

**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**

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

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**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 -**

**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 5<sup>TH</sup> 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 -**

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Wagby NeKela  
Property Owner: "  
Representative: "

Date: 5/20/19  
Case #: 2019-304  
Map & Parcel: 05308006800

Council District 11

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT 6 1/2 x 15 FT  
GREEN PORCH ON SIDE OF  
SINGLE FAMILY RESIDENCE  
APP 2019029405

Activity Type: RES. CONST

Location: 2405 ELLIOTT AVE

This property is in the RSS Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: SIDE SETBACK VARIANCE

Section(s): 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Wagdy W Nekela  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

2405 ELLIOTT D  
Address

\_\_\_\_\_  
Address

Old Hickory, TN 37138  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615 525 4693  
Phone Number

\_\_\_\_\_  
Phone Number

wagdynekelad@comcast.net  
Email

\_\_\_\_\_  
Email

Zoning Examiner: LB

\_\_\_\_\_  
Appeal Fee:



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3671740

**ZONING BOARD APPEAL / CAAZ - 20190029443**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 05308006800**APPLICATION DATE:** 05/20/2019**SITE ADDRESS:**

2405 ELLIOTT DR OLD HICKORY, TN 37138  
LOT 7 BLK 10 DABBS AND ELLIOTT SUB

**PARCEL OWNER:** NEKELA, WAGDY WALLIAM**CONTRACTOR:****APPLICANT:****PURPOSE:**

Variance to 17.12.020A

BZA Appeal requesting 1 ft side setback , 5 ft required along side alley. .Rejected Site Pan, does not meet 5 ft side setback.

Self Permit, constructed without a Permit in 2018.

To construct a 6 1/2 ft x 15 screen porch on side of existing single family residence. Minimum 5 ft side and 20 ft rear setbacks.

Permit App 2019029405

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3671708

**APPLICATION FOR BUILDING RESIDENTIAL - ADDITION / CARA - T2019029405  
THIS IS NOT A PERMIT**

PARCEL: 05308006800

APPLICATION DATE: 05/20/2019

**SITE ADDRESS:**

2405 ELLIOTT DR OLD HICKORY, TN 37138  
LOT 7 BLK 10 DABBS AND ELLIOTT SUB

PARCEL OWNER: NEKELA, WAGDY WALLIAM

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Wagdy Nekala 615-525-4693

**PURPOSE:**

BZA Appeal requesting 1 ft side setback , 5 ft required along side alley. .Rejected Site Pan, does not meet 5 ft side setback.

Self Permit, constructed without a Permit in 2018.

To construct a 6 1/2 ft x 15 screen porch on side of existing single family residence. Minimum 5 ft side and 20 ft rear setbacks. 1. Acknowledges applying for this self building permit in own name, & will act as own contractor accepting full responsibility for code compliance, for hiring & employing individuals & has ultimate responsibility for my own work & for the work of others. Acting as my own general contractor, I further understand that I may forfeit certain protections, which might be available to me through the State of Tenn general contractor's licensing process. I further acknowledge that as a self building permit holder I am responsible for requesting all required inspections & completing all authorized work in compliance with applicable adopted codes. I further understand that separate permits are required for any proposed electrical, plumbing, & gas/mechanical work and is not part of this building permit....

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Site Plan Review		
[A] Zoning Review		
[B] Fire Life Safety Review On Bldg App		862-5230
[G] Bond & License Review On Bldg App		
[F] Solid Waste Review On Bldg App		862-8782
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

## NOTICE TO CORRECT VIOLATION

Aviso Para Corregir la Violación

**Date of Notice:** 05/13/2019

**Case Number:** 19-1202792

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING - 3rd Floor  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

**Property Owner:**

NEKELA, WAGDY WALLIAM  
2405 ELLIOTT DR  
OLD HICKORY TN 37138

MAILING ADDRESS

P. O. Box 196300  
NASHVILLE, TENNESSEE 37219  
TELEPHONE (615) 862-6590  
EN ESPAÑOL (615) 862-4078  
FACSIMILE (615) 862-6593

**Map/Parcel Number:** 05308006800

**Location of Violation:** 2405 ELLIOTT DR

You are hereby notified as owner, occupant or agent in control of the above referenced property, that the following conditions about said premises are a violation of the Metropolitan Code Section(s).

**VIOLATION(S):**

- 1) Section 16.28.010 - Building Permit Required: A permit must be obtained by every person desiring to construct, alter, repair, enlarge, move or demolish any building or structure or part thereof.  
CAAB\_BLDG\_PERMIT

Therefore, you are to have the violation or cause removed and/or corrected before: May 24, 2019

If you have any questions, believe this notice has been issued to you in error, or believe the code section indicated above is inapplicable and you are not in violation, please contact our office immediately to discuss this matter.

Said Section of the Code of the Metropolitan Government of Nashville and Davidson County, Tennessee, as referenced above, provides that the cited violation must be abated within the time set out; and that, upon failure to abate said violation; the Department of Codes Administration is empowered to prosecute the owner, occupant, or agent for failure to abate the violation.

The Metropolitan Code provides for a penalty for anyone convicted of violating the laws of the Metropolitan Government of up to Fifty (\$50.00) Dollars for each offense and each day it continues Section 1.01.030. **Note: In addition you will be held responsible for the payment of all court costs incurred with the processing of the court case regardless of whether or not the property is brought into compliance by the court date.**

**Notice Issued by:** Scotty Brown



# METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

**NOTICE TO CORRECT VIOLATION**

Aviso Para Corregir la Violacion

**Date of Notice:** 05/13/2019  
**Case Number:** 19-1202792

DEPARTMENT OF CODES &amp; BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING - 3rd Floor  
 800 SECOND AVENUE, SOUTH  
 NASHVILLE, TENNESSEE 37210

**Property Owner:**

NEKELA, WAGDY WALLIAM  
 2405 ELLIOTT DR  
 OLD HICKORY TN 37138

MAILING ADDRESS

P. O. Box 196300  
 NASHVILLE, TENNESSEE 37219  
 TELEPHONE (615) 862-6590  
 EN ESPAÑOL (615) 862-4078  
 FACSIMILE (615) 862-6593

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Notice Issued by: Scotty Brown

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case.** The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### **METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Wagdy W. Nekela  
**APPELLANT**

05 20 19  
**DATE**



## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

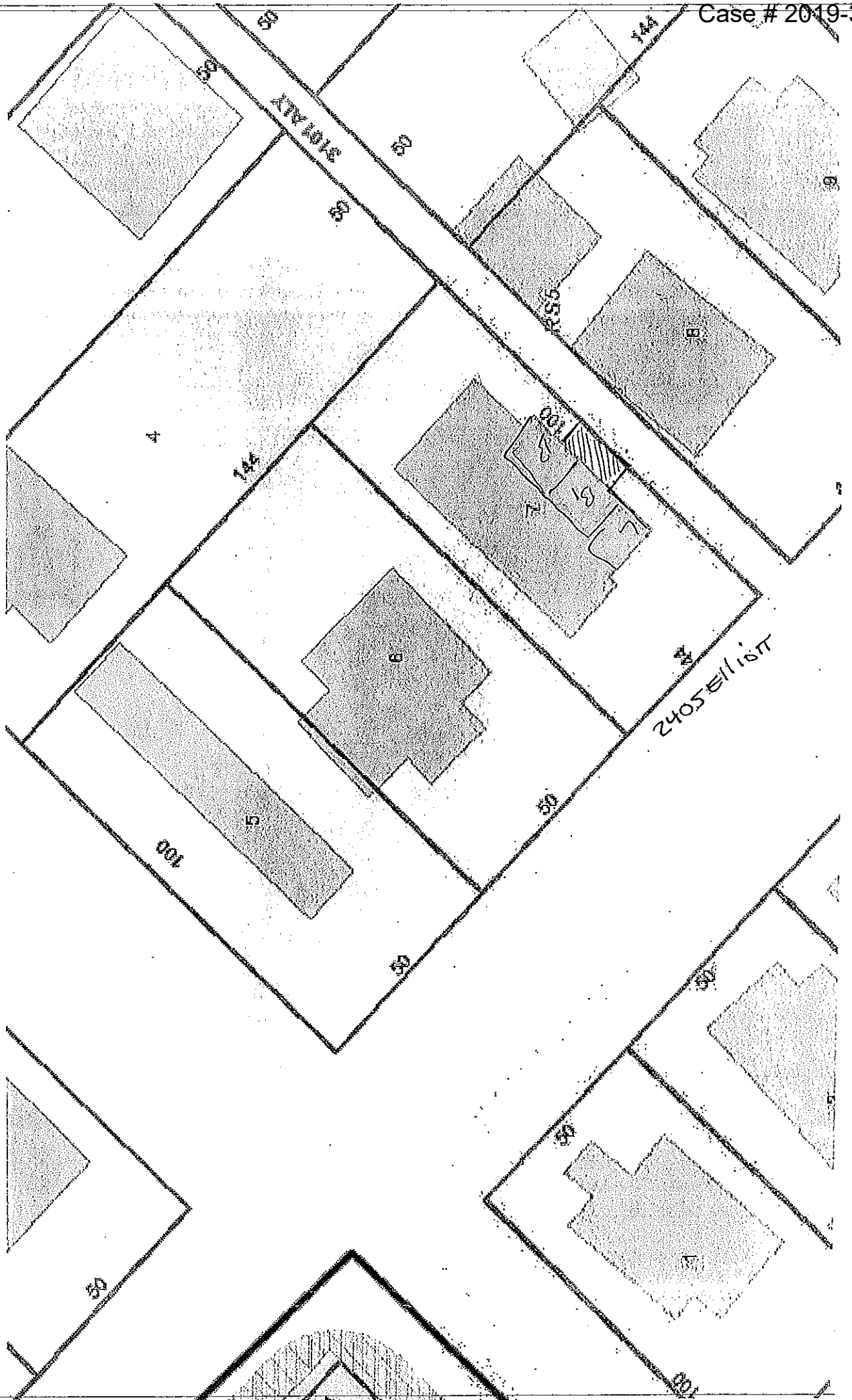
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

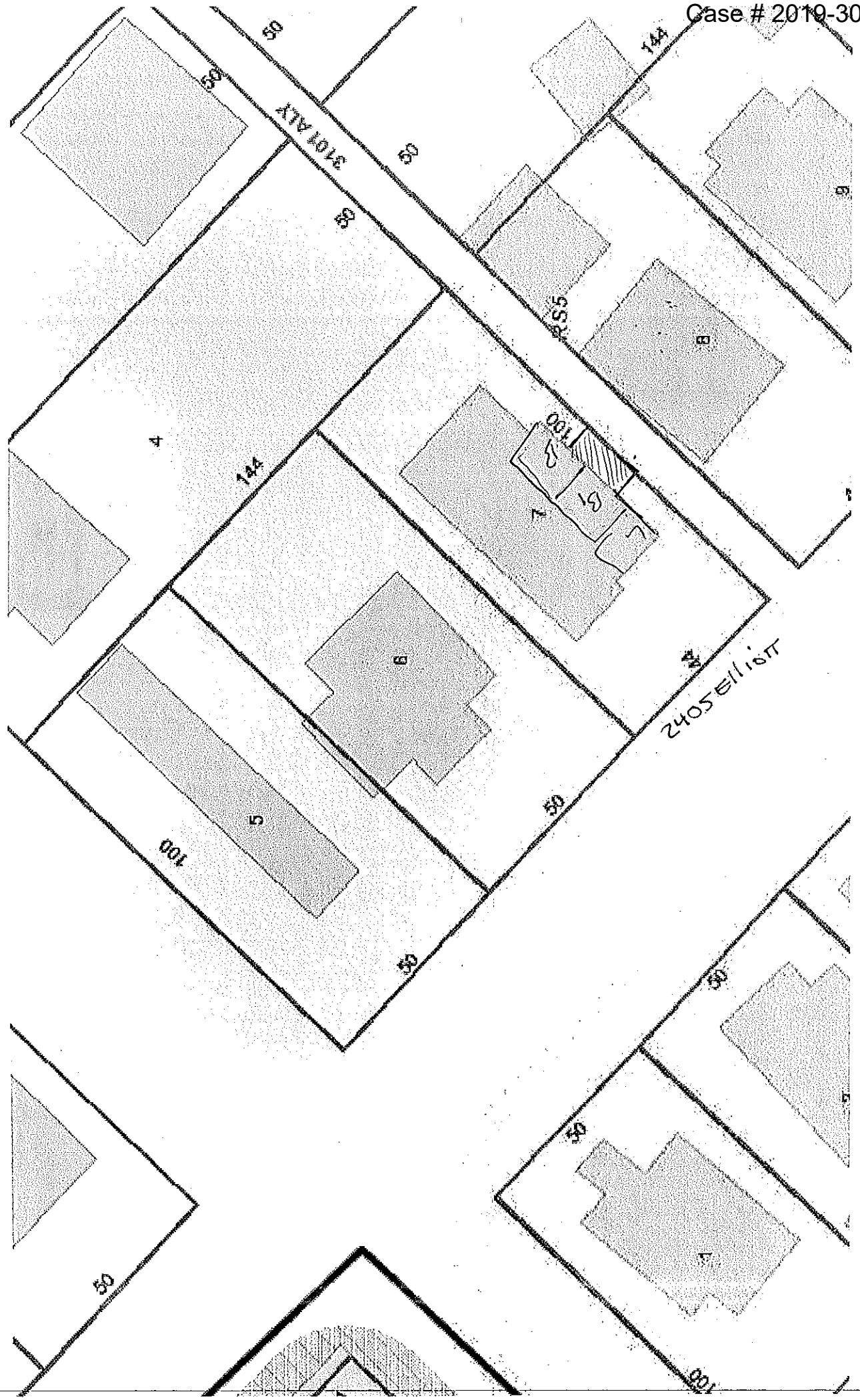
**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

For many different reasons

First: my tree bed no on lot so I can't build so I want to keep my privacy.

Second: I don't have car garage so I want to keep my tree daughter safe from rain & put a grill





3701 ALX

2405 ELLIST

100

4

144

50

38

38

144

100

5

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Jeffrey R. Houghton  
2402 Elliott Drive  
Old Hickory, TN 37138

January 7, 2020

Metropolitan Government of Nashville and Davidson County  
Department of Codes & Building Safety  
Metro Office Building – 3<sup>rd</sup> Floor  
800 Second Avenue South  
Nashville, Tennessee 37210

RE: Appeal Case Number: 2019-304  
2405 Elliott Drive

To Whom It May Concern:

I am writing this letter in support of the appellant's (Wagdy Walliam Nekela) application for a variance from side setback requirements.

Since 1985, I have resided at 2402 Elliott Drive (which is across the street from above property). From 1970 to 1985, I resided with my parents at their home located at 2400 Elliott Drive. During this time, I have witnessed the transformation of our neighborhood both good and bad.

I served for a period as the Vice Chair of the Zoning and Appeals Board for the City of Lakewood. I know what zoning classification was given to the properties in Lakewood. Since Metro took over the City of Lakewood a few years back, there have been different types of variances approved by Metro Codes/Zoning. These approved variances have altered the shape and design of the City of Lakewood. Thus, the appellant's modest variance request would not have any more negative impact on the neighborhood than those other variances.

And with there being a public alley in between the appellant's property and the property closest to the side porch addition. I do not believe the side porch addition will have any negative impact on the closest property and/or properties.

I ask that you approve the appellant's request for a variance from the side setback requirements.

Thank you,



Jeffrey R. Houghton

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Helene Harvey  
Property Owner: Helene Harvey  
Representative: Helene Harvey

Date: 7/31/19  
Case #: 2019-404  
Map & Parcel: 05600002400

Council District 01

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Seeking a special exception to offer day care services to families of children ages 2.5 to 5 years and up to age 12.

Activity Type: Day care center

Location: 4341 Pecan Valley Road 37218

This property is in the ~~AR2A~~ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: DAY CARE CENTER A SPECIAL EXCEPTION

Section(s): 17.16.035(A)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection C Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Helene Harvey  
Appellant Name (Please Print)

S/A  
Representative Name (Please Print)

4341 Pecan Valley Rd.  
Address

Address

Nashville TN 37218  
City, State, Zip Code

City, State, Zip Code

615-565-9790  
Phone Number

Phone Number

elle@anewleafnashville.org  
Email

Email

Zoning Examiner: T.C.

Appeal Fee: \_\_\_\_\_

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DAVIDSON COUNTY



Appellant: Helene Harvey Date: 7/31/19  
Property Owner: Helene Harvey Case #: 2019-404  
Representative: Helene Harvey Map & Parcel: \_\_\_\_\_

Council District 01

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: COMMUNITY EDUCATION (K-2)  
Request to use existing structure  
as a school classrooms

Activity Type: community Education  
Location: 4341 Pecan Valley Rd

This property is in the AR2A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: OPERATE WITHIN EXISTING STRUCTURE

Section(s): 17.16.040A.8A.

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B.C of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Helene Harvey Appellant Name (Please Print) S/A Representative Name (Please Print)

4341 Pecan Valley Rd. Address

Nashville TN 37218 City, State, Zip Code

615-585-9790 Phone Number

elle@anewleafnashville.org Email

Zoning Examiner: T.C. Appeal Fee: \_\_\_\_\_



Dear Pecan Valley owners,

I am Helene Harvey, your new neighbor at 4341 Pecan Valley Road. I am sending you this information for a zoning appeal that I will present to the Board of Zoning Appeals on September 19<sup>th</sup> 2019 at 1pm. The case number is 2019-404.

I have two requests for the board. The first is a special exception (17.16.040) to use the residence for a day care center for children ages 2.5 to 5. The second is a variance (17.16.035 variance 8 adaptive reuse) to use the same existing structure (the residence) for community education for elementary children. These are not zoning changes. We are planning to use the house for our programs, create gardens in the front yard, and enjoy learning among the trees in the back of the property. We hope to enroll 24 children.

I am the director of A New Leaf currently located at 7520 Charlotte Pike. We are very excited to provide a Reggio inspired and nature focused early childhood education for Nashville's youngest citizens. Several Bells Bend residents have expressed their strong interest for a local quality education for their children. Some of them have already used our programs over the past 15 years.

To learn more about us, please visit our web site [anewleafnashville.org](http://anewleafnashville.org) and do come to our open house for a neighborhood meeting on Sunday September 8<sup>th</sup> 2019 from 3 to 5pm at 4341 Pecan Valley Road. We would like to show you our vision and educational philosophy as well as answer your questions.

Please give me a call or text 615-585-9790 if you have immediate questions. We are looking forward to meeting you!

Sincerely,

Elle

A handwritten signature in blue ink that reads 'Elle'.



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3697138

ZONING BOARD APPEAL / CAAZ - 20190045754  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 05600002400

APPLICATION DATE: 07/31/2019

## SITE ADDRESS:

4341 PECAN VALLEY RD NASHVILLE, TN 37218  
N. S. PECAN VALLEY ROAD W. OF OLD HICKORY BLVD.

PARCEL OWNER: BROWN, KENNETH M. &amp; KAREN R.

CONTRACTOR:

## APPLICANT:

## PURPOSE:

REQUIRED PER METRO SECTION 17.16.040 (A)

8. ADAPTIVE REUSE. COMMUNITY EDUCATION FACILITIES SHALL BE PERMITTED TO OPERATE WITHIN AN EXISTING STRUCTURE, REGARDLESS OF LOT SIZE, SUBJECT TO THE FOLLOWING CONDITIONS:

A. A VALID USE AND OCCUPANCY PERMIT WAS ISSUED FOR THE STRUCTURE FOR USE AS A COMMUNITY EDUCATION FACILITY OR A RELIGIOUS INSTITUTION AT ANY POINT WITHIN THE PREVIOUS FIVE YEAR PERIOD.

REQUEST TO OPERATE WITHIN AN EXISTING STRUCTURE WITH NO PREVIOUS USE AND OCCUPANCY PERMIT FOR USE AS A COMMUNITY EDUCATION FACILITY OR A RELIGIOUS INSTITUTION

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3697125

ZONING BOARD APPEAL / [REDACTED]  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 05600002400

APPLICATION DATE: 07/31/2019

## SITE ADDRESS:

4341 PECAN VALLEY RD NASHVILLE, TN 37218  
N. S. PECAN VALLEY ROAD W. OF OLD HICKORY BLVD.

PARCEL OWNER: BROWN, KENNETH M. &amp; KAREN R.

CONTRACTOR:

## APPLICANT:

## PURPOSE:

REQUEST FOR NEW LEAF SCHOOL...A CLASS ONE DAY CARE CENTER

SPECIAL EXCEPTION REQUIRED PER METRO SECTION 17.16.035 (A).

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

*There are currently no required inspections*

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

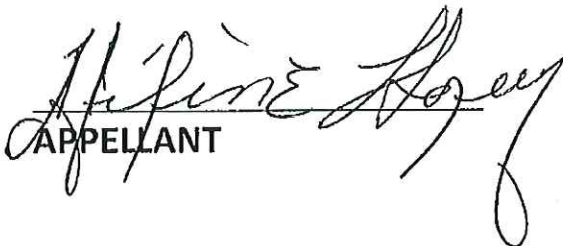
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.**

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
APPELLANT

7/31/19  
DATE



## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship ls. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on Inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Utilize farmhouse as classrooms for a school without changing the landscape*

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## APPLICATION FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, zoning staff will visit the site to take photographs for the Board Members so they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.) Finally, BZA Rules require that you conduct a neighborhood meeting regarding the special exception request before the BZA hearing date.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

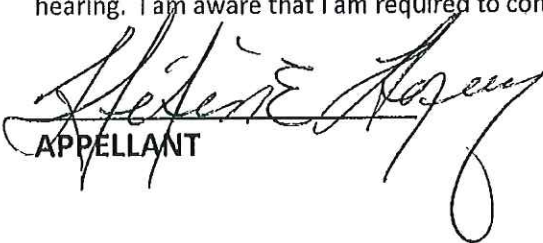
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, The Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

### METROPOLITAN BOARD OF ZONING APPEAL (615) 862-6510

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing. I am aware that I am required to conduct a neighborhood meeting.

  
APPELLANT

7/31/19  
DATE

## SPECIAL EXCEPTION REQUEST

BZA Rules of Procedure, Item 9(2) (e) requirements to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rules specifies, "In the Interest of having Informed stake holder in special exception cases. It is required that the appellant make contact with the district council person and neighbors within 600 feet of the subject property from a mailing list provided by the board staff. Information by the applicant shall include a contact person and include a reasonable representation of the proposal and hold a meeting at a geographically convenient place, date, and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mailing list, provide them with the date, time and place of meeting, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

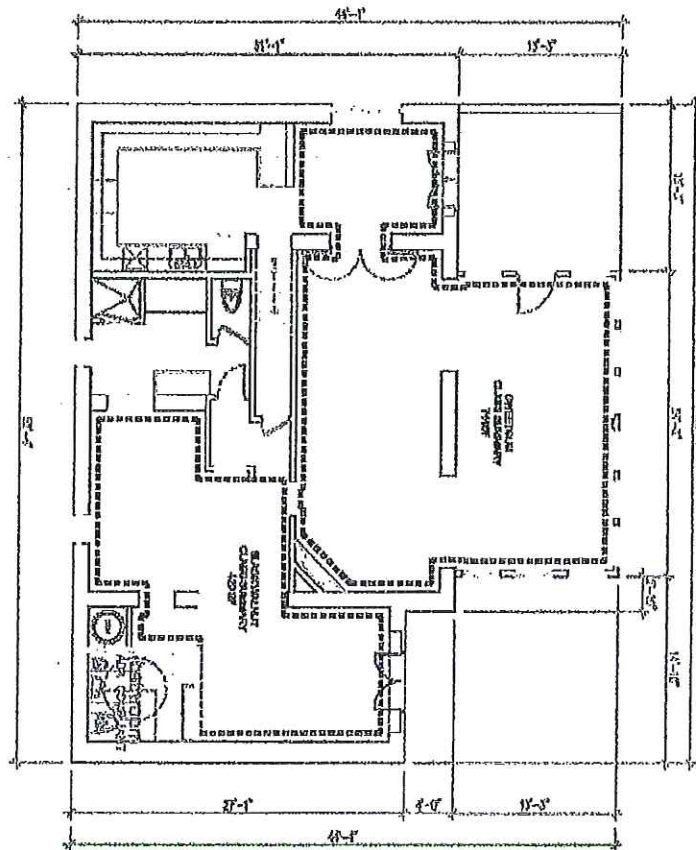
I ACKNOWLEDGE MY RESPONSIBILITIES regarding the neighborhood meeting preceding the public hearing for by BZA appeal for a special exception

\_\_\_\_\_  
APPELLANT (OR REPRESENTATIVE)

\_\_\_\_\_  
DATE

## OCCUPANCY REVIEW - NEW LEAF SCHOOL RESPONSE NOTES

4341Pecan Valley Road, Nashville, TN 37218



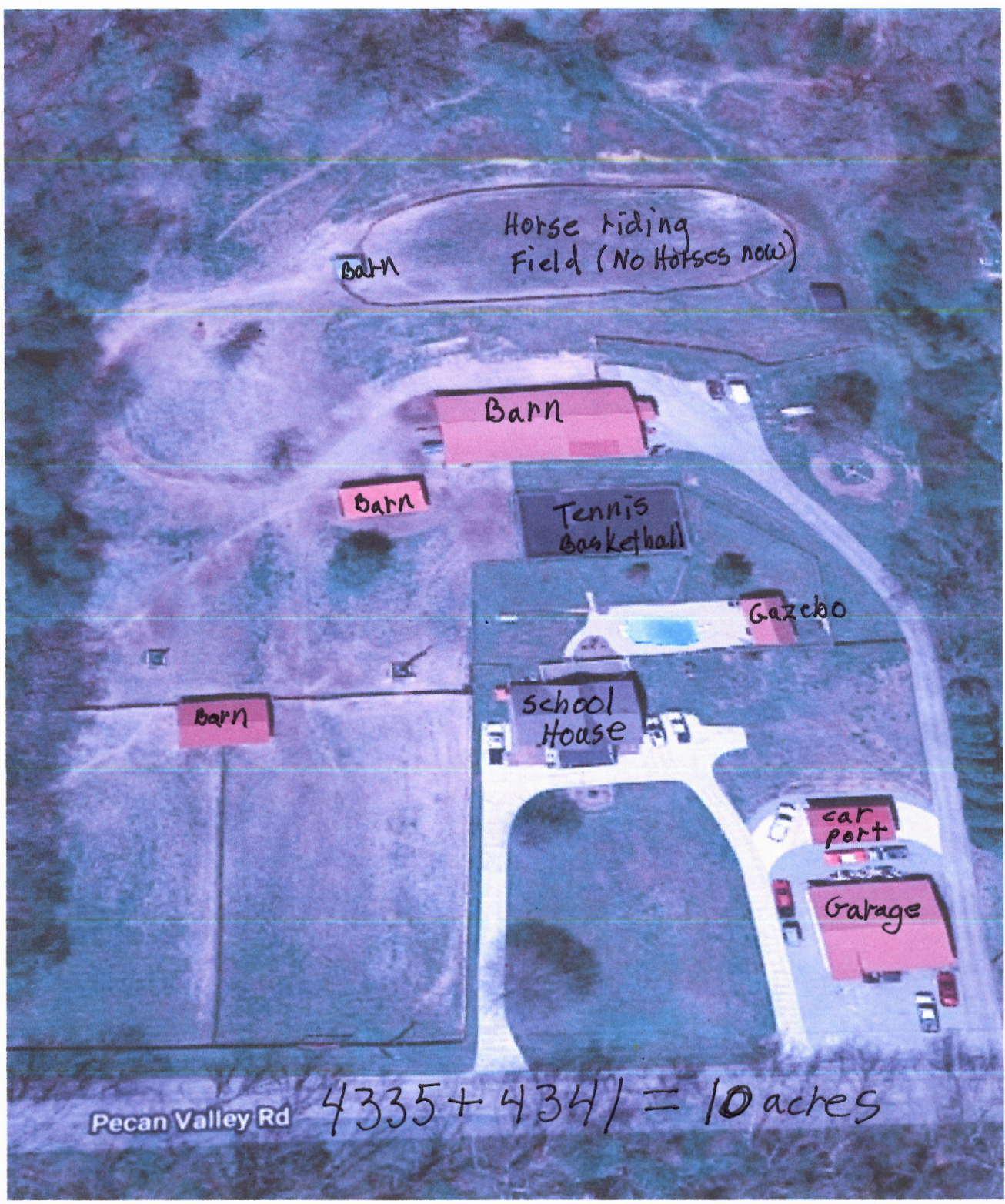
OCCUPANCY LOADS REQUESTED @30sf/student is LIMITED to 24 STUDENTS

Occupancy Load Plan – not to scale

SWEETGUM classroom suite = 744 SF total and can accommodate 24 students

BLACK WALNUT classroom suite = 420 SF total and can accommodate 14 students

# New Leaf Nature school





Dear Pecan Valley owners,

I am Helene Harvey, your new neighbor at 4341 Pecan Valley Road. I am sending you this information for a zoning appeal that I will present to the Board of Zoning Appeals on September 19<sup>th</sup> 2019 at 1pm. The case number is 2019-404.

I have two requests for the board. The first is a special exception (17.16.040) to use the residence for a day care center for children ages 2.5 to 5. The second is a variance (17.16.035 variance 8 adaptive reuse) to use the same existing structure (the residence) for community education for elementary children. These are not zoning changes. We are planning to use the house for our programs, create gardens in the front yard, and enjoy learning among the trees in the back of the property. We hope to enroll 24 children.

I am the director of A New Leaf currently located at 7520 Charlotte Pike. We are very excited to provide a Reggio inspired and nature focused early childhood education for Nashville's youngest citizens. Several Bells Bend residents have expressed their strong interest for a local quality education for their children. Some of them have already used our programs over the past 15 years.

To learn more about us, please visit our web site [anewleafnashville.org](http://anewleafnashville.org) and do come to our open house for a neighborhood meeting on Sunday September 8<sup>th</sup> 2019 from 3 to 5pm at 4341 Pecan Valley Road. We would like to show you our vision and educational philosophy as well as answer your questions.

Please give me a call or text 615-585-9790 if you have immediate questions. We are looking forward to meeting you!

Sincerely,

Elle

**From:** [Gregory, Christopher \(Public Works\)](#)  
**To:** [Lifsey, Debbie \(Codes\)](#)  
**Cc:** [Shepherd, Jessica \(Codes\)](#); [Ammarell, Beverly \(Public Works\)](#)  
**Subject:** BZA Case 2019-404  
**Date:** Thursday, September 5, 2019 9:27:45 AM

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**2019-404 4341 Pecan Valley Rd Community education (k-2)**

Variance: 17.16.040A 8a, 17.16.035A

Response: Public Works takes no exception with condition to provide adequate parking and queuing space on site

This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

**Christopher E. Gregory, E.I.T.**

***Metropolitan Government of Nashville***

*Department of Public Works*

*Engineering Division*

720 South Fifth Street

Nashville, TN 37206

Ph: (615) 880-1678



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY  
Planning Department  
Metro Office Building  
800 Second Avenue South  
Nashville, Tennessee 37201  
615.862.7150  
615.862.7209

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# Memo

**To:** Metropolitan Nashville Board of Zoning Appeals  
**From:** Metropolitan Nashville Planning Department  
**CC:** Emily Lamb  
**Date:** August 21, 2019  
**BZA Hearing Date:** September 19, 2019  
**Re:** Planning Department Recommendation for a Special Exception, Case 2019-404

---

Pursuant to Section 17.40.300 of the Metro Zoning Code, the Metropolitan Planning Department is providing a recommendation on the following Special Exception case:

## **1. Case 2019-404 Day Care Center (4341 Pecan Valley Road)**

**Request:** A Special Exception to operate a children's daycare facility in an existing single-family residential structure.

**Zoning:** Agricultural District (AR2a) requires a minimum lot size of two-acres and allows for a density of 0.5units per acre.

**Land Use Policy:** T2 Rural Maintenance (T2 RM) is intended to maintain rural character as a permanent choice for living within Davidson County and not as a holding or transitional zone for future urban development. T2 RM areas have established low-density residential, agricultural, and institutional development patterns. Although there may be areas with sewer service or that are zoned or developed for higher densities than is generally appropriate for rural areas, the intent is for sewer services or higher density zoning or development not to be expanded. Instead, new development in T2 RM areas should be through the use of a Conservation Subdivision at a maximum gross density of 1 dwelling unit/2 acres with individual lots no smaller than the existing zoning and a significant amount of permanently preserved open space.

**Planning Department Analysis:** The subject site is located on the north side of Pecan Valley Road, which is north and west of the intersection of Old Hickory Boulevard and Ashland City Highway. The site has multiple structures and access points to Pecan Valley Road. The site is zoned AR2A, Agricultural Zoning, and is surrounded by Single-Family and Farm uses.

The request is to operate a day care center in an existing single-family structure. The T2-RM policy intent is to maintain the rural character and the proposal to reuse an existing structure would accomplish this. The reuse of the existing house would also limit to the operation of the daycare to a low level of intensity. The general characteristics of the T2 RM policy include institutional land uses, which is how day care center is classified, as an appropriate development pattern and consistent with the policy.

**Planning Recommendation: Approve.**

**TUNE, ENTREKIN & WHITE, P.C.**

ATTORNEYS AT LAW

JOHN C. TUNE  
1931-1983SUITE 1700  
315 DEADERICK STREET  
NASHVILLE, TENNESSEE 37238ERVIN M. ENTREKIN  
1927-1990

TEL (615) 244-2770 FAX (615) 244-2778

*\*Rule 31 listed General Civil Mediator*THOMAS V. WHITE  
JOHN W. NELLEY, JR.  
THOMAS C. SCOTT  
PETER J. STRIANSE  
HUGH W. ENTREKIN  
JOHN P. WILLIAMS \*  
ROBERT L. DELANEY  
GEORGE A. DEAN  
LESA HARTLEY SKONEY  
JOSEPH P. RUSNAK  
SHAWN R. HENRY  
T. CHAD WHITE  
BRANDT M. MCMILLAN \*  
CHRISTOPHER B. FOWLER  
TIMOTHY N. O'CONNORWriter's E-Mail Address: [twhite@tewlawfirm.com](mailto:twhite@tewlawfirm.com)

September 12, 2019

Emily Lamb, Secretary  
Metro Board of Zoning Appeals  
800 Second Avenue South  
Nashville, TN 37210Re: Opposition to Variance & Special Exception  
Community Education & Day Care Center  
MetZo §§17.16.164(A)(8), 17.16.170(C) & 17.40.370  
4341 Pecan Valley Road; Map & Parcel: 05600002400  
Zoning: AR2a

Dear Ms. Secretary:

This letter is submitted in opposition to the request made by 4341 Pecan Valley Road, LLC, for a variance and a special exception relating to a proposed community education facility and daycare center. Our clients, neighbors in the immediate proximity to the subject property, are opposed to both uses and the variance requested inasmuch as there is no physical feature of the property which justifies the issuance of a variance.

**The Variance Request**

The application submitted by the property owner requests permits to have both a school (community education facility) and a day care on the property at 4341 Pecan Valley Road. Ordinarily, a permit for a school may be issued by the Zoning Administrator without the necessity of coming to this board inasmuch as schools are often permitted with conditions<sup>1</sup> requiring only review by the staff. However, in

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<sup>1</sup> The Metro Zoning Ordinance (MetZo) allows uses as permitted, permitted with conditions, and special exceptions. Uses which may be permitted with conditions are reviewed by the Zoning Administrator and usually require no action from the board. Special Exceptions require the approval of the zoning board before issuance.

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA

September 12, 2019

Page 2

this case, one of the conditions, MetZo §17.16.040 (A) (8), is as follows:

Community education facilities shall be permitted to operate within an existing structure, regardless of lot size, subject to the following conditions:

- a. A valid use and occupancy permit was issued for the structure for use as a community education facility or a religious institution at any point within the previous five year period; and
- b. The property upon which the structure is located has not been subdivided since the cessation of the previous use as a community education facility or religious institution in such a manner as to reduce the lot size below the minimum lot size for community education facilities provided in this section.

The difficulty for the applicant is the first proviso above. There was no valid use and occupancy permit issued for the structure which the applicant intends to use as a school at any time within the last five years. As a result, the applicant has appealed to the board for a variance in order essentially to get a waiver from this requirement.

As the board is aware, a variance is a special relaxation of the applicable requirements so as to ensure that the property owner can use his or her property in the same manner as neighboring properties. But, variances in Tennessee are very restrictive pursuant to the state statutory authority. The statute, Tenn. Code Ann. § 13-7-207 (3), reads as follows:

Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the zoning regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of such piece of property, the strict application of any regulation enacted under this part and part 3 of this chapter would result in peculiar and exceptional practical difficulties to or exception or undue hardship upon the owner of such property, authorize, upon an appeal relating to the property, a variance from such strict application so as to relieve such difficulties or hardship; provided, that such relief may be granted without substantial detriment to the public good and without substantially

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA  
September 12, 2019  
Page 3

impairing the intent and purpose of the zone plan and zoning ordinance.

Similarly, MetZo § 17.40.370 provides:

In accordance with Tennessee Code Annotated Section 13-7-207, the board shall not grant a variance without an affirmative finding of fact on each of the following standards based on evidence presented by the applicant.

- A. **Physical Characteristics of the Property.** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owner of such property upon the strict application of any regulation enacted by the ordinance codified in this title.
- B. **Unique Characteristics.** The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.
- C. **Hardship Not Self-Imposed.** The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after the effective date of the ordinance codified in this title.
- D. **Financial Gain Not Only Basis.** Financial gain is not the sole basis for granting the variance.
- E. **No Injury to Neighboring Property.** The granting of the variance will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.
- F. **No Harm to Public Welfare.** The granting of the variance will not be detrimental to the public welfare and will not

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA

September 12, 2019

Page 4

substantially impair the intent and purpose of this Zoning Code.

- G. Integrity of Master Development Plan. The granting of the variance will not compromise the design integrity or functional operation of activities or facilities within an approved planned unit development.

By way of a quick summary, both the statute and the ordinance require that the applicant demonstrate that there is some exceptional physical feature of the subject property justifying relief, a physical feature not created by the property owner, and not based solely on financial gain; and further, that there is no harm to the neighboring properties or the public welfare. A copy of the Metro Parcel Map is attached hereto as Exhibit One.

It is perfectly clear in this case that there is no exceptional physical feature justifying relief. This is a rectangular piece of property with no topographic issues that are not present on the surrounding properties. It is not unusually narrow, shallow, or of any unusual shape. There is simply no exceptional physical feature related to this particular tract of land.

Further, since there is no exceptional physical feature of the property, the only other reason to request this variance is for financial gain. Certainly, a piece of agricultural property that did not have any prior religious or educational use on it is cheaper to buy and cheaper to operate. But that is not a basis for a variance. The applicant should instead, find an appropriate property which meets the conditions rather than asking for a variance.

Finally, the surrounding neighbors are strongly opposed to the variance because of the increase in traffic, the potential impairment of property values in the area, and the additional noise that will almost certainly accompany of the establishment of a day care center/school at this location. Thus, the neighboring properties will be adversely affected as well as the public welfare.

In short, the variance must be denied because it does not meet the requirements of either the state statute or the local zoning regulations.

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA  
September 12, 2019  
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## The Special Exception: Specific Requirements

As the board knows, a special exception is “a use specifically provided for in the ordinance as one to be permitted where the conditions legislatively prescribed are found, no exception to the ordinances being made. The use permitted by approval of the board of adjustment ... contingent on meeting the standards and conditions set forth in the ordinance, is more correctly termed a ‘conditional use.’” *Wright v City of Shelbyville*, 2012 WL 530 78267 (Tenn. App. October 31, 2012).

Customarily, in Tennessee, there are both specific and general standards relating to conditional uses. This particular application is subject not only to the general conditions, which we will address in a moment, but also to the particular requirements of MetZo §17.16.170(C)(1) which are as follows:

- C. Day Care Center. Day care centers shall be classified according to the ranges below. For existing facilities in residential zone districts, a special exception permit shall be required for any proposed increase which upgrades the classification.
  - 1. Class I—Thirteen to Twenty-Five Individuals.
    - a. Lot Size. The minimum lot size shall be one-half acre.
    - b. Street Standard. Driveways shall have access on any street, except on minor local streets driveway access shall only be permitted where the lot is located at the intersection of the minor local street and an arterial or collector street.
    - c. Landscape Buffer Yard. Where the outdoor play area abuts any portion of a residential zone district or district permitting residential use, screening in the form of landscape buffer yard Standard A shall be provided.

This lot is 5 acres in size which obviously meets the first requirement. But as to the other two specific requirements, this application appears to be deficient.

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Scretary MBZA  
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First, as to the required street standard, while the driveway may have access on any street including a minor local street, even on a minor street, access is only permitted where the lot is located at the intersection of the minor local street and an arterial or collector street. Attached as Exhibit Two is a part of the Community Transportation Plan, which includes the Major and Collector Street Plan for Metro Nashville. There is a marker indicating the location of this property, and as can easily be seen, Pecan Valley Road is a minor local street, but it is not located at the intersection of that minor local street and an arterial or collector street. There is a collector at either end of Pecan Valley Road,<sup>2</sup> but inasmuch as this property is not situated at the intersection of either of those roads, it does not comply with the street standard requirement.

Furthermore, the landscape buffer yard is required where the outdoor play area abuts any portion of a residential zone district. On the two sides and at the rear of this property are residentially zoned tracts of land. That means that the landscape buffer yard must be placed so as to protect those surrounding residential properties. The Landscape Buffer Yard A is fully described at MetZo §17.24.240, and a copy of the relevant illustration is attached to this letter as Exhibit Three. Suffice it to say, that the width of the Standard A buffer yard ranges from 5 to 15 feet in width, and must have between 1.2 and 2.4 large trees, between .4 and .8 understory trees, and between four and eight shrubs per 100 feet of linear distance. There does not appear to be a diagram demonstrating compliance with this requirement attached to the application. In any event, given the length of the side yards, this requirement would appear to be relatively expensive.

#### The Special Exception: General Requirements

In addition there are general standards, applicable to all special exceptions, which of course also apply here and provide:

- A. Burden of Proof. A special exception permit shall not be considered an entitlement, and shall be granted by the board of zoning appeals only after the applicant has demonstrated to the satisfaction of the board that all of the required standards are met.

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<sup>2</sup> Pecan Valley Road runs between the Ashland City Highway and Old Hickory Boulevard.



## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA  
September 12, 2019  
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B. Ordinance Compliance. The proposed use shall comply with all applicable regulations, including any specific standards for the proposed use set forth in this title, unless circumstances qualify the special exception for a variance in accordance with Chapter 17.40, Article VIII. Any accessory use to a special exception must receive express authorization from the board of zoning appeals.

C. Integrity of Adjacent Areas. A special exception use permit shall be granted provided that the board finds that the use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected. The board shall determine from its review that adequate public facilities are available to accommodate the proposed use, and that approval of the permit will not adversely affect other property in the area to the extent that it will impair the reasonable long-term use of those properties. The board may request a report from the metropolitan planning commission regarding long-range plans for land use development.

D. Design and Architectural Compatibility. The operational and physical characteristics of the special exception shall not adversely impact abutting properties, including those located across street frontages. Site design and architectural features which contribute to compatibility include, but are not limited to, landscaping, drainage, access and circulation, building style and height, bulk, scale, setbacks, open areas, roof slopes, building orientation, overhangs, porches, ornamental features, exterior materials and colors.

E. Natural Features. Special exception uses in residential zone districts must comply with the nonresidential tree protection regulations and other natural site features shall be preserved to the greatest extent possible so as to minimize the intrusion of nonresidential structures and parking areas.

F. Historic Preservation. Features of historical significance shall not be adversely affected by the granting of any special exception. The metropolitan historic zoning commission shall be consulted regarding those features essential to preserve the historical integrity of a building or site of historical significance.

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Secretary MBZA  
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G. Traffic Impact. The applicant shall demonstrate how the proposed use will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the area. The board of zoning appeals may require a traffic impact study for any special exception land use.

H. Repealed.

I. Hazard Protection. The proposed use shall reasonably protect persons and property from erosion, flooding, fire, noise, glare or similar hazards.

J. Special Conditions. Notwithstanding a finding by the board of zoning appeals that a special exception application satisfies the minimum development standards of this article, the board may restrict the hours of operation, establish permit expiration dates, require extraordinary setbacks and impose other reasonable conditions necessary to protect the public health, safety and welfare.

MetZo §17.16.150

Subsection A makes clear that the burden of proving each and every requirement is on the applicant. Subsection B requires that the applicant met all of the applicable regulations including the specific standards set out for this special exception. As demonstrated above, this applicant does not meet those special requirements, particularly the requirement that the property be located at the intersection of a minor Street and arterial or collector street.

Subsection C requires that the applicant demonstrate that approval of the permit will not adversely affect other land uses in the surrounding vicinity. Most of those surrounding land uses are residential in nature and granting this special exception will have a substantial adverse effect on those properties. Traffic will undoubtedly increase, the long-term value of the properties will decrease, and by virtue of the daycare facilities and school, the general noise in the area will no doubt increase. In addition, there is concern for dropping off children and picking them up, creating traffic hazards as the cars pull into and out of the facility onto the minor local street.

While subsections D (architectural compatibility), E (natural features), & F (historic preservation), do not appear to be a problem, subsection G requires that

## TUNE, ENTREKIN &amp; WHITE, P.C.

Letter to Emily Lamb, Scretary MBZA  
September 12, 2019  
Page 9

the applicant demonstrate that traffic will not be a difficulty as a result of approval of the permit. But that is the very reason that the specific conditions require that on a minor local street, that the day care must be at the intersection of a collector or arterial. Otherwise, traffic conditions would be more difficult along the minor local street. Therefore, it is simply impossible for the applicant to demonstrate compliance with subsection G, because the ordinance itself precludes the location of this activity at this site because of the nature of the road it fronts on.

Finally, subsection I requires that the applicant protect against hazards and one of those might be ingress and egress and traffic issues with regard to access to the property. Once again, this element is missing from the application and the requirement cannot be met.

#### Conclusion

Accordingly, the request for this variance/special exception fails to meet the requirements of MetZo, and as a result the zoning board should deny the application. This is not an appropriate location for either a school or a daycare. It fails to meet the required conditions and must be denied.

Sincerely,

TUNE, ENTREKIN, & WHITE, PC

Thomas V. White (by GAD)

Thomas V. White

GAD:dns

#### Attachments:

1. Metro Parcel View Map
2. Community Transportation Plans
3. Landscape Upper Yard Standard A

# Exhibit One



## Exhibit Two

# Community Transportation Plans

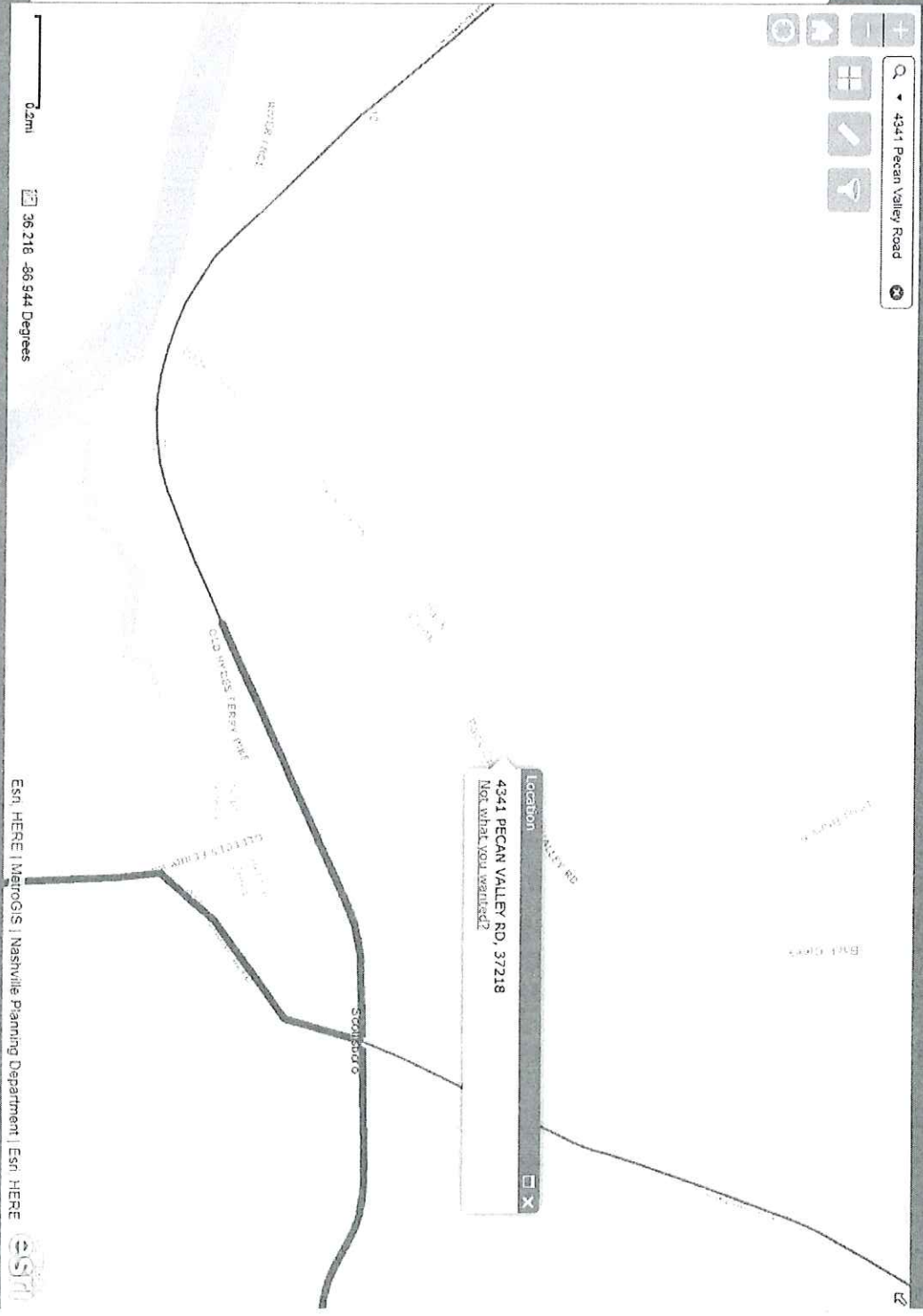
Nashville Planning Department

MGSP Certified Document

4341 Pecan Valley Road

Map navigation controls: Home, Back, Forward, Refresh, Full Screen, Print, Measure, Info, Layers, Settings, Scale, etc.

- ### Major and Collector Street Plan
- Major and Collector Street Plan
  - Arterial-Collector Street Plan
  - Arterial-Parikway Scenic
  - Arterial-Boulevard Scenic
  - Planned Arterial-Boulevard Scenic
  - Arterial-Boulevard
  - Planned Arterial Boulevard
  - Collector-Avenue
  - Planned Collector Avenue
  - Local Streets, Alleys and Freeways
  - Planned Multimodal Freeway Corridor
  - Local Street
  - Planned Local Street
  - Downtown Local Street
  - Planned Downtown Local Street
  - Planned Local Alley
  - Freeway or Expressway
  - Ramp
  - Planned Ramp



## Exhibit Three



Figure 17.24.240A  
STANDARD A—LANDSCAPE BUFFER YARDS

WIDTH

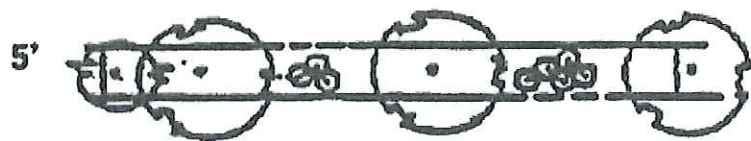
**A-1**  
**1.2 CANOPY**  
**.4 UNDERSTORY**  
**4 SHRUBS**



**A-2**  
**1.8 CANOPY**  
**.6 UNDERSTORY**  
**6 SHRUBS**



**A-3**  
**2.4 CANOPY**  
**.8 UNDERSTORY**  
**8 SHRUBS**



WITH OPAQUE FENCE

**A-4**  
**REPEALED**

Note: All examples are per 100 linear feet.

To Coucilman Jonathon Hall

District One,

It is of great concern that we submit this petition to you. There is a request for a zoning change on September 19, 2019 at the zoning appeal board at 1:00 p.m. The case number is 2019-404. The request is for a special exception to use existing residence at 4341 Pecan Valley Road, Nashville, TN 37218 as a Day Care center and Elementary School.

This is a rural area with a dangerous narrow road with no fire hydrants, and all residents are on a septic system. We, the residence of this area do not feel like this street is conducive to a school and are very much opposed to this request.

This area is also very popular for deer hunting September through January which could pose a danger since high power rifles are used for this sport.

The under signed residents of the area are extremely opposed to this request.

We would greatly appreciate your help in getting this request denied.

Respectively concerned citizens.

James A Lewis	John Page
Lynda M Lewis	<del>Michael Clark</del>
<del>Michael Clark</del>	Michael O'Leary
George Kufnager	Ben R. B. B.
Carl Palladino	Andy J. Baker
Ed Palladino	Barry L. Baker
Shirley A. Akerman	
Marjorie Gamm	
Ryan Gamm	
John W. Brown	
LANA BROWN	
John W. Brown	
John Brown	
Lana Brown	
Dylan B. Brown	
Anna Kottler	
William B. Young	
WANDA N. COOPER	
Caleb Cantrell	
EDITH M. CROWDER	
Neil J. Lewis	
Rebecca Lewis	
Jonathan Miller	
Sadye Lewis	
David Babel	
Andra Babel	
Shirley Friedberg	Kenneth W. Friedberg

**From:** [Barry Sulkin](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [realmasonry\\_844@yahoo.com](mailto:realmasonry_844@yahoo.com); [elle@anewleafnashville.org](mailto:elle@anewleafnashville.org)  
**Subject:** Case 2019-404  
**Date:** Tuesday, September 10, 2019 8:27:36 AM

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Dear BZA,

I'm writing in support of proposal for 4341 Pecan Valley Rd by the new owner for use as a school. I suggest this allowance be limited to current owner and plan. I have lived in the area since 1978 and think this is an appropriate fit with the community.

Sincerely,

Barry Sulkin  
4443 Pecan Valley Road  
Nashville, TN 37218

Cc: Councilman Hall, Elle Harvey

Sent from my iPad

**From:** [Brenda Butka](#)  
**To:** [Board of Zoning Appeals \(Codes\): johnathan.hall@nashville.gov](#)  
**Subject:** zoning variance 2019-404  
**Date:** Tuesday, September 10, 2019 4:15:05 PM

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This is to note our support for New Leaf School at 4341 Pecan Valley Road. This small school is exactly in line with our vision for our neighborhood. Many of us remember when we had a school in the area and look forward to this one, although, of course it is quite different. The children will be spending a lot of time outside, exploring dirt and grass and bugs--just like we all did, and wish more children did today.

We don't think that the traffic for 24 students will be onerous--we lived on Pecan Valley, just two doors down from this address, for three years, and this small increase in traffic should not pose a problem.

Currently we live at 5188 Old Hickory Blvd, around the corner. Incidentally, we had a playgroup on our property when our children were small, with six children and several adults--a bit smaller than New Leaf, but the same idea.

Perfect for our area!

Brenda Butka  
Tom John

4341 Pecan Valley Rd.  
Nashville, TN 37218

September 10, 2019

Metropolitan Board of Zoning Appeals  
P O BOX 196300  
Metro Office Building  
Nashville, TN 37219

To the Board of Zoning Appeals:

We are writing to express our support for case # 2019-404, a special exception to the existing residence at 4341 Pecan Valley Rd. to be utilized to serve the community to provide high-quality early learning experiences for children as an extension of A New Leaf of Nashville.

A New Leaf of Nashville has been serving Nashville residents for their early learning needs for over 15 years. Two new teachers who wish to serve at the Pecan Valley site are Nashville natives who hold master's degrees in early childhood education from East Tennessee State University. We look forward to meeting our neighbors and treating them as friends.

In our careers, we have witnessed the benefits and satisfaction of the wider community when a small, family centered learning center is in their area. We see a demand for more opportunities for children gain knowledge and skills that many in this generation of children have lost-- aptitude with daily chores and gardening, confidence, and resilience in the face of challenge and calculated risk. We hope to gently guide the children through these experiences and frame their academic experiences while scaffolding their learning through this nature-based lens.

Early childhood education spans the ages from birth to 8, and there is a growing body of research that supports the value of small, nature-based educational programs for children in this critical developmental phase. In our many combined years of experience teaching in nature preschools and camps, we have seen this model of education meet and exceed benchmarks set forth by the Tennessee Early Learning Developmental Standards (TNELDS) and those set forth by the National Association for the Education of Young Children (NAEYC), which is widely regarded as the standard of best practices in the field of early childhood education.

We seek to be a program that welcomes all members of the community from all walks of life. It is in this spirit that we anticipate being excellent neighbors to the long-time residents of Pecan Valley Rd. The paradigm in which we work is inspired by the Reggio-Emilia philosophy from Italy, where the school program reflects the values of the immediate environment in which it exists, and in turn reflects a positive image of the world to the child, and vice versa. We believe that a partnership between children, families, the learning environment and the community is the strongest approach to raising well-rounded students who are equipped to excel in all aspects of their future academic career, and beyond.

We sincerely look forward to being your neighbors.

Yours,

Liz Meeks, MA

Catherine Borman, MA

**From:** [Nathan Stone](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [realmasonry\\_844@yahoo.com](mailto:realmasonry_844@yahoo.com)  
**Subject:** 2019-404, 4341 Pecan Valley road  
**Date:** Thursday, September 12, 2019 6:44:08 AM

---

Dear Board of Zoning Appeals,

I'm writing on behalf of the proposed day care / pre school going in on Pecan Valley Rd. A New Leaf is already a reputable, successful school located in Davidson Co. Bringing it to our area of the county would do nothing but positive things for our community. We haven't had a school in Scottsboro since the Wade School closed nearly 30 years. This location would be an amazing space for children to learn and grow.

I strongly encourage you to strongly consider this proposal.

Thanks

Nathan Stone  
4870 Old Hickory Blvd  
Nashville TN 37218

—  
Nathan Stone  
[\(615\) 601-2082](tel:6156012082) Cell  
[\(615\) 436-3031](tel:6154363031) Office  
[\(615\) 690-8797](tel:6156908797) eFax

Sent from my iPhone

**From:** [RANDY WARD](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Appeal Case # 2019-404, 4341 Pecan Valley Road, Nashville, TN  
**Date:** Wednesday, September 11, 2019 9:31:13 PM

---

We are Randy and Barbara Ward at 4327 Pecan Valley Road adjacent to the subject property address 4341 Pecan Valley Road. We have owned our property for almost 34 years, raised three children there and, now our daughter lives there with her family.

My wife and daughter went to the open house on Sunday Sept. 8 and met Helene Harvey and the teachers. They toured the building and asked questions about the proposed school. This is a great place for what she plans to do and, we see no problem with it being there.

Sincerely,

Randy D. Ward



**From:** [Shannon Tompson](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Hall, Jonathan \(Council Member\)](#)  
**Subject:** Case # 2019-404 at 4341 Pecan Valley road  
**Date:** Wednesday, September 11, 2019 5:35:28 PM

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I am in full support of the preschool on Pecan Valley. Their open house on Saturday showcased a lovely space for children to learn and grow. The last school in this community closed almost 30 years ago— it is now The Old School farm to table restaurant. It will be nice to have a small preschool in the area.

Shannon Tompson  
4870 Old Hickory Blvd  
Nashville TN 37218

Sent from my iPhone

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : ROB COCHRUM  
Property Owner: ROBERT COCHRUM  
Representative: ROB COCHRUM

Date: 09/27/19  
Case #: 2019- 478  
Map & Parcel: 05811019500

Council District 01

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

VARIANCE REQUEST FROM CONTEXTUAL STREET / FRONT SETBACK TO LOCATE A COVERED FRONT PORCH.

Activity Type:

VARIANCE

Location:

FRONT OF EXISTING SINGLE-FAMILY STRUCTURE.

This property is in the RS15 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

PROPOSED ADDITION LIKELY LOCATED IN REQUIRED SETBACK

Section(s):

17.12.030 (C)(3)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

ROBBIE COCHRUM  
Appellant Name (Please Print)

SAME  
Representative Name (Please Print)

650 PURAM DR  
Address

SAME  
Address

NASHVILLE, TN 37218  
City, State, Zip Code

SAME  
City, State, Zip Code

615-495-3105  
Phone Number

SAME  
Phone Number

R.COCHRUM@YAHOO.COM  
Email

SAME  
Email

Zoning Examiner: DAVID D-B

Appeal Fee: \$ 100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3716930

**ZONING BOARD APPEAL / CAAZ - 20190059090**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 05811019500

**APPLICATION DATE:** 09/27/2019

**SITE ADDRESS:**

650 PUTNAM DR NASHVILLE, TN 37218  
LOT 0187 SECT 0003 ROYAL HILLS

**PARCEL OWNER:** COCHRUM, ROBERT G

**CONTRACTOR:**

**APPLICANT:**

**PURPOSE:**

Applicant seeks to construct 8' x 15' (120 sq. ft.) front porch to existing single-family residential structure. Variance request from 17.12.030(C)(3) contextual street/front setback.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

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***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3716885

**APPLICATION FOR BUILDING RESIDENTIAL - ADDITION / CARA - T2019059054  
THIS IS NOT A PERMIT**

**PARCEL:** 05811019500

**APPLICATION DATE:** 09/27/2019

**SITE ADDRESS:**

650 PUTNAM DR NASHVILLE, TN 37218  
LOT 0187 SECT 0003 ROYAL HILLS

**PARCEL OWNER:** COCHRUM, ROBERT G

**APPLICANT:** SELF CONTRACTOR RESIDENTIAL (SEE  
APPLICANT INFORMATION)  
Robbie Cochrum  
, 615-495-3105

**PURPOSE:**

Construct 8'x 15' covered front porch addition to existing single-family structure. Will include porch light. Required front/street setback TO BE DETERMINED based on contextual or variance, if granted. POC: Robbie Cochrum, 615-495-3105. Applicant applied for a self-permit and will act as his/her own general contractor with full responsibility for code compliance, for hiring and employing individuals and subcontractors, and with ultimate responsibility for his/her own work and for the work of others. Acting as his/her general contractor, applicant may forfeit certain protections which might be available to him/her through the State of Tennessee general contractor's licensing process. Applicant, as a self-build permit holder, is further responsible for requesting all required inspections and completing all authorized work in compliance with applicable adopted codes. Separate permits are required for any electrical, plumbing and gas/mechanical work and are not part of the building permit. No construction and demolition waste will be stored on the property and such waste shall be disposed of in a clean and sanitary manner by placing it in approved containers and having such waste discarded at an approved landfill. Signage must be posted pursuant to M.C.L. 16.28.230, including project information signs, which shall be posted in English and Spanish with one double-sided 24" (vertical) x 36" (horizontal) sign posted for every fifty feet of site frontage, with no more than three signs required per street frontage.

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review		
[A] Zoning Review	PENDING	615-862-6510
[A] Zoning Review		
CA - Zoning Sidewalk Requirement Review	SWNOTREQD	615-862-6510
[B] Fire Life Safety Review On Bldg App		615-862-5230
[B] Fire Sprinkler Requirement		615-862-5230
[G] Bond & License Review On Bldg App		
[C] Flood Plain Review On Blgd App		615-862-7225 mws.stormdr@nashville.gov
[D] Grading Plan Review For Bldg App		615-862-7225 mws.stormdr@nashville.gov

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case.** The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.


Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT



DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

As a new/First-time homebuyer, I was not aware ~~of~~ <sup>the</sup> many building codes necessary for adding to or renovating a home. That said, I bought the home fully expecting to be able to make changes and certain additions. It appears the front setback does not allow for me to build a porch on the front of the home. However, others have built porches in the same neighborhood due to their setback being more amenable than my own. This appears a bit arbitrary in some ways and was not mentioned ~~in~~ during the purchase of my home. Overall, the addition I want to build (porch) will only add value to the neighborhood, and only exceed the setback by a few feet. My neighbors are okay w/ this addition and I can provide verification of this. Further, a contractor has already been commissioned and materials bought that cannot be returned. A previous addition ~~was~~ has already been torn down in anticipation there would be no issues w/ this addition. Again, it will complement the home and neighborhood and provide no burden, ~~or~~ distinct safety concern, or dramatically different design than already exists within the neighborhood. Essentially, it appears I cannot build due to the irregular shape and topography of my property, rather than any major aesthetic, safety, or societal concern.

SP





SP



058110 71.66  
193

71.66 058110  
194

058110 71.66  
195

058110 71.66  
196

ROYAL  
HILLS  
SEC 3

185

186

187

188

189

RS15

Cable Covered

15'  
steps

70

70

70

72.26

@

76

058110  
145

76

38

PUTNAM DR







Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : Barry Cleveland Date: 10-16-19  
 Property Owner: Patel, Kalpesh R Gopal, Divyesh Case #: 2019- 495  
 Representative: Barry Cleveland Map & Parcel: 20-16-33

Council District 2

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Requesting variance to allow 6 stories and 79' Height at setback. Maximum height is 5 stories 75'

Activity Type: New Construction- Hotel

Location: 231 French Landing Dr.

