

**MINUTES OF THE BOARD OF ZONING APPEALS FOR THE METROPOLITAN
GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY, TENNESSEE**

September 1, 2022

The Board met in regular session at 1:00 p.m. The Chairman called the meeting to order, and the following members were present during the course of the proceedings: Ashonti Davis, Christina Karpynec (Vice Chair), Tom Lawless, Logan Newton, and Ross Pepper (Chair); Absent: (2): Payton Bradford and Joseph Cole.

Preliminary Matters

The secretary announced that the following items were withdrawn:

- (1) **Case 2022-103** request for a variance from the street setback requirements for property located at 2214 Valley Ave.
- (2) **Case 2022-108** request to modify a non-conforming structure located at 3408 Elkins Ave.

The secretary announced that the following items had been deferred to the next regular meeting:

- (3) **Case 2022-091** request to contribute to pedestrian fund in lieu of constructing sidewalks at 2430 B Little Ave.
- (4) **Case 2022-105** request to permit illuminated billboard for property located at 2204 Nolensville Pk.
- (5) **Case 2022-109** request to contribute to pedestrian fund in lieu of constructing sidewalks at 5005 A & B Tennessee Ave.
- (6) **Executive Session** for **Case 2022-050** *Bryan Church dba 8GCO Trust v. Metro Zoning Appeals Board, et al.*

Consent Agenda

Case 2022-107 request for a variance from the street setback requirements to construct a front porch addition for property located at 2706 Fortland Dr. Upon motion by Mr. Lawless, properly seconded by Mr. Newton, the request was approved by the following vote: **Ayes** (5): Davis, Karpynec, Lawless, Newton, and Pepper; **Noes** (0); **Abstain** (0).

Applications on Public Hearing

Case 2022-053 request for a special exception from the landscape screening requirement to construct an adaptive residential development with a shared access driveway between parcels zoned CS and R8 for property located at 5915 & 5917 Robertson Ave. The Chairman asked if anyone desired to be heard for or against the application, and members of the public were heard in favor of and in opposition to the request. The President declared the public hearing closed. Mr. Newton moved to approve the application with the below-referenced conditions, which motion was seconded by Ms. Karpynec and approved by the following vote: **Ayes (5)**: Davis, Karpynec, Lawless, Newton, and Pepper; **Noes (0)**; **Abstain (0)**:

Conditions of Approval:

1. Extension of the “C” Landscape Buffer (to include a screening fence) along the entirety of the combined southerly property boundary;
2. Addition of an “A” Landscape Buffer in the area immediately west of the drive aisle and immediately east of Townhomes “3” and “6” on the attached site plan incorporated as “Exhibit A” hereto;
3. The same number of trees otherwise required within the “C” Landscape Buffer along the westerly boundary of the CS-zoned parcel shall be planted throughout the R8-zoned parcel, in addition to the trees otherwise required pursuant to the Metropolitan Zoning Code upon said R8-zoned parcel; and
4. The “C” Landscape Buffer shall be installed on the southernmost boundary at the earliest feasible date in order to establish and allow said landscaping to begin maturing without delay.

Case 2022-111 request for a special exception to authorize a large day-care home for property located at 919 Potter Ln. The Chairman called for the public hearing. The Chairman asked if anyone desired to be heard for or against the application, and members of the public were heard in favor of and in opposition to the request. The President declared the public hearing closed. Mr. Newton moved to defer the application to the next regular meeting, which motion was seconded by Mr. Lawless and approved by the following vote: **Ayes (5)**: Davis, Karpynec, Lawless, Newton, and Pepper; **Noes (0)**; **Abstain (0)**.

Adjournment

There being no further business before the Board at this time, the meeting was adjourned.