

DOCKET

9/5/2019

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

**Meeting held in the Midtown Hills Police Precinct,
1441 12th Ave S.**

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

CASE 2019-303 (Council District - 19)

ALFONZO ALEXADERA, appellant and **RIVERFRONT RENTALS, LLC**, owner of the property located at **740 1ST AVE N**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the DTC District. Appellant does not qualify under Public Chapter No. 972. 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 082140A11400CO

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 -

CASE 2019-212 (Council District - 6)

WALKER, JEREMY T. & JULIE R., appellants and owners of the property located at **1525 FATHERLAND ST**, requesting an Item A appeal challenging the zoning administrator's denial of a permit for a second house in the R6 District, to obtain a permit. Referred to the Board under Section 17.16.030.D and 12.12.020.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Single Family

Map Parcel 08313055000

RESULT -Deferred Indefinitely

CASE 2019-265 (Council District - 2)

PAT BRAKEFIELD, appellant and **DOMINICUS, CINDY**, owner of the property located at **1102 KELLOW ST**, requesting a variance from minimum lot size requirements in the R6 District, to construct a new 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 08103014900

RESULT -

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 C.

Use-Commercial

Map Parcel 09216036100

RESULT -

CASE 2019-317 (Council District - 20)

PAUL DAVIDSON, appellant and **DAVIDSON, BRIAN**, owner of the property located at **6211 LARAMIE AVE**, requesting variances from setback and sidewalk requirements in the R8 District, to construct two single family homes on one parcel without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.030.C.3 and 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 09105006500

RESULT -

CASE 2019-332 (Council District - 19)

PHILLIP PIERCY, appellant and **1501 HERMAN STREET, LLC**, owner of the property located at **0 HERMAN ST & 1501 Herman St.**, requesting a special exception to deviate from setback and step back requirements in the MUL-A District, to construct a mixed-use building. Referred to the Board under Section 17.12.020.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Mixed-Use

Map Parcel 09204031400

RESULT -

Map Parcel 09204031200

CASE 2019-341 (Council District - 25)

JOHN TESELLE, appellant and **RICHARDSON, GREGORY & VIRGINA**, owners of the property located at **2414 STERLING RD**, requesting variances from setback and height restrictions in the RS10 District, to construct a detached garage. Referred to the Board under Section 17.12.040.E and 17.12.060.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11702009200

RESULT -

CASE 2019-342 (Council District - 5)

KARLA NEWMAN, appellant and **O.I.C. GRNAT ESTATES 3.0**, owner of the property located at **313 C PRINCE AVE**, requesting a variance from sidewalk requirements in the R6-A District, to construct two single family residences on one parcel 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 071080Q90000CO

RESULT -

CASE 2019-345 (Council District - 21)

PATTON, VALERIE L., appellant and owner of the property located at **705 28TH AVE N**, requesting a special exception in the RS5 District, to use an existing single-family residence for a home day care. Referred to the Board under Section 17.16.170.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Day Care Home

Map Parcel 09206037800

RESULT -

CASE 2019-349 (Council District - 30)

SAID ASMOR, appellant and **C & H NASHVILLE PARTNERS, LLC**, owner of the property located at **4898 NOLENSVILLE PIKE 1**, requesting a variance from street setback requirements in the CS District, to maintain an existing permitted carport. Referred to the Board under Section 17.12.030.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Auto Service

Map Parcel 14716019600

RESULT -

CASE 2019-350 (Council District - 3)

YARD, RANDY, appellant and owner of the property located at **4136 CREEK TRAIL DR**, requesting a variance from front setback requirements in the RS20 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 04105000100

RESULT -

CASE 2019-351 (Council District - 10)

RABIEI, MOJTABA, appellant and owner of the property located at **1306 GALLATIN PIKE**, requesting an Item A appeal challenging the zoning administrator's denial of permit for an automobile repair and used automobile sales facility in the CS District. Referred to the Board under Section 17.40.180. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Auto Sales and Service

Map Parcel 03413032900

RESULT -

CASE 2019-353 (Council District - 21)

