

DOCKET

9/19/2019

**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**

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

CASE 2019-085 (Council District - 19)

15th AND CHURCH EQUITY INVESTORS, appellant and owner of the property located at **1506 CHURCH ST 100**, requesting a variance from parking requirements to construct condominiums in the MUI-A District. 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 2019-300 (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 to construct an office building in the ORI-A District. 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 2019-315 (Council District - 8)

AZIZ DHANANI, appellant and **WESTFIELD MALL, LLC**, owner of the property located at **3041 DICKERSON PIKE**, requesting a variance from sidewalk requirements to construct an addition to a commercial building without building sidewalks or paying into the sidewalk fund in the CS District. 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 06008002000

RESULT -

CASE 2019-317 (Council District - 20)

DAVIDSON, BRIAN, appellant and owner of the property located at **6211 LARAMIE AVE**, requesting variances from setback and sidewalk requirements to construct two single family homes on one parcel without building sidewalks or paying into the sidewalk fund in the R8 District. 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 2019-350 (Council District - 3)

YARD, RANDY, appellant and owner of the property located at **4136 CREEK TRAIL DR**, requesting a variance from front setback requirements to construct a single-family residence in the RS20 District. 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 – Deferred 10/3/19

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 17.16.070 E and 17.16.070 F. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Auto Sales and Service

Map Parcel 03413032900

RESULT -

CASE 2019-376 (Council District - 21)

SOUTHEAST VENTURE, appellant and **BREAUX, DARRELL & LINDA**, owner of the property located at **3214 CHARLOTTE AVE**, requesting variances from setback and control plane requirements to construct a multi-family development in the CS District. 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-Multi-Family

Map Parcel 09209037800

RESULT -

CASE 2019-378 (Council District - 35)

MICHAEL, HOLLY L. appellant and owner of the property located at **804 ONSLOW WAY**, requesting a variance from rear setback requirements to cover an existing deck in the RS20 District. 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 141150D19500CO

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 to construct a multi-unit development without building sidewalks or paying into the sidewalk fund in the RM20 District. 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 2019-384 (Council District - 5)

CHENEY, GUY & RENITA, appellants and owners of the property located at **924 MCFERRIN AVE**, requesting variances from sidewalk, landscape buffer, and parking requirements to renovate an existing restaurant without building sidewalks or paying into the sidewalk fund in the MUN-A District. Referred to the Board under Section 17.20.030, 17.20.120, 17.24.230, and 17.24.240 C. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Restaurant

Map Parcel 08208010600

RESULT -

CASE 2019-388 (Council District - 10)

ANDY RALEY, appellant and **WASTE MANAGEMENT, INC. OF TENNESSEE**, owner of the property located at **630 MYATT DR**, requesting a variance from sidewalk requirements to conduct interior and exterior improvements to an existing facility without building sidewalks or paying into the sidewalk fund in the IR District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Recycling Facility

Map Parcel 03410012400

RESULT -

CASE 2019-393 (Council District - 25)

JOSHUA MALNOFSKI, appellant and **BENZ, NELSON P. & ARTHUR, GERALD Q.**, owners of the property located at **4422 SCENIC DR**, requesting a variance from front setback requirements to construct two single family homes on one parcel in the R20 District. 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 13112007300

RESULT –

CASE 2019-397 (Council District - 12)

NEW BEGINNINGS INTERNATIONAL MINISTRY, INC, appellant and owner of the property located at **4201 CENTRAL PIKE**, requesting a variance from sidewalk requirements to rehab an office building into a daycare facility without building sidewalks or paying into the sidewalk fund in the OR20 District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Day Care

Map Parcel 08700003202

RESULT -

CASE 2019-398 (Council District - 21)

SEAN ROBERGE, appellant and **AFFORDABLE HOUSING RESOURCES, INC**, owner of the property located at **1704 A 17TH AVE N**, requesting a variance from sidewalk requirements to construct a single-family residence without building sidewalks or paying into the sidewalk fund in the RS5 District. 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 08111025200

RESULT – Deferred 10/3/19

CASE 2019-399 (Council District - 21)

CHAD HARRIS, appellant and **WILSON, JOHN E**, owner of the property located at **1816 OWEN ST. & 1817 10TH AVE N**, requesting a variance from sidewalk requirements to construct two single family residences in the R6 District without building sidewalks and only paying into the sidewalk fund for the frontage along 10th Ave N. 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 081074Q00100CO

RESULT –

Map Parcel 081074Q00200CO

CASE 2019-400 (Council District - 16)

BRIAN STRINGER, appellant and owner of the property located at **3313 COLBY DR**, requesting a variance from front setback requirements to construct a porch on the front of the residence in the RS10 District. 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 13307001400

RESULT -

CASE 2019-401 (Council District - 17)

RANDY ARNOLD, appellant and **O.I.C. 1016 WEST GROVE AVENUE TOWNHOMES**, owner of the property located at **1016 C W GROVE AVE**, requesting a variance from sidewalk requirements to construct two single family residence without building sidewalks or paying into the sidewalk fund in the R8 District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-HPR

Map Parcel 105092J90000CO

RESULT -Deferred 11/7/2019

CASE 2019-403 (Council District - 17)

ORGANIZED NEIGHBORS OF EDGEHILL, appellant and **METRO GOV'T S ROSE PARK**, owner of the property located at **1025 9TH AVE S**, requesting an Item A appeal challenging the issuance of permit **2019012290** in the RM20 District. Referred to the Board under Section 17.80.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Commercial

Map Parcel 10502017100

RESULT – Deferred 10/3/19

CASE 2019-404 (Council District - 1)

HELENE HARVEY, appellant and **BROWN, KENNETH M. & KAREN R.**, owners of the property located at **4341 PECAN VALLEY RD**, requesting a Special Exception to offer daycare services and a variance to operate within existing structure in the AR2A District, to open a day care facility. Referred to the Board under Section 17.16.040 A.8. A. and 17.16.035 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B and D.