This property is in the MUG Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Lot size

Section(s): 17.12.020(c)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Same  
Appellant Name (Please Print)

Barry Cleveland  
Representative Name (Please Print)

Address

2200 Rosa L. Parks  
Address

City, State, Zip Code

Nashville, TN 37228  
City, State, Zip Code

Phone Number

615-244-2040  
Phone Number

Email

bcleveland@dbsengr.com  
Email

Zoning Examiner: CH

Appeal Fee: \$ 200.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3722765

**ZONING BOARD APPEAL / CAAZ - 20190063102  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 07016003300**APPLICATION DATE:** 10/16/2019**SITE ADDRESS:**

261 FRENCH LANDING DR NASHVILLE, TN 37228  
LOT 1 METROCENTER CONSOLIDATION OF LOTS 8D-1,8D-2 AND 8E

**PARCEL OWNER:** PATEL, KALPESH R & GOPAL, DIVYESH R & **CONTRACTOR:****APPLICANT:****PURPOSE:**

requesting variance to allow 6 stories and 79' in height at the setback. maximum allowed is 5 stories in 75'.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

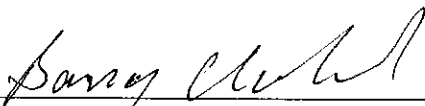
The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
\_\_\_\_\_  
**APPELLANT**

10/16/19  
\_\_\_\_\_  
**DATE**

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Lot shape & constraints of Venture Circle, French Landing Drive and drainage ditches on east side of property restricts accessibility of entrance locations and aerial access for emergency fire access. These restrictions limit the area space required for 126 rooms hotel. The proposed hotel (Luxury) needs the 6<sup>th</sup> floor to allow for 16 rooms to accommodate the corporate Hotel requirements.

The Councilwoman Tombs is in support of the addition floor over the 5 permitted by MUG Zoning.



### SITE LEGEND

---	BOUNDARY LINE
---	PROPERTY LINE
---	CURB & GUTTER
---	CURB
---	EDGE OF PAVEMENT
---	FENCE
---	GAS LINE
---	OVERHEAD POWER LINE
---	SANITARY SEWER
---	STORM SEWER
---	WATER LINE
---	MAJOR CONTOUR
---	MINOR CONTOUR
---	CURB & GUTTER
---	CURB

□	AIR CONDITIONING UNIT	□	POST INDICATOR VALVE
□	BENCHMARK	□	PULL BOX
□	BLOW OFF VALVE	□	SANITARY SEWER MANHOLE
□	CATCH BASIN	□	SEWER VALVE
□	CLEAN OUT	□	SPOT ELEVATION
□	DROP INLET	□	STORM MANHOLE
□	ELECTRIC METER	□	TELEPHONE PEDESTAL
□	ELECTRIC TRANSFORMER	□	UTILITY POLE
□	FIRE HYDRANT	□	UTILITY POLE w/ LIGHT
□	GAS METER	□	UTILITY POLE w/ 2 LIGHTS
□	INJECTION WELL	□	WATER MANHOLE
□	MAILBOX	□	WATER METER
□	MANHOLE	□	WATER VALVE

□	ADA PARKING SPACE	□	CONCRETE	□	PAVEMENT	□	TREE
□	BUILDING (EXISTING)	□	DECK (WOOD)	□	PERMEABLE PAVERS	□	
□	BUILDING (PROPOSED)	□	GRAVEL	□	STRUCTURE	□	

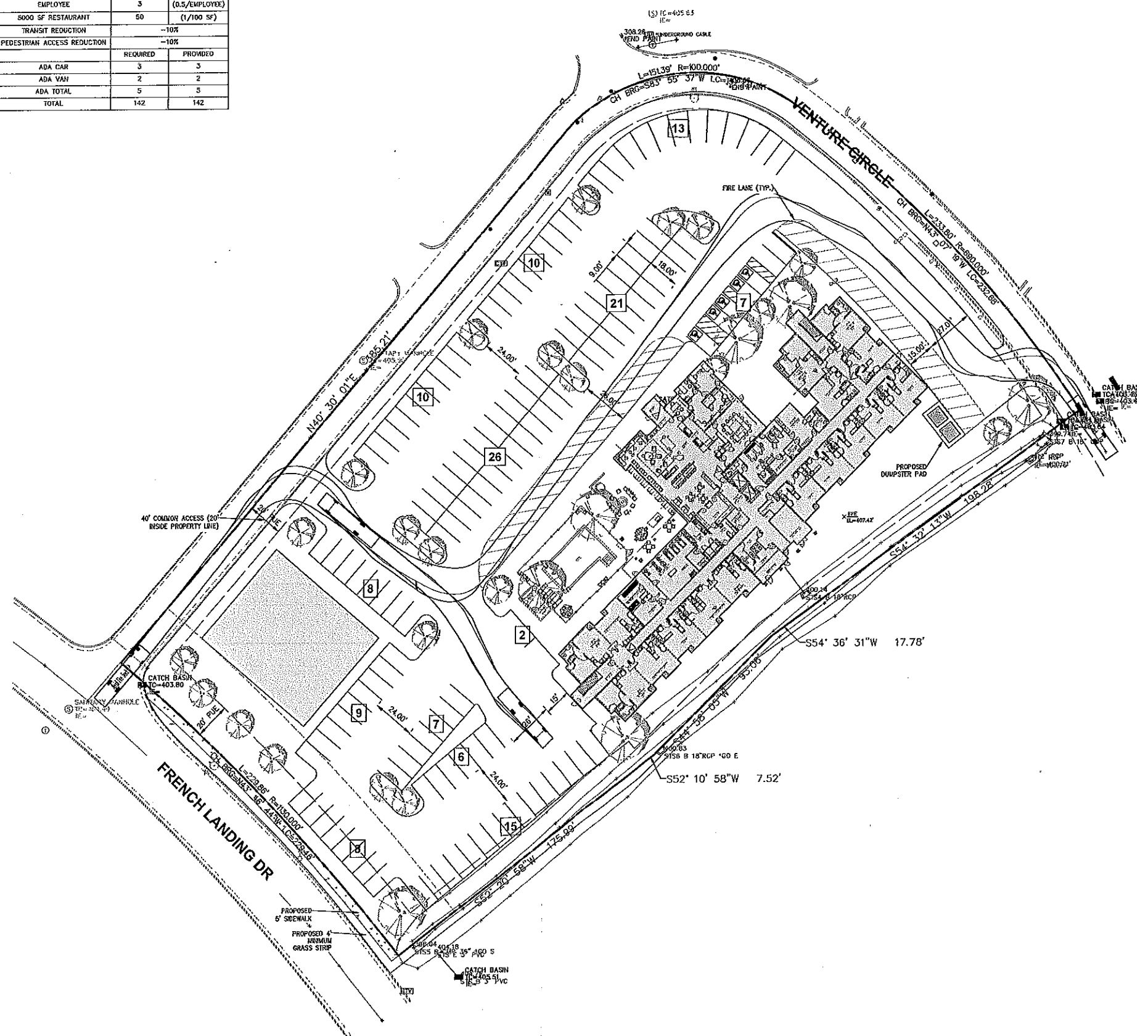
### PARKING REQUIREMENTS

HOTEL	124	(1/ROOM)
EMPLOYEE	3	(0.5/EMPLOYEE)
5000 SF RESTAURANT	50	(1/100 SF)
TRANSIT REDUCTION		-10%
PEDESTRIAN ACCESS REDUCTION		-10%
ADA CAR	3	3
ADA VAN	2	2
ADA TOTAL	5	5
TOTAL	142	142

- ### GENERAL NOTE:
- ALL UTILITY LOCATIONS ARE APPROXIMATE AND ARE DEPICTED BASED ON LOCATION OF UTILITIES BY LOCAL UTILITY AUTHORITIES, VISIBLE APPEARANCES, OR MAPS TRIPKED BY OTHERS. THESE LOCATIONS ARE NO GUARANTEE THAT THERE ARE NO OTHER UTILITIES EITHER PUBLIC OR PRIVATE THAT ARE NOT SHOWN ON THIS SURVEY. ALL UTILITIES SHALL BE FIELD VERIFIED BEFORE CONSTRUCTION BEGINS. CONTRACTORS SHALL VERIFY LOCATION, DEPTH, AND SIZE OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION, AND SHALL BE RESPONSIBLE FOR MAKING THE NECESSARY ARRANGEMENTS WITH THE GOVERNING UTILITY COMPANY FOR UTILITIES REQUIRING RELOCATION.
  - BOUNDARY & TOPOGRAPHIC SURVEY PROVIDED BY: [SURVEY COMPANY] ON [SURVEY DATE].
  - THE FINAL SITE PLAN/BUILDING PERMIT SITE PLAN SHALL DEPICT THE REQUIRED PUBLIC SIDEWALKS, ANY REQUIRED GRASS STRIP OR FRONTAGE ZONE AND THE LOCATION OF ALL EXISTING AND PROPOSED VERTICAL OBSTRUCTIONS WITHIN THE REQUIRED SIDEWALK AND GRASS STRIP OR FRONTAGE ZONE. PRIOR TO THE ISSUANCE OF USE AND OCCUPANCY PERMITS, EXISTING VERTICAL OBSTRUCTIONS SHALL BE RELOCATED OUTSIDE OF THE REQUIRED SIDEWALK, VERTICAL OBSTRUCTIONS ARE ONLY PERMITTED WITHIN THE REQUIRED GRASS STRIP OR FRONTAGE ZONE.
- ### PUBLIC WORKS NOTES:
- FINAL CONSTRUCTION DRAWINGS SHALL COMPLY WITH THE DESIGN REGULATIONS ESTABLISHED BY THE DEPARTMENT OF PUBLIC WORKS, IN EFFECT AT THE TIME OF THE APPROVAL OF THE PRELIMINARY DEVELOPMENT PLAN OR FINAL DEVELOPMENT OR BUILDING PERMIT, AS APPLICABLE. FINAL DESIGN MAY VARY BASED ON FIELD CONDITIONS.
  - ROW AND EASEMENT DEDICATIONS ARE TO BE RECORDED PRIOR TO METRO PUBLIC WORKS SIGN OFF ON THE BUILDING PERMIT.
  - ALL CONSTRUCTION WITHIN THE ROW SHALL BE CONSTRUCTED IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND SPECIFICATIONS.
  - SOLID WASTE AND RECYCLING FOR THE DEVELOPMENT SHALL BE IN COMPLIANCE WITH PUBLIC WORKS VIA CURBSIDE PICK-UP WITHIN DEVELOPMENT. PRIVATE CURB-SIDE PICK-UP WILL BE PROVIDED BY THE DEVELOPMENT'S HOMEOWNERS ASSOCIATION.
  - STREET PARKING ON PUBLIC STREETS SHALL BE CONSTRUCTED IN ACCORDANCE WITH METRO PUBLIC WORKS STANDARDS AND SPECIFICATIONS.
  - THE CITY SHALL ONLY TAKE OWNERSHIP AND MAINTENANCE RESPONSIBILITIES FOR THE PUBLIC SIDEWALKS.
  - ALL WORK WITHIN THE PUBLIC RIGHT OF WAY REQUIRES AN EXCAVATION PERMIT FROM THE DEPARTMENT OF PUBLIC WORKS.
  - PROFILING OF ALL STREET SUBGRADE IS REQUIRED IN THE PRESENCE OF THE PUBLIC WORKS INSPECTOR. INSPECTION OF THE BINDER COURSE IS REQUIRED PRIOR TO FINAL PAVING IN THE PRESENCE OF THE PUBLIC WORKS INSPECTOR. THESE REQUESTS ARE TO BE MADE 24 HOURS IN ADVANCE.
  - STOP SIGNS ARE TO BE 30 INCH BY 30 INCH.
  - STREET SIGNS TO HAVE SIX INCH WHITE LETTERS ON A NINE INCH GREEN ALUMINUM BLADE, HIGH INTENSITY REFLECTIVE.
  - ALL PAVEMENT MARKINGS ARE TO BE THERMOPLASTIC.
- ### METRO PLANNING NOTES:
- THE FINAL SITE PLAN/BUILDING PERMIT SITE PLAN SHALL DEPICT A MINIMUM FOOT CLEAR PATH OF TRAVEL FOR PEDESTRIAN WAYS INCLUDING PUBLIC SIDEWALKS, AND THE LOCATION OF ALL EXISTING AND PROPOSED OBSTRUCTIONS, PRIOR TO THE ISSUANCE OF USE AND OCCUPANCY PERMITS, EXISTING OBSTRUCTIONS WITHIN THE PATH OF TRAVEL SHALL BE RELOCATED TO PROVIDE A MINIMUM OF 5 FEET OF CLEAR ACCESS.
  - IF A DEVELOPMENT STANDARD, NOT INCLUDING PERMITTED USES, IS ABSENT FROM THE SP PLAN AND/OR COUNCIL APPROVAL, THE PROPERTY SHALL BE SUBJECT TO THE STANDARDS, REGULATIONS AND REQUIREMENTS OF THE RMO-A ZONING DISTRICT AS OF THE DATE OF THE APPLICABLE REQUEST OF APPLICATION.
  - MAJOR MODIFICATIONS TO THE PRELIMINARY SP PLAN MAY BE APPROVED BY THE PLANNING COMMISSIONER OR ITS DESIGNEE BASED UPON FINAL ARCHITECTURAL, ENGINEERING OR SITE DESIGN AND ACTUAL SITE CONDITIONS. ALL MODIFICATIONS SHALL BE CONSISTENT WITH THE PRINCIPLES AND FURTHER THE OBJECTIVES OF THE APPROVED PLAN. MODIFICATIONS SHALL NOT BE PERMITTED (EXCEPT THROUGH AN ORDINANCE APPROVED BY METRO COUNCIL) THAT INCREASES THE PERMITTED DENSITY OR FLOOR AREA, ADDS USES NOT OTHERWISE PERMITTED, ELIMINATES SPECIFIC CONDITIONS OR REQUIREMENTS CONTAINED IN THE PLAN AS ADOPTED THROUGH THE EMANCIPATING ORDINANCE, OR ADDS VEHICULAR ACCESS POINTS NOT CURRENTLY PERMITTED OR APPROVED.
  - THE FINAL SITE PLAN/BUILDING PERMIT SITE PLAN SHALL DEPICT THE REQUIRED PUBLIC SIDEWALKS, ANY REQUIRED GRASS STRIP OR FRONTAGE ZONE AND THE LOCATION OF ALL EXISTING AND PROPOSED VERTICAL OBSTRUCTIONS WITHIN THE REQUIRED SIDEWALK AND GRASS STRIP OR FRONTAGE ZONE. PRIOR TO THE ISSUANCE OF USE AND OCCUPANCY PERMITS, EXISTING VERTICAL OBSTRUCTIONS SHALL BE RELOCATED OUTSIDE OF THE REQUIRED SIDEWALK, VERTICAL OBSTRUCTIONS ARE ONLY PERMITTED WITHIN THE REQUIRED GRASS STRIP OR FRONTAGE ZONE.

FEDERAL COMPLIANCE NOTE:  
ALL DEVELOPMENT WITHIN THE JURISDICTION OF THIS PLAN MEETS THE REQUIREMENTS OF THE AMERICAN WITH DISABILITIES ACT AND THE FAIR HOUSING ACT, ADA.  
Title 28 CFR, Part 37  
U.S. ACCESSIBILITY GUIDELINES FOR BUILDINGS AND FACILITIES

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811  
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NORTH BASED ON  
TENNESSEE STATE PLANE COORDINATES  
NAD 83  
GRAPHIC SCALE: 1" = 30'

2200 Rosa L. Parks Blvd.  
Nashville, TN 37228  
P: (615) 244-2040  
F: (931) 647-7135  
visit us online: www.dbsengr.com

Engineers • Surveyors • Planners

261 FRENCH LANDING  
FIRE ACCESS PLAN  
[ADDRESS], NASHVILLE  
DAVIDSON COUNTY, TENNESSEE  
October 15, 2019

### REVISIONS

DATE	DESCRIPTION

SP #  
SWGR #  
Sewer #  
Case #

**C 2.00**



# New World Imports

*"Quality Amenities Since 1971"*

January 2, 2020

Board of Zoning Appeals  
P.O Box 196350  
Nashville, Tennessee 37210

Re: Appeal Case 2019-495

Dear Sirs:

We are located at the corner of Athens Way and French Landing with a 75,000 square foot distribution center. I personally chose this corner lot about 15 years ago when it was merely a vacant lot but when Metro Center was zoned for only offices and warehousing. More important to me and my family was the fact that there were seldom anyone roaming the streets after dark since no one lived in Metro Center thus reducing the chance of crime after hours.

I purchased our lot and built upon this corner predominately due to the old zoning codes which would not have allowed the proposed MUG zoning requested and for this reason I am **very much opposed** to allowing this zoning request.

Should anyone like to discuss this matter, I can be reached at (615) 329-1906.

Sincerely,

A handwritten signature in blue ink that reads "Randy LaGasse".

Randy LaGasse  
New World Imports, Owner

**1-800-329-1903**

(615) 329-1906 • Fax (615) 329-3816  
160 Athens Way Nashville, Tennessee 37228  
[www.newworldimports.com](http://www.newworldimports.com)

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: LIZSA DELOUXE NAZARETE

Date: 10.17.19

Property Owner: 11  
Representative: DAZYL SIZEM

Case #: 2019-496 UPDATED 1/6/2020

Map & Parcel: 08215018406

Council District 6

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: to install a new monument sign w/ LED MESSAGE BOARD

Activity Type: Religious Institution

Location: 510 WOODLAND

This property is in the \_\_\_\_\_ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

OR20, CS, RM20

Reason: REQUIRES BZA APPROVAL FOR LED MESSAGE BOARD

Section(s): 17.40.180.B

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection C Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

LIZSA DELOUXE NAZARETE

Appellant Name (Please Print)

DAZYL SIZEM

Representative Name (Please Print)

510 WOODLAND ST.

Address

315 MIDWAY ST.

Address

NASHVILLE TN 37206

City, State, Zip Code

NASHVILLE TN 37115

City, State, Zip Code

615.255.1289

Phone Number

615.865.6062

Phone Number

DSIZEM@VIA.DZC

Email

RODNEY.NAZARETE@GMAIL.COM

Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3721037

APPLICATION FOR BUILDING SIGN PERMIT / CASN: T2019061932  
THIS IS NOT A PERMIT

PARCEL: 08215018400

APPLICATION DATE: 10/10/2019

## SITE ADDRESS:

510 WOODLAND ST NASHVILLE, TN 37206  
LOT 1 FIRST CHURCH OF THE NAZARENE

PARCEL OWNER: NASHVILLE FIRST CHURCH OF NAZARENE

## APPLICANT:

## PURPOSE:

Rejected, requires BZA Approval for LED Message Board for FIRST CHURCH OF THE NAVARENE.  
MDHA to review/approve prior to permit issuance.  
Need Site Plan  
Need UL#'s  
8'4"H and 14'6"W with message board portion of sign is 10'6" W x 5'3"W

*Before a building permit can be issued for this project, the following approvals are required.  
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Site Plan Review		
[A] Zoning Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
M.D.H.A REVIEW ON BLDG APP		615-252-3750 pbrown@nashville-mdha.org
[A] Zoning Review		
[B] Building Plans Received		615-862-6614 teresa.patterson@nashville.gov
[B] Plans Picked Up By Customer		615-880-2649 Ronya.Sykes@nashville.gov
[B] Building Plans Review		615-862-6581 Teresa.Patterson@nashville.gov
[G] Bond & License Review On Bldg App		

## APPLICATION FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, zoning staff will visit the site to take photographs for the Board Members so they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.) Finally, BZA Rules require that you conduct a neighborhood meeting regarding the special exception request before the BZA hearing date.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

I am aware that I am responsible for posting and removing the sign(s) after the public hearing.  
I am aware that I am required to conduct a neighborhood meeting.

Alex Nazarek      Alex Nazarek      10.17.19

APPELLANT

DATE

**SPECIAL EXCEPTION REQUEST**

BZA Rules of Procedure, Item 9(2) (e) requirements to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rules specifies, "In the interest of having informed stake holder in special exception cases. It is required that the appellant make contact with the district council person and neighbors within 1,000 feet of the subject property from a mailing list provided by the board staff. Information by the applicant shall include a contact person and include a reasonable representation of the proposal and hold a meeting at a geographically convenient place, date, and time. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mailing list, provide them with the date, time and place of meeting, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

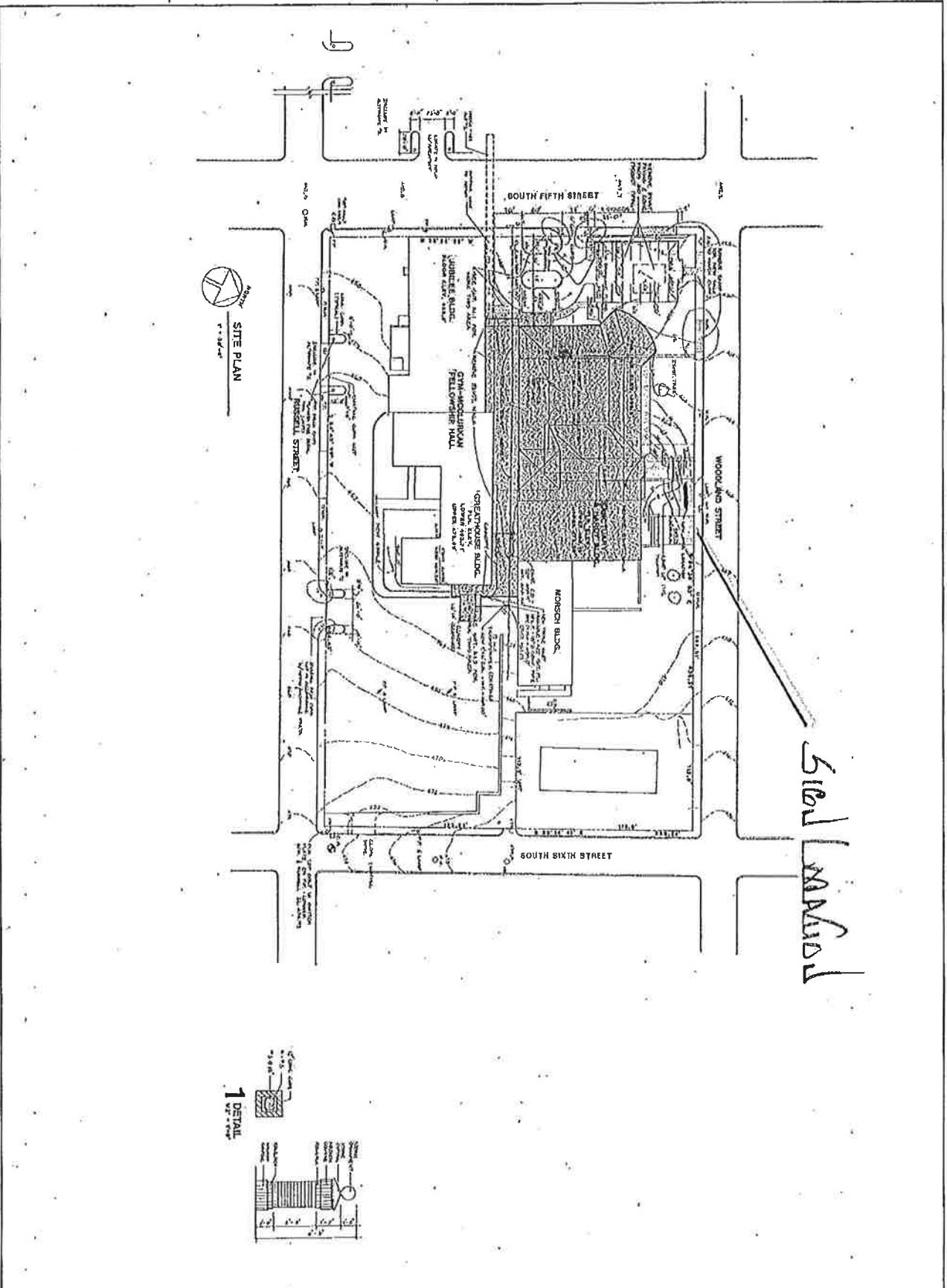
I ACKNOWLEDGE MY RESPONSIBILITIES regarding the neighborhood meeting preceding the public hearing for by BZA appeal for a special exception



APPELLANT (OR REPRESENTATIVE)

10.17.19

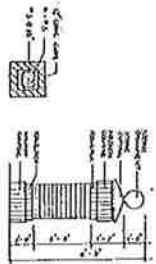
DATE



*Site Plan*

**SITE PLAN**  
1" = 30'-0"

**1**  
DETAIL



NO.	DATE	REVISION

NASHVILLE, TENNESSEE - JACKSON, TENNESSEE - SEBASTIAN, TENNESSEE  
**HFR** Hart Freeland Roberts  
 architects engineers planners interiors



DATE	REVISION

**SANCTUARY ADDITION TO  
 FIRST CHURCH OF THE NAZARENE**  
 510 WOODLAND STREET  
 NASHVILLE, TENNESSEE

SITE PLAN	DATE PLOTTED
<b>C-1.1</b>	

**From:** [Gregory, Christopher \(Public Works\)](#)  
**To:** [Lifsey, Debbie \(Codes\)](#)  
**Cc:** [Shepherd, Jessica \(Codes\)](#); [Ammarell, Beverly \(Public Works\)](#)  
**Subject:** BZA Case 2019-496  
**Date:** Wednesday, October 23, 2019 11:27:03 AM

---

**2019-496 510 Woodland Street Install Digital Message Board**

Variance: 17.32.050H.2

Response: Public Works takes no exception with confirmation that sight distance is adequate at driveway entrance.

This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

**Christopher E. Gregory, E.I.T.**

***Metropolitan Government of Nashville***

*Department of Public Works*

*Engineering Division*

720 South Fifth Street

Nashville, TN 37206

Ph: (615) 880-1678



**From:** [Carol Williams](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [kulmet@nfcn.org](mailto:kulmet@nfcn.org); [Withers, Brett \(Council Member\)](#)  
**Subject:** 510 Woodland Street  
**Date:** Tuesday, January 7, 2020 7:40:52 AM

---

Board of Zoning Appeals:

The First Nazarene Church at 510 Woodland Street is requesting a zoning variance to allow LED signage at the commercial corner of South 5th Street and Woodland Street.

I do not attend this church but as a community activist see the need. Informing the area of daily community services and church activities will serve our diverse neighborhood including thousands of tourists. This is a new time in Nashville presenting many new neighborhood issues while the homeless, addicted, mentally ill, and needy remain. Now is the time to approve a sign listing available services/activities.

Because of the commercial location of the signage, the Historic Edgefield neighborhood will not be disturbed by the light. The church structure blocks any light into the neighborhood.

Thank you for your service to Nashville.

Carol Williams  
800 Russell Street  
Nashville, TN 37206  
615-227-4197

**From:** [Withers, Brett \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Kevin Ulmet](#); [Gary Streit](#); [Lamb, Emily \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)  
**Subject:** Letter of support for case 2019-496 for property located at 510 Woodland Street in District 6  
**Date:** Friday, January 10, 2020 8:17:26 AM

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Members of the Board of Zoning Appeals:

Thank you for your service to our county. I am writing to lend my support to the special exception appeal case 2019-496 to permit an electronic sign along a portion of the Woodland Street frontage of the Nashville First Church of the Nazarene property. I know that the Board considers carefully the impact of signs in neighborhoods and that is appropriate.

This sign placement will face northwest across Woodland Street toward the parking lot that Nashville First Church of the Nazarene also owns, and therefore there are no residential neighbors who will be affected by light from this sign; however, the sign will help to let passersby near the busy South 5th/Woodland/Main thoroughfares know about the many services and offerings that Nashville First Church of the Nazarene provides to our community. The dimension and angling of the proposed sign are appropriate for the context. I have received communication from nearby neighbors whose concerns were addressed by the information that was made available about the dimension, placement and direction of the proposed sign as well as by limitations that are contemplated as to hours of operation.

I thank Nashville First Church of the Nazarene for always being good neighbors and for contacting me early on regarding this request so that I could have informed discussions with constituents. I urge your support of this application to allow them to construct the sign that they have requested.

**Brett A. Withers**

Metro Council, District 6

Mobile (615) 427-5946 | [facebook.com/Brett A. Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/brettawithers)

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: MKS Development LLC  
Property Owner: KMS Properties  
Representative: Michael Shears

Date: Nov 1, 2019  
Case #: 2019-506  
Map & Parcel: 131020153.00

Council District 25

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: PROPOSED RESIDENTIAL CONSTRUCTION. NO PERMIT APPLICATION(S) STARTED

Activity Type: RES. CONSTRUCTION

Location: 2048 CASTLEMAN

This property is in the R15 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: FRONT SETBACK VARIANCE  
90 FT REQUIRED, REQUESTING 13'3" reduction TO 56'9"

Section(s): 17.12.030 C3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

MKS Development LLC  
Appellant Name (Please Print)

Michael Shears  
Representative Name (Please Print)

5825 Old Harding Pl  
Address

same  
Address

Nashville TN 37205  
City, State, Zip Code

City, State, Zip Code

615-533-4428  
Phone Number

Phone Number

michael@waic.com  
Email

Email

Zoning Examiner: [Signature]

Appeal Fee: \_\_\_\_\_



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3728354

**ZONING BOARD APPEAL / CAAZ - 20190067096**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 13102015300

APPLICATION DATE: 11/01/2019

**SITE ADDRESS:**

2048 CASTLEMAN DR NASHVILLE, TN 37215  
PT LOTS 92 93 HOLLYWOOD PLACE

PARCEL OWNER: KMS PROPERTIES, LLC

CONTRACTOR:

APPLICANT: Michael Shears  
615-533-4428

**PURPOSE:**

Requesting Variance to front setback per 17.12.030 C3. Contextual setback required is 90 ft (triple table 17.12.030A), requesting 13'3" reduction to 56'9" front setback which is the current setback for existing structure.  
Current house to be demolished, requesting setback for new construction.

POC: Michael Shears 615-533-4428

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

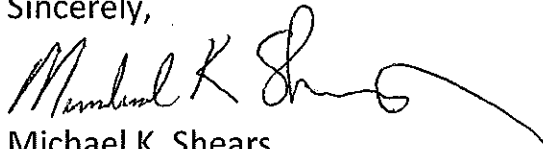
Department of Codes Administration  
800 2nd Avenue South  
Metro Office Building

11/1/2019

Dear BZA,

My name is Michael Shears, Partner in MKS Development LLC. We have a client who would like to demo the current structure and re-build at 2048 Castleman Dr. Currently the existing home that is there, ( and has been there for most likely 60+ years) sits 56'9" from the property line. This is closer than the neighbor to the East sits, but due to the curve in the road, the homes line up perfectly. Under the current guidelines, for someone to build new there, the new front setback would be 90' in the front and 30' on the side. This shoves the envelope to the back right corner of the property. In order to fit within the shape of this new envelope, the home at 2048 Castleman would be all the way behind the neighbor, so the front of the structure would be looking into the rear of the neighbor's home. We feel that this is an unintended consequence of the current setback rules and would like to be allowed to build back where the current home has been sitting all this time. That would give my client a 59' setback in the front and a 25' setback down the side. This would allow for a structure or structures to be placed more in the center of the lot, and not shoved to the rear right hand corner. Please feel free to call me with any questions and thank you for your consideration.

Sincerely,



Michael K. Shears  
MKS Development LLC  
615-533-4428

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

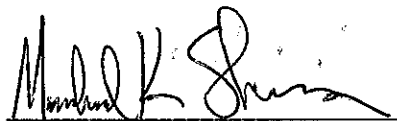
The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

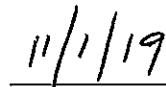
**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



APPELLANT

Michael@wacilc.com  
615-533-4428

  
DATE

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

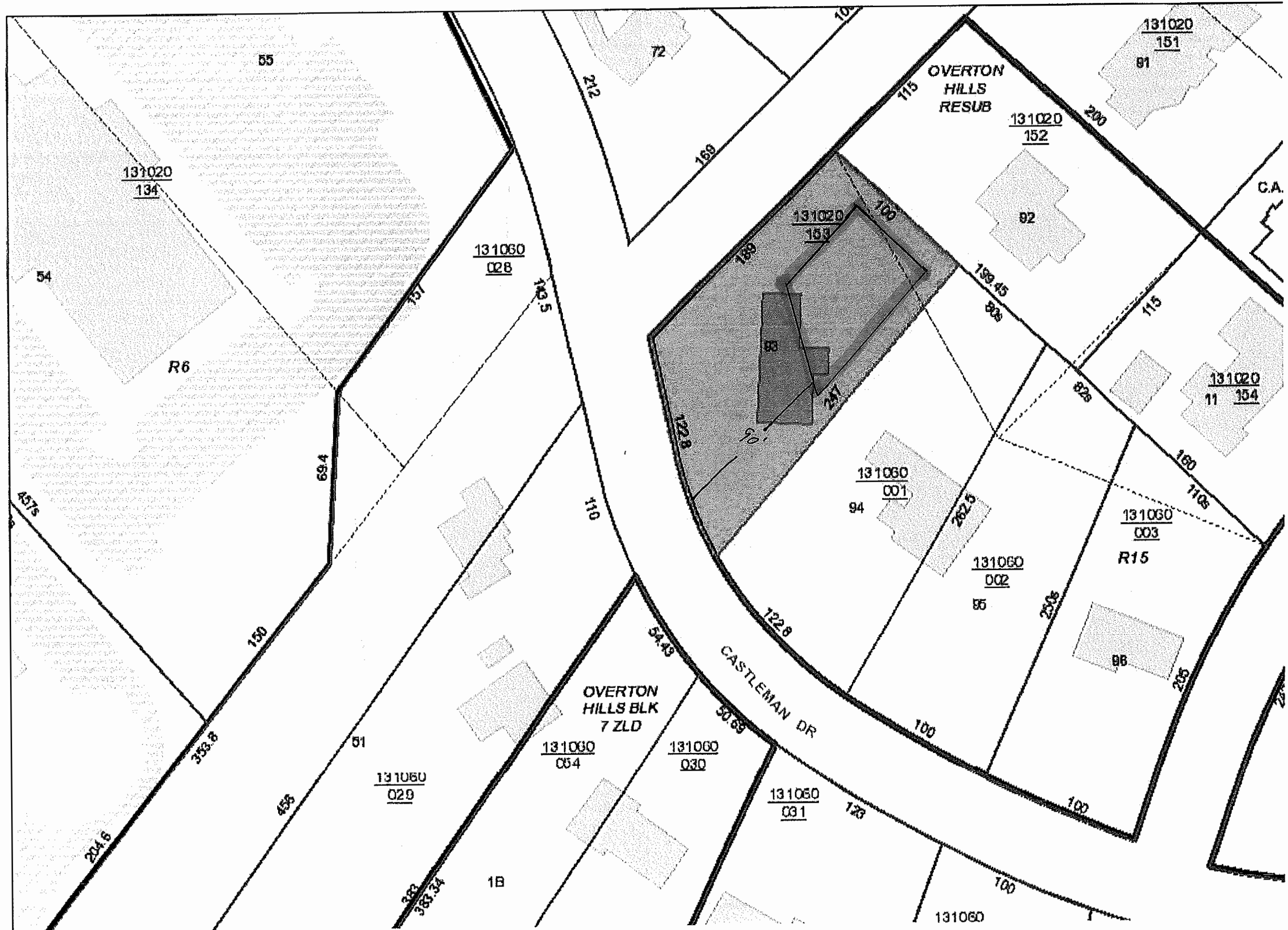
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

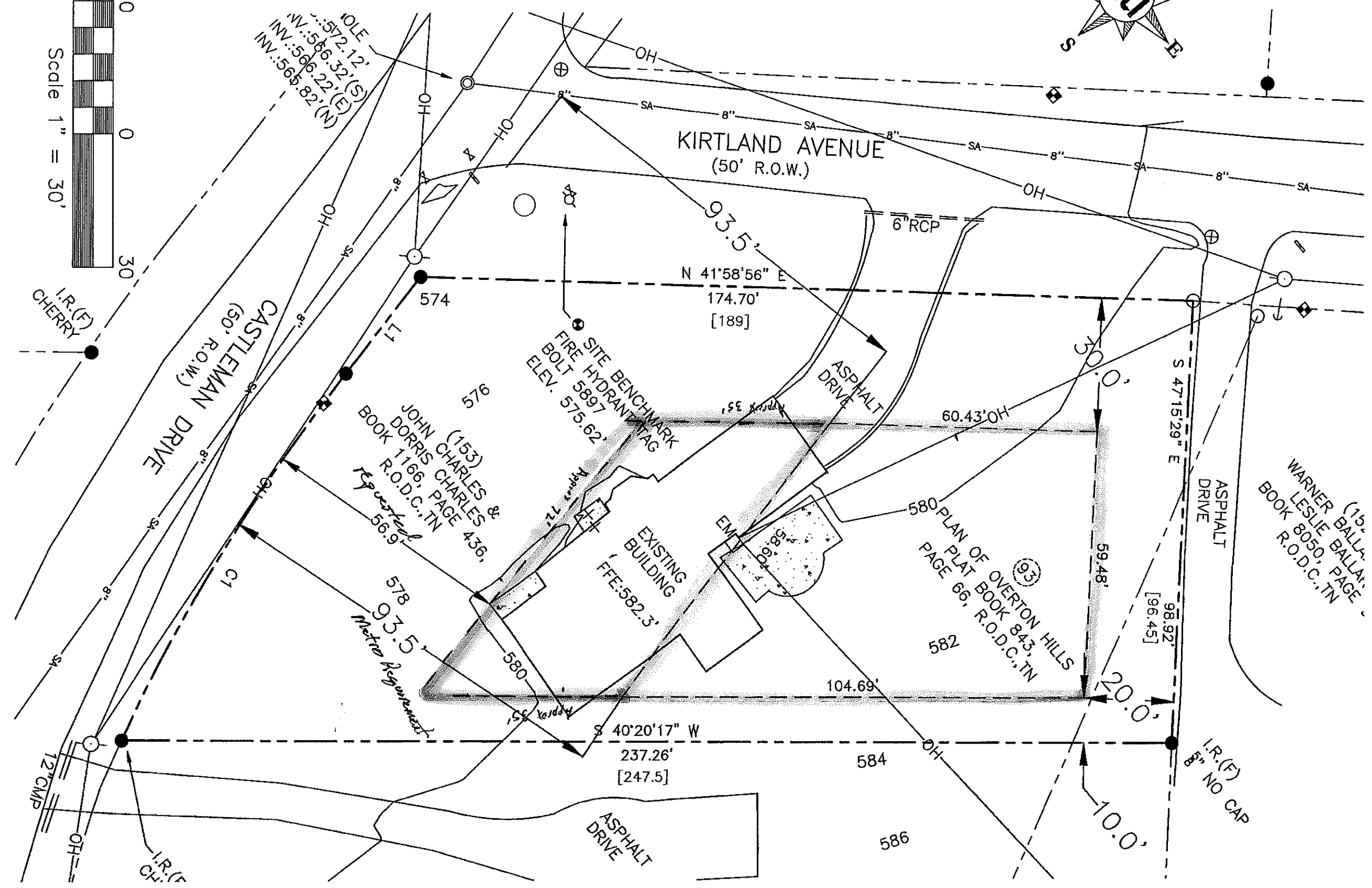
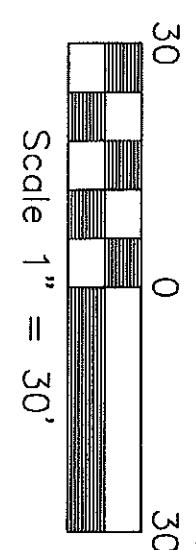
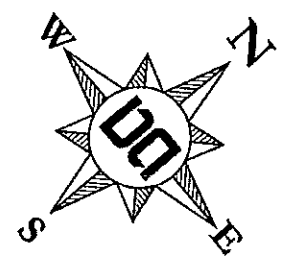
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

My name is Michael Shears, Partner in MKS Development LLC, and we have a client that would like to build at 2048 Castleman Dr. Under current conditions, once the existing house is demoed, the new front setback would be 90', and 30' on the side. This would shove the building envelope back 33' from the current home and move the envelope to the back Eastern corner of the property. This would put the front of a new structure or structures behind the immediate neighbor, and most likely force someone to build all the way to the back setback to have enough room to build. My client would like to build right back where the existing house is, which would be at 56'9" in and a side setback of 25'. This would allow them to stay in line with the neighbors and keep them from being pushed to the back corner of the property.







IOLE  
572.12' (S)  
586.32' (E)  
566.22' (E)  
565.82' (N)

KIRTLAND AVENUE  
(50' R.O.W.)

CASTLEMAN DRIVE  
(50' R.O.W.)

JOHN CHARLES &  
DORRIS CHARLES  
BOOK 1166, PAGE 436,  
R.O.D.C., TN  
56.9'

SITE BENCHMARK  
FIRE HYDRANT TAG  
ELEV. 575.62'

EXISTING  
BUILDING  
FFE:582.3'

580 PLAN OF OVERTON HILLS  
PLAT BOOK 843,  
PAGE 66, R.O.D.C., TN

WARNER BALLANTRAY  
LESLIE BALLANTRAY  
BOOK 8050, PAGE  
R.O.D.C., TN

I.R.(E)  
CHERRY

ASPHALT  
DRIVE

I.R.(E)  
8" NO CAP

ASPHALT  
DRIVE

12" CMP

I.R.(E)  
CHERRY

C1

Metro Requirements

S 40°20'17" W  
237.26'  
[247.5]

N 41°58'56" E  
174.70'  
[189]

S 47°15'29" E  
98.92'  
[96.45]

104.69'

93.5'

60.43' OH

30.0'

59.48'

20.0'

10.0'

584

586

574

576

578

580

582

98.92'

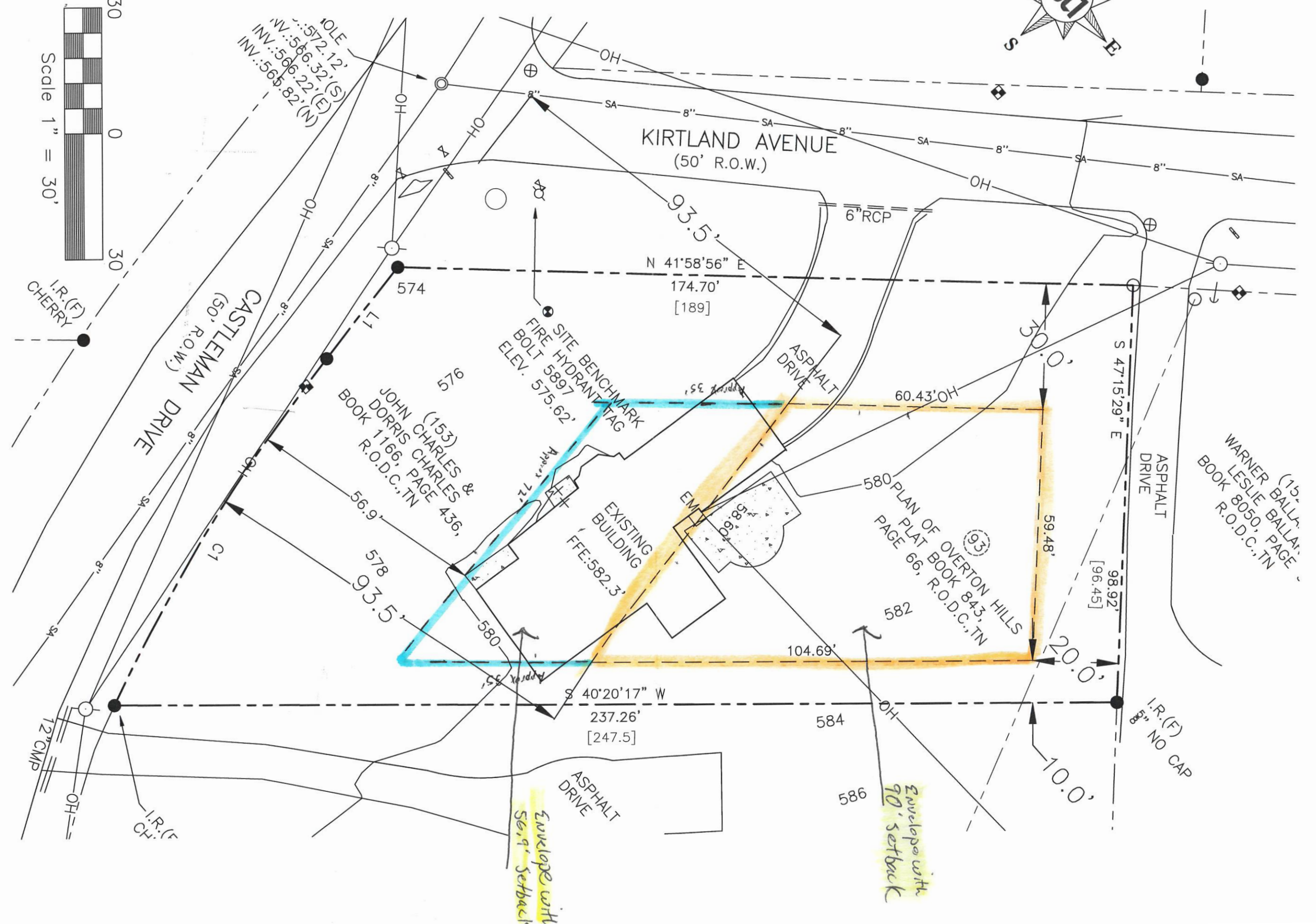
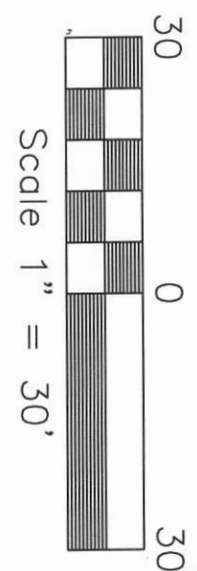
[96.45]

20.0'

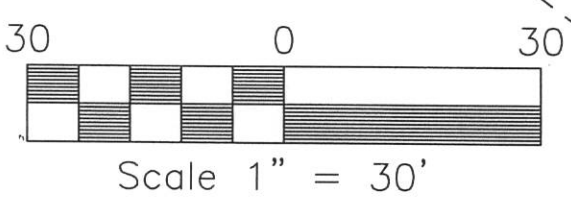
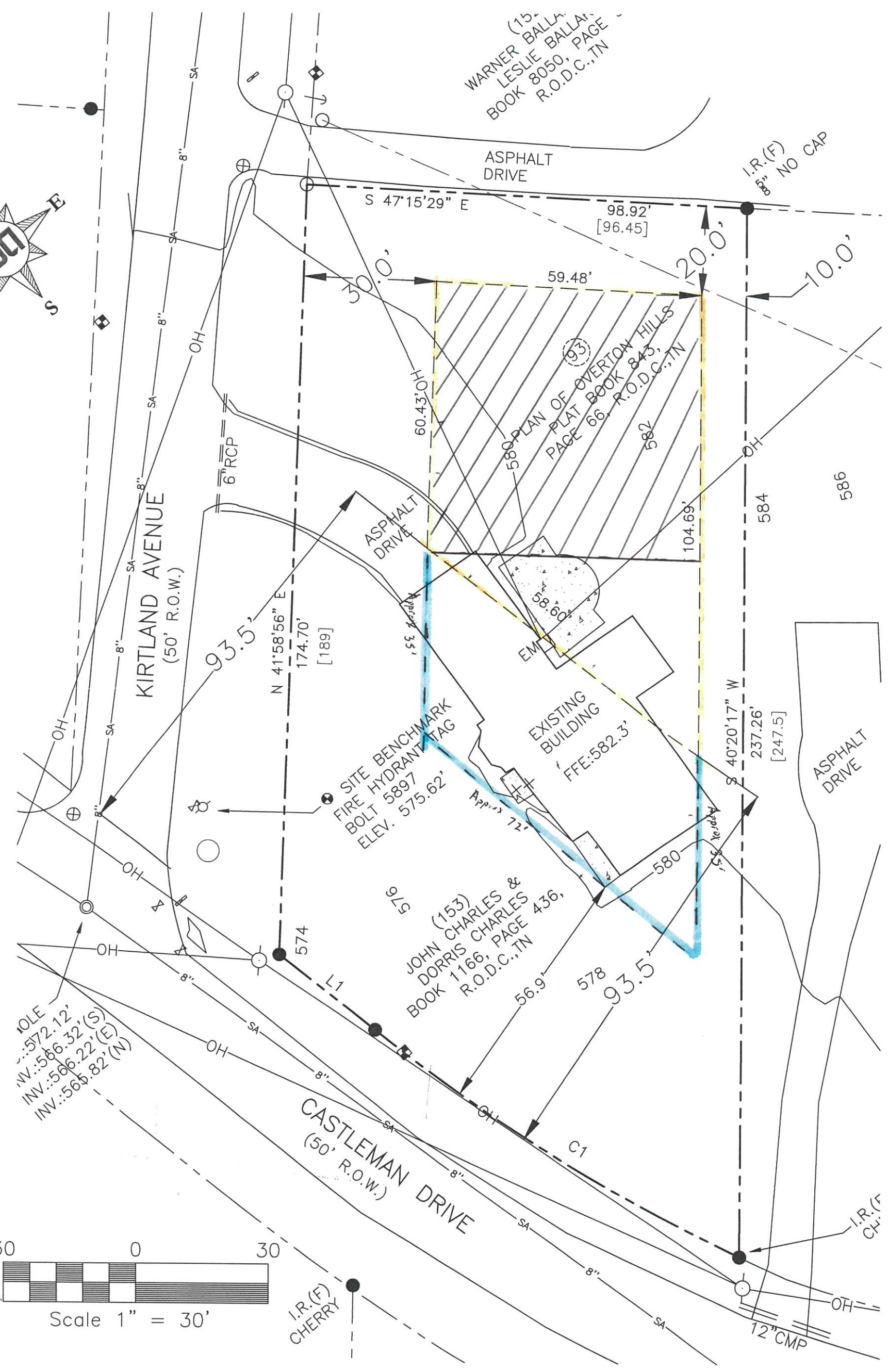
10.0'

ASPHALT  
DRIVE

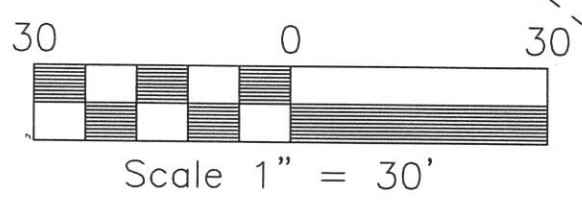
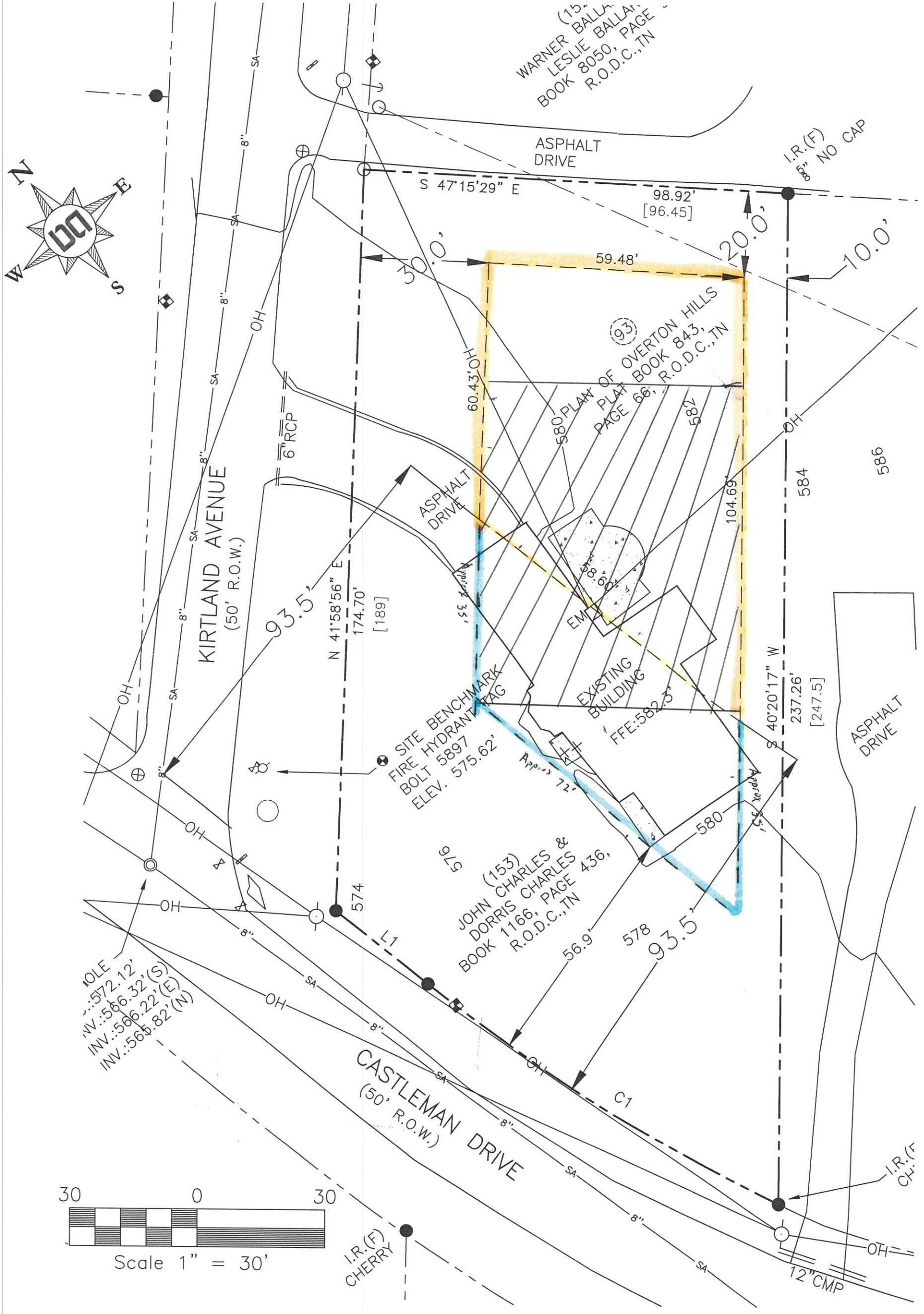
I.R.(E)  
CHERRY



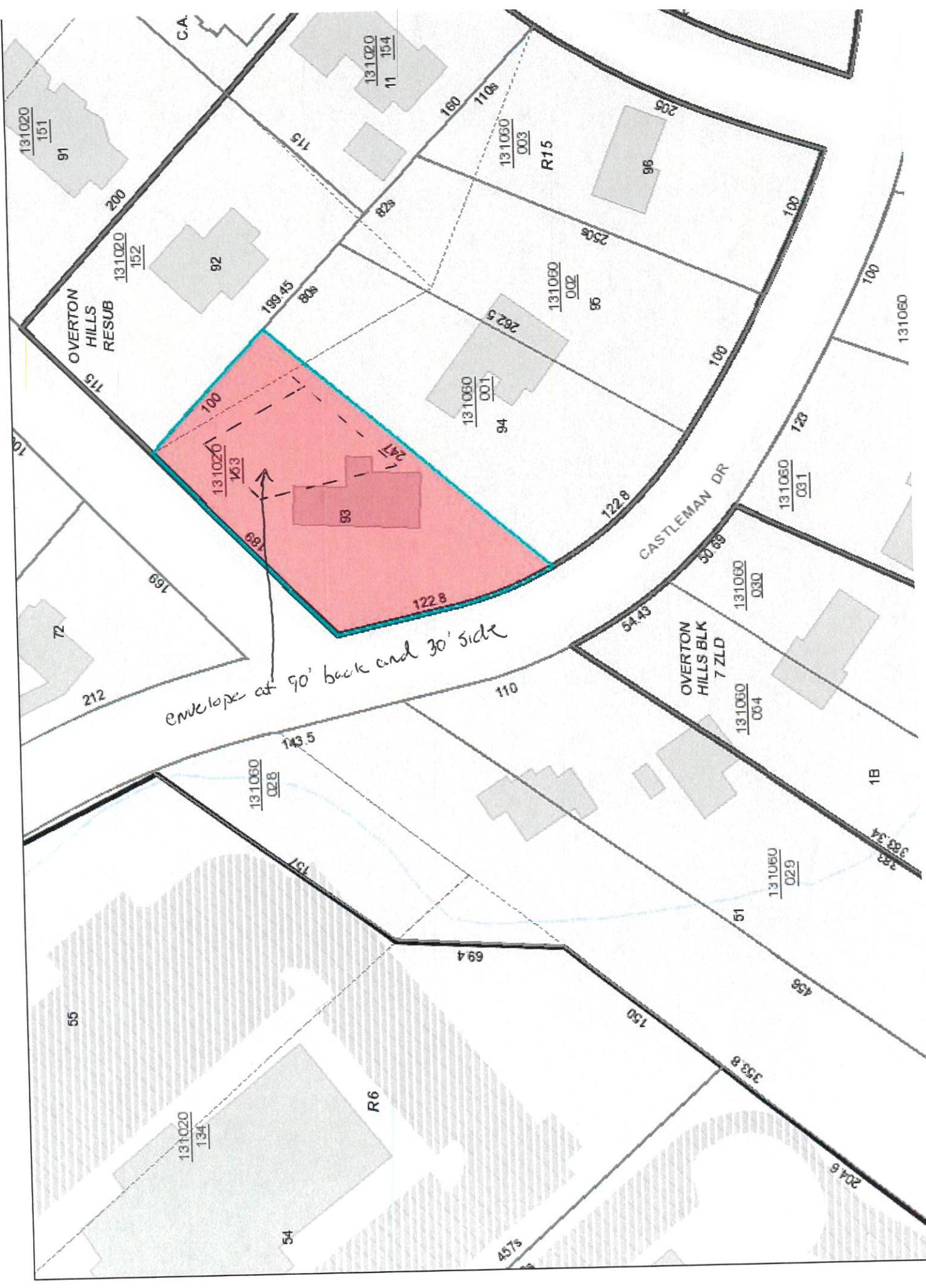
# Useable envelope with 90' setback



House placement at current 56.9' setback.  
Would lineup with neighbor & not be in his backyard  
Would allow for some backyard and not have to go all the way to setback



Nashville / Davidson County Parcel V



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Frank Neal  
Property Owner: ITH, LP  
Representative: Mark Wallace

Date: 11/4/19  
Case #: 2019- 511  
Map & Parcel: 07116017700

Council District 05

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: Proposed Multifamily Development

Activity Type: Commercial Construction  
Location: 1220 N 5TH ST

This property is in the RM20-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: REAR SETBACK VARIANCE TO REQUIRED 20 FT SETBACK, REQUESTING 5 FT (15 FT REDUCTION)

Section(s): 17.12.020 D

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Frank Neal  
Appellant Name (Please Print)

Mark Wallace  
Representative Name (Please Print)

115 Lynwood Ter  
Address  
Nashville, TN 37207  
City, State, Zip Code

1033 Demonbreun St.  
Address  
Nashville, TN 37203  
City, State, Zip Code

615-804-6154  
Phone Number

615-952-8573  
Phone Number

bbubis68@gmail.com  
Email

mark wallace DC@yahoo.com  
Email

Zoning Examiner: US

Appeal Fee: \_\_\_\_\_

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (8) copy of your information to staff.**

I am aware that I am responsible for posting and removing the sign(s) after the public hearing.

Frank Neal  
**APPELLANT**

11/4/19  
**DATE**



In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

*Irregular Lot Boundaries (RM20a ; 0.2307 Ac. ; 10,051 ft.)*  
*- addressed on N. 5<sup>th</sup> as the "front".*  
*- Zoning interprets rear setback 20' as the southern property line (33% of the property)*

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## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed-* *The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-* *Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property-* *The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

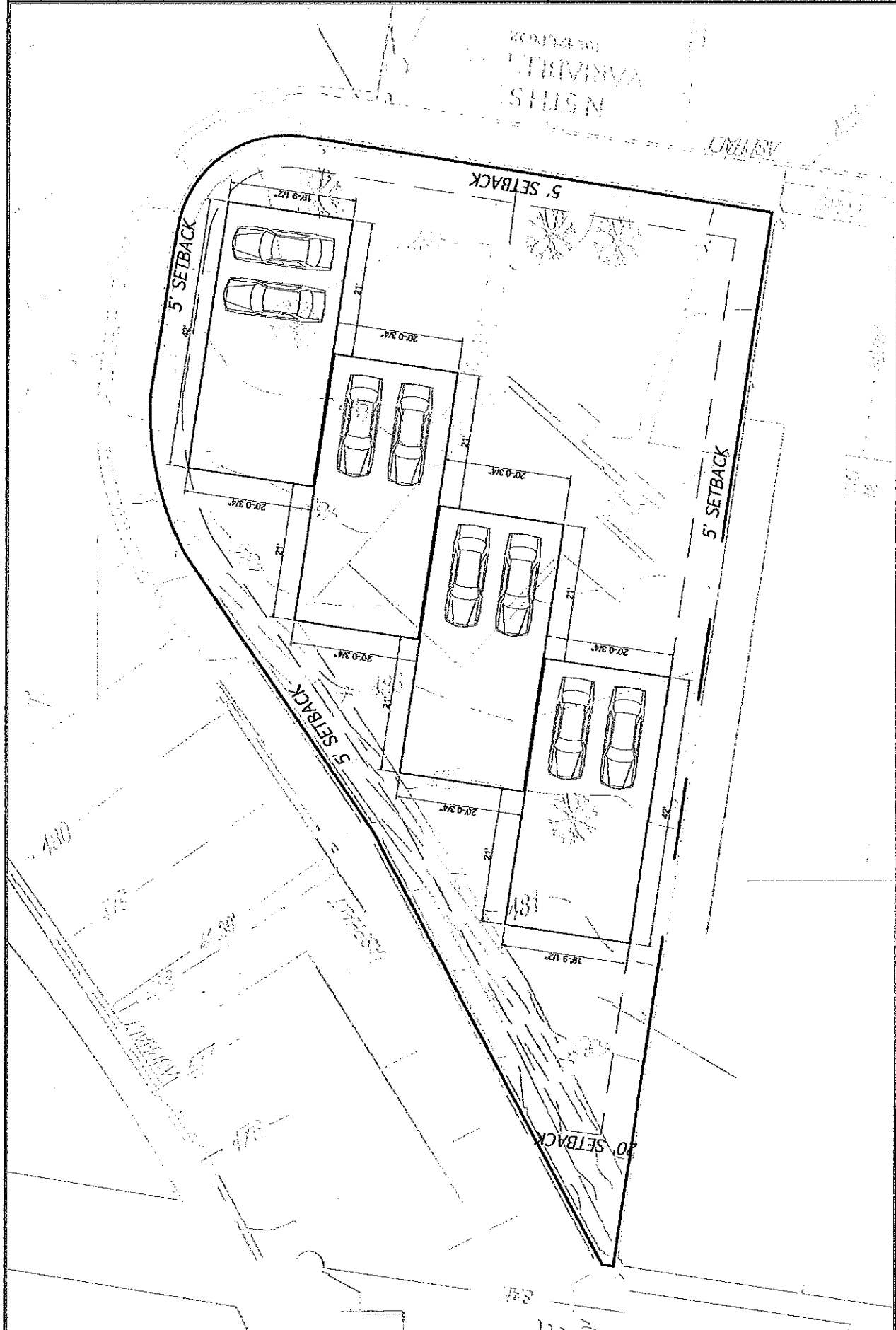
*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

1220 N 5th  
Nashville, TN

In the event of a conflict between the text of these specifications and the drawings, the text shall govern. The drawings shall be interpreted in accordance with the specifications. The contractor shall be responsible for obtaining all necessary permits and approvals prior to beginning work. All materials and workmanship shall conform to the applicable building codes and standards. The contractor shall be responsible for obtaining all necessary permits and approvals prior to beginning work. All materials and workmanship shall conform to the applicable building codes and standards.

Author: J. Kirkmills  
Date: XX/XX/XXXX  
Scale: 1/4" = 1'  
Sheet Name: Floor Plans

**A1.3**





STAINBACK AVE

DOUGLAS AVE

2023 ALY

340 ALY

MUN-A

SP

SP

RS5

301 ALY

RM20-A

SP

SP



N 5TH ST

RS5

334 ALY

N 6TH ST

N 6TH ST

RM20-A

330 ALY



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3729518

**ZONING BOARD APPEAL / CAAZ - 20190067897**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

PARCEL: 07116017700

APPLICATION DATE: 11/05/2019

## SITE ADDRESS:

1220 N 5TH ST NASHVILLE, TN 37207

PT. LOT 26 RICHARDSON ADD. PT. LOTS 37, 38, 39 OAKWOOD PARK

PARCEL OWNER: ITH, LP

CONTRACTOR:

## APPLICANT:

## PURPOSE:

Requesting Variance to 17.12.020D required 20 ft rear setback. Requesting to utilize a 5 ft rear setback (15 ft reduction) for proposed 4 Unit multi family development.

No construction permit application on file.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

**From:** [Adam Buzard](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Opposition to Zoning Appeal for 1220 N. 5th Street, 37207  
**Date:** Wednesday, December 18, 2019 9:52:11 AM

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Good Morning,

I am writing to oppose the variance request for 1220 N. 5th Street of reducing the setback from the required 20 ft to 5 ft. I live at 1216 N. 5th Street, the property directly connected to this project. There are zero hardships or practical difficulties that would allow for such a request to be granted, and the only hardship is self imposed by the applicant as a way to generate more financial gain for themselves, without any regard for the neighborhood, or us as neighbors. Capitalism (financial gain) is not a basis for allowing a variance, and this variance would greatly harm the general welfare of us as neighbors.

As you can see in the variance request, the developers are already planning on removing 5 mature trees from the lot, and that is going to hinder neighborhood life. In addition, this harms our property value as it is causing a majority of the property to be paved to allow for the necessary parking, which means it would greatly impact our quality of life as direct neighbors.

In summation, I ask as the family most impacted by this variance, and due to the complete lack of hardship that this variance not be granted. For any further questions or comments, please do not hesitate to reach out. If my work schedule can be shifted, I plan to oppose this in variance in person.

Thank you for your time...

...adam buzard

Adam Buzard  
615.943.2316  
[adam.buzard@gmail.com](mailto:adam.buzard@gmail.com)  
1216 N. 5th Street  
Nashville, TN 37207

**From:** [Emily Thaden](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Disapprove Variance Request 1220 N 5th St (Case # 2019-511)  
**Date:** Wednesday, December 18, 2019 9:56:10 AM

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To the Board of Zoning Appeals,

I am a long-time resident of East Nashville, and we are new residents of a home at 1217 N 5<sup>th</sup> St. Nashville, TN 37207, which is directly across the street from 1220 N 5<sup>th</sup> St. (Case # 2019-511), which is requesting a variance to the set-back requirements from 20 ft. to 5ft. due to the shape of the lot.

