

DOCKET

5/16/2019

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

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

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

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**Previously Heard Cases that failed to receive 4 affirmative votes Requiring Board Action:**

**Case 2019-137 (933 Warren Street)**-Requesting a variance from setback requirements to construct two single-family residences. Previously heard on 4/18/19.

**RESULT -**

**Case 2019-149 (2019 A 19<sup>th</sup> Ave. S)** - Requesting a variance from sidewalk requirements to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Previously heard on 4/18/19.

**RESULT –**

**Case 2019-193 (114 B Taggart Ave.)** - Requesting a variance from height requirements to construct a garage. Previously heard on 5/2/19.

**RESULT –**

**CASE 2017-274 (Council District - 16)**

**CHIP HOWARTH**, appellant and owner of the property located at **2926 FOSTER CREIGHTON DR**, requesting a variance from sidewalk requirements in the IR District, to construct a non-residential building without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 11816004200

**RESULT -**

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

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

Use-Residential

Map Parcel 09212034000

**RESULT –Deferred 6/6/19**

**CASE 2019-097 (Council District - 16)**

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

Use-Car Sales

Map Parcel 13306003700

**RESULT -**

**CASE 2019-098 (Council District - 5)**

**SCOTT NICODEMUS**, appellant and **O.I.C. HOMES AT 915 RAMSEY STREET**, owner of the property located at **915 B RAMSEY ST**, requesting a special exception in the RM20 District, to construct a multi-family residence. Referred to the Board under Section 17.40.180.C and 17.12.035.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Multi-Family

Map Parcel 082120Y90000CO

**RESULT -**

**CASE 2019-121 (Council District - 16)**

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

Use-Auto Sales

Map Parcel 11913032400

**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 2019-145 (Council District - 29)**

**STERICYLE**, appellant and **DUKE SECURED FINANCING 2009-UNM, LLC**, owner of the property located at **800 AIRPARK COMMERCE DR.# 801**, requesting variances from landscape buffer and setback requirements in the IWD District, to have a medical waste facility at this location. Referred to the Board under Section 17.16.110.B. The appellant alleged the Board would have jurisdiction under Section 17.40.18 B.

Use-Medical Waste

Map Parcel 121110A00200CO

**RESULT -**

**CASE 2019-156 (Council District - 5)**

**PRATT, DYVEKE & JOHNSON, WAYNE**, appellants and owners of the property located at **1016 DELMAS AVE**, requesting variances from size restrictions and setback requirements in the R6 District, to construct a garage. Referred to the Board under Section 17.12.020.A, 17.12.050.A. The appellants alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 07209024400

**RESULT -**

**CASE 2019-160 (Council District - 1)**

**SULLIVAN, MIYA V.**, appellant and owner of the property located at **117 HAYNES PARK DR**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Single Family

Map Parcel 06904011000

**RESULT -**

**CASE 2019-182 (Council District - 17)**

**ELLIOTT DEVELOPMENT**, 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 2019-188 (Council District - 14)**

**BLAIR SEYMOUR**, appellant and **REGIONS BANK**, owner of the property located at **301 DONELSON PIKE**, requesting a variance from sidewalk requirements in the CL District, to renovate a bank 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-Bank

Map Parcel 09609013300

**RESULT -**

**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 owner 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 2019-198 (Council District - 14)**

**GARY BATSON**, appellant and **PREVATT, RICHARD & RHONDA**, owners of the property located at **4014 LEBANON PIKE**, requesting a variance from sidewalk requirements in the CS District, to construct a service bay 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-Auto-Repair

Map Parcel 07513024400

**RESULT -**

**CASE 2019-211 (Council District - 25)**

**MICKEY HARLOW**, appellant and **TUGGLE, WILLIAM C. & CHRISTIE W., TR.**, owners of the property located at **950 GLENDALE LN**, requesting a variance from side setback requirements in the R20 District, to construct two single family houses on one parcel.

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 13205012500

**RESULT -**

**CASE 2019-213 (Council District - 5)**

**ROB BENSHOOF**, appellant and **STOCKELL ST, LLC**, owner of the property located at **907 STOCKELL ST**, requesting a variance from sidewalk requirements in the SP District, to build 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.

Use-Single Family

Map Parcel 08203021500

**RESULT -**

**CASE 2019-214 (Council District - 10)**

**PIRTLE, MILTON & KAREN**, appellants and owners of the property located at **1997 PAULA DR**, requesting a variance from sidewalk requirements in the R20 District, to construct a single family house without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellants alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 03407003300

**RESULT -**

**CASE 2019-216 (Council District - 6)**

**KEVIN ANTOON**, appellant and **1201 PORTER, LLC**, owner of the property located at **1201 PORTER RD**, requesting variances from parking and drive aisle width requirements in the CL District, to renovate an existing building for a bar. Referred to the Board under Section 17.20.03. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Bar

Map Parcel 08303016000

**RESULT -**

**CASE 2019-217 (Council District - 7)**

**EVANIAL JOHNSON**, appellant and **WRAY, IRIS D.**, owner of the property located at **1704 PORTER RD**, requesting variances from lot size and sidewalk requirements in the R10 District, to construct a duplex without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.020.A, 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two Family

Map Parcel 07215021600

**RESULT -**

**CASE 2019-220 (Council District - 21)**

**FUQUA JOHN L.**, appellant and owner of the property located at **3107 ALAMEDA ST**, requesting a variance from sidewalk requirements in the R6 District, to construct the second unit of a duplex 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 09201011500

**RESULT -**



**CASE 2019-221 (Council District - 15)**

**OLD HICKORY CREDIT UNION**, appellant and owner of the property located at **410 DONELSON PIKE**, requesting a variance from sign requirements in the OL District, to display an LED sign. Referred to the Board under Section 17.32.050. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Financial Institution

Map Parcel 09609007400

**RESULT -**

**CASE 2019-222 (Council District - 11)**

**OLD HICKORY CREDIT UNION**, appellant and owner of the property located at **76 MONTCHANIN RD**, requesting a variance from sign requirements in the OL District, to display an LED sign. Referred to the Board under Section 17.32.050. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Financial Institution

Map Parcel 06401006200

**RESULT -**

**CASE 2019-225 (Council District - 5)**

**ACUFF, STEPHEN & TIFFANY**, appellants and owners of the property located at **812 N 5TH ST**, requesting an Item A appeal challenging the zoning administrator's denial of a permit to convert an existing detached structure into a detached accessory dwelling unit in the SP District, to convert the structure into a DADU. Referred to the Board under Section 17.40.010.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Single Family

Map Parcel 08207041300

**RESULT -**

**CASE 2019-226 (Council District - 5)**

**BEN KELLEY**, appellant and **O.I.C. 334 QUEEN AVENUE RESIDENCES**, owner of the property located at **336 B QUEEN AVE**, requesting a variance from parking requirements to allow a front parking pad on a single family residence in the R6-A District. Referred to the Board under Section 17.12.020.B note 8. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Single Family

Map Parcel 071080P90000CO

**RESULT -**

**CASE 2019-227 (Council District - 3)**

**EVANIEL JOHNSON**, appellant and **JEAN-PIERRE, QIANA**, owner of the property located at **1508 EMERALD BAY BLVD**, requesting a variance from setback requirements in the R10 District, to construct a rear addition to a house. Referred to the Board under Section 17.12.020. A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Single Family

Map Parcel 049120A04800CO

**RESULT -**

**CASE 2019-229 (Council District - 2)**

**CARLOS F. PRESTON**, appellant and **JONA DEVELOPMENT, LLC**, owner of the property located at **1212 KATIE AVE**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 07110011100

**RESULT -**

**CASE 2019-230 (Council District - 19)**

**JAMES CROCKET**, appellant and **JAC INVESTMENTS, LLC**, owner of the property located at **1219 11TH AVE N**, requesting variances from setback and garage orientation requirements in the R6-A District, to construct a single family home. Referred to the Board under Section 17.12.30.C, 17.12.020.A, 17.12.40.670.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Single Family

Map Parcel 08116012000

**RESULT -**

**CASE 2019-231 (Council District - 5)**

**GREG SCRUGGS** appellant and **O.I.C. HOMES AT 911 SPAIN**, owner of the property located at **911 A, B & C SPAIN AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family homes without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Two-Family

Map Parcel 072092X90000CO

**RESULT -**

Map Parcel 072092X00100CO

Map Parcel 072092X00200CO

**CASE 2019-233 (Council District - 23)**

**JAY FULMER**, appellant and **KOHL, JOHN & HELEN LIVING TRUST**, owner of the property located at **6922 HIGHWAY 70 S**, requesting an Item D appeal to allow the alteration of an existing non-conforming structure in the R40 District, to construct a dog daycare and boarding facility. Referred to the Board under Section 17.40.660. The appellant alleged the Board would have jurisdiction under Section 17.40.180.

Use-Boarding Facility

Map Parcel 14300003600

**RESULT -**

**CASE 2019-235 (Council District - 4)**

**TYLER HAWKINS**, appellant and **O.I.C. HOMES AT 15431 & 15433 OLD HICKORY**, owner of the property located at **15431 & 15433 B OLD HICKORY BLVD**, requesting a variance from sidewalk requirements in the R20 District, to construct two single family homes without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 161140E90000CO

**RESULT -**

Map Parcel 161140E00200CO

**SHORT TERM RENTAL**

**CASE 2019-234 (Council District - 8)**

**PUNCH, MARK J.**, appellant and owner of the property located at **909 FREYWOOD DR**, requesting an Item A appeal challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired in the RS20 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 05103010300

**RESULT -**

**CASE 2019-236 (Council District - 19)**

**PROCTOR, ROBERT, W JR & HOWARD, DANIEL, JACKSON**, appellant and owner of the property located at **11 MUSIC SQ E 403**, requesting an Item A appeal challenging the zoning administrator's denial of a short term rental permit due to a court injunction prohibiting short term rental activity on unit on unit in the ORI 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 093130A40300CO

**RESULT -**