

D O C K E T

3/5/2020

1:00 P.M.

**METROPOLITAN BOARD OF ZONING APPEALS
P O BOX 196300
METRO OFFICE BUILDING
NASHVILLE, TENNESSEE 37219-6300**

**Meetings held in the Sonny West Conference Center
Howard Office Building, 700 2nd Avenue South**

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

Previously Heard Case Requiring Board Action

Case# 2020-037 (3928, 3930 & 3932 Gallatin Pike)- previously head on 2/6/20 and 2/20/20
Failed to get four affirmative votes on parking variance.

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 existing single-family residence. Referred to the Board under Section 17.12.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 05811019500

Results-

CASE 2020-038 (Council District - 19)

SCOTT MORTON, appellant and **14TH AVENUE NORTH, LLC**, owner of the property located at **806 16TH AVE N**, requesting special exceptions from height and step-back requirements in the MUL-A, UZO District, to construct a multi-family unit. Referred to the Board under Section 17.12.020.D. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-family

Map Parcel 09204031800

Results- Deferred 4/2/20

CASE 2020-039 (Council District - 1)

SCOTT MORTON, appellant and **VILLALOBOS, AMANDA TARASA**, owner of the property located at **3804 FAIRVIEW DR**, requesting a variance from sidewalk requirements in the RS15 District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 06904000300

Results-

CASE 2020-049 (Council District - 19)

JAMES CROCKETT II, appellant and **BASILE, KENT T.**, owner of the property located at **908 CHEATHAM PL**, requesting a variance from garage door orientation requirements in the R6-A District, to construct a single-family residence. Referred to the Board under Section 17.12.020.A note 5.b.2. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08112030800

Results-

CASE 2020-052 (Council District - 5)

DUANE CUTHBERTSON, appellant and **PATEL, NANU T & MANJU**, owners of the property located at **1009 DICKERSON PIKE**, requesting a special exception from height requirements in the CL District, to construct a mixed-use building. Referred to the Board under Section 17.12.060.F. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Mixed-Use

Map Parcel 08202005800

Results-

CASE 2020-054 (Council District - 16)

MAYES, JASON & JAMIE, appellants and owners of the property located at **167 MCCALL ST**, requesting a variance from sidewalk requirements in the RS10 District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 13302035700

Results-

CASE 2020-057 (Council District - 25)

JOHN NELSON, appellant and **WHITE, BARRY B II**, owner of the property located at **1762 HILLMONT DR**, requesting a variance from sidewalk requirements in the R10 District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-

Map Parcel 11711007600

Results- Deferred 3/19/20

CASE 2020-058 (Council District - 25)

JOHN NELSON, appellant and **WHITE, BARRY B II**, owner of the property located at **1760 HILLMONT DR**, requesting a variance from sidewalk requirements in the R10 District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11711011500

Results- Deferred 3/19/20

CASE 2020-059 (Council District - 22)

BARGE CAUTHEN & ASSOCIATES, appellant and **HILLWOOD COUNTRY CLUB**, owner of the property located at **156 DAVIDSON RD**, requesting a special exception and setback variance in the RS40 District, to construct two comfort stations for an existing golf course. Referred to the Board under Section 17.16.220.F.2. The appellant has alleged the Board would have jurisdiction under Sections 17.40.180 B and C.

Use-Golf Course

Map Parcel 11601001100

Results-

CASE 2020-060 (Council District - 24)

DORAN, LINDA DYER, appellant and owner of the property located at **616 ESTES RD**, requesting a variance from setback requirements in the R10 District, to construct a sunroom on the rear of an existing home. Referred to the Board under Section 17.12.020.A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 116040B00300CO

Results-

CASE 2020-063 (Council District - 5)

JACOB CONNAWAY, appellant and owner of the property located at **400 E TRINITY LN**, requesting a variance from sidewalk requirements in the RM15-A District, to construct a single-family residence without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 07108027300

Results-

CASE 2020-064 (Council District - 21)

JEREMY KELTON, appellant and **CLEARWATER PROPERTIES, LLC**, owner of the property located at **1630 17TH AVE N**, requesting a variance from sidewalk requirements in the RS5 District, to renovate a multi-unit development without building sidewalks but instead paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi Family

Map Parcel 08111027200

Results-

SHORT TERM RENTAL CASES

CASE 2020-055 (Council District - 19)

BOWEN, ANDREW C., appellant and owner of the property located at **828 1ST AVE N**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. The applicant operated after the STRP permit expired. Referred to the Board under Section 17.16.070. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 082140A06000CO

Results-

CASE 2020-056 (Council District - 17)

SETTLES, WILMA H., appellant and owner of the property located at **2208 B WHITE AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. The appellant operated after the STRP permit expired. Referred to the Board under Section 17.16.250.E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 10514013200

Results-

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.*

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 Bldg 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.

Robt W. Cochran

APPELLANT

9-27-19

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.

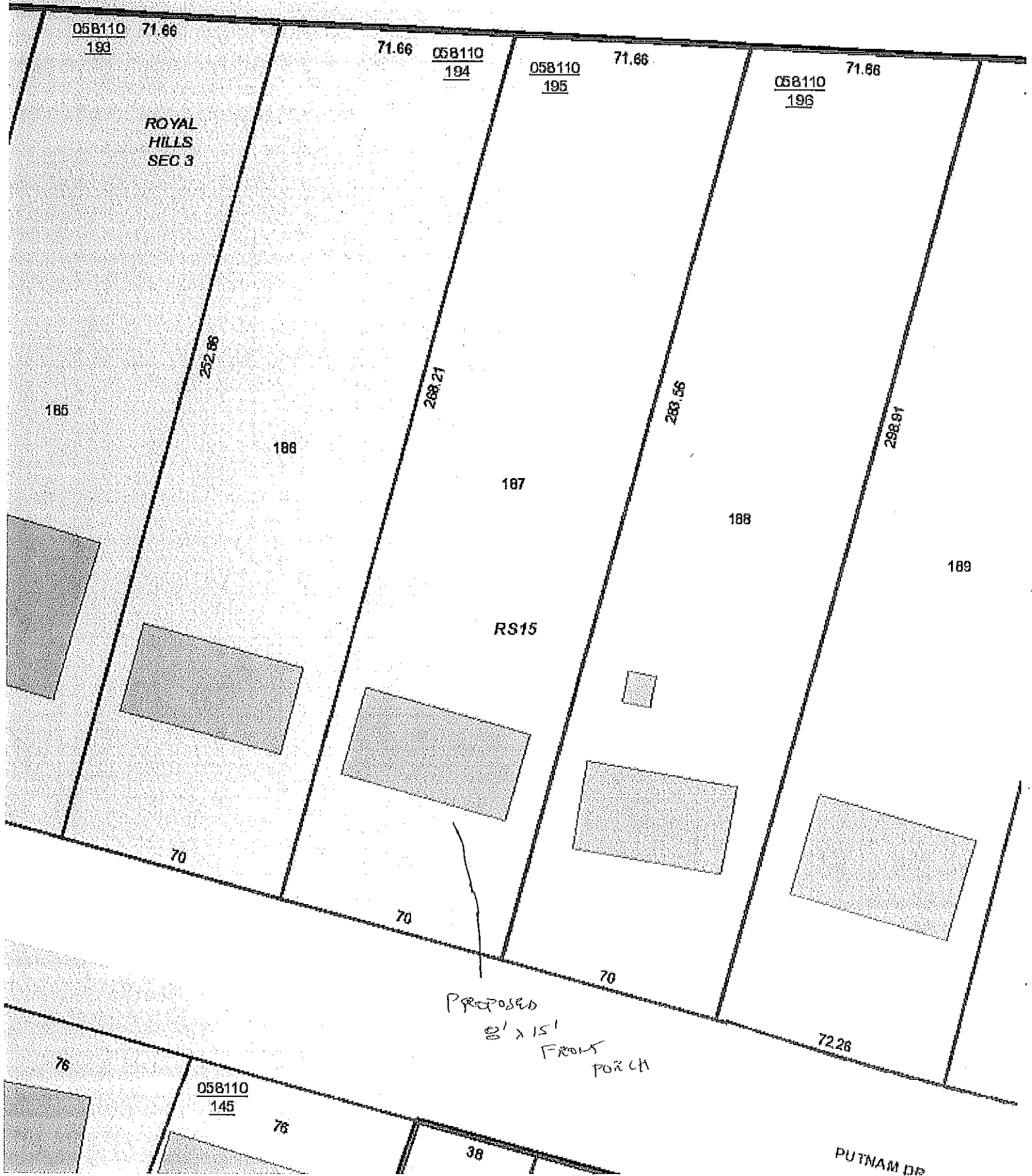
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

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?

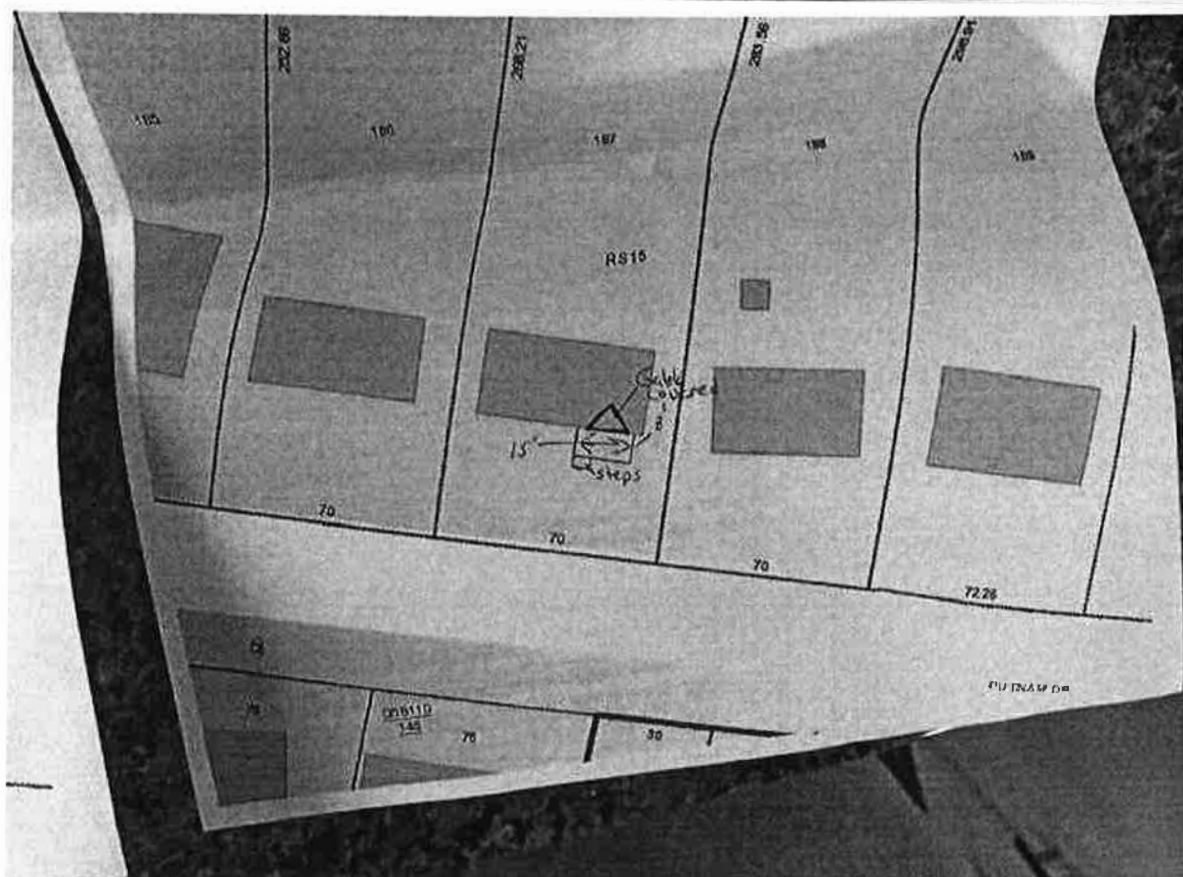
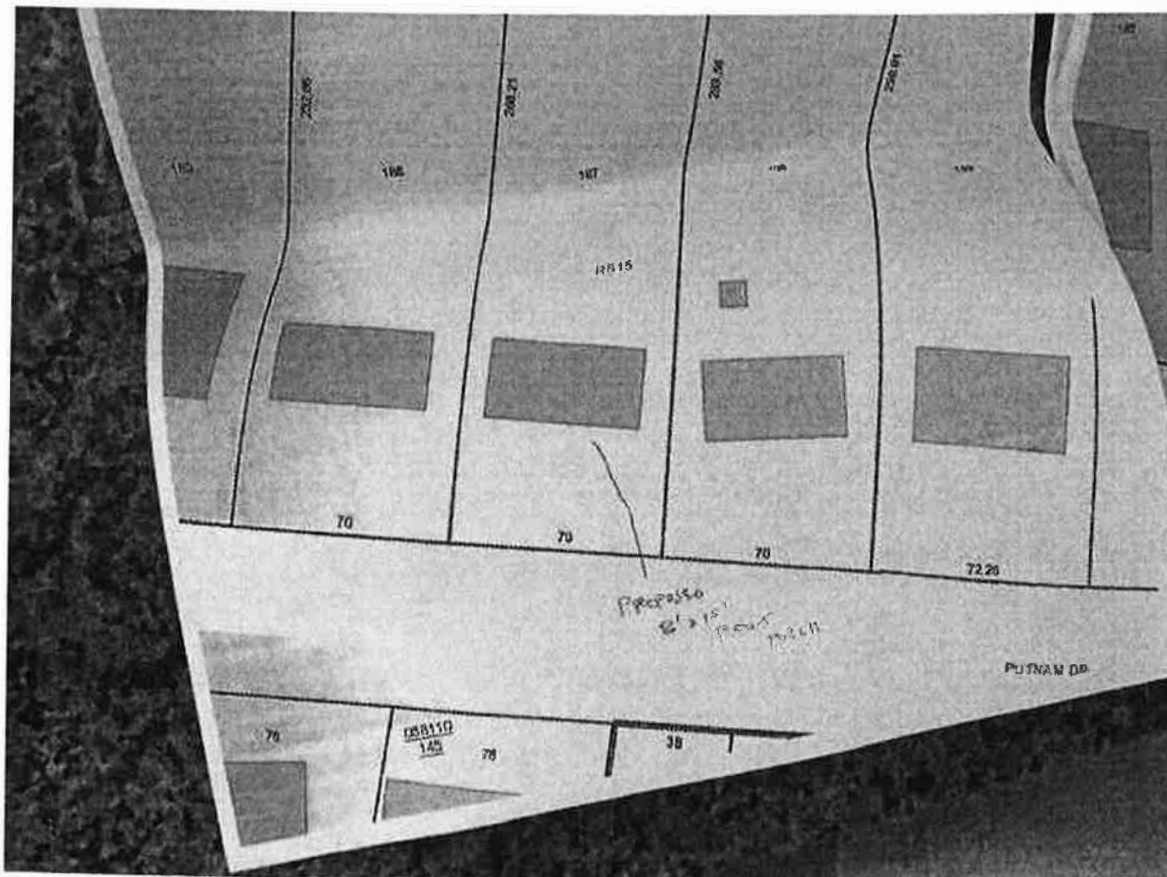
As a new/First-time homebuyer, I was not aware ~~of~~^{the} of many building codes necessary for adding to or renovating a home. That said, I bought the home fully expecting to be able to make changes and certain additions. It appears the front setback does not allow for me to build a porch on the front 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.

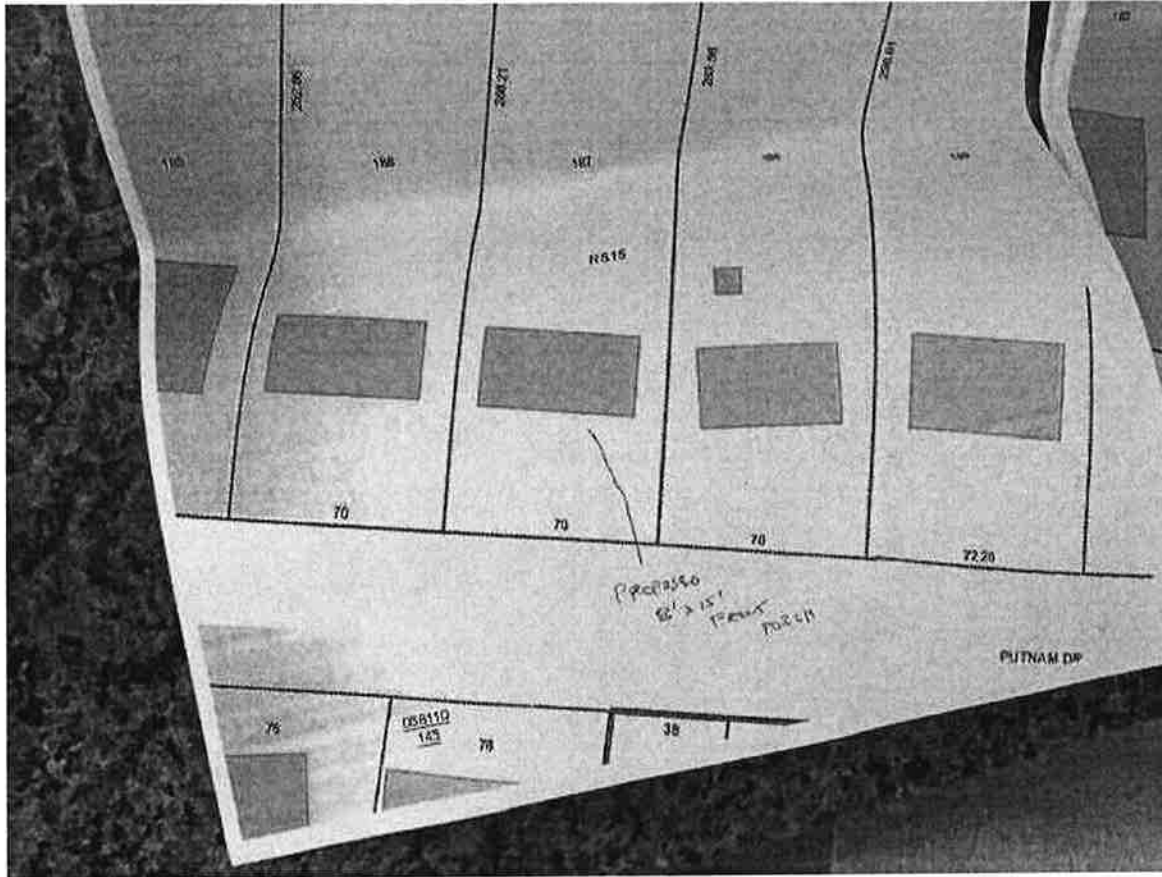
SP



SP













From: [Hall, Jonathan \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#); [Michael, Jon \(Codes\)](#)
Subject: Exception Support fir 659 Putnam
Date: Monday, February 24, 2020 10:29:35 AM



I as Councilman and the adjoining neighbors support Mr.Cochran in his effort to adjust the size of his front porch.

