

METROPOLITAN BOARD OF ZONING APPEALS

**The 5/21/20 meeting will be held telephonically at 1:00 p.m.
pursuant to Governor Lee's Executive Order No. 16.**

MS. ASHONTI DAVIS

MS. CHRISTINA KARPYNEC

MR. TOM LAWLESS

MR. LOGAN NEWTON

MR. ROSS PEPPER, Vice-Chair

MR. DAVID TAYLOR, Chairman

Public Input to the Board

Comments on any case can be emailed to the Board of Zoning Appeals at bza@nashville.gov. Comments received by 12:00 noon on Wednesday, May 20, 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 2nd 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 5/21/20 docket. If anyone opposes one of these cases, they should email bza@nashville.gov and state their opposition for the board's review.

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 -

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-

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-

CASE 2020-088 (Council District - 19)

KELSEY BRIGHT, appellant and **BASKIN, STEFAN**, owner of the property located at **1311, 1313, 1315 2ND AVE N**, requesting a variance from landscape buffer requirements in the IR District, to construct an addition to an existing building to be used an event space. Referred to the Board under Section 17.24.230. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial Event

Map Parcel 08209022400

Results-

Map Parcel 08209022500

Map Parcel 08209022600

CASE 2020-103 (Council District - 5)

BAKER DONELSON, appellant and **LOF, GENERAL PARTNERSHIP**, owner of the property located at **192 DUKE ST**, requesting a variance from minimum lot size requirements in the RM20 District, to construct a four-unit condo development. Referred to the Board under Section 17.12.030 and 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 071070J00400CO

Results- Withdrawn

CASE 2020-109 (Council District - 24)

KATHLEEN MURPHY, appellant and **MAYHUGH, JOAN**, owner of the property located at **218 MOCKINGBIRD RD**, requesting an Item A appeal challenging the zoning administrator's issuance of a building permit for a detached accessory dwelling unit in the R8 District. Referred to the Board under Section 17.40.180.A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Detached Accessory Dwelling Unit

Map Parcel 10312015900

Results- Deferred to 6/4/20

CASE 2020-118 (Council District - 6)

OUTFRONT MEDIA, LLC, appellant and **PSC METALS, INC**, owner of the property located at **610 S 2ND ST**, requesting an Item A appeal challenging the zoning administrator's decision to revoke building permit 2019074327 in the IG District, to allow a billboard. Referred to the Board under Section 17.32.150.B. A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-

Map Parcel 09307005600

Results- Deferred to 6/4/20

CASE 2020-119 (Council District - 20)

EDGE PLANNING, LANDSCAPE ARCHITECTURE & URBAN DESIGN, appellant and **TEE LINE, LLC**, owner of the property located at **104 DULUTH AVE**, requesting an Item D appeal to change an existing non-conforming use of a steel and metal fabrication company to an indoor commercial amusement facility in the R8 District. Referred to the Board under Section 17.40.650.C.3.B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 D.

Use-Indoor Commercial Amusement

Map Parcel 09109003100

Results- Deferred to 6/4/2020

CASE 2020-120 (Council District - 26)

KEMP, CHASE W. & KATHLEEN C. appellants and owners of the property located at **5216 SMARTT DR**, requesting variances from front and side setbacks in the RS20 District, to construct a garage and a porch addition. 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 14616016700

Results-

CASE 2020-121 (Council District - 21)

PAUL PLUMMER, appellant and **ANTHONY RENTALS**, owner of the property located at **2201 & 2209 ELLISTON PL**, requesting a variance from setback requirements and a special exception from height restrictions within the height control plane in the CS District, to renovate existing structures and construct a mixed-use development. Referred to the Board under Section 17.12.020 C and 17.12.060 F. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B and C.

Use-Mixed-Use

Map Parcel 09215017300

Results-

Map Parcel 09215017200

CASE 2020-123 (Council District - 24)

CATALYST DESIGN GROUP, appellant and **URBAN VIEW WEST, LLC**, owner of the property located at **3308 & 3312 CHARLOTTE AVE**, requesting a special exception from height and setback requirements in the CS District, to construct a multi-family development. Referred to the Board under Section 17.12.020 C. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 C.

