

BZA Results

4/5/2018

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

**This meeting will be held at MNPS Headquarters
in the School Board Meeting Room
2601 Bransford Avenue**

**MS. CYNTHIA CHAPPELL
MR. DAVID EWING, Chairman
MR. DAVID HARPER
MS. CHRISTINA KARPYNEC
MR. RICHARD KING
MR. DAVID TAYLOR, Vice-Chair
MS. ALMA SANFORD**

CASE 2018-053 (Council District - 15)

Michael and Karen Angarole, appellants and owners of the property located at **2124 Wooddale Lane**, requesting a variance from sidewalk requirements in the R15 District, to construct single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 52-13 Parcel(s) 275

RESULT -Deferred Indefinitely

CASE 2018-061 (Council District - 23)

Stephen Gallant, appellant and Jeffery Czischke, owner of the property located at **528 Harpeth Trace Drice**, requesting an Item A appeal of the zoning staff decision to revoke a short term rental permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board has jurisdiction under Section 17.40.180(A).

Use-Short term rental

Map 143-2-A Parcel(s) 27-CO

RESULT-Withdrawn

CASE 2018-063 (Council District - 18)

Dewey Engineering, appellant and ALL SEVENS, LLC, owner of the property located at **2909 12th Avenue S**, requesting a variance from sidewalk requirements in the OR20 District, to construct a yoga Studio. Referred to the Board under Section 17.020.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-sidewalk, commercial building

Map 118-1 Parcel(s) 94

RESULT-Granted with Conditions, granted with the condition that the applicant follows the alternative sidewalk designs approved by Planning.

CASE 2018-069 (Council District - 07)

Steve Dumas, appellant and owner of the property located at **1208 A Shelton Ave**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit for a non-comforming status of a accessory dwelling in the RS7.5 District. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map 72-3 Parcel(s) 362

RESULT-Overtured the Zoning Administrator, applicant will be able to apply for a short term rental permit on 4/6/18

CASE 2018-073 (Council District - 12)

Kevin Harris, appellant and owner of the property located at **5008 Greer Station Dr.**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map 75-12-A Parcel(s) 69-CO

RESULT-Upheld the Zoning Administrator; appellant can apply for a permit on 4/10/18

CASE 2018-074 (Council District - 06)

Cali Ewing, appellant and owner of the property located at **1708 Lillian St.**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map 83-14 Parcel(s) 370

RESULT-Upheld the Zoning Administrator, appellant can apply for a permit on 4/1/18

CASE 2018-075 (Council District - 15)

Williams Fine Violin, appellant and **Dustin & Nancy Williams**, owners of the property located at **204 Donelson Pike**, requesting a variance from sidewalk requirements, to be allowed to pay into the sidewalk fund in lieu of construction. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Sidewalk

Map 96-5 Parcel(s) 86

RESULT-Granted

CASE 2018-077 (Council District - 14)

Amanda Mentzer, appellant and owner of the property located at **3067 Jenry Drive**, requesting a variance from size restrictions in the RS15 District, to construct a 30x30 detached garage. Referred to the Board under Section 17.12.050(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-residential new construction

Map 85-11 Parcel(s) 96

RESULT-Denied

CASE 2018-078 (Council District - 06)

Drew Mahan, appellant and owner of the property located at **1409 Russell St.**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short term Rental

Map Parcel(s)

RESULT-Denied, however the appellant can apply for a permit on 4/9/18

CASE 2018-081 (Council District - 34)

C. Thomas Dodd, appellant and Forest Hills Baptist Church, owner of the property located at **2101 Old Hickory Blvd.**, requesting a special exception in the R40 District, to renovate and construct a new addition to the existing church. Referred to the Board under Section 17.16.150. The appellant alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-Religious Institution

Map 158 Parcel(s) 13

RESULT-Granted

CASE 2018-082 (Council District - 17)

Shaylee O'Neil, appellant and owner of the property located at **836 Glen Avenue**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short term Rental

Map 105-14 Parcel(s) 25

RESULT-Denied, the appellant will be eligible to apply for a permit on 11/1/18

CASE 2018-083 (Council District - 06)

Duane Cuthbertson, appellant and Magness Devco 2, owner of the property located at **1400 Ordway Place**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family Residential

Map 83-9 Parcel(s) 49

RESULT-Granted

CASE 2018-084 (Council District - 17)

Duane Cuthberston, appellant and Magness Devco16, owner of the property located at **1009 Caldwell Ave**, requesting a variance from sidewalk requirements in the R8 District, to construct two single family residences. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Two-Family Residence

Map 105-9 Parcel(s) 231

RESULT-Granted with Conditions, the applicant shall pay the in-lieu contribution for the property frontage but does not have to dedicate right of way along the property frontage

CASE 2018-085 (Council District - 14)

Susan Willis, appellant and owner of the property located at **2769 Fleet Drive**, requesting a variance from rear setback requirements in the RS15 District, to construct a screened in porch. Referred to the Board under Section 17.12.020. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Residential construction

Map 86-14-B Parcel(s) 95-CO

RESULT-Granted

CASE 2018-090 (Council District - 07)

Erica Gluck, appellant and owner of the property located at **1403 Corder Drive**, requesting variances from side and rear setback requirements in the R10 District, to convert a detached accessory structure to a second house. Referred to the Board under Section 17.12.020(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-residence

Map 83-4 Parcel(s) 27

RESULT-Granted

CASE 2018-091 (Council District - 24)

Ernest and Nita Andrews, appellants and owners of the property located at **130 A Kenner Ave.**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 116-3 Parcel(s) 63

RESULT-Denied, however the appellant will be eligible to apply for a permit on 2/2/18

CASE 2018-092 (Council District - 05)

Stacy Barbour, appellant and owner of the property located at **1206 Meridian St**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 711-1 Parcel(s) 34

RESULT-Denied, however the appellant will be eligible to apply for a permit on 4/5/18

CASE 2018-094 (Council District - 05)

Marsalias Teague, appellant and GREMADA INDUSTRIES, INC., owner of the property located at **20a and 20b Fern Ave**, requesting a variance from sidewalk requirements in the RM20-A District, to construct a new single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 711-4-Q Parcel(s) 1-CO

RESULT-Granted, appellant must dedicate right of way along the property frontage but does not have to pay the in-lieu fee

CASE 2018-095 (Council District - 05)

Marsalias Teague, appellant and BILL & PEG, LLC, owner of the property located at **22 and 24 Fern Ave**, requesting variance from sidewalk requirements in the RM20-A District, to construct a new single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 711-4-R Parcel(s) 1-CO

RESULT-Granted, appellant must dedicate right of way along the property frontage but does not have to pay the in-lieu fee

CASE 2018-096 (Council District - 23)

Cary Stringer, appellant and Brandon Rich, owner of the property located at **707 Starlit Road**, requesting a variance from setback requirements and change in legally non-conforming use in the RS40 District, to construct a front porch and addition to the side of existing residence. Referred to the Board under Sections 17.12.020. The appellant alleged the Board has jurisdiction under Sections 17.40.180(B) & (D).

Use-Residential

Map 102-15 Parcel(s) 89

RESULT-Granted

CASE 2018-097 (Council District - 21)

Jorge Lopez, appellant and 1808 Pearl Street Partners, owner of the property located at **1806 & 1808 Pearl St.**, requesting a variance from sidewalk requirements in the R6 District to construct duplex. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 92-8-D Parcel(s) 1-CO

RESULT-Granted

CASE 2018-098 (Council District - 11)

Rylan Aaseby, appellant and Music City Handyman, LLC, owner of the property located at **4024 Main Street**, requesting a variance from side setback requirements in the R8 District, to construct a single family residence. Referred to the Board under Section 17.20.020. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single family residence

Map 64-5 Parcel(s) 27

RESULT -Granted, subject to the following conditions: side setback variance on south side of property is denied. Side setback of 1' approved on the north side, on the condition that a 2' easement from 211 Capital Street be obtained

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CASE 2018-099 (Council District - 05)

Jeri Howard, appellant and owner of the property located at **147 A&B Elmhurst Ave**, requesting variances from front setback and sidewalk requirements in the R6-A District, to construct a new residence. Referred to the Board under Section 17.12.020 and 17.20.020. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 711-C Parcel(s) 1-CO

RESULT-Deferred May 3, 2018

CASE 2018-100 (Council District - 19)

Michael Giles, appellant and owner of the property located at **1000 Warren Street #106**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short term rental

Map 811-6-C Parcel(s) 6-CO

RESULT-Deferred 5/17/18

CASE 2018-102 (Council District - 32)

Bradley Bork, appellant and Kimbro Family Properties, owner of the property located at **5272 Cane Ridge Road**, requesting a variance for alternative sidewalk construction in the SCR District, to construct a 424 sq ft expansion to an existing convenience store. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Convenience Store

Map 163 Parcel(s) 193

RESULT-Granted

CASE 2018-103 (Council District - 17)

Terry Vo, appellant and owner of the property located at **18 Claiborne Street**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board has jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 105-4-E Parcel(s) 1-CO

RESULT -Denied, however the appellant will be eligible to apply for a permit on 4/7/18

CASE 2018-105 (Council District - 06)

Kelly McGrath, appellant and owner of the property located at **1523 A McKennie**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map 83-2 Parcel(s) 239

RESULT – Denied, however the appellant is eligible to apply for a permit on 4/6/18

CASE 2018-106 (Council District - 23)

Phillip Suits, appellant and owner of the property located at **731 Summerly Drive**, requesting a variance from front setback requirements in the RS40 District, for an addition to the residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 102-12 Parcel(s) 78

RESULT-Granted

CASE 2018-107 (Council District - 33)

Brett Garrett, appellant and CH REALTY, owner of the property located at **3818 Logistics Way**, requesting a variance from sidewalk in the IR District, to build a warehouse. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Warehouse

Map 175 Parcel(s) 224

RESULT -Deferred 5/17/18