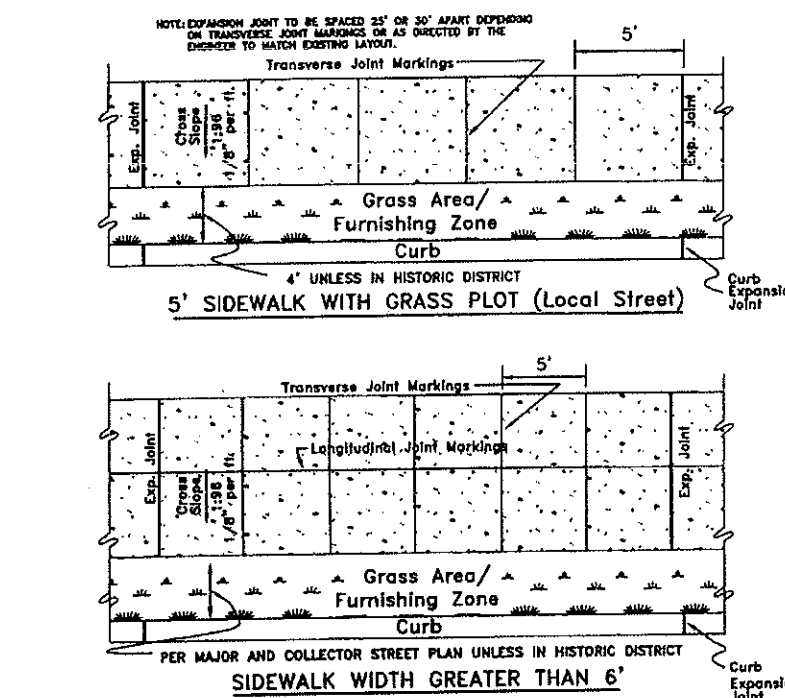


GENERAL NOTES:
 1. Ramp shall be flush with the gutter or edge of pavement.
 2. Cross-slope of landing and of sidewalk shall not exceed 1:48 (vertical:horizontal).
 3. Surface texture of the curb ramp shall be stable, firm, and slip-resistant. The surface shall be coarse broomed "white" concrete finish transverse to the slope of the ramp.
 4. The normal gutter slope of 1:12 (vertical:horizontal) shall be reduced to 1:20 (vertical:horizontal) at the ramp when the curb and gutter is poured before the ramp, or the gutter of the ramp must be cut out, removed, and repoured when the ramp is poured.
 5. Back curb shall be constructed of the direction of Public Works, and if required, back curb height along ramp shall transition from 0 inches at expansion joints to the proposed height of back curb at landing and shall be a constant height through landing. Deletion of back curb requires approval of inspector. Removal to be noted in project file and an inspection report.
 6. High side and low side ramps shall have a maximum slope of 1:12 (vertical:horizontal) or shall be 8 feet (96 inches) minimum in length.

| | | |
|---|----------------------------|-------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | NEW CONSTRUCTION CURB RAMP | DWG. NO. ST-220 |
| DIR. OF ENG.: Mark May | DATE: 5/12/03 | REVISED: 07/21/02 05/03/03 |

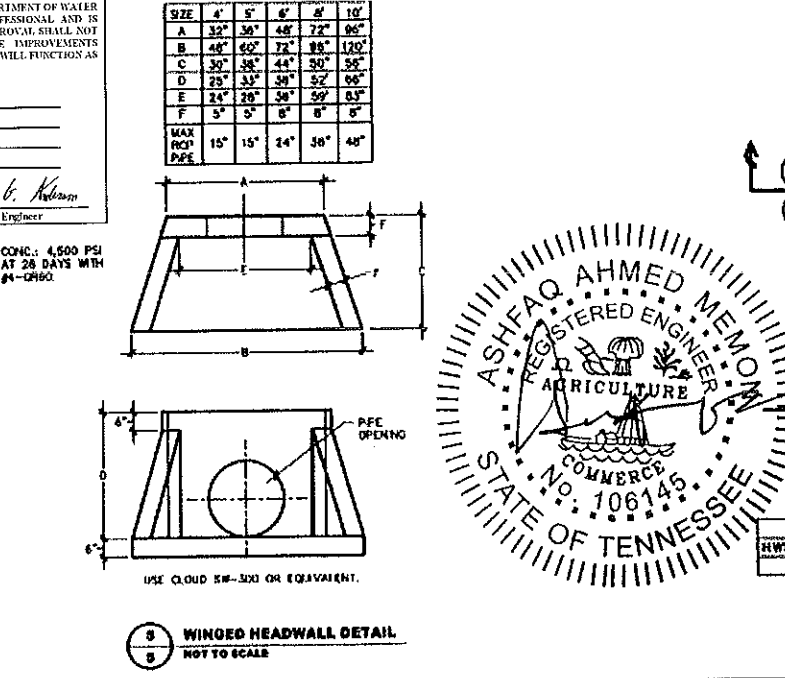


| |
|--|
| Prepared For: American Eagle Construction Co. Nolensville, Tennessee Waleed.seder@gmail.com |
|--|

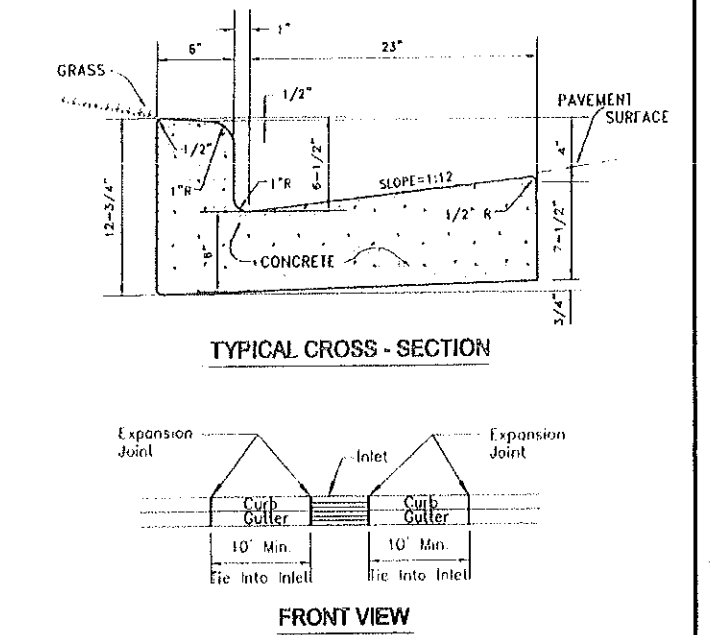


GENERAL NOTES:
 1. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES IN THICKNESS.
 2. MAXIMUM CROSS SLOPE FOR SIDEWALKS SHALL NOT EXCEED 1:48 (VERTICAL:HORIZONTAL).
 3. IN HISTORIC DISTRICTS THE STANDARD SHALL BE THE PREVAILING CHARACTERISTIC OF THE BLOCK FACE.
 4. SIDEWALK SHALL BE CONSTRUCTED OF WHITE CONCRETE, BRICK, OR EXPOSED AGGREGATE PER METRO DEPARTMENT OF PUBLIC WORKS TECHNICAL SPECIFICATIONS, SECTION 02522.
 5. IF APPROVED THE FURNISHING ZONE MAY CONTAIN HARDSCAPE MATERIALS SUCH AS CONCRETE, BRICK, OR PAVERS.
 6. COMPACTED STONE BASE, PUG MILL MIX, 4\"/>

| | | |
|---|-----------------------|---|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | SIDEWALK CONSTRUCTION | DWG. NO. ST-210 |
| DIR. OF ENG.: Mark May | DATE: 9/12/17 | REVISED: 05/02/03 11/24/03 06/23/04 09/11/17 |

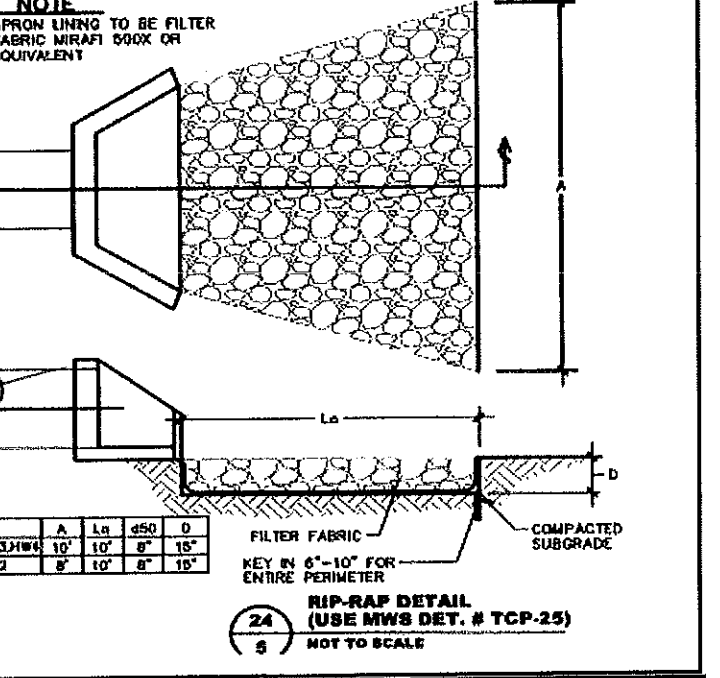


| |
|---|
| Proposed Construction Details Proposed Residential Development - Grading Permit # SWGR#2018061201 545 Westboro Drive - Map 90-16, New Parcel 090160100200C0 Nashville, Tennessee |
|---|

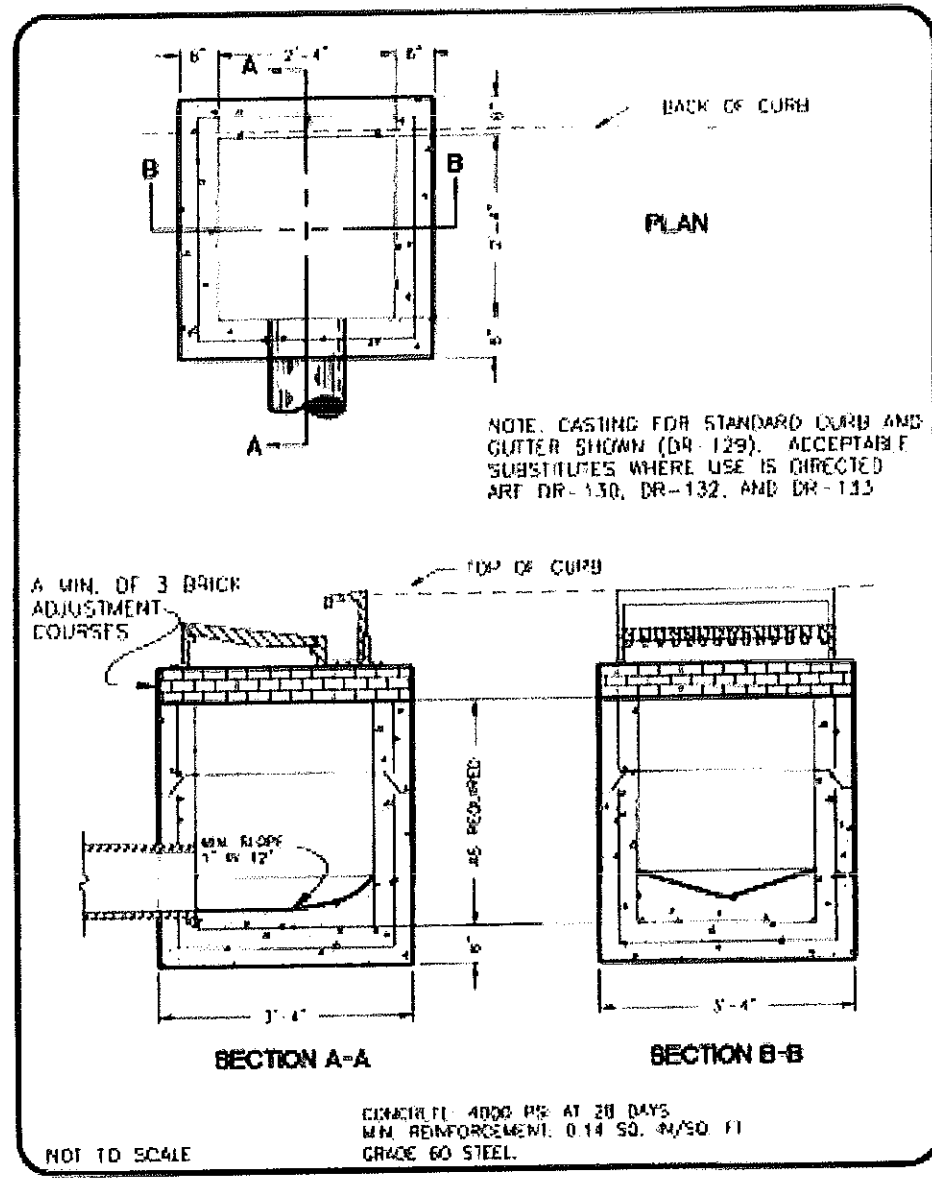


GENERAL NOTES:
 1. Expansion joints to be spaced a maximum of 100 feet apart or as directed by the Engineer.
 2. Expansion joints will also be required at tangent points, ramps, and inlets.
 3. Contraction joints are to be cut into curb and gutter every 10 feet to a depth of D/4, where D equals the thickness 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.

| | | |
|---|---------------------------|-------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | STANDARD CURB WITH GUTTER | DWG. NO. ST-200 |
| DIR. OF ENG.: Mark May | DATE: 5/12/03 | REVISED: 07/21/00 05/02/03 |