We strongly disapprove of this variance request. The requested appeal does not show adequate “undue hardship” related to the physical characteristics of the property. When the developer purchased this property, the developer was aware of the existing zoning and existing setback requirements. And ultimately, the desire to increase the number of units on this property does not meet an “undue hardship” standard for a variance.

They request a variance in order to add another unit without recognizing the “harm to public welfare” that this request poses. Ultimately, the required setback serves an important function to ensure that the alley way and infrastructure in the alley are preserved and able to be improved and maintained. The alley also serves an important service for public works responsibilities and residents. Minimizing the setback could compromise the functionality of the alley. In fact, existing residents on the same side of N 5<sup>th</sup> St. as 1220 N 5<sup>th</sup> St. have reported that existing construction contiguous to 1220 Nth St. has eroded the embankments in their backyard resulting in fences falling down. They have also reported that construction trucks cannot navigate the alley and have been using their private property to do so, and their trash and recycling are not getting picked up due to the congestion in the alley. Exacerbating the harm to public welfare with this variance is not warranted.

Lastly, I would like to acknowledge that I personally welcome much of the added density that is evolving on Douglas Avenue. However, it is important to recognize that the intention of the existing zoning requirements are to ensure that added density blends in with the existing neighborhood. For instance, we purchased our home next to townhomes on a lot that was subdivided into two single-family lots, which then flows into the existing single-family homes nearby. However, 1220 N 5<sup>th</sup> St. would be adding extreme density that does not flow into the existing single-family homes contiguous to it. Providing this variance does not balance increased density (for which the surrounding block has seen significant multifamily additions that are impacting infrastructure and street parking) with preserving the neighborhood character and welfare of existing residents.

Thank you for your consideration.

Emily Thaden & Ty Marinkov  
1217 N 5<sup>th</sup> St  
Nashville, TN 37207



**From:** [Hayden Forsee](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Case # 2019-511 (DISAPPROVE)  
**Date:** Tuesday, December 17, 2019 6:22:29 PM

---

Hello,

My name is Hayden Forsee and I live at 1211 N 5th St, Nashville, TN 37207 and have for the last 15 years. I understand the owner of the 1220 lot is seeking a variance to the current zoning altering the setbacks presently set at 20' to 5'.

This request worries me in that 1) setbacks are there for a reason and 2) there are also no specific hardships mentioned by the applicant, Mr. Frank Neal. Yes, it is an irregular shaped lot, but that, in my opinion, does not qualify as a hardship and the 3 units are enough.

I also have concerns over the additional congestion in traffic this site will bring to our quiet little block.

I disapprove of this variance request wholeheartedly as do several others on our block.. most notably my neighbors and friends, Adam and Allison Buzard at 1218.

Thank you,

Hayden Forsee  
1211 N 5th St, Nashville, TN 37207  
P: 615.481.7480

**From:** [Landon Morgan](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Meredith Morgan](#)  
**Subject:** Zoning appeal for 1220 N. 5th St. Nashville TN 37207  
**Date:** Tuesday, December 17, 2019 10:04:58 PM

---

Greetings,

My wife, Meredith, and I live at 1202 N. 5th St. Nashville, TN 37207. It was recently brought to our attention that the owner of the property located at 1220 N. 5th St. Nashville TN 37207 is in the process to seek a variance to current zoning. We would like to object to this, specifically to the rear setbacks being reduced (currently at 20 feet). We are unable to attend the hearing scheduled for Thursday but were told we could email our concerns. Zoning setbacks are set for good reason, and this is a serious reduction they are requesting without any specific hardship, to our knowledge.

Please let us know if you have any questions.

--

Respectfully,  
Landon Morgan  
[morganlandon@gmail.com](mailto:morganlandon@gmail.com)  
615-516-0343 (cell)

**From:** [Matt Sullivan](#)  
**To:** [Board of Zoning Appeals \(Codes\); Parker, Sean \(Council Member\)](#)  
**Subject:** Concern re: Case 2019-511 Setback Variance Application at 1220 N 5th Street  
**Date:** Tuesday, December 17, 2019 9:04:52 PM

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To Board of Zoning Appeals,

I am writing to voice my concern regarding the setback variance application at 1220 N 5th Street (Case 2019-511) which is set to be reviewed at the December 19, 2020 BZA meeting. I am a resident and homeowner on the same 1200 block (1209 to be exact) and am very familiar with the area and property in question.

To be clear, I am 100% against approval of this variance. Simply put, the 15' reduction in the rear setback the applicants are requesting is clearly so that they can fit 4 units on the property instead of the original 3 that were proposed.

As I'm sure you're aware, the development across the street and at the 4-way stop of Douglas and Lischey Avenues have created, and will create, plenty of additional density to the area. Visibility is already a concern at the intersection of North 5th and Douglas, and placing 4 units on the 1220 lot will only exacerbate that further.

Additionally, the direct neighbors to 1220 N 5th have already been encroached upon considerably with the setback variances provided to the opposite neighboring property and to the development across their alley (at the corner of Douglas and Lischey). In approving this variance, they will absolutely end up with towering buildings on every side of their property.

Ultimately the developer at 1220 N 5th Street should have no problem in making a profit on 3 units on 1220 N 5th. This setback variance request is simply a way to gain additional profit at the expense of the long-time residents of this block.

Sincerely,  
Matthew T. Sullivan  
616.604.5726

1209 N 5th Street  
Nashville, TN 37207

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: KENNETH DAVIS Date: 11/07/19  
Property Owner: TEAM 9 REAL ESTATE SOLUTIONS, LLC Case #: 2020-001  
Representative: KENNETH DAVIS Map & Parcel: 087 08107048600

Council District Z1

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

LOT AREA VARIANCE TO BUILD 2ND SINGLE FAMILY DWELLING

Activity Type: VARIANCE

Location: 1914 10th Ave N

This property is in the RG, UZO Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

LOT AREA IS INSUFFICIENT

Section(s): TABLE ~~17.12~~ 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to

KENNETH DAVIS  
Appellant Name (Please Print)

P.O. BOX 148673  
Address

NASHVILLE TN 37214  
City, State, Zip Code

615-752-7502  
Phone Number

TEAM9INCB@ATT.NET  
Email

Zoning Examiner: DAVID O'B

Appeal Fee: \$100.00



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



3730718

ZONING BOARD APPEAL // CAAZ - 20190068741  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 08107048600

APPLICATION DATE: 11/07/2019

## SITE ADDRESS:

1914 10TH AVE N NASHVILLE, TN 37208  
PT LOT 20 THOMAS WOODARD SUB OF LOT 2

PARCEL OWNER: DE BERRY, HERMAN A. JR. ETUX

CONTRACTOR:

## APPLICANT:

## PURPOSE:

Request variance for relief from lot area requirement. 6,000 sq. ft. required. Lot is 5,666 sq. ft. +/- Variance requested is 334 sq. ft. +/- No survey submitted. See attached.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better idea of the nature of your request. Zoning staff will notify the district council member of the hearing. ~~You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 100 feet of the property at issue in the case. The envelopes must include the return address to the BZA and case number.~~ Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

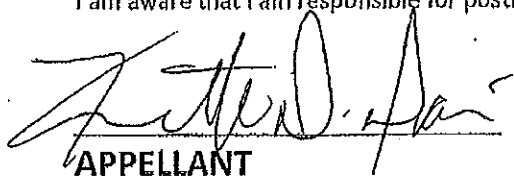
The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
 APPELLANT

07 Nov 19  
 DATE



In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, Irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

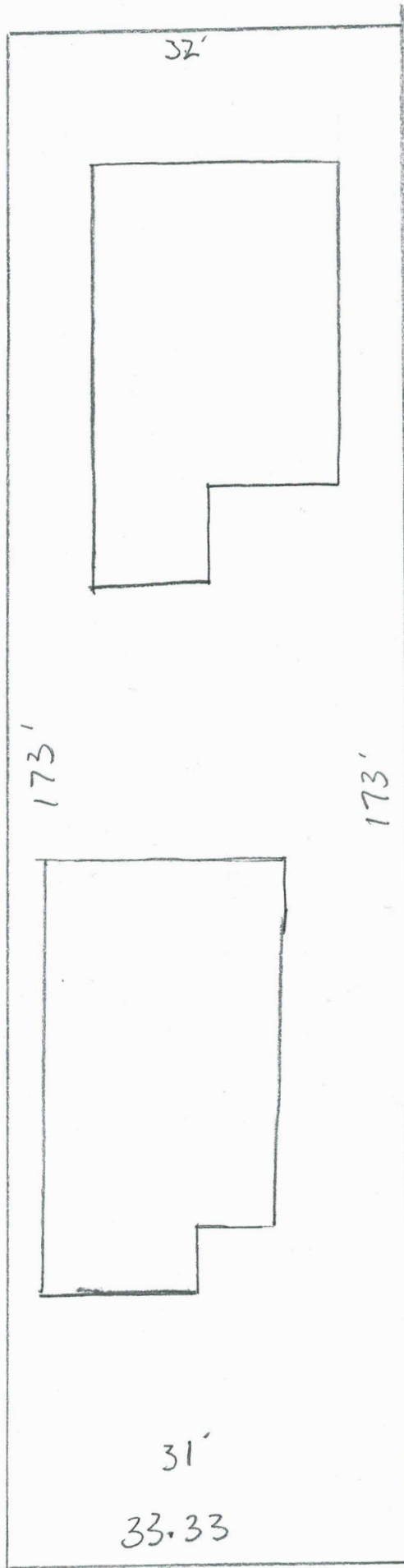
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Physical Characteristics of the property located at 1914 16th Av N Nash TN 37208. The exceptional narrowness, shallowness & or shape of the lot & exceptional topographic condition creates a hardship upon the owners, being that they all result in peculiar & exceptional practical difficulties.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



1914 10TH AVE N



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: RICHARD PERCIE FULL  
Property Owner: HOME DESIGN, INC.  
Representative: RICHARD PERCIE FULL

Date: 11/12/19  
Case #: 2020-002  
Map & Parcel: 072112H001000  
07211048600  
072112H002000

Council District 07

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

8' VARIANCE FROM 20' STREET SETBACK  
REQUIREMENT OR COMBINATION W/ REAR SETBACK

Activity Type: VARIANCE

Location: STREET SETBACK 0 UNKNOWN unit A & B

This property is in the RG Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

INSUFFICIENT STREET SETBACK

Section(s): TABLE 17.12.030A, TABLE 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

RICHARD PERCIE FULL  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

2027 GREENWOOD AVE  
Address

\_\_\_\_\_  
Address

NASHVILLE, TN 37206  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-804-5058  
Phone Number

\_\_\_\_\_  
Phone Number

RLPERCIEFULL@YAHOO.COM  
Email

\_\_\_\_\_  
Email

Zoning Examiner: DAVID D-B

Appeal Fee: 100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3731640

**ZONING BOARD APPEAL / CAAZ - 20190069396  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 072112H00100CO**APPLICATION DATE:** 11/12/2019**SITE ADDRESS:**

0 UNKNOWN NASHVILLE, TN 00000  
UNIT A HOMES AT 2108 MARTHA AVENUE

**PARCEL OWNER:** HOME DESIGN, INC.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Applicant seeks variance 8' variance from 20' street setback. See attached.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.



**APPELLANT**

11-12-19

**DATE**

In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

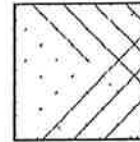
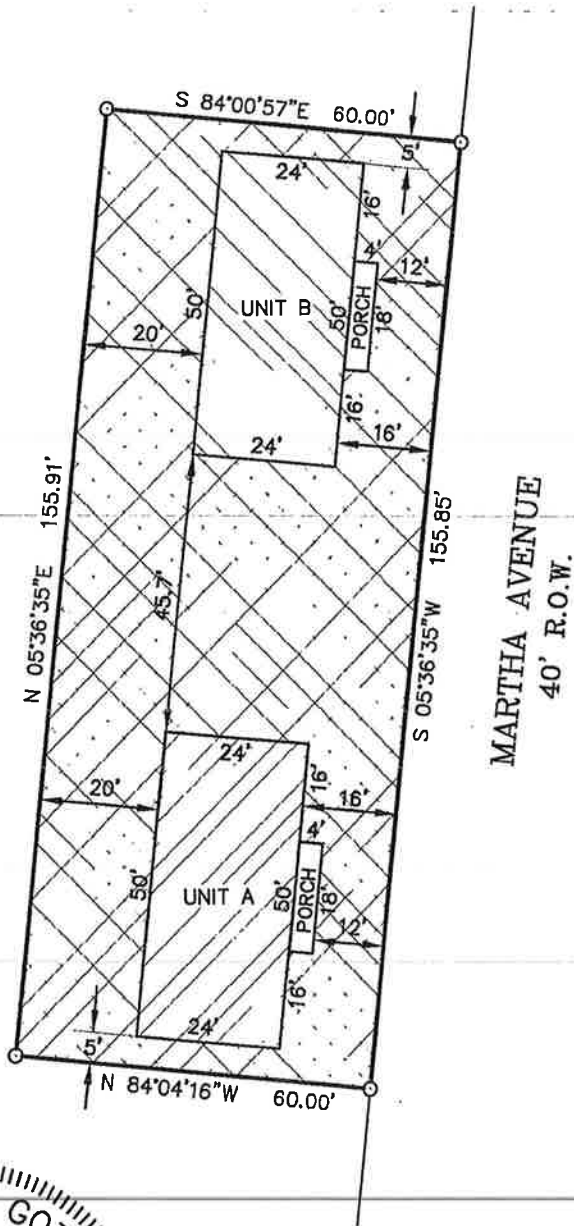
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

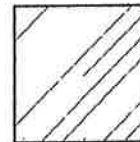
THE LOT IS NOT AS DEEP AS  
SIMILAR LOTS IN THE AREA.  
~~BE THE PROPOSED REAR~~  
THE HOUSES COULD ALSO BE MOVED  
FURTHER BACK INTO THE REAR SET  
BACK IF THAT IS MORE PREFERRED

**SITE PLAN OF LOT 159, "THE WATERS PLACE"**  
**RECORD BOOK 332, PAGES 136 AND 137**  
**REGISTER'S OFFICE, DAVIDSON COUNTY, TN**

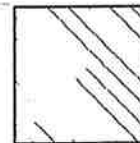
MAGNETIC



LIMITED COMMON AREA



UNIT A



UNIT B

PROJECT AREAS:

UNIT A  
 LIVING AREA= 1,200 SQ. FT.  
 PORCH AREA= 72 SQ. FT.

UNIT B  
 LIVING AREA= 1,200 SQ. FT.  
 PORCH AREA= 72 SQ. FT.

TOTAL LIVING AREA= 2,400 SQ. FT.  
 TOTAL PORCH AREA= 144 SQ. FT.

COMMON AREA= 6,808.2 SQ. FT.

TOTAL IMPERVIOUS AREA= 2,953 SQ. FT.  
 TOTAL PERVIOUS AREA= 6,399.2 SQ. FT.

AREA OF LOT 159= 9,532.2 SQ. FT.

LIVING AREA= 1,200 SQ. FT.

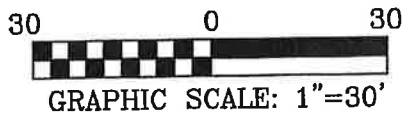


OWNER/DEVELOPER:  
 HOME DESIGN, INC

PROPERTY ADDRESS:  
 2108 MARTHA AVENUE  
 NASHVILLE, TN 37216

INSTRUMENT NO.:  
 201801220006361

PARCEL ID:  
 07211046800

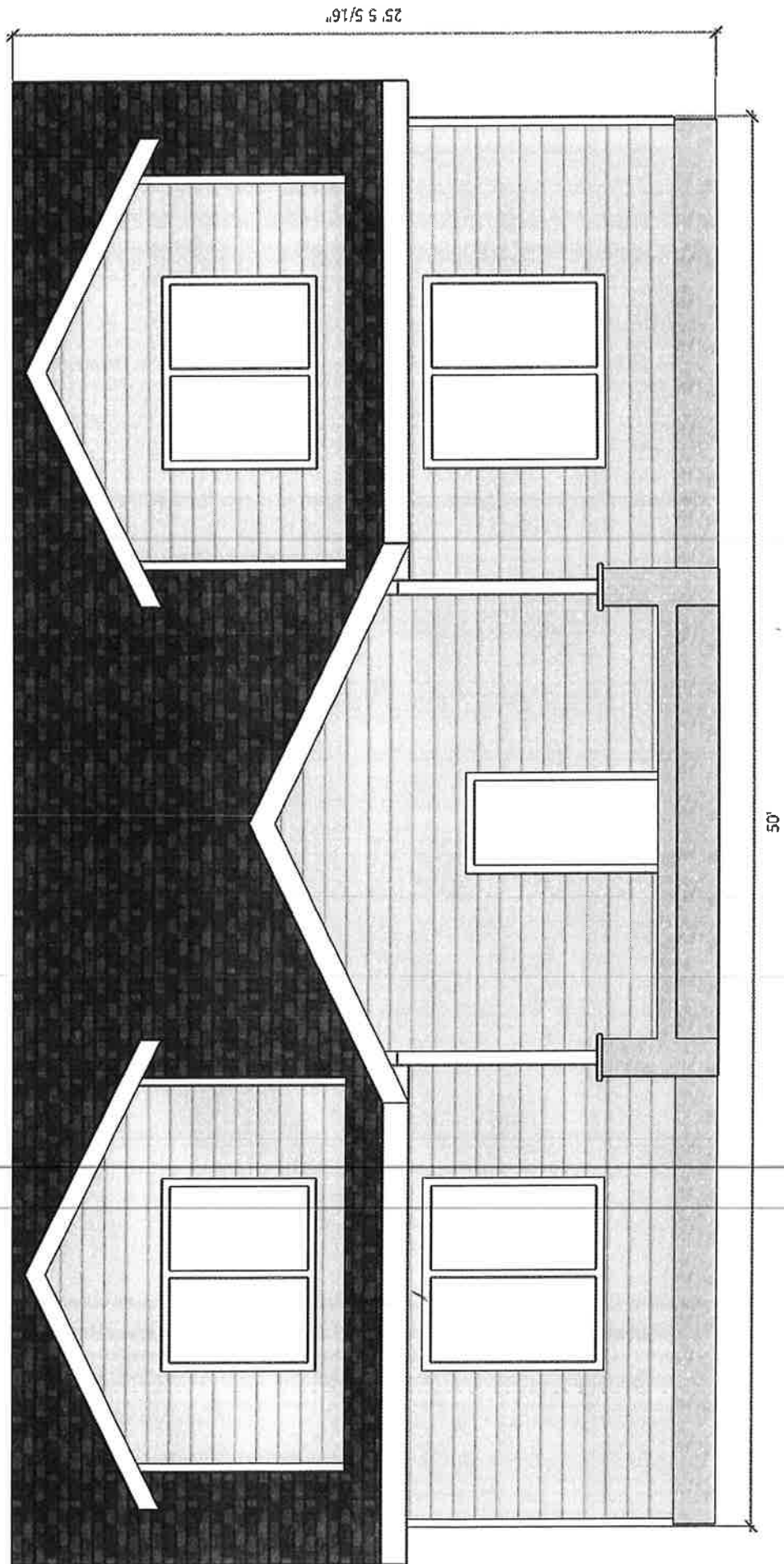


DWG. BY: PJG

10/10/2019

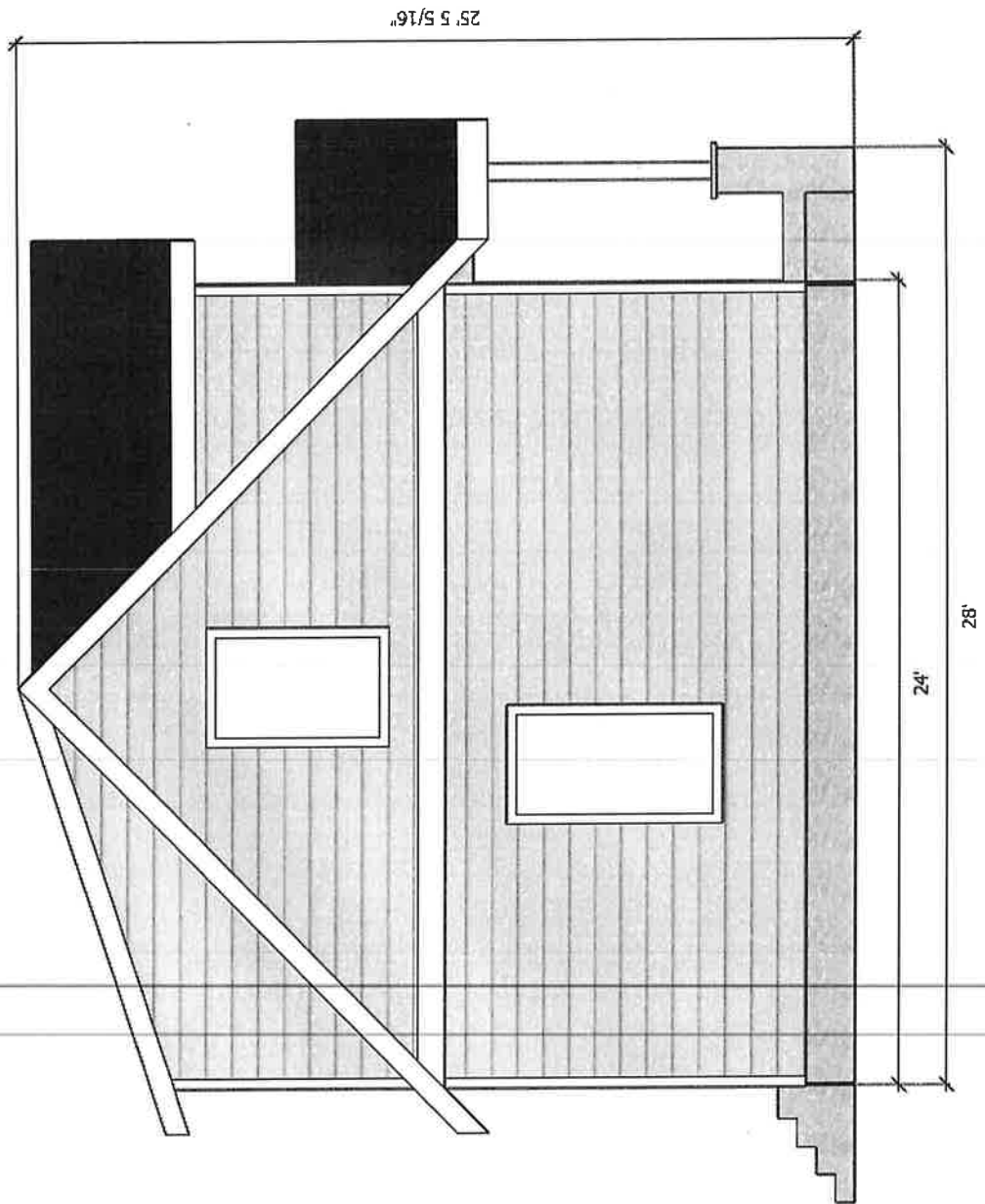
**GOTRO SURVEYING SERVICES**

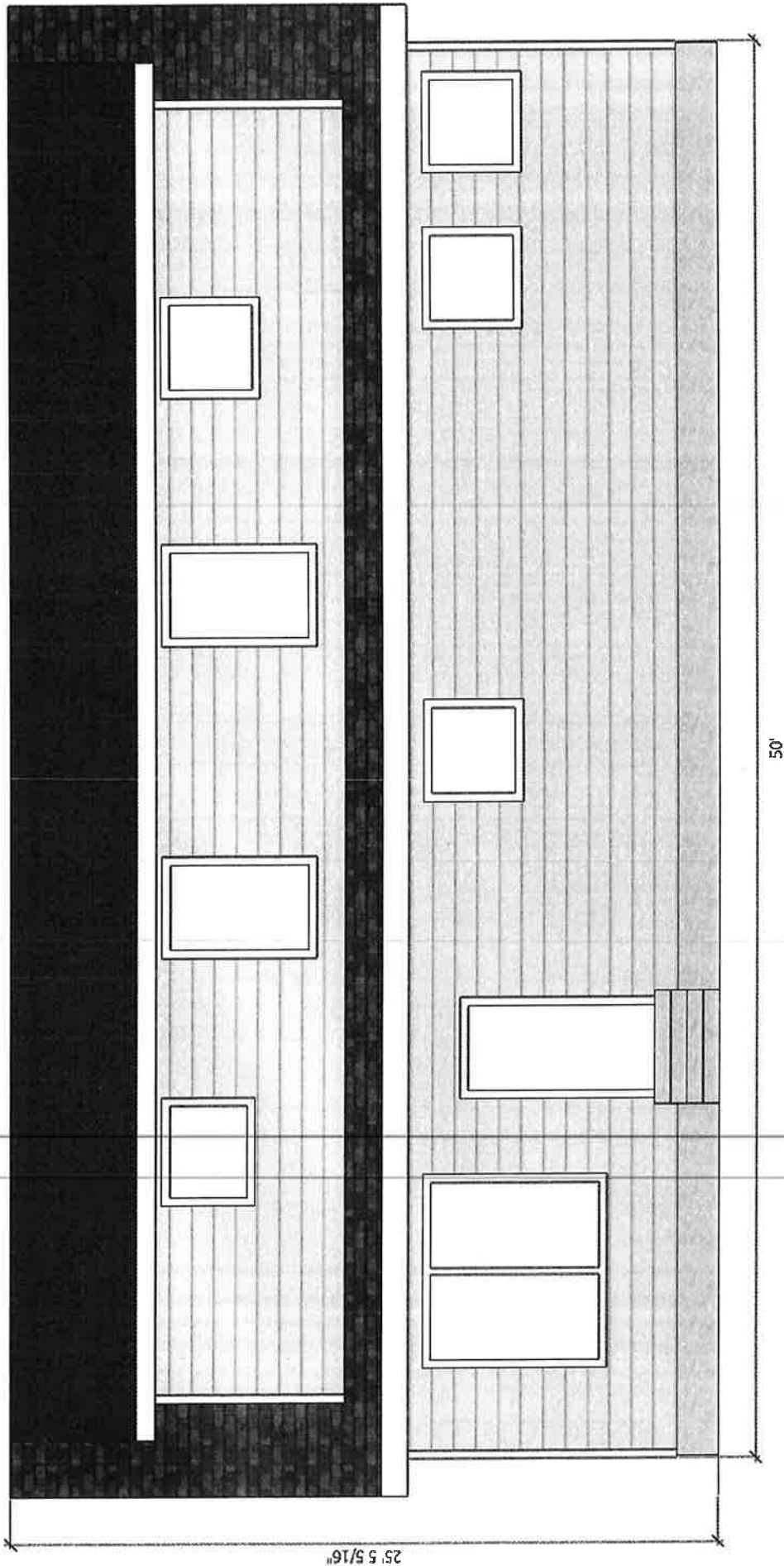
P.O. BOX 923  
 SMITHVILLE, TN 37166  
 OFFICE: 615-318-1473  
 EMAIL: pgotro6800@gmail.com



25' 5 5/16"

50'

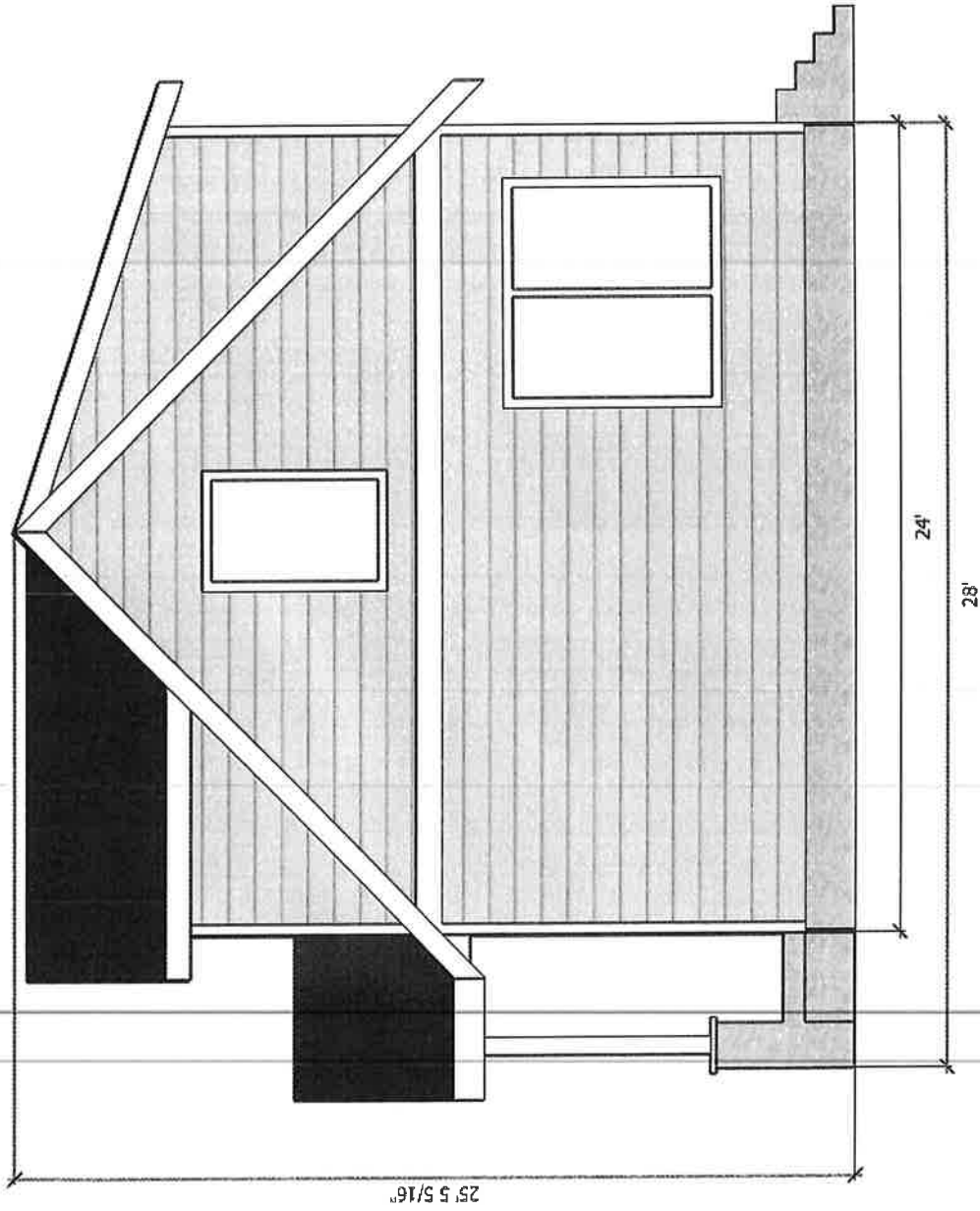




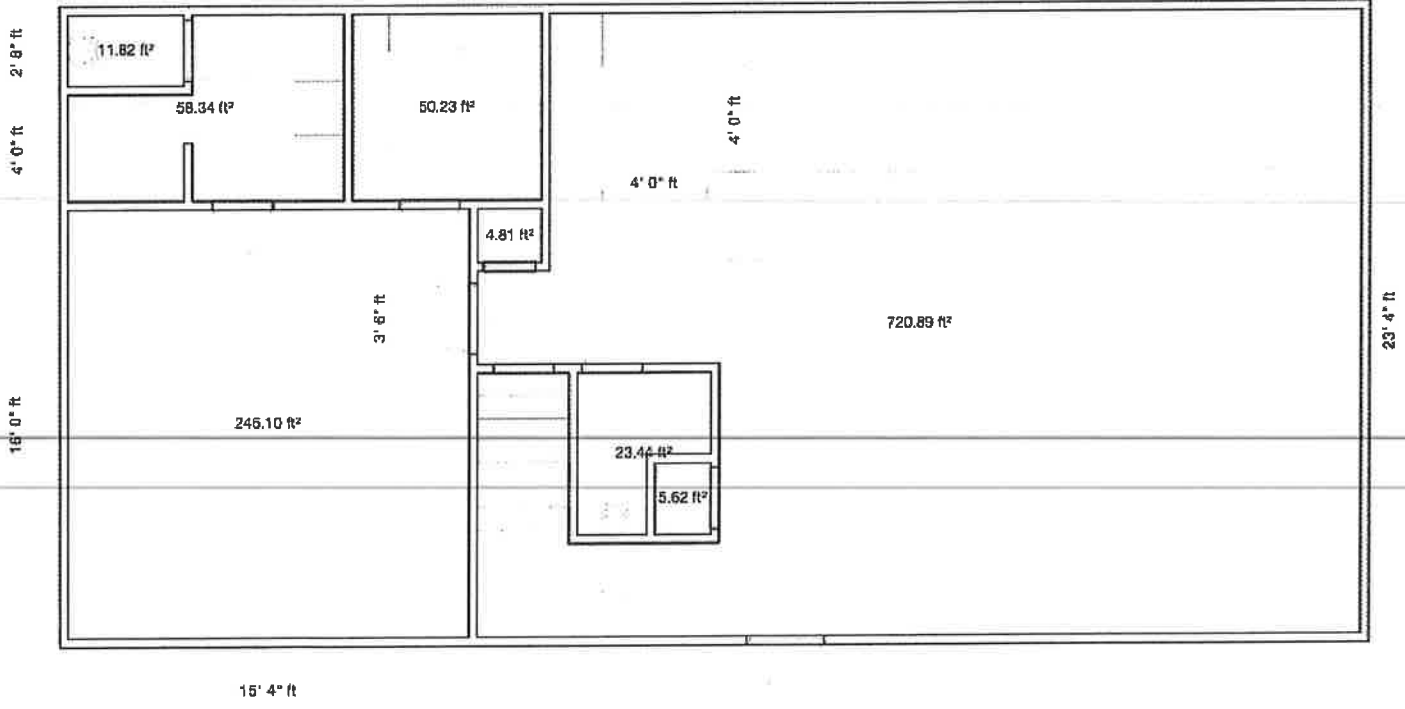
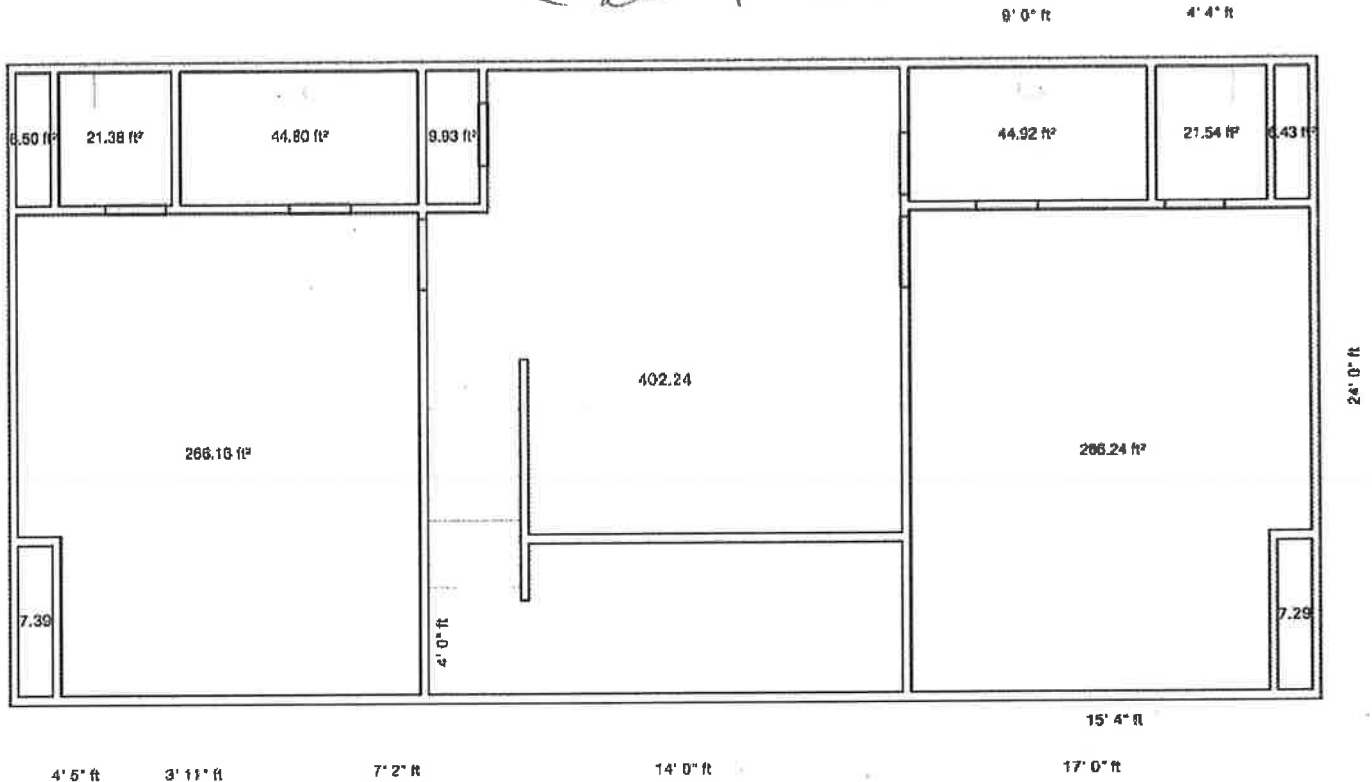
25' 5 5/16"

50'





# 2nd FLOOR



# 1st FLOOR

**From:** [Benedict, Emily \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Lamb, Emily \(Codes\)](#)  
**Subject:** Fwd: Application and letters for BZA Meeting Thursday, January 16, 2019  
**Date:** Monday, December 30, 2019 1:13:49 PM  
**Attachments:** [2020-002 application.pdf](#)  
[2020-002 neighboring letter 1-16.pdf](#)  
[2020-018 application.pdf](#)  
[2020-018 neighboring letter 1-16.pdf](#)

---

Board,

I am writing in support of Celeste Greene's variance request on Medora Ave. She proactively contacted me and explained her hardship which is clearly articulated in her attached letter. Medora is a dead end street, Ms. Greene's studio is barely visible while driving away from the dead end, and even then it appears as if it belongs with her home.

With regard to Case 2020-002, I have not been contacted by the property owner. I trust the Zoning Administrator & BZA's judgment regarding this appeal.

I will try to attend on the 16th if I am able.

Thank you,  
Emily

Emily Benedict  
District 7 Councilwoman  
[emily.benedict@nashville.gov](mailto:emily.benedict@nashville.gov)

---

**From:** Fuqua, Barbara (Council Office) <[barbara.fuqua@nashville.gov](mailto:barbara.fuqua@nashville.gov)>  
**Sent:** Monday, December 30, 2019 11:25:12 AM  
**To:** Benedict, Emily (Council Member) <[Emily.Benedict@nashville.gov](mailto:Emily.Benedict@nashville.gov)>  
**Subject:** Application and letters for BZA Meeting Thursday, January 16, 2019

*Barbara Fuqua*  
*Metro Council Office*  
*204 Metro Courthouse*  
*615-862-6780*

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : 1618 Holding LLC

Date: 11/18/19

Property Owner: \_\_\_\_\_

Case #: 2020-006

Representative: : Yancy Lovelace

Map & Parcel: 1040803100

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To construct a boarding house.

Activity Type: Boarding House

Location: 1618 17th Ave South

This property is in the OR20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: sidewalk variance

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Yancy Lovelace  
Appellant Name (Please Print)

Same  
Representative Name (Please Print)

407+ Humphreys St  
Address

\_\_\_\_\_  
Address

Nashville TN 37203  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-372-4232  
Phone Number

\_\_\_\_\_  
Phone Number

yancy@hybridphoenix.com  
Email

\_\_\_\_\_  
Email

Appeal Fee: \$ 200

JS

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

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**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

1618 Holdings LLC  
APPELLANT

11/18/19  
DATE

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

We request to install / replace existing sidewalk in the same location instead of the new design. The required design will create haphazard conditions at our neighbors existing sidewalks. In december of 2016, we built the new sidewalk for 1704 Dorothy per MPW direction. The sidewalk at 1704 Dorothy was installed to align with the rest of 17th. The connection point to our north neighbors at 1616 17th will cause a dead end or drop off if the new design is required. We request ~~that~~ not to pay into the sidewalk fund because the fee greatly outweighs the cost of new sidewalk and we will build a new sidewalk one way or another.

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

**Hardship not self-imposed-** *The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

**Financial gain not only bases-** *Financial gain is not the sole basis for granting the variance.*

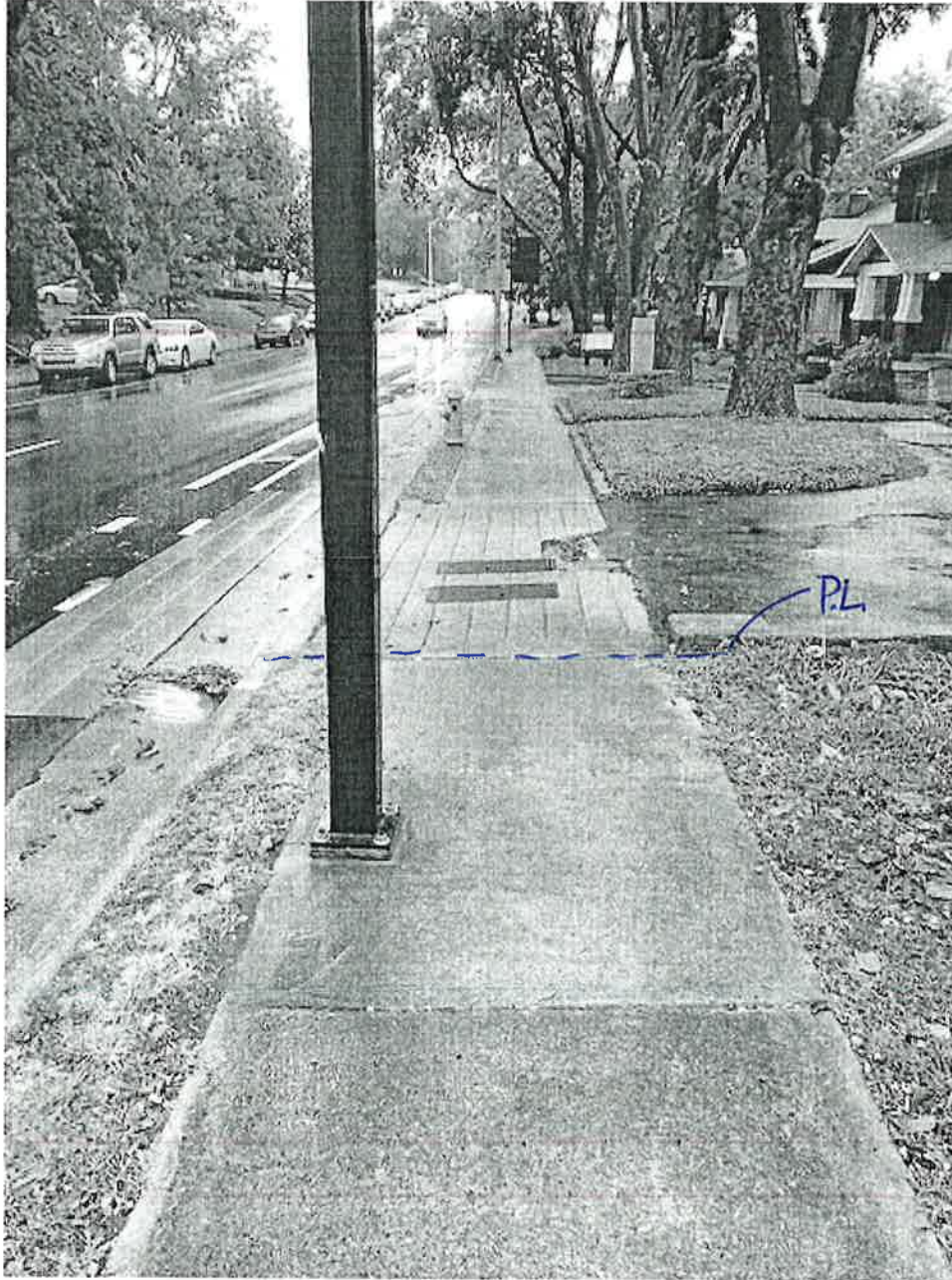
**No injury to neighboring property-** *The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

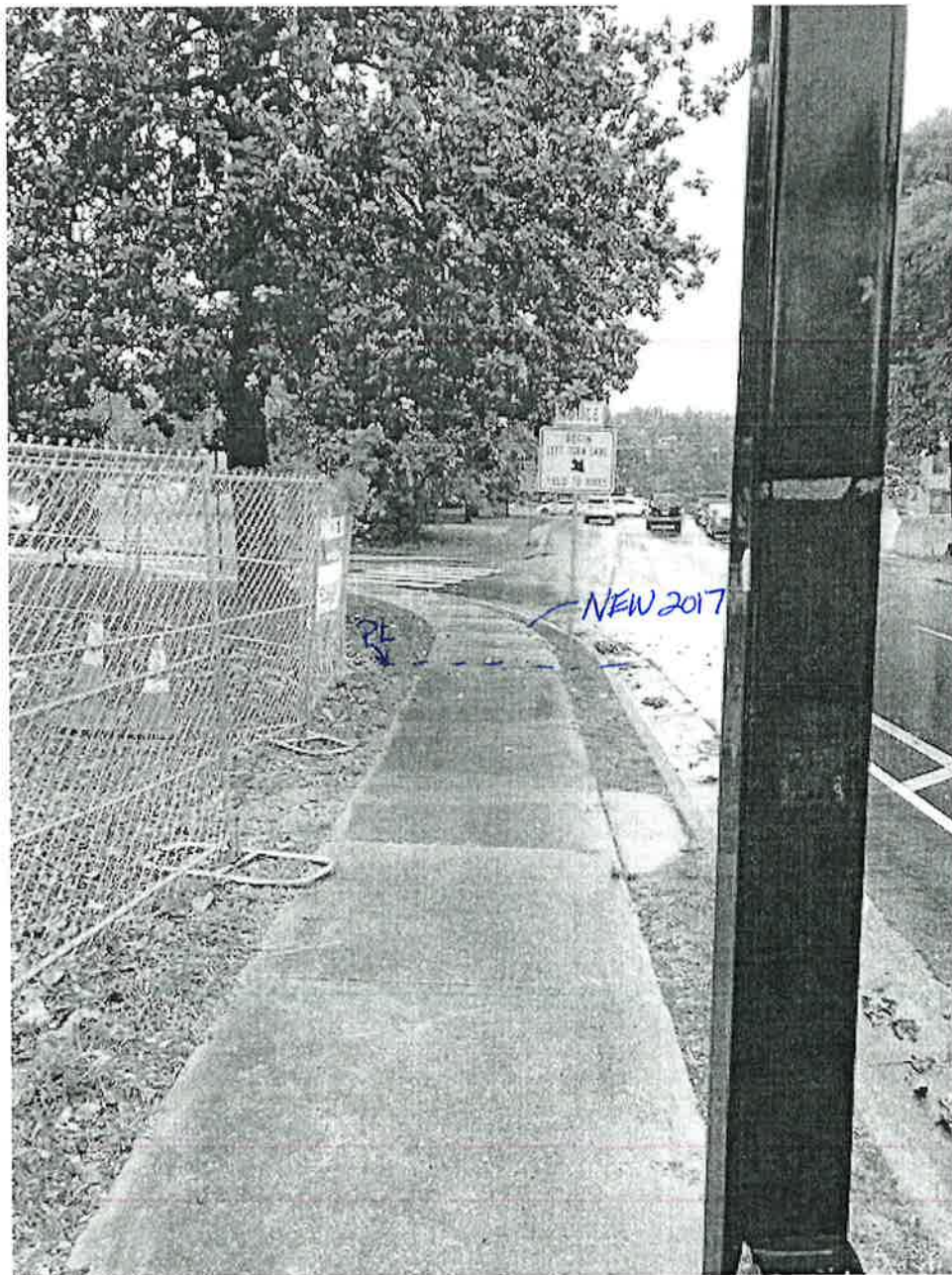
*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

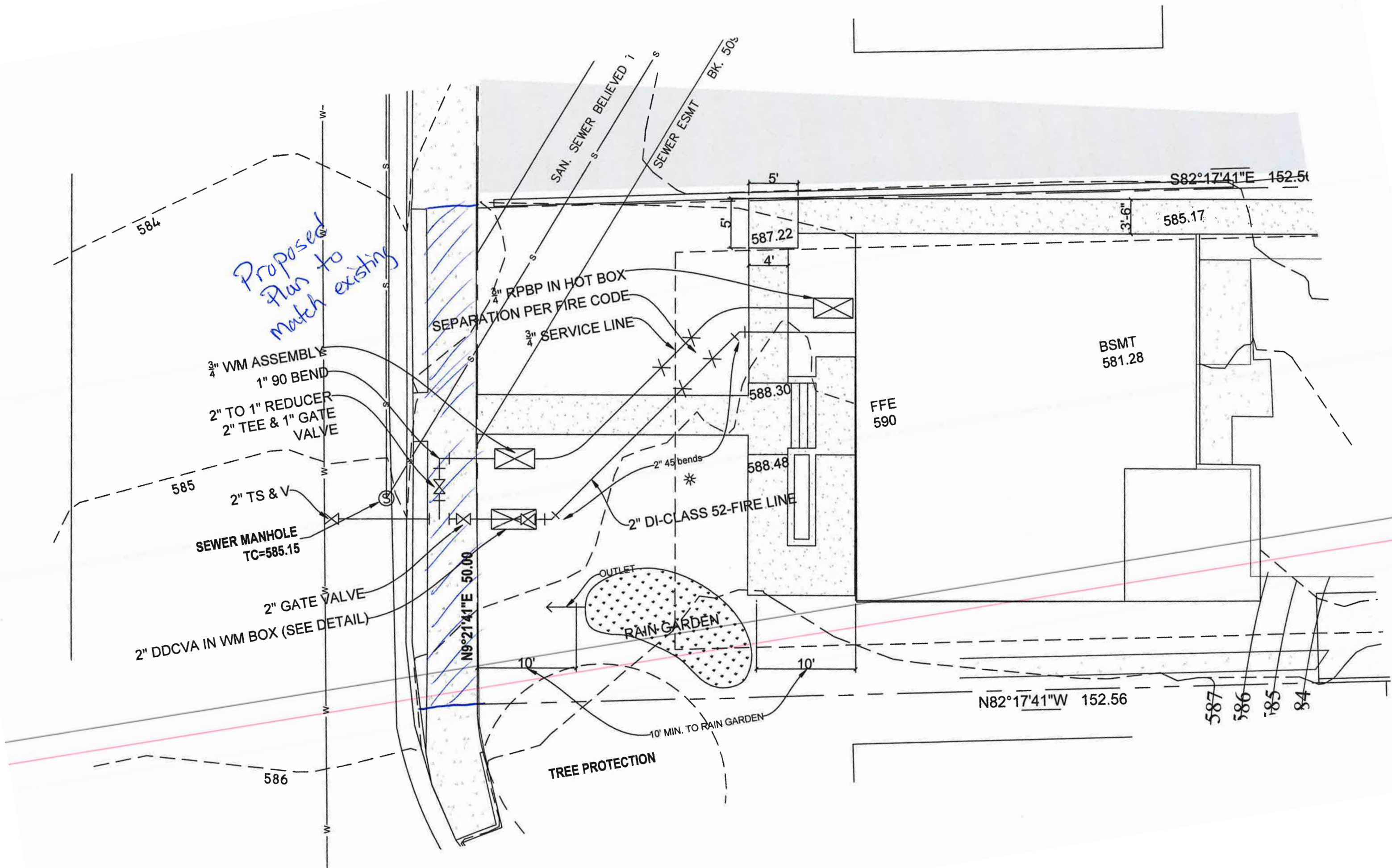
Looking North towards  
1616 17th Ave South



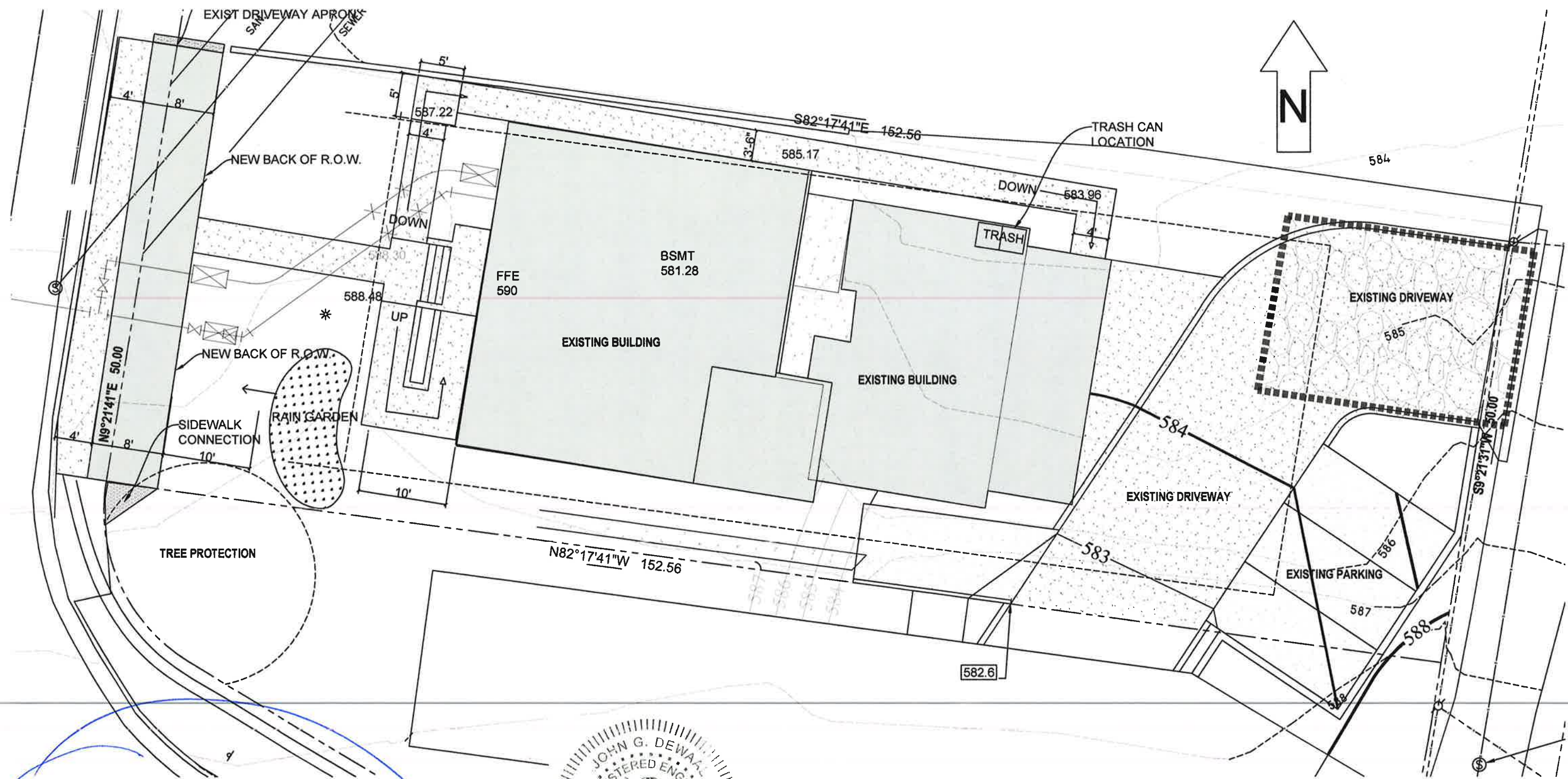






Looking South towards  
1704 Dorothy Place

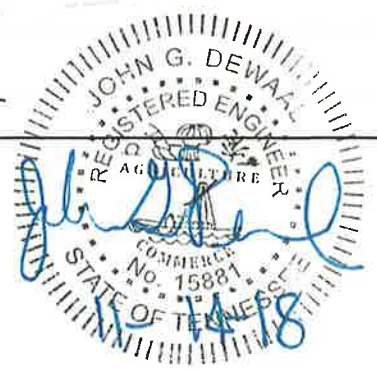




*Proposed  
Plan to  
match existing*



-  EXIST. & PROPOSED SIDEWALK OVERLAP
-  PROPOSED SIDEWALK/ AREA GAINED BY NEW R.O.W.
-  EXIST. SIDEWALK
-  NEW TO OLD SIDEWALK CONNECTION



**1618 17TH AVE S.**  
NASHVILLE, TN 37212

HYBRID PHOENIX HOLDINGS LLC  
YANCY LOVELACE  
615.372.4232

PROJECT #: 2018-1618
DATE: 01-14-19
SCALE: $\frac{3}{32}$ " = 1'-0"
SIDEWALK PLAN

**C1.0**

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2020-006 (1618 17<sup>th</sup> Avenue South)

Metro Standard:	4' furnishing zone, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	OR20
Community Plan Policy:	D OC (District Office Concentration)
MCSP Street Designation:	T4-M-AB2
Transit:	220' north of #21 – Wedgewood; future Rapid Bus planned per nMotion
Bikeway:	Existing low stress bikeway

### Planning Staff Recommendation: *Approve with conditions.*

**Analysis:** The applicant proposes to repurpose an existing 7,258-square-foot medical office building for a new 10-bed boarding house and requests a variance from upgrading sidewalks along 17<sup>th</sup> Avenue South. Planning evaluated the following factors for the variance request:

- (1) A 2' grass strip and 5' sidewalk currently exists along the 17<sup>th</sup> Avenue South frontage, which is consistent with adjacent properties to the north and south.
- (2) Given the scope of the applicant's interior renovation and existing sidewalk along the property, a contribution in-lieu of upgrading the sidewalks at this location is an acceptable alternative to ensure sidewalks in the larger area can be connected to meet future walking needs of the *Nashville Next* Third Tier Center.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the 17<sup>th</sup> Avenue South frontage.
2. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
3. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk which meets the *Major and Collector Street Plan*.

**From:** [Martin Shofner](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Permit #20190070655  
**Date:** Tuesday, January 7, 2020 8:18:32 PM

---

What are the requirements for parking on site? All rooms should have at least one parking space on site for each bedroom, if not more. Who will police the boarding house to see that each room serves only occupant(s) with one vehicle?

The neighborhood is spilling over with parked cars on public rights of way. Should we come to a place where only 'residents' get parking permits, how many spaces will be assigned to this and neighboring properties and on what basis?

[Martin Shofner, AIA, LEED](#)  
[ArchitectSure, pllc](#)  
6109 Jocelyn Hollow Rd  
Nashville, TN 37205

[615.477-5155](tel:615.477-5155)

[www.ArchitectSure.com](http://www.ArchitectSure.com)

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Village UMC Date: Nov. 19 2019  
Property Owner: Brentwood United Methodist Church Case #: 2020- 008  
Representative: Kevin Gangawane - CSOG Map & Parcel: 18600000300

Council District 31

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

To install a 2 sided "COMING SOON" sign for The Village United Methodist Church - REVIEW SIGNAGE AS ON ZONING for AR2A

Activity Type: Signage

Location: 7236 Old Burkitt Rd

This property is in the AR2A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

Variance to 30 day limitation for ON PREMISE TEMPORARY SIGNAGE

Section(s): 17.32.060 C2b.

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

The Village UMC  
Appellant Name (Please Print)

Kevin Gangawane - Civil Site Design Group  
Representative Name (Please Print)

309 Franklin Rd  
Address

2305 Kline Ave Suite 300  
Address

Brentwood, TN 37027  
City, State, Zip Code

Nashville, TN 37211  
City, State, Zip Code

615-389-6156  
Phone Number

615-305-3972  
Phone Number

Erin@thevillageofnashville.com  
Email

KevinG@CSOGTN.com  
Email

Zoning Examiner: LB

Appeal Fee: \$700

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (1) copy of your information to staff.**

I am aware that I am responsible for posting and removing the sign(s) after the public hearing.

*The Village OMC*

APPELLANT



*11-19-19*

DATE

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

The restrictions detailed in section 17.32.060 permitted on-premises temp signs contemplates that the temporary signs are associated with uses that have a short term need. The restrictions generally include a duration up to 30 days. Uses contemplated are: Sale or lease of the property; a business opening, closing or moving; an upcoming event, fair, carnival, etc...

In our case, the construction of a new church will take approximately 18 months to two years. The church would like to inform the community of the upcoming new church. The temporary sign will be replaced with a permanent sign once the church nears completion.



## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

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*Financial gain not only bases-* *Financial gain is not the sole basis for granting the variance.*

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*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

QTY: ONE (01)



SIDE 1

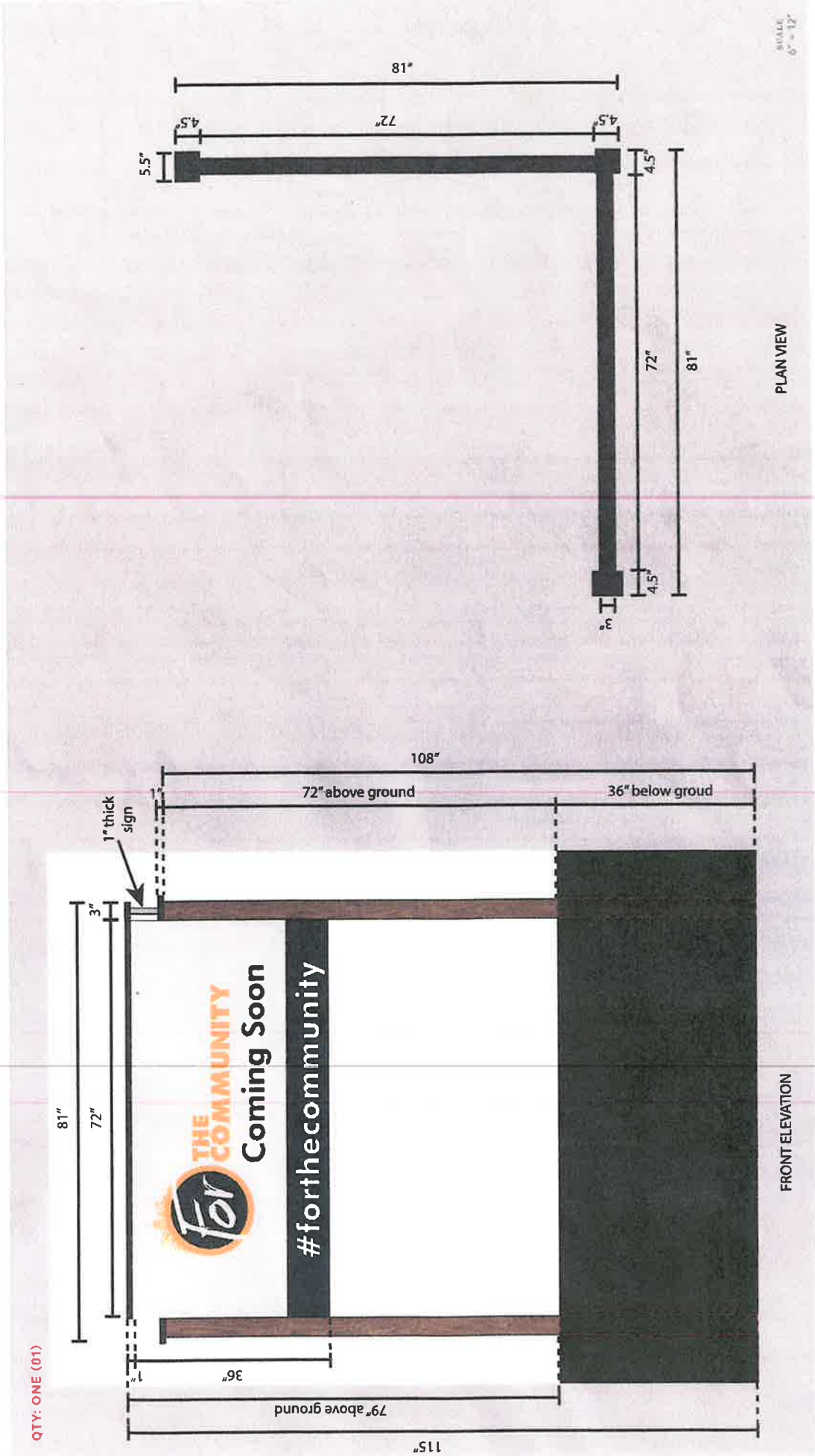


SIDE 2

GENERAL DESCRIPTION OF JOB  
**V SHAPED SIGN**

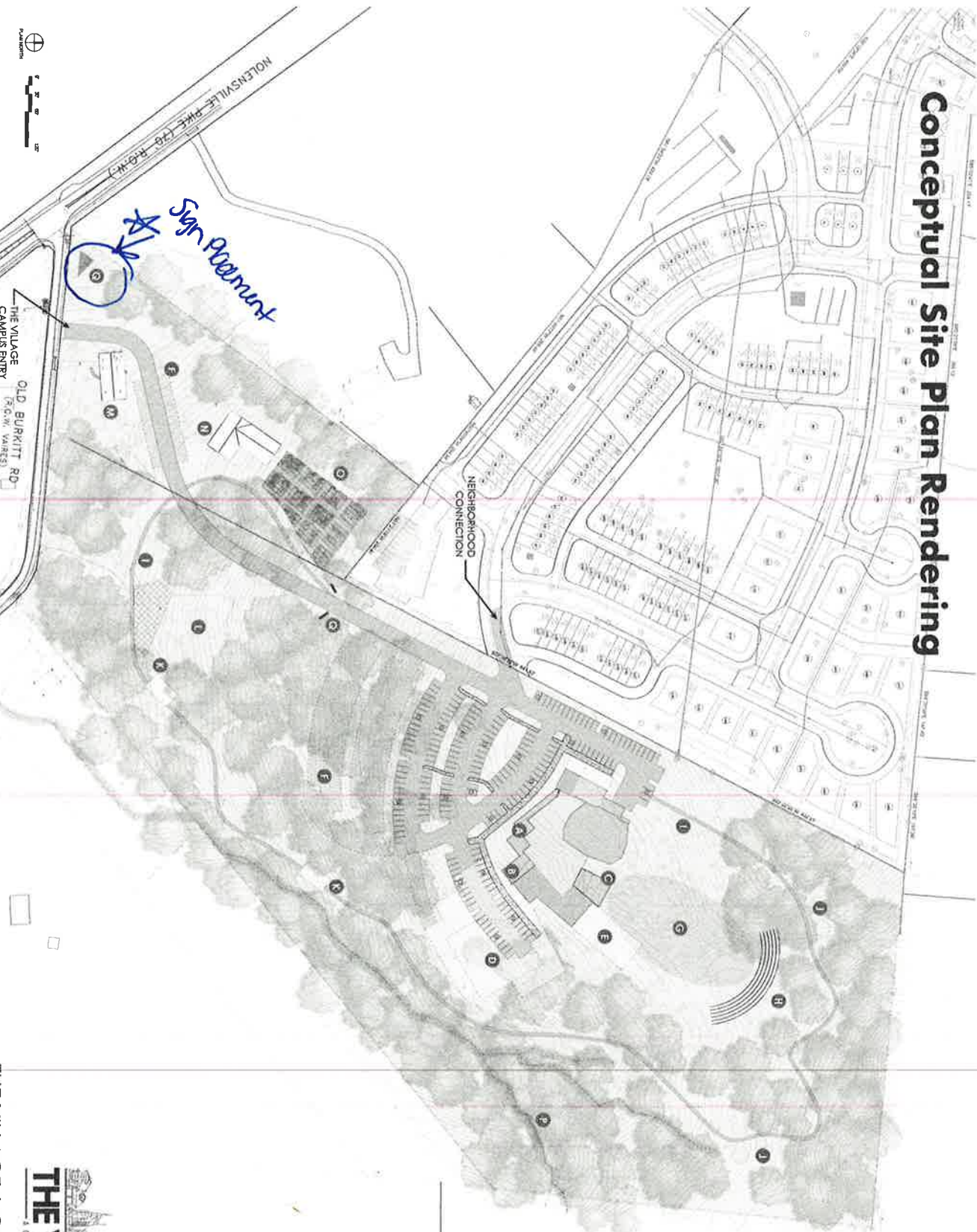
DESIGNER	WORKORDER NO.	PRODUCT(S) NO.	PART(S) NO.
MEGAN MCDONNELL	157673	1&2	1
<small>This is not a contract. It is a preliminary drawing and does not constitute an offer. It is for informational purposes only. All dimensions and materials are subject to change without notice.</small>			PAGE: 1 OF 2

SALES CONSULTANT	CLIENT
NICK MARKS	THE VILLAGE NASHVILLE



 BIG VISUAL GROUP 615-731-3700 DIGVISUALGROUP.COM	CLIENT THE VILLAGE NASHVILLE	SALES CONSULTANT NICK MARKS	GENERAL DESCRIPTION OF JOB <b>V SHAPED SIGN</b>		DESIGNER MEGAN MCDONNELL	WORKORDER NO. <b>157673</b>	PRODUCT(S) NO. <b>1&amp;2</b>	PART(S) NO. <b>1</b>
	PAPER 2 OF 2							

# Conceptual Site Plan Rendering



25 feet from Nolensville Rd, 27 feet from Burkitt Rd.

