

DOCKET

1/16/2020

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

CASE 2019-304 (Council District - 11)

NEKELA, WAGDY WALLIAM, appellant and owner of the property located at **2405 ELLIOTT DR**, requesting a variance from side setback requirements in the RS5 District, to construct a porch on the side of a house. 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-Porch

Map Parcel 05308006800

RESULT -

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 Special Exception to open a day care facility and a variance to operate within an existing structure not previously permitted as a community education facility in the AR2A District. Referred to the Board under Sections 17.16.040.A.8.a. and 17.16.035.A. The appellant alleged the Board would have jurisdiction under Sections 17.40.180.B and C.

Use-Day Care

Map Parcel 05600002400

RESULT - Withdrawn

CASE 2019-478 (Council District - 1)

COCHRUM, ROBERT G, appellant and owner of the property located at **650 PUTNAM DR**, requesting a variance from front street setback requirements in the RS15 District, to construct a porch on an existing single-family residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Single Family

Map Parcel 05811019500

RESULT -

CASE 2019-495 (Council District - 2)

BARRY CLEVELAND, appellant and **PATEL, KALPESH R & GOPAL, DIVYESH R & ET AL**, owners of the property located at **261 FRENCH LANDING DR**, requesting a variance from height restrictions in the MUG District, to construct a hotel. 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-Hotel

Map Parcel 07016003300

RESULT -

CASE 2019-496 (Council District - 6)

NASHVILLE FIRST CHURCH OF NAZARENE, INC, appellant and owner of the property located at **510 WOODLAND ST**, requesting a variance to install an LED message board in the OR20, CS, RM20 District. Referred to the Board under Section 17.32.050.H.2. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Religious Institution

Map Parcel 08215018400

RESULT -

CASE 2019-506 (Council District - 25)

MICHAEL SHEARS, appellant and **KMS PROPERTIES, LLC**, owner of the property located at **2048 CASTLEMAN DR**, requesting a variance from front setback requirements in the R15 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 13102015300

RESULT -

CASE 2019-508 (Council District - 19)

CHRISTMON, HATTIE(LE) & CARRETHEERS, ALISHA, appellants and owners of the property located at **1314 HAWKINS ST**, requesting a variance from minimum lot size requirements in the R6-A District, to construct two single family residences. Referred to the Board under Sections 17.12.020.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Single Family

Map Parcel 09313054000

RESULT – Deferred indefinitely

CASE 2019-511 (Council District - 5)

FRANK NEAL, appellant and **ITH, LP**, owner of the property located at **1220 N 5TH ST**, requesting a variance from setback requirements in the RM20-A District, to construct a multi-family development. 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-Multi Family

Map Parcel 07116017700

RESULT -

CASE 2020-001 (Council District - 21)

KENNETH DAVIS, appellant and **DE BERRY, HERMAN A. JR. ET UX**, owner of the property located at **1914 10TH AVE N**, requesting a variance from minimum lot size requirements in the R6 District, to construct a 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.A.

Use-Single Family

Map Parcel 08107048600

RESULT -

CASE 2020-002 (Council District - 7)

RICHARD PERCEFULL, appellant and **HOME DESIGN, INC.**, owner of the property located at **2108 MARTHA AVE & 2110 MARTHA AVE**, requesting a variance from setback requirements in the R6 District, to construct a single-family residence. 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-Single Family

Map Parcel 072112H00100CO

RESULT -

Map Parcel 07211048600

Map Parcel 072112H00200CO

CASE 2020-006 (Council District - 17)

1618 HOLDINGS, LLC, appellant and owner of the property located at **1618 17TH AVE S**, requesting a variance from sidewalk requirements in the OR20 District, to construct a boarding house without building sidewalks but instead replacing the existing sidewalk with a new sidewalk in the same location. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Boarding House

Map Parcel 10408031000

RESULT -

CASE 2020-007 (Council District - 24)

BAKER DONELSON, appellant and **CIARA PROPERTIES**, owner of the property located at **234 ORLANDO AVE**, requesting a variance from street setback requirements in the R6 District, to construct a new two-family residence. Referred to the Board under Section 17.12.020.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Two-Family

Map Parcel 09114020300

RESULT – Deferred 2/6/20

CASE 2020-008 (Council District - 31)

VILLAGE UMC, appellant and **BRENTWOOD UNITED METHODIST**, owner of the property located at **7236 OLD BURKITT RD**, requesting a variance from the 30-day limitation on temporary signage in the AR2A District, to install and maintain a two-sided sign until the completion of the church construction. Referred to the Board under Section 17.32.060.C.2.b. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Religious Institution

Map Parcel 18600000300

RESULT -

CASE 2020-009 (Council District - 18)

TAYLOR RIFE, appellant and **CHRIST THE KING CATHOLIC CHURCH**, owner of the property located at **3105 BELMONT BLVD**, requesting a variance from sign requirements in the R8 District, to install an LED message board. Referred to the Board under Section 17.35.050 G. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Sign

