

**BZA Results**

**8/1/2019**

**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. TOM LAWLESS  
MR. ROSS PEPPER, Vice-Chair  
MS. ALMA SANFORD  
MR. DAVID TAYLOR, Chairman**

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**CASE 2019-293 (Council District - 21)**

**WIDE, DEMETRIUS** appellant and owner of the property located at **943A 28TH AVE N**, requesting variances from sidewalk requirements in the CN District, to construct an addition to a commercial building without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 09206005000

**RESULT - GRANT\_COND 1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk. 2.The applicant shall contribute in-lieu of construction for the property frontage.**

**CASE 2019-299 (Council District - 14)**

**Baker Donelson**, appellant and **LEVOG**, owner of the property located at **4321 OLD HICKORY BLVD**, requesting a variance from sidewalk requirements in the R15 District, to construct a wireless telecommunication tower 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-Telecommunications

Map Parcel 06400010400

**RESULT –GRANT\_COND**, install a 4' wide grass strip and 5' wide sidewalk where able, deviations in grass strip width are permitted around obstructions such as the fiber optic vault and stormwater facilities. A 5' wide sidewalk to install along entire frontage of property.

**CASE 2019-300 (Council District - 19)**

**JENNIFER CARR**, appellant and **PEP MUSIC SQUARE, LLC**, owner of the property located at **900 18TH AVE S**, requesting a special exception to allow additional height within the build to zone in the ORI-A District, to construct an office building. Referred to the Board under Section 17.12.020 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 09216036100

**RESULT -Deferred**

**CASE 2019-305 (Council District - 33)**

**AMEEN, ROMANY**, appellant and owner of the property located at **3009 APPLE ORCHARD TRL**, requesting a variance from rear setback requirements in the RS10 District, to construct a detached garage. 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 150140C02000CO

**RESULT - Granted**

**CASE 2019-307 (Council District - 8)**

**SENNETT COMMERCIAL, LLC**, appellant and owner of the property located at **3611 GALLATIN PIKE**, requesting a variance from sidewalk requirements in the MUL-A District, to rehab a commercial space without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 07202018100

**RESULT - GRANT\_COND** subject to the following conditions: **1. The applicant shall dedicate right-of-way per the Major and Collector Street Plan along the Gallatin Pike frontage where not precluded by the existing building footprint. 2. The applicant shall 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. 3. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted.**

**CASE 2019-310 (Council District - 6)**

**Dominic DeVuyst**, appellant and **PARO SOUTH, LLC**, owner of the property located at **626 MAIN ST**, requesting a variance from sidewalk requirements in the MDHA, MUG District, to renovate an existing building for a restaurant 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-Restaurant

Map Parcel 08216003200

**RESULT - GRANTED**, subject to the following conditions: **1. The applicant shall maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk. 2. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted.**

**CASE 2019-313 (Council District - 5)**

**OLLENDORFF, ADAM H**, appellant and owner of the property located at **331 RICHARDSON AVE**, requesting a variance from setback requirements in the SP District, to construct an addition to an existing garage and convert the garage to a detached accessory dwelling unit. Referred to the Board under Section 17.12.040.E.1.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 07115045800

**RESULT - GRANT\_COND** Granted on the condition that the appellant use the updated site plan as was submitted at the 8/18/19 BZA meeting and must install gravel on the north side of the property as testified in the meeting.

**CASE 2019-314 (Council District - 32)**

**Huffine First Service**, appellant and **ST. IGNATIUS CATHOLIC CHURCH**, owner of the property located at **601 BELL RD**, requesting a variance from digital sign restrictions in the R15 District, to install a digital message board sign. Referred to the Board under Section 17.32.050.42. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 14900025100

**RESULT - GRANTED**

**CASE 2019-316 (Council District - 5)**

**Aaron Ochoa**, appellant and **LUCILLE BUILDING, LLC**, owner of the property located at **1313 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to do an interior renovation 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-Personal Care Services

Map Parcel 07115048900

**RESULT - GRANT\_COND 1.** If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk which meets the Major and Collector Street Plan.

**CASE 2019-320 (Council District - 21)**

**Fulmer Engineering**, appellant and **TREVOR STREET II, LLC**, owner of the property located at **0 33RD AVE N**, requesting a variance from sidewalk requirements in the OR20 District, to construct an office building without building sidewalks and instead pay 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 09209030200

**RESULT - GRANT\_COND** The applicant shall contribute in-lieu of construction for the property frontage.

**CASE 2019-321 (Council District - 5)**

**Bronson Lankford**, appellant and **LIGON SKYLINE, LLC**, owner of the property located at **2 LIGON AVE**, requesting variances from parking deck and minimum parking requirements in the MUG-A District, to construct a multi-family development. Referred to the Board under Section 17.12.020.D and 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 07114032600

**RESULT - deferred indefinitely**

**CASE 2019-322 (Council District - 24)**

**David Tudor**, appellant and **TUDOR BUILDING GROUP, GP**, owner of the property located at **3503 ELKINS AVE**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single-family residence without building sidewalks and instead pay 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 09213034300

**RESULT - GRANT\_COND 1.** The applicant shall contribute in-lieu of construction for the property frontage.

**2. 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.**

**SHORT TERM RENTAL CASES**

**CASE 2019-302 (Council District - 13)**

**BROOKS, CRAIG & ANDREA**, appellants and owners of the property located at **1708 ELM RUN WAY**, requesting at Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after the issued STRP permit expired. 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 10812029000

**RESULT – Deferred indefinitely**

**Appeal case 2019-303 due to clerical error new notices will go out with. The correct address for this appeal is 740 1<sup>st</sup> Ave. N. not for 1010 B Caldwell Avenue. Case will be heard on 9/5/19.**