Thank you in advance.

Councilmember Jonathan Hall
District One

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Scott Morken

Date: 12/23/19

Property Owner: _____

Case #: 2020-039

Representative: SCOTTMORTON

Map & Parcel: 069 64 000 300

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:

to permit a single family residence without building sidewalks

Activity Type: Single Family

Location: 3809 Fairview Dr.

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: sidewalks 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 _____ 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 Morken
Appellant Name (Please Print)

SCOTT MORTON
Representative Name (Please Print)

Address

209 10TH AVENUE S. STE 425
Address

City, State, Zip Code

NASHVILLE, TN 37203
City, State, Zip Code

Phone Number

(615) 415 -5520
Phone Number

Email

smorton@smithgeestudio.com
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**



**BUILDING RESIDENTIAL - NEW / CARN - 2018032154
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 06904000300

APPLICATION DATE: 06/05/2018

SITE ADDRESS:

3804 FAIRVIEW DR NASHVILLE, TN 37218
LOT 22 BLK DD FAIRVIEW SUB

PARCEL OWNER: VILLALOBOS, AMANDA TARASA

CONTRACTOR:

APPLICANT: SELF CONTRACTOR RESIDENTIAL (SEE
APPLICANT INFORMATION)
Amanda Villalobos 615-227-6160

SELF CONTRACTOR RESIDENTIAL (SEI MCN00000

PURPOSE:

to construct 1300SF single family residence with 200SSF porches. 10' min. side setback, 20' min. rear setback, front setback at 86.9' per avg. not to be over any easements.

Sidewalks are required, applicant may pay in lieu of sidewalk requirements

***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.

U&O Sewer Availability Final Approval		mws.ds@nashville.gov
U&O Water Availability Final Approval		mws.ds@nashville.gov
SWGR U&O Sign-off		615-862-7225 mws.stormdr@nashville.gov
Building Framing - Ceiling		
Building Floor Elevation		
Building Footing		
Building Foundation		
Building Framing		
Building Framing - Wall		
Codes Tree U&O Final Inspection		
CA Building Progress Inspection		
Building Slab		
Building Final		
U&O Letter		615-862-6527 tawanna.dalton@nashville.gov
[F] Sidewalk Review For Bldg App	COND	615-862-6558 Jonathan.Honeycutt@nashville.gov
U&O PW Sidewalk FA - CA Final Approval		615-862-8758 Benjamin.york@nashville.gov
[D] Grading Plan Review For Bldg App		(615) 862-6038 Logan.Bowman@nashville.gov

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.)

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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 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.

Scott Morton

APPELLANT

12/11/2019

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?

The applicant would like to request a sidewalk variance to waive the requirements of Ordinance No. BL2019-1659, for parcel 06904000300 (3804 Fairview Drive). The site currently has an existing drainage ditch along the full street frontage where the required sidewalk is to be provided, as shown in the attached exhibit. The removal of the existing brick wall and culvert would also be an added cost to the construction of a sidewalk. The parcel is also located in a suburban neighborhood maintenance area in which a new sidewalk would not further the goal of extending or completing a sidewalk network. The sidewalk network in closest proximity to the site is approximately 1 mile away at the intersection of Clarksville Pike and Ashland City Highway.

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION**BZA Case 2020-039 (3804 Fairview Drive)**

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Local Street Standard
Requested Variance:	Not construct sidewalks
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	500' from #22 - Bordeaux
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Disapprove*

Analysis: The applicant is proposing to construct a single-family residence and requests not to construct sidewalks due to a lack of existing sidewalks along the block face. A previous request for relief from sidewalk construction or contribution in-lieu of construction was denied by the Board of Zoning Appeals at its August 2, 2018 public hearing (**Case number 2018-385**). Per the Zoning Ordinance, the applicant is eligible to contribute in-lieu of construction. Electing to make 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. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction**. The applicant shall also dedicate right-of-way for future sidewalk construction.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: James Crockett II Date: 1/7/2020
Property Owner: Dr. Jarel Jackson Case #: 2020-049
Representative: James Crockett Map & Parcel: 68112030800

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 CONSTRUCT A SINGLE FAMILY RESIDENCE
PERMIT 2019061452

Activity Type: RES. CONSTRUCTION
Location: 908 CHEATHAM PL

This property is in the R6-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: VARIANCE TO SIDE/REAR FACING GARAGE DOOR ORIENTATION

Section(s): 17.12.020b2

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.

James Crockett II
Appellant Name (Please Print)
PO Box 194
Address
Nolensville TN 37135
City, State, Zip Code
615-566-1906
Phone Number
JACinvest.net
Email
Signature: JCS

James Crockett II
Representative Name (Please Print)
PO Box 194
Address
Nolensville TN 37135
City, State, Zip Code
615-566-1906
Phone Number
JAC@JACinvest.net
Email
Appeal Fee: _____

TO BUILD ON BZA CASE 2019-492 GRANTED - UNDERSIZED LOT



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



3720440

**ZONING BOARD APPEAL / CAAZ - 20190061466
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08112030800

APPLICATION DATE: 10/08/2019

SITE ADDRESS:

908 CHEATHAM PL NASHVILLE, TN 37208
PT LOTS 249 250 MCGAVOCKS TOWN NO NASH.

PARCEL OWNER: BASILE, KENT T.

CONTRACTOR:

APPLICANT:**PURPOSE:**

BZA Appeal requesting to construct single family residence on undersized lot and to NOT build to the required 3 ft. Requesting a 74 sq ft variance to lot area and to omit the required 3 ft side setback for at least 25% of structure beginning at front setback.

Rejected due to undersized lot area of 3676 sq ft per survey. Minimum 3,750 sq ft per Code Section 17.40.670. Required 3 ft side setback for at least 25% of structure beginning at front setback.

POC: Kent Basile 865-242-4767
kentbasil@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**



3720420

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2019061452
THIS IS NOT A PERMIT**

PARCEL: 08112030800

APPLICATION DATE: 10/08/2019

SITE ADDRESS:

908 CHEATHAM PL NASHVILLE, TN 37208
PT LOTS 249 250 MCGAVOCKS TOWN NO NASH.

PARCEL OWNER: BASILE, KENT T.

APPLICANT:**PURPOSE:**

BZA Appeal requesting to construct single family residence on undersized lot and to NOT build to the required 3 ft side setback per 17.40.670.

Rejected due to undersized lot area of 3676 sq ft per survey. Minimum 3,750 sq ft per Code Section 17.40.670.
Required 3 ft side setback for at least 25% of structure beginning at front setback of structure.

To construct a single family residence with 2122 sq ft of living, 444 sq ft garage, and 437 sq ft of porches and decks.
Maximum height of 2 stories within 35 ft. Sidewalks ARE required for this project because this parcel is within the UZO.
You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction.

*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
BZA Hearing on a BLDG Permit		
[A] Zoning Review		
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	(615) 862-4138 Lisa.Butler@nashville.gov
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	APPROVED	615-862-8781 Bonnie.Crumby@nashville.gov
[D] Grading Plan Review For Bldg App		615-862-7225 mws.stormdr@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		615-862-8782 PWPermitsl@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 firstclass 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 Las 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 Change 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 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 the 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 sign(s) after the public hearing.


APPELLANT

1/7/2020
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?

Small lot size and no alley access is preventing rear and side parking or garage access.

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.

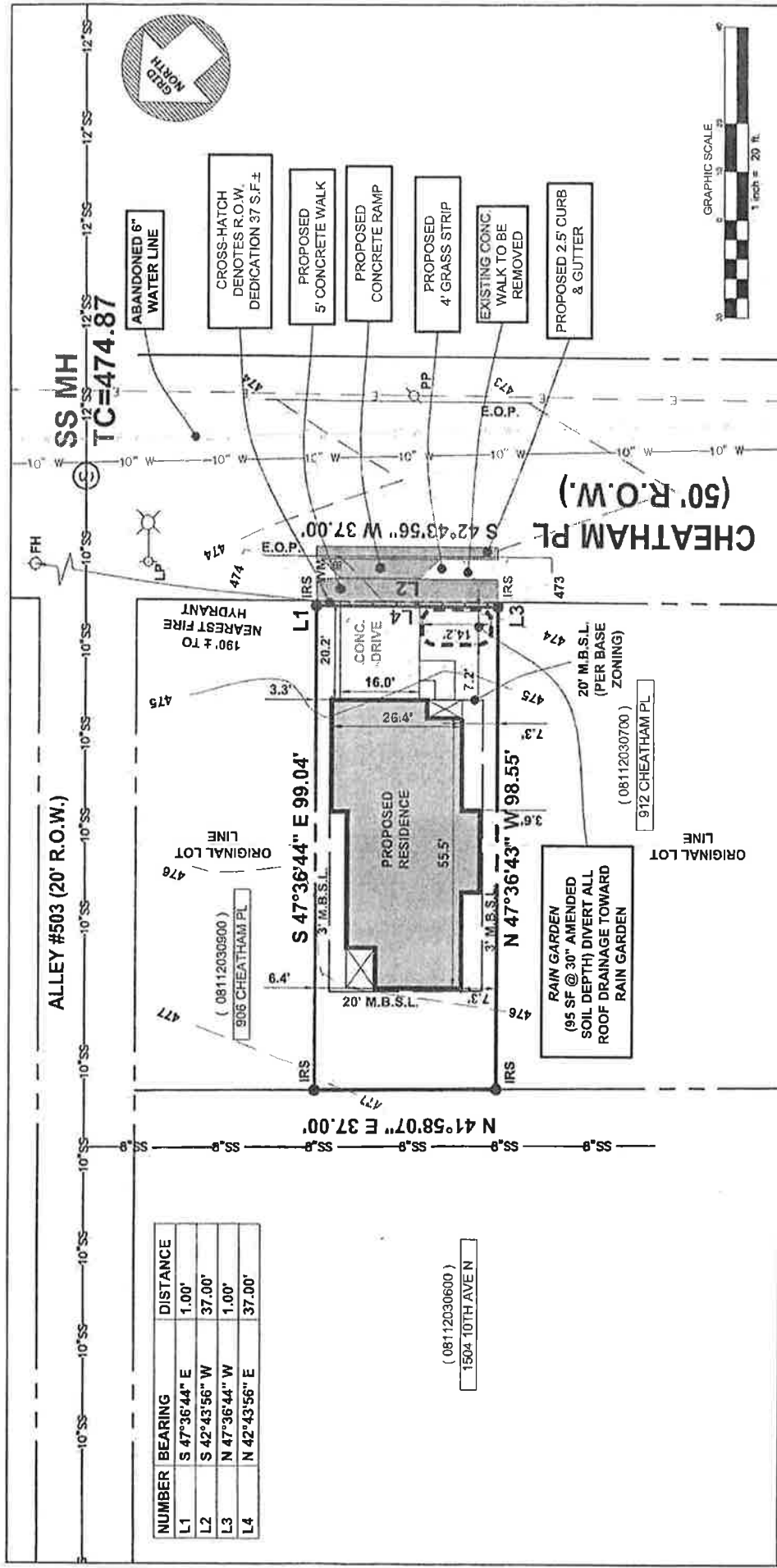
Financial gain not only bases- Financial gain is not the sole basis for granting the variance.

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.



NUMBER	BEARING	DISTANCE
L1	S 47°36'44" E	1.00'
L2	S 42°43'56" W	37.00'
L3	N 47°36'44" W	1.00'
L4	N 42°43'56" E	37.00'

(08112030600)
1504 10TH AVEN

SHEET NO.
S-1.0
REVISION

Site Plan
908 Cheatham Place
Nashville - Davidson Co., Tn.



Prepared By:
W.T. Smith- Land Surveying
4207 Lebanon Pike, Suite #200
Hermitage, TN. 37076
Phone: 615-712-6693
Email: tommy@wtsmithsurvey.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Duane Cuthbertson
Property Owner: Patel
Representative: Same as App.

Date: 1-6-20
Case #: 2020- 152 updated
Map & Parcel: 08202005800
08202009100

Council District 5

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

Purpose: a special exception building height requirement in CL district.

Activity Type: Mixed Use

Location: 1009 + 1013 Dickerson Pike

This property is in the CL 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 mixed use building at 50'-2" maximum height.

Section(s): 17.12.020C (Note 6)

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.

Duane Cuthbertson
Appellant Name (Please Print)

Same as Appellant
Representative Name (Please Print)

1806 A Allison Pl.
Address

Address

Nashville, TN 37203
City, State, Zip Code

City, State, Zip Code

615.924.9618
Phone Number

Phone Number

dcuthber@gmail.com
Email

Email

Zoning Examiner: CH

Appeal Fee: \$200



**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 - 2020000804
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08202005800

APPLICATION DATE: 01/06/2020

SITE ADDRESS:

1009 DICKERSON PIKE NASHVILLE, TN 37207
LOTS 3 & 4 H H BROWN SUB

PARCEL OWNER: PATEL, NANU T & MANJU

CONTRACTOR:

APPLICANT: Duane Cuthbertson
1806 A Allison Place
Nashville, TN 37203 615-924-9618

PURPOSE:

requesting variance for height. Requesting to building 50'2" at setback. 30' at setback is the current maximum.

*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.)

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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 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

1.6.20

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.

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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 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?

Lots are considerably shallow provided factors including:

- Dickerson Pike South Plan encouragement for transit supportive density; (including 4 story bldgs)
- Significant ROW dedications; Street and alley
- Site development requirements resulting in MDHA approved layout including parking, stormwater & landscaping.

Property is located in MDHA Redevelopment district that encourages revitalizing and transit supportive intensity in appropriately designed form.

MDHA will review proposed building's design - including Building Height for appropriateness.

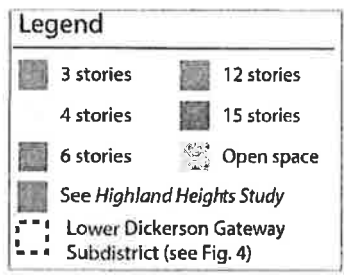
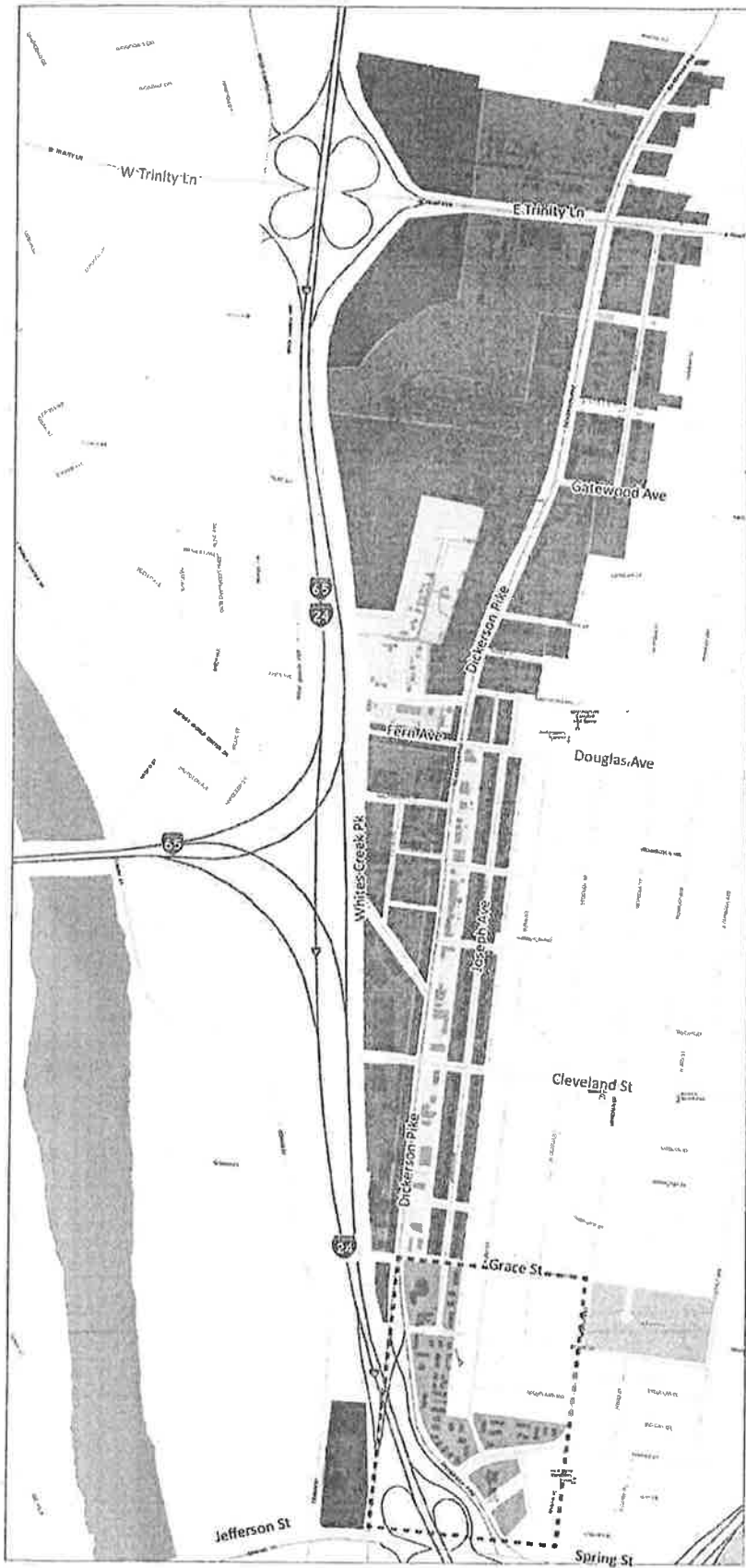
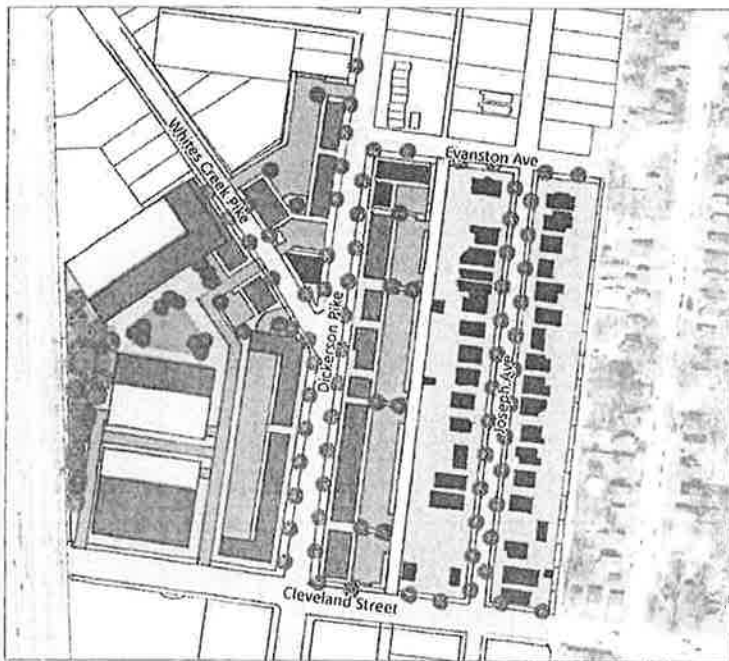


