



# **METROPOLITAN BOARD OF ZONING APPEALS**

**The 4/2/20 meeting will be held telephonically at 1:00 p.m.  
pursuant to Governor Lee's Executive Order No. 16.**

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

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## **Public Input to the Board**

Comments on any case can be emailed to the Board of Zoning Appeals at [bza@nashville.gov](mailto:bza@nashville.gov). Comments received by 12:00 noon on Wednesday, April 1, 2020, will be included in the board's packet for their review. Any comments received after that time will be read into the record at the meeting. We urge you to make comments electronically. However, a remote station will be set up at the Sonny West Conference Center (700 2<sup>nd</sup> Avenue South) for anyone who is unable to submit their comments electronically and wishes to make comments via telephone. Social distance recommendations will be implemented at the remote station.

## **Consent Agenda**

The BZA utilizes a consent agenda for its meetings. One board member reviews the record for each case prior to the hearing and identifies those cases which meet the criteria for the requested action by the appellant. If the reviewing board member determines that testimony in the case would not alter the material facts in any substantial way, the case is recommended to the board for approval. The following items are proposed for the consent agenda on the 4/2/20 docket. If anyone opposes one of these cases they should email [bza@nashville.gov](mailto:bza@nashville.gov) and state their opposition for the board's review.

2020-052 (1009 Dickerson Pike) – requesting a special exception from height requirements to construct a mixed-use building. The application would be approved with the condition that the appellant must work with Metro Public Works to construct a parking bump out that will remain until Metro reclaims the use for any proposed future mass transit. If, however, MDHA, Public Works, or the State of Tennessee does not allow the parking to be built, the BZA approval would remain.

2020-070 (1005 Southside Ave) – requesting a 9 square foot lot size variance to construct two single family homes.

2020-074 (4100 B Kimbark Dr) – requesting a setback variance to construct a covered patio.

2020-077 (42 Shepard St) – requesting a sidewalk variance to construct two single family residences. The application would be approved with the condition that the applicant build a sidewalk on the Shepard St. frontage.

2020-084 (1128 3<sup>rd</sup> Ave S) – requesting a variance from floor area ratio restrictions and a change to a legally non-conforming structure. The approval would expire one year from the date of the entry of the order

## **D O C K E T**

### **CASE 2019-300 (Council District - 19)**

**JENNIFER CARR**, appellant and **PEP MUSIC SQUARE, LLC**, owner of the property located at **900 18TH AVE S**, requesting a special exception to allow additional height within the build to zone in the ORI-A District, to construct an office building. 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-Commercial

Map Parcel 09216036100

**Results- Deferred 5/7/20**

**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 4/16/20**

**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.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 2020-057 (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-Singe Family

Map Parcel 11711007600

**Results- Withdrawn**

**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- Withdrawn**

**CASE 2020-061 (Council District - 21)**

**JAY PATEL**, appellant and **ELLISTON HOSPITALITY, LLC**, owner of the property located at **2221 ELLISTON PL**, requesting a variance from parking requirements in the ORI District, to construct a hotel. Referred to the Board under Section 17.20.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Hotel

Map Parcel 09215016800

**Results- Deferred 4/16/20**

**CASE 2020-066 (Council District - 25)**

**ADAM CRUNK**, appellant and **BASKIN, TREVOR SCOTT**, owner of the property located at **3502 STOKESMONT RD**, requesting a variance from sidewalk requirements in the R40 District, to construct a single-family residence without building sidewalks but instead paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 117110Q00200CO

**Results- Deferred 4/16/20**

**CASE 2020-070 (Council District - 17)**

**JOSH RANDOLPH**, appellant and **HILL, JAMES**, owner of the property located at **1005 SOUTHSIDE AVE**, requesting a variance from minimum lot size requirements in the R6 District, to construct two single-family residences. 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-Two-Family

Map Parcel 10501057300

**Results-**

**CASE 2020-071 (Council District - 24)**

**COLLINS LEGAL, PLC**, appellant and **KNIGHT, JAMES L. SR.**, owner of the property located at **411 ACKLEN PARK DR**, requesting a variance from sidewalk requirements in the UZO 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 10401038500

