#### DOCKET

#### December 5, 2013

#### 1:00 P.M.

# METROPOLITAN BOARD OF ZONING APPEALS P O BOX 196300 METRO OFFICE BUILDING NASHVILLE, TENNESSEE 37219-6300

Meetings held in the Sonny West Conference Center Howard Office Building, 700 2<sup>nd</sup> Avenue South

MS. CYNTHIA CHAPPELL

MR. DAVID EWING

MR. DAVID HARPER

MS. MERCEDES JONES

MR. RICHARD KING, Vice-Chair

MR. DAVID TAYLOR

MR. CHRIS WHITSON, Chair

# **CASE 2013-130 (Council District - 25)**

**Dillard's,** appellant and owner of the property located at **2140 Abbott Martin Road,** requesting variances in street setback, rear setback and skyplane in the SCR District, to construct a five story structure with three levels of parking and two levels of retail for Dillards. Referred to the Board under Section 17.12.030B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Retail

Map 117-14 Parcel(s) 50.01

#### page two

## **CASE 2013-121 (Council District - 23)**

**Sharon Durham,** appellant and Glazer, Susan Ellen Feldman TR., owner of the property located at **6448 Bresslyn Road**, requesting a variance in the street setback in the RS40 District, to construct a 2,000 square foot addition to the side and a 900 square foot addition to the front of the 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 115-14 Parcel(s) 28

#### **RESULT**

# **CASE 2013-122 (Council District – 06)**

**Sarah Pettigrew**, appellant and owner of the property located at **228 Chapel Avenue**, requesting variance in the height restriction in the R6 District, to legally use the 8' 4" tall solid wooden fence. Referred to the Board under Section 17.12.040 E 26a. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Single-Family

Map 83-6 Parcel(s) 100

#### **RESULT**

# <u>CASE 2013-123 (Council District – 35)</u>

**Thomas H. Peebles, IV**, appellant and Davis, Ronald D. & Helen N. & Lydia C. & Brian M., owner of the property located at **8444 Poplar Creek Road**, requesting Item A in the AR2a District, appealing the Zoning Administrator's interpretation as it relates to the definition of a two-family dwelling. Referred to the Board under Section 17.40.180 A, 17.040.060, 17.16.030 D. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (A).

Use-Duplex

Map 155 Parcel(s) 218

## Page three

# **CASE 2013-124 (Council District - 06)**

**Land Development.com, Inc.,** appellant and owner of the property located at **1309 Forrest Avenue,** requesting addition to non-conforming use in the R6/HPR/UZO District, to construct a 1450 square foot addition to the existing non-conforming apartment building. Referred to the Board under Section 17.40.660, 17.40.180D. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (D). Use-Apartments

Map 83-9 Parcel(s) 105

#### **RESULT**

# <u>CASE 2013-125 (Council District - 18)</u>

**Jim Nickle,** appellant and Treg Warner, owner of the property located at **2403 12th Avenue South,** requesting special exception in the CS/ UZO District, to construct a 600 square foot addition to the front of the existing building and use entire building for a restaurant. Referred to the Board under Section 17.12.035. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C).

**Use-Restaurant** 

Map 105-13 Parcel(s) 127

#### **RESULT**

# **CASE 2013-126 (Council District - 34)**

**Jeff & Sarah Moats**, appellant and Robert & Heather Carlson, owner of the property located at **301 Maybelle Lane**, requesting variance in street setback in the RS20 District, to construct a new 4,289 square foot single family residence with a 905 square foot garage. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

**Use-Single Family** 

Map 130-09 Parcel(s) 81

## Page four

# **CASE 2013-127 (Council District - 19)**

**John S. Sanders,** appellant and Trabue Triangle, LLC, owner of the property located at **1616 Broadway**, requesting Item D - change from one nonconforming structure to another. in the MUI-A, UZO District, to remove and replace the existing 34' x 38' roof top static billboard with a 34' X 38' digital billboard facing east.. Referred to the Board under Section 17.40.660 B,. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (D).

Use-Billboard

Map 92-12 Parcel(s) 490

#### **RESULT**

## **CASE 2013-128 (Council District - 10)**

**Douglas Beets,** appellant and Drake, Horace J. & Rebecca F., owner of the property located at **5508 Brick Church Pike,** requesting special exception in the RS80, R20 District, to rehab and add Historic home events use to the existing single family rural bed and breakfast homestay. Referred to the Board under Section 17.16.160 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C). Use-Historic Home Events

Map 18 Parcel(s) 23

RESULT Deferred until meeting of January 2<sup>nd</sup>. New notices to be mailed.

# <u>CASE 2013-129 (Council District - 35)</u>

Knestrick Constructors, appellant and HSMTN/THE LODGE AT NATCHEZ TRACE, LLC, owner of the property located at 8207 Highway 100, requesting variance in perimeter strip in the RM9 District, to use the Lodge at Natchez Trace without a portion of the required perimeter landscape strip. Referred to the Board under Section 17.24.150. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Assisted Living

Map 155 Parcel(s) 122

# Page five

# **Deferred until the meeting from September 21st**

# **CASE 2013-116 (Council District - 06)**

**Ed Clay**, appellant and SWANSON, JOSEPH M., TRUSTEE ET AL., owner of the property located at **209 S. 5th Street**, requesting special exception. in the R8 / HPR District, to use the existing residence and property for Historic Home Events. Referred to the Board under Section 17.16.150, 17.16.160 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C).

**Use-Historic Home Events** 

Map 82-15 Parcel(s) 211