

METROPOLITAN BOARD OF ZONING APPEALS

**The 8/20/20 meeting will be held telephonically at 1:00 p.m.
pursuant to Governor Lee's Executive Order No. 16.**

**MS. ASHONTI DAVIS
MS. CHRISTINA KARPYNEC
MR. TOM LAWLESS
MR. LOGAN NEWTON
MR. ROSS PEPPER, Vice-Chair
MR. DAVID TAYLOR, Chairman**

Public Input to the Board

Comments on any case can be emailed to the Board of Zoning Appeals at bza@nashville.gov. **Comments received by 12:00 noon on Wednesday, August 19, 2020, will be included in the board's packet for their review.** Any comments received after that time will be read into the record at the meeting. We urge you to make comments electronically. However, a remote station will be set up at the **Sunny West Conference Room 700 2nd Ave S**) for anyone who is unable to submit their comments electronically and wishes to make comments via telephone. Social distance recommendations will be implemented at the remote station.

Consent Agenda

The BZA utilizes a consent agenda for its meetings. One board member reviews the record for each case prior to the hearing and identifies those cases which meet the criteria for the requested action by the appellant. If the reviewing board member determines that testimony in the case would not alter the material facts in any substantial way, the case is recommended to the board for approval. The following items are proposed for the consent agenda on the 7/16/20 docket. If anyone opposes one of these cases, they should email bza@nashville.gov and state their opposition for the board's review.

Case 2020-160 (1402 BUCHANAN ST.) requesting a variance from front setback requirement in the R20 District.

Case 2020-173 (201 GRIZZARD AVE.) requesting a variance from landscape buffer requirements in the CS District.

Previously Heard Case Requiring Board Action

Case 2020-118-(610 S 2nd St.) Motion to Rehear Item A appeal previously heard on 6/4/20 challenging the zoning administrator's decision to revoke permit 2019074327 for a billboard.

Case 2020-141-(5611 Franklin Pike) Motion to Rehear variances to permit a zero-foot (0') front setback and a five-foot (5') rear yard setback and a special exception to permit the development of six (6) residential units as an Adaptive Residential Development within a CL district.

CASE 2020-160 (Council District - 21)

ROBERTO GUITIERREZ, appellant and **1402 BUCHANAN ST, LLC**, owner of the property located at **1402 BUCHANAN ST**, requesting a special exception to reduce the street setback in the CS District, to construct a mixed-use development. 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-Mixed-use

Map Parcel 08111040800

Results-

CASE 2020-162 (Council District - 25)

DUANE CUTHBERTSON, appellant and **BUILD NASHVILLE DB2, LLC**, owner of the property located at **1715 CASTLEMAN DR**, requesting a variance from front setback requirements in the R20 District, to construct two single-family residences. 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-Two-Family

Map Parcel 13107006800

Results-

CASE 2020-173 (Council District - 2)

JEFF YORICK, appellant and **UMH TN HOLIDAY VILLAGE MHP, LLC**, owner of the property located at **201 GRIZZARD AVE**, requesting a variance from landscape buffer requirements in the CS District, to permit a mobile home park. Referred to the Board under Section 17.24.230 & 17.24.240. The appellant has alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Mobile-home park

Map Parcel 07103004500

Results-

TUNE, ENTREKIN & WHITE, P.C.

REQUEST FOR REHEARING

ITEM 'A' APPEAL

CASE NO. 2020-118

Submitted July 29, 2020

TUNE, ENTREKIN & WHITE, P.C.

ATTORNEYS AT LAW

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315 DEADERICK STREET
NASHVILLE, TENNESSEE 37238ERVIN M. ENTREKIN
1927-1990

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**Rule 31 listed General Civil Mediator*THOMAS V. WHITE
JOHN W. NELLEY, JR.
THOMAS C. SCOTT
PETER J. STRIANSE
HUGH W. ENTREKIN
JOHN P. WILLIAMS *
ROBERT L. DELANEY
GEORGE A. DEAN
LESA HARTLEY SKONEY
JOSEPH P. RUSNAK
SHAWN R. HENRY
T. CHAD WHITE
BRANDT M. MCMILLAN *
CHRISTOPHER B. FOWLER
TIMOTHY N. O'CONNOR

July 29, 2020

Via Hand Delivery and Email: bza@nashville.govMetropolitan Board of Zoning Appeals
Attn: Mr. David Taylor, Chairman
Metro Office Building
800 Second Avenue South
Nashville, TN 37210**RE: REQUEST FOR REHEARING Item 'A' Appeal Case # 2020-118**

Dear Chairman Taylor and Board Members:

On June 4, 2020 the Board denied the appeal filed by Outfront Media, LLC (“Outfront”), thereby upholding the Zoning Administrator’s decision to revoke building permit # 2019074327 that Outfront relied upon in good faith to construct the billboard sign. First, the Board’s ORDER dated June 12, 2020 (**Exhibit 1**) is procedurally defective because the motion received only 3 concurring votes (“Ayes”). The vote tally does not reveal whether Tom Lawless and Ross Pepper cast a vote after their respective motion and second. BZA Rule 9(B) states, “After discussion by the members and upon motion, an application shall be granted or denied if it receives four (4) concurring votes.”¹ (underline emphasis added). Since the ORDER does not evidence four concurring votes, Outfront must be granted a new hearing.

Second, BZA Rule 10(A)(2) states that a rehearing shall be considered if “new evidence is submitted which could not have reasonably been presented at the previous hearing.” Outfront had no reasonable expectation that “lot orientation” would become an issue for debate or would be grounds for denial. After receiving the February 18, 2020 letter revoking the permit, representatives of Outfront met with the Zoning Administrator on February 28th to learn how the “restrictions of MCL 17.32.150B(12) which governs the locations of billboards”² have been newly found to disqualify the subject property. The central issue of our discussion was whether Korean Veterans Boulevard (“KVB”) qualifies as having “street frontage” with the subject lot. Mr. Michael was unequivocal that the lot could not possibly have frontage on KVB because it is an

¹ Metropolitan Board of Zoning Appeals, Rules of Procedure, adopted May 24, 2019.

² Letter from Jon Michael, Zoning Administrator, to Dave Hogue, Real Estate Manager for Outfront Media, February 18, 2020.

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elevated bridge ramp. As the logic went, since the lot does not touch KVB, it cannot abut KVB; if it does not abut KVB, it cannot “front” KVB. (My notes from that meeting are attached as **Exhibit 2**).

Based on Mr. Michael’s explanation, Outfront prepared a substantial packet of evidence for the BZA hearing. At the hearing, Outfront was surprised to hear for the first time that “lot orientation” was the primary justification for revoking the permit.³ Mr. Michael stated that the address of the property (610 South 2nd Street) proves that the lot is oriented solely to South 2nd Street and not KVB nor South 1st Street. No consideration was given to the fact that the lot also has driveway access and orientation to South 1st Street. One board member asked whether the billboard was oriented to KVB, to which Mr. Michael responded: “It doesn’t matter how the billboard is oriented...only how the lot is oriented for the purpose of the analysis of this ordinance.” Not until the hearing did Outfront learn that “lot orientation” was now the focus of debate.

In concluding the discussion on “lot orientation” Chairman Taylor acknowledged that:

“...driving down toward, from here to Fesslers Lane, and you’ve got all these billboards that are kind of in the back of these lots that don’t seem to have access to or don’t seem to be oriented to the interstate, it does I think give some credibility to the argument that has been made about the historical practice, although I don’t have any evidence other than the packet⁴ that has been presented, which shows similar situations but it doesn’t list street addresses or orientation as its presented, either way.” BZA meeting, June 4, 2020.

NEW EVIDENCE

The orientation of a lot, if that can be determined fairly without defined characteristics, has never been the basis for Metro to decide whether a location is eligible for a billboard sign permit. Historically the defining factor is that the billboard itself, not the lot, must be located within 300 feet of the highway and that the billboard must be oriented to the highway. The term “lot orientation” is undefined in the Metro Zoning Code (a search of the Metropolitan Charter and Code of Laws revealed “0” results). No lot has a property address associated with an interstate or other limited or controlled access highway. The Board’s new interpretation of subsection B(12) with respect to “lots...oriented to a limited access highway” established new law that is jarringly inconsistent with the intent of Congress, the FHWA, TDOT, and Metro’s 50-year history with billboard permits.

³ Mr. Michael also opined that the lot does not qualify as having frontage on four travel lanes. However, the packet of supplemental evidence was proffered on what Outfront understood to be the central issue: “lot frontage” not “lot orientation.”

⁴ During the “virtual” public hearing, which only Chairman Taylor attended in person at the Sonny West Conference Center, Outfront offered “*Supplemental Information of Similarly Situated Billboard Sites with Frontage on Elevated Street Right-of-Way*” depicting photos of six (6) locations and a few associated permit numbers.

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For the Board to have a complete and full understanding of the historical interpretation of subsection B(12) relative to sites where Metro has consistently applied the locational criteria the following new evidence must be considered:

1. **Context:** The current Metro Zoning Code, METZO, 1999-present (**Exhibit 3**) and the former Comprehensive Zoning Code, COMZO, 1974-1998 (**Exhibit 4**) contain verbatim text and graphics relative to the context of “orientation.” The following pertinent text has remained consistent since at least 1974:
 - a. “...all billboards shall be oriented towards that highway.”⁵
 - b. “...the surface street to which the billboard is oriented, whichever provides the greatest height. If the billboard is oriented to, and located within three hundred feet of a controlled access highway...”⁶
 - c. “...all signs oriented toward that street...”⁷
 - d. “...the billboard and the roadway toward which it is oriented.”⁸
 - e. “...oriented to a limited access highway.”⁹
 - f. GRAPHIC: “Measurement of Distance Between Signs Oriented Toward Different Streets: Sign Oriented to Street A, Sign Oriented to Street B.”¹⁰

2. **Examples:** From 1964 to February 14, 2020 Metro authorized at least eighty-one (81) billboard signs based on the sign, not the lot, being oriented to a limited or controlled access highway. Without exception none of the 81 lots are oriented to the highways. See *Billboard Lot Orientation v. Billboard Sign Orientation* attached as **Exhibit 5**. Metro has consistently administered the billboard regulations based on the billboard itself being oriented to the highway, because that is where the viewers are – the motoring public. Surprisingly, Metro Government owns at least two (2) lots where billboards no longer qualify under the new interpretation of the location criteria. For certain, all 81 of these billboard sites have now been made illegal by the Board’s new interpretation. If the Board does not reconsider its decision in this case the Zoning Administrator will be expected to revoke all of these permits and the Board is bound to see a flood of appeals. For equitable and legal reasons, the new interpretation should not be enforced retroactively.

3. **New Interpretation Raises New Issues:** The Board’s new interpretation that the lot, not the billboard, must only be located within 300’ of a highway means innumerable intervening lots could lie between the lot and the highway, and that the lot need not abut or be adjacent to the highway. Assuming a lot is oriented to the highway, the billboard itself would not be required to be located within 300 feet of the highway; on a large lot the

⁵ METZO § 17.32.150(A)

⁶ METZO § 17.32.150(B)(6); COMZO § 17.110.410(F)

⁷ METZO § 17.32.150(B)(7)(a); COMZO § 17.110.410(G)(1)

⁸ METZO § 17.32.150(B)(10); COMZO § 17.110.410(J)

⁹ METZO § 17.32.150(B)(12); COMZO § 17.110.410(L)

¹⁰ METZO Figure 17.32.150-2; COMZO Diagram 17.110.410 C

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billboard could be placed up to 660 feet away (the maximum distance for billboard placement under federal and state law).

New Questions:

- a. Do lot shapes have an orientation? If so, how so?
- b. Assuming a lot is oriented to a highway must the entire lot be located within 300' of the highway, or only a portion of it?
- c. If only a portion of the lot is within 300', can the billboard be located on the part of the lot that is more than 300' from the highway?
- d. To which street is a double-frontage lot oriented?

These are but a few of the challenges presented by the Board's decision to jettison the well-settled question of "billboard orientation" in favor of the far more complicated issue of determining "lot orientation."

4. New State Law:

On June 22, 2020 Governor Bill Lee signed into law the *Outdoor Advertising Control Act of 2020*, Public Chapter No. 706 qualifying the subject billboard for legal protection. As background, President Lyndon B. Johnson signed the *Highway Beautification Act*, Public Law 89-285, on October 22, 1965. The intent of the Act is to control outdoor advertising signs in areas adjacent to the Interstate System and the primary system. "'Adjacent area' means that area within six hundred sixty feet (660') of the nearest edge of the right-of-way of interstate and primary highways and *visible from the main traveled way* of the interstate or primary highways;" TCA §54-21-102(1) (emphasis added); 23 CFR §750.706. Korean Veterans Boulevard has been designated a federal-aid primary highway because it is a "controlled-access facility" under TCA §54-16-101 and its "adjacent area" is eligible for outdoor advertising under the Tennessee Billboard Regulation and Control Act of 1972, TCA §54-21-101 et. seq.

In sum, the federal, state and local regulatory framework is based on the billboard, not the lot, being adjacent to the highway and the billboard, not the lot, being *visible from the main traveled way* (i.e., being *oriented to* the highway). In this regulatory context it is immaterial whether the lot is visible by being oriented to the highway. **The legislative purpose and intent is to regulate billboards that are oriented to and visible from a federal-aid highway.** Lot orientation is meaningless.

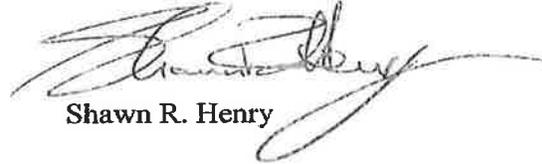
CONCLUSION

Outfront had no reasonable expectation that the issue of "lot orientation" would be raised for the first time during the public hearing. The Board's decision on June 4, 2020 is a new interpretation of a long-standing zoning rule that has been consistently applied since it was enacted in 1974 if not longer. For all the reasons above, a new hearing should be granted. Further, it is inequitable and legally improper for the Board to impose this new interpretation on any permit issued prior to June 4, 2020. If the Board intends to disallow a rehearing on this issue, then it must decide that its decision in this case adopting a new interpretation of MCL § 17.32.150(B)(12) shall

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have only prospective application from June 4, 2020 forward, and shall have no retroactive effect on Outfront's permit properly issued on December 5, 2019 or any of the other 80 similarly-situated billboards that Metro permitted.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn R. Henry", written over a horizontal line.

Shawn R. Henry

shenry@tewlawfirm.com

Attorney for Outfront Media, Inc.

cc: Dave Hogue, Outfront Media, Real Estate Manager

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Outfront Media, LLC Appeal Case 2020-118
610 S 2ND ST
Map Parcel: 09307005600
Zoning Classification: IG

ORDER

This matter came to be heard in public hearing on 6/4/2020, before the Metropolitan Board of Zoning Appeals, upon application for an Item A appeal challenging the zoning administrator's decision to revoke permit 2019074327 for a billboard.

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 A of the Metropolitan Code.
(3) The Zoning Administrator did not err in revoking the permit.

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

UPON MOTION BY: Tom Lawless Seconded By: Ross Pepper
Ayes: David Taylor, Christina Karpyne, Logan Newton
Nays:
Abstaining:
Absent: Ashonti Davis

ENTERED THIS 12 DAY OF June, 2020

METROPOLITAN BOARD OF ZONING APPEALS

David F. Jay
Chair
Tony J. ...
Secretary



mtg. w/ H. Michael
& E. Lamb.

"public street"?
"abutting" public street,
not ROW.

defined.

2/28/20

"Frontage" Lot

Elevated Street.
Lot does not touch street

= physical connection to KVB

Limited Access Highway = STATE Controlled Access Highway
(not defined by MCL)

KVB classification

ExH. 2

SRH: ISSUE:

Does the KVB ROW
qualify as street
frontage for
lot 2?

Briley segment changes to
W. Bridge Rd. segment to
Woodmont segment.

Metro Property Map - Aerial image reveals
lot not abutting
elevated street.

* "touching or sharing a line or point"

* EXPERTS:

- Civil PE
- PLS - rules/reg
- Richard Thomopoulos
- Appraiser - existing report?
- rules/reg/guide book



METZO

17.32.150 - Billboards.

- A. Districts Permitting Billboards. Billboards shall be permitted in the CL, CL-NS, CS, CS-NS IWD, CF, CF-NS, IR, and IG districts subject to the provisions of this chapter and this title. However, billboards are prohibited on any property within a planned unit development (PUD) overlay district, regardless of the underlying zoning district, unless expressly permitted as part of an approved development plan by the metropolitan council; and in the CS and CS-NS districts for uses classified as Automobile repair, Automobile sales, used; Car wash and Vehicular sales and services limited. Type I billboards are prohibited in the CL and CL-NS districts. Type II billboards in the CL and CL-NS districts shall be limited to those areas of a lot which are within three hundred feet of the right-of-way of a controlled access highway, and all billboards shall be oriented towards that highway.
- B. Regulations. Billboards are permitted in addition to other signs authorized by this title subject to the following restrictions:
 - 1. There shall be two types of billboards based on the display surface area of the billboard:
 - a. Type I with a display surface area of seventy-five square feet or less; and
 - b. Type II with a display surface area of more than seventy-five square feet and less than six hundred seventy-five square feet.
 - 2. The maximum display surface area for each type may be exceeded by thirty percent for embellishments to the standard rectangular sign, provided the embellishments do not project more than five feet above the top nor more than three feet beyond the sides and two feet beyond the bottom of the standard rectangular sign.
 - 3. A billboard face shall consist of a single panel. Multiple panel faces, such as stacked or side-by-side, are not permitted.
 - 4. One face of two back-to-back billboards of the same shape and dimensions, excluding embellishments, shall be used in computing the total display surface area when the signs are no more than fifteen feet apart when parallel to one another or are placed at an angle between signs that does not exceed twenty degrees. No copy shall be permitted between the back-to-back faces.
 - 5. Minimum yards shall be provided as established by this table in all districts:

	Type I	Type II
Front	5 feet greater than on-premises ground sign in the same district	20 feet
Rear	20 feet	20 feet
Side	Same as an on-premises ground sign	10 feet

- 6. There is established a maximum height limit of fifty feet above grade either at the base of the billboard or the nearest curb level of the surface street to which the billboard is oriented, whichever provides the greatest height. If the billboard is oriented to, and located within three hundred feet of a controlled access highway, a height of thirty feet above the elevation of the nearest travelway of the controlled access highway shall be permitted.



For Type I displays: There is established a maximum height limit of twenty feet above grade either at the base of the display or the nearest curb level of the surface street to which the display is oriented, whichever provides the greatest height.

7. Spacing between billboards located on the same side of a public street or controlled access highway shall be as indicated in the following table:

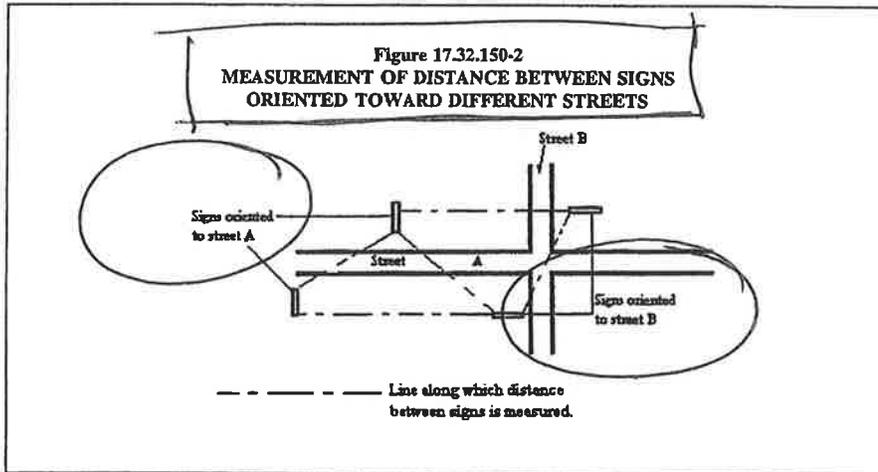
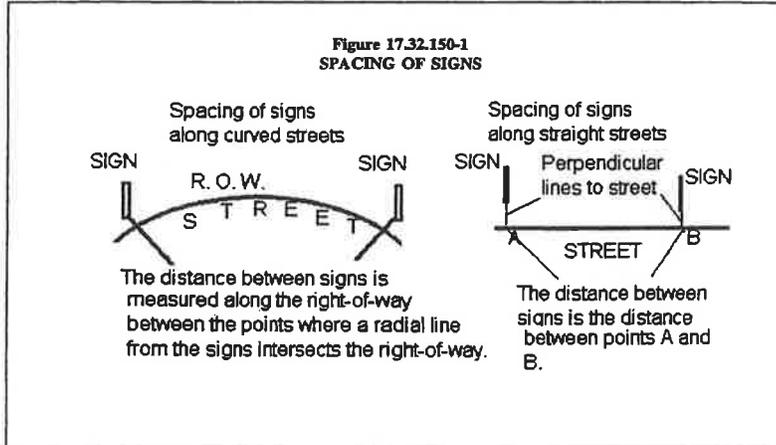
	Type I (Wall-mounted)	Type I (freestanding)	Type II (freestanding)
Type I (wall-mounted)	250 ft.	250 ft.	250 ft.
Type I (freestanding)	250 ft.	1,000 ft.	1,000 ft.
Type II (freestanding)	250 ft.	1,000 ft.	1,000 ft.

Note: The spacing between any Type I (freestanding) or Type II (freestanding) billboard and an existing Type II (wall-mounted) billboard shall be one thousand feet.

- a. The spacing requirements shall be applied separately to each side of a public street, but continuously along the side of a street to all signs oriented toward that street in either direction whether the signs are in the same block or are in different blocks separated by an intersecting side street. (See Figure 17.32.150-1) *
 - b. No billboard shall be closer than two hundred fifty (250) feet from any other billboard regardless of location. (See Figure 17.32.150-2) *
 - c. No minimum spacing shall be required between any two wall-mounted signs placed on opposite sides of a building.
 - d. Type I billboards shall not be located within twenty feet of an on-premises ground sign on the same lot.
8. No Type II billboard located along a particular street shall be closer than five hundred feet from the nearest property line of any property that is zoned residential and has frontage on either side of such street. The distance for Type I billboards shall be two hundred fifty feet.
 9. No billboard located along a particular street shall be closer than two hundred feet from the nearest property line of any residentially zoned property that does not front on said street.
 10. No billboard shall be permitted whenever property zoned residential would be between the billboard and the roadway toward which it is oriented. *
 11. Type I billboards shall be permitted a spacing of two hundred fifty feet, measured airline distance, to a structure listed on the National Register of Historic Places. Type II billboards shall be permitted a spacing of five hundred feet, measured airline distance, to a structure listed on the National Register of Historic Places.
 12. Type II billboards shall be located only on lots that have frontage on public streets with four or more travel lanes or that are located within three hundred feet and oriented to a limited access highway. Paired one-way streets with a minimum of two travel lanes in each direction shall be considered a four-lane road in applying this provision. *
 13. No billboard shall be permitted along any public street or highway that has been designated as a scenic route in

the adopted major street plan of the metropolitan government.

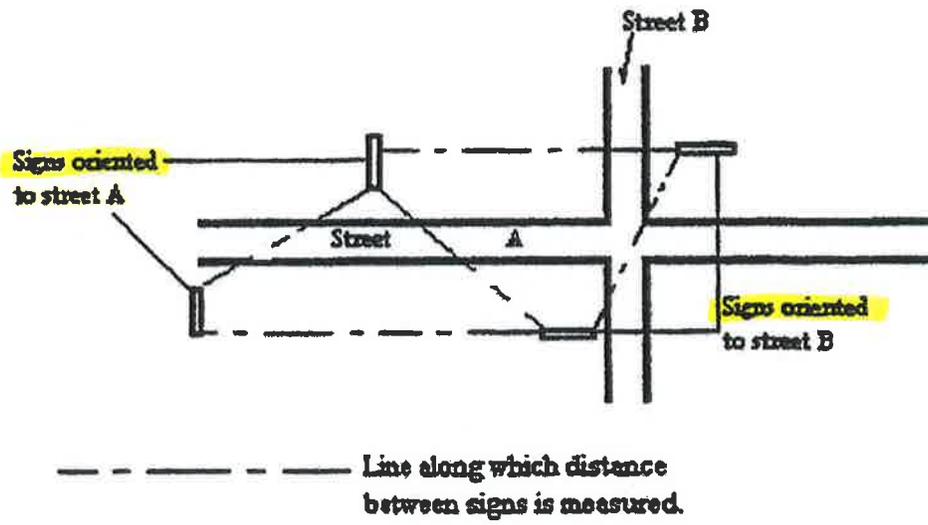
14. Billboards shall be subject to the provisions contained in Section 17.32.050, Prohibited signs.
15. All billboards shall be of monopole-type construction. Type II billboards shall not be attached to the walls of buildings. Billboards shall not be located on the roofs of buildings.
16. The brightness and surface illumination shall not exceed two hundred-foot lamberts for a billboard having internal illumination or seventy-five footcandles for a billboard having indirect illumination. Billboards located within five hundred feet of property classified in a residential district shall not be illuminated between the hours of twelve a.m. and six a.m.



(Ord. BL2019-111 § 1(Exh. A, § 49), 2020; Ord. BL2019-1635 § 1, 2019; Ord. BL2016-309 § 5(Exh.), 2016)

METZO

Figure 17.32.150-2
MEASUREMENT OF DISTANCE BETWEEN SIGNS
ORIENTED TOWARD DIFFERENT STREETS



Com 20
1974-1998

17.110.390

Article VIII. Billboards

17.110.390 Districts permitting billboards.

Billboards are permitted in the CH, CS, CG, CF, IR and IG districts subject to the provisions of this article and title. (Ord. 92-430 § 1(12) (part), 1993)

17.110.400 Definition of "billboard."

A "billboard" is defined as a sign that is used to advertise or inform by directing attention to a cause, event, campaign, business, profession, commodity, product, service, or entertainment which is conducted, sold, distributed or offered elsewhere than upon the same premises as the billboard, or which directs attention to any brand name or trade name product which may be incidentally available on the same premises as the billboard. (Ord. 92-430 § 1(12) (part), 1993)

17.110.410 Regulations.

Billboards are permitted in addition to other signs authorized by this title subject to the following restrictions:

A. There shall be two types of billboards based on the display surface area of the billboard:

1. Type I with a display surface area of seventy-five square feet or less; and

2. Type II with a display surface area of more than seventy-five square feet and less than six hundred seventy-five square feet.

B. The maximum display surface area for each type may be exceeded by thirty percent for embellishments to the standard rectangular sign, provided the embellishments do not project more than five feet above the top nor more than three feet beyond the sides and two feet beyond the bottom of the standard rectangular sign.

C. A billboard face shall consist of a single panel. Multiple panel faces, such as stacked or side-by-side, are not permitted.

D. On face of two back-to-back billboards of the same shape and dimensions, excluding embellishments, shall be used in computing the total display surface area when the signs are no more than fifteen feet apart when parallel to one another or are placed at an angle between signs that does not exceed twenty degrees. No copy shall be permitted between the back-to-back faces.

E. Minimum yards shall be provided as established by this table in all districts:

	Type I	Type II
Front	5 feet greater than on-premises ground sign in the same district	20 feet

Type I

Type II

Rear	20 feet	20 feet
Side	same as an on-premises ground sign	10 feet

F. There is established a maximum height limit of fifty feet above grade either at the base of the billboard or the nearest curb level of the surface street to which the billboard is oriented, whichever provides the greatest height. If the billboard is oriented to, and located within three hundred feet of a controlled access highway, a height of thirty feet above the elevation of the nearest travelway of the controlled access highway shall be permitted.

For Type I displays: There is established a maximum height limit of twenty feet above grade either at the base of the display or the nearest curb level of the surface street to which the display is oriented, whichever provides the greatest height.

G. Spacing between billboards located on the same side of a public street or controlled access highway shall be as indicated in the following table:

	Type I (wall mounted)	Type I (free-standing)	Type II (free-standing)
Type I (wall mounted)	250 ft.	250 ft.	250 ft.
Type I (freestanding)	250 ft.	1000 ft.	1000 ft.
Type II (freestanding)	250 ft.	1000 ft.	1000 ft.

Note: The spacing between any Type I (freestanding) or Type II (freestanding) billboard and an existing Type II (wall mounted) billboard shall be one thousand feet.

1. The spacing requirements shall be applied separately to each side of a public street but continuously along the side of a street to all signs oriented toward that street in either direction whether the signs are in the same block or are in different blocks separated by an intersecting side street. (See diagrams 17.110.410 A and B)

2. No billboard shall be closer than two hundred fifty feet from any other billboard regardless of location. (See Diagram 17.110.410 C)

3. No minimum spacing shall be required between any two wall mounted signs placed on opposite sides of a building.

4. Type I billboards shall not be located within twenty feet of an on-premises ground sign on the same lot.



H. No Type II billboard located along a particular street shall be closer than five hundred feet from the nearest property line of any property that is zoned residential and has frontage on either side of said street. The distance for Type I billboards shall be two hundred fifty feet.

I. No billboard located along a particular street shall be closer than sixty feet from the nearest property line of any residentially zoned property that does not front on said street.

J. No billboard shall be permitted whenever property zoned residential would be between the billboard and the roadway toward which it is oriented.



K. Type I billboards shall be permitted a spacing of two hundred fifty feet, measured airline distance, to a structure listed on the National Register of Historic Places. Type II billboards shall be permitted a spacing of five hundred feet, measured airline distance, to a structure listed on the National Register of Historic Places.

L. Type II billboards shall only be located on zone lots that have frontage on public streets with four or more travel lanes or that are located within three hundred feet and oriented to a limited access highway. Paired one-way streets with a minimum of two travel lanes in each direction shall be considered a four lane road in applying this provision.



M. No billboard shall be permitted along any public street or highway that has been designated as a scenic route in the adopted major street plan of the metropolitan government.

N. Billboards shall be subject to the provisions contained in Article V (Prohibited Signs).

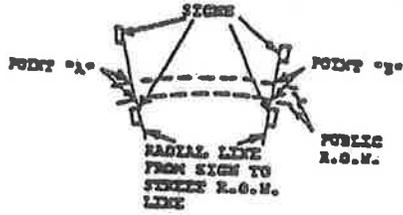
O. All billboards shall be of monopole type construction. Type II billboards shall not be attached to the walls of buildings. Billboards shall not be located on the roofs of buildings.

P. The brightness and surface illumination shall not exceed two hundred-foot lamberts for a billboard having internal illumination or seventy-five foot candles for a billboard having indirect illumination. Billboards located within five hundred feet of property classified in a residential district shall not be illuminated between the hours of twelve a.m. and six a.m. (Ord. 92-430 § 1(12) (part), 1993)

17.110.410

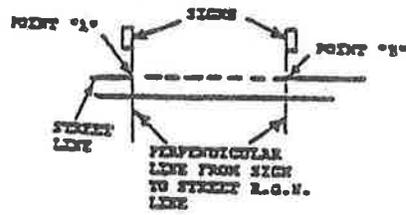
A

Spacing of Signs Along Curved Streets



B

Spacing of Signs Along Straight Streets

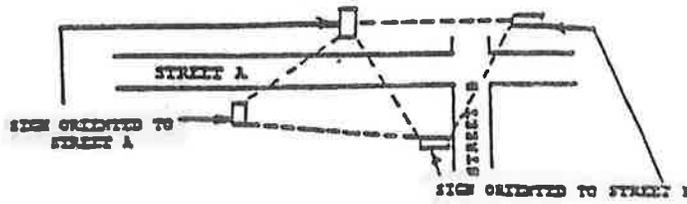


----- = LINE ALONG WHICH DISTANCE BETWEEN SIGNS IS MEASURED

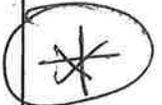
17.110.410

C

Measurement of Distance Between Signs Oriented Toward Different Streets



----- = LINE ALONG WHICH DISTANCE BETWEEN SIGNS IS MEASURED



Billboard Lot Orientation V. Billboard Sign Orientation

*All information gathered from Nashville GIS website (<https://maps.nashville.gov/ParcelViewer/>) and company files on July 13, 2020. Spreadsheet and corresponding packet are ordered by date of permit issuance.

**Note that some permits were not readily available online and noted below as "no info". Dates for those permits were estimated based on construction materials used. As a general rule, "pre-1978" billboards are of wood post/I-beam construction and "post-1978" billboards are monopole structures.

Ex. #	Lot Location: Address/Parcel No.	Lot Fronts/Abuts 4-lane road(Y/N)	Lot Oriented to Lim.Acc.Highway (Y/N)	Billboard within 300' & Oriented to Lim.Acc.Highway (Y/N)	Date of Billboard Permit Issuance (all dates are original permits unless noted)
1	Railroad R.O.W. 124/140 both sides south of Little Green St	No	No	Yes (2 billboards)	(A) 07/21/1964; (B) no info ->pre-1978
2	0 Hickory Hollow Pkwy/16300007000	No	No	Yes	7/25/1968
3	1211 Brick Church Pike/07114030300	No	No	Yes	2/2/1971
4	2998 Neilworth Ln/10800004500	No	No	Yes	2/2/1971
5	85 Cleveland St/08202004100	No	No	Yes	5/17/1971
6	0 Locust St/06014003200	No	No	Yes	1971
7	Railroad R.O.W. between 124 East Bound and N 1st St	No	No	Yes (2 billboards)	(A) 4/18/1972, rebuilt (B) no original info -> 03/17/2020 (upgrade)
8	422 38th Ave N./09209017500	No	No	Yes	6/2/1972
9	401 Space Park South Dr/13400000100	No	No	Yes	1977
10	701 Cowan St/08206000100	No	No	Yes	11/18/1978
11	130 Decatur St/09316027500	No	No	Yes	1978
12	5596 Franklin Pike Cir/16000019000	No	No	Yes	6/10/1982, upgraded 2019
13	409 45th Ave N./09112016400	No	No	Yes	8/27/1982
14	0 Ligon Ave/07114034400	No	No	Yes	5/17/1983, upgraded 2008
15	1855 Air Lane Dr./10700010500	No	No	Yes	04/11/1984; see 2001 rebuild permit regarding orientation
16	80 Cleveland St/08202008400	No	No	Yes (2 billboards)	4/12/1984 (both)
17	1300 Vashiti St/07114020300	No	No	Yes	5/3/1984
18	101 Space Park South Dr/13400031800	No	No	Yes	5/3/1984
19	522 39th Ave N./09209002100	No	No	Yes (2 billboards)	6/26/1984 (both)
20	1418 11th Ave N./08116013600	No	No	Yes	6/26/1984

EXHIBIT

5

Billboard Lot Orientation V. Billboard Sign Orientation

*All information gathered from Nashville GIS website (<https://maps.nashville.gov/ParcelViewer/>) and company files on July 13, 2020. Spreadsheet and corresponding packet are ordered by date of permit issuance.

**Note that some permits were not readily available online and noted below as "no info". Dates for those permits were estimated based on construction materials used. As a general rule, "pre-1978" billboards are of wood post/-beam construction and "post-1978" billboards are monopole structures.

Ex. #	Lot Location: Address/Parcel No.	Lot Fronts/Abuts 4-lane road(Y/N)	Lot Oriented to Lim.Acc.Highway (Y/N)	Billboard within 300' & Oriented to Lim.Acc.Highway (Y/N)	Date of Billboard Permit Issuance (all dates are original permits unless noted)
21	1600 Arthur Ave/08112010400	No	No	Yes	6/26/1984
22	363 Oakview Dr/05016002800	No	No	Yes	1984
23	605 12th Ave N./09204035900	No	No	Yes	1984; rebuilt and upgraded 03/17/2020
24	1109 Brick Church Pike/07114034300	No	No	Yes	7/23/1986
25	405 40th Ave N./09112027400	No	No	Yes	12/4/1986
26	0 Princeton Pl/08600016800	No	No	Yes	1986
27	Railroad R.O.W. along 140 West Bound off Delaware Ave	No	No	Yes	5/14/1987
28	0 Jones St/06014002900	No	No	Yes	12/23/1987
29	925 Cowan St/08202008900	No	No	Yes	1987
30	310 Homestead Rd/06003002100	No	No	Yes	2/3/1989
31	601 Bakertown Rd/14800017500	No	No	Yes	5/29/1990
32	0 Richmond Hill Dr/06006001000	No	No	Yes	12/18/1990
33	2815 Brick Church Pike/06000002400	No	No	Yes	3/18/1991
34	1941 Cement Plant Rd/08200001500	No	No	Yes	5/30/1995
35	2020 Lindell Ave/10510036000	No	No	Yes (2 billboards)	8/5/1996 (both)
36	5916 Robertson Ave/09109004500	No	No	Yes	4/27/1998
37	1903 Air Lane Dr/10700010100	No	No	Yes	5/21/1998
38	Railroad R.O.W. both sides of Briley Pkwy east of Jennie Brown Ln	No	No	Yes (2 billboards)	(A) 04/29/1999; (B) 01/18/2001
39	3204 Ewingwood Dr/06000006900	No	No	Yes	9/23/1999
40	0 Jennie Brown Ln/06900006300	No	No	Yes	6/27/2000
41	646 Farrell Pkwy/14603002001	No	No	Yes	7/17/2000
42	1002 Morrison St/08116054900	No	No	Yes	8/17/2000

Billboard Lot Orientation V. Billboard Sign Orientation

Ex. #	Lot Location: Address/Parcel No.	Lot Fronts/Abuts 4-lane road(Y/N)	Lot Oriented to Lim.Acc.Highway (Y/N)	Billboard within 300' & Oriented to Lim.Acc.Highway (Y/N)	Date of Billboard Permit Issuance (all dates are original permits unless noted)
43	2050 Lucas Ln/07110020000	No	No	Yes	2/28/2002
44	2040 Lucas Ln/07107026000	No	No	Yes	2/28/2002
45	393 Oakview Dr/05000014100	Yes	No	Yes (see attached permit)	6/16/2003
46	4250 Kenilwood Dr/13207007400	No	No	Yes	2005
47	3331 Whites Creek Pike/05900006800	Yes	No	Yes (see attached permit)	9/25/2006
48	5200 Cane Ridge Rd/16300008200	No	No	Yes	07/15/2008 (upgrade)
49	623 Old Hickory Blvd/11400016600	No	No	Yes	10/18/2010
50	700 12th Ave N./09204033600	No	No	Yes	2012 (upgrade)
51 ¹	0 1st Ave N./08210000300	No	No	Yes (see attached permit)	8/15/2014 (upgrade)
52	5614 Franklin Pike Cir./16000005900	No	No	Yes	6/2/2015 (upgrade)
53 ²	9 Oldham St./08210000900	No	No	Yes (see attached permit)	7/9/2015 (rebuild)
54	819 11th Ave N./09204032501	No	No	Yes (2 billboards)	2015 (rebuilds)
55	301 Crutcher St./09307004200	No	No	Yes (2 billboards)	(A) 2015 upgrade; (B) no info ->pre-1978
56	319 Plus Park Blvd/10600011600	No	No	Yes (see attached permit)	2/14/2017 (upgrade)
57	404 Arlington Ave/10607000400	No	No	Yes (see attached permit)	7/7/2017 (upgrade)
58	910 5th Ave S./09315016700	No	No	Yes	07/03/2018 (upgrade)
59	407 Driftwood St./09312012600	No	No	Yes	2018 (upgrade)
60	610 S. 2nd St./09307005600	Yes	No	Yes	issued 12/5/2019
61 ³	6002 S. New Hope Rd./098000007300	No	No	Yes	2/14/2020
62	518 39th Ave N./09209001900	No	No	Yes	no original info -> 03/10/2020 (upgrade)
63	514 Mulberry St./09314049300	No	No	Yes	no original info -> 03/17/2020 (upgrade)

*All information gathered from Nashville GIS website (<https://maps.nashville.gov/ParcelViewer/>) and company files on July 13, 2020. Spreadsheet and corresponding packet are ordered by date of permit issuance.

**Note that some permits were not readily available online and noted below as "no info". Dates for those permits were estimated based on construction materials used. As a general rule, "pre-1978" billboards are of wood post/-beam construction and "post-1978" billboards are monopole structures.

¹Ex:51 provides evidence that KVB should be considered a lim. acc. highway

²Ex:53 provides evidence that KVB should be considered a lim. acc. highway

³Ex:61 was issued a permit four days prior to Ex:60 permit cancellation

Billboard Lot Orientation V. Billboard Sign Orientation

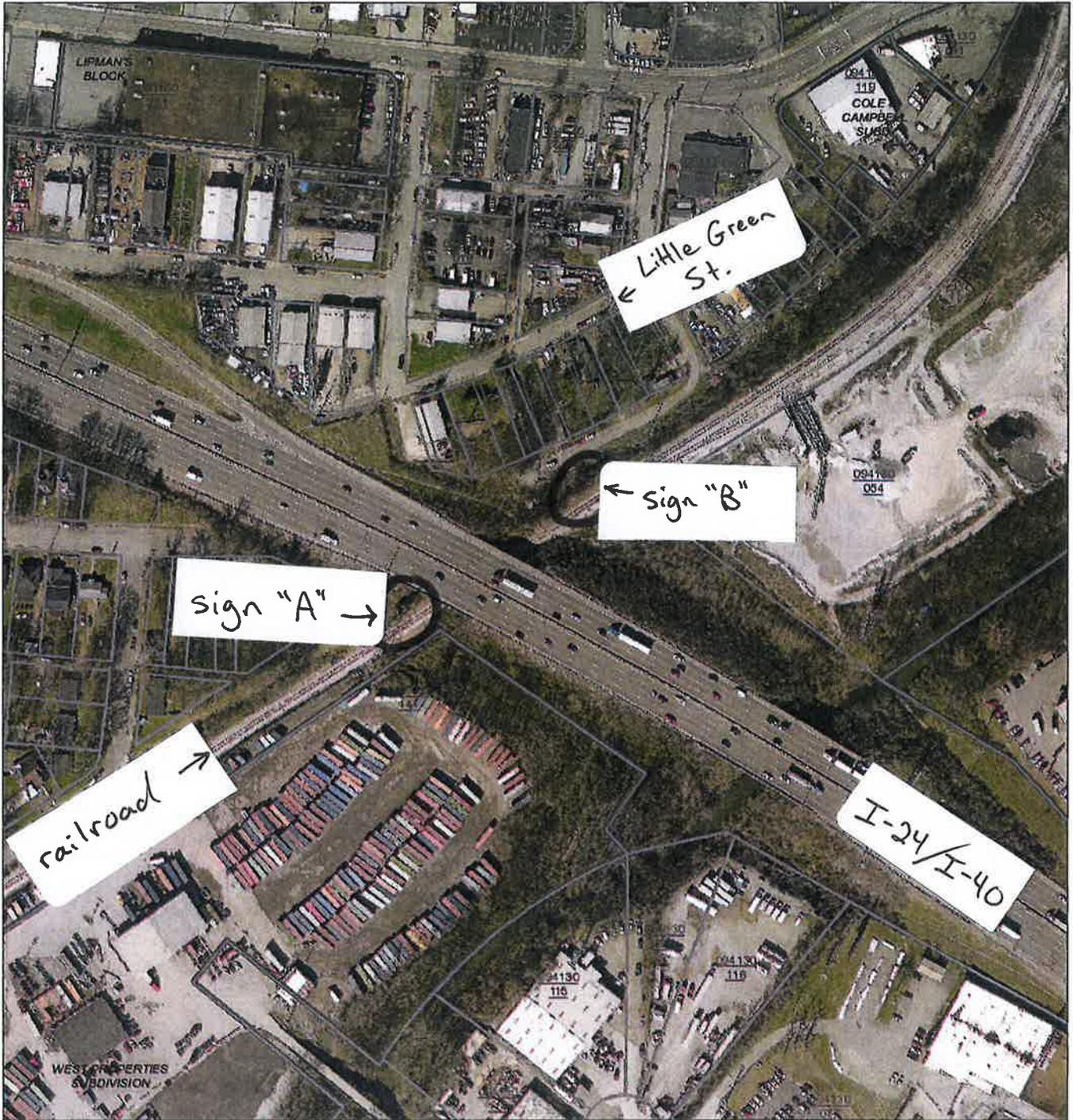
*All information gathered from Nashville GIS website (<https://maps.nashville.gov/ParcelViewer/>) and company files on July 13, 2020. Spreadsheet and corresponding packet are ordered by date of permit issuance.

**Note that some permits were not readily available online and noted below as "no info". Dates for those permits were estimated based on construction materials used. As a general rule, "pre-1978" billboards are of wood post/I-beam construction and "post-1978" billboards are monopole structures.

Ex. #	Lot Location: Address/Parcel No.	Lot Fronts/Abuts 4-lane road(Y/N)	Lot Oriented to Utm.Acc.Highway (Y/N)	Billboard within 300' & Oriented to Utm.Acc.Highway (Y/N)	Date of Billboard Permit Issuance (all dates are original permits unless noted)
64	Railroad R.O.W. between 165 North Bound & Franklin Pike Cir.	No	No	Yes (2 billboards)	no info -> post-1978 (both)
65 ⁴	0 Old Hickory Blvd/17500002300 Railroad R.O.W. between 124 West Bound and Ellington Pkwy	No	No	Yes	no info -> pre-1978
66	826 5th Ave S./09315038100	No	No	Yes	no info -> post-1978
67	555 Expressway Park Dr/09413007700	No	No	Yes (2 billboards)	no info -> pre-1978 (both)
68	400 Davidson St./09307003300	Yes	No	Yes	no info -> pre-1978
70 ⁵	180 Anthes Dr/09311011200	No	No	Yes	no info -> pre-1978
71	1008 Whites Creek Pike/08202008600	No	No	Yes	no info -> post-1978
72	721 S. 3rd St/09307001500	No	No	Yes	no info -> post-1978
73	201 Grizzard Ave/071030004500	No	No	Yes (3 billboards)	no info -> pre-1978 (all 3)
74	159 Green St/09413001600	No	No	Yes	no info -> pre-1978
75	167 Little Green St/09413003000	No	No	Yes	no info -> post-1978
76	1415 Poplar Ln/10607005400	No	No	Yes	no info -> pre-1978
77	Railroad R.O.W. 124/140 both sides south of Elm Hill Pike	No	No	Yes (2 billboards)	(A) no info -> pre-1978 (B) no info -> post-1978
78	Railroad R.O.W. 140 East Bound north of Jefferson St	No	No	Yes	no info -> pre-1978
79	1806 Delta Ave/08108012900	No	No	Yes	no info -> pre-1978
80	1944 Southerland Dr/06014003900	No	No	Yes	no info -> post-1978
81	101 Space Park South Dr/13400017300	No	No	Yes	no info -> pre-1978

⁴ Ex. 65 is a Metro owned property

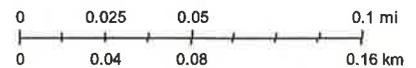
⁵ Ex. 70 is a Metro owned property



July 28, 2020

Ownership Parcels

1:2,257



NO PARCEL INFO
RAILROAD PROPERTY
P.O.W. LOCATED @ I 24/I 40
SOUTH OF LITTLE GREEN STREET

- BILLBOARD(S) ORIENTED TO I-24/I-40
- LOT ORIENTED TO ?

Railroad R.O.W.
just south of Little Green St.

(A)



(B)



I-24/I-40

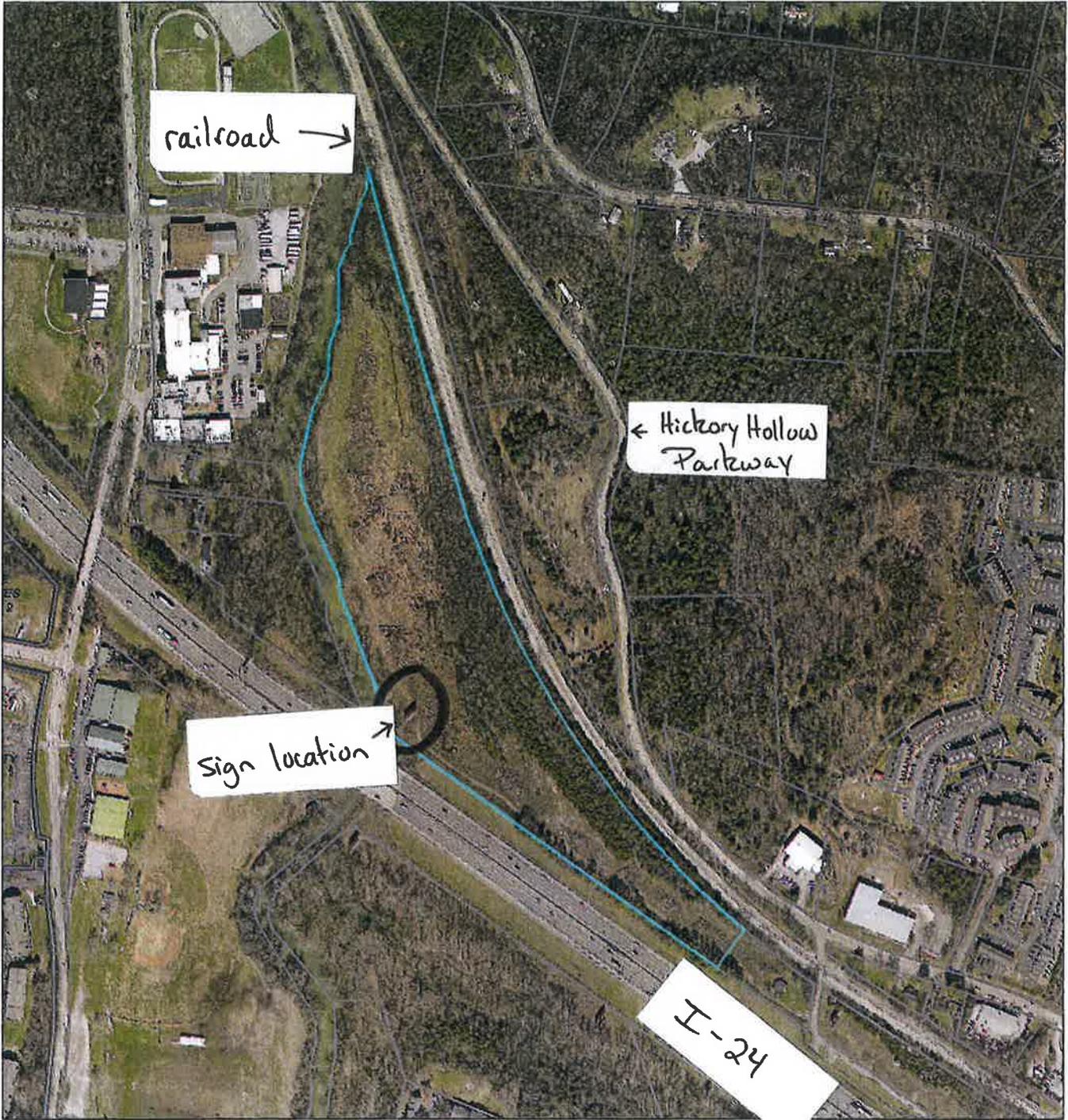
Google Earth

© 2020 Google

Ex 1

Ex 1

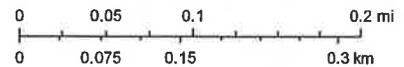




July 28, 2020

Ownership Parcels

1:4,514



PARCEL ID # 10300007000
 LOT ADDRESS: 0 HICKORY HOLLOW
 PARKWAY

NO FRONTAGE ON HICKORY
 HOLLOW.

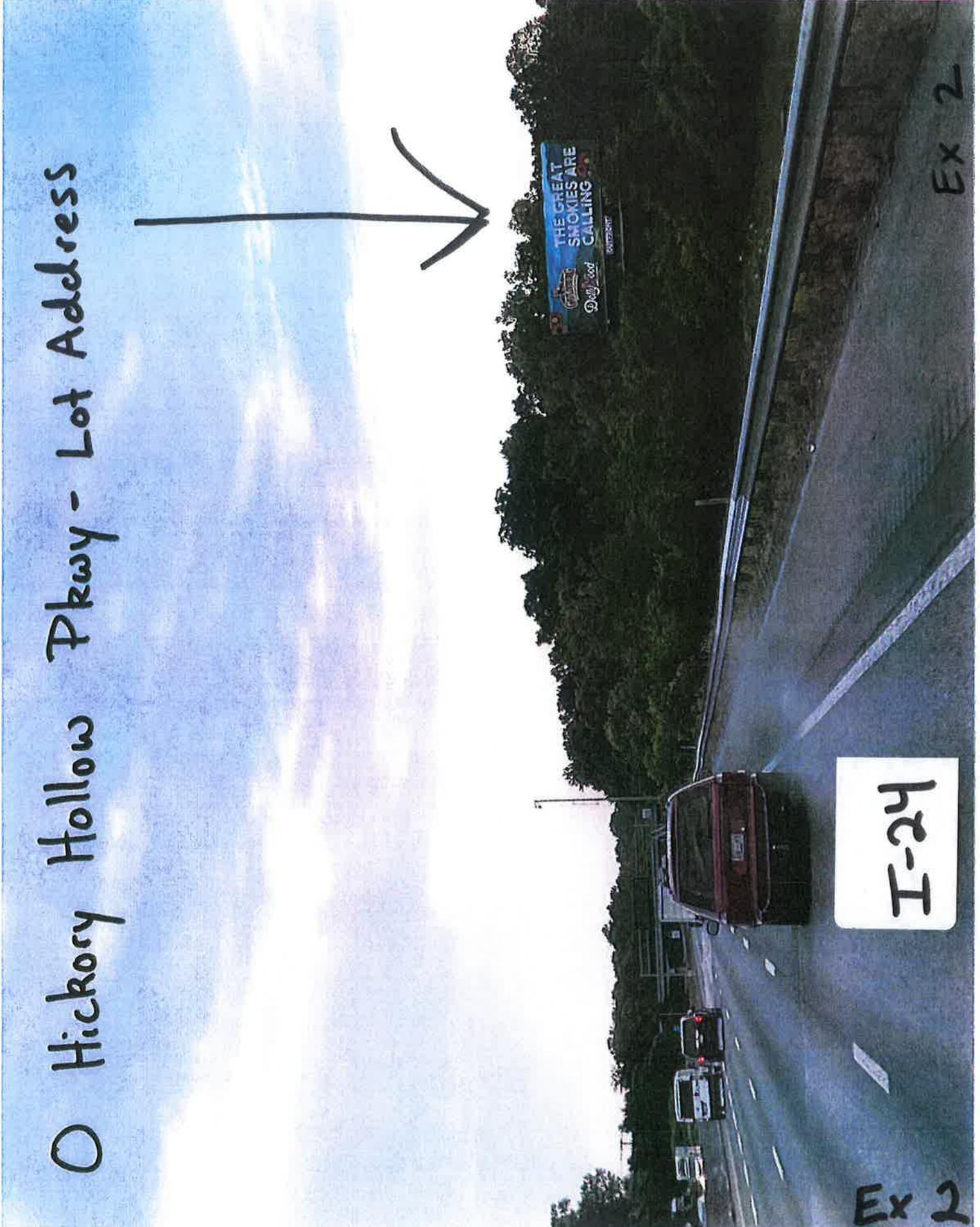
- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 2

Made by: Metro GIS

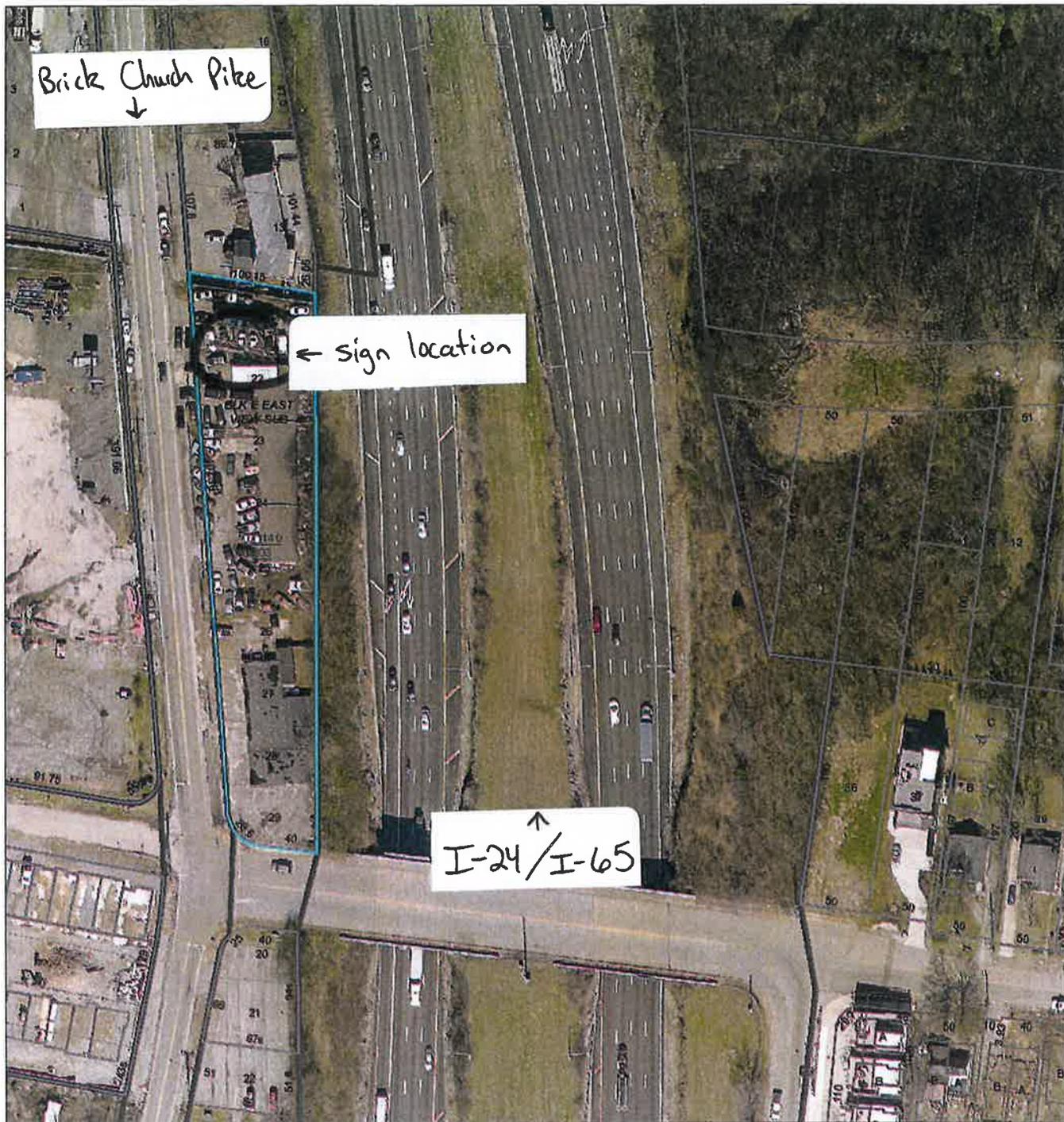
O Hickory Hollow Pkwy - Lot Address



I-24

Ex 2

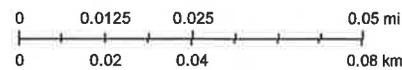
Ex 2



July 28, 2020

Ownership Parcels

1:1,128



PARCEL ID # 07114030300

LOT ADDRESS : 1211 BRICK CHURCH PIKE

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24/I-WS.
- LOT ORIENTED TO ?

1211 Brick Church Pike - Lot Address



KID ROCK'S NOW
Big honky tonk
OPEN!
Old and Broadway

I-24/I-65

EX 3

EX 3

Google Earth

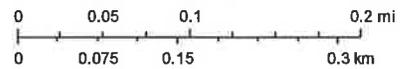
© 2020 Google



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: 10800004500

LOT ADDRESS: 2998 NEILWORTH LANE

* 2 LANE ROAD *

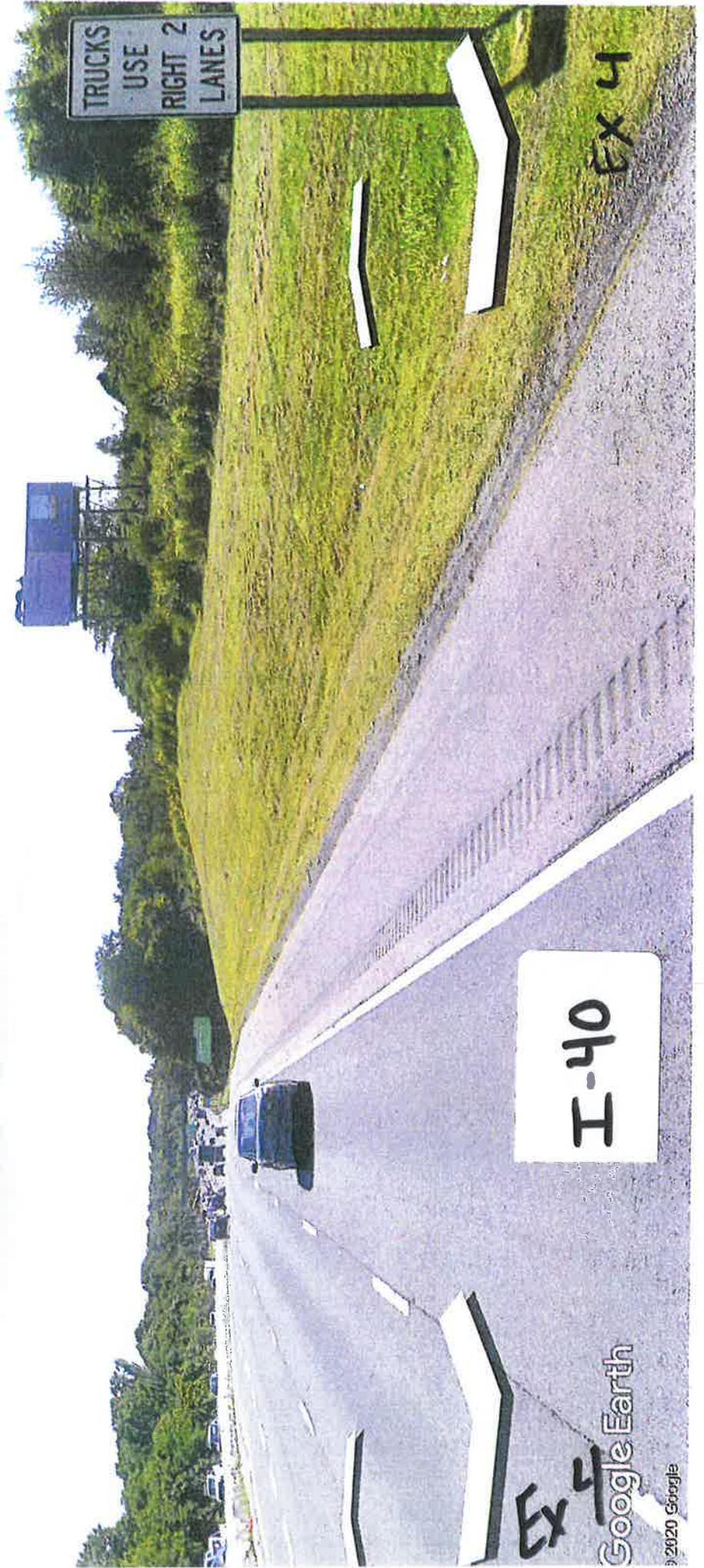
- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Plotometry International

Ex 4

Made by: Metro GIS

2998 Neilworth Ln - Lot Address



I-40

EX 4
Google Earth
© 2020 Google

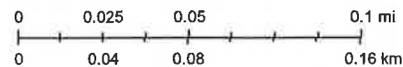
EX 4



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 08202004100
 LOT ADDRESS: 85 CLEVELAND STREET

* 2 LANE ROAD WHERE LOT FRONTS *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 5

Made by: Metro GIS

85 Cleveland St. - Lot Address



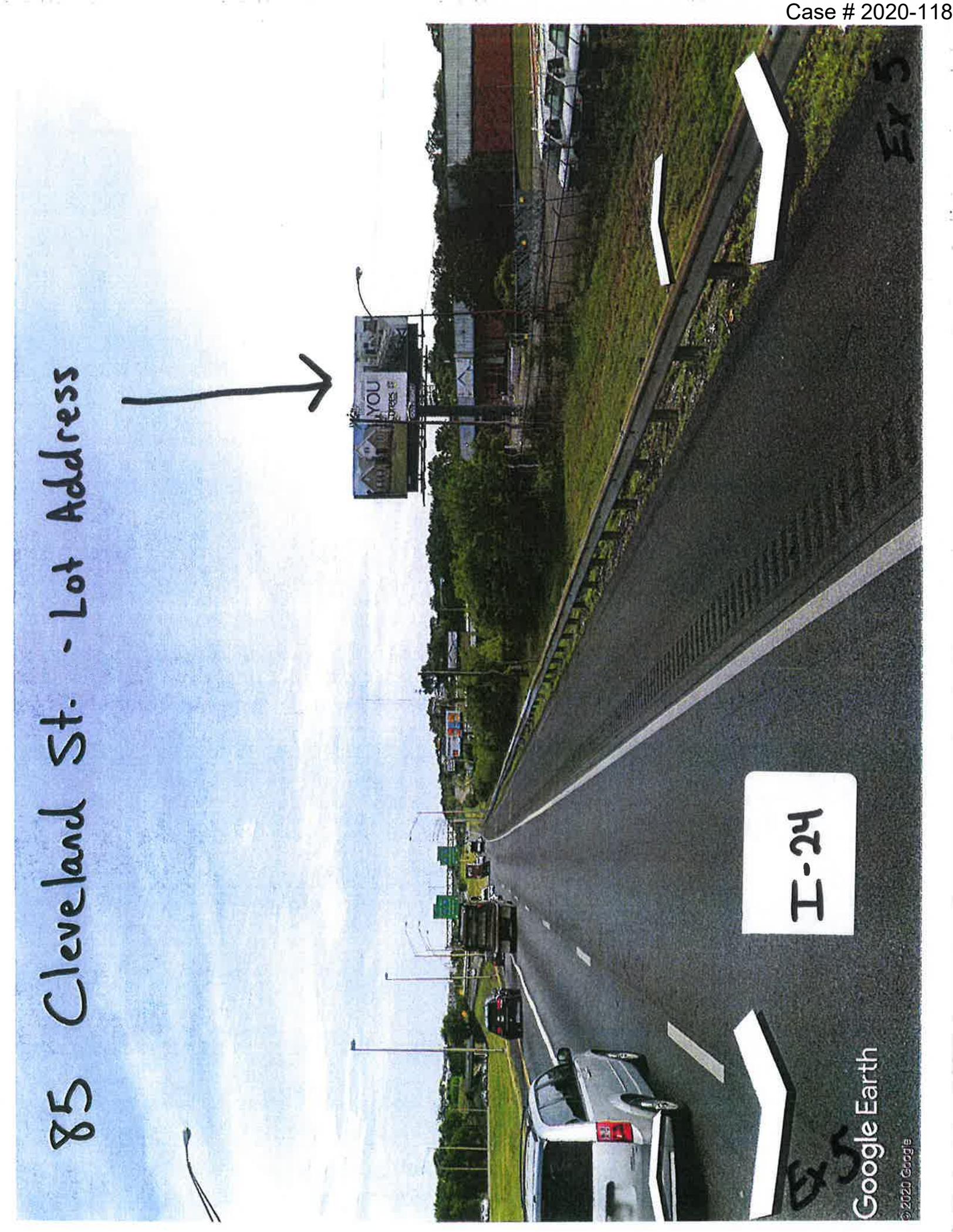
I-24

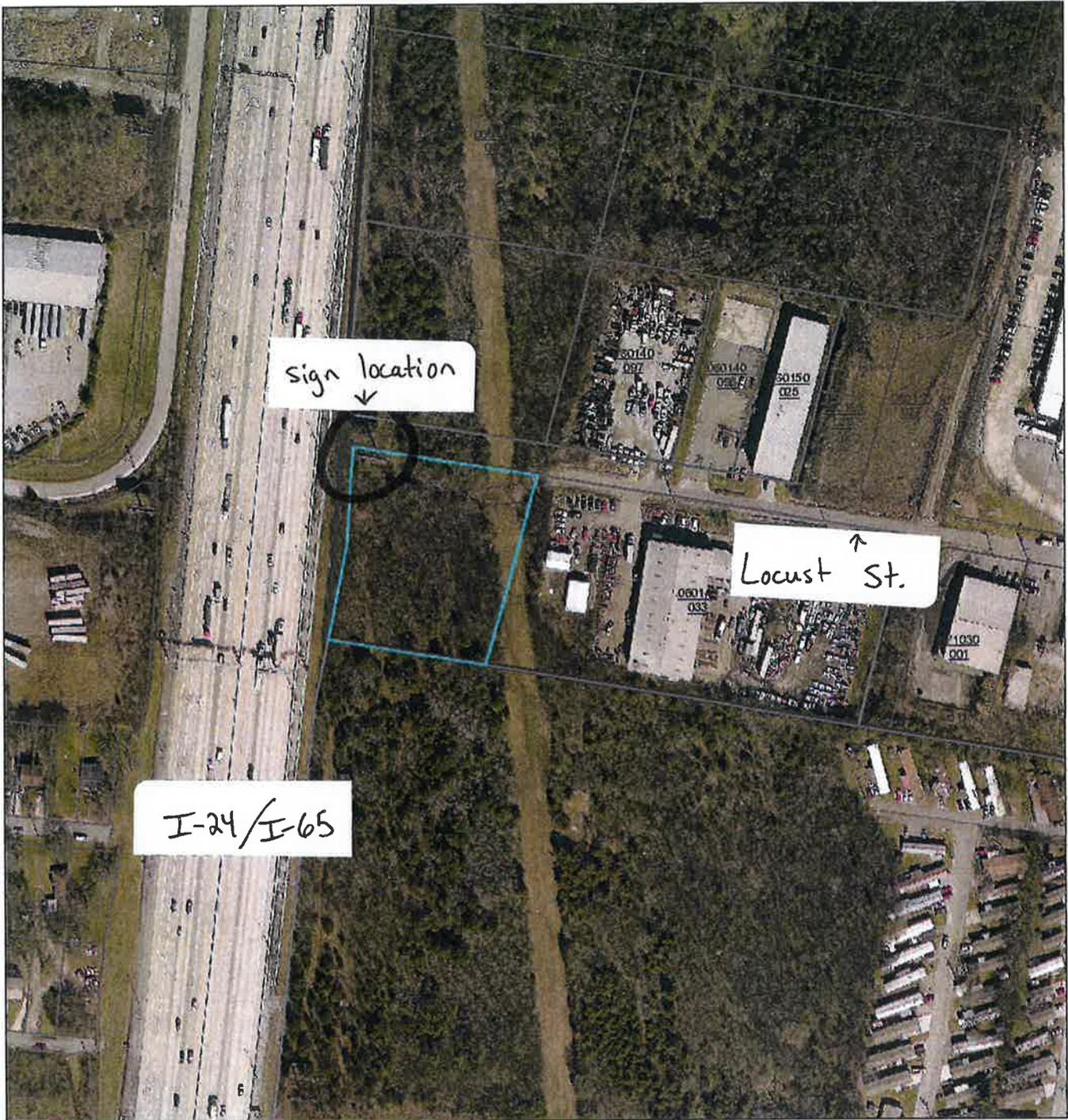
Google Earth

© 2020 Google

EX 5

EX 5

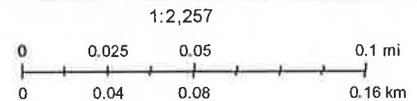




July 27, 2020

Ownership Parcels

PARCEL ID #: DV0014003200
 LOT ADDRESS: 0 LOWS STREET
 * 2 LANE ROAD *



- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 6

Made by: Metro GIS

O Locust St. - Lot Address

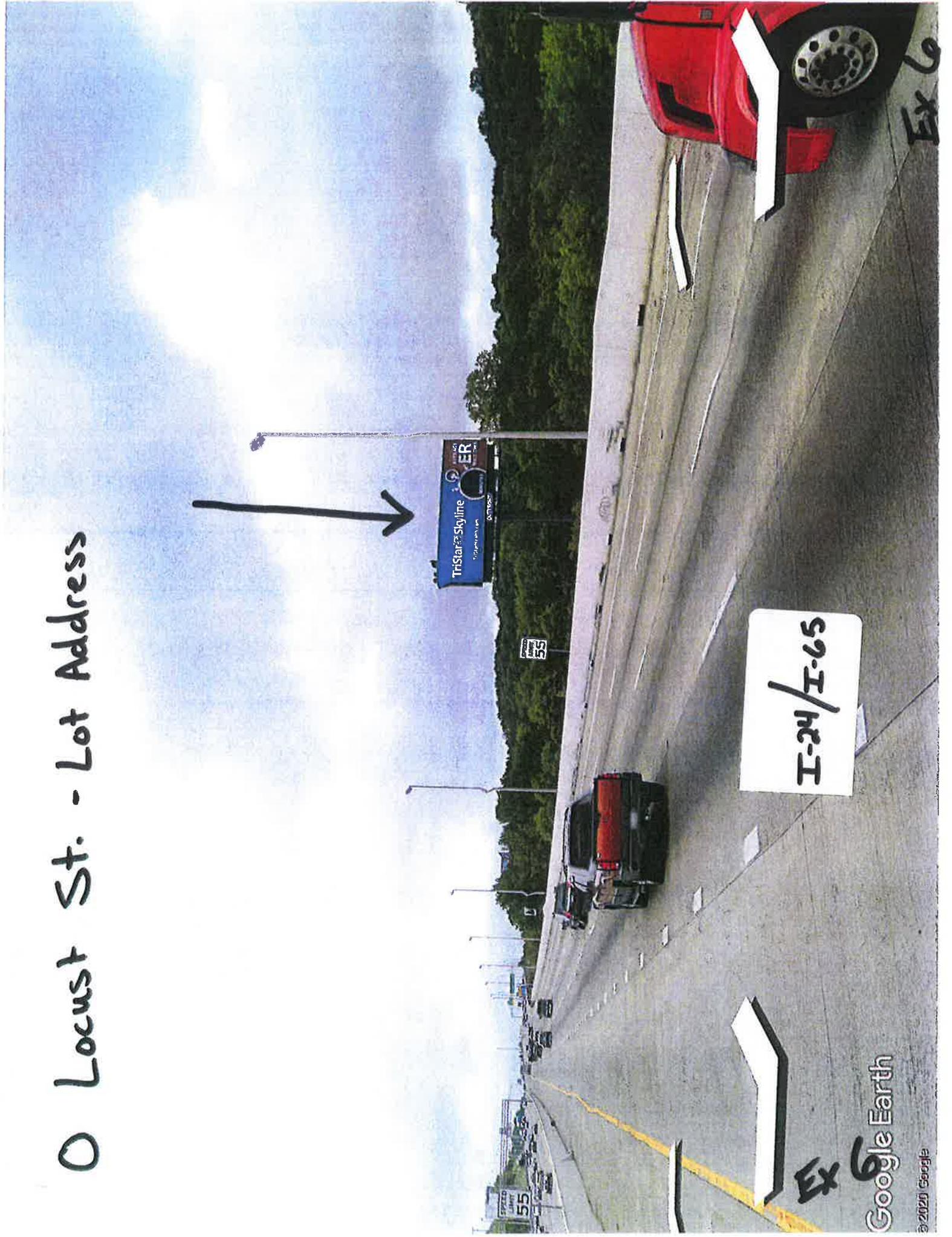


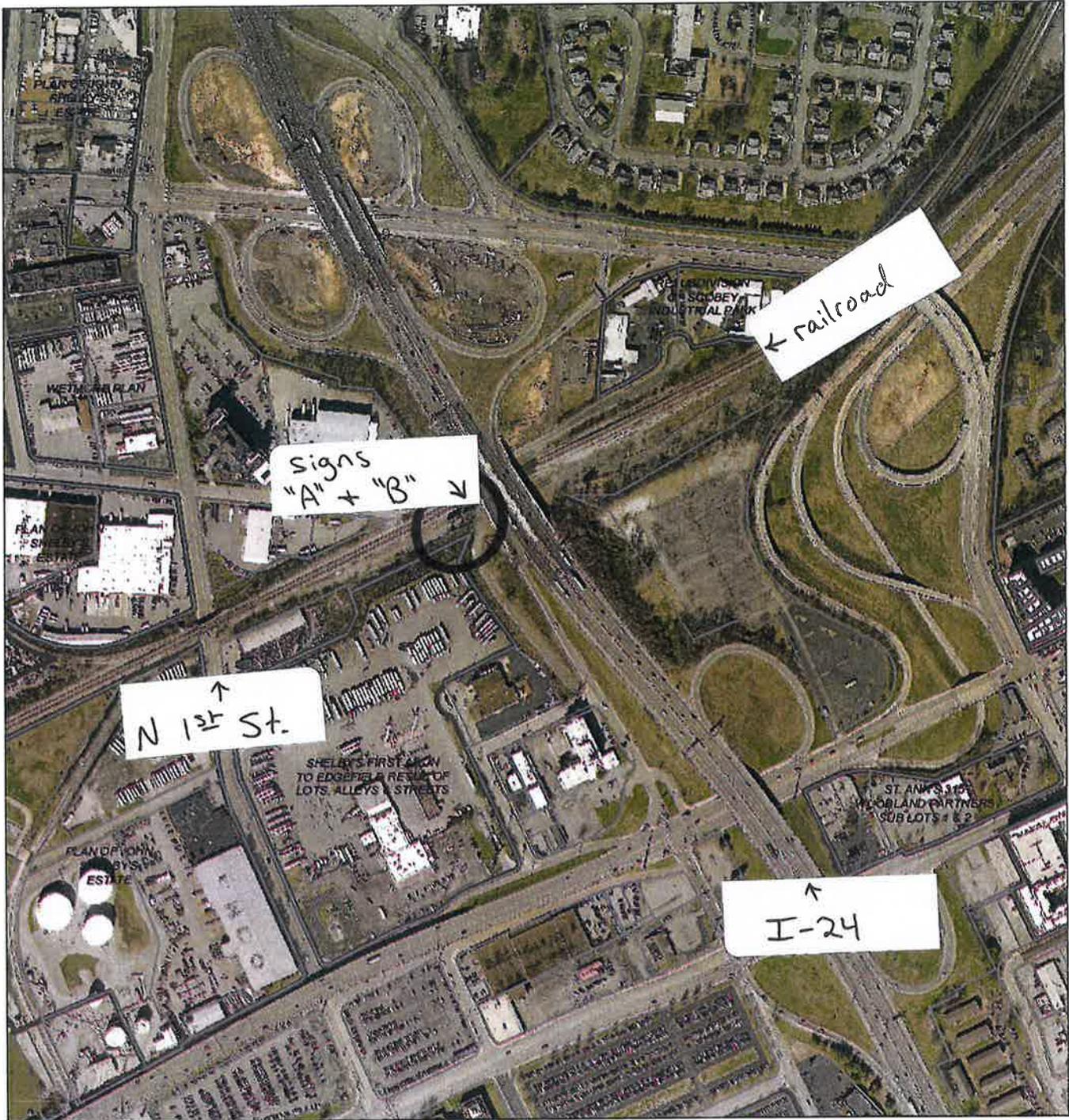
TriStar Skyline
ER

SPEED LIMIT 55

I-24/I-65

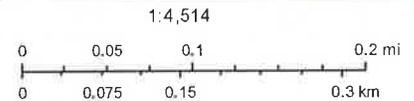
Ex
Google Earth
© 2020 Google





July 27, 2020

Ownership Parcels



NO PARCEL INFO
RAILROAD PROPERTY
R.O.W. BETWEEN I-24 EAST
BOUND & NORTH 1ST STREET

- BILLBOARD(S) ORIENTED TO I-24.
- LOT ORIENTED TO ?