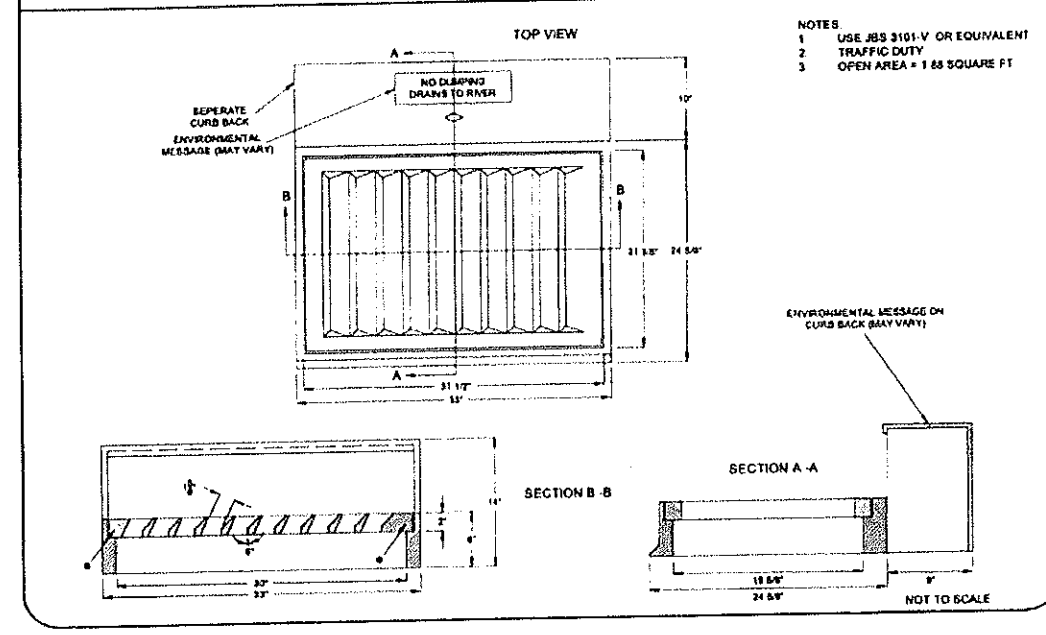
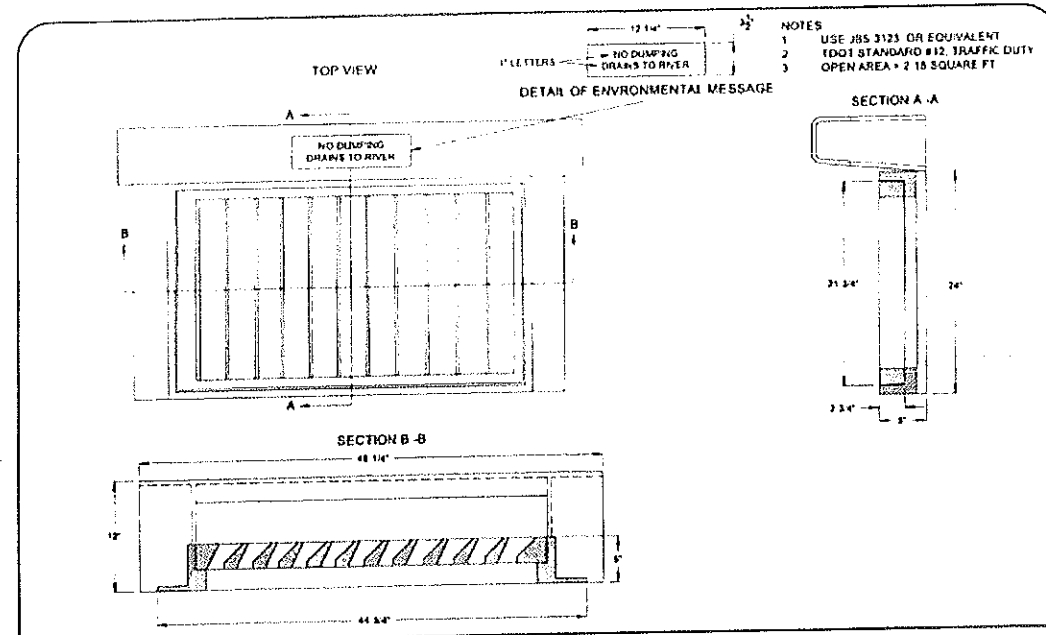


| |
|------------------|
| Figure 5 of 5 |
|------------------|



| | | |
|--|---------------------------|-------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | SINGLE INLET (PRECAST) | DWG. NO. DR-105 |
| ASST. DIR. <i>[Signature]</i> | DATE: 3/1/00 | REVISED: 02/08/00 |
| DIRECTOR: <i>[Signature]</i> | DATE: 3/14/00 | |

Single Catch Basin Detail



| | | |
|--|---------------------------------|----------------------------------|
| METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY DEPARTMENT OF PUBLIC WORKS | BIKE FRIENDLY GRATE STANDARD | DWG. NO. ST-506b |
| DIR. OF ENG: <i>[Signature]</i> | DATE: 7/10/00 | REVISED: REVISED: REVISED: |

Bike Friendly Grate Detail

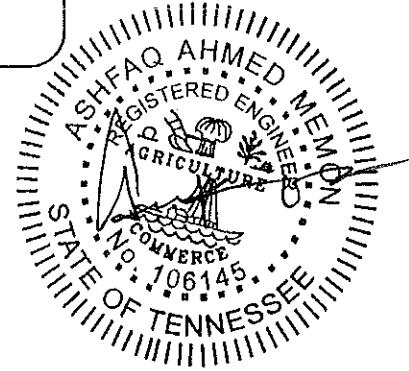
NOTE: ALL CATCH BASINS AND GRATES USED AT THE SITE SHALL BE PER METRO PW STANDARDS AS SHOWN ABOVE

METRO WATER SERVICES - NASHVILLE, TN
- APPROVED FOR CONSTRUCTION -

THIS DOCUMENT HAS BEEN REVIEWED BY THE DEPARTMENT OF WATER AND SEWERAGE SERVICES OR CONTRACTED PROFESSIONAL AND IS HEREBY APPROVED FOR CONSTRUCTION. THIS APPROVAL SHALL NOT BE CONSIDERED AS AN ASSURANCE THAT THE IMPROVEMENTS DEPICTED IN THE DOCUMENT BEARING THIS STAMP WILL FUNCTION AS INTENDED.

Private Utility: NA
Public Sewer: NA
Public Water: NA
Stormwater: SINGR 2018061201

02/25/2019
Date *[Signature]*
Date Engineer



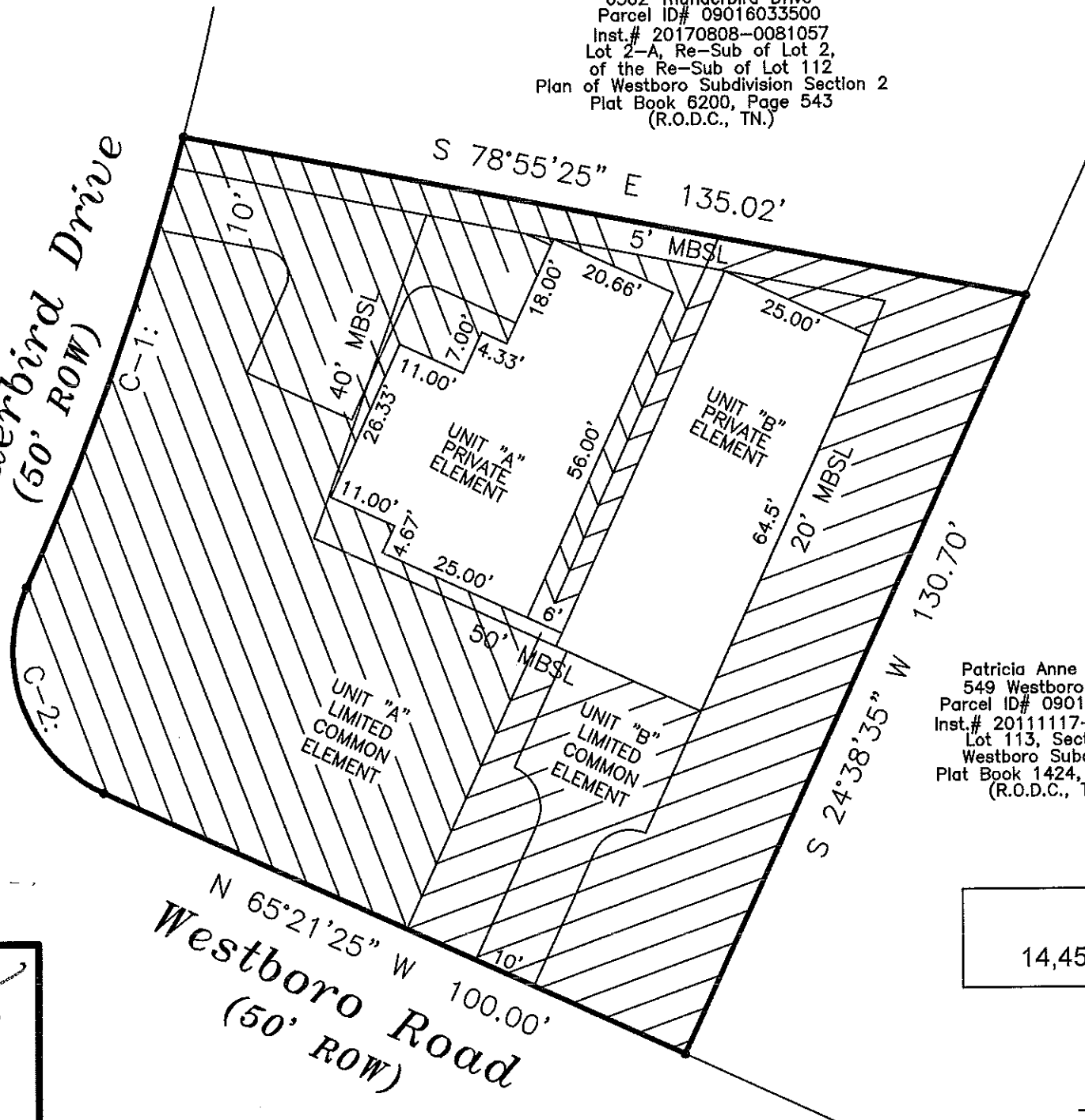
| | | | | | |
|---|------------------------|--|--|--|--------------|
| Prepared By: Ashfaq Memon, PE Brentwood, TN amemon1167@aol.com 6154291294 | Project No. 2018-01 | Prepared For: American Eagle Construction Co. Nolensville, Tennessee Waleed.seder@gmail.com | Proposed Construction Details | | Figure 5a |
| | Scale: As Shown | | Proposed Residential Development - Grading Permit # SWGR#2018061201 545 Westboro Drive - Map 90-16, New Parcel 090160100200C0 Nashville, Tennessee | | |
| | File Name: SW-1 | | | | |
| | Date: November 16 2018 | | | | |

C-1:
 R=436.54'
 DELTA=9°50'37"
 L=75.00'

C-2:
 R=24.52'
 DELTA=89°46'38"
 L=38.42'

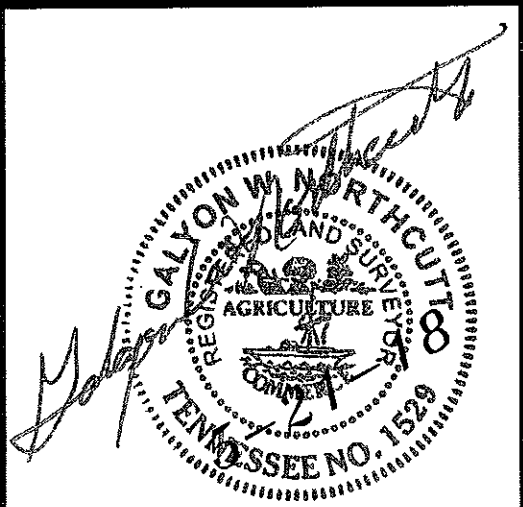
Advanced Equity, LLC
 6302 Thunderbird Drive
 Parcel ID# 09016033500
 Inst.# 20170808-0081057
 Lot 2-A, Re-Sub of Lot 2,
 of the Re-Sub of Lot 112
 Plan of Westboro Subdivision Section 2
 Plat Book 6200, Page 543
 (R.O.D.C., TN.)

Thunderbird Drive
 (50' ROW)



Patricia Anne Wilson
 549 Westboro Drive
 Parcel ID# 09016009800
 Inst.# 20111117-0090042
 Lot 113, Section 2
 Westboro Subdivision
 Plat Book 1424, Page 60
 (R.O.D.C., TN.)

AREA:
 14,451.0 sq.ft. or 0.33 Ac.



Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

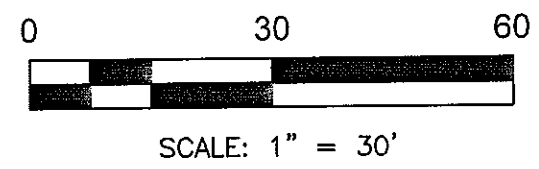
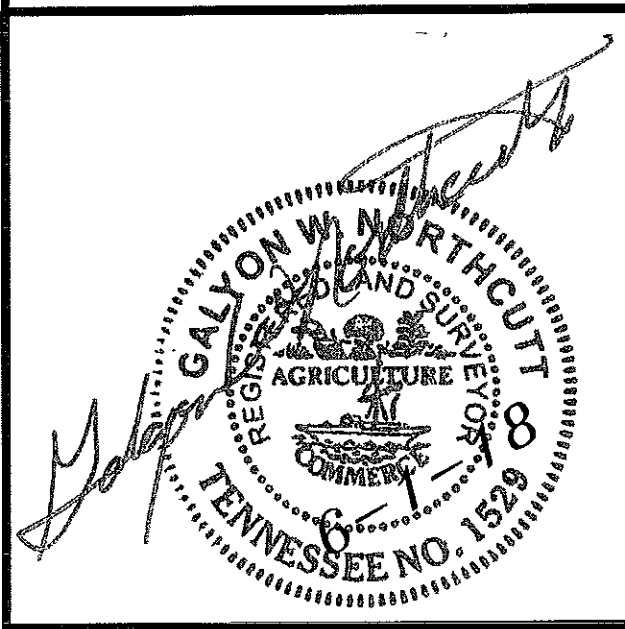


EXHIBIT MAP
 545 WESTBORO ROAD
 METRO PARCEL ID# 09016009700
 20TH CIVIL DISTRICT
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE
 SCALE: 1" = 30' DATE: 5/21/18



Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

FRONT ELEVATION FOR:

