

# METROPOLITAN BOARD OF ZONING APPEALS

**The 6/4/20 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. TOM LAWLESS  
MR. LOGAN NEWTON  
MR. ROSS PEPPER, Vice-Chair  
MR. DAVID TAYLOR, Chairman**

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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). Additionally, comments can be made by calling (629) 255-1902 and leaving a voice mail. When leaving a voice mail be sure to identify yourself by name and address, include the case number, and limit your message to one to two minutes. All voice mails will be played for the board during the meeting. Comments emailed by 12:00 noon on Wednesday, June 3, 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 or through the voice mailbox. 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 6/4/20 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.

2020-080 (324 Plus Park Blvd.) – requesting a variance from parking requirements to construct a hotel.

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2020-133 (3209 Granny White Pike) – requesting a variance from street setback requirements to construct a single-family residence.

2020-135 (3757 Westport Dr) – requesting variance from street setback requirements to construct a single-family residence. Recommended for approval on the condition that the house massing not deviate from what was submitted to the board on the site.

2020-136 (1103 Montrose Ave) – requesting a variance from lot size requirements to construct a detached accessory dwelling unit.

**Previously Heard Cases Requiring Board Action**

**2020-088 (1311, 1313 & 1315 2ND AVE N)** variance from landscape buffer requirements within the IR District. This case was heard on 5/21/20 and failed to receive four affirmative votes.

**New Cases to Be Heard**

**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 7/16/20**

**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 7/2/20**

**CASE 2020-080 (Council District - 16)**

**ALPESH PATEL**, appellant and **TULSI NARAYAN HOSPITALITY, LLC**, owner of the property located at **324 PLUS PARK BLVD**, requesting a variance from parking requirements in the CS 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 10600013400

**Results-**

**CASE 2020-093 (Council District - 6)**

**REVEY, SCOTT D. & JESSICA**, appellant and owner of the property located at **2416 EASTLAND AVE**, requesting variances from maximum living area square footage and maximum footprint requirements in the R10 District, to convert an existing garage into a detached accessory dwelling unit. Referred to the Board under Section 17.16.030 G.7.A and 7. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Accessory Dwelling

Map Parcel 08312010800

**Results- Deferred 6/18/20**

**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 7/2/20**

**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. Referred to the Board under Section 17.32.150.B.12. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Billboard

Map Parcel 09307005600

**Results-**

**CASE 2020-119 (Council District - 20)**

**EDGE PLANNING, LANDSCAPE ARCHITECTURE and 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 nonconforming use of a steel and metal fabrication company to another non-conforming use in the R8 District, to allow a nonconforming use for an indoor commercial amusement. 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-**

**CASE 2020-120 (Council District - 26)**

**KEMP, CHASE W. & KATHLEEN C.**, appellant and owner of the property located at **5216 SMARTT DR**, requesting variances from front and side setbacks in the RS20 District, to construct an attached garage and 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- Deferred to 6/18/2020**

**CASE 2020-132 (Council District - 14)**

**FARON FERDOWSI**, appellant and **DODSON CHAPEL INVESTORS, LLC**, owner of the property located at **3960 DODSON CHAPEL RD**, requesting a variance from floor area ratio restrictions in the MUN District to expand a medical office building. Referred to the Board under Section 17.16.060.A. The appellant has alleged the Board would have jurisdiction under Section 17.40.180.B.

Use-Medical Office

Map Parcel 08600013700

**Results-**

**CASE 2020-133 (Council District - 18)**

**DUANE CUTHBERTSON**, appellant and **COSTANZA, EDITH A.**, owner of the property located at **3209 GRANNY WHITE PIKE**, requesting a variance from street setback requirements in the R8 District, to construct a single-family residence. Referred to the Board under Section 17.12.030C.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 11805001800

**Results-**

**CASE 2020-134 (Council District - 4)**

**EL SHADDAI CHRISTIAN CHURCH**, appellant and **IGLESIA CRISTIANA EL SHADDAI CHRISTIAN CHURCH**, owner of the property located at **10604 CONCORD RD**, requesting a variance from sidewalk requirements in the Ar2a District, to renovate a religious institution without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120.A.1.b The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious institution

Map Parcel 18100000800

**Results- Deferred 7/2/20**

**CASE 2020-135 (Council District - 1)**

**GREGORY DANIELS**, appellant and **RODGERS, MARY H.**, owner of the property located at **3757 WESTPORT DR**, requesting a variance from street setback requirements in the RS15 District, to construct a single-family residence. Referred to the Board under Section 17.12.030.C.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 04800031500

**Results-**

**CASE 2020-136 (Council District - 17)**

**BEAU WEST**, appellant and **GRAHAM, ALYSSA & DOUGLAS**, owner of the property located at **1103 MONTROSE AVE**, requesting a variance from lot size requirements in the R8 District, to construct a detached accessory dwelling unit. Referred to the Board under Section 17.16.030.G.2. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Detached Accessory Dwelling Unit

Map Parcel 11801013400

**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 previously issued STRP permit expired in the DTC District, to obtain a permit. 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 082140A06000CO

**Results-**

**CASE 2020-065 (Council District - 19)**

**DERR, CORBY DOUGLES**, appellant and owner of the property located at **178 2<sup>ND</sup> AVE N 101**, 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 DTC District, to obtain a permit. 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 093024A10100CO

**Results-**

**CASE 2020-069 (Council District - 19)**

**AMANDA COAKER**, appellant and **FOUNTAINS GERMANTOWN HOLDINGS, LLC**, owner of the property located at **1401 3RD AVE N Unit 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, the permits will be reinstated. 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 08209050100

**Results-**

**CASE 2020-078 (Council District - 17)**

**HILAND, PAMELA & THIEMAN, VICKIE**, appellant and owner 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. Appellant operated after issued short term rental permit expired in the RS10 District, to obtain a permit. 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-**

**CASE 2020-112 (Council District - 9)**

**MCGAUHUEY, BRADLEY D. & LISA M.**, appellant and owner 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. Appellant operated after the previously issued short term rental permit expired in the RS20 District, to obtain a permit. 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 2020-130 (Council District - 2)**

**THOMAS ROTHRAUFF**, appellant and **T & T, LLC**, owner of the property located at **2136 24TH AVE N**, requesting an Item A appeal, challenging the zoning administrator's cancellation of existing STRP permit due to a change in ownership in the OR20 District, to obtain a permit. 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 081024F00700CO

**Results-**

**CASE 2020-131 (Council District - 7)**

**COLLINS LEGAL, PLC**, appellant and **POLI, RYAN J.**, owner of the property located at **1517B HAYDEN DR**, requesting an Item A appeal challenging the zoning administrator's revocation of a short-term rental permit in the R10 District, to reinstate the short-term rental permit. 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 072160V00200CO

**Results- Deferred 6/18/20**