

D O C K E T

11/7/2019

1:00 P.M.

**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
MS. ALMA SANFORD
MR. DAVID TAYLOR, Chairman
MR. TOM LAWLESS**

PREVIOUSLY HEARD CASES REQUIRING BOARD ACTION

Case 458 (915 RAMSEY ST) variance from height plane restrictions in the RM20 District to construct a multi-family unit. Previously heard on 10/17/19, failed to receive four affirmative votes.

Results-

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 Indefinitely

CASE 2019-312 (Council District - 21)

WALREENS INC., appellant and **BULL, MAURICE P., III & DONALD L.**, owners of the property located at **309 22ND AVE N**, requesting a special exception from sidewalk requirements in the MUG-A District, to renovate the interior of an existing retail store without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Retail

Map Parcel 09211026000

Results-

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 has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 09209037800

Results- Deferred Indefinitely

CASE 2019-391 (Council District - 17)

JAY MIKOLINSKI, appellant and **D & M DEVELOPMENT, LLC**, owner of the property located at **1001 & 1003 SOUTH ST**, requesting a variance from sidewalk requirements in the R6 District, to construct two single family residences on one parcel with an alternative sidewalk plan. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 105011P00100CO

Results-

Map Parcel 105011P00200CO

CASE 2019-394 (Council District - 17)

BRITT DEVELOPMENT, appellant and **O.I.C. HOMES AT 928 MONTROSE AVENUE**, owner of the property located at **928 B MONTROSE AVE**, requesting a variance from sidewalk requirements in the R8 District, to construct two single-family residences without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 118012H90000CO

Results-

CASE 2019-395 (Council District - 17)

BRITT DEVELOPMENT, appellant and **O.I.C. HOMES AT 929 MONTROSE AVENUE**, owner of the property located at **2602 B 10TH AVE S**, requesting a variance from sidewalk requirements in the R8 District, to construct two single-family residences without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 118012I90000CO

Results-

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 in the R8 District, to construct two single family residences without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-HPR

Map Parcel 105092J90000CO

Results-

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 special exception to reduce the rear setback requirements as well as a variance from the parking location and front façade requirements in the CS-A District, to construct a medical office building. Referred to the Board under Sections 17.12.035 D, 17.12.020 D Note 3.d, and 17.12.020 D Note 3.h. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B and C.

Use-Medical Office

Map Parcel 09207033400

Results-

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 has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial Rehab

Map Parcel 06416005900

Results- Deferred 11/21/19

CASE 2019-426 (Council District - 17)

EDDIE LATIMER, appellant and **METRO GOV'T BT BACK TAX SALE**, owner of the property located at **41 WHARF AVE**, requesting variances from parking, side setback 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, and 17.20.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Residential

Map Parcel 10503013300

Results-

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 residences. Referred to the Board under Section 17.12.020 A, 17.40.670 A, and 17.20.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 10503013200

Results-

CASE 2019-439 (Council District - 19)

JASON LINCOLN, appellant and **MEHTA, ANMOL P.**, owner of the property located at **1004 14TH AVE S**, requesting a variance from sidewalk requirements in the R6-A District, to construct two single family residences without building sidewalks but instead paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 105011000100CO

Results-

CASE 2019-445 (Council District - 30)

JUSTIN PRITCHETT, appellant and **PARK, ILL H. & NA, KEUM S.**, owner of the property located at **4736 NOLENSVILLE PIKE**, requesting a variance from sidewalk requirements in the CS District, to renovate a restaurant without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Restaurant

Map Parcel 14712008400

Results- Deferred 11/21/19

CASE 2019-448 (Council District - 20)

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

Use-Multifamily Residential

Map Parcel 09102029800

Results-

CASE 2019-461 (Council District - 20)

DUANE CUTHERBERTSON, appellant and **CANNONBALL PROPERTY, LLC**, owner of the property located at **5101 KENTUCKY AVE**, requesting a Special Exception and a variance from distance requirements in the CS District, to obtain a permit for a kennel. Referred to the Board under Section 17.16.175. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Kennel

Map Parcel 09107022800

Results-

CASE 2019-469 (Council District - 7)

Bruce Little, appellant and **O.I.C. HOMES AT LITTON AVENUE**, owner of the property located at **1301 C LITTON AVE**, requesting a variance from sidewalk requirements in the R6 District, to permit two single family residences 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 072102I90000CO

Results-

CASE 2019-470 (Council District - 30)

KASM KEP, appellant and **NIANG, CIANG L**, owner of the property located at **248 TUSCULUM RD**, requesting a Special Exception in the R10 District, to convert an existing residence into a religious institution. Referred to the Board under Section 17.16.170 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 16200000200

Results-

CASE 2019-473 (Council District - 6)

GROSCH, KEVIN & JESSICA, appellant and owner of the property located at **1006 OZARK ST**, requesting a variance from front setback requirements in the RS District, to construct an addition to a single-family residence. Referred to the Board under Section 17.12.030 C.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09308004900

Results-

CASE 2019-474 (Council District - 20)

BAKER DONELSON, appellant and **5916 MORROW HOLDING CO., LLC**, owner of the property located at **1200 60TH AVE N 101**, requesting a variance from landscape buffer requirements in the MUN-A District, to construct a mixed-use building. Referred to the Board under Section 17.24.240 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed-Use

Map Parcel 09106002300

Results-

CASE 2019-475 (Council District - 2)

GAMBLE DESIGN COLLABORATIVE, appellant and **ATHENS WAY NASHVILLE, LLC**, owner of the property located at **101 ATHENS WAY**, requesting a variance from landscape buffer requirements in the MUG District, to construct a multi-family development. Referred to the Board under Section 17.24.240 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mixed-Use

Map Parcel 07012001100

Results-

SHORT TERM RENTAL CASES

CASE 2019-392 (Council District - 18)

SUAREZ, ASHLEIGH MARIE, appellant and owner of the property located at **1512 PARIS AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the R8 District. Appellant operated after the issued STRP permit expired. Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 11704040900

Results-

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 in the R5 District. Appellant operated after the issued STRP permit expired. Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 08204042100

Results-

CASE 2019-467 (Council District - 19)

COAKER TRAVELS, appellant and **SUDEKUM, L.P.**, owner of the property located at **4141 WOODLAWN DR #44**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the RM6 District. Appellant operated after the issued STRP permit expired. Referred to the Board under Section 17.16.250.E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 10315003700

Results-

CASE 2019-468 (Council District - 25)

OCCHIPINTI, T. J. & WIGLE, ANNE E., appellants and owners of the property located at **3420 HOPKINS ST**, requesting an Item A appeal challenging the zoning administrator's denial of a short-term rental permit in the R20 District. The appellant operated after the permit expired. Referred to the Board under Section 17.16.250.E. The appellant has alleged the Board will have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 11707011500

Results-

CASE 2019-471 (Council District - 19)

SHERYL MARSELLA, appellant and owner of the property located at **1812 B 6th Ave N**, requesting an Item A appeal challenging the zoning administrator's denial of a short term rental permit in the R6-A District. The appellant operated after the permit expired. Referred to the Board under Section 17.16.250. E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 081082T00200CO

Results-