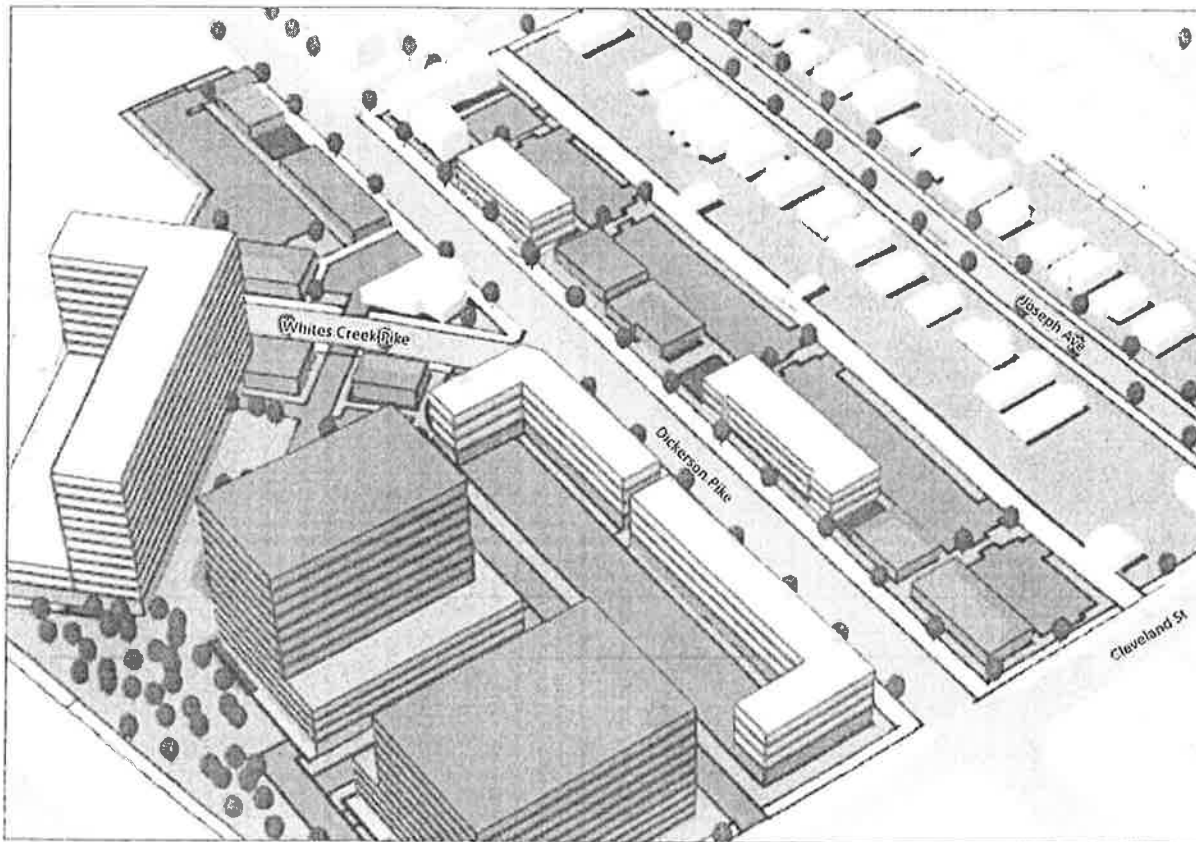
Fig. 3: Supplemental Policy Building Height Subdistricts

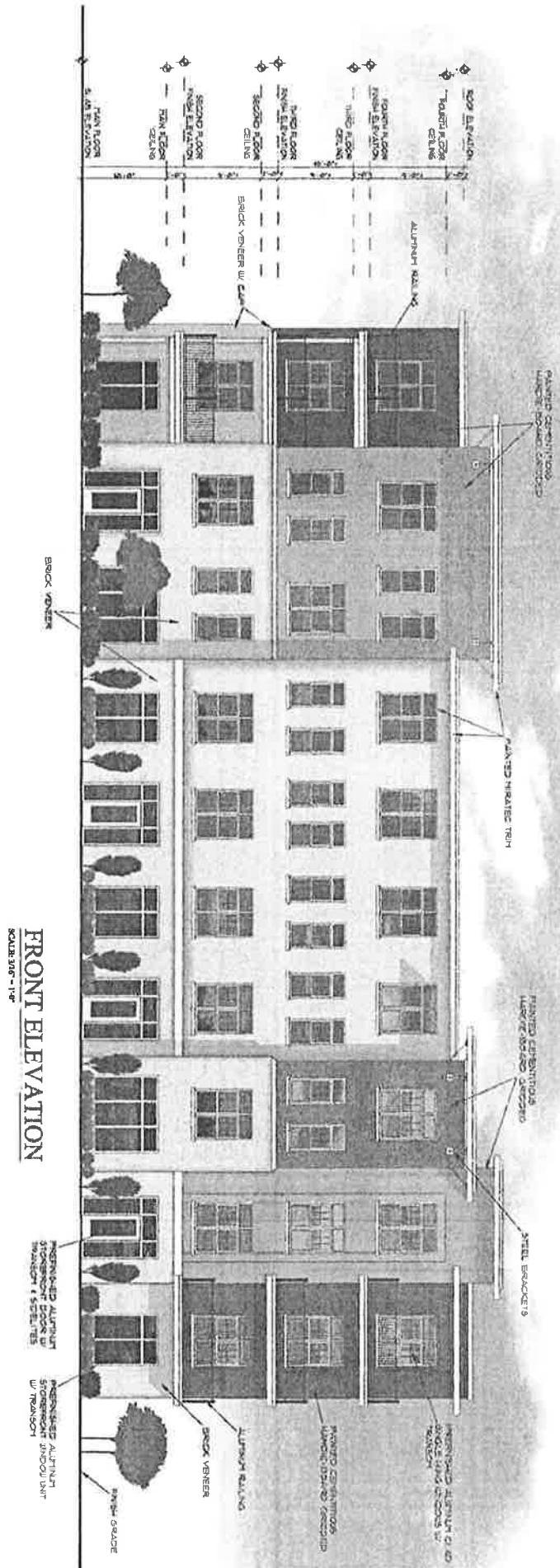


Cleveland/Whites Creek

The Cleveland/Whites Creek scenario envisions a commercial node at the intersection of Dickerson Pike and Whites Creek Pike. Buildings along Dickerson Pike range in height between one and four stories on the east side of Dickerson and one to six stories on the west side. Development adjacent to the interstate accommodates taller buildings with larger footprints. Development on the east side of Dickerson Pike relates to the neighborhood in terms of scale and height. Cleveland Street connects to River North west of the interstate and development responds accordingly to the design of the street.

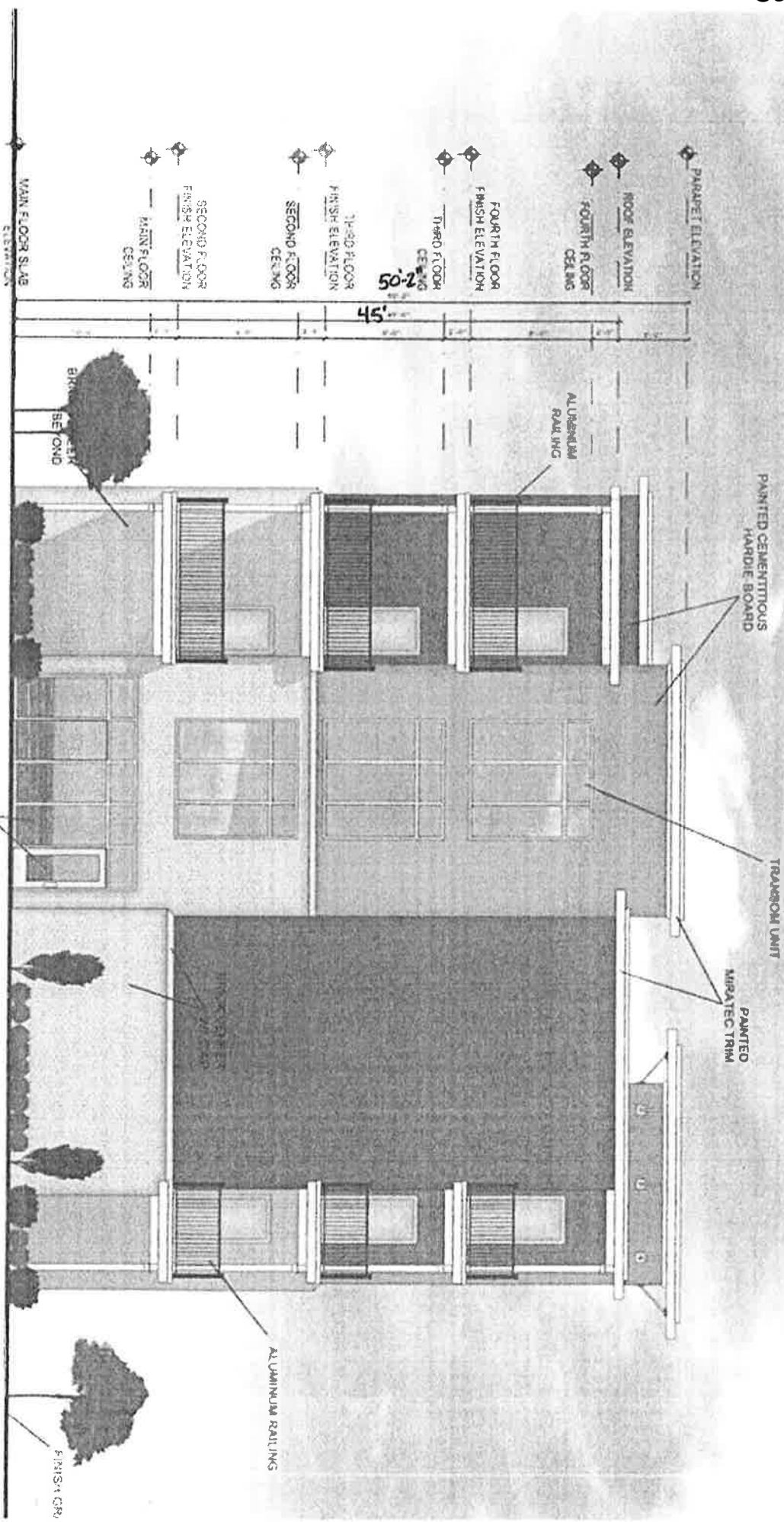
Cleveland/Whites Creek plan view (above) and perspective view (below)





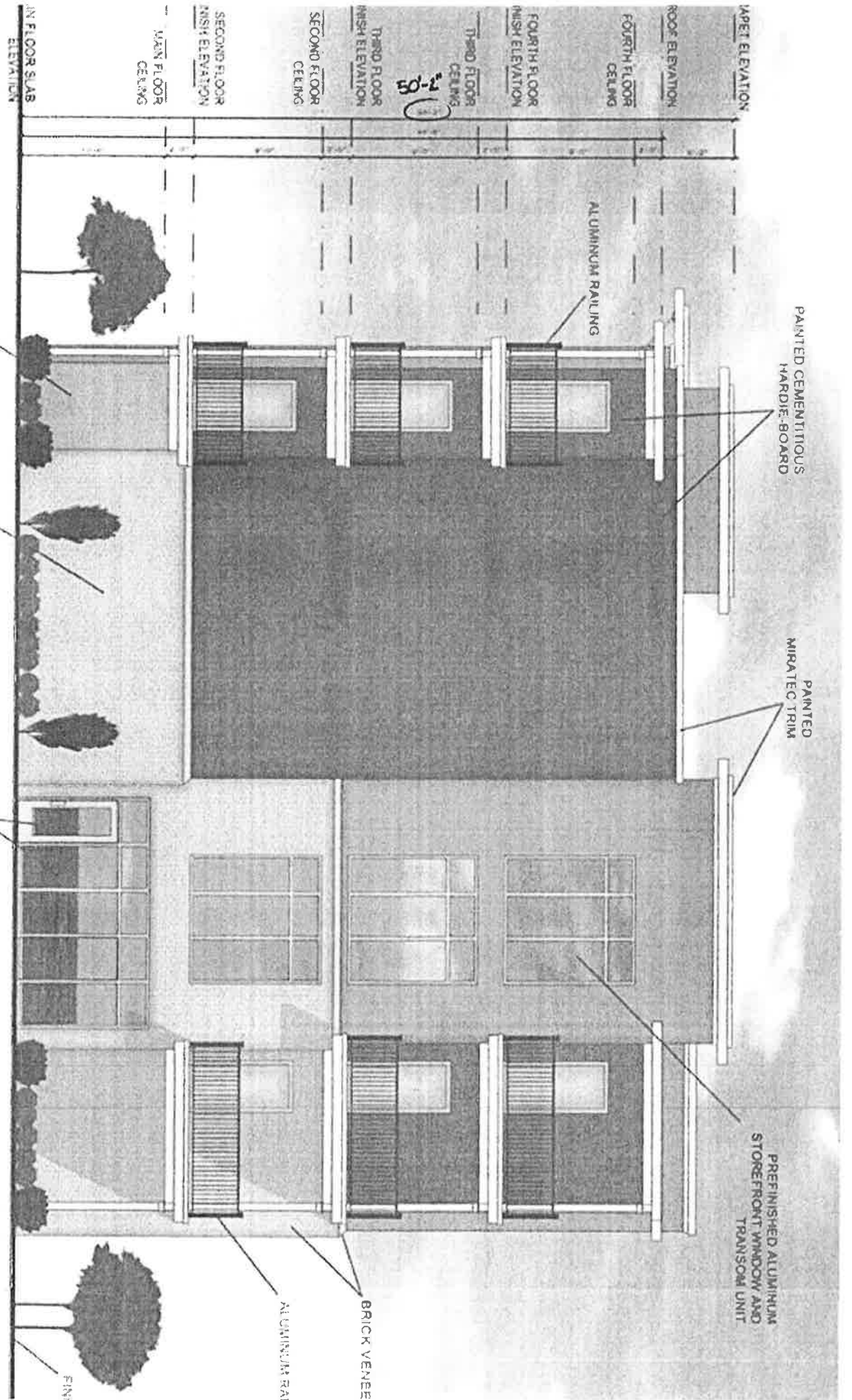
FRONT ELEVATION

SCALE 3/16" = 1'-0"



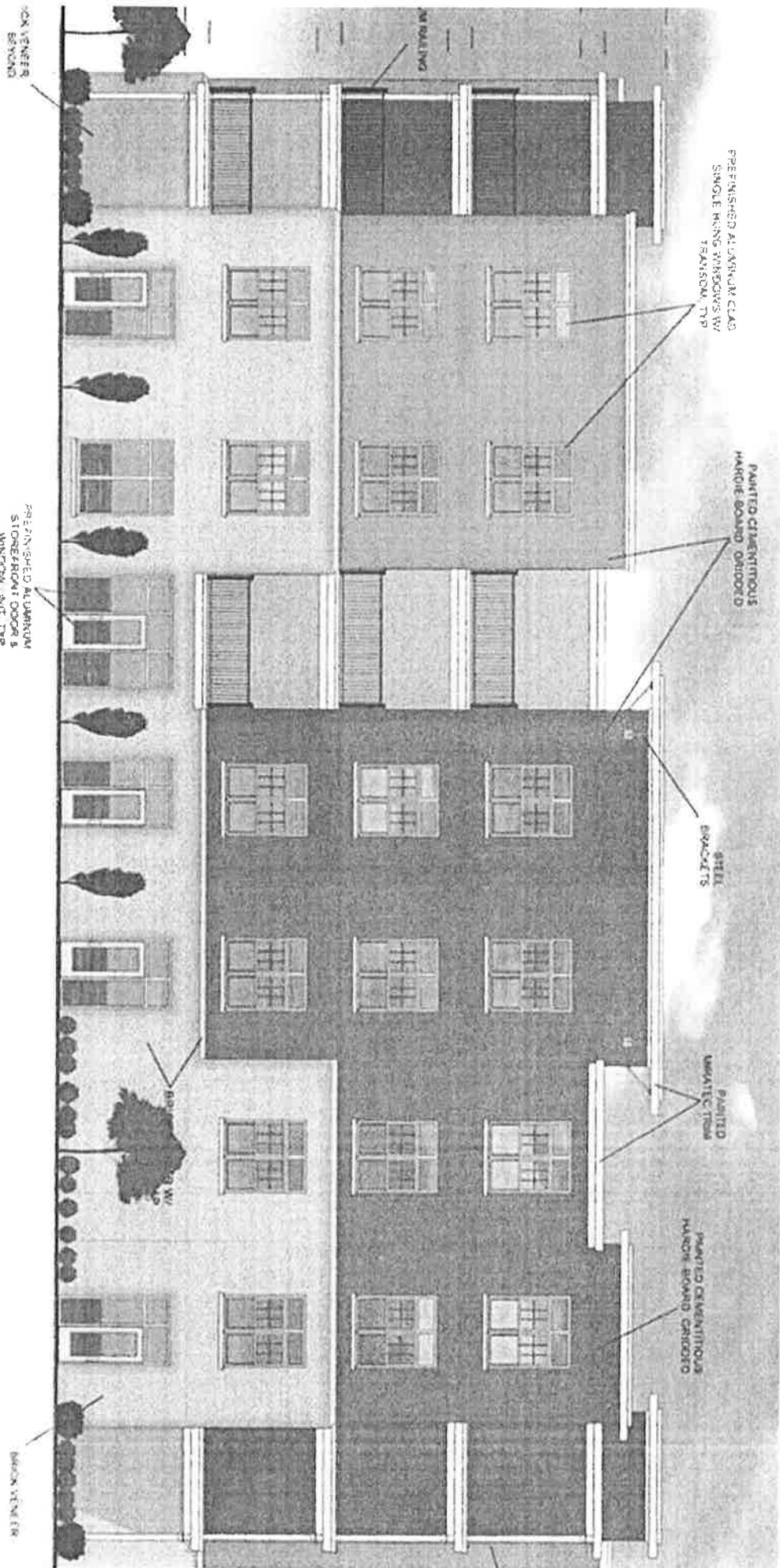
LEFT ELEVATION

SCALE: 3/16" = 1'-0"



RIGHT ELEVATION

SCALE: 3/16" = 1'-0"



REAR ELEVATION

SCALE: 1/8" = 1'-0"

BZA Case No. 2020-052
1009 / 1013 Dickerson Pike
Special Exception to increase the building height at the street setback

Nashville Board of Zoning Appeals

Agenda Date: February 20, 2020

Case No. 2020-052

Address: 1009 / 1013 Dickerson Pike



1009 / 1013 Dickerson Pike

Request: Special Exception to increase the building height at the street setback.