Railroad R.O.W. between
I-24 east bound and N. 1st St

(A)



(B)



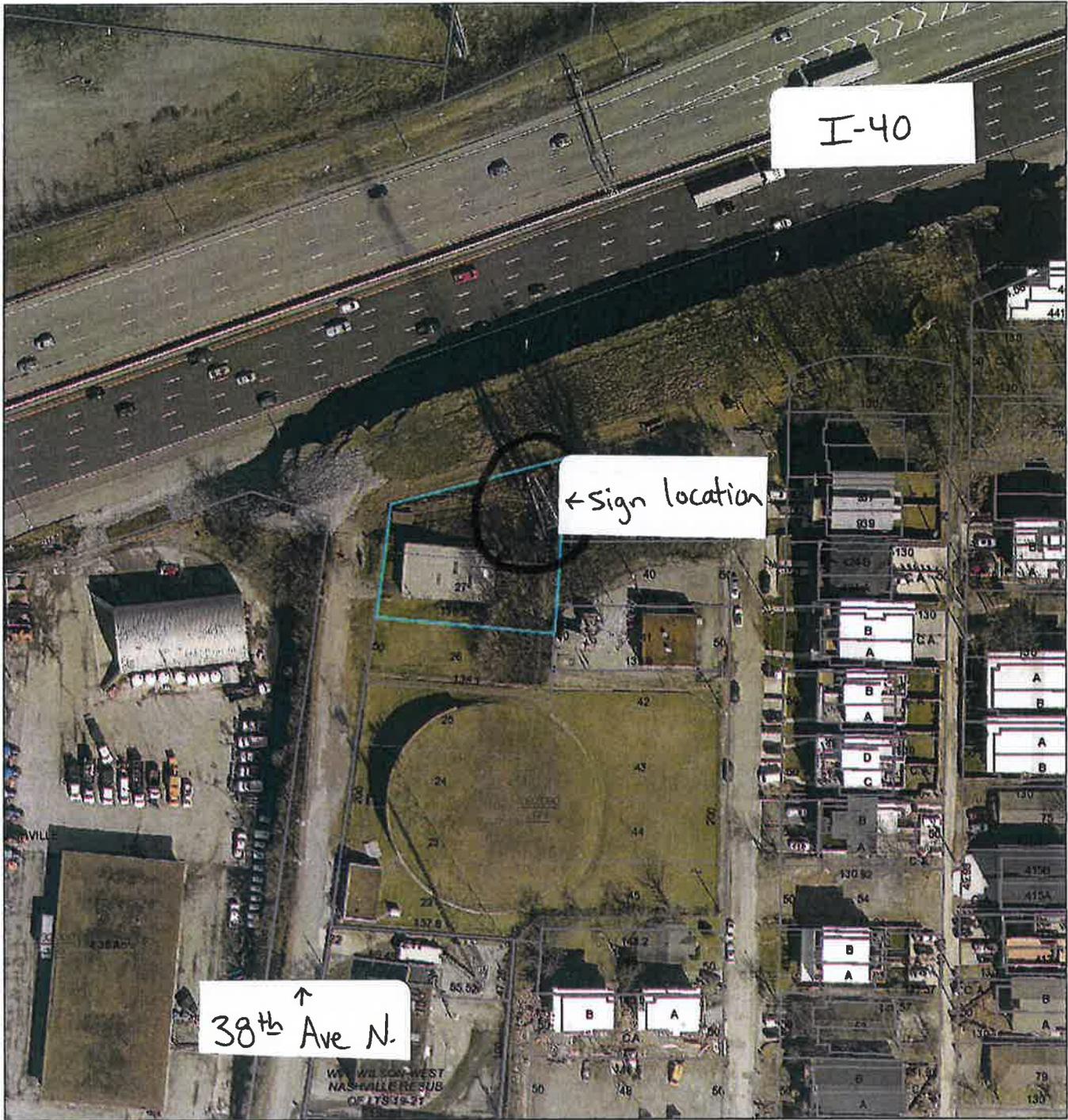
Ex 7

Google Earth

© 2020 Google

I-24

Ex 7



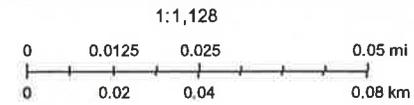
July 27, 2020

Ownership Parcels

PARCEL ID #: 09209017500

LOT ADDRESS: 422 38th AVENUE NORTH

* 2 LANE ROAD *



- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 8

Made by: Metro GIS

422 38th Ave N - Lot Address



GET TWO PAIR FREE
DOWN TOWN & CONY PHILES MALL

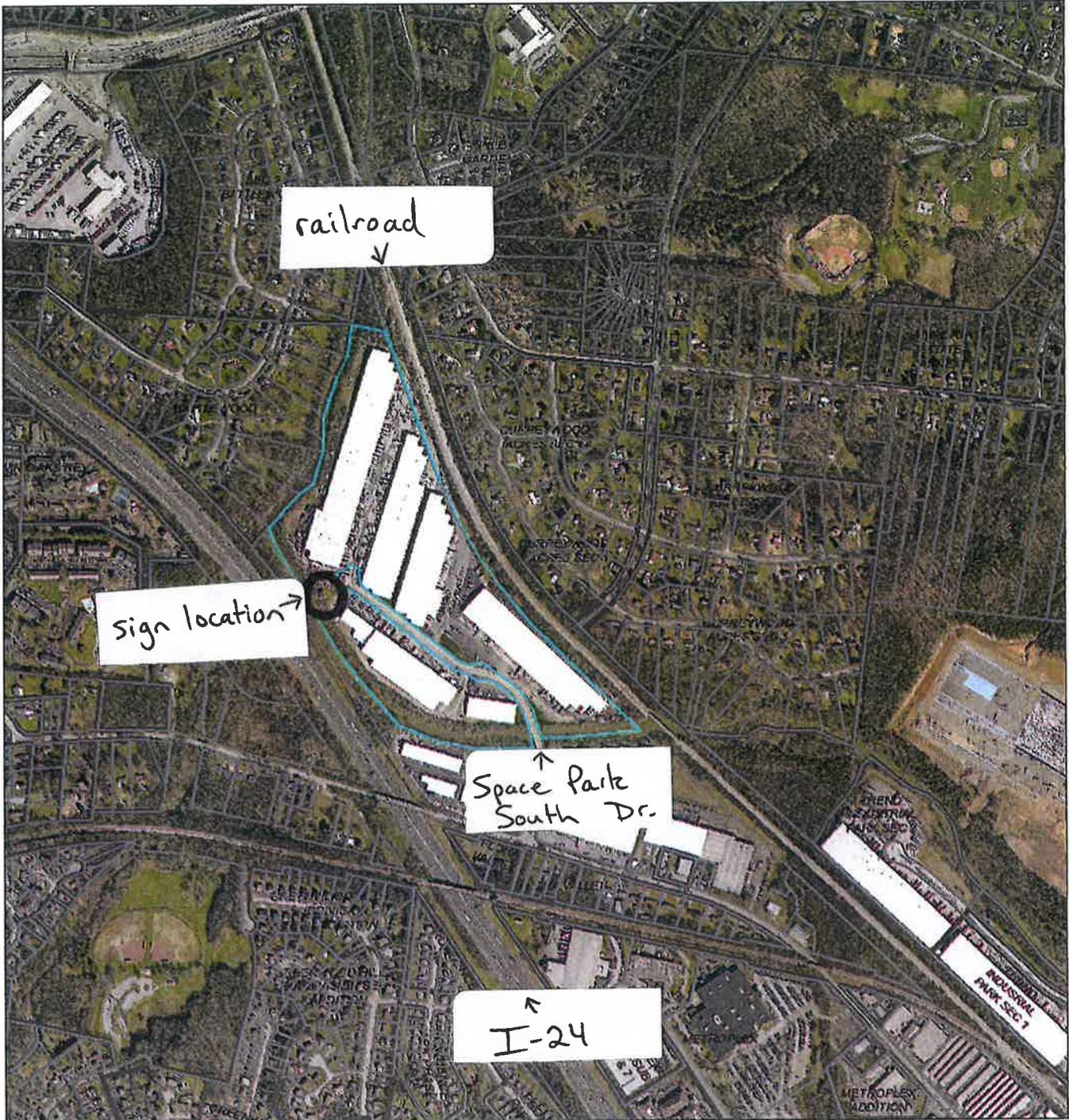


I-40

Ex 8

Google Earth

© 2020 Google



July 27, 2020

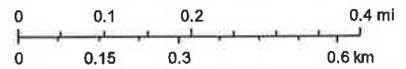
Ownership Parcels

PARCEL ID # : 13400000100

LOT ADDRESS : 401 SPACE PARK SOUTH DRIVE

* 2 LANE ROAD *

1:9,028



- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 9

Made by: Metro GIS

401 Space Park South Dr. - Lot Address

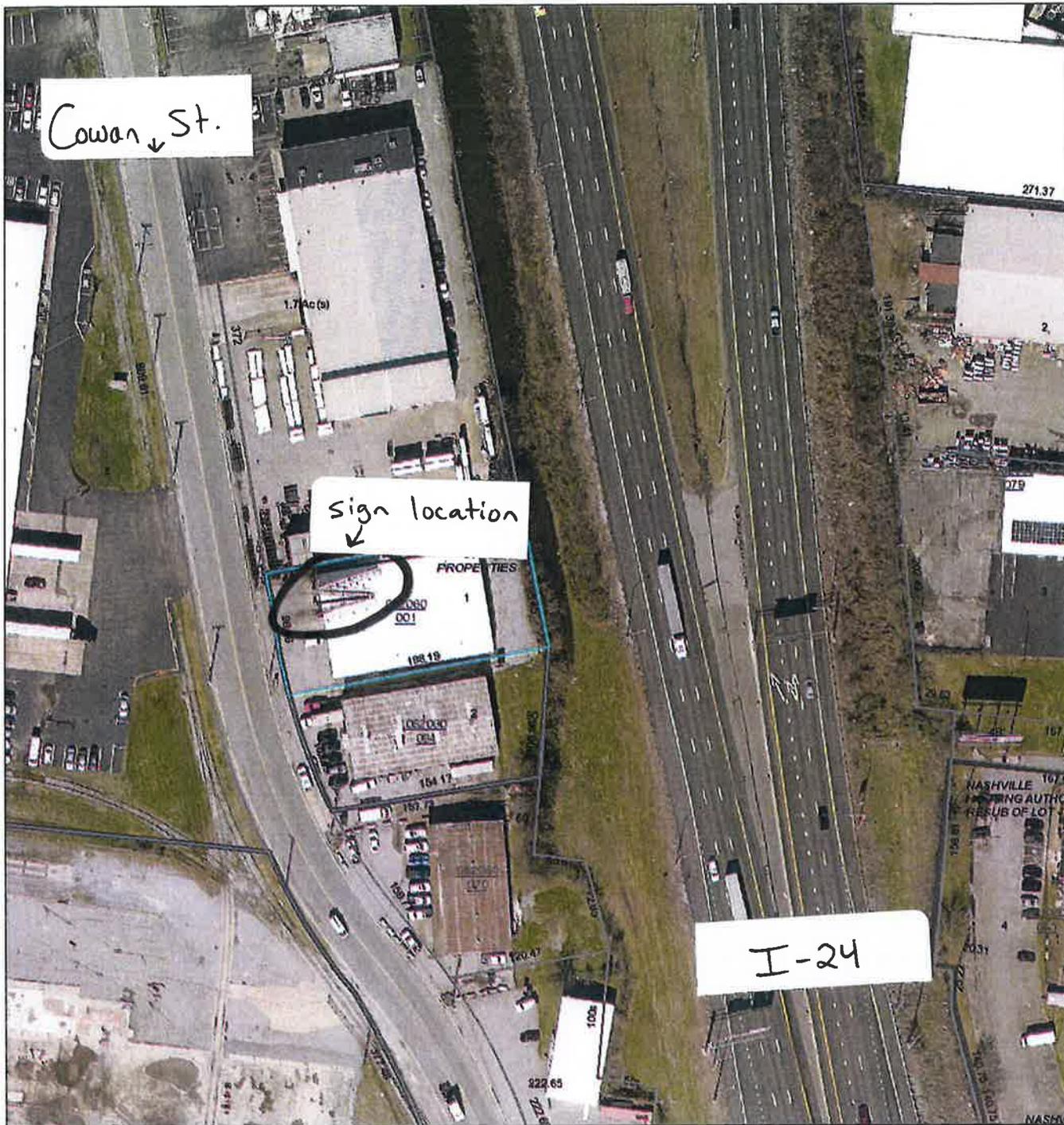


Google Earth

© 2020 Google

EX-9

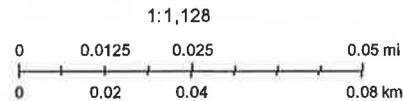
EX-9



July 27, 2020

Ownership Parcels

PARCEL ID # : 08206000100
 LOT ADDRESS: 701 COWAN ST
 * 2 LANE ROAD *



- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 10

Made by: Metro GIS

701 Cowan St. - Lot Address



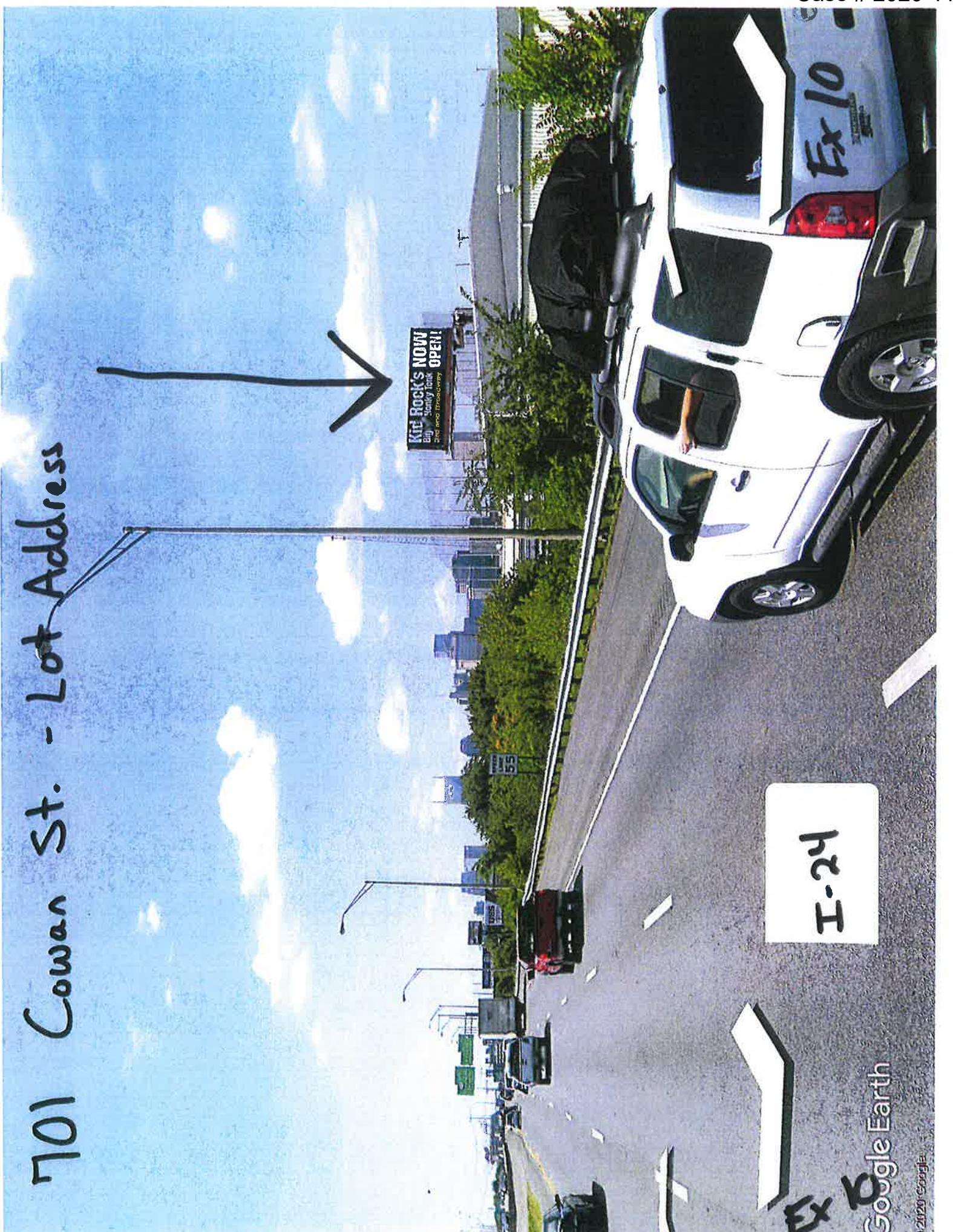
Kite Rock's NOW OPEN!
Buy locally from the wind to produce energy

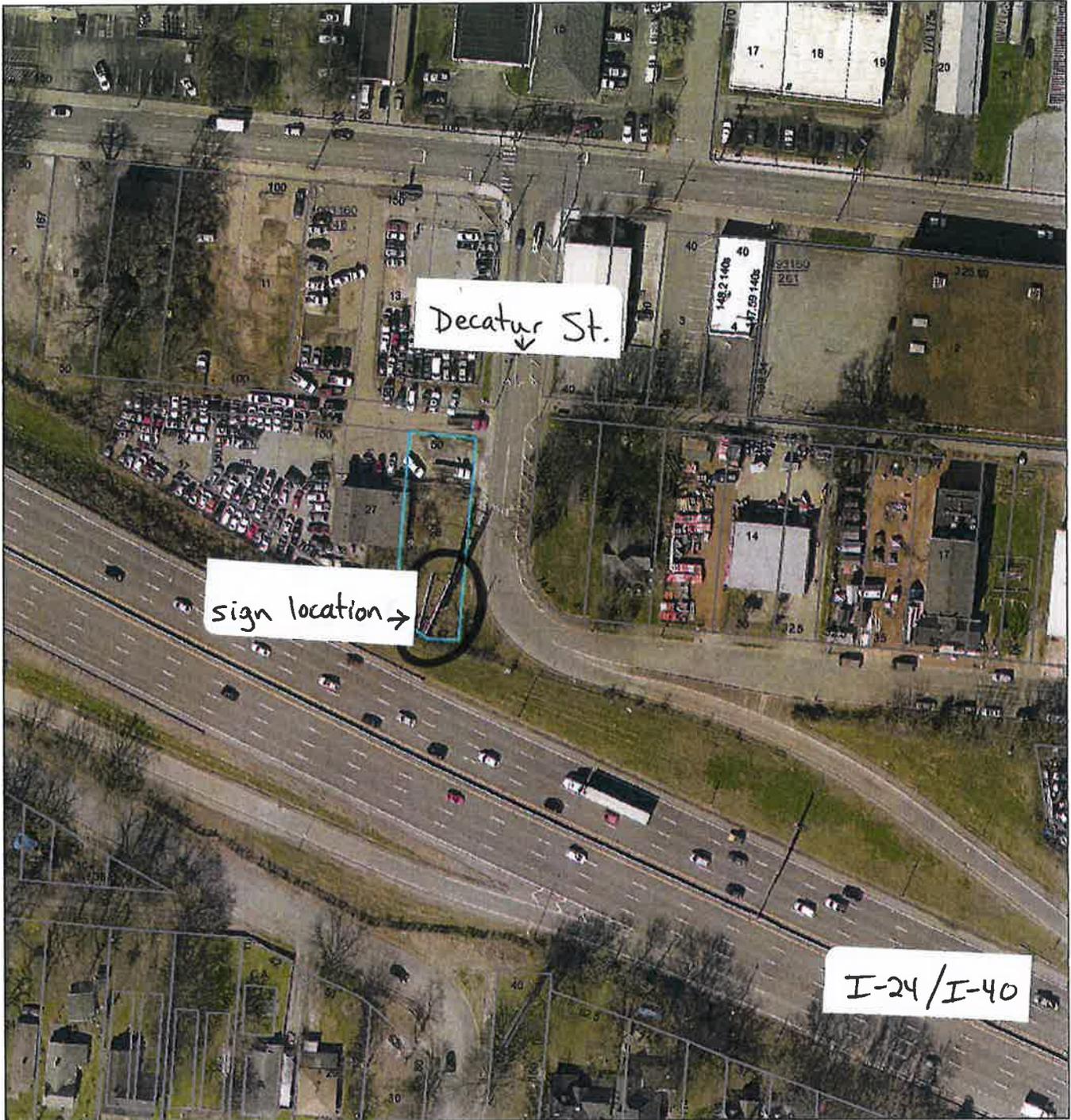
65

I-24

Google Earth

© 2020 Google



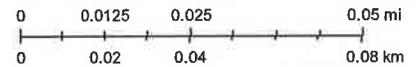


July 27, 2020

Ownership Parcels

PARCEL ID # : 09310027500
 LOT ADDRESS : 130 DECATUR ST
 * 2 LANE ROAD *

1:1,128



- BILLBOARD ORIENTED TO I-24 | I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 11

Made by: Metro GIS

130 Decatur St. - Lot Address

EXIT 211
TO
WEST NORTH
24 65
Clarksville
Louisville
1/4 MILE

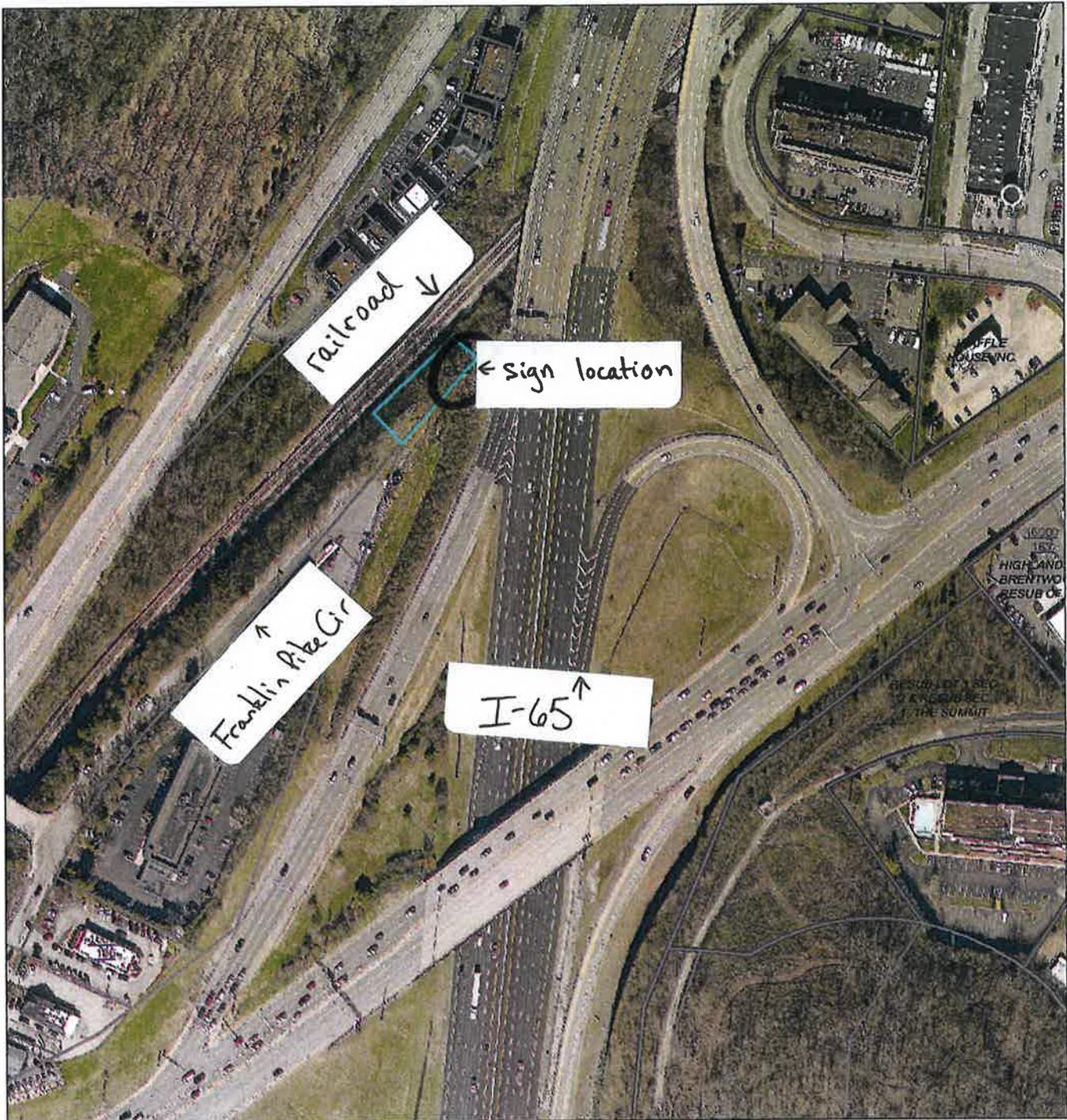
TO
SOUTH WEST
65 40
Huntsville
Memphis
1/4 MILE



I-24/I-40

Ex 11

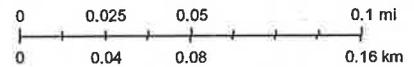
Ex 11



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 10000019000
 LOT ADDRESS: 5596 FRANKLIN
 PIKE CIRCLE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 12

Made by: Metro GIS

5596 Franklin Pike Cir. - Lot Address



EXIT 105
ONE Franklin Blvd
SHELBY COUNTY
EXIT 105
ONE Hickory Blvd
BY ROUTE 58

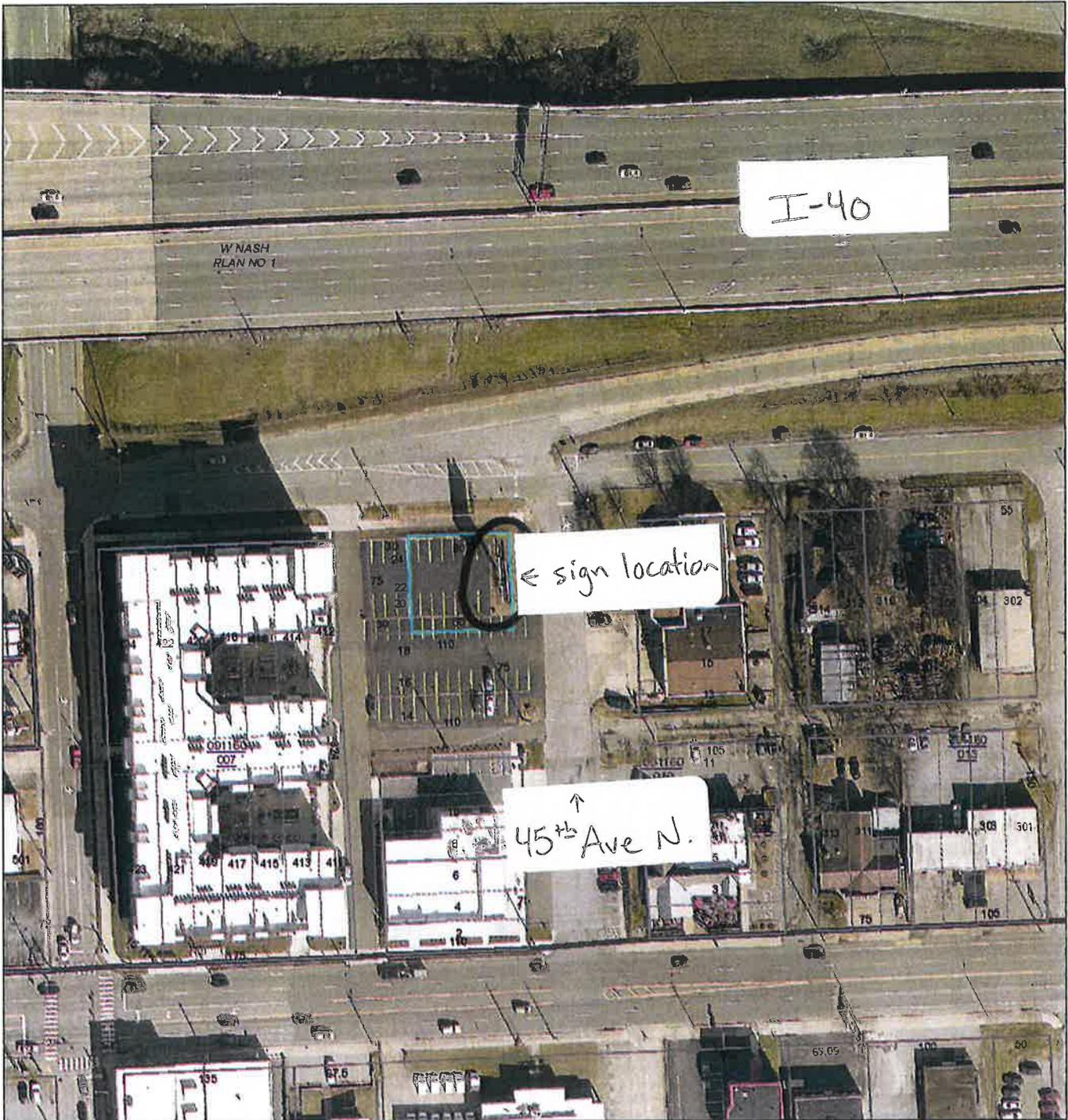
BLM
TOP DOGS,
NEW HOME

I-65

Google Earth

© 2020 Google

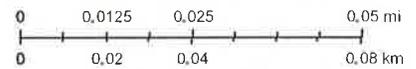
EX 12



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09112016400

LOT ADDRESS: 409 45th AVENUE NORTH

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS, Pictometry International

Ex 13

Made by: Metro GIS

409 45th Ave N. - Lot Address



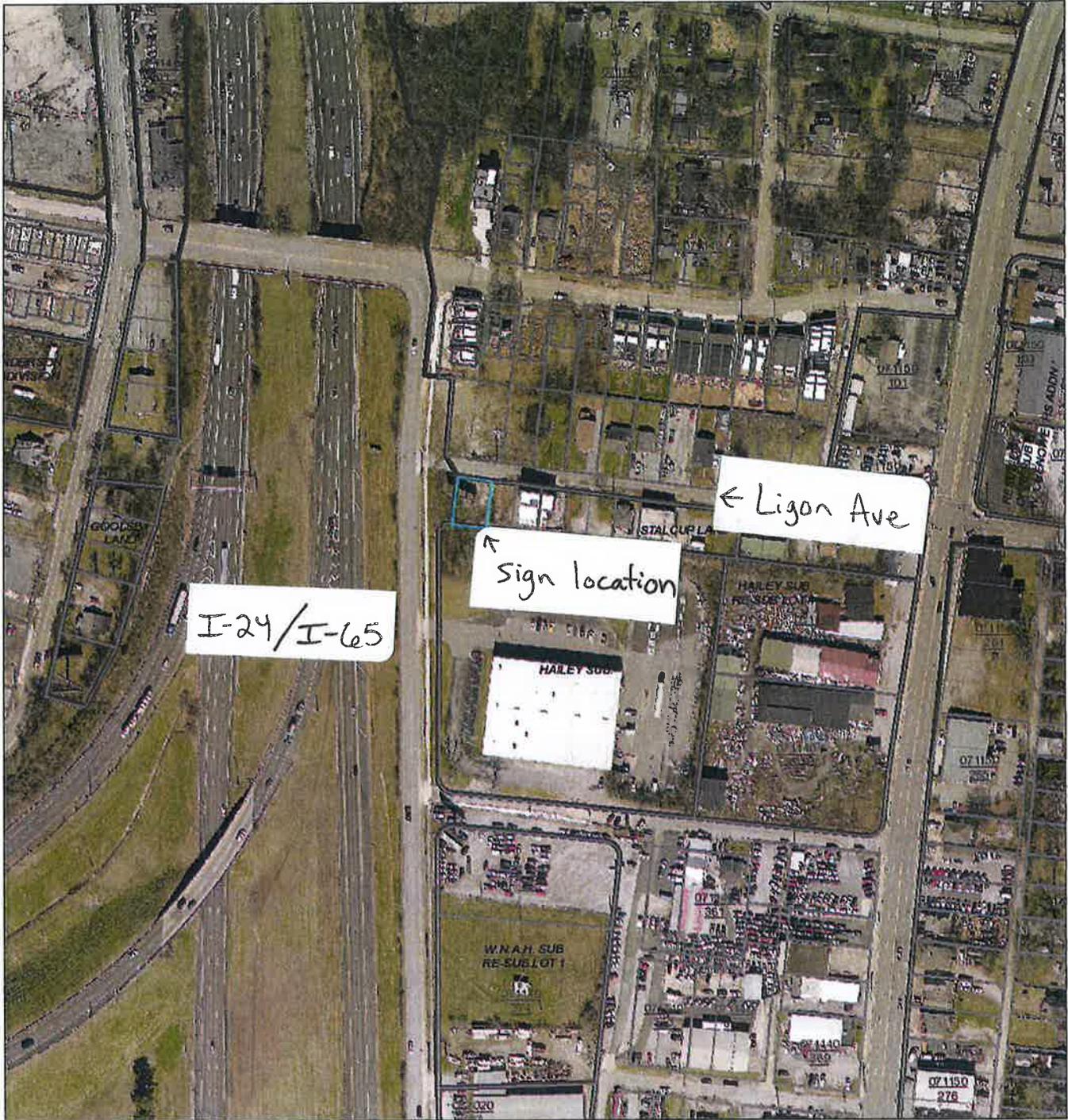
RENTERS & AUTO

I-40

Ex 13

Google Earth

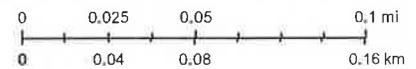
©2020 Google



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 07114034400
 LOT ADDRESS: 0 LIGON AVENUE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 14

Made by: Metro GIS

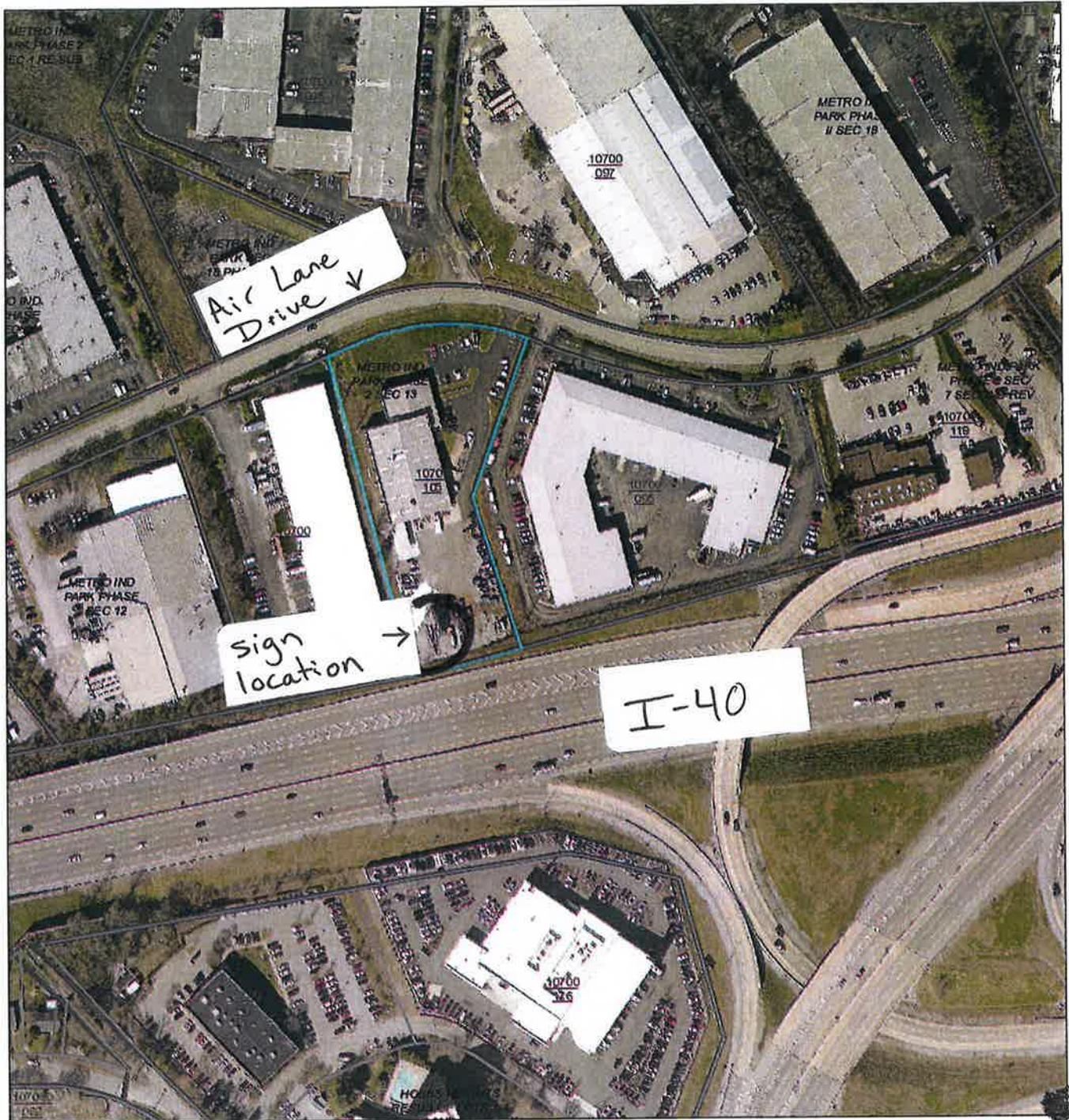
O Ligon Ave



I-24/I-65

Google Earth

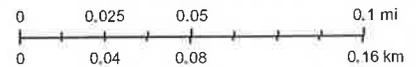
© 2020 Google



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 10700010500

LOT ADDRESS: 1855 AIR LANE DRIVE

2 LANE ROAD

BILLBOARD ORIENTED TO I-40.

LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 15

Made by: Metro GIS

Ownership History
Property History
Zoning History
Assessment History
Permit History
Permit SubType BILLBOARD
Date Issued 1/11/2001 12:00:00 AM
Purpose ACTIVITY-TYPE: F20 DESIGNER: R. DUANE MONICAL PURPOSE: BILLBOARD PERMIT. 14X48 ORIENTED TOWARDS THE INTERSTATE. SIDE: 10' FRONT & REAR: 20'. MONOPOLE. NOT ORIENTED TO AIR LANE DR. MAX HEIGHT 50'. OVER 1000' FROM OTHER BILLBOARDS. OVER 500' FROM RESIDENTIAL ZONED LOT LINE. SEE PLAN. 20 DEGREE ANGLE MAX.
Stormwater - Elevation Certificate



Permit 200100222

Billboard orientation is the focus of sign control, not lot orientation.

1855 Air Lane Dr. - Lot Address

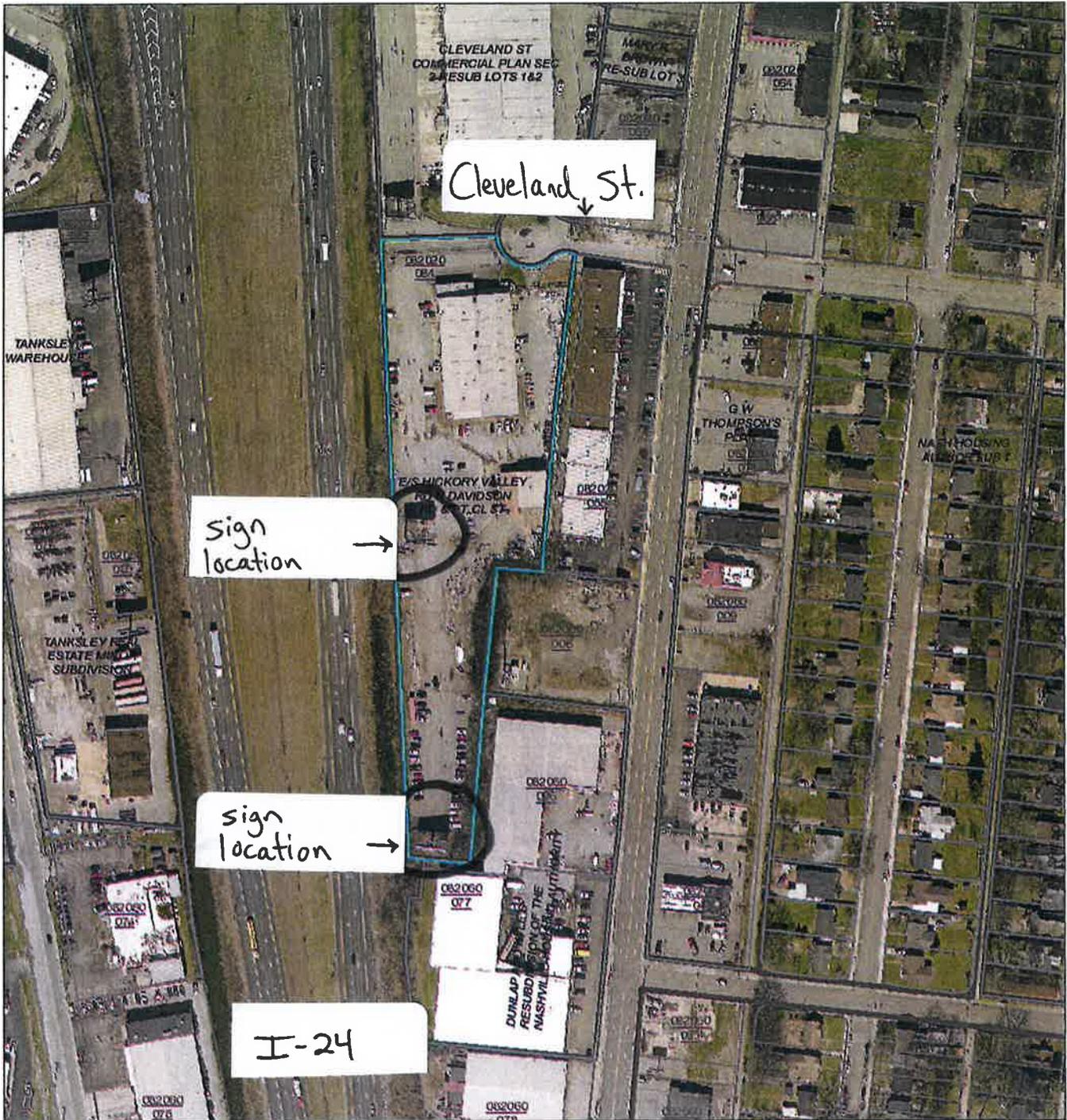


E-40

Ex 15
Google Earth

© 2020 Google

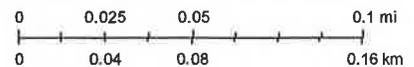
Ex 15



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID # : 08202008400
 LOT ADDRESS : 80 CLEVELAND STREET
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 16

Made by: Metro GIS

80 Cleveland St. - Lot Address



Kentucky
DOWNS
CASINO
OPEN 24 HOURS
ON WEEKENDS
I-65N - EXIT 2 MORE HOURS. MORE WINS!
OUTFRONT



GAMING
PAVILION

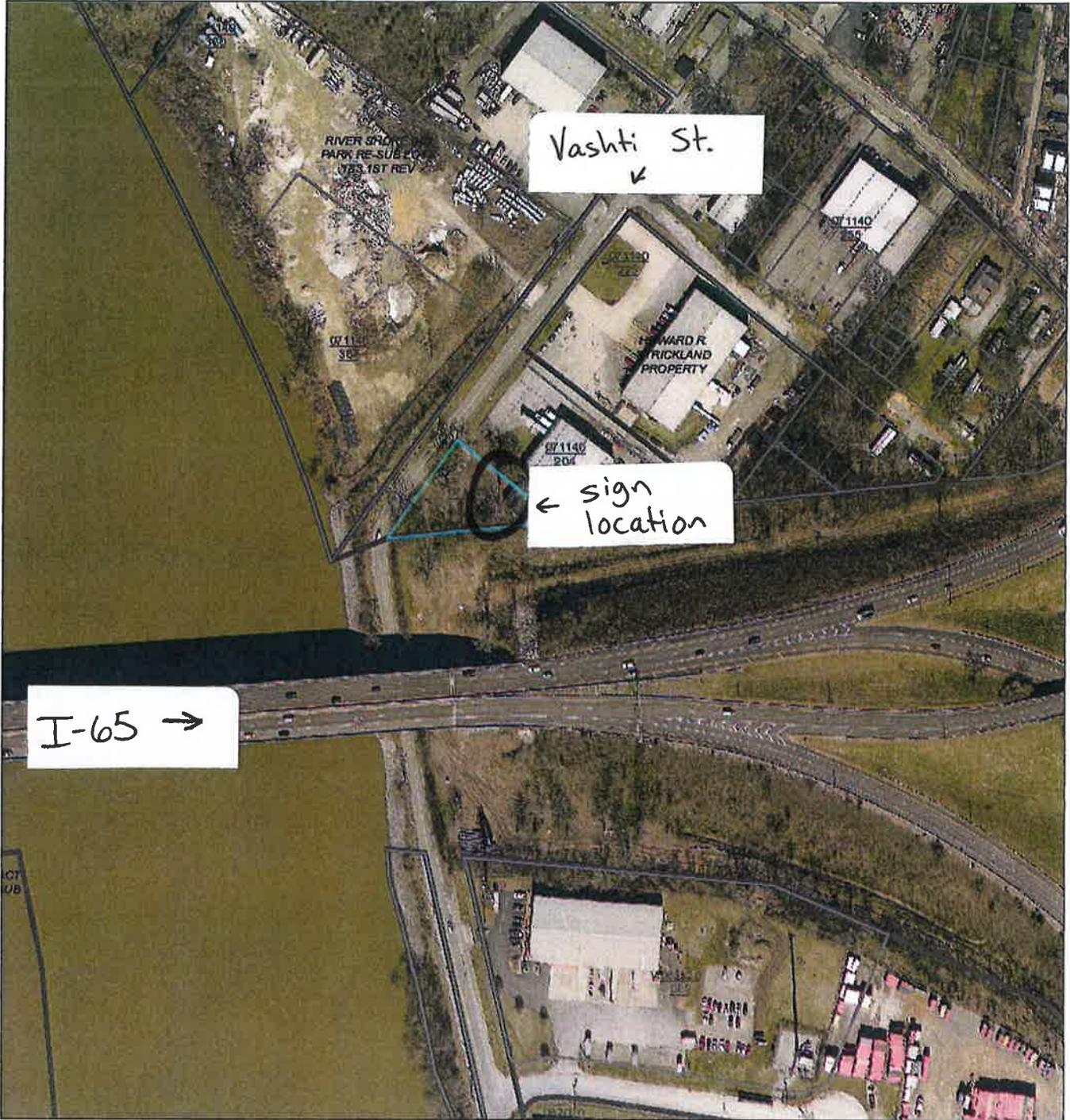
I-24

Ex 16

Google Earth

© 2020 Google

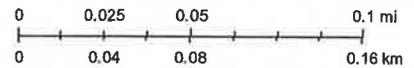
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 07114020300

LOT ADDRESS: 1300 VASHTI STREET

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO I-65.

• **LOT ORIENTED TO ?**

Metro GIS; Pictometry International

Ex 17

Made by: Metro GIS

1300 Vashti St. - Lot Address



I-65

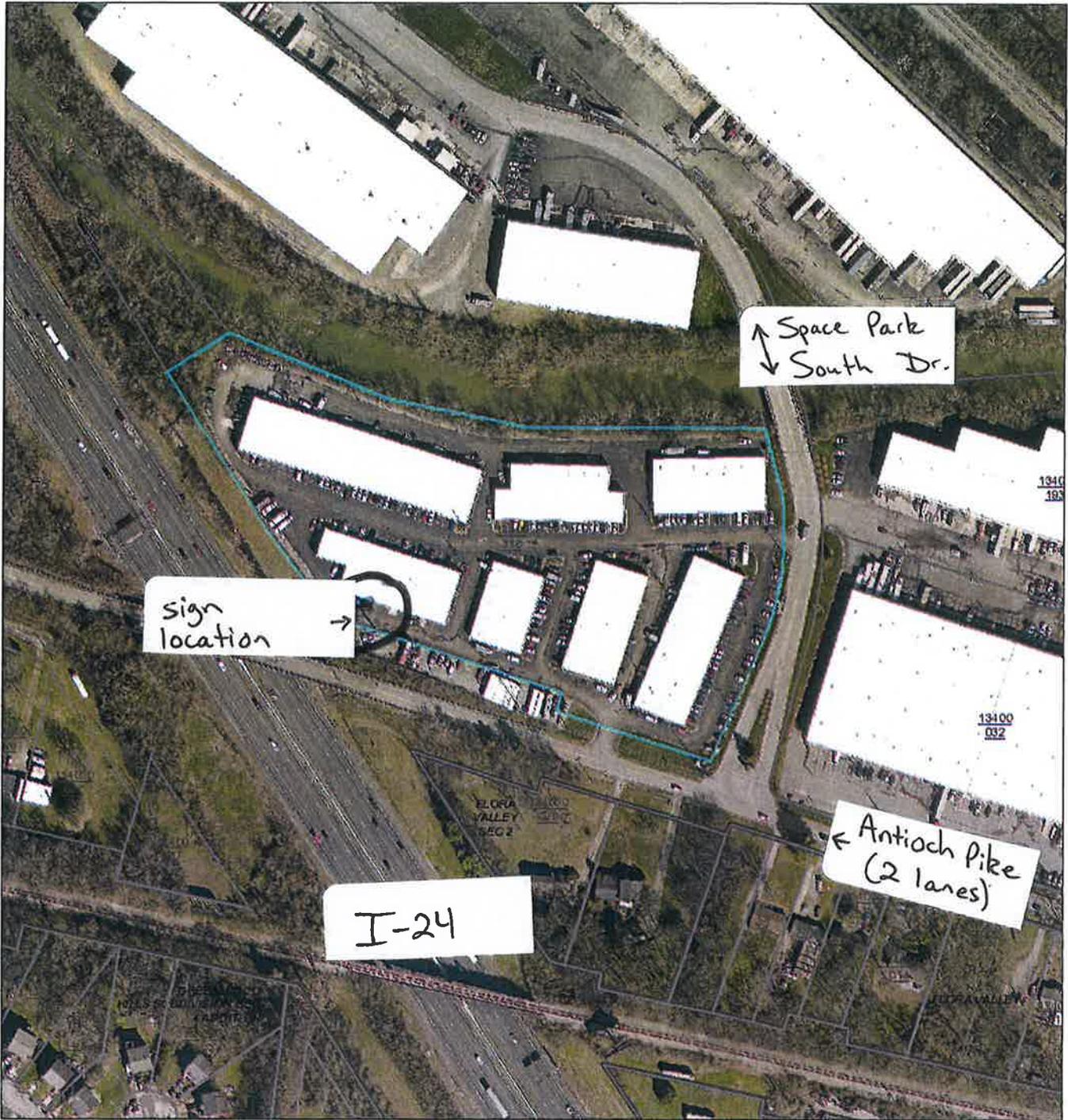
Ex 17

Google Earth

© 2020 Google

Ex 17

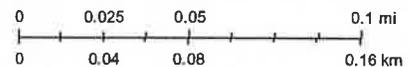
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 13400031800
 LOT ADDRESS: 101 SPACE PARK
 SOUTH DRIVE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 18

Made by: Metro GIS

101 Space Park South Dr. - Lot Address



I-24

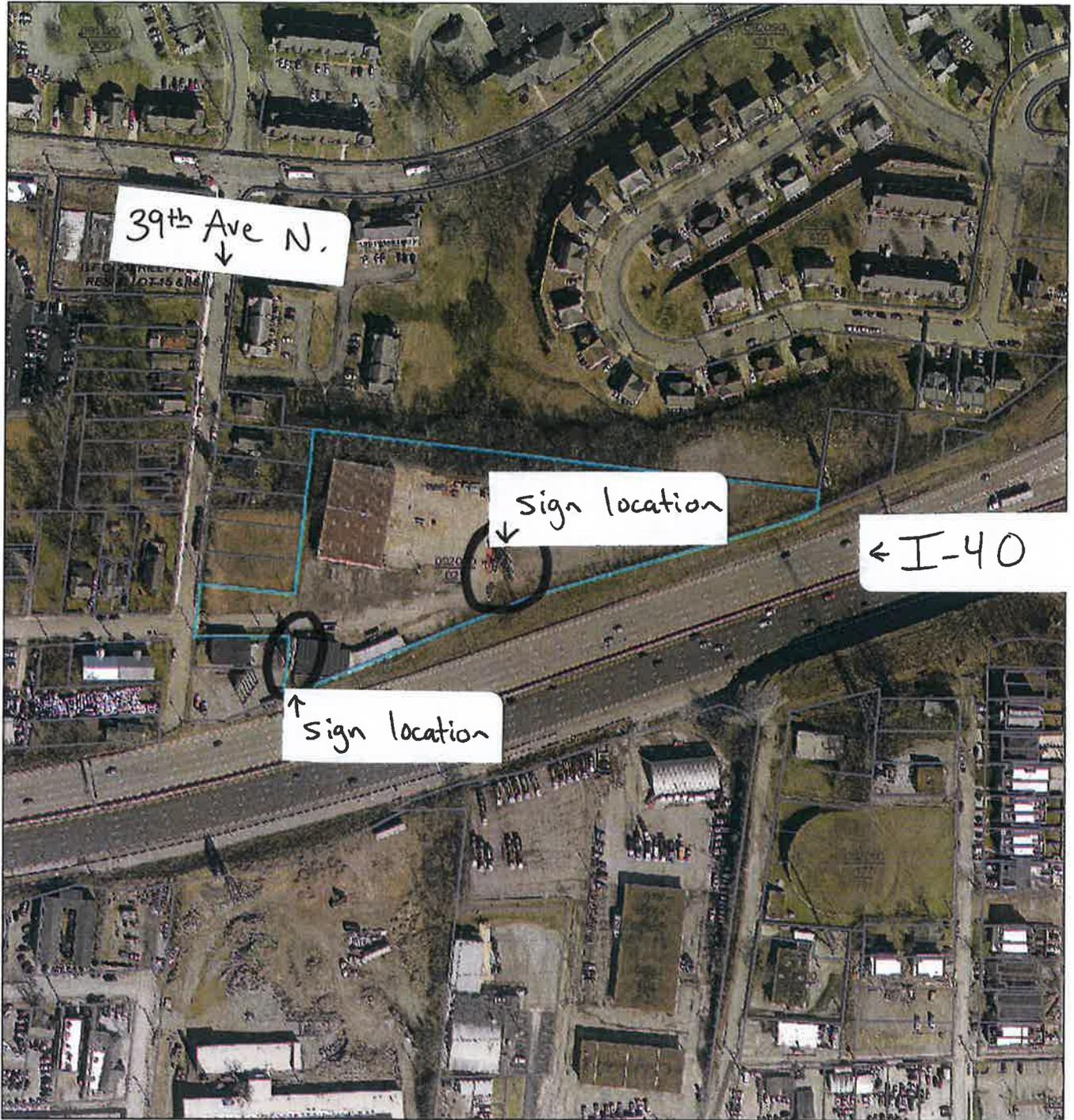
Ex 18

Google Earth

© 2020 Google

Ex 18

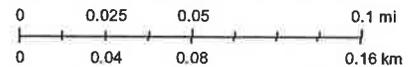
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09209002100

LOT ADDRESS: S22 39th AVENUE NORTH

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO I-40.

• LOT ORIENTED TO ?

522 39th Ave N. - Lot Address



I-40

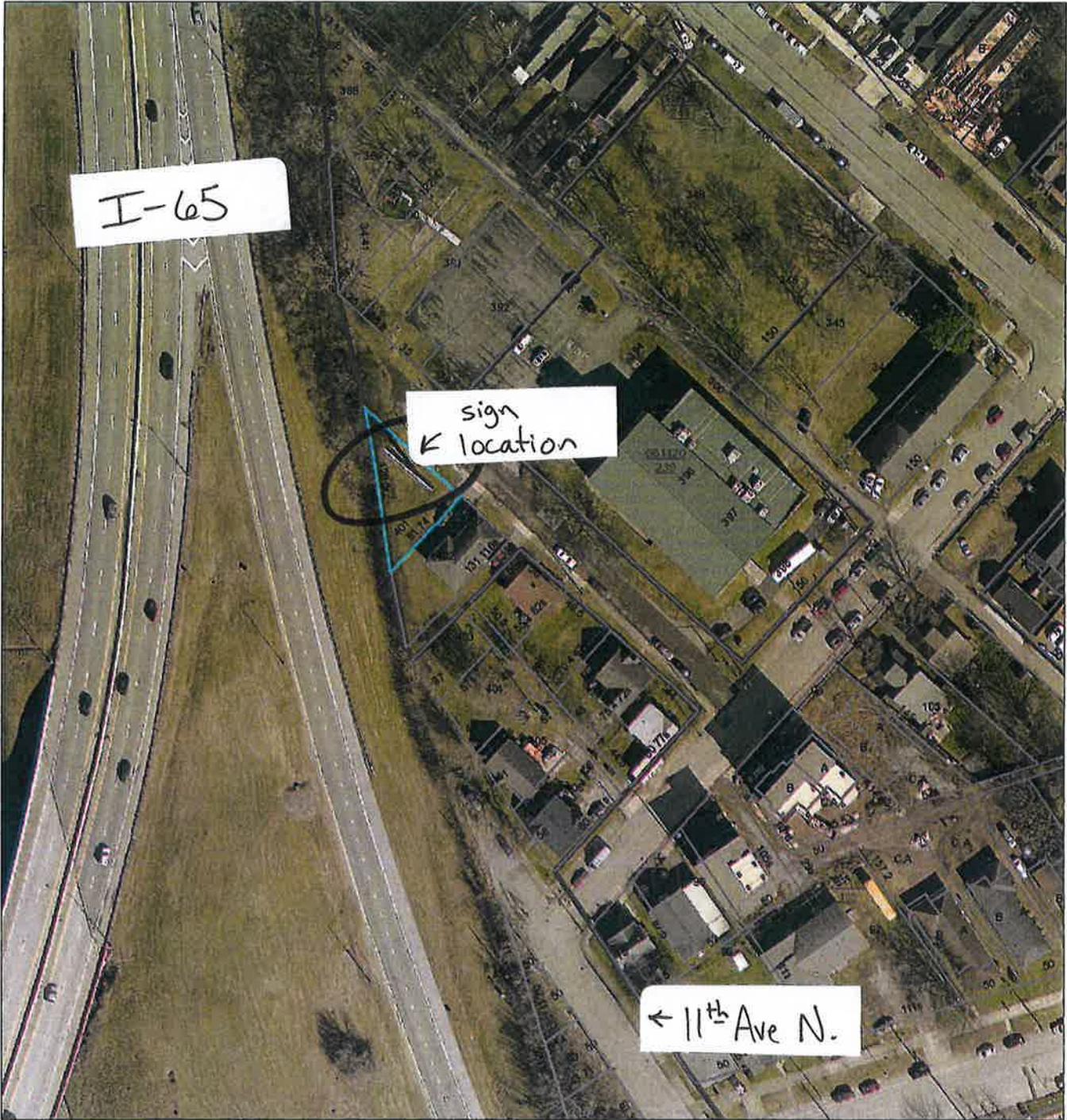
Ex 19

Google Earth

© 2020 Google

Ex 19

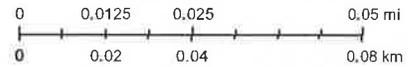
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 08116013600
 LOT ADDRESS: 1418 11th AVENUE NORTH

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO I-65.

• LOT ORIENTED TO ?

