

## DOCKET

6/20/2019

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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### Previously Heard Cases Requiring Board Action:

**CASE 2019-095** (3730 & 3788 Amy Lynn Drive) Motion to Rehear case previously heard on 3/21/19 regarding Smyrna Ready Mix's operation of a concrete manufacturing plant.

**CASE 2019-160** (117 Haynes Park Dr) – Requesting a variance from sidewalk requirements to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Previously heard on 5/16/19 and failed to receive four affirmative votes.

**CASE 2019-258** (906 Albert Ct) - Requesting a variance from sidewalk requirements to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Previously heard on 5/16/19 and failed to receive four affirmative votes.

**Results-Withdrawn**

**CASE 2018-674 (Council District - 17)**

**DON HARDIN**, appellant and **LYTLE, T. C. ETUX**, owner of the property located at **1112 2ND AVE S**, requesting a variance from lot size requirements in the R6 District, to construct two 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 10503011400

**RESULT -**

**CASE 2019-155 (Council District - 17)**

**S+H GROUP LLC**, appellant and **RHINO HOLDINGS, LLC**, owner of the property located at **52 INDUSTRY ST**, requesting a variance from landscape buffer requirements in the IWD District, to build a warehouse and office development. Referred to the Board under Section 17.24.240. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Warehouse

Map Parcel 10508015400

**RESULT - WITHDRAWN**

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

**CUFF, 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 RS5, SP 2014-896 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 - Withdrawn**

**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 2019-242 (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

Map Parcel 05209017700

Map Parcel 05209017600

**RESULT -Withdrawn**

**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 R8 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 2019-259 (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 -**

**CASE 2019-267 (Council District - 15)**

**BUSH, J. SETH**, appellant and owner of the property located at **0 DONELSON PIKE**, requesting an Item A appeal challenging the zoning administrator's denial of a permit to build a single family house in the R10 District. 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 09609005202

**RESULT –Deferred Indefinitely**

**CASE 2019-269 (Council District - 17)**

**JONI ELDER**, appellant and **NORMAN, DUINA Z.& STRATTON, PIA D.**, owner of the property located at **1802 8TH AVE S**, requesting a variance from sidewalk requirements in the CS District, to conduct interior renovations without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Kennel

Map Parcel 10510010200

**RESULT –**

**CASE 2019-270 (Council District - 17)**

**HERBOLD, ELLIOTT & ALEXANDRA**, appellant and owner of the property located at **916 KIRKWOOD AVE**, requesting variances from side and rear setback requirements in the R8 District, to construct an addition to a single family home. 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 11801043100

**RESULT -**

**CASE 2019-272 (Council District - 17)**

**ROB CUSHMAN**, appellant and **O.I.C. 525 MOORE AVENUE TOWNHOMES**, owner of the property located at **525 C MOORE AVE**, requesting a variance from sidewalk requirements in the R6-A 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 105074X90000CO

**RESULT -**

**CASE 2019-273 (Council District - 17)**

**ROB CUSHMAN**, appellant and **O.I.C. 527 MOORE AVENUE TOWNHOMES**, owner of the property located at **527 C MOORE AVE**, requesting a variance from sidewalk requirements in the R6-A 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 105074W90000CO

**RESULT -**

**CASE 2019-274 (Council District - 3)**

**THERESA WINNINGTON**, appellant and **PNI, LLC**, owner of the property located at **2924 TORBETT ST**, requesting a variance from side setback requirements in the RS5 District, to maintain an existing residence. 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 09210008300

**RESULT -**

**CASE 2019-276 (Council District - 17)**

**ROB CUSHMAN**, appellant and **O.I.C.1706 CARVELL AVENUE TOWNHOMES**, owner of the property located at **1706 C CARVELL AVE**, requesting a variance from sidewalk requirements in the R6-A District, to construct four single family residences on two parcels 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 105111M90000CO

**RESULT –**

**CASE 2019-277 (Council District - 17)**

**ROB CUSHMAN**, appellant and **O.I.C. 1704 CARVELL AVENUE TOWNHOMES**, owner of the property located at **1704 C CARVELL AVE**, requesting a variance from sidewalk requirements in the R6-A District, to construct 4 single family homes on two parcels 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 105111L90000CO

**RESULT -**

**CASE 2019-278 (Council District - 17)**

**JOSH HELLMER**, appellant and owner of the property located at **36 SHEPARD ST**, requesting variances from setback and build to zone requirements in the R6 District, to construct a single-family residence. Referred to the Board under Section 17.40.670 17.12.030.C.3 and 17.12.030 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single-Family

Map Parcel 10504011800

**RESULT –**

**CASE 2019-280 (Council District - 21)**

**ERIN LEAF**, appellant and **WEST END LAND DEV. CO., L.P.**, owner of the property located at **2317 ELLISTON PL**, requesting a variance from sidewalk requirements in the SP District, to renovate F45 Fitness without building sidewalks. The applicant is requesting to contribute to 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-Personal Care Services

Map Parcel 09215014000

**RESULT -Withdrawn**

**CASE 2019-281 (Council District - 7)**

**JAY FULMER**, appellant and **2003 EAST, LLC**, owner of the property located at **2003 STRAIGHTWAY AVE**, requesting an Item D appeal in the R6 District, to demolish a legally non-conforming four-unit structure and construct four new units. Referred to the Board under Section 17.40.660 A., 17.40.660 B. and 17.40.650 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 D.