Purpose: To allow a four story building in 52' to be constructed at the street setback along Dickerson Pike.

The Special Exception will allow for a new building to be constructed up to the 15' street setback at a total of four stories in 52'. The four occupiable floors will rise up to 45' however architectural and mechanical enclosures at the top of the building will bring the total height to 52' at the building façade.

The building is proposed as a mixed use building containing a mix of commercial and office uses along the ground floor and up to 21 residential dwellings on the floors above.

The site plan and elevation presented to the BZA meet all other zoning requirements.

The site is located in an **MDHA Redevelopment District** and will require site plan approval, after the BZA hearing. Any approval by the BZA should be conditioned with MDHA Design Review approval and should allow for deviations as directed by the MDHA Design Review Committee.

Zoning Requirement / Intent: The subject property is zoned CL (Commercial Limited). That zoning district permits a range of commercial, office and residential uses.

The zoning code limits building height in the CL zoning district to a maximum of 30' at the street setback and then allows a height plane ratio of 1.5' (vertical) for every 1' (horizontal). For example, a building may rise an additional 15 feet if that portion of the building is setback an additional 10 feet from the street setback.

The zoning code provides for exceptions to the building height maximum in the CL zoning district; recognizing that in some cases additional building height at the street setback may be appropriate. The Board of Zoning Appeals is the entity capable of determining when/ where additional height is appropriate.

The intent of the zoning code is to ensure that commercial buildings are at appropriate heights given the surrounding context. Factors including the width of the commercial street (to allow sufficient light and air into the corridor) and proximity to potentially sensitive uses such as single-family homes typically determine the appropriateness of the scale of development along a commercial corridor. For example, it may not be appropriate for a building to rise more than 30' at the street setback if that street is particularly narrow and leads into a lower intensity residential neighborhood...i.e. Douglas Avenue to the north.

BZA Case No. 2020-052
 1009 / 1013 Dickerson Pike
 Special Exception to increase the building height at the street setback

Analysis:

The subject property is located along an intense commercial corridor on which Metro is attempting to encourage intense redevelopment.

The Dickerson Pike Right-of-Way (ROW) is relatively wide in front of the subject property – currently containing 60' of ROW. The proposed development will dedicate an additional 13' of ROW bringing the total to 73'. If and when properties on the other side of Dickerson redevelop they will be required to dedicate 13' of additional ROW as well bringing the total ROW to 86'.

The proposed building, at four stories in a total of 52' will not impose oppressive conditions on the corridor such as excessive shadows and inconsistent scale. On the contrary, from an urban design perspective, the proposed building will complement the width of the street by creating a proportional edge.

Further, the proposal to establish commercial uses on the ground floor will activate the sidewalk and contribute positively to the experience for all though particularly for those not in automobiles.

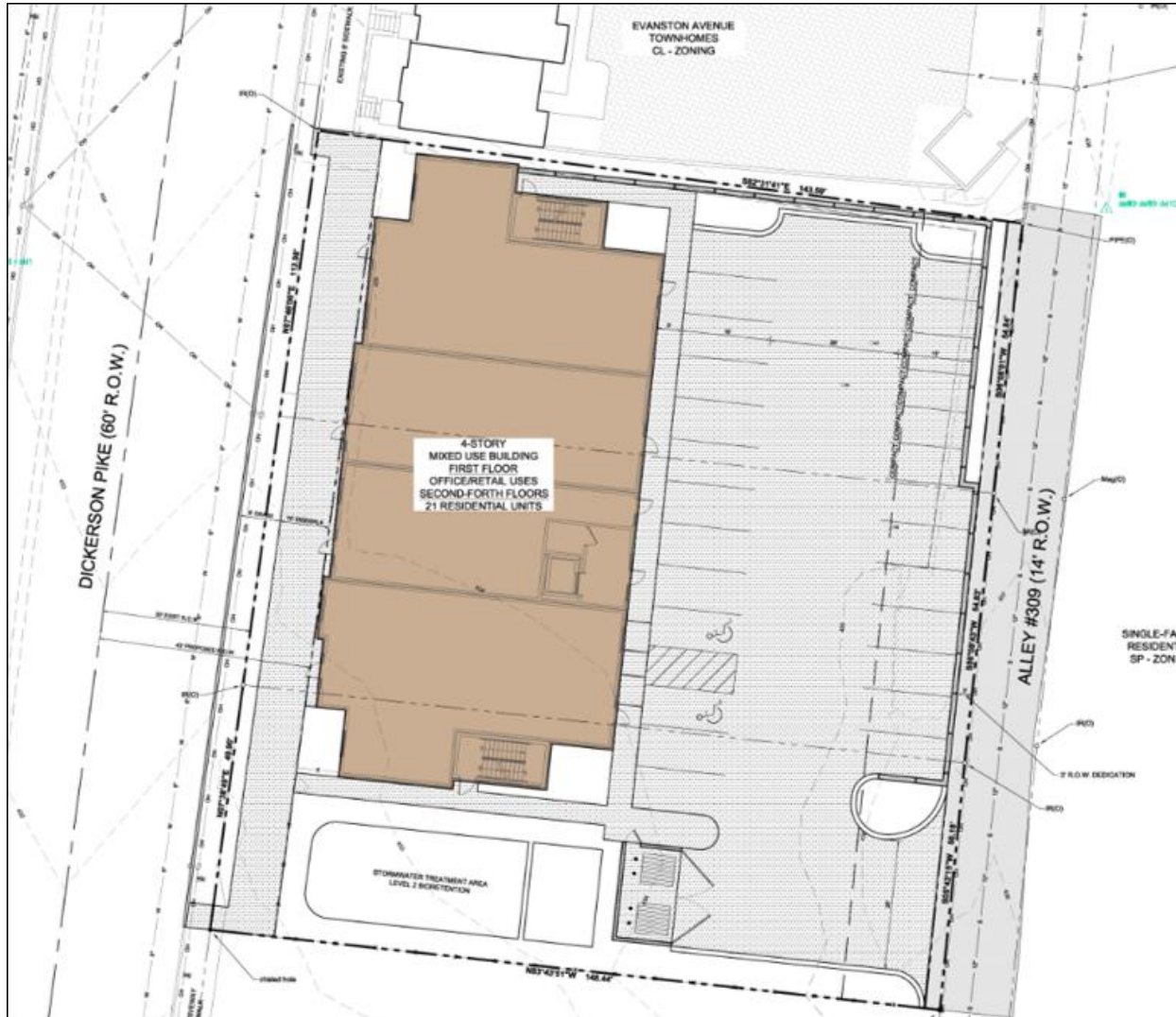


The building is proposed to be positioned up to the 15' street setback. The intent is to maximize the use of the property while keeping the massing of the structure as far as possible from the residential neighborhood to the east. Sufficient surface

BZA Case No. 2020-052
 1009 / 1013 Dickerson Pike
 Special Exception to increase the building height at the street setback

parking and landscaping are proposed in between the building and the neighborhood.

Additionally, the proposed development is intended to considerably improve conditions along the Dickerson Pike corridor by eliminating existing curb cuts and extending a wide sidewalk along the entirety of the frontage.



Site Plan for 1009 / 1013 Dickerson Pike

BZA Case No. 2020-052
 1009 / 1013 Dickerson Pike
 Special Exception to increase the building height at the street setback

The proposed height exception will allow for a small portion of the proposed building to exceed the height plane ratio. At a proposed 52' total the Code would require the building to be setback an additional 14.6'.

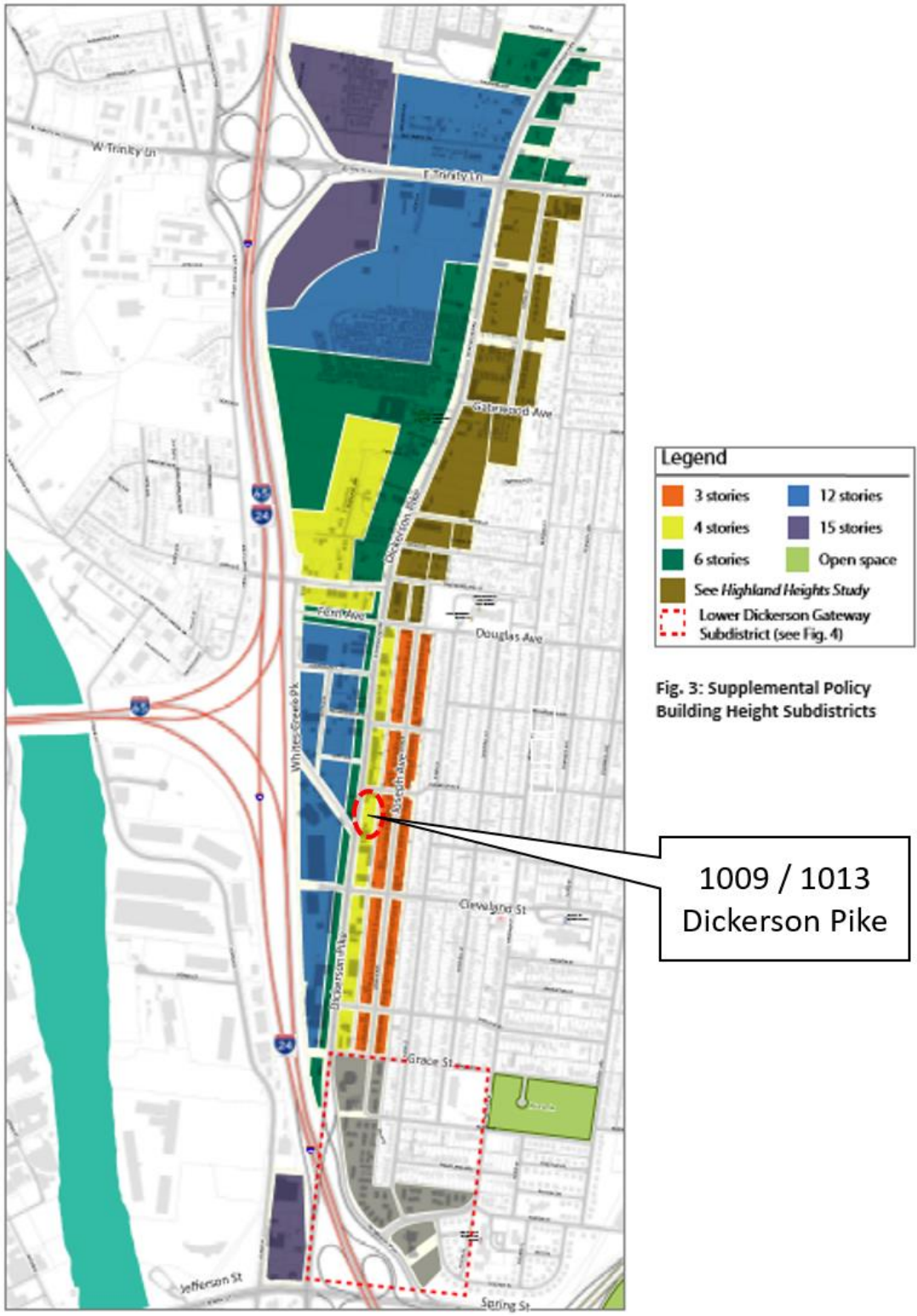
The proposed building floor area could be constructed within that building envelope however it would be pushed back into the site closer to the residential neighborhood to the east.



The site is located within the Dickerson South Corridor Study area. The study was a very recent public effort conducted by the Planning Department to consider community efforts and standards to improve the corridor.

The Study specifically provides for an 'appropriate building height' schedule. The subject property is located within a subdistrict that considers a full four stories as appropriate. **The Special Exception request and the proposed mixed use building are consistent with the Dickerson South Corridor Study.**

BZA Case No. 2020-052
1009 / 1013 Dickerson Pike
Special Exception to increase the building height at the street setback



Considerations:

BZA Case No. 2020-052
1009 / 1013 Dickerson Pike
Special Exception to increase the building height at the street setback

1. The site is located on an intense redeveloping corridor;
2. The Dickerson Pike Corridor contains a relatively wide Right-of-Way (Street width) in front of the subject property;
3. The redevelopment of the site will increase the ROW width by 13 feet;
4. The area of the building subject to the special exception and exceeding the height plane ratio is relatively small;
5. The Special Exception will allow for the entirety of the proposed building to remain sufficiently separated from the residential district to the east;
6. The proposed 4 story building is supported by recent public Planning efforts (Dickerson Pike Corridor South study);
7. The proposed building height will improve and compliment the form of the Dickerson Pike corridor by creating proportional shape at the edge.

Conditions:

As the site is located within a MDHA Redevelopment District the proposed building and site plan are subject to Design Review Committee approval. Any approval by the BZA should allow for minor deviations as directed by MDHA's Design Review Committee.

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

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Emily Lamb
Date: February 10, 2020
BZA Hearing Date: February 20, 2020
Re: Planning Department Recommendation for Special Exception Cases

Pursuant to Section 17.40.340 of the Metro Zoning Code, the Metropolitan Planning Department is providing recommendations on the following Special Exception case:

Case 2020-052 (1009 & 1013 Dickerson Pike) – Special Exception

Request: To approve a special exception to allow for the increase in height from 30 feet at the building setback to 50 feet and 2 inches.

Zoning: Commercial Limited (CL) is intended for retail, consumer service, financial, restaurant, and office uses. This property is located within the Urban Zoning Overlay (UZO), Skyline Redevelopment District, and the Dickerson Pike Sign Urban Design Overlay (UDO).

Policy: T4 Urban Mixed-Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Small Area Plan: Dickerson South Corridor Study. Corridor studies are developed through a participatory process that involves Planning Department staff working with stakeholders to establish a clear vision and provide detailed information and solutions to guide the future physical and regulatory characteristics for particular corridors of the city. The Dickerson South Corridor Study was adopted in June of 2019.

Existing Context: The 0.55 acre site is located on the east side of Dickerson Pike, south of the intersection of Evanston Avenue and Dickerson Pike. Alley 309 is adjacent to the eastern property line.

The subject site is currently vacant. The surrounding properties to the north, west, and south are zoned CS (Commercial Services) and CL (Commercial Limited). There are two Specific Plan – Residential (SP-R) zoning districts for the properties to the east of the site across Alley 309. The larger of two SP zoning districts, which generally applies to the Cleveland and McFerrin Park Neighborhoods, permits all uses of Single Family Residential (RS5) with Detached Accessory Dwelling Units (DADUs). The one lot SP, directly to the east of the site at 1008 Joseph Avenue permits two detached dwelling units.

Planning Department Analysis:

The applicant is requesting one special exception:

- To allow for an increase in height from 30 feet at the setback to 50 feet and 2 inches at the setback.

The existing CL zoning permits a maximum height of 30 feet at the setback line, with a slope of height control plane regulating height beyond the building setback line.

The Dickerson Height Corridor Study examined the corridor and surrounding blocks and provides guidance on height and building forms. The site is in an area intended for development of one to four stories. The Supplemental Policy envisions lower height along the east side of Dickerson Pike than on the west, as the properties along the east side abut primarily one and two-family residential uses.

The information provided by the applicant shows a proposed four-story building with a maximum height of 50 feet and 2” at the building setback line and maintaining the height as the building extends back towards the alley. The first floor would have office and retail uses and floors two through four would be residential uses. This is following the general policy guidance for four stories as called for in the Supplemental Policy. Given the supplemental policy guidance and surrounding context, the increased height from 30’ to 50’ 2” stories is appropriate.

Planning Recommendation: Approve the increase in height from 30 feet to 50 feet 2 inches with the following conditions:

1. Building should be limited to a maximum of four stories within the proposed height of 50 feet 2 inches.

From: [Gregory, Christopher \(Public Works\)](#)
To: [Lifsey, Debbie \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#)
Cc: [Ammarell, Beverly \(Public Works\)](#); [Milligan, Lisa \(Planning\)](#); [Sewell, Marty \(Planning\)](#); [Birkeland, Latisha \(Planning\)](#)
Subject: BZA Case 2020-052
Date: Thursday, February 13, 2020 11:27:17 AM

2020-052 1009 Dickerson Pike Special Exception for Building Height on Mixed-Use Building

Variance: 17.12.020 C

Response: Public Works takes no exception on condition that adequate parking is provided on site per code.

This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process. Prior to permit approval, a traffic study may be required for this development.

-----Original Message-----

From: Lifsey, Debbie (Codes) <Debbie.Lifsey@nashville.gov>
Sent: Monday, February 10, 2020 8:18 AM
To: Milligan, Lisa (Planning) <Lisa.Milligan@nashville.gov>; Sewell, Marty (Planning) <Marty.Sewell@nashville.gov>; Birkeland, Latisha (Planning) <Latisha.Birkeland@nashville.gov>
Cc: Gregory, Christopher (Public Works) <Christopher.Gregory@nashville.gov>
Subject: Emailing: 2020-052 application updated

2020-052 special exception on our docket for 2/20/20

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jason and Jamie Mayes Date: 1/19/2020

Property Owner: _____

Case #: 2020-054

Representative: _____

Map & Parcel: 13302035700

Council District 16

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

Purpose: NEW SINGLE-FAMILY RESIDENCE

(WAIVER 11/18/19 COMPLETE)

Activity Type: RESIDENTIAL CONSTRUCTION

Location: 167 McCall St.

