

KARL F. DEAN
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING – 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

July 6, 2009

Members of the Board of Zoning Appeals
Metro Office Building
800 2nd Avenue, South, 3rd Floor
Nashville, TN 37210

RE: Case No. 2009-052
Parcel ID: 13102003400

Dear Members:

While the referenced case has been filed as an Item A Appeal from my determination that a nonconforming sign may not be replaced under Section 17.40.690, it could also include an Item D appeal whereby the Board shall determine the appropriateness of proposed changes to nonconforming structures. Section 17.40.165 provides that the property owner shall demonstrate compliance with all applicable provisions of the Zoning Code before a permit may be issued.

The referenced property is in an Urban Design Overlay District (UDO) created by the metropolitan Council (Section 17.36.270 et seq.) This district contains certain variations from the conventional standards of the Zoning Code, including variations of the sign standards of the base zoning district (Section 17.36.320). The Green Hills UDO provides that a sign must come into compliance when any alteration is made to the structure. In this case, the applicant/tenant is requesting permits to change two panels on two multi-tenant signs on the property without bringing the signs into compliance with the UDO guidelines. This appeal results from a denial of the permits. The Planning Department, which oversees the implementation of the UDO guidelines, has also issued a separate opinion on this case.

Very Truly Yours,

Lon F. West
Zoning Administrator

lh