- A** THE VILLAGE CHURCH FRONT PORCH
- B** CHILDREN'S PLAYSPACE
- C** OUTDOOR EVENT AREA
- D** FUTURE AUDITORIUM EXPANSION AREA
- E** FUTURE CHILDREN'S EXPANSION
- F** FUTURE PARKING EXPANSION
- G** EVENT LAWN
- H** AMPHITHEATER
- I** TRAIL PATH
- J** PRAYER GARDEN
- K** PAVILION
- L** EVENT MEADOW
- M** FUTURE COUNSELING CENTER
- N** FUTURE COMMUNITY BUILDING/GYM
- O** COMMUNITY GARDEN
- P** WEATHER CONVEYANCE
- Q** SITE ENTRY SIGNAGE



THE VILLAGE | CONCEPTUAL SITE PLAN



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant : MITCHELL BARNETT ARCHITECT

Date: 11.21.19

Property Owner: CATHOLIC DIOCESE

Case #: 2020-009

Representative: MITCHELL BARNETT

Map & Parcel: 11708006600

Council District 18

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

REPLACE MANUAL-STYLE SCHOOL INFORMATION SIGN WITH LED THAT OPERATES FROM WITHIN THE BUILDING, USING THE EXISTING SURROUND

Activity Type: SIGNAGE

Location: 3105 BELMONT BLVD

This property is in the RB Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

CHANGE THE INFORMATION ON KEYBOARD IN VIEW OF MANUAL, AT THE SIGN

Section(s): 17.35.050 G

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

TAYLOR RIFE  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

2021 RICHARD JONES RD STE. 340B  
Address

\_\_\_\_\_  
Address

NASHVILLE TN 37215  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-385-3033  
Phone Number

\_\_\_\_\_  
Phone Number

Taylor@MitchellBarnettArchitect.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: \_\_\_\_\_

Appeal Fee: \_\_\_\_\_



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3734635

**ZONING BOARD APPEAL / CAAZ - 20190071617  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 11708006600**APPLICATION DATE:** 11/21/2019**SITE ADDRESS:**

3105 BELMONT BLVD NASHVILLE, TN 37212  
S W CORNER BELMONT BLVD & PRIMROSE AVE

**PARCEL OWNER:** CHRIST THE KING CATHOLIC CHURCH**CONTRACTOR:****APPLICANT:****PURPOSE:**

Variance request per 17.35.050G, to install LED Message Board Sign on R8 Zoned Parcel for Christ the King.  
POC: Taylor@MitchellBarnettarchitect.com  
615-385-3033

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

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Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

**METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

J. Mike Robbins  
APPELLANT

11.29.19  
DATE



### STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this Zoning Code based upon findings of fact related to the standards in Section 17.40.370. This Section is included as follows:

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In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you can not build in accordance with zoning without requesting a variance and why you feel you have a legitimate hardship.

The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

ALL NEAR-BY PARCELS ARE BUSINESSES  
WHO HAVE "COMMERCIAL" SIGNAGE. CHRIST  
THE KING SCHOOL WOULD LIKE TO HAVE A  
SCREEN CONTROLLED FROM THEIR OFFICES  
IN LIEU OF HAVING TO TRAVEL OUTSIDE  
TO CHANGE INFORMATION.



09.15.2019



CHRIST THE KING SCHOOL

3105 BELMONT BLVD  
NASHVILLE, TN 37212

DWG # 190981-S10

DATE 9-30-19 1/1

BY M.SHEA

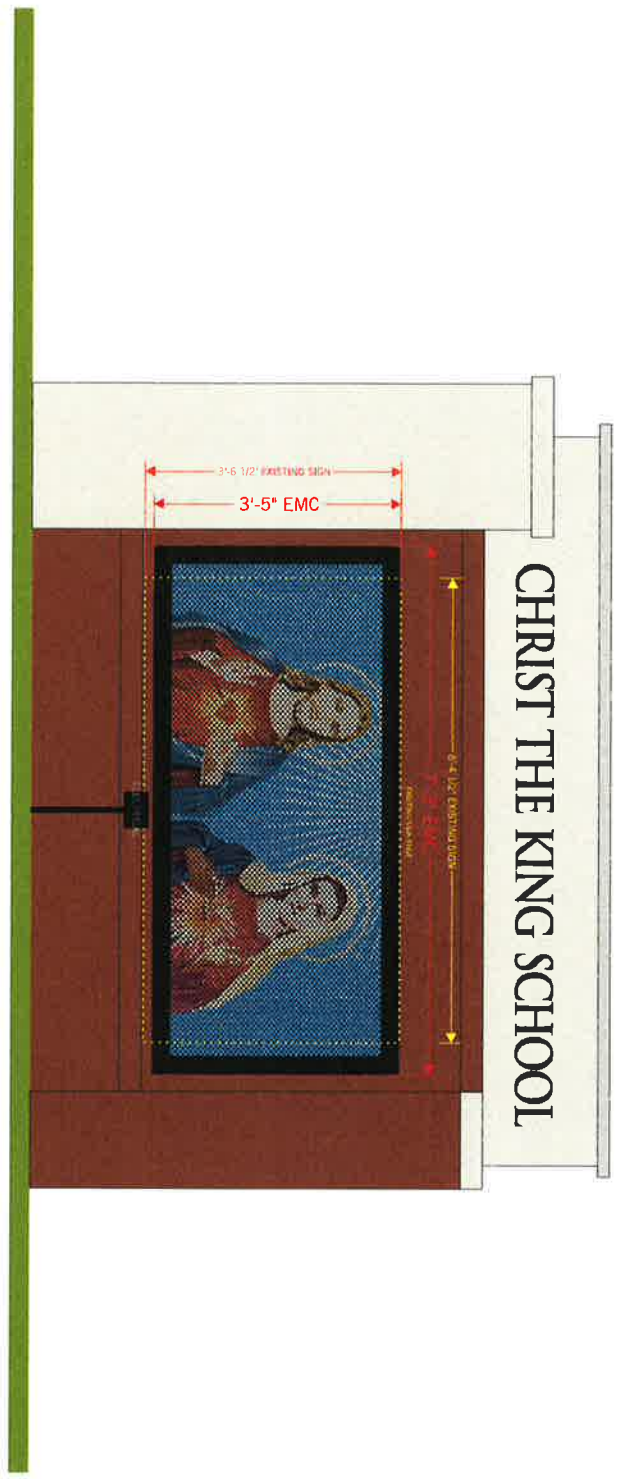
QUOTE # Q-097899

WO-XXXXX

# PHOTO RENDERING

**JOSLIN**  
AND SON  
SIGNS

JOSLINSIGN.COM  
615.255.3463  
224 HUNTERDON ROAD  
NASHVILLE, TN 37215



EXISTING DF SIGN SLIDES OUT OF STRUCTURE  
 SIDES OF EMC TO HAVE FILLER PANELS TO COVER ANGLE IRON

CHRIST THE KING SCHOOL

3105 BELMONT BLVD  
 NASHVILLE, TN 37212

DWG# 190981-S10

DATE 9-30-19 PAGE 1 / 1

BY M.SHEA FOR J.MORTON

QUOTE# Q-097899

WO-XXXXX

INSTALL FULL  
 COLOR EMC  
 SCREENS

**JOSLIN**  
 AND SON  
 SIGNS

JOSLINSIGN.COM  
 615.255.3492  
 420 HOPKINS ROAD  
 NASHVILLE, TN 37210









**SUN  
ENTERTAINMENT  
CORPORATION**

**ENTRANCE AND PARKING IN REAR**







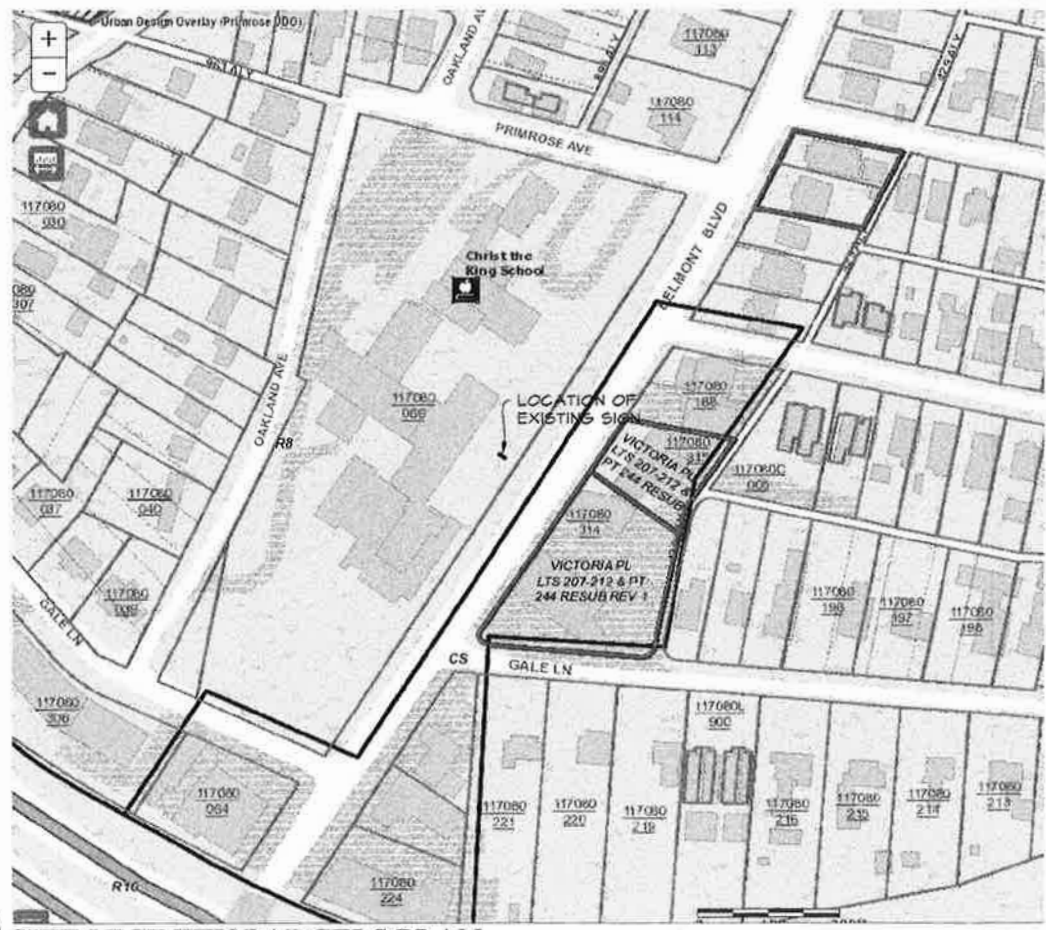




**SITE VICINITY SATELLITE PLAN**



**ENLARGED SITE SATELLITE PLAN**



**SITE VICINITY PARCELS PLAN**



**ENLARGED SITE PARCELS PLAN**

Print date: November 15, 2019

THESE PLANS ARE THE COPYRIGHTED PROPERTY OF MITCHELL BARNETT ARCHITECT, P.C. AND N. MITCHELL BARNETT A.L.A. (UNAUTHORIZED USE OR REPRODUCTION IS PROHIBITED)

Revisions	
1	
2	
3	

Mitchell Barnett Architect, P.C.  
 ARCHITECTS PLANNERS  
 202 BELMONT BLVD  
 NASHVILLE, TN 37215 (615) 365-5033  
 Email: info@mbaarchitect.com

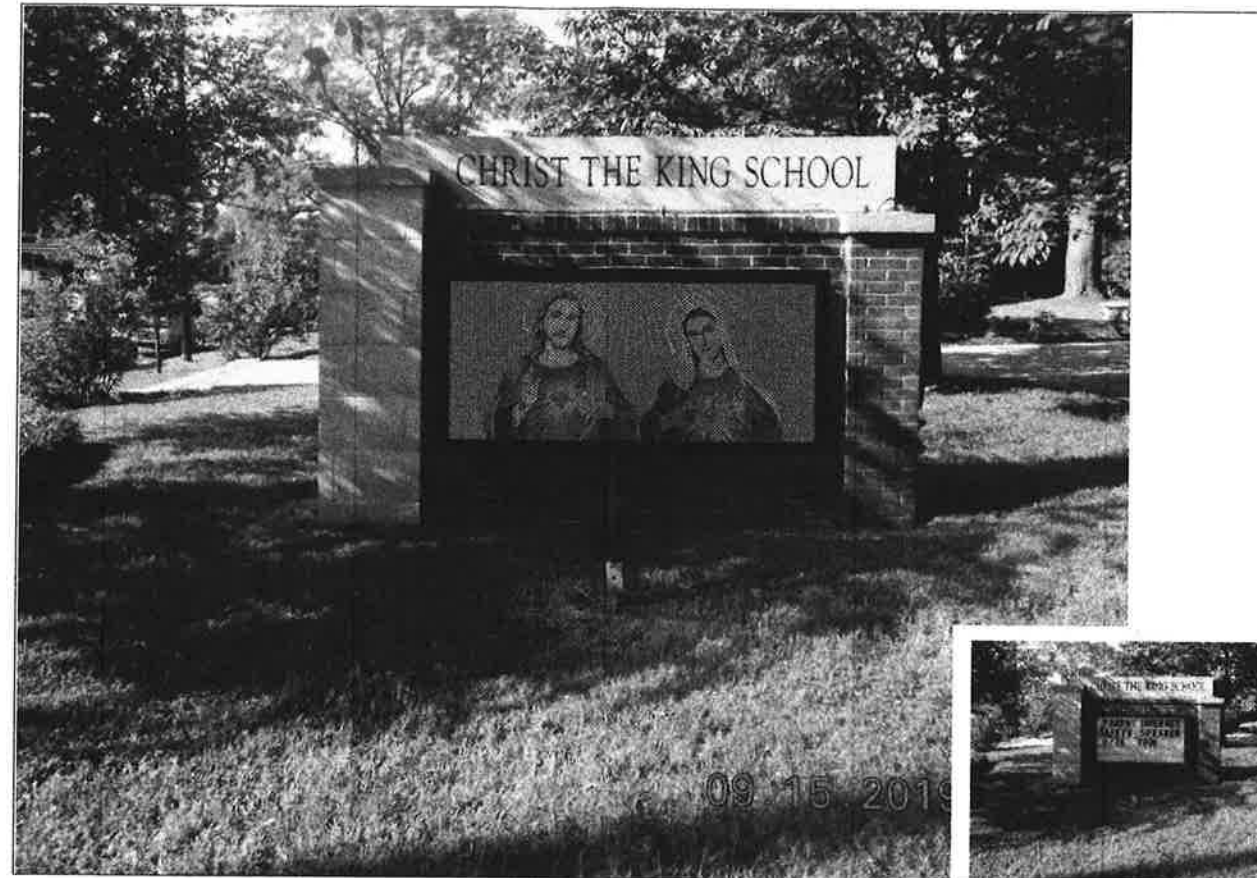


Exterior Sign For  
**CHRIST THE KING SCHOOL**  
 3105 Belmont Boulevard  
 Nashville, Tennessee 37212

Drawn By: Staff  
 Checked By: NMB  
 Date: November 2019  
 File: DD1  
 Sheet Number:

**C.1.0**

MITCHELL BARNETT ARCHITECT, P.C.



PROPOSED SIGN

EXISTING SIGN



LOCAL AREA BUSINESS SIGNS

Revisions	
1	
2	
3	

Mitchell Barnett Architect, P.C.  
 ARCHITECTS PLANNERS  
 2021 Richard Jones Road, Suite 300B  
 NASHVILLE, TN 37215 (615) 385-3033  
 Email: mba@mbaarchitect.com Website: www.mbaarchitect.com

Exterior Sign For  
**CHRIST THE KING SCHOOL**  
 3105 Belmont Boulevard  
 Nashville, Tennessee 37212

Drawn By: Staff  
 Checked By: NMB  
 Date: November 2019  
 File: DD1  
 Sheet Number:

**C.1.1**

**From:** [Robbins, Cherie](#)  
**To:** [Board of Zoning Appeals \(Codes\); Cherie Robbins](#)  
**Subject:** 20190071617- permit number zoning variance  
**Date:** Monday, December 23, 2019 12:14:55 PM

---

I am having problems with your website. I am AGAINST the LED DISPLAY MESSAGE BOARD filed by TAYLOR RIFE at 3105 Belmont BLVD.

If you should have questions I can be reached at 615-310-8282.

Cherie Robbins  
3010 Brightwood Avenue  
Nashville, TN  
37212

**From:** [Leo Rubin](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Letter Re: #CAAZ 20190071617  
**Date:** Thursday, December 19, 2019 4:16:07 PM

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Greetings,

I am writing today in regards to zoning appeal #CAAZ 20190071617, for Christ The King Church (CTK) to install an LED sign on the property. As a homeowner in the direct vicinity of Christ the King (I live at Primrose and Oakland,) I have a number of concerns with this proposal, which I will list below.

First, the Belmont-Hillsboro neighborhood has done, in my opinion, a fantastic job of preserving the historic nature of the area. LED sign restrictions are in place to help ensure that neighborhoods remain just that - neighborhoods. While I can certainly appreciate the reasoning why CTK would want to install such a sign, I think that they might be doing so without the consideration of the effect it would have on the neighborhood. Look, I know its silly to get caught up on the aesthetics, but for lack of a more sophisticated argument, this could easily cheapen the appearance of this section of Belmont, which would be a disappointment. Additionally, it will contribute to unnecessary additional light pollution (these signs tend to be very bright.) So my first argument against this appeal would be preserving the aesthetics of the neighborhood.

My second argument would be safety. How can an LED sign cause safety concerns? Well, when they are isolated, which it would be in this scenario, it can become a distraction to drivers. many arguments against LED signs in residential neighborhoods make this argument, but in this situation, I think this issue would be perpetuated by one specific factor. KTC has a large parking lot, however, on Sundays, Wednesdays, and when there is a large event (often, it's a large congregation,) parking can spill out onto the public street.

The problem is, in an effort to park as close to KTC as possible, members will often park illegally - specifically on Belmont and Primrose. By illegally, I mean cars parked right on the corner - all corners of this intersection. This can make it incredibly difficult to see traffic coming and going and makes turning on to Belmont rather difficult when there are illegally parked vehicles blocking the clear sight of oncoming traffic when turning onto Belmont (which is why I assume there are "no parking from here to corner" signs. They exist but are ignored.) How does the LED sign factor into this? Considering that KTC has many nighttime events, another distraction, especially a bright LED sign with movement, will only exacerbate this issue and make this intersection less safe. While it seems small, it is already difficult dealing with members illegally parking and making turning onto Belmont rather difficult - anything that can add to these issues, in my opinion, should be avoided.

I truly appreciate your time and consideration.

Leo Rubin

--

Leo Rubin  
615-573-9592

**From:** [Lynn Blocher](#)  
**To:** [Board of Zoning Appeals \(Codes\); Cash, Thomas \(Council Member\)](#)  
**Subject:** BZA appeal case #2020-009  
**Date:** Wednesday, January 8, 2020 3:58:02 PM

---

Hello. I live half of a block from Christ the King School/Church located at 3105 Belmont Blvd. I received a letter notifying me of CTK's request to install an LED sign. This is for Appeal Case number 2020-009; or Permit #20190071617.

**I request that the BZA DENY this appeal.** This is not a neighborhood that uses LED signs for its businesses, and I see no reason to start that trend now. I also observe that traffic begins to speed up as cars clear the neighborhood blocks just north of CTK (living one block north of CTK I see this a lot as I wait to turn), so adding a distracting LED sign with changing lights, images, and words seems to the detriment of already-distracted drivers. My husband was a biker who was hit by a car in September because she was not paying attention. The last thing we need is more distractions in the form of bright, catchy LED signs for drivers.

In addition, I drove around town to observe what other public AND private schools are doing when they are located in similar neighborhoods to ours. The following schools are doing fine without LED signs:

Waverly Belmont

JT Moore

Lipscomb Academy (upper and lower school locations)

Percy Priest

Harpeth Hall

Eakin Elementary and others.

Further, even schools located on busy thoroughfares, like Hume-Fogg (Broadway), Linden-Waldorf (Hillsboro Pike), and Hillsboro HS (Hillsboro Pike) are not utilizing LED signs.

**There is no precedent or competitive need to add an LED sign for Christ the King. I therefore strongly urge you to DENY this request.** Please listen to the residents who live, walk, drive, and bike around this neighborhood and honor our input.

Sincerely,  
Lynn Blocher  
Ferguson Ave.



**Board Of Zoning Appeals**

**Appeal case #: 2020-009  
3105 Belmont Blvd.  
Map Parcel: 11708006600  
Zoning Classification: R8  
Council District: 18**

To whom it may concern,

I am writing this letter in opposition to the proposed LED Message Board requesting to be installed at 3105 Belmont Blvd. We have lived in this neighborhood for several years and appreciate the minimal lighting impact of the historical overlay. If this sign is granted, what will stop the majority of businesses along Belmont Blvd from asking for an appeal? We think with this in mind the greater good for the historical overlay should take precedent for long-term viability of the neighborhood.

Thank you for your time,

**Matthew Smith  
Ferguson Ave.**

**From:** [Velaire Woolsey](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** 3105 Belmont Blvd LED Appeal  
**Date:** Thursday, January 9, 2020 8:49:06 AM

---

We are residence at 1700 Cedar Ln. Which is in 1000 feet of the subject location. We are opposed to the new LED sign at Christ the King. Belmont Boulevard is a residential street (reinforced by its new 25 mph speed limit). Bright commercial like signs such as an LED are inappropriate.

Thank you.  
Velaire and Kris Woolsey

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: April Edman

Date: 11/26/19

Property Owner: April Edman

Case #: 2020-010

Representative: April Edman

Map & Parcel: 132010C010000

Council District 25

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: PROPOSED ADDITION TO EXISTING SINGLE FAMILY RESIDENCE.  
NO PERMIT APP. STARTED FOR FUTURE ADDITION

Activity Type: RES. CONSTRUCTION

Location: 800 LEALAND CT.

This property is in the RS10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: STREET SETBACK VARIANCE

Section(s): 17.12.030

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

April Edman  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

800 Lealand Court  
Address

\_\_\_\_\_  
Address

Nashville, TN 37204  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-473-1910  
Phone Number

\_\_\_\_\_  
Phone Number

april.edman@gmail.com  
Email

\_\_\_\_\_  
Email

Zoning Examiner: [Signature]

Appeal Fee: \$100



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3735985

**ZONING BOARD APPEAL / CAAZ - 20190072616  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 132010C01000CO**APPLICATION DATE:** 11/26/2019**SITE ADDRESS:**

800 LEALAND CT NASHVILLE, TN 37204

LOT 10 LEALAND HALL SEC 1

**PARCEL OWNER:** EDMAN, APRIL D. & MATTHEW R.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Requesting Variance from 17.12.030 Street Setback. 60 ft platted street setback along Lealand Lane, requesting reduction to 20 ft. No Permit Application started, for future proposed addition to existing single family residence.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (1) copy of your information to staff.**

**I am aware that I am responsible for posting and removing the sign(s) after the public hearing.**

  
\_\_\_\_\_  
**APPELLANT**

11/26/19  
\_\_\_\_\_  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

When our subdivision was originally built, the plat plan was designed for the first two homes on the corners of Lealand Court and Lealand Lane to have a 60 foot setback line. The remaining homes in the subdivision do not have the same restriction, and each of the other homes in our subdivision have at least a 3 car garage because they were not subjected to this restriction. As such, our home is the only one in the subdivision with a 2 car garage. The setback line of 60 feet currently prevents us from being able to add an additional garage. We are requesting the minimum setback be amended to 20 feet to allow a future garage addition. We have signed letters from our adjacent neighbors showing support of this change. This amendment would be consistent with other properties on Lealand that do not have a similar restriction. Thank you for your consideration of this request.

Metro Nashville Planning Dept.  
 800 Second Avenue South  
 P.O. Box 196300  
 Nashville, TN 37219-6300

SUBJECT: Amending the Street Setback and Removing Clause 23 (Specific Architectural Features) at 800 Lealand Court for an Addition to the Existing Home

Our neighbors, Matthew and April Edman, own a home at 800 Lealand Court, nearby our own property at 801 Lealand Court. We understand that they plan to amend their street setback along Lealand Lane from 60 feet to 20 feet and remove Clause 23 (Lots 1 and Lots 10 Shall Include Specific Architectural Features Facing Lealand Lane) in order to add on to their existing home for a new garage and bathroom. We have discussed and reviewed the plans and proposed changes, and support their project. \* With the following provision.

*George D. Galbreath*

10/8/19

George D. Galbreath

*Susan C. Galbreath*


10/8/19

Date

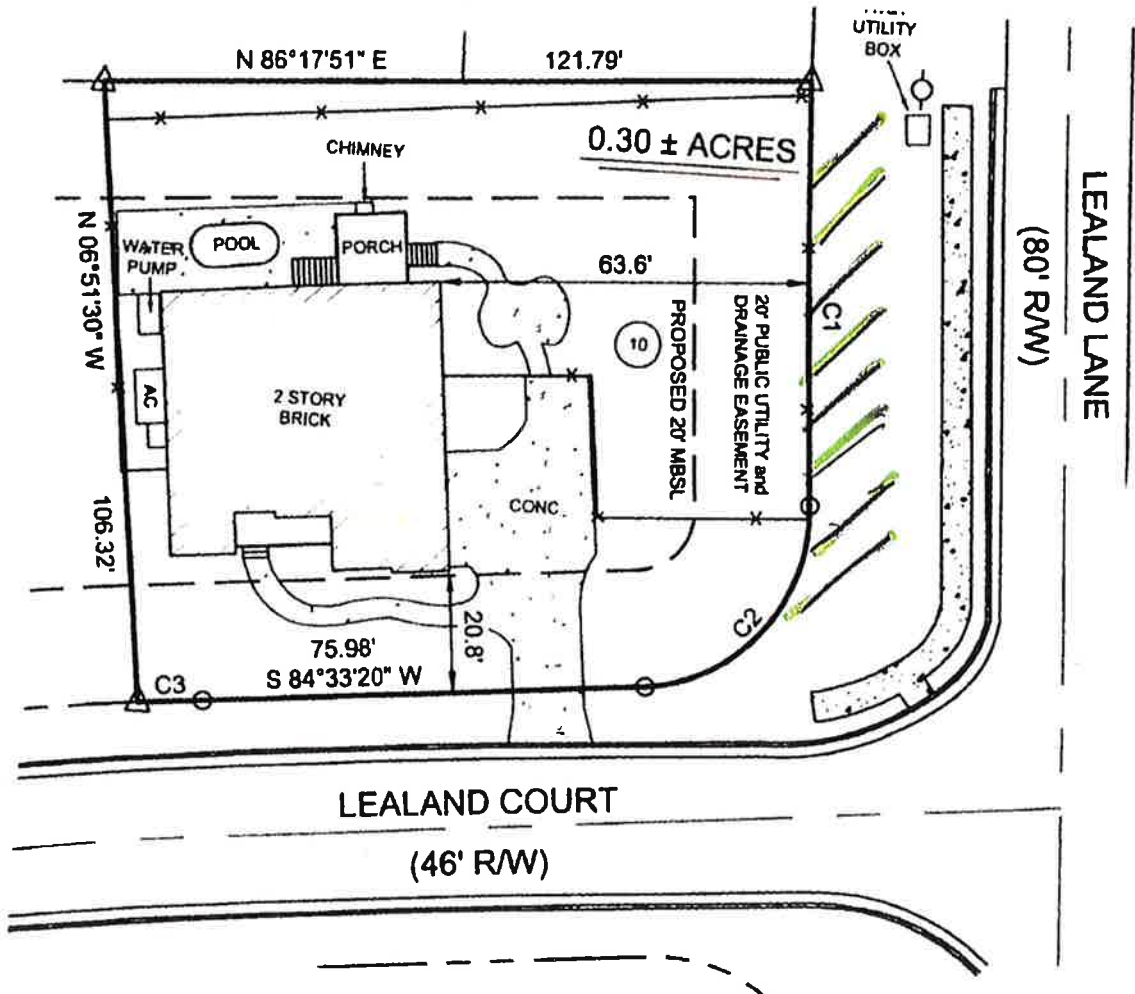
Susan C. Galbreath

Date

George D. and Susan C. Galbreath  
 801 Lealand Court  
 Nashville, TN 37204

\* Matthew and April Edman agree to balance the reduced set back with a reasonable amount of landscaping trees and shrubs to balance the look of our street facing lots. (See the attached plat with landscaping shown as ) (between aluminum fence & sidewalk). A manicured grass strip may be between the landscaping and sidewalk.


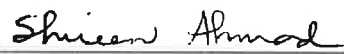




Metro Nashville Planning Dept.  
800 Second Avenue South  
P.O. Box 196300  
Nashville, TN 37219-6300

**SUBJECT: Amending the Street Setback and Removing Clause 23 (Specific Architectural Features) at 800 Lealand Court for an Addition to the Existing Home**

Our neighbors, Matthew and April Edman, own a home at 800 Lealand Court, nearby our own property at 804 Lealand Court. We understand that they plan to amend their street setback along Lealand Lane from 60 feet to 20 feet and remove Clause 23 (Lots 1 and Lots 10 Shall Include Specific Architectural Features Facing Lealand Lane) in order to add on to their existing home for a new garage and bathroom. We have discussed and reviewed the plans and proposed changes, and support their project.

	<u>9-17-2019</u>
Saleh Ahmad	Date
	<u>9-19-2019</u>
Shireen Ahmad	Date

Saleh and Shireen Ahmad  
804 Lealand Court  
Nashville, TN 37204

Metro Nashville Planning Dept.  
800 Second Avenue South  
P.O. Box 196300  
Nashville, TN 37219-6300

**SUBJECT: Amending the Street Setback and Removing Clause 23 (Specific Architectural Features) at 800 Lealand Court for an Addition to the Existing Home**

Our neighbors, Matthew and April Edman, own a home at 800 Lealand Court, nearby my own property at 4105 Lealand Lane. I understand that they plan to amend their street setback along Lealand Lane from 60 feet to 20 feet and remove Clause 23 (Lots 1 and Lots 10 Shall Include Specific Architectural Features Facing Lealand Lane) in order to add on to their existing home for a new garage and bathroom. I have discussed and reviewed the plans and proposed changes, and support their project.

  
Ronald Dorris

9-11-19

Date

Ronald Dorris  
4105 Lealand Lane  
Nashville, TN 37204

**PROPOSED SETBACK REVISION  
LOT 10 OF LEALAND HALL, SECTION 1**  
(AS RECORDED IN INSTRUMENT 20080220-0016769)

APRIL and MATTHEW EDMAN  
800 LEALAND COURT  
NASHVILLE, TENNESSEE 37204

TWENTY FIFTH (25th) COUNCIL DISTRICT  
DAVIDSON COUNTY, TENNESSEE

PARCEL ID: 132010C01000C0  
REF. INSTRUMENT: 20110901-0067994  
RS10 ZONING

AREA = 0.30 ± ACRES

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS, EITHER WRITTEN OR UNWRITTEN.

SURVEY FIELD WORK WAS COMPLETED ON 10/08/2019

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS IN EXCESS OF 1:10,000 USING TOTAL STATION AND GPS SURVEY EQUIPMENT. THIS SURVEY WAS PERFORMED IN COMPLIANCE WITH THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.

LOCATION OF PERIMETER MONUMENTS FOR THIS BOUNDARY SURVEY WERE PERFORMED USING SPECTRA PRECISION SP60 GNSS RECEIVER USING REAL TIME KINEMATIC (RTK) METHODS RELATIVE TO TDOT BASE REFERENCE RECEIVER. LOCATIONS GENERATED USING RTK VECTORS HAD A HORIZONTAL PRECISION OF 0.06" AND A VERTICAL PRECISION OF 0.10". DISTANCES SHOWN HEREON ARE GROUND.

DATE: 10/22/2019

RONALD G. TAYLOR, R.L.S.  
TENNESSEE REGISTRATION NO. 2123

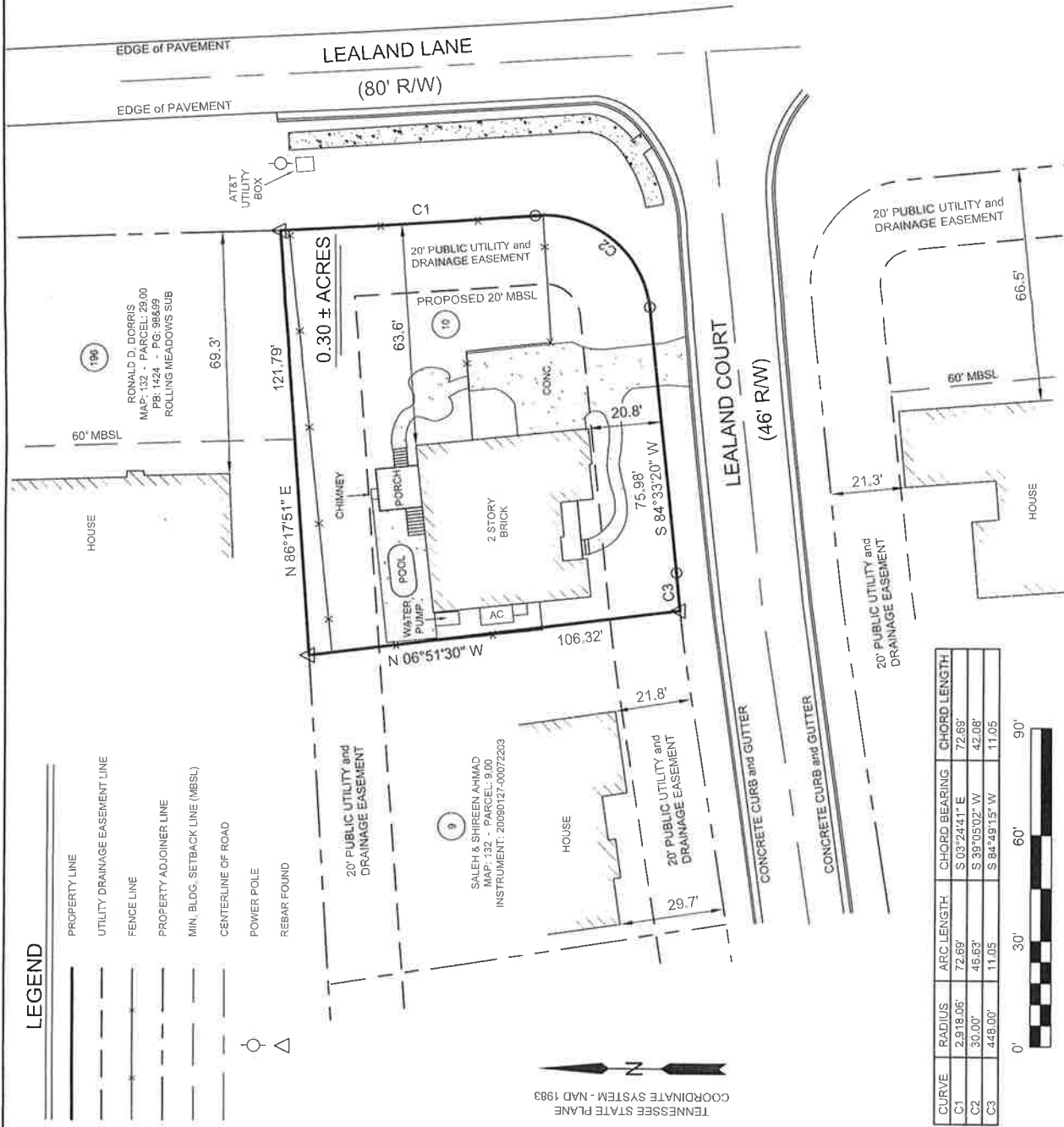


10-22-19

**L.I. Smith and Associates, Inc.**  
LAND DEVELOPMENT | INFRASTRUCTURE DESIGN  
SURVEYING SERVICES  
302 North Caldwell Street, Paris, TN 38242, 731-644-1014, www.lismith.com  
475 Meroplex Drive, Suite 212 Nashville, TN 37211 | 615-256-0290

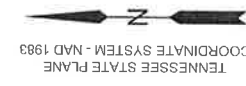
© 2019 L.I. SMITH & ASSOCIATES, INC. SHEET: 1 of 1  
DRAWN BY: ADT CHECKED BY: RGT SCALE: 1"=30'  
DATE: 10/22/2019

**Proposed**



**LEGEND**

- PROPERTY LINE
- UTILITY DRAINAGE EASEMENT LINE
- FENCE LINE
- PROPERTY ADJOINER LINE
- MIN. BLDG. SETBACK LINE (MBSL)
- CENTERLINE OF ROAD
- POWER POLE
- REBAR FOUND
- AT&T UTILITY BOX
- CHIMNEY
- WATER PUMP
- POOL
- PORCH
- CONC.
- AC
- HOUSE
- 2 STORY BRICK
- 20' PUBLIC UTILITY and DRAINAGE EASEMENT
- 20' PUBLIC UTILITY and DRAINAGE EASEMENT
- 20' PUBLIC UTILITY and DRAINAGE EASEMENT
- CONCRETE CURB and GUTTER
- CONCRETE CURB and GUTTER



CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2,918.05'	72.69'	S 03°24'41" E	72.69'
C2	30.00'	45.53'	S 39°05'02" W	42.08'
C3	448.00'	11.05'	S 84°48'15" W	11.05'



**LOT 10 OF LEALAND HALL, SECTION 1**  
(AS RECORDED IN INSTRUMENT 20080220-0016769)

APRIL and MATTHEW EDMAN  
800 LEALAND COURT  
NASHVILLE, TENNESSEE 37204  
TWENTY FIFTH (25th) COUNCIL DISTRICT  
DAVIDSON COUNTY, TENNESSEE

PARCEL ID: 132010C01000C0  
REF. INSTRUMENT: 20110901-0067994  
RS10 ZONING

AREA = 0.30 ± ACRES

NOTE: THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, COVENANTS, OR RESTRICTIONS, EITHER WRITTEN OR UNWRITTEN.

SURVEY FIELD WORK WAS COMPLETED ON 10/08/2019

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THAT THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS IN EXCESS OF 1:10,000 USING TOTAL STATION AND GPS SURVEY EQUIPMENT. THIS SURVEY WAS PERFORMED IN COMPLIANCE WITH THE CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE.

LOCATION OF PERIMETER MONUMENTS FOR THIS BOUNDARY SURVEY WERE PERFORMED USING SPECTRA PRECISION SP80 GNSS RECEIVER USING REAL TIME KINEMATIC (RTK) METHODS RELATIVE TO TIGHT BASE REFERENCE RECEIVER. LOCATIONS GENERATED USING RTK VECTORS HAD A HORIZONTAL PRECISION OF 0.06" AND A VERTICAL PRECISION OF 0.10". DISTANCES SHOWN HEREON ARE GROUND.

DATE: 10/22/2019



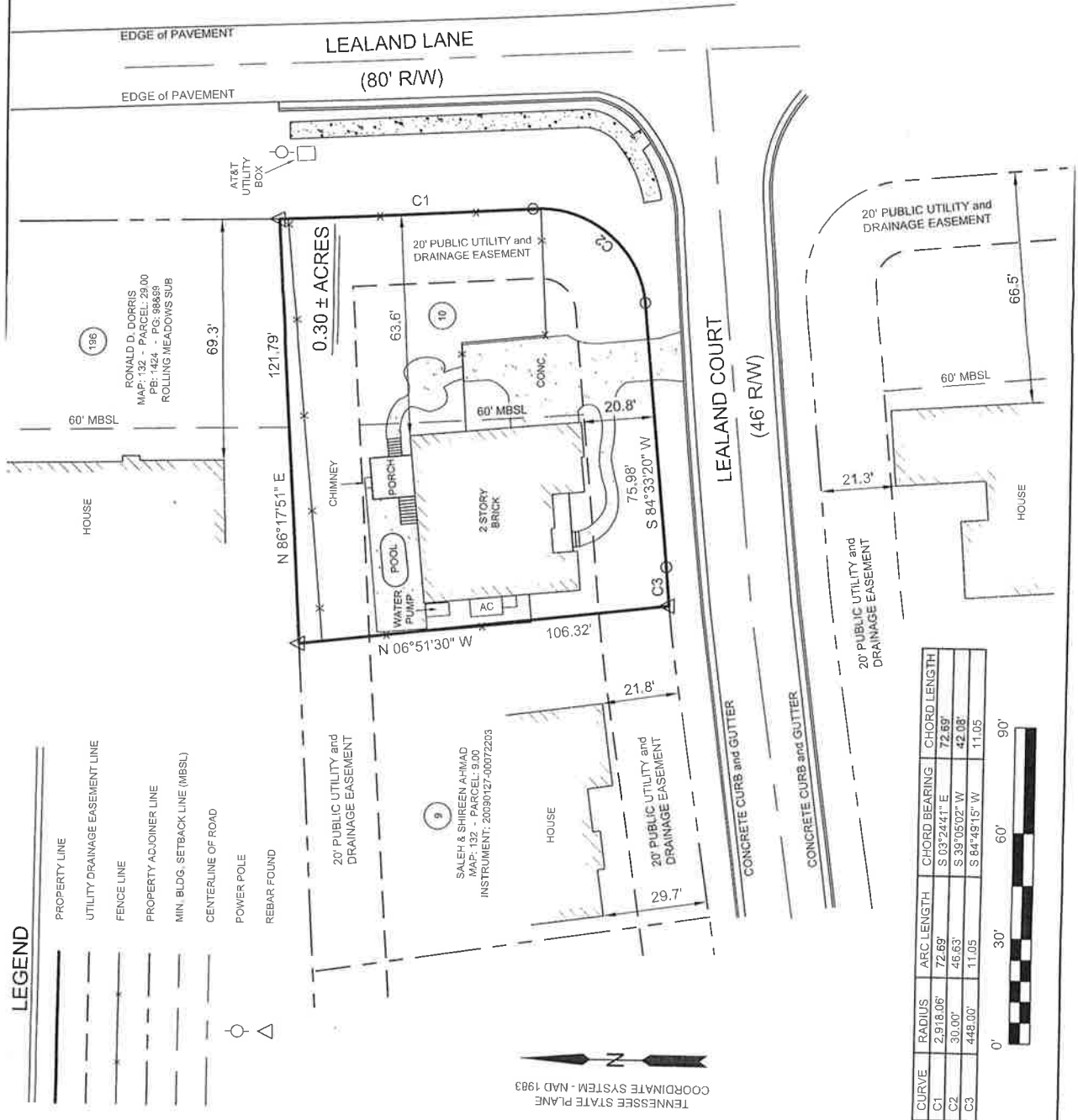
RONALD G. TAYLOR, R.L.S.  
TENNESSEE REGISTRATION NO. 2123

10-22-19

**L.I. Smith and Associates, Inc.**  
LAND DEVELOPMENT | INFRASTRUCTURE DESIGN  
SURVEYING SERVICES  
302 North Caldwell Street, Paris, TN 38242 | 731-544-1014 | www.lismith.com  
475 Metroplex Drive, Suite 212 Nashville, TN 37211 | 615-256-0290

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DRAWN BY: AOT CHECKED BY: RGT SCALE: 1"=30'  
PROJECT # 19MR5

**EXISTING**



**LEGEND**

- PROPERTY LINE
- UTILITY DRAINAGE EASEMENT LINE
- FENCE LINE
- PROPERTY ADJONER LINE
- MIN. BLDG. SETBACK LINE (MBSL)
- CENTERLINE OF ROAD
- POWER POLE
- REBAR FOUND



TENNESSEE STATE PLANE  
COORDINATE SYSTEM - NAD 1983

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	2,918.06'	72.69'	S 03°24'41" E	72.69'
C2	30.00'	46.63'	S 39°05'02" W	42.08'
C3	449.00'	11.05'	S 84°49'15" W	11.05'



**From:** [April Edman](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** 2020-010  
**Date:** Monday, December 23, 2019 3:13:04 PM

---

Hello! Please include the following email that shows approvals for a reduction in our setback from 60 feet to 20 feet by the Fire Marshal, Public Works, Traffic and Parking, Stormwater, and Water Services Departments. Thanks!

April Edman

Begin forwarded message:

**From:** "Lewis, Amelia (Planning)" <Amelia.Lewis@nashville.gov>  
**Date:** November 14, 2019 at 11:14:22 AM CST  
**To:** "april.edman@gmail.com" <april.edman@gmail.com>  
**Subject:** 2019S-233-001 Initial Comments

Hi April,

I left you a voicemail, as this issue is kind of uncommon and requires an additional process before we can amend the plat, which I outline below but if you have any questions feel free to let me know.

From preliminary discussions with the Codes Department, the requested 20' building setback would be less than what would be permitted by the Zoning Code. Procedurally, the request for a reduced setback would be taken to the Board of Zoning Appeals. We do not want to record a plat that shows information contrary to the zoning code, as ultimately when you go to pull building permits for any addition, the zoning code would still apply. After the reduced setback is approved by the Board of Zoning Appeals, we can process the plat amendment that shows the approved setback.

In addition, your request to remove note 23 would likely be able to be removed administratively through our plat amendment procedure.

On the submitted copy of the original plat, note 22 regarding the access to the lot was also highlighted. Were you intending for that note to be removed as well?

Any revisions that may deviate from the preliminary submittal may cause this request to be considered at a later MPC meeting date or a staff recommendation of disapproval if not all issues have been addressed prior to the Planning Commission meeting.

This case is scheduled to be considered by the Planning Commission at its December 12, 2019 meeting. If the setback is determined by the Board of Zoning Appeals, and only note 23 was being removed, it is likely this plat can be amended administratively

and not be required to go to the Planning Commission.

Fire Marshal Comments

(contact: Joseph Almon [Joseph.Almon@nashville.gov](mailto:Joseph.Almon@nashville.gov) or 862-5248)

Approve with conditions:

Limited building detail, and/ or building construction information provided. Any additional fire code or access issues will be addressed during the construction permitting process. Future development or construction may require changes to meet adopted fire and building codes.

Public Works Comments

(contact: Scott McCormick [scott.mccormick@nashville.gov](mailto:scott.mccormick@nashville.gov) or 862-8792)

Approved.

Traffic and Parking

(contact: Scott McCormick [scott.mccormick@nashville.gov](mailto:scott.mccormick@nashville.gov) or 862-8792)

Approved.

Stormwater Comments

(contact: Benjamin Butler [Benjamin.butler@nashville.gov](mailto:Benjamin.butler@nashville.gov))

Approved.

Water Services Comments

(contact: Dean Hammonds [dean.hammonds@nashville.gov](mailto:dean.hammonds@nashville.gov) or 615-862-4269)

Approved.

Thanks,

**Amelia Lewis, AICP**

Planner II | Land Development  
Metropolitan Nashville Planning Department  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300  
phone: 615.862.7006

Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: MATT ROTONDO  
Property Owner: MATT ROTONDO  
Representative: JUSTIN CRANDALL

Date: 11/26/19  
Case #: 2020-011  
Map & Parcel: 10513036000

Council District \_\_\_\_\_

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: convert existing garage into DADU

Activity Type: Single Family  
Location: 902 WALDKIRCH AVE, NASHVILLE, TN, 37204

This property is in the \_\_\_\_\_ Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 10L size variance  
Section(s): 17.12.020 A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

MATT ROTONDO  
Appellant Name (Please Print)

JUSTIN CRANDALL  
Representative Name (Please Print)

902 WALDKIRCH AVE  
Address

1064 TULIP GROVE RD  
Address

NASHVILLE, TN, 37204  
City, State, Zip Code

HERMITAGE, TN, 37076  
City, State, Zip Code

310-651-4255  
Phone Number

615-915-8288  
Phone Number

mattrotundo@gmail.com  
Email

justin@builderassistllc.com  
Email

Appeal Fee: \_\_\_\_\_





Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210

3734869 2019-011

ZONING BOARD APPEAL / CAAZ - 20190071798  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification

PARCEL: 10513036000

APPLICATION DATE: 11/21/2019

**SITE ADDRESS:**

902 WALDKIRCH AVE NASHVILLE, TN 37204  
PT LOT 46 WALDKIRCH SUB LOTS 8 9 LAWRENCE

PARCEL OWNER: ONUFREY, NICOLE SUZANNE & ROTONDI CONTRACTOR:

**APPLICANT:**

**PURPOSE:**

requesting per METZO section 17.12.020 (A) a lot area variance. R8 zoning. 8000 sf required providing 7610 sf lot area for a 390 sf variance request. POC JUSTIN CRANDELL 615-915-8288. COUNCIL DISTRICT #17.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

We purchased our property in 2015. The previous owners had a tenant living above the garage in a DADU, prior to sale. We considered the above-garage space an extra room for visiting family. This being our first home purchase, we assumed, given its prior use as a rental unit, all was compliant for R8 zoning. Recently (after 4 years without issue of any kind), we've learned of non-compliance. We seek to rectify the situation fully. Our lot, which was platted in 1913 as 7,610 sf, and which has incurred neighboring impositions, is ~5% shy of the required footage. We request variance to zone our lot for the modifications made by the previous home owners. We have no intention for additional modifications. Further, there is nothing about the structure that infringes, imposes or threatens neighboring parcels in any way. Our interest is to move swiftly to correct a previous oversight.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)**


The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

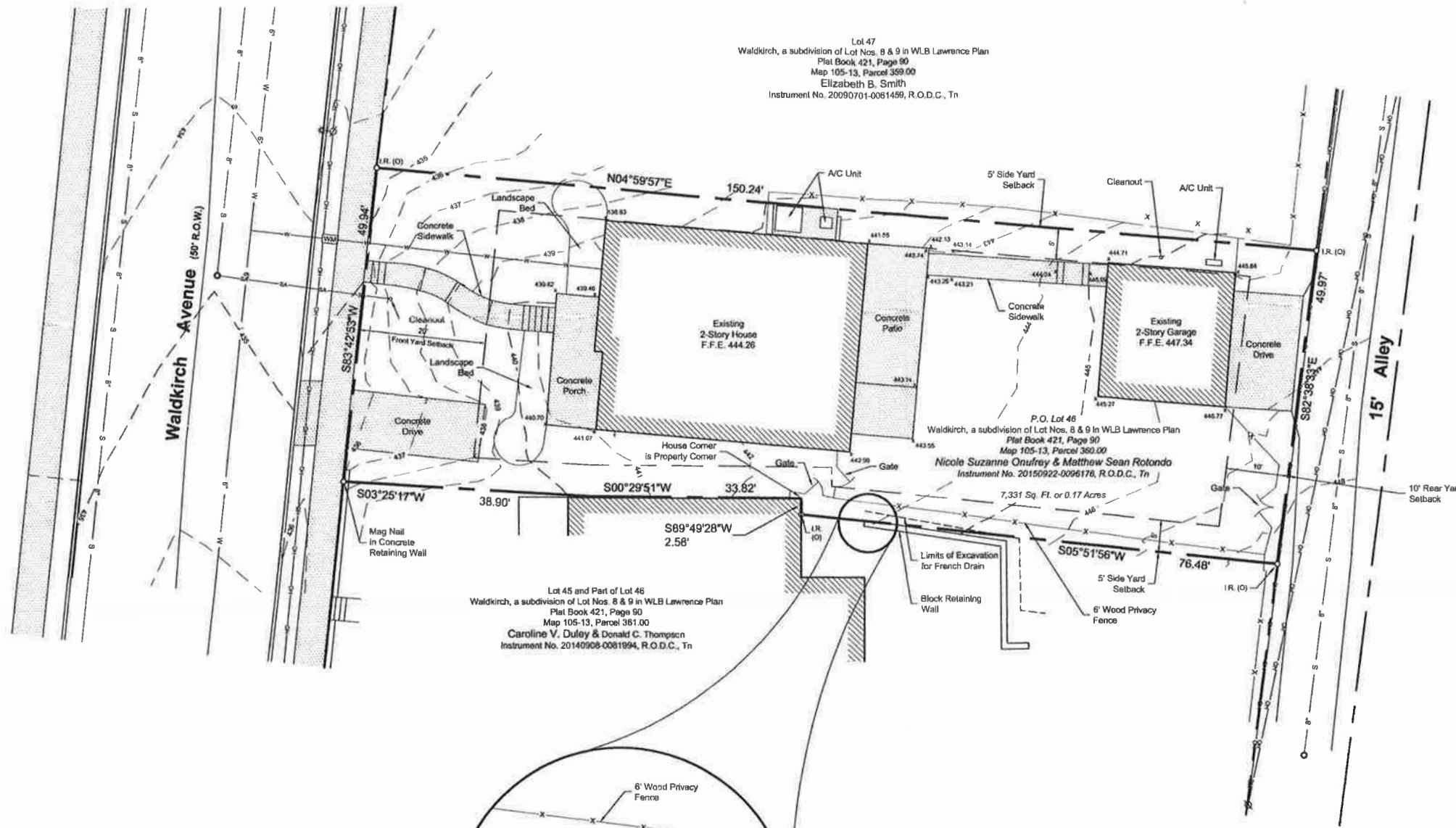
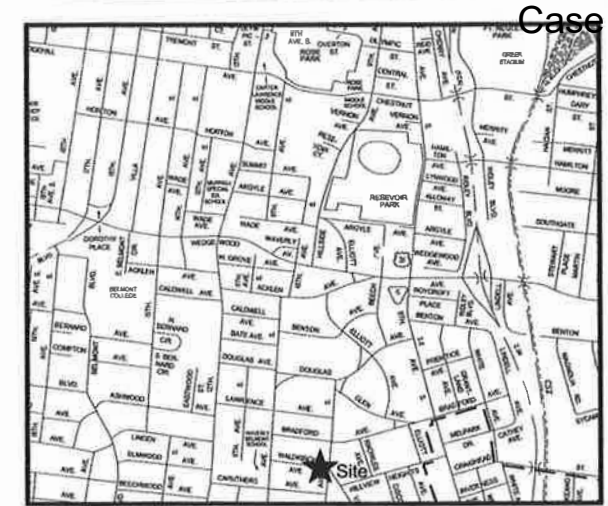
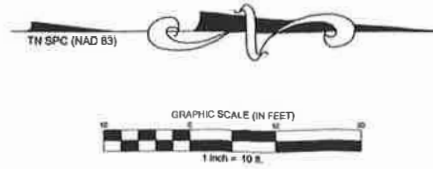
**Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.**

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

  
\_\_\_\_\_  
**APPELLANT**

MATTHEW BANDO

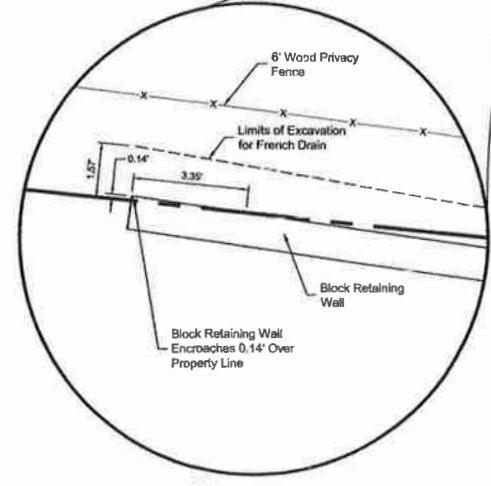
November 13, 2019  
**DATE**



Lot 47  
Waldkirch, a subdivision of Lot Nos. 8 & 9 in WLB Lawrence Plan  
Plat Book 421, Page 80  
Map 105-13, Parcel 359.00  
Elizabeth B. Smith  
Instrument No. 20090701-0081459, R.O.D.C., TN

Lot 45 and Part of Lot 46  
Waldkirch, a subdivision of Lot Nos. 8 & 9 in WLB Lawrence Plan  
Plat Book 421, Page 80  
Map 105-13, Parcel 361.00  
Caroline V. Dufey & Donald C. Thompson  
Instrument No. 20140908-0081994, R.O.D.C., TN

P.O. Lot 46  
Waldkirch, a subdivision of Lot Nos. 8 & 9 in WLB Lawrence Plan  
Plat Book 421, Page 80  
Map 105-13, Parcel 360.00  
Nicole Suzanne Onufrey & Matthew Sean Rotondo  
Instrument No. 20150922-0096176, R.O.D.C., TN



Enlarged Detail  
Not to Scale

LEGEND

	Utility Pole
	Utility Pole w/Lamp
	Overhead Utility Line
	Underground Electric Service
	Sanitary Sewer
	Sanitary Sewer Service
	Water Line
	Water Meter
	Iron Rod (Old)

**UTILITY DISCLAIMER**  
THE UNDERGROUND UTILITIES HAVE NOT BEEN PHYSICALLY LOCATED. ABOVE GRADE AND UNDERGROUND UTILITIES SHOWN WERE TAKEN FROM VISIBLE APPEARANCES AT THE SITE, PUBLIC RECORDS AND/OR MAPS PREPARED BY OTHERS. THERE ARE NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER BY SERVICE OR ABANDONED. FURTHERMORE, THIS SURVEY DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES ARE IN THE EXACT LOCATION INDICATED. THEREFORE, RELIANCE UPON THE TYPE, SIZE AND LOCATION OF UTILITIES SHOWN SHOULD BE DONE SO WITH THIS CIRCUMSTANCE CONSIDERED. DETAILED VERIFICATION OF EXISTENCE, LOCATION AND DEPTH SHOULD ALSO BE MADE PRIOR TO ANY DECISION RELATIVE THERETO IS MADE. AVAILABILITY AND COST OF SERVICE SHOULD BE CONFIRMED WITH THE APPROPRIATE UTILITY COMPANY. IN TENNESSEE, IT IS A REQUIREMENT, PER "THE UNDERGROUND UTILITY DAMAGE PREVENTION ACT", THAT ANYONE WHO ENGAGES IN EXCAVATION MUST NOTIFY ALL KNOWN UNDERGROUND UTILITY OWNERS, NO LESS THAN THREE (3) HOURS MORE THAN TEN (10) WORKING DAYS PRIOR TO THE DATE OF THEIR INTENT TO EXCAVATE AND ALSO TO AVOID ANY POSSIBLE HAZARD OR CONFLICT. TENNESSEE ONE CALL 811.

**MAP REFERENCE**

Parcel 360.00 as Shown on Davidson County Property Map 105-13.

**DEED REFERENCE**

Nicole Suzanne Onufrey and Matthew Sean Rotondo as of Record in Instrument No. 20150922-0096176, R.O.D.C., TN.

**PLAT REFERENCE**

Being part of Lot 46 as shown on the plan of Waldkirch, a subdivision of Lot Nos. 8 & 9 in WLB Lawrence Plan of Record in Plat Book 421, Page 80, R.O.D.C., TN.

**SURVEYOR'S NOTES**

1. Property is located at 902 Waldkirch Avenue and is Zoned RB.
2. The property is located on FEMA FIRM Community Map Panel No. 47037C0218F (Panel not printed).
3. Utilities Shown Herein Were Taken From Visible Structures in the Field. Verification of Existence, Size, Location and Depth Should be Confirmed With the Appropriate Utility Sources.
4. Bearings Shown Herein Based on Geodetic North.
5. Elevations shown herein based on North American Vertical Datum 1988 using Global Navigation Satellite Systems (GNSS) dual frequency receiver Leica ATX1230GG, GPS/Gonass SmartAntenna and Tennessee Department of Transportation (TDOT) Continuously Operated Reference Station (CORS) Network.
6. This is a Terrestrial Positioning System (TPS) Survey Using the Following Equipment and Criteria:
  - Leica TCPR1205 Robotic Total Station
  - Horizontal Datum Based on North American Datum (NAD) 83(G7) with All Dimensions Shown Herein Being Ground Values
  - Ratio of Precision - 1:16,282
7. A 1996 report was not furnished to this surveyor, therefore, this survey is subject to the findings of current title search.

**SURVEYOR'S CERTIFICATE**

I Certify That This Plat and the Survey on Which it is Based Were Made on the Ground Under My Direct Supervision in Accordance with the February 15, 2015 Minimum Standards of Practice For Land Surveyors Pursuant to Tennessee Code Annotated Section 62-16-105(d) and 62-16-106(c) Chapter 0820-03-05 Established by the Tennessee Board of Examiners of Land Surveyors. The Field Work was Completed on October 4, 2015.

I Further Certify That There Are No Encroachments or Projections Other Than Those Shown.

I Further Certify That This Survey is True and Correct to the Best of My Knowledge and Belief.

By: *Jack Whitson*

TN R.L.S. No. 1732

Date: December 7, 2015



**BOUNDARY and TOPOGRAPHIC SURVEY  
OF  
902 WALDKIRCH AVENUE**  
17th COUNCILMANIC DISTRICT  
NASHVILLE, DAVIDSON COUNTY, TENNESSEE

FOR  
Nicole Suzanne Onufrey & Matthew Sean Rotondo

SURVEYOR  
**JACK WHITSON, RLS**  
1300 DAWSON ROAD  
WHITE BLUFF, TN 37876  
(615) 533-8151

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re; Agenda Date: January 16, 2020

Case Number: 2020-011

Address: 902 Waldkirch Ave

To Whom it May Concern

As a resident and/or property owner in the surrounding neighborhood I would like to express my **support** for a variance to permit a detached building to be used as a detached accessory dwelling unit (DADU) at 902 Waldkirch Avenue.

A detached accessory dwelling unit (DADU) will enhance the neighborhood by providing a much needed housing type in a controlled environment. It incrementally addresses our city's housing affordability issue, inserting one more small housing option in a walkable neighborhood where services and employment opportunities are nearby. It will provide an opportunity for a variety of individuals (student, family member, young/older adult, single parent) to live in a high demand neighborhood. The DADU will create a presence on an otherwise inactive alley in a building that compliments the surrounding neighborhood and is consistent with the Historic context.

Sincerely,



\_\_\_\_\_/Name

Daniel Collins  
909 Bradford Ave Nashville, TN 37204

\_\_\_\_\_/Address

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re; Agenda Date: January 16, 2020

Case Number: 2020-011

Address: 902 Waldkirch Ave

To Whom it May Concern

As a long time resident and property owner in the neighborhood I would like to express my **support** for a variance to permit a detached building to be used as a detached accessory dwelling unit (DADU) at 902 Waldkirch Avenue.

This detached accessory dwelling unit (DADU), built in 2012 prior to current owners purchase of the property, enhances the neighborhood by providing a much needed housing type in a controlled environment. As our neighborhood has changed there are fewer and fewer options for small unit housing and this assist in incrementally addressing our city's housing affordability issue, allowing one more small housing option in a walkable neighborhood where services and employment opportunities are nearby. It allows for an opportunity for a variety of individuals (student, family member, young/older adult, single parent) to live in a high demand neighborhood. The DADU offers a presence on an otherwise inactive alley in an existing building that compliments the surrounding neighborhood and is consistent with the Historic context.