Metro GIS; Picometry International

Ex 20

Made by: Metro GIS

1418 11th Ave N. - Lot Address



I-65

Ex 20

Ex 20

Google Earth

© 2020 Google

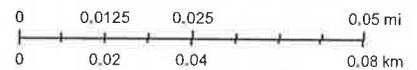
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 08112010400
 LOT ADDRESS: 1000 ARTHUR AVENUE
 * 2 LANE ROAD *

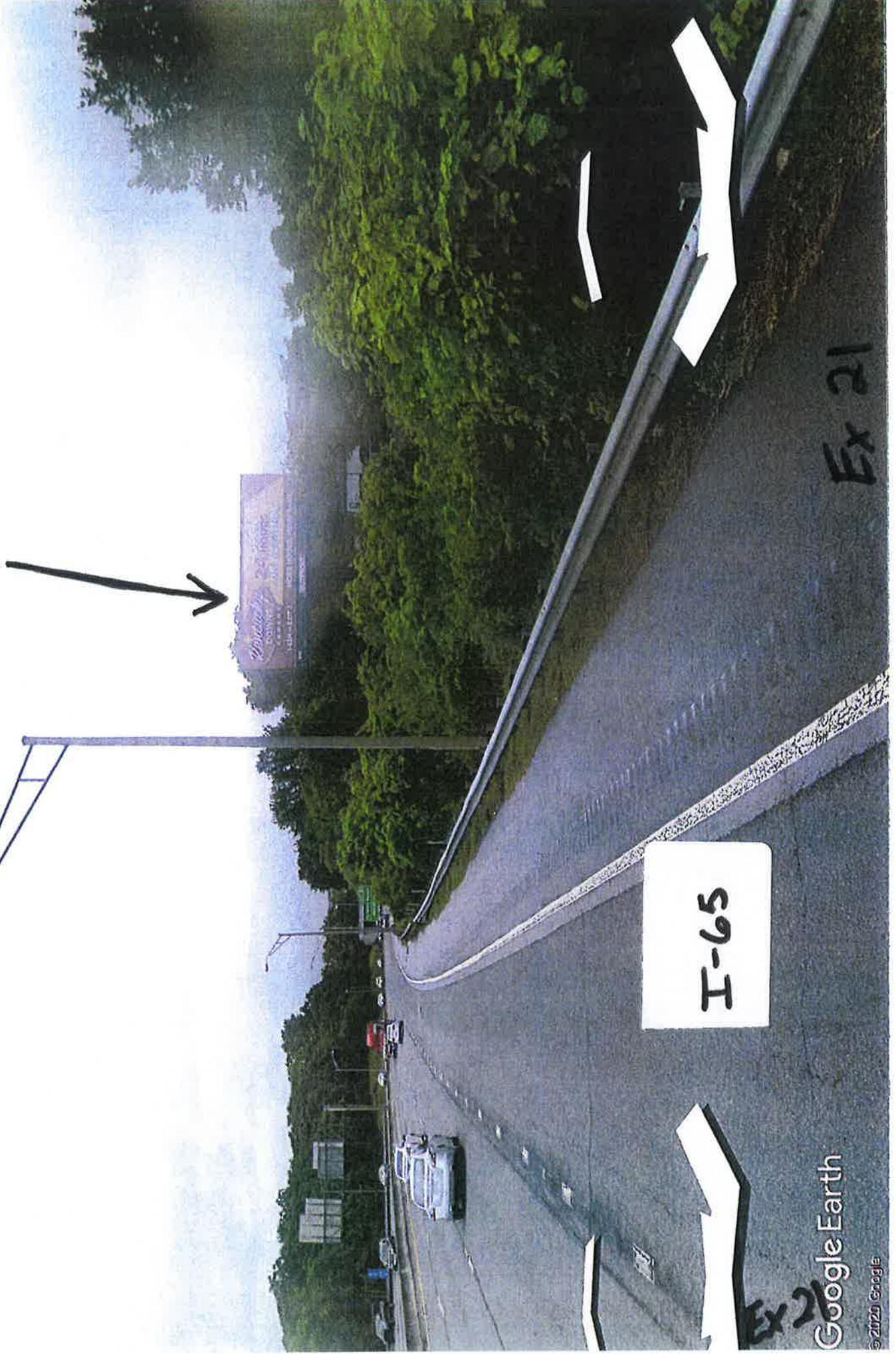
- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 21

Made by: Metro GIS

1600 Arthur Ave - Lot Address



I-65

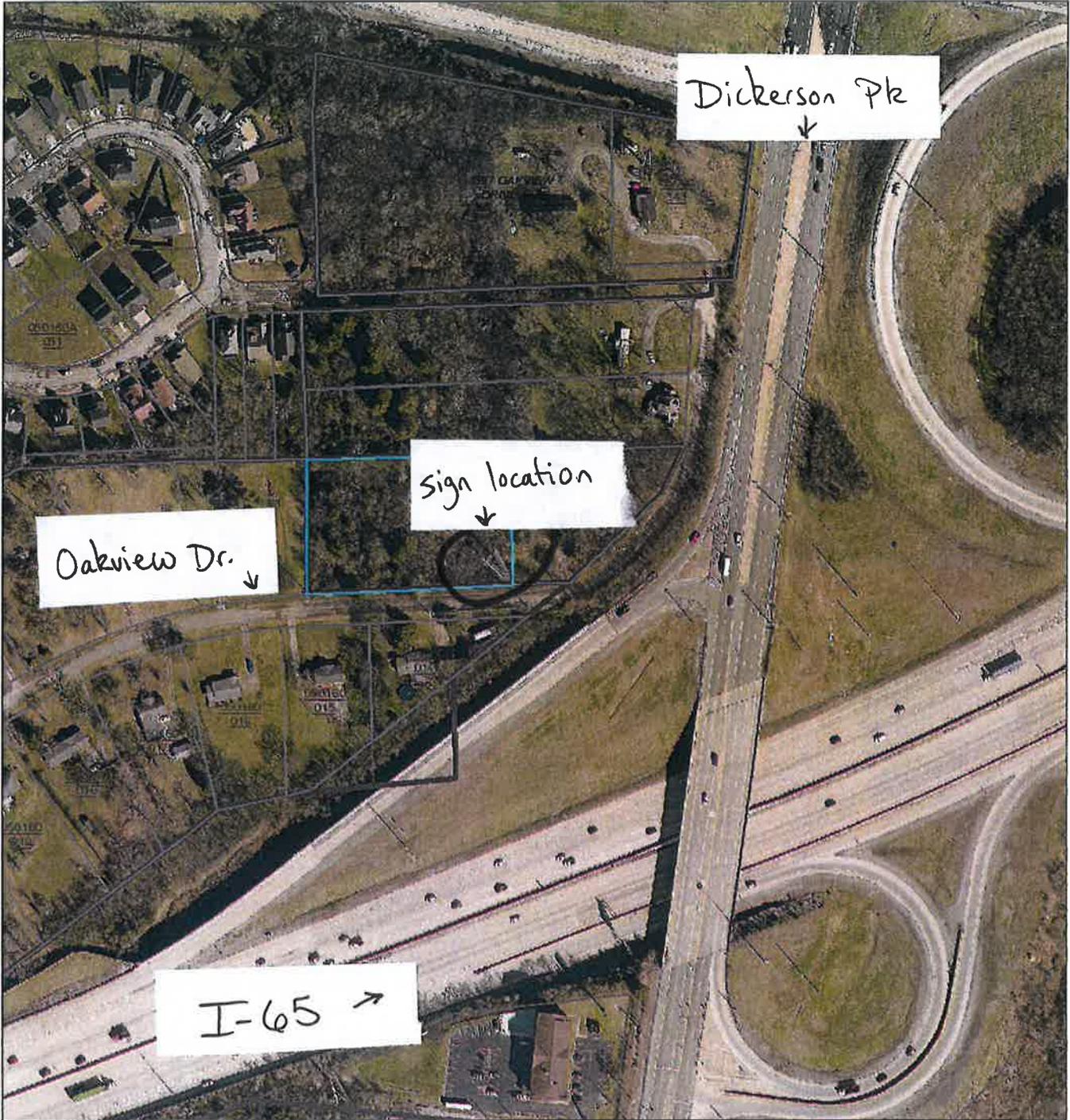
Ex 21

Ex 21

Google Earth

© 2020 Google

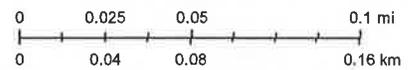
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID # : 05010002800
 LOT ADDRESS : 303 OAKVIEW DRIVE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

363 Oakview Dr. - Lot Address

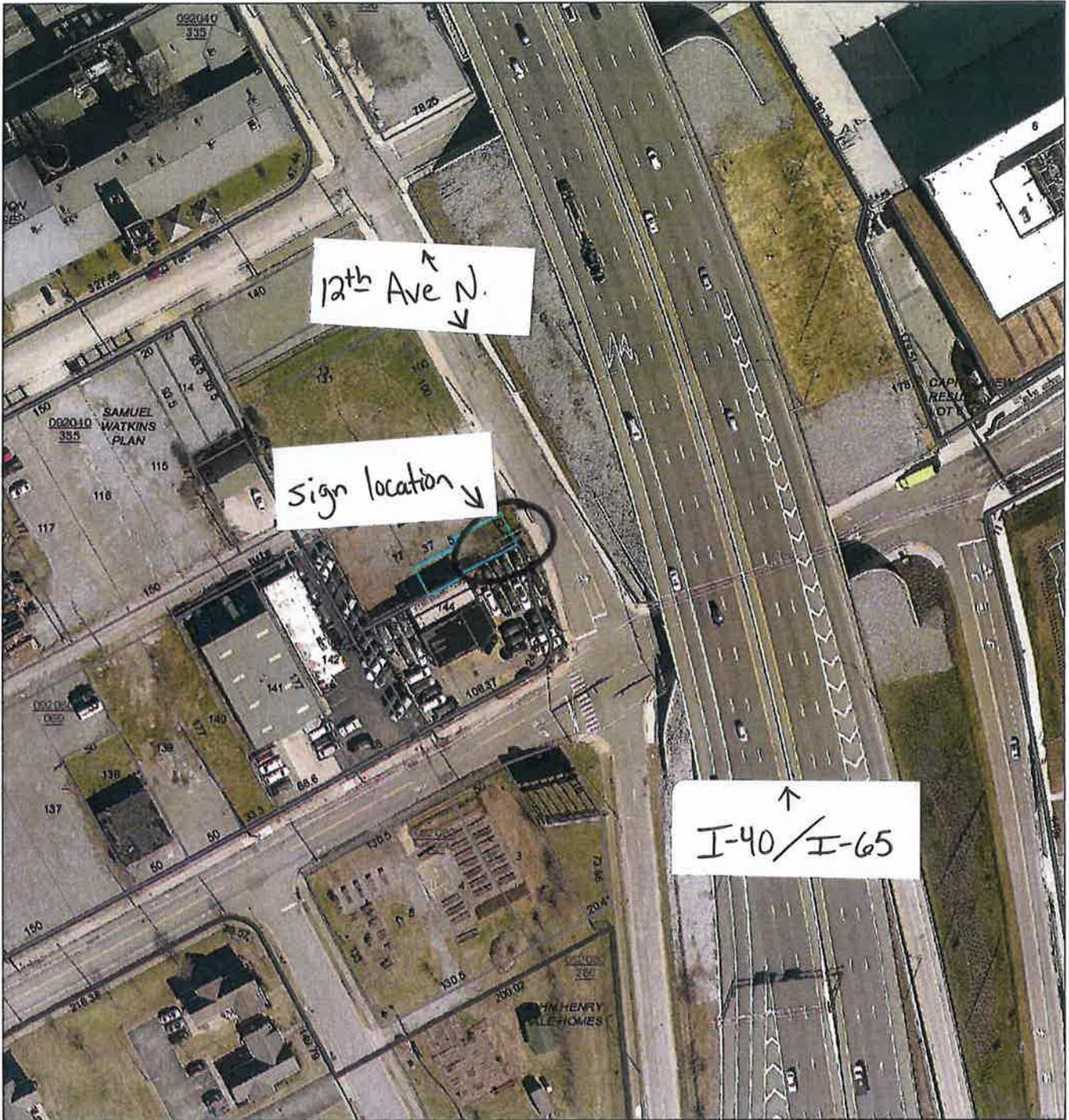


I-65

Ex 22

Ex 22
Google Earth

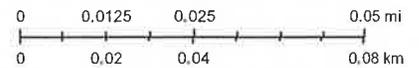
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09204035900
 LOT ADDRESS: 605 12th AVE N
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40/I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 23

Made by: Metro GIS

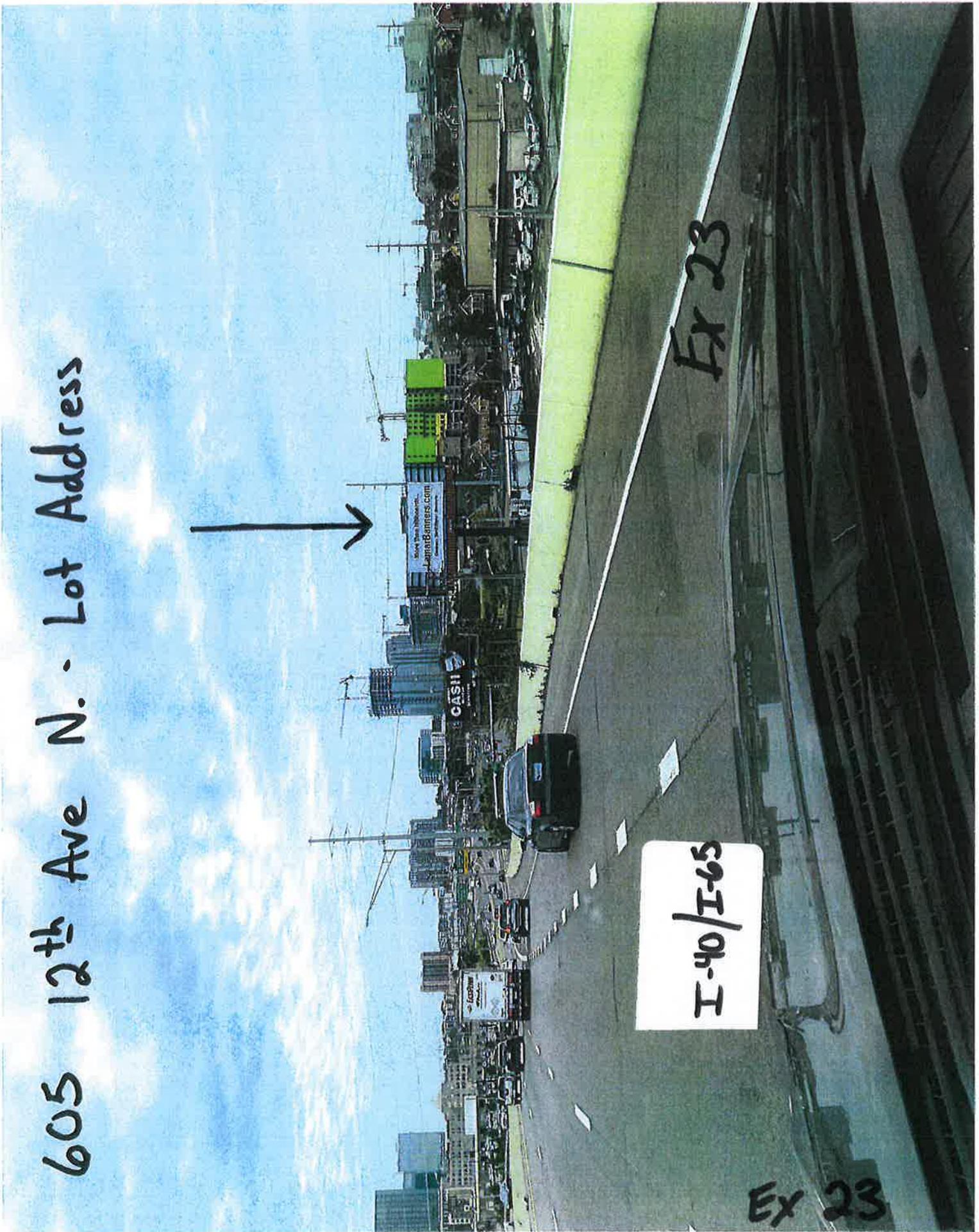
605 12th Ave N. - Lot Address



Ex 23

I-40/I-65

Ex 23



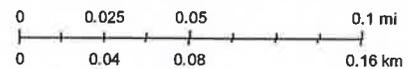
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 07114034300
 LOT ADDRESS: 1109 BRICK CHURCH
 PIKE

+ 2 LANE ROAD +

- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

1109 Brick Church Pike - Lot Address



lead
apsu.edu

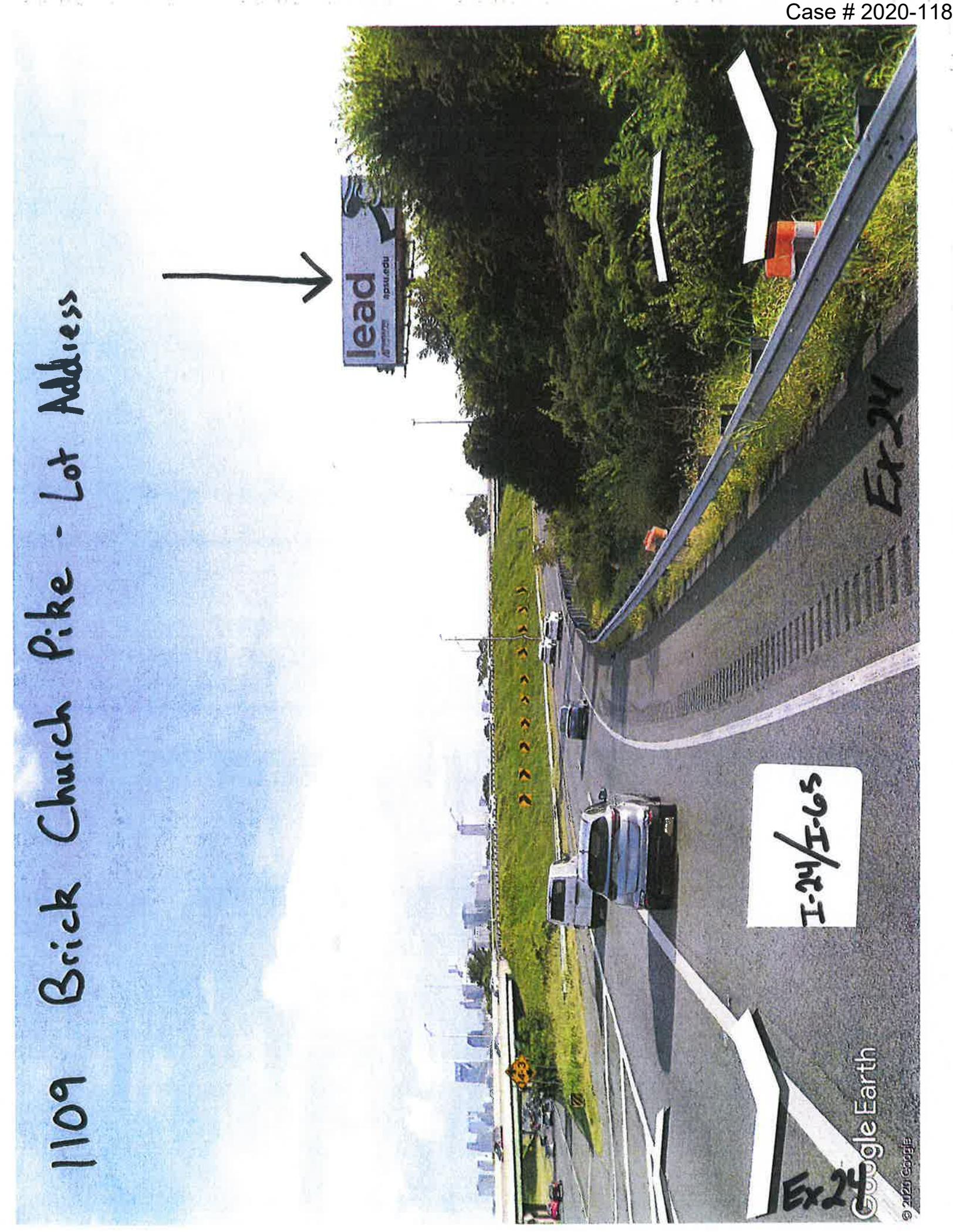
I-24/I-65

Ex-24

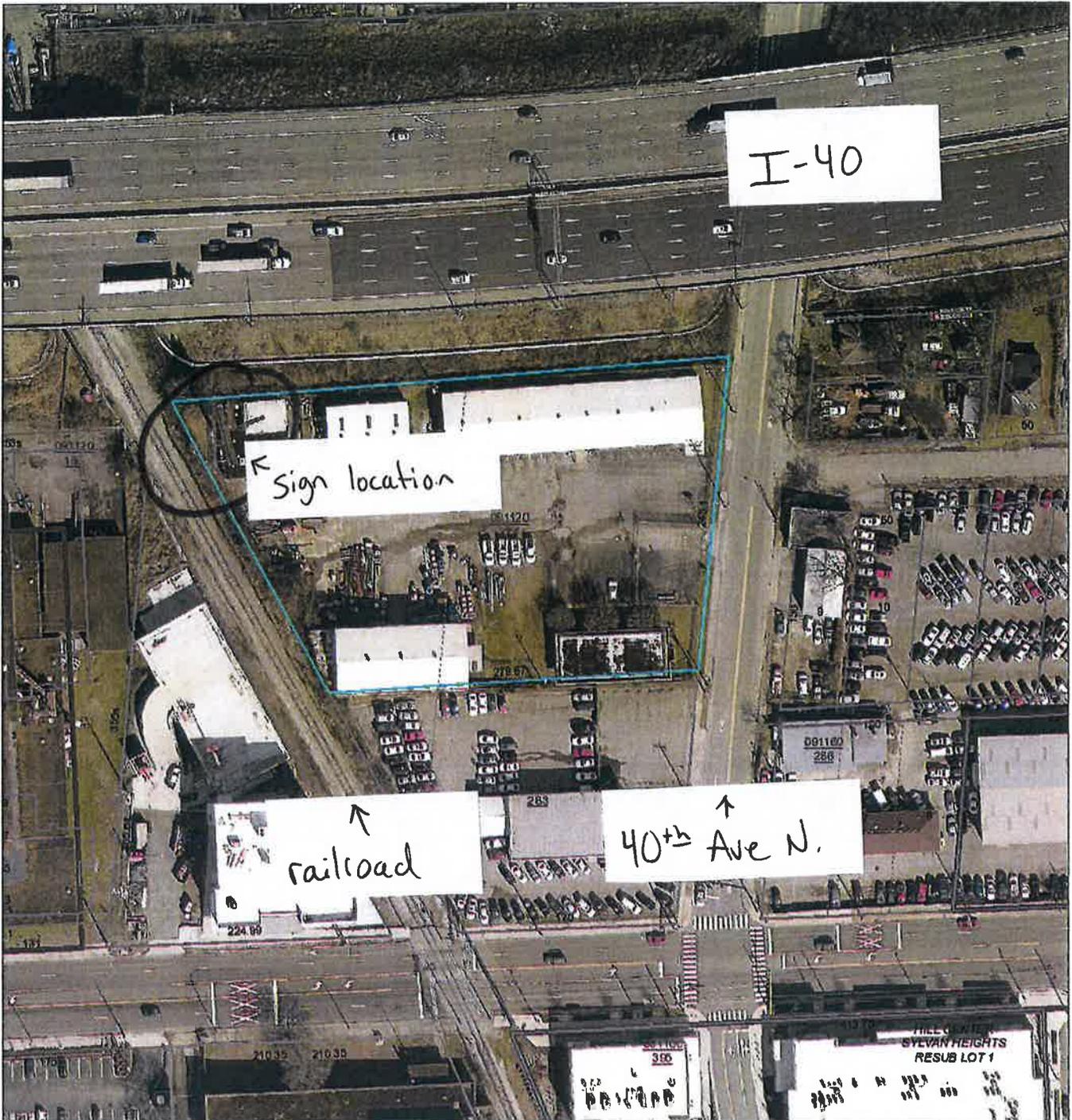
Google Earth

© 2020 Google

Ex-24



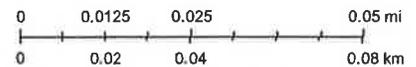
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09112027400
 LOT ADDRESS: 405 40th AVE N
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

405 40th Ave N. - Lot Address



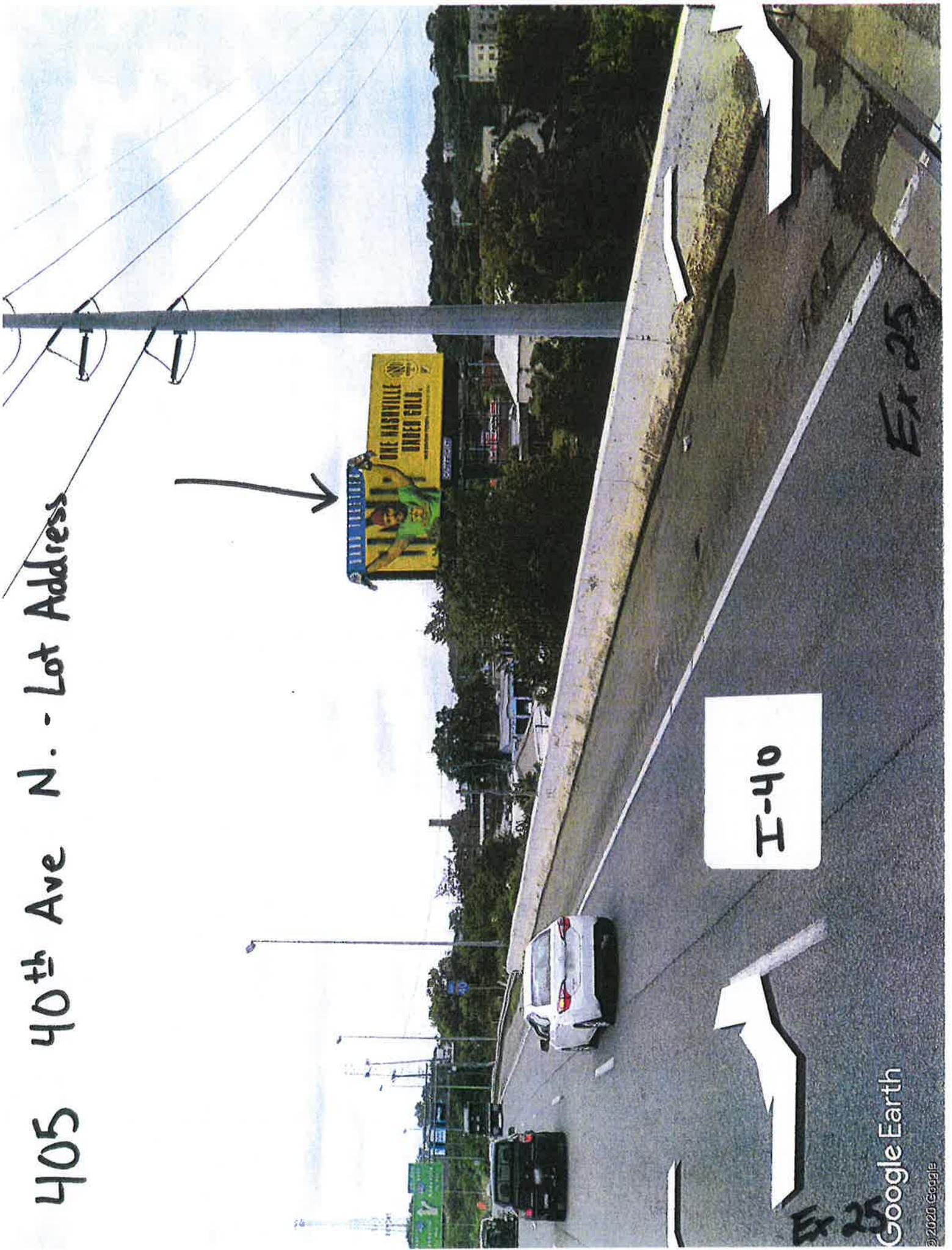
I-40

Google Earth

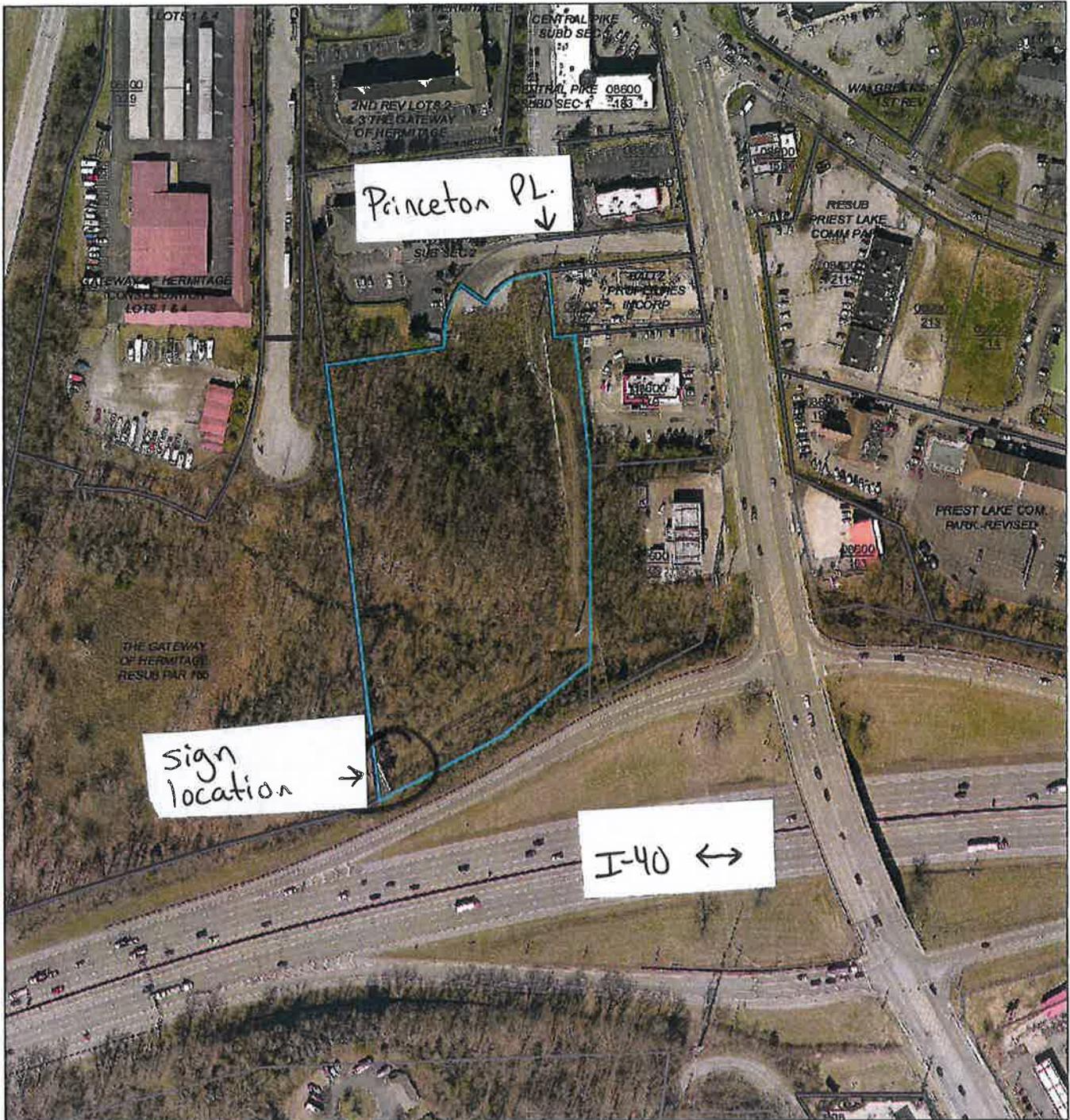
© 2020 Google

Ex 25

Ex 25



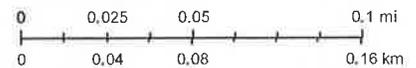
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 08600010800
 LOT ADDRESS: 0 PRINCETON PLACE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

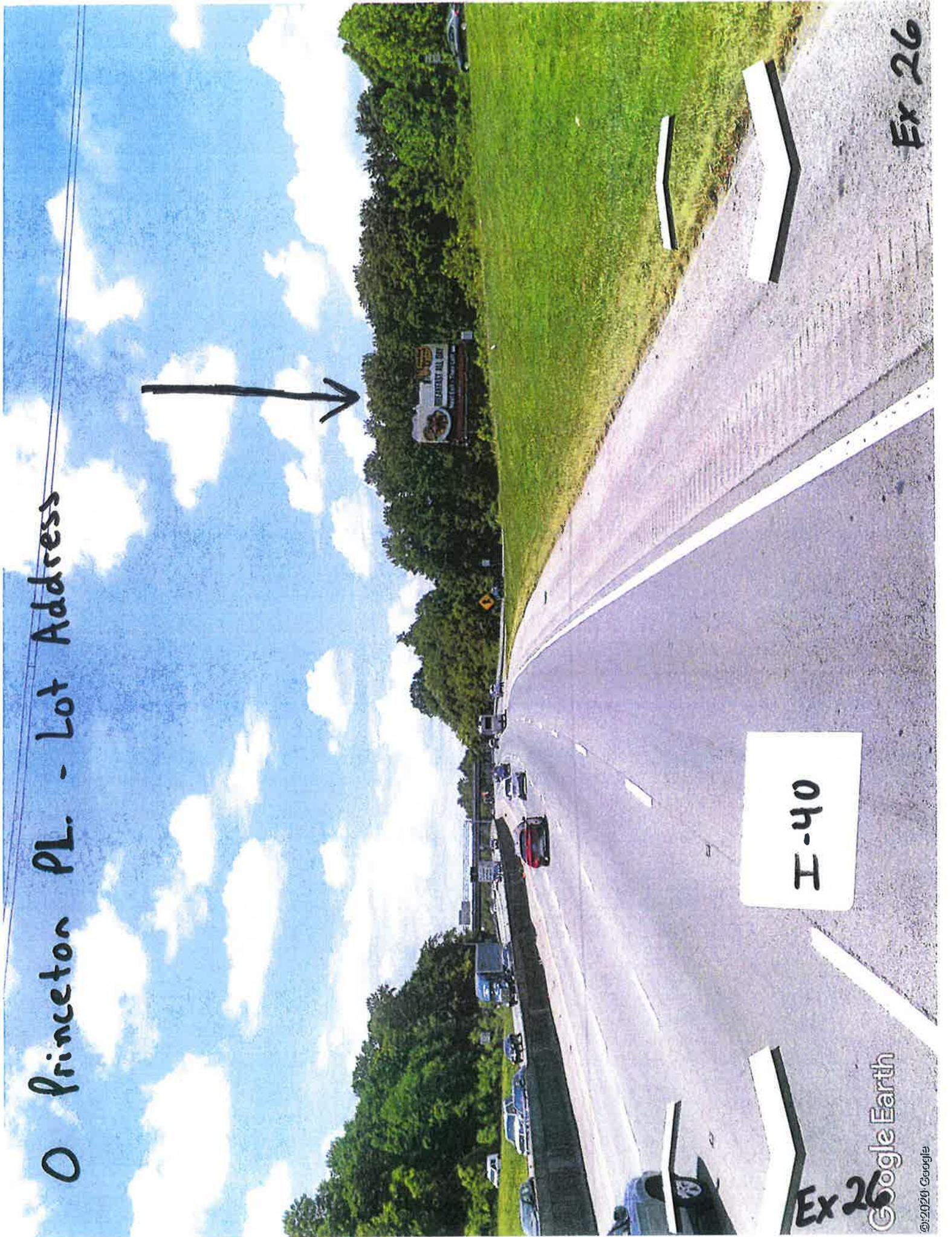
O Princeton Pl. - Lot Address



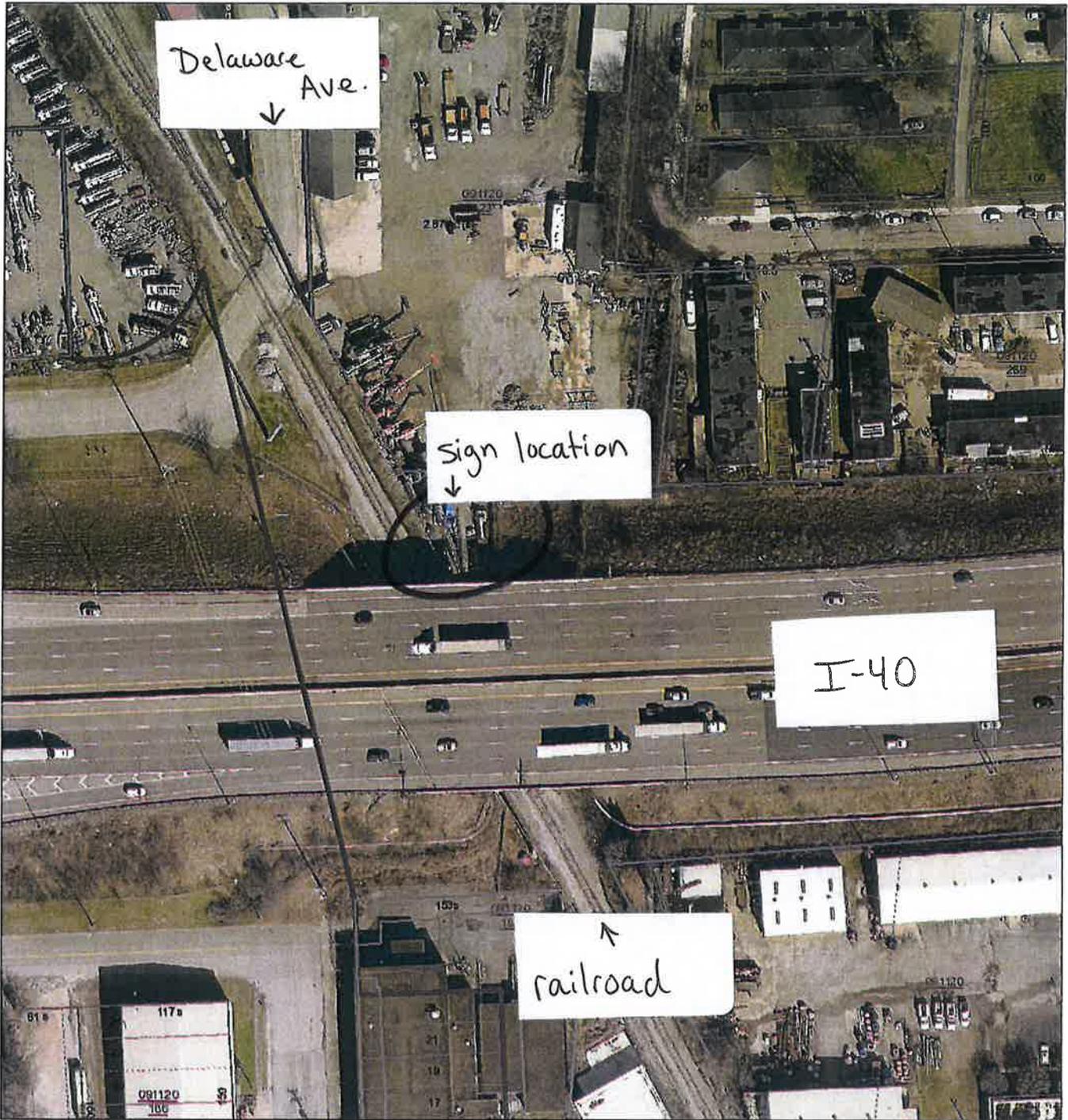
I-40

Ex 26

Ex 26 Google Earth



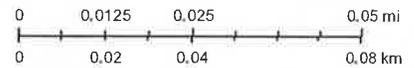
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



NO PARCEL INFO
RAILROAD PROPERTY
R.O.W. @ I-40 WEST BOUND
OFF OF DELAWARE AVE

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

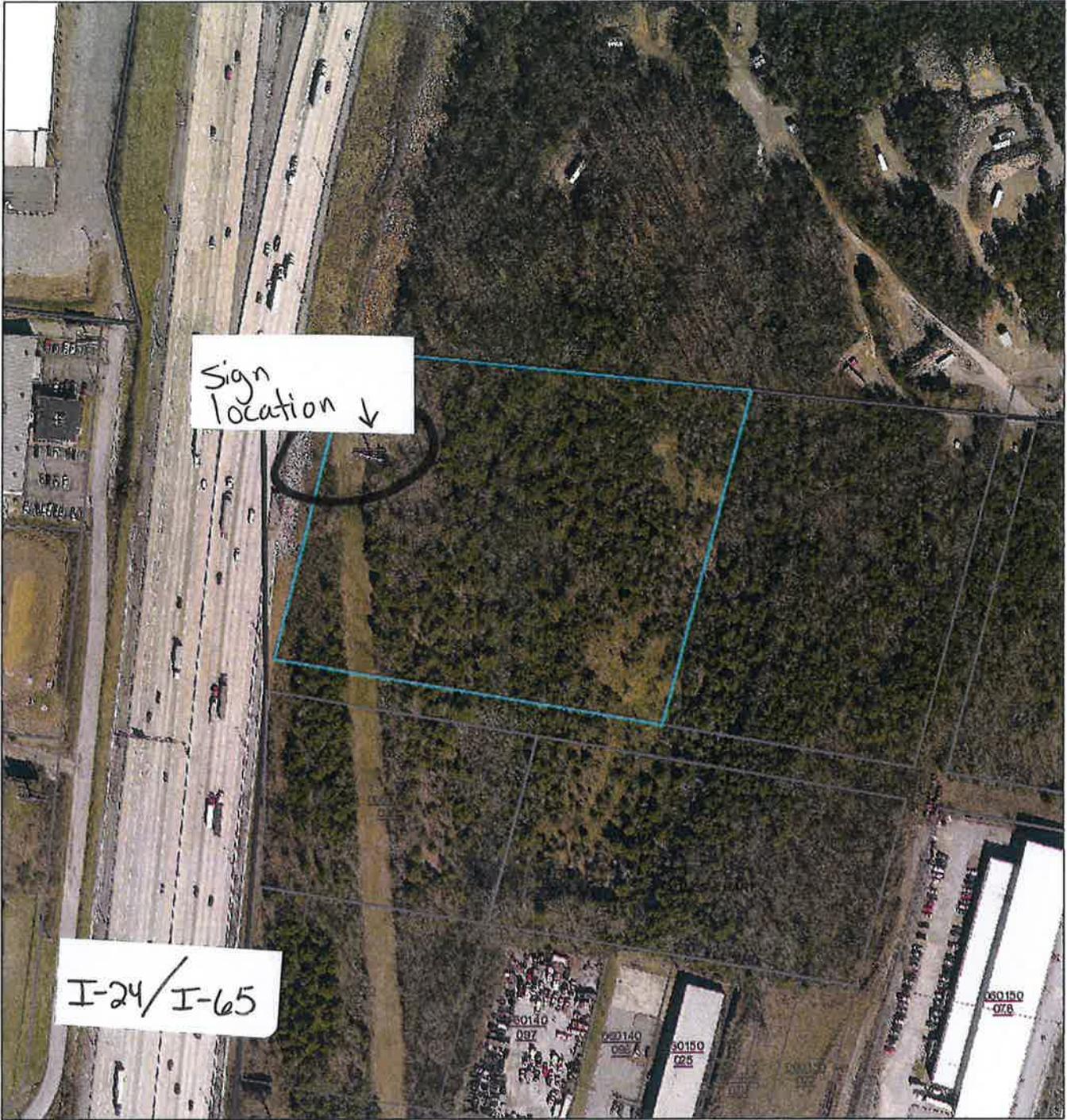
Railroad R.O.W. along
I-40 West bound off Delaware Ave.



Ex 27

Ex 28

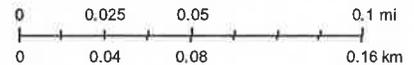
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 06014002900
 LOT ADDRESS: 0 JONES ST
 - PARCEL DOES NOT HAVE FRONTAGE ON JONES
 - JONES ST NOT VISIBLE ON MAP

- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 28

Made by: Metro GIS

0 Jones St. - Lot Address



THESE ARE ONLY ONE
MORGAN & MORGAN

I-24/I-65

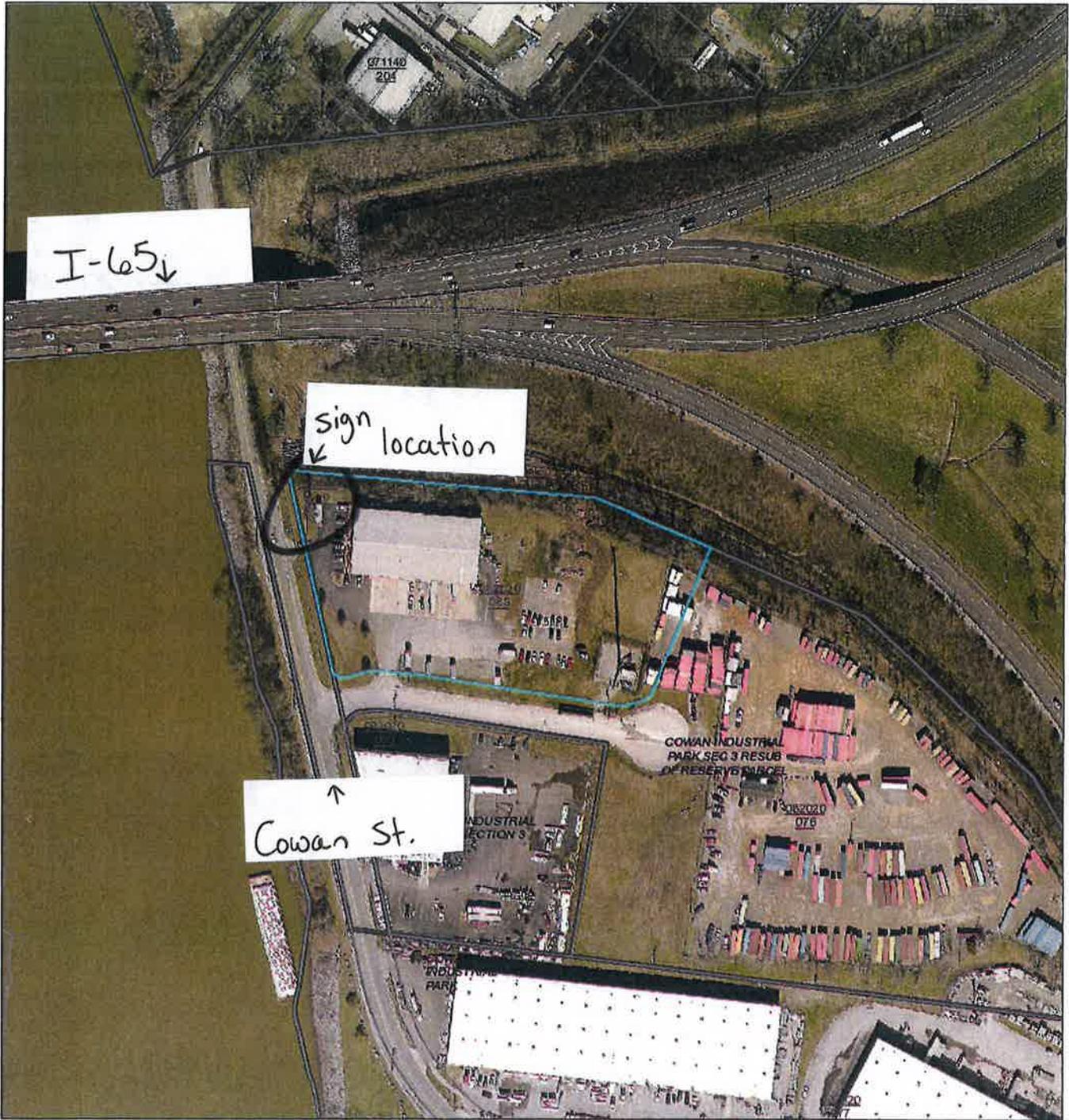
Ex 28

Google Earth

© 2020 Google

Ex 28

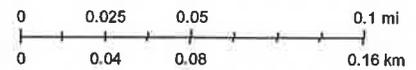
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

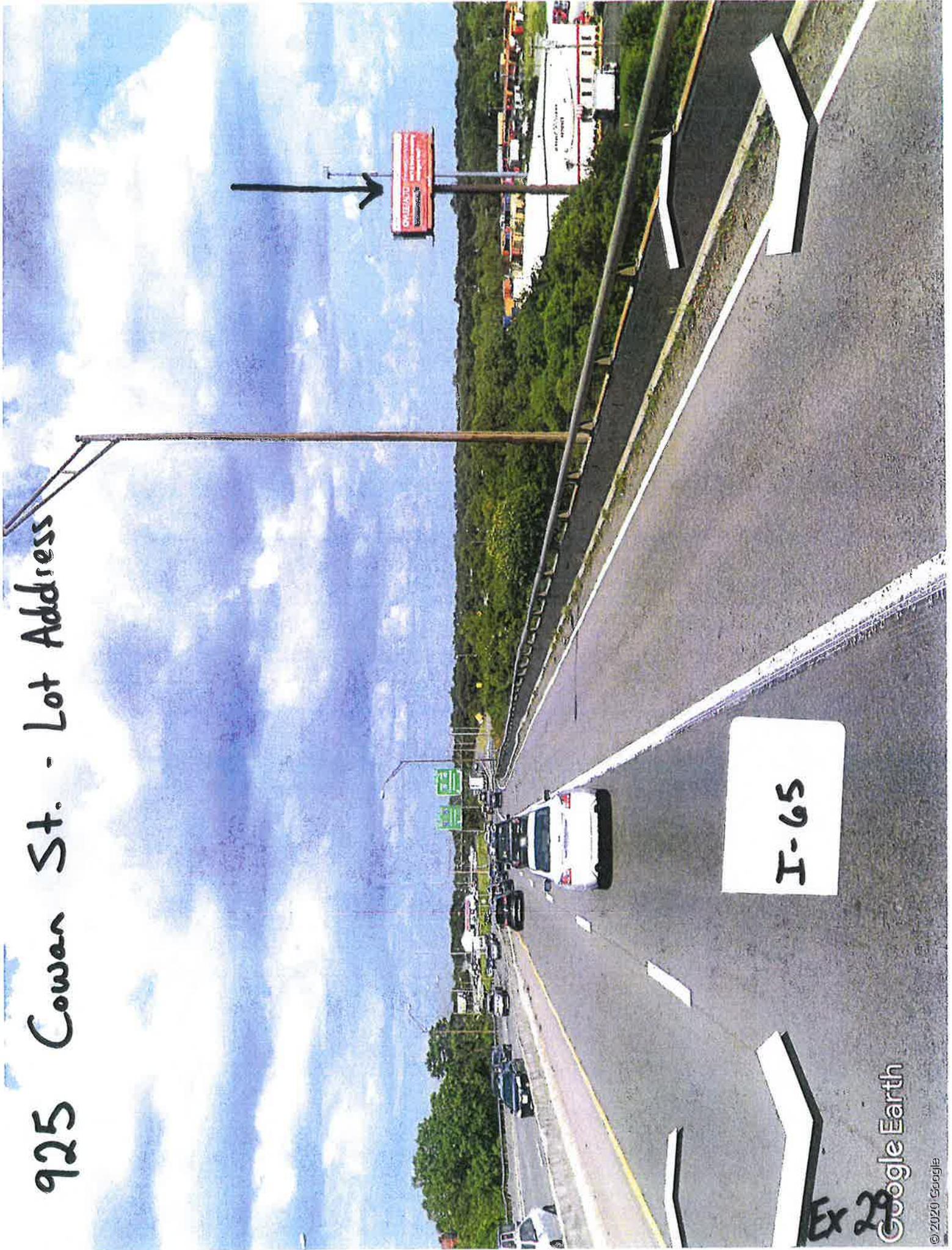
1:2,257



PARCEL ID #: 08202008900
 LOT ADDRESS: 925 COWAN ST
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?

925 Cowan St. - Lot Address



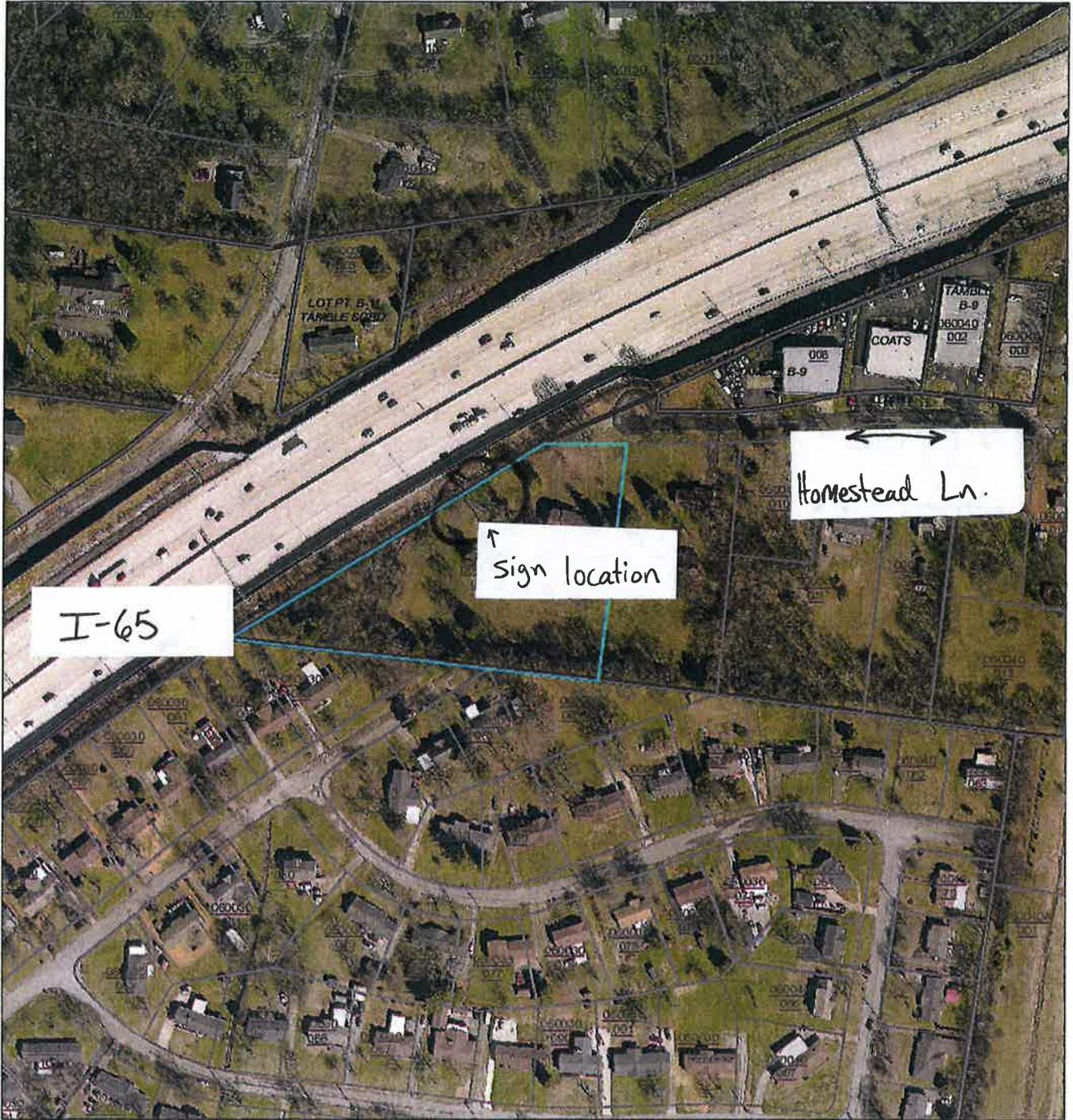
I-65

Ex 28

Google Earth

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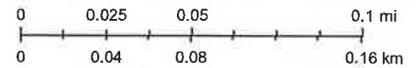
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID# : 06003002100

LOT ADDRESS : 310 HOMESTEAD ROAD

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO I-65.

• LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 30

Made by: Metro GIS

310 Homestead Rd. - Lot Address



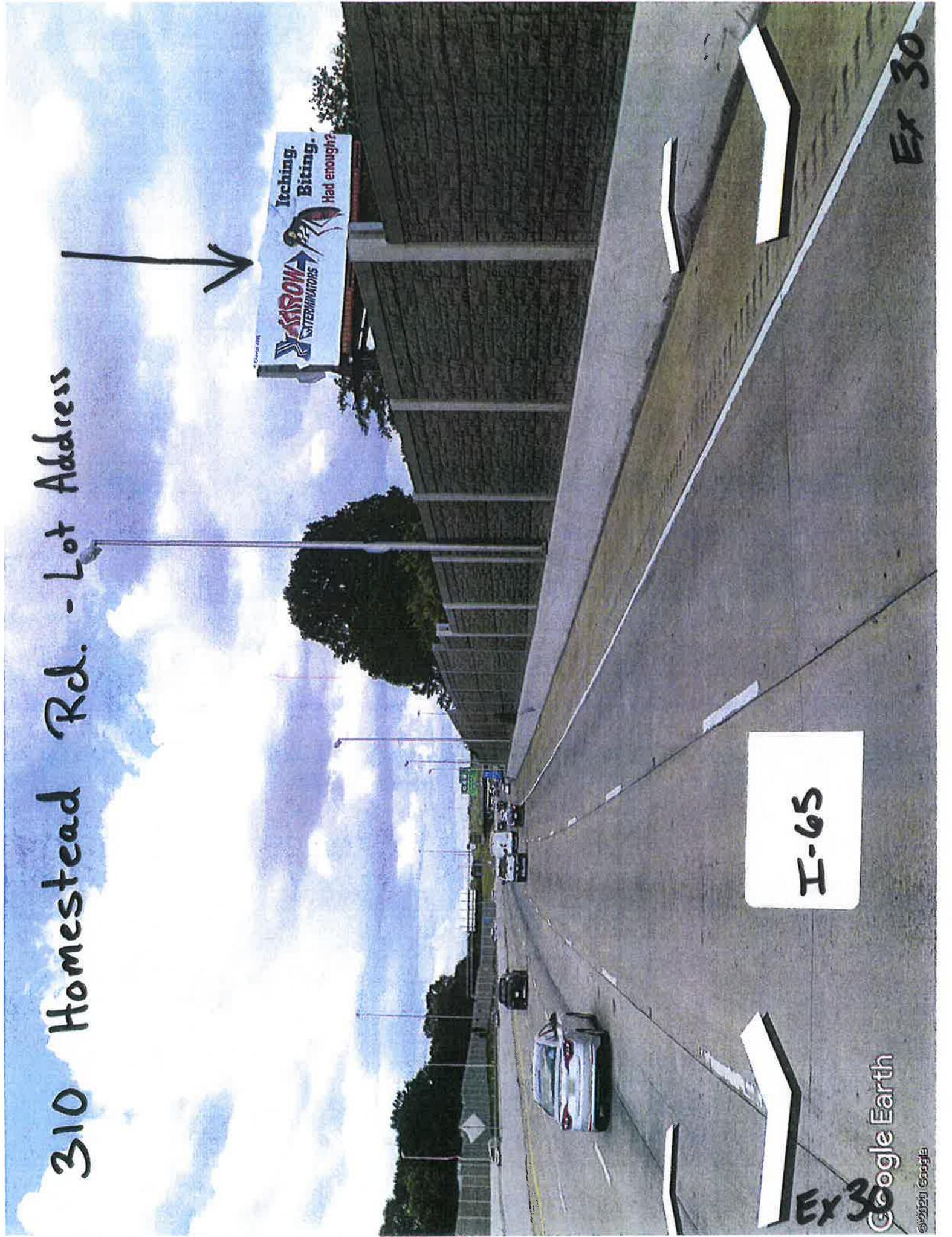
I-65

Ex 30

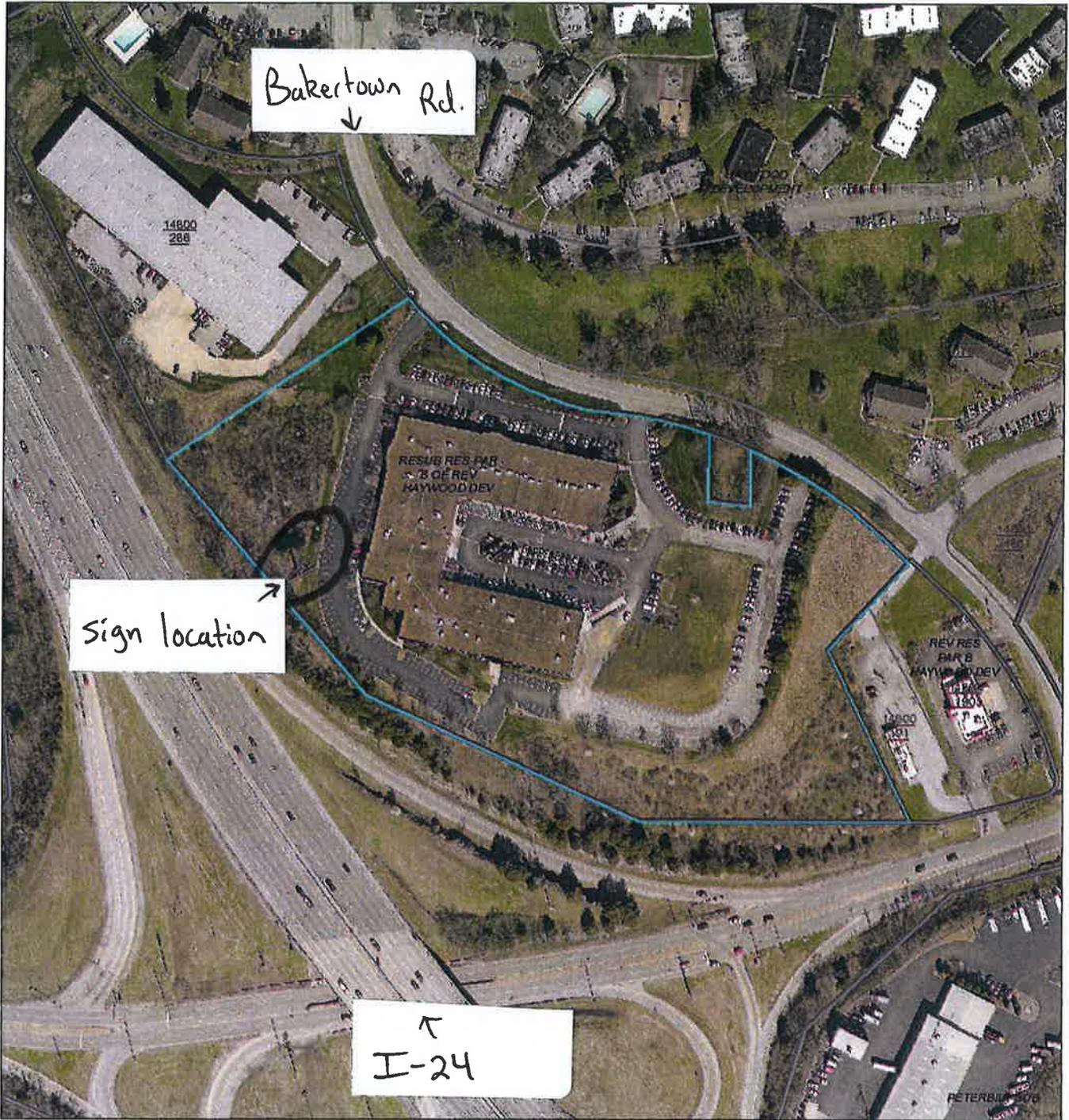
Google Earth

© 2020 Google

Ex 30



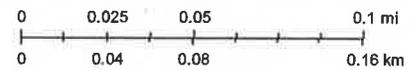
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 14800017500
 LOT ADDRESS: 601 BAKERSTOWN ROAD

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.

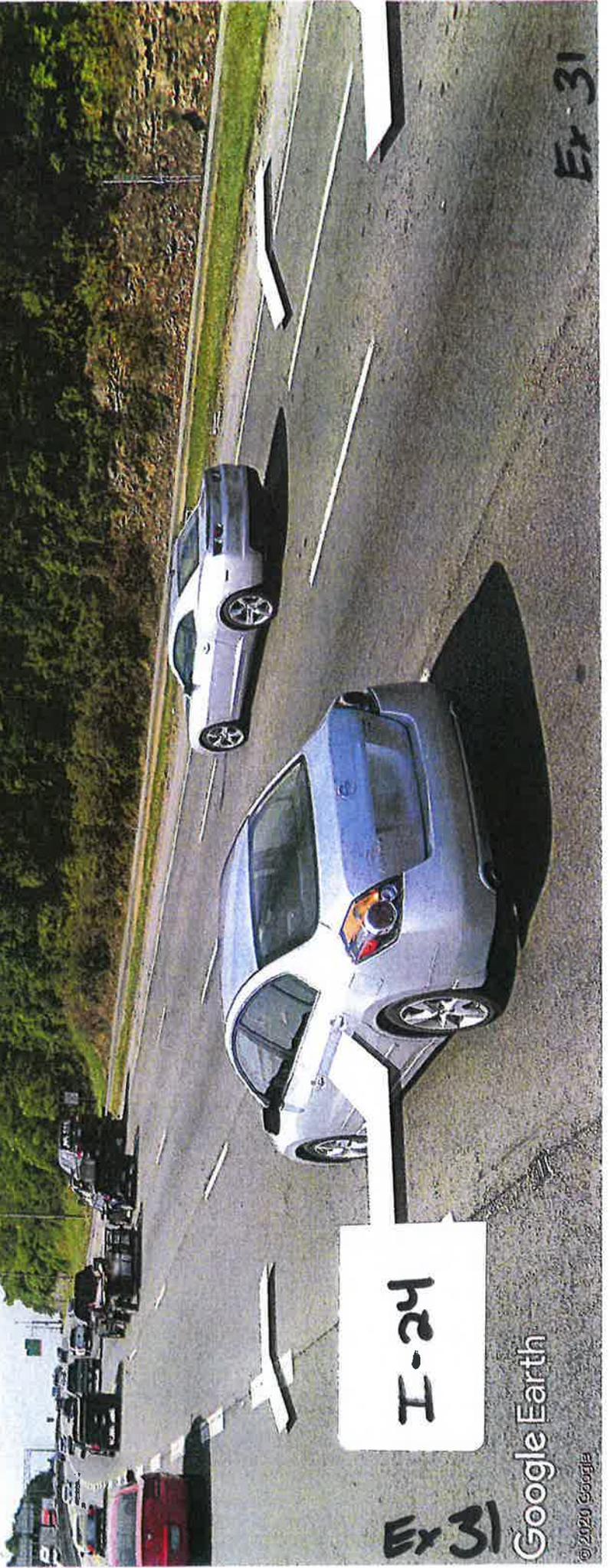
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 31

Made by: Metro GIS

601 Bakertown Rd. - Lot Address



I-24

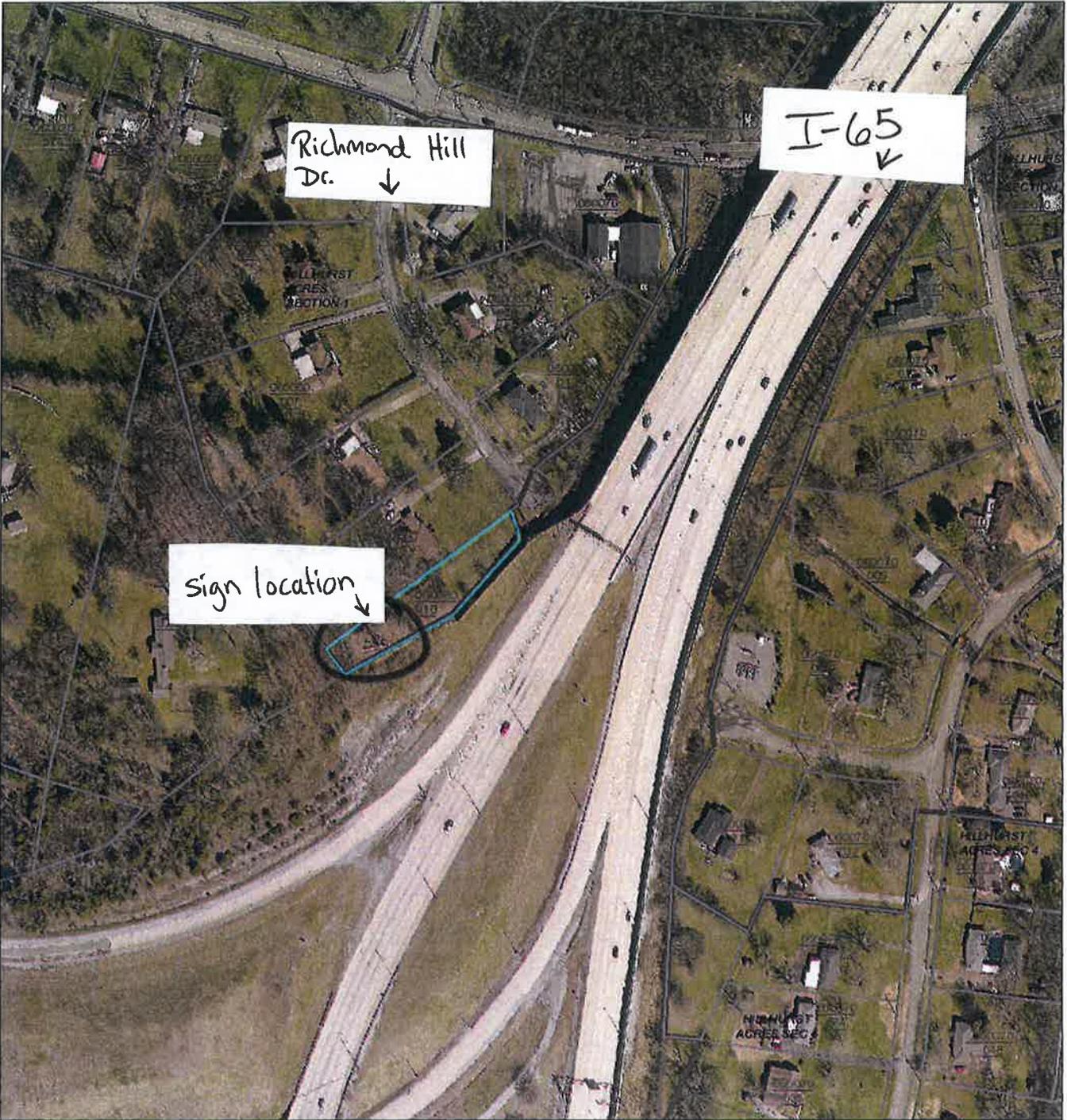
Ex 31

Ex 31

Google Earth

© 2020 Google

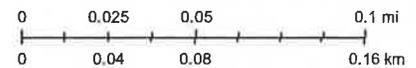
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID # : 06006001000
 LOT ADDRESS : 0 RICHMOND HILL
 DRIVE

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-65.

- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 32

Made by: Metro GIS

O Richmond Hill Dr. - Lot Address



EXIT 68 WEST 24 Clarksville EXIT ONLY

EAST 24 SOUTH 65 Nashville

I-65

Ex 32

Google Earth

© 2020 Google

Ex 32

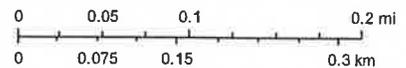
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: 06000002400
 LOT ADDRESS: 2815 BRICK CHURCH PIKE

- LOT DOES NOT FRONT BRICK CHURCH PIKE

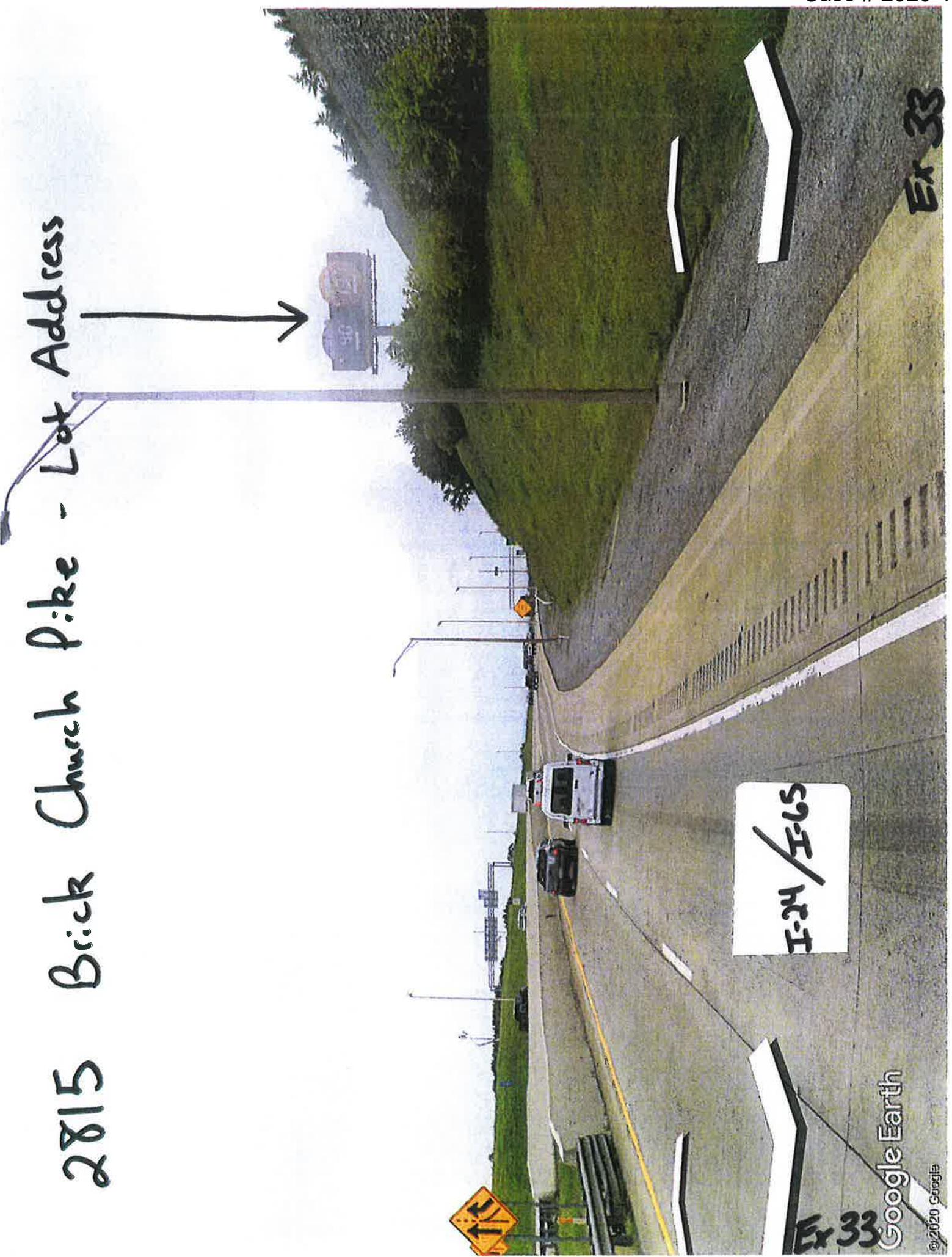
- BILLBOARD ORIENTED TO I-24 | I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 33

Made by: Metro GIS

2815 Brick Church Pike - Lot Address



I-24 / I-65

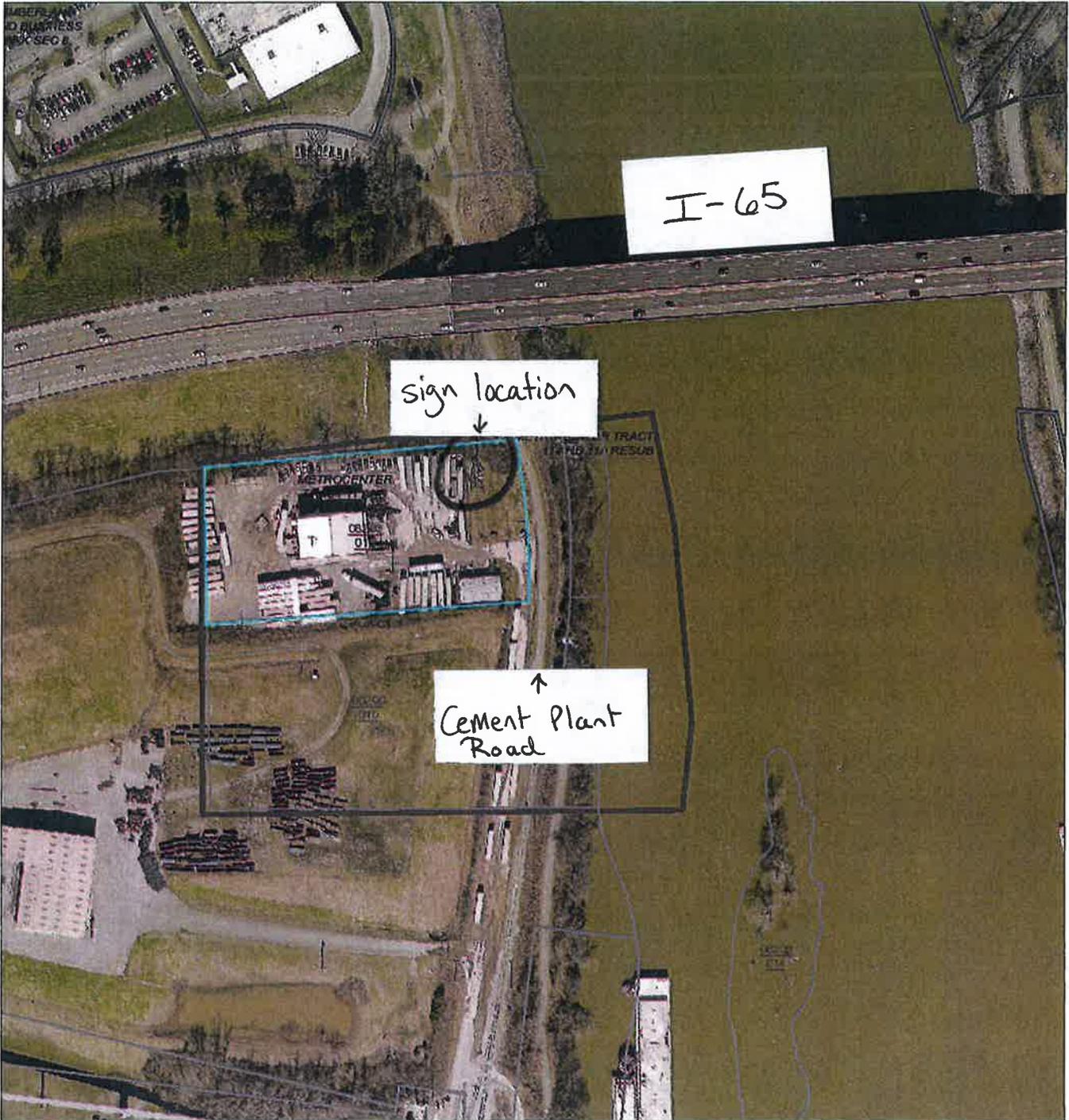
Ex 33

Google Earth

©2020 Google

Ex 33

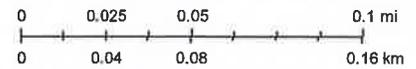
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 082 0000 | 500
 LOT ADDRESS: 1941 CEMENT
 PLANT ROAD

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO I-65.

• LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 34

Made by: Metro GIS

1941 Cement Plant Rd. - Lot Address



Cumberland River

I-65

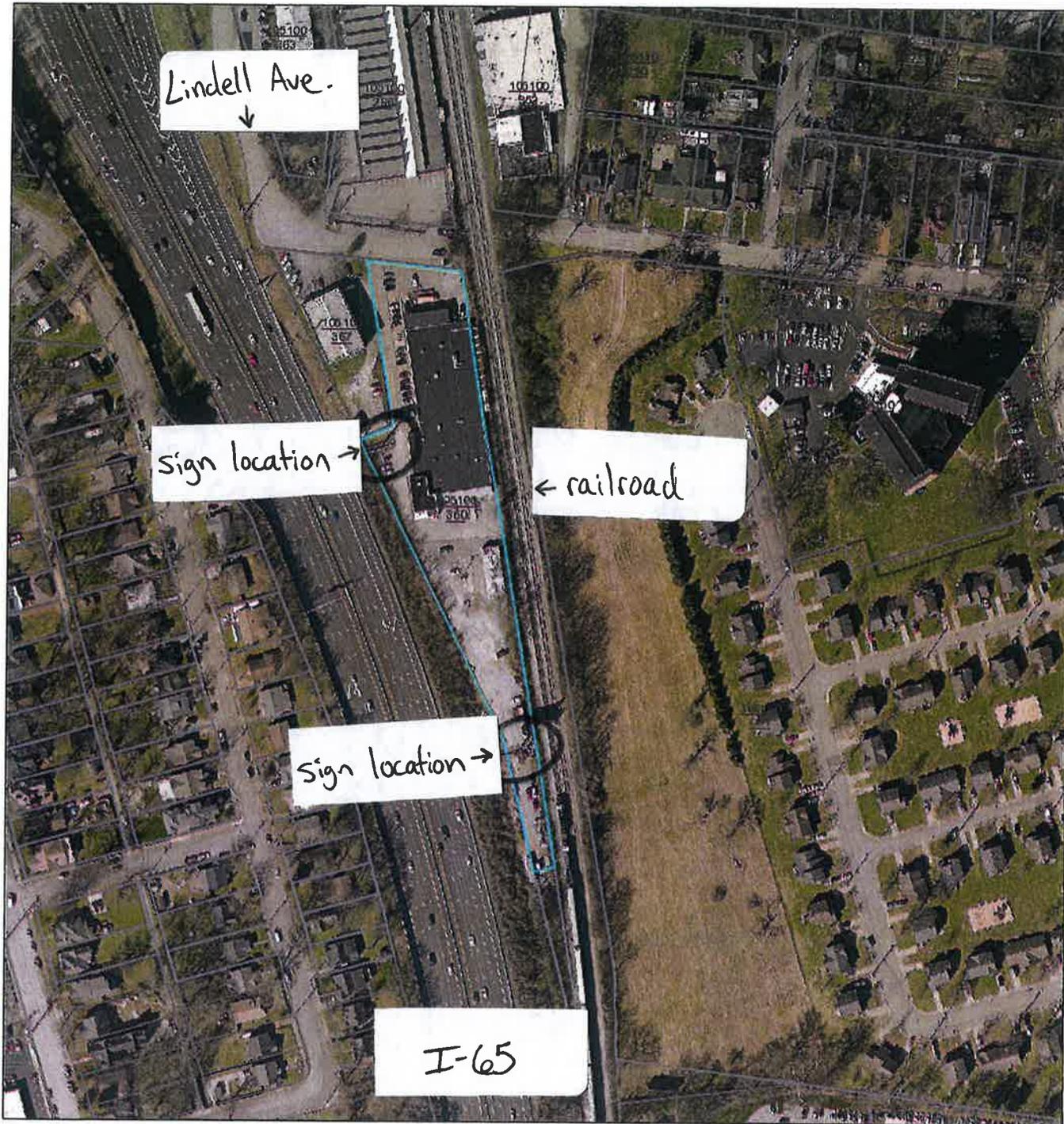
Ex 34

Google Earth

© 2021 Google

Ex 34

Nashville / Davidson County Parcel Viewer

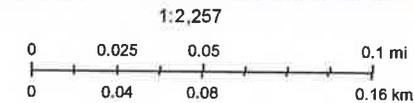


July 27, 2020

Ownership Parcels

PARCEL ID # : 10S10036000
 LOT ADDRESS : 2020 LINDELL AVENUE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?



Metro GIS; Pictometry International

2020 Lindell Ave - Lot Address



I-65

Google Earth

© 2021 Google

Ex 35

Ex 35

5916 Robertson Ave - Lot Address



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Patch - Computer - Sales
Books - Plants & Pests
www.livingearth.net
WE DELIVER!!
SOUTH BRUNSWICK, NJ

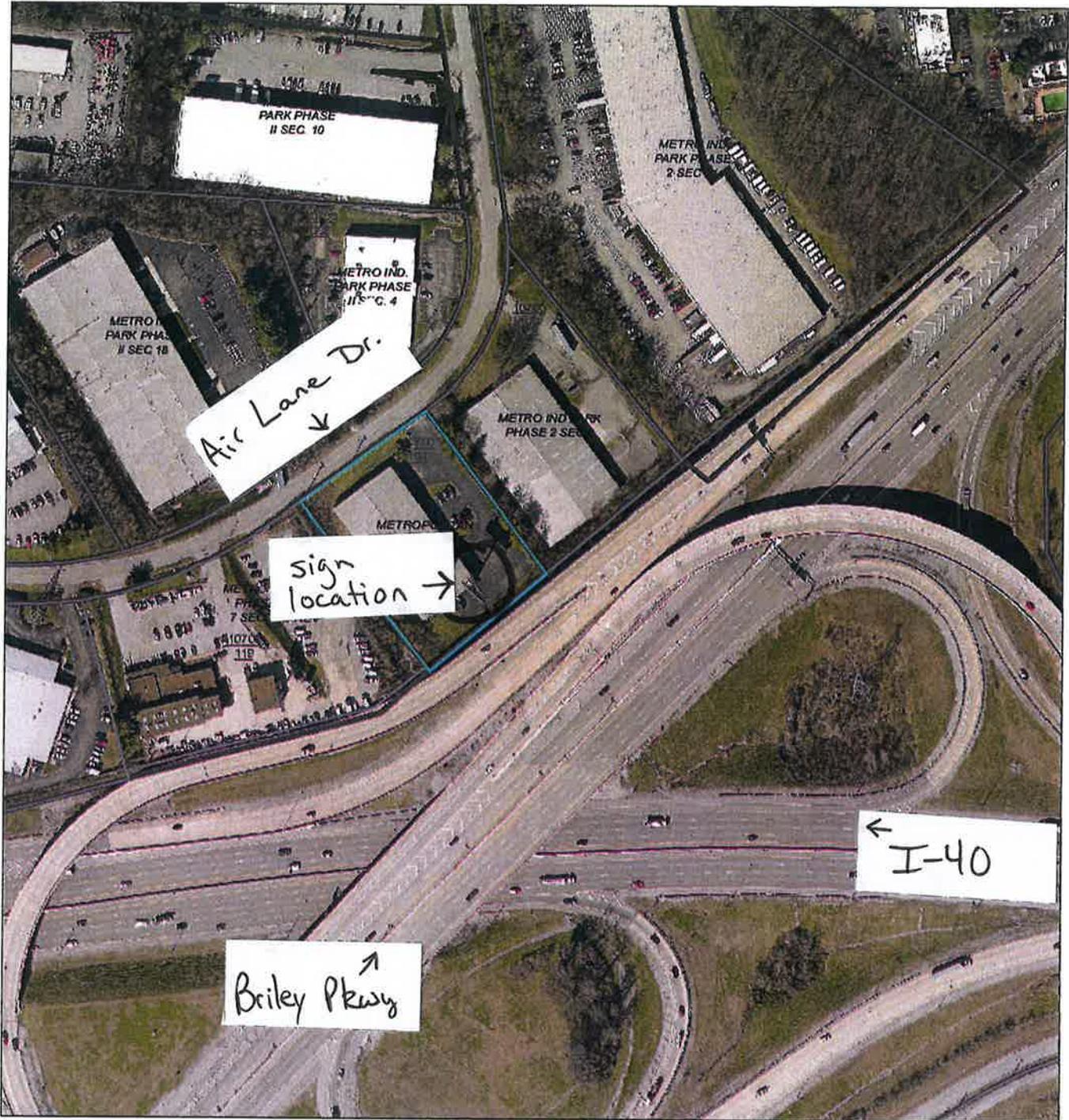
CLUBSMART

Biley
Parkway

Ex 36
Google Earth

Ex 36

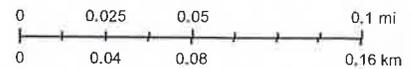
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID # : 10700010100

LOT ADDRESS : 1903 AIR LANE DRIVE

* 2 LANE ROAD *

• BILLBOARD ORIENTED TO BRILEY.

• LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 37

Made by: Metro GIS

1903 Air Lane Dr.
- Lot Address



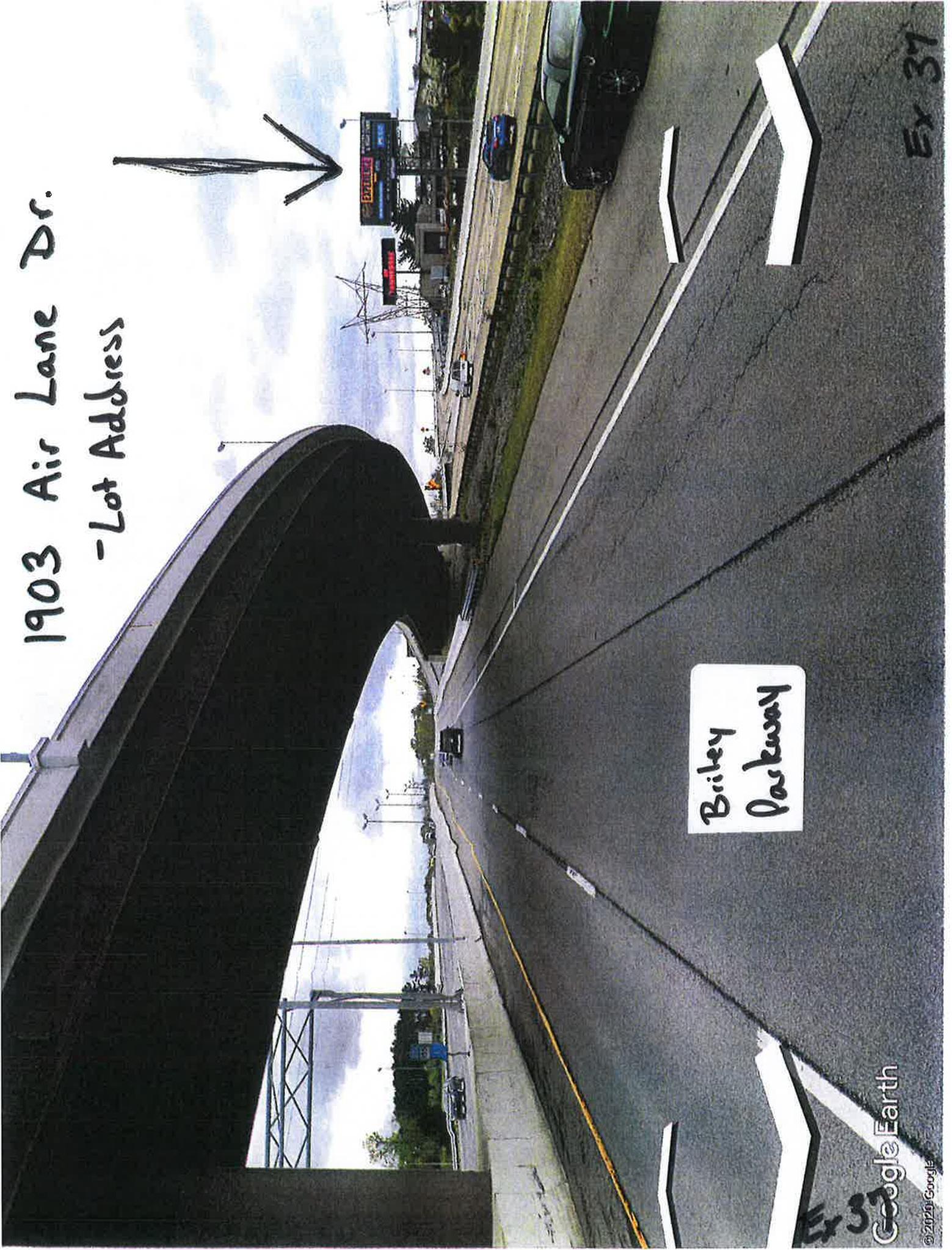
Bribery
Parkway

Ex 37

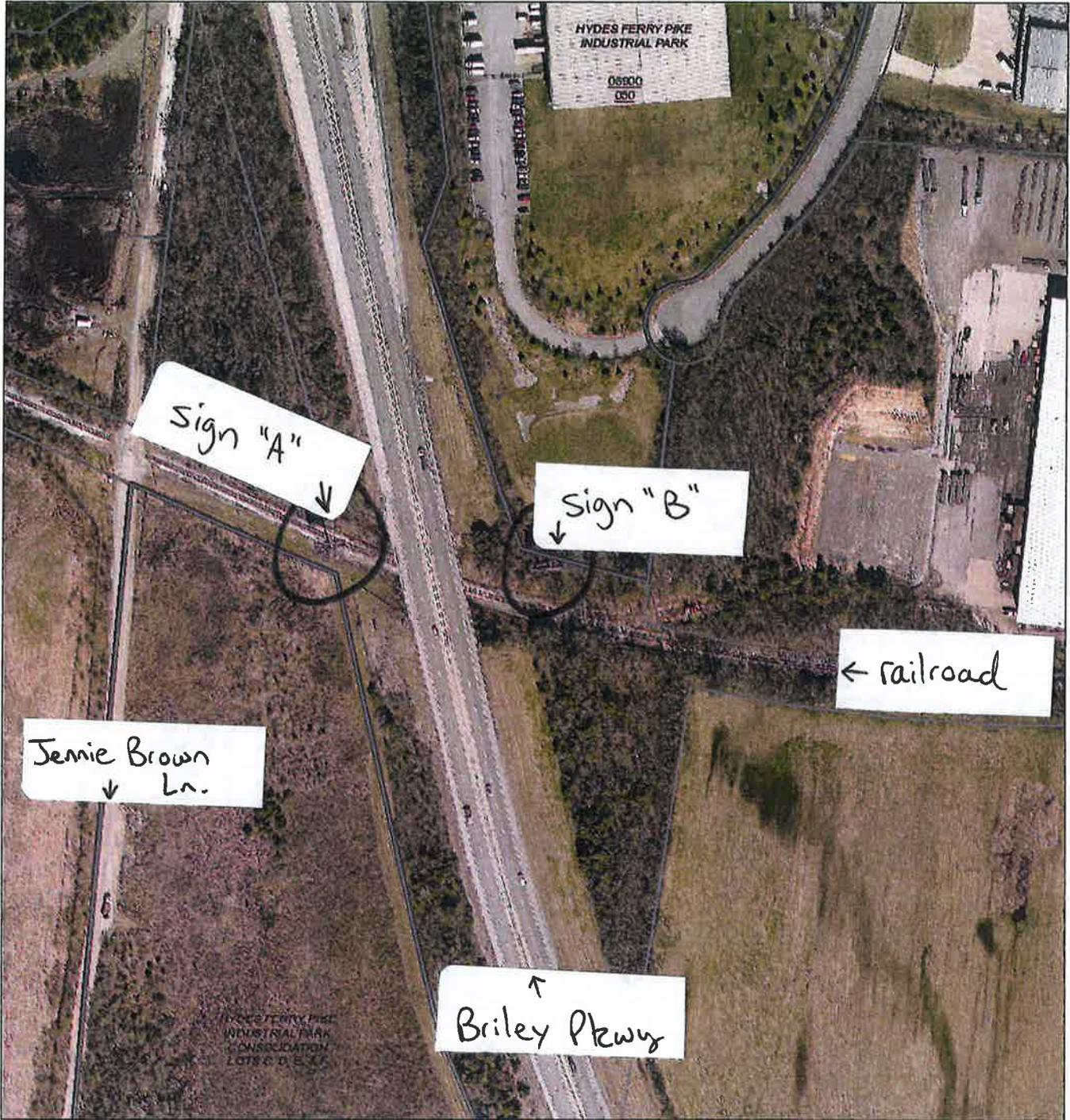
Ex 37

Google Earth

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Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

PARCEL INFO NOT AVAILABLE.
RAILROAD PROPERTY
R.O.W. @ BRILEY PARKWAY
EAST OF JENNIE BROWN
LANE

- BILLBOARD(S) ORIENTED TO BRILEY
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 38

Made by: Metro GIS

Railroad R.O.W. Bailey Pkwy
east of Jennie Brown Ln.

(A)



(B)



Bailey
Parkway

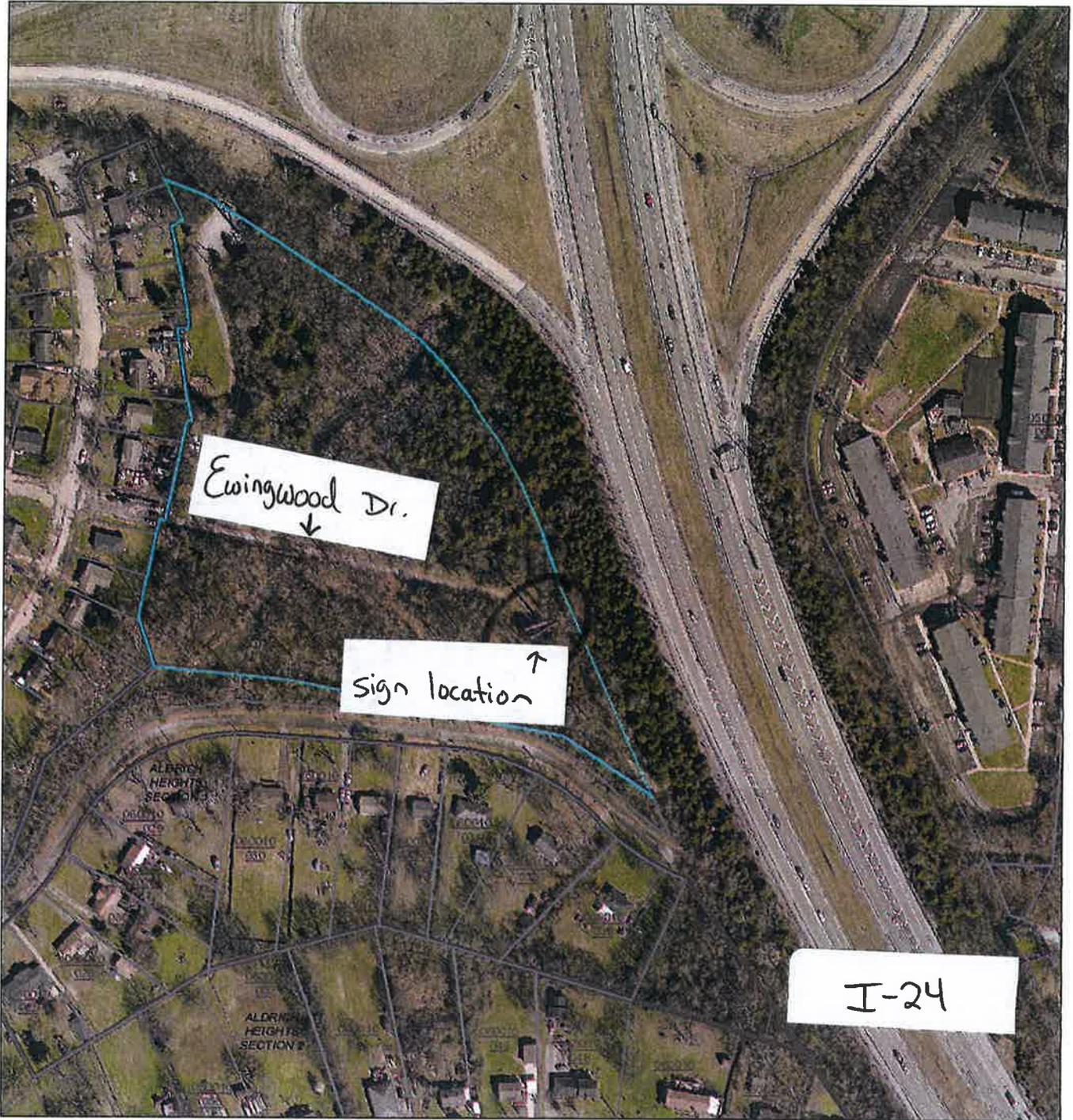
Ex 38

Google Earth

© 2020 Google

Ex 38

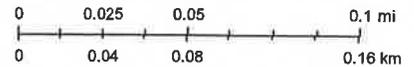
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 06000006900
 LOT ADDRESS: 3204 EWINGWOOD
 DRIVE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 39

Made by: Metro GIS

3204 Ewingwood Dr. - Lot Address



I-24

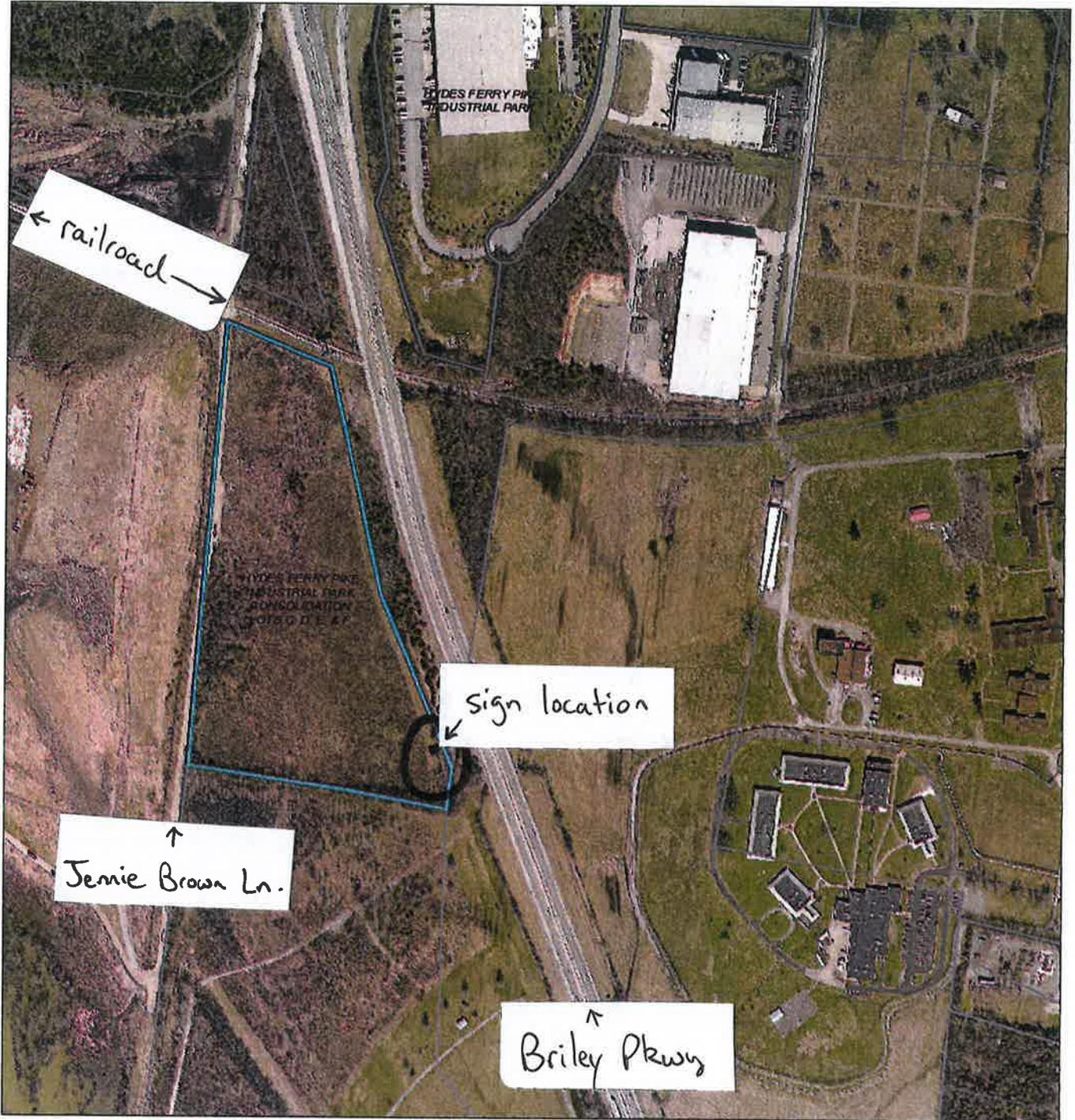
Ex 39

Google Earth

© 2020 Google

Ex 39

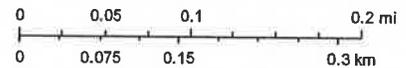
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: 06900000300

LOT ADDRESS: 0 JENNIE BROWN LANE

2 LANE ROAD *

• BILLBOARD ORIENTED TO BRILEY.

• LOT ORIENTED TO ?

O Sennie Brown Ln. - Lot Address



More Money for Your Old Car,
More New Car for Your Money.
VICTORY  1-800-855-7500
EXIT 172 - DICKSON
SOUTHWEST

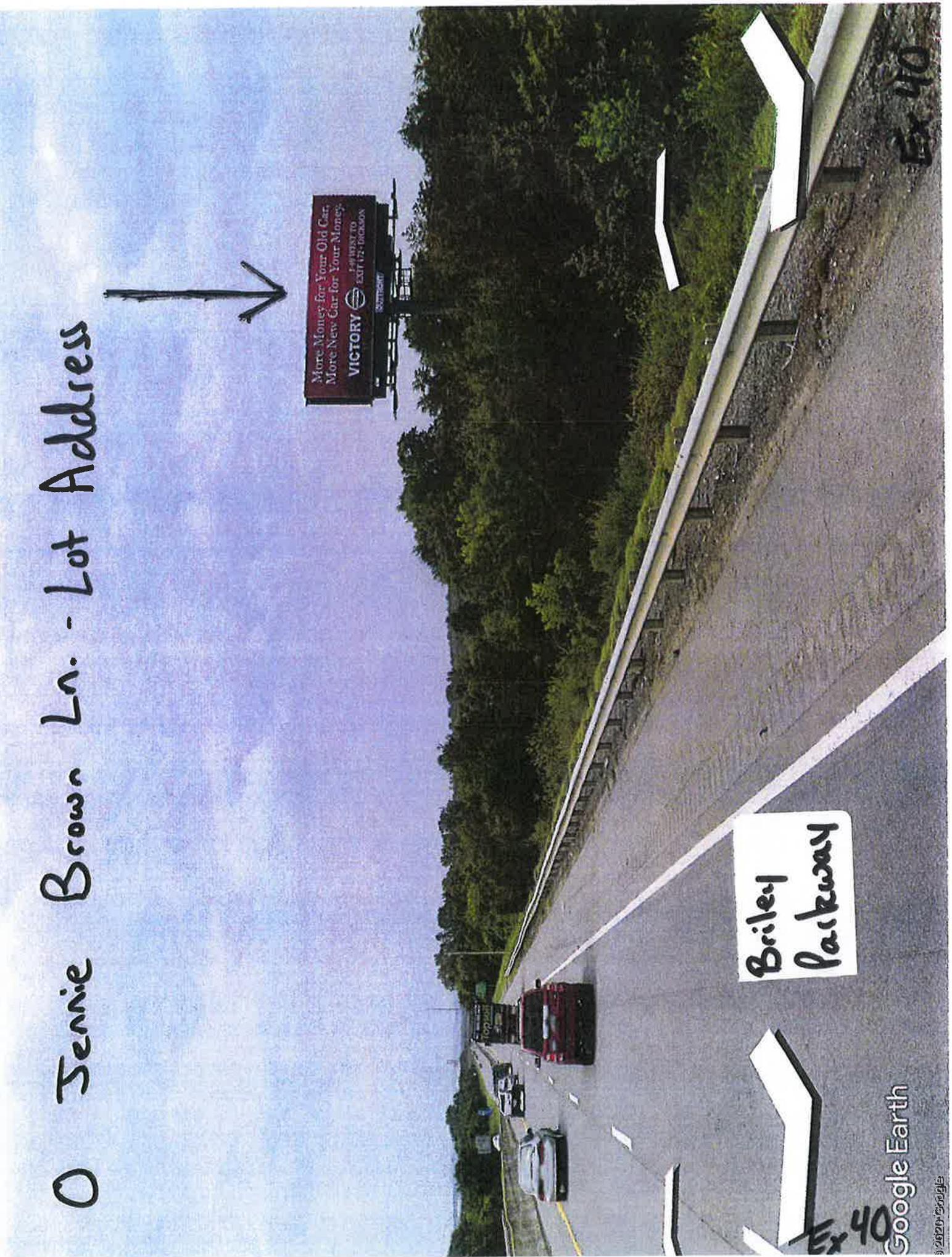
Briley
Parkway

Ex 40

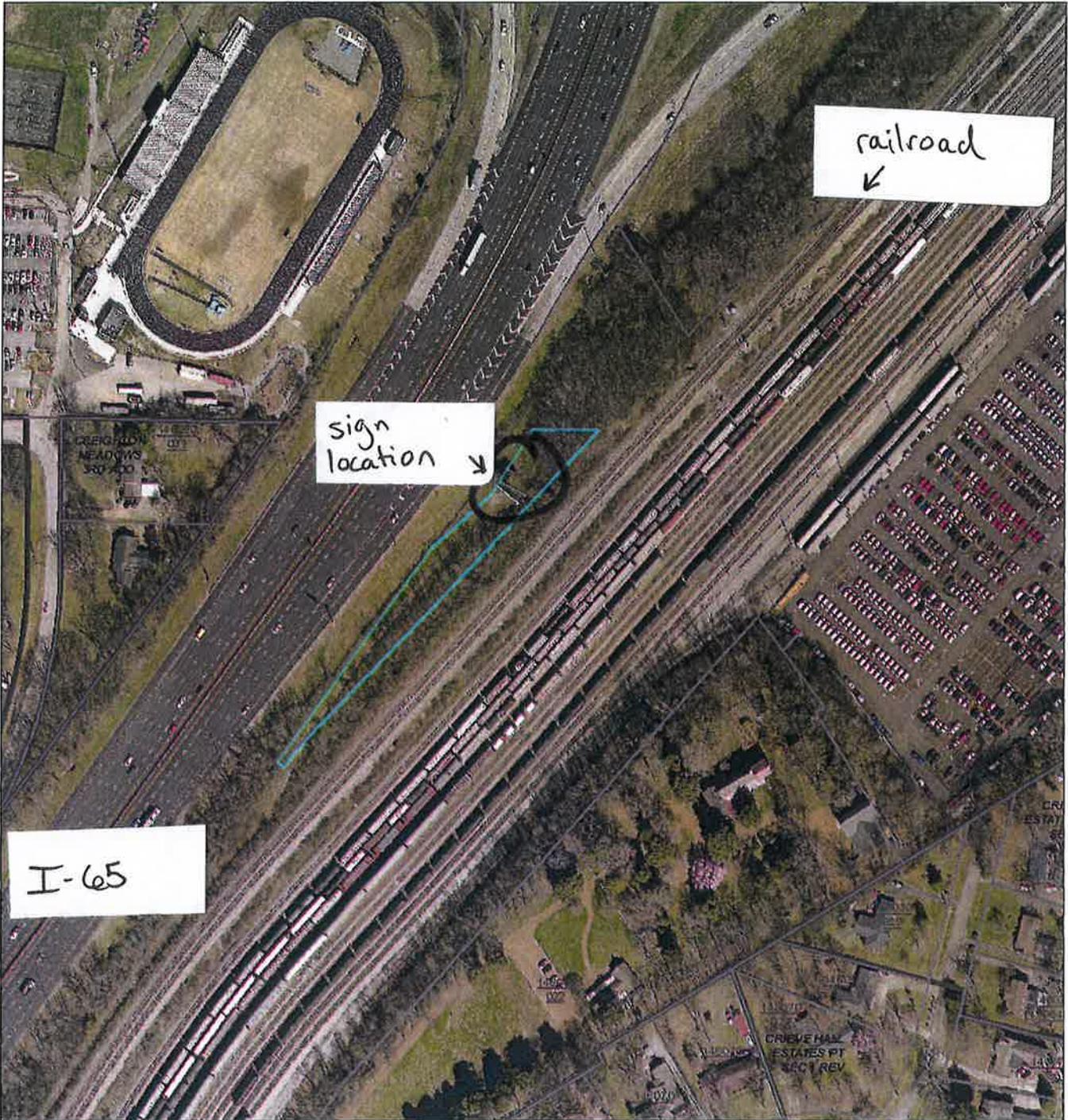
Google Earth

9/26/20 5:06pm

Ex 40



Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

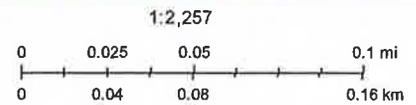
PARCEL ID #: 14603002001

LOT ADDRESS: 646 FARRELL PARKWAY

- FARRELL PARKWAY NOT VISIBLE ON MAP

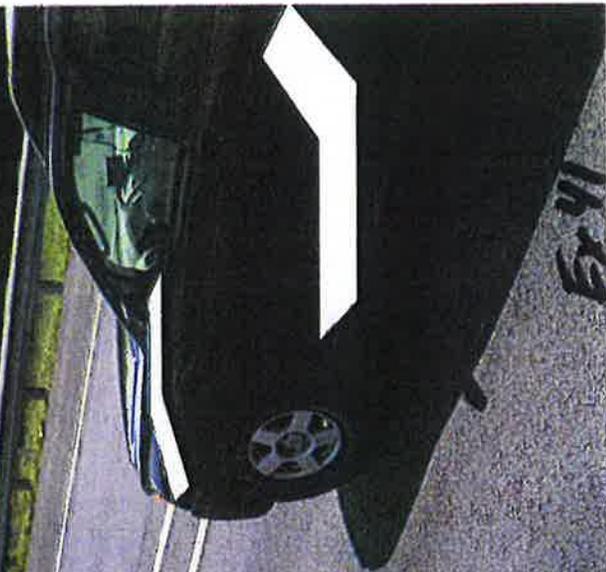
• BILLBOARD ORIENTED TO I-65.

• LOT ORIENTED TO?



Metro GIS; Pictometry International

646 Farrell Pkwy - Lot Address

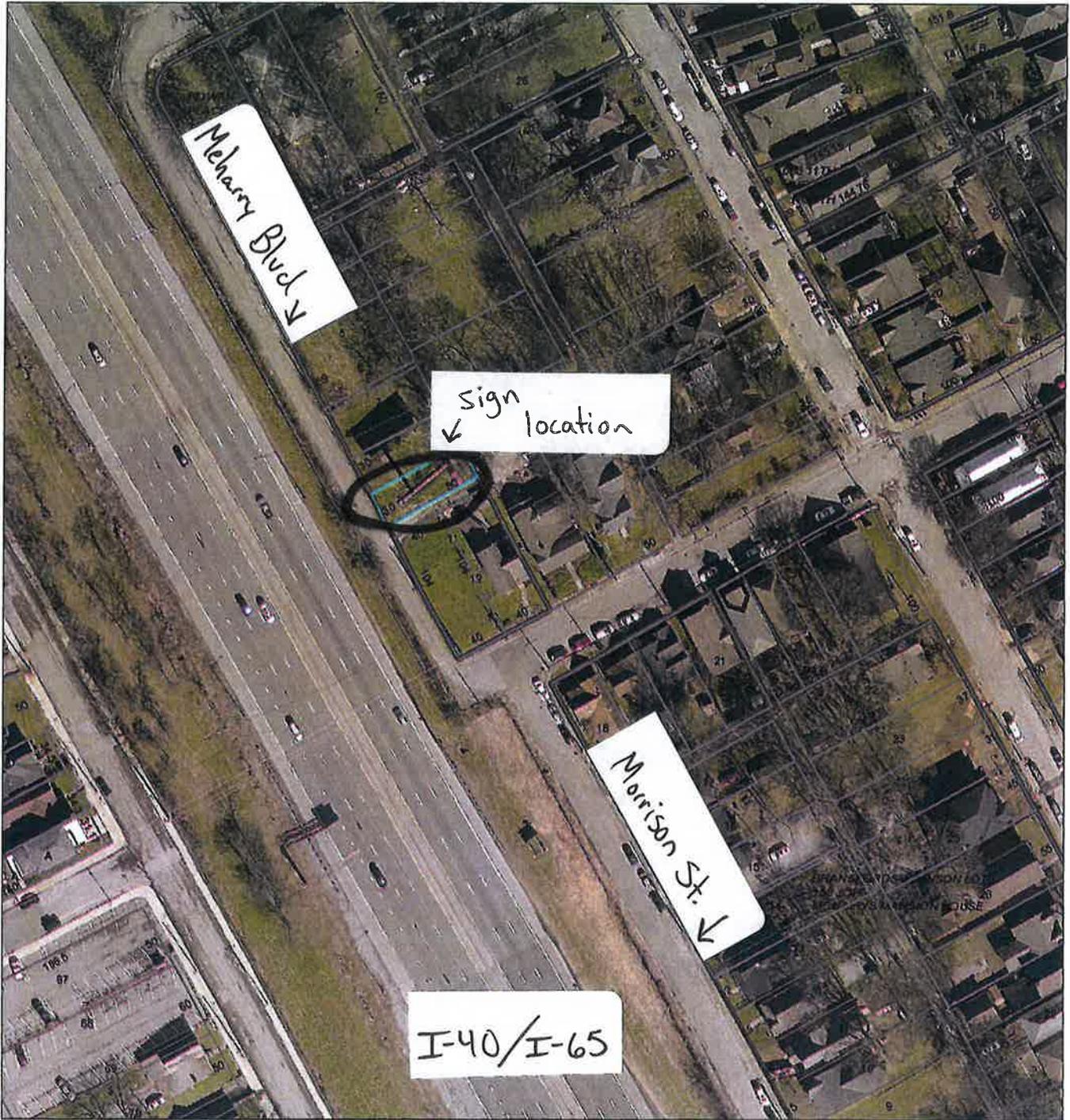


I-65

Google Earth

©2020 Google

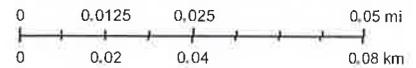
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 08116054900
 LOT ADDRESS: 1002 MORRISON STREET

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40/I-65.

- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 42

Made by: Metro GIS

1002 Morrison St. - Lot Address

USS
UNIVERSITY OF SOUTH ALABAMA
WE GUARANTEE OUR BEST CALL US 252

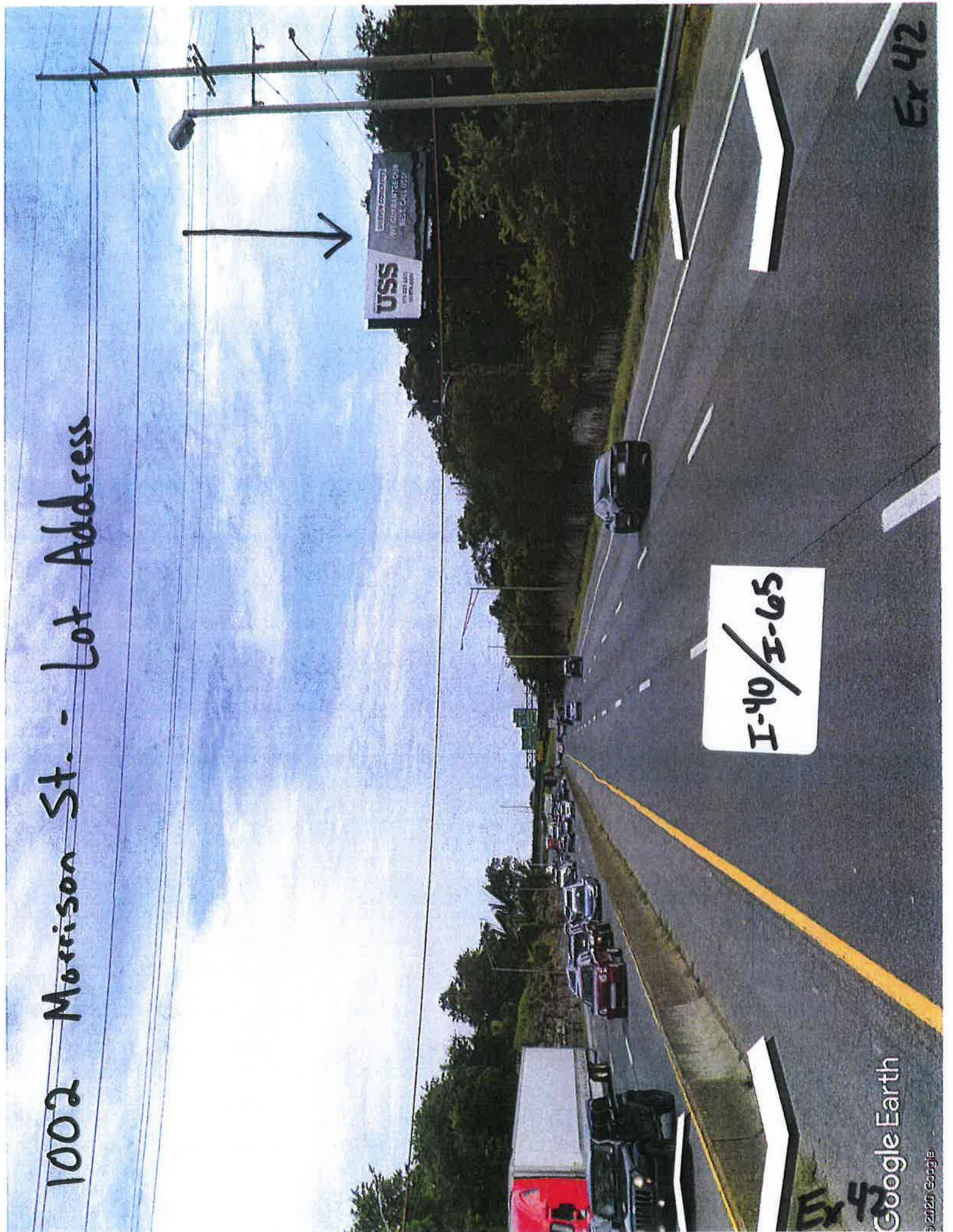
I-40/I-65

Ex 42

Google Earth

© 2020 Google

Ex 42



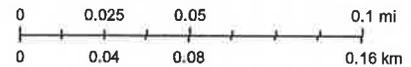
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 07110020000
 LOT ADDRESS: 2050 LUCAS LANE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

Metro GIS; Picometry International

Ex 43

Made by: Metro GIS

2050 Lucas Ln. - Lot Address



I-24/I-65

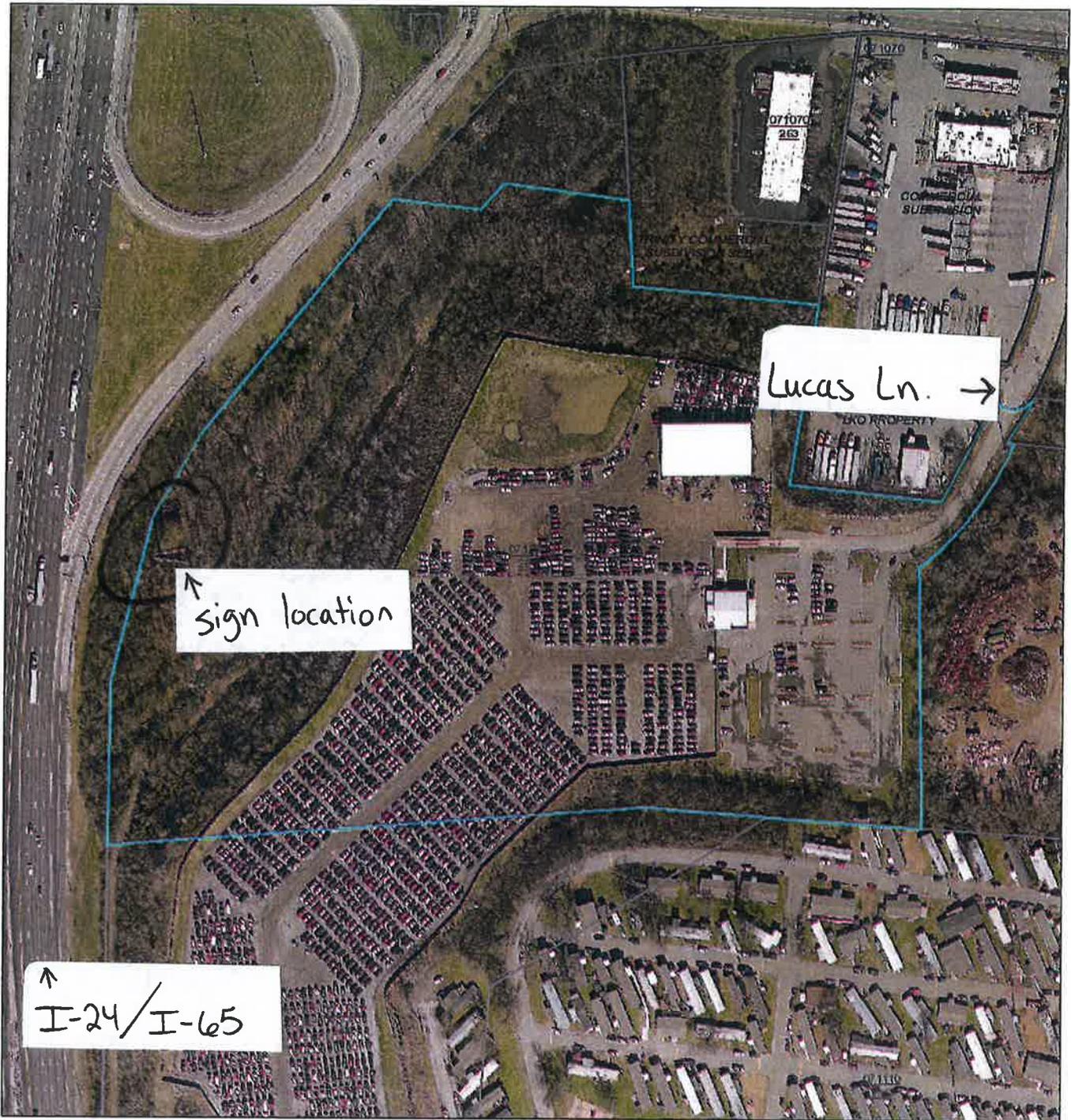
Ex 43

Google Earth

© 2020 Google

Ex 43

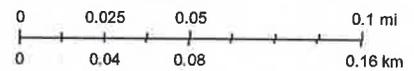
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 07107026000

LOT ADDRESS: 2040 LUCAS LANE

↳ 2 LANE ROAD ↳

• BILLBOARD ORIENTED TO I-24/I-65.

• LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 44

Made by: Metro GIS

2040 Lucas Ln. - Lot Address



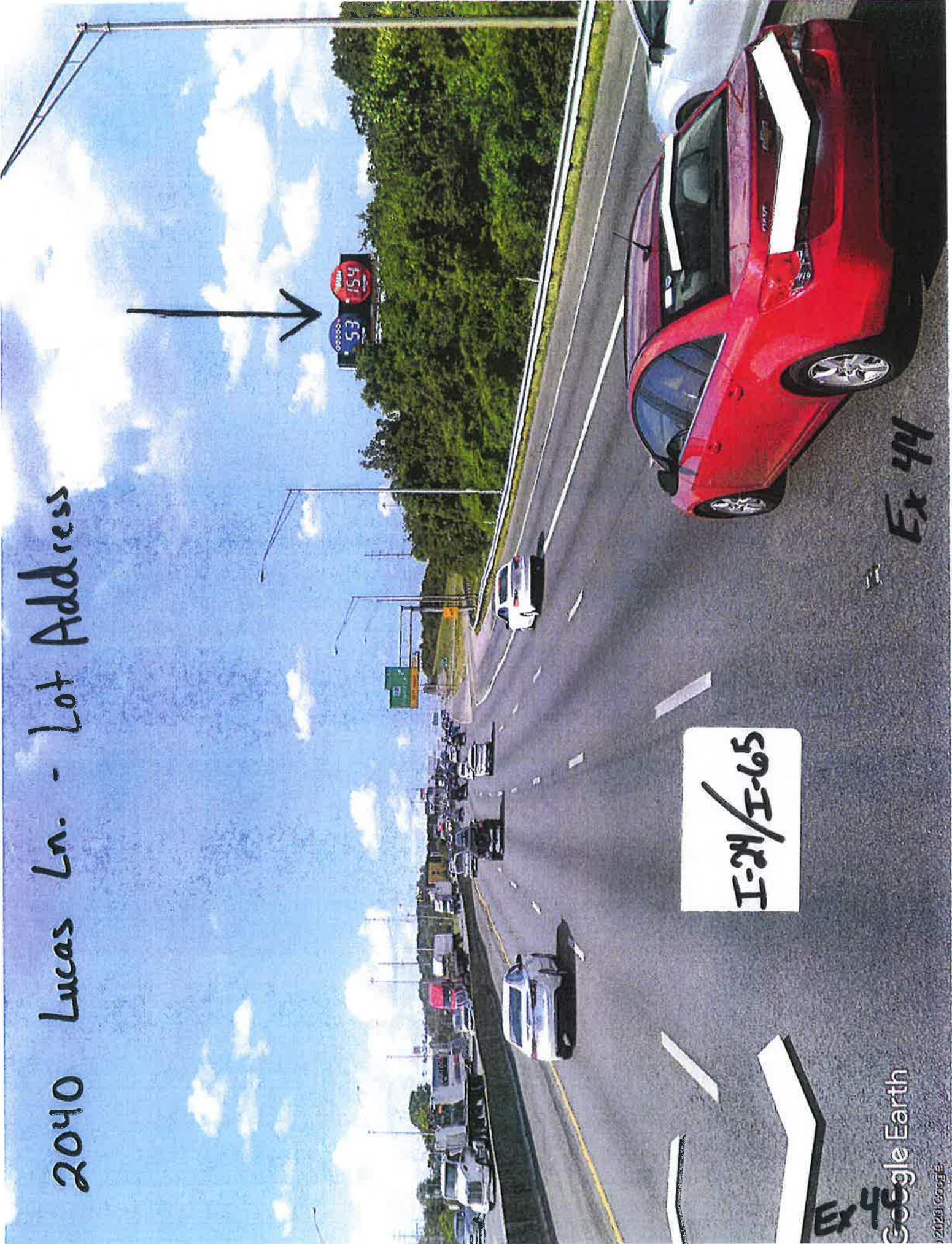
I-24/I-65

Ex 44

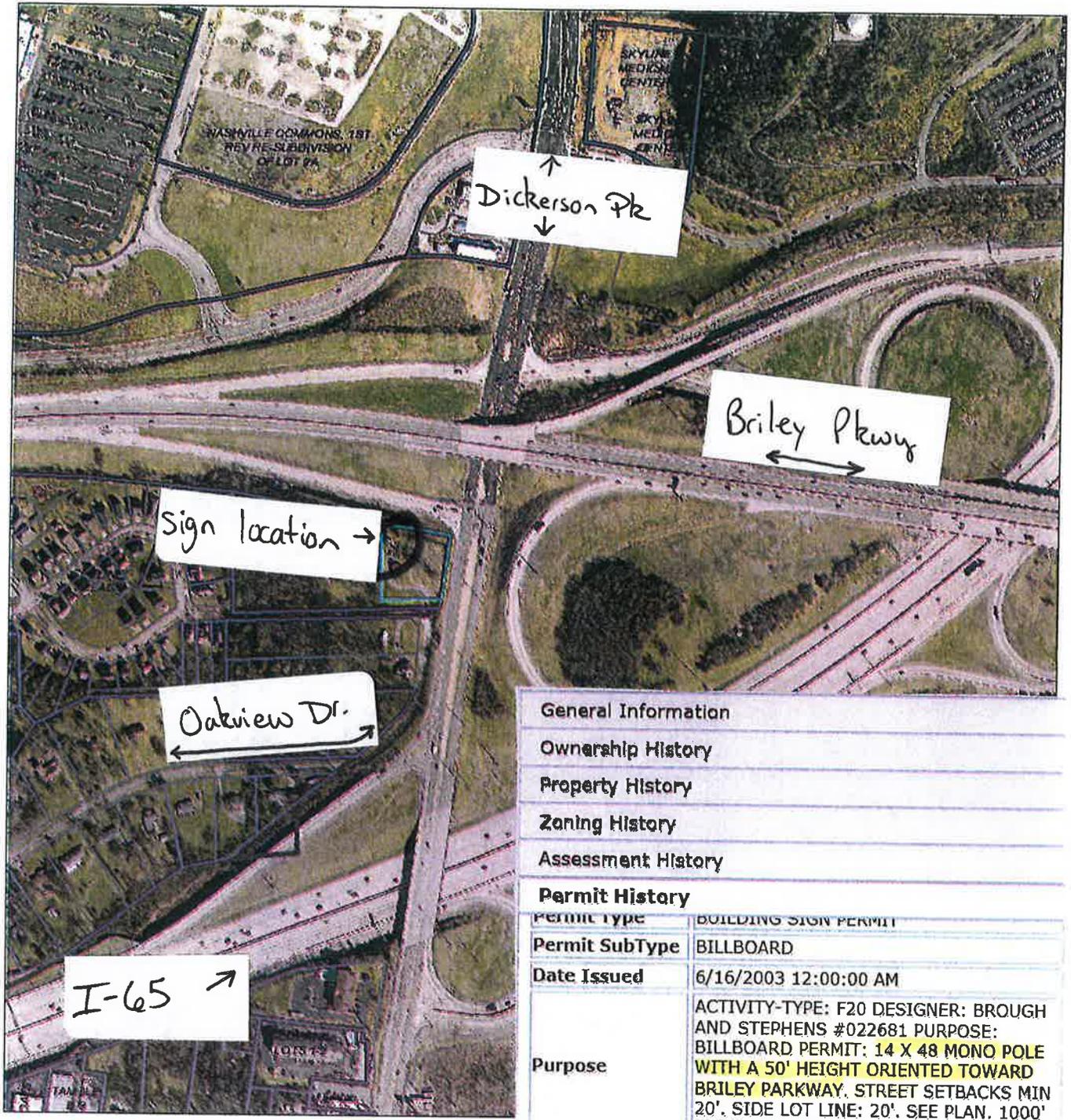
Ex 45

Google Earth

©2020 Google

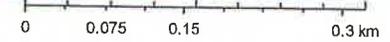


Nashville / Davidson County Parcel Viewer



July 27, 2020
Ownership Parcels

General Information	
Ownership History	
Property History	
Zoning History	
Assessment History	
Permit History	
Permit type	BUILDING SIGN PERMIT
Permit SubType	BILLBOARD
Date Issued	6/16/2003 12:00:00 AM
Purpose	ACTIVITY-TYPE: F20 DESIGNER: BROUGH AND STEPHENS #022681 PURPOSE: BILLBOARD PERMIT: 14 X 48 MONO POLE WITH A 50' HEIGHT ORIENTED TOWARD BRILEY PARKWAY. STREET SETBACKS MIN 20'. SIDE LOT LINE: 20'. SEE PLAN. 1000' FROM ANY OTHER BILLBOARDS.
Contractor	Gc02486: Lamar Advertising Of Tn Inc



PARCEL ID #: 05000014100
 LOT ADDRESS: 393 OAKVIEW DR
 x 2 LANE ROAD Y

- BILLBOARD ORIENTED TO BRILEY.
- LOT ORIENTED TO ?

393 Oakview Dr. - Lot Address



Briley Parkway

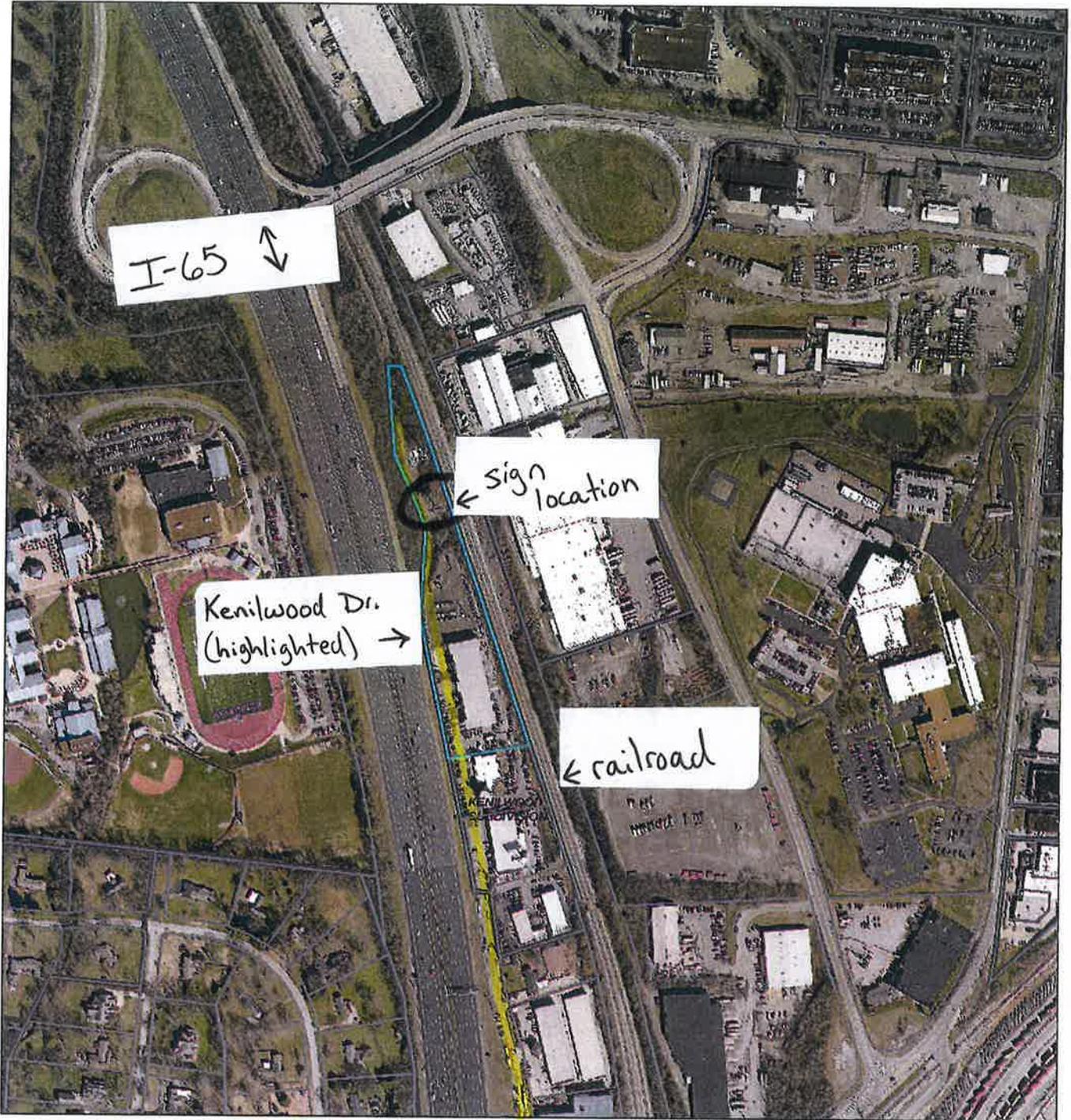
Ex 45

Google Earth

© 2020 Google

Ex 45

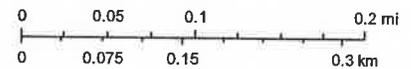
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: 13207007400

LOT ADDRESS: 4250 KENILWOOD DRIVE

* 2 LANE ROAD*

• BILLBOARD ORIENTED TO I-65.

• LOT ORIENTED TO ?

4250 Kenilwood Dr. - Lot Address



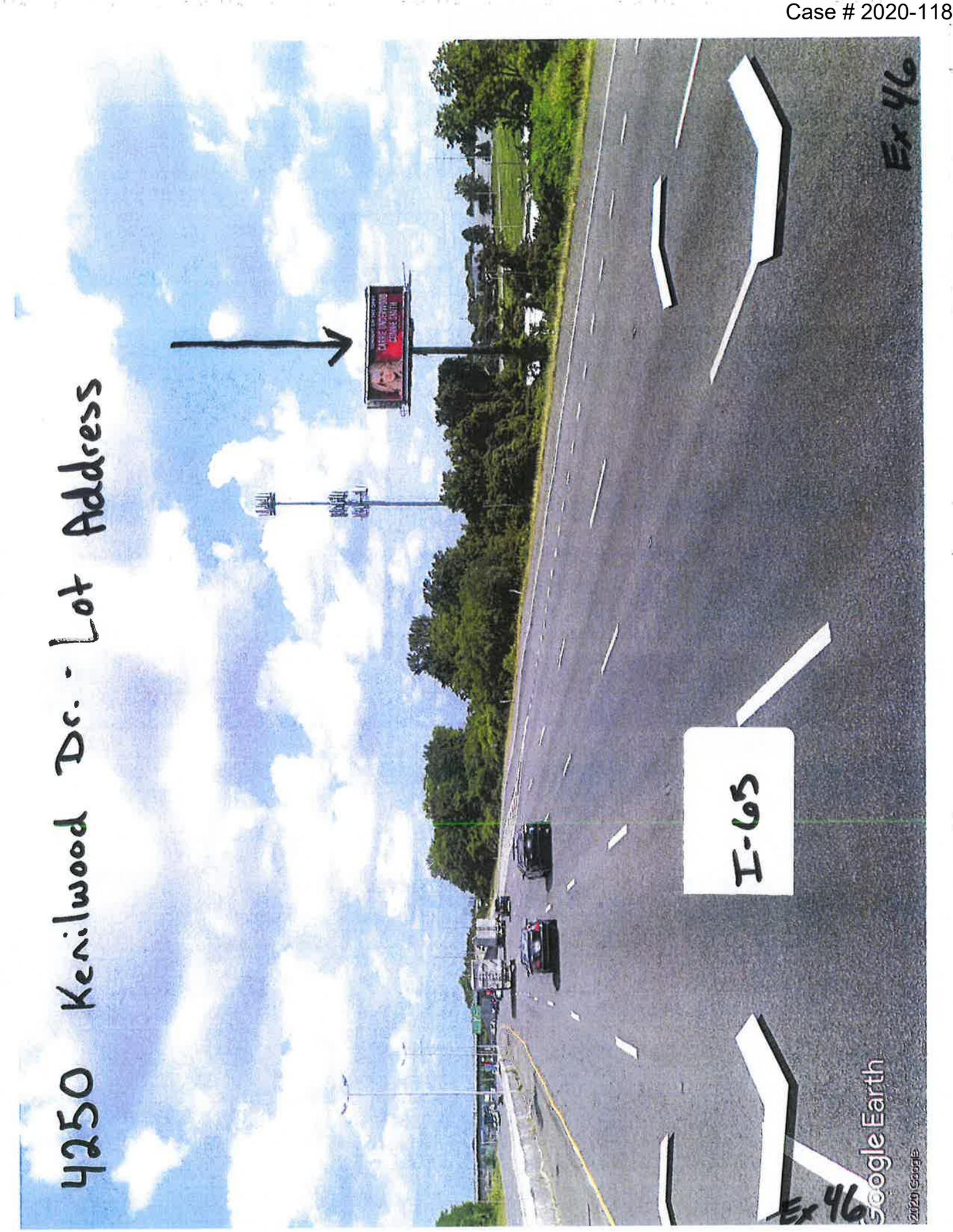
I-65

Google Earth

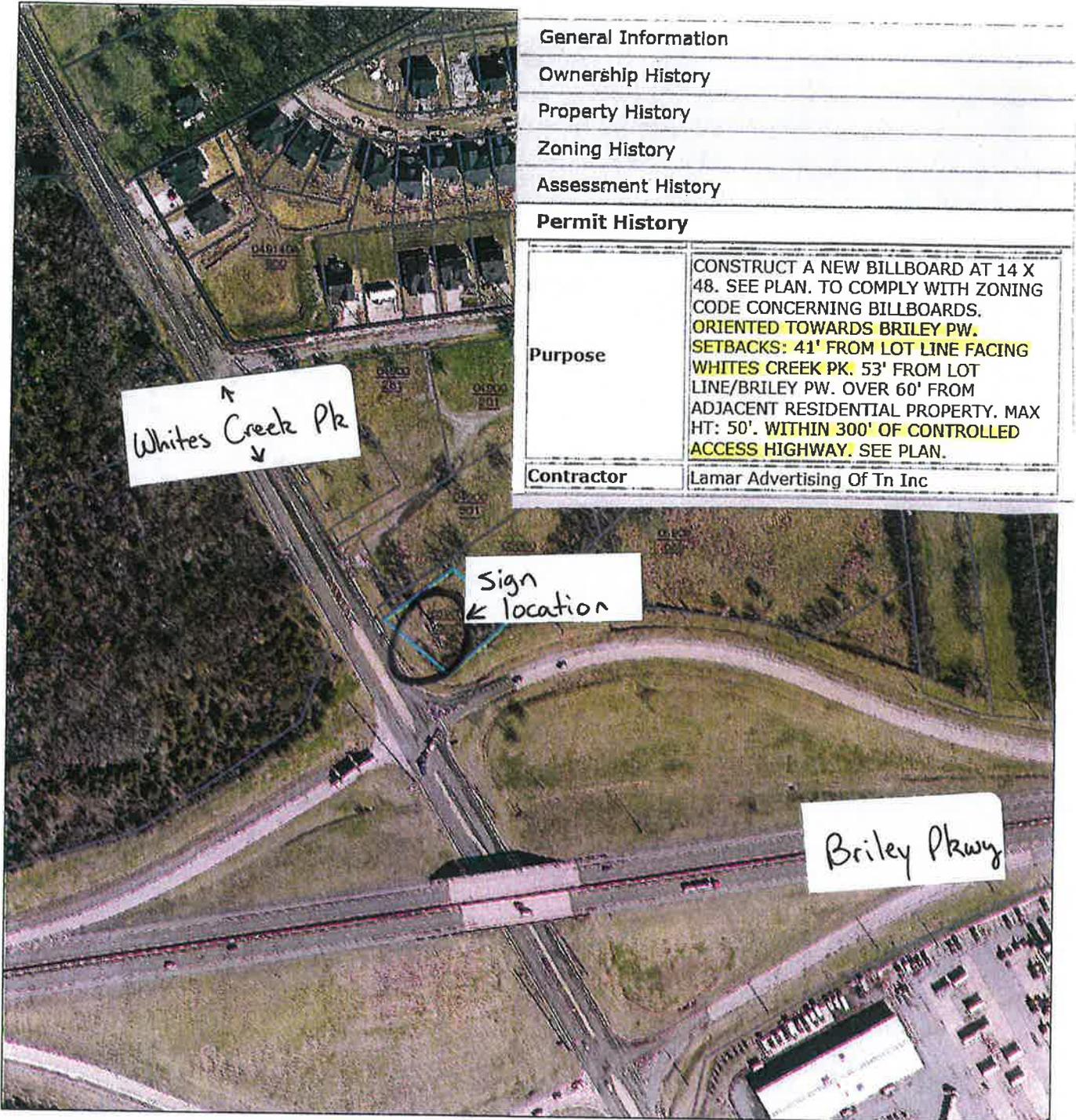
© 2020 Google

Ex 46

Ex 46



Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

PARCEL ID #: 05900000800

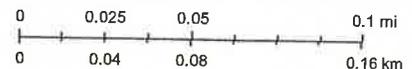
LOT ADDRESS: 3331 WHITES CREEK PIKE

* 4 LANE ROAD *

PLEASE NOTE —

LOT FRONTS WHITES CREEK PIKE. HOWEVER, METRO MANDATES IN PERMIT ISSUANCE — BILLBOARD MUST BE ORIENTED TO THE LIMITED ACCESS HIGHWAY.