NEW LEVEL COMMUNITY DEVELOPMENT CORPORATION, appellant and owner of the property located at **1822 CEPHAS ST**, 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. 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 08107041100

RESULT -

CASE 2019-354 (Council District - 16)

RABIEE, HAMID, appellant and owner of the property located at **2400 NOLENSVILLE PIKE**, requesting a variance from maximum fence height requirements in the CS District, to maintain an existing fence. Referred to the Board under Section 17.16.070 F.1. B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Auto Sales

Map Parcel 11905001000

RESULT –

CASE 2019-358 (Council District - 24)

ANDREW FORD, appellant and **MIKE FORD CUSTOM BUILDERS, LLC**, owner of the property located at **3530 RICHLAND AVE**, requesting a variance from sidewalk requirements in the RS7.5 District, to construct a single-family residence with an alternative sidewalk design. 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 10409009300

RESULT -

CASE 2019-365 (Council District - 16)

PARMAN, PHILLIP & DEBORAH L, appellants and owners of the property located at **87 VADEN DR**, requesting a variance from maximum building coverage for an accessory structure in the RS10 District, to construct a detached 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 13304003400

RESULT -

CASE 2019-366 (Council District - 20)

VANATTA, BRANDON EDWARD, appellant and owner of the property located at **716 CROLEY DR**, requesting a variance from front setback requirements in the R8 District, to construct a front porch on 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 09008014700

RESULT -

CASE 2019-367 (Council District - 17)

HEARINGTON, JEFFREY R & JOANNA G, appellant and owner of the property located at **1812 A & B BEECH AVE**, requesting a variance from roof pitch for accessory structure requirements in the R8 District, to construct a detached garage. Referred to the Board under Section 17.12.040.C.2. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 105100U00100CO

RESULT -

Map Parcel 105100U00200CO

CASE 2019-368 (Council District - 20)

JEREMY SEATON, appellant and **O.I.C. HOMES AT 625 RIES AVENUE**, owner of the property located at **625 C RIES AVE**, requesting a variance from minimum lot size requirements in the R8 District, to construct two single family residences 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-Two-Family

Map Parcel 091053C90000CO

RESULT -

CASE 2019-370 (Council District - 7)

BAKER DONELSON, appellant and **RIVERSIDE EAST DEVELOPMENT, LLC**, owner of the property located at **1527 RIVERSIDE DR**, requesting a special exception in the CL District, to construct a 14-unit multifamily development. Referred to the Board under Section 17.12.030.B and 17.12.035.A.D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 07215028100

RESULT -

CASE 2019-371 (Council District - 17)

BAKER DONELSON, appellant and **BE A HELPING HAND FOUNDATION**, owner of the property located at **1240 A THOMAS ST**, requesting a variance from lot size requirements in the R6 District, to construct two single family homes 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 105040L00100CO

RESULT -

CASE 2019-373 (Council District - 21)

REGAL HOMES, appellant and **WISMER, DAVID A., JR. & MARY ANNE IRREVOCABLE EXEMPT TRUST**, owner of the property located at **1609 COCKRILL ST**, requesting a variance from lot size requirements in the RS5 District, to construct a single-family residence. Referred to the Board under Section 17.40.640. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08115024700

RESULT -

CASE 2019-374 (Council District - 21)

REGAL HOMES, appellant and **WISMER, DAVID A., JR. & MARY ANNE IRREVOCABLE EXEMPT TRUST**, owner of the property located at **1605 COCKRILL ST**, requesting a variance from minimum lot size requirements in the RS5 District, to construct a single-family residence. Referred to the Board under Section 17.40.670. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08115024900

RESULT -

CASE 2019-375 (Council District - 6)

MICHAEL SOBIE, appellant and **MEDART PRODUCTION, LLC**, owner of the property located at **114 & 114 B LINDSLEY PARK DR.**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family residences on one parcel 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 083090I00100CO

RESULT -

Map Parcel 083090I00200CO

CASE 2019-376 (Council District - 21)

SOUTHEAST VENTURE, appellant and **BREAUX, DARRELL & LINDA**, owners of the property located at **3214 CHARLOTTE AVE**, requesting variances from setback and control plane requirements in the CS District, to construct a multi-family development. Referred to the Board under Section 17.12.020.C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 09209037800