Sincerely,

Jessica Hoke

904 Halcyon Ave. Nashville TN 37204 /Address

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re; Agenda Date: January 16, 2020

Case Number: 2020-011

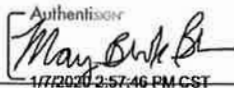
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Sincerely,

Authentisign  
  
1/17/2020 2:57:46 PM CST

\_\_\_\_\_/Name

\_\_\_\_\_  
1606 Linden Ave, Nashville, TN. 37212

\_\_\_\_\_/Address

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re; Agenda Date: January 16, 2020

Case Number: 2020-011

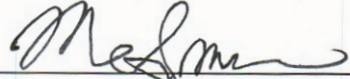
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Sincerely,

Matthew Smith  /Name

1510 Ferguson Avenue Nashville TN 37212 /Address



Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re; Agenda Date: January 16, 2020

Case Number: 2020-011

Address: 902 Waldkirch Ave

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Sincerely,

Peter Mannes /Name

2420 VAUX LN. /Address

**Lifsey, Debbie (Codes)**

---

**From:** Shepherd, Jessica (Codes)  
**Sent:** Wednesday, January 8, 2020 2:31 PM  
**To:** Board of Zoning Appeals (Codes)  
**Subject:** FW: Zoning appeal 2020-011

---

**From:** Wendy Morris <wendymmorris@gmail.com>  
**Sent:** Tuesday, January 7, 2020 3:03 PM  
**To:** Board of Zoning Appeals (Codes) <bza@nashville.gov>; Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>; Lifsey, Debbie (Codes) <Debbie.Lifsey@nashville.gov>; Lamb, Emily (Codes) <Emily.Lamb@nashville.gov>  
**Cc:** Nicole Onufrey <nicole.onufrey@gmail.com>  
**Subject:** Zoning appeal 2020-011

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Please find a letter attached in support of supporting Matt Rotondo's zoning appeal for map parcel 10513036000 appeal case number 2020-011. I live in the area and they have my complete support.

Thank you

Wendy Morris  
2802 Hawthorne Place  
Nashville 37212

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300

Re: Agenda Date: January 16, 2020

Case Number: 2020-011

Address: 902 Waldkirch Ave

To Whom it May Concern:

As a resident and/or property owner in the surrounding neighborhood I would like to express my support for a variance to permit a detached building to be used as a detached accessory dwelling unit (DADU) at 902 Waldkirch Avenue.

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Sincerely,

Wendy Morris /Name

2802 Hawthorne Place /Address

NASHVILLE TN 37212

917 612 6237

Metropolitan Nashville Board of Zoning Appeals  
800 Second Avenue South | P.O. Box 196300  
Nashville, TN 37219-6300  
Phone: 615-259-3311  
Fax: 615-259-3312  
www.nashville.gov  
This document is for informational purposes only. It is not intended to constitute an offer of any financial product or service. Please contact your broker for more information. © 2019 Metropolitan Nashville Board of Zoning Appeals

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: HA HANK MARJUM Date: 12/02/19  
Property Owner: CHARLES & BARBARA POWELL Case #: 2020-016 updated  
Representative: HANK MARJUM Map & Parcel: 0220006300  
OR CHARLES OR BARBARA POWELL  
Council District 01

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: CONSTRUCT ADDITION TO REAR 1 FEET OF  
EXISTING RESIDENTIAL STRUCTURE

Activity Type: SINGLE FAMILY  
Location: 3559 OLD CLARKSVILLE PK

This property is in the R40 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item D appeal to construct additions  
to a legally non conforming structure

Section(s): TABUL 17.12.020 A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

CHARLES & BARBARA POWELL \_\_\_\_\_  
Appellant Name (Please Print) Representative Name (Please Print)

3559 OLD CLARKSVILLE PK \_\_\_\_\_  
Address Address

JOELSON, TN 37080 \_\_\_\_\_  
City, State, Zip Code City, State, Zip Code

615 876 0729 \_\_\_\_\_  
Phone Number Phone Number

JOELSON120438@gmail.com \_\_\_\_\_  
Email Email

Zoning Examiner: DAVID D-B Appeal Fee: \$100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3736898

**ZONING BOARD APPEAL / CAAZ - 20190073272  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 02200006300

APPLICATION DATE: 12/02/2019

**SITE ADDRESS:**

3559 OLD CLARKSVILLE PIKE JOELTON, TN 37080  
S SIDE OLD CLARKSVILLE PK AND, W OF WHITES CREEK PIKE

PARCEL OWNER: POWELL, CHARLES R. ETUX

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Applicant requests an Item D appeal to construct additions to the front and to the back on the left side of the residential structure (from street view). See attached. Proposed additions would increase the degree of nonconformity of the existing structure. The request appears to be for variance of approximately 10', based on a rough scaling of the distance, 8.3', identified as a side setback on the opposite side of the structure.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

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Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (1) copy of your information to staff.**

I am aware that I am responsible for posting and removing the sign(s) after the public hearing.

  
 \_\_\_\_\_  
**APPELLANT**

12-2-19  
 \_\_\_\_\_  
**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property-** The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics-** *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

**Hardship not self-imposed-** *The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

**Financial gain not only bases-** *Financial gain is not the sole basis for granting the variance.*

**No injury to neighboring property-** *The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare-** *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan-** *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

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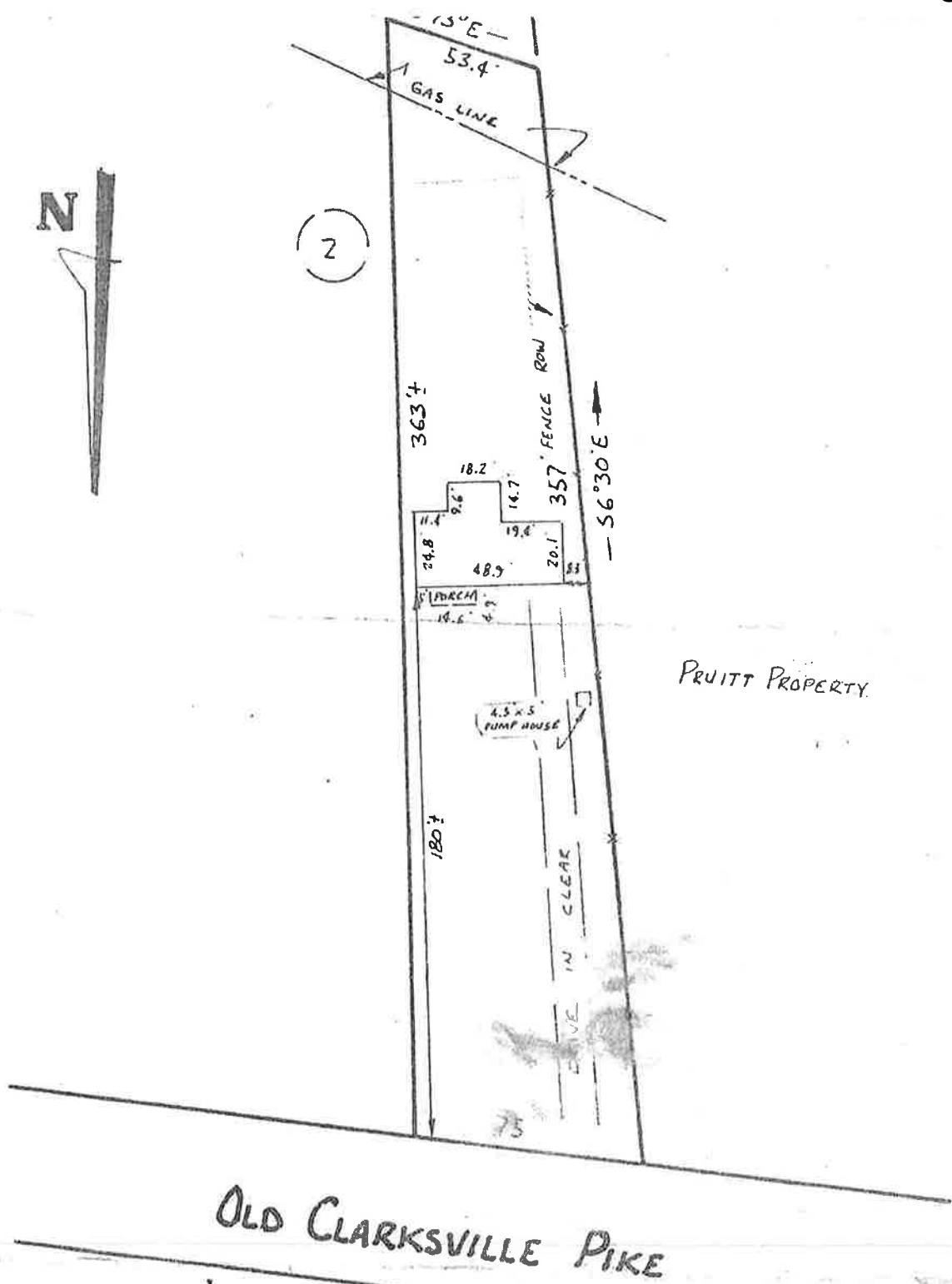
**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

Home owner is old HAS NO  
master Bath so we are going BUILD  
A new Living room with ROOM FOR  
wheel chair.





(2)



OLD CLARKSVILLE PIKE

LOAN SURVEY

OWNER: CARL L. GIBSON

PROPERTY: LOT No. 1 ON THE MAP OF  
C.T. MOSES' LANDS

RECORDED: NOT OF RECORD

**JOHN KOHL**  
 P. O. BOX 6337  
 NASHVILLE, TENN. 37212

PROPERTY LOCATED: 3559 OLD CLARKSVILLE PIKE  
OF JOELTON, TENNESSEE - 37080

SCALE: 1" = 50'

DATE: JULY 8, 1970

*[Signature]*  
 SURVEYOR



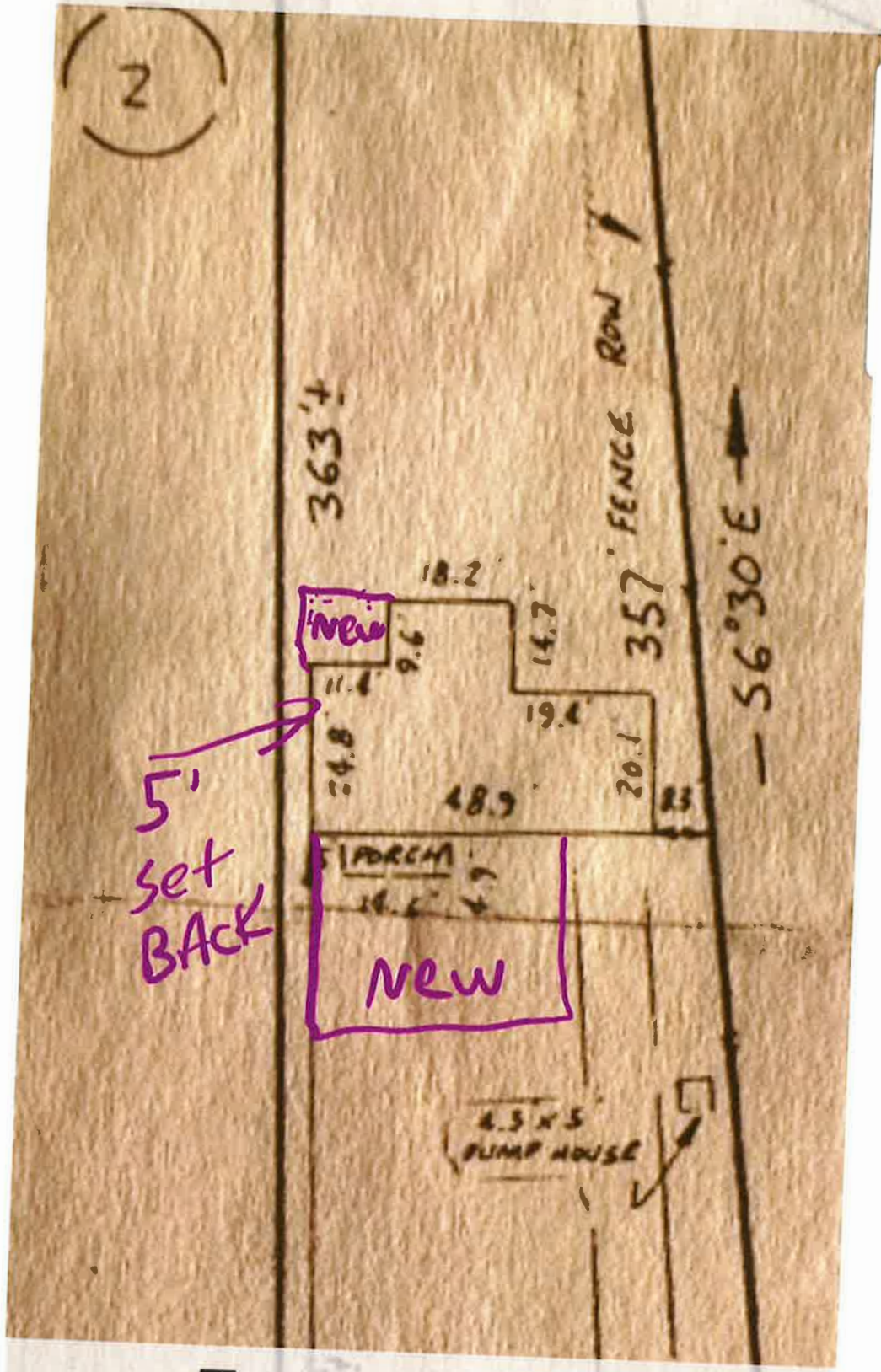


Charles / Powell  
 3559 Oldmarksull Rk  
 Joelton 3708c

< Dakota Joe  
5:49 PM, Jan 5



(2)



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Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: ALLEN PERRY Date: 10/21/19

Property Owner: RENA MARSHALL LAM WAGNER Case #: 2020-017

Representative: ALLEN PERRY Map & Parcel: 10412627100

Council District 18

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

VARIABLE REQUEST BECAUSE LOT DOES NOT HAVE REQUIREMENTS  
SOFT FOR 2 SINGLE-FAMILY HOMES 109'5" VARIANCE  
LOT HAS 7,891 SQ FT PER 10,244

Activity Type: VARIABLE

Location: 1704 Bernard

This property is in the R8, DU020 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIABLE LOT AREA

Section(s): TABLE 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

ALLEN PERRY  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

1705 STOKES LN  
Address

\_\_\_\_\_  
Address

NASHVILLE TN 37215  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615-738-1550  
Phone Number

\_\_\_\_\_  
Phone Number

ALLEN@NASHVILLEONTHEMOVE.COM  
Email

\_\_\_\_\_  
Email

Zoning Examiner: DAVID D-B

Appeal Fee: \$100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3724144

**ZONING BOARD APPEAL / CAAZ - 20190064097  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 10412027100

APPLICATION DATE: 10/21/2019

**SITE ADDRESS:**

1704 BERNARD AVE NASHVILLE, TN 37212  
LOT 37 LENOX PLACE

PARCEL OWNER: HARDING, RENA &amp; WARD, LANA K. ET AL CONTRACTOR:

**APPLICANT:****PURPOSE:**

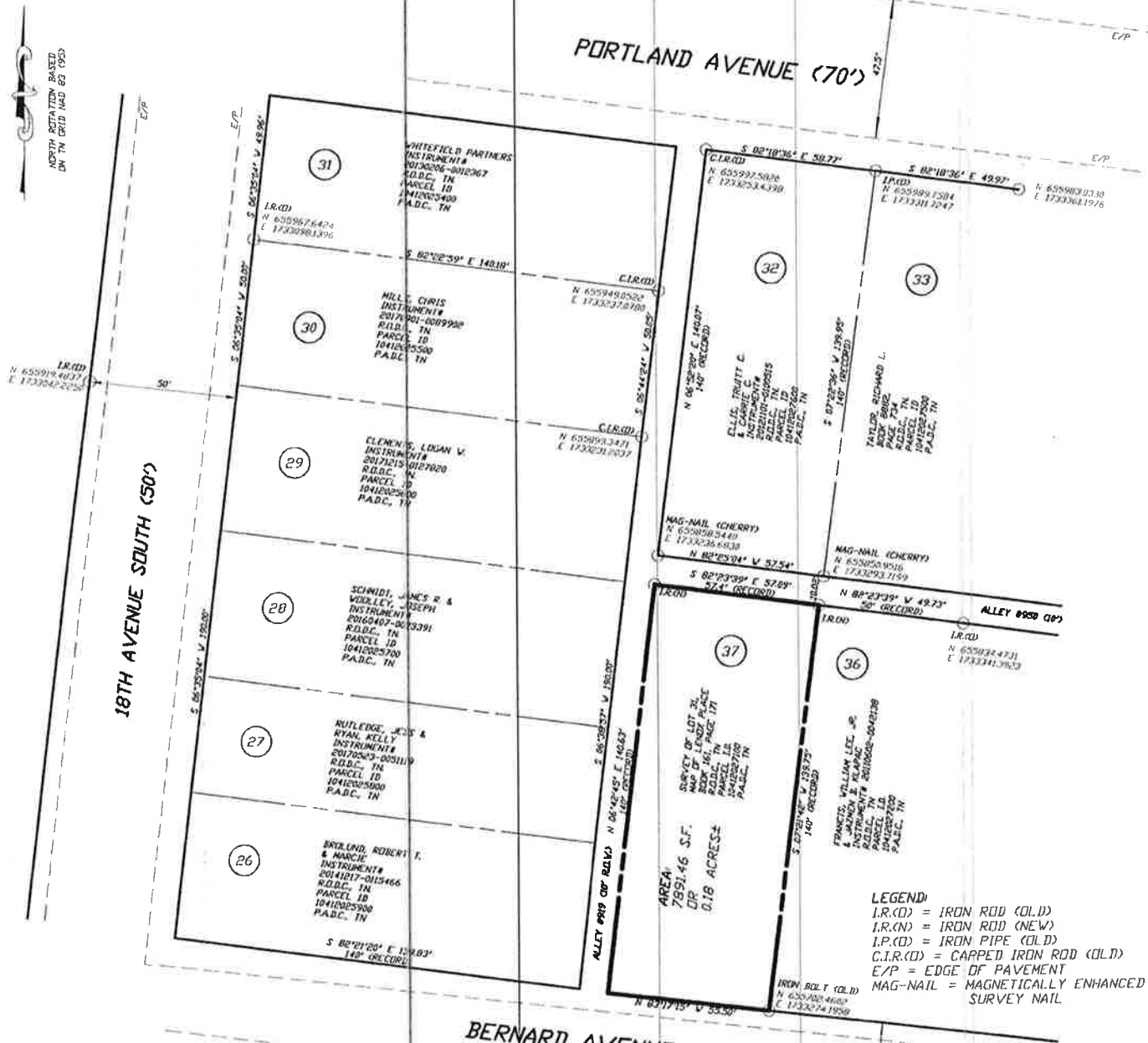
Variance to minimum lot area per Table 17.12.020A.

R8 Zoning, lot has 7891.46 sq ft per survey, 8,000 sq ft required to construct 2 single family homes.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**LEGEND:**  
 I.R.(D) = IRON ROD (OLD)  
 I.R.(N) = IRON ROD (NEW)  
 I.P.(D) = IRON PIPE (OLD)  
 C.I.R.(D) = CAPPED IRON ROD (OLD)  
 E/P = EDGE OF PAVEMENT  
 MAG-NAIL = MAGNETICALLY ENHANCED SURVEY NAIL

THIS SURVEY WAS PREPARED FOR THE SOLE PURPOSE OF CALCULATING THE AREA OF THE SUBJECT PROPERTY.

NO UTILITIES OR IMPROVEMENTS ARE SHOWN.

I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY WITH THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY BEING 1/18,000. THIS SURVEY WAS DONE IN COMPLIANCE WITH THE CURRENT STANDARDS OF PRACTICE ADOPTED BY THE TENNESSEE STATE BOARD OF EXAMINERS FOR LAND SURVEYORS.

PREPARED BY:  
 CAMPBELL, McRAE & ASSOCIATES, SURVEYING, INC.  
 P.O. BOX 41153  
 NASHVILLE, TN, 37204  
 PH. 615-298-2424  
 EMAIL: cmas@att.net

JOHN ALAN HOOD  
 TN. R.L.S.#1838



**BOUNDARY SURVEY**  
 LOT 37, LENOX PLACE  
 BOOK 161, PAGE 171  
 R.D.D.C., TN.  
**PROPERTY LOCATED**  
 18TH COUNCIL DISTRICT OF  
 NASHVILLE, DAVIDSON COUNTY  
 TENNESSEE  
 ON THE NORTHERLY MARGIN OF  
 BERNARD AVENUE,  
 EAST OF 18TH AVENUE SOUTH  
**PROPERTY ADDRESS:**  
 1704 BERNARD AVENUE,  
 NASHVILLE, TN, 37212  
**DEED REFERENCE:**  
 INSTRUMENT # 20060501-0049422  
 R.D.D.C., TN.  
**PARCEL ID** 10412027100  
 P.A.D.C., TN.  
**DATE:** 5-18-2018  
**SCALE:** 1"=50'  
**PREPARED FOR:**  
 RENA, WARD, & LANA HARDING



----- Forwarded message -----

From: **Shepherd, Jessica (Codes)** <[Jessica.Shepherd@nashville.gov](mailto:Jessica.Shepherd@nashville.gov)>

Date: Thu, Oct 3, 2019 at 6:49 AM

Subject: RE: Appeal 2019-296

To: Cheroyl Lehning <[cheroyllehning@gmail.com](mailto:cheroyllehning@gmail.com)>

Cheroyl,

I am sorry to hear that you are under the weather. I am making much improvement, thank you.

I can understand your frustration but I believe that Mr. Perry has been given incorrect information. I do need more details about what was communicated to Mr. Perry. The order from your original appeal states that you can apply sooner than 6 months.

I am sure this can be resolved, I just need more information.

Feel better soon,

Jessica

---

**From:** Cheroyl Lehning <[cheroyllehning@gmail.com](mailto:cheroyllehning@gmail.com)>

**Sent:** Wednesday, October 2, 2019 4:49 PM

**To:** Shepherd, Jessica (Codes) <[Jessica.Shepherd@nashville.gov](mailto:Jessica.Shepherd@nashville.gov)>

**Subject:** Re: Appeal 2019-296

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Jessica,

I AM IN A COMPLETE QUANDARY OVER THE FACT THAT WE WERE TOLD THAT THE ZONING BOARD WOULD ALLOW

US TO REAPPLY BEFORE 6 MONTHS.



Nashville Planning Department  
 800 2nd Ave S  
 P.O. Box 196300  
 Nashville, TN 37219-6300  
[maps.nashville.gov](https://maps.nashville.gov)

<b>Parcel Details</b>			Hide
Parcel ID:	10412027100		
Parcel Address:	1704 BERNARD AVE NASHVILLE, TN 37212		
Owner:	HARDING, RENA & WARD, LANA K. ET AL		
Acquired Date:	1/12/2005		
Sale Price:	\$ 0.00		
Sale Instrument:	AF-20060501 0049422		
Mailing Address:	1704 BERNARD AV NASHVILLE, TN 37212		
Legal Description:	LOT 37 LENOX PLACE		
Acreage:	0.19		
Frontage Dimension:	56		
Side Dimension:	140		
Parcel Instrument:	DB-00002436 0000515		
Parcel Instrument Date:	6/10/1955		
Census Tract:	37016800		
Tax District:	USD		
Council District:	18		
Land Use Description:	SINGLE FAMILY		
<b>Zoning</b>			Hide
Zone Code	OV-UZO		
Zone Description			
Effective Date	7/25/2007		
Ordinance	BL2007-142		
Case Number	2007Z-060U-05		
Zone Code	R8		
Zone Description	Medium density residential, requiring a minimum 8,000 square foot lot and intended for single and two-family dwellings at a density of 4.63 dwelling units per acre.		
Effective Date	12/23,1974		
Ordinance	073-650		
Case Number			
Zone Code	OV-UZO		
Zone Description			
Effective Date	12/2/2000		
Ordinance	BL2000-47		
Case Number	2000Z-094U-00		
<b>Owner History</b>			Hide
Owner Name	HARDING, RENA & WARD, LANA K. ET AL		
Acquired Date	1/13/2005		
Sale Instrument	AF-20060501 004942		
Mailing Address	1704 BERNARD AV, NASHVILLE TN 37212		
Mailing Country	US		



Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF DADE, BREVARD AND GAVIUSIN COUNTY



Appellant: Cheroyl Lehning  
Property Owner: Lakshmi Wadga  
Representative: Cheroyl Lehning

Date: May, 13, 2019  
Case #: 2019- 296  
Map & Parcel: 10412027100

Council District 18

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To 2 single-family homes.

NO PERMIT APP STARTED

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 1704 BERNARD AVE

This property is in the R8 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: VARIANCE TO MINIMUM LOT AREA

Section(s): 17.12.020A

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

CHEROYL LEHNING  
Appellant Name (Please Print)

CHEROYL LEHNING  
Representative Name (Please Print)

1011 EAST GADSDEN ST  
Address

1011 E  
Address

PENSACOLA, FL 32501-4123  
City, State, Zip Code

SAME  
City, State, Zip Code

LANDLINE 850-434-4223  
CELL 850-503-1879  
Phone Number

Phone Number

cheroyllehning@gmail.com  
Email

Email

Zoning Examiner: 18

Appeal Fee: \_\_\_\_\_

Cheroyl Lehning @ gmail.com

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (8) copy of your information to staff.**

**I am aware that I am responsible for posting and removing the sign(s) after the public hearing.**

  
 \_\_\_\_\_  
 APPELLANT

10/21/19  
 \_\_\_\_\_  
 DATE

1704 BERNARD AVE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases- Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

WE ARE APPLYING FOR A VARIANCE FOR THE ABILITY TO BUILD 2 HOUSES AT 1704 BERNARD WHICH IS CURRENTLY ZONED R8 AND SURELY SINCE IT HAS 7891 sq ft of land

THIS VARIANCE ~~IS~~ BEING APPLIED FOR BY A REPRESENTATIVE FROM THE ORIGINAL OWNER THAT WOULD HAVE APPLIED SOONER IF THEY HAD KNOWN IT WAS NECESSARY SINCE TAX RECORD SHOWS ABOVE 8000 sq ft.

Allen Perry  
Agent For Seller

**From:** [Marcie Brolund](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** 1704 Bernard Avenue Appeal 2020-017  
**Date:** Monday, December 30, 2019 1:07:29 PM

---

To the Metropolitan Board of Zoning Appeals,

We object to the possibility of two homes being built on the lot behind us.

It is already difficult for us to access our garage in the alley that faces the property at times, as well as the fact that there already isn't available street parking many days. More homes means more cars and people on an already crowded street.

We are also concerned about water run off, and potential flooding issues behind our house, due to standing water on the lot when we have heavy rains now.

Please follow the ordinance, and don't set a precedent for the rest of the street. If you allow this appeal to go through, more will follow. Not to mention something very similar was requested previously (Appeal number 2019-296) and was denied.

Bob and Marcie Brolund  
2010 18th Avenue South

**From:** [Christie Laird](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** Opposition to Appeal Case No. 2020-017  
**Date:** Sunday, December 29, 2019 5:52:44 PM

---

Dear Zoning Board Members,

I am writing in opposition to the appeal filed by Allen Perry for 1704 Bernard Avenue, Appeal Case Number 2020-017. I live on 19th Ave South which is within 1000 feet of the subject property. I have lived at this location for more than 13 years but have lived in the neighborhood for more than twenty years.

I do not see any grounds upon which Mr. Perry's appeal should be granted. As I understand it, the lot is too small under the zoning rules for two houses. The zoning rules are in place to protect the integrity of the neighborhood as well as the value of individual property. I don't believe it is prudent to grant this appeal and thereby set a precedent that lot size requirements do not have to be followed. Also, this particular piece of property is highly unsuitable for two houses as it is essentially between two alleyways. The street where the lot fronts is very narrow and having two houses on that lot would be very uncharacteristic for the street specifically and the neighborhood in general.

I urge you to affirm your initial decision and to deny Mr. Perry's appeal.

Thank you for considering this request,  
Christie Laird

**From:** [gerry.knab@att.net](mailto:gerry.knab@att.net)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [om.Cash@nashville.gov](mailto:om.Cash@nashville.gov)  
**Subject:** Zoning appeal for permit 20190064097  
**Date:** Wednesday, January 8, 2020 11:05:06 AM

---

Board of Zoning:

I live on 18<sup>th</sup> Ave S in the Belmont Hillsboro neighborhood. I received a notice regarding an appeal for property at 1704 Bernard Ave. As a homeowner in the neighborhood I DO NOT agree with the variance to allow two houses on this single lot. I believe the integrity of the neighborhood is based on avoiding the "shoe-horning" of two houses onto a small lot. I am unable to attend the hearing in person but would like my voice heard.

If you have any comments or questions regarding this information please feel free to reply by e-mail or call me at 615-370-1319.

Kind regards,

Gerry Knab  
2207 18<sup>th</sup> Ave S  
615-370-1319

To: Metropolitan Board of Zoning Appeals

From: John Markert @ 1913 18<sup>th</sup> Avenue South

Re: Appeal Case 2020-017 @ 1704 Bernard Avenue (parcel 10412027100)

Date: 27 December 2019

I want to go on record to oppose the zoning request at the above property to allow two single family houses to be built on the site where one small house presently exists.

Belmont-Hillsboro established historical zoning laws specifically to dissuade developers from scrunching multiple houses on small land masses. The house that presently exists is relatively small and sits on a small site. To put two houses on that land would dramatically challenge the existing single-family lots that presently sit in this area.

The only reason I can see for this request is that a developer doesn't appreciate the existing laws (and character of the area) and simply can make more money by selling two properties instead of one. I strongly oppose this appeal.



John Markert

Electronic copies to:

Burkley Allen

Thomas Cash



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: X Celeste Greene  
Property Owner: Same  
Representative: same

Date: 12/2/19  
Case #: 2020-018  
Map & Parcel: 06108013900

Council District 07

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: height variance for detached carport

Activity Type: single family  
Location: 4615 Medora

This property is in the RS20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: height variance  
Section(s): 17.12.060 B

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Celeste Greene  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

4615 Medora Ave.  
Address

\_\_\_\_\_  
Address

Nashville TN 37216  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

(970) 749-7052  
Phone Number

\_\_\_\_\_  
Phone Number

Celeste.greene52@gmail.com  
Email

\_\_\_\_\_  
Email

Appeal Fee: \$100



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3737072

**ZONING BOARD APPEAL / CAAZ - 20190073390  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 06108013900**APPLICATION DATE:** 12/02/2019**SITE ADDRESS:**

4615 MEDORA ST NASHVILLE, TN 37216  
LOT 5 MCGAUGHEY 2ND HAYSBORO

**PARCEL OWNER:** GREENE, CELESTE & JOSEPH**CONTRACTOR:****APPLICANT:****PURPOSE:**

see building permit 2019038704. Requesting a height variance for addition to existing detached carport max allowed height is 16' providing 18' for a variance request of 2' per METZO SECTION 17.12.060 (B). COUNCIL DISTRICT #7.  
CELESTE GREENE 970-749-7052 EMAIL CELESTE.GREENE52@GMAIL.COM

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3430965

**BUILDING RESIDENTIAL - REHAB / CARR - 2017078832  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

Original  
Permit

PARCEL: 06108013900

APPLICATION DATE: 12/11/2017

**SITE ADDRESS:**

4615 MEDORA ST NASHVILLE, TN 37216  
LOT 5 MCGAUGHEY 2ND HAYSBORO

PARCEL OWNER: Greene, Celeste

CONTRACTOR:

APPLICANT: Celeste greene  
, 970-749-7052

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

**PURPOSE:**

to conduct interior renovations to existing shed building attached to carport. no change to footprint. not to be used as living space or commercial purposes.

sidewalks not required

\*\*\*PURSUANT TO ORDINANCE NO 2008-1263 of the Metropolitan Code of Laws, I, holder of this permit, hereby certify that all construction and demolition waste generated by any and all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction or demolition waste shall be stored on the property in violation of any provisions of the Metropolitan Code. For every 30 feet of street frontage, or fraction thereof, one 2 inch caliper tree as listed in the Urban Forestry approved tree list shall be planted on the subject property.\*

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.*

*Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

Building Framing - Ceiling		Larry.Dennis@nashville.gov
Building Final		Larry.Dennis@nashville.gov
Building Floor Elevation		Larry.Dennis@nashville.gov
Building Footing		Larry.Dennis@nashville.gov
Building Foundation	REJ-NOFEE	Larry.Dennis@nashville.gov
Building Foundation		Larry.Dennis@nashville.gov
Building Framing		Larry.Dennis@nashville.gov
Building Framing - Wall		Larry.Dennis@nashville.gov
CA Building Progress Inspection		Larry.Dennis@nashville.gov
Building Slab		Larry.Dennis@nashville.gov
U&O Letter		615-862-6527 tawanna.dalton@nashville.gov

Inspection requirements may change due to changes during construction.

Dear Board of Zoning Appeals,

My name is Celeste Greene and I live at 4615 Medora St, Nashville, TN 37216. I recently pulled a building permit to construct a studio in my backyard. I am an artist and this studio will serve as my art studio. I have put all my savings into this and have never done anything like this before.

On December 11th of 2017 I went to the codes department to obtain a permit for my project. Once obtained, I moved forward with the demolishing of the existing shed space behind the carport and began to construct my studio. This permit had no mention of height restrictions and I was unaware of any such restrictions until after the new structure was built.

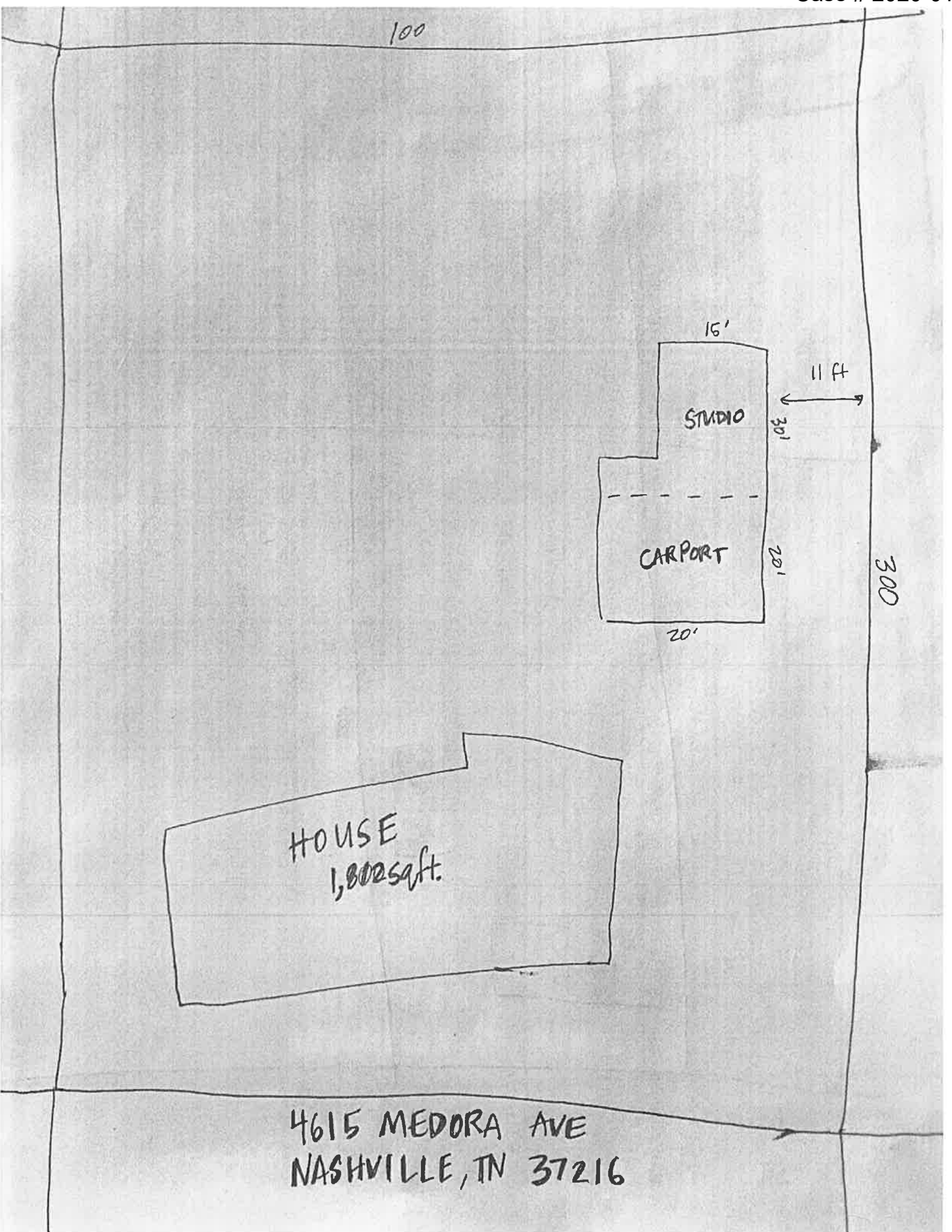
In June, an inspector came to my site and was concerned that my scope of work did not match the permit and the height of my building might be too high. He stopped the inspection and told my contractor I would need to get a new permit and change the roof height or apply for a variance. This was surprising and very upsetting as you might can imagine. I immediately went back to codes to understand what had gone wrong. I was told that the permit I had was not written correctly for my project. I then applied for a new permit and was given one (see attached permit #2019038704) that detailed my building's restrictions, including the height at 16'. Unfortunately, at this time the structure was already built at 18'.

It has taken me several agonizing months to figure out what I might need to do. My construction is at a standstill and I am very worried. After speaking with several people it was recommended I reach out to my councilwoman and neighbors for support. I have been given support by all parties. In fact, all three neighbors adjoining my property have written letters of support. Please see attached.

I am hoping that you can give me your support as well as I am seeking a variance. Please see attached pictures that show both my house and this new studio. You can see that because of the shed roof the height in question is limited to a small portion of this structure and faces the interior of my property. You can also see that it reads at about the same height as the ridge of my main house when viewing from the street.

I appreciate your time in reading this and eagerly await your response!

Yours truly,  
Celeste Greene



4615 MEDORA AVE  
NASHVILLE, TN 37216

October 29,2019

To whom it may concern,

We are writing to send our approval of the addition being built at 4615 Medora Avenue. We have no concerns about the height or size of the building and are in full support of our neighbor.

Best,  
Alex and Ellen Hoffman  
4611 Medora Avenue homeowners

---

October 30, 2019

To Whom It May Concern,

I'm writing regarding the height overage of my addition to my neighbor, Celeste Greene's, home. She's my neighbor directly to the East of my home, which is at 4606 Camellia PI 37216. I'd like to express my support for a variance on her project.

Best,

Jeremy Bose  
615.579.2977

---

October 31, 2019

The height of the building that Celeste has built is alright with me.  
My name is David Reed I live next door at 4611 log cabin rd.













4601 Medora Avenue  
Nashville, TN 37216

December 27, 2019

Board of Zoning Appeals  
P. O. Box 196350  
Nashville, TN 37219

RE: Appeal Case Number: 2020-018  
4615 Medora Avenue  
Map Parcel: 06108013900  
Zoning Classification: RS20  
Council District: 7

Dear Sirs:

In response to the Zoning Appeal I received regarding the above case number, I am against this request.

It is the understanding of all the neighbors around this property, that it is to be used as an Air BNB. A permit was obtained for the work on the premises to conduct interior renovations to existing shed building attached to carport only. However, an entire level has been added to the garage as well as an extension built on the back of the garage. Electricity and water have been run to this new construction as well. It is my further understanding that Building Inspector, Larry Dennis inspected the property and informed the owners all construction needed to stop until further notice. The next day, lumber was delivered and the construction continued. The owners are now trying to go into this hearing asking for forgiveness and have not acted on good faith as required by the zoning laws.

As a resident of this neighborhood for 60+ years, I am opposed to any Air BNB or any other type of establishment that would disrupt the peace and quiet of this area.

I am unable to attend the hearing on this matter and respectfully request that you accept this letter in lieu of my appearance.

Sincerely,

Carrie Sue Griggs



4605 Medora Avenue  
Nashville, TN 37216

December 27, 2019

Board of Zoning Appeals  
P. O. Box 196350  
Nashville, TN 37219

RE: Appeal Case Number: 2020-018  
4615 Medora Avenue  
Map Parcel: 06108013900  
Zoning Classification: RS20  
Council District: 7

Dear Sirs:

In response to the Zoning Appeal I received regarding the above case number, I am against this request.

The neighbors around this property have learned that this addition is to be used as an Air BNB. A permit was obtained for the work on the premises to conduct interior renovations to existing shed building attached to carport only. However, an entire level has been added to the garage as well as an extension built on the back of the garage. Electricity and water have been run to this new construction as well. It is the further understanding of all the local neighbors that Building Inspector, Larry Dennis inspected the property and informed the owners all construction needed to cease until further notice. The next day, lumber was delivered and the construction continued. The owners of this property are now trying to go into this hearing asking for forgiveness and have not acted on good faith as required by the zoning laws.

As a resident of this neighborhood for 60+ years, I am opposed to any Air BNB or any other type of establishment that would disrupt the peace and quiet of this area.

I am unable to attend the hearing on this matter and respectfully request that you accept this letter in lieu of my appearance.

Sincerely,



Everne Pulley

**From:** [Benedict, Emily \(Council Member\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Lamb, Emily \(Codes\)](#)  
**Subject:** Fwd: Application and letters for BZA Meeting Thursday, January 16, 2019  
**Date:** Monday, December 30, 2019 1:13:49 PM  
**Attachments:** [2020-002 application.pdf](#)  
[2020-002 neighboring letter 1-16.pdf](#)  
[2020-018 application.pdf](#)  
[2020-018 neighboring letter 1-16.pdf](#)

---

Board,

I am writing in support of Celeste Greene's variance request on Medora Ave. She proactively contacted me and explained her hardship which is clearly articulated in her attached letter. Medora is a dead end street, Ms. Greene's studio is barely visible while driving away from the dead end, and even then it appears as if it belongs with her home.

With regard to Case 2020-002, I have not been contacted by the property owner. I trust the Zoning Administrator & BZA's judgment regarding this appeal.

I will try to attend on the 16th if I am able.

Thank you,  
Emily

Emily Benedict  
District 7 Councilwoman  
[emily.benedict@nashville.gov](mailto:emily.benedict@nashville.gov)

---

**From:** Fuqua, Barbara (Council Office) <[barbara.fuqua@nashville.gov](mailto:barbara.fuqua@nashville.gov)>  
**Sent:** Monday, December 30, 2019 11:25:12 AM  
**To:** Benedict, Emily (Council Member) <[Emily.Benedict@nashville.gov](mailto:Emily.Benedict@nashville.gov)>  
**Subject:** Application and letters for BZA Meeting Thursday, January 16, 2019

*Barbara Fuqua*  
*Metro Council Office*  
*204 Metro Courthouse*  
*615-862-6780*

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210



Appellant: Landon Development Group Date: 12-2-19  
Property Owner: 11 Case #: 2020-019  
Representative: Joey Hargis Map & Parcel: 103-9-99

Council District 24

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To allow the construction of new single family residence and pay the in lieu of fee instead of construction

Activity Type: Single Family Res.

Location: 5813 Vine Ridge Dr.

This property is in the RS40 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: variance in side walk construction; To pay in lieu lot fee,

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Joey Hargis  
Appellant Name (Please Print)

Shinn  
Representative Name (Please Print)

211 Commerce St. Ste 800  
Address

Address

N.T. 37201  
City, State, Zip Code

City, State, Zip Code

615-726-7391  
Phone Number

Phone Number

jhargis@bakerdawson.  
Email

Email

Appeal Fee: 100



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3737184

**ZONING BOARD APPEAL / CAAZ - 20190073461  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 10309009900**APPLICATION DATE:** 12/02/2019**SITE ADDRESS:**

5813 VINE RIDGE DR NASHVILLE, TN 37205  
LOT 25 SEC 1 HILLWOOD ESTATES

**PARCEL OWNER:** LANDON DEVELOPMENT GROUP, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

see BZA case 2019-187 which was withdrawn. this permit to request to pay in lieu of fee of \$17,502.09 instead of install required sidewalks per METZO SECTION 17.20.120. COUNCIL DISTRICT #24. POC JOEY HARGIS 615-726-7391. EMAIL JHARGIS@BAKERDONELSON.COM

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.





**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3667610

**BUILDING RESIDENTIAL - NEW / CARN - 2019026918  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 10309009900

APPLICATION DATE: 05/08/2019

**SITE ADDRESS:**

5813 VINE RIDGE DR NASHVILLE, TN 37205  
LOT 25 SEC 1 HILLWOOD ESTATES

PARCEL OWNER: LANDON DEVELOPMENT GROUP, LLC

CONTRACTOR:

APPLICANT: LANDON DEVELOPMENT GROUP, LLC

LANDON DEVELOPMENT GROUP, LLC 67231 STBC-A

BRENTWOOD, TN 37027 6159693204

**PURPOSE:**

PERMIT TO CONSTRUCT A SINGLE FAMILY RESIDENCE WITH 4875 SQFT OF LIVING AREA... 667 SQFT ATTACHED GARAGE... ...109.4' MINIMUM FRONT SETBACK... ...5' MINIMUM SIDE SETBACK... ...20' MINIMUM REAR SETBACK... ...3 STORY MAXIMUM HIEGHT... ...NOT TO BUILD OVER OR OBSTRUCT ANY EASEMENTS ON PROPERTY... ..

\*\*\* FOR EVERY 30 FEET OF STREET FRONTAGE, OR FRACTION THEREOF, ONE 2 INCH CALIPER TREE AS LISTED IN THE URBAN FORESTRY APPROVED TREE LIST SHALL BE PLANTED ON THE SUBJECT PROPERTY.

\*\*\*FOR EVERY 50 FEET OF SITE FRONTAGE, A DOUBLE-SIDED SIGN 24" X 36" IN SIZE MUST BE POSTED IN ENGLISH AND SPANISH THAT CONTAINS THE INFORMATION REQUIRED BY ORDINANCE NO. 2017-835. NO MORE THAN THREE SIGNS ARE REQUIRED... ..

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

U&O PW Sidewalk FA - CA Final Approval	615-862-8758 Benjamin.york@nashville.gov
SWGR U&O Sign-off	615-862-7225 mws.stormdr@nashville.gov
SWGR U&O Sign-off	615-862-7225 mws.stormdr@nashville.gov
U&O Sewer Availability Final Approval	mws.ds@nashville.gov
WS Existing Service Cut and Capped	615-862-7225 mws.ds@nashville.gov
U&O Water Availability Final Approval	mws.ds@nashville.gov
WS Existing Service Cut and Capped	615-862-7225 mws.ds@nashville.gov

Building Framing - Ceiling

Building Floor Elevation

Building Footing

APPROVED

Building Foundation

Building Framing

REJ-NOFEE

Building Framing

APPROVED

Building Framing - Wall

CA Building Progress Inspection

Building Slab

Building Final

Codes Tree U&amp;O Final Inspection

U&amp;O Letter

615-862-6527 tawanna.dalton@nashville.gov

2019-187  
17,502.09 17,20.120

2020-019

BENCHMARK (NAVD88)  
HYDRANT TAG BOLT  
ELEV: 571.53

SEWER MANHOLE  
TC=571.72

VINE RIDGE DRIVE  
(50' R.O.W.)  
(COLLECTOR-AVENUE)

EXISTING RESIDENCE  
(10309010000)  
5811 VINE RIDGE DR

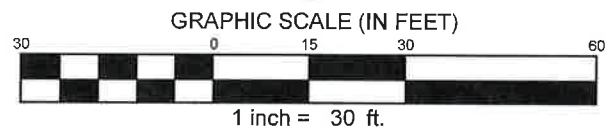
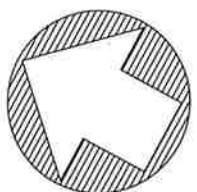
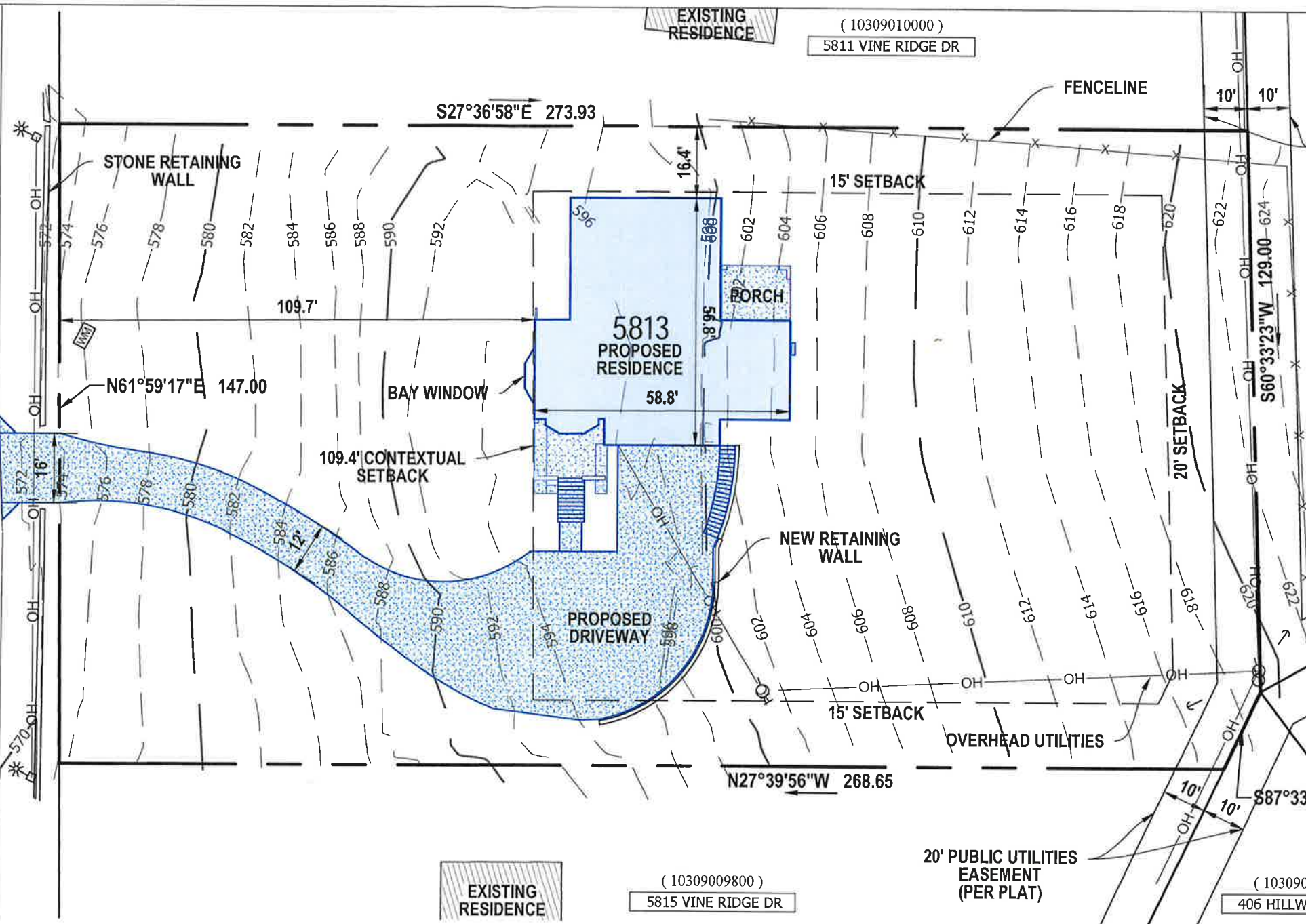
20' PUBLIC UTILITIES EASEMENT (PER PLAT)

(10309010400)  
4512 PRICE CIRCLE RD

(10313000800)  
402 HILLWOOD BLVD

(10309010500)  
406 HILLWOOD BLVD

EXISTING RESIDENCE  
(10309009800)  
5815 VINE RIDGE DR



**CLINT ELLIOTT SURVEY**  
 1711 Hayes Street  
 Nashville, TN 37203  
 clintelliotts survey.com  
 (615) 490-3236

**Site Plan**  
**5813 Vine Ridge Dr.**  
**Nashville, Davidson County, Tennessee**

Sheet No.  
**V-2.1**

BENCHMARK (NAVD88)  
HYDRANT TAG BOLT  
ELEV: 571.53

SEWER MANHOLE  
TC=571.72

VINE RIDGE DRIVE  
(50' R.O.W.)  
(COLLECTOR-AVENUE)

INSTALL NEW SILT FENCE  
(SEE METRO BMP FOR DETAILS)

S27°36'58"E 273.93

CONSTRUCTION ENTRANCE  
(USE EXISTING DRIVEWAY)

N61°59'17"E 147.00

EXISTING RESIDENCE

Electric Meter

EXISTING DRIVEWAY

RETAINING WALL

INSTALL NEW SILT FENCE  
(SEE METRO BMP FOR DETAILS)

N27°39'56"W 268.65

EXISTING RESIDENCE

( 10309009800 )  
5815 VINE RIDGE DR

DEMO EXISTING BUILDING  
(COORDINATE WITH METRO CODES)

EXISTING RESIDENCE

( 10309010000 )  
5811 VINE RIDGE DR

FENCELINE

20' PUBLIC UTILITIES EASEMENT  
(PER PLAT)

( 10309010400 )  
4512 PRICE CIRCLE RD

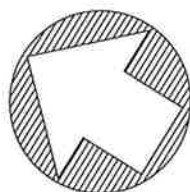
( 10313000800 )  
402 HILLWOOD BLVD

20' PUBLIC UTILITIES EASEMENT  
(PER PLAT)

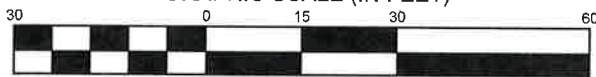
( 10309010500 )  
406 HILLWOOD BLVD

S87°33'00"W 19.70

S60°33'23"W 129.00



GRAPHIC SCALE (IN FEET)



1 inch = 30 ft.



1711 Hayes Street  
Nashville, TN 37203  
clintelliottsurvey.com  
(615) 490-3236

EPSC Plan  
5813 Vine Ridge Dr.  
Nashville, Davidson County, Tennessee

Sheet No.  
V-2.2

## PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

### BZA Case 2020-019 (5813 Vine Ridge Drive)

Metro Standard:	6' grass strip and 6' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Contribute in-lieu of construction (not eligible)
Zoning:	RS40
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	T3-R-CA2
Transit:	None existing; none planned
Bikeway:	None existing; none planned

### Planning Staff Recommendation: *Approval with conditions.*

**Analysis:** The applicant is constructing a new single family residence and requests a variance from constructing sidewalks along Vine Ridge Drive, requesting instead to contribute in-lieu of construction, because of topography, an existing historic wall, and lack of sidewalks in the vicinity. Planning evaluated the following factors for the variance request:

- (1) The topography would make sidewalk construction challenging, and adjacent properties are unlikely to redevelop. Staff agrees that contributing in lieu of construction would better serve connectivity for people walking than construction on a single property that is unlikely to connect.
- (2) Making the contribution in lieu of construction supplements Metro's annual sidewalk capital program by increasing sidewalk construction funds for areas surrounding this property, within one of Metro's sixteen pedestrian benefit zones.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right of way for future sidewalk construction of to the Collector Avenue standard.

Metropolitan Board of Zoning Appeals

Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant : WILLIAM PRESLEY JR

Date: 12-03-2019

Property Owner: WILLIAM PRESLEY JR

Case #: 2020-020

Representative: WILLIAM PRESLEY JR

Map & Parcel: 08111053900

Council District 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

TO CONSTRUCT A SINGLE FAMILY RESIDENCE  
USING EXISTING FOUNDATION  
\* REQUESTING SIDEWALK WAIVER ON Bldg PERMIT T2019073658

Activity Type: RES. CONSTRUCTION

Location: 1635 12TH AVE N

This property is in the RS5 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

STREET SETBACK VARIANCE - FRONT  
AND SIDE STREETS

Section(s): 17.12.030

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

WILLIAM PRESLEY JR.

Appellant Name (Please Print)

Representative Name (Please Print)

1420 RIVERMONT CIRCLE N.

Address

Address

GALLATIN, TN. 37066

City, State, Zip Code

City, State, Zip Code

615-804-7087

Phone Number

Phone Number

WPRESLEY378@GMAIL.COM

Email

Email

Zoning Examiner: UB

Appeal Fee: \$100

SIDEWALK WAIVER APP # 20190073673



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3737470

**ZONING BOARD APPEAL / CAAZ - 20190073695  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

PARCEL: 08111053900

APPLICATION DATE: 12/03/2019

**SITE ADDRESS:**

1635 12TH AVE N NASHVILLE, TN 37208  
PT LOT 183 D T MCGAVOCK & OTHERS ADDN

PARCEL OWNER: PRESLEY, WILLIAM

CONTRACTOR:

**APPLICANT:****PURPOSE:**

Setback Variance per 17.12.030 requesting 8'2" front setback along 12th Ave N and 5'8" side street setback along Wheless St. due to using existing foundation for construction of a New Single Family Residence. Required Front setback based on Contextual Setback survey of 4 existing houses on adjacent parcels, 10 ft side street setback required along Wheless St.

BZA APPEAL AND SIDEWALK WAIVER REQUESTED.

To construct a single family residence using existing foundation. Demolition of existing structure must be completed prior to issuance of New Construction Permit.

2249 sq ft of living area and 120 sq ft of porches. No garage. Front setback to be determined by Contextual Setback survey, 10 ft side street setback along Wheless St, 5 ft side setback, and 20 ft minimum rear setback. Must conform with easements.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (1) copy of your information to staff.**

**I am aware that I am responsible for posting and removing the sign(s) after the public hearing.**

WILLIAM PRESLEY JR

**APPELLANT**

12-03-2019

**DATE**

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*



In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

**WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?**

To USE EXISTING FOUNDATION DUE TO LOT SIZE,  
PROPERTY STANDARDS REQUIRE APPEAL. ORIGINAL PLAN  
WAS TO REMOOL HOUSE BUT CONDITION WAS MUCH WORSE  
THAN EXPECTED.

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**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3737422

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2019073658  
THIS IS NOT A PERMIT**

PARCEL: 08111053900

APPLICATION DATE: 12/03/2019

**SITE ADDRESS:**

1635 12TH AVE N NASHVILLE, TN 37208  
PT LOT 183 D T MCGAVOCK & OTHERS ADDN

PARCEL OWNER: PRESLEY, WILLIAM

**APPLICANT:****PURPOSE:**

BZA APPEAL AND SIDEWALK WAIVER REQUESTED.

To construct a single family residence using existing foundation. Demolition of existing structure must be completed prior to issuance of New Construction Permit.

2249 sq ft of living area and 120 sq ft of porches. No garage. Front setback to be determined by Contextual Setback survey, 10 ft side street setback along Wheless St, 5 ft side setback, and 20 ft minimum rear setback. Must conform with easements.

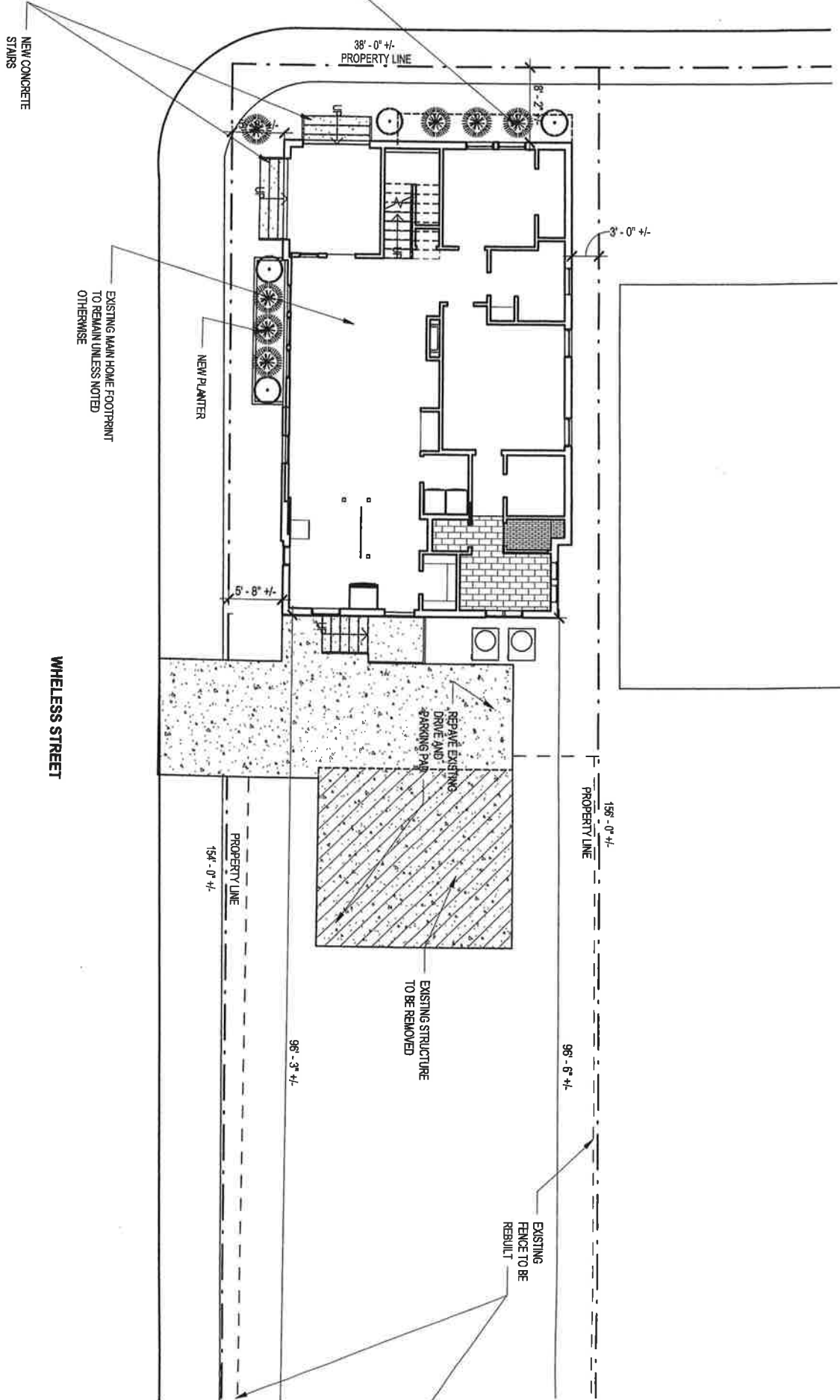
Does not comply with front contextual setback and side street setbacks. BZA Variance request filed requesting 8'2" front setback along 12th Ave N and 5'8" side street setback along Wheless St.

*Before a building permit can be issued for this project, the following approvals are required.*

*The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Site Plan Review		
[A] Zoning Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	(615) 862-4138 Lisa.Butler@nashville.gov
CA - Zoning Sidewalk Requirement Review	WAIVER	(615) 862-4138 Lisa.Butler@nashville.gov
Zoning Waiver Decision		
PW - Public Works Sidewalk Capital Project Coordinatic		615-862-6558 Jonathan.Honeycutt@nashville.gov
[B] Fire Life Safety Review On Bldg App		615-862-5230
[E] Sewer Availability Review For Bldg		615-862-7225 mws.ds@nashville.gov
[E] Sewer Variance Approval For Bldg		615-862-7225 mws.ds@nashville.gov
[E] Water Availability Review For Bldg		615-862-7225 mws.ds@nashville.gov
[E] Water Variance Approval For Bldg		615-862-7225 mws.ds@nashville.gov
[G] Bond & License Review On Bldg App		
[F] Address Review On Bldg App		615-862-8781 bonnie.crumby@nashville.gov
[D] Grading Plan Review For Bldg App		615-862-7225 mws.stormdr@nashville.gov
[C] Flood Plain Review On Blgd App		615-862-7225 mws.stormdr@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		615-862-8782 PWPPermitsI@nashville.gov

12TH AVENUE NORTH



WHEELLESS STREET

PROPERTY LINE  
154'-0" +/-

98'-3" +/-

38'-0" +/-  
PROPERTY LINE

PROPERTY LINE  
158'-0" +/-

98'-6" +/-

EXISTING  
FENCE TO BE  
REBUILT

EXISTING STRUCTURE  
TO BE REMOVED

REPAVE EXISTING  
DRIVE AND  
PARKING PAD

NEW PLANTER

EXISTING MAIN HOME FOOTPRINT  
TO REMAIN UNLESS NOTED  
OTHERWISE

NEW CONCRETE  
STAIRS

EXISTING

3'-0" +/-

8'-2" +/-

5'-8" +/-

## Metropolitan Codes Administration CASE SUMMARY

CAZW - 20190073673

**REQUESTED**

Pursuant # 2006-1263 Metro Code of Laws, I (holder OF permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metro Code...

**ADDRESSES****PROPERTY**

08111053900  
1635 12TH AVE  
NASHVILLE, TN 37208

**PEOPLE****Property Owner**

PRESLEY, WILLIAM  
1420 RIVERMONT CIR N  
  
GALLATIN, TN 37066

**Permit/License Applicant**

William Presley 615-804-7087

**DATA GROUP****Permit Information****Project Scope**

Waiver requesting to keep existing sidewalk and build remainder of required sidewalk on 12th Ave N in current location (without full grass strip).

POC: William Presley 615-804-7087  
email: WPRESLEY378@gmail.com

BZA APPEAL AND SIDEWALK WAIVER REQUESTED.

BZA Appeal filed for reduction in front and side street setbacks in addition to Sidewalk Waiver

To construct a single family residence using existing foundation. Demolition of existing structure must be completed prior to issuance of New Construction Permit. 2249 sq ft of living area and 120 sq ft of porches. No garage. Front setback to be determined by Contextual Setback survey, 10 ft side street setback along Wheless St, 5 ft side setback, and 20 ft minimum rear setback. Must conform with easements.

Does not comply with front contextual setback and side street setbacks. BZA Variance request filed requesting 8'2" front setback along 12th Ave N and 5'8" side street setback along Wheless St.