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: REQUEST NOT TO INSTALL SIDEWALKS OR CONTRIBUTE

Section(s): 17.20.120 SIDEWALKS REQUIRED

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.

Jason & Jamie Mayes
Appellant Name (Please Print)

Sean Robarge
Representative Name (Please Print)

167 McCall St
Address

901 Woodland St.
Address

Nashville TN 37206
City, State, Zip Code

Nashville TN 37206
City, State, Zip Code

(615) 545-0715
Phone Number

(615) 967-4787
Phone Number

jmayes75@gmail.com
Email

Sean@RSCbuild
Email

Zoning Examiner: TC

Appeal Fee: \$100



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



3748503

**ZONING BOARD APPEAL / CAAZ - 20200001890
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 13302035700

APPLICATION DATE: 01/09/2020

SITE ADDRESS:

167 MCCALL ST NASHVILLE, TN 37211
S SIDE MCCALL ST E OF NOLENSVILLE PIKE

PARCEL OWNER: MAYES, JASON & JAMIE

CONTRACTOR:

APPLICANT:**PURPOSE:**

REQUIRED: PER 17.20.120 SIDEWALKS REQUIRED
REQUEST: NOT TO INSTALL SIDEWALKS OR CONTRIBUTE

(SIDEWALK WAIVER REQUESTED 11/18/2019, REQUESTED TO NOT BUILD NOR CONTRIBUTE IN LIEU OF CONSTRUCTION)

(TO CONSTRUCT A NEW SINGLE-FAMILY RESIDENCE WITH 2375 SQFT OF LIVING SPACE...640 SQFT GARAGE... ..56.7' MINIMUM FRONT SETBACK... ..5' MINIMUM SIDE SETBACK... ..20' MINIMUM REAR SETBACK... ..MAXIMUM HEIGHT 3 STORIES... ..NOT TO BUILD OVER OR OBSTRUCT ANY EASEMENTS ON 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.*

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 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 (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.

Jason & Janic Meyer
APPELLANT

11/9/19
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.

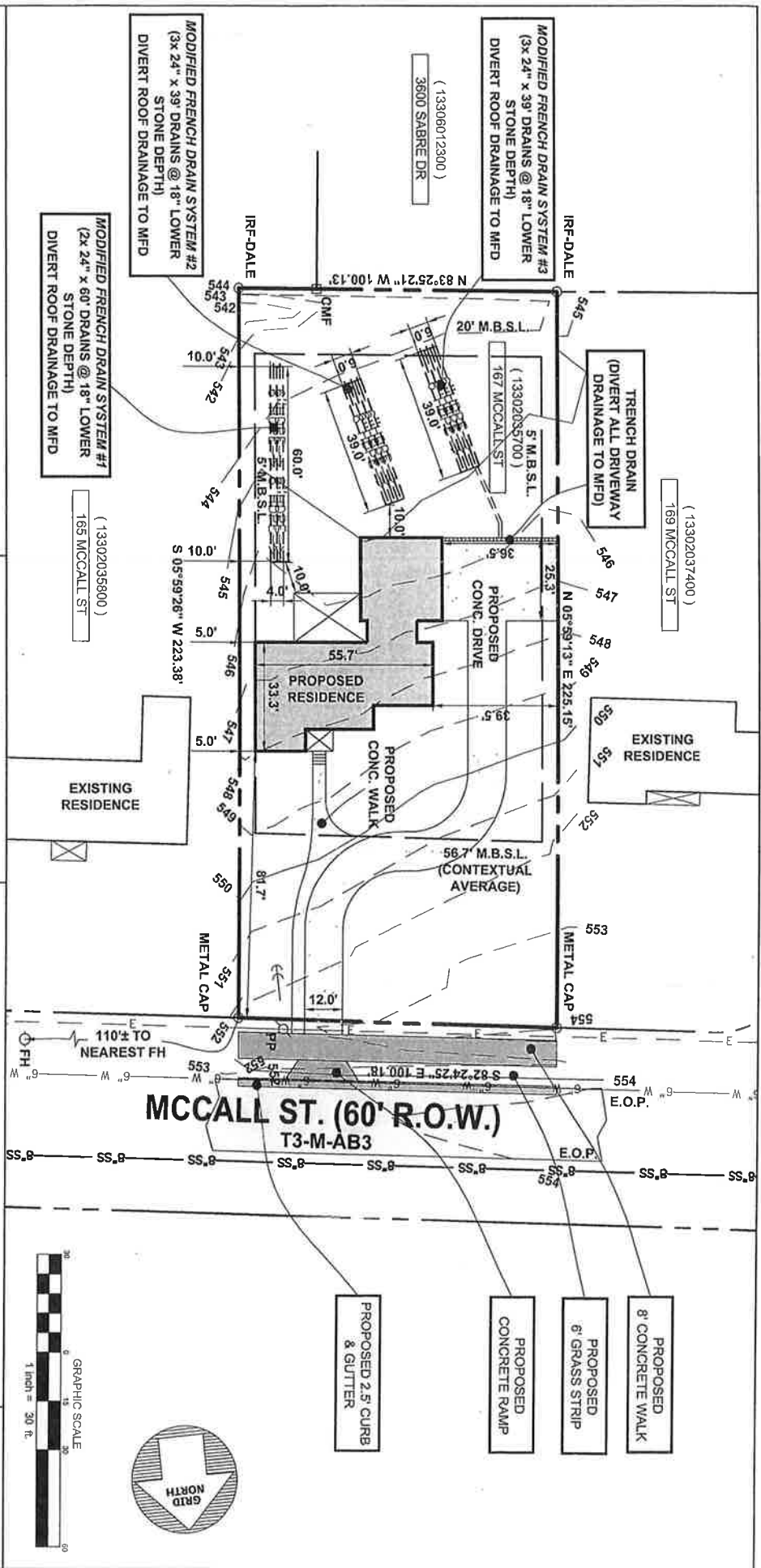
Financial gain not only bases- Financial gain is not the sole basis for granting the variance.

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.



Prepared By:

W.T. Smith - Land Surveying

4207 Lebanon Pike, Suite #200
 Heritage, TN, 37076
 Phone: 615-712-6693
 Email: tommy@wtsmithsurvey.com



Site Plan
 167 McCall Street
 Nashville - Davidson Co., Tn.

SHEET NO. **S-1.0**
 REVISION

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2020-054 (167 McCall Street)

Metro Standard:	6' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (eligible)
Community Plan Policy:	T3 NM (Suburban Neighborhood Maintenance)
Zoning:	RS10
MCSP Street Designation:	T3-M-AB3
Transit:	0.39 miles from #52 – Nolensville Pike; future High Capacity Transit planned per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Disapprove*

Analysis: The applicant is proposing to construct a single-family residence and requests not to construct sidewalks or contribute in-lieu of construction due to a lack of existing sidewalks along the block face. The subject request is an appeal to a sidewalk waiver request which was denied and completed on December 16, 2019 (**Permit number 20190070455**). Per the Zoning Ordinance, the applicant is eligible to contribute in-lieu of construction. Electing to make 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. Staff finds no unique hardship for the property.

Given the factors above, staff recommends **disapproval as the applicant has the option to contribute in-lieu of construction**. The applicant shall also dedicate right-of-way for future sidewalk construction.

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



Appellant : Barge Caithen & Assoc

Date: 1/21/2020

Property Owner: _____

Case #: 2020-059

Representative: _____

Map & Parcel: 116 01001100

Council District 22

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

Purpose:

To construct two comfort stations for existing golf course. Replacing the two existing comfort stations. Use as golf course is by S.E.

Activity Type: Comm. construction

Location: 156 DAVIDSON RD.

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: SETBACK VARIANCE PER SPECIAL EXCEPTION

Section(s): 17.16.220 F 2

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.

BARGE CAITHEN & Assoc.
Appellant Name (Please Print)

JEFF HOOPER
Representative Name (Please Print)

6606 CHARLOTTE PIKE, STR 210
Address

Address

NASHVILLE TN 37209
City, State, Zip Code

City, State, Zip Code

615-324-4208
Phone Number

Phone Number

JEFF@BARGECAITHEN.COM
Email

Email

Zoning Examiner: LB

Appeal Fee: 200



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



3751685

**ZONING BOARD APPEAL / CAAZ - 20200004155
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 11601001100**APPLICATION DATE:** 01/21/2020**SITE ADDRESS:**

156 DAVIDSON RD NASHVILLE, TN 37205

PT LOT 3 CLIFFLAWN CHEATHAM HOMESTEAD-PT CL ST & ADDN TRACT

PARCEL OWNER: HILLWOOD COUNTRY CLUB**CONTRACTOR:****APPLICANT:****PURPOSE:**

Special Exception per 17.16.220 F2 requirement of 100 ft setback from property line abutting Residential Zoning or Use Requesting 25 ft setback for proposed construction of 2 Comfort Stations on Golf Course (replacing the two existing comfort stations).

POC: Jeff Hooper 615-324-4208

*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.


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 1000 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. We encourage you to have the meeting prior to the deadline for additional information to presented to the board. 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 RESPONSIBILITES regarding the neighborhood meeting preceding the public hearing for by BZA appeal for a special exception



APPELLANT (OR REPRESENTATIVE)
BARGE CANTHRELL & ASSOC.
JEFF HOOPER, P.E.

1-21-20

DATE

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 community meeting regarding the special exception request before the BZA hearing date.

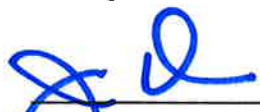
The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being 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 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. I am aware that I am required to conduct a community meeting.



 APPELLANT
 BARGE CANTRELL & ASSOC
 JEFF HOOPER, PE

1-21-20

 DATE

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
 BARGE CAUTHER & ASSOC.
 JEFF HOOPER P.E.

1-21-20

 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?

SEE ATTACHED

MEMORANDUM

To: Members of Board of Zoning Appeals
Ms. Emily Lamb, Zoning Chief
Mr. Thom Druffel, District 23 Councilman

From: Jeff Hooper, P.E., *Barge Cauthen & Associates*



Re: Hillwood Country Club
156 Davidson Road
Parcel ID 1160101100

Date: January 21, 2020



6606 CHARLOTTE PIKE, STE 210
NASHVILLE, TENNESSEE 37209
615.356.9911 PHONE
615.352.6737 F A X
WWW.BARGECAUTHEN.COM

OVERVIEW

Hillwood Country Club operates an 18-hole, par 72 golf course that was opened for play in 1957 and was renovated in 2003 and again in 2011. Two comfort stations are located on the course for convenience of the Club's members and guests. Each comfort station consists of two restrooms, a water station, and ice station. The existing comfort stations are aging and the Club desires to construct new comfort stations and demolish the existing ones.

HARDSHIPS

- The property is irregularly shaped
- The comfort stations need to be provided at certain locations on the course.
- Due to the field of play, sight lines, and limiting disturbance to other players on course, a very limited number of locations exist where the comfort station can achieve all three of these conditions.
- The golf course is open year-round, therefore there is a need to have the existing comfort stations functional while the new comfort stations are being constructed.

PROPOSED SOLUTIONS

- Architecture to be complimentary with the neighborhood.
- Provide appropriate landscaping screening from the adjacent property line.

PHOTOGRAPHS



Photo looking west from Post Road



Photo looking east from Hillwood High School athletic fields

END OF MEMORANDUM



POST ROAD

**PROPOSED
COMFORT
STATION**

**EXISTING
COMFORT
STATION**

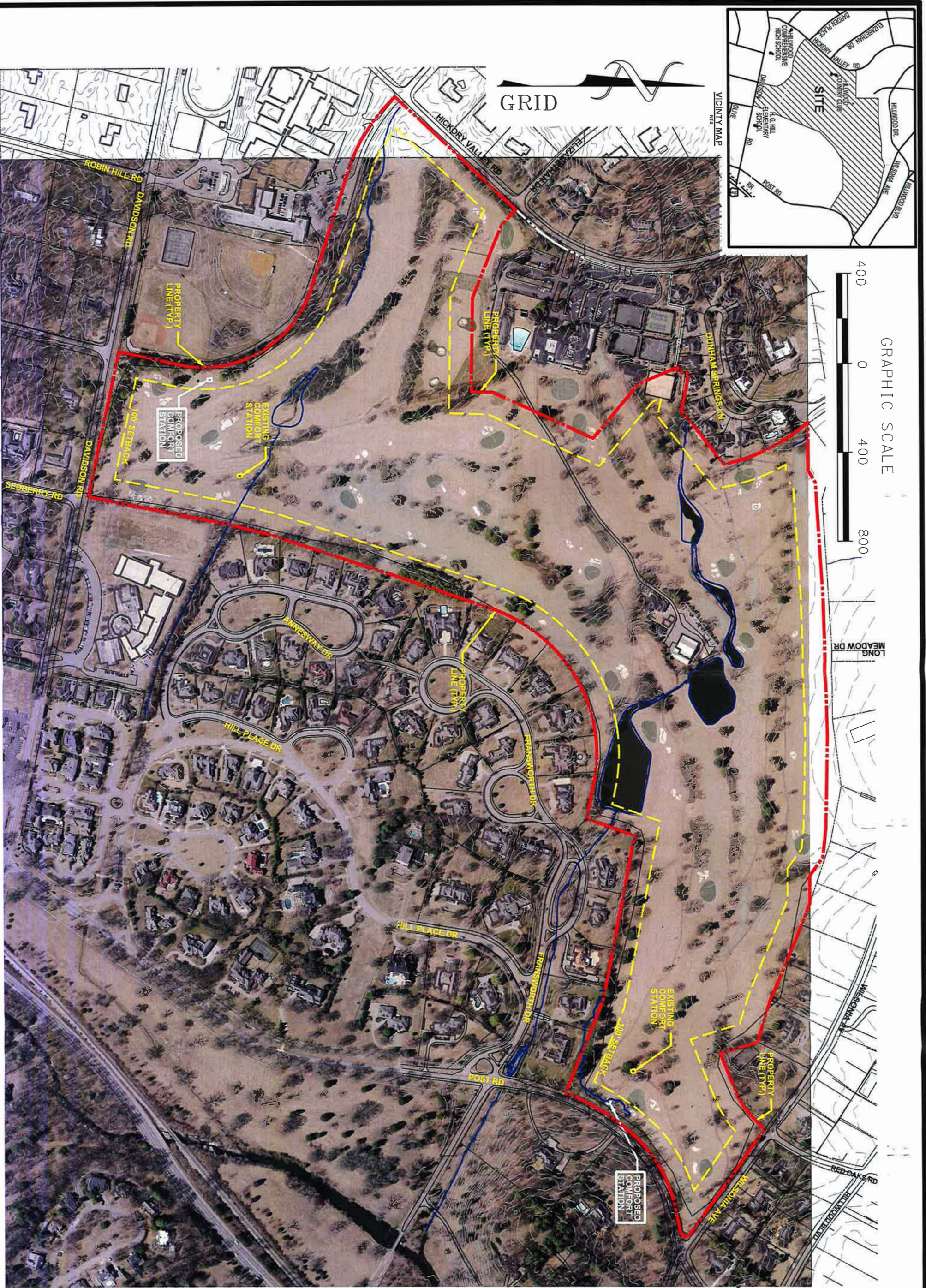


**HILLWOOD
HIGH
SCHOOL**

**PROPOSED
COMFORT
STATION**

**EXISTING
COMFORT
STATION**

**DAVIDSON
ROAD**



DR.	CHK.	DATE	DESCRIPTION
1	JH	01.20.20	BZA SUBMITTAL

BZA SITE PLAN
HILLWOOD COUNTRY CLUB
NEW COMFORT STATIONS
 Nashville, Tennessee

BZA1



**Barge
Cauthen
& ASSOCIATES**

6606 CHARLOTTE PIKE, STE 210
 NASHVILLE, TENNESSEE 37209
 615.356.9911 PHONE
 615.352.6737 FAX

From: [Gregory, Christopher \(Public Works\)](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Cc: [Ammarell, Beverly \(Public Works\)](#)
Subject: RE: Appeal 2020-059
Date: Tuesday, January 21, 2020 2:15:00 PM

2020-059 156 Davidson Rd Construct Two Comfort Stations

Variance: 17.16.170 E.3

Response: Public Works takes no exception.

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

From: Ammarell, Beverly (Public Works) <Beverly.Ammarell@nashville.gov>
Sent: Tuesday, January 21, 2020 10:48 AM
To: Gregory, Christopher (Public Works) <Christopher.Gregory@nashville.gov>
Subject: FW: Appeal 2020-059

BZA case

From: Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>
Sent: Tuesday, January 21, 2020 10:35 AM
To: Doyle, Devin (Public Works) <Devin.Doyle@nashville.gov>; Ammarell, Beverly (Public Works) <Beverly.Ammarell@nashville.gov>
Subject: Appeal 2020-059

Appeal 2020-059 on agenda for 3/5/2020

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

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Emily Lamb
Date: February 19, 2020
BZA Hearing Date: March 5, 2020
Re: Planning Department Recommendation for a Special Exception, Case 2020-059

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 2020-059 Hillwood Country Club (156 Davidson Road)

Request: A Special Exception to demolish and reconstruct two comfort stations in different locations.

Zoning: Residential Single-Family (RS40) requires a minimum 40,000 square foot lot and is intended for single-family dwellings at a density of .93 dwelling units per acre.

Land Use Policy: T3 Suburban Neighborhood Maintenance (T3 NM) is intended to maintain the general character of developed suburban residential neighborhoods. T3 NM areas will experience some change over time, primarily when buildings are expanded or replaced. When this occurs, efforts should be made to retain the existing character of the neighborhood. T3 NM areas have an established development pattern consisting of low- to moderate-density residential development and institutional land uses. Enhancements may be made to improve pedestrian, bicycle, and vehicular connectivity.

Planning Department Analysis: The application is to replace and relocate two comfort stations that currently exist on the golf course of the Hillwood Country Club. Hillwood Country Club is adjacent to Hillwood High School and H.G. Hill Middle School and is bounded by Hickory Valley Road, Davidson Road, and Post Road. The comfort stations each include two restrooms, a water station, and an ice station. One comfort station is proposed near Post Road and the other is internal to the site and near the athletic fields of Hillwood High School.

The request is to modify the site plan of a Special Exception use. The application proposes to construct the new comfort stations within the 100' setback outlined in the Special Exception criteria for buildings associated with Golf Course uses. The proposed comfort stations are small buildings with minimal impact to the site and their surrounding area. The proposed site plan is consistent with the intent of the land use policy's intent to maintain the general character of the suburban neighborhood.