1:2,257



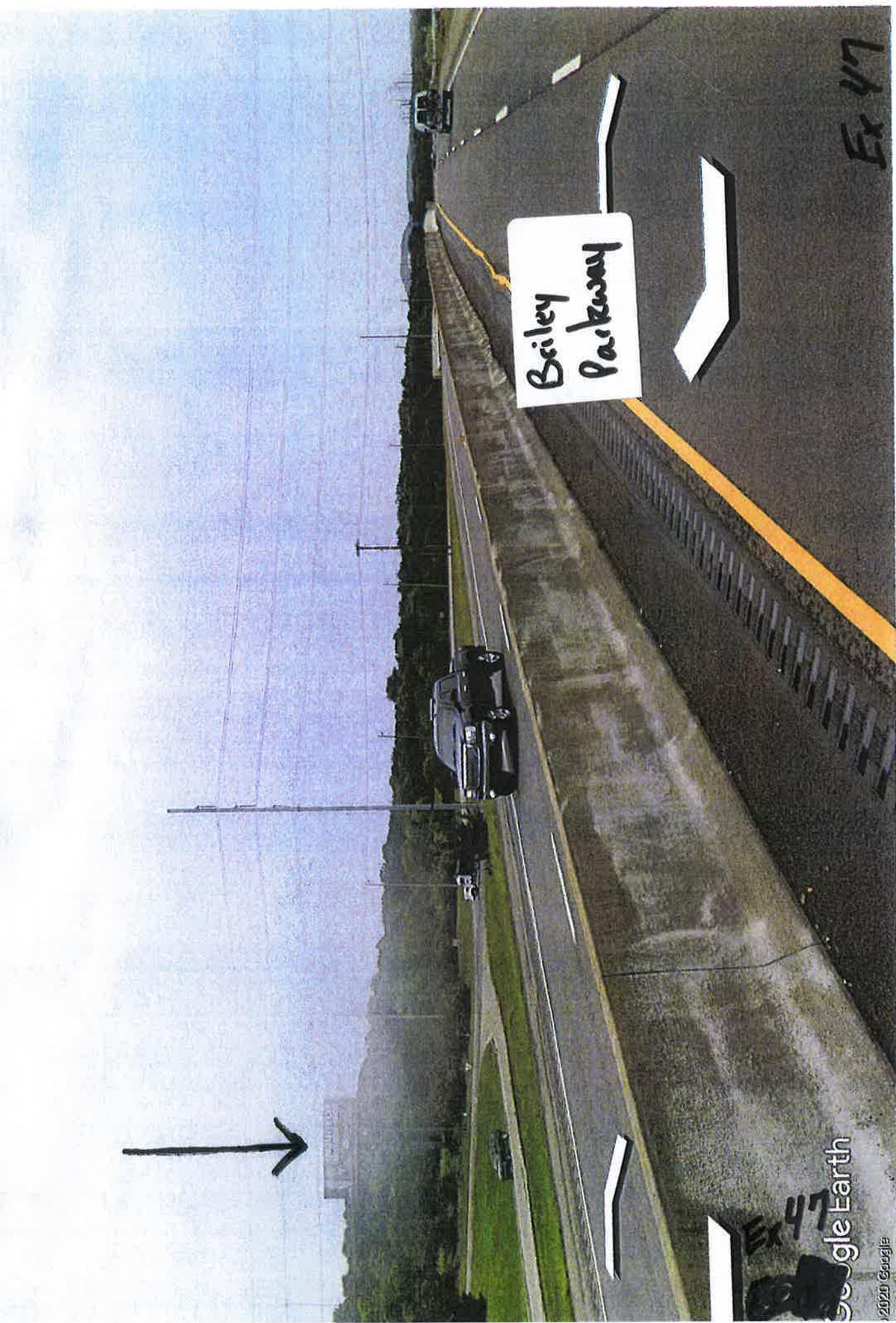
- BILLBOARD ORIENTED TO BRILEY.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 47

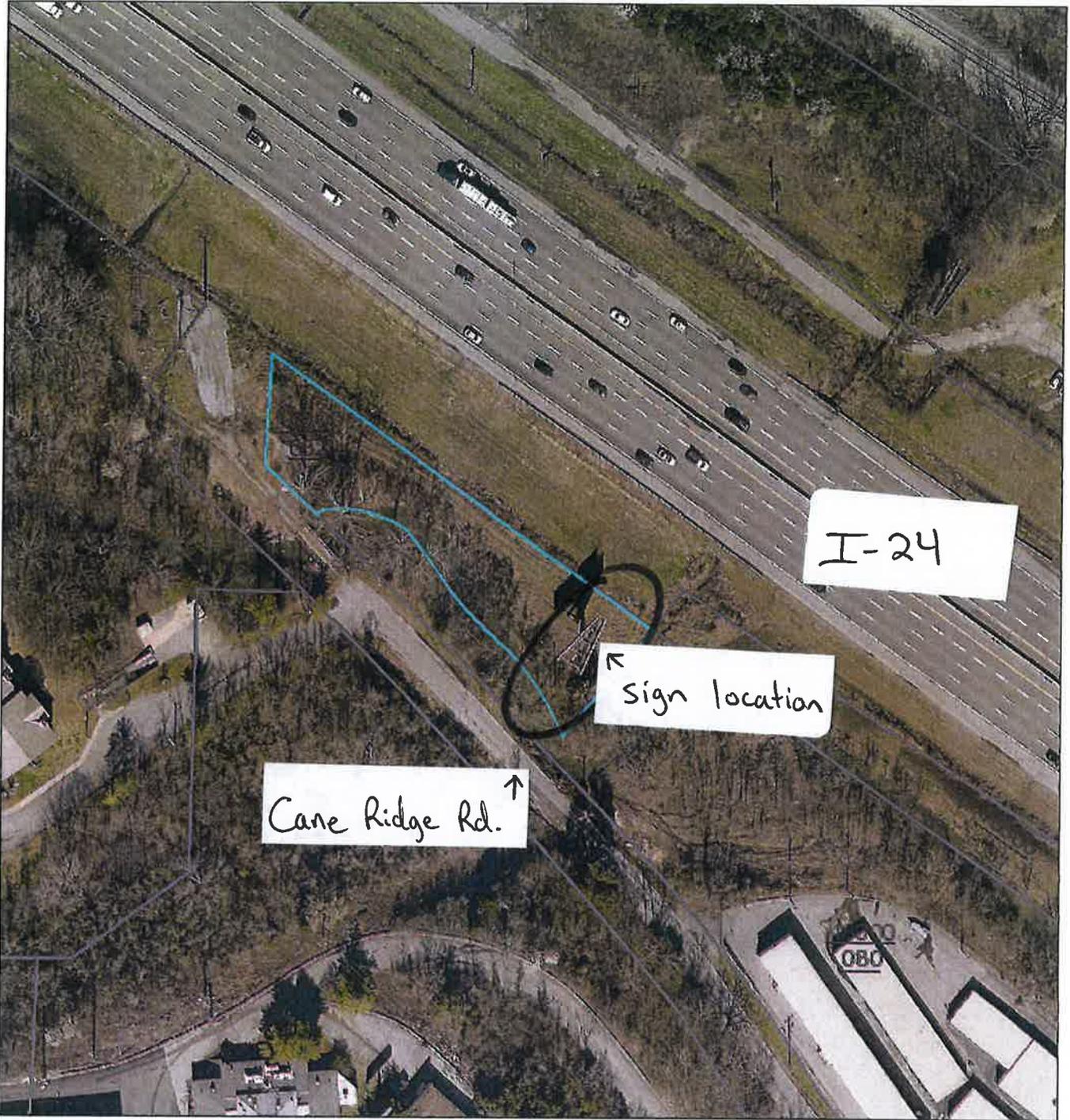
Made by: Metro GIS

3331 Whites Creek Pk. - Lot Address



Ex 47

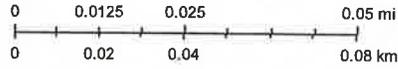
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 103 00008200
 LOT ADDRESS: S200 CANE RIDGE ROAD
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 48
 Made by: Metro GIS

5200 Cane Ridge Rd - Lot Address



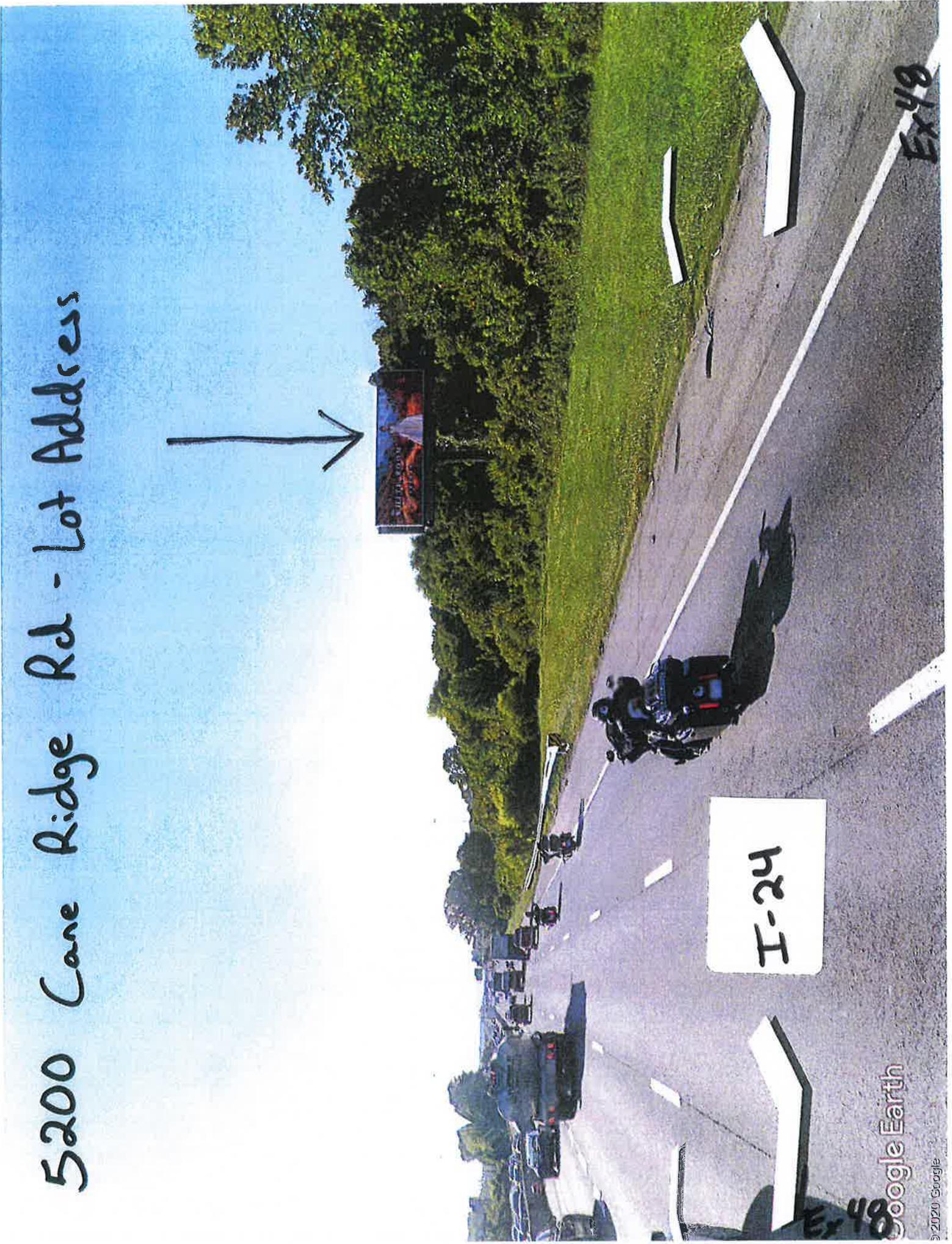
I-24

EX 49

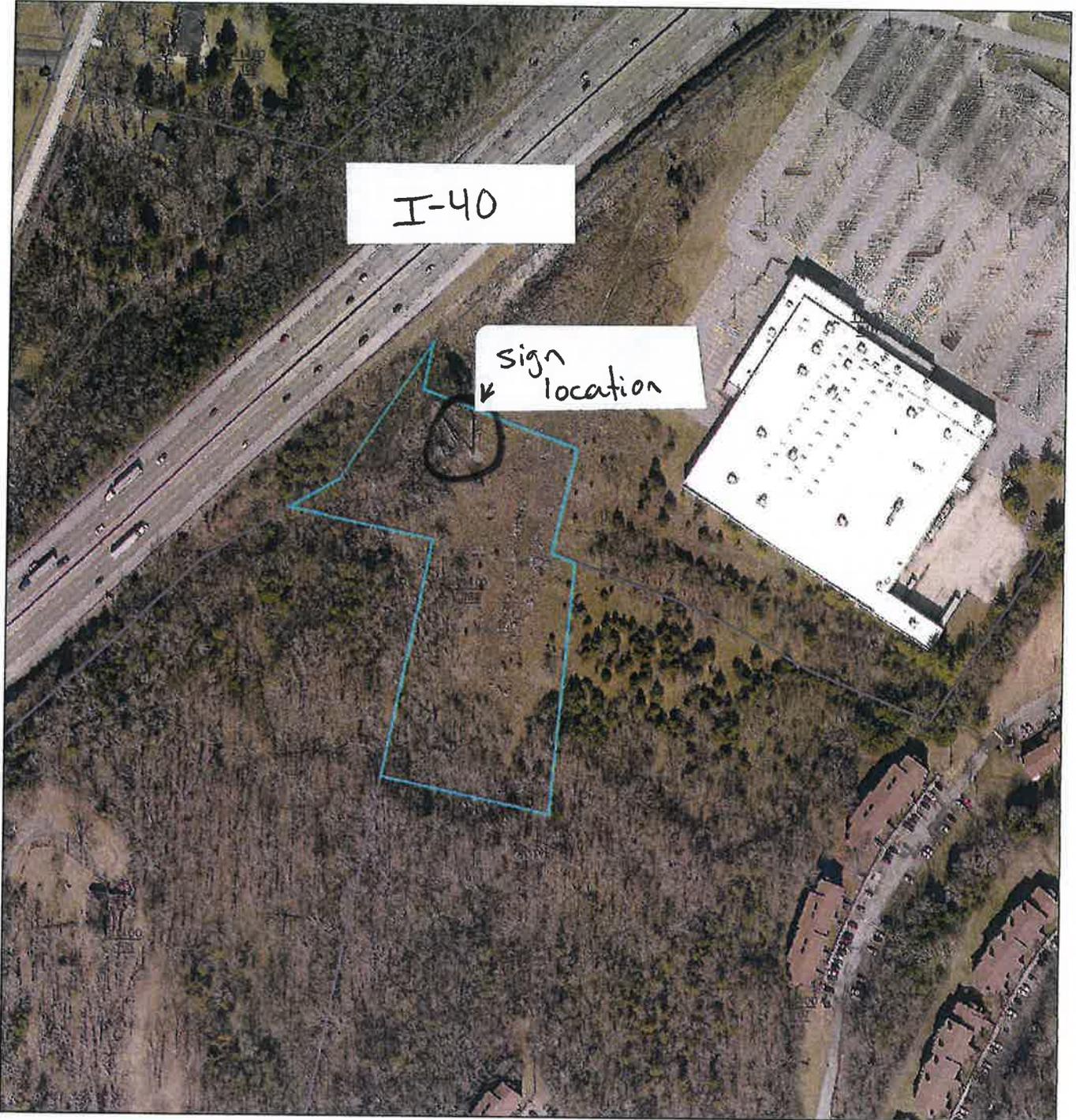
EX 48

Google Earth

© 2020 Google



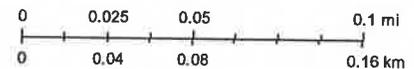
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 11400010600

LOT ADDRESS: 623 OLD HICKORY BOULEVARD

- OLD HICKORY BVD NOT VISIBLE ON MAP

• BILLBOARD ORIENTED TO I-40.

• **LOT ORIENTED TO ?**

Metro GIS; Pictometry International

Ex 49

Made by: Metro GIS

623 Old Hickory Blvd - Lot Address



Books, Music, Movies, Games
EXIT 199
MCKAY'S
Buy • Sell • Trade

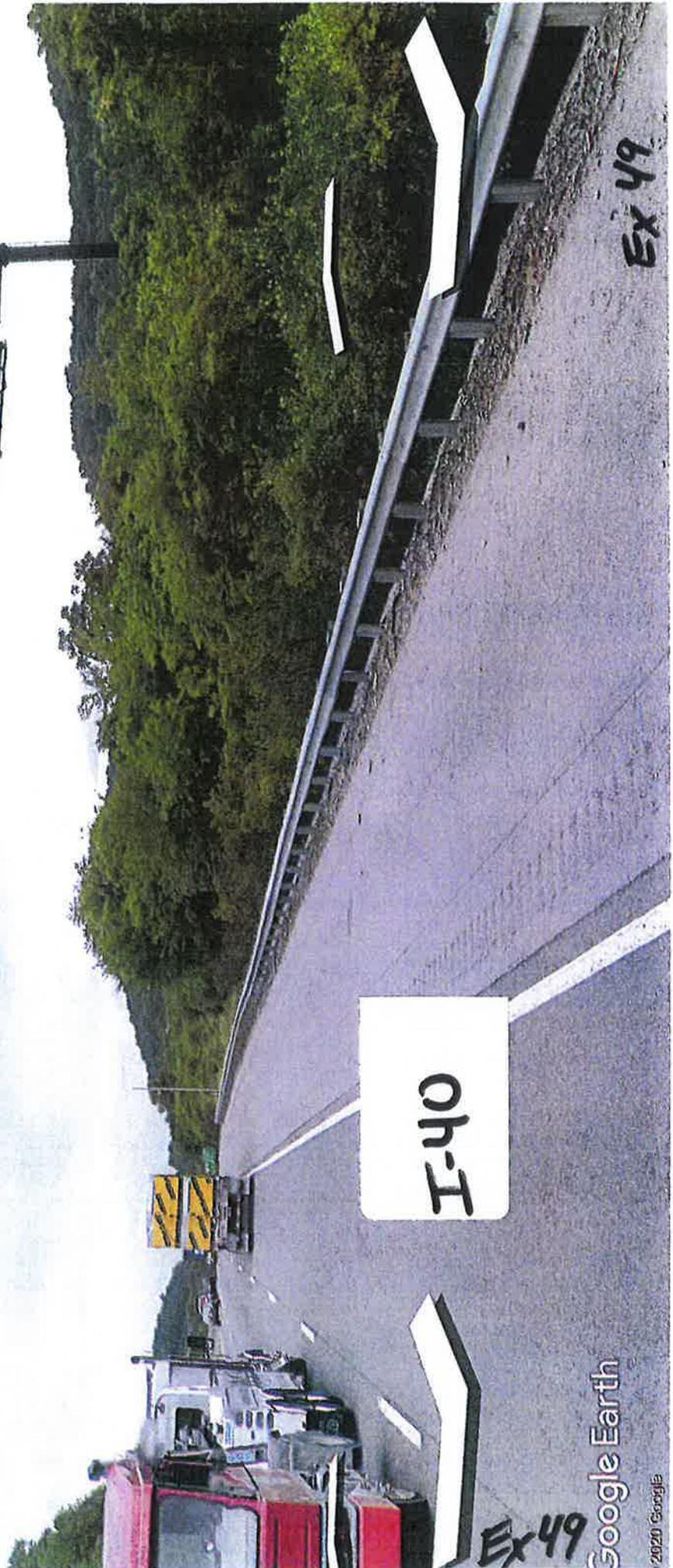
I-40

Ex 49

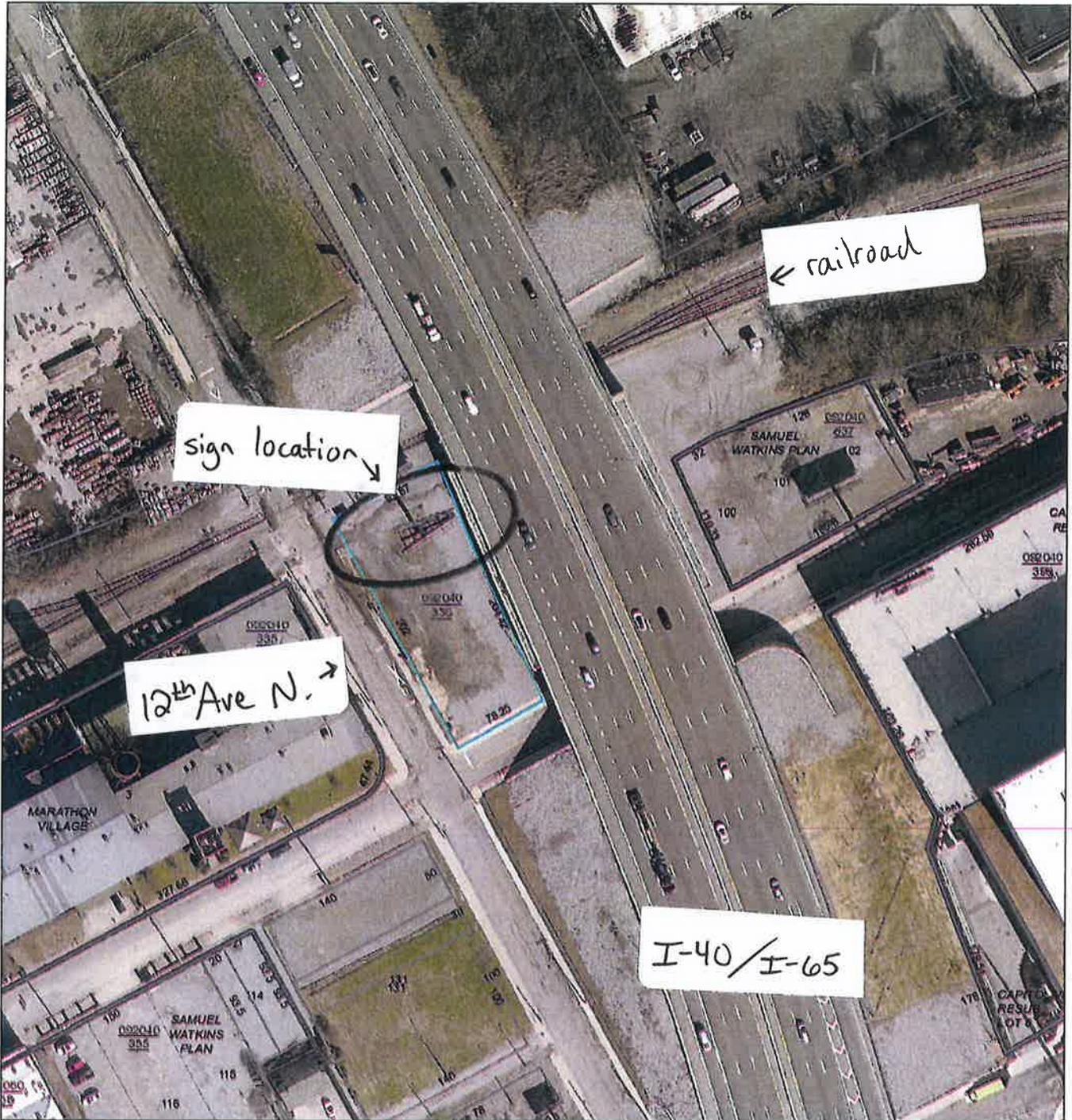
Google Earth

© 2020 Google

EX 49



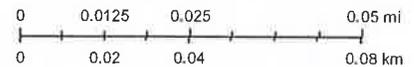
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09204033600

LOT ADDRESS: 700 12th AVE N

↳ 2 LANE ROAD ↳

- BILLBOARD ORIENTED TO I-40/I-65.

- LOT ORIENTED TO ?

Metro GIS, Pictometry International

Ex 50

Made by: Metro GIS

700 12th Ave N. - Lot Address

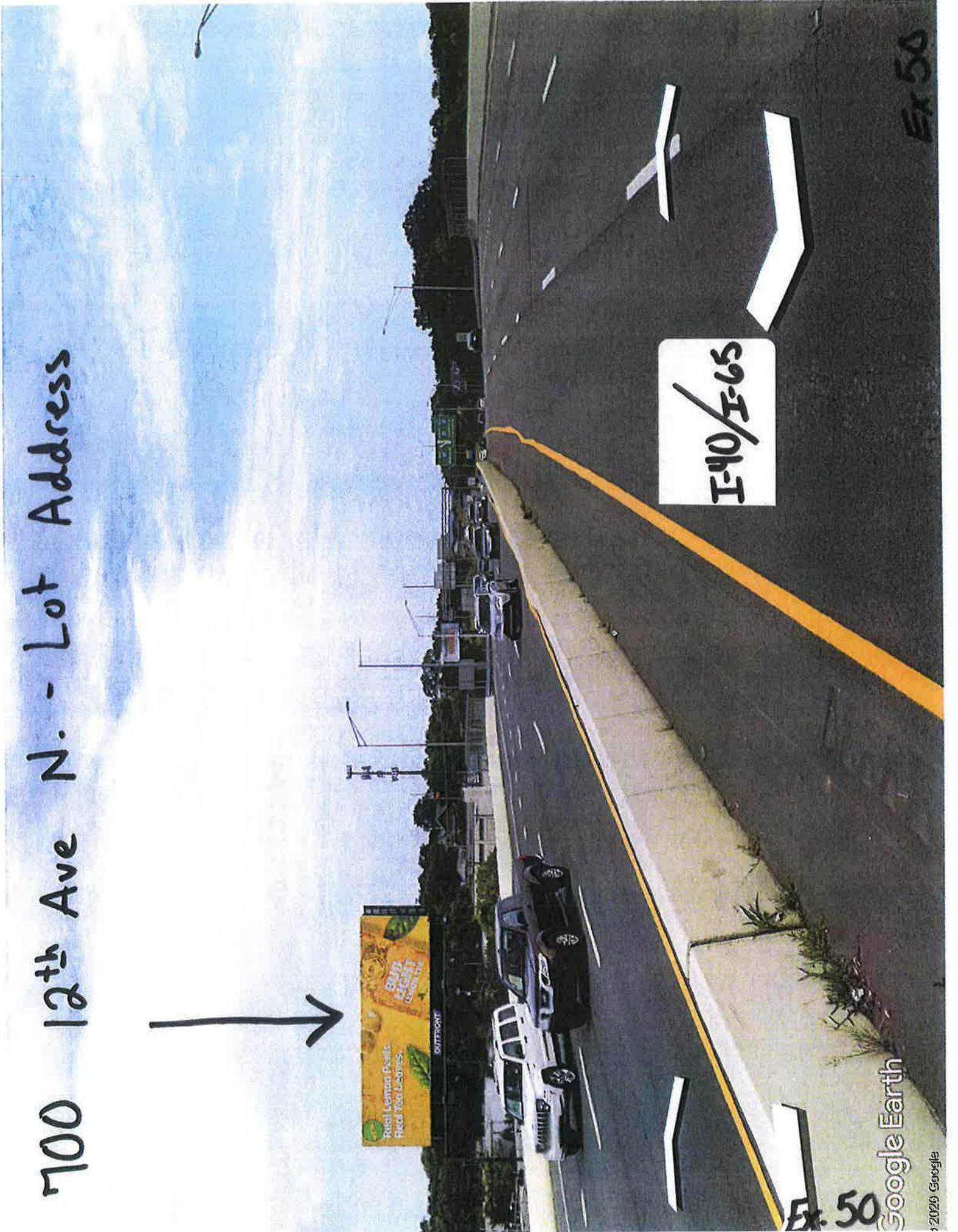


I-40/I-65

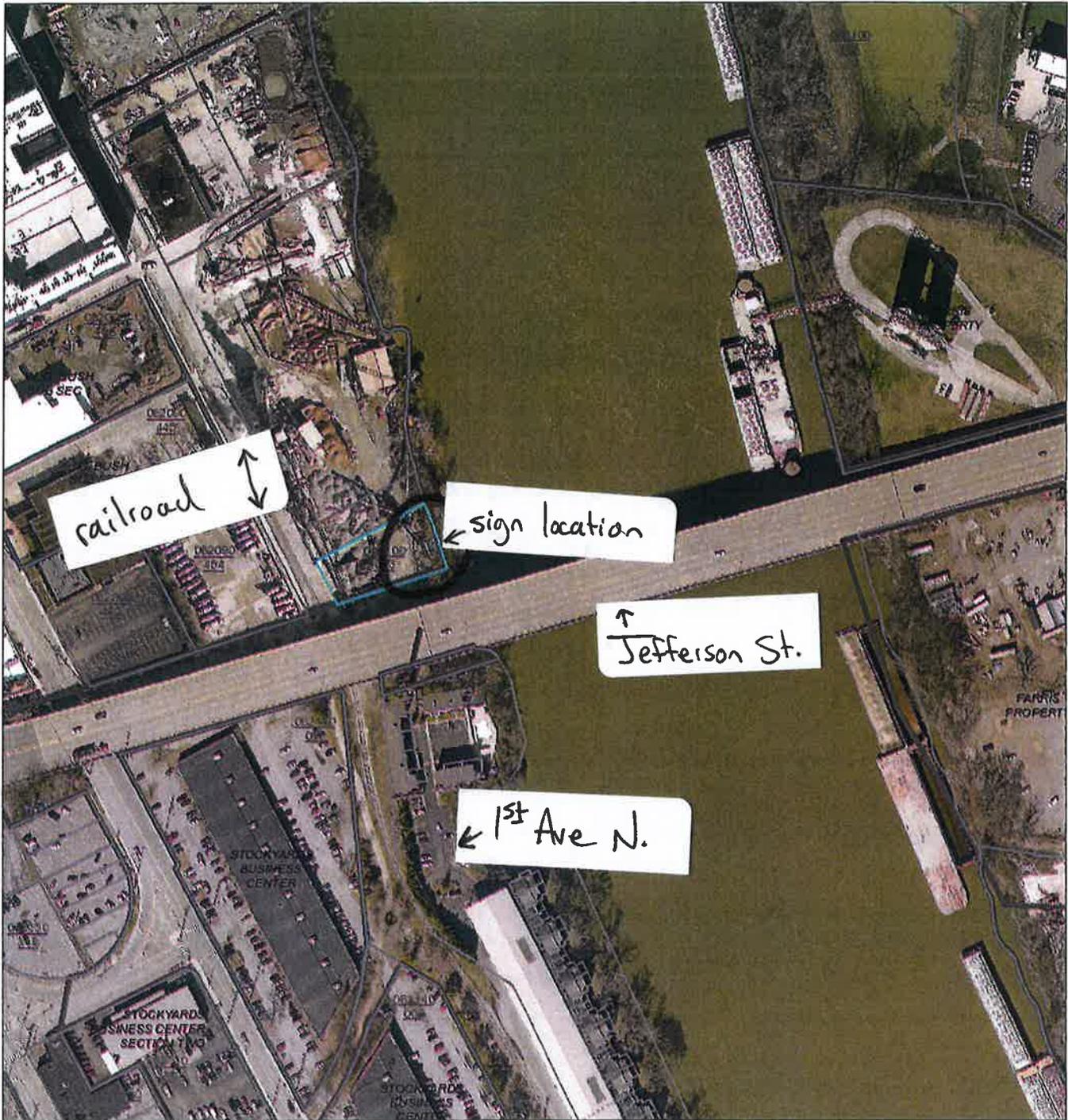
Ex 50

Google Earth

© 2020 Google



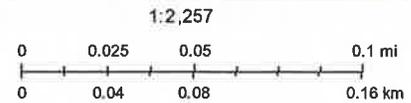
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

PARCEL ID #: 08210000300
 LOT ADDRESS: 0 1st AVE NORTH



- BILLBOARD ORIENTED TO JEFFERSON ST BRIDGE
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 51

Made by: Metro GIS



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210



1993849

BUILDING SIGN PERMIT / CASN - 201429540
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 08210000300

APPLICATION DATE: 08/15/2014

SITE ADDRESS:

1100 B 1ST AVE N NASHVILLE, TN 37208
PT LTS 66 67 MCGAVOCK ADDN

PARCEL OWNER:

CONTRACTOR:

APPLICANT: Lamar Advertising Of Tn Inc

LAMAR ADVERTISING OF TN INC 1883 STS-BILLBO

P O BOX 70157
NASHVILLE, TN 37207-0157
(615)228-5500

PURPOSE:

REMOVE BILLBOARD CONSTRUCT UNDER PERMIT 1984-12080 (48X14 DOUBLE FACE) AND REPLACE WILL 10.5' X 36' DIGITAL BILLBOARD....MAX HT 30' ABOVE ROADWAY....SEE PLAN.

SIGNS WITH ANY COPY, GRAPHICS, OR DIGITAL DISPLAYS THAT CHANGE MESSAGES BY ELECTRONIC OR MECHANICAL MEANS, MUST REMAIN FIXED FOR A MIN OF 8 SECONDS.....

7-- THE COPY, GRAPHICS, OR DIGITAL DISPLAY SHALL REMAIN FIXED, STATIC, MOTIONLESS, AND NONFLASHING FOR A PERIOD OF EIGHT (8) SECONDS WITH ALL COPY CHANGES OCCURRING INSTANTANEOUSLY WITHOUT ANY SPECIAL EFFECTS

Pursuant Ordinance # 2006-1263 Metropolitan code of Laws, I (the holder on this permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metropolitan Code.... SITE PLAN SENT TO FILE.

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

U&O Property Standards Zoning		615-862-6590
Building Final	APPROVED	Joe.Bone@nashville.gov
Building Final	APPROVED	Joe.Bone@nashville.gov

Inspection requirements may change due to changes during construction.

Permit: 201429540

17.32.150(6) would classify the Jefferson Street Bridge as a controlled access highway.

2. The maximum display surface area for each type may be exceeded by thirty percent for embellishments to the standard rectangular sign, provided the embellishments do not project more than five feet above the top nor more than three feet beyond the sides and two feet beyond the bottom of the standard rectangular sign.
3. A billboard face shall consist of a single panel. Multiple panel faces, such as stacked or side-by-side, are not permitted.
4. One face of two back-to-back billboards of the same shape and dimensions, excluding embellishments, shall be used in computing the total display surface area when the signs are no more than fifteen feet apart when parallel to one another or are placed at an angle between signs that does not exceed twenty degrees. No copy shall be permitted between the back-to-back faces.
5. Minimum yards shall be provided as established by this table in all districts:

	Type I	Type II
Front	5 feet greater than on-premises ground sign in the same district	20 feet
Rear	20 feet	20 feet
Side	Same as an on-premises ground sign	10 feet

6. There is established a maximum height limit of fifty feet above grade either at the base of the billboard or the nearest curb level of the surface street to which the billboard is oriented, whichever provides the greatest height. If the billboard is oriented to, and located within three hundred feet of a controlled access highway, a height of thirty feet above the elevation of the nearest travelway of the controlled access highway shall be permitted.

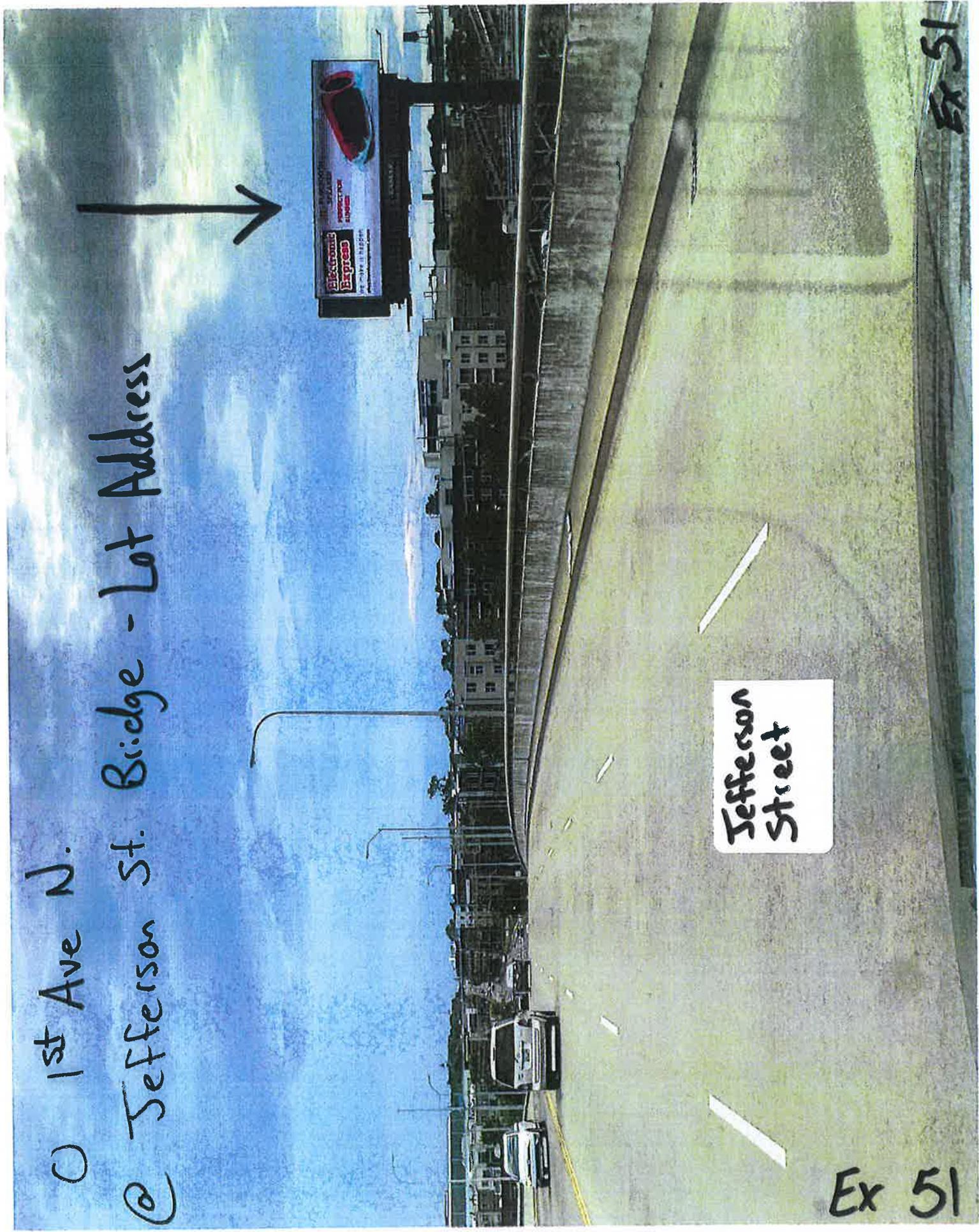
○ 1st Ave N.
@ Jefferson St. Bridge - Lot Address



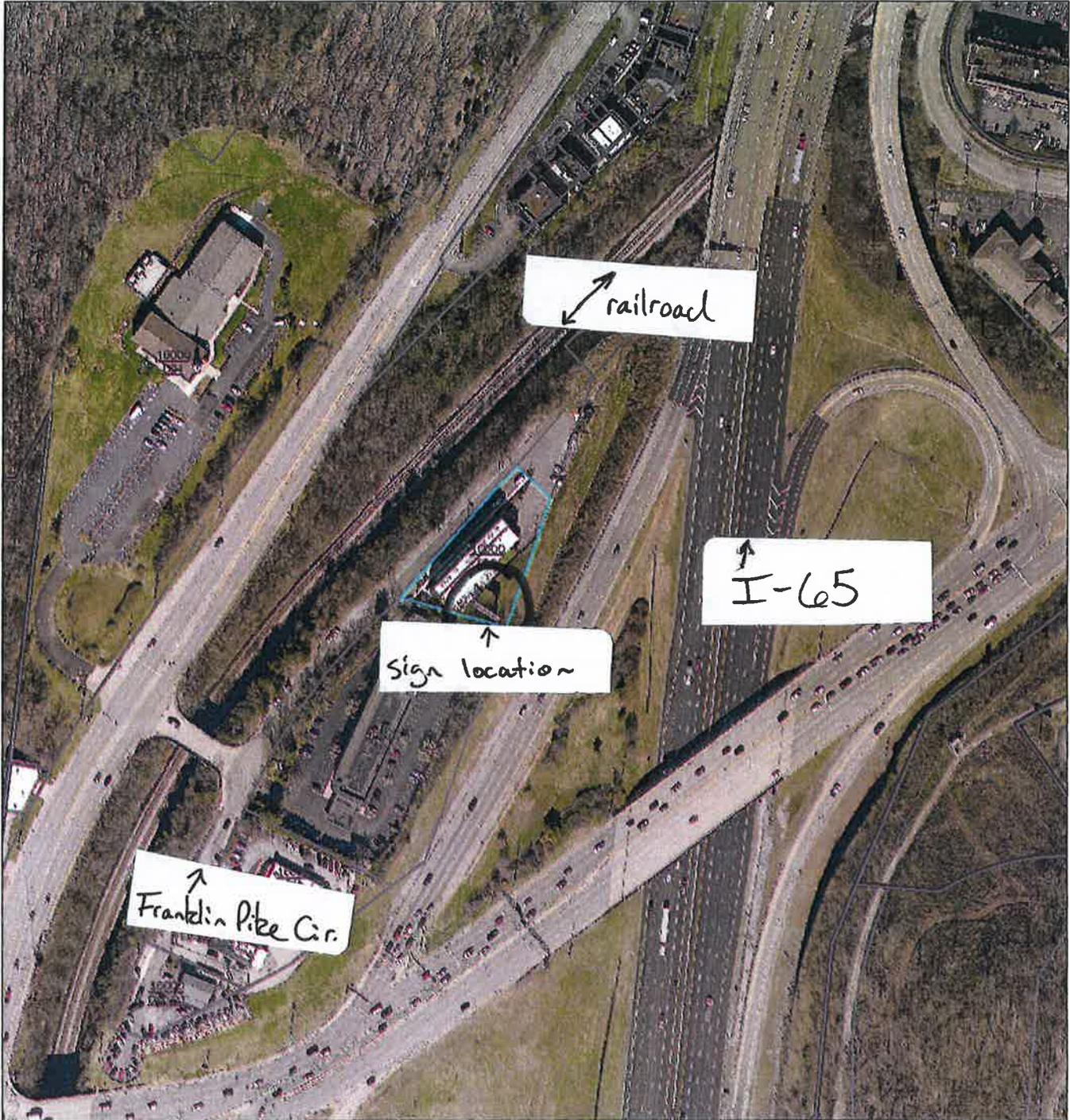
Jefferson
Street

Ex 51

Ex 51



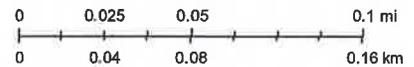
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 16000005900
 LOT ADDRESS: 5014 FRANKLIN
 PIKE CIRCLE
 ✦ 2 LANE ROAD ✦

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO?

Metro GIS; Pictometry International

Ex 52

Made by: Metro GIS

5614 Franklin Pike Cir. - Lot Address



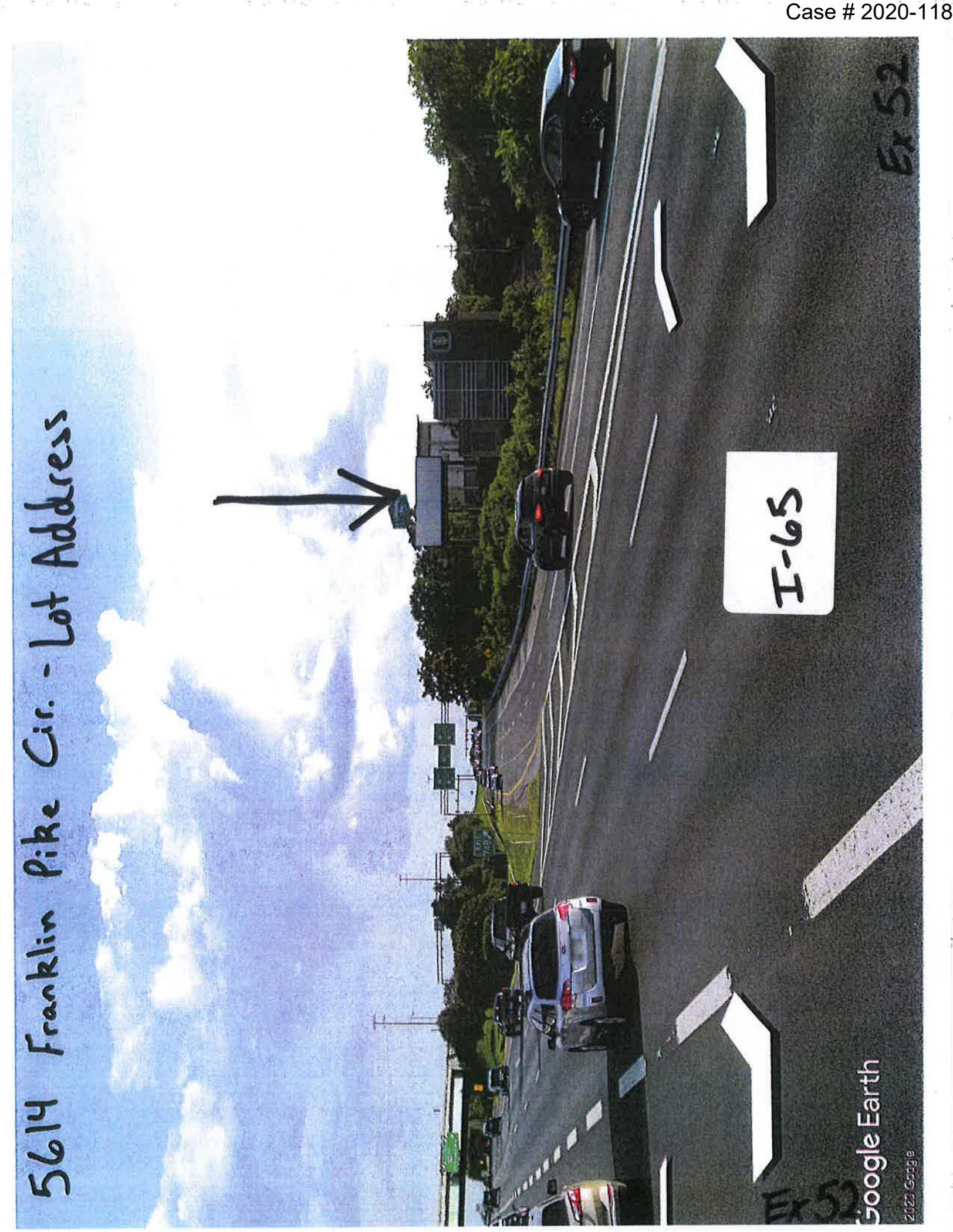
I-65

Ex 52

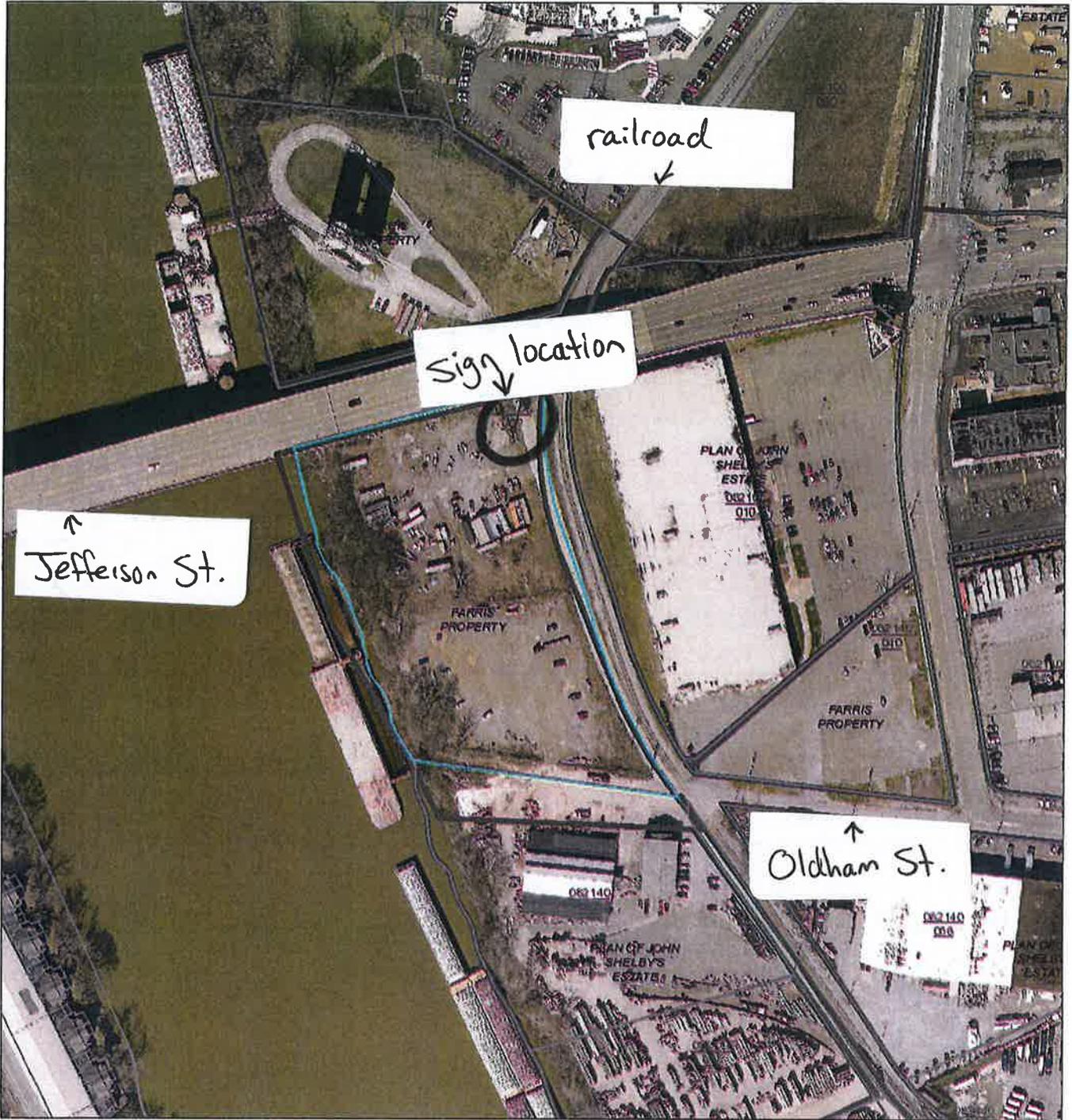
Google Earth

2020 Google

Ex 52



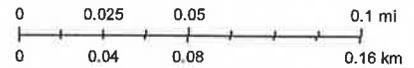
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 08210000900
 LOT ADDRESS: 9 OLDHAM ST
 ↳ 2 LANE ROAD ↳

- BILLBOARD ORIENTED TO JEFFERSON STREET BRIDGE
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 53

Made by: Metro GIS



Metropolitan Government of Nashville and Davidson County, Tennessee Department of Codes and Building Safety 800 Second Avenue South, Nashville, TN 37210



2055950

BUILDING SIGN PERMIT / CASN - 201528935 Inspection Checklist for Use and Occupancy This is not a Use and Occupancy Notification

PARCEL: 08210000900

APPLICATION DATE: 07/09/2015

SITE ADDRESS:

9 OLDHAM ST NASHVILLE, TN 37213 LOT 2 FARRIS PROPERTY

PARCEL OWNER:

APPLICANT: Decker Construction Co Llc 805 SOUTH CHURCH ST SUITE 19 MURFREESBORO, TN 37133 (615)896-3403

CONTRACTOR:

DECKER CONSTRUCTION CO LLC 18912 STBC-B

PURPOSE:

INSTALL A TRI-PANEL..MONO-POLE BILLBOARD...MAX HT 30' ABOVE ROAD WAY. 14 X 48 SIZE...

FRONT SETBACK MIN 20'...SIDE MIN 10'...MIN 1000' FROM ANY OTHER BILLBOARD ON SAME SIDE OF STREET AND MIN 250' FROM ANYOTHER BILLBOARD ACROSS THE STREET...MEASURMENTS ...FROM CLOSEST PART OF BILLBOARD TO CLOSEST PART OF OTHER BILLBOARD....

---SIGNS WITH ANY COPY, GRAPHICS, OR DIGITAL DISPLAYS THAT CHANGE MESSAGES BY ELECTRONIC OR MECHANICAL MEANS, MUST REMAIN FIXED FOR A MIN OF 8 SECONDS.....

-- THE COPY, GRAPHICS, OR DIGITAL DISPLAY SHALL REMAIN FIXED, STATIC, MOTIONLESS, AND NONFLASHING FOR A PERIOD OF EIGHT (8) SECONDS WITH ALL COPY CHANGES OCCURRING INSTANTANEOUSLY WITHOUT ANY SPECIAL EFFECTS....**TRI-PANELS NOT TO BE INTERNALLY ILLUMINATED****

**SEE PLAT AND ARCMAP WHICH SHOWS NEW ROW AND THAT BOTH ARE 404' WIDE.

Pursuant Ordinance # 2006-1263 Metropolitan code of Laws, I (the holder on this permit) hereby certify that all construction & demolition waste generated by any & all activities governed by this permit shall be disposed of in an approved landfill. Further, I certify that no construction & demolition waste shall be stored on the property in violation of any provision of Metropolitan Code...SEE 1984 PERMIT ON M&P 82-10-3



Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

Table with 3 columns: Approval Category, Status, and Contact Information. Rows include U&O Property Standards Zoning, Building Final, Commercial Building Progress, Commercial Building Footing, and Commercial Building Progress.

Inspection requirements may change due to changes during construction.

Permit: 201528935

17.32.150(6) would classify the Jefferson Street Bridge as a controlled access highway.

2. The maximum display surface area for each type may be exceeded by thirty percent for embellishments to the standard rectangular sign, provided the embellishments do not project more than five feet above the top nor more than three feet beyond the sides and two feet beyond the bottom of the standard rectangular sign.
3. A billboard face shall consist of a single panel. Multiple panel faces, such as stacked or side-by-side, are not permitted.
4. One face of two back-to-back billboards of the same shape and dimensions, excluding embellishments, shall be used in computing the total display surface area when the signs are no more than fifteen feet apart when parallel to one another or are placed at an angle between signs that does not exceed twenty degrees. No copy shall be permitted between the back-to-back faces.
5. Minimum yards shall be provided as established by this table in all districts:

	Type I	Type II
Front	5 feet greater than on-premises ground sign in the same district	20 feet
Rear	20 feet	20 feet
Side	Same as an on-premises ground sign	10 feet

6. There is established a maximum height limit of fifty feet above grade either at the base of the billboard or the nearest curb level of the surface street to which the billboard is oriented, whichever provides the greatest height. If the billboard is oriented to, and located within three hundred feet of a controlled access highway, a height of thirty feet above the elevation of the nearest travelway of the controlled access highway shall be permitted.

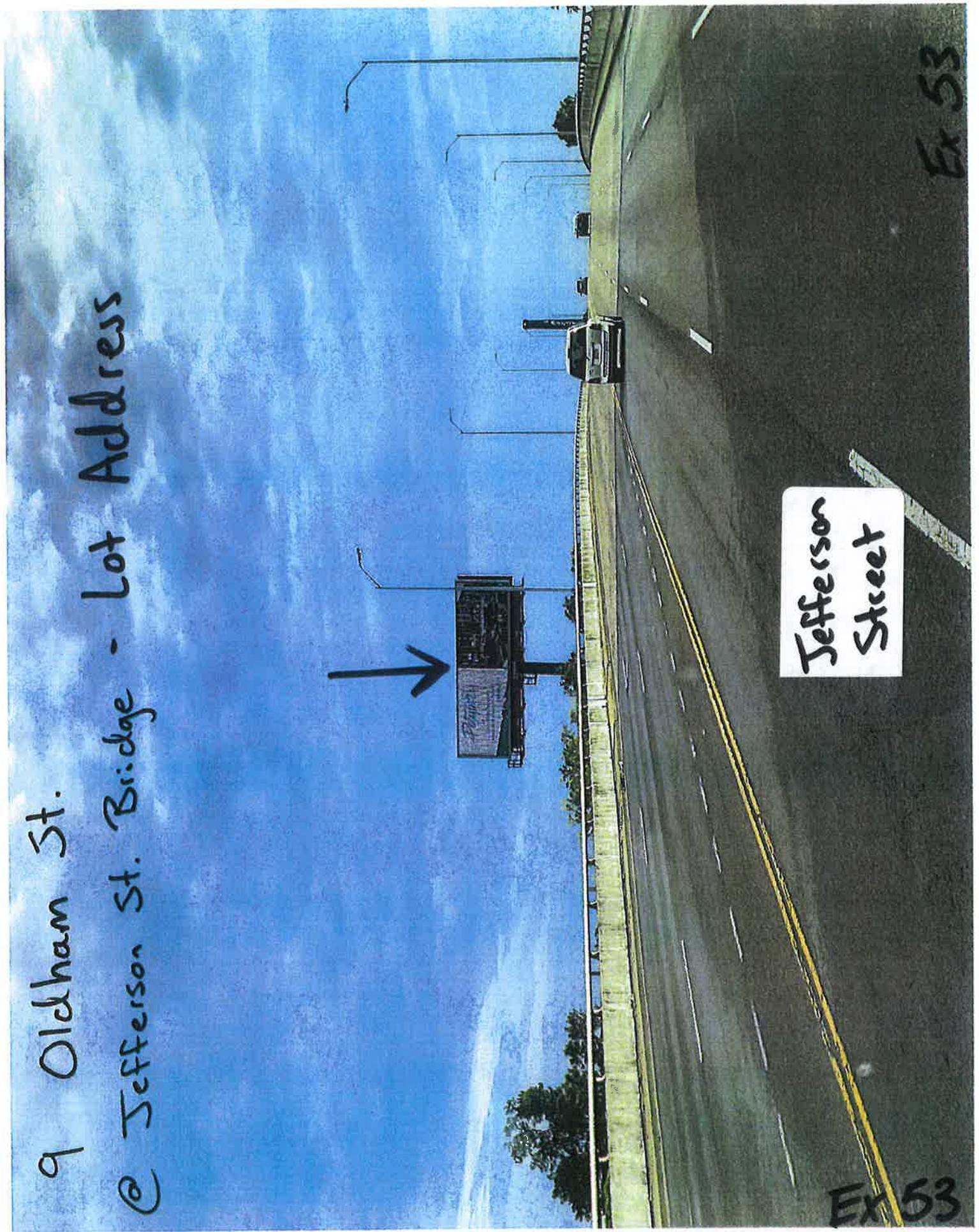
9 Oldham St.
@ Jefferson St. Bridge - Lot Address

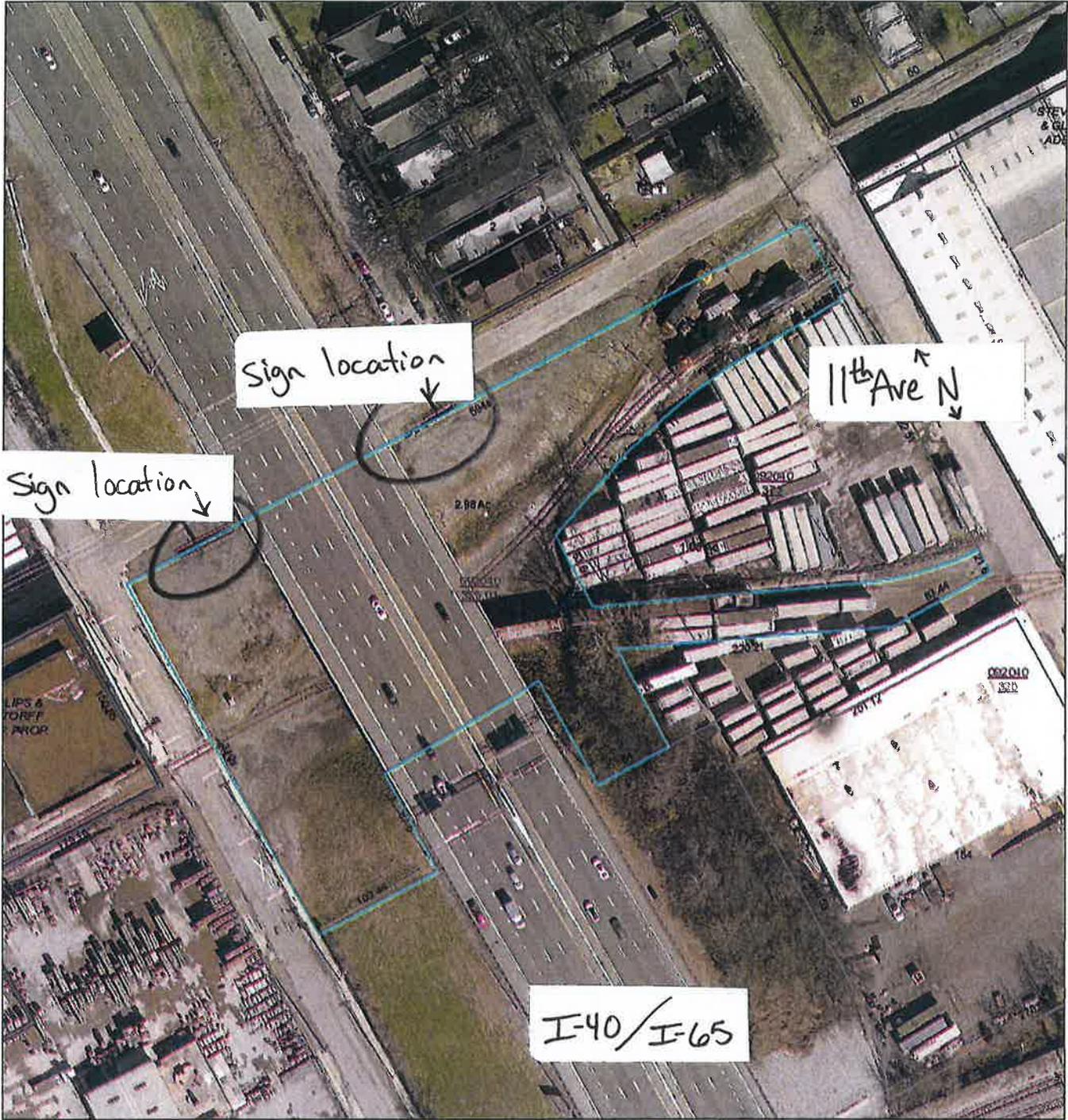


Jefferson
Street

EX 53

EX 53

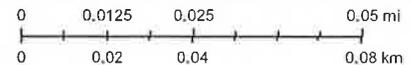




July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09204032501
 LOT ADDRESS: 819 11th AVE N
 * 2 LANE ROAD *

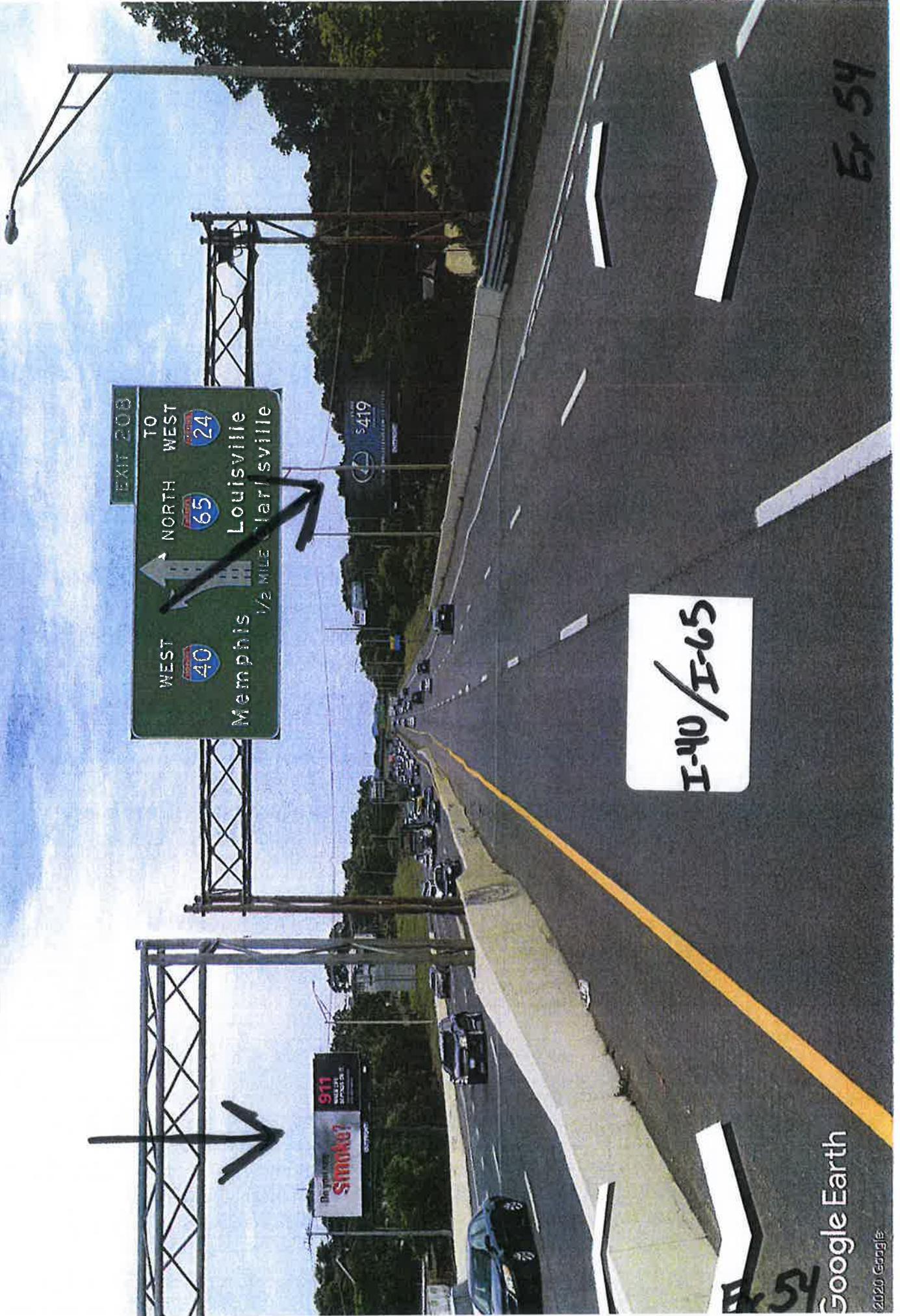
- BILLBOARDS ORIENTED TO I-40/I-65.
- LOT ORIENTED TO ?

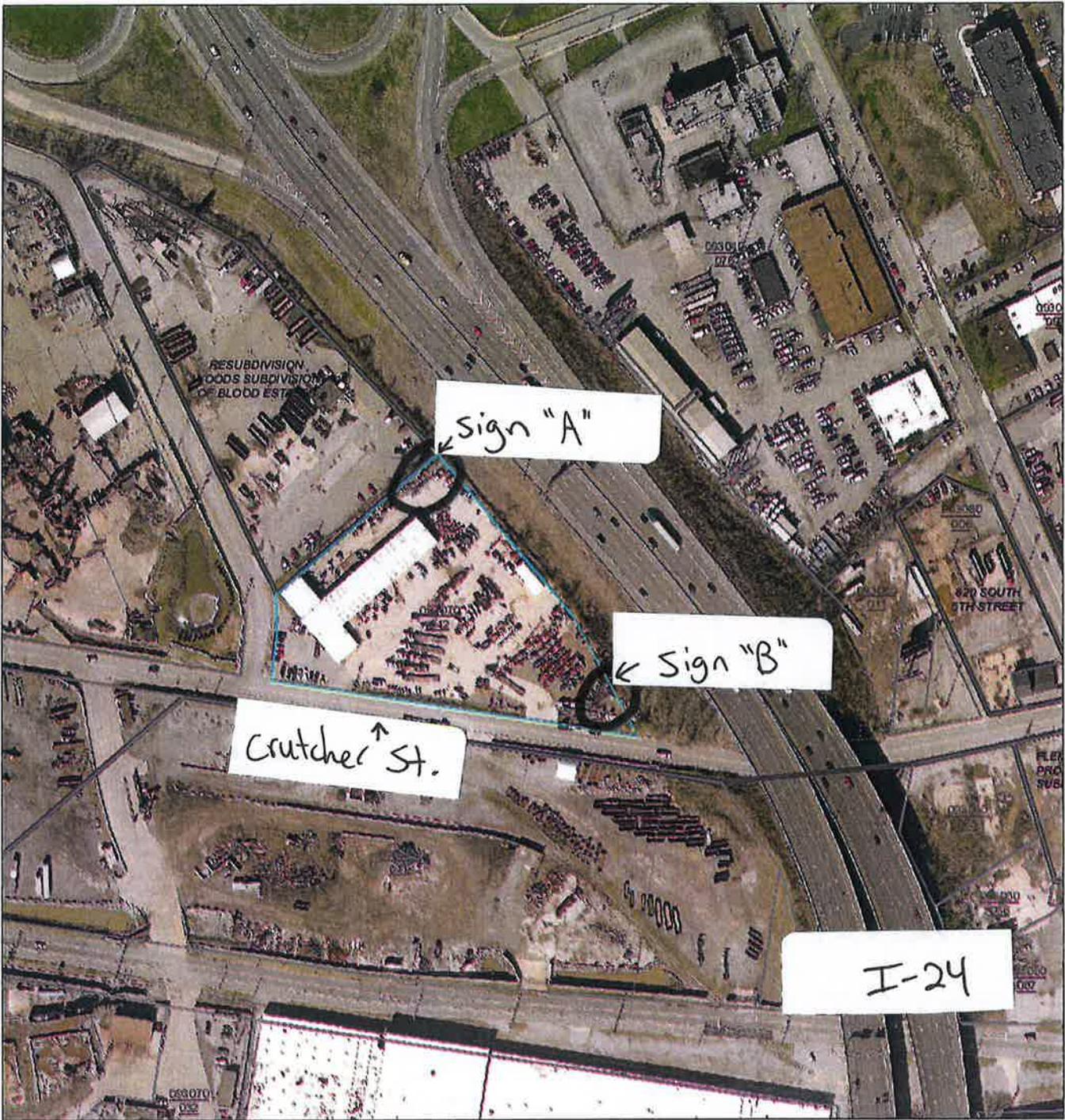
Metro GIS; Pictometry International

Ex 54

Made by: Metro GIS

819 11th Ave N. - Lot Address

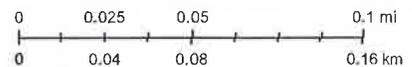




July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 093 07004200

LOT ADDRESS: 301 CRUTCHER STREET

* 2 LANE ROAD *

- BILLBOARD(S) ORIENTED TO I-24.

- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 55

Made by: Metro GIS

301 Crutcher St. - Lot Address

(A)



(B)



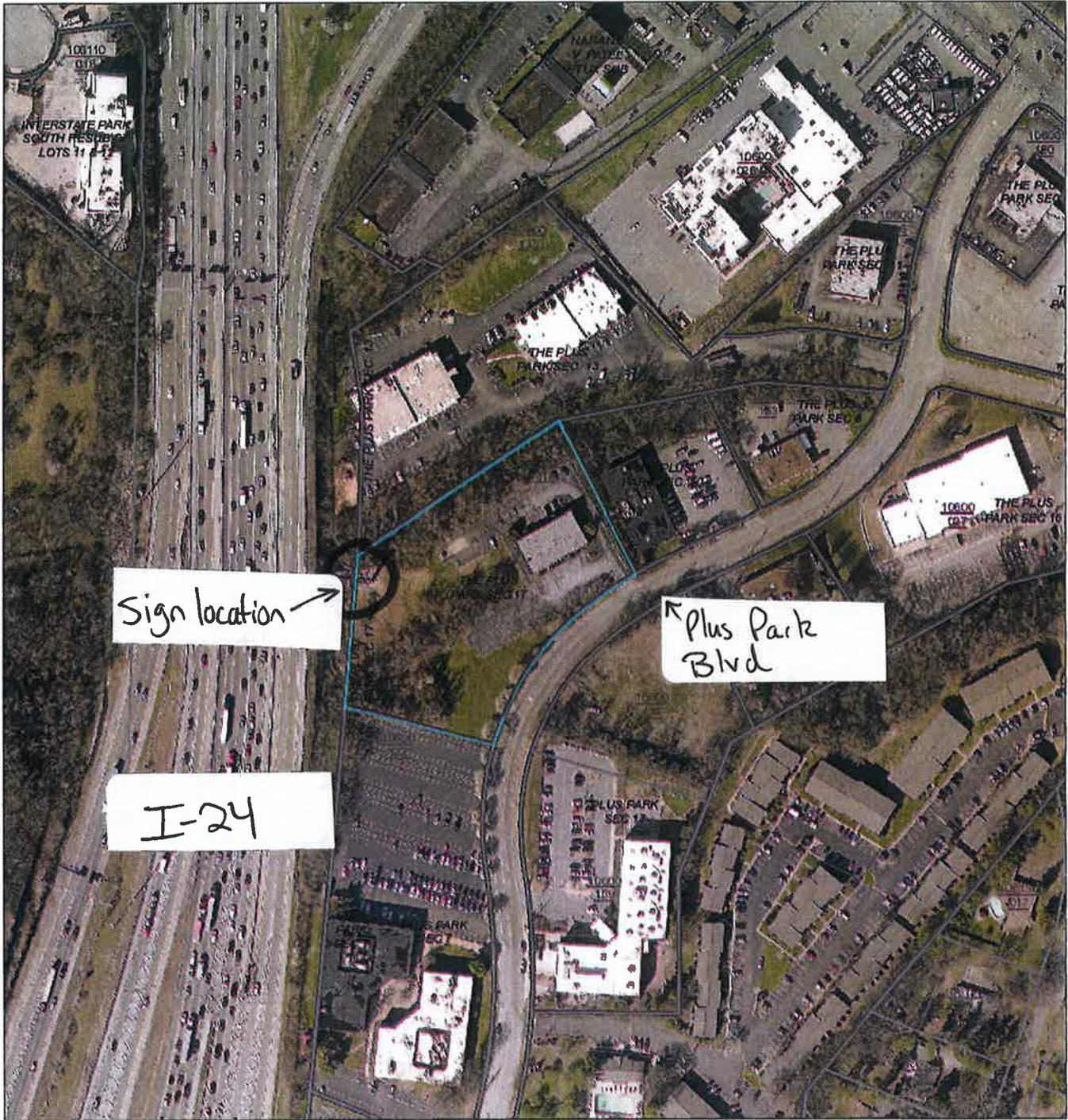
I-24

Ex 55

Ex 55

Google Earth

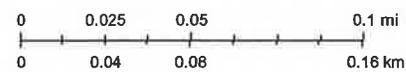
© 2020 Google



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 10600011600
 LOT ADDRESS: 319 PLUS PARK
 BOULEVARD
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 56
Made by: Metro GIS



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210

3320543
3320543

BUILDING SIGN PERMIT / CASN - 2017010661
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

Permits 2017010661

PARCEL: 10600011600

APPLICATION DATE: 02/14/2017

SITE ADDRESS:

317 PLUS PARK BLVD NASHVILLE, TN 37217
LOT 21 THE PLUS PARK SEC 17

PARCEL OWNER: VOLUNTEER BUILDING, THE

CONTRACTOR:

APPLICANT: LAMAR ADVERTISING OF TN INC

LAMAR ADVERTISING OF TN INC 60883 MCN02039

NASHVILLE, TN 37207-0157
(615)228-5500

PURPOSE:

PERMIT 2015-45056...REMOVED BILLBOARD ON PARCEL 25 AND INSTALLED A NEW BILLBOARD ON THIS PARCEL.
*****THIS PERMIT TO CONVERT TO A (14 X 48) DIGITAL BILLBOARD.....ORIENTED TO INTERSTATE.....MAX HT OVER
INTERSTATE ROADWAY.....15'...REQUIRED MIN 25' SEPARATION FROM EDGE OF BB TO R ZONED PROPERTY ACROSS
THE INTERSTATE.....
***SEE SITE PLAN..
**** MIN 20' FROM LOT LINE
***MIN 375' FROM R ZONED PROPERTY ACROSS INTERSTATE..
MIN 2000' FROM ANY OTHER DIGITAL BILLBOARD..
---SIGNS WITH ANY COPY, GRAPHICS, OR DIGITAL DISPLAYS THAT CHANGE MESSAGES BY ELECTRONIC OR
MECHANICAL MEANS, MUST REMAIN FIXED FOR A MIN OF 8 SECONDS.....
-- THE COPY, GRAPHICS, OR DIGITAL DISPLAY SHALL REMAIN FIXED, STATIC, MOTIONLESS, AND NONFLASHING FOR A
PERIOD OF EIGHT (8) SECONDS WITH ALL COPY CHANGES OCCURRING INSTANTANEOUSLY WITHOUT ANY SPECIAL
EFFECTS

*Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.
Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.*

Commercial Building Final	Jim.Guschke@nashville.gov
Commercial Building Footing	Jim.Guschke@nashville.gov
Building Framing - Ceiling	Sid.Hinkle@nashville.gov
Building Final	Sid.Hinkle@nashville.gov
Building Floor Elevation	Sid.Hinkle@nashville.gov
Building Footing	Sid.Hinkle@nashville.gov
Building Foundation	Sid.Hinkle@nashville.gov
Building Framing	Sid.Hinkle@nashville.gov
Building Framing - Wall	Sid.Hinkle@nashville.gov
CA Building Progress Inspection	Sid.Hinkle@nashville.gov
Non-Electrical Sign Final	Kenneth.Wilee@nashville.gov
Electrical Sign Final	Kenneth.Wilee@nashville.gov
Building Slab	Sid.Hinkle@nashville.gov
U&O Property Standards Zoning	615-862-6590
U&O Zoning Final	615-862-6550 wilma.sullivan@nashville.gov

Inspection requirements may change due to changes during construction.

319 Plus Park Blvd. - Lot Address



Opening Doors
to Opportunity

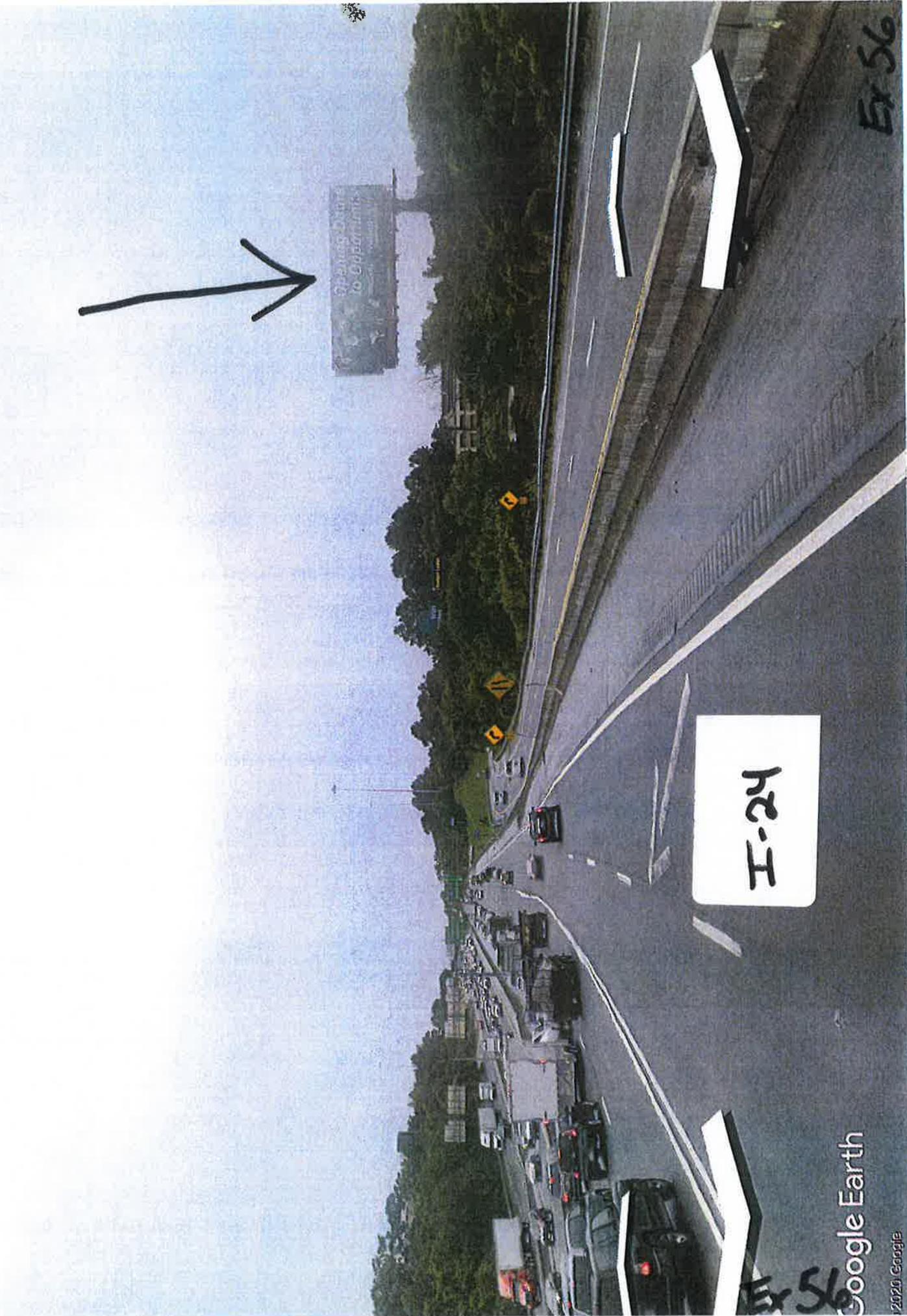
I-24

Google Earth

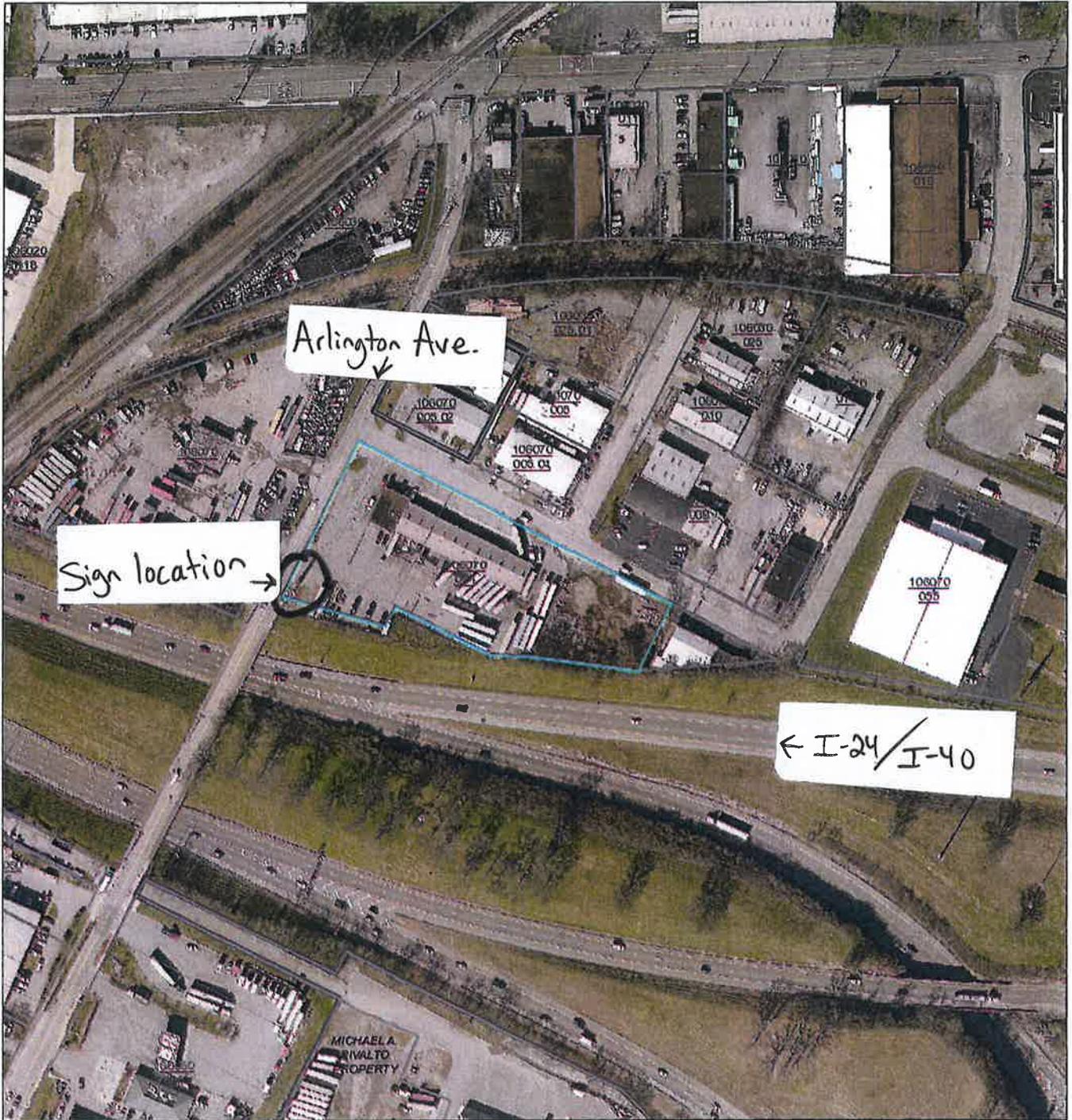
©2020 Google

Ex 56

Ex 56



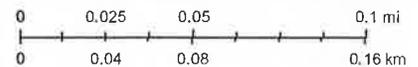
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 10607 000 400
 LOT ADDRESS: 404 ARLINGTON AVENUE

* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24/I-40.
- LOT ORIENTED TO ?



Metropolitan Government
of Nashville and Davidson County, Tennessee
Department of Codes and Building Safety
800 Second Avenue South, Nashville, TN 37210

3383426
3383426

BUILDING SIGN PERMIT / CASN - 2017044370
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

Permit: 2017044370

PARCEL: 10607000400

APPLICATION DATE: 07/07/2017

SITE ADDRESS:

404 ARLINGTON AVE NASHVILLE, TN 37210
LTS 12,13,21,22,53 & PTS 11,52 BAIRD SUB OAKLAND & PT CL ST

PARCEL OWNER: AMSOUTH BANK & WELLS, LUCY F. & CARTER, ~~CONTRACTOR:~~

APPLICANT: LAMAR ADVERTISING OF TN INC LAMAR ADVERTISING OF TN INC 60883 STS-BILLBO

NASHVILLE, TN 37207-0157
(615)228-5500

PURPOSE:

REMOVE EXISTING 14 X 48 TWO POLE STATIC BILLBOARD AND REPLACE WITH MONE POLE 10.5'X36' DIGITAL BILLBOARD.

1. REQUIRED MIN SEPARATION FROM ANY OTHER DIGITAL BILLBOARD OF 2000'.
2. REQUIRED SEPARATION FROM ANY PROPERTY ZONED R OR A A MIN OF 25' FOR EVERY 1' IN HT...
- 3...PLAN SHOWS THIS BILLBOARD WITH A HT AT 32' FROM GRADE AND A DISTANCE OF 800' FROM ANY R OR A ZONED PROPERTY. ...
4. **ORIENTED TO THE INTERSTATE.**
5. SETBACK MIN 20'.. FROM FRONT INTERSTATE/LOT LINE AND STREET/LOT LINE.
- 6---SIGNS WITH ANY COPY, GRAPHICS, OR DIGITAL DISPLAYS THAT CHANGE MESSAGES BY ELECTRONIC OR MECHANICAL MEANS, MUST REMAIN FIXED FOR A MIN OF 8 SECONDS.....
- 7-- THE COPY, GRAPHICS, OR DIGITAL DISPLAY SHALL REMAIN FIXED, STATIC, MOTIONLESS, AND NONFLASHING FOR A PERIOD OF EIGHT (8) SECONDS WITH ALL COPY CHANGES OCCURRING INSTANTANEOUSLY WITHOUT ANY SPECIAL EFFECTS.
- 8...see billboard permits 82-38744 and 82-32567..issued on inactive parcel 3.

Before a Use and Occupancy Letter can be issued for this project, the following approvals are required.

Inspections Foundation = before concrete poured, Framing = before covering wall and after rough-in inspections.

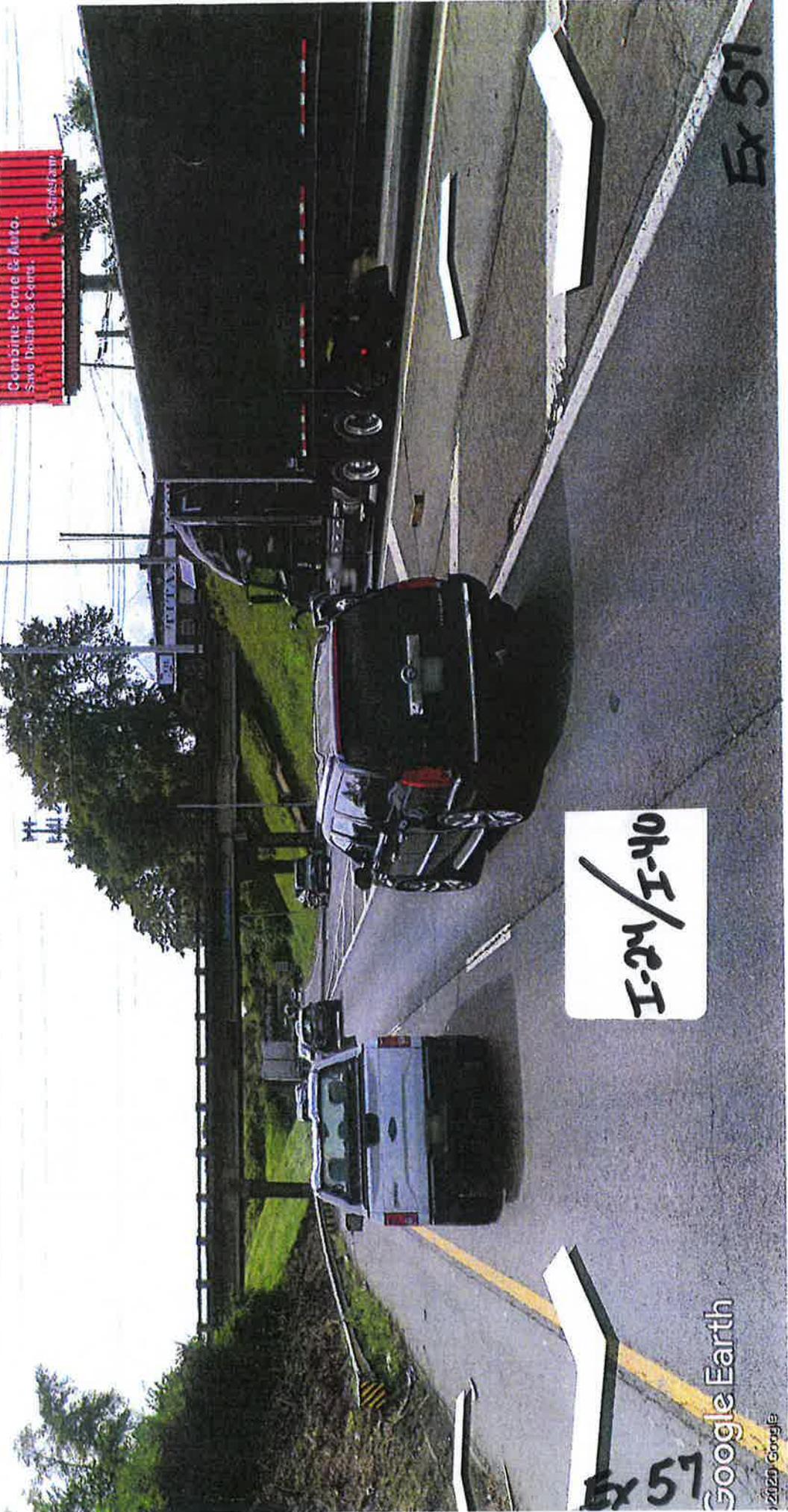
Commercial Building Final		Tim.Rowland@nashville.gov
Commercial Building Footing		Tim.Rowland@nashville.gov
Building Framing - Ceiling		Larry.Dennis@nashville.gov
Building Final		Larry.Dennis@nashville.gov
Building Floor Elevation		Larry.Dennis@nashville.gov
Building Footing	APPROVED	Larry.Dennis@nashville.gov
Building Foundation		Larry.Dennis@nashville.gov
Building Framing		Larry.Dennis@nashville.gov
Building Framing - Wall		Larry.Dennis@nashville.gov
CA Building Progress Inspection		Tim.Rowland@nashville.gov
Non-Electrical Sign Final		
Electrical Sign Final		
Building Slab		Larry.Dennis@nashville.gov
U&O Property Standards Zoning		615-862-6590
U&O Zoning Final		615-862-6550 wilma.sullivan@nashville.gov

Inspection requirements may change due to changes during construction.

404 Arlington Ave. - Lot Address



Combine, Pumps & Auto.
Save Dollars & Cents.
P. 238-1400

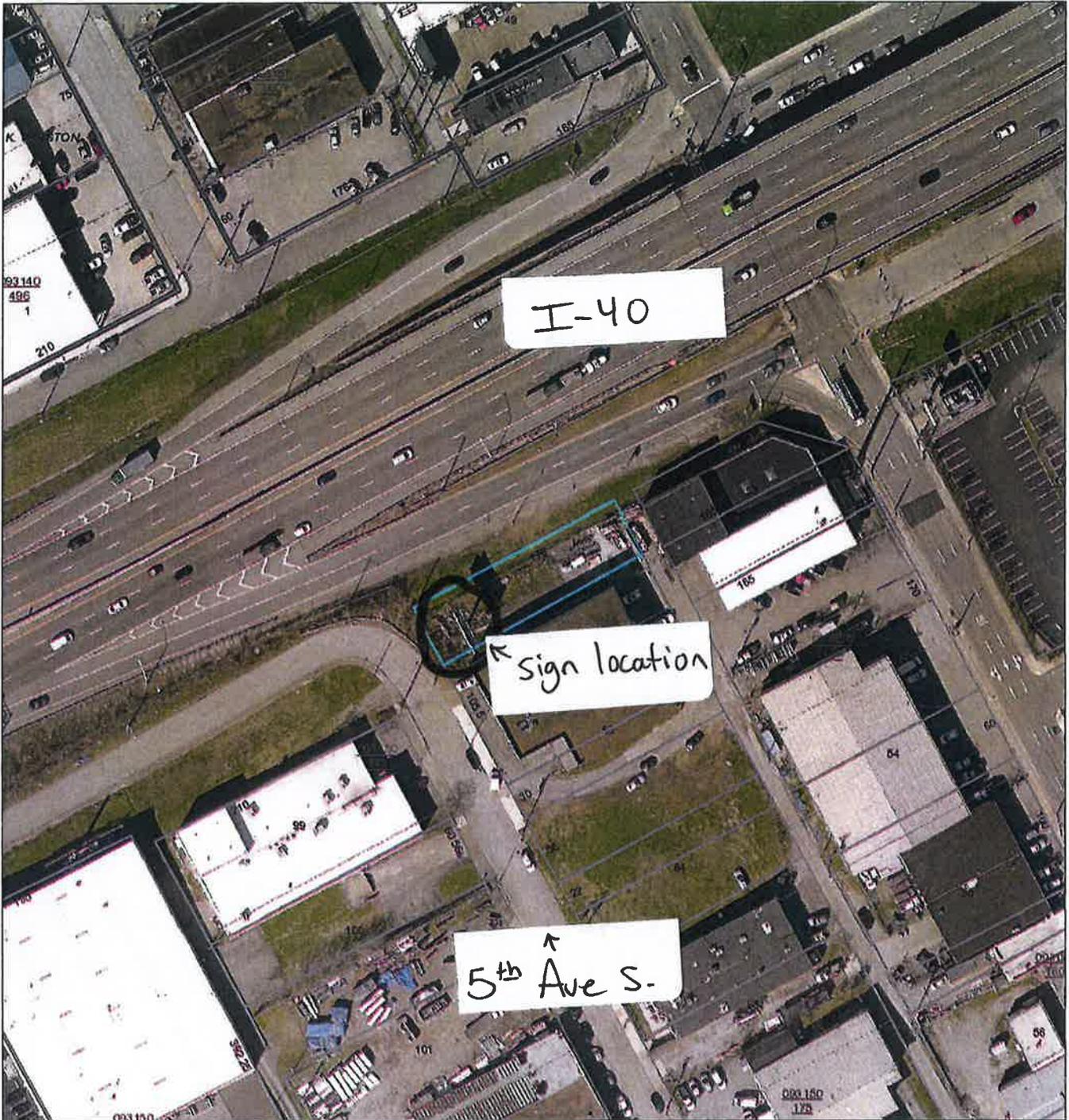


I-24/I-40

Google Earth

©2020 Google

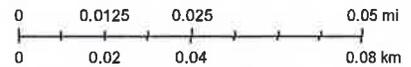
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09315010700

LOT ADDRESS: 910 5th AVE SOUTH

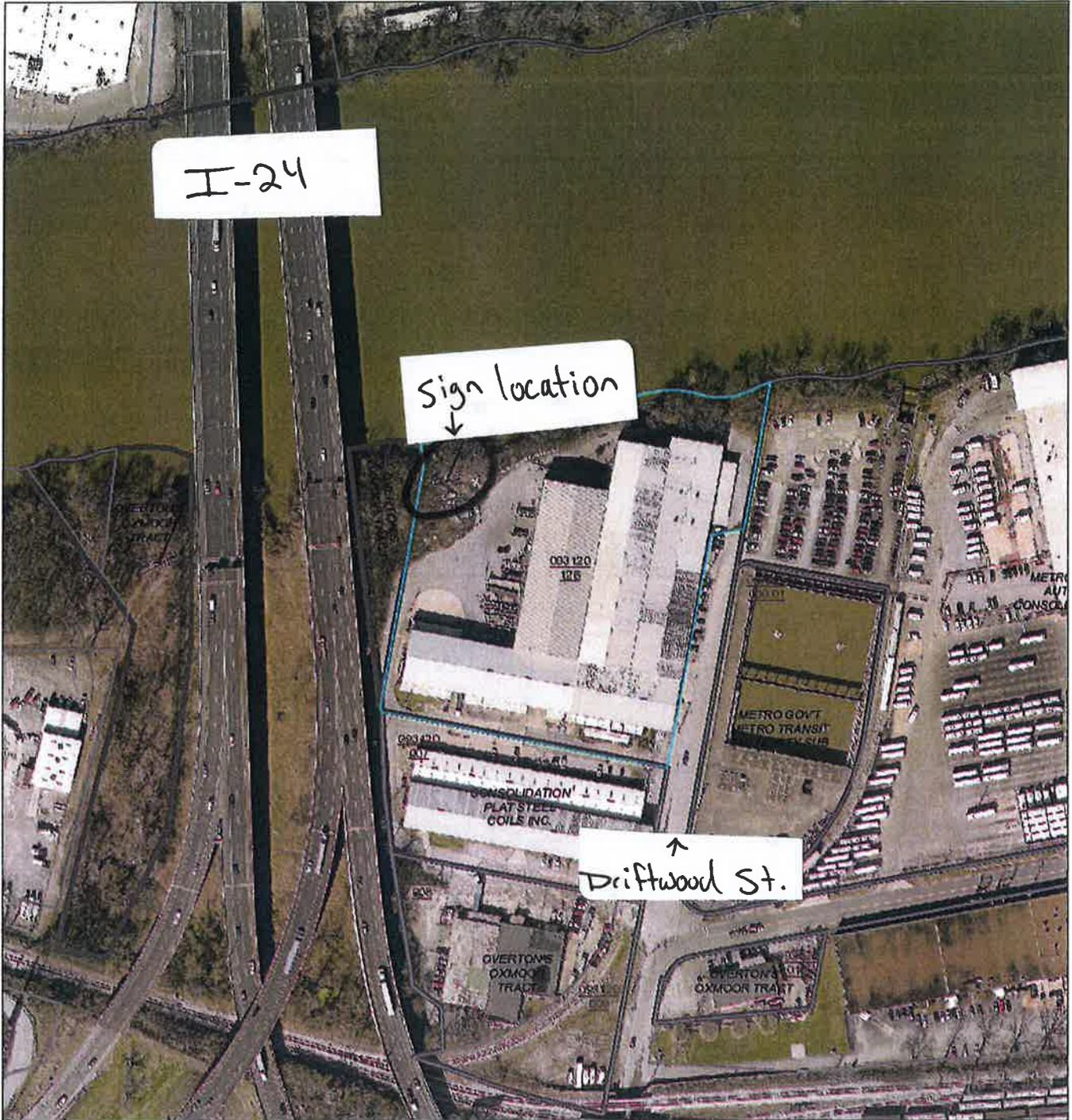
* 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

910 5th Ave S. - Lot Address



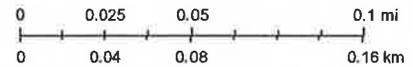
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09312012600
 LOT ADDRESS: 407 DRIFTWOOD STREET
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- **LOT ORIENTED TO ?**

Metro GIS, Pictometry International

Ex 59

Made by: Metro GIS

407 Driftwood St. - Lot Address



Korean War Blvd
Shilby Ave
Nissan Stadium

LANE ENDS
AHEAD

YOU CAN'T SEE THE
SUN UNTIL YOU GET
HERE

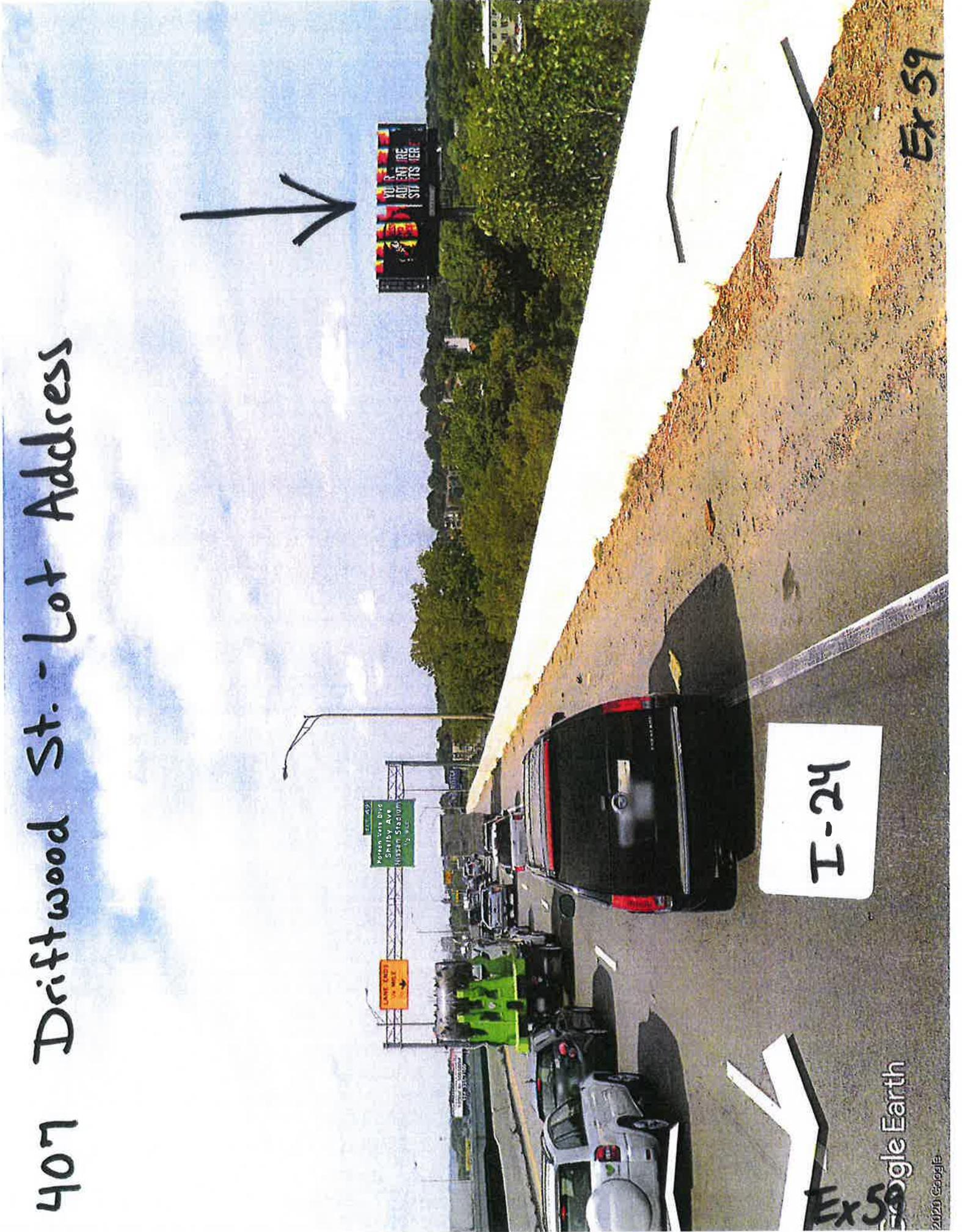
I-24

Ex 50

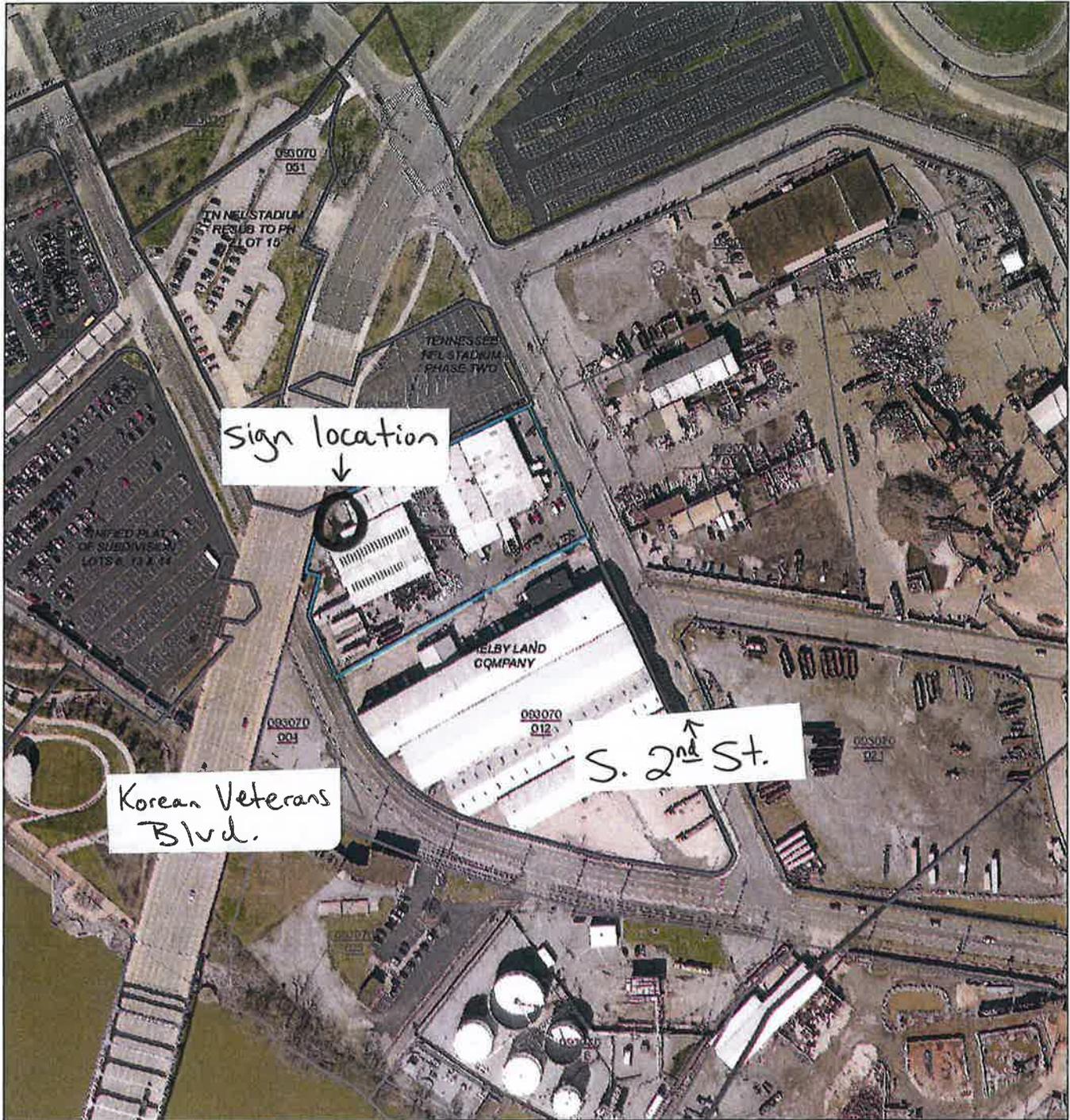
Google Earth

2020 © Google

Ex 59



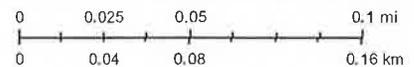
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09307005000
 LOT ADDRESS: 610 SOUTH 2ND ST
 ◀ 4 LANE ROAD ▶

- BILLBOARD ORIENTED TO KOREANS VET BOULEVARD
- LOT ORIENTED TO ?

Metro GIS, Pictometry International

Ex 60

Made by: Metro GIS

610 S. 2nd St. - Lot Address



Ex 60

Ex 60

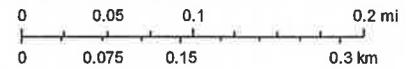
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: 09800007300
 LOT ADDRESS: 0002 SOUTH
 NEW HOPE ROAD
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

EX 61

Made by: Metro GIS

6002 S. New Hope Rd.



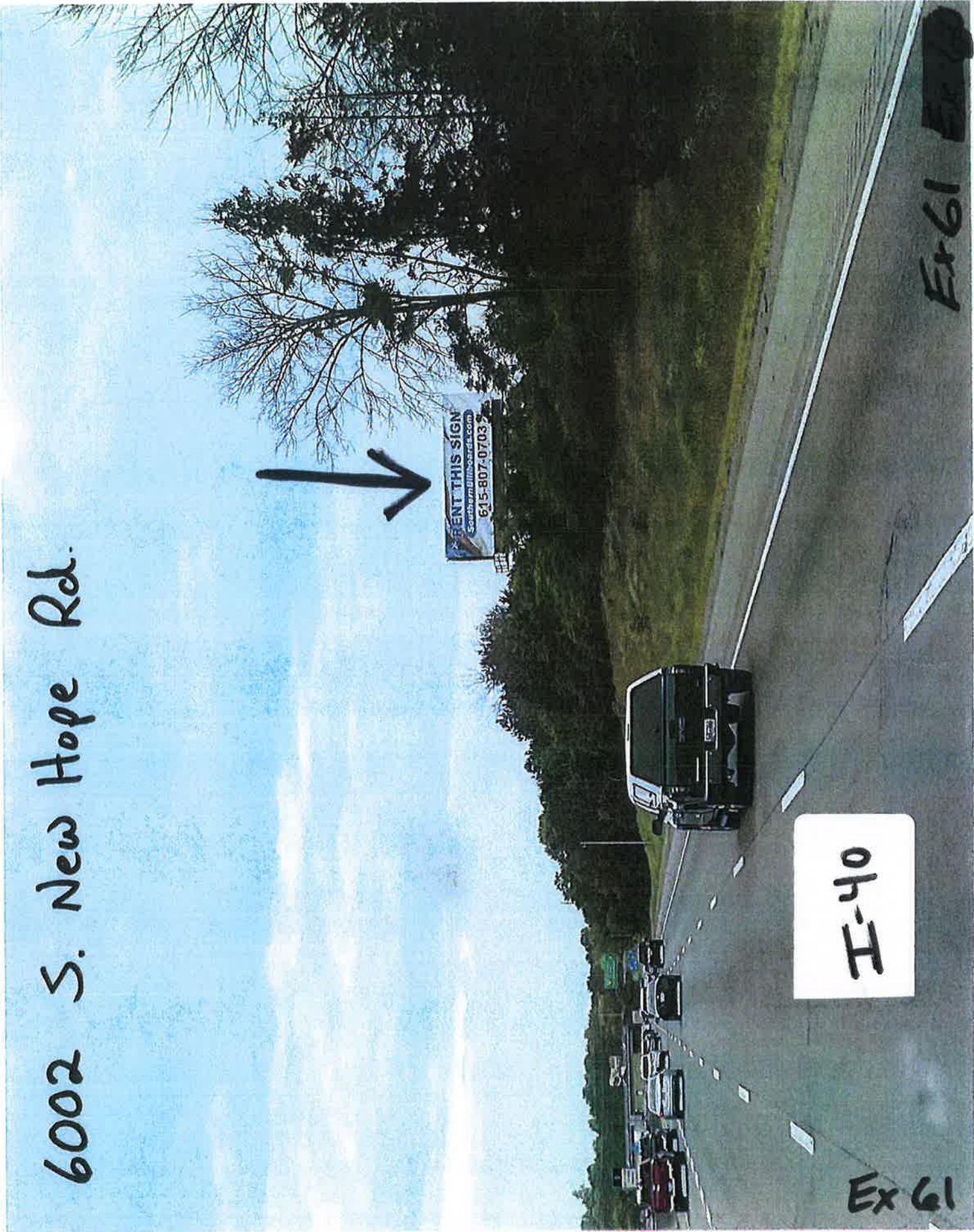
RENT THIS SIGN
SouthernBillboards.com
615-807-0703



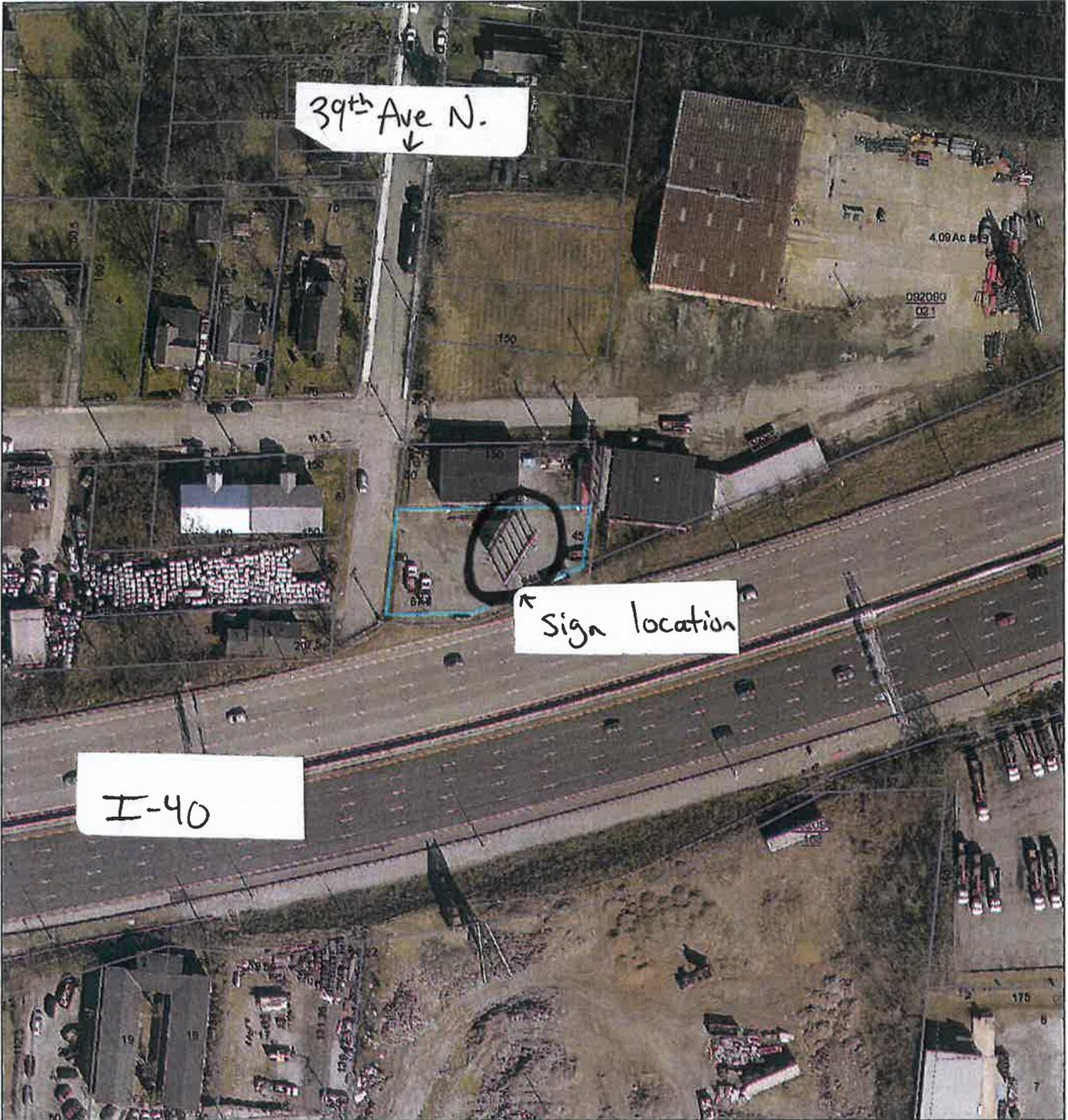
E-40

Ex 61

Ex 61



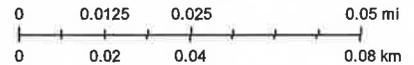
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09209001900
 LOT ADDRESS: 518 39th AVE N
 ~ 2 LANE ROAD ~

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 62
 Made by: Metro GIS

518 39th Ave N. - Lot Address



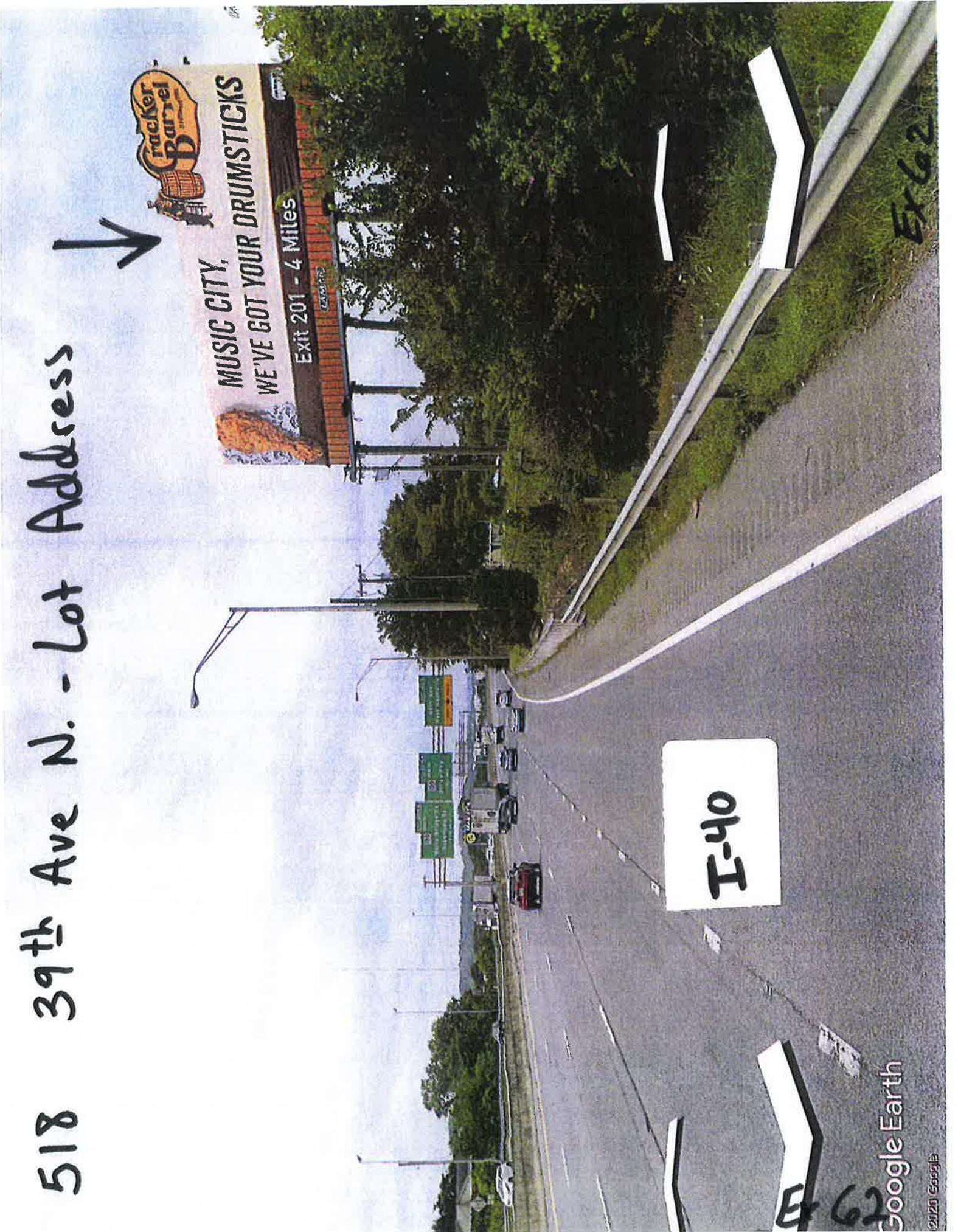
I-40

Ex 62

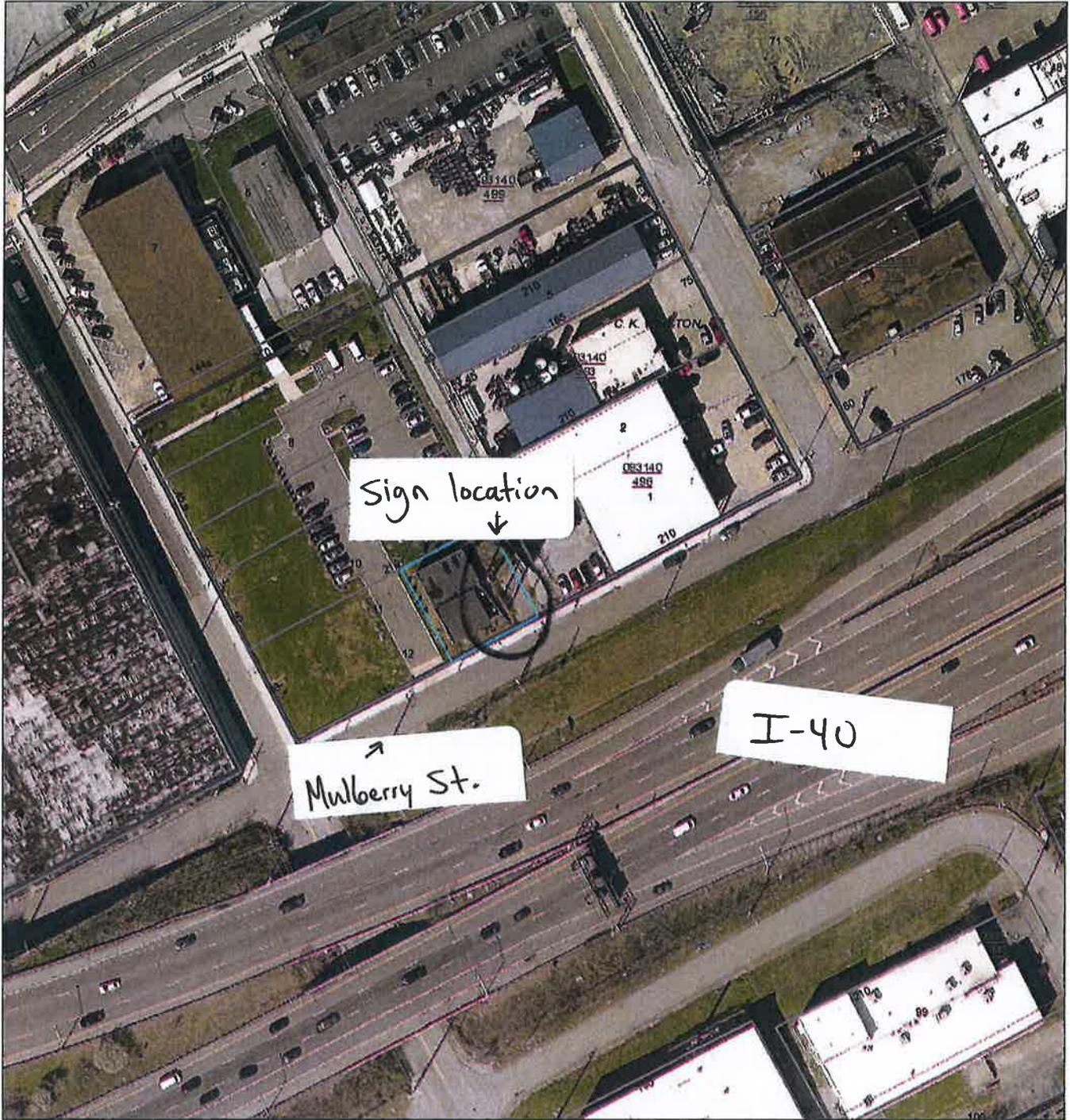
Google Earth

©2020 Google

Ex 62



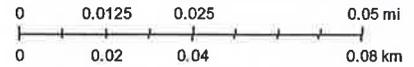
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09314049300
 LOT ADDRESS: 514 MULBERRY ST
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 63
 Made by: Metro GIS

514 Mulberry St. - Lot Address



Carving a New
Experiences
in West End
TEXAS **SOBZI**

I-40

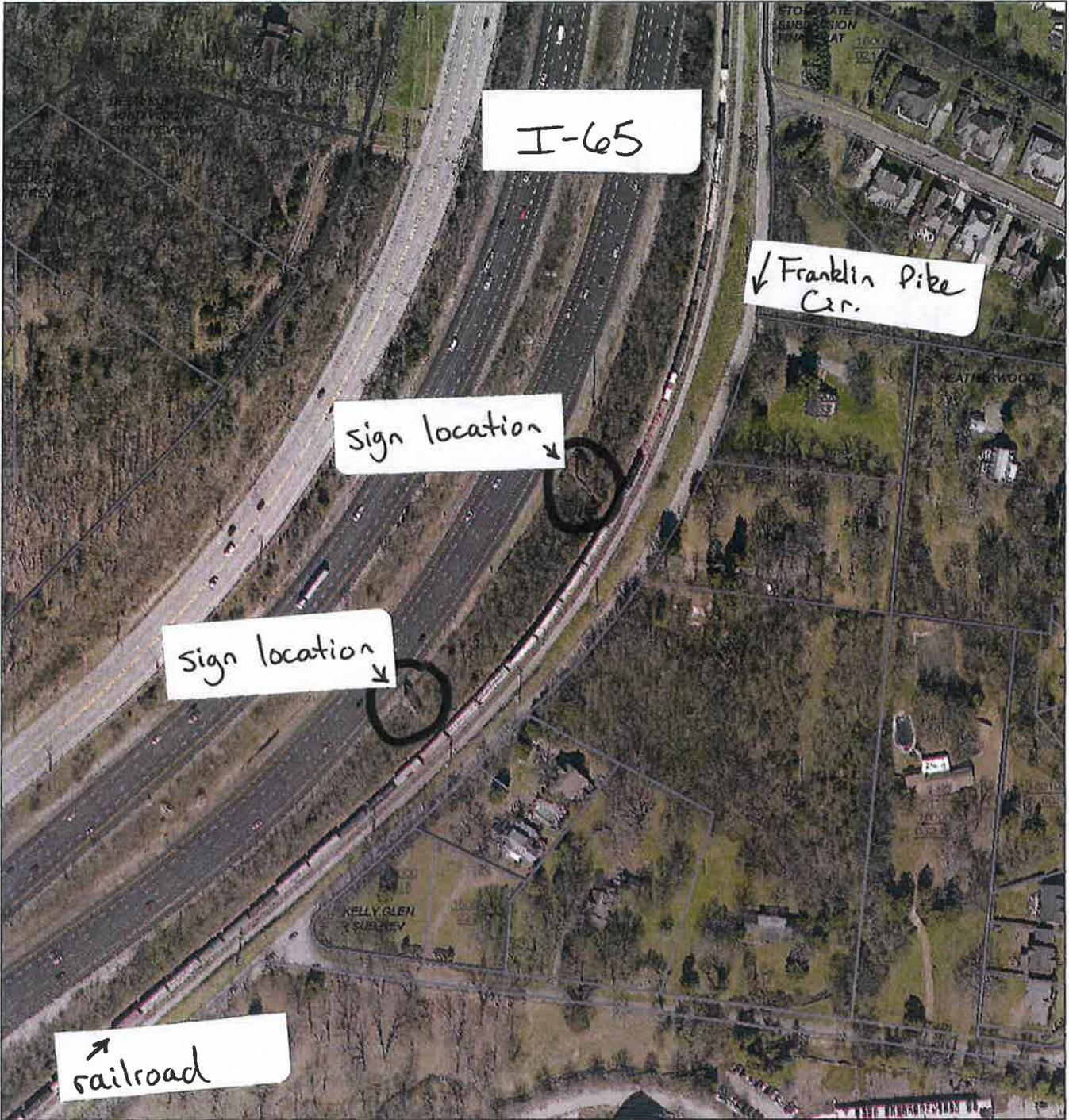
Google Earth

©2020 Google

EX 63

EX 63

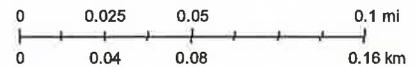
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



NO PARCEL INFO

RAILROAD PROPERTY

ROW. BETWEEN I-65 NORTH
BOUND & FRANKLIN PIKE
CIRCLE

• BILLBOARD ORIENTED
TO I-65.

• LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 64

Made by: Metro GIS

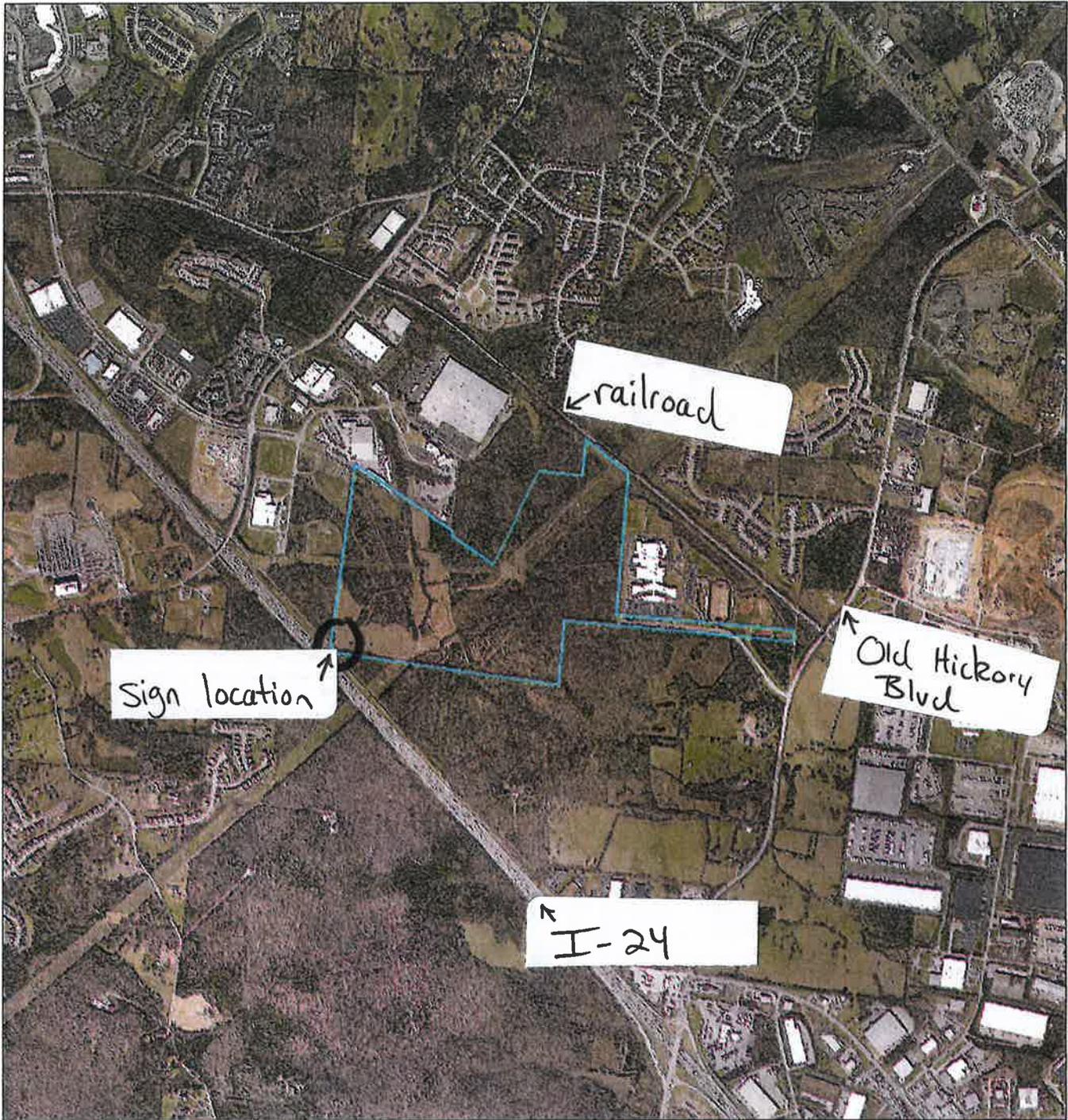
Railroad R.O.W. between
I-65 North bound and Franklin Pike Cir.



I-65

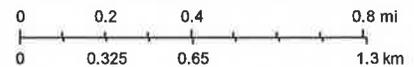
Ex 64

Nashville / Davidson County Parcel Viewer



July 27, 2020

1:18,056



PARCEL ID #: 17500002300
 LOT ADDRESS: 0 OLD HICKORY BOULEVARD

* 2 LANE ROAD *

NO FRONTAGE ON OLD HICKORY BLVD

- BILLBOARD ORIENTED TO I-24.

- LOT ORIENTED TO ?

Metro GIS; Pictometry International

EX 65

Made by: Metro GIS

0 Old Hickory Blvd. - Lot Address



I-24

Ex 65

Ex 65

Google Earth

© 2020 Google

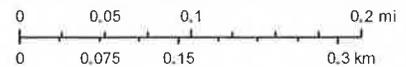
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



NO PARCEL INFO

RAILROAD PROPERTY

ROW BETWEEN I-24 WEST
BOUND + ELLINGTON PARKWAY

- BILLBOARD ORIENTED TO ELLINGTON PKWAY
- **LOT ORIENTED TO ?**

Metro GIS; Pictometry International

Ex66

Made by: Metro GIS

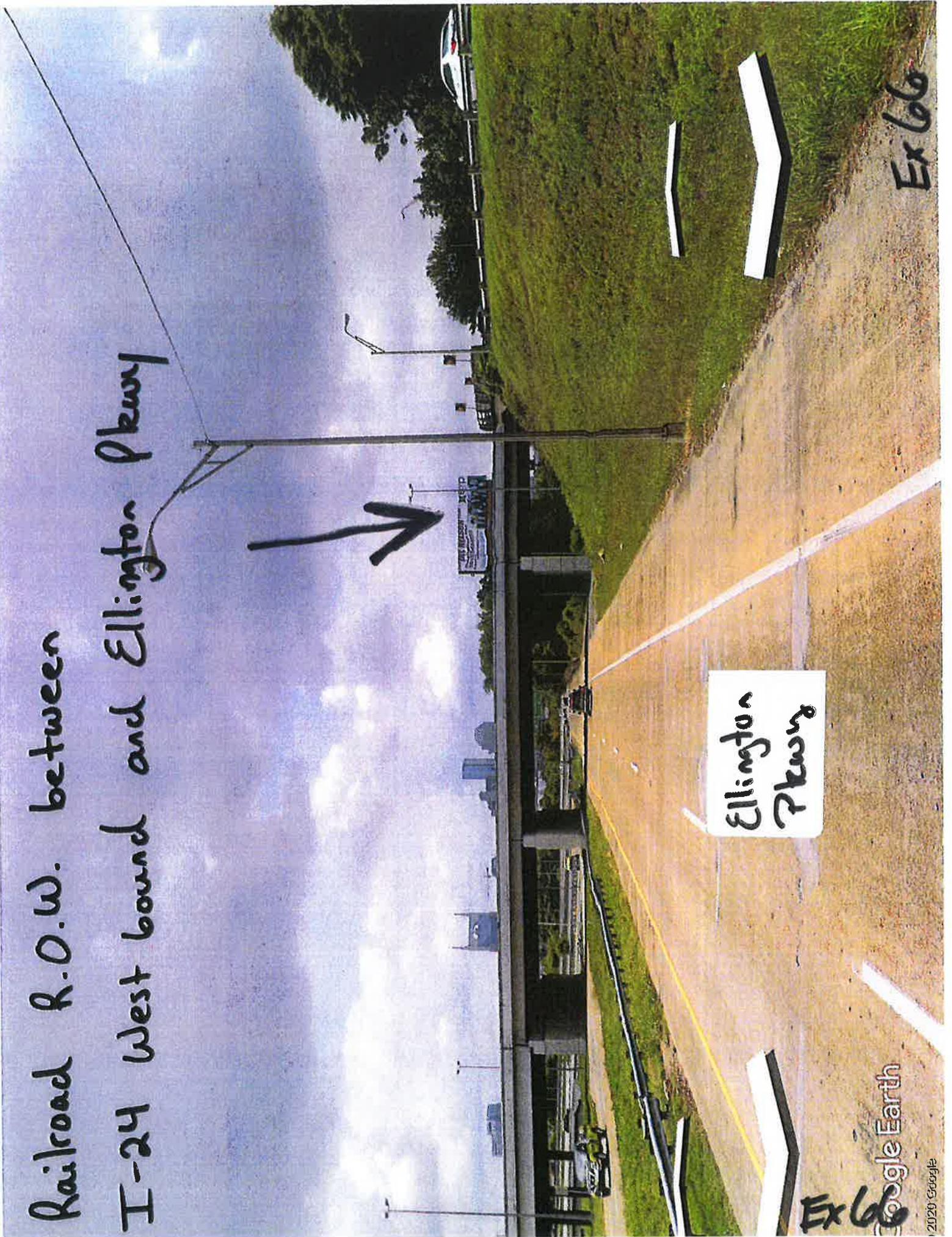
Railroad R.O.W. between
I-24 West bound and Ellington Pkwy



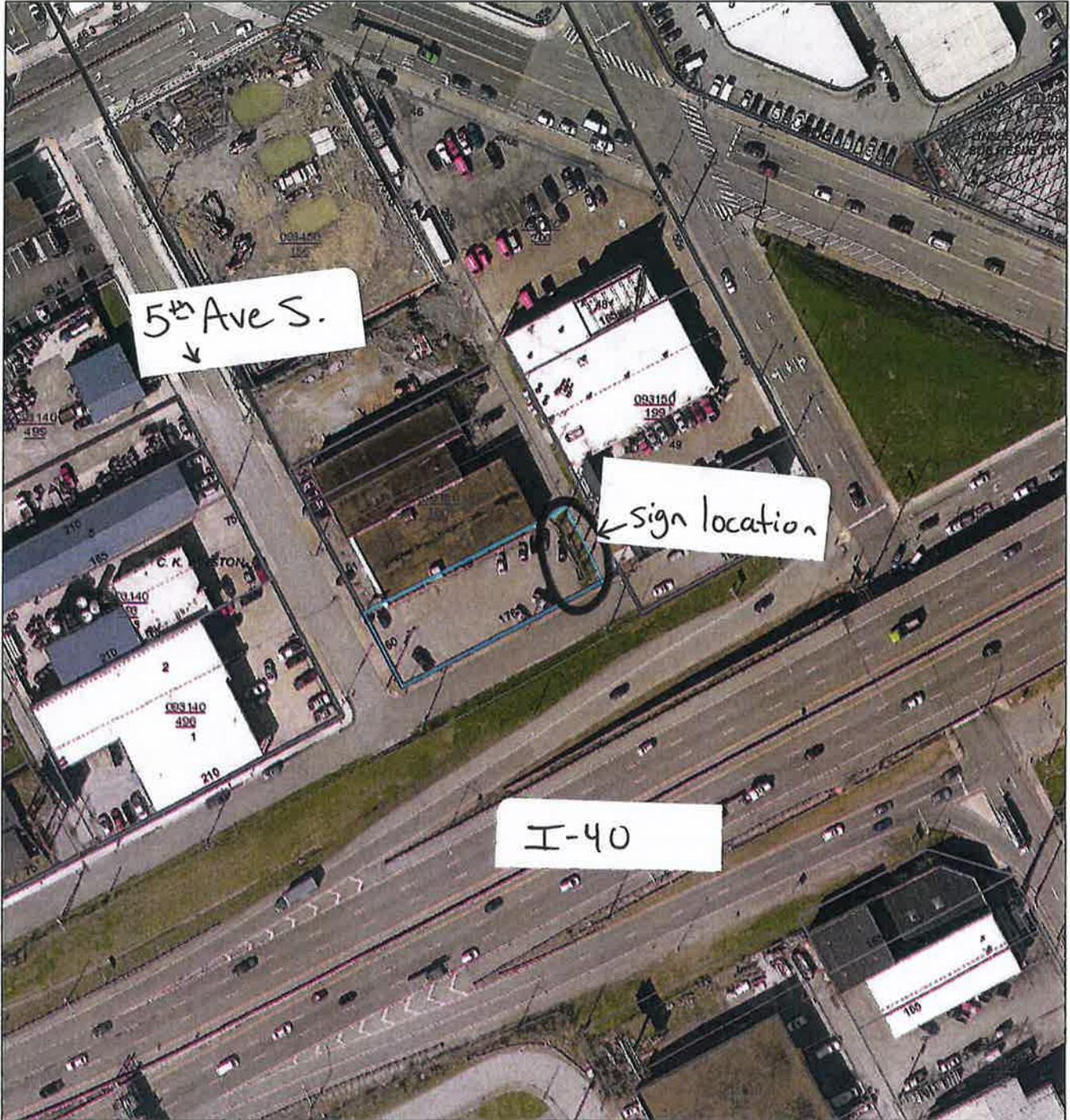
Ellington
Pkwy

Ex 66

Ex 66
Google Earth



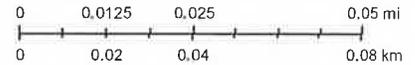
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09315038100
 LOT ADDRESS: 826 5th AVE SOUTH
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

326 5th Ave S.