**WORKFLOW**

Task:	Inspector:	Result:	Due/Scheduled:	Completed
Type of Waiver Requested	LABUTLER	ALTERNATIV	12/04/19	12/03/19
		Comment: BZA Appeal filed for reduction in front and side street setbacks in addition to Sidewalk Waiver		
Metro Planning Recommendation			12/09/19	
Zoning Administrator Decision				

Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Scott Stephens

Date: 12/3/2019

Property Owner: Maleah Stephens

Case #: 2020-021

Representative: Scott Stephens

Map & Parcel: 11801039500

Council District 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

To construct a DADU (DETACHED ACCESSORY DWELLING UNIT) on R10 ZONED PARCEL

Activity Type: RES. CONSTRUCTION

Location: 2411 Vault

This property is in the R10 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason:

VARIANCE to 1st AREA REQUIREMENT (17.16.030 HEIGHT, AND ROOF PITCH to DADU STRUCTURE (G2 AND 17.04.060))

④ Section(s): 17.16.030 G2 | G7e | G8a | 17.04.060

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_\_\_ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Scott Stephens  
Appellant Name (Please Print)

\_\_\_\_\_  
Representative Name (Please Print)

2411 Vault Lane  
Address

\_\_\_\_\_  
Address

Nashville TN 37204  
City, State, Zip Code

\_\_\_\_\_  
City, State, Zip Code

615 887-3875  
Phone Number

\_\_\_\_\_  
Phone Number

scott@familytrustservices.org  
Email

\_\_\_\_\_  
Email

Zoning Examiner: LB

\_\_\_\_\_  
Appeal Fee:

\* NO PERMIT STARTED



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3737756

**ZONING BOARD APPEAL / CAAZ - 20190073884  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 11801039500**APPLICATION DATE:** 12/03/2019**SITE ADDRESS:**

2411 VAULX LN NASHVILLE, TN 37204  
LOT 2 EDGAR C ALLEN

**PARCEL OWNER:** STEPHENS, MALEAH D.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Proposed construction of a Detached Accessory Dwelling Unit (DADU), no Permit Application on file.

Variance to (1)17.16.030 G2 minimum lot area requirement of 10,000 sq ft for R10 zoned parcel, property must be Duplex eligible to allow for construction of a DADU in lieu of a 2nd dwelling (2)17.04.060 requirement of lot area of 15,000 sq ft or more to allow for construction of a DADU

(3) 17.16.030 G7e, proposed roof ridge of DADU is 24'-3", existing house roof ridge is 23'-5" (10" variance request)

(4) 17.16.030 G8a, proposed roof pitch of DADU is 12:12 which exceeds roof pitch of existing house.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.*

*Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet pf the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

**Any correspondence to the Board must be submitted to our office by noon, the Friday prior to the public hearing to be included in the record. You must provide eight (1) copy of your information to staff.**

I am aware that I am responsible for posting and removing the sign(s) after the public hearing.

  
\_\_\_\_\_  
APPELLANT

12/3/19  
\_\_\_\_\_  
DATE

## Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

**Physical Characteristics of the property**- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

**Unique characteristics**- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

*Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.*

*Financial gain not only bases-Financial gain is not the sole basis for granting the variance.*

*No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.*

**No harm to public welfare**- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

**Integrity of Master Development Plan**- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

*The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.*





Dear Board of Zoning Appeals,

We have lived at 2411 Vaulx Lane since 2012.

We have completed architectural plans for a two-phase build with the pool house first followed by the main house. Our plan is to build the pool house as DADU in 2020 and the main house in 2021.

These plans have been completed with the neighborhood in mind and although we don't sit in the historic zone, the plans replicate many of the features and designs of nearby houses with over 5 builds designed on our street by the same designer and over 20 in the general Waverly area.

With these complimenting features of our neighbors' houses, the pool house would be six inches higher than our current residence but well under the new main house build.

The roof pitch of both the new main house and pool house will match and carry a similar pitch to the majority of our neighbors; however it is slightly different than the current house.

Our lot is zoned R10 and has 9,583 sq ft. Councilman Colby Sledge has indicated he supports a variance to allow a structure as a dwelling when the new dwelling structure is within 10% of the total needed square footage.

We do not have plans to rent our house out; its sole use would be for visiting family members.

Our primary goal is maintaining the integrity of the master development plan and doing that by allowing the pool house variances which will match the new build once completed the following year.

If not then we would have a pool house that matches the height and pitch of a demolished house and not the one that will be built for the foreseen future.

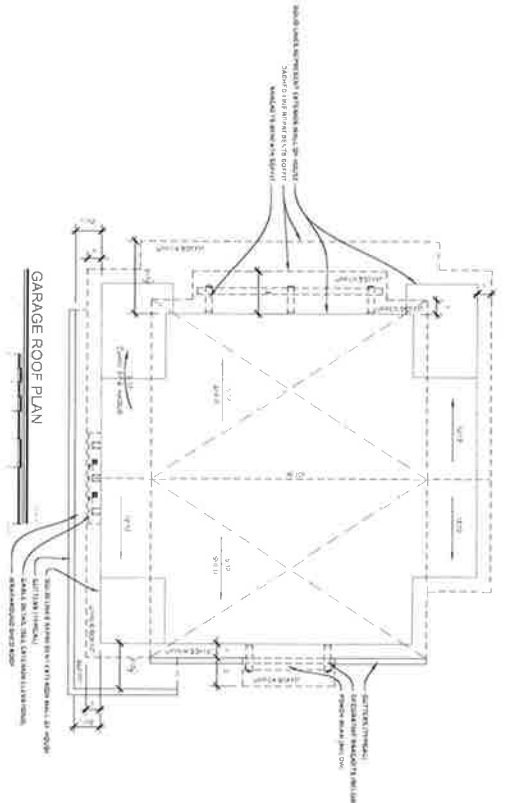
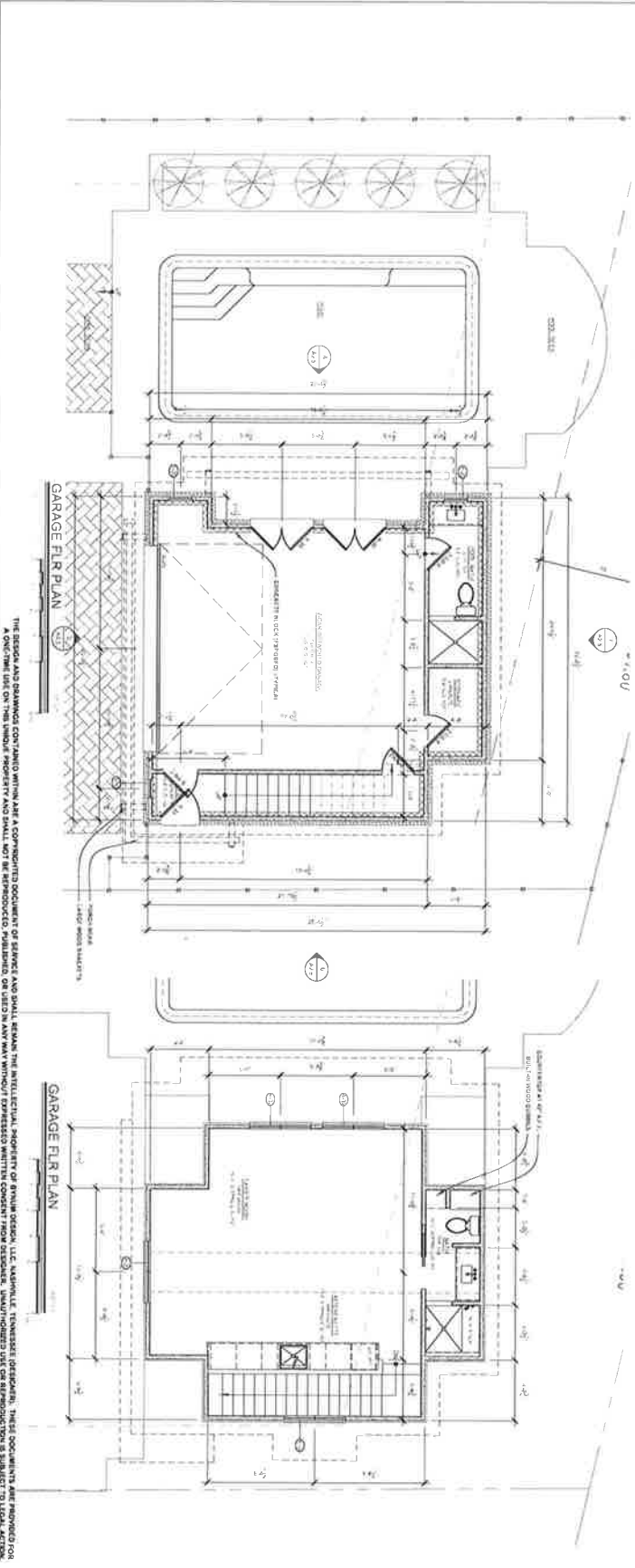
With that in mind we are asking for 3 variances:

- 1) To allow for the pool house pitch to match the future main build
- 2) To allow the current designed height on the pool house which measures six inches over our current house
- 3) To allow our pool house be used a DADU



**GENERAL PLAN NOTES:**

1. General notes and details are to be read in conjunction with the specifications and drawings.
2. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
3. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
4. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
5. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
6. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
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8. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
9. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
10. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
11. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
12. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
13. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
14. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
15. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
16. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
17. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
18. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
19. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.
20. All work shall be in accordance with the current editions of the International Building Code, International Residential Code, and all applicable codes and regulations.



THE DESIGN AND DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE DESIGN AND DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES. THE DESIGN AND DRAWING CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AUTHORITIES.

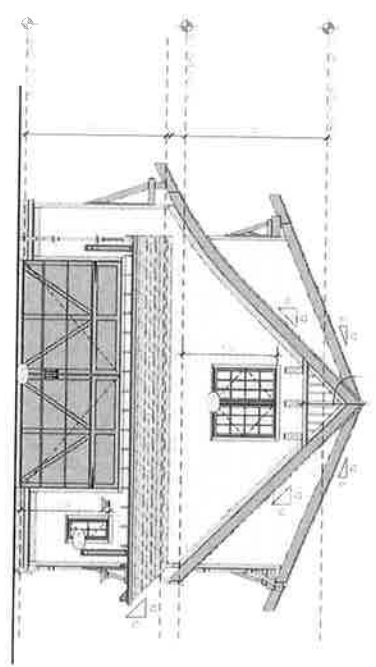
**A1.0b**

**GARAGE  
FLOOR PLAN  
1ST, 2ND FLR / ROOF PLAN  
PRICING SET #2**

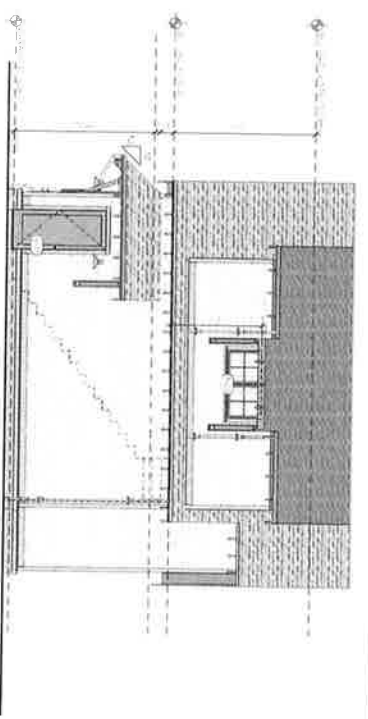
ISSUES			
#	DATE	DESCRIPTION	NOTES
1	2019.03.05	ISSUE #1	NOT FOR CONSTRUCTION
2	2019.03.05	ISSUE #2	NOT FOR CONSTRUCTION
3	2019.03.05	ISSUE #3	NOT FOR CONSTRUCTION

**STEPHENS RESIDENCE**  
2411 Vaulx Lane  
Nashville, TN  
37204

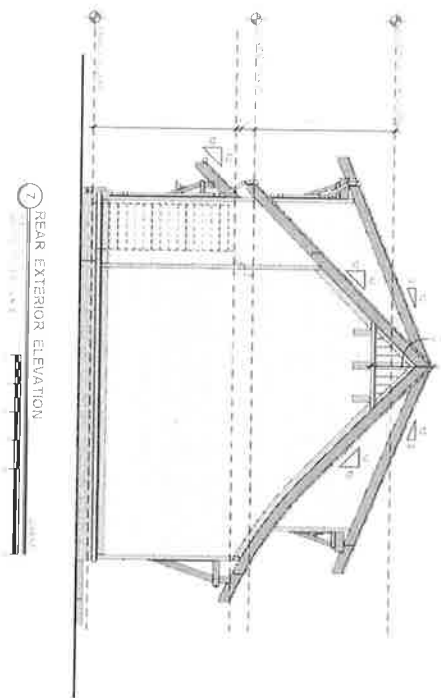
**BYNUM DESIGN, LLC**  
1200 China Street, Suite 30  
Nashville, TN 37203  
615.726.4500  
dbm@bynumdesign.com  
www.bynumdesign.com



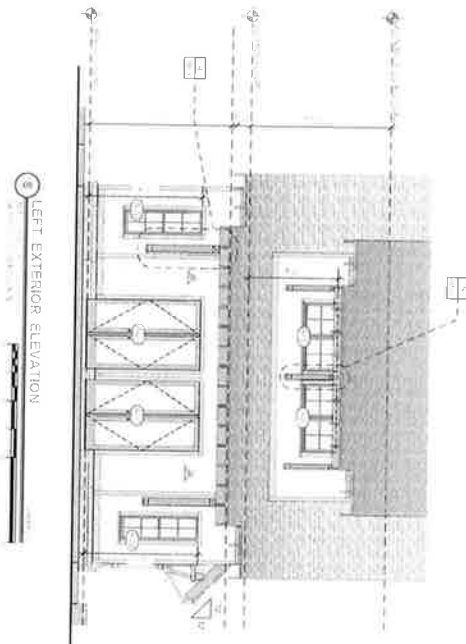
5 FRONT EXTERIOR ELEVATION



6 RIGHT EXTERIOR ELEVATION



7 REAR EXTERIOR ELEVATION



8 LEFT EXTERIOR ELEVATION

<b>SCALE</b>	
1" = 4'-0"	1/8" = 1'-0"
<b>GENERAL NOTES</b>	
1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).	
2. ALL MATERIALS SHALL BE APPROVED BY THE LOCAL AUTHORITY.	
3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.	
4. ALL WORK SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL AUTHORITY.	
5. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	
6. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	
7. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	
8. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	
9. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	
10. ALL WORK SHALL BE SUBJECT TO THE LOCAL AUTHORITY'S REQUIREMENTS.	

THE DESIGN AND DIMENSIONS CONTAINED WITHIN HAVE A CORRESPONDING DOCUMENT OF RECORD AND SHALL REMAIN THE EXCLUSIVE PROPERTY OF BRYNUM DESIGN, LLC. NO PART OF THIS DOCUMENT IS TO BE REPRODUCED, COPIED, EITHER WHOLLY OR IN PART, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF BRYNUM DESIGN, LLC. ANY UNAUTHORIZED REPRODUCTION OR TRANSMISSION IS PROHIBITED AND WILL BE SUBJECT TO LEGAL ACTION.

A2.5

EXTERIOR ELEVATIONS  
PRICING SET #2

ISSUES		
#	DATE	DESCRIPTION
1	2019-08-09	CHECK SET
2	2019-08-09	PRICING SET
3	2019-08-09	PRICING SET #1

STEPHENS RESIDENCE

2411 Vaulx Lane  
Nashville, TN  
37204

BRYNUM DESIGN, LLC  
1733 Cheate Street, Suite 20  
Nashville, TN 37203  
615.979.2722  
info@brynumdesign.com  
www.brynumdesign.com



**From:** [Maleah Stephens](#)  
**To:** [Shepherd, Jessica \(Codes\)](#)  
**Cc:** [Scott Stephens](#)  
**Subject:** Fwd: Variance - We need your Help!  
**Date:** Tuesday, January 7, 2020 10:04:09 AM

---

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from one of our neighbors for support of our Case #2020-021 at 2411 Vaulx Ln, Nashville, TN 37204.

Thanks,  
Maleah and Scott Stephens

----- Forwarded message -----

**From:** **Bryan Edwards** <[teamenvisioninc@gmail.com](mailto:teamenvisioninc@gmail.com)>  
**Date:** Mon, Jan 6, 2020 at 7:09 PM  
**Subject:** Re: Variance - We need your Help!  
**To:** Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 921 Waldkirch Avenue, Nashville, TN 37204 and we support their variance request Case #2020-021 at 2411 Vaulx Lane.

Sincerely,  
Bryan Edwards

|

**From:** [Maleah Stephens](#)  
**To:** [Shepherd, Jessica \(Codes\)](#)  
**Cc:** [Scott Stephens](#)  
**Subject:** Fwd: Variance - We need your Help!  
**Date:** Tuesday, January 7, 2020 10:02:59 AM

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**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from one of our neighbors for support of our Case #2020-021 at 2411 Vaulx Ln, Nashville, TN 37204.

----- Forwarded message -----

**From:** **Catherine Jones** <[ckrips@gmail.com](mailto:ckrips@gmail.com)>  
**Date:** Mon, Jan 6, 2020 at 7:01 PM  
**Subject:** Re: Variance - We need your Help!  
**To:** Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2315 Vaulx Lane, and we support their variance request Case #[2020-021](#) at 2411 Vaulx Lane.

Thank you,  
Catherine & Pete Jones  
Sent from my iPhone

**From:** [Shepherd, Jessica \(Codes\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** FW: Case #2020-021  
**Date:** Thursday, January 9, 2020 7:35:30 AM

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**From:** Maleah Stephens <maleahdstephens@gmail.com>  
**Sent:** Wednesday, January 8, 2020 8:34 PM  
**To:** Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>  
**Cc:** Scott Stephens <emailscottstephens@gmail.com>  
**Subject:** Case #2020-021

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from our neighbor in support of our variance request, Case #2020-021.

Best -  
Scott & Maleah Stephens

----- Forwarded message -----

**From:** **DEE bynum** <[bynumdesign@comcast.net](mailto:bynumdesign@comcast.net)>  
**Date:** Wed, Jan 8, 2020 at 3:15 PM  
**Subject:** Your Variance Request  
**To:** Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2403 Cisco Street. We fully support their variance request (Case #2020-021) at 2411 Vaulx Lane. The neighborhood will benefit from having this new home in it.

Best,

Dee Bynum  
2403 Cisco Street  
Nashville, TN 37204



**From:** [Shepherd, Jessica \(Codes\)](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Subject:** FW: Case #2020-021  
**Date:** Wednesday, January 8, 2020 2:26:49 PM

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---

**From:** Maleah Stephens <maleahdstephens@gmail.com>  
**Sent:** Wednesday, January 8, 2020 2:22 PM  
**To:** Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>  
**Cc:** Scott Stephens <emailscottstephens@gmail.com>  
**Subject:** Case #2020-021

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from our neighbor in support of our variance request Case #2020-021.

Best -  
Scott and Maleah Stephens

From: **Jennifer Faught** <[jen.faught@gmail.com](mailto:jen.faught@gmail.com)>  
Date: Wed, Jan 8, 2020 at 1:48 PM  
Subject: Re: Variance - We need your Help!  
To: Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2607 Vaulx Lane and we support their variance request at 2411 Vaulx Lane.

Jennifer Faught  
205-913-8998

--

~Maleah~

"...I made you and I will carry you; I will sustain you and I will rescue you." (Isaiah 46:4)

December 7, 2020

Dear Metro,

I am a neighbor of Scott and Maleah Stephens at 2824 Vaulx Lane and I support their variance request Case #2020-021 at 2411 Vaulx Lane. Feel free to contact me if you have any questions.

Sandy Arons

615-376-8121

**From:** [Shepherd, Jessica \(Codes\)](#)  
**To:** [Lifsey, Debbie \(Codes\)](#)  
**Subject:** FW: Case #2020-021  
**Date:** Wednesday, January 8, 2020 9:45:21 AM

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**From:** Maleah Stephens <maleahdstephens@gmail.com>  
**Sent:** Wednesday, January 8, 2020 9:44 AM  
**To:** Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>  
**Cc:** Scott Stephens <emailscottstephens@gmail.com>  
**Subject:** Case #2020-021

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from a neighbor regarding our request Case #2020-021 at 2411 Vaulx Lane.

Best -  
Maleah and Scott Stephens

----- Forwarded message -----

**From:** Sara Hillyer <[sara.haiar.hillyer@gmail.com](mailto:sara.haiar.hillyer@gmail.com)>  
**Date:** Wed, Jan 8, 2020 at 8:42 AM  
**Subject:** Re: Variance -  
**To:** Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>  
**Cc:** Reynolds Hillyer <[reynoldshillyer@gmail.com](mailto:reynoldshillyer@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2501 Vaulx Lane and we support their variance request Case #2020-021 at 2411 Vaulx Lane.

Thank you,  
Sara & Reynolds Hillyer  
(615) 337-2182

**From:** [Shepherd, Jessica \(Codes\)](#)  
**To:** [Lifsey, Debbie \(Codes\)](#)  
**Subject:** FW: Variance - We need your Help!  
**Date:** Tuesday, January 7, 2020 10:08:57 AM

---

I put in P drive

---

**From:** Maleah Stephens <maleahdstephens@gmail.com>  
**Sent:** Tuesday, January 7, 2020 10:02 AM  
**To:** Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>  
**Cc:** Scott Stephens <emailscottstephens@gmail.com>  
**Subject:** Fwd: Variance - We need your Help!

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from one of our neighbors for support of our Case #2020-021 at 2411 Vaulx Ln, Nashville, TN 37204.

----- Forwarded message -----

From: **Catherine Jones** <[ckrips@gmail.com](mailto:ckrips@gmail.com)>  
Date: Mon, Jan 6, 2020 at 7:01 PM  
Subject: Re: Variance - We need your Help!  
To: Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2315 Vaulx Lane, and we support their variance request Case #[2020-021](#) at 2411 Vaulx Lane.

Thank you,  
Catherine & Pete Jones  
Sent from my iPhone

**From:** [Maleah Stephens](#)  
**To:** [Shepherd, Jessica \(Codes\)](#)  
**Cc:** [Scott Stephens](#)  
**Subject:** Fwd: Variance - We need your Help!  
**Date:** Tuesday, January 7, 2020 10:58:04 AM

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**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hi Jessica -

Below is an email from one of our neighbors for support of our Case #2020-021 at 2411 Vaulx Ln, Nashville, TN 37204.

Thanks,  
Maleah and Scott Stephens

----- Forwarded message -----

**From:** **Scott Baker** <[baker.scott.p@gmail.com](mailto:baker.scott.p@gmail.com)>  
**Date:** Tue, Jan 7, 2020 at 10:55 AM  
**Subject:** Re: Variance - We need your Help!  
**To:** Maleah Stephens <[maleahdstephens@gmail.com](mailto:maleahdstephens@gmail.com)>

Dear BZA,

We are neighbors of Scott and Maleah Stephens at 2815 Vaulx Lane and we support their variance request Case #2020-021 at 2411 Vaulx Lane.

Thanks,  
Scott



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Virginia Davis Date: 10-21-2019  
Property Owner: Team 9 Real Estate Solution Case #: 2019- 497  
Representative: Virginia Davis Map & Parcel: 09206043800  
Council District: 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 808 Lena St.

This property is in the RS5 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the Zoning Administrator's denial of a short term rental Permit. Appellant operated after the issued STRP permit expired.

Section: 17.16.070 U

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Virginia Davis Representative: Same  
Phone Number: 615 414-8218 Phone Number: \_\_\_\_\_  
Address: 430 Adeline Dr. Address: \_\_\_\_\_  
Smyrna, TN 37167  
Email address: Team9inc@att.net Email address: \_\_\_\_\_

Appeal Fee: \$100.00

*P.D.F.*

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

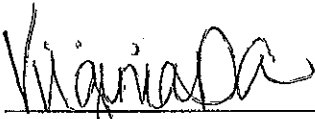
The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

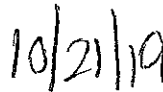
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.



\_\_\_\_\_  
APPELLANT



\_\_\_\_\_  
DATE



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING--3rd FLOOR  
600 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

*Virginia Da 10/21/19*



Rental Unit Record

# 808 Lena St, Nashville, TN 37208, USA

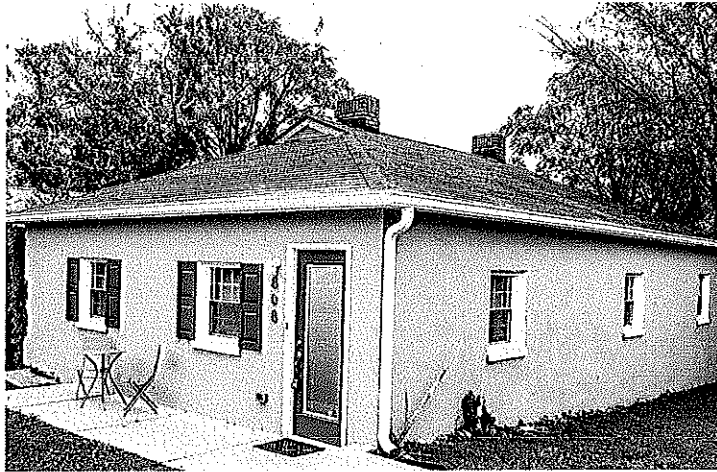
Removed X  
 Identified ✓  
 Compliant X

PRINT  
 SEND A LE

### Listing(s) Information

VRBO - 321.1724692.2286177

Airbnb - 21292904



### Matched Details

Analyst CDZT

Explanation  
Exterior matches in street view. #808 is visible on the photo and in street view.

### Listing Photos

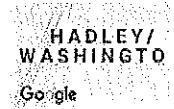


### Matching 3rd Party Sources



Same exterior. #808 is visible on the photo and in street view. The address is visible in the Google street view window.

### Rental Unit Information



### Identified Address

808 Lena St, Nashville, TN 37208, USA

### Identified Unit Number

None

### Identified Latitude, Longitude

36.160898, -86.817929

### Parcel Number

09206043800

### Owner Name

TEAM 9 REAL ESTATE SOLUTION

### Owner Address

P O BOX 148673  
NASHVILLE, TN 37214, US

### Registration / Permit Number

504640

### Timeline of Activity

View the series of events and documentation pertaining to this property

### Listing Details

X Listing alr21292904 Removed

10/21/2019

Matched property listing

Listing URL	— <a href="https://www.homeaway.com/vacation-rental/p1724692vb">https://www.homeaway.com/vacation-rental/p1724692vb</a>
Listing Status	● Inactive
Host Compliance Listing ID	— hma321.1724692.2286177
Listing Title	— The Nash Experience. Single family home, with large back deck with a gas grill.
Property type	— House
Room type	— Entire home/apt
Listing Info Last Captured	— Oct 14, 2019
Screenshot Last Captured	— Oct 15, 2019
Price	— \$239/night
Cleaning Fee	— \$150



Information Provided on Listing

Contact Name	— Not provided
Latitude, Longitude	— 36.157530, -86.820257
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 10
Max Number of People per Bedroom	— 3.3
Number of Reviews	— 0
Last Documented Stay	—

Listing Screenshot History

 [View Latest Listing Screenshot](#)

August 8
September 7
October 5

- October 17th, 2019
- ✘ Listing hma321.1724692.2286177 Removed  
October 17th, 2019
- 🗨️ 1 Comments  
October 14th, 2019  
☰ <br /><br />From: Osborn, Robe...
- 🗨️ 1 Comments  
October 11th, 2019  
☰ letter returned
- 🚩 First Warning - No STR Permit: Delivered  
September 26th, 2019 
- 📅 4 Documented Stays  
September, 2019
- 🚩 First Warning - No STR Permit: Sent  
September 18th, 2019 
- ✓ Listing hma321.1724692.2286177 Identified  
September 10th, 2019
- 📅 3 Documented Stays  
August, 2019
- ✳ Listing hma321.1724692.2286177 First Crawled  
August 6th, 2019
- Listing hma321.1724692.2286177 First Activity  
August 5th, 2019
- 📅 4 Documented Stays  
July, 2019
- 📅 4 Documented Stays  
June, 2019
- 📅 3 Documented Stays  
May, 2019
- 📅 3 Documented Stays  
April, 2019
- 📅 2 Documented Stays  
March, 2019
- 📅 3 Documented Stays  
February, 2019
- 📅 2 Documented Stays  
January, 2019
- 📅 1 Documented Stay  
December, 2018
- 📅 1 Documented Stay  
November, 2018
- 📅 2 Documented Stays  
October, 2018
- 📅 4 Documented Stays  
September, 2018
- 📅 3 Documented Stays  
August, 2018
- 📅 3 Documented Stays  
July, 2018
- 📅 4 Documented Stays  
June, 2018
- 📅 3 Documented Stays

May, 2018

- 📅 2 Documented Stays  
April, 2018
- ✉ Airbnb Letter: Delivered 📅  
April 5th, 2018
- ✉ Airbnb Letter: Sent 📅  
March 29th, 2018
- 📅 3 Documented Stays  
March, 2018
- 📅 2 Documented Stays  
February, 2018
- Listing air21292904 Reposted  
February 5th, 2018
- ✕ Listing air21292904 Removed  
January 31st, 2018
- ✉ First Warning - No Tax Reg: Delivered 📅  
January 6th, 2018
- 📅 1 Documented Stay  
January, 2018
- ✉ First Warning - No Tax Reg: Sent 📅  
December 29th, 2017
- ✓ Listing air21292904 Identified  
December 26th, 2017
- ✳ Listing air21292904 First Crawled  
November 11th, 2017
- Listing air21292904 First Activity  
November 7th, 2017

October 15, 2019 - 11:35PM America/Chicago

HomeAway

Trip Boards Login Help Feedback List your property

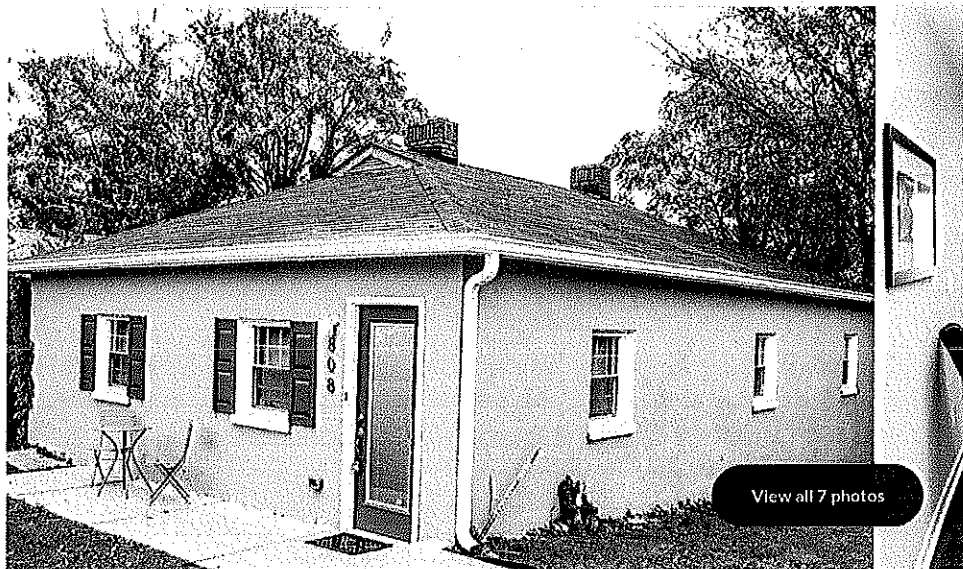
Where Nashville, TN, USA

Check In

Check Out

Check Availability

Oct 15, 2019 11:35pm CT



View all 7 photos

\$239 avg/night



Enter dates for accurate pricing

Check In Check Out

Guests

Check Availability

Owner Ask owner a question

For booking assistance, call HomeAway at 888-829-7076 Property # 1724692vb

Overview Amenities Reviews Map Rates & Availability

The Nash Experience. Single family home, with large back deck with a gas grill.

- House Sleeps: 10 Bedrooms: 3 Bathrooms: 2 Min Stay: 2 nights



Instant Confirmation Air Conditioning No Smoking Internet

Large outdoor deck with seating and barbecue grill.

Welcome to Music City USA come and enjoy the "Nash" experience. This home is renovated. Three bedrooms and two full bathrooms and will sleep 10. Minutes away from Downtown Nashville. Bridgestone Arena, Nashville Predators and the Tennessee Titans stadium. Close to new restaurants and pubs. Short drive to Nashville Hot Chicken, Green Hills mall, Grand Ole Opry and the BNA airport. Perfect for families or business travelers.

Bedrooms

Bedrooms: 3 Sleeps: 10

1

double (2)

Will sleep 4 adults comfortably

Master

double

Has full bathroom. Room sleeps 2.

2



bunk bed

Full bed on bottom with twin bed on top. Room sleeps 3.

### Popular destinations in the area



Pigeon Forge, TN, USA



Gatlinburg, TN, USA



Nashville, TN, USA



### Still have questions?

Ask the HomeAway virtual assistant about pet policies, amenities, check-in times, and more.

Chat now



### Owner



Owner  
Member Since 2019

Ask owner a question

Languages: English

### About Owner

Trendy and quiet. Love to travel. Spending time with family is my all time favorite. Reading is my hobby.

View less about Owner

### Amenities

#### Featured

Internet

Air Conditioning

Parking

Air Conditioner

Children Welcome

#### Bathrooms

Bathrooms: 2

Master  
toilet, combination tub/shower

Main  
toilet, combination tub/shower  
Hair dryer located undersink

#### Safety features

Smoke detector  
Each bedroom and living room

Deadbolt lock

Exterior lighting

**General**

Air Conditioning Central H/A	Wifi info posted on refrigerator	Hair Dryer
Parking	Wireless Internet	Paper Towels
Internet	Iron & Board	Toilet Paper

**Kitchen**

Refrigerator	Microwave	Toaster
Stove	Grill	Blender
Oven	Coffee Maker	Kitchen

**Dining**

Dining Area	Dining	has seating at island.
	Open floor plan, dining table and chairs also	

**House Rules**

Check-in: 4:00 PM    Check-out: 11:00 AM

- No parties/events
- No smoking
- No pets
- Children allowed

Minimum age of primary renter: 21

Max guests: 10

**Cancellation Policy**

100% refund if canceled at least 30 days before arrival date. 50% refund if canceled at least 14 days before arrival date.

**0 Reviews**

This property doesn't have any reviews yet.

**Map**

Hadley/Washington, Nashville, TN, USA

### Rates & Availability

October 2019							November 2019						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2
6	7	8	9	10	11	12	3	4 241	5 240	6 237	7	8	9
13	14	15	16	17	18	19	10	11	12 242	13 241	14 233	15	16
20	21 236	22 233	23 231	24	25	26	17 241	18 244	19 241	20 234	21	22	23
27	28 234	29 238	30 237	31			24	25 246	26 245	27 254	28	29	30

December 2019							January 2020						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1 308	2 282	3 282	4 282
8	9 282	10 282	11 282	12 286	13 240	14 282	5 282	6 200	7 200	8 200	9 200	10 200	11 200
15	16 282	17 288	18 284	19 284	20 241	21 241	12 200	13 200	14 200	15 200	16 200	17 200	18 200
22	23 347	24 341	25 346	26 291	27 291	28 291	19 200	20 200	21 200	22 200	23 200	24 200	25 200
29	30 264	31 311					26 200	27 200	28 200	29 200	30 200	31 200	

Taxes and fees are additional

#### Additional information about rental rates

Cleaning Fee	150
Additional Guest Fee	10

Home > United States > Tennessee > Davidson County > Nashville-Davidson > Nashville > Hadley/Washington

Explore HomeAway Meet the HomeAway family

Get our newsletter and stay current on vacation rental deals and specials.

10/21/2019

Matched property listing

- List Your Property
  - Book with Confidence
  - Trust & Safety
  - Discovery Hub
  - Community
  - Company**
  - About
  - Careers
  - Affiliates
  - Media Center
- Vrbo
  - HomeAway.com
  - HomeIdays.com
  - Abritel.fr
  - FeWo-direkt.de
  - Bookabach.co.nz
  - Stayz.com.au

**Subscribe**



**Update your browser for a better experience.**  
 We recommend Chrome, Firefox, Safari, or  
 Microsoft Edge.

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Appellant: Vijay Upadhyaya Date: 11-26-2019  
Property Owner: Vijay Upadhyaya Case #: 2020- 012  
Representative: Vijay Upadhyaya Map & Parcel: 09306103600  
Council District: 19

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 219 5<sup>th</sup> Ave. N Units 302 and 303

This property is in the DTC Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the Zoning Administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Vijay Upadhyaya Representative: Same  
Phone Number: 615 491-4669 Phone Number: \_\_\_\_\_  
Address: 2002 Lindell Ave. Address: \_\_\_\_\_  
Nashville, TN 37203  
Email address: vijay.k.up@gmail.com Email address: \_\_\_\_\_

Appeal Fee: \$100.00



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**

Case # 2020-012  
3736334

**ZONING BOARD APPEAL / CAAZ - 20190072863  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 09306103600

**APPLICATION DATE:** 11/26/2019

**SITE ADDRESS:**

219 5TH AVE N 302 NASHVILLE, TN 37219  
PT LOT 89 ORIG TOWN OF NASH

**PARCEL OWNER:** UPADHYAYA, VIJAY K.

**CONTRACTOR:**

**APPLICANT:**

**PURPOSE:**

NOTE: APPEAL IS FOR 2 UNITS (#302 & #303) UNDER PARCEL #09306103600.

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)


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Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.

  
 \_\_\_\_\_  
**APPELLANT**

11-25-2019  
 \_\_\_\_\_  
**DATE**

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING--3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

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*Vij K. Gupta*

11-26-2019

**Vijay K. Upadhyaya, PE**

2002 Lindell Avenue  
Nashville, TN 37203  
615-491-4669  
[vijayk.up@gmail.com](mailto:vijayk.up@gmail.com)

November 25, 2019

RE: Item A Appeal

STRP : 219 5th Avenue North, Unit 302, Nashville, TN 37219

STRP: 219 5th Avenue North, Unit 303, Nashville, TN 37219

Parcel # 09306103600

I am writing to appeal the violation of the Metropolitan Code of Laws Section 17.16.250.E - Short Term Rental Property.

I obtained STRP permits on this parcel in the downtown core in 2015 and have operated in compliance with all of the regulations with no code violations, no complaints, and no visits by Metro Police. I paid all taxes as required since obtaining the permits and renewed yearly on time in 2016, 2017, & 2018.

In 2019 most of my important correspondence with Metro comes to my office mailing address. I don't get a lot of mail at this parcel's address, and accidentally did not open my mail in a timely manner. I was expecting an important letter, and so I checked my keyed mailbox and realized that I missed the deadline for renewal the previous month. I immediately mailed the renewal documents hoping it would be renewed with a late fee. Shortly thereafter, I received a letter of violation. I immediately changed my advertising to 30 day minimum rental rather than STRP. I am requesting reinstatement of my STRP permits.

Sincerely,

Vijay K. Upadhyaya, PE

#302

Rental Unit Record

# 219 5th Avenue North, Nashville, TN, United States

Active  
Identified  
Compliance

### Listing(s) Information

Airbnb - 8734371      VRBO - 321.771335.1319273



### Rental Unit Information



#### Identified Address

219 5th Avenue North, Nashville, TN, United States

#### Identified Unit Number

302

#### Identified Latitude, Longitude

36.163729, -86.780661

#### Parcel Number

09306103600

#### Owner Name

UPADHYAYA, VIJAY K.

#### Owner Address

2002 LINDELL AV  
NASHVILLE, TN 37203, US

#### Registration / Permit Number

501040

### Matched Details

Analyst: QHQC

Explanation: Exterior image from the listing matches aerial view image.

#### Listing Photos



Same rooftop structure/table

#### Matching 3rd Party Sources



### Timeline of Activity

View the series of events and documentation pertaining to this property

### Listing Details

**Listing URL** - <https://www.homeaway.com/vacation-rental/p771335vb?petIncluded=false&noDates=true>

**Listing Status** ● Active

**Host Compliance Listing ID** - hma321,771335.1319273

**Listing Title** - Armstrong Corset Lofts Unit 302

**Property type** - Condo

**Room type** - Entire home/apt

**Listing Info Last Captured** - Nov 25, 2019

**Screenshot Last Captured** - Nov 23, 2019

**Price** - \$343/night

**Cleaning Fee** - \$75

**Information Provided on Listing**

**Contact Name** - Not provided

**Latitude, Longitude** - 36.163601, -86.780892

**Minimum Stay (# of Nights)** - 30


**Max Sleeping Capacity (# of People)** - 3

**Max Number of People per Bedroom** - 3





























**Number of Reviews** - 28

**Last Documented Stay** - 11/2019

**Listing Screenshot History**

 [View Latest Listing Screenshot](#)

September 7      October 9      November 6

-  1 Documented Stay  
November, 2019
-  First Warning - No STR Permit: Delivered  
November 9th, 2019 
-  First Warning - No STR Permit: Sent  
November 1st, 2019 
-  1 Documented Stay  
October, 2019
-  3 Documented Stays  
September, 2019
-  2 Documented Stays  
August, 2019
-  2 Documented Stays  
July, 2019
-  3 Documented Stays  
June, 2019
-  3 Documented Stays  
May, 2019
-  5 Documented Stays  
April, 2019
-  1 Documented Stay  
March, 2019
-  1 Documented Stay  
February, 2019
-  1 Documented Stay  
January, 2019
-  1 Documented Stay  
December, 2018
-  2 Documented Stays  
November, 2018
-  6 Documented Stays  
October, 2018
-  3 Documented Stays  
September, 2018
-  2 Documented Stays  
August, 2018
-  2 Documented Stays  
July, 2018
-  2 Documented Stays  
June, 2018
-  4 Documented Stays  
May, 2018
-  Listing hma321.771335.1319273 Identified  
May 24th, 2018
-  Listing hma321.771335.1319273 Reposted  
May 2nd, 2018
-  4 Documented Stays  
April, 2018
-  Listing hma321.771335.1319273 Removed  
April 26th, 2018
-  Listing hma321.771335.1319273 Reposted  
April 26th, 2018

- ✘ Listing hma321.771335.1319273 Removed  
April 14th, 2018
- ✈ Airbnb Letter: Delivered 📄  
April 6th, 2018
- ✈ Airbnb Letter: Sent 📄  
March 29th, 2018
- 📄 3 Documented Stays  
March, 2018
- Listing hma321.771335.1319273 Reposted  
February 26th, 2018
- 📄 2 Documented Stays  
February, 2018
- ✘ Listing hma321.771335.1319273 Removed  
February 21st, 2018
- 📄 1 Documented Stay  
January, 2018
- ✓ Listing air8734371 Identified  
December 26th, 2017
- 📄 2 Documented Stays  
November, 2017
- 📄 6 Documented Stays  
October, 2017
- 📄 3 Documented Stays  
September, 2017
- 📄 1 Documented Stay  
August, 2017
- 📄 1 Documented Stay  
July, 2017
- 📄 2 Documented Stays  
June, 2017
- 📄 2 Documented Stays  
May, 2017
- 📄 5 Documented Stays  
April, 2017
- 📄 5 Documented Stays  
March, 2017
- 📄 3 Documented Stays  
February, 2017
- 📄 2 Documented Stays  
January, 2017
- ✳ Listing hma321.771335.1319273 First  
Crawled  
January 1st, 2017
- Listing hma321.771335.1319273 First  
Activity  
December 31st, 2016
- 📄 2 Documented Stays  
November, 2016
- 📄 2 Documented Stays  
October, 2016
- 📄 4 Documented Stays  
September, 2016



- 📅 2 Documented Stays  
August, 2016
- ✳ Listing air8734371 First Crawled  
July 21st, 2016
- 📅 1 Documented Stay  
July, 2016
- 📅 2 Documented Stays  
June, 2016
- 📅 4 Documented Stays  
May, 2016
- 📅 3 Documented Stays  
April, 2016
- 📅 3 Documented Stays  
March, 2016
- 📅 1 Documented Stay  
February, 2016
- 📅 1 Documented Stay  
January, 2016
- 📅 2 Documented Stays  
November, 2015
- 📅 2 Documented Stays  
October, 2015
- Listing air8734371 First Activity  
October 18th, 2015

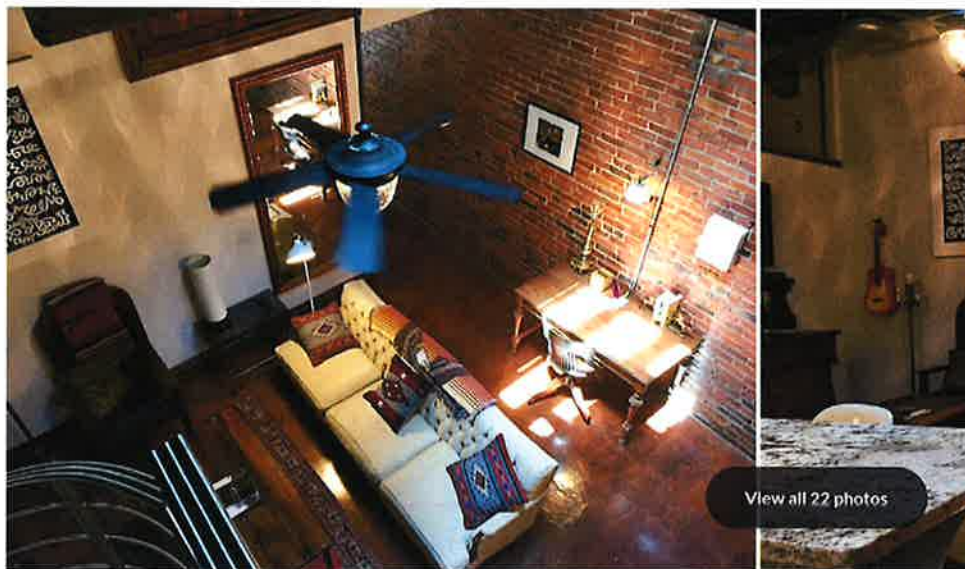
Where  
Downtown, Nashville, TN, USA

Check In

Check Out

Check Availability

Nov 23, 2019 4:19pm CT



View all 22 photos

\$343 avg/night

★★★★★ 27 Reviews

Exceptional! 5/5 - Good for families

Enter dates for accurate pricing

Check In

Check Out

Guests

Check Availability



Owner

Ask owner a question

- Overview
- Amenities
- Reviews
- Map
- Rates & Availability

For booking assistance call HomeAway at 888-829-7076

Property # 771335vb

### Armstrong Corset Lofts Unit 302

- Condo
- Sleeps: 3
- Bedrooms: 1
- Bathrooms: 1
- Half Baths: 1
- Min Stay: 30 nights

Arts District, Nashville, TN, USA

- Instant Confirmation
- Good for families
- Air Conditioning
- No Smoking
- Internet
- TV

#### 1 bedroom/1.5 bath, private downtown rooftop deck & luggage lockers

Parking is not included, but there is a pay garage on 5th Ave you can reserve online and also a pay surface lot on 6th Ave.

We also built some luggage lockers where guests who arrive early or leave late can store their luggage.

This is a historic 3 floor building on the 5th Avenue of the Arts in downtown Nashville. In the early 1900s it was the Armstrong Corset Shop. Over 4 years I have renovated the 3rd floor & roof into 3 unique lofts.

It's got double spiral stairs that we welded on site. 15-20' ceilings and exposed original brick. Private rooftop deck in the middle of downtown Nashville.

We just put a new roof on this year, and added copper and cedar shake siding to the rooftop room.

Unit 302 it's all your's. There are 3 lofts on the 3rd floor.

[View less](#)

## Bedrooms

🏠 Bedrooms: 1    👤 Sleeps: 3

### Popular destinations in the area



Pigeon Forge, TN, USA



Gatlinburg, TN, USA



Nashville, TN, USA



## Still have questions?

Ask the HomeAway virtual assistant about pet policies, amenities, check-in times, and more.

[Chat now](#)



## Owner



**Owner**  
Member Since 2016

[Ask owner a question](#)

Languages: English

## About Owner

I like vintage motorcycles, cars, and buildings.

[View less about Owner](#)

## Amenities

### Featured

📶 Internet

📺 TV

🚭 No Smoking

🌬️ Air Conditioning

🧺 Washer & Dryer

🔥 Heater

## Bathrooms

Bathrooms: 1, Half Baths: 1

## General

Air Conditioning

Iron

Shampoo

Heating

Towels Provided

Basic Soaps

Linens Provided

Wireless Internet

Toilet Paper

Washing Machine  
Clothes Dryer  
Internet

Iron & Board  
Hair Dryer  
Paper Towels

Elevator  
Living Room

**Kitchen**

Dishwasher  
Refrigerator  
Stove  
Oven

Microwave  
Coffee Maker  
Blender  
Coffee Grinder

Ice Maker  
Dishes & Utensils  
Kitchen  
Kettle

**Dining**

Dining Area

**Entertainment**

Television

**Outside**

Balcony

Deck / Patio

BBQ Grill

**House Rules**

Check-in: 4:00 PM    Check-out: 11:00 AM

✕ No parties/events

✕ No smoking

✕ No pets

✕ Children not allowed

Max guests: 3

**Cancellation Policy**

100% refund if canceled at least 14 days before arrival date. 50% refund if canceled at least 7 days before arrival date.

**27 Reviews**

★★★★★ Exceptional 5/5

1-6 of 27



**GREAT Place**

5/5 ★★★★★ Stayed Nov 2019

Kelly C.

This was by far our best VRBO experience. The condo was spotless, very well appointed, perfect location, & communication with Vijay was quick and easy. The luggage lockers were a HUGE help too. This truly is a must stay if you are visiting Nashville.

Published Nov 20, 2019

**Great central location!**

5/5 ★★★★★ Stayed Oct 2019

Great rental! Close to everything. Comfortable bed. Easy access with key codes, very convenient. Washer and dryer was helpful. Great experience! We would definitely stay here again. The owner was also great to deal with!

Published Oct 28, 2019

**Great location off Broadway**

5/5 ★★★★★ Stayed Sep 2019

Jessica C.

Beautiful property, convenient location near the Ryman so close to everything, but quiet. Very responsive owner, easy check in, would definitely recommend to anyone visiting Nashville.

Published Sep 19, 2019

**Wonderful Hidden Gem**

5/5 ★★★★★ Stayed Aug 2019

Kristen C. New York

We had a lovely stay at this apartment. At first I was hesitant to stay downtown because I was worried about noise and being surrounded by the craziness that I heard was Broadway, however this apartment was in the perfect location. About a 5 minute (maybe less) walk to the action, completely walk-able neighborhood for sight seeing, eating and hotel rooftops nearby. Easy and cheap uber ride to the Gulch and 12th south. We heard no noise at all in the apartment from neighbors or otherwise.

The apartment itself was really stunning, the whole building really. The finishes are beautiful and there was obvious attention to detail when it was designed. The key codes were great, no need to worry about keys! The rooftop was the perfect place to end our nights.

My husband and I are pretty picky with beds but found the mattress and bedding to be very comfortable. Many home away's we have stayed at in the past have had the cheap rental feel when it comes to linens but not this one. There were even little hotel amenity soaps and shampoos if you need. I highly recommend staying.

Thank you Vijay for the fantastic communication !

Published Sep 20, 2019

**Owner's Response:**

Wow Kristen thanks for the nice review, that makes me really happy and all the hard work and details worth it. Come back any time. -Vijay

**Fantastic property, in walking distance from major attractions**

5/5 ★★★★★ Stayed Jul 2019

The property is absolutely fantastic. The rooftop deck is perfect and the bed is wonderful (I have stayed at enough properties, that finding a quality bed at one is difficult). The owner has been quick to respond and attend to our needs. The loft is within walking distance of major attractions such as the downtown bar district, arena and convention center. I cannot recommend this property enough!

Published Jul 30, 2019

**Perfection**

5/5 ★★★★★ Stayed Jun 2019

Perfect location and accommodations. The lofts are impressive and a great place to relax.

Published Jul 8, 2019



Map

📍 Arts District, Nashville, TN, USA

Rates & Availability

November 2019							December 2019						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				
	300	300	300	300	350	350	600	600	600				



January 2020							February 2020						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1
			600	600	350	350							350
5	6	7	8	9	10	11	2	3	4	5	6	7	8
300	300	300	300	300	350	350	300	300	300	300	300	350	350
12	13	14	15	16	17	18	9	10	11	12	13	14	15
300	300	300	300	300	350	350	300	300	300	300	300	350	350
19	20	21	22	23	24	25	16	17	18	19	20	21	22
300	300	300	300	300	350	350	300	300	300	300	300	350	350
26	27	28	29	30	31		23	24	25	26	27	28	29
300	300	300	300	300	350		300	300	300	300	300	350	350

Taxes and fees are additional

Additional information about rental rates

Cleaning Fee	75
Additional Guest Fee	50
Property Damage Insurance	59



More properties managed by Owner



**Nashville**  
 1BR · Sleeps 2  
 169 avg/night  
 ★★★★★ (3)



**Nashville**  
 2BR · Sleeps 5  
 554 avg/night  
 ★★★★★ (31)

Home > United States > Tennessee > Davidson County > Nashville-Davidson > Nashville > Arts District

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+1  Your mobile phone

Available for iOS and Android. Messaging 1

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Rental Unit Record

**219 5th Avenue North, Nashville, TN, USA**

Active  
Identified  
Compliant

#303

Listing(s) Information

Airbnb - 8904707      VRBO - 321.965501.1513456



Rental Unit Information



Identified Address

219 5th Avenue North, Nashville, TN, USA

Identified Unit Number

303

Identified Latitude, Longitude

36.163631, -86.780844

Parcel Number

09306103600

Owner Name

UPADHYAYA, VIJAY K.

Owner Address

2002 LINDELL AV  
NASHVILLE, TN 37203, US

Registration / Permit Number

501103

Matched Details

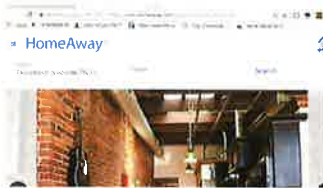
Analyst

QZ4P

Explanation

The property was successfully identified after finding the home via google maps then validating the address with the pictures on the listing and the images from a listing from the Facebook site, then getting all other information from the tax assessor site,

Listing Photos



same lofts, unit number on listing.

Matching 3rd Party Sources



Timeline of Activity

View the series of events and documentation pertaining to this property

Listing Details




<b>Listing URL</b>	- <a href="https://www.homeaway.com/vacation-rental/p965501vb?petIncluded=false&amp;noDates=true">https://www.homeaway.com/vacation-rental/p965501vb?petIncluded=false&amp;noDates=true</a>
<b>Listing Status</b>	● Active
<b>Host Compliance Listing ID</b>	- hma321.965501.1513456
<b>Listing Title</b>	- Armstrong Corset Lofts Unit 303
<b>Property type</b>	- Condo
<b>Room type</b>	- Entire home/apt
<b>Listing Info Last Captured</b>	- Nov 25, 2019
<b>Screenshot Last Captured</b>	- Nov 25, 2019
<b>Price</b>	- \$556/night
<b>Cleaning Fee</b>	- \$75

**Information Provided on Listing**

<b>Contact Name</b>	- Not provided
<b>Latitude, Longitude</b>	- 36.167701, -86.782078
<b>Minimum Stay (# of Nights)</b>	- 30
<b>Max Sleeping Capacity (# of People)</b>	- 5
<b>Max Number of People per Bedroom</b>	- 2.5
<b>Number of Reviews</b>	- 31
<b>Last Documented Stay</b>	- 10/2019
























**Listing Screenshot History**

 [View Latest Listing Screenshot](#)







September 7

October 9

November 5

-  **First Warning - No STR Permit: Delivered**  
November 8th, 2019 
-  **1 Documented Stay**  
November, 2019
-  **First Warning - No STR Permit: Sent**  
November 1st, 2019 
-  **4 Documented Stays**  
October, 2019
-  **3 Documented Stays**  
September, 2019
-  **4 Documented Stays**  
August, 2019
-  **1 Documented Stay**  
July, 2019
-  **2 Documented Stays**  
June, 2019
-  **3 Documented Stays**  
May, 2019
-  **4 Documented Stays**  
April, 2019
-  **4 Documented Stays**  
March, 2019
-  **1 Documented Stay**  
February, 2019
- **Listing air8904707 Reposted**  
February 15th, 2019
- ✗ **Listing air8904707 Removed**  
February 13th, 2019
-  **2 Documented Stays**  
November, 2018
-  **4 Documented Stays**  
October, 2018
-  **5 Documented Stays**  
September, 2018
-  **2 Documented Stays**  
August, 2018
-  **3 Documented Stays**  
July, 2018
-  **2 Documented Stays**  
June, 2018
-  **2 Documented Stays**  
May, 2018
- ✓ **Listing air8904707 Identified**  
May 24th, 2018
- ✓ **Listing hma321.965501.1513456 Identified**  
May 24th, 2018
-  **2 Documented Stays**  
April, 2018
-  **2 Documented Stays**  
March, 2018
- **Listing hma321.965501.1513456 Reposted**  
February 26th, 2018

- 📅 3 Documented Stays  
February, 2018
- ✕ Listing hma321.965501.1513456 Removed  
February 21st, 2018
- Listing air8904707 Reposted  
February 3rd, 2018
- ✕ Listing air8904707 Removed  
January 31st, 2018
- 📅 1 Documented Stay  
January, 2018
- 📅 2 Documented Stays  
November, 2017
- 📅 2 Documented Stays  
October, 2017
- 📅 4 Documented Stays  
September, 2017
- 📅 3 Documented Stays  
August, 2017
- 📅 3 Documented Stays  
July, 2017
- 📅 4 Documented Stays  
June, 2017
- 📅 2 Documented Stays  
May, 2017
- 📅 4 Documented Stays  
April, 2017
- 📅 4 Documented Stays  
March, 2017
- 📅 3 Documented Stays  
February, 2017
- ✱ Listing hma321.965501.1513456 First  
Crawled  
January 1st, 2017
- Listing hma321.965501.1513456 First  
Activity  
December 5th, 2016
- 📅 2 Documented Stays  
November, 2016
- 📅 4 Documented Stays  
October, 2016
- 📅 6 Documented Stays  
September, 2016
- 📅 4 Documented Stays  
August, 2016
- ✱ Listing air8904707 First Crawled  
July 21st, 2016
- 📅 2 Documented Stays  
July, 2016
- 📅 2 Documented Stays  
June, 2016
- 📅 5 Documented Stays  
May, 2016

-  **4 Documented Stays**  
April, 2016
-  **5 Documented Stays**  
March, 2016
-  **4 Documented Stays**  
February, 2016
-  **2 Documented Stays**  
January, 2016
-  **2 Documented Stays**  
November, 2015
-  **Listing air8904707 First Activity**  
November 8th, 2015

Where: Downtown, Nashville, TN, USA

Check In

Check Out

Check Availability



View all 23 photos

\$557 avg/night  
★★★★★ 31 Reviews  
Wonderful! 4.9/5

Save  
Share

Enter dates for accurate pricing

Check In | Check Out  
Guests

Check Availability

Owner  
Ask owner a question

For booking assistance, call HomeAway at 888-829-7076  
Property # 965501vb

- Overview
- Amenities
- Reviews
- Map
- Rates & Availability

### Armstrong Corset Lofts Unit 303

- Condo
- Sleeps: 5
- Bedrooms: 2
- Bathrooms: 2
- Min Stay: 30 nights



- Instant Confirmation
- No Smoking
- Internet

#### 2 bedroom/2 bath, private downtown rooftop deck, parking & luggage lockers

Parking is not included, but there is a pay garage on 5th Ave you can reserve online and also a pay surface lot on 6th Ave.

We also built some luggage lockers where guests who arrive early or leave late can store their luggage.

This is a historic 3 floor building on the 5th Avenue of the Arts in downtown Nashville. In the early 1900s it was the Armstrong Corset Shop. Over 4 years I have renovated the 3rd floor & roof into 3 unique lofts.

It's got a 17' spiral stair that we welded in place which leads to a private rooftop deck in the middle of downtown. Stained concrete floors. Exposed brick & 4 skylights. Custom welded farm table & coffee table. 2 king-size beds. Antique dressers, rug, buffet, chesterfield. Vintage porcelain barn & army lights. A french press. A cocktail shaker. A nespresso machine. 55" TV.

Unit 303 it's all your's. There are 3 lofts on the 3rd floor.

[View less](#)

#### Bedrooms

- Bedrooms: 2
- Sleeps: 5

### You might like these similar properties

[See more](#)



**2BR • Sleeps 8**  
619 avg/night  
★★★★★ (54)



**2BR • Sleeps 6**  
490 avg/night  
★★★★★ (38)



**1BR • Sleeps 4**  
159 avg/night  
★★★★★ (12)

### Still have questions?

Ask the HomeAway virtual assistant about pet policies, amenities, check-in times, and more.

[Chat now](#)



### Owner



**Owner**  
Member Since 2016

[Ask owner a question](#)

Languages: English

### About Owner

I like vintage motorcycles, cars, & buildings.

[View less about Owner](#)

### Amenities

#### Featured

Internet

No Smoking



#### Bathrooms

Bathrooms: 2

#### General

Wireless Internet

#### House Rules

Check-in: 4:00 PM

Check-out: 11:00 AM

✗ No parties/events

✗ No smoking

✗ No pets



Children not allowed

Max guests: 5

**Cancellation Policy**

100% refund if canceled at least 14 days before arrival date. 50% refund if canceled at least 7 days before arrival date.

**31 Reviews**

★★★★★ Wonderful 4.9/5

1-6 of 31

**Location Location Location**

5/5 ★★★★★ Stayed Oct 2019

michelle g.

The loft was exactly as it is in the photos. Very clean and comfortable beds. There is a Walgreens directly across the street for those forgotten items. We did not rent a car and had no need for one as we were about 2 blocks from The Ryman Auditorium and another block from Broadway and all of the music venues. Vijay responded very quickly to questions and we thoroughly enjoyed the loft and private terrace. We are looking forward to our next trip!

Published Oct 16, 2019

**Great location, Great place! Will stay here again!**

5/5 ★★★★★ Stayed Oct 2019

Barb D. Wisconsin

We had an excellent time!

Beds were very comfy. Rooftop was a favorite feature!

Location is in walking distance to everything!!

Published Oct 12, 2019

**Disappointed**

3/5 ★★★ Stayed Sep 2019

Lee M.

The loft is in a great location but was not well appointed with amenities as was advertised. No BBQ as shown in pictures, very sparse as far as cutlery, dishes, dish cloths etc., no toaster, not enough seating for 4 at one place for a meal, no instructions for tv/cable setup, very little info in unit to explain anything.

All relatively small issues that could easily be fixed but at the price charged should absolutely be there without having to ask or complain.

Published Oct 15, 2019

**Owner's Response:**

Hi Lee,

There is no BBQ shown in the pictures on VRBO. Unfortunately Metro Nashville code does not allow you to have one.

There are plenty of dishes & cutlery. There are also plenty of towels and paper towels. When you mentioned a toaster as we passed in the hallway, I brought you my own personal toaster & left it outside your door. I also bought new toasters that day and now the units have new toasters.

There's a custom farmhouse table on the private roof where 4 people can sit for a meal.

When you texted me about the special directions for TV, I informed you to push the "power" and "on" buttons on the two remotes and it appeared to fix your problem. I also left extra batteries by your door in case the

remote batteries were going bad.

Vijay

**Great Spot Near All The Action**

5/5 ★★★★★ Stayed Aug 2019

Nick M., North Mankato, Minnesota

Fantastic space close to everything you need and all you'll want to see.

Published Sep 3, 2019

**Perfect Spot**

5/5 ★★★★★ Stayed Aug 2019

David G., Townsend

This is a great property with plenty of privacy. Amenities are very nice and Beds are extremely comfortable. There are multiple really good places to eat within a very short walk and the private roof deck was the perfect spot to unwind in the evenings. Vijay was a wonderful host and we are looking forward to returning. Overall, this is a great location if you plan to visit downtown Nashville, our car stayed park for the entire 3 days.

Published Sep 2, 2019

**Perfect location and listing**

5/5 ★★★★★ Stayed Aug 2019

Ed D.

There were ZERO unpleasant surprises with this listing. In fact everything was gravy. The rooftop deck was wonderful and the location was great. Plenty of room for 3-4 guys as long as 2 are willing to couch it

Published Aug 19, 2019



**Map**

Arts District, Nashville, TN, USA

### Rates & Availability

November 2019							December 2019						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2	1	2	3	4	5	6	7
							300	300	300	300	300	330	330
3	4	5	6	7	8	9	8	9	10	11	12	13	14
							300	300	300	300	300	330	330
10	11	12	13	14	15	16	15	16	17	18	19	20	21
							300	300	300	300	300	330	330
17	18	19	20	21	22	23	22	23	24	25	26	27	28
							300	300	300	300	350	350	350
24	25	26	27	28	29	30	29	30	31				
							350	350	350				

January 2020							February 2020						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4							1
			350	350	350	350							350
5	6	7	8	9	10	11	2	3	4	5	6	7	8
300	300	300	300	300	330	330	300	300	300	300	300	330	330
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19	20	21	22	23	24	25	16	17	18	19	20	21	22
300	300	300	300	300	330	330	300	300	300	300	300	330	330
26	27	28	29	30	31		23	24	25	26	27	28	29
300	300	300	300	300	330		300	300	300	300	300	330	330

Taxes and fees are additional

#### Additional information about rental rates

Cleaning Fee	75
Additional Guest Fee	75
Property Damage Insurance	59



#### More properties managed by Owner



**Nashville**  
 1BR · Sleeps 2  
 208 avg/night  
 ★★★★★ (3)



**Nashville**  
 1BR · Sleeps 3  
 343 avg/night  
 ★★★★★ (28)



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Appeal 2020-012  
219 5th Avenue North  
Nashville, TN 37219

Dear Board,

I am a Nashville native and purchased a historic 3 story building in the Downtown Core in 2011. I have been working on it ever since. On the 3rd floor I built 3 loft apartments. I live in 1 and short term rent the other 2 lofts. The 2nd floor I rent to a country musician who built out the whole 2nd floor for his publishing company and business. I built out an event space on the 1st floor.