RESULT -

CASE 2019-377 (Council District - 16)

Jonathan Buntin, appellant and owner of the property located at **324 ROSE ST** requesting variances from front, side, and rear setbacks in the RS5 District, to construct a single-family residence. Referred to the Board under Section 17.12.030.C.3, 17.40.670.A and 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11901014600

RESULT -

Map Parcel 11901014700

CASE 2019-380 (Council District - 17)

EBO PROPERTIES, GP appellant and owner of the property located at **559A HAMILTON AVE**, requesting a variance from parking location requirements in the R6-A District, to construct two single family homes. Referred to the Board under Section 17.12.020 Note 5.a.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 105073Q00100CO

RESULT -

CASE 2019-381 (Council District - 9)

265 E OLD HICKORY, LLC, appellant and owner of the property located at **265 OLD HICKORY BLVD E**, requesting a variance from sidewalk requirements in the RM20 District, to construct a multi-unit development 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-Multi Family

Map Parcel 04313001200

RESULT -

CASE 2019-382 (Council District - 32)

GF ENTERPRISE IV LLC, appellant and **TACO BELL OF AMERICA, LLC**, owner of the property located at **5315 HICKORY HOLLOW LN**, requesting a variance from sidewalk requirements in the SCR District, to conduct interior renovations to 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 16300024200

RESULT -

CASE 2019-383 (Council District - 28)

GF ENTERPRISE IV LLC, appellant and **TACO BELL OF AMERICA, LLC**, owner of the property located at **2541 MURFREESBORO PIKE**, requesting a variance from sidewalk requirements in the R15 District, to conduct interior renovations to 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 14900031400

RESULT -

CASE 2019-386 (Council District - 21)

ERIC JOHNSON, appellant and **KISS, L.P.**, owner of the property located at **1811 28TH AVE N**, requesting a variance from front setback requirements in the RS5 District, to construct a single-family residence. Referred to the Board under Section 17.12.030.C.3 and 17.20.030.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08100005600

RESULT -

CASE 2019-387 (Council District - 25)

GBT REALTY CORPORATION, appellant and **GTOM GH - 1, LLC**, owner of the property located at **3811 HILLSBORO PIKE**, requesting a variance from sidewalk requirements in the SCR District, to renovate an existing bank 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-SCR

Map Parcel 11714006600

RESULT -

CASE 2019-390 (Council District - 4)

TESLA, appellant and **TARGET CORPORATION**, owner of the property located at **780 OLD HICKORY BLVD**, requesting a variance from parking requirements in the CL District, to construct an electric vehicle charging station. Referred to the Board under Section 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Automobile Service

Map Parcel 16014002700

RESULT -

SHORT TERM RENTAL CASES

CASE 2019-118 (Council District - 27)

CODY LAFEVER, appellant and **LAFEVER, CODY & AUSTIN**, owners of the property located at **626 HUNTINGTON PKWY**, 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 R10 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 16110000700

CASE 2019-347 (Council District - 27)

NIELSON, PETER & SARA, appellants and owners of the property located at **582 WHISPERING HILLS DR**, 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 RS10 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 14711007900

RESULT -

CASE 2019-355 (Council District - 29)

GAULDEN, REYNOLD JR. & CASSANDRA, appellants and owners of the property located at **525 RURAL HILL RD**, 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 R10 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 13613003700

RESULT -

CASE 2019-361 (Council District - 23)

SAMUEL LEVINE, appellant and **LEVINE, SAMUEL BILLET REVOCABLE LIVING TRUST**, owner of the property located at **6205 VOSSWOOD DR**, requesting an Item A appeal challenging the zoning administrator's cancellation of an STRP permit because of a change in ownership in the RS40 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 11512004300

RESULT -

CASE 2019-362 (Council District - 19)

LLYA TOSHINSKIY, appellant and **WEST IRIS REALITY, LLC**, owner of the property located at **786 1ST AVE N**, 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 addition, the ownership of the property changed from the Hidden Gem to West Iris Realty, LLC 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 082140A13700CO

RESULT -