CASH
CASH ON HAND
CASH ON ORDER

Public Storage

Benito's
Paints

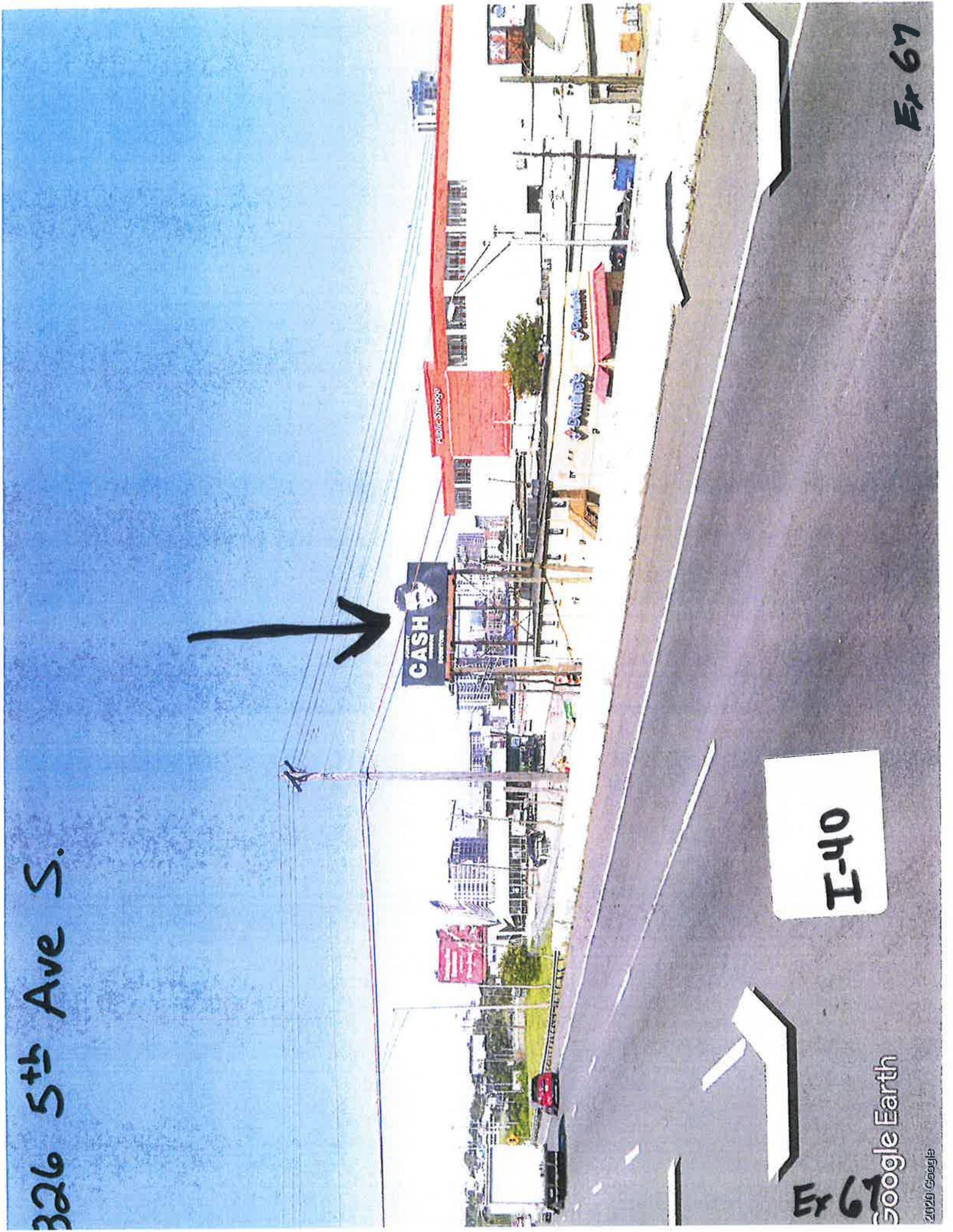
I-40

Ex 67

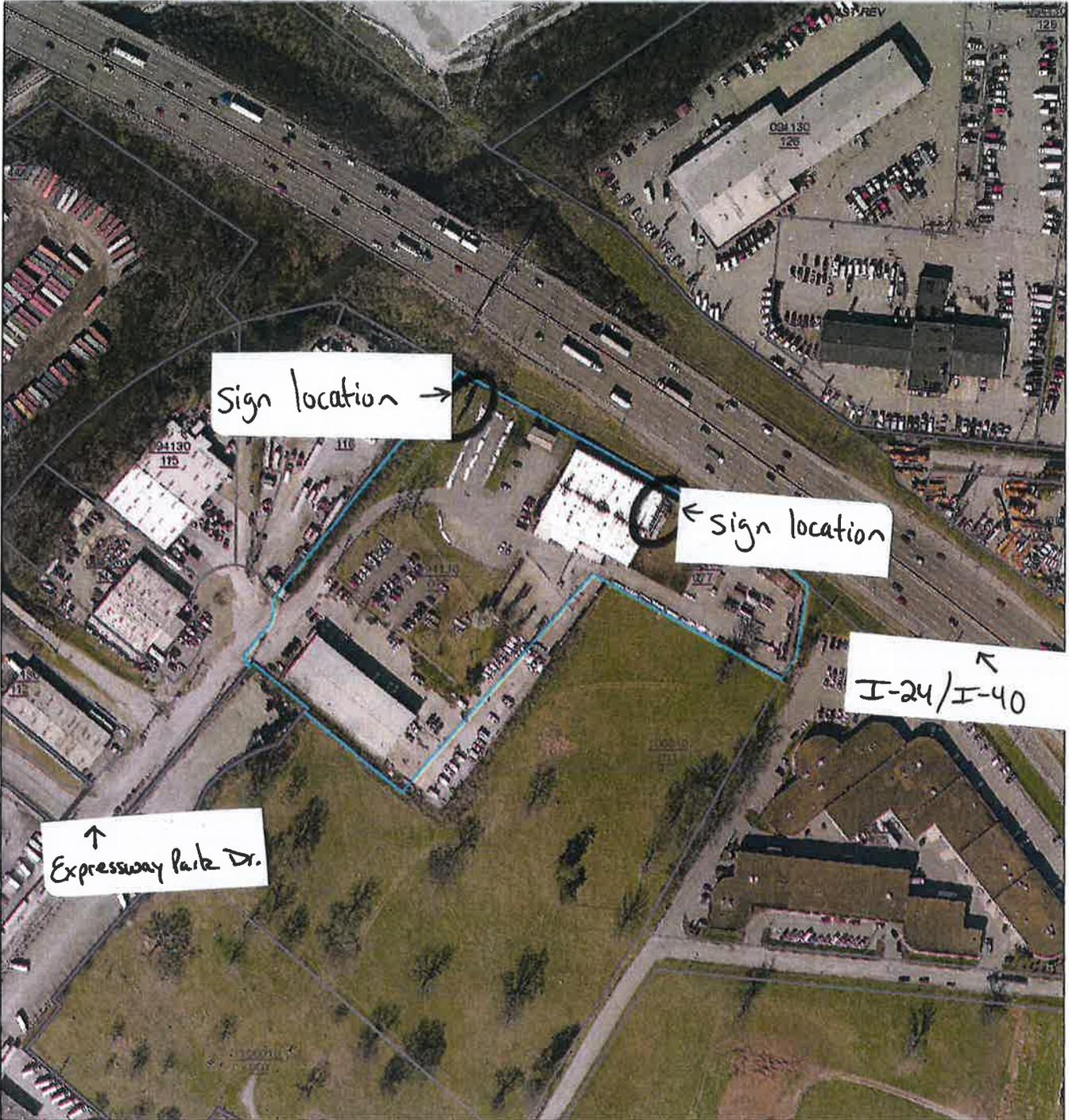
Google Earth

© 2020 Google

Ex 67



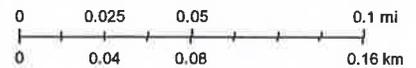
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09413007700
 LOT ADDRESS: SSS EXPRESSWAY
 PARK DRIVE
 * 2 LANE ROAD *

- BILLBOARDS ORIENTED TO I-24/I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

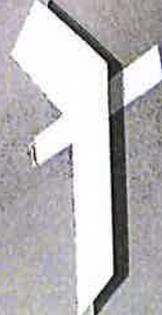
Ex68

Made by: Metro GIS

555 Expressway Park Dr.



I-24/I-40



Ex 68

Google Earth

© 2020 Google

Ex 68

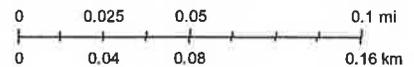
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09307003300
 LOT ADDRESS: 400 DAVIDSON ST
 * 4 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 69

Made by: Metro GIS

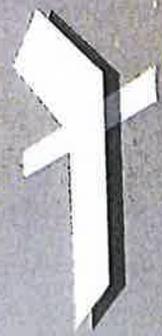
400 Davidson St.



SKYLINE COMMONS PRE-LEASING
1-65 & Briley Parkway & Dickerson Pike
1,000sf to 300,000sf
954-925-7100



I-24



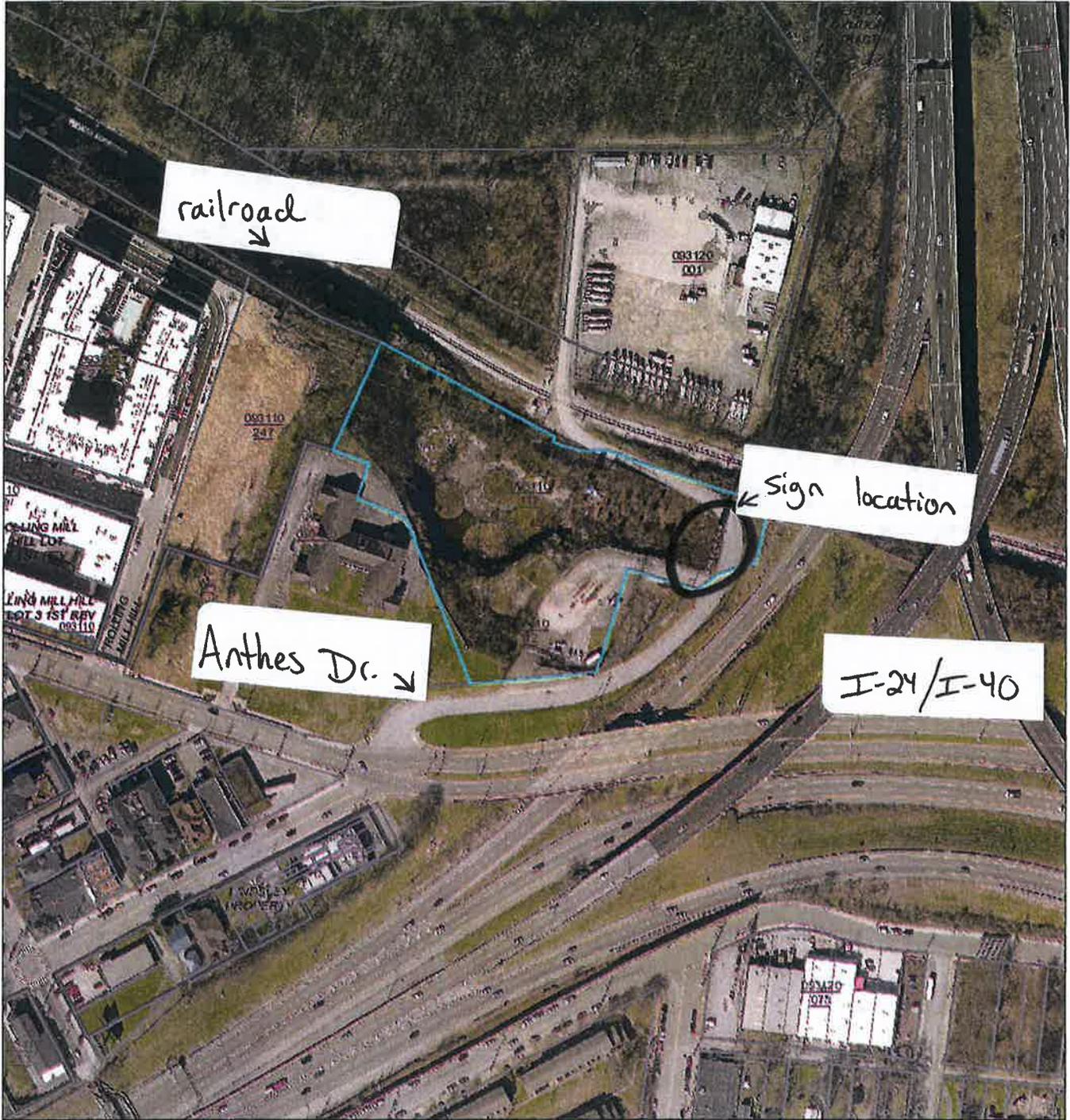
Ex 69

Ex 69

Google Earth

©2020 Google

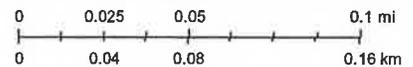
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 09311011200
 LOT ADDRESS: 180 ANTHES DRIVE
 ↳ 2 LANE ROAD ↳

- BILLBOARD ORIENTED TO I-24/I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 70

Made by: Metro GIS

180 Anthes Dr.



I-24/I-40

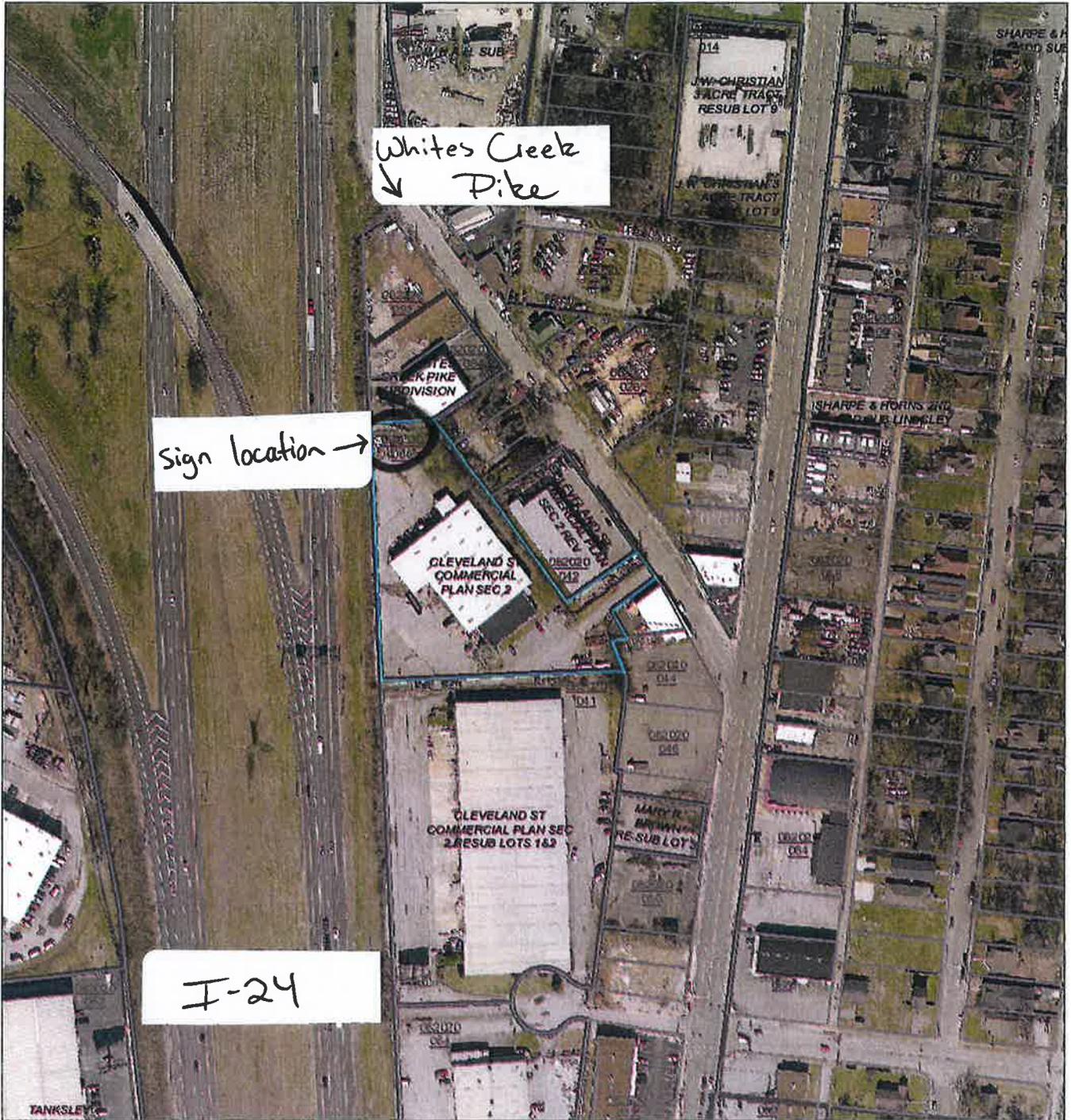
Google Earth

© 2020 Google

Ex 70

Ex 70

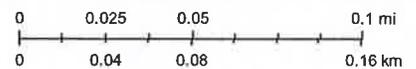
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 08202008600
 LOT ADDRESS: 1008 WHITES CREEK
 PIKE

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO?

* 2 LANE ROAD *

Metro GIS; Picometry International

Ex 71

Made by: Metro GIS

1008 Whites Creek Pk. - Lot Address



Janitorial Supplies
Open to the Public

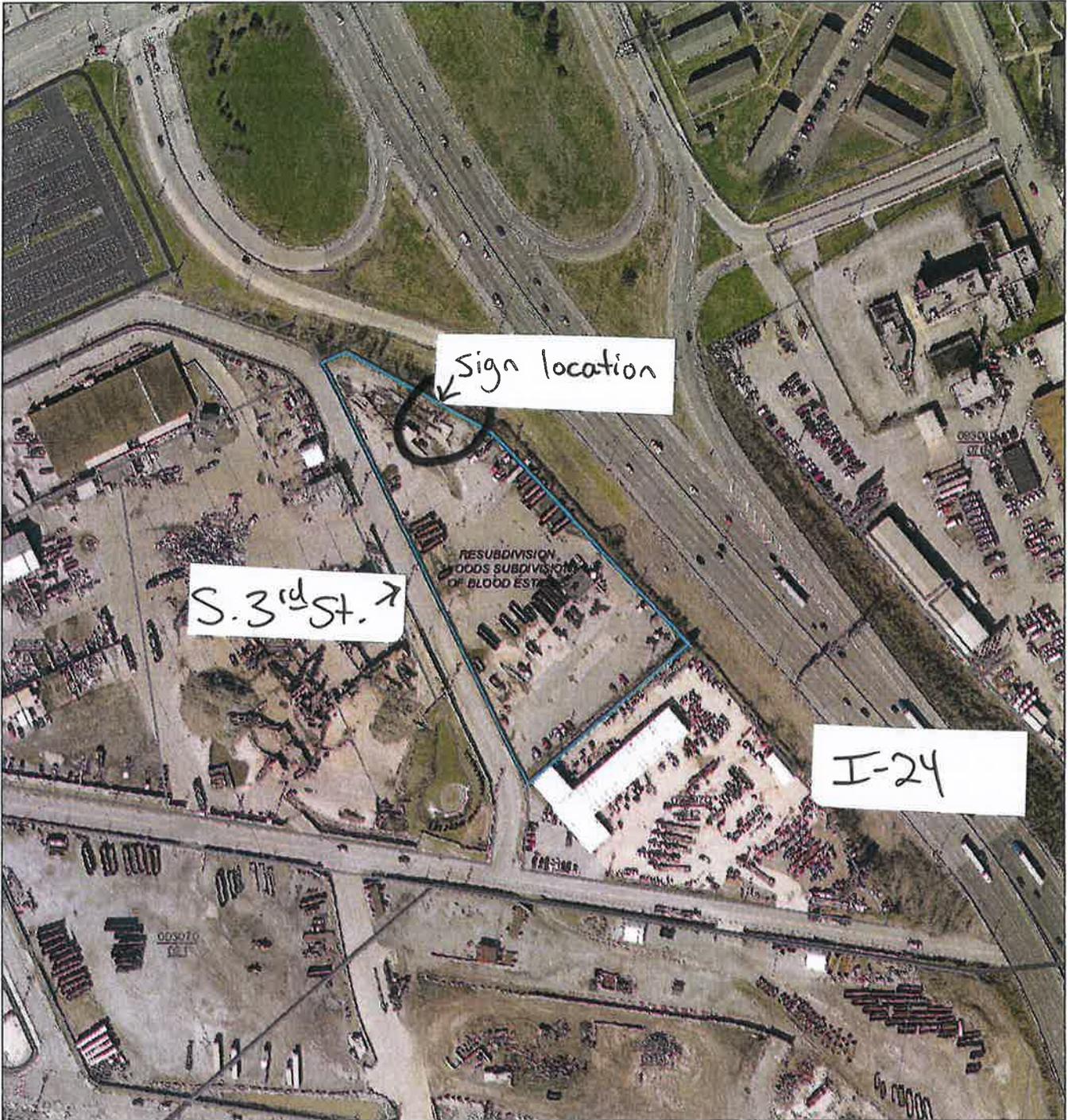
PLUMBING
ELECTRIC
PAINT
SHEET METAL
22-283-49

I-24

Google Earth

© 2020 Google

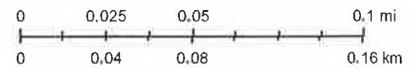
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 90307001500
 LOT ADDRESS: 721 S 3rd Street
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24.
- LOT ORIENTED TO ?

Metro GIS, Pictometry International

Ex 72

Made by: Metro GIS

721 S. 3rd St - Lot Address



EXIT 49
25 MPH



511
TRAVEL
CALL OR

I-24

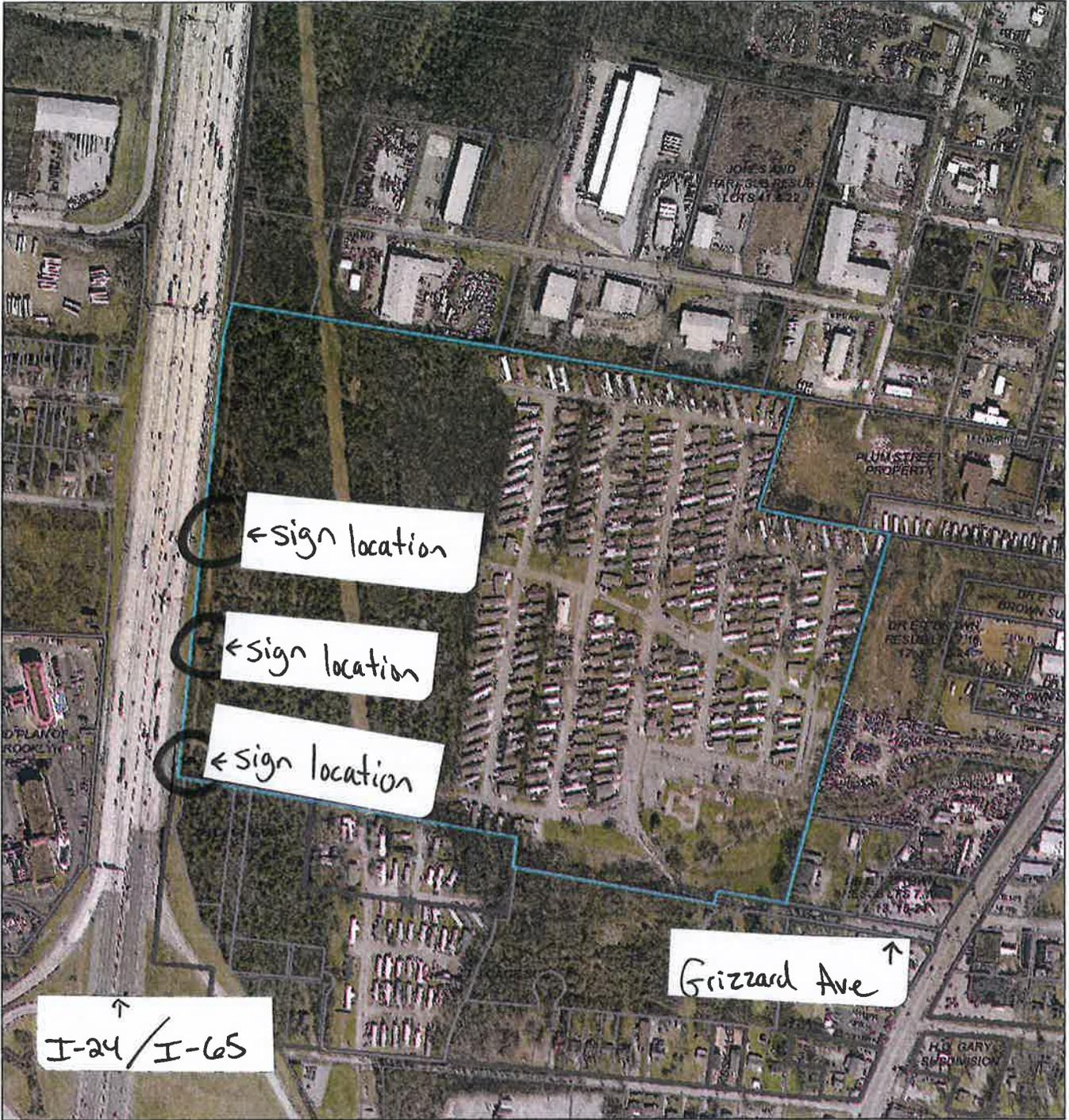
Ex-72

Ex-72

Google Earth

©2020 Google

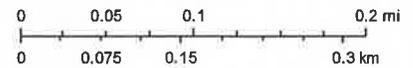
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:4,514



PARCEL ID #: D7103004500
 LOT ADDRESS: 201 GRIZZARD AVENUE
 * 2 LANE ROAD *

- BILLBOARDS ORIENTED TO I-24 | I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 73

Made by: Metro GIS

201 Grizzard Ave. - Lot Address



39.95
FREE DRINKS & FREE 2ND DAY



DOLLAR
100% OFF
EVERYTHING

I-24/I-65

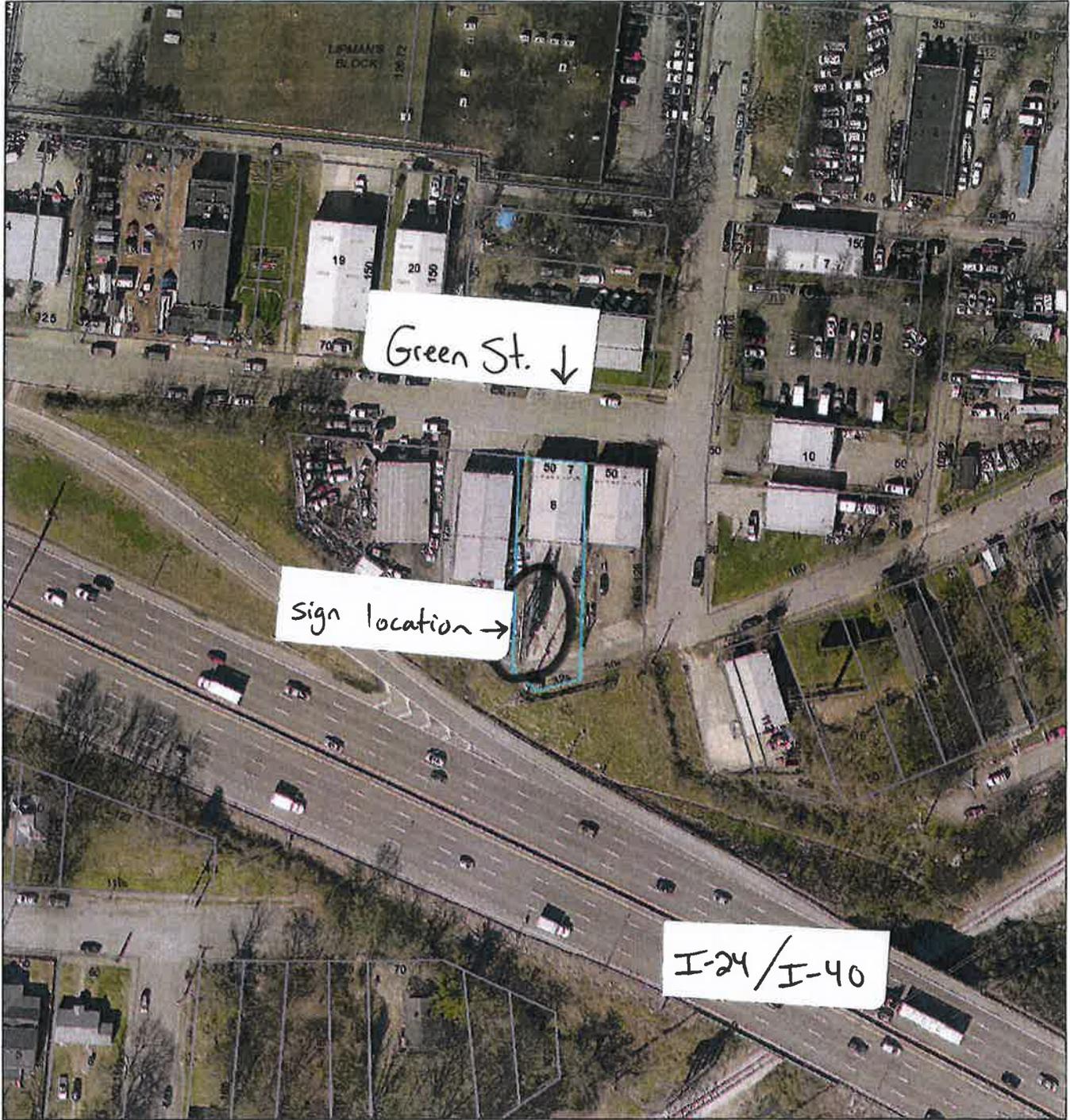
Ex 73

Ex 73

Google Earth

© 2020 Google

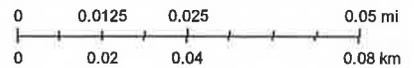
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09413001600
 LOT ADDRESS: 159 GREEN ST
 ✕ 2 LANE ROAD ✕

- BILLBOARD ORIENTED TO I-24 / I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 74

Made by: Metro GIS

159 Green St. - Lot Address



MTSU
The BEST



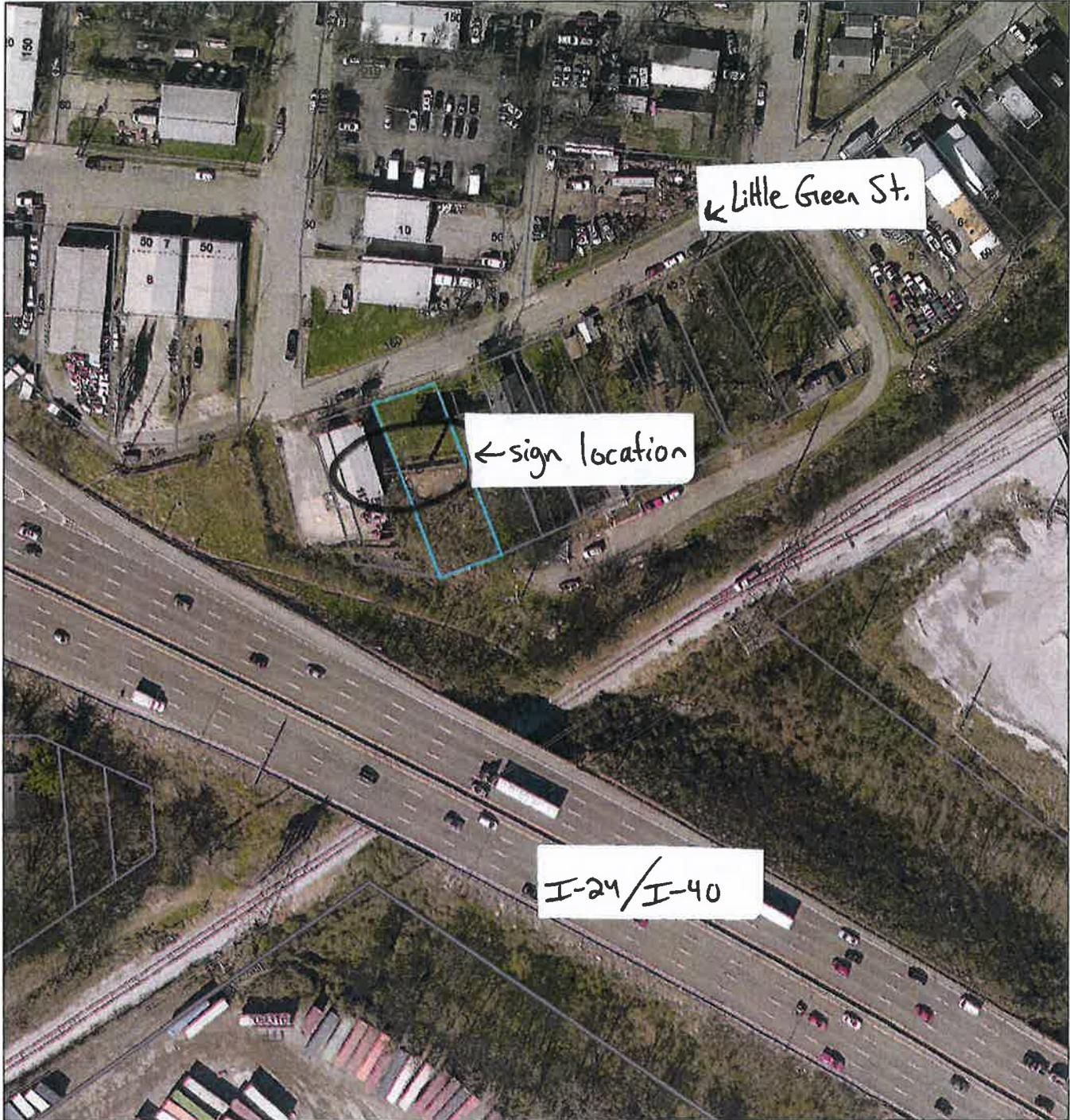
I-24/I-40

Ex 7
Google Earth

© 2020 Google

Ex 74

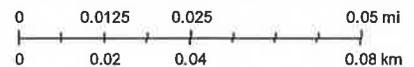
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 09413003000
 LOT ADDRESS: 167 LITTLE GREEN ST
 2 LANE ROAD

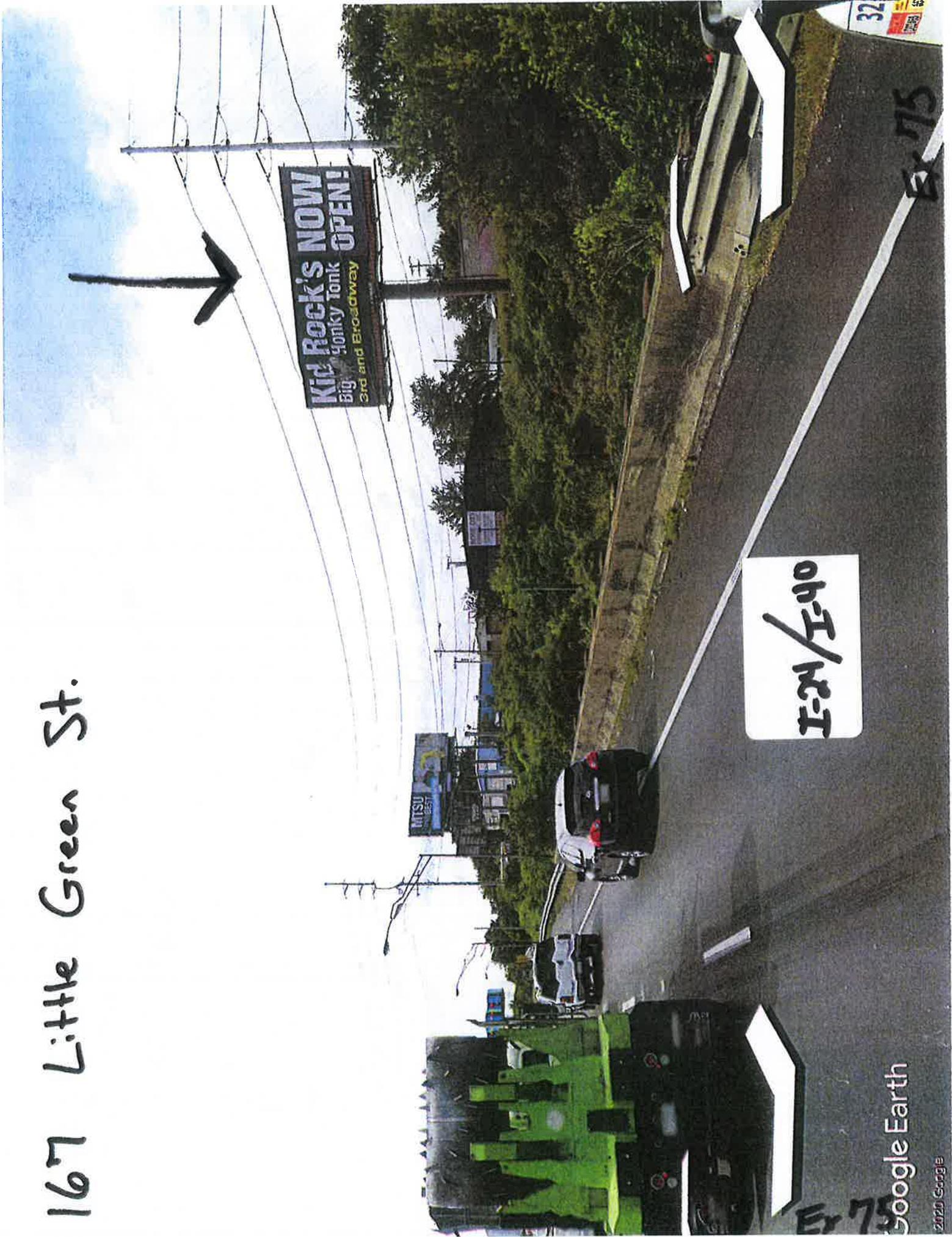
- BILLBOARD ORIENTED TO I-24/I-40.
- LOT ORIENTED TO ?

Metro GIS, Pictometry International

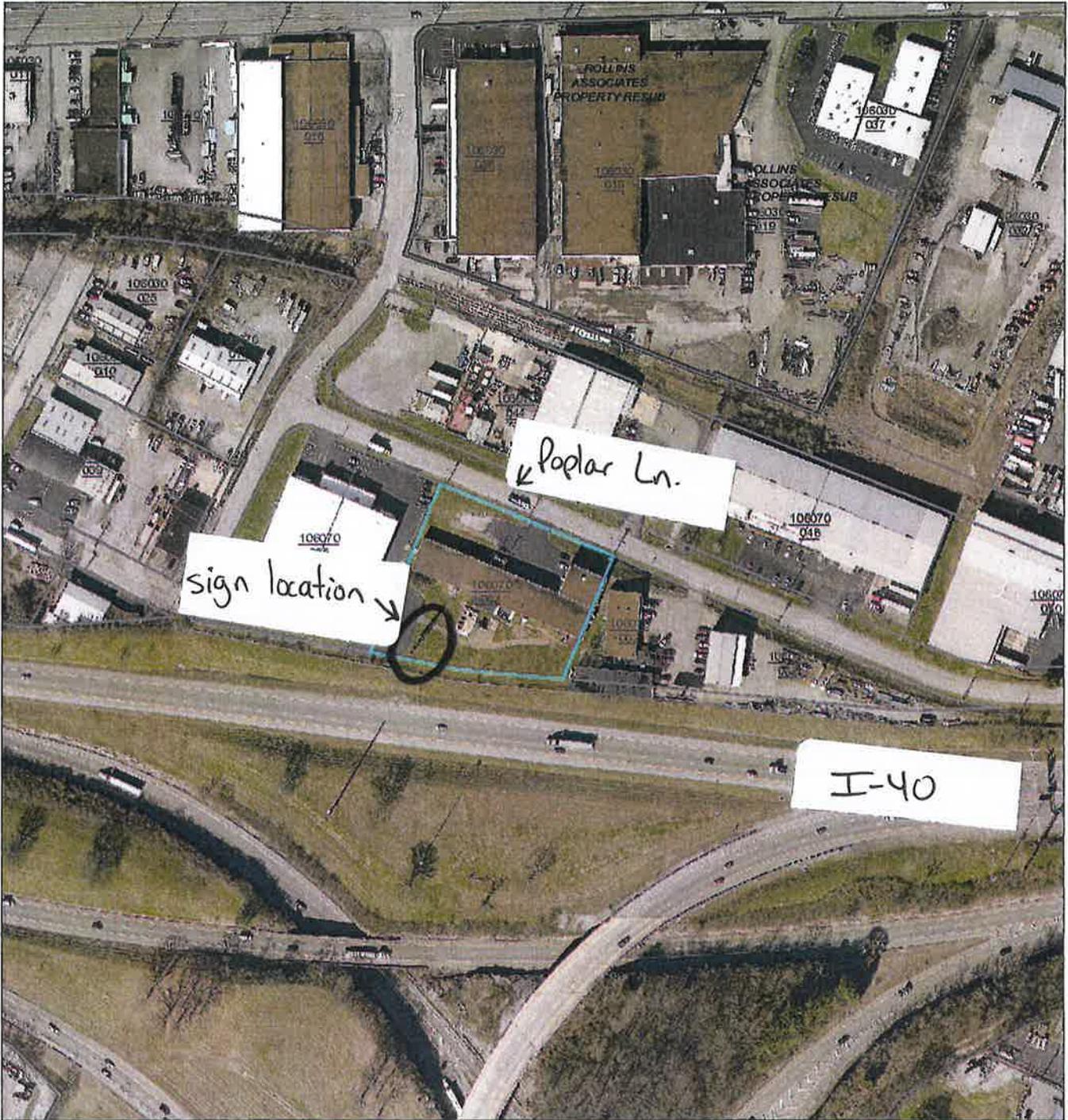
Ex 75

Made by: Metro GIS

167 Little Green St.



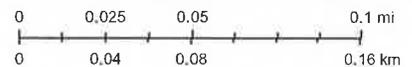
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 10607005400
 LOT ADDRESS: 1415 POPLAR LANE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 76

Made by: Metro GIS

1415 Poplar Ln - Lot Address



I-40

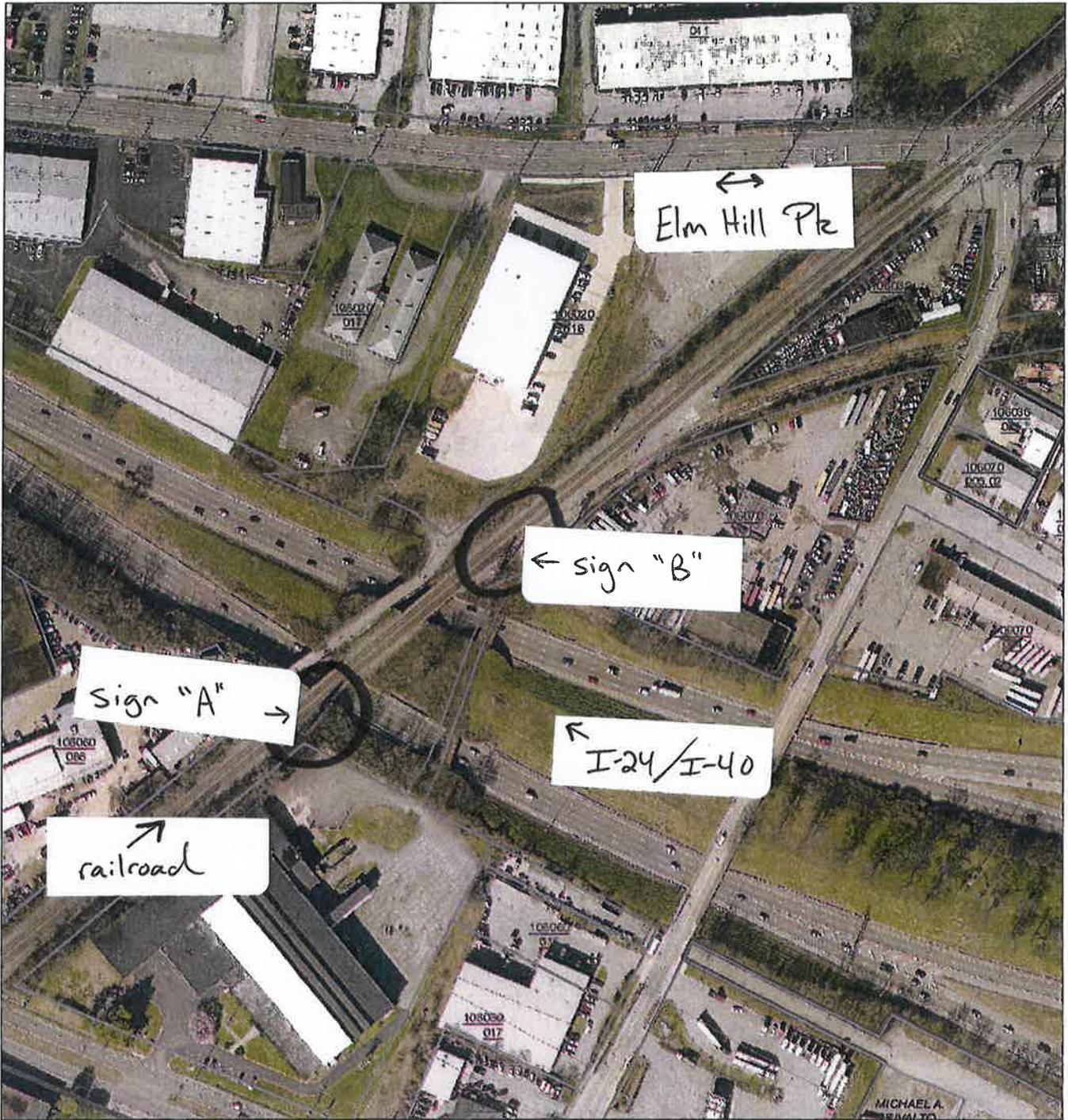
Ex 76

Ex 76

Google Earth

© 2020 Google

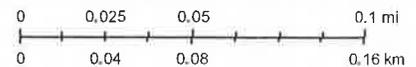
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



NO PARCEL INFO
RAILROAD PROPERTY
ROW SOUTH OF
ELM HILL PIKE

- BILLBOARDS ORIENTED TO I-24/I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 77

Made by: Metro GIS

Railroad R.O.W. I-24/I-40
just south of Elm Hill Pk.

(A) ↓

(B) ↓

MORGAN & MORGAN
INJURED? DON'T BLAME YOURSELF

SPEED
LIMIT
55

I-24/I-40

Google Earth

© 2020 Google

Ex 77

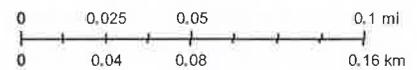
Ex 77



July 23, 2020

Ownership Parcels

1:2,257



NO PARCEL INFO
 RAILROAD PROPERTY
 P.O.W. I-40 NORTH OF
 JEFFERSON STREET

- BILLBOARD IS ORIENTED TO I-40.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 78

Made by: Metro GIS

Railroad R.O.W. I-40
East bound just North of Jefferson St.



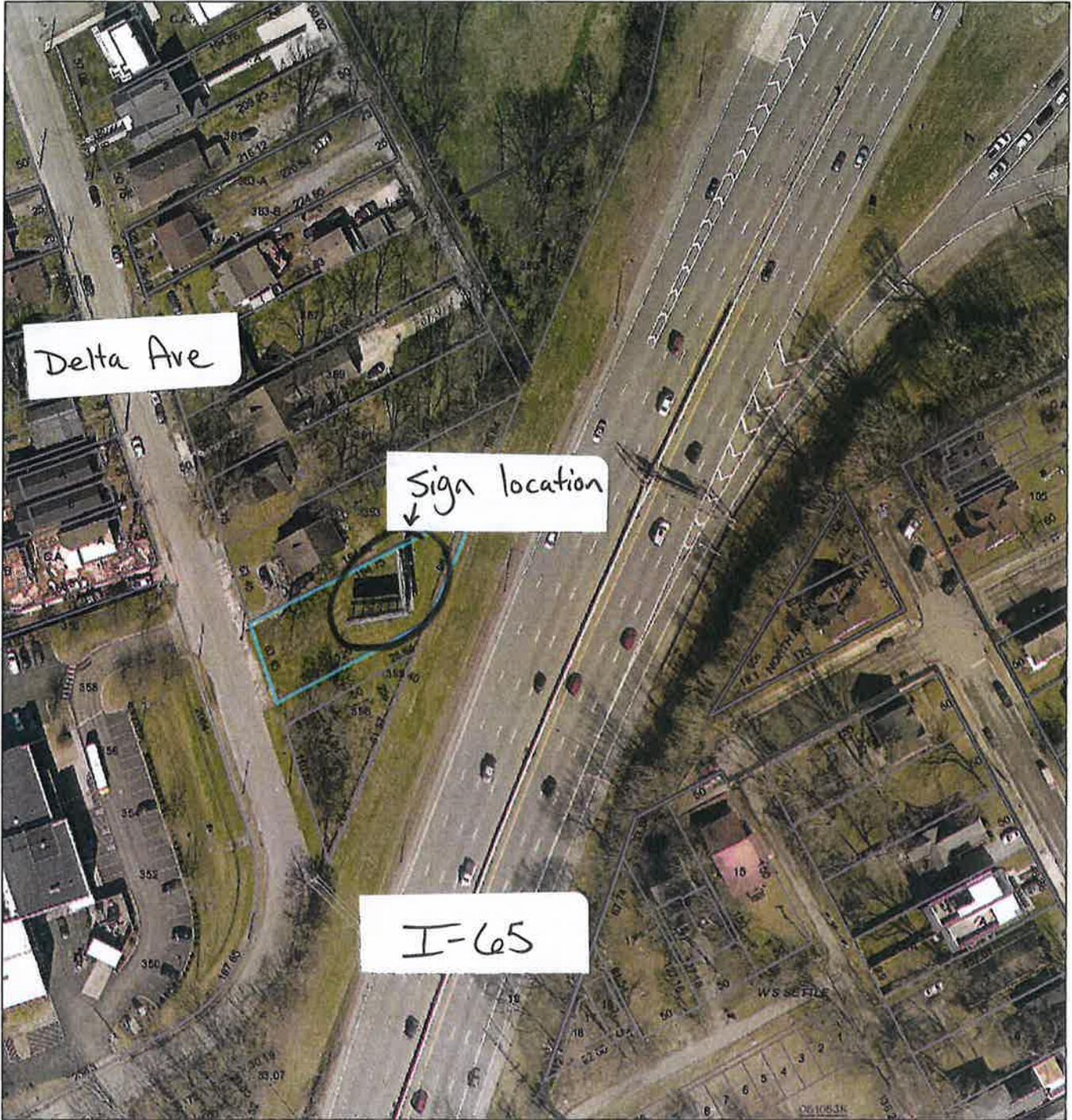
I-40

Ex 78

Google Earth

2020 Google

Nashville / Davidson County Parcel Viewer



Delta Ave

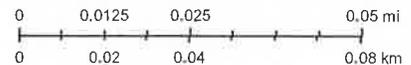
Sign location
↓

I-65

July 27, 2020

Ownership Parcels

1:1,128



PARCEL ID #: 08108012900
 LOT ADDRESS: 1806 DELTA AVE

✧ 2 LANE ROAD ✧

- BILLBOARD ORIENTED TO I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 79

Made by: Metro GIS

1806 Delta Ave

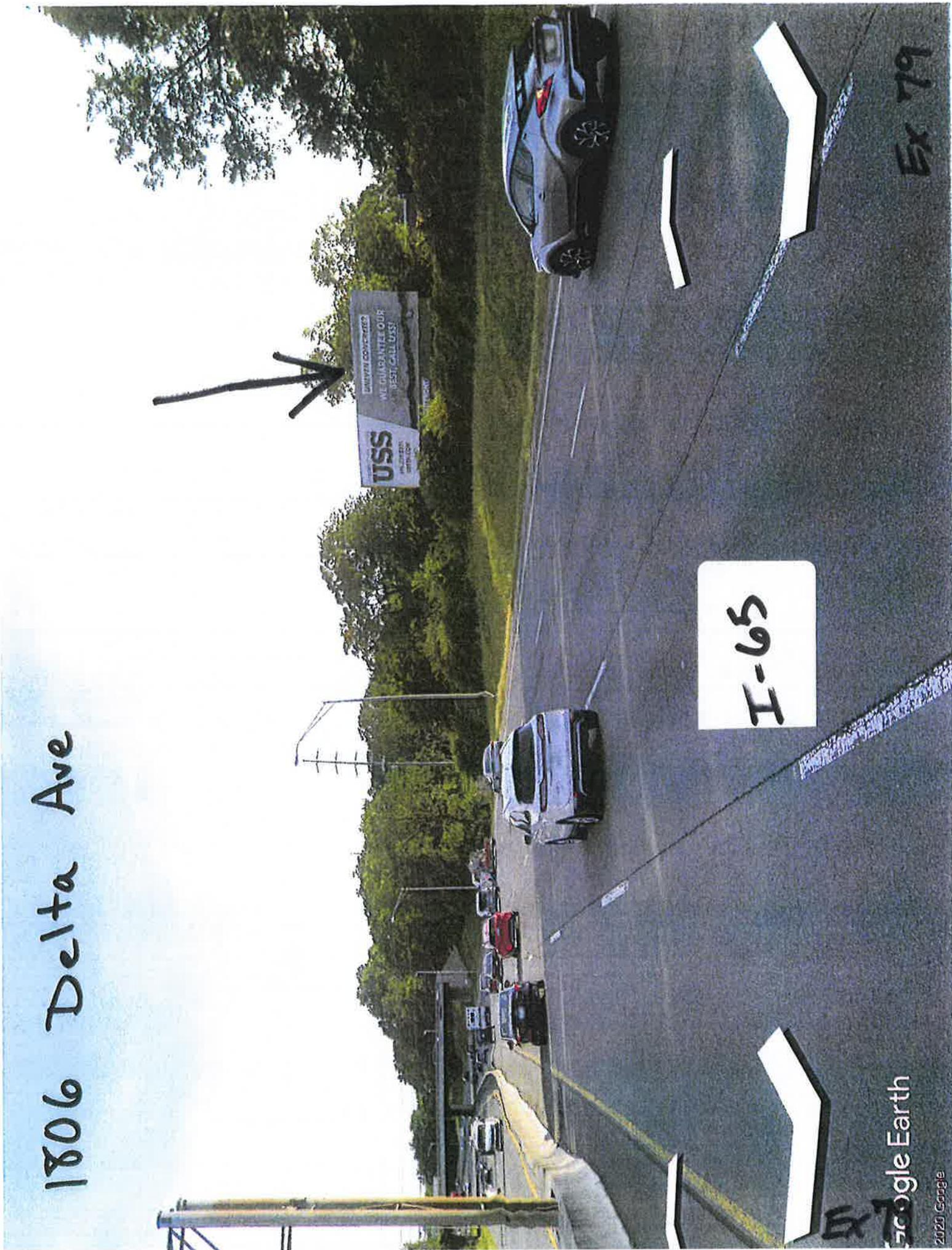


I-65

Ex 79

Google Earth

2020 Google



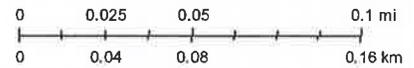
Nashville / Davidson County Parcel Viewer



July 27, 2020

Ownership Parcels

1:2,257



PARCEL ID #: 06014003900
 LOT ADDRESS: 1944 SOUTHERLAND
 DRIVE
 * 2 LANE ROAD *

- BILLBOARD ORIENTED TO I-24/I-65.
- LOT ORIENTED TO ?

Metro GIS; Pictometry International

Ex 80

Made by: Metro GIS

1944 Southerland Dr. - Lot Address



Loves
Travel Stops
Tire, Oil, Wash, Wax

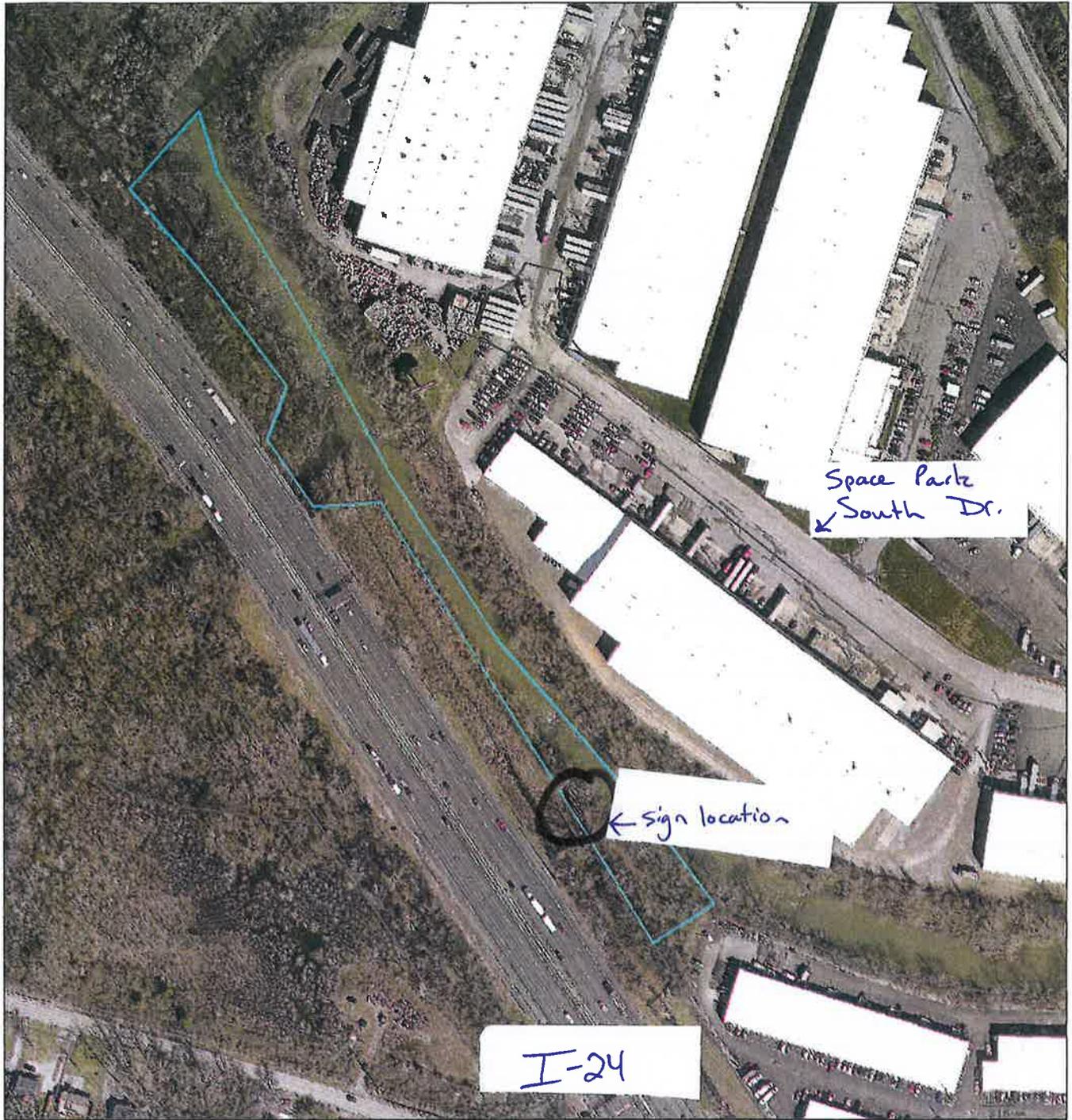
SUBWAY
SUBWAY

Truck Tire Service LEFT AT NEXT EXIT

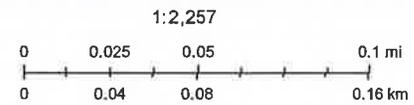
I-24/I-65

Ex 80
Google Earth

Nashville / Davidson County Parcel Viewer



July 27, 2020



PARCEL ID #: B400017300
 LOT ADDRESS: 101 SPACE PARK
 SOUTH DRIVE
 x 2 LANE ROAD x

- BILLBOARD IS ORIENTED TO I-24.
- LOT IS ORIENTED TO ?

Metro GIS; Pictometry International

Ex 81

Made by: Metro GIS

101 Space Park South Dr. - Lot Address





CITY OFFICE: 5548 FRANKLIN PIKE, SUITE 101, NASHVILLE, TN 37220-2128
 TELEPHONE (615) 371-8291 FAX (615) 691-7788
 EMAIL: ADMINISTRATION@OAKHILLTN.US
 WEBSITE: OAKHILLTN.US

Heidi Campbell, Mayor
 Dale Grimes, Vice-Mayor
 Stacy Widelitz, Commissioner
 Jeff Clawson, City Manager

Sheri Jacobs, City Attorney
 Tom Lawless, City Judge
 Wade Hill, Chair, Planning Commission
 Chris Taylor, Chair, Board of Zoning Appeals

August 6, 2020

VIA E-MAIL AND U.S. MAIL (bza@nashville.gov)

Ms. Ashonti Davis
 Ms. Christina Karpynech
 Mr. Tom Lawless
 Mr. Logan Newton
 Mr. Ross Pepper
 Mr. David Taylor
 Metropolitan Board of Zoning Appeals
 700 Second Avenue South
 Nashville, TN 37210

RE: *Metropolitan Board of Zoning Appeals Matter 2020-141*

Dear Members of the Metropolitan Nashville Board of Zoning Appeals:

Please accept this correspondence as the City of Oak Hill's request for a rehearing of Metropolitan Board of Zoning Appeals Matter 2020-141. (See attached, *Order* dated July 23, 2020, Attachment 1). This request for rehearing is made pursuant to Metropolitan Board of Zoning Appeals, Rule of Procedure 10. This request for rehearing is made within sixty (60) days of the initial public hearing for Matter 2020-14 which took place on July 16, 2020. The City of Oak Hill participated in the July 16, 2020, hearing by submitting written opposition (See *Resolution R-20-06-01-90*, Attachment 2.) The City of Oak Hill submits that the Board of Zoning Appeals failed to consider information which demonstrates its action on Matter 2020-141 violates the Metro Code and submits that rehearing is appropriate.

**The Metropolitan Government of Nashville and Davidson County Taxes
5611 Franklin Pike at the General Services District Tax Rate – Not the
Urban Services District Tax Rate.**

After learning the legal basis for Board's decision to grant variances and approve a special exception for 5611 Franklin Pike, The City of Oak Hill learned that the Metropolitan Government of Nashville and Davidson County taxes 5611 Franklin Pike at the General Services District tax rate – not the Urban Services District tax rate. Evidence of this fact can be seen on the statement of real property taxes owed for 5611 Franklin Pike. (See, Attachment 3).

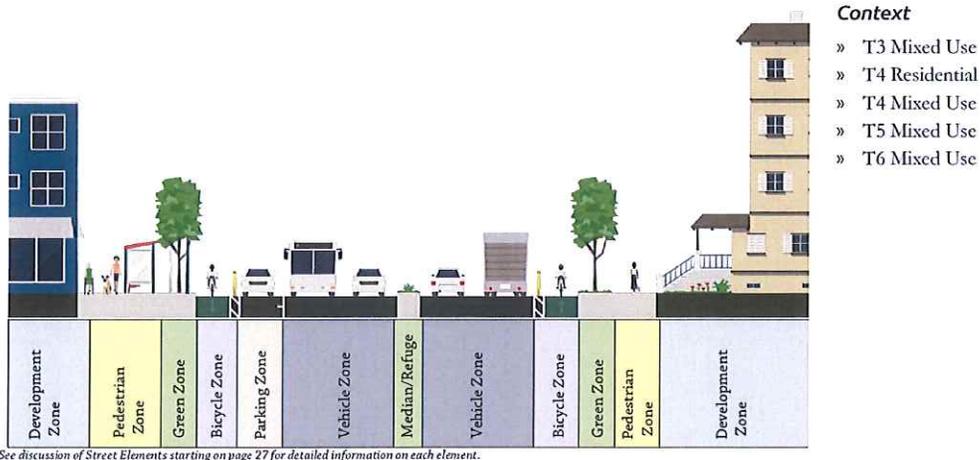
That 5611 Franklin Pike is in the General Services District eliminates the Board's ability to approve the adaptive reuse which it approved. Specifically, 5611 Franklin Pike is currently zoned CL. The CL zone does not allow for multi-family residential as anticipated here except for those parcels that are located in the Urban Services District. Those parcels must also meet additional requirements set out in the Zoning Code and which the Board must consider. Because 5611 Franklin Pike is not in the Urban Services District as evidenced by the tax record for the property, approving the special exception is legal error. The Board should rehear this matter to correct this error.

**The Front Setback Approved by the Board of Zoning Appeals Precludes
Implementation of the City's Adopted Major Street Plan**

The Board of Zoning Appeals granted the owners of 5611 Franklin Pike a variance from Metro Code section 17.12.030B which governs street setbacks for multi-family developments. The approved variance allows the owners to construct the proposed structure at the lot line instead of at the 15 foot setback typically required. This variance will prevent the Metropolitan Government of Nashville and Davidson County from constructing the roadway improvements anticipated by the City. Specifically, Franklin Pike at this location is designated as T3-M-AB4. This designation calls for the following street scape:

Arterial-Boulevard with Parking, Pedestrian Refuge, and Protected Bike Lanes

FIGURE
AB4



These guidelines anticipate not only the sidewalk and green zone proposed by 5611 Franklin Pike but also include a 6-foot bicycle zone and an 8-foot parking zone. By allowing the front setback to be reduced to zero, the Board of Zoning Appeals has eliminated the City's ability to build these two elements in the future.

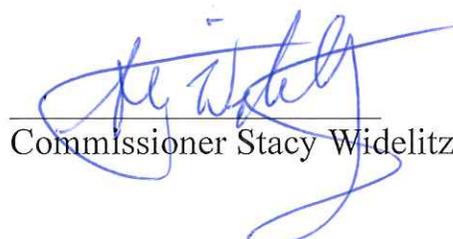
The Zoning Code expressly prohibits this outcome. Specifically, Note 3 of section 17.12.30 states: "In no event shall any street setback provisions permit a principal building to be constructed within an area designated for street improvements on a major street plan adopted subsequent to the effective date of this note." Thus, because the front setback variance approved by the Board of Zoning Appeals conflicts with Note 3 of section 17.12.030, the City of Oak Hill submits that the Board's Order is in error and warrants re-hearing.

Based upon the foregoing, the City of Oak Hill respectfully requests that Matter 2020.414 be placed on the next available agenda for re-hearing.

Sincerely,


Mayor Heidi Campbell


Vice Mayor Dale Grimes


Commissioner Stacy Widelitz

Enclosures
CC: Emily Lamb

ATTACHMENT 1

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Dewey Engineering, et al.
5611 Franklin Pike
Parcel ID 16000001300
Zoning Classification: CL

APPEAL CASE 2020-141

ORDER

This matter came to be heard in public hearing on July 16, 2020, before the Metropolitan Board of Zoning Appeals, upon application for variances to permit a zero foot (0') front yard setback and a five foot (5') rear yard setback and a special exception to permit the development of six (6) residential units as an Adaptive Reuse Development without any commercial/retail uses in the CL district.

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 brought this appeal pursuant to Sections 17.40.180(B) and 17.16.030 F 11 of the Metropolitan Code.
- (3) The appellant HAS DEMONSTRATED that the unusual right-of-way alignment and the exceptional narrowness and shallowness of the lot, which were not created by the applicant, justify the request for variances to permit a zero foot (0') front yard setback and a five foot (5') rear yard setback, and that such variances will not be injurious to other property or improvements in the area, impair an adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.
- (4) The appellant HAS DEMONSTRATED that the special exception to permit the development of six (6) residential units as an Adaptive Reuse Development without any commercial/retail uses, for which the Planning Department recommended approval, will not adversely affect or be injurious to surrounding properties, does not violate the adopted General Plan and will not adversely affect the safety and convenience of vehicular and pedestrian circulation in the area.

It is therefore, ORDERED by the Metropolitan Board of Zoning Appeals that the appellant's request for the variances to permit a zero foot (0') front yard setback and a five foot (5') rear yard setback and the special exception to permit the development of six (6) residential units as an Adaptive Reuse Development without any commercial/retail uses shall be GRANTED, conditioned upon the exterior of the residential units substantially complying with the elevations presented by the applicant, as modified to permit the recessed garage doors recommended by the Department of Public Works, and the installation of the landscaping shown on the landscape plan presented by the applicant prior to the issuance of a certificate of occupancy for the first residential unit.

UPON MOTION BY: Ross Pepper Seconded by: Christina Karpynec

Ayes: Ashonti Davis, Christina Karpynec, Ross Pepper, Logan Newton, David Taylor

Nays:

Abstaining: Tom Lawless

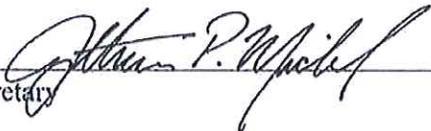
Absent:

ENTERED THIS 23rd DAY OF July, 2020.

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary

ATTACHMENT 2

Resolution: R-20-06-01-90**A resolution in reference to a multi-family residential zoning request in Metro Nashville/Davidson County**

Whereas, the City of Oak Hill has maintained its single family residential zoning land use since its inception.

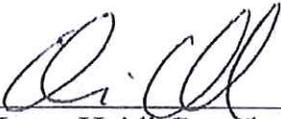
Whereas, the City of Oak Hill has adopted significant ordinances to protect all parcels of land within the corporate limits from future commercial and/or multi-family land use considerations.

Whereas, the Board of Commissioners of the City of Oak Hill have concerns about the possibility of new multi-family land use options being made available at 5611 Franklin Pike.

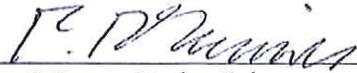
Whereas, The Board of Commissioners of the City of Oak Hill have safety concerns with the traffic patterns at this location (5611 Franklin Pike) due to the high volume of traffic accessing the intersection of Old Hickory and Franklin Pike.