Planning Recommendation: Approve.



Metropolitan Board of Zoning Appeals

Metro Howard Building

800 Second Avenue South

Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

Appellant: LINDA DORANDate: 01/21/20Property Owner: LINDA DORANCase #: 2020- 1160Representative: PRESTON QUIRKMap & Parcel: 11604080030000Council District 24

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

Purpose:

CONSTRUCT A 24' X 12' (432 SF) SINGLE STORY
SUN ROOM ADDITION TO REAR OF PRIMARY RESIDENTIAL
STRUCTURE

Activity Type: RESIDENTIAL ADDITIONLocation: 616 ESTES RD, 37215

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: SITE PLAN DOES NOT COMPLY W/ 20' REAR SETBACK REQUIREMENTSection(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 B 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.

LINDA DORAN
Appellant Name (Please Print)

PRESTON QUIRK
Representative Name (Please Print)

616 ESTES RD
Address

2931 BERRY HILL DR, SUITE 200
Address

NASHVILLE, TN 37215
City, State, Zip Code

NASHVILLE, TN 37204
City, State, Zip Code

615-330-1115
Phone Number

615-269-9248
Phone Number

LKDORAN@COMCAST.NET
Email LKDORAN

QUIRKDESIGNS@COMCAST.NET
Email

Zoning Examiner: DAVID P-BAppeal Fee: \$100.00



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



3751712

**ZONING BOARD APPEAL / CAAZ - 20200004178
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 116040B00300CO**APPLICATION DATE:** 01/21/2020**SITE ADDRESS:**

616 ESTES RD NASHVILLE, TN 37215
UNIT A-3 ESTES SQUARE 2ND AMEND

PARCEL OWNER: DORAN, LINDA DYER**CONTRACTOR:****APPLICANT:****PURPOSE:**

Construct a 24' x 18' (432 sq. ft.) single story sunroom addition to the rear of the structure. Minimum 20' rear setback.
Applicant requests a 10' variance from 20' rear 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.*

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 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) copies of your information to staff.

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

Linda Dyer Dotson

APPELLANT

1-21-2020

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?

Small lot at 616 Estes
 Request same variance allowed 612 Estes
 to build similar sunroom.
 Physical characteristics of lot.

January 21, 2020

Board of Zoning Appeals
Department of Codes and Building Safety
Metropolitan Government of Nashville and Davidson County
Metro Office Building
800 Second Avenue South
Nashville TN 37210

Linda Dyer Doran
616 Estes Road
Nashville TN 37215

Dear Board of Zoning Appeals:

I request approval of my appeal for a variance of 10 feet from rear set-back requirements to construct an 18 x 24 sunroom.

The site plan for the addition is attached.

On September 7, 2017, a similar variance was granted for 612 Estes Road, Nashville TN, which permitted Joyce Schulman, 612 Estes Road to construct a similar sunroom. The approval is attached.

My unit (616) as is unit 612 are part of the Estes Square Homeowners Association. I will forward the HOA Board endorsement letter for my 616 proposed addition.

Thank you for your consideration of this request for variance of 10 feet from the rear set-back requirement, 616 Estes Road, Nashville TN.



Linda Dyer Doran
616 Estes Road
Nashville TN 37215
1 615 330 1715
lkdoran@comcast.net

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Joyce Shulman APPEAL CASE 2017-222
 612 Estes Road
 Map: 116-4-B Parcel: 1-CO
 Zoning Classification: R10

ORDER

This matter came to be heard in public hearing on 9/7/2017, before the Metropolitan Board of Zoning Appeals, upon application for a variance from rear setback requirements to construct a sunroom addition.

Based upon the entire record as recorded on the video recording and contained in the file, from all of which the Board finds that:

- (1) Proper legal and written notice of the public hearing had been complied with as set forth in Section 17.40.720 of the Metropolitan Code.
- (2) The appellant sought this permit under Section 17.40.180 (B) of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the standards for a variance under Section 17.40.370 of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be Granted, subject to the following conditions: .

UPON MOTION BY: David Ewing

Seconded by: David Harper

Ayes: Cynthia Chappell, Christina Karpyne, Alma Sanford, Richard King

Nays:

Abstaining:

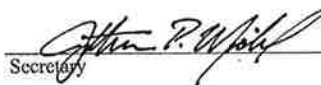
Absent: David Taylor

ENTERED THIS 13th DAY OF September, 2017

METROPOLITAN BOARD OF ZONING APPEALS



Chair

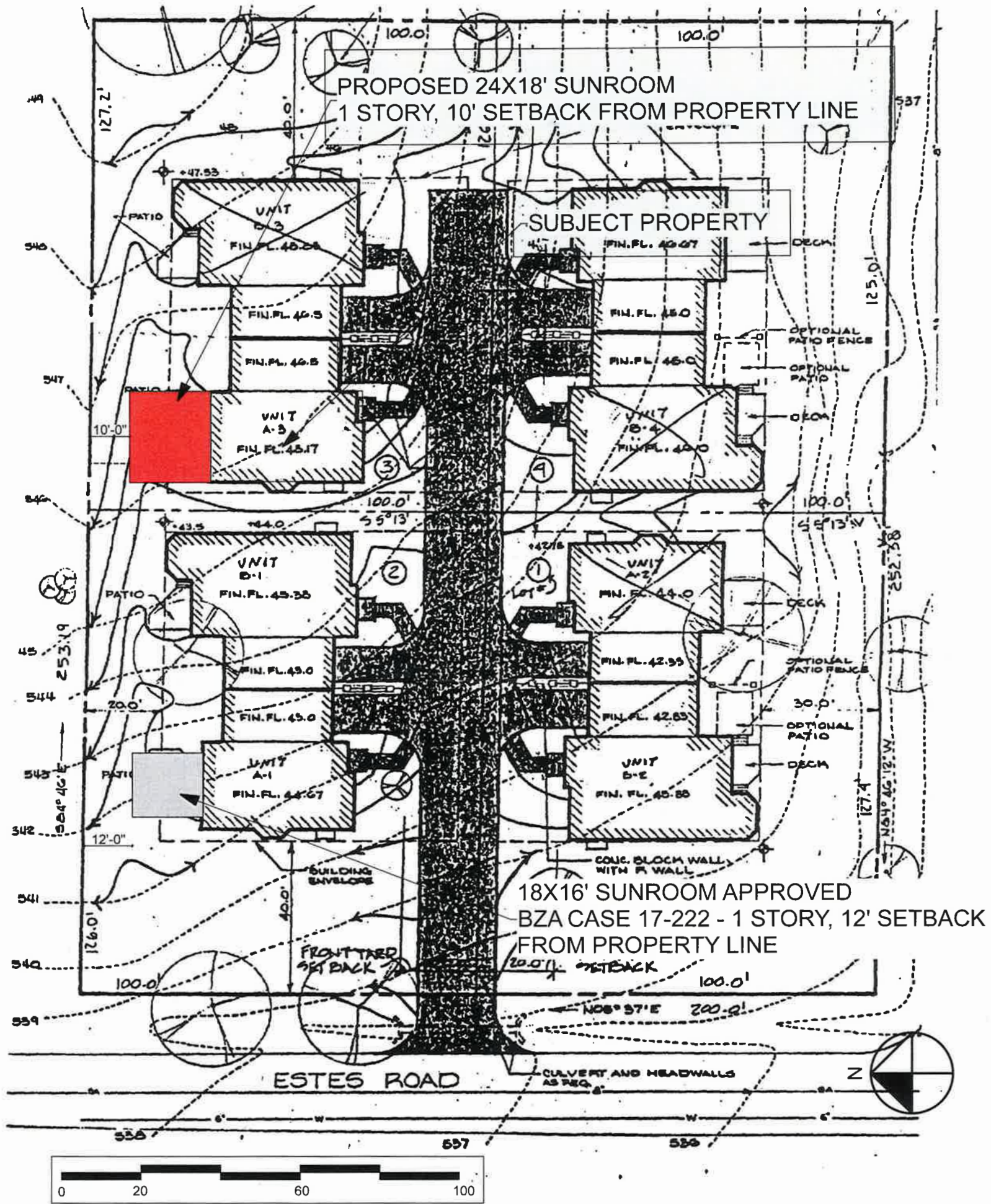


Secretary

Hank - 270-249-3736

Burdell

Joyce Shulman



1

SITE PLAN

SCALE: 1" = 30'



2931 BERRY HILL DRIVE
SUITE 200
NASHVILLE, TN 37204
Phone: (615) 269-9248 Fax: (615) 627-1298
email: quirkdesigns@comcast.net

Sunroom

Linda Doran
616 Estes Road
Nashville, TN 37215

From: [LINDA DORAN](#)
To: [Board of Zoning Appeals \(Codes\); ODESIGNS ACCT](#)
Subject: Fwd: Sunroom
Date: Tuesday, February 18, 2020 3:51:10 PM

Dear Board of Zoning:

My appeal case is 2020-060. I propose a variance to setback to allow construction of a sunroom. The forwarded message documents the approval of my Estes Square Homeowners Association board of the addition, as indicated by the chair of the board, Dr. Tracey Doering. My councilmember, Kathleen Murphy, has also indicated a positive response which I forwarded to you previously.

The hearing for 2020-060 is March 5.

Thank you.

Linda Dyer Doran
616 Estes Road
Nashville TN 37215
615 330 1715
Board has approved this

--

Tracey Doering, MD, FACP
Associate Professor of Medicine
UTHSC/STH IM Residency
tracey.doering@ascension.org
office 615-284-2155

----- Original Message -----

From: Tracey Doering <tracey.doering@ascension.org>
To: Linda Doran <lkdoran@comcast.net>
Cc: Kimberly Maheu <kmaheu@metropolitanpropertymgmt.com>
Date: February 18, 2020 at 2:21 PM
Subject: Sunroom

CONFIDENTIALITY NOTICE:

This email message and any accompanying data or files is confidential and may contain privileged information intended only for the named recipient(s). If you are not the intended recipient(s), you are hereby notified that the dissemination, distribution, and or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the email address above, delete this email from your computer, and destroy any copies in any form immediately. Receipt by anyone other than

the named recipient(s) is not a waiver of any attorney-client, work product, or other applicable privilege.

From: [Linda](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Fwd: Linda Doran Appeal Case Number 2020-060
Date: Tuesday, February 4, 2020 10:40:21 AM

BZA:

Please find attached the District 24 Metro Councilmember Kathleen Murphy's positive response to my communication with her about my variance appeal (2020-060). She will not oppose the appeal.

Please add Ms. Murphy's response to the 2020-060 appeal documentation.

Thank you.

Linda Doran
616 Estes Rd 37215
lkdoran@comcast.net
615 330 1715

Sent from my iPhone

Begin forwarded message:

From: "Murphy, Kathleen (Council Member)" <Kathleen.Murphy@nashville.gov>
Date: January 31, 2020 at 6:15:32 AM CST
To: LINDA DORAN <LKDORAN@COMCAST.NET>
Subject: Re: Linda Doran Appeal Case Number 2020-060

I think others have done this and I will not oppose it. It would be best to get letters of support from your neighbors saying it will not impact them.

Thank you,

Councilwoman Kathleen Murphy
615-422-7109

Sign up for District 24 newsletter here: <http://ow.ly/UozjR>

Don't forget HubNashville. Download the app or use www.hub.nashville.gov

Sent from my phone. Please excuse typos!

On Jan 30, 2020, at 12:05, LINDA DORAN <lkdoran@comcast.net> wrote:

Dear Councilmember Murphy:

I am writing to ask your support for my appeal to the Board of Zoning Appeals for variance to a set-back that will allow me to add a sunroom to my house at 616 Estes Road. The appeal (Appeal Case Number 2020-060) will be heard March 5. I am requesting the same variance allowed my neighbor (2017-222) at 612 Estes Road.

I request this variance to enable me to build the sunroom, which will be much like the one added at 612. I have lived at 616 Estes Square for 30

years, love the neighborhood, and this addition will allow me to "age in place" (dreadful expression but we all use it) by giving me added downstairs living space.

I appreciate your representation of District 24 and your consideration of my request for support. I have attached a copy of the neighboring letter, the site plan submitted to the Board of Zoning Appeals, and a sketch by the architect of how the sunroom will look. I have also mailed to you hard copies of this request and three attachments.

Sincerely,
Linda Dyer Doran
616 Estes Road
Nashville TN 37215
615 330 1715
lkdoran@comcast.net

<2020-060 neighboring letter 3-5.pdf>
<Scan Jan 28, 2020 (2) site coordinates.pdf>
<Scan Jan 28, 2020 (2) site coordinates.pdf>

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Jacob Connaway
Property Owner: Jacob Connaway
Representative: Jacob Connaway

Date: 1/21/2020
Case #: 2020-062
Map & Parcel: 07108027300

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: To construct a single family RESIDENCE

SIDEWALK WAIVER 2019 0074765 - DENIED

Activity Type: RES. CONSTRUCTION

Location: 400 E. TRINITY LN.

This property is in the RMS-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: 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.

Jacob Connaway
Appellant Name (Please Print)

Representative Name (Please Print)

400 E. Trinity Ln.
Address

Address

Nashville TN, 37207
City, State, Zip Code

City, State, Zip Code

618 5210294
Phone Number

Phone Number

jake.connaway@gmail.com
Email

Email

Zoning Examiner: [Signature]

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 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.

Jacob Connaway
400 E Trinity Ln, Nashville TN, 37207
618-521-0294 | jake.connaway@gmail.com

1.20.20

APPELLANT

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?

Topography of land does not support wider sidewalks along Lischey Ave due to slope
Construction budget does not allow for sidewalk construction

New sidewalks would impose on land including drainage easement along E Trinity Ln

Additional sidewalks would be a waste of resources since current and existing sidewalks are in great shape

Any additional sidewalk width would interfere with existing fence along Lischey Ave

Additional sidewalk would not allow for planned construction per design of architect

Metropolitan Codes Administration CASE SUMMARY

CAZW - 20190074765

DONE

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

07108027300
400 TRINITY LN E
NASHVILLE, TN 37207

PEOPLE

Property Owner

CONNAWAY, JACOB A
400 E TRINITY LN
NASHVILLE, TN 37207

Permit/License Applicant

JAKE CONNAWAY

DATA GROUP

Permit Information

Project Scope

REQUESTING SIDEWALK WAIVER-REQUESTING NOT TO BUILD OR PAY DUE TO EXISTING SIDEWALKS
RM15-A Zoning.
NEED TO DESIGNATE PARKING ON SITE PLAN FOR REVIEW.
REQUESTING SIDEWALK WAIVER.
Using existing slab and exterior walls to construct 1 of 2 detached single family residence (DUPLEX NOT AN HPR)
with 1440 sq ft and 267 sq ft of porches and decks...0 to 80 ft Build-to-Zone street setback, 5 ft minimum side setbacks, and 20 ft minimum rear setback. Maximum lot coverage of 50% for all footprints on parcel. Maximum height of 1.5 to width ratio, not to exceed 45 ft from natural grade
Must conform with easements. 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. *Pursuant to Ordinance no. 2006-1263 of the Metropolitan Code of Laws, I (the holder on 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 con

Sidewalk Waiver Request

Metro Planning Recommendation

Disapprove: construct sidewalks per MCSP.

Waiver Circumstance

b. Unique Situation

Jacob Connaway

400 E trinity Lane, Nashville TN, 37207

11.26.19

To Whom it May Concern:

Please consider approving my request for a waiver concerning the sidewalk zoning ordinance in place for Davidson County. The existing sidewalks currently in place satisfy the needs of pedestrians and the local community. Any additional construction to extend the sidewalks surrounding my property will create both aesthetic and functional deviances from the adjoining/existing sidewalk. Further, any new construction of sidewalks satisfying the ordinance's requirements would impose on my land and subtract from the total square footage of my parcel further shrinking the envelope needed to construct my home while also devaluing my property. *I am not willing to contribute to any fund in lieu of constructing sidewalks.*

Thank you for your time and consideration.

Sincerely,

Jacob Connaway

CONTACT TELEPHONE # 618 521 0294

CONTACT EMAIL : jake.connaway@gmail.com

From: [Jacob Connaway](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Appeal 2020-063
Date: Monday, February 10, 2020 9:34:40 AM

To Whom it may concern:

My name is Jake Connaway. I am the owner of 400 E Trinity In here in Nashville and I have been scheduled an appeal hearing for 3/5/2020. I have been made aware that there is an option to pay into the sidewalk fund in lieu of building sidewalks required for permitting new construction. I am open to this option and would like that fact reflected in my appeal. Please let me know if this is acceptable or if any further steps are necessary on my part.

Thank you!

Jake Connaway

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2020-063 (400 East Trinity Lane)

Metro Standard:	East Trinity Lane – 4’ grass strip and 8’ sidewalk, as defined by the Metro Local Street standard
	Lischey Avenue – 4’ grass strip and 8’ sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks; contribute in-lieu of construction (not eligible)
Zoning:	RM 15-A
Community Plan Policy:	T4 RC (Urban Residential Corridor)
MCSP Street Designation:	East Trinity Lane – T4-M-AB5
	Lischey Avenue – T4-M-CA2
Transit:	#28 – Meridian; High Capacity Crosstown Route planned per nMotion
Bikeway:	None existing; major separated bikeway planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant is constructing a new two-family residence and requests a variance from upgrading sidewalks along the East Trinity Lane and Lischey Avenue frontages; rather requesting to contribute in-lieu of construction. The applicant is not eligible to contribute in lieu of construction for the property frontage due to existing sidewalks on the property frontage. Planning evaluated the following factors for the variance request:

- (1) A 5’ sidewalk and 4’ grass strip currently exists on both property frontages, which matches existing sidewalks on both block faces.
- (2) Topography is more severe on the Lischey Avenue property frontage, with sidewalk expansion likely requiring construction of a retaining wall. Lischey Avenue is also a collector street, needing less separation from traffic for people walking, comparatively. Planning supports a contribution in lieu of construction on this frontage.
- (3) Existing sidewalks on East Trinity Lane could easily be expanded to meet the MCSP requirements without topographical challenges, or curb reconstruction. The Trinity Lane corridor is planned for major separated bikeways, high capacity transit service, denser development, and more pedestrian traffic. Wider sidewalks, per the MCSP requirements, will serve these future multi-modal demands more adequately. Planning recommends upgrading sidewalks on the East Trinity Lane property frontage.

