

DOCKET

10/3/2019

**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 2019-365 (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 2019-350 (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 -

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 restrictions 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 2019-388 (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 in the IR District, to conduct interior and exterior improvements to an existing facility 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-Recycling Facility

Map Parcel 03410012400

RESULT -

CASE 2019-389 (Council District - 12)

TREY PALMER, appellant and **FLAVIN, SANDRA E. & WEBB, KIMLEY**, owners of the property located at **1924 WELSENBORO CIR**, requesting a variance from rear setback requirements in the RS15 District, to construct a covered deck. 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 08608007600

RESULT -

CASE 2019-393 (Council District - 25)

JOSHUA MALNOFSKI, appellant and **BENZ, NELSON P. & ARTHUR, GERALD Q.**, owner of the property located at **4422 SCENIC DR**, requesting a variance from front setback requirements in the R20 District, to construct two single family homes on one parcel. Referred to the Board under Section 17.12.020A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 13112007300

RESULT -

CASE 2019-396 (Council District - 17)

BUCK SNYDER, appellant and **RUFF, WILLIAM & DAWN**, owners of the property located at **1224 VILLA PL**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single-family residence without building sidewalks or paying into 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 10505000500

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 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 08111025200

RESULT –

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 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 -

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 2019-420 (Council District - 25)

STEPHANIE WOOD, appellant and **7-ELEVEN, INC**, owner of the property located at **3815 HILLSBORO PIKE**, requesting a variance from sidewalk requirements in the SCR District, to replace the existing tanks, lines and dispenser 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 Rehab

Map Parcel 11714006400

RESULT -

CASE 2019-422 (Council District - 11)

BVC OAKWOOD COMMONS, LLC, appellant and owner of the property located at **4730 LEBANON PIKE**, requesting a variance from sidewalk requirements in the R10 District, to make 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-Commercial Rehab

Map Parcel 06416005900

RESULT -

CASE 2019-423 (Council District - 21)

DOREN JENKINS, appellant and **O.I.C. 19TH AVENUE NORTH ESTATES TOWNHOM**, owner of the property located at **816 E 19TH AVE N**, requesting a variance from sidewalk requirements in the MUL-A District, to construct four townhomes 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-Townhomes

Map Parcel 092070H90000CO

RESULT -

CASE 2019-427 (Council District - 17)

EDDIE LATIMER, appellant and **METRO GOV'T BT BACK TAX SALE**, owner of the property located at **43 WHARF AVE**, requesting variances from side setback, parking and lot size requirements in the R6 District, to construct two single family residences. Referred to the Board under Section 17.12.020 A, 17.40.670 A, 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10503013200

RESULT -

CASE 2019-429 (Council District - 19)

JOSEPH MARTIN, appellant and **TTD BUILDERS, LLC**, owner of the property located at **82 FAIN ST**, requesting a variance from rear setback and sidewalk requirements in the R6-A District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.020 A & 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09316012100

RESULT -

CASE 2019-430 (Council District - 24)

L & L MARKET PLACE, LLC, appellant and owner of the property located at **3826 CHARLOTTE AVE**, requesting a variance from sidewalk requirements in the IR District, to make interior renovations to an existing 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 09209016300

RESULT -

CASE 2019-433 (Council District - 20)

BRIAN RICHARDSON, appellant and **O.I.C. HOMES AT 5213 ILLINOIS AVENUE**, owner of the property located at **5213 C ILLINOIS AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family residences without building sidewalks, and instead paying into the sidewalk fund for a portion of the lot frontage. 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 091111C90000CO

RESULT -

CASE 2019-435 (Council District - 2)

BELL GROUP, LLC, appellant and owner of the property located at **430 HAYNIE AVE**, requesting a variance from sidewalk requirements in the IWD District, to construct a warehouse 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-Warehouse

Map Parcel 06013003700

RESULT -

CASE 2019-437 (Council District - 24)

BOZEMAN SIGN COMPANY appellant and **WEST, LINDA DELLWEN SMITH**, owner of the property located at **5304 CHARLOTTE AVE**, requesting a variance from height requirements in the CS District, to extend a sign above the parapet. Referred to the Board under Section 17.32.070 D.3. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Sign

Map Parcel 09115000800

RESULT -

CASE 2019-438 (Council District - 17)

TOMMY & KRISTI MCDOUGAL, appellant and **WARNER, TREGLOWN PATTON**, owner of the property located at **901 12TH AVE S**, requesting a variance from sidewalk requirements in the CS District, to convert an existing building into a restaurant and to build sidewalks in compliance with the Planning Department's recommendation for this property on a previous BZA case 2019-191. 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 10501008900

RESULT -

CASE 2019-441 (Council District - 35)

BILLINGSLEY, CHANDRA D & ADAMS, JAMES J, appellants and owners of property located at **4483 HEATH RD**, requesting a special exception in the AR2A District, to operate a rural bed and breakfast homestay. Referred to the Board under Section 17.08.030 D & 17.16.160 A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Rural Bed and Breakfast Homestay

Map Parcel 12600012700

RESULT -

CASE 2019-442 (Council District - 8)

ANDREW WOTHERS, appellant and **BATES, JOE W. & JANIE T.**, owners of the property located at **602 CREATIVE WAY**, requesting a variance from parking requirements in the RM20-A District, to construct a 184-unit apartment complex. Referred to the Board under Section. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Apartment Complex

Map Parcel 05100005900

RESULT -

CASE 2019-443 (Council District - 17)

CATALYST DESIGN GROUP, appellant and **LVH, LLC**, owner of the property located at **0 NOLENSVILLE PIKE**, requesting a special exception for height encroachment in the CS District, to construct a multifamily development. Referred to the Board under Section 17.16.030 F. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 10516017600

RESULT -

CASE 2019-444 (Council District - 24)

LAIRD, DAVID & HEEJUNG, appellants and owners of the property located at **101 48TH AVE N**, requesting variances from front and rear setback requirements and sidewalk requirements in the RS7.5 District, to construct a new single-family residence using the existing footprint and adding 900 square feet without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.020 A. & 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10303026300

RESULT -

CASE 2019-446 (Council District - 12)

CULBREATH, DANIEL & MELANIE, appellants and owners of the property located at **2804 LAKESIDE MEADOWS CIR**, requesting a variance from rear setback requirements in the RS15 District, to build a covered deck onto the rear of a residence. Referred to the Board under Section 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 110030A12400CO

RESULT -

CASE 2019-448 (Council District - 20)

SEGAL, MATTHEW & TARA WORTHEY, appellants and owners of property located at **5501 A NEW YORK AVE**, requesting a special exception in the MUN District, to construct two additional residential units. Referred to the Board under Section 17.12.035 D.1. The appellant alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multifamily Residential

Map Parcel 09102029800

RESULT -

SHORT TERM RENTAL CASES

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 B.

Use-Short Term Rental

Map Parcel 08112018700

RESULT -

CASE 2019-428 (Council District - 7)

CRESSMAN, JONATHAN K., appellant and owner of the property located at **311 MCKENNEL DR**, 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 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 08304024700

RESULT -

CASE 2019-431 (Council District - 6)

JENKINS, JASON & NIEHOFF, MATTHEW, appellants and owners of the property located at **1403 RUSSELL ST**, requesting 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 R6 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 08313027400

RESULT -

CASE 2019-434 (Council District - 5)

RYAN, AUTUMN N., appellant and owner of the property located at **998 MCFERRIN 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 R5 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 08204042100

RESULT -