Map Parcel 11708006600

RESULT -

CASE 2020-010 (Council District - 25)

APRIL D. & MATTHEW R, appellants and owners of the property located at **800 LEALAND CT**, requesting a variance from street setback requirements in the RS10 District, to construct an addition to a single-family residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Single Family

Map Parcel 132010C01000CO

RESULT -

CASE 2020-011 (Council District - 17)

MATT ROTANDO, appellant and **ONUFREY, NICOLE SUZANNE & ROTONDO, MATTHEW SEAN**, owners of the property located at **902 WALDKIRCH AVE**, requesting a variance from lot size requirements in the R8 District, to convert a garage into a detached accessory dwelling unit. 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 10513036000

RESULT -

CASE 2020-016 (Council District - 1)

POWELL, CHARLES R. ET UX, appellant and owner of the property located at **3559 OLD CLARKSVILLE PIKE**, requesting an item D appeal in the R40 District, to construct additions to rear and front of a residence on a legally nonconforming structure. Referred to the Board under Section 17.12.020.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180.D.

Use-Single Family

Map Parcel 02200006300

RESULT -

CASE 2020-017 (Council District - 18)

ALLEN PERRY, appellant and **HARDING, RENA & WARD, LANA K. ET AL**, owners of the property located at **1704 BERNARD AVE**, requesting a variance from minimum lot size requirements in the R8 District, to construct two single family homes. Referred to the Board under Section 17.12.120.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180B.

Use-Two-Family

Map Parcel 10412027100

RESULT -

CASE 2020-018 (Council District - 7)

GREENE, CELESTE & JOSEPH, appellants and owners of the property located at **4615 MEDORA ST**, requesting a variance from height requirements in the RS20 District, to construct an addition to a carport. Referred to the Board under Section 17.12.060.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Single Family

Map Parcel 06108013900

RESULT -

CASE 2020-019 (Council District - 24)

LANDON DEVELOPMENT GROUP, LLC, appellant and owner of the property located at **5813 VINE RIDGE DR**, requesting a variance from sidewalk requirements in the RS40 District, to construct a single-family residence without building sidewalks but instead 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 Residence

Map Parcel 10309009900

RESULT -

CASE 2020-020 (Council District - 21)

PRESLEY, WILLIAM, appellant and owner of the property located at **1635 12TH AVE N**, requesting a variance from street setback requirements in the RS5 District, to construct a single-family residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Single Family

Map Parcel 08111053900

RESULT -

CASE 2020-021 (Council District - 17)

SCOTT STEPHENS, appellant and **STEPHENS, MALEAH D.**, owner of the property located at **2411 VAULX LN**, requesting variances from minimum lot size, height, and roof pitch requirements in the R10 District, to construct a detached accessory dwelling unit. Referred to the Board under Sections 17.16.030.G.2, 17.16.030.G.7.e, 17.16.030.G.8.a and 17.04.060. The appellant alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Detached Accessory Dwelling Unit

Map Parcel 11801039500

RESULT -

SHORT TERM RENTAL CASES

CASE 2019-497 (Council District - 21)

VIRGINIA DAVIS, appellant and **TEAM 9 REAL ESTATE SOLUTION**, owner of the property located at **808 LENA ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after the permit expired in the RS5 District. Referred to the Board under Section 17.16.070.U. The appellant alleged the Board would have jurisdiction under Section 17.40.180.A.

Use-Short Term Rental

Map Parcel 09206043800

RESULT -

CASE 2020-012 (Council District - 19)

UPADHYAYA, VIJAY K., appellant and owner of the property located at **219 5TH AVE N SUITE 302 & 303**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after the permit expired 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 09306103600

RESULT -

Map Parcel 09306103600

CASE 2020-013 (Council District - 17)

BARKLEY, CHRISTOPHER A. & SALLY A., appellant and owner of the property located at **39 N HILL ST**, 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 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 10504016500

RESULT –

CASE 2020-014 (Council District - 21)

RICKY YOUNG, appellant and **1818, LLC**, owner of the property located at **1818 CHURCH ST SUIT 102 & 109**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after STRP permit expired in the MUI-A District. Referred to the Board under Section 17.16.070 U. The appellant alleged the Board would have jurisdiction under Section 17.40.180.A.

Use-Short Term Rental

Map Parcel 09212029200

RESULT -

Map Parcel 09212029200

CASE 2020-015 (Council District - 17)

TIM NEIMAN, appellant and **UNDER THE NEIMAN TRUST**, owner of the property located at **1123 SUMMIT AVE**, requesting an Item A appeal, challenging the zoning administrator's cancellation of an existing STRP permit due to an ownership change in the RM20 District. Referred to the Board under Section 17.16.070 U. The appellant alleged the Board would have jurisdiction under Section 17.40.180.A.

Use-Short Term Rental

Map Parcel 105050Z00800CO

RESULT -