

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS**

RE: Christopher Rowe Appeal Case 2023-125  
753 NEWBERRY RD  
Map Parcel: 10215001900  
Zoning Classification: R40 Council District: 23

**ORDER**

This matter came to be heard in public hearing on 11/16/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance to reduce the street setback to 51' to construct a new single family home.

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.

UPON MOTION BY: Mr. Lawless                      Seconded By: Mr. Bradford

Result: (7-0)

Ayes: Members Bradford, Cole, Davis, Karpynek, Lawless, Pepper, and Ransom

ENTERED THIS 16th DAY OF NOVEMBER, 2023.

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS**

RE: C&H Properties, LLC Appeal Case 2023-132  
3226 ALPINE PARK BLVD  
Map Parcel: 070050P00100CO  
Zoning Classification: R10 Council District: 2

**ORDER**

This matter came to be heard in public hearing on 11/16/2023, before the Metropolitan Board of Zoning Appeals, upon application to reduce the side street setback to 5' for a two-family dwelling unit.

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 based upon the topographic features and extensive right of way resulting from an unimproved street to the side of the parcel.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: Mr. Bradford                      Seconded By: Mr. Lawless

Result: (7-0)

Ayes: Members Bradford, Cole, Davis, Karpynec, Lawless, Pepper, and Ransom

ENTERED THIS 16th DAY OF NOVEMBER, 2023.

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS**

RE: Terri Spinks Appeal Case 2023-133  
4334 OLD HICKORY BLVD  
Map Parcel: 06413002200  
Zoning Classification: RS7.5 Council District: 11

**ORDER**

This matter came to be heard in public hearing on 11/16/2023, before the Metropolitan Board of Zoning Appeals, upon application for an Item D appeal for change the use of a nonconforming structure to a retail store.

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 D of the Metropolitan Code.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: Mr. Lawless                      Seconded By: Mr. Bradford

Result: (7-0)

Ayes: Members Bradford, Cole, Davis, Karpynek, Lawless, Pepper, and Ransom

ENTERED THIS 16th DAY OF NOVEMBER, 2023.

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS**

RE: 7400 HIGHWAY 70 S Appeal Case 2023-134  
Map Parcel: 14206000500  
Zoning Classification: RS15 Council District: 22

**ORDER**

This matter came to be heard in public hearing on 11/16/2023, before the Metropolitan Board of Zoning Appeals, upon application for a special exception to use the existing church for a daycare center for up to 125 children.

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 C of the Metropolitan Code.
- (3) The appellant HAS satisfied all of the conditions for a special exception under Section 17.16.150, as well as a variance under Section 17.40.370 from the landscape buffer and minimum distance requirements.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request shall be GRANTED.

UPON MOTION BY: Mr. Lawless                      Seconded By: Mr. Bradford

Result: (7-0)

Ayes: Members Bradford, Cole, Davis, Karpynec, Lawless, Pepper, and Ransom

ENTERED THIS 16th DAY OF NOVEMBER, 2023.

**BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS**

RE: Vanguard Construction  
8114 POPLAR CREEK RD

Appeal Case 2023-136

Map Parcel: 15500025100

Zoning Classification: RS20

Council District: 35

**ORDER**

This matter came to be heard in public hearing on 11/16/2023, before the Metropolitan Board of Zoning Appeals, upon application for a variance in street setback to 128' to construct a single family home.

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.

UPON MOTION BY: Mr. Lawless

Seconded By: Mr. Bradford

Result: (7-0)

Ayes: Members Bradford, Cole, Davis, Karpynek, Lawless, Pepper, and Ransom

ENTERED THIS 16th DAY OF NOVEMBER, 2023.