Use-Day Care

Map Parcel 05600002400

RESULT – Deferred 10/17/19

CASE 2019-405 (Council District - 17)

DUANE CUTHBERTSON, appellant and **ROUDI, ROD & HELEN ADELMAN**, owners of the property located at **1104 PARIS AVE**, requesting a variance from minimum lot size requirements to construct a detached accessory dwelling in the R8 District. 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-Residential

Map Parcel 11801015800

RESULT -

CASE 2019-408 (Council District - 25)

TUNE ENTREKIN & WHITE, PC, appellant and **LAMININ HOLDINGS-TENNESSEE, LLC**, owner of the property located at **1610 GRAYBAR LN**, requesting a variance from street setback requirements to construct a single-family residence in the RS40 District. Referred to the Board under Section 17.12.030 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Residential

Map Parcel 11711004900

RESULT –

CASE 2019-409 (Council District - 20)

DUANE CUTHBERTSON, appellant and **5915 ROBERTSON, LLC**, owner of the property located at **5915 ROBERTSON AVE**, requesting a variance from landscape buffer requirements for mixed use development in the CS District. Referred to the Board under Section 17.24.230. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed Use

Map Parcel 09109011300

RESULT -

CASE 2019-410 (Council District - 6)

WALL, LAURA A., appellant and owner of the property located at **709 WILSONWOOD PL**, requesting a variance from rear setback requirements to construct an addition to the rear of a residence in the R6 District. 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 08307016400

RESULT -

CASE 2019-412 (Council District - 7)

BRYAN VELER appellant and **MICHAELS, PATRICK & KLAVER, JACQUELINE M.**, owners of the property located at **4122 MOSS ROSE DR**, requesting a variance from rear setback requirements for an addition to a residence in the RS20 District. 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 06213009400

RESULT -

CASE 2019-413 (Council District - 19)

TONY WOODHAM, appellant and **WCO ELM HILL FLATS, LLC**, owner of the property located at **825 ELM HILL PIKE**, requesting a variance from sidewalk requirements to construct an apartment complex without building sidewalks or paying the into the sidewalk fund in the CS District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Apartments

Map Parcel 10601016800

RESULT –

CASE 2019-414 (Council District - 20)

JEFF HOOPER, appellant and **T. C. SUMMERS, INC.**, owner of the property located at **6400 CHARLOTTE PIKE**, requesting a variance from sidewalk requirements to make renovations to an existing restaurant without building sidewalks or paying into the sidewalk fund in the CS District. 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 10301013100

RESULT –

CASE 2019-415 (Council District - 21)

JAY FULMER, appellant and **1900 WARNER PARTNERS, LLC**, owner of the property located at **627 19TH AVE N**, requesting a variance from rear setback requirements to construct a medical office building in the IR District. 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-Medical Office

Map Parcel 09207033400

RESULT – Deferred 10/17/19

CASE 2019-416 (Council District - 9)

RICHARD OGURA, appellant and **ANDERSON, RAYMOND W., JR. & JOY C.**, owners of the property located at **105 EAGAN CIR**, requesting a special exception to permit an animal daycare with overnight stay in the CS District. Referred to the Board under Section 17.40.290. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Kennel

Map Parcel 04316001600

RESULT - Withdrawn

CASE 2019-417 (Council District - 20)

GREEN, KEVIN, appellant and owner of the property located at **905 & 907 54TH AVE N**, requesting a variance from street setback requirements to construct two single family residences on one lot in the R6 District. Referred to the Board under Section 17.40.180 C.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 091110Y00100CO

RESULT -

Map Parcel 091110Y00200CO

CASE 2019-418 (Council District - 17)

ROB CUSHMAN, appellant and **O.I.C. 151 RAINS AVENUE TOWNHOMES**, owner of the property located at **151 C RAINS AVE**, requesting a variance from sidewalk requirements to construct two single family residences without building sidewalks but instead paying into the sidewalk fund in the R6A District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-HPR

Map Parcel 105112H90000CO

RESULT -

CASE 2019-419 (Council District - 17)

ROB CUSHMAN, appellant and **WRIGHT, CLINT**, owner of the property located at **149 RAINS AVE**, requesting a variance from sidewalk requirements to construct two single family residences without building sidewalks but instead paying into the sidewalk fund in the R6A District. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Singe Family

Map Parcel 10511003100

RESULT –

SHORT TERM RENTAL CASES

CASE 2019-319 (Council District - 33)

FANOUS, GEORGE NAZIR, appellant and owner of the property located at **3425 TOWNE VILLAGE 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 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 A.

Use-Short Term Rental

Map Parcel 15007049100

RESULT -

CASE 2019-361 (Council District - 23)

SAMUEL LEVINE, appellant and **LEVINE, SAMUEL BILLET REVOCABLE LIVING TRUST, THE**, owner of the property located at **6205 VOSSWOOD DR**, requesting an Item A appeal challenging the zoning administrator's cancellation of an STRP permit due to 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 A.

Use-Short Term Rental

Map Parcel 11512004300

RESULT -

CASE 2019-402 (Council District - 21)

ABUQAYAS, MOHAMMED, appellant and owner of the property located at **1525 12TH AVE N**, 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 A.

Use-Short Term Rental

Map Parcel 08112018700

RESULT -