Use-Multi-Family

Map Parcel 07214038700

**RESULT -**

**CASE 2019-283 (Council District - 32)**

**PAUL PLUMMER**, appellant and **EVEREST INVESTMENTS, G.P.**, owner of the property located at **5200 HICKORY HOLLOW PKWY**, requesting variances in lot size and setback requirements in the AR2A District, to construct a school and multipurpose field. Referred to the Board under Section 17.16.040.A.1. and 17.16.040.A.2. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Education

Map Parcel 16300006200

**RESULT -**



**CASE 2019-284 (Council District - 15)**

**TONY BACHMAN**, appellant and **443 DONELSON PIKE, LLC**, owner of the property located at **441 DONELSON PIKE**, requesting a variance from sidewalk requirements in the CL District, to renovate an office space without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 09613018700

**RESULT -**

**CASE 2019-285 (Council District - 24)**

**JODY ROERTS**, appellant and **COLBURN, TODD M. & JENNIFER L.**, owner of the property located at **3801 NEVADA AVE**, 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 09213024700

**RESULT –Deferred 7/18/19**

**CASE 2019-286 (Council District - 2)**

**TIFFINIE CAPEHART**, appellant and **DAVIS, CHARLES PATRICK**, owner of the property located at **1639 EMERALD DR**, requesting variances from sidewalk and front setback requirements in the RS15 District, to construct a single family home without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.020 and 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 06911007800

**RESULT -**

**CASE 2019-287 (Council District - 17)**

**MATT SCHLICKER**, appellant and **SAWTOOTH PARTNERS, LLC**, owner of the property located at **2030 LINDELL AVE**, requesting a variance from sidewalk requirements in the IR District, to make renovations to an office space without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Office

Map Parcel 10510029600

**RESULT -**

**CASE 2019-288 (Council District - 22)**

**SHELBE HEFIN**, appellant and **WEST MEADE FELLOWSHIP, INC.**, owner of the property located at **277 OLD HICKORY BLVD**, requesting a Special Exception in the OL District, to erect an electronic message board. Referred to the Board under Section 17.40.280. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Religious Institution

Map Parcel 14200034300

**RESULT -**

**CASE 2019-289 (Council District - 16)**

**IGLESIA DE CRISTO JEHOVA- SHAMA NASHVILLE TN**, appellant and, owner of the property located at **520 RAYMOND ST**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct an addition to a church 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-Religious Institution

Map Parcel 13301023200

**RESULT -**

**CASE 2019-290 (Council District - 2)**

**BEASLEY, ANDREW CHAMBERS**, appellant and owner of the property located at **1200 KATIE AVE**, requesting a variance from side setback requirements in the RS5 District, to construct a single-family residence. 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 07114001000

**RESULT -**

**CASE 2019-291 (Council District - 19)**

**CATALYST DESIGN GROUP**, appellant and **1715 WEST END PARTNERS**, owner of the property located at **1715 WEST END AVE**, requesting variances from sidewalk and driveway requirements in the MUI-A District, to conduct interior renovations and install an ATM without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120 and 17.20.170. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Financial Institution

Map Parcel 09216017600

**RESULT -**

**CASE 2019-306 (Council District - 6)**

**MORRIS, STEVEN T**, appellant and owner of the property located at **124 S 12TH ST**, requesting a variance from sidewalk requirements in the R6 District, to construct a single-family house without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08313001700

**RESULT -**

**SHORT TERM RENTAL CASES**

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

**ROB PROCTOR**, appellant and **PROCTOR, ROBERT, W JR & HOWARD, DANIEL, JACKSON**, owners 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 – Deferred 7/18/19**

**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.**, appellants and owners 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 -**

**CASE 2019-263 (Council District - 35)**

**RIVERSIDE HOMEOWNERS' ASSOCIATION**, appellant, requesting an Item A appeal challenging the zoning administrator's renewal of short term rental permit 2018028390 for the property located at **1616 GLENRIDGE DR** 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 A.

Use-Short Term Rental

Map Parcel 142130A08000CO

**RESULT -**

**CASE 2019-268 (Council District - 5)**

**NATHAN PYLE**, appellant and **PYLE PROPERTIES, LLC**, owner of the property located at **913 A CHICAMAUGA AVE**, 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 RM40 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 08208030000

**RESULT -**