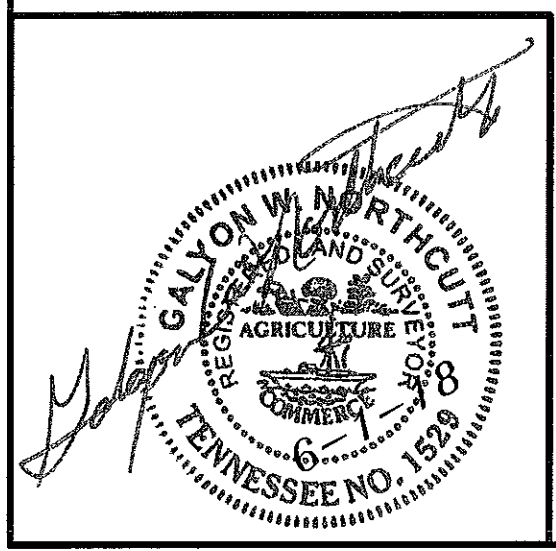
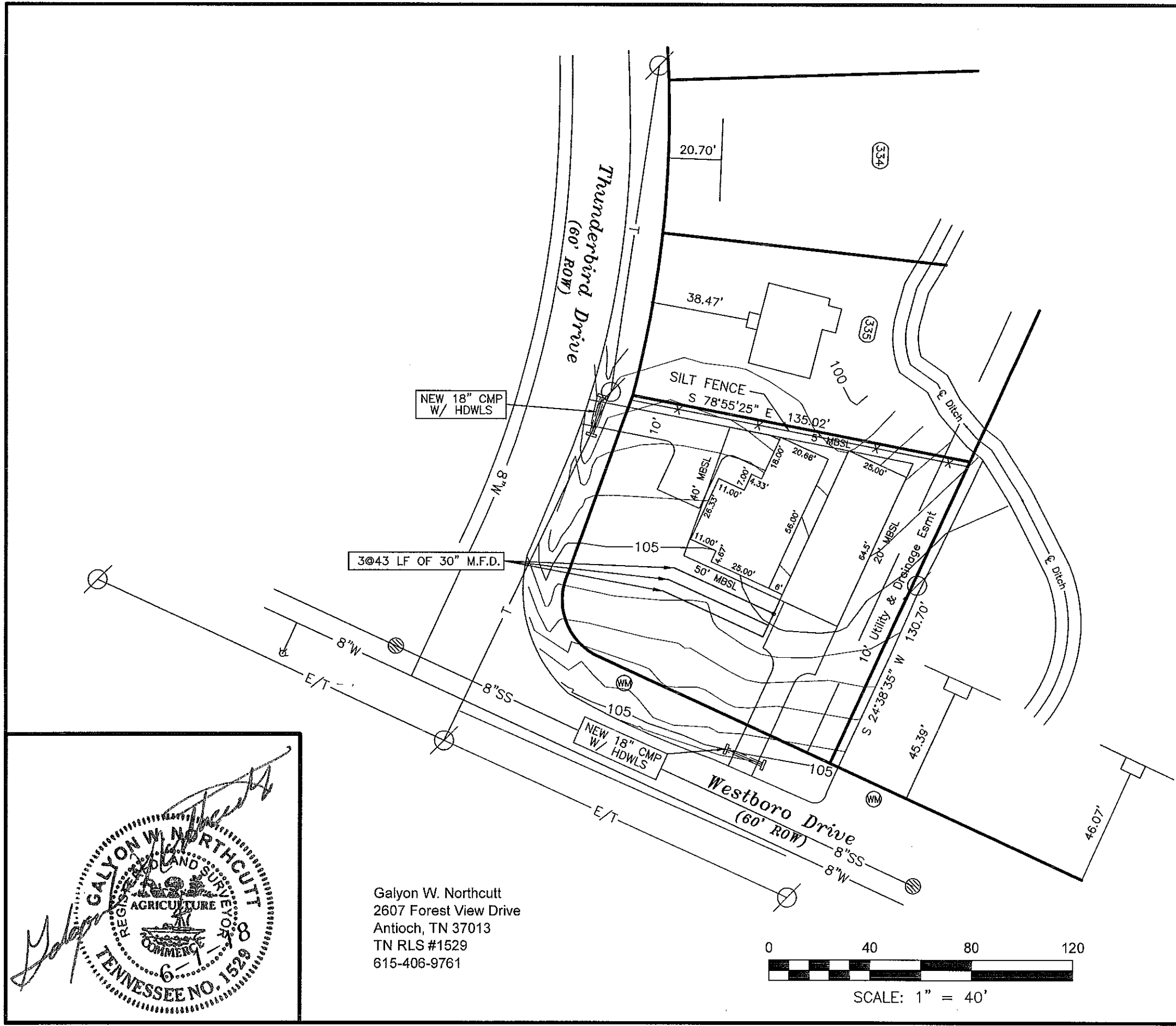
DIGNITY, LLC
 545 WESTBORO DRIVE
 NASHVILLE, TN 37209
 MAP 90-16, PARCEL 97
 INST # 20170809-0081538
 DATE: JUNE 1, 2018

Surveyor's Notes:

1. All bearings are magnetic and do not necessarily match a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 90-16.

| IMPERVIOUS AREA(S) DATA TABLE | |
|---|-----------|
| PRE-IMPERVIOUS AREA | = 1745 sf |
| POST-IMPERVIOUS AREA | = 5063 sf |
| INCREASED IA | = 3348 sf |
| 130 LF MODIFIED FRENCH DRAIN REQUIRED 30" TRENCH DEPTH | |

PLOT PLAN FOR:
 DIGNITY, LLC
 545 WESTBROOK ROAD
 NASHVILLE, TN 37209
 MAP 90-16 PARCEL 97
 DB # 20170213-0015045
 DATE: JUNE 1, 2018

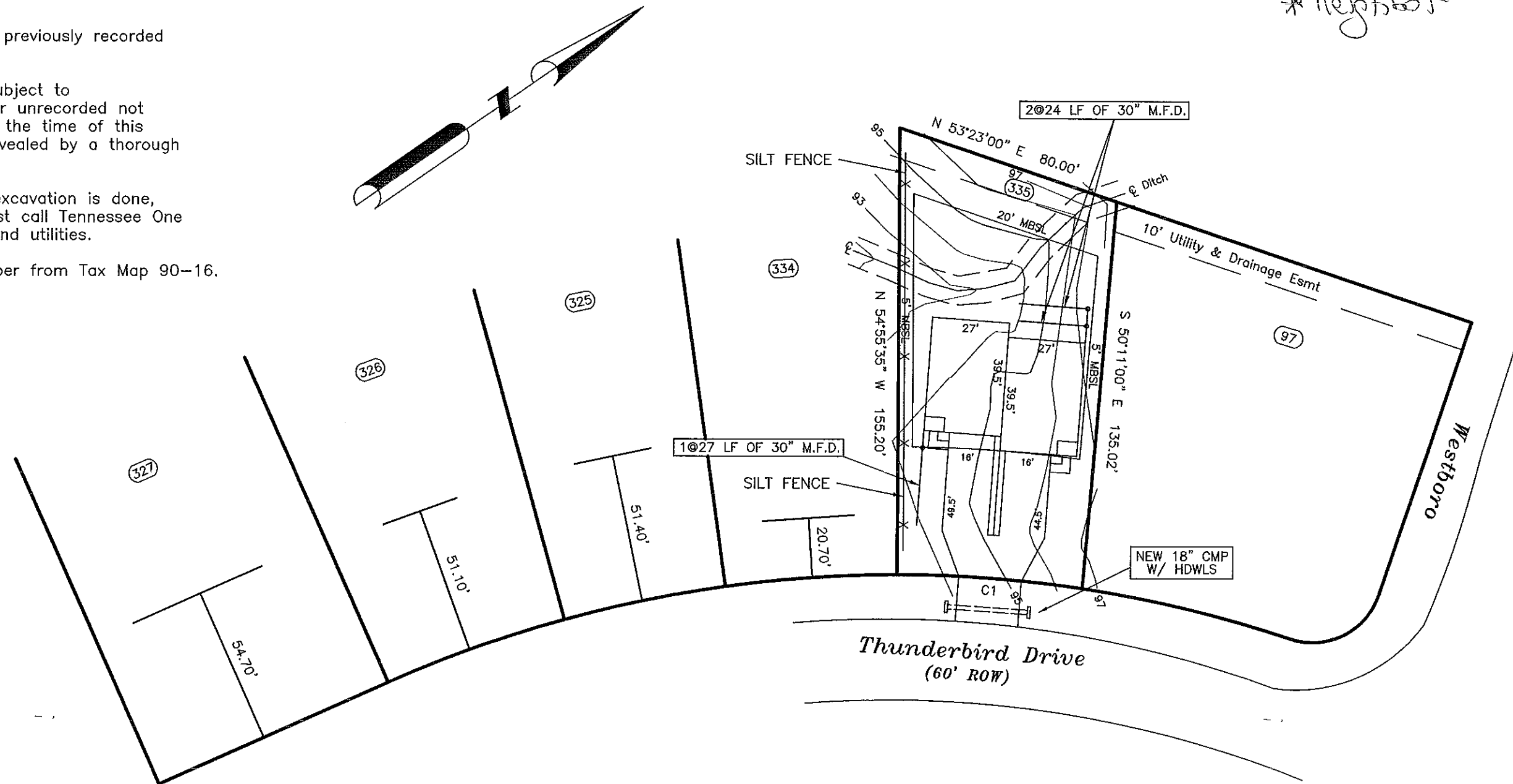


Galyon W. Northcutt
 2607 Forest View Drive
 Antioch, TN 37013
 TN RLS #1529
 615-406-9761

Surveyor's Notes:

1. All bearings are from a previously recorded plat.
2. This property may be subject to easements either recorded or unrecorded not available to this surveyor at the time of this survey but which may be revealed by a thorough title search.
3. Before construction or excavation is done, the contractor or owner must call Tennessee One Call to locate any underground utilities.
4. (XX) Denotes parcel number from Tax Map 90-16.

* Neighbor



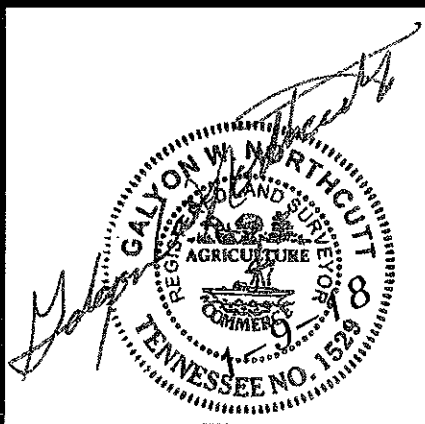
| CURVE | RADIUS | DELTA ANGLE | ARC LENGTH | CHORD BEARING | CHORD LENGTH |
|-------|---------|-------------|------------|---------------|--------------|
| C1 | 436.54' | 8°31'53" | 65.00' | N 85°52'20" W | 64.94' |

| IMPERVIOUS AREA(S) DATA TABLE | |
|--|-----------|
| PRE-IMPERVIOUS AREA | = 1844 sf |
| POST-IMPERVIOUS AREA | = 3701 sf |
| INCREASED IA | = 1857 sf |
| 75 LF MODIFIED FRENCH DRAIN REQUIRED 30" TRENCH DEPTH | |

| PARCEL 335 FRONT SETBACK | |
|-----------------------------|--|
| 20.70' | |
| 51.40' | |
| 51.10' | |
| 54.70' | |
| 177.9' | |
| ÷ 4 | |
| 44.5' | |



SCALE: 1" = 40'



Galyon W. Northcutt
2607 Forest View Drive
Antioch, TN 37013
TN RLS #1529
615-406-9761

PLOT PLAN FOR:
ADVANCED EQUITY, LLC
6302 THUNDERBIRD DRIVE
NASHVILLE, TN 37209
MAP 90-16 PARCEL 335
INST # 20170808-0081057
DATE: JANUARY 9, 2018

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-192 (545 Westboro Drive)

| | |
|--------------------------|---|
| Metro Standard: | Westboro Drive - 6' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan |
| | Thunderbird Drive - 4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard |
| Requested Variance: | Not construct sidewalks, not contribute in-lieu of construction (eligible) |
| Zoning: | R8 |
| Community Plan Policy: | T3 NM (Suburban Neighborhood Maintenance) |
| MCSP Street Designation: | Westboro Drive – T3-R-CA2 |
| | Thunderbird Drive - Local Street |
| Transit: | None existing; none planned |
| Bikeway: | None existing; neighborway planned on both frontages per WalknBike |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct two single family dwellings on the property and requests not to construct a sidewalk or contribute in lieu of constructing sidewalks on both property frontages. Planning evaluated the following factors for the variance request:

- (1) No sidewalks exist on either frontage.
- (2) Dedicating right-of-way will allow Metro to construct a sidewalk in the future without having to acquire additional property.
- (3) 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 **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the Westboro Drive property frontage.
2. The applicant shall dedicate right-of-way along both property frontages to accommodate future sidewalks per the Major and Collector Street Plan standard and Local Street standard, respectively.

Steve E & Sharon S Griffin
6202 Henry Ford Drive
Nashville, TN 37209
Cell #615/533-9496 – Sharon
Cell #615/207-8645 - Steve
Home #615/353-8515

April 15, 2019

Metropolitan Government of Nashville & Davidson Count
Department of Codes & Building Safety
PO Box 196300
Nashville, TN 37219-6300

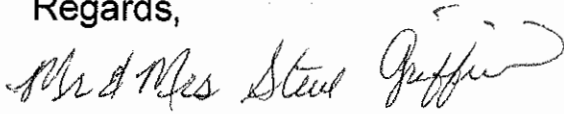
RE: Appeal Case Number 2019-192
6300 Thunderbird Drive

As we will not be able to attend appeal hearing on May 2, we are writing to register our disagreement with the zoning appeal.

Developer should, at the very least, contribute to sidewalk fund. This is a corner lot fairly close to Charlotte Park Elementary School and sidewalks are NEEDED.

Thank you for considering our requests as a property owner close to this building site.

Regards,


Steve & Sharon Griffin

Steve E & Sharon S Griffin

6202 Henry Ford Drive
Nashville, TN 37209
Cell #615/533-9496 – Sharon
Cell #615/207-8645 - Steve
Home #615/353-8515

April 15, 2019

Metropolitan Government of Nashville & Davidson Count
Department of Codes & Building Safety
PO Box 196300
Nashville, TN 37219-6300

RE: Appeal Case Number 2019-192
545 Westboro Drive

As we will not be able to attend appeal hearing on May 2, we are writing to register our disagreement with the zoning appeal.

Developer should, at the very least, contribute to sidewalk fund. This is a corner lot fairly close to Charlotte Park Elementary School and sidewalks are NEEDED.

Thank you for considering our requests as a property owner close to this building site.

Regards,



Steve & Sharon Griffin

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Benson Sloan
Property Owner: Benson Sloan
Representative: Matt Smith

Date: 3/18/19
Case #: 2019-193
Map & Parcel: 13005008100

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 GARAGE AND
BREEZEWAY

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 114 TAGGART

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:

VARIANCE TO GARAGE HEIGHT
MAXIMUM 16 FT OR 2 STORY, WHICHEVER IS LESS

Section(s): 17.12.060 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.