Use-Multi-Family

Map Parcel 09209035900

Results-

Map Parcel 09209035700

CASE 2020-128 (Council District - 19)

JODY ROBERTS, appellant and **CHAPMAN DEVELOPMENT, LLC**, owner of the property located at **106 LEWIS ST**, requesting variances from setback requirements in the R-6A District, to construct a single-family residence. Referred to the Board under Section 17.12.030.A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 09316012200

Results-

CASE 2020-129 (Council District - 18)

RANDALL MORGAN, appellant and owner of the property located at **1203 KIRKWOOD AVE**, requesting a variance from setback requirements in the R8 District, to construct an attached garage. 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 11801009200

Results-

SHORT TERM RENTAL CASES

CASE 2020-055 (Council District - 19)

ANDREW BOWEN, 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 in the DTC District. The applicant operated after the previously issued 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- Deferred to 6/4/2020

CASE 2020-065 (Council District - 19)

DERR, CORBY DOUGLES, appellant and owner of the property located at **178 2ND AVEN 101**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the DTC District. Appellant operated after the previously issued short term rental 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 093024A10100CO

Results- Deferred to 6/4/2020

CASE 2020-069 (Council District - 19)

AMANDA COAKER, appellant and **FOUNTAINS GERMANTOWN HOLDINGS, LLC**, owner of the property located at **1401 3RD AVE N, Units 208, 242, 330 & 428** requesting an Item A appeal, challenging the Zoning Administrator's cancellation of four Short Term Rental permits after a determination that the permits were issued in error in the SP District. 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 08209050100

Results- Deferred to 6/4/2020

CASE 2020-078 (Council District - 17)

HILAND, PAMELA & THIEMAN, VICKIE, appellants and owners of the property located at **1978 GATLIN DR**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the RS10 District. Appellant operated after the previously issued short term rental 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 10614004100

Results- Deferred to 6/4/2020

CASE 2020-090 (Council District - 6)

TRACEY FORD, appellant and owner of the property located at **1805 B FATHERLAND ST**, requesting an Item A appeal challenging the zoning administrator's denial of a short-term rental permit in the R6 District. Appellant operated after the short-term rental 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 08314015100

Results- Deferred to 6/18/2020

CASE 2020-094 (Council District - 17)

ROBYBN MORSHEAD L, appellant and owner of the property located at **811 HORNER AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the R10 District. Appellant operated after the previously issued short-term rental 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 11802015600

Results- Deferred to 6/18/2020

CASE 2020-095 (Council District - 5)

MELISSA TOKIE, appellant and **TOKIC, ANDRIJA**, owner of the property located at **1114 N 6TH ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the SP District. Appellant operated after the short-term rental 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 08204001600

Results- Deferred to 6/18/2020

CASE 2020-098 (Council District - 17)

POND, ZACKARY & MELANIE, appellants and owners of the property located at **1979 CARLOSS DR**, requesting an Item A appeal challenging the zoning administrator's denial of a short-term rental permit in the RS10 District. Applicant operated after the previously issued STRP permit expired. Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 10614002300

Results- Deferred to 6/18/2020

CASE 2020-107 (Council District - 21)

RYAN WEBB, appellant and **NASHLONG, LLC**, owner of the property located at **3118 LONG BLVD 4**, requesting an Item A appeal, challenging the zoning administrator's cancellation of an existing STRP permit due to a change in ownership in the RM40 District. 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 104021J00400CO

Results- Deferred to 6/18/2020

CASE 2020-108 (Council District - 5)

SISSON, TODD, appellant and owner of the property located at **1820 JOY CIR**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant operated after issued short term rental permit expired in the RS5 District. 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 07112003700

Results-

CASE 2020-112 (Council District - 9)

MCGAUHUEY, BRADLEY D. & LISA M., appellants and owners of the property located at **1108 BERWICK TRL**, requesting an Item A appeal, challenging the zoning administrator's denial of a short-term rental permit in the RS20 District. Appellant operated after the previously issued short term rental 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 05211005300

Results-

CASE 2020-116 (Council District - 19)

GASKIN, CARLOS L. & CHERYL W., appellants and **CARLOS L AND CHERYL W GASKIN REVOCABLE TRUST**, owner of the property located at **11 MUSIC SQ E 407**, requesting an Item A appeal, challenging the zoning administrator's cancellation of a short-term rental permit due to an ownership change in the ORI District. Referred to the Board under Section 17.16.070. U. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 093130A40700CO

Results-

CASE 2020-122 (Council District - 14)

LINDSAY LEES, appellant and **WOOD FAMILY REVOCABLE LIVING TRUST, THE**, owner of the property located at **3001 STAFFORD DR**, requesting an Item A appeal, challenging the zoning administrator's cancellation of an existing STRP permit due to a change in ownership in the RS15 District. 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 08511002800

Results-