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

1. The applicant shall upgrade sidewalks to the Arterial Boulevard standard for the East Trinity Lane property frontage.
2. The applicant shall contribute in lieu of construction and dedicate right-of-way for the Lischey Avenue property frontage.

February 20, 2020

Metropolitan Board of Zoning Appeals

Re: Permit #2020004461

We are homeowners within 1000' of the property at 400 E Trinity Lane and were notified that the owner of this property requested a variance from sidewalk requirements. We are unable to attend the 3/5 public hearing but wanted to express our opposition to this request as we do NOT think Mr. Connaway should be allowed to avoid paying into the sidewalk fund. If he has chosen to invest in the community, he should have to comply with regulations that support the entire community.

Thank you for considering our opposition.

Sincerely,

Handwritten signatures of Kavi Mehta and Lynne Christenson in black ink.

Kavi Mehta & Lynne Christenson

326 Queen Ave

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Jeremy Kelton

Date: 1/16/20

Property Owner: Clearwater Properties

Case #: 2020-064

Representative: : Israel Holliday

Map & Parcel: 081-11-0-272.00

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 rehab a 4 unit complex

Activity Type: Multi Family

Location: 1630 17th Ave N

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: 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 _____ 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.

Jeremy Kelton

Appellant Name (Please Print)

PO Box 40451

Address

Nashville, TN, 37204

City, State, Zip Code

615-429-7500

Phone Number

Jeremy@JeremyKelton.com

Email

Israel Holliday

Representative Name (Please Print)

2000 Cain Hollow

Address

Franklin, TN, 37067

City, State, Zip Code

615-414-6605

Phone Number

Israel@HollidayRE.com

Email

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.)

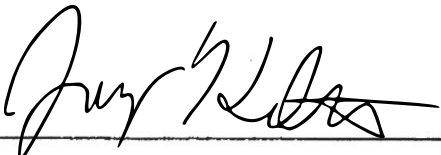
The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being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

1/16/20

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?

- * Owner prefers to keep existing sidewalk and maintain alignment with adjoining sidewalks on the street and adjoining properties.
 - * Owner is requesting to pay the in lieu of fee.
-
-
-
-
-

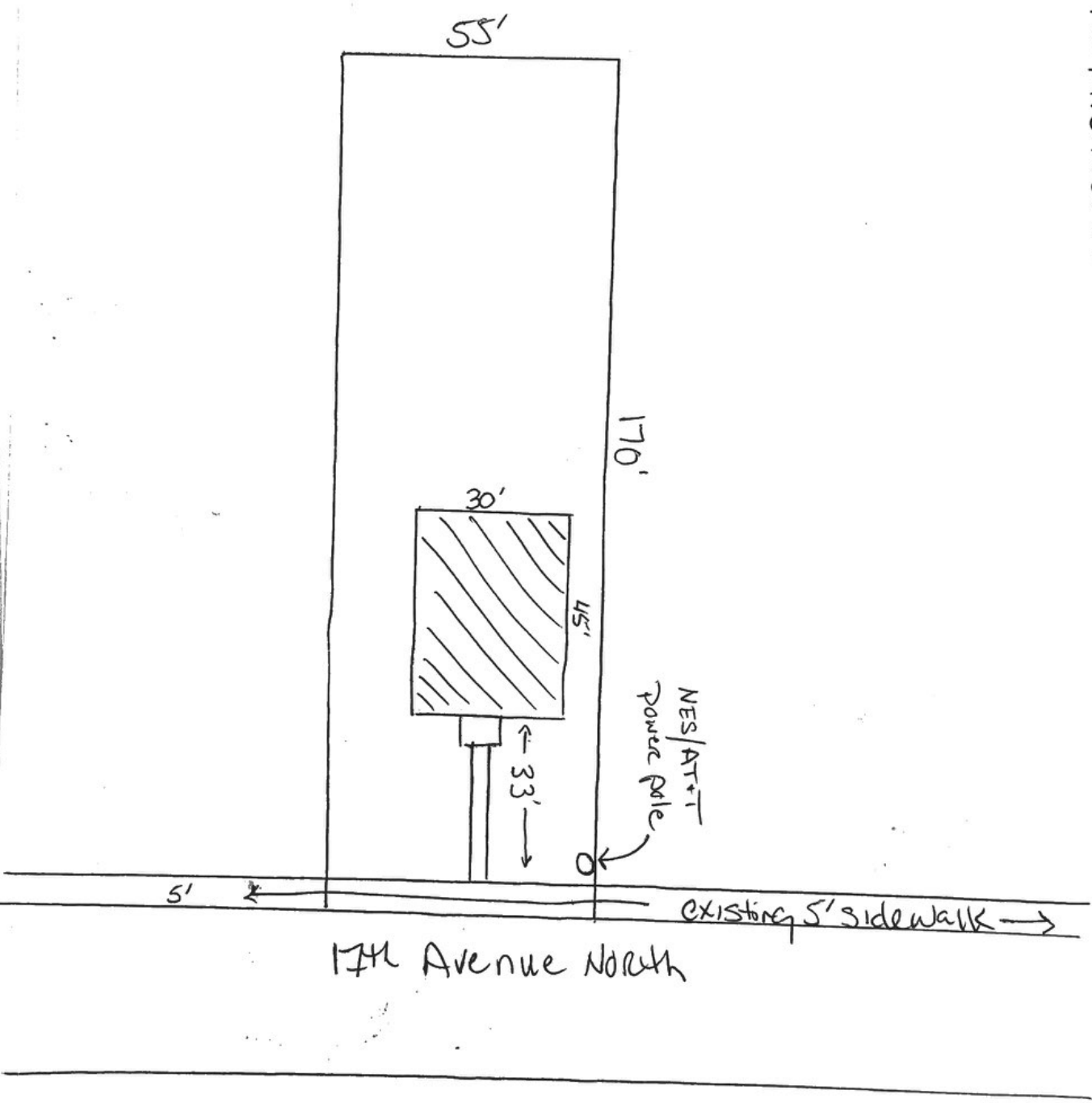


WATER METER
JUSCO

WATER
METER
1111
1111



Site Plan
1630 17th Ave North



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2020-064 (1630 17th Avenue North)

Metro Standard:	4' grass strip and 5' sidewalk, as defined by the Metro Local Street standard
Requested Variance:	Contribute in-lieu of construction (eligible)
Zoning:	RS5
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	493' east of #25 – Midtown
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Disapprove*.

Analysis: The applicant is proposing to renovate an existing four-unit, multi-family structure and requests a variance to contribute in-lieu of construction. The subject request is an appeal to a sidewalk waiver request which was denied and completed on January 15, 2020 (**Permit number 20190076104**). The applicant is not eligible to contribute in-lieu of construction for the property frontage since the proposed development involves multi-family residential units which are required to upgrade sidewalks per Metro Code 17.20.120. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip currently exists along the property frontage, which is consistent with adjacent properties to the east and west.
- (2) The property is located approximately 0.24 miles south of the Clarksville Pike Corridor Nashville Next first tier Center. Construction of a connected and comfortable pedestrian network, which provides adequate space for the provision of utilities, mailboxes, and street trees is critical to support local planning goals for higher density residential and mixed-use neighborhoods.

Given the factors above, staff recommends **disapproval**:

1. The applicant shall construct sidewalks to the Local Street standard.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Andrew Bowen
Property Owner: ANDREW BOWEN
Representative: Taylor Lewis

Date: 1/15/2020
Case #: 2020-055
Map & Parcel: 082140A06000C0

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:

request to lessen the one year waiting period to apply for a permit
2016047451 expired in 9/2019

Activity Type: STRP

Location: 828 1st Ave N unit 828

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 requesting one year waiting period to be shortened.
Section(s): 17.1b.010

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.

ANDREW BOWEN
Appellant Name (Please Print)

TAYLOR LEWIS
Representative Name (Please Print)

3202 Doak Ave
Address

3202 DOAK AVE
Address

37218
City, State, Zip Code

NASHVILLE, TN 37218
City, State, Zip Code

201.788.6963
Phone Number

901.605.1740
Phone Number

abowennyc@gmail.com
Email

lewisandpalm@gmail.com
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**



3274782

RESIDENTIAL SHORT TERM RENTAL / CASR - 2016047451

**PERMIT EXPIRES ONE (1) YEAR FROM DATE OF ISSUANCE UNLESS RENEWED. REFER TO
[HTTP://STRP.NASHVILLE.GOV](http://STRP.NASHVILLE.GOV) FOR RENEWAL INSTRUCTIONS**

PARCEL: 082140A06000CO

APPLICATION DATE: 09/07/2016

SITE ADDRESS:

ISSUED DATE: 09/23/2016

828 1ST AVE N NASHVILLE, TN 37201
UNIT 828 RIVERFRONT CONDO 2ND AMEND

PARCEL OWNER: SHERRELL, KEN & TAMRA

APPLICANT: SHERRELL, KEN &
TAMRA
828 1ST AVE N
NASHVILLE, TN 37201

CONTACT: SHERRELL, KEN &
TAMRA

828 1ST AVE N
NASHVILLE, TN 37201
702-343-0875

PURPOSE:

BY MAKING THIS APPLICATION FOR A RESIDENTIAL SHORT TERM RENTAL PERMIT, I CERTIFY THAT I WILL COMPLY WITH ALL REQUIREMENTS OF ORDINANCE NO. BL2014-951, ORDINANCE NO. BL2014-909 AND ORDINANCE NO. BL2015-94...1 BEDROOM; 6 MAXIMUM OCCUPANCY. STRP 3; MULTIFAMILY.

Renew Short Term Rental Permit

RENEWSR

615-862-6517 Teresa.Moore@nashville.gov

Inspection requirements may change due to changes during construction.

Rental Unit Record

828 1st Avenue N, Nashville, TN 37201, USA

Active
Identified
Compliant

PRINT
SEND A LETTER

Listing(s) Information

Airbnb - 32495864 VRBO - 321.661153.1209027 Airbnb - 8580546



Rental Unit Information



Identified Address

828 1st Avenue N, Nashville, TN 37201, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.173520, -86.780650

Parcel Number

082140A06000

Owner Name

BOWEN, ANDREW C.

Owner Address

020 1ST AVE N
NASHVILLE, TN 37201, US

Registration / Permit Number

502444

Timeline of Activity

View the series of events and documentation pertaining to this property

Matched Details

Analyst 4LJZ

Explanation

The interior photos from the listing match a Zillow listing for this address. The contact's name for the listing matches the owner's name for the property.

Listing Photos

Matching 3rd Party Sources



The bedroom is the same.



The kitchen is the same.

📍 Zip Code Match

👤 Owner Name Match

🏠 City Name Match

Listing Details

Listing URL	— https://www.airbnb.com/rooms/32495864
Listing Status	● Active
Host Compliance Listing ID	— air32495864
Listing Title	— Modern Rustic Riverfront Condo
Property type	— Condominium
Room type	— Entire home/apt
Listing Info Last Captured	— Jan 15, 2020
Screenshot Last Captured	— Dec 22, 2019
Price	— \$119/night
Cleaning Fee	— \$85

Information Provided on Listing

Contact Name	— Andrew
Latitude, Longitude	— 36.174190, -86.781820
Minimum Stay (# of Nights)	— 1
Max Sleeping Capacity (# of People)	— 4
Max Number of People per Bedroom	— 4
Number of Reviews	— 48
Last Documented Stay	— 11/2019

Listing Screenshot History

📷 View Latest Listing Screenshot

November 7

December 7

January 0

- Listing air32495864 Reposted January 16th, 2020
- ✕ Listing air32495864 Removed December 25th, 2019
- 📅 6 Documented Stays November, 2019
- 🚩 First Warning - No STR Permit: Delivered November 10th, 2019
- 🚩 First Warning - No STR Permit: Sent November 1st, 2019
- 📅 5 Documented Stays October, 2019
- ✓ Listing air32495864 Identified October 7th, 2019
- 📅 4 Documented Stays September, 2019
- 📅 7 Documented Stays August, 2019
- 📅 5 Documented Stays July, 2019
- 📅 7 Documented Stays June, 2019
- 📅 3 Documented Stays May, 2019
- 📅 3 Documented Stays April, 2019
- 📅 8 Documented Stays March, 2019
- ✕ Listing hma321.661153.1209027 Removed March 3rd, 2019
- ✕ Listing air8580546 Removed February 23rd, 2019
- ✳ Listing air32495864 First Crawled February 21st, 2019
- Listing air32495864 First Activity February 21st, 2019
- Listing air8580546 Reposted February 15th, 2019
- ✕ Listing air8580546 Removed February 13th, 2019
- 📅 2 Documented Stays January, 2019
- 📅 1 Documented Stay December, 2018
- Listing hma321.661153.1209027 Reposted December 27th, 2018
- ✕ Listing hma321.661153.1209027 Removed December 26th, 2018
- 📅 2 Documented Stays November, 2018
- 📅 7 Documented Stays October, 2018

- 📅 5 Documented Stays
September, 2018
- 📅 3 Documented Stays
August, 2018
- 📅 3 Documented Stays
July, 2018
- 📅 3 Documented Stays
June, 2018
- 📅 3 Documented Stays
May, 2018
- 📅 2 Documented Stays
April, 2018
- Listing hma321.661153.1209027 Reposted
April 24th, 2018
- ✘ Listing hma321.661153.1209027 Removed
April 19th, 2018
- ✔ Airbnb Letter: Delivered 📅
April 5th, 2018
- ✔ Airbnb Letter: Sent 📅
March 29th, 2018
- 📅 2 Documented Stays
March, 2018
- Listing hma321.661153.1209027 Reposted
February 26th, 2018
- ✘ Listing hma321.661153.1209027 Removed
February 21st, 2018
- Listing air8580546 Reposted
February 5th, 2018
- ✘ Listing air8580546 Removed
January 31st, 2018
- 📅 2 Documented Stays
January, 2018
- ✔ Listing hma321.661153.1209027 Identified
December 26th, 2017
- 📅 2 Documented Stays
November, 2017
- 📅 4 Documented Stays
October, 2017
- 📅 5 Documented Stays
September, 2017
- 📅 4 Documented Stays
August, 2017
- ✔ Listing air8580546 Identified
August 16th, 2017
- 📅 2 Documented Stays
July, 2017
- 📅 1 Documented Stay
June, 2017
- 📅 3 Documented Stays
May, 2017
- 📅 4 Documented Stays
April, 2017

- Listing air8580546 Reposted
April 8th, 2017
- ✕ Listing air8580546 Removed
April 1st, 2017
- 📅 5 Documented Stays
March, 2017
- 📅 2 Documented Stays
December, 2016
- 📅 1 Documented Stay
November, 2016
- 📅 3 Documented Stays
October, 2016
- 📅 3 Documented Stays
September, 2016
- 📅 4 Documented Stays
July, 2016
- ✳ Listing air8580546 First Crawled
July 21st, 2016
- ✳ Listing hma321.661153.1209027 First
Crawled
July 20th, 2016
- 📅 1 Documented Stay
June, 2016
- 📅 5 Documented Stays
May, 2016
- 📅 3 Documented Stays
April, 2016
- Listing air8580546 First Activity
April 17th, 2016
- 📅 3 Documented Stays
March, 2016
- 📅 2 Documented Stays
February, 2016
- 📅 1 Documented Stay
December, 2015
- 📅 4 Documented Stays
November, 2015
- 📅 3 Documented Stays
October, 2015
- 📅 2 Documented Stays
September, 2015
- 📅 2 Documented Stays
August, 2015
- 📅 7 Documented Stays
July, 2015
- 📅 2 Documented Stays
June, 2015
- 📅 4 Documented Stays
May, 2015
- 📅 2 Documented Stays
April, 2015
- 📅 5 Documented Stays

March, 2015

📅 2 Documented Stays
February, 2015

● Listing hma321.661153.1209027 First
Activity
February 1st, 2015

December 22, 2019 - 11:27AM America/Chicago



Search

English (US)

\$ USD

Become a host

Help

Sign up

Log

Dec 22, 2019 11:27am CT



Modern Rustic Riverfront Condo

Nashville

4 guests 1 bedroom 1 bed 1 bath

Entire home

You'll have the condominium to yourself.

Self check-in

Check yourself in with the keypad.

Sparkling clean

12 recent guests said this place was sparkling clean.

Andrew is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Andrew

\$99 per night

★ 4.92 (48 reviews)

Dates

12/23/2019

→ Checkout

Guests

1 guest



Reserve

You won't be charged yet

Report this listing

Riverfront getaway apartment ideal for access downtown for a weekend for 1-3 people. Walk or Uber to the best nightlife and live music, or explore the restaurants of Germantown. The Titans stadium sits just across the river to the south, and "hipster" east-Nashville is in the same direction. The apartment is a cozy place with one queen bed in the bedroom and a sofa in the living room, plus a balcony that overlooks the river and modern kitchen.

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

Facilities

Free parking on premises

Pool

Private or Shared

Dining

Kitchen

Space where guests can cook their own meals

Coffee maker

Cooking basics

Pots and pans, oil, salt and pepper

Dishes and silverware

Microwave

Refrigerator

Guest access

Keypad

Check yourself into the home with a door code

Private entrance


Separate street or building entrance

Bed and bath

Hangers

Shampoo

Clean apartment, good size, well decorated. Close enough to downtown to walk everywhere, though you should be cautious at night. If you want to spend a lot of time by the waterfront/broadway, it'd be hard to beat this location at this value.

 **Erica**
November 2019

Andrew's place was super clean and relaxing! The bed is soooo comfy and the morning view of the river was lovely. Will definitely be back!

 **Marci**
November 2019

Andrew's Place was Absolutely Perfect! Fantastic Location - Very Easy to Navigate around! Extremely Clean, Comfortable, and Cozy, felt right at home, as we walked thru the door! Highly Recommend a Stay at Andrew's Place!

 **Megan**
October 2019

I would recommend inquiring about pool access prior to booking. I would also request instructions on how to use the tv while there. Not the best area even though it's along the River.

 **Amanda**
October 2019

Apartment was in a great location! Cable and free parking was a big plus. About a 20 minute walk to Broadway so we would usually walk into town and Uber/Lyft back! We'd definitely stay again!

 **Oscar**
October 2019

Andrew was accommodating, helpful and runs a very nice condo. The location is good, the area is safe, and the apt is perfect for a couples getaway to nashville.




Hosted by Andrew



Joined in February 2019

★ 48 Reviews  Verified

Andrew is a **Superhost** · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests. 

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 Andrew's place.



Andrew helps host.



The neighborhood

Andrew's place is located in Nashville, Tennessee, United States.

Quick walk south to Broadway nightlife and north to amazing Germantown restaurants and coffee shops.