NOW, THEREFORE BE IT RESOLVED that the City of Oak Hill Board of Commissioners strongly support maintaining the existing zoning classifications for the property located at 5611 Franklin Pike and request that the Metropolitan Board of Zoning Appeals deny any and all variance requests now before the board to include: a request to construct 6 residential units, variances from front and rear setback requirements and a special exception for the commercial/retail use requirement of the adaptive reuse development standards.

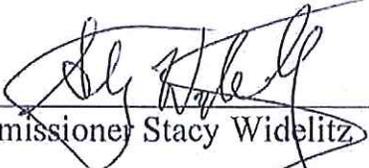
NOW, BE IT FURTHER RESOLVED that this resolution shall be provided to the Metropolitan Board of Zoning Appeals.



Mayor Heidi Campbell

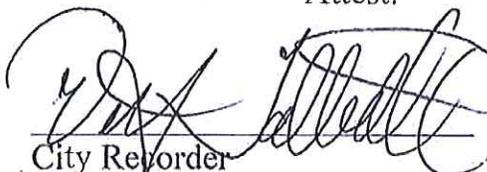


Vice Mayor Dale Grimes



Commissioner Stacy Widelitz

Attest:



City Recorder



City Attorney

ATTACHMENT 3

2
0
1
9

Parker Toler, Metropolitan Trustee
P.O. Box 196358
Nashville, TN 37219-6358

Printed Date: 08/05/2020
ACCOUNT # 16000001300
BILL # 2019-213083

QUESTIONS: (615) 862-6330

2019 REAL PROPERTY TAX DELINQUENT STATEMENT

RETAIN THIS PORTION FOR YOUR TAX RECORDS.

Owner Address	
PMT PROPERTIES, LLC 188 FRONT ST STE 116-18 FRANKLIN, TN 37064	
Property Address	
5611 FRANKLIN PIKE	
Classification	
COMMERCIAL	
Legal Description	
PT LOT 1 ROSER HGTS	
Acres	Council District
0.15	34
Land Value	\$ 163,400.00
Improvement Value	\$ 0.00
Personal Property	\$ 0.00
Total Value	\$ 163,400.00
Exemption	None
Equalization Factor	0.0000
Assessed %	40
Assessed Value	\$ 65,360.00
Tax Rate	2.7550
Base Tax	\$ 1,800.67
Rollback Tax	\$ 0.00
Interest Due	\$ 162.06
Prior Payments	\$ 0.00
Balance Due	\$ 1,962.73

Your taxes are distributed as follows:

Fund Description	Rate	GSD Tax	USD Tax	Amount
GSD FIRE PROTECTION	0.05000	32.68	0.00	32.68
GSD GENERAL FUND	1.28800	841.84	0.00	841.84
GSD SCHOOL DEBT SERVICE	0.12600	82.35	0.00	82.35
GSD SCHOOL GENERAL PURPOSE	0.99400	649.68	0.00	649.68
GSD DEBT SERVICES	0.29700	194.12	0.00	194.12
Total Base Tax	2.7550	\$ 1,800.67		\$ 1,800.67

Payment History

Original Tax Due	1,800.67
Adjustments	0.00
Interest Accrued	162.06
Previous Base Tax Payments	0.00
Previous Interest Payments	0.00
Current Base Tax Due	1,800.67
Current Interest Due	162.06
Total Current Amount Due	1,962.73

The Metropolitan Trustee accepts partial payment of taxes which have not been turned over to the Chancery Court for collection. The tax lien held against the property will remain in effect until the balance of the property tax has been paid in full, pursuant to T.C.A. 67-5-2101 et seq.

In addition to this amount, you owe delinquent taxes for the following year(s): 2018, 2017. Please call (615) 862-6330 immediately or your property may be sold.

ADA (615) 862-6330

CUT OR TEAR ALONG THIS LINE

2
0
1
9

Parker Toler, Metropolitan Trustee
P.O. Box 196358
Nashville, TN 37219-6358

PAY ONLINE AT: nashville.gov/trustee

ACCOUNT 16000001300	BILL # 2019-213083
PROPERTY ADDRESS 5611 FRANKLIN PIKE	
Taxes must be paid by August 31, 2020 AMOUNT REMITTED:	

Previous year taxes are delinquent for this property.

Current Amount Due: \$ 1,962.73

To avoid interest, total tax must be paid in full by: February 29th, 2020

Important: Return this portion with your payment. Use the address below for current payment only. Make check payable to: Address Change

PMT PROPERTIES, LLC
188 FRONT ST STE 116-18
FRANKLIN, TN 37064

Metropolitan Trustee
Real Property Tax Dept.
P.O. Box 196358

James L. Murphy III

jmurphy@bradley.com

615.252.2303 direct

615.252.6303 fax



August 18, 2020

VIA EMAIL

Jon Michael

Zoning Administrator

Metropolitan Board of Zoning Appeals

800 Second Avenue South

Nashville, Tennessee 37210

RE: Case No. 2020-141-Variances for PMT Properties, LLC, 5611 Franklin Pike, Nashville, Tennessee (Tax Map 160, Parcel 13).

Dear Jon:

This letter is written in response a request for rehearing of Metropolitan Board of Zoning Appeals (the "BZA") Case No. 2020-141 by the City of Oak Hill ("Oak Hill"). On July 23, 2020, the BZA granted Dewey Engineering, et al. ("Appellant") a requested variance to permit a zero foot (0') front yard setback, a five foot (5') rear yard setback, and a special exception to permit the development of six (6) residential units as an Adaptive Reuse Development without any commercial/retail uses.

In its request for rehearing, Oak Hill claims that the BZA failed to consider information which demonstrates that the BZA's decision violated the Metro Code. Oak Hill claims that the property at 5611 Franklin Pike is located in the General Services District, instead of the Urban Services District, based on a copy of a tax bill. Oak Hill contends that since the property is located in the General Services District, it is not eligible to be developed for Adaptive Reuse Development. Oak Hill further claims that the front setback approved by the BZA precludes Metro from effective implementation of its adopted major street plan.

The Board of Zoning Appeals should deny Oak Hill's request for failure to comply with the BZA's Rules of Procedure. Rule 10(A)(1) of the BZA's Rules of Procedure only permits an "aggrieved party" to file a request for a rehearing, and Oak Hill was not a party to the July 16, 2020 hearing before the BZA since no representative of Oak Hill participated at the hearing. Therefore Oak Hill is not a party who can file a request for a rehearing.

Oak Hill has also failed to submit any new evidence in support of its request that could not have reasonably been presented at the July 16, 2020 hearing before the BZA. Pursuant to Rule 10(A)(2) of the BZA's Rules of Procedure, no request for rehearing shall be granted "unless new evidence is submitted which could not have reasonably been presented at the previous hearing."

On the claim that the property at 5611 Franklin Pike is located in the General Services District, Oak Hill relies on the 2019 real property tax bill for 5611 Franklin Pike to support its request for rehearing, which was publicly available at the time of the initial public hearing and does not satisfy the BZA's "new evidence" requirement. In addition, as evidenced by the affidavit of David Kline attached hereto as Exhibit A, the property at 5611 Franklin Pike is located within the Urban Services District and the Planning Department is working with the Property Assessor's office to correct any errors in its system related to the location of the property.

Second, Oak Hill claims that the Zoning Code expressly prohibits granting Appellant a zero foot (0') front yard setback because Franklin Pike is designated as T3-M-AB4 in Metro's Major and Collector Street Plan, which contemplates a six-foot bicycle zone and eight-foot parking zone. Oak Hill claims that the zero foot (0') front yard setback precludes Metro from being able to construct these improvements in the future. Oak Hill relies on Note 3 to Section 17.12.030B of the Zoning Code as its basis to challenge the BZA's decision, which provides that no principal building shall be allowed to be "constructed within an area designated for street improvements on a major street plan adopted subsequent to the effective date of this note."

As with its first claim, Oak Hill has failed to provide any new evidence to support its claim that approving the zero foot (0') front yard setback violated the Zoning Code. Oak Hill included the graphic depiction of the T3-M-AB4 zones from the NashvilleNext Plan in its request for rehearing. The NashvilleNext Plan was available to Oak Hill well before the July 16, 2020 hearing before the BZA, since it was adopted by the Planning Commission in June of 2015. Therefore Oak Hill has failed to produce any "new evidence" regarding the Major and Collector Street Plan to warrant a rehearing.

Oak Hill's argument also ignores the fact that this section of Franklin Pike is a constrained right of way as shown on the Major and Collector Street Plan. As illustrated in Exhibit B, the Major and Collector Street Plan provides that for the portion of Franklin Pike adjacent to 5611 Franklin Pike, the width of one half of the right-of-way should be fifty-two and ½ half feet (52.50'), with a six foot (6') planting strip and an eight foot (8') sidewalk width. The survey attached as Exhibit C demonstrates that centerline of Franklin Pike is sixty feet (60') at 5611 Franklin Pike, so the zero foot (0') front yard setback will not result in any building being constructed within an area designated for street improvements on the Major and Collector Street Plan.

For all the foregoing reasons the Board should deny Oak Hill's request for reconsider the granting of the variance to permit a zero foot (0') front yard setback, a five foot (5') rear yard setback, and the special exception to permit the development of six (6) residential units as an Adaptive Reuse Development without any commercial/retail uses.

Sincerely,



James L. Murphy III

JLM

Enclosures

cc: Michael Dewey (via email, w/ enclosures)

EXHIBIT A
AFFIDAVIT OF DAVID KLINE



Affidavit of David Kline - 5611 Franklin Pike 4812-7811-5528 1.pdf

DocVerify ID: C1B2CDF0-82DA-48D4-8CBC-8E375CA70431
 Created: August 17, 2020 13:00:06 -8:00
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E-Signature Summary

E-Signature 1: David Anthony Kline (dak)

August 17, 2020 13:27:00 -8:00 [0F3A1C0612D5] [170.190.198.185]
 David.Kline@nashville.gov (Principal)

E-Signature Notary: Stephanie Covington (Sgc)

August 17, 2020 13:27:00 -8:00 [8AAF6A59B834] [68.53.126.95]
 sgcovington@bradley.com
 I, Stephanie Covington, did witness the participants named above electronically sign this document.



AFFIDAVIT OF DAVID KLINE

The undersigned, being duly sworn, states that the matters set forth in this Affidavit are true and correct, are made on the basis of personal knowledge, and if called upon to testify, undersigned's testimony would be as follows:

1. I am an adult resident of Nashville, Tennessee. I am the Cadastral Manager in the Planning Department of the Metropolitan Government of Nashville & Davidson County, Tennessee.
2. I was contacted by Michael Dewey via email on August 6, 2020 to confirm whether the property located at 5611 Franklin Pike was located in the Urban Services District.
3. I confirmed to Michael Dewey that 5611 Franklin Pike is correctly located within the Urban Services District.
4. I have contacted the Metro Property Assessor's office to ensure that its records reflect that the property is located in the Urban Services District and not located in the General Services District within the limits of the City of Oak Hill.

FURTHER AFFIANT SAITH NOT.

David Anthony Kline

Signed on 2020/08/17 13:27:00 -8:00

DAVID KLINE

Sworn to and subscribed before me
this 17th day of August, 2020


Signed on 2020/08/17 13:27:00 -8:00

Notary Public

My Commission Expires: January 8, 2024

STEPHANIE G. COVINGTON
Tennessee Notary Public
Online Notary Public
Davidson County, State Of Tennessee
My Commission Expires Jan 08, 2024

Notary Stamp 2020/08/17 13:27:00 PST

8AAF6A568B34

4812-7811-5528.1



EXHIBIT B
MAJOR AND COLLECTOR STREET MAP

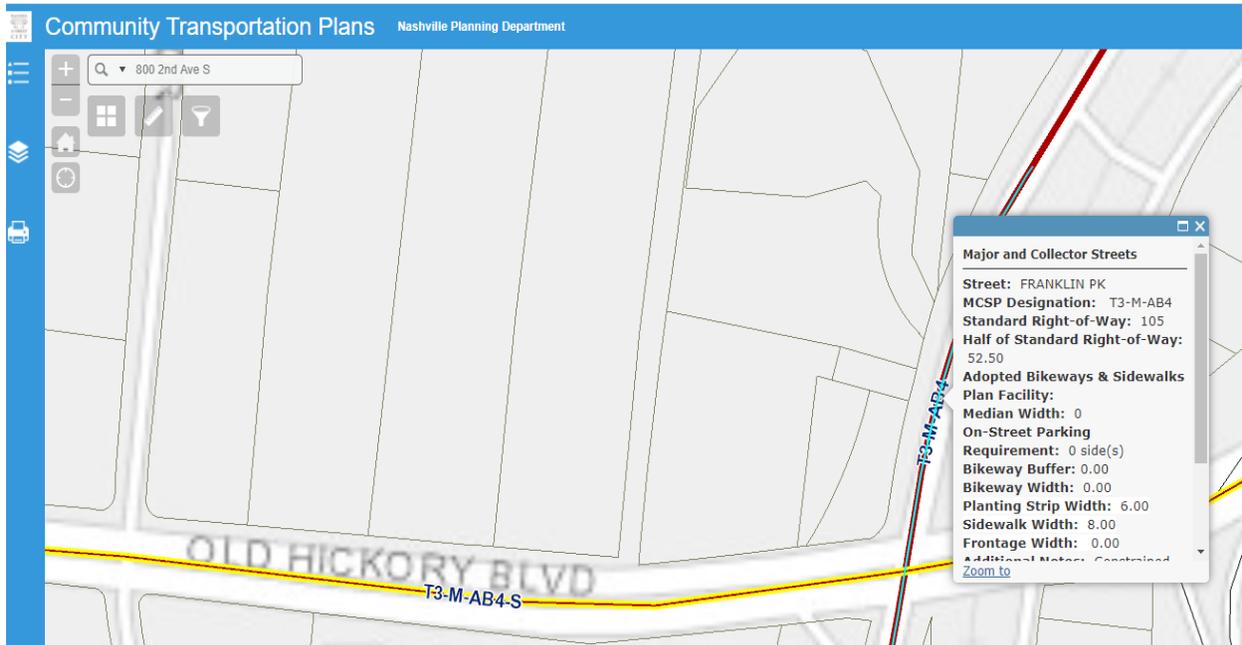


EXHIBIT C
SURVEY



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

Appellant: Roberto Gutierrez Date: 6/8/2020
 Property Owner: 1402 Buchanan St, LLC Case #: 2020-160
 Representative: Roberto Gutierrez Map & Parcel: 08111040800
 Council District: 21

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose: reduce the Street Setback from 15', as shown in Table 17.12.030B to 10' as provided for in Zoning Section 17.12.035
 Activity Type: Commercial construction permit
 Location: 1402 Buchanan St, Nashville, TN 37208

This property is in the 21 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Street setback shown as 10' per 17.12.035 conflicts with recent revision in 17.12.030B changing to 15'
 Section: 17.12.035

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection ____ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is hereby requested in the above requirement as applied to this property.

Appellant Name: Roberto Gutierrez Representative: Same as Appellant
 Phone Number: 615-815-0755 Phone Number: _____
 Address: 1916A 16th ave N Address: _____
Nashville, TN 37208 Address: _____
 Email address: Roberto@jbgbuilt.com Email address: _____

Appeal Fee: _____

2020-160

Date: June 4, 2020

SPECIAL EXCEPTION REQUEST

TO:

Board of Zoning Appeals
Department of Codes Administration
800 2nd Avenue South
Metro Office Building

FROM:

Applicant:
Jackson Builders
C/O Roberto Guetierrez
5016 Centennial Blvd., Suite 200
Nashville, TN 37209
Tel: 615-815-0755

Project Name & Address:

Buchanan Mixed Use Development
1402 Buchanan Street
Nashville, TN 37208
Zoning District: CS- Commercial Services
Overlays: UZO- Urban Zoning Overlay

Description of Special Exception Request- Street Setback Reduction

The proposed project is a new 2 story mixed use building with commercial uses on the 1st floor & residential apartments on the 2nd floor. The building footprint is 5511 square feet. There is a raised patio between the back side of the new sidewalk & the front face of the building. There is a 17 car parking lot in the rear of the building.

The Special Exception Request is to reduce the Street Setback from 15', as shown in Table 17.12.030B to 10' as provided for in Zoning Section 17.12.035 "Street Setbacks within the Urban Zoning Overlay District". 17.12.035.A.4 states: Two-thirds or more of the principle buildings located along the same or opposite block face do not meet the minimum requirements of Tables 17.12.030A or 17.12.030B. The Street Setback is measured from the street Right of Way (R.O.W.)

17.12.035.A.4- Response

Reference Drawing "BZA-2"- 1402 Buchanan Existing Building Context Site Plan.

All the existing buildings located on the 1400 block of Buchanan Street have Street Setbacks from the R.O.W. ranging from 1' to 2'. We are requesting a 10' Setback in lieu of a 15' Setback per Table 17.12.030B.

1. 1410 Buchanan St. is the only building on the same side of the street on the block. The front face of this building is setback 7' from the property line & 2' from the new Buchanan Street R.O.W. is located.
2. 1206 Buchanan Street located across 14th Ave. North- The front face of this building is setback 10' from the property line & 5' from the new Buchanan Street R.O.W. is located.
3. 1401 & 14011 Buchanan Street are located on the opposite side of Buchanan Street from the proposed project. The front faces of these buildings are setback 6' & 7' respectively from the property line & 1' & 2' from the new Buchanan Street R.O.W. is located. 1401 Buchanan Street is a new building that was permitted in 2017.

Page 2 of 3

Project: Buchanan Mixed Use Development- 1402 Buchanan Street

17.12.035.D.1- Response

1. See response to 17.12.035 above

17.12.035.D.2- Response

1. Reference Drawings BZA-1, BZA-2, BZA-3 & BZA-4

- a. The proposed building does not create an adverse impact on adjacent properties nor detract from a strong pedestrian friendly environment.
- b. The project is providing a new street Curb & Gutter, a 4' wide Landscape Strip & a new 8' Sidewalk.
- c. Additionally, adjacent to the new sidewalk the project is providing a new 11.5' wide patio that is at the 1st floor level of the building. Please see the 3D Views on Drawing BZA-4 that show how we envision our project creating a strong Pedestrian Friendly Streetscape Environment.
- d. While a lot of the older existing buildings in the area are one story, most of the new construction within a 1-2 block radius is 2 story including a new 2 story duplex across the back alley from this project.

Documents provided with this Request (Thumb drive)

1. Drawing- BZA-1: Zoning Site Plan Scale: 1"=20'
2. Drawing- BZA-2: Aerial Photo-Existing Building Context Site Plan
3. Drawing- BZA-3: Zoning Section thru the Site & Front Street Building Elevation Scale: 1/16"=1'0"
4. Drawing- BZA-4: 3D Views of Proposed Building
5. BZA "Special Exception Request"- Signed & Dated
6. BZA "Application for Special Exception Requests"- Signed & Dated
7. Metro Title 17- Zoning Regulations- Sections
 - a. Table 17.12.030B Street Setbacks for Multi-Family & Non-Residential Districts (Note 6)
 - b. Section 17.12.035- Street Setbacks within the Urban Zoning Overlay District (A.4 & D.1 & D.2)
 - c. Section 17.12.060.F.3- Special Height Regulations for all Uses within the Urban Zoning Overlay District (F.3)

END

RM9-A through RM100-A, MUN-A, MUL-A, MUG-A, MUI-A, OR20-A, OR40-A, and ORI-A	5 feet	5 feet
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- (1) Two-family dwellings with any parking proposed between the street line and the front edge of the residential structure shall provide a minimum street setback of thirty feet.
- (2) Lots having vehicular access to these streets shall develop in a manner which avoids back-up movements into the public street.

Table 17.12.030B

STREET SETBACKS FOR MULTI-FAMILY AND NON-RESIDENTIAL DISTRICTS; AND NON-RESIDENTIAL USES IN AG, AR2A, R/R-A AND RS/RS-A DISTRICTS

	AG— RM15	RM20, RM40	ON, OL, OG, OR20, OR40	RM60, MUN, MUL, MUG, ORI	CN, CN-A, SCN, SCC, SCR	CL, CL-A, CS, CS-A, CA	IWD, IR, IG	CF, MUI	DTC
Setback	40	30	20	10	20	15	5	0	See chapter 17.37

Note 1: SP Districts. Street setbacks shall be as specifically listed in the site specific SP ordinance.

Note 2: Properties abutting a street designated as a scenic arterial by the Major and Collector Street Plan shall comply with the provisions of [Section 17.24.070](#). This note shall not apply to the DTC district.

Note 3: In no event shall any street setback provisions permit a principal building to be constructed within an area designated for street improvements on a major street plan adopted subsequent to the effective date of this note.

Note 4: The above street setback standards shall not apply within the Alternative Zoning Districts.

Note 5: For attached housing developed under [Section 17.12.110](#), the minimum street setback shall be three feet from the right-of-way line but shall not vary by more than 20 percent from the standards set in [Section 17.12.030.C\(3\)](#). This note shall not apply to the DTC district.

Note 6: Within the urban zoning overlay district, any proposed development that does not meet the setback standards within this table may apply for a special exception as provided in [Sections 17.12.035.A and 17.12.035.D](#). This note shall not apply to the DTC district.

17.12.035 - Street setbacks within the urban zoning overlay district.

A. This section establishes street setbacks within the mixed use, office, industrial, RM20, RM40, RM60 or commercial zone districts for any property located within the urban zoning overlay district regardless of the minimum street setback requirements described in Tables 17.12.030A and 17.12.030B whenever one or more of the conditions listed below applies (1—4). However, in all districts, a principal or accessory structure may be located closer to the street or property line than as permitted by this section or by Tables 17.12.020B, 17.12.020C, and 17.12.030B based on the review and approval of a Special Exception by the Board of Zoning Appeals as provided in [subsection] 17.12.035.D below. The standards of this subsection shall not apply within the alternative zoning districts.

1. The setback of a principal building, fronting the same street, that is located on an abutting lot or a lot separated by an intervening public street or alley does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
2. In the case of a corner lot, the setback of a principal building located on any other corner lot at the same street intersection does not meet the minimum requirements of Tables 17.12.030A or 17.12.030B;
3. In the case of a corner lot, there is no principal building located on any other corner lot at the same street intersection;
4. Two-thirds or more of the principal buildings located along the same or opposite block face do not meet the minimum requirements of Tables 17.12.030A or 17.12.030B; or
5. The owner of one or more contiguous lots that collectively include at least one corner lot and at least fifty percent or more of the street frontage along either block face furnishes the zoning administrator a written request to use the contextual street setback requirements.

B. The determination of the appropriate street setbacks within mixed use, office, industrial, RM20, RM40, RM60 or commercial zone districts located within the urban zoning overlay district shall be made by following the criteria as outlined in subsection C of this section. For the purposes of this section, lots that are sixty feet wide or greater shall have the front facade of the building extend across at least twenty-five percent of the lot frontage or be at least twenty-five feet in width, whichever is greater. Lots that are less than sixty feet wide shall have the building extend across the full width of the lot in mixed use and commercial districts unless a driveway is required to access required parking, except that one or two family dwellings may have side yards a minimum of three feet in width. If a driveway is needed for service to accessory parking, an opening of up to twenty-six feet wide shall be permitted. Parking shall be permitted only at the sides and rears of buildings, and at the fronts of the buildings to the extent shown in Figure 17.12.035. A primary entrance to the building shall be located at the front setback line. The front facade may have projections and recesses to accommodate columns, entrances, covered patios, and similar features. The standards of this subsection shall not apply within the alternative zoning districts.

C. The following criteria shall be used to determine the street setback, as applicable. The standards of this subsection shall not apply within the alternative zoning districts.

1. If the site is within a zoning overlay district, redevelopment district or an area having a design plan adopted by metropolitan council that includes a master plan or design guidelines for the placement of buildings at this location such guidelines shall apply.
2. If the site is not within an area having an adopted design plan, master plan or design guidelines and the building types and setbacks of existing buildings are characteristic of development under a different zoning district than what the property is currently zoned and that implementation of the current zoning

will change the development character within the district (e.g., the existing development is one- or two-family dwellings and the zoning is for multi-family dwellings), then the setbacks from Section 17.12.030 (Street Setbacks) shall apply.

3. If neither subsection (C)(1) nor (C)(2) applies, then the site shall comply with these contextual setback provisions. Setbacks shall be determined as follows:
 - a. Use of buildings and site features as context:
 - i. Consistency with like building type. Lots with buildings of the same building type as proposed are to be used as the contextual basis for street setbacks. Lots with buildings of a different building type are not to be used as the contextual basis for street setbacks unless it can be demonstrated that the pattern of setbacks for both building types is fundamentally the same within a radius of five hundred feet. Civic buildings are not to be used as the contextual basis for street setbacks of non-civic buildings. Likewise, non-civic buildings are not to be used as the contextual basis for civic buildings.
 - ii. The determination of the appropriate street setback may take into account the presence of recorded easements or utility obstructions that prevent meeting any of the criteria above.
 - b. Contextual criteria:
 - i. Street setbacks shall be consistent with the predominant pattern of street setbacks of pre-1950 buildings (built before 1950) located within a distance of three lot widths along both sides of the same or intersecting street frontages, as applicable. If the predominant pattern is consistent with the setback requirements of the base zoning district, then Table 17.12.030A or Table 17.12.030B shall apply as applicable.
 - ii. If the lot is a corner lot, street setbacks shall be consistent with the street setbacks of any pre-1950 building that previously occupied the same corner lot. If that information is not available, street setbacks shall be consistent with the street setbacks of any pre-1950 building located on any of the other corner lots at the same intersection.
 - iii. If there are no pre-1950 buildings located on adjacent or nearby lots, street setbacks shall be consistent with the pattern of street setbacks shown at that location on record maps dating from 1950 or earlier.

17.12.035.D

D. Special Setback Regulations for All Uses (Excluding Single-Family and Two-Family Dwellings) Within the Urban Zoning Overlay District:

1. In all districts, a principal or accessory structure may be located closer to the street or property line than as permitted by this section or by Tables 17.12.020B, 17.12.020C, and 17.12.030B based on the review and approval of a Special Exception by the Board of Zoning Appeals.
2. An applicant shall provide evidence to the board as provided in Section 17.12.060.F.3 that the proposed building setbacks shall not create an adverse impact on adjacent properties nor detract from a strong pedestrian-friendly environment.
3. The board shall consider a recommendation from the historic zoning commission and planning commission as provided in Section 17.12.060.F.4.

(Ord. BL2011-898 § 10, 2011; Amdt. 1 to Ord. BL2006-1047, §§ 3, 4, 2006; Ord. BL2006-1047 §§ 3, 4, 2006; Ord. BL2004-221 § 1 (part), 2004)

17.12.060

BUILDING HEIGHT CONTROLS

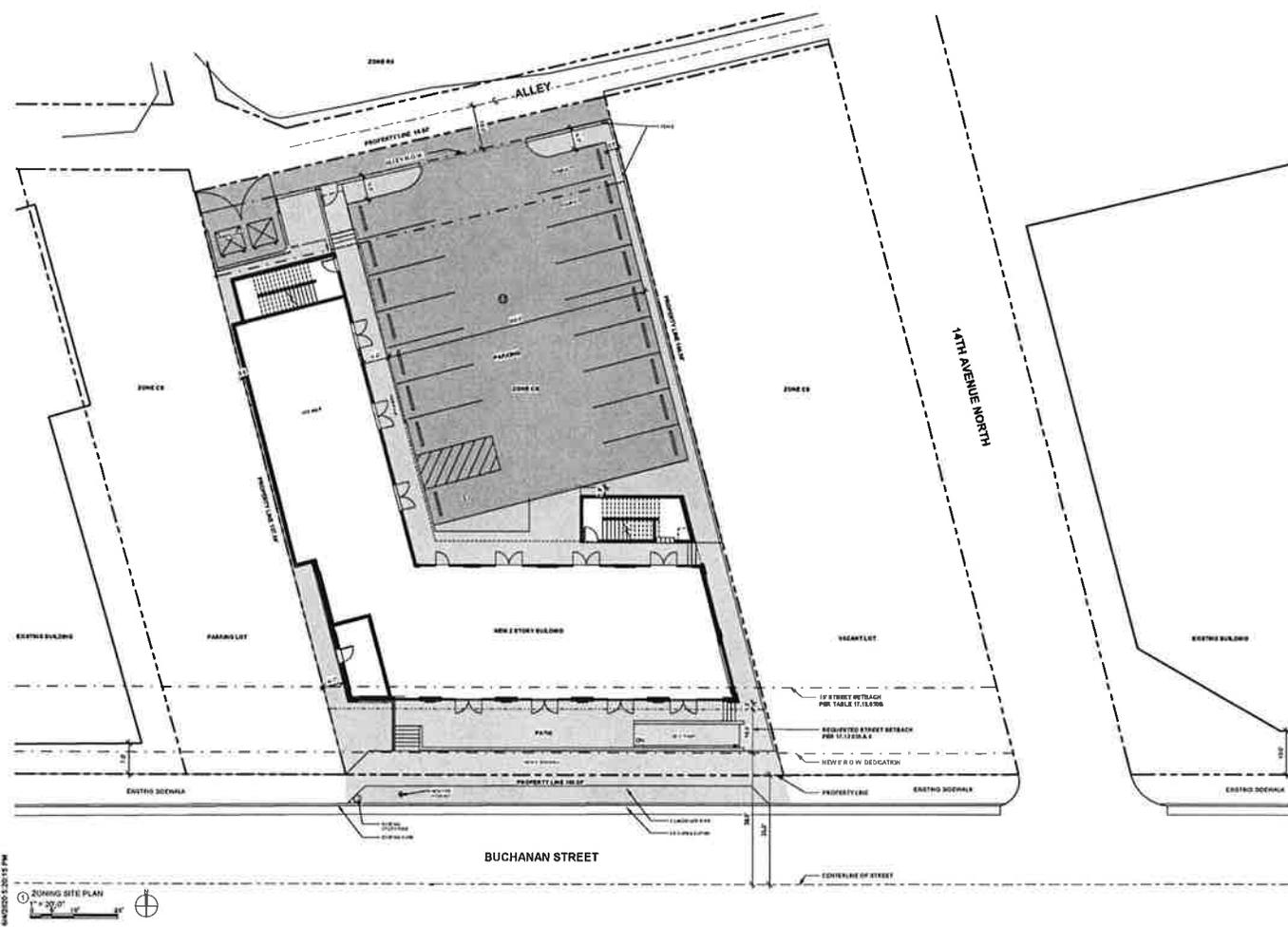
the tower exceeding the height limit or penetrating the height control plane;

6. Parapet walls not more than four feet high.
- E. Special Height Restrictions Along Highways Designated Scenic Under T.C.A. Section 54-17-101 et seq.
1. For purposes of this subsection D, the following terms shall have the meanings shown:
 - a. "Coverage area" means the total surface area proposed to be covered by a structure.
 - b. "Natural elevation" means the average elevation of the coverage area prior to grading, to be computed by dividing the sum of the elevations of points taken at twenty-five foot intervals around the perimeter of the coverage area by the total number of such points.
 - c. "Measuring segment" means the full segment of scenic highway abutting the property on which the building is to be built.
 - d. "Measuring segment elevation" means the average elevation of the measuring segment, to be computed by dividing the elevations of points taken along the centerline of the measuring segment at twenty-five foot intervals divided by the total number of such points.
 - e. "Maximum building height" means the difference between the maximum elevation of a building, including any object to be affixed thereto, and the natural elevation.
 2. The "maximum building height" of any building to be built within three hundred feet of, and on a parcel of property abutting, a road designated a scenic highway by Tenn. Code Ann. Section 54-17-101 et seq., as amended, shall not exceed the following:
 - a. For a building site having a natural elevation lower than the measuring segment elevation, maximum building height shall be no more than thirty-five feet higher than the measuring segment elevation.
 - b. For a building site having a natural elevation higher than the measuring segment elevation, maximum building height shall be no more than thirty-five feet higher than the natural elevation.

17.12.060.F.3

F. Special Height Regulations for All Uses (Excluding Single-Family and Two-Family Dwellings) Within the Urban Zoning Overlay District, but not including the DTC district:

1. In all districts, a principal or accessory structure may exceed the maximum height at the setback line and/or penetrate the height control plane as shown in Tables 17.12.020B and 17.12.020C, or the maximum height in the build to zone for thirty percent of the façade fronting each public street and/or the maximum heights specified in Table 17.12.020D, based on the review and approval of a Special Exception by the board of zoning appeals.
2. The top elevation of an accessory structure shall not exceed the top elevation of any principal building or structure located within the development.
3. An applicant shall provide evidence to the board that the proposed building height shall not create an adverse impact on air, light, shadow, or wind velocity patterns due to the configuration of the building relative to the maximum permitted height standards (including height control plane) and its juxtaposition to, and with, existing structures in the vicinity, or approved, but not yet built structures. In addition, the applicant shall demonstrate that the proposed building height contributes to, and does not detract from, a strong pedestrian-friendly streetscape.
4. The board shall consider a recommendation from the historic zoning commission, if the property is located within an historic overlay district, and a recommendation from the planning commission as provided in Section 17.40.300. The planning commission shall recommend on the proposed development's consistency with the goals, objectives and standards of any redevelopment district as well as the general plan, including any community, neighborhood or other design plan.



Building Ideas
 1402 BUCHANAN STREET
 JACKSON BUILDERS

Designed For:
JACKSON BUILDERS

BUCHANAN MIXED USE DEVELOPMENT
 1402 BUCHANAN STREET
 NASHVILLE, TN 37203
 MIXED USE DEVELOPMENT

NEW YORK
 STATE RESIDENCE | STATE

Project Number: 1402
 Date: 8.4.2020
 ZONING SITE PLAN

BZA-1



6/4/2020 5:28:17 PM

1402 BUCHANAN EXISTING BUILDING CONTEXT SITE PLAN (NOT TO SCALE)



NOTE: ALL SETBACK DIMENSIONS ARE FROM PROPERTY LINE TO FACE OF BUILDING.

Building Ideas
 David Beard, Architect
 1000 1/2 S. MAIN STREET
 NASHVILLE, TN 37203
 615.259.9999
 www.davidbeard.com

OWNER: JAMES W. BOONICCONTI AND
 DAVID BEARD ARCHITECT, AN AFFILIATE OF
 JACOBS LLC, A SUBSIDIARY OF JACOBS
 SERVICES CORPORATION, 1700 BROADWAY
 NEW YORK, NY 10014
 PROJECT NO. 1402 BUCHANAN STREET
 PROJECT NAME: BUCHANAN EXISTING BUILDING CONTEXT SITE PLAN
 PROJECT LOCATION: 1402 BUCHANAN STREET, NASHVILLE, TN 37203
 PROJECT DATE: 6/4/2020

Designed For:
JACKSON BUILDINGS

BUCHANAN MIXED USE DEVELOPMENT
 1402 BUCHANAN STREET
 NASHVILLE, TN 37203
 MIXED USE DEVELOPMENT

REVISION	DATE	DESCRIPTION	DATE

Project Name:
BZA REVIEW SET

Project Number: **1402**

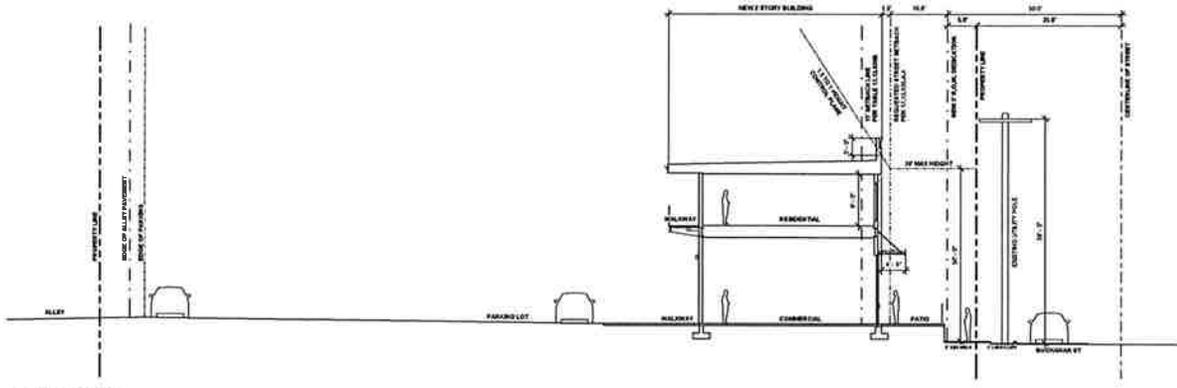
Date: **6/4/2020**

BUCHANAN EXISTING BUILDING CONTEXT SITE PLAN

BZA-2



① STREET ELEVATION
1/4" = 1'-0"



② SECTION THROUGH SITE
1/8" = 1'-0"

Building Ideas
Architectural Firm
DAVID BOND ARCHITECT
100 BELLEFLORE
MEMPHIS, TN 38103
T 901.527.4444
www.bondideas.com

Designed For:
JACKSON BUILDERS

BUCHANAN MIXED USE DEVELOPMENT
1402 BUCHANAN STREET
MEMPHIS, TN 38103
MIXED USE DEVELOPMENT

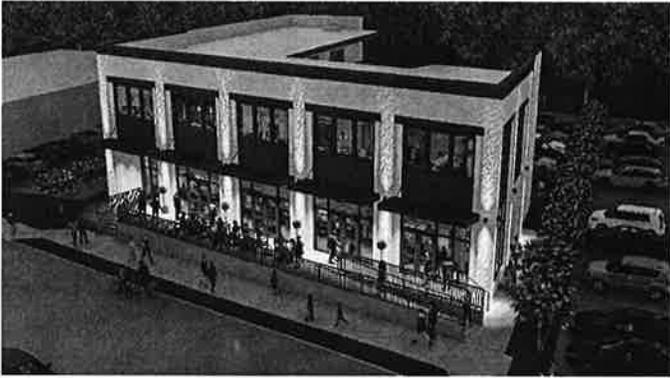
REVISION
DATE REVISION BY

Project Phase
BZA REVIEW SET

Project Number: 1402
Date: 6.4.2020

ZONING ELEVATION & SECTION

BZA-3



② OVERALL BIRD'S EYE VIEW NIGHT TIME



① OVERALL VIEW FROM BUCHANAN STREET DAYTIME



③ SIDEWALK LEVEL VIEW NIGHT TIME

8/4/2020 5:28:32 PM

Building Ideas+
 COMMERCIAL ARCHITECTURE
 David Reed, Architect
 1000 17th Avenue South
 Nashville, TN 37203
 615-259-4444
 david@buildingideas.com

Prepared For:
JACKSON BUILDERS

Project Name: BUCHANAN MIXED USE DEVELOPMENT
 1402 BUCHANAN STREET
 NASHVILLE, TN 37208
 MIXED USE DEVELOPMENT

REASON
 (NEXT REVISION | DATE)

Project Phase
BZA REVIEW SET

Project Number 1402
 Date 8.4.2020

3D VIEWS OF PROPOSED BUILDING

BZA-4

APPLICATION FOR SPECIAL EXCEPTION REQUESTS

After your appeal is filed, zoning staff will visit the site to take photographs for the Board Members so they will have a better idea of the nature of your request. Zoning staff will notify the district councilmember of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in this case. The envelopes must include the return address for the BZA and case number. Fold and insert the notices into the envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding sign placement.) Finally, BZA Rules require that you conduct a community meeting regarding the special exception request before the BZA hearing date.

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the Board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing. I am aware that I am required to conduct a community meeting.

6/8/2020

APPELLANT

DATE

Managing Partner - Jackson Builders, LLC

SPECIAL EXCEPTION REQUEST

BZA Rules of Procedure, Item 9(2) (e) requirements to conduct neighborhood meetings regarding the case that will later appear before the BZA. The BZA Rules specifies, "In the interest of having informed stake holder in special exception cases. It is required that the appellant make contact with the district council person and neighbors within 1000 feet of the subject property from a mailing list provided by the board staff. Information by the applicant shall include a contact person and include a reasonable representation of the proposal and hold a meeting at a geographically convenient place, date, and time. We encourage you to have the meeting prior to the deadline for additional information to presented to the board. Applicant shall document to the Board that this requirement has been met. Failure to comply may result in deferral of your case."

Zoning staff will provide you a mailing list of property owners in proximity to the location designated for a special exception permit. The BZA Rule then requires you to contact those persons on the mailing list, provide them with the date, time and place of meeting, and discuss your BZA request accordingly. If there is opposition to your case, this meeting gives you the chance to address those concerns prior to the public hearing at the BZA meeting.

You must create and provide documentation of your efforts to contact the neighboring property owners for the neighborhood meeting. Failure to do so can result in a deferral or denial of your appeal to the BZA.

I ACKNOWLEDGE MY RESPONSIBILITIES regarding the neighborhood meeting preceding the public hearing for by BZA appeal for a special exception

APPELLANT (OR REPRESENTATIVE)

Managing Partner - Jackson Builders, LLC

6/8/2020

DATE

APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.

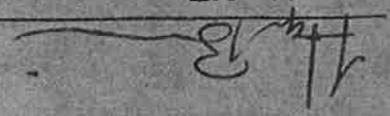
Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied. You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

APPELLANT



DATE

6-3-20



METROPOLITAN COUNCIL

Member of Metro Council

Brandon Taylor
Councilman, District 21
615 432-1321

August 6, 2020

Chairman David Taylor and Members of the
Metropolitan Board of Zoning Appeals
Metro Office Building
800 Second Avenue South
Nashville, TN 37219-6300

Re: Appeal Case No. 2020-160
1402 Buchanan St.

Dear Chairman and Members:

I am writing to express my support of the applicant's request for a special exception to reduce the setback in the CS District, to construct a mixed-use development.

I have not received any negative feedback to this request therefore, I respectfully request that the Board of Zoning Appeals approve Case No. 2020-160 located at 1402 Buchanan Street.

Thank you for your attention to this request.

Sincerely,

Brandon Taylor
Councilman, District 21

From: [Gregory, Christopher \(Public Works\)](#)
To: [Shepherd, Jessica \(Codes\)](#)
Cc: [Lifsey, Debbie \(Codes\)](#); [Ammarell, Beverly \(Public Works\)](#)
Subject: RE: Appeal 2020-160
Date: Friday, June 12, 2020 9:37:02 AM

2020-160 1402 Buchanan St Reduce street setback

Variance: 17.12.030B and 17.12.035

Response: Public Works takes no exception on condition that adequate parking is provided on site per code.

This does not imply approval of the submitted site plan as access and design issues will be addressed and coordinated during the permitting process.

Christopher E. Gregory, E.I.T.

Metropolitan Government of Nashville

Department of Public Works

Engineering Division

720 South Fifth Street

Nashville, TN 37206

Ph: (615) 880-1678

From: Shepherd, Jessica (Codes) <Jessica.Shepherd@nashville.gov>

Sent: Thursday, June 11, 2020 3:03 PM

To: Gregory, Christopher (Public Works) <Christopher.Gregory@nashville.gov>; Ammarell, Beverly (Public Works) <Beverly.Ammarell@nashville.gov>

Subject: Appeal 2020-160

Appeal 2020-160 on agenda for 8/6/2020

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY
Planning Department
Metro Office Building
800 Second Avenue South
Nashville, Tennessee 37201
615.862.7150
615.862.7209

Memo

To: Metropolitan Nashville Board of Zoning Appeals
From: Metropolitan Nashville Planning Department
CC: Emily Lamb
Date: July 17, 2020
BZA Hearing Date: August 6, 2020
Re: Planning Department Recommendation for Special Exception Cases

Pursuant to Section 17.40.340 of the Metro Zoning Code, the Metropolitan Planning Department is providing recommendations on the following special exception case:

Case 2020-160 (1402 Buchanan Street) - Special Exception

Request: To approve a special exception from the required street setback requirement.

Zoning: Commercial Service (CS) is intended for retail, consumer service, financial, restaurant, office, self-storage, light manufacturing and small warehouse uses and is designed to create walkable neighborhoods.

Land Use Policy: T4 Urban Mixed Use Corridor (T4 CM) is intended to enhance urban mixed use corridors by encouraging a greater mix of higher density residential and mixed use development along the corridor, placing commercial uses at intersections with residential uses between intersections; creating buildings that are compatible with the general character of urban neighborhoods; and a street design that moves vehicular traffic efficiently while accommodating sidewalks, bikeways, and mass transit.

Existing Context: The property is approximately 0.34 acres and located in North Nashville along the collector, Buchanan Street, approximately 780 feet east of DR. D. B. Todd Jr. Blvd which is an arterial boulevard. There is a built alley at the rear of the property. The site is currently vacant. The surrounding area is primarily developed with commercial uses with some residential uses to the north of the property.

Planning Department Analysis:

The applicant is requesting a special exception:

- To allow for a reduction of the street setback from 15 feet to 10 feet.

This site is within the urban zoning overlay district which allows for any proposed development that does not meet the setback standards within table 17.12.030B to be able to apply for a special exception as provided in Sections 17.12.035.A and 17.12.035.D

The proposed project is a 5,511 square foot two-story mixed-use building with a raised patio in front. There are existing sidewalks along Buchanan Street. The plan proposes a 17-car parking lot at the rear of the building.

The Urban Mixed-Use Corridor (T4 CM) policy aims to create street setbacks that are shallow and consistent. The majority of the adjacent existing buildings along Buchanan street are setback at the street approximately 10 feet, so a 10-foot street setback at this site would be consistent with the existing development pattern and meet the goals of the policy to create uniform block faces in terms of bulk and scale. The T4 CM policy aims to create non-residential neighborhoods with massing that results in moderate to high lot coverage. Reducing the setbacks for this property in the center of the block will achieve this goal and meet the intent of the policy.

Planning Recommendation: Approve.

From: [Lamb, Emily \(Codes\)](#)
To: [Michael, Jon \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#); [Butler, Lisa \(Codes\)](#)
Subject: FW: 2020-160 appeal support
Date: Monday, July 20, 2020 1:53:37 PM

For the case file.

From: Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>
Sent: Monday, July 20, 2020 1:34 PM
To: Lamb, Emily (Codes) <Emily.Lamb@nashville.gov>
Subject: Fwd: 2020-160 appeal support

Hi, Emily: This may be for BZA. See email below...

Council Member Brandon Taylor
District 21
Get [Outlook](#) for iOS

From: Meghan Ferris <meghan.c.ferris@gmail.com>
Sent: Monday, July 20, 2020 1:28:54 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>
Cc: Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>
Subject: 2020-160 appeal support

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Hello!

I live at 1835 16th Ave N and I am writing to voice my support of the 2020-160 appeal. I believe the project should be exempted from the setback requirements because it will allow for more off street parking, leaving the street parking for us residents and our guests, and is consistent with other existing building and where they sit relative to the street, like the duchess hair salon building. This community is hungry for businesses to patronize and evidenced by the existing successful businesses like Southern V, Slim and Huskys, and Minerva Ave, the more off street parking we can get the better.

I am so excited to see what businesses this project brings to the neighborhood and am eager to support them. Thank you for considering this appeal and my input! If there's anything you need from me please let me know.

Meghan Ferris

From: [Lamb, Emily \(Codes\)](#)
To: [Michael, Jon \(Codes\)](#); [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#); [Butler, Lisa \(Codes\)](#)
Subject: FW: Support for appeal 2020-160
Date: Monday, July 20, 2020 2:11:29 PM

From: Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>
Sent: Monday, July 20, 2020 2:10 PM
To: Lamb, Emily (Codes) <Emily.Lamb@nashville.gov>
Subject: Fwd: Support for appeal 2020-160

Here's another one.

Council Member Brandon Taylor
District 21
Get [Outlook](#) for iOS

From: Brittney McClafferty <bmcclafferty@gmail.com>
Sent: Monday, July 20, 2020 1:41:46 PM
To: Planning Commissioners <Planning.Commissioners@nashville.gov>; Taylor, Brandon (Council Member) <Brandon.Taylor@nashville.gov>
Subject: Support for appeal 2020-160

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Good afternoon

I am writing to voice my support for the proposed appeal 2020-160 for the development at 1402 Buchanan.

I support the special exemption from the setback requirements because it allows for more off street parking in the rear and would keep the front of the building in line and congruent with everything else on Buchanan. This project will be an asset to the neighborhood and will add more curb appeal to a run down area

Thank you,
Brittney McClafferty
Resident of 16th Ave N & District 21

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Duane Cuthbertson

Date: 06.10.20

Property Owner: Build Nashville

Case #: 2020- 162

Representative: : Duane Cuthbertson

Map & Parcel: 13107006800

Council District 25

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Purpose:

Contextual street setbacks on Hunt Place - to construct two residential dwellings on the property.

Activity Type: Two - Family Residential

Location: 1715 Castleman Drive

This property is in the R20 Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Street setback

Section(s): 17.12.030.C.3

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection _____ Of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Duane Cuthbertson

Duane Cuthbertson

Appellant Name (Please Print)

Representative Name (Please Print)

1806 A Allson Place

Same

Address

Address

Nashville, TN 37203

City, State, Zip Code

City, State, Zip Code

615.924.9618

Same

Phone Number

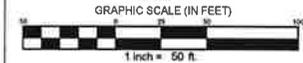
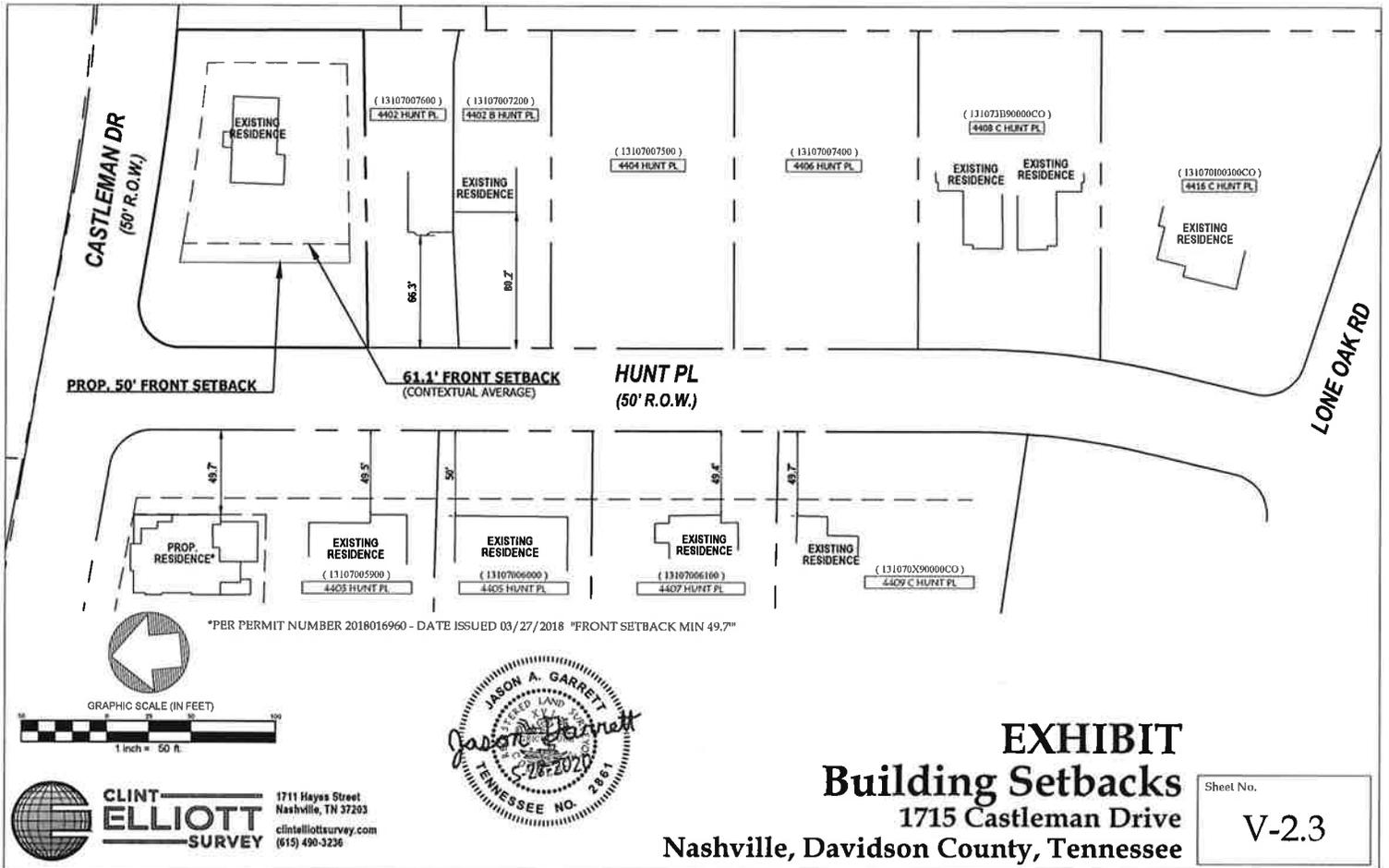
Phone Number

dcuthber@gmail.com

Email

Email

Appeal Fee: _____



CLINT ELLIOTT SURVEY
 1711 Hayes Street
 Nashville, TN 37203
 clintelliotsurvey.com
 (615) 490-3236



EXHIBIT
Building Setbacks
 1715 Castleman Drive
 Nashville, Davidson County, Tennessee

Sheet No.
V-2.3

53

OWNER'S CERTIFICATE

I hereby certify that I am the owner and accept the title of subdivision of the property as shown herein and warrant all public maps and instruments as noted.

Name: Neil Hunt
Address: 11111

SURVEYOR'S CERTIFICATE

I hereby certify that the plat shown herein is correct and that approved monuments shown thereon have been placed as indicated.

Name: C. S. [unclear]
Address: [unclear]

SUBDIVISION NO. 41-20
COMMISSIONER'S APPROVAL

Approved by the Bureau, County Planning Commission by resolution, date March 25, 1967.

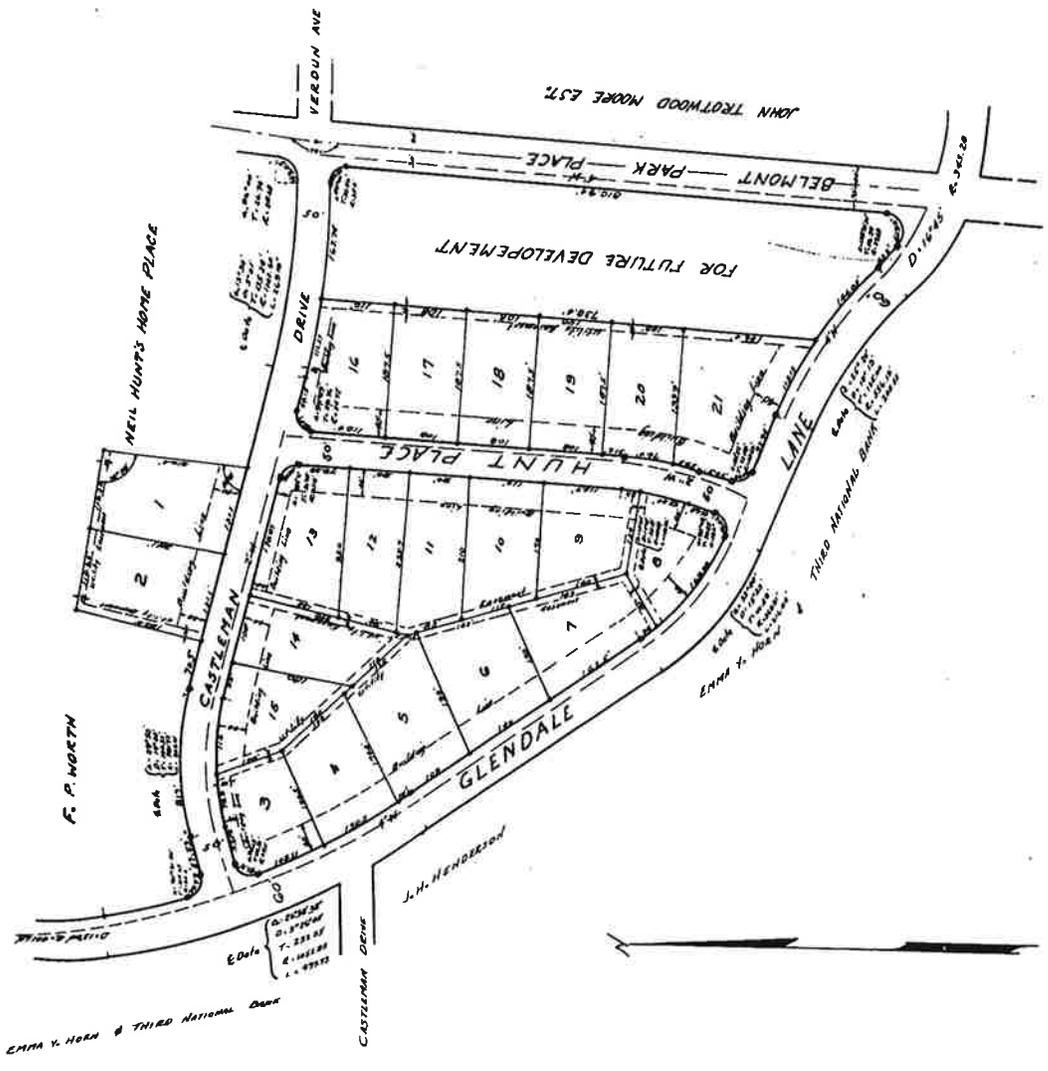
Name: [unclear]
Address: [unclear]

Recorded this 27th day of March 1967, at the Register's Office of Davidson County, Tennessee.

Surveyed for Record March 27, 1967 at 11:55 a.m.

LEGEND

- Street Line
- Property Line
- Building Footprint
- Corner Monument
- Survey Line
- Other City Government



PART ONE
HUNT TERRACE
 NEIL HUNT'S SUBDIVISION OF LOT NO. 53 & PARTS OF
 LOT NO. 52, 54 & 55, BY GEORGE BLAIR'S REVISED
 SUBDIVISION OF BELMONT PARK PLACE.

SCALE: 1" = 100'

APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number. Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

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Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

Duane Cuthbertson

APPELLANT

06.10.20

DATE

Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

Physical Characteristics of the property- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

Unique characteristics- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.

Financial gain not only bases-Financial gain is not the sole basis for granting the variance.

No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

Integrity of Master Development Plan- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, and location of disposal systems which can affect your plan. Consideration can be given to the characteristics of neighborhood and the way it is developed. One or more of these conditions must affect your inability to build or occupy the property to provide your case.

At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

The lot is a corner lot and has deeper setbacks on two frontages although it's similar in size to surrounding lots. The two houses to the south create the 61' contextual setback although they are the anomaly for the block. The requested setbacks of 50' are more consistent with the neighborhood context and deeper than the lot's platted 40' setback along Hunt.

Applying the contextual setback along Hunt will unnecessarily squeeze the building envelope for this lot and push the two permitted homes together such that they will be out of character to the surrounding neighborhood.

The variance, if granted, will create a more compatible streetscape and allow more space in between the two homes so that the development is consistent with the surrounding context.

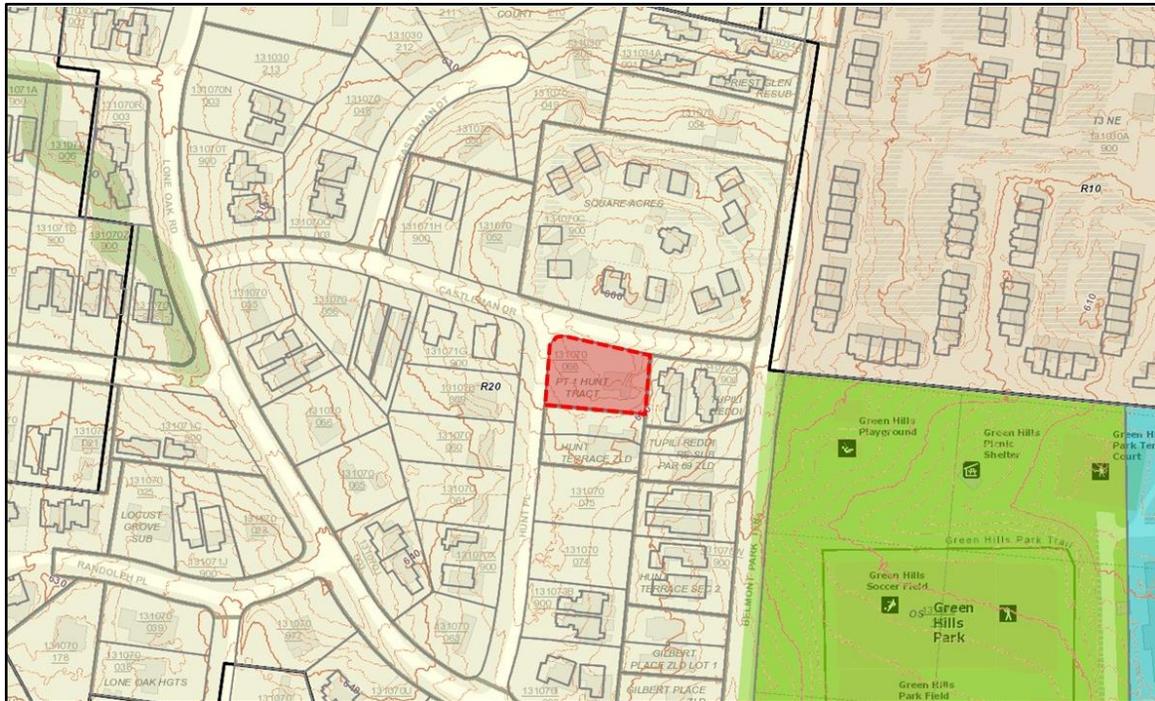
BZA Case No. 2020-162
 1715 Castleman Drive
 Variance of street setback

Nashville Board of Zoning Appeals

Agenda Date: August 6, 2020

Case No. 2020-162

Address: 1715 Castleman Drive

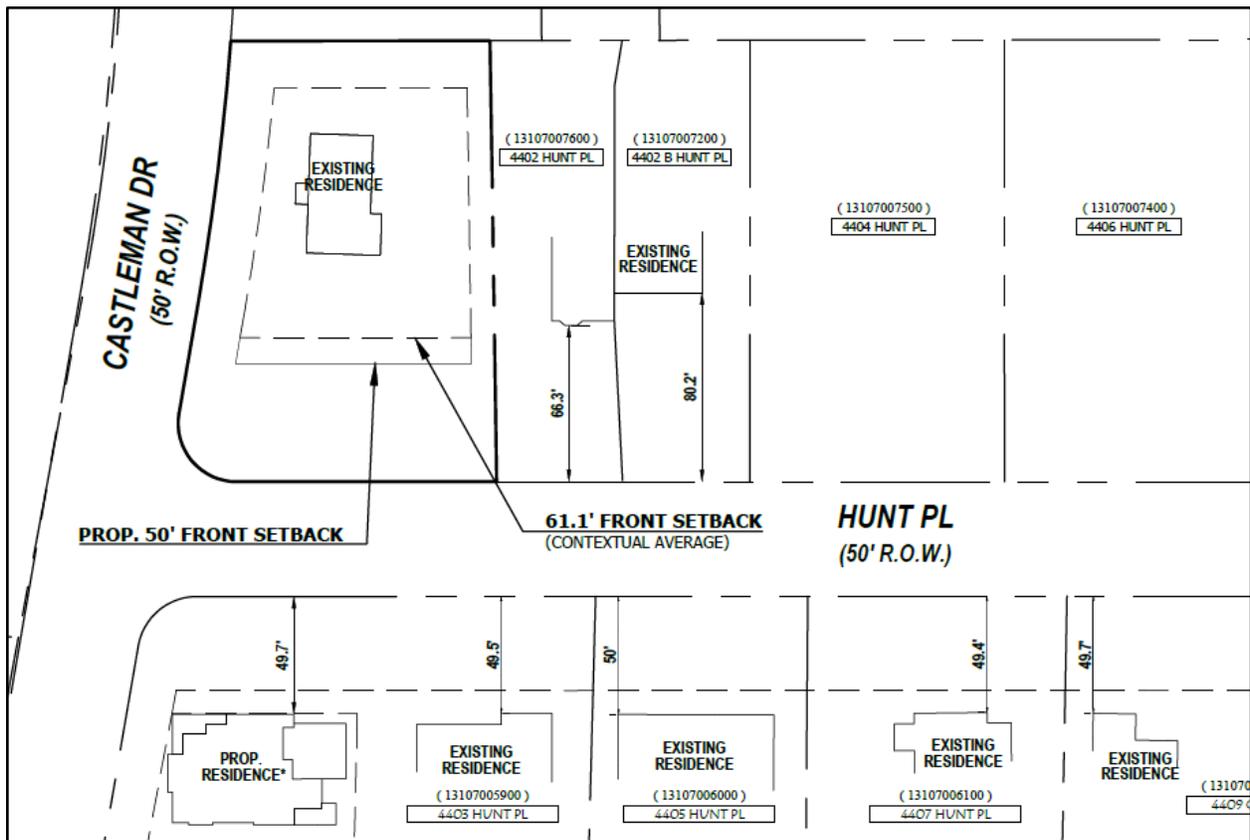


1715 Castleman Drive

Request: Variance of the street setback from Hunt Place from 61.1' to 50'.

Purpose: To allow one of the two new proposed homes for this site to be situated 11.1 ft closer to Hunt Place. The variance will enable more spacing in between the two proposed dwellings and create clearance for an existing tree.

BZA Case No. 2020-162
 1715 Castleman Drive
 Variance of street setback



1715 Castleman: Southeast corner of Castleman and Hunt

The Variance of the street setback on Hunt Place is an adjustment of only 11.1'. The minor request will allow a proposed home to be situated along Hunt Place in a manner that is more consistent with the broader prevailing pattern on this street as evidenced by the five homes on the west side of the street.

Zoning Requirement / Intent: The Code requires an 'average' street setback in residential districts. The 'average' street setback is established by measuring the 4 closest homes on the same blockface. In this instance, there are only four other homes on this block (east side of Hunt Place). The average setback is 61.1'.

The street setback requirement is intended to create continuity along a given blockface/ streetscape, to create and maintain a uniform pattern and to create a desirable and proportional relationship between homes and the corresponding street.

This block was originally platted with a 40' street setback on Hunt however for reasons unknown the neighboring lot to the south created a unique circumstance by locating parking areas in front of their homes and pushing their buildings well behind what was required at the time. Their decision to build at 66' and 80' has skewed the average setback for the block significantly such that all new homes are also required to setback at relatively deep distances - out of character with the surrounding neighborhood.

The average across the street is more inline with standard planning practices - it presents a relatively uniform relationship with the street at just under 50'.

Our requested variance is consistent with that pattern.

Analysis:

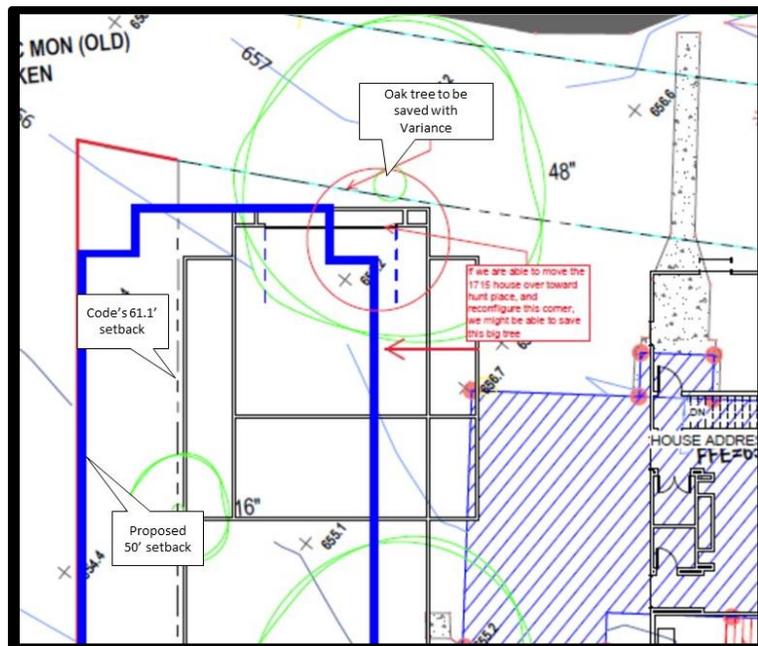
The subject property is a corner lot for which the front street setback is Hunt Place. The subject property is located within the Green Hills neighborhood while there is generally a uniform pattern among residential blocks - differentiation can be found around the neighborhood. It is not uncommon for corner lots to have more shallow setbacks along a given street than the rest of the block.

The required building setback of 61.1' is relatively deep compared to much of the surrounding neighborhood. The corner lot at the opposite end of this same block (on Hunt Place and Lone Oak) contains a recently built home with a 50' setback from Hunt Place. The home across the street (on Hunt Place) similarly has a 50' street setback as well as the other homes on that side of the block. The requested variance will create an outcome consistent with those existing homes.

Two homes are permitted on the R20 zoned subject property. The deep street setback requirement coupled with the deeper street setback from Castleman Drive provide for a relatively small building envelope. The minor variance will allow for two homes to be constructed on the property with 11.1' additional feet in between the buildings. The additional spacing in between buildings will allow for a building pattern more consistent with the surrounding context.

BZA Case No. 2020-162
 1715 Castleman Drive
 Variance of street setback

Additionally, there is a mature Oak tree located in the middle of the northern portion of the property (adjacent to Castleman Drive). The variance will allow for more opportunity to create space in between the building and the tree thereby saving the mature tree.



Sketch of potential layout in relation to old Oak Tree



Large Oak Tree on north side of lot.

It is not uncommon for corner lots to contain slightly to significantly shallower setbacks than other homes on the block face. This property contains a fair amount of mature trees along the Hunt Place property line. The builder has every intention of maintaining those trees. Additionally, there is a fair amount of vegetation in between this property and the neighboring property to the south. The vegetation combined with the tree coverage along the street will considerably mitigate any perceived impact from the 11.1' variance.

The variance will also create slightly more room on the property to ensure the proposed homes are two stories in height.

The variance requested appears as if it will have limited impact to the streetscape on Hunt Place and will create conditions on the lot that will benefit the neighborhood development pattern.

The applicant has had significant communication with the community and Councilmember regarding the variance. The owners live in the immediate vicinity (on Castleman) and have spoken with numerous neighbors resulting in support for the request. In addition to Metro notices, the applicant mailed out letters to the same recipients showing the requested variance on a site plan and explaining the rationale for the request. Multiple points of contact were provided on the letters. Only a few calls and emails were received as a result. After a brief conversation all resulted in support (or at least, lack of opposition).

Unique Circumstances:

1. The subject property is a relatively shallow corner lot - the combination of deeper street setbacks creates a smaller building envelope on which to fit Green Hills homes;
2. The subject property to the south contains a house that has a uniquely deep street setback (anomaly for the block) that is skewing the average applicable to this property;
3. There is a large oak tree on the north boundary the owners and neighbors would like to save - the variance creates a favorable condition in an attempt to save that mature tree;
4. There are homes on this street (this block and across the street) containing street setback consistent with this variance request.

Conditions:

The applicant is willing to condition approval of the variance to a two story building height limit for both homes.

From: [Duane Cuthbertson](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Subject: Fwd: 1715 castleman bza support letter
Date: Thursday, July 16, 2020 10:38:27 AM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Will you please accept this email of support for BZA 2020-162 at 1715 Castleman. It's scheduled for 8/6/20.

Duane

----- Forwarded message -----

From: **Shaun Burroughