

**DOCKET**

**6/6/2019**

**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  
MS. ALMA SANFORD  
MR. DAVID TAYLOR, Chairman**

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

**ROB PROCTOR**, appellant and **PROCTOR, ROBERT, W JR & HOWARD, DANIEL, JACKSON**, 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 the property 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 A.

Use-Short Term Rental

Map Parcel 093130A40300CO

**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 residential 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 Indefinitely**

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

**MIYA SULLIVAN**, 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 2019-169 (Council District - 15)**

**KENNY MAUK**, appellant and **LAMAC, LLC**, owner of the property located at **2256 CABIN HILL RD**, requesting an Item D appeal in the RS15 District, to construct an addition to an existing non-conforming duplex. Referred to the Board under Section 17.40.660.C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 07311011200

**RESULT –**

**CASE 2019-199 (Council District - 24)**

**BEN CARTER**, appellant and **LEGACY SOUTH HOMES FUND I, LLC**, owner of the property located at **201 ORLANDO AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund for the Burgess Avenue property frontage. 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 10302005700

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

Use-Single Family

Map Parcel 13205012500

**RESULT - Deferred 7/18/19**

**CASE 2019-215 (Council District - 25)**

**JOE PEEL ET AL**, appellant requesting an Item A appeal challenging the zoning administrator's issuance of permits 2018072091, 20180720961 and 2018072099 for the property located at **3502 A, B & C RULAND PL.** in the RS10 District, to prohibit the parcels from being restored to the three originally plotted parcels in order to build a single-family home on each lot. Referred to the Board under Section 17.40.180.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Single Family

Map Parcel 11705014100

Map Parcel 11705019600

Map Parcel 11705019700

**RESULT -**

**CASE 2019-218 (Council District - 17)**

**JOSH HELLMER**, appellant and owner of the property located at **1103 2ND AVE S**, requesting variances from front setback, side build to zone and sidewalk requirements in the R6 District, to construct a single family residence without building sidewalks. Referred to the Board under Section 17.12.030.A, 17.40.670.A, and 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10503008900

**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 2019-239 (Council District - 26)**

**FRANK FISS**, appellant and owner of the property located at **519 LANDON DR**, requesting a variance from side setback requirements in the RS20 District, to construct a detached accessory building. Referred to the Board under Section 7.12.040 E.

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

Use-Single Family

Map Parcel 14616011900

**RESULT -**

**CASE 2019-240 (Council District - 13)**

**PEGRAM, JUDY G.**, appellant and owner of the property located at **1010 ALADDIN DR**, requesting a variance from setback requirements in the RS10 District, to permit an existing carport and garage overhang. Referred to the Board under Section 17.12.020 A, and 17.12.040 E. 1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Residential

Map Parcel 10714011200

**RESULT -**

**CASE 2019-242 (Council District - 15)**

**CHADWICK CONSTRUCTION INC.**, appellant and **ALLEN, JIM E. JR.**, owner of the property located at **2666, 2668 & 2670 MIAMI AVE**, requesting a variance from side setback requirements in the R15 District, to construct 3 single family residences. 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 05209017500

**RESULT -**

Map Parcel 05209017600

Map Parcel 05209017700

**CASE 2019-243 (Council District - 2)**

**MCKEEVER, REGINALD**, appellant and owner of the property located at **437 DENNIS DR**, requesting a variance from setback requirements in the R8 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 07102012800

**RESULT -**

**CASE 2019-244 (Council District - 17)**

**GOOCH, RODNEY & FELICIA**, appellant and owner of the property located at **2817 W KIRKWOOD AVE**, requesting a variance from setback variances in the 17 District, to construct a two-family residence. Referred to the Board under Section 17.12.030.C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 11802001501

**RESULT -**

**CASE 2019-245 (Council District - 4)**

**KRISTINA CHAPMAN**, appellant and **CHAPMAN FAMILY TRUST**, owner of the property located at **6136 MT PISGAH RD**, requesting a variance from setback requirements in the RS10 District, to construct a single family residence. Referred to the Board under Section 17.12.030.C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 17215000500

**RESULT -**

**CASE 2019-248 (Council District - 21)**

**HOUSE OF GOD-KEITH DOMINIION TRS.**, appellant and owner of the property located at **2717 W HEIMAN ST**, requesting a variance from sign requirements in the RM40 District, to display an LED sign. Referred to the Board under Section 17.32.050.H.2. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institutions

Map Parcel 08114017600

**RESULT -**

**CASE 2019-251 (Council District - 21)**

**BAKER DONELSON**, appellant and **L & S DEVELOPMENT, LLC**, owner of the property located at **2719 TORBETT ST**, requesting a Special Exception from the street setback requirement in the CS District, to construct a Multi-Family development. Referred to the Board under Section 17.12.035.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 09210022900

**RESULT -**

**CASE 2019-252 (Council District - 17)**

**GORDON GILBREATH**, appellant and **HUMPHREYS STREET INVESTMENTS, LLC**, owner of the property located at **440 HUMPHREYS ST**, requesting a special exception from rear setback requirements in the MUL District, to construct a parking garage. Referred to the Board under Section 17.12.020.C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Parking Garage

Map Parcel 10507000500

**RESULT -**

**CASE 2019-254 (Council District - 15)**

**PAUL BOULIFARD**, appellant and **HILL, BRENDA F.**, owner of the property located at **2704 OVERHILL CIR**, requesting a variance from setback requirements in the RS20 District, to construct an addition to a single family residence. Referred to the Board under Section 17.12.030.C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09504022300

**RESULT -**

**CASE 2019-255 (Council District - 15)**

**ROGERS JACKSON**, appellant and **O'BREIN, ARTHUR JOHN RUSHTON & TRACY LEIGH.**, owners of the property located at **2411 A & B MIDDLE 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 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

**RESULT -**

Map Parcel 081031R00100CO

Map Parcel 081031R00200CO

**CASE 2019-257 (Council District - 5)**

**ROBERT NOERPER**, appellant and **NOERPER, ROBERT & TRACY & LUTE, ALEX**, owner of the property located at **888 CARTER ST**, requesting a variance from setback requirements in the R6 District, to construct two single family houses. Referred to the Board under Section 17.12.030.A.1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 08204024100

**RESULT -**



**CASE 2019-258 (Council District - 25)**

**DUANE CUTHBERTSON**, appellant and **RYAN, JASON & SHANNON**, owners of the property located at **906 ALBERT CT**, requesting a variance from sidewalk requirements in the R20 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 B.

Use-Single Family

Map Parcel 118134B00100CO

**RESULT -**

**CASE 2019-259 (Council District - 19)**

**LANDON BEAZEALS**, appellant and **P & H GERMANTOWN PROPERTY, LLC**, owner of the property located at **1311 4TH AVE N**, requesting a variance from parking requirements in the MUN District, to convert an existing single family residence into a bar. Referred to the Board under Section 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Bar

Map Parcel 08209017200

**RESULT -**

**SHORT TERM RENTAL CASES**

**CASE 2019-186 (Council District - 21)**

**MCDONALD, KASEY J**, appellant and owner of the property located at **2626 JENKINS 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 08106012500

**RESULT -**

**CASE 2019-241 (Council District - 21)**

**BAUER, MARTIN P. & CRYSTAL C.**, appellant and owner of the property located at **1915 HERMAN ST**, 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 RM10 District. Referred to the Board under Section 17.16.250.E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 09207016000

**RESULT -**

**CASE 2019-249 (Council District - 19)**

**ANDERSON, ZEKE**, appellant and owner of the property located at **938 1ST AVE N**, requesting an Item A appeal challenging the Zoning Administrator's denial of Short Term Rental permit. The appellant operated after the permit expired in the DTC District. Referred to the Board under Section 17.16.250.E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 082140A07300CO

**RESULT -**