Getting around

Parking in front of apt. Uber is easiest when getting around the city or just a quick walk to Broadway!

[Hide](#) ^



Exact location information is provided after a booking is confirmed.

Things to keep in mind

Check-In: After 2PM

Checkout: 10AM

Self check-in with keypad

House Rules

- No smoking
- No pets
- No parties or events

You must also acknowledge

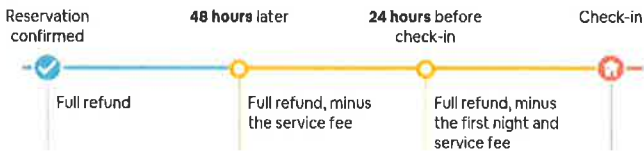
Security Deposit - If you damage the home, you may be charged up to \$250

[Hide rules](#) ^

Cancellations

Free cancellation for 48 hours

After that, cancel up to 24 hours 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 condominium · 2 beds
★ 4.93 (44)
Arts Dist Downtown-5 Service-King...
\$100 / night



Entire condominium · 5 beds
★ 4.93 (44)
Downtown Nashville Farmhouse! Walking...
\$108 / night



Entire apartment · 2 beds
★ 4.93 (46)
Downtown Apartment in the Heart of Music...
\$105 / night

Things to do near this home



WELLNESS CLASS
Romantic Tantra Workshop for Couples
From \$60/person
5.0 ★ (9)



MUSIC LESSON
Songwriting & Performance with Jackie B
From \$125/person
5.0 ★ (5)



BAR CRAWL
Palm Reading & Day Drinking
From \$55/person
4.79 ★ (123)



WORKSHOP
Silversmith a Stack of Rings
From \$75/person
4.96 ★ (212)

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Cincinnati
Melieha
Dresden
New South Wales

Asheville
Memphis
Athens
Santa Monica
Oswesty
Phillip



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

Appellant: Wilma Settles Date: 1-17-20
 Property Owner: Wilma Settles Case #: 2020- 056
 Representative: Wilma Settles Map & Parcel: 10514013200
 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: 2208 White Ave.

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 STRP permit. Appellant operated after the legally required short term rental 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: Wilma Settles Representative: Same
 Phone Number: 615 383-3498 Phone Number: _____
 Address: 2208 White Ave. Address: _____
Nashville, TN 37204
 Email address: wilmasettles@yahoo.com Email address: _____

K.Newman73@Rocketmail.com

Appeal Fee: \$100.00

P.D.H.



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



3751082

**ZONING BOARD APPEAL / CAAZ - 20200003662
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10514013200**APPLICATION DATE:** 01/17/2020**SITE ADDRESS:**

2208 B WHITE AVE NASHVILLE, TN 37204
LOT 10 BLK 18 YARBROUGHS SUB WOODLAND

PARCEL OWNER: SETTLES, WILMA H.**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant operated after the legally required short term rental 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.)


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
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.

Alma Dettles 1/16/2020

Frabutt, David (Codes)

From: Wilma Settles <wilmasettles@yahoo.com>
Sent: Thursday, January 16, 2020 3:21 PM
To: Frabutt, David (Codes)
Subject: Fw: Fwd: HomeAway Property Case 24905280 [ref:_00D1aZzRr._5001P11c4Jl:ref]

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Sent from Yahoo Mail on Android

----- Forwarded Message -----

From: "W S" <8asbnb@gmail.com>
To: "wilmasettles@yahoo.com" <wilmasettles@yahoo.com>
Sent: Wed, Jan 15, 2020 at 11:28 AM
Subject: Fwd: HomeAway Property Case 24905280 [ref:_00D1aZzRr._5001P11c4Jl:ref]

----- Forwarded message -----

From: HomeAway Customer Support <support-cs@homeaway.com>
Date: Wed, Jan 15, 2020, 11:25 AM
Subject: HomeAway Property Case 24905280 [ref:_00D1aZzRr._5001P11c4Jl:ref]
To: 8asbnb@gmail.com <8asbnb@gmail.com>



Dear Wilma,

Thank you for contacting HomeAway Customer Support.

We can confirm there was an attempt to log in and edit information on your account on 01/10/2020 and by system error your account was not hidden.

We can confirm as of today 01/15/2020 that your account is currently hidden.

Visit help.homeaway.com for answers to frequently asked questions.

Sincerely,

Devon

[HomeAway.com](https://www.homeaway.com) Customer Support

Your Case Description:

ref:_00D1aZzRr._5001P11c4Jl:ref



ref:_00D1aZzRr._5001P11c4Jl:ref

Rental Unit Record

2208 White Avenue, Nashville, TN, USA

Removed X
Identified ✓
Compliant ✓

PRINT
SEND A LETTER

Listing(s) Information

Airbnb - 30389810 VRBO - 321.1530282.2089081



Rental Unit Information



Identified Address

2208 White Avenue, Nashville, TN, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.130306, -86.775402

Parcel Number

10514013200

Owner Name

SETTLES, WILMA H.

Owner Address

2208 WHITE AV
NASHVILLE, TN 37204, US

Registration / Permit Number

505957

Timeline of Activity

View the series of events and documentation pertaining to this property

Matched Details

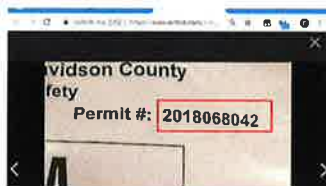
Analyst

QZ4P

Explanation

The property was successfully identified after finding a picture of the short term rental permit on the listing then validating the address on the Nashville short term rental permit site, then pulling the parcel up on the tax assessor site thus getting all other information.

Listing Photos



same property

Matching 3rd Party Sources



Zip Code Match

Owner Name Match

City Name Match

Listing Details

Listing URL	— https://www.airbnb.com/rooms/30389810
Listing Status	● Inactive
Host Compliance Listing ID	— air30389810
Listing Title	— CHARMING NASHVILLE GUESTHOUSE
Property type	— Guesthouse
Room type	— Entire home/apt
Listing Info Last Captured	— Jan 09, 2020
Screenshot Last Captured	— Jan 09, 2020
Price	— \$89/night
Cleaning Fee	— \$100

Information Provided on Listing

Contact Name	— Wilma
Latitude, Longitude	— 36.130514, -86.775079
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 4
Max Number of People per Bedroom	— 4
Number of Reviews	— 67
Last Documented Stay	— 12/2019
















Listing Screenshot History

 [View Latest Listing Screenshot](#)

November 6

December 8

January 3

- ✘ Listing hma321.1530282.2089081 Removed
January 16th, 2020
- 🚩 First Warning - No STR Permit: In Transit 
January 16th, 2020
- ✘ Listing air30389810 Removed
January 13th, 2020
- 🚩 First Warning - No STR Permit: Sent 
January 11th, 2020
-  4 Documented Stays
December, 2019
-  3 Documented Stays
November, 2019
-  5 Documented Stays
October, 2019
-  4 Documented Stays
September, 2019
-  3 Documented Stays
August, 2019
-  7 Documented Stays
July, 2019
-  7 Documented Stays
June, 2019
-  7 Documented Stays
May, 2019
-  6 Documented Stays
April, 2019
-  10 Documented Stays
March, 2019
-  3 Documented Stays
February, 2019
-  4 Documented Stays
January, 2019
- ✓ Listing air30389810 Identified
January 23rd, 2019
- ✳ Listing hma321.1530282.2089081 First Crawled
January 16th, 2019
- Listing hma321.1530282.2089081 First Activity
January 8th, 2019
-  4 Documented Stays
December, 2018
- ✳ Listing air30389810 First Crawled
December 2nd, 2018
- Listing air30389810 First Activity
November 29th, 2018

January 09, 2020 - 12:56AM America/Chicago



Search

English (US)

\$ USD

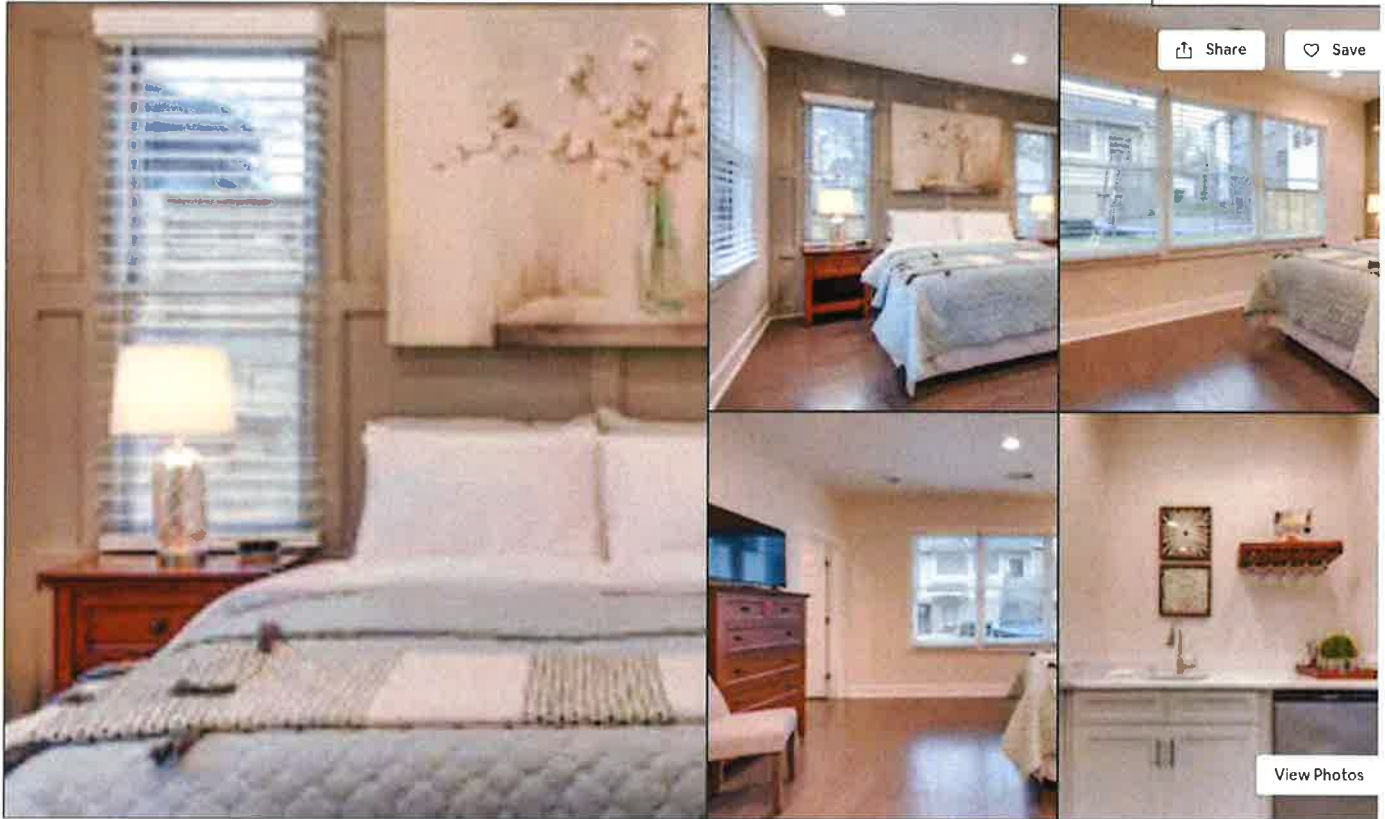
Become a host

Help

Sign up

Log

Jan 9, 2020 12:56am CT



CHARMING NASHVILLE GUESTHOUSE

Nashville

4 guests 1 bedroom 2 beds 1.5 baths

Entire home

You'll have the guesthouse to yourself.

Self check-in

Check yourself in with the lockbox.

Sparkling clean

19 recent guests said this place was sparkling clean.

Wilma is a Superhost

Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.



Matthew And Sherie

\$89 per night

★ 4.99 (67 reviews)

Dates

01/10/2020 → Checkout

Guests

1 guest

Reserve

You won't be charged yet

Report this listing

WELCOME TO THE CHARMING NASHVILLE GUESTHOUSE! Enjoy a comfortable night's rest in your spacious master bedroom with half bath. Ready to freshen up? Saunter into your spacious modern bathroom with amenities listed. There is another queen size bed and full bath. The guesthouse is conveniently located 2.5 miles to downtown, 1.2 miles to 12South and blocks away from 8th ave south where you can enjoy Nashville hot chicken, comedy club, local juice bar etc... Free parking is located on the premises.

The space

This charming guesthouse is located behind a separate main house. The guesthouse includes 1 full bedroom and 1.5 bathrooms. There are two Queen beds with a door separating both spaces. The house was designed for you to feel right at home.

Guest access

Guests have full access to the entire guest suite including private parking.

Other things to note

Guests do not have access to the main house. All communication and interaction should remain with hosts!

Hide ^

Contact host

Amenities

- Free parking on premises
- Wifi
- Kitchen
- Iron

Show all 29 amenities

Sleeping arrangements



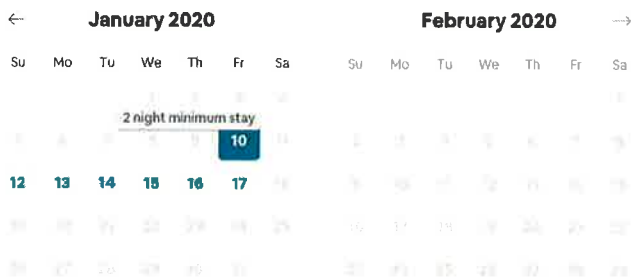
Bedroom 1
1 queen bed



Common spaces
1 queen bed

Availability

2 night minimum stay



Clear dates

Reviews

★ 4.99 67 reviews

Accuracy	5.0	Communication	5.0
Check-in	5.0	Cleanliness	5.0
Value	5.0	Location	4.9

- Stylish space 59
- Sparkling clean 58
- Quick responses 46
- Outstanding hospitality 32
- Amazing amenities 27

Search reviews

Lamar
December 2019 LAST MINUTE TRIP

This space is clean from top to bottom. The location is central to a variety of food options and the interior is very stylish.

Terri
December 2019

This Guest house was super clean and had great amenities along with being very

nicely furnished, so convenient for our exploring Nashville and all the local places of interest!



Marj
December 2019

My husband and I decided to take a weekend getaway trip recently, having been to Nashville several times we decided instead of the busy downtown hotel let try a off the strip type of location. This location is perfect for those that want to be close to downtown but also out of...[Read more](#)



Ashley
December 2019

I loved staying at Wilma's place and would definitely stay again!



Nancy
November 2019

Highly recommended! We had a lovely time over Thanksgiving at this AirBnB. The furnishings and decor were beautiful, clean and new. We had every amenity we needed and slept very comfortably. The host was very flexible and let us check in a bit earlier than planned. This is...[Read more](#)



Jennie
November 2019

I highly recommend this place! It is GORGEOUS, private, sparkling clean, has everything you will need. I LOVED it. Very close to downtown, Vanderbilt, Centennial Park. Pretty neighborhood. Couldn't ask for more!



Sarah
November 2019

This was such a great value! I stayed here with a friend and it was great for just the two of us, but it could comfortably fit two couples. The location was an easy uber from lots of places. We were able to walk from the house to multiple restaurants. The space itself was really...[Read more](#)



Hosted by Matthew And Sherne



Nashville, TN · Joined in June 2014

★ 525 Reviews Verified

Matthew And Sherne is a Superhost · Superhosts are experienced, highly rated hosts who are committed to providing great stays for guests.

We love traveling and experiencing new adventures. Matthew is attending dental school and Sherne works in the healthcare field. We love meeting new people and creating experiences that people can remember. Book with us and you'll see what we mean!

Interaction with guests

We are available 24/7 via phone/Airbnb to provide any assistance needed. We want all guests to feel right at home and have a good time!

Matthew And Sherne supports the Living Wage Pledge

People who clean this host's listing are paid a living wage. [Learn more](#)

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 Wilma's place.



Matthew And Sherne helps host.



The neighborhood

Things to keep in mind

Check-in: After 4PM

Checkout: 11AM

Self checkin with lockbox

House Rules

No smoking

No pets

No parties or events

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.

[Read more about the policy](#) ▾

January 09, 2020 - 12:56AM America/Chicago



Q Search

English (US)

\$ USD

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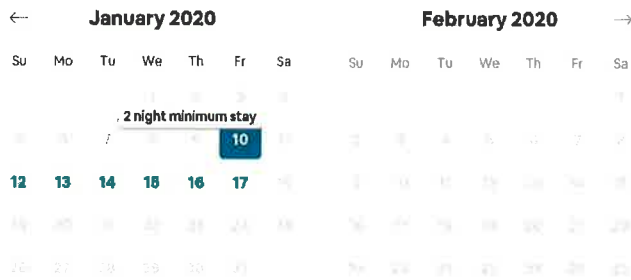
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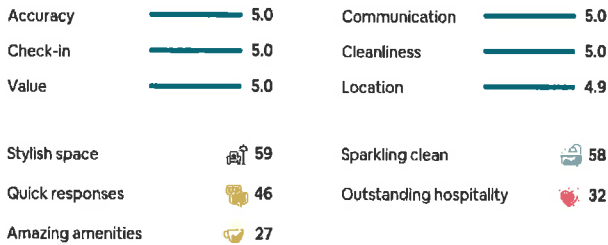
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*Jane
Boram*

Tuesday, February 18, 2020

METRO BOARD OF ZONING APPEALS

Appeal Case Number:

2020-056 (2208 B White Ave., Nashville, TN 37204)

Map Parcel: 10514013200 – Zoning Classification: R6

Metro Office – POST OFFICE BOX 196350 –

3rd Floor/ 800 Second Ave., Nashville, TN 37219-6350

Dear BOARD OF ZONING APPEALS

This letter is to SUPPORT my neighbor, WILMA SETTLES, in her attempt to have re-approved a SHORT TERM RENTAL as listed above.

Ms. Settles is a property owner who takes good care of her property as well as her short-term rental directly behind her own live-in-home @ 2208 A White Ave., 37204. Ms. Settle's renters have always been well-behaved, respectful of other neighbors' needs.

Ms. Settles presents no problems of any kind to her neighbors @ either her own live-address or that of the short-term rental behind her home.

Sincerely,

(The Rev.) Jane Boram – 2206 Grantland Ave.,

Nashville, TN 37204



📍 2206 Grantland Ave.
Nashville, TN 37204

📞 615-500-2446

✉️ Jane2302@att.net

🌐 NO WEBSITE
AVAILABLE