**Results-Deferred 5/21/20**

**CASE 2020-072 (Council District - 19)**

**JARED GRAY**, appellant and **JACKSON STREET CHURCH OF CHRIST, TRS.**, owner of the property located at **1015, 1017, 1021, 1023 14TH AVE N**, and **1308 Jackson St.** requesting a special exception in the RM20, UZO District, to provide off-site parking for a religious institution. Referred to the Board under Section 17.08.030 and 17.16.170.E.2. The appellant has alleged the Board would have jurisdiction under Sections 17.40.180 C and D.

Use-Religious Institution

**RESULT - Deferred 4/16/20**

Map Parcel 09204002800  
Map Parcel 09204002600  
Map Parcel 09204002500  
Map Parcel 09204011600  
Map Parcel 09204006200

**CASE 2020-073 (Council District - 4)**

**WADE HYATT**, appellant and **BRENTWOOD MEDICAL TRADING, LLC**, owner of the property located at **5429 EDMONDSON PIKE**, requesting variances from parking and landscape buffer requirements in the OL District, to use an existing space for a medical office. Referred to the Board under Section 17.20.030 and 17.24.230. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Medical Office

Map Parcel 16109015500

**Results- Deferred 5/7/20**

**CASE 2020-074 (Council District - 25)**

**DANIEL HELLER**, appellant and **O.I.C. 4102 KIMBARK DRIVE COTTAGES**, owner of the property located at **4100 B KIMBARK DR**, requesting a variance from setback requirements in the R10 District, to construct a covered patio. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 131021E90000CO

**Results-**

**CASE 2020-075 (Council District - 34)**

**BETHEL CHAPEL**, appellant and **BB PROPERTY TRUST**, owner of the property located at **5670 GRANNY WHITE PIKE**, requesting a variance from sign requirements in the R10 District, to install an LED sign. Referred to the Board under Section 17.32.050. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Religious Institution

Map Parcel 15900026400

**Results- Deferred 5/7/20**

**CASE 2020-077 (Council District - 17)**

**BRIAN MUSSER**, appellant and **BM BUILDERS LIMITED LIABILITY CO**, owner of the property located at **42 SHEPARD ST**, requesting a variance from sidewalk requirements in the R6 District, to construct a single-family residence without building sidewalks along Thomas Street. 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 10504011500

**Results-**

**CASE 2020-079 (Council District - 24)**

**PHILLIP PIERCY**, appellant and **HARVEST PLACE, LLC**, owner of the property located at **3320 CHARLOTTE AVE**, requesting a special exception from height and setback requirements in the CS District, to construct multi-family development. Referred to the Board under Section 17.12.030.B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 09209035300

**Results- Deferred 4/16/20**

**CASE 2020-082 (Council District - 16)**

**ROB CUSHMAN** appellant and **HURST, BRUCE A OPERATING & IRRE. INVEST. SERV. TRUST**, owner of the property located at **421 VERITAS ST**, requesting a variance from sidewalk requirements in the OR20 District, to construct three single-family residences without building sidewalks but instead paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 13305005600

**Results-**

**CASE 2020-084 (Council District - 17)**

**ARON LEVINE PRODUCTIONS, LLC**, appellant and **LAYMAN1128, LLC**, owner of the property located at **1128 3RD AVE S**, requesting a variance from floor area ratio restrictions and an Item D appeal to change a legally non-conforming structure in the MUN-A, OV-UZO District, to temporarily place three trailers on the property to be used as studio space. Referred to the Board under Sections 17.12.020.D and 17.40.660. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Media Production

Map Parcel 10503007600

**Results-**

**CASE 2020-087 (Council District - 21)**

**HALEY FREY**, appellant and **PENDLETON, CORA**, owner of the property located at **1903 CEPHAS ST**, requesting a variance from lot size requirements in the R6, UZO District, to construct a second single-family residence on the lot. Referred to the Board under Sections 17.12.020 A and 17.40.670. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Two-Family

Map Parcel 08107038800

**Results-**