When I finished building & furnishing & permitting the lofts in September 2015 I put my contact address as the building address. I renewed the STRP's in 2016, 2017, & 2018.

I am a licensed professional civil engineer, general contractor, & small business owner with the state of Tennessee. Most of my correspondence comes to my office address.

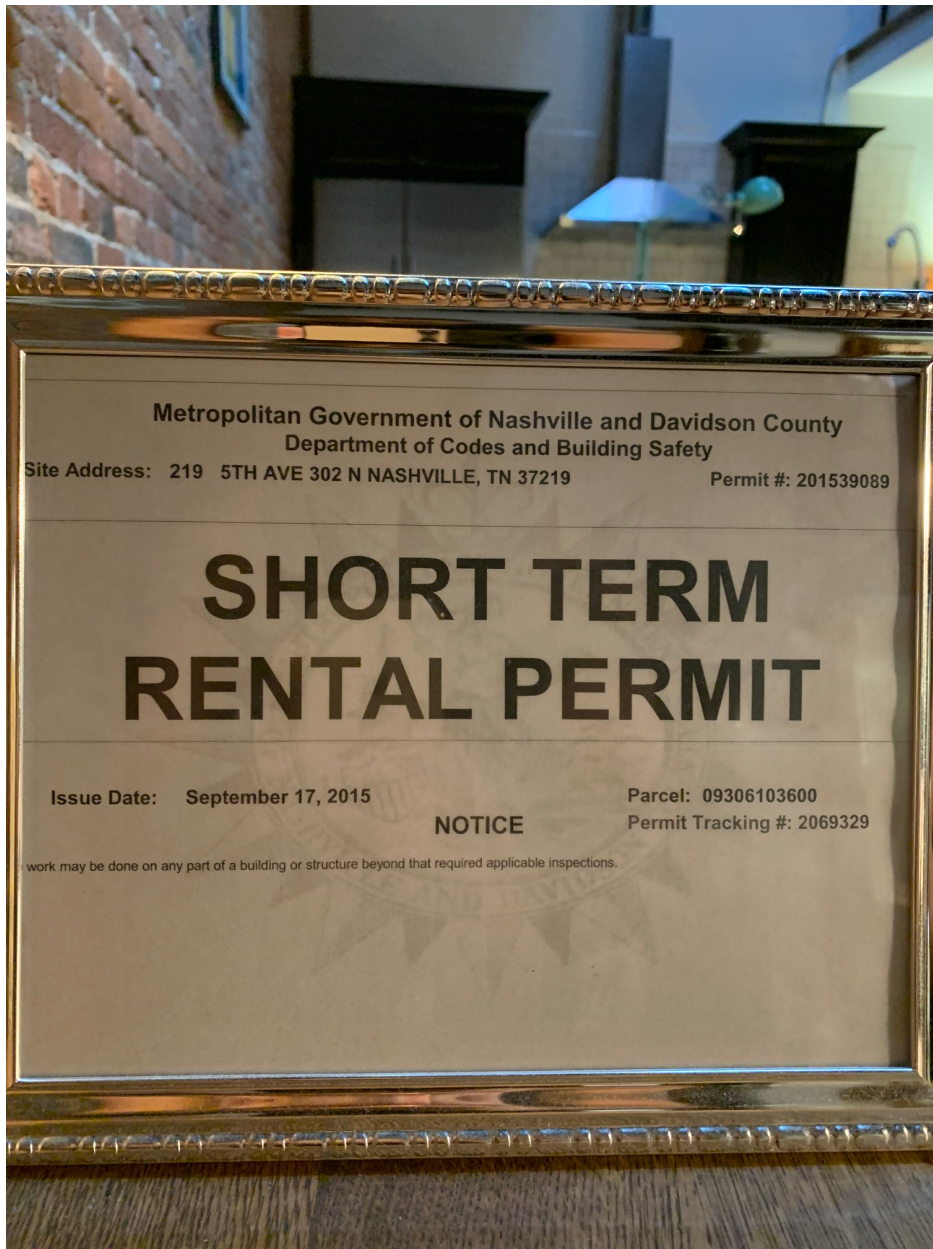
I don't check the mail often at the building downtown because I don't receive much mail there. In October of 2019 I was expecting an important letter so I checked the mailbox and discovered the 2 renewals were due in September. I sent the renewal paperwork & fees in that day. I checked for a canceled check every day for the next 10 days, but ultimately my attempt renew sent a flag that put me in violation. That violation was sent to my office address where I was able to act swiftly and take down my STRP ads.

Please consider I have had no previous violations or complaints for 4+ years and have been current with all fees, taxes and licenses during this time. I'm just a small business owner trying to survive in Nashville.

Thanks,

Vijay K. Upadhyaya, PE





Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety

Site Address: 219 5TH AVE 302 N NASHVILLE, TN 37219

Permit #: 201539089

# SHORT TERM RENTAL PERMIT

Issue Date: September 17, 2015

Parcel: 09306103600

**NOTICE**

Permit Tracking #: 2069329

work may be done on any part of a building or structure beyond that required applicable inspections.



Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety

Site Address: 219 5TH AVE 303 N NASHVILLE, TN 37219

Permit #: 201539092

# SHORT TERM RENTAL PERMIT

Issue Date: September 17, 2015

Parcel: 09306103600

Permit Tracking #: 2069332

## NOTICE

No work may be done on any part of a building or structure beyond that required applicable inspections.

December 23, 2019

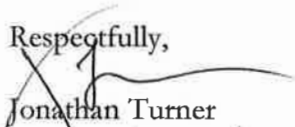
Metropolitan Government of Nashville and Davidson County  
Department of Codes and Building Safety  
P.O. Box 196300  
Nashville, Tennessee 37219-6300

RE: Appeal Case Number 2020-012

219 5<sup>th</sup> Avenue North 302 and 303  
Map Parcel: 09306103600 and 09306103600  
Zoning Classification: DTC  
Council District 19

In regards to this appeal, we wish that the Board of Zoning Appeals to uphold the current ruling in denying this owner the ability to short-term lease. We have many hotel rooms downtown for individuals to utilize and generate tax revenue for the city. In the building which I live, short-term leasing is prohibited. It jeopardizes our investment when this is allowed. People that are STL do not have a vested interest in the property, let alone have any intentions of preserving the property or care for it properly. This creates a decrease in the value of surrounding properties let alone feel that it creates unwanted individuals that wish to not conform to building rules and regulations, city ordinances on noise. Sadly, it has been my experience that many of these STL occupants create a nuisance which in turn strains the city's resources every time the police have to be called for disturbances. A hotel provides a buffer for this type of activity in the neighborhood let alone employs security personnel to counteract this type of behavior. As a citizen, registered voter, and a native of Nashville, I have seen this first hand and what it does to our neighborhood and we need to bring civility back to our community without allowing everyone to short-term lease. Downtown Nashville is a vibrant community and we need for owners of properties to adhere and conform to the rules.

Respectfully,

  
Jonathan Turner  
The Bennie Dillon  
700 Church Street  
Nashville, Tennessee 37203

**From:** [Steve Corbitt](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#)  
**Cc:** [Wade Morrell \(wmorrell@tmbf.net\)](#); [Margaret Mahery \(mmahery@tml1.org\)](#)  
**Subject:** zoning appeal notice to neighbors #20190072863  
**Date:** Friday, January 3, 2020 1:54:31 PM  
**Importance:** High

---

Re: Appeal Case # 2020-012

Please be advised that we are opposed to granting a short term rental permit to the referenced case also identified as 219 5<sup>th</sup> Ave N 302 and 303. We concur with the administrator's denial.

This email is in response to your letter dated December 9, 2019 to the owner of property within 1000' of the subject location.

Thank you.

R. Steve Corbitt

R. Steve Corbitt, C.E.O.  
Alliance C.R.E.S., Inc.  
PO Box 121173  
Nashville, TN 37212-1173  
Office 615-383-5434  
Fax 615-383-6904  
Cell 615-351-0976  
Email [rscorbitt@allianceces.net](mailto:rscorbitt@allianceces.net)

December 31, 2019

Metropolitan Board of Zoning Appeals

RE: Appeal Case Number: 2020-012  
Permit # 20190072863

To whom it may concern,

I am the owner of 231 5th Ave North, Unit 301 Nashville, TN and I oppose allowing this permit to be approved especially if this owner has already operated illegally by leasing after permit had expired. Please do not allow this owner to have a permit.

Thank you for your time.

Sincerely,  
Wendy McCooey  
231 5th Avenue North  
Unit 301  
Nashville, TN





Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Sally Barkley Date: 11-27-2019  
Property Owner: Sally Barkley Case #: 2020- 013  
Representative: Sally Barkley Map & Parcel: 10504016500  
Council District: 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 39 N Hill St.

This property is in the R6 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: 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.

Section: 17.16.250 E

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Sally Barkley Representative: Same  
Phone Number: 615 400-8111 Phone Number: \_\_\_\_\_  
Address: 39 N Hill St. Address: \_\_\_\_\_  
Nashville, TN 37210  
Email address: sallybarkley@gmail.com Email address: \_\_\_\_\_

Appeal Fee: \$100.00

*P.D.K.*



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3736517

**ZONING BOARD APPEAL / CAAZ - 20190072990  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 10504016500**APPLICATION DATE:** 11/27/2019**SITE ADDRESS:**

39 N HILL ST NASHVILLE, TN 37210

PT LOTS 17 20 &amp; 21 TRIMBLE NATIONAL HILL PLAN

**PARCEL OWNER:** BARKLEY, CHRISTOPHER A. & SALLY A.**CONTRACTOR:****APPLICANT:****PURPOSE:**

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.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.

  
APPELLANT

11/27/19  
DATE



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS


METRO OFFICE BUILDING--3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.



Rental Unit Record

# 39 North Hill St, Nashville, TN, United States

Removed ✕  
Identified ✓  
Compliant ✓

PRINT

SEND A LETTER

## Listing(s) Information

Airbnb - 21109612



## Rental Unit Information



### Identified Address

39 North Hill St, Nashville, TN, United States

### Identified Unit Number

None

### Identified Latitude, Longitude

36.144815, -86.759734

### Parcel Number

10504016500

### Owner Name

BARKLEY, CHRISTOPHER A. & SALLY A.

### Owner Address

39 N HILL ST  
NASHVILLE, TN 37210, US

### Timeline of Activity

View the series of events and documentation pertaining to this property

## Matched Details

### Analyst

WVG

### Explanation

The exterior shown on the listing is a match with Google street view. Although, the residence is gated, you can still see the top front door and the top of the residence. The front door has the same design. You can see the separate area to the left of the house which looks like a garage or guest house.

### Listing Photos



### Matching 3rd Party Sources



Same exterior.

Zip Code Match

Owner Name Match

City Name Match

✕ Listing air21109612 Removed  
October 14th, 2019

**Listing Details**

Listing URL	— <a href="https://www.airbnb.com/rooms/21109612">https://www.airbnb.com/rooms/21109612</a>
Listing Status	● Inactive
Host Compliance Listing ID	— air21109612
Listing Title	— Cottage in the City
Property type	— Cottage
Room type	— Entire home/apt
Listing Info Last Captured	— Oct 11, 2019
Screenshot Last Captured	— Sep 28, 2019
Price	— \$213/night
Cleaning Fee	— \$150

**Information Provided on Listing**

Contact Name	— Sally
Latitude, Longitude	— 36.145616, -86.760088
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 8
Max Number of People per Bedroom	— 2.7
Number of Reviews	— 72
Last Documented Stay	— 09/2019

**Listing Screenshot History**































 [View Latest Listing Screenshot](#)

August 30, 2019

September 5


October 0


November 0


-  **First Warning - No STR Permit: Delivered** September 24th, 2019 
-  **First Warning - No STR Permit: Sent** September 18th, 2019 
-  **1 Documented Stay** September, 2019
-  **3 Documented Stays** August, 2019
-  **2 Documented Stays** July, 2019
-  **3 Documented Stays** June, 2019
-  **3 Documented Stays** May, 2019
-  **4 Documented Stays** April, 2019
-  **2 Documented Stays** March, 2019
-  **2 Documented Stays** January, 2019
-  **3 Documented Stays** November, 2018
-  **5 Documented Stays** October, 2018
-  **5 Documented Stays** September, 2018
-  **3 Documented Stays** August, 2018
-  **4 Documented Stays** July, 2018
-  **2 Documented Stays** June, 2018
-  **6 Documented Stays** May, 2018
-  **5 Documented Stays** April, 2018
-  **Airbnb Letter: Incorrect Recipient** April 9th, 2018 
-  **Airbnb Letter: Sent** April 3rd, 2018 
-  **4 Documented Stays** March, 2018
-  **4 Documented Stays** February, 2018
-  **First Warning - No STR or Tax: Incorrect Recipient** February 17th, 2018 
-  **First Warning - No STR or Tax: Sent** February 9th, 2018 
- **Listing air21109612 Reposted** February 5th, 2018
- ✕ **Listing air21109612 Removed**


Matched property listing


January 31st, 2018

 **3 Documented Stays**  
January, 2018


 **3 Documented Stays**  
December, 2017

 **4 Documented Stays**  
November, 2017

 **Listing air21109612 Identified**  
November 2nd, 2017

 **1 Documented Stay**  
October, 2017

 **Listing air21109612 First Crawled**  
October 23rd, 2017

 **Listing air21109612 First Activity**  
October 22nd, 2017

September 28, 2019 - 10:11AM America/Chicago



Search

Become a host Help Sign up Log

Sep 28, 2019 11:11am CT



Share

Save

View Photos

# Cottage in the City

Nashville



Selly

\$213 per night

★★★★★ 72

Dates

09/29/2019 → Checkout

Guests

1 guest

**Reserve**

You won't be charged yet

Report this listing

8 guests 3 bedrooms 4 beds 2.5 baths

**Entire home**  
You'll have the cottage to yourself.

**Self check-in**  
Check yourself in with the keypad.

**Sparkling clean**  
9 recent guests said this place was sparkling clean.

**Great check-in experience**  
95% of recent guests gave the check-in process a 5-star rating.

"The Cottage in the City" This is very unique 100 year renovated home within a mile of the heart of downtown.

### The space

This home is as unique as it gets. All the charm of a old home with all of the furnishings of a brand new home. This home has a fenced private yard with a covered sitting area and pizza grill. The home is wrapped in fool wrought iron fence and wrought iron double gates. There is a ton of secure parking for guest, even in the heart of the city.

This home boast a Coffee/reading area, large stocked kitchen & dining room, coffee bar, large bedrooms, yoga and game room and a hugeliving room. The living room's tv has an Apple TV Box allowing access on Netflix, HBO, etc. Plenty of space for all.

### Guest access

You will receive a unique keyless code for your stay. The code will start on the



date of arrival and expire the evening of your departure. This home is secured with security cameras.

Hide ^

Contact host



### Amenities

#### Basic

##### Wifi

Continuous access in the listing

Indoor fireplace

##### Iron

##### Laptop friendly workspace

A table or desk with space for a laptop and a chair that's comfortable to work in

##### TV

##### Dryer

In the building, free or for a fee

##### Washer

In the building, free or for a fee

#### Essentials

Towels, bed sheets, soap, and toilet paper

##### Heating

Central heating or a heater in the listing

##### Air conditioning

Hot water

#### Family features

Bathtub

Fireplace guards

#### Facilities

Free parking on premises

#### Dining

##### Kitchen

Space where guests can cook their own meals

Coffee maker

[Cooking basics](#)

**Cooking basics**

Pots and pans, oil, salt and pepper

Dishes and silverware

Dishwasher

Microwave

Refrigerator

Oven

Stove

**Guest access**

Keypad

Check yourself into the home with a door code

Private entrance

Separate street or building entrance

**Logistics**

Long term stays allowed

Allow stay for 28 days or more

**Bed and bath**

Hangers

Hair dryer

Shampoo

Bed linens

Extra pillows and blankets

**Outdoor**

BBQ grill

Patio or balcony

Garden or backyard

**Safety features**

Fire extinguisher

Carbon monoxide detector

Smoke detector

**Sleeping arrangements**



**Bedroom 1**  
1 king bed



**Bedroom 2**  
1 queen bed



**Bedroom 3**  
1 king bed

**Accessibility**

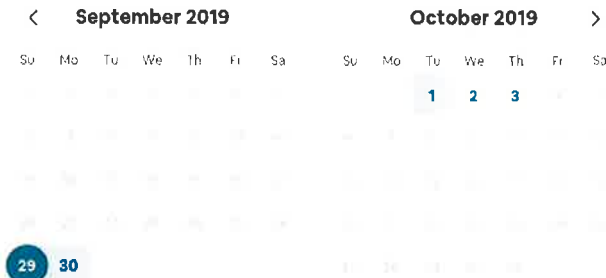
Step-free access to the bedroom

Step-free access to the bathroom

[Show all](#)

**Availability**

This host offers 10% off if you stay a week and a 50% monthly discount.



[Clear dates](#)

**72 Reviews** ★★★★★

[Search reviews](#)

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check-in	★★★★★
Cleanliness	★★★★★	Value	★★★★★

**Kimberly**  
September 2019

Overall we had a great trip! Short ride to downtown from the home.

**Lance**  
August 2019

Cozy and clean place to stay for a fun weekend in Nashville. Very quick and prompt communication.

**Dave**  
August 2019

This space was amazing. Great location from downtown. Very comfortable beds. Very clean. Excellent room. Super fast communication. Would definitely stay there again.

**Nichole**  
August 2019

Great central location. Loved the house!

**Jennifer**  
July 2019

Cute little home in a very convenient location. The gated driveway was nice, since the neighborhood was not exactly in the best part of town. We felt very safe during our stay. Very unique layout to the home and the bathrooms are a bit cramped but it was nice to have three...[Read more](#)



**Rachel**  
July 2019

Sally was a great host! She was very responsive and helpful. Our group was in town for a bachelorette, we had an amazing time! Historical house that has gone through renovations. It was nicely decorated and had character. While the house was nice, it's location is definitely in...[Read more](#)



**John**  
June 2019

Very clean and beautiful. Had a wonderful stay and the host made checking in and out very easy and they were very quick to respond to any questions I had.



### Hosted by Sally



Brentwood, TN · Joined In October 2016

★ 72 Reviews   # 1 Reference   Verified

I am a Nashville native that loves to travel the world and create lasting memories with the people I care about most.

#### Interaction with guests

We are here to assure that you have a digital key code and answer any questions you may have. You will have privacy and the ability to enjoy your own experience with no unwanted interaction.

#### Sally supports the Living Wage Pledge

People who clean this host's listing are paid a living wage. [Learn more](#)

Languages: English, Español

Response rate: 100%

Response time: within an hour

[Contact host](#)

**Always communicate through Airbnb** - To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

#### About this place

When you stay in an Airbnb, you're staying at someone's place.

This is Sally's place.



Christopher helps host.



### The neighborhood

Sally's place is located in Nashville, Tennessee, United States.

It is tucked away in a neighborhood feel but walking distance to the famous Broadway and 2nd Ave downtown area.

#### Getting around

You can get almost anywhere in downtown Nashville with a \$5.00-\$10.00 Uber/Lyft Ride. The home is 1-2 Miles from Bridgestone Arena, 2nd Ave, Nashville Convention Center, The Gulch & more. 6 miles to Nashville's Airport.

[Hide](#) ^

[See guidebook](#)



Matched property listing



Exact location information is provided after a booking is confirmed.

### Things to keep in mind

**Check-in:** 3PM - 10PM

**Checkout:** 11AM

Self check-in with keypad

#### House Rules

No smoking No pets

Parties and events are allowed

#### You must also acknowledge

Security Deposit - if you damage the home, you may be charged up to \$500

#### Additional Rules

- Although this a vacation home, loud parties are not permitted.
- No illegal activities allowed on the property
- Guest must be a minimum age of 25 years old to book the property.
- If at any time the maximum number of occupants is exceeded or if the Owner receives information about excessive noise, Owner has the right to evict Guest and all occupants immediately and to bill the guest a minimum service fee of \$250. If any sign of smoking is discovered Guest authorizes the Owner to charge the guest a minimum \$500 cleaning fee.

Our property will be cleaned and inspected after your departure. Please leave the property tidy, run the dishwasher, take out trash to the outside trash can and place all sheets and towels on top of washer and dryer.

[Hide rules ^](#)

#### Cancellations

##### Moderate · Free cancellation for 48 hours

After that, cancel up to 5 days before check-in and get a full refund, minus the service fee.



[Get full details](#)

[Hide policies ^](#)

#### More homes you may like



Matched property listing



ENTIRE HOUSE · NASHVILLE

**HUGE rooftop WOW view 3 Bed/4 Bath New & Modern**

\$203/night  
★★★★★ (191)



PLUS VERIFIED · NASHVILLE

**Nashville's Number One Location Two Bedroom - Music City**

\$179/night  
★★★★★ (161)



PLUS VERIFIED · NASHVILLE

**Honky Tonk Haven on the East Side - Welcome to Nashville**

\$159/night  
★★★★★ (104)

Things to do near this home



FOOD WALK

**Historic area food tour**

From \$59/person  
4.85★ (84)



WORKSHOP

**Hand Make A Guitar-String Ring**

From \$25/person  
5.0★ (28)



WELLNESS CLASS

**Vibration Meditation, Margaritas & tarot**

From \$35/person  
4.96★ (69)



COCKTAIL TASTING

**Private Cocktail Experience At The Fox**

From \$75/person  
4.96★ (109)

Explore other options in and around Nashville

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Nashville  
Colleville-Montgomery  
Shawbury  
Aitkenvale  
Layrac-sur-Tarn  
Daintree

Weng im Innkreis  
Cailleville  
Sains  
Soulsbyville  
Fuensanta de Martos  
Farnese

Elne  
Peel Island  
Chapantongo  
Saint-Magne-de-Castillon  
Lucas  
Jiennice

**CHARLES WILLIAM DORRIS**  
**710 HILL AVENUE #10 NASHVILLE, TN 37210**

---

**MEMO:** 27 December 2019  
**TO:** Metropolitan Board of Zoning Appeals  
**FROM:** Charles William Dorris  
**RE:** Appeal Case #: 2020-013

---

Pleased be advised that I am OPPOSED to this request due to the limited amount of parking in the area and flood zone location.

Thank you.

**From:** [Jon Sewell](#)  
**To:** [Board of Zoning Appeals \(Codes\)](#); [Sledge, Colby \(Council Member\)](#)  
**Subject:** BZA appeal 2020-013  
**Date:** Friday, December 27, 2019 11:02:19 AM

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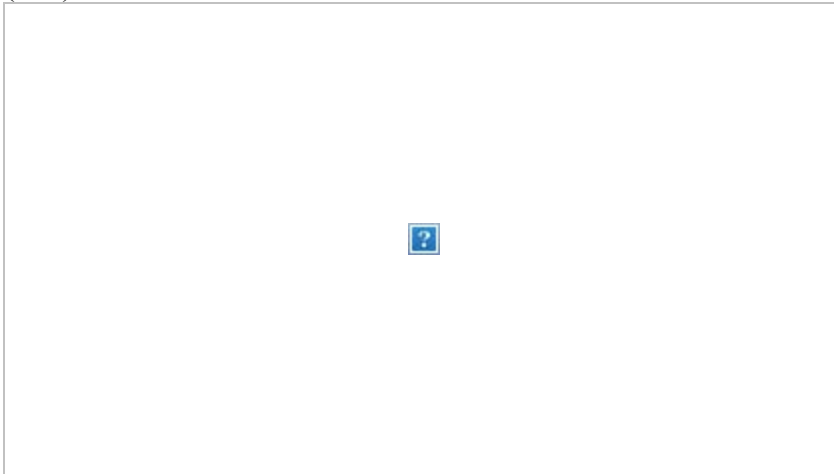
To whom it may concern,

In agreement with the Zoning Administrators denial, I request denial of the STR permit request at 39 N Hill St, a location that operated without license to do so, and request the BZA uphold the denial.

--

Thank you.

Jon Sewell  
(615) 948 6514







Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Ricky Young Date: 12-2-19  
Property Owner: Ricky Young Case #: 2020- 014  
Representative: Ricky Young Map & Parcel: 09212029200  
Council District: 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 1818 Church St. #102 & #109

This property is in the MUI-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the Zoning Administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

Section: 17.16.070 U

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is hereby requested in the above requirement as applied to this property.

Appellant Name: Ricky Young Representative: Same  
Phone Number: 803 917-6729 Phone Number: \_\_\_\_\_  
Address: 612 Cantrell Address: \_\_\_\_\_  
Nashville, TN 37215  
Email address: rickyyoungmusic@gmail.com Email address: \_\_\_\_\_

Appeal Fee: \$100.00

P.D.F.



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



**ZONING BOARD APPEAL / CAAZ - 20190073205**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 09212029200

**APPLICATION DATE:** 12/02/2019

**SITE ADDRESS:**

1818 CHURCH ST 102 NASHVILLE, TN 37203  
LOTS 176 -179 BOYD HOME TRACT

**PARCEL OWNER:** 1818, LLC

**CONTRACTOR:**

**APPLICANT:**

**PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

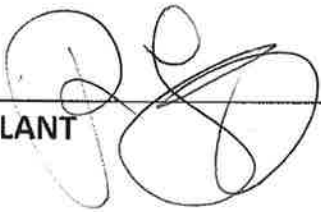
Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.

\_\_\_\_\_  
APPELLANT



\_\_\_\_\_  
DATE

12-2-19



**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING-- 3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

12-2-19

Rental Unit Record

# 1818 Church St, Nashville, TN 37203, USA

Removed ✕  
Identified ✓  
Compliant ✓

PRINT

SEND A LETTER

### Listing(s) Information

Airbnb - 18076337



### Rental Unit Information



#### Identified Address

1818 Church St, Nashville, TN 37203, USA

#### Identified Unit Number

102

#### Identified Latitude, Longitude

36.154640, -86.798748

#### Parcel Number

09212029200

#### Owner Name

1818, LLC

#### Owner Address

421 CHURCH ST STE 200  
NASHVILLE, TN 37219, US

### Matched Details

**Analyst** CDZT

#### Explanation

The apartment is located in the "1818 Church Apartments" building. <http://www.takemeto1818church.com/> Exterior matches in street view. Aerial view still shows the old buildings. The copy of the permit on the listing shows the APN. <http://prntscr.com/galbkd> The Nashville records and map confirm the location and address and show APN 09212029200. <http://prntscr.com/g6ja6t>

#### Listing Photos



Same exterior.

#### Matching 3rd Party Sources



### Timeline of Activity

View the series of events and documentation pertaining to this property

Zip Code Match

City Name Match

✕ Listing air18076337 Removed August 28th, 2019


Listing Details

Listing URL	- https://www.airbnb.com/rooms/18076337
Listing Status	● Inactive
Host Compliance Listing ID	- air18076337
Listing Title	- UNIQUE OPEN-LOFT DOWNTOWN! FREE PARKING!!
Property type	- Loft
Room type	- Entire home/apt
Listing Info Last Captured	- Aug 25, 2019
Screenshot Last Captured	- Aug 26, 2019
Price	- \$65/night
Cleaning Fee	- \$49

Information Provided on Listing

Contact Name	- Brent
Latitude, Longitude	- 36.156036, -86.796881
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 6
Max Number of People per Bedroom	- 6
Number of Reviews	- 244
Last Documented Stay	- 08/2019

























Listing Screenshot History

 [View Latest Listing Screenshot](#)

October 

November 

December 

-  3 Documented Stays  
August, 2019
-  10 Documented Stays  
July, 2019
-  6 Documented Stays  
June, 2019
-  8 Documented Stays  
May, 2019
-  10 Documented Stays  
April, 2019
-  11 Documented Stays  
March, 2019
-  11 Documented Stays  
February, 2019
-  13 Documented Stays  
January, 2019
-  14 Documented Stays  
Decamber, 2018
-  11 Documented Stays  
November, 2018
-  14 Documented Stays  
October, 2018
-  5 Documented Stays  
September, 2018
-  12 Documented Stays  
August, 2018
-  7 Documented Stays  
July, 2018
-  4 Documented Stays  
June, 2018
-  9 Documented Stays  
May, 2018
-  6 Documented Stays  
April, 2018
-  9 Documented Stays  
March, 2018
-  8 Documented Stays  
February, 2018
-  13 Documented Stays  
January, 2018
- Listing air18076337 Reposted  
January 31st, 2018
- ✘ Listing air18076337 Removed  
January 31st, 2018
-  6 Documented Stays  
December, 2017
-  4 Documented Stays  
November, 2017
-  6 Documented Stays  
October, 2017
-  8 Documented Stays  
September, 2017

- 📅 11 Documented Stays  
August, 2017
- ✓ Listing air18076337 Identified  
August 22nd, 2017
- 📅 9 Documented Stays  
July, 2017
- 📅 8 Documented Stays  
June, 2017
- 📅 6 Documented Stays  
May, 2017
- 📅 2 Documented Stays  
April, 2017
- ✳ Listing air18076337 First Crawled  
April 8th, 2017
- Listing air18076337 First Activity  
April 7th, 2017

August 26, 2019 - 05:45AM America/Chicago



Search

Become a host Help Sign up Log

Aug 26, 2019 6:45am CT



## UNIQUE OPEN-LOFT DOWNTOWN! FREE PARKING!!

Nashville



\$65 per night  
★★★★★ 244

Dates

08/27/2019 → Checkout

Guests

1 guest

**Reserve**

You won't be charged yet

Report this listing

- Entire loft**  
6 guests 1 bedroom 4 beds 1.5 baths
- Great location**  
90% of recent guests gave the location a 5-star rating.
- Sparkling clean**  
8 recent guests said this place was sparkling clean.
- Brent is a Superhost**  
Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Stunning modern city style loft with 25ft ceilings & is located in the heart of MIDTOWN & only blocks to DOWNTOWN! Easy access to all area attractions such as the Gulch, Broadway, Midtown, Music Row, and more. Very close to all the bars, honky tonks and the music city's best Attractions!! Enjoy our luxury amenities including grilling area, lounge and game room! Private sidewalk level entrance. Safe walk and inexpensive Uber/Taxi anywhere! I'll send over the best recommendations!

### The space

City View and Unique Style City Loft!!  
Close to all the attractions that Midtown, Downtown and Music Row have to offer while being conveniently located to everything in this amazing Music City!!  
Permit # (Phone number hidden by Airbnb)

### Guest access

Free parking, Free wifi, Grilling Area, Internet Lounge!

[Hide](#)

[Contact host](#)





## Amenities

### Basic

#### Wifi

Continuous access in the listing

#### Cable TV

#### Iron

#### TV

#### Dryer

In the building, free or for a fee

#### Washer

In the building, free or for a fee

#### Essentials

Towels, bed sheets, soap, and toilet paper

#### Heating

Central heating or a heater in the listing

#### Air conditioning

#### Hot water

### Facilities

#### Elevator

The home or building has an elevator that's at least 52 inches deep and a doorway at least 32 inches wide.

#### Free parking on premises

#### Gym

Free, in the building or nearby

#### Free street parking

### Dining

#### Kitchen

Space where guests can cook their own meals

#### Coffee maker

#### Cooking basics

Pots and pans, oil, salt and pepper

#### Dishes and silverware

Dishwasher

Microwave

Refrigerator

Oven

Stove

**Guest access**

Private entrance

Separate street or building entrance

**Bed and bath**

Hangers

Hair dryer

Shampoo

Bed linens

Extra pillows and blankets

**Outdoor**

BBQ grill

Patio or balcony

**Safety features**

Fire extinguisher

Smoke detector

**Not included**

~~Carbon monoxide detector~~

The host hasn't reported a carbon monoxide detector on the property.

**Sleeping arrangements**



**Bedroom 1**  
1 queen bed, 1  
single bed



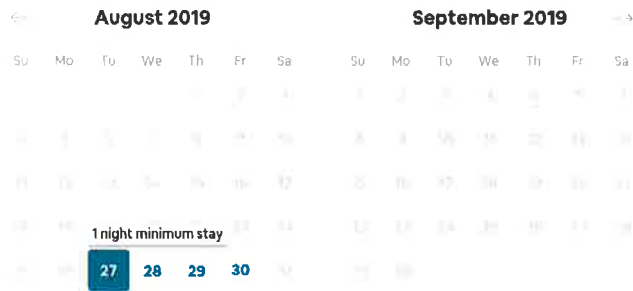
**Common spaces**  
1 single bed, 1 sofa  
bed

**Accessibility**

Elevator

**Availability**

1 night minimum stay



[Clear dates](#)

**244 Reviews** ★★★★★

[Search reviews](#)

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check-in	★★★★★
Cleanliness	★★★★★	Value	★★★★★



Everything was good until the end my friend put her purse up and left it there and they claim and deny finding it which contained her social and cards and id. What a good ending trip. I recommend to not leave anything and to double check people are thieves...



**Response from Brent:**  
I typically don't respond to reviews! You stayed 3 times in my listing and 2 other times in another listing under my umbrella. We checked high and low for something you claimed you left! You also called Airbnb to get them involved. We checked again! Where not responsible...

[Read more](#)

August 2019



Location is what this house is all about! Rides downtown were super cheap! What you see is what you get here, nothing fancy or homie. With a little more love, this place could be awesome! If you need a no frills, safe place to crash this is it! The instructions seem intense but...[Read more](#)



Great place great location tons of amenities and Brent was very quick to answer any questions right away excellent place



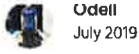
Great stay



The location is great. The space met our family's needs for a night. If you're traveling with kids the space does not included a dining table/chairs.



Great host, great place, great experience. Strongly recommended.



Odell  
July 2019

Personally, I would not want to ever deal with an impersonal host like Brent. His unit in Nashville off of Church street is a real shithole. Pictures of the unit must've been taken by a professional photographer or a professional photoshopper. If you are considering staying at...[Read more](#)



### Hosted by Brent



Nashville, TN · Joined in February 2016

★ 2545 Reviews

**Brent is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



#### Interaction with guests

We are on stand by to help guest with any of their needs while staying at our Loft!

Response rate: 100%

Response time: within an hour

Contact host

**Always communicate through Airbnb** · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

#### About this place

When you stay in an Airbnb, you're staying at someone's place.

This is Brent's place



Brent helps host



### The neighborhood

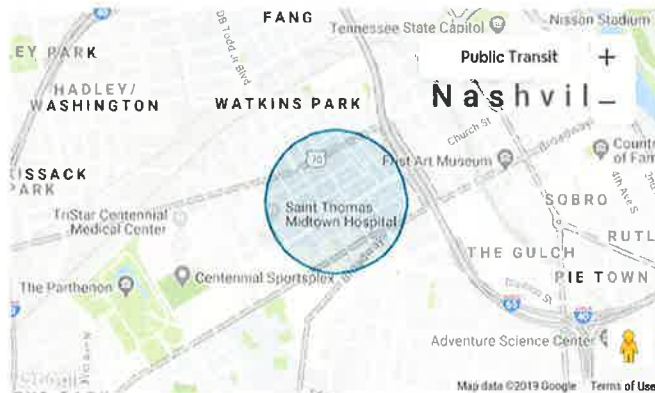
Brent's place is located in Nashville, Tennessee, United States.

This unit is in the heart of major attractions including all of the neighborhood and Broadway bars, live music venues, and restaurants!

#### Getting around

You can safely walk anywhere in Downtown or Midtown! Uber/lyft fares are less than \$8!

[Hide](#)



Exact location information is provided after a booking is confirmed.

### Things to keep in mind

Check-in: After 3PM  
Checkout: 11AM

#### House Rules

- No smoking
- No pets
- No parties or events

#### You must also acknowledge

- Must climb stairs

#### Additional Rules

Please be respectful of year round tenants, leasing office and our property! Enjoy yourself!  
Only 3 guest allowed at the pool per unit!

[Hide rules](#) ^

#### Cancellations

**Strict - Free cancellation for 48 hours**  
After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



[Get full details](#)

[Hide policies](#) ^

### More places to stay



ENTIRE BUNGALOW · NASHVILLE  
**1960's Downtown Bungalow 3 BR/ 1 BA Free Parking!**  
 \$150/night  
 ★★★★★ 562

ENTIRE HOUSE · NASHVILLE  
**Urban Art District Abode**  
 \$88/night  
 ★★★★★ 506

ENTIRE APARTMENT · NASHVILLE  
**Location! Music Row Gulch Downtown!**  
 \$125/night  
 ★★★★★ 443

### Things to do nearby



Matched property listing



COCKTAIL TASTING  
**Private Cocktail Experience At The Fox**  
From \$75/person  
4.96 ★ (104)



BAR CRAWL  
**Palm Reading & Day Drinking Bar Crawl**  
From \$55/person  
4.77 ★ (26)



GUIDED HIKE  
**Amazing Hike Just Minutes From Broadway**  
From \$18/person  
Try it first, get 25% off for a limited time



FOOD WALK  
**Music City walking food tour**  
From \$59/person  
4.85 ★ (182)

Explore other options in and around Nashville

More places to stay in Nashville: Apartments · Houses · Bed and breakfasts · Villas · Condominiums

Nashville  
Lynn  
Sodus  
Ripponlea  
Karben  
Lemna

Rudford  
Cilandak  
Lajeado  
Chinchilla  
Sint-Pieters-Leeuw  
Saint-Satur

Veckenstedt  
Saint-Girons  
Lavans-sur-Valouse  
Le Mimose  
Pujon  
Abbots Morton

Airbnb

Careers  
News  
Policies

Discover

Trust & Safety  
Travel Credit  
Gift Cards

Hosting

Why Host  
Hospitality  
Responsible Hosting



Terms  
Privacy

Rental Unit Record

# 1818 Church St, Nashville, TN, United States

Active   
Identified   
Compliant

PRINT

SEND A LETTER

### Listing(s) Information

Airbnb - 34058040

Airbnb - 18076629



### Matched Details

Analyst: CHN6

Explanation: Permit in listing images identifies address of rental.

### Listing Photos



### Matching 3rd Party Sources



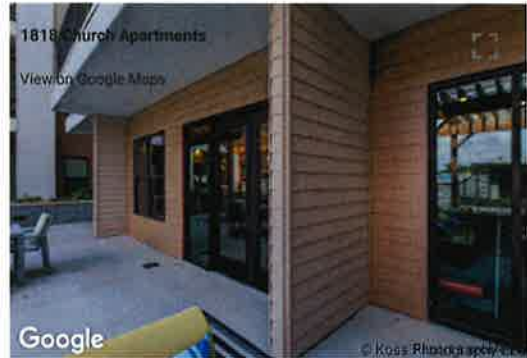
Permit in listing images identifies address of rental.

Zip Code Match

City Name Match

### Listing Details

### Rental Unit Information



### Identified Address

1818 Church St, Nashville, TN, United States

### Identified Unit Number

109

### Identified Latitude, Longitude

36.154660, -86.798807

### Parcel Number

09212029200

### Owner Name

1818, LLC

### Owner Address










421 CHURCH ST STE 200  
NASHVILLE, TN 37219, US

### Timeline of Activity

View the series of events and documentation pertaining to this property




















4 Documented Stays  
November, 2019

Listing URL	— <a href="https://www.airbnb.com/rooms/34058040">https://www.airbnb.com/rooms/34058040</a>
Listing Status	● Active
Host Compliance Listing ID	— air34058040
Listing Title	— Church St Vibes Lofts!!!
Property type	— Apartment
Room type	— Entire home/apt
Listing Info Last Captured	— Dec 01, 2019
Screenshot Last Captured	— Dec 01, 2019
Price	— \$65/night
Cleaning Fee	— \$50

-  6 Documented Stays  
October, 2019
-  Listing air34058040 Reposted  
October 11th, 2019
-  Listing air34058040 Removed  
October 11th, 2019
-  3 Documented Stays  
September, 2019
-  Listing air18076629 Removed  
August 28th, 2019
-  15 Documented Stays  
August, 2019
-  22 Documented Stays  
July, 2019
-  21 Documented Stays  
June, 2019
-  Listing air34058040 Identified  
June 7th, 2019

Information Provided on Listing

Contact Name	— Brent
Latitude, Longitude	— 36.154230, -86.798120
Minimum Stay (# of Nights)	— 1
Max Sleeping Capacity (# of People)	— 6
Max Number of People per Bedroom	— 6
Number of Reviews	— 56
Last Documented Stay	— 11/2019

-  First Warning - No STR Permit: Delivered  
June 7th, 2019 
-  20 Documented Stays  
May, 2019
-  First Warning - No STR Permit: Sent  
May 30th, 2019 
-  13 Documented Stays  
April, 2019
-  Listing air34058040 First Crawled  
April 24th, 2019
-  Listing air34058040 First Activity  
April 22nd, 2019
-  14 Documented Stays  
March, 2019
-  10 Documented Stays  
February, 2019
-  12 Documented Stays  
January, 2019
-  14 Documented Stays  
December, 2018
-  12 Documented Stays  
November, 2018
-  10 Documented Stays  
October, 2018
-  10 Documented Stays  
September, 2018
-  11 Documented Stays  
August, 2018
-  9 Documented Stays  
July, 2018
-  7 Documented Stays  
June, 2018
-  11 Documented Stays  
May, 2018

Listing Screenshot History





















 View Latest Listing Screenshot

October 4

November 7

December 1



-  12 Documented Stays  
April, 2018
-  Airbnb Letter: Delivered   
April 5th, 2018
-  Airbnb Letter: Sent   
March 29th, 2018
-  10 Documented Stays  
March, 2018
-  10 Documented Stays  
February, 2018
-  8 Documented Stays  
January, 2018
-  8 Documented Stays  
December, 2017
-  5 Documented Stays  
November, 2017
-  5 Documented Stays  
October, 2017
-  5 Documented Stays  
September, 2017
-  6 Documented Stays  
August, 2017
-  Listing air18076629 Identified  
August 22nd, 2017
-  12 Documented Stays  
July, 2017
-  9 Documented Stays  
June, 2017
-  7 Documented Stays  
May, 2017
-  2 Documented Stays  
April, 2017
-  Listing air18076629 First Crawled  
April 8th, 2017
-  Listing air18076629 First Activity  
April 5th, 2017

December 01, 2019 - 02:37PM America/Chicago



Search

English (US)

\$ USD

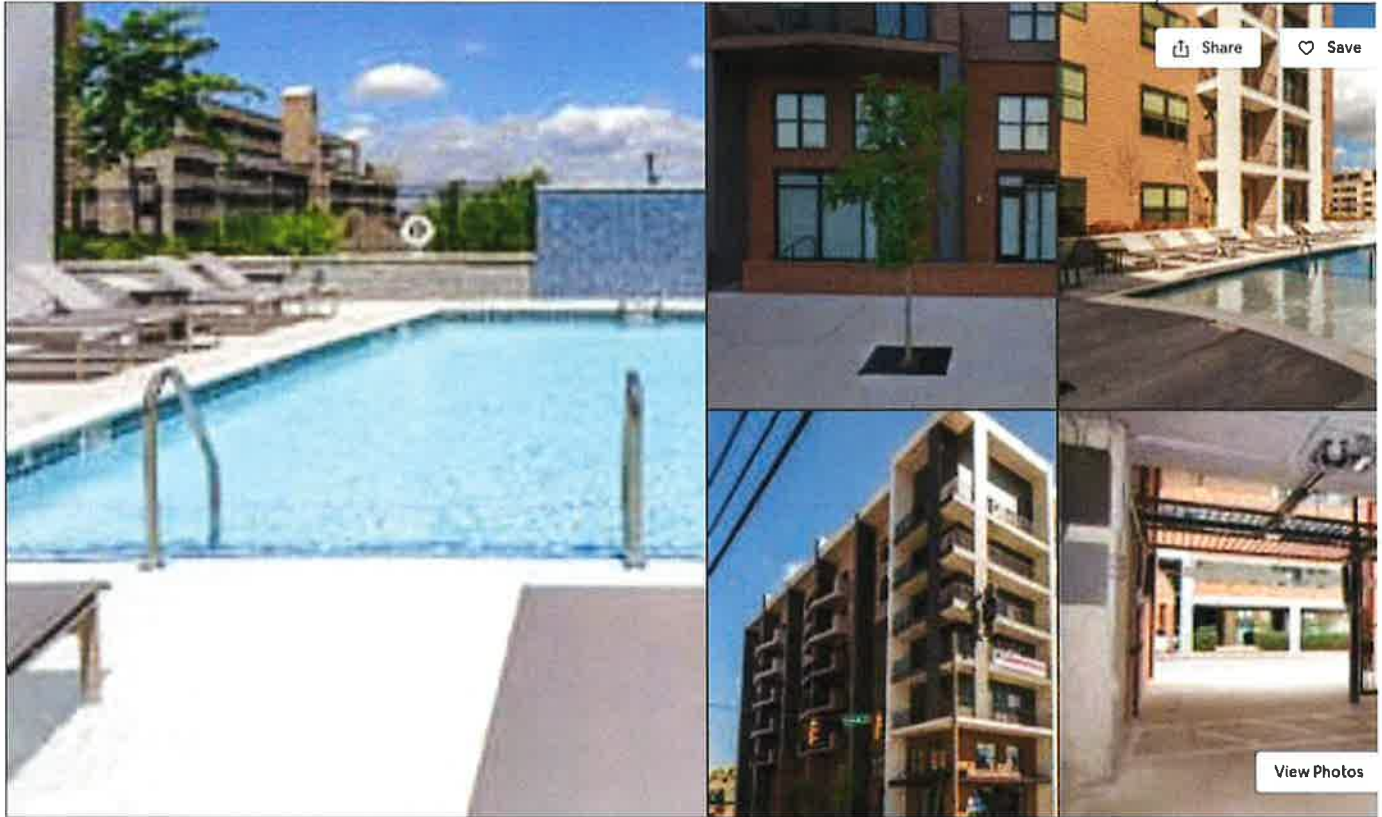
Become a host

Help

Sign up

Log

Dec 1, 2019 2:37pm CT



Share

Save

View Photos

# Church St Vibes Lofts!!!

Nashville



Brent

\$49 per night

★ 4.80 (56 reviews)

6 guests 1 bedroom 4 beds 1.5 baths

### Entire home

You'll have the apartment to yourself.

### Sparkling clean

8 recent guests said this place was sparkling clean.

### Brent is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

### Dates

12/02/2019

→ Checkout

### Guests

1 guest



**Reserve**

You won't be charged yet

Report this listing

Music themed industrial style loft with everything your heart desires! Located in the heart of Midtown and only blocks to Downtown! From here you'll have a super easy access to Broadway, Midtown, Gulch, Music Row and more! Luxurious style loft with 25ft ceilings! Includes a private sidewalk patio entrance, awesome game room, and fitness center. I'll send you the best recommendations and "to-do's" from a Nashville local! We will make sure you have the best time in Music City!

### The space

Unique City style loft with 25 ft ceilings and a private patio entrance from the street. In the heart of midtown and only 14 blocks to lower Broadway! \$5-8 Uber fare to anywhere in the City! Walk to Music row/Midtown where all the local hangouts and attractions are located! We are convenient to everything including the Gulch, Centennial Park, Music Row, Broadway, Bridgestone, and the Titans Stadium!

### Other things to note

Only 3 guest allowed at the pool per unit!

Hide ^

Contact host



## Amenities

### Basic

#### Wifi

Continuous access in the listing

#### Iron

#### TV

#### Dryer

In the building, free or for a fee

#### Washer

In the building, free or for a fee

### Essentials

Towels, bed sheets, soap, and toilet paper

#### Heating

Central heating or a heater in the listing

#### Air conditioning

#### Hot water

### Facilities

#### Elevator

The home or building has an elevator that's at least 52 inches deep and a doorway at least 32 inches wide.

#### Free parking on premises

#### Gym

Free, in the building or nearby

#### Free street parking

### Dining

#### Kitchen

Space where guests can cook their own meals

#### Coffee maker

#### Dishes and silverware

#### Dishwasher

#### Microwave

Refrigerator

Oven

Stove

**Guest access**

Private entrance

Separate street or building entrance

**Bed and bath**

Hangers

Hair dryer

Shampoo

Bed linens

Extra pillows and blankets

**Outdoor**

Patio or balcony

**Safety features**

Fire extinguisher

Smoke detector

**Not included**

Carbon monoxide detector

The host hasn't reported a carbon monoxide detector on the property.

**Sleeping arrangements**



**Bedroom 1**  
2 queen beds



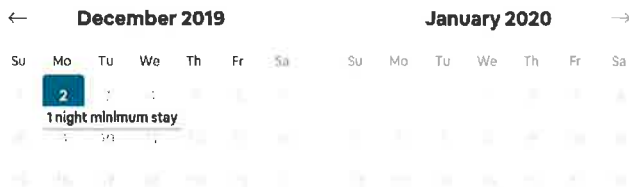
**Common spaces**  
1 queen bed, 1 sofa bed

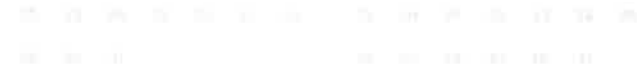
**Accessibility**

Elevator

**Availability**

1 night minimum stay

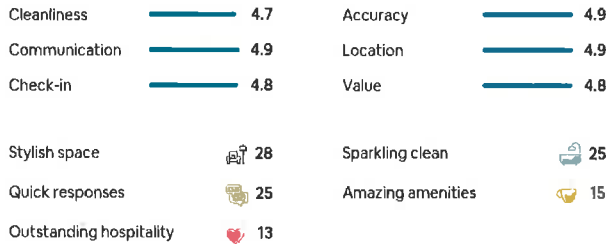




Clear dates

### Reviews

★ 4.80 56 reviews



Search reviews



**John**  
November 2019

Great location and the beds were extremely comfortable.



**Carlie**  
November 2019

Really great place to stay for a girls trip or weekend getaway with friends. Make sure to bring ear plugs, traffic and noise can easily be heard.



**Katie**  
November 2019

Of all the places we've stayed, this was one of my favorite rentals. Mainly because we didn't feel like we were on top of each other. The loft area made it feel very spacious and having the half bath was nice so we could all get ready at the same time. Great location. We...[Read more](#)



**Kennedy**  
November 2019

Overall the place was great. A quick 5 minutes to Broadway and a good location.



**Brian**  
October 2019

Great place to stay



**Johnny**  
October 2019

This was an awesome place! The space was clean and open! It had everything that we needed and it was close to Broadway! Would totally stay here again for future travels!



**Paige**  
October 2019

Very nice and clean place to stay! This loft is very roomy allowing the space you need. A short Uber ride to downtown. Brent was very easy to contact and replied within Minutes's!



### Hosted by Brent

Nashville, TN · Joined in February 2016



★ 2763 Reviews   ✨ Verified

**Brent is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



#### Interaction with guests

Guests can reach us anytime! We are just a message or Phone call away!

Response rate: 100%

Response time: within an hour

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

#### About this place

When you stay in an Airbnb, you're staying at someone's place.

This is Brent's place



Brent helps host.



### The neighborhood

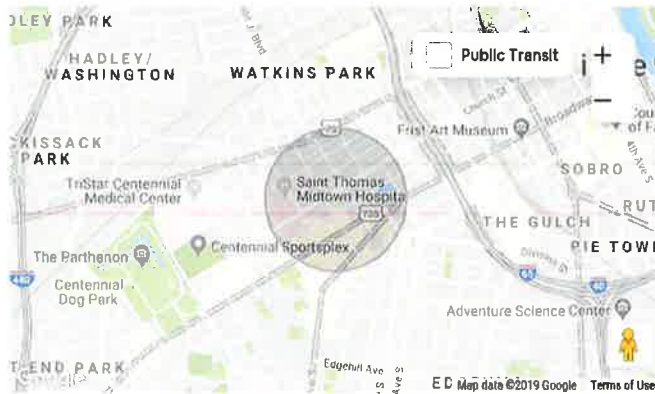
Brent's place is located in Nashville, Tennessee, United States.

Located 4 blocks to Midtown/Music row attractions and hangouts. \$5-8 Uber to anywhere in the City.

#### Getting around

Walk pretty much anywhere or take an uber to pretty much anywhere in the city for less than \$10!

Hide ^



Exact location information is provided after a booking is confirmed.

### Things to keep in mind

Check-in: After 3PM

Checkout: 11AM

#### House Rules

No smoking

No pets

No parties or events

Additional Rules

Only 3 guest allowed at the pool per unit!

Hide rules ^

Cancellations

Free cancellation for 48 hours

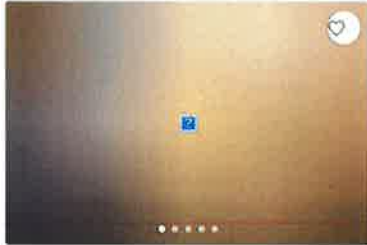
After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



Get full details

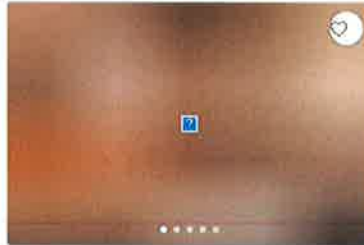
Hide policies ^

More homes you may like



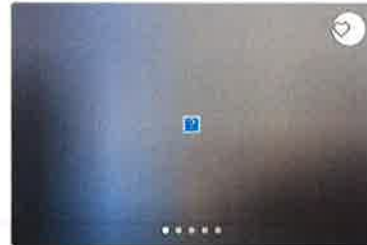
Hotel room - 3 beds  
Downtown Industrial Studio #1  
\$158 / night

★ 4.76 (165)



Entire loft - 4 beds  
Live Like a Downtown Local 1 Block to...  
\$130 / night

★ 4.79 (145)



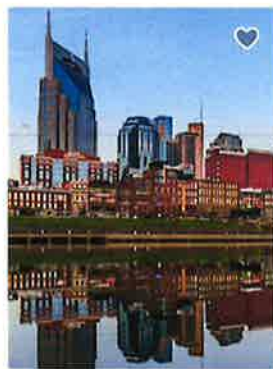
Hotel room - 4 beds  
Downtown Industrial Studio #2  
\$158 / night

★ 4.83 (58)

Things to do near this home



WELLNESS CLASS  
Romantic Tantra Workshop for Couples  
From \$60/person  
5.0 ★ (5)



CAR RIDE  
Hunter's Celebrity Home Tours  
From \$125/person  
5.0 ★ (2)



FOOD WALK  
Historic area food tour  
From \$59/person  
4.86 ★ (129)



WORKSHOP  
What's Your Word? Bracelet Making  
From \$30/person  
4.78 ★ (41)

Explore other options in and around Nashville

More places to stay in Nashville: Houses - Bed and breakfasts - Lofts - Villas - Condominiums

Nashville

Peclara

Rovini

Majfa  
Argilly  
Cesar Chavez  
Rock Springs  
Rickenbach SZ

Kandana  
Gran Alacant  
Cooperstown  
Beringe  
Lagos

Erding  
Trinity  
Columbus  
Bylderup  
Alpine



**METROPOLITAN BOARD OF ZONING APPEALS**

**CASE #2020-014**

**1818 CHURCH STREET, UNITS 102 & 109**

**INDEX**

TAX CHECKS PAID TO METRO COLLECTIONS OFFICE ..... 1

BOOKING INFO & PERMIT FOR 1818 CHURCH UNIT 106 ..... 3

BOOKING INFO FOR 1818 CHURCH, UNIT 109..... 4


ZONING APPEAL APPLICATION, WITH METRO FILE .. .....5

DISMISSED GENERAL SESSIONS WARRANT – UNIT 102..... 29

DISMISSED GENERAL SESSIONS WARRANT – UNIT 109..... 31

SUBPOENAS TO BANK OF AMERICA ..... 33


BANK OF AMERICA NOTARY LOG ..... 35


124  
87-2/640 TN  
29

Date 6/1/19

Pay To The Order Of Metro Collections Office \$ 2,405.87  
Gas Shared For Fuel Tax \$ 87/100 Dollars


**Bank of America**  
 ACH R/T 064000020  
 For Delety/18/18 HomeTap


156  
87-2/640 TN  
29

Date 7/1/19

Pay To The Order Of Metro Collections Office \$ 2197.72  
Gas Shared On Fuel Tax \$ 72/100 Dollars


**Bank of America**  
 ACH R/T 064000020  
 For STR Tax 101 102 103 104 105 106 109 111



314  
87-2/640 TN  
1837

Date 8/1/19

Pay To The Order Of Metro Collections Office \$ 1939.87  
Gas Shared For Fuel Tax \$ 87/100 Dollars

**Bank of America**  
 ACH R/T 064000020  
 For 1818-101 102 103 104 105 106 109 111




**321**  
 87-2/640 TN  
 1837

9/11/19      Date


Pay To The Order Of: Metro Collectors Office      \$ 1909.32


Under Paid A/c to 32/100 2      Dollars

**Bank of America**

ACH R/T 064000020

For Pd. 10/18/18      106 105 104 106 111





Standard Check Copy - Not valid for cashing

Photo Safe Deposit Details on back

# 1818 #106 · Church St Vibes Lofts!!!

View calendar

Preview listing

Change listing

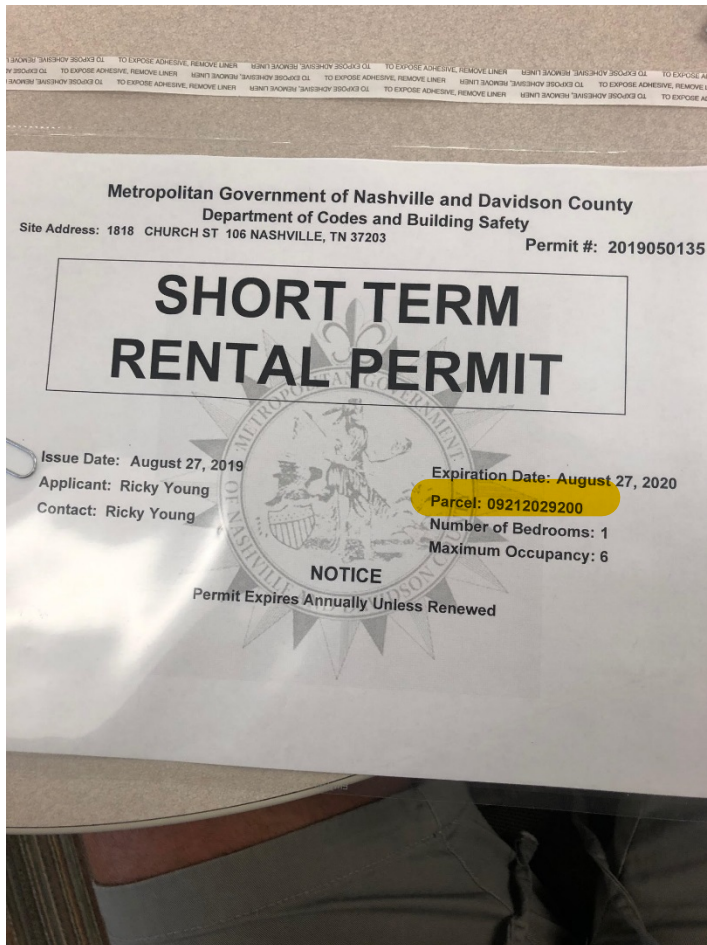
Listing details **Booking settings** Pricing Availability Local taxes and laws Co-hosts

### To do

**Update areas guests can use**

Sometimes guests aren't sure which rooms and outdoor spaces are for them. Now you can clarify which areas are shared.

Update rooms and sharing



Completed Payouts Upcoming Payouts Gross Earnings

All Payout Methods ▼ GOOD VIBES LOFT! Available for 30 days or l ▼

From: August ▼ 2019 ▼ To: January ▼ 2020 ▼

Paid Out: \$5,295.37

Download CSV

<p><b>Jan 6, 2020</b> PROCESSING 1 OF 2 TRANSACTIONS</p> <p>Total Payout: \$193.60 Geoffrey Arnold, Jan 5, 2020 - Feb 7, 2020 .....7232 (USD)</p>	\$164.02 <span>▼</span>
<p><b>Jan 6, 2020</b> PROCESSING 1 OF 2 TRANSACTIONS</p> <p>Total Payout: \$1,742.43 Geoffrey Arnold, Jan 5, 2020 - Feb 7, 2020 .....1639 (USD)</p>	\$1,476.16 <span>▼</span>
<p><b>Aug 27, 2019</b> 1 OF 2 TRANSACTIONS</p> <p>Total Payout: \$37.82</p>	\$17.94 <span>▼</span>

### 1818 #109 · GOOD VIBES LOFT! Available for 30 days or longer

Change listing ▼

View calendar Preview listing

Listing details Booking settings Pricing Availability Local taxes and laws Co-hosts

To do

**Does your place have a coffee maker?** ✕

Some of your guests have indicated that your place has this amenity. If it does, we'll automatically add it to your listing's amenities.



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Ricky Young Date: 12-2-19  
Property Owner: Ricky Young Case #: 2020- 014  
Representative: Ricky Young Map & Parcel: 09212029200  
Council District: 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 1818 Church St. #102 & #109

This property is in the MUI-A Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the Zoning Administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

Section: 17.16.070 U

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is hereby requested in the above requirement as applied to this property.

Appellant Name: Ricky Young Representative: Same  
Phone Number: 803 917-6729 Phone Number: \_\_\_\_\_  
Address: 612 Cantrell Address: \_\_\_\_\_  
Nashville, TN 37215  
Email address: rickyyoungmusic@gmail.com Email address: \_\_\_\_\_

Appeal Fee: \$100.00

P.D.F.



Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210



**ZONING BOARD APPEAL / CAAZ - 20190073205**  
**Inspection Checklist for Use and Occupancy**  
**This is not a Use and Occupancy Notification**

**PARCEL:** 09212029200

**APPLICATION DATE:** 12/02/2019

**SITE ADDRESS:**

1818 CHURCH ST 102 NASHVILLE, TN 37203  
LOTS 176 -179 BOYD HOME TRACT

**PARCEL OWNER:** 1818, LLC

**CONTRACTOR:**

**APPLICANT:**

**PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the issued STRP permit expired.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

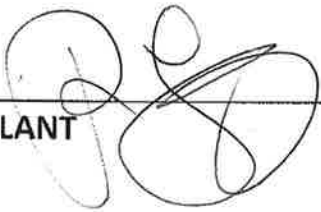
Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.

\_\_\_\_\_  
APPELLANT



\_\_\_\_\_  
DATE

12-2-19



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS  
METRO OFFICE BUILDING-- 3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS  
POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
www.nashville.gov/codes

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

12-2-19

Rental Unit Record

# 1818 Church St, Nashville, TN 37203, USA

Removed ✕  
Identified ✓  
Compliant ✓

PRINT

SEND A LETTER

### Listing(s) Information

Airbnb - 18076337



### Rental Unit Information



#### Identified Address

1818 Church St, Nashville, TN 37203, USA

#### Identified Unit Number

102

#### Identified Latitude, Longitude

36.154640, -86.798748

#### Parcel Number

09212029200

#### Owner Name

1818, LLC

#### Owner Address

421 CHURCH ST STE 200  
NASHVILLE, TN 37219, US

### Matched Details

**Analyst** CDZT

#### Explanation

The apartment is located in the "1818 Church Apartments" building. <http://www.takemeto1818church.com/> Exterior matches in street view. Aerial view still shows the old buildings. The copy of the permit on the listing shows the APN. <http://prntscr.com/galbkd> The Nashville records and map confirm the location and address and show APN 09212029200. <http://prntscr.com/g6ja6t>

#### Listing Photos



Same exterior.

#### Matching 3rd Party Sources



### Timeline of Activity

View the series of events and documentation pertaining to this property

Zip Code Match

City Name Match

✕ Listing air18076337 Removed  
August 28th, 2019


Listing Details

Listing URL	- https://www.airbnb.com/rooms/18076337
Listing Status	● Inactive
Host Compliance Listing ID	- air18076337
Listing Title	- UNIQUE OPEN-LOFT DOWNTOWN! FREE PARKING!!
Property type	- Loft
Room type	- Entire home/apt
Listing Info Last Captured	- Aug 25, 2019
Screenshot Last Captured	- Aug 26, 2019
Price	- \$65/night
Cleaning Fee	- \$49

Information Provided on Listing

Contact Name	- Brent
Latitude, Longitude	- 36.156036, -86.796881
Minimum Stay (# of Nights)	- 1
Max Sleeping Capacity (# of People)	- 6
Max Number of People per Bedroom	- 6
Number of Reviews	- 244
Last Documented Stay	- 08/2019



























Listing Screenshot History

 [View Latest Listing Screenshot](#)

October 

November 

December 

-  3 Documented Stays  
August, 2019
-  10 Documented Stays  
July, 2019
-  6 Documented Stays  
June, 2019
-  8 Documented Stays  
May, 2019
-  10 Documented Stays  
April, 2019
-  11 Documented Stays  
March, 2019
-  11 Documented Stays  
February, 2019
-  13 Documented Stays  
January, 2019
-  14 Documented Stays  
December, 2018
-  11 Documented Stays  
November, 2018
-  14 Documented Stays  
October, 2018
-  5 Documented Stays  
September, 2018
-  12 Documented Stays  
August, 2018
-  7 Documented Stays  
July, 2018
-  4 Documented Stays  
June, 2018
-  9 Documented Stays  
May, 2018
-  6 Documented Stays  
April, 2018
-  9 Documented Stays  
March, 2018
-  8 Documented Stays  
February, 2018
-  13 Documented Stays  
January, 2018
-  Listing air18076337 Reposted  
January 31st, 2018
-  Listing air18076337 Removed  
January 31st, 2018
-  6 Documented Stays  
December, 2017
-  4 Documented Stays  
November, 2017
-  6 Documented Stays  
October, 2017
-  8 Documented Stays  
September, 2017

Case #2020-014\_000010

- 📅 11 Documented Stays  
August, 2017
- ✓ Listing air18076337 Identified  
August 22nd, 2017
- 📅 9 Documented Stays  
July, 2017
- 📅 8 Documented Stays  
June, 2017
- 📅 6 Documented Stays  
May, 2017
- 📅 2 Documented Stays  
April, 2017
- ✳ Listing air18076337 First Crawled  
April 8th, 2017
- Listing air18076337 First Activity  
April 7th, 2017

August 26, 2019 - 05:45AM America/Chicago



Search

Become a host Help Sign up Log

Aug 26, 2019 6:45am CT



# UNIQUE OPEN-LOFT DOWNTOWN! FREE PARKING!!

Nashville



\$65 per night  
★★★★★ 244

Entire loft  
6 guests 1 bedroom 4 beds 1.5 baths

Great location  
90% of recent guests gave the location a 5-star rating.

Sparkling clean  
8 recent guests said this place was sparkling clean.

Brent is a Superhost  
Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

Dates  
08/27/2019 → Checkout

Guests  
1 guest

Reserve

You won't be charged yet

Report this listing

Stunning modern city style loft with 25ft ceilings & is located in the heart of MIDTOWN & only blocks to DOWNTOWN! Easy access to all area attractions such as the Gulch, Broadway, Midtown, Music Row, and more. Very close to all the bars, honky tonks and the music city's best Attractions!! Enjoy our luxury amenities including grilling area, lounge and game room! Private sidewalk level entrance. Safe walk and inexpensive Uber/Taxi anywhere! I'll send over the best recommendations!

### The space

City View and Unique Style City Loft!!  
Close to all the attractions that Midtown, Downtown and Music Row have to offer while being conveniently located to everything in this amazing Music City!!  
Permit # (Phone number hidden by Airbnb)

### Guest access

Free parking, Free wifi, Grilling Area, Internet Lounge!

Hide ^

Contact host

Case #2020-014\_000012



## Amenities

### Basic

#### Wifi

Continuous access in the listing

#### Cable TV

#### Iron

#### TV

#### Dryer

In the building, free or for a fee

#### Washer

In the building, free or for a fee

#### Essentials

Towels, bed sheets, soap, and toilet paper

#### Heating

Central heating or a heater in the listing

#### Air conditioning

#### Hot water

### Facilities

#### Elevator

The home or building has an elevator that's at least 52 inches deep and a doorway at least 32 inches wide.

#### Free parking on premises

#### Gym

Free, in the building or nearby

#### Free street parking

### Dining

#### Kitchen

Space where guests can cook their own meals

#### Coffee maker

#### Cooking basics

Pots and pans, oil, salt and pepper

#### Dishes and silverware

Dishwasher

Microwave

Refrigerator

Oven

Stove

**Guest access**

Private entrance

Separate street or building entrance

**Bed and bath**

Hangers

Hair dryer

Shampoo

Bed linens

Extra pillows and blankets

**Outdoor**

BBQ grill

Patio or balcony

**Safety features**

Fire extinguisher

Smoke detector

**Not included**

Carbon monoxide detector

The host hasn't reported a carbon monoxide detector on the property.

**Sleeping arrangements**



**Bedroom 1**  
1 queen bed, 1  
single bed



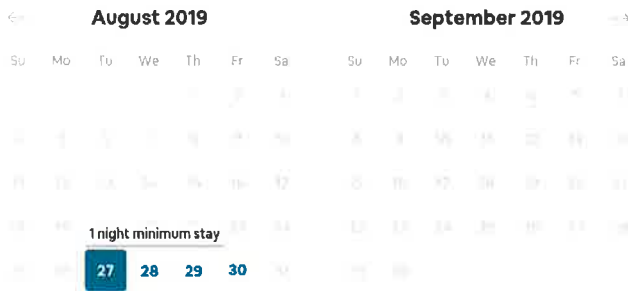
**Common spaces**  
1 single bed, 1 sofa  
bed

**Accessibility**

Elevator

**Availability**

1 night minimum stay



[Clear dates](#)


**244 Reviews** ★★★★★

[Search reviews](#)

Accuracy	★★★★★	Location	★★★★★
Communication	★★★★★	Check-in	★★★★★
Cleanliness	★★★★★	Value	★★★★★

 **Kedralna**  
August 2019

Everything was good until the end my friend put her purse up and left it there and they claim and deny finding it which contained her social and cards and id. What a good ending trip. I recommend to not leave anything and to double check people are thieves...

 **Response from Brent:**  
I typically don't respond to reviews! You stayed 3 times in my listing and 2 other times in another listing under my umbrella. We checked high and low for something you claimed you left! You also called Airbnb to get them involved. We checked again! Where not responsible...  
[Read more](#)  
August 2019

 **Ciera**  
August 2019

Location is what this house is all about! Rides downtown were super cheap! What you see is what you get here, nothing fancy or homie. With a little more love, this place could be awesome! If you need a no frills, safe place to crash this is it! The instructions seem intense but...[Read more](#)

 **Anthony**  
August 2019

Great place great location tons of amenities and Brent was very quick to answer any questions right away excellent place

 **Molly**  
July 2019

Great stay

 **Danielle**  
July 2019

The location is great. The space met our family's needs for a night. If you're traveling with kids the space does not included a dining table/chairs.

 **Josh**  
July 2019

Great host, great place, great experience. Strongly recommended.





Odell  
July 2019

Personally, I would not want to ever deal with an impersonal host like Brent. His unit in Nashville off of Church street is a real shithole. Pictures of the unit must've been taken by a professional photographer or a professional photoshopper. If you are considering staying at...[Read more](#)



### Hosted by Brent



Nashville, TN · Joined in February 2016

★ 2545 Reviews

**Brent is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



#### Interaction with guests

We are on stand by to help guest with any of their needs while staying at our Loft!

Response rate: 100%

Response time: within an hour

Contact host

**Always communicate through Airbnb** · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

#### About this place

When you stay in an Airbnb, you're staying at someone's place.

This is Brent's place



Brent helps host



### The neighborhood

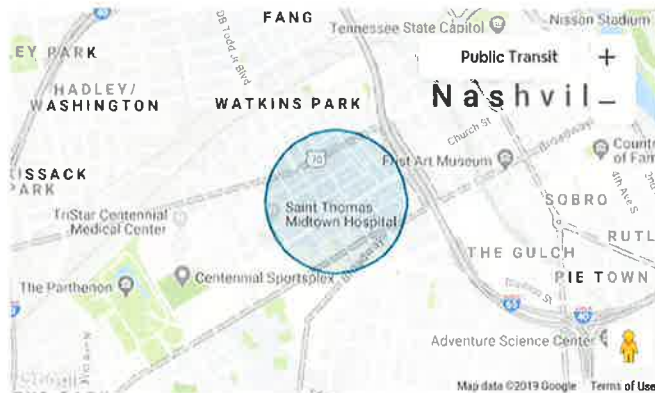
Brent's place is located in Nashville, Tennessee, United States.

This unit is in the heart of major attractions including all of the neighborhood and Broadway bars, live music venues, and restaurants!

#### Getting around

You can safely walk anywhere in Downtown or Midtown! Uber/lyft fares are less than \$8!

[Hide](#)



Exact location information is provided after a booking is confirmed.

### Things to keep in mind

Check-in: After 3PM  
Checkout: 11AM

#### House Rules

- No smoking
- No pets
- No parties or events

#### You must also acknowledge

- Must climb stairs

#### Additional Rules

Please be respectful of year round tenants, leasing office and our property! Enjoy yourself!  
Only 3 guest allowed at the pool per unit!

[Hide rules](#) ^

#### Cancellations

**Strict · Free cancellation for 48 hours**  
After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



[Get full details](#)

[Hide policies](#) ^

### More places to stay



ENTIRE BUNGALOW · NASHVILLE  
**1960's Downtown Bungalow 3 BR/ 1 BA Free Parking!**  
 \$150/night  
 ★★★★★ 562

ENTIRE HOUSE · NASHVILLE  
**Urban Art District Abode**  
 \$88/night  
 ★★★★★ 506

ENTIRE APARTMENT · NASHVILLE  
**Location! Music Row Gulch Downtown!**  
 \$125/night  
 ★★★★★ 443

### Things to do nearby



Matched property listing



**COCKTAIL TASTING**  
**Private Cocktail Experience At The Fox**  
From \$75/person  
4.96 ★ (104)



**BAR CRAWL**  
**Palm Reading & Day Drinking Bar Crawl**  
From \$55/person  
4.77 ★ (26)



**GUIDED HIKE**  
**Amazing Hike Just Minutes From Broadway**  
From \$18/person  
Try it first, get 25% off for a limited time



**FOOD WALK**  
**Music City walking food tour**  
From \$59/person  
4.85 ★ (182)

**Explore other options in and around Nashville**

More places to stay in Nashville: Apartments · Houses · Bed and breakfasts · Villas · Condominiums

Nashville  
Lynn  
Sodus  
Ripponlea  
Karben  
Lemna

Rudford  
Cilandak  
Lajeado  
Chinchilla  
Sint-Pieters-Leeuw  
Saint-Satur

Veckenstedt  
Saint-Girons  
Lavans-sur-Valouse  
Le Mimose  
Pujon  
Abbots Morton

**Airbnb**

Careers  
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Policies

**Discover**

Trust & Safety  
Travel Credit  
Gift Cards

**Hosting**

Why Host  
Hospitality  
Responsible Hosting



Terms  
Privacy

Rental Unit Record

# 1818 Church St, Nashville, TN, United States

Active   
Identified   
Compliant

PRINT

SEND A LETTER

## Listing(s) Information

Airbnb - 34058040

Airbnb - 18076629



## Matched Details

Analyst: CHN6

Explanation: Permit in listing images identifies address of rental.

### Listing Photos



### Matching 3rd Party Sources



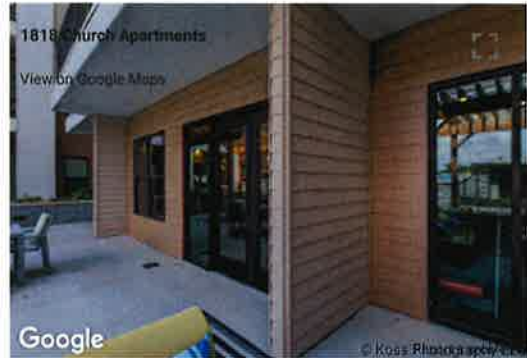
Permit in listing images identifies address of rental.

Zip Code Match

City Name Match

## Listing Details

## Rental Unit Information



### Identified Address

1818 Church St, Nashville, TN, United States

### Identified Unit Number

109

### Identified Latitude, Longitude

36.154660, -86.798807

### Parcel Number

09212029200

### Owner Name

1818, LLC

### Owner Address










421 CHURCH ST STE 200  
NASHVILLE, TN 37219, US

### Timeline of Activity

View the series of events and documentation pertaining to this property




















4 Documented Stays  
November, 2019

Listing URL	— <a href="https://www.airbnb.com/rooms/34058040">https://www.airbnb.com/rooms/34058040</a>
Listing Status	● Active
Host Compliance Listing ID	— air34058040
Listing Title	— Church St Vibes Lofts!!!
Property type	— Apartment
Room type	— Entire home/apt
Listing Info Last Captured	— Dec 01, 2019
Screenshot Last Captured	— Dec 01, 2019
Price	— \$65/night
Cleaning Fee	— \$50

-  6 Documented Stays  
October, 2019
-  Listing air34058040 Reposted  
October 11th, 2019
-  Listing air34058040 Removed  
October 11th, 2019
-  3 Documented Stays  
September, 2019
-  Listing air18076629 Removed  
August 28th, 2019
-  15 Documented Stays  
August, 2019
-  22 Documented Stays  
July, 2019
-  21 Documented Stays  
June, 2019
-  Listing air34058040 Identified  
June 7th, 2019

Information Provided on Listing

Contact Name	— Brent
Latitude, Longitude	— 36.154230, -86.798120
Minimum Stay (# of Nights)	— 1
Max Sleeping Capacity (# of People)	— 6
Max Number of People per Bedroom	— 6
Number of Reviews	— 56
Last Documented Stay	— 11/2019

-  First Warning - No STR Permit: Delivered  
June 7th, 2019 
-  20 Documented Stays  
May, 2019
-  First Warning - No STR Permit: Sent  
May 30th, 2019 
-  13 Documented Stays  
April, 2019
-  Listing air34058040 First Crawled  
April 24th, 2019
-  Listing air34058040 First Activity  
April 22nd, 2019
-  14 Documented Stays  
March, 2019
-  10 Documented Stays  
February, 2019
-  12 Documented Stays  
January, 2019
-  14 Documented Stays  
December, 2018
-  12 Documented Stays  
November, 2018
-  10 Documented Stays  
October, 2018
-  10 Documented Stays  
September, 2018
-  11 Documented Stays  
August, 2018
-  9 Documented Stays  
July, 2018
-  7 Documented Stays  
June, 2018
-  11 Documented Stays  
May, 2018





















Listing Screenshot History

 View Latest Listing Screenshot

October 4

November 7

December 1

-  12 Documented Stays  
April, 2018
-  Airbnb Letter: Delivered   
April 5th, 2018
-  Airbnb Letter: Sent   
March 29th, 2018
-  10 Documented Stays  
March, 2018
-  10 Documented Stays  
February, 2018
-  8 Documented Stays  
January, 2018
-  8 Documented Stays  
December, 2017
-  5 Documented Stays  
November, 2017
-  5 Documented Stays  
October, 2017
-  5 Documented Stays  
September, 2017
-  6 Documented Stays  
August, 2017
-  Listing air18076629 Identified  
August 22nd, 2017
-  12 Documented Stays  
July, 2017
-  9 Documented Stays  
June, 2017
-  7 Documented Stays  
May, 2017
-  2 Documented Stays  
April, 2017
-  Listing air18076629 First Crawled  
April 8th, 2017
-  Listing air18076629 First Activity  
April 5th, 2017

December 01, 2019 - 02:37PM America/Chicago



Search

English (US)

\$ USD

Become a host

Help

Sign up

Log

Dec 1, 2019 2:37pm CT



Share

Save

View Photos

# Church St Vibes Lofts!!!

Nashville



Brent

\$49 per night

★ 4.80 (56 reviews)

6 guests 1 bedroom 4 beds 1.5 baths

### Entire home

You'll have the apartment to yourself.

### Sparkling clean

8 recent guests said this place was sparkling clean.

### Brent is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

### Dates

12/02/2019

→ Checkout

### Guests

1 guest



**Reserve**

You won't be charged yet

Report this listing

Music themed industrial style loft with everything your heart desires! Located in the heart of Midtown and only blocks to Downtown! From here you'll have a super easy access to Broadway, Midtown, Gulch, Music Row and more! Luxurious style loft with 25ft ceilings! Includes a private sidewalk patio entrance, awesome game room, and fitness center. I'll send you the best recommendations and "to-do's" from a Nashville local! We will make sure you have the best time in Music City!

### The space

Unique City style loft with 25 ft ceilings and a private patio entrance from the street. In the heart of midtown and only 14 blocks to lower Broadway! \$5-8 Uber fare to anywhere in the City! Walk to Music row/Midtown where all the local hangouts and attractions are located! We are convenient to everything including the Gulch, Centennial Park, Music Row, Broadway, Bridgestone, and the Titans Stadium!

### Other things to note

Only 3 guest allowed at the pool per unit!

Hide ^

Contact host

Case #2020-014\_000022



## Amenities

### Basic

#### Wifi

Continuous access in the listing

#### Iron

#### TV

#### Dryer

In the building, free or for a fee

#### Washer

In the building, free or for a fee

#### Essentials

Towels, bed sheets, soap, and toilet paper

#### Heating

Central heating or a heater in the listing

#### Air conditioning

#### Hot water

### Facilities

#### Elevator

The home or building has an elevator that's at least 52 inches deep and a doorway at least 32 inches wide.

#### Free parking on premises

#### Gym

Free, in the building or nearby

#### Free street parking

### Dining

#### Kitchen

Space where guests can cook their own meals

#### Coffee maker

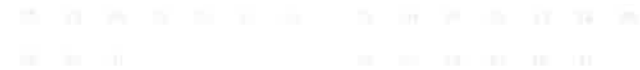
#### Dishes and silverware

#### Dishwasher

#### Microwave







Clear dates

### Reviews

★ 4.80 56 reviews



- Stylish space 28
- Sparkling clean 25
- Quick responses 25
- Amazing amenities 15
- Outstanding hospitality 13

Search reviews

**John**  
November 2019

Great location and the beds were extremely comfortable.

**Carlie**  
November 2019

Really great place to stay for a girls trip or weekend getaway with friends. Make sure to bring ear plugs, traffic and noise can easily be heard.

**Katie**  
November 2019

Of all the places we've stayed, this was one of my favorite rentals. Mainly because we didn't feel like we were on top of each other. The loft area made it feel very spacious and having the half bath was nice so we could all get ready at the same time. Great location. We...[Read more](#)

**Kennedy**  
November 2019

Overall the place was great. A quick 5 minutes to Broadway and a good location.

**Brian**  
October 2019

Great place to stay

**Johnny**  
October 2019

This was an awesome place! The space was clean and open! It had everything that we needed and it was close to Broadway! Would totally stay here again for future travels!

**Paige**  
October 2019

Very nice and clean place to stay! This loft is very roomy allowing the space you need. A short Uber ride to downtown. Brent was very easy to contact and replied within Minutes's!



### Hosted by Brent

Nashville, TN · Joined in February 2016



★ 2763 Reviews   ✨ Verified

**Brent is a Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



#### Interaction with guests

Guests can reach us anytime! We are just a message or Phone call away!

Response rate: 100%

Response time: within an hour

Contact host

Always communicate through Airbnb · To protect your payment, never transfer money or communicate outside of the Airbnb website or app. [Learn more](#)

#### About this place

When you stay in an Airbnb, you're staying at someone's place.

This is Brent's place



Brent helps host.



### The neighborhood

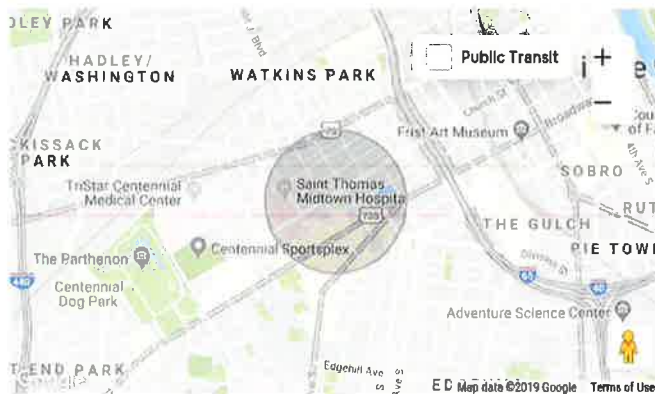
Brent's place is located in Nashville, Tennessee, United States.

Located 4 blocks to Midtown/Music row attractions and hangouts. \$5-8 Uber to anywhere in the City.

#### Getting around

Walk pretty much anywhere or take an uber to pretty much anywhere in the city for less than \$10!

Hide ^



Exact location information is provided after a booking is confirmed.

### Things to keep in mind

Check-in: After 3PM

Checkout: 11AM

#### House Rules

No smoking

No pets

No parties or events

Additional Rules

Only 3 guest allowed at the pool per unit!

Hide rules

Cancellations

Free cancellation for 48 hours

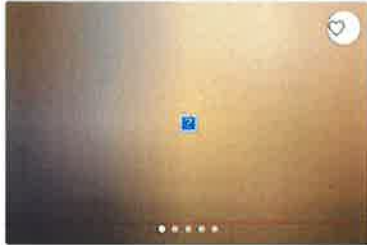
After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.



Get full details

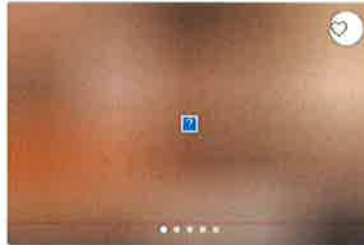
Hide policies

More homes you may like



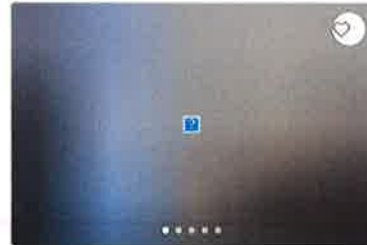
Hotel room - 3 beds  
Downtown Industrial Studio #1  
\$158 / night

★ 4.76 (165)



Entire loft - 4 beds  
Live Like a Downtown Local 1 Block to...  
\$130 / night

★ 4.79 (145)



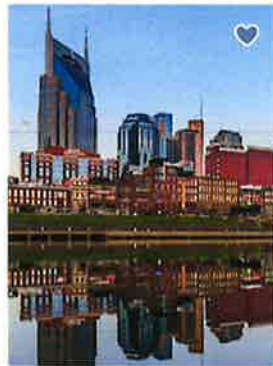
Hotel room - 4 beds  
Downtown Industrial Studio #2  
\$158 / night

★ 4.83 (58)

Things to do near this home



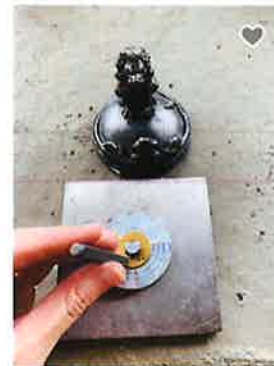
WELLNESS CLASS  
Romantic Tantra Workshop for Couples  
From \$60/person  
5.0★ (5)



CAR RIDE  
Hunter's Celebrity Home Tours  
From \$125/person  
5.0★ (2)



FOOD WALK  
Historic area food tour  
From \$59/person  
4.86★ (129)



WORKSHOP  
What's Your Word? Bracelet Making  
From \$30/person  
4.78★ (41)

Explore other options in and around Nashville

More places to stay in Nashville: Houses - Bed and breakfasts - Lofts - Villas - Condominiums

Nashville

Peclara

Rovini

Case #2020-014\_000027

Majfa  
Argilly  
Cesar Chavez  
Rock Springs  
Rickenbach SZ

Kandana  
Gran Alacant  
Cooperstown  
Beringe  
Lagos

Erding  
Trinity  
Columbus  
Bylderup  
Alpine

COPY

STATE OF TENNESSEE, COUNTY OF DAVIDSON

FILED

To Any Lawful Officer to Execute and Return Summon 1818, LLC 08/27/2020

General Sessions Court of Davidson County, Tennessee, to be held in Courtroom 1A, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee on Wednesday, 9th day of October, 2019 at 1 00 p m, then and there to answer in civil action brought by the Plaintiff(s) ON 8-9-2019 VIOLATION OF METRO CODE SECTION 17 16 070 U 1 a and/or Section 17 16 250 E 1 a - ADVERTISING/OPERATING A STRP WITHOUT A PERMIT AT ADDRESS 1818 Church St #102 Nashville, TN 37203 Metro seeks an Order to remedy violations Robert Osborn (615-862-6590)

NOTICE FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION/WARRANT CAN RESULT IN THE COURT ORDERING YOU TO PAY A CIVIL FINE/PENALTY, COURT COSTS AND LITIGATION TAXES TO THE METROPOLITAN GOVERNMENT, THE ISSUANCE OF AN EXECUTION AND GARNISHMENT TO COLLECT THE FINE/PENALTY, COSTS AND TAXES, AND THE ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST FOR CONTEMPT OF COURT, WITH A PENALTY OF UP TO FIVE (5) DAYS IN JAIL AND/OR A FINE OF UP TO TEN DOLLARS (\$10 00) IN ADDITION, YOU MAY BE SUBJECT TO OTHER CIVIL REMEDIES INCLUDING MANDATORY INJUNCTION

JUDGMENT Judgment for Plaintiff against Defendant(s) for \$ and Cost, Dismissed with cost taxed to Plaintiff, Dismissed with cost taxed to Defendant(s), for which execution may issue

Entered 11-13-20 19

per Attorney Anvis Fowler to Ricky Young



If you have a disability and require assistance, please contact 880 3309

Judge/ referee Division IV, Metropolitan General Sessions Court

1046-1049 No 19GC17038

ENVIRONMENTAL COURT

Plaintiff(s) Metropolitan Government of Nashville & Davidson County (401)

Defendant 1818, LLC C/O ANTHONY GIARRATANA

Address 424 CHURCH ST STE 2900 NASHVILLE TN 37219



Issued 08/16 2019

By Richard Rooker Deputy Clerk

Served Set for 1 00 p m, on 9th day of October, 2019

Courtroom 1A Justice A.A. Birch Building 408 Second Avenue North P.O. Box 196304 Nashville, Tennessee

Reset for 10:30 11:00 11:13

Served Deputy Kelvin Hopkins Davidson County Sheriff's Office

Attorney for Plaintiff APRIS FOWLER

COPY

NOTICE

TO THE DEFENDANT(S)

Failure to appear and answer this Summons will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollars (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. This list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.

A F F I D A V I T

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/ is not a member of a military service

Plaintiff or Attorney for Plaintiff

Notary Public

My Commission Expires

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

COPY

STATE OF TENNESSEE, COUNTY OF DAVIDSON

FILED

To Any Lawful Officer, to Execute: and Return, 1818, LLC 2019 AUG 15 PM 2:18

Summon 1818, LLC 2019 AUG 15 PM 2:18 Court of Davidson County, Tennessee, to be held in Courtroom

1A, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee, Wednesday, ERK

9th day of October, 2019 at 1:00 p.m., then and here to answer in civil action brought by the Plaintiff

ON 8-9-2019 VIOLATION OF METRO CODE SECTION 17.16.070 U.I. and Section 17.16.250 E.1 a - ADVERTISING/OPERATING A STRP WITHOUT A PERMIT AT ADDRESS 1818 Church St #109 Nashville, TN

37203 Metro seeks an Order to remedy violations Robert Osborn (615-862-6590)

NOTICE FAILURE TO APPEAR IN COURT ON THE DATE ASSIGNED BY THIS CITATION/WARRANT CAN RESULT IN THE COURT ORDERING YOU TO PAY A CIVIL FINE/PENALTY, COURT COSTS AND LITIGATION TAXES TO THE METROPOLITAN GOVERNMENT, THE ISSUANCE OF AN EXECUTION AND GARNISHMENT TO COLLECT THE FINE/PENALTY, COSTS AND TAXES, AND THE ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST FOR CONTEMPT OF COURT, WITH A PENALTY OF UP TO FIVE(5) DAYS IN JAIL AND/OR A FINE OF UP TO TEN DOLLARS = (\$10 00) IN ADDITION, YOU MAY BE SUBJECT TO OTHER CIVIL REMEDIES INCLUDING MANDATORY INJUNCTION

JUDGMENT Judgment for Plaintiff against Defendant(s) for \$ and Cost, Dismissed with cost taxed to Plaintiff, Dismissed with cost taxed to Defendant(s), for which execution may issue

per Jcty Chris Fowler Ammond Jeff NAWNE HD RICKY YOUNG. 11-13-20-19

If you have a disability and require assistance, please contact 880-3309 Judge/Referee Division IV, Metropolitan General Sessions Court

COURTROOM 1A No 196C17046

ENVIRONMENTAL COURT

Plaintiff(s) Metropolitan Government of Nashville & Davidson County (401)

Defendant 1818, LLC C/O ANTHONY GIARRATANA

Address 424 CHURCH ST STE 2900 NASHVILLE, TN 37219

Defendant Address

CIVIL WARRANT Metropolitan General Sessions Court

Issued 08/16 2019 Richard Rooker

By Deputy Clerk

Day of the week Wednesday Set for 1:00 p.m. on 9th day of October, 2019

Courtroom 1A Justice A Birch Building 408 Second Avenue North Nashville, Tennessee

Reset for 10:30 11:00 11:13

Came to hand same day issued and executed as commanded on Served 1818, LLC c/o Anthony Giarratana

Served 08/19/2019

Deputy Susana Herrera Sheriff/Process Server Plaintiff's Office 37219 888 888 Telephone Attorney for Defendant



COPY

NOTICE

TO THE DEFENDANT(S)

Failure to appear and answer this Summons will result in judgment by default being rendered against you for the relief requested. Tennessee law provides a ten thousand dollars (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. This list may be filed at any time and may be changed by you thereafter as necessary, however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed, these items include items of necessary wearing apparel (clothing) for yourself and your family and trunks and other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to execute it, you may wish to seek the counsel of a lawyer.

**A F F I D A V I T**

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/ is not a member of a military service

\_\_\_\_\_  
 Plaintiff or Attorney for Plaintiff

\_\_\_\_\_  
 Notary Public

My Commission Expires \_\_\_\_\_

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

ORDER

Entered \_\_\_\_\_ 20 \_\_\_\_\_  
 Judge Division \_\_\_\_\_ Metropolitan General Sessions Court

# State of Tennessee, County of Davidson

To Any Lawful Officer of Said County:

## FILED

### Subpoena To Testify

2019 OCT -3 PM 2:59

TO: US Bank RICHARD R ROOKER

You are hereby commanded to appear personally before the Metropolitan Public Sessions D.C.

Court B, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee,

for the purpose of giving testimony. In addition, if indicated, you are further commanded to bring

with you the following:

\* Summons to produce documents only - do not need to appear \*

Please produce proof of notary of Thomas Legree Graham on or about April 15, 2019, as well as a copy of the affidavit that was notarized, and all documents relating to this transaction.

Documents to be delivered to Christopher Fowler at the below address on or before

October 15, 2019.

Failure to appear may result in contempt of court which could result in punishment by fine and/or imprisonment as provided by law.

**RECEIVED**  
**OCT 11 2019**

**RICHARD R ROOKER** Clerk  
General Sessions Civil Division

This subpoena is being issued on behalf of

PLAINTIFF       DEFENDANT

ATTORNEY OR PARTY'S NAME, ADDRESS & TELEPHONE NUMBER  
Christopher B. Fowler, #30765  
315 Deaderick Street, Suite 1700, Nashville, TN 37238  
(615) 244-2770  
 Address      Phone

To request an ADA accommodation, please contact Dart Gore at (615) 880-3309.



**Kristi Keith**

Assistant Vice President  
Assistant Branch Manager NMLS

615.733.0655 branch  
615.733.0668 direct  
615.733.0660 fax

kristi.keith@usbank.com



Branchway Branch  
1711 Broadway  
CN-TN-1707  
Nashville, TN 37203

usbank.com

US Bank  
Name of Witness  
1711 Broadway  
Address

Nashville, TN 37203

(615) 733-0655  
Telephone Number of Witness



Issued: \_\_\_\_\_, 20

By: **RICHARD R. ROOKER, Clerk**  
Deputy Clerk

Set for \_\_\_\_\_ a.m. on \_\_\_\_\_, 20

COURTROOM \_\_\_\_\_ Justice A. A. Birch Building  
408 Second Avenue North  
P. O. Box 196304  
Nashville, Tennessee 37219-6304

### RETURN ON SERVICE:

An attorney's return must be sworn to:

1.  I certify that on the date indicated below, I served a copy of this subpoena on the witness stated herein by: hand delivery to Kristi Keith - Asst. Branch Manager

DATE OF SERVICE: October 4th 2019

Signature of Officer, Attorney or Attorney's Designee: Carlael Geron

Subpoena and subscribed before me this 10 day of October, 2019

Stephanie Rooker  
Notary Public  
Deputy Clerk/Notary Public  
My Commission Expires: 3/19/25

# State of Tennessee, County of Davidson

To Any Lawful Officer of Said County:

**FILED**

## Subpoena To Testify 2019 OCT 30 PM 12: 51

TO: Jacob Alea RICHARD A. ROOKER (Name of Witness)

You are hereby commanded to appear personally before the Metropolitan General Sessions

Court B, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee,

for the purpose of giving testimony. In addition, if indicated, you are further commanded to bring

with you the following:

\* Summons to produce documents only - do not need to appear \* Please produce proof of notary of an affidavit for Thomas Legree Graham on or about April 15, 2019, as well as a copy of your notary log from this time period, and any and all documents relating to this transaction.

Also please return the attached Affidavit of Records Custodian. Documents to be emailed to Chris Fowler at cfowler@tewlawfirm.com on or before November 15, 2019.

Failure to appear may result in contempt of court which could result in punishment by fine and/or imprisonment as provided by law.

This subpoena is being issued on behalf of

PLAINTIFF  DEFENDANT

ATTORNEY OR PARTY'S NAME, ADDRESS & TELEPHONE NUMBER  
Christopher B. Fowler, #30765

315 Deaderick Street, Suite 1700, Nashville, TN 37238  
Address  
(615) 244-2770  
Phone

To request an ADA accommodation, please contact Dart Gore at (615) 880-3309.

Case No. 19GC17046

Metropolitan Government of Nashville & Davidson Co.  
Plaintiff vs. Defendant

1818, LLC c/o Anthony Giarratana

TO: Jacob Alea, US Bank

Name of Witness  
1711 Broadway

Address

**PRIVATE PROCESS**

Nashville, TN 37203

(615) 733-0655

Telephone Number of Witness

**S** SUBPOENA TO TESTIFY **S**

Issued: 10.30, 2019

By: RICHARD R. ROOKER, Clerk  
Deputy Clerk

Set for      a.m. on     , 20      
COURTROOM       
Justice A. A. Birch Building  
408 Second Avenue North  
P. O. Box 196304  
Nashville, Tennessee 37219-6304

Reset for:     

### RETURN ON SERVICE:

An attorney's return must be sworn to:

- 1.  I certify that on the date indicated below, I served a copy of this subpoena on the witness stated herein by:
- 2.  I failed to serve a copy of this subpoena on the witness because:

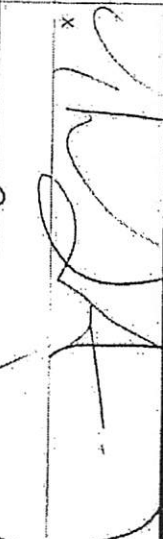

Sworn to and subscribed before me this 30th day of November, 2019.

DATE OF SERVICE: 11.1.19

Signature of Officer, Attorney or Attorney's Designee:

Deputy Clerk/Notary Public  
My Commission Expires: 02/28/2020  
**DAVIDSON COUNTY**  
Commission Expires JAN 3, 2020

27	Date and Time of Notarization	Kind/Type of Notarization/Certificate	Address Where Notarization Performed	Document Kind/Type and Date	Name and Address of Signer
1	9:28am 04-15-19	General <del>Per M</del> Affidavit	1711 Brookway Nashville, TN 37203	Date of Document: 04-15-19	1818 Church Street #101 Nashville, TN 37203

Identification of Signer	Additional Information	Notary Fee	Signature of Signer	Right Thumbprint of Signer
<p>Family Known by the Notary            Public - Describe each card below            Witnesses - Include signature of each witness</p> <p>INDL 127016158            Thomas Graham</p>			<p>x </p>	<p>Top of thumb here: </p>



Metropolitan Board of Zoning Appeals  
Metro Howard Building  
800 Second Avenue South  
Nashville, Tennessee 37210

Appellant: Tim Neiman Date: 12-2-19  
Property Owner: Tim Neiman Case #: 2020- 015  
Representative: Tim Neiman Map & Parcel: 105050Z00800CO  
Council District: 17

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: To obtain a STRP permit  
Activity Type: Short Term Rental  
Location: 1123 Summit Ave

This property is in the RM20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Item A appeal, challenging the Zoning Administrator's cancellation of existing STRP permit due to owner name change.

Section: 17.16.070 U

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection \_\_\_ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Tim Neiman Representative: Same  
Phone Number: 734 239-1700 Phone Number: \_\_\_\_\_  
Address: 1123 Summit Ave Address: \_\_\_\_\_  
Nashville, TN 37203 \_\_\_\_\_  
Email address: tjneiman@gmail.com Email address: \_\_\_\_\_

Appeal Fee: \$100.00

*R. D. K.*



**Metropolitan Government  
of Nashville and Davidson County, Tennessee  
Department of Codes and Building Safety  
800 Second Avenue South, Nashville, TN 37210**



3736859

**ZONING BOARD APPEAL / CAAZ - 20190073248  
Inspection Checklist for Use and Occupancy  
This is not a Use and Occupancy Notification**

**PARCEL:** 105050Z00800CO**APPLICATION DATE:** 12/02/2019**SITE ADDRESS:**

1123 SUMMIT AVE NASHVILLE, TN 37203  
UNIT 1123 THE ROW AT 12TH S. TOWNHOMES

**PARCEL OWNER:** UNDER THE NEIMAN TRUST**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's cancellation of existing STRP permit due to owner name change.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.  
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

---

***There are currently no required inspections***

Inspection requirements may change due to changes during construction.

## APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of the property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to public hearing to be included in the record.

I am aware that I am responsible for removing the Sign(s) after the public hearing.

  
\_\_\_\_\_  
APPELLANT

12/2/2019  
\_\_\_\_\_  
DATE





**METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY**

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING - 3rd FLOOR  
800 SECOND AVENUE, SOUTH  
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300  
NASHVILLE, TENNESSEE 37219-6300  
TELEPHONE (615) 862-6500  
FACSIMILE (615) 862-6514  
[www.nashville.gov/codes](http://www.nashville.gov/codes)

**NOTICE**

Pending your appeal of the denial of your application for a short term rental permit (STRP), you are prohibited from operating the STRP. Should you continue to advertise and/or operate the STRP at the subject property, the matter will be referred to Metro Legal for prosecution in Environmental Court.

A handwritten signature in black ink, appearing to be "J. [unclear]".

12/2/2019

Rental Unit Record

# 1123 Summit Avenue, Nashville, TN, United States

Removed ✕  
Identified ✓  
Compliant ✓

PRINT

SEND A LETTER

## Listing(s) Information

VRBO - 321.1160047.1708301

Airbnb - 20459587



## Rental Unit Information



### Identified Address

1123 Summit Avenue, Nashville, TN, United States

### Identified Unit Number

None

### Identified Latitude, Longitude

36.138627, -86.787542

### Parcel Number

105050Z00800

### Owner Name

UNDER THE NEIMAN TRUST

## Matched Details

### Analyst

O43B

### Explanation

Provided STR permit number matches. address numbers are visible in the listing photos. Rendered photos on Zillow are a match for the style and shape of the listing photos. Owner's name is the same as hosts name.

### Owner Address

1123 SUMMIT AVE  
NASHVILLE, TN 37203, US

### Registration / Permit Number

503178

### Listing Photos



### Matching 3rd Party Sources



Exteriors are identical in style. Address visible on listing photo.

### Timeline of Activity

View the series of events and documentation pertaining to this property



Matched property listing



Permit numbers are a match, Owner has the same name as host.

Zip Code Match

City Name Match

Listing Details

Listing URL	- https://www.airbnb.com/rooms/20459587
Listing Status	● Inactive
Host Compliance Listing ID	- air20459587
Listing Title	- New Townhouse near Downtown, Music Row, Vanderbilt & Belmont
Property type	- Townhouse
Room type	- Entire home/apt
Listing Info Last Captured	- Nov 09, 2019
Screenshot Last Captured	- Nov 08, 2019
Price	- \$495/night
Cleaning Fee	- \$150

Information Provided on Listing

Contact Name	- Tim
Latitude, Longitude	- 36.139018, -86.788635
Minimum Stay (# of Nights)	- 2
Max Sleeping Capacity (# of People)	- 6
Max Number of People per Bedroom	- 2
Number of Reviews	- 22
Last Documented Stay	- 09/2019

Listing Screenshot History





















View Latest Listing Screenshot

October 2

November 2

December 0

- ✗ Listing air20459587 Removed November 16th, 2019
- ✗ Listing hma321.1160047.1708301 Removed November 15th, 2019
- 📅 1 Documented Stay November, 2019
- 🚩 First Warning - No STR Permit: Delivered November 11th, 2019
- Listing air20459587 Reposted November 2nd, 2019
- 🚩 First Warning - No STR Permit: Sent November 1st, 2019
- ✗ Listing air20459587 Removed October 25th, 2019
- 📅 1 Documented Stay October, 2019
- 📅 3 Documented Stays September, 2019
- Listing air20459587 Reposted September 16th, 2019
- ✗ Listing air20459587 Removed September 5th, 2019
- Listing air20459587 Reposted August 28th, 2019
- ✗ Listing air20459587 Removed August 25th, 2019
- 📅 2 Documented Stays August, 2019
- Listing air20459587 Reposted August 17th, 2019
- ✗ Listing air20459587 Removed August 15th, 2019
- 📅 2 Documented Stays June, 2019
- 📅 2 Documented Stays May, 2019
- 📅 4 Documented Stays April, 2019
- 📅 2 Documented Stays March, 2019
- 📅 1 Documented Stay February, 2019
- 📅 1 Documented Stay December, 2018
- 📅 1 Documented Stay November, 2018
- 📅 3 Documented Stays October, 2018
- 📅 2 Documented Stays September, 2018
- 📅 2 Documented Stays August, 2018

-  3 Documented Stays  
July, 2018
-  2 Documented Stays  
June, 2018
-  2 Documented Stays  
May, 2018
-  Listing hma321.1160047.1708301 Reposted  
May 2nd, 2018
-  3 Documented Stays  
April, 2018
-  Listing hma321.1160047.1708301 Removed  
April 26th, 2018
-  Airbnb Letter: Delivered   
April 11th, 2018
-  Airbnb Letter: Sent   
April 3rd, 2018
-  2 Documented Stays  
March, 2018
-  Listing hma321.1160047.1708301 Reposted  
February 26th, 2018
-  Listing hma321.1160047.1708301 Removed  
February 21st, 2018
-  2 Documented Stays  
October, 2017
-  Listing hma321.1160047.1708301 Identified  
October 12th, 2017
-  Listing air20459587 Identified  
October 12th, 2017
-  Listing air20459587 First Crawled  
October 5th, 2017
-  Listing hma321.1160047.1708301 First  
Crawled  
October 5th, 2017
-  Listing air20459587 First Activity  
October 5th, 2017
-  Listing hma321.1160047.1708301 First  
Activity  
October 4th, 2017

November 08, 2019 - 05:51PM America/Chicago

Search



English (US)

\$ USD

Become a host

Help

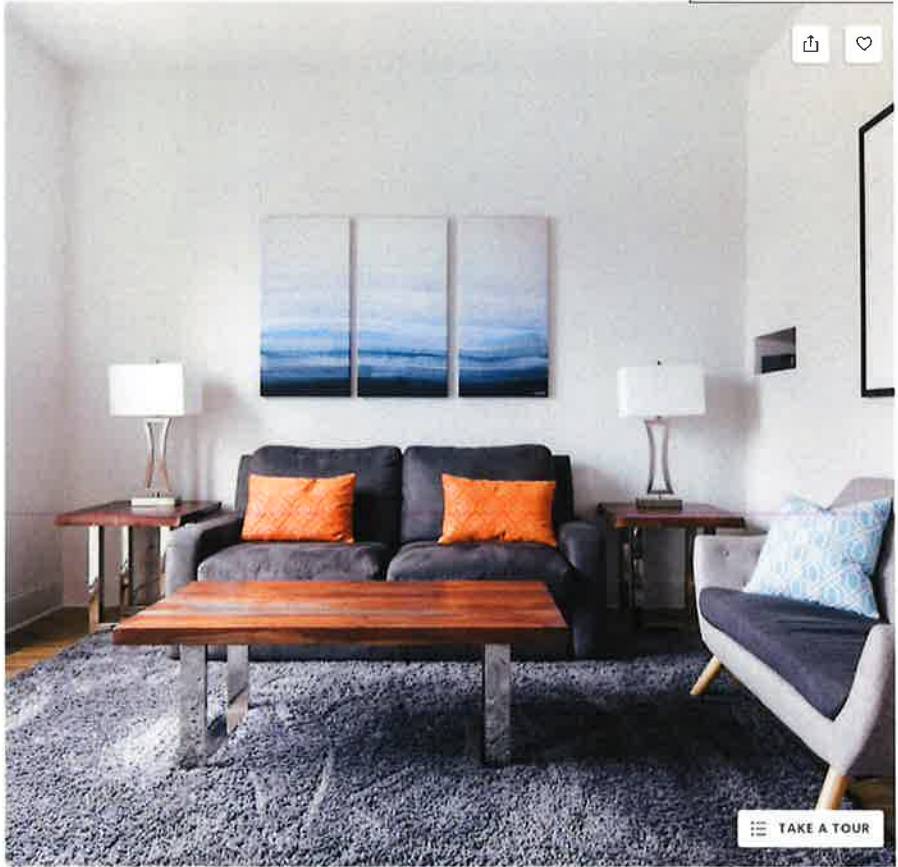
Sign up

Log

Nov 8, 2019 5:51pm CT

plus

# New Townhouse near Downtown, Music Row, Vanderbilt & Belmont



TAKE A TOUR

6 guests 3 bedrooms 3 beds 3 baths

Kick back after a day of sightseeing in this chic home. The interior features tasteful furnishings and decor, contrasting textures and materials, neutral tones with touches of color, wood accents, unique artwork throughout, and a BBQ area.



"Views of Belmont and Vanderbilt are great with a cocktail."

Hosted by Tim

## Special to this townhouse

This stay has these unique amenities:

## Tour this townhouse



Living room



Free parking on premise  
Kitchen



Bedroom 1 - Queen bed



Bedroom 2 - Queen bed



Bedroom 3 - Queen bed



Washer  
Dryer  
Full bathroom 1



Full bathroom 2



Full bathroom 3

Explore all 30 photos

Dishwasher



Heating



Air conditioning



*Plus*

Places to stay that are as memorable as they are beautiful

Every Airbnb Plus host designs their rooms with a creative eye and thoughtful details that make their spaces feel special.

Learn more

Bathtub

### Everything you need

This Airbnb Plus stay comes with these amenities.



Wifi



TV



Bathroom essentials

Towels, soap, shampoo, and toilet paper



## Location

Nashville, Tennessee, United States

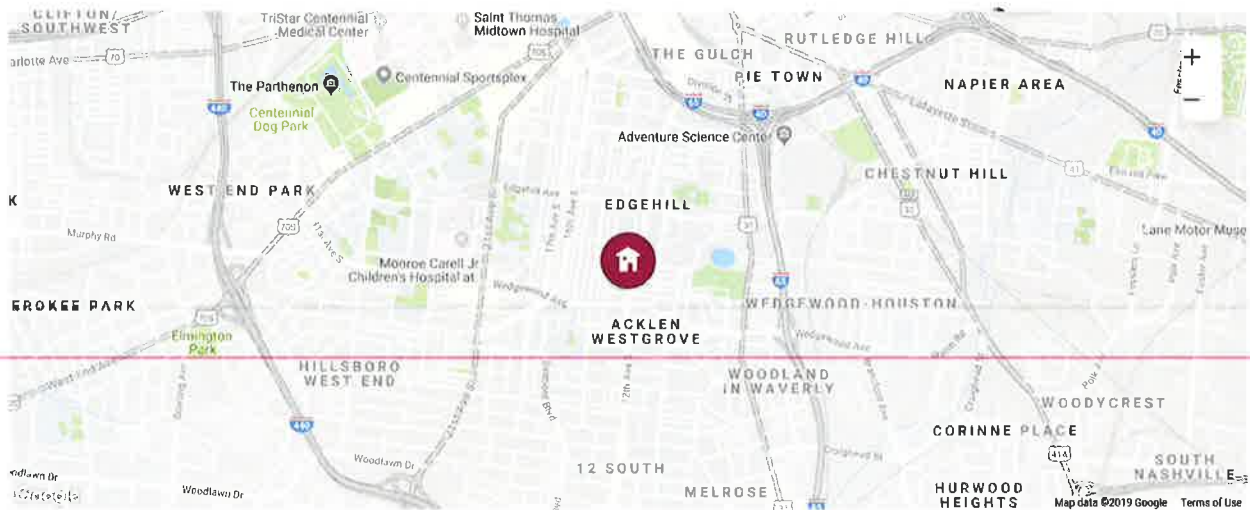
Bedroom comforts

Bed sheets, pillows, and hangers edge of 12 South, blocks from

The house is in a great location on the north edge of 12 South, blocks from Belmont and Vanderbilt. It is less than a 3 minute drive from Nashville's hot spots, shopping, and neighborhoods including Broadway, the Gulch, Music Row, and Germantown.

Distance from Nashville International Airport

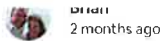
12 mins by car without traffic



Exact location provided after booking

## Reviews

### Matched property listing



**Brian**  
2 months ago

This place was great! Very clean and was well stocked with everything that we could possibly think of. It is in a great location. Very easy to get to any part of town from here. The rooftop area was awesome for having a drink and grilling dinner.



**Jennifer**  
3 months ago

Tim was such a great host. He reached out several times in advance to ensure that my friends and I were set-up for a great stay and visit to Nashville. The furnishings were impeccable and we thoroughly enjoyed having so much space to relax and be...[Read more](#)



**Steve**  
5 months ago

Tim's place is one of the nicest AirBnB's we've ever stayed in. It's super convenient to Broadway, the Gulch, the Universities and all of the awesome stuff in East Nashville. The condo is amazing. We had three couples staying there and we all had...[Read more](#)

[Read all 22 reviews](#)



**Joe**  
2 months ago

This is just a fabulous find in Nashville. Our host Tim was very helpful and communicated with me on a regular basis. He has done a great job stocking the house. He even has 2 different coffee machines and all the pods that you need along with a...[Read more](#)



**Mary Jo**  
3 months ago

Beautiful three story townhouse with a roof top patio. Tim's place is beautifully appointed, sparkling clean and well stocked with special touches and amenities. Tim was a great communicator - very responsive and accommodating. We were a group of 3...[Read more](#)



**Kate**  
6 months ago

We had a girls' weekend at Tim's house and it was absolutely perfect! The rooftop is gorgeous and the kitchen/living rooms were so nice, plenty of room to hang out comfortably. The house was spotless, we had everything we needed and Tim was a...[Read more](#)

## Meet your host



*Tim*

### Hi, I'm Tim

I'm a native Michigander and alumnus of the University of Michigan. My small technology consulting business has offices in both Ann...  
[read more](#)

### Interaction with guests

Your host won't be on the property but they'll be available for anything you need during your stay.

Joined in January 2014  
Response rate: 100%  
Response time: within an hour

[CONTACT](#)

## House Rules

The host has set some house rules, which you'll be asked to agree to when you book.

- Check-in: Flexible
- Checkout: 10AM
- Self check-in with keypad

[Read all rules](#)

## Cancellation policy

Free cancellation for 48 hours. After that, cancel up to 7 days before check-in and get a 50% refund, minus the service fee.

[Show policy](#)

### Other highly-rated places to stay



**PLUS** Verified ★ 4.94  
Entire house · 6 beds  
Stay in a Unique Music-Themed Hous...  
**\$499** / night



**PLUS** Verified ★ 4.92  
Entire apartment · 2 beds  
See Concerts at Ryman Theater Near...  
**\$450** / night



**PLUS** Verified ★ 4.94  
Entire house · 3 beds  
Renovated 1920s Craftsman with...  
**\$500** / night



**PLUS** Verified ★ 4.96  
Entire loft · 2 beds  
Downtown Penthouse with Private...  
**\$479** / night

[Show more stays](#)

### Things to do nearby



**PHOTO SHOOT**  
**Tour Nashville with a native**  
From \$49/person · 1.5 hours · Transportation included  
**4.96** ★ (78)



**BAR CRAWL**  
**Palm Reading & Day Drinking Bar Crawl**  
From \$55/person · 2 hours · 1 ticket included  
**4.76** ★ (98)



**PHOTO SHOOT**  
**Photo Tour of Famous Nashville Murals**  
From \$50/person · 1 hour · Equipment included  
**4.92** ★ (193)



**PHOTO SHOOT**  
**Instagram photoshoot In The Gulch**  
From \$45/person · 1 hour · Equipment included  
**4.96** ★ (359)

[Show all experiences](#)



**ENTIRE TOWNHOUSE IN NASHVILLE**  
**★ 5.0** (22 reviews)

**\$495** / night

[Check availability](#)



Appeal Case Number: 2020-015  
1123 Summit Ave

History of Events:

9/28/17 Applied for and received a STRP for my primary home in Nashville.

9/29/17 - 9/28/18 Hosted guests via VRBO and Airbnb and received perfect 5 star reviews. Paid all Nashville Hotel Tax and TN Sales & Use tax on time.

8/1/18 Received STRP renewal letter. Submitted all renewal paperwork and payment. Permit renewed.

9/29/18 - 9/28/19 Hosted guests via VRBO and Airbnb and received perfect 5 star reviews. Paid all Nashville Hotel Tax and TN Sales & Use tax on time.

8/1/19 - Received STRP renewal letter. [copy attached below] Submitted all renewal paperwork and payment.

10/15/19 - Reviewed my checking account and learned that my renewal check was not cashed. Resubmitted all renewal paperwork and new payment plus letter of apology assuming my initial renewal must have been lost in Nashville mail. Blocked calendars for both Airbnb and VRBO to prevent any new bookings until permit issue resolved.

9/29/19 - 11/10/19 - Hosted guests via VRBO and Airbnb and received perfect 5 star reviews. Paid all Nashville Hotel Tax and TN Sales & Use tax on time. Hosted last guest on 11/10/19 who had booked prior to 9/28/19.

11/12/19 - Received a warning letter in the mail stating that I was operating a STR without a permit. Though my calendars were blocked and therefore no bookings possible, the listings were still viewable. I fully delisted both VRBO and Airbnb listings. Please note that this was the only time I received any notification beyond the permit renewal letter.

11/13/19 - 2nd check still not cleared. Went in person to the codes department. Explained the details of two attempts to renew my permit to reception person. Though the person I needed to speak with was not at her desk, the reception woman was very helpful and offered to look into the issue for me. She was able to look up my permit and see that my permit was on hold with Bob Osborne. She attempted to reach him at his desk but he was unavailable. At that time, the person I needed to speak with returned to her desk (Carrie). Carrie looked up my permit number and said there was a note about "owner change." She asked if I had changed ownership in Feb. I was confused since I'm the only person who has ever owned my house. She asked if I had perhaps moved my property into a trust at the advice of an attorney. I said I did do that but that I had not bought or sold my house. She told me that the rules of the STRP do not allow for any ownership changes, even solely owned trusts. She advised that I contact Emily Lamb from the Nashville legal team.

11/13/19 - I called and left a voicemail for Emily Lamb. I called and left a voicemail for Bob Osborne. I called and left a voicemail for my city council person, Colby Sledge.

11/13/19 - After leaving voicemails for Emily and Bob, I sent an email to both of them requesting assistance.

11/14/19 - I tried calling Bob Osborne again and was able to speak with him about the situation. He explained that I would need to begin the application process again because my permit was cancelled.

11/15/19 - Began gathering all required documents for STRP renewal.

11/17/19 - Received a reply to my email from Emily Lamb stating that I would need to reapply because permits are not transferable to new owners and technically that happened with the transfer to my trust. Email attached below.

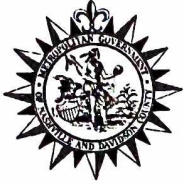
12/2/19 - Met with STRP codes person to begin permit application. At that time I was told that I had been operating illegally since the name change in Feb; the penalty for that is a 1 year waiting period from the date of my last guest. That date being 11/10/19, I could apply again on 11/10/20. Please note that I presume the last rental date was known because I filed both my Nashville Hotel Tax and TN Sales & Use tax timely. The codes person told me I could also appeal my case to see if the penalty period could be waived. The soonest I could do that would be at the 1/16/20 meeting. He assisted me with beginning that process, which I have followed. That included printing, filling, and stamping 160 letters (\$100), a custom yard sign (\$60), and the appeal fee (\$100).

Please note that my renewal letter states "Under The Neiman Trust" as the owner of my property. There was no indication on the renewal letter that my permit had been revoked, the letter only indicated I needed to follow the renewal process.

I submitted my renewal application twice and received no response either time; I have not received my checks back.

I believed that I was operating lawfully during all of my rentals and stopped renting as soon as I learned there was a problem with my permit and that it was cancelled. I still have not received any formal notification that my permit was cancelled. I was only able to find this out by going in person to the codes department.

I believe that I am an ambassador for Nashville and a model short term renter. I rely on the income from renting my place when I'm out of town to offset my living expenses. I have incurred costs for the appeal, missed rental income for guests since Nov, and have not been able to book future guests for 2020 since my listings are not active. I believe these costs and hardships more than outweigh the 1 year penalty period and respectfully request the board waive the period and allow me to immediately begin the application process again or reinstate my permit if at all possible.



Metropolitan Government of Nashville and Davidson County, Tennessee  
**Department of Codes and Building Safety**  
 Metro Office Building - 1st Floor / 800 Second Ave S / Nashville TN 37210  
 phone - (615) 862-6510 fax- (615) 862-6514

**Short Term Rental Property ("STRP") Renewal Notice**  
 M.C.L. 6.28.030

Tim Neiman  
 1123 Summit  
 Nashville TN 37203

Your STRP Permit number **CASR-2017056866** expires on **09/27/19**.  
 You may renew your permit by returning the enclosed affidavit, fully  
 completed and notarized along with a check for **\$313.00** made payable  
 to **The Metropolitan Government**. Your cancelled check is your  
 receipt.

**Mail to:** Metro Department of Codes and Building Safety  
 STRP Permit Renewal  
 P.O. Box 196300  
 Nashville TN 37219-6300

**Failure to renew your STRP permit before the expiration date  
 will result in cancellation of the permit. You are  
 responsible for timely delivery of the completed affidavit and  
 full payment.**

Cash and credit card payments can only be made in person at  
 Metro Codes' office. If you have multiple STRP permits, you  
 must complete and return an affidavit for each permit and  
 payment for each permit.

<u>Permit Address</u>	<u>Property Owner</u>	<u>Expiration Date</u>
1123 SUMMIT AVE	UNDER THE NEIMAN TRUST	09/27/19

1/8/2020

Gmail - RE: STRP renewal status CASR-2017056866



Tim Neiman &lt;tjneiman@gmail.com&gt;

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**RE: STRP renewal status CASR-2017056866**

1 message

**Lamb, Emily (Codes)** <Emily.Lamb@nashville.gov>

Tue, Nov 19, 2019 at 4:36 PM

To: Tim Neiman &lt;tjneiman@gmail.com&gt;, "Osborn, Robert (Codes)" &lt;Robert.Osborn@nashville.gov&gt;

Hi Tim,

According to our short term rental laws, upon a change in ownership on a property the new owner must obtain an STRP permit. That includes transfers to trusts. In this instance it appears your property is eligible for a permit since it is RM zoning, so you'll just need to re-apply. In the event you are deemed ineligible for any reason, you can appeal that decision to the Board of Zoning Appeals. Our Zoning Examiner can walk you through that process.

Thanks,

Emily Lamb

Metro Codes Department

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**From:** Tim Neiman <tjneiman@gmail.com>**Sent:** Wednesday, November 13, 2019 3:55 PM**To:** Lamb, Emily (Codes) <Emily.Lamb@nashville.gov>; bob.osborne@nashville.gov**Subject:** STRP renewal status CASR-2017056866

**Attention:** This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hello Emily &amp; Bob,

I received your contact information from Carrie and I'm hoping you can help me.

I have submitted my renewal paperwork for my STRP twice (in August and again in October) but my permit has not been renewed. Since I haven't received any information beyond the initial renewal form, I went in person to the codes department today to see if there was some issue with my renewal. The codes receptionist (I can't remember her name but she is an amazing person!) was able to look up the notes on my permit and it says there is an issue with ownership.

I moved my house into my trust this spring as part of my estate planning. My renewal notice lists my property owner as "Under The Neiman Trust" and since I'm the owner of my trust, it did not occur to me that there would be an issue with my permit renewal. I am the sole owner of my trust and the only reason I moved my house into it is so that upon my death it can go to my nieces and nephews. To comply with Nashville STR rules, I have not been renting and I blocked my calendar through the end of the year pending my renewal. Note that I did receive a threatening letter in the mail yesterday saying I was still operating and in violation but that is likely because my listing was visible even though there were no available dates to book. I have since delisted my place completely to be double sure I'm not in violation.

Could either of you let me know what the status is of my renewal and let me know if there is anything I need to do to get it approved? I comply with all STR rules including paying Nashville Hotel Tax and TN Sales & Use tax every month on time, I'm a great Nashville ambassador to my guests, I have never had a single complaint from my neighbors (though the same cannot be said for them), and I rely on the income from renting to offset the cost of my home so this is presenting a financial hardship for me.

Thanks so much for your help. I can be reached on my cell phone at 734-239-1700 or to this email address ([tjneiman@gmail.com](mailto:tjneiman@gmail.com)).

Sincerely,

Tim Neiman

**From:** Elizabeth Larson <larsonelizabeth1@gmail.com>  
**Sent:** Monday, December 30, 2019 12:58 PM  
**To:** Board of Zoning Appeals (Codes)  
**Subject:** Appeal Case 2020-015 (Permit 10190073248)  
**Attachments:** ParcelHistory\_1123 Summit.pdf; Deed\_1123 Summit Avenue.pdf

Dear Mr. David Taylor and Members of the Metropolitan Board of Zoning Appeals:

In regards to Appeal Case 2020-015, I support Tim Neiman's appeal to apply for a STRP permit for property 1123 Summit Avenue.

Upon examining the Parcel History and Deed for 1123 Summit, ownership has resided with the same individual, Tim Neiman since 2016. Mr. Neiman should not be penalized for establishing a trust for the property when there appears to be no change in ownership.

Below are referenced documents to support my assessment.

Kind regards,  
Elizabeth Larson  
1006 Wade Ave, Nashville, TN 37203



**Parker Toler  
Metropolitan Trustee**

**1123 SUMMIT AVE**

(C) is for separate City Tax, (C/A) for City Tax Addon

(ADD) is for County Tax Addon

DS	MapNum	GP	CtrlMap	Parcel	I	S-I
00	105	5	Z	8.00	R	000

(BK) for Bankruptcy

(CM) for Clerk&Master

(AP) for Under Appeal

#### Owner Information

Owner: UNDER THE NEIMAN TRUST

New Owner: UNDER THE NEIMAN TRUST

Land Value: \$105,000.00

Improve Value: \$285,900.00

Address: 1123 SUMMIT AVE  
NASHVILLE, TN 37203

New Address: 1123 SUMMIT AVE  
NASHVILLE, TN 37203

Total Value: \$390,900.00

Assessment: 25% \* \$390,900.00 = \$97,725.00

#### Parcel Details

Deed Information	Plat Information	Property Information
Book: Page: Date: --- --- ---	--- --- ---	Property Address: 1123 SUMMIT AVE Subdivision: UNIT 1123 THE ROW AT 12TH S. TOWNHOMES Dimensions: N/A Calculated Acres: 0.0 Deeded Acres: 0.00

#### Parcel History

Year	Bill#	Name	Date	Base Tax	Total Paid	Balance Due	Method	Details	Payee
2019	267324	UNDER THE NEIMAN TRUST	2019-12-18	3,083.22	3,083.22	0.00	DIRECT	N/A	Wells Fargo Real Estate Tax Ser
2018	267952	UNDER THE NEIMAN TRUST	2018-12-11	3,083.22	3,083.22	0.00	DIRECT	N/A	Wells Fargo Real Estate Tax Ser
2017	268640	NEIMAN, TIMOTHY J	0000-00-00	2,505.67	2,505.67	0.00	N/A	N/A	N/A
2016	269692	NEIMAN, TIMOTHY J	2017-07-14	903.20	970.95	0.00	CHECK	303113	RUDY TITLE

**QUITCLAIM DEED**

**KNOW ALL BY THESE PRESENTS** that TIMOTHY J. NEIMAN, an unmarried man, whose address is 1123 Summit Avenue, Nashville, Tennessee 37203,

Quitclaims to TIMOTHY J. NEIMAN, TRUSTEE or his successor, UNDER THE NEIMAN TRUST dated September 20, 2018 (a revocable living trust), whose address is 1123 Summit Avenue, Nashville, Tennessee 37203, the following described premises situated in the City of Nashville, County of Davidson and State of Tennessee, to wit:

Land in Davidson County, Tennessee, being Unit 1123, The ROW at 12th S. Townhomes, described in a Declaration of Covenants, Conditions and Restrictions in Instrument No. 20151221-0128111, Register's Office for said county, to reference is hereby made. The easements, restrictive covenants, conditions and regulations imposed upon and relating to the units, property, co-owners and tenants, the plat filed as Exhibit "C" to said Declaration and By-Laws appended thereto as Exhibit "B", said Register's Office, are incorporated here by reference and made a part of the same as though copied herein for a more complete identification and description of said Unit.

Being part of the same property conveyed to Timothy J. Neiman, an unmarried man by deed from E3 Construction Services, LLC, of record in Document Number 20170714-0070939, Register's Office for Davidson County, Tennessee.

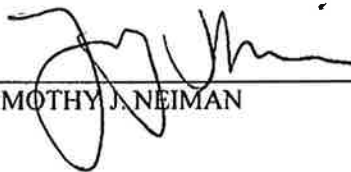
This is a transfer by a transferor of real estate to a revocable living trust created by the same transferor.

This is **improved** property known as 1123 Summit Avenue, Nashville, Tennessee 37203  
Map/Parcel Number - 105-5-Z-8.00CO

For the full consideration of One Dollar (\$1.00).

Dated this 13 <sup>February</sup> day of ~~January~~ 2019.

SIGNED AND SEALED:

  
TIMOTHY J. NEIMAN

Prepared by:  
Timothy J. Neiman  
1123 Summit Ave  
Nashville, TN 37203


Karen Johnson Davidson County  
Batch# 197194 DEEDQC  
02/20/2019 12:54:57 PM 2 pgs  
Fees: \$12.00 Taxes: \$0.00



20190220-0015411

STATE OF TENNESSEE )  
  )ss.  
COUNTY OF DAVIDSON )

The foregoing Quitclaim Deed was acknowledged before me this 13 <sup>February</sup> day of ~~January~~ 2019, by Timothy J. Neiman, an unmarried man.

  
\_\_\_\_\_



*Autumn Hogin*, Notary Public  
 State of Tennessee, County of Davidson  
 My Commission Expires: *March 8, 2022*  
 Acting in the County of Davidson

Recording Fee: \_\_\_\_\_

State Transfer Tax: \_\_\_\_\_

County Transfer Tax: \_\_\_\_\_

When recorded return to: Grantor

Send subsequent tax bills to: Grantee