Benson Sloan
Appellant Name (Please Print)

Matt Smith
Representative Name (Please Print)

15 Valley Forge
Address

7065 Moores Lane Suite 300
Address

Nashville, TN 37205
City, State, Zip Code

Brentwood, TN, 37027
City, State, Zip Code

615-414-2411
Phone Number

615-330-4897
Phone Number

BensonBSloan@gmail.com
Email

M.Smith@HarcySmith.com
Email

Zoning Examiner: LBUTLER

Appeal Fee: \$100



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



3627185

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2019014431
THIS IS NOT A PERMIT**

PARCEL: 13005008100

APPLICATION DATE: 03/12/2019

SITE ADDRESS:

114 B TAGGART AVE NASHVILLE, TN 37205
LOT 6 BLK G 2 HIGHLANDS OF BELLE MEADE

PARCEL OWNER: SLOAN, BENSON, IV & CAROLINE RHETT

APPLICANT: HAURY & SMITH CONTRACTORS INC

BRENTWOOD, TN 37027 (615)383-9070

PURPOSE:

Exceeds maximum height allowed.

Demo Permit 2019014165 must be issued prior to approval on this New Construction Permit Application.

Permit to construct a garage and attached breezeway to rear of single family residence. Maximum height of one story or 16 ft in height, whichever is less. 775 sq ft garage and 323 sq ft of conditioned storage. Not to be used for living or commercial purposes. Restrictive Covenant required prior to any trade authorizations. ...70 ft minimum front setback, 10 ft minimum side setback, 20 ft rear setback..... Must conform with all easements on property.

For every 50 feet of site frontage, a double-sided sign 24" x 36" in size must be posted in English and Spanish that contains the information required by Ordinance No. 2017-835. No more than three signs are required.

*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 | REJECTED | (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 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 & License Review On Bldg App | | |
| [F] Address Review On Bldg App | APPROVED | 615-880-2427 Sara.Cain@nashville.gov |
| [D] Grading Plan Review For Bldg App | | (615) 862-6038 Logan.Bowman@nashville.gov |

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.

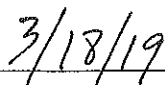
We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

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



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 home at 114 Taggart (just demolished) had a similar layout with a detached garage that was 16' tall. The narrowness of the lot suggests/demands a detached garage, as it did previously, and fits with the culture and character of the neighborhood as a detached garage is a common feature. This exemption would not harm the public welfare or negatively impact neighbors or the community, is not being requested for financial gain, and would fit with the historical and current character of the neighborhood.

17.12.040

25. Vehicular parking areas and associated driveways, except within landscape buffer yards or within the required street setback of the MUN, MUL, OR20 and OR40 districts;

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. Open fences, such as chain link or those of a similar nature are permitted to be six feet in height,

b. Six feet in height within the remainder of the required front setback,

c. Eight feet in height within the required side or rear setback or within any platted common open space;

27. An uncovered deck that is located at least ten feet from the side setback line, does not encroach on the required side setback line, and has a maximum deck elevation above finished first floor grade of not more than eight feet, as established by the zoning administrator.

17.12.060

lines and associated setbacks not exceeding eighteen inches

signing fixtures and poles. Ord. 2009-586 § 1(Exh. A, § 3, 2007; Ord. BL2006-5-650 § 1, 2005; Ord. 2000-364 § 1 (part), 1998; amended during Ord. 2002-1015 § 3.4, 1997)

17.12.050 Accessory building floor area controls.

A. On all lots with a size of less than forty thousand square feet, the building coverage of an accessory structure located to the rear of the principal dwelling and complying with the district setbacks shall be limited to seven hundred square feet or fifty percent of the building coverage of the principal dwelling, whichever is greater, but in no case shall exceed two-thousand five-hundred square feet.

B. These floor area controls shall not apply to accessory structures proposed on lots where agricultural activities and domestic animals/wildlife are permitted. (Ord. BL2005-650 § 1, 2005; Ord. 2002-1015 § 1 (part), 2002)

17.12.060 Building height controls.

A. Height Controls Established. No building or other structure shall penetrate the height control plane except as permitted by this section. Height controls shall be imposed from:

1. All setback lines in AG, AR2a and residential districts;

2. All street setback lines in nonresidential districts;

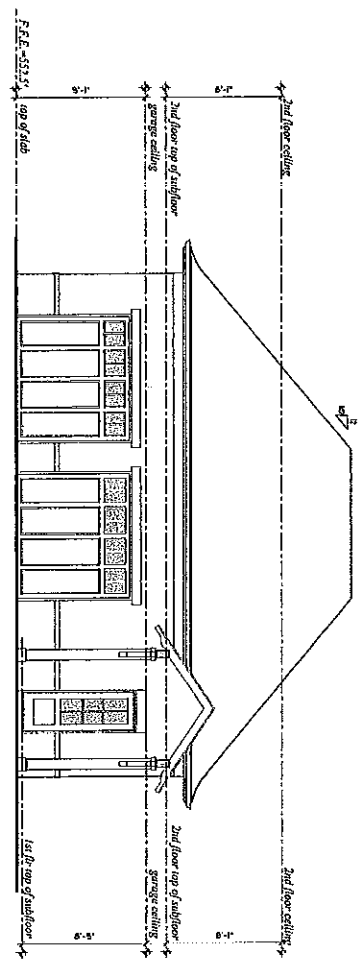
3. The boundary between an AG, AR2a, RS and RS-A, R and R-A, RM or MHP district and a nonresidential district;

B. Special Height Regulations For Single-Family and Two-Family Dwellings. Single-family and two-family dwellings shall not exceed three stories. In all districts with a minimum lot size of less than forty thousand square feet, accessory structures shall not exceed one story or sixteen feet in height, whichever is less. In all residential districts with a minimum lot size of at least forty thousand square feet, accessory structures located to the rear of the principal dwelling may be two stories or twenty-four feet in height, whichever is less, provided that the full side and rear setbacks required by the applicable district are provided and the lot has an area of at least forty thousand square feet. If not so established in historic overlay districts, the zoning administrator shall establish height regulations based upon the recommendation of the historic zoning commission.

C. Special Height Regulations for Single-Family and Two-Family Dwellings Within the Urban Zoning Overlay District.

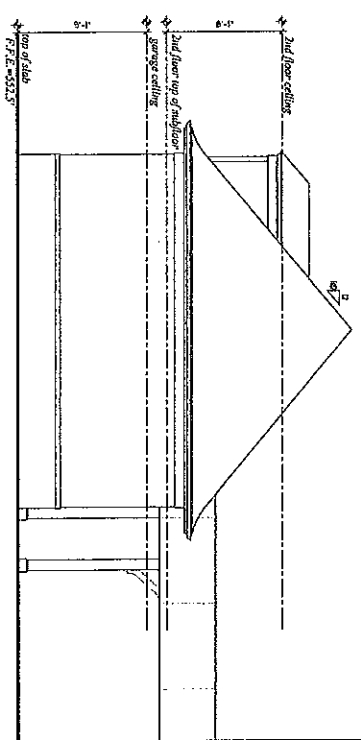
1. Single-family and two-family dwellings shall not exceed three stories to a maximum height of forty-five feet. Maximum height shall be measured from either the natural grade or, if present, from the ceiling of an exposed basement not more than seven feet above the natural grade. The natural grade shall be determined based on the average elevation of the four most exterior corners of the structure, to the eave or roof deck. Natural grade is the base ground elevation prior to grading.

2. In all districts with a minimum lot size of less than forty thousand square feet, an accessory structure located to the rear of the principal dwelling may have vertical walls rising no higher than sixteen feet from the side and rear setback lines. The roof on the structure shall rise from the side walls at a roof pitch no steeper than the predominant roof pitch of the principal dwelling, except that the vertical walls may extend to the underside of the roof at the gable end of a gabled roof. The top elevation of an accessory structure shall not exceed the top elevation of the principal dwelling.



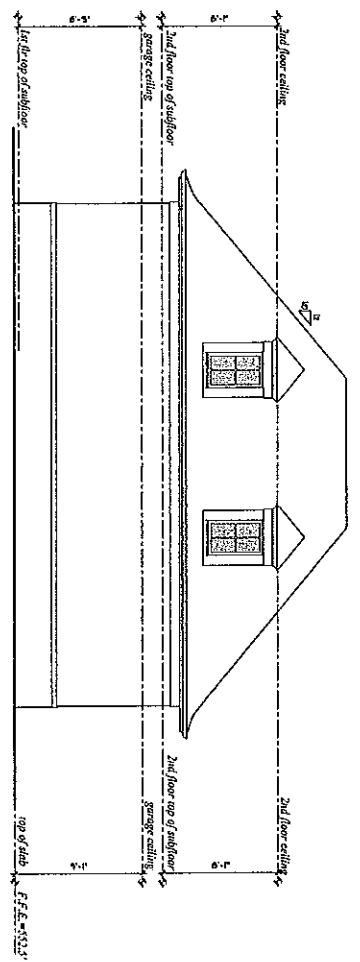
Front elevation

scale: 1/4" = 1'-0"



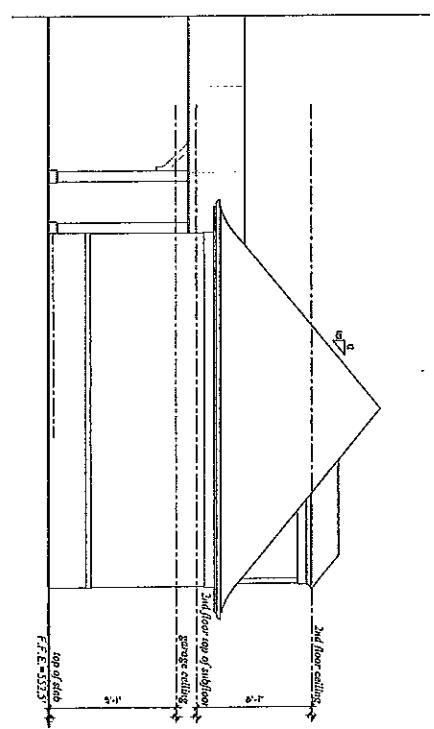
left side elevation

scale: 1/4" = 1'-0"



rear elevation

scale: 1/4" = 1'-0"



right side elevation

scale: 1/4" = 1'-0"

garage elevations


SLOAN RESIDENCE

114 Taggart Avenue

NASHVILLE

TENNESSEE

EXTERIOR ELEVATIONS



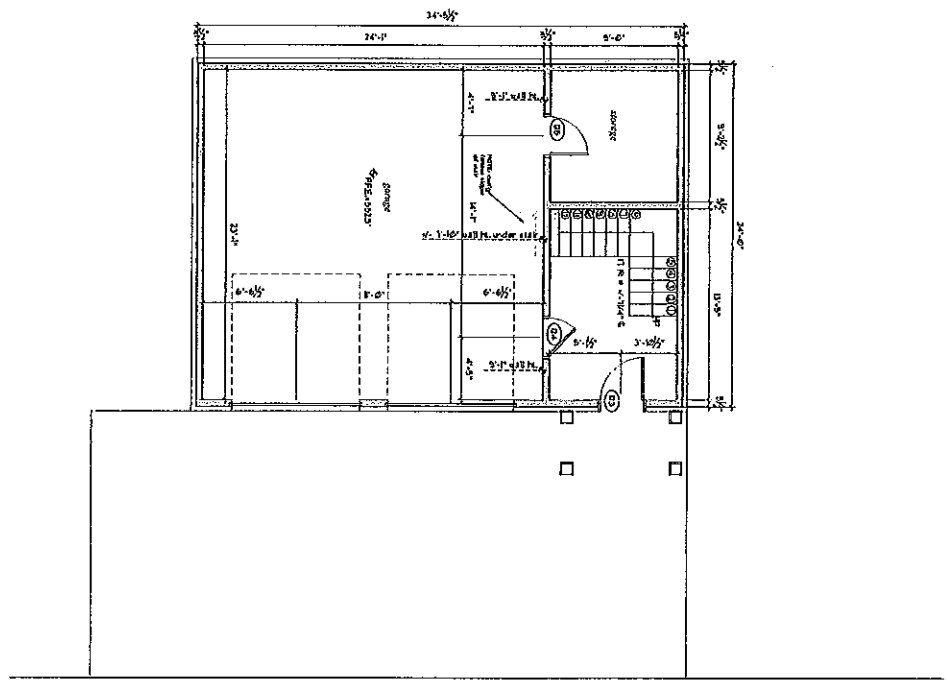
FARRIS

 ARCHITECTURE

DATE: 3-15-2019
 DRAWING: 03-01
 REVISIONS:

A.2-3

This drawing is the property of Farris Architecture, Inc. and is to be used only for the project and location specified. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Farris Architecture, Inc.



garage first floor
plan

scale: 1/4" = 1'-0"

FIRST FLOOR PLAN

SLOAN RESIDENCE

114 Taggart Avenue

NASHVILLE

TENNESSEE

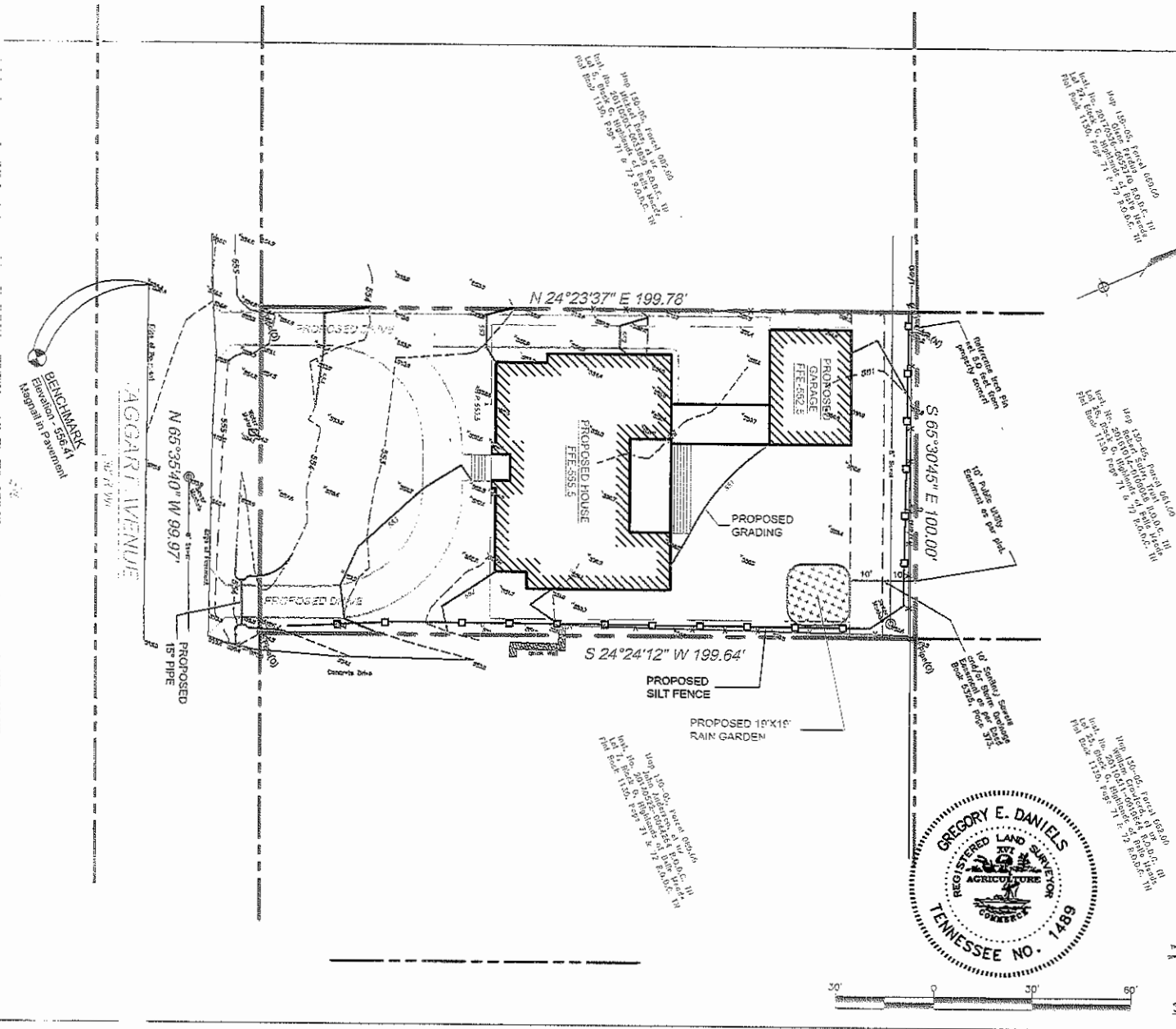
DATE: 11-15-2019
DRAWN BY: kcm
REVISIONS:

A.1-1

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FARRIS
ARCHITECTURE





STORMWATER CALCULATIONS

PRE IMPERVIOUS AREA -
CREDIT FROM PREVIOUS HOUSE DRIVE
WALKS, ETC. = 4510 SF

PROPOSED IMPROVEMENTS
HOUSE, GARAGE, COVERED WALK - 5200 S.F.
DRIVE - 3794 SF
TOTAL I.A. = 8994 SF

POST IA = 8994 SF - 4510 SF (PRE IA CREDIT) =
NET IA 4484 SF

SITE IMPROVEMENTS

RAIN GARDEN
CONTRIBUTING DRAINAGE AREA = 3200 S.F.
DEPTH OF SOIL MEDIA = 24 INCHES
320 S.F. required
340 S.F. provided
(SEE ATTACHED DETAIL SHEETS FOR
INSTALLATION)

SF = SQUARE FEET
IA = IMPERVIOUS AREA

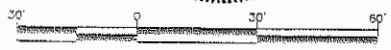
Site Plan, Grading, & Drainage
BENSON & CAROLINE SLOAN
114 Taggart Avenue
Nashville, Davidson County, Tennessee

prepared by:
DANIELS & ASSOCIATES, INC.
LAND SURVEYING - LAND PLANNING - CONSULTING
4701 Trousdale Drive, Suite 121
Nashville, Tennessee 37220
615-837-3664 (a) email: gdan3528@bellsouth.net



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Date: January 10, 2019 Scale: 1"=30'
Sheet No. 1 of 1 Project No.: 18-032



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: JEREMY PAYTON
Property Owner: AVENUE 114 DEVELOPMENT
Representative: JEREMY PAYTON

Date: 3/19/19
Case #: 2019- 195
Map & Parcel: 092.06042100

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: Requesting variance from Rear setback to allow 8' rear setback & variance from sidewalk requirements to allow 4' grass strip with 6' sidewalk

Activity Type: New Construction - Single Family

Location: 808 28th 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: Does not meet setbacks or sidewalk requirements

Section(s): 17-12.020, 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.

JEREMY PAYTON
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

1114 W GROVE
Address

SAME
Address

NASHVILLE, TN, 37203
City, State, Zip Code

SAME
City, State, Zip Code

615-891-3670
Phone Number

SAME
Phone Number

jeremy@capitalcityconstructionllc.com
Email

SAME
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



3632892

ZONING BOARD APPEAL / CAAZ - 20190016086
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09206042100

APPLICATION DATE: 03/19/2019

SITE ADDRESS:

808 28TH AVE N NASHVILLE, TN 37208
PT LOT 4 D L LAPSLEY

PARCEL OWNER: AVENUE 11 DEVELOPMENT, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance from rear setback to allow 8' rear setback and variance from sidewalk requirements to allow 4' grass strip with 6' sidewalk.

*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

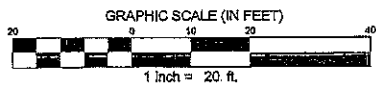
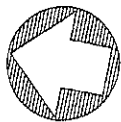
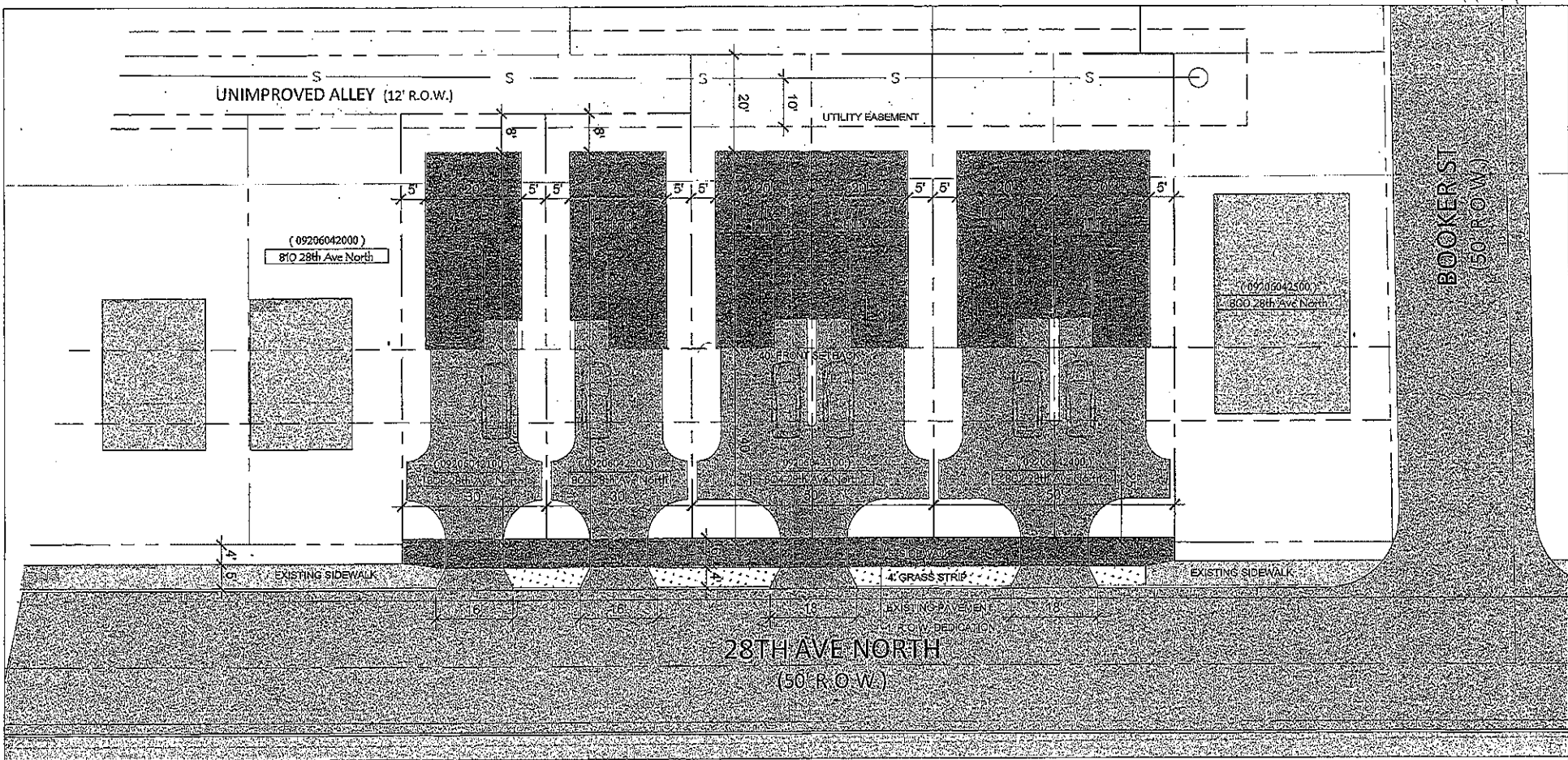
I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

APPELLANT

3/19/19

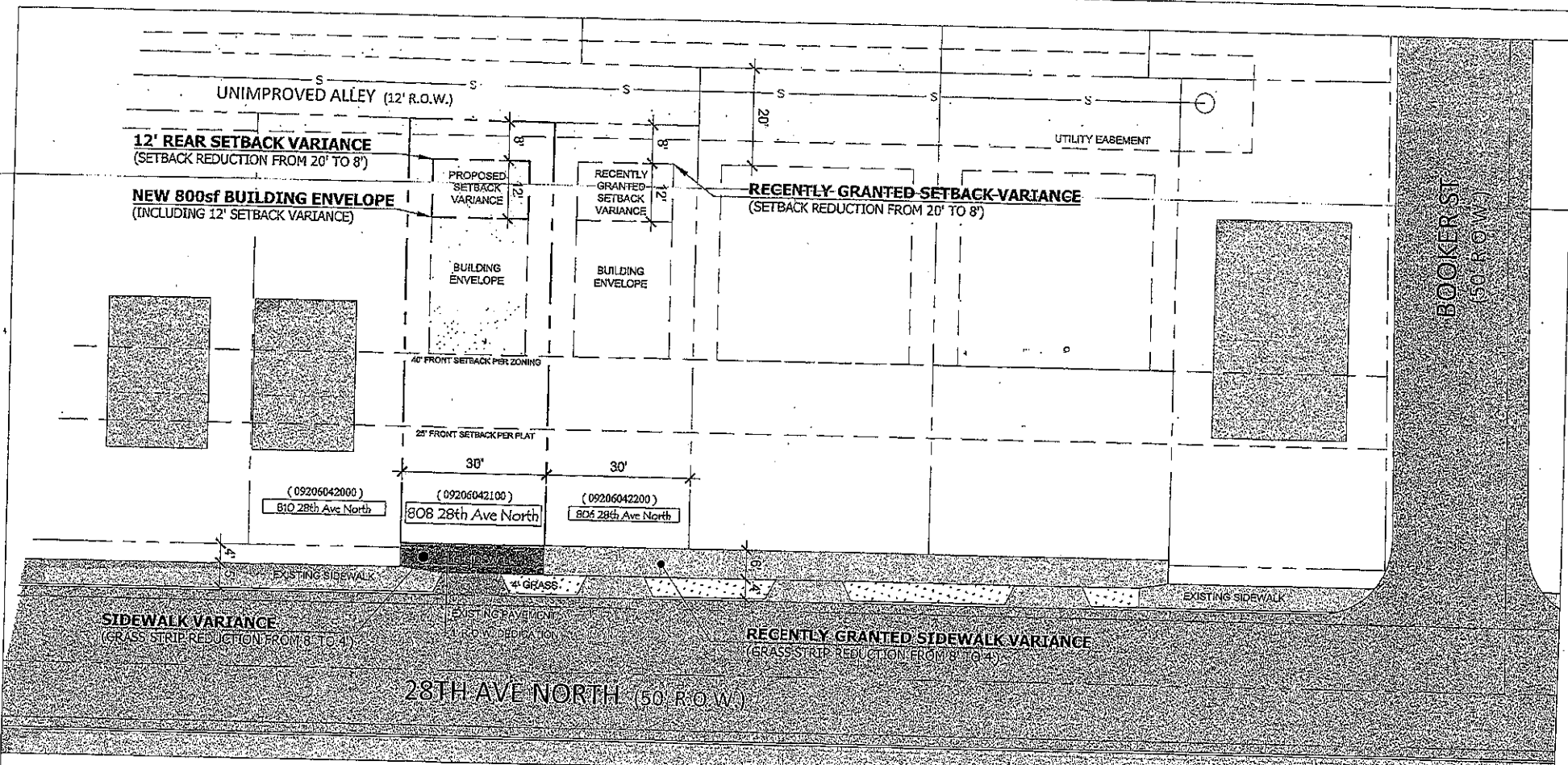
DATE

2019-195



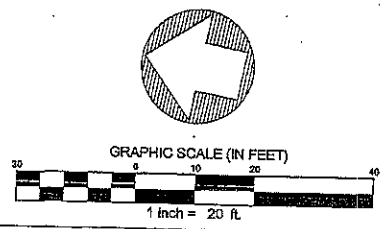
Proposed Site Plan
 802, 804, 806 & 808 28th Ave N.
 Nashville, Davidson County, Tennessee

Sheet No.
BZA-1.7



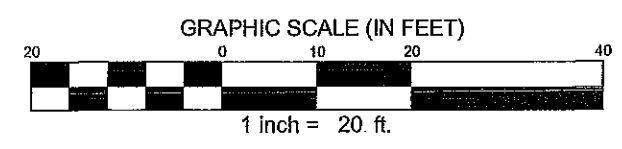
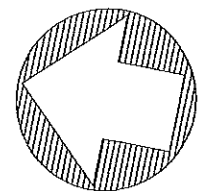
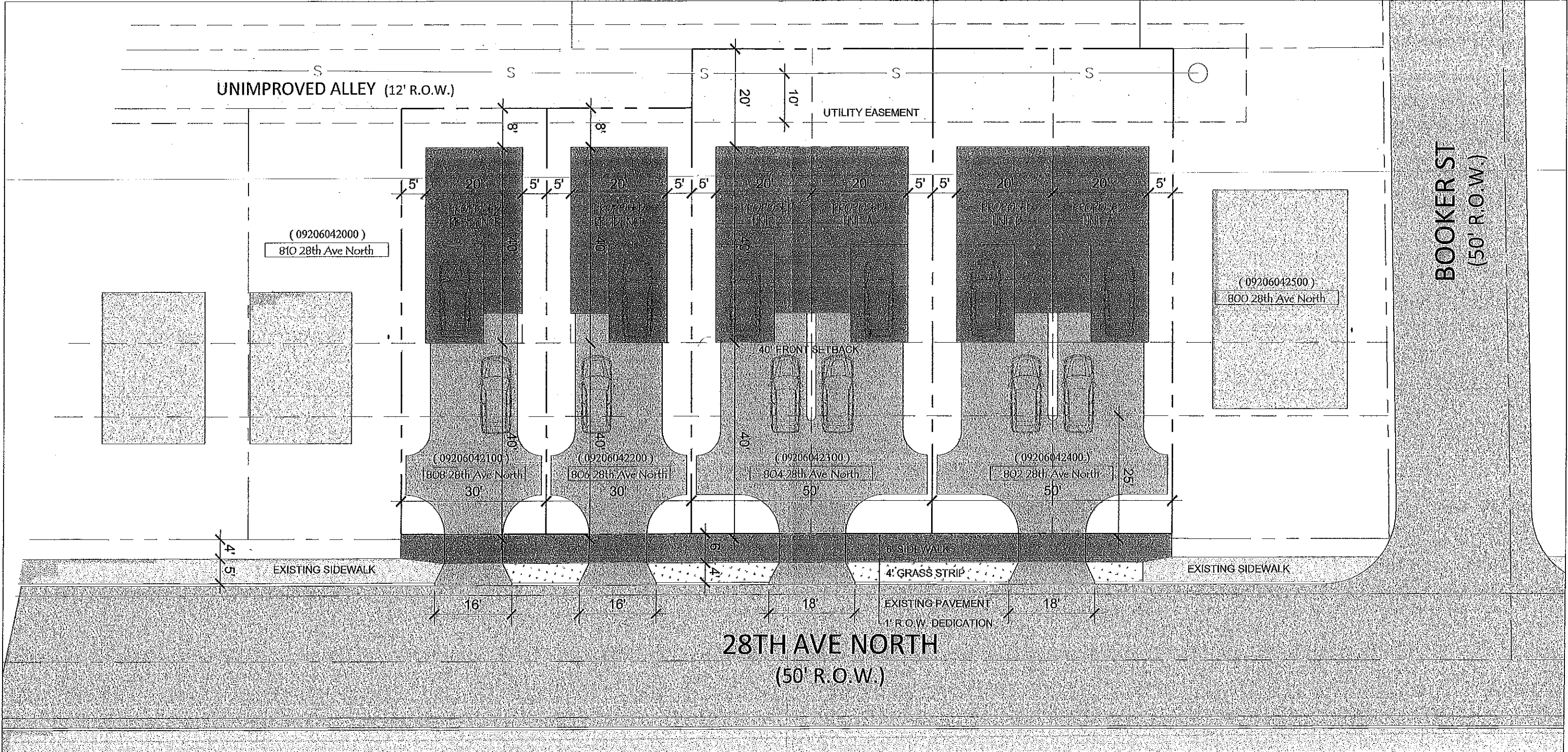
PROPOSED SETBACKS

| | |
|-------|-------|
| FRONT | = 40' |
| REAR | = 8' |
| SIDE | = 5' |



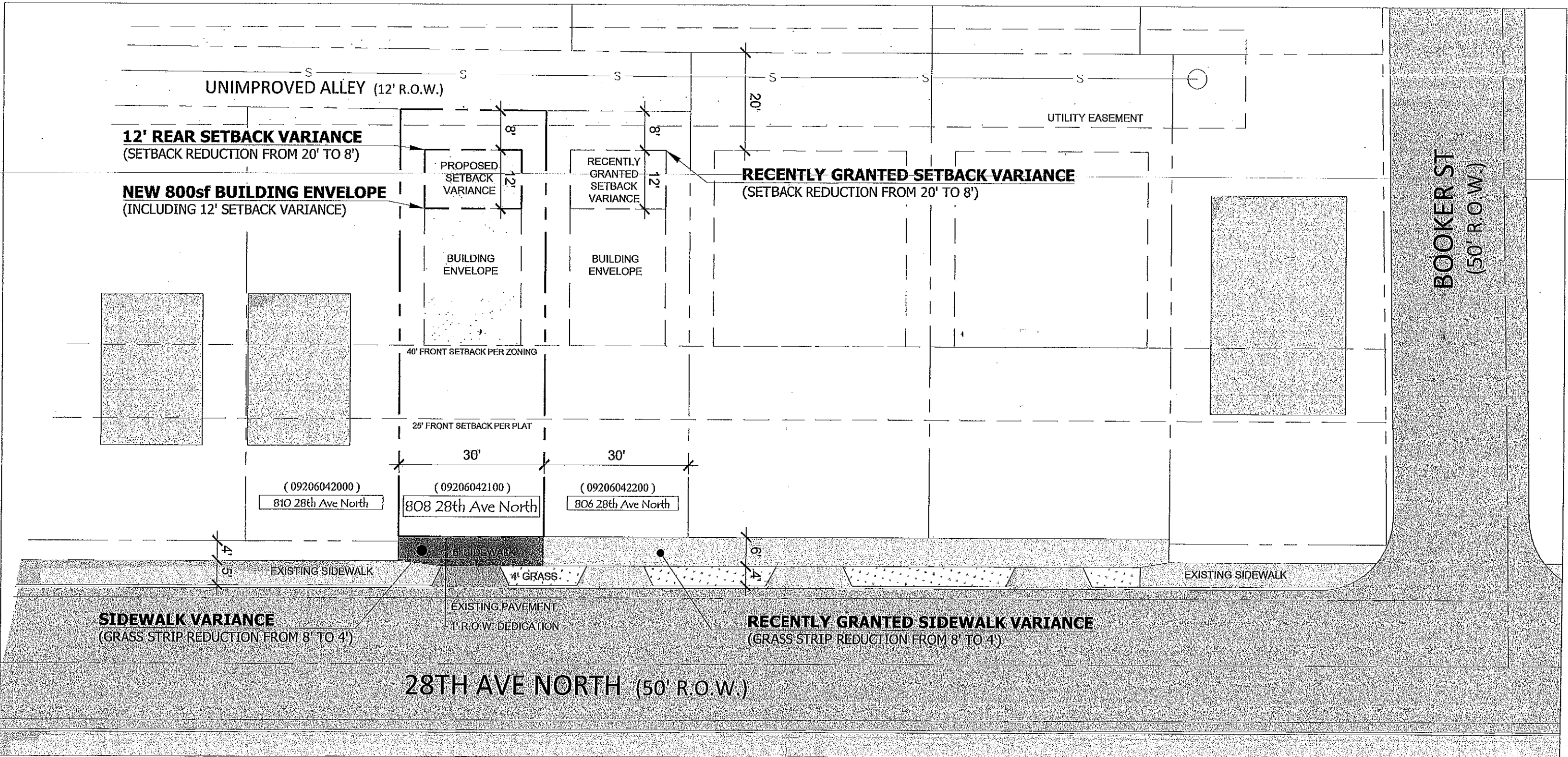
Proposed Variance
 808 28th Ave N.
 Nashville, Davidson County, Tennessee

Sheet No.
BZA-1.8



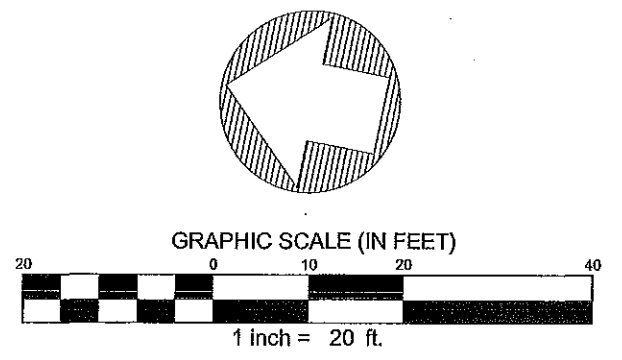
Proposed Site Plan
 802, 804, 806 & 808 28th Ave N.
 Nashville, Davidson County, Tennessee

Sheet No.
BZA-1.7



PROPOSED SETBACKS

| | |
|-------|-------|
| FRONT | = 40' |
| REAR | = 8' |
| SIDE | = 5' |



Proposed Variance
 808 28th Ave N.
 Nashville, Davidson County, Tennessee

Sheet No.
BZA-1.8

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-195 (808 28th Avenue North)

| | |
|--------------------------|--|
| Metro Standard: | 8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan |
| Requested Variance: | Construct alternative sidewalk design with a 4' grass strip and 6' sidewalk |
| Zoning: | RS5 |
| Community Plan Policy: | T4 RC (Urban Residential Corridor) |
| MCSP Street Designation: | T4-R-AB2-LM |
| Transit: | #21 – University Connector |
| Bikeway: | None existing; major protected bikeway planned per WalknBike |

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes constructing six single family residences and requests a variance to construct sidewalks with a reduced grass strip width. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the 28th Avenue North property frontage. A 4' grass strip will provide space for obstructions such as utility poles and mailboxes.
- (2) A wider sidewalk with a planting strip for obstructions will provide a buffer between traffic and pedestrians along an Arterial Boulevard.
- (3) The Metro Board of Zoning Appeals has ordered in two cases adjacent to this site to construct a 4' grass strip and 6' sidewalk. Case 2018-721 was located at 806 28th Avenue North, and Case 2018-720 was located at 802 and 804 28th Avenue North.

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

1. The applicant shall construct an alternative sidewalk design with a 4' grass strip and 6' sidewalk along the 28th Avenue North frontage.



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

Appellant: Angie Lawless & Stephen Wilkins Date: 3-8-19
Property Owner: Angie Lawless & Stephen Wilkins Case #: 2019-171
Representative: Angie Lawless & Stephen Wilkins Map & Parcel: 105140I03100CO & 105140I03000CO

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: 803 Hillview Hts #107 & #108

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: 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: Angie Lawless & Stephen Wilkins Representative: Same
Phone Number: (615) 430-5877 Phone Number: _____
Address: 204 S 11th St. Address: _____
Nashville, TN 37206
Email address: cwilkins@wilsonbank.com Email address: _____

Appeal Fee: ~~\$100.00~~
\$200.00



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

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.

Carly Wilcox

3-8-19



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



3624643

ZONING BOARD APPEAL / CAAZ - 20190013938
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 105140I03100CO APPLICATION DATE: 03/08/2019

SITE ADDRESS:

803 HILLVIEW HTS 107 NASHVILLE, TN 37204
UNIT 31 STUDIO 1 LOFTS CONDOMINIUM

PARCEL OWNER: WILKINS, STEPHEN CODY & LAWLESS, AN 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.

Rental Unit Record

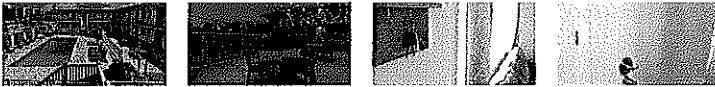
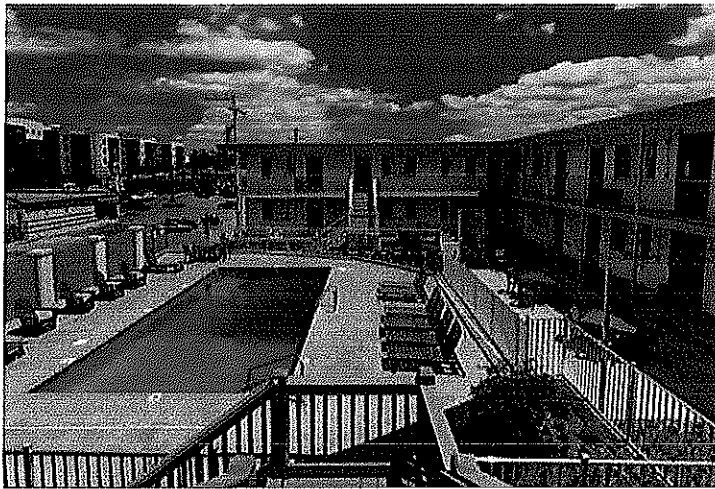
803 Hillview Heights, Nashville, TN 37204, USA

Active
Identified
Compliant

PRINT

Listing(s) Information

VRBO - 321.879980.1427919 VRBO - 321.882780.1430720 Airbnb - 13380259



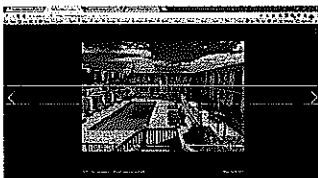
Matched Details

Analyst: 1J09

Explanation

The listed property has been verified with the help of these websites. The unit number is also verified. <https://www.airbnb.co.in/rooms/13380259>
<http://www.nashvillesmls.com/listing-realtracs-vow/1723708-803-hillview-hts-107-nashville-tn-37204/>
<https://www.google.com/maps/place/36%C2%B007'31.9%22N+86%C2%B046'41.8%22W/@36.1278408,-86.7788125,127a,35y,160.75h,45t/data=!3m1!1e3!4m5!3m4!1s0x0:0x0!8m2!1d36.1255344!1d-86.7782642>

Listing Photos

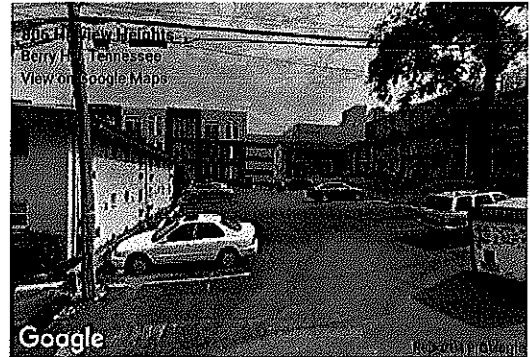


matching pool and surroundings

Matching 3rd Party Sources



Rental Unit Information



Identified Address

803 Hillview Heights, Nashville, TN 37204, USA

Identified Unit Number

107

Identified Latitude, Longitude

36.126516, -86.778360

Parcel Number

105140103100

Owner Name

WILKINS, STEPHEN CODY & LAWLESS, ANGIE

Owner Address

202 S 11th St
Nashville, TN 37206, US

Registration / Permit Number

500573

Timeline of Activity

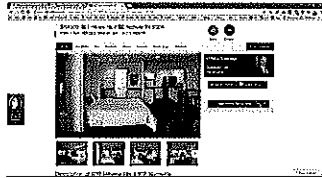
View the series of events and documentation pertaining to this property



matching outside view



matching inside view.



📍 Zip Code Match

👤 Owner Name Match

🏠 City Name Match

Listing Details

| | |
|----------------------------|---|
| Listing URL | — https://www.airbnb.com/rooms/13380259 |
| Listing Status | ● Active |
| Host Compliance Listing ID | — air13380259 |
| Listing Title | — The Troubadour: Central, Upscale Location |
| Property type | — Condominium |
| Room type | — Entire home/apt |
| Listing Info Last Captured | — Mar 05, 2019 |
| Screenshot Last Captured | — Mar 07, 2019 |
| Price | — \$135/night |
| Cleaning Fee | — \$45 |

Information Provided on Listing

| | |
|-------------------------------------|-------------------------|
| Contact Name | — Angie |
| Latitude, Longitude | — 36.125530, -86.778260 |
| Minimum Stay (# of Nights) | — 2 |
| Max Sleeping Capacity (# of People) | — 3 |
| Max Number of People per Bedroom | — 3 |
| Number of Reviews | — 78 |
| Last Documented Stay | — 02/2019 |

Listing Screenshot History

📄 View Latest Listing Screenshot


- Listing hma321.882780.1430720 Reposted March 3rd, 2019
- ✘ Listing hma321.882780.1430720 Removed March 1st, 2019
- Listing air13380259 Reposted February 26th, 2019
- Listing air13552088 Reposted February 26th, 2019
- ✘ Listing air13380259 Removed February 25th, 2019
- ✘ Listing air13552088 Removed February 25th, 2019
- 📅 2 Documented Stays February, 2019
- Listing air13380259 Reposted February 15th, 2019
- Listing air13552088 Reposted February 15th, 2019
- ✘ Listing air13380259 Removed February 13th, 2019
- ✘ Listing air13552088 Removed February 13th, 2019
- 📅 3 Documented Stays January, 2019
- 📅 2 Documented Stays December, 2018
- 📅 5 Documented Stays November, 2018
- 📅 9 Documented Stays October, 2018
- 📅 5 Documented Stays September, 2018
- 📅 8 Documented Stays August, 2018
- 📅 8 Documented Stays July, 2018
- 📅 6 Documented Stays June, 2018
- 📅 10 Documented Stays May, 2018
- Listing hma321.882780.1430720 Reposted May 2nd, 2018
- 📅 7 Documented Stays April, 2018
- Listing hma321.879980.1427919 Reposted April 27th, 2018
- ✘ Listing hma321.879980.1427919 Removed April 26th, 2018
- ✘ Listing hma321.882780.1430720 Removed April 26th, 2018
- Listing hma321.882780.1430720 Reposted

April 25th, 2018


✘ Listing hma321.882780.1430720 Removed
April 19th, 2018

✈ Airbnb Letter: Delivered 
April 9th, 2018

● Listing hma321.879980.1427919 Reposted
April 3rd, 2018

✈ Airbnb Letter: Sent 
April 3rd, 2018

✘ Listing hma321.879980.1427919 Removed
March 29th, 2018


 9 Documented Stays
March, 2018

● Listing air13552088 Reposted
March 4th, 2018

✘ Listing air13552088 Removed
March 2nd, 2018

● Listing hma321.879980.1427919 Reposted
February 26th, 2018

● Listing hma321.882780.1430720 Reposted
February 26th, 2018

 3 Documented Stays
February, 2018

✘ Listing hma321.879980.1427919 Removed
February 21st, 2018


✘ Listing hma321.882780.1430720 Removed
February 21st, 2018


● Listing air13380259 Reposted
February 5th, 2018


● Listing air13552088 Reposted
February 5th, 2018


✘ Listing air13380259 Removed
January 31st, 2018


✘ Listing air13552088 Removed
January 31st, 2018


 2 Documented Stays
January, 2018

 1 Documented Stay
December, 2017

 3 Documented Stays
November, 2017

 7 Documented Stays
October, 2017

 10 Documented Stays
September, 2017

 10 Documented Stays
August, 2017

✓ Listing hma321.879980.1427919 Identified
August 2nd, 2017

✓ Listing hma321.882780.1430720 Identified
August 2nd, 2017

✓ Listing air13380259 Identified

January 5

February 3

March 3

August 2nd, 2017

- ✓ Listing air13552088 Identified
August 2nd, 2017
- 📅 10 Documented Stays
July, 2017
- 📅 7 Documented Stays
June, 2017
- 📅 7 Documented Stays
May, 2017
- 📅 9 Documented Stays
April, 2017
- 📅 6 Documented Stays
March, 2017
- 📅 3 Documented Stays
February, 2017
- 📅 2 Documented Stays
January, 2017
- 📅 5 Documented Stays
November, 2016
- 📅 8 Documented Stays
October, 2016
- 📅 8 Documented Stays
September, 2016
- 📅 6 Documented Stays
August, 2016
- 📅 10 Documented Stays
July, 2016
- ✳ Listing air13380259 First Crawled
July 21st, 2016
- ✳ Listing air13552088 First Crawled
July 21st, 2016
- ✳ Listing hma321.879980.1427919 First
Crawled
July 20th, 2016
- ✳ Listing hma321.882780.1430720 First
Crawled
July 20th, 2016
- Listing hma321.882780.1430720 First
Activity
July 19th, 2016
- Listing hma321.879980.1427919 First
Activity
July 16th, 2016
- Listing air13552088 First Activity
July 5th, 2016
- Listing air13380259 First Activity
July 4th, 2016

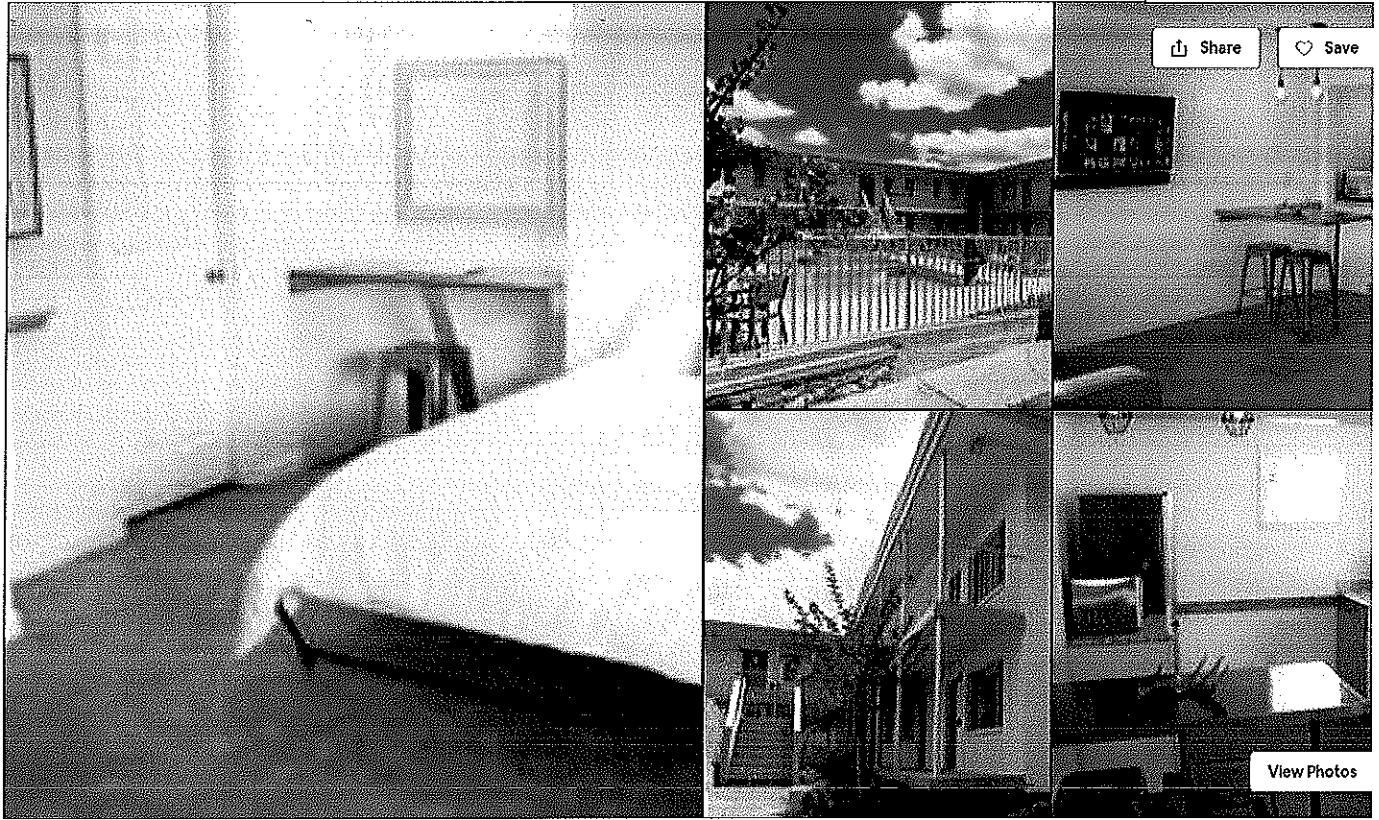
March 07, 2019 - 11:57AM America/Chicago



Search

Become a host Help Sign up Log in

Mar 7, 2019 11:57am CT



Share

Save

View Photos

ENTIRE CONDOMINIUM

The Speakeasy: Central, Upscale Location

Nashville

- Entire condominium
3 guests 1 bedroom 1 bed 1 bath
- Sparkling clean
9 recent guests said this place was sparkling clean.
- Great check-in experience
95% of recent guests gave the check-in process a 5-star rating.
- Self check-in
Check yourself in with the keypad.



Angie

\$135 per night
★★★★★ 69

Dates

Check in → Check out

Guests

1 guest

Book

You won't be charged yet

Report this listing

This newly renovated, cozy condo is located between 8th Avenue South and 12th Avenue South, in the most sought-after neighborhood in Nashville. The condo has all you'll need for a memorable Nashville stay, and is in a location that is walkable to restaurants, bars & shops. Ideal for couples, solo adventurers, and business travelers alike.

The Troubadour is one of 2 identical, side-by-side condos. If you need more space, reach out to us about booking both.

Permit 2016, then 033, then 778

Other things to note

Please note that this unit does not have cable TV. Most of our renters are out and about seeing the many sights Nashville has to offer, so we have equipped our TV with Netflix for your enjoyment, but not cable.

Also, the sofa does not make a bed. If you will need additional linens for someone to sleep on the sofa, please let us know in advance.

Hide ^

Contact host



Amenities

Basic

Wifi

Continuous access in the listing

Iron

Laptop friendly workspace

A table or desk with space for a laptop and a chair that's comfortable to work in

TV

Dryer

In the building, free or for a fee

Washer

In the building, free or for a fee

Essentials

Towels, bed sheets, soap, and toilet paper

Heating

Central heating or a heater in the listing

Air conditioning

Facilities

Free parking on premises

Pool

Private or Shared

Dining

Kitchen

Space where guests can cook their own meals

Guest access

Keypad

Check yourself into the home with a door code

Bed and bath

Hangers

Hair dryer

Shampoo

Safety features

Fire extinguisher

THE ESSENTIALS

Carbon monoxide detector

Smoke detector

First aid kit

Not included

Private entrance

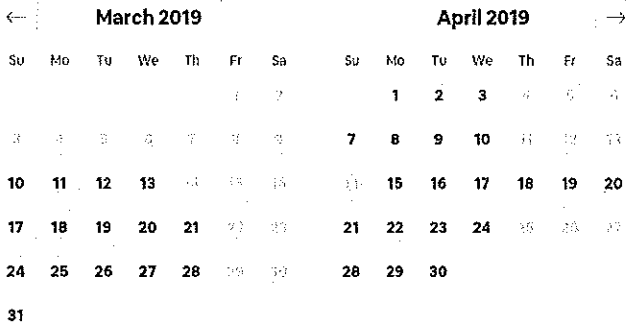
Sleeping arrangements



Bedroom 1
1 queen bed, 1 couch

Availability

Updated 3 days ago



69 Reviews ★★★★★

Search reviews

| | | | |
|---------------|-------|----------|-------|
| Accuracy | ★★★★★ | Location | ★★★★★ |
| Communication | ★★★★★ | Check-in | ★★★★★ |
| Cleanliness | ★★★★★ | Value | ★★★★★ |

Lindsey
January 2019

Fluid communication and easy check-in procedures! Great location and in a very safe/ well lit neighborhood. Multiple eateries and shops within walking distance. Kitchen is also equipped with the basics so that if you feel like making a small meal in the condo you can do that too...Read more

Megan
December 2018

Very easy and convenient!

Christy
November 2018

Clean room in good location.



Chris
October 2018



This place was everything we wanted. Under \$10 uber to get to Broadway but also close enough to walk to other attractions off-Broadway in the Melrose/12 South area. Hattie B's hot chicken, Edley's, and the Frothing Monkey were all amazing restaurants in about a 15 minute walk...Read more



Shannon
October 2018



The place was perfect! Just down the street from an awesome music venue called The Basement. Close to the great little neighborhoods. Had everything I needed at the place. And Angie definitely lives up to Superhost!



Jeff
October 2018



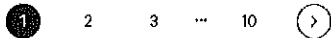
Nice unit, in a complex with a friendly, funky vibe. Great neighborhood restaurants and bars nearby. Angie was very responsive and eager to ensure our satisfaction.



Donna
October 2018



Angie's place was exactly as pictured. Bed was comfy and place was very clean. Her communication was on point- not too much not too little! Loved our stay just wish the weather had been different but still had a great time.



Hosted by Angie



Nashville, TN · Joined in May 2015

★ 173 Reviews ✓ Verified

Angie is a Superhost · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Always looking for a new adventure, lucky in love and family. My favorite thing to do is something I've never done before!

Response rate: 100%

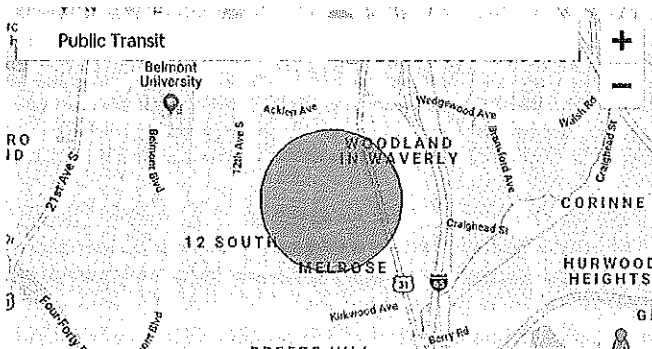
Response time: within an hour

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

Angie's home is located in Nashville, Tennessee, United States.





Exact location information is provided after a booking is confirmed.

Policies

House Rules

- No pets
- No smoking, parties, or events
- Check-In time is 4PM - 12AM (midnight) and check out out by 10AM
- Self check-in with keypad

- We trust you'll treat our place as we would, and look forward to having you! A few details:
- No smoking inside the unit.
- No pets allowed.
- No parties or events. Please be respectful of the neighbors.
- No drugs.
- No glass in the pool area.
- Please make sure that the door is locked behind you when you leave.

You must also acknowledge

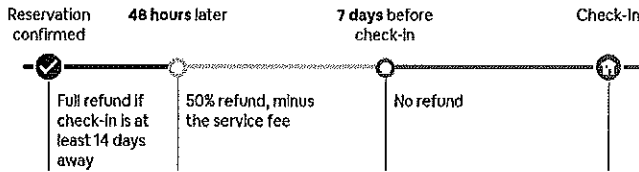
Security Deposit - If you damage the home, you may be charged up to \$100

Hide rules ^

Cancellations

Strict - Free cancellation for 48 hours

After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



Get full details

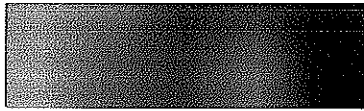
Hide policies ^

Similar listings

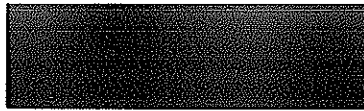
| | | |
|---|---|--|
| | | |
| <p>ENTIRE HOUSE Large East Nashville Home- close to... 8 guests · 4 bedrooms · 5 beds · 3 baths Free parking on premises · Wifi · Kitchen ...</p> <p style="text-align: right;">\$349/night</p> | <p>ENTIRE APARTMENT Premier Loft in Historic Downtown... 4 guests · 1 bedroom · 2 beds · 1 bath Free parking on premises · Wifi · Kitchen ...</p> <p style="text-align: right;">\$156/night</p> | <p>ENTIRE HOUSE \$7 uber to downtown broadway 16+ guests · 7 bedrooms · 7 beds · 3 baths Free parking on premises · Wifi · Kitchen ...</p> <p>★★★★☆ 23</p> <p style="text-align: right;">\$299/night</p> |

Things to do near this home

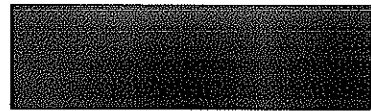
| | | |
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ART CLASS
Paint and Sip with Power Tools
\$40 per person
4.91★ (78)



PHOTOSHOOT
Instagram Photowalk Tour of the Gulch
\$50 per person
4.97★ (137)



FOOD WALK
Music City walking food tour
\$59 per person
4.93★ (27)

Explore other options in and around Nashville

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Nashville
San't Albano Stura
Vranje Selo
East Durham
Malaysia
Fenals da Luz

Satun
Janallhac
Bayview
Verdelot
Coyhaique Alto
Cenadi

Caborca
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Dinuba
Encamp
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April 10, 2019

Board of Zoning Appeals:

In response to the request for an Item A appeal of the denied short term rental permit (Appeal Case Number 2019-171) for 803 Hillview Hts 107 and 108, we wish to oppose the zoning appeal.



Bev Sears

2309 Cisco Street



Scott Sears

2313 Cisco Street

METROPOLITAN GOVERNMENT OF SHUPLER AND DAVIDSON COUNTY



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

Appellant: Alex Porter Date: 3-19-19
 Property Owner: Alex Porter Case #: 2019-209
 Representative: Alex Porter Map & Parcel: 08207013000

Council District: 05

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: 316 Wilburn

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. 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: Alex Porter Representative: Same
 Phone Number: 615 772-7281 Phone Number: _____
 Address: 316 Wilburn St. Address: _____
Nashville, TN 37207
 Email address: alexandraporter2@gmail.com Email address: _____

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



3632316

ZONING BOARD APPEAL / CAAZ - 20190015843
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08207013000**APPLICATION DATE:** 03/19/2019**SITE ADDRESS:**

316 WILBURN ST NASHVILLE, TN 37207
PT LOTS 7 & HUMPHREY PIERCE ADDN

PARCEL OWNER: PORTER, ALEXANDRA C.**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 - 2nd 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

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.

[Handwritten signature] *[Handwritten signature]* 3-19-2019

Rental Unit Record

316 Wilburn St, Nashville, TN 37207, USA

Removed X
Identified ✓
Compliant ✓

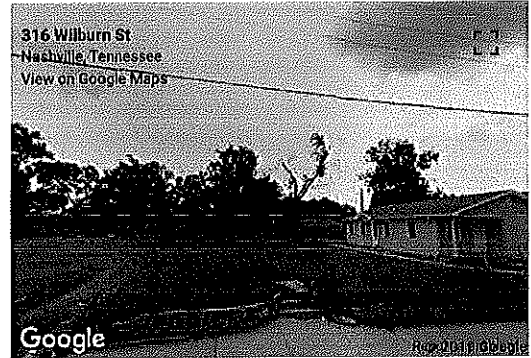
PRINT

Listing(s) Information

Airbnb - 3464176



Rental Unit Information



Identified Address

316 Wilburn St, Nashville, TN 37207, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.185348, -86.766574

Parcel Number

08207013000

Owner Name

PORTER, ALEXANDRA C.

Owner Address

316 Wilburn St
Nashville, TN 37207, US

Registration / Permit Number

505935

Timeline of Activity

View the series of events and documentation pertaining to this property

Matched Details

Analyst

CDZT

Explanation

This is a brand new house. Street view and realtor websites still show an empty parcel. Exterior matches in 3D aerial view. The wall and stairs and the house next door match in street view. The contact's name, Alex, matches the name of the owner, Alexandra C. Porter, on the property records for this address. The Nashville records and map confirm the location and address and show APN 08207013000. <http://prntscr.com/lmfgdt>

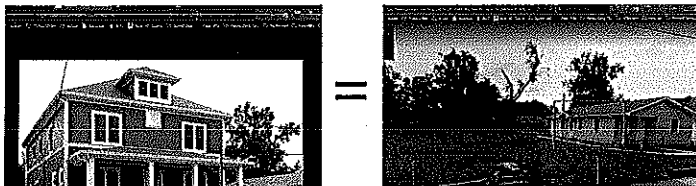
Listing Photos



Same exterior.

Matching 3rd Party Sources





Same wall and stairs. Same house next door.

Zip Code Match

City Name Match

Listing Details

| | |
|----------------------------|---|
| Listing URL | - https://www.airbnb.com/rooms/3464176 |
| Listing Status | ● Inactive |
| Host Compliance Listing ID | - air3464176 |
| Listing Title | - Spacious Home In Trendy East Nashville |
| Property type | - House |
| Room type | - Entire home/apt |
| Listing Info Last Captured | - Dec 15, 2018 |
| Screenshot Last Captured | - Dec 16, 2018 |
| Price | - \$500/night |
| Cleaning Fee | - \$100 |

Information Provided on Listing

| | |
|-------------------------------------|-------------------------|
| Contact Name | - Alex |
| Latitude, Longitude | - 36.178656, -86.769674 |
| Minimum Stay (# of Nights) | - 2 |
| Max Sleeping Capacity (# of People) | - 8 |
| Max Number of People per Bedroom | - 2.7 |
| Number of Reviews | - 26 |
| Last Documented Stay | - 09/2018 |

Listing Screenshot History

View Latest Listing Screenshot

January

February

March

- Listing air3464176 Removed December 19th, 2018
- First Warning - No STR or Tax: Delivered December 16th, 2018
- First Warning - No STR or Tax: Sent December 10th, 2018
- Listing air3464176 Identified November 27th, 2018
- Listing air3464176 Reposted October 21st, 2018
- Listing air3464176 Removed October 20th, 2018
- 1 Documented Stay September, 2018
- Listing air3464176 Reposted June 24th, 2018
- Listing air3464176 Removed June 22nd, 2018
- 2 Documented Stays May, 2018
- Listing air3464176 Reposted March 3rd, 2018
- Listing air3464176 Removed March 2nd, 2018
- Listing air3464176 Reposted February 5th, 2018
- Listing air3464176 Removed January 31st, 2018
- Listing air3464176 Reposted November 18th, 2017
- Listing air3464176 Removed June 10th, 2017
- Listing air3464176 Reposted June 3rd, 2017
- Listing air3464176 Removed March 18th, 2017
- 1 Documented Stay January, 2017
- Listing air3464176 Reposted January 1st, 2017
- Listing air3464176 Removed January 1st, 2017
- Listing air3464176 First Crawled July 21st, 2016
- 1 Documented Stay June, 2016
- 2 Documented Stays March, 2016
- 1 Documented Stay October, 2015
- 1 Documented Stay September, 2015

- 📅 2 Documented Stays
June, 2015
- 📅 1 Documented Stay
April, 2015
- 📅 3 Documented Stays
March, 2015
- 📅 1 Documented Stay
November, 2014
- 📅 2 Documented Stays
October, 2014
- 📅 2 Documented Stays
September, 2014
- 📅 4 Documented Stays
August, 2014
- 📅 2 Documented Stays
July, 2014
- Listing air3464176 First Activity
July 14th, 2014

December 16, 2018 - 04:37PM America/Chicago

Search

Become a host Help Sign up Log in

Dec 16, 2018 3:37pm CT



ENTIRE HOUSE

Spacious Home in Trendy East Nashville

Nashville



Alex

8 guests 3 bedrooms 4 beds 2.5 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 lockbox.

Helpful · Not helpful

Sparkling clean - 3 recent guests have said that this home was sparkling clean.

Helpful · Not helpful

\$500 per night
★★★★★ 27

Dates

Check in → Check out

Guests

1 guest

Request to Book

You won't be charged yet

Report this listing

Our inviting home is the perfect weekend getaway for a family, Bachelorette party, or just a fun group trip to Music City. Its 5 minutes from downtown/Broadway, Five Points, Top Golf, and walking distance to LP Field and the Sounds Stadium. It also 2 minutes from all interstates. I can't wait to host you!

Read more about the space

Contact host

Amenities

- Free parking on premises
- Wifi
- Kitchen
- Indoor fireplace

Show all 36 amenities

Sleeping arrangements



Bedroom 1
1 king bed



Bedroom 2
1 queen bed



Bedroom 3
1 queen bed



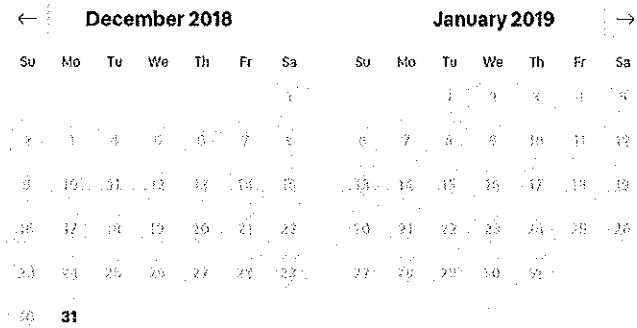
Accessibility

Well-lit path to entrance

Wide hallway clearance

Availability

Updated 11 days ago



27 Reviews ★★★★★

Search reviews

- Accuracy ★★★★★
- Location ★★★★★
- Communication ★★★★★
- Check-in ★★★★★
- Cleanliness ★★★★★
- Value ★★★★★

Brad
September 2018

The home was beautiful and Alex was quick to respond when I had questions. I would definitely stay here if I were to go to Nashville again!

Shannon
June 2018

The host canceled this reservation 13 days before arrival. This is an automated posting.

Kristyn
May 2018

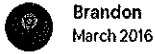
Alex's house is beautiful and comfortable! Located conveniently in East Nashville. It was a great experience!

Carolyn
January 2017

We really enjoyed our stay at Daniel and Alex's, the house is very well appointed and downtown Nashville is only a quick Uber ride away.

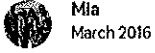
Danielle
June 2016

This house was a great place to stay for CMA weekend. We had 8 girls and there was ample place to sleep. Having two bathrooms with showers was great for all of us getting ready at the same time. There was ample space for us to all hang out and make dinner.



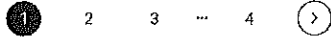
Brandon
March 2016

Very happy with our stay in Nashville. The house was very welcoming and Daniel and Alex were a pleasure to work with.



Mia
March 2016

Awesome house in up and end east Nashville! 5 min drive to downtown 15 min to green hills and 10 min from midtown. The house is beautiful I have never used airbnb and it was a great experience. I will definitely use it again. Alex and Daniel were very helpful and friendly when t...Read more



Hosted by Alex



Nashville, Tennessee, United States · Joined in June 2014

★ 30 Reviews Verified

I am an avid traveler for work and pleasure, and user of AirBnb myself. I moved to Nashville 7 years ago for my job after graduating from the University of Kentucky, and immediately fell in love with the city. I bought my first home about 3 years ago in East Nashville, and am pa...Read more

Languages: English

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

Alex's home is located in Nashville, Tennessee, United States.

We love East Nashville! The majority of bars and restaurants are locally owned, so you can get the true Nashville experience! There is a speak easy on our street, and award winning Pharmacy Burger and Holland House within walking distance. We chose to live here because of the character, and close proximity to downtown.

Exact location information is provided after a booking is confirmed.

Policies

House Rules

No pets

No smoking, parties, or events

Check-in is anytime after 3PM and check out by 11AM

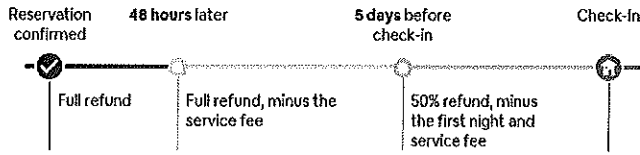
Self check-in with lockbox

Read all rules ▾

Cancellations

Moderate - Free cancellation for 48 hours

After that, cancel up to 5 days before check-in and get a full refund, minus the service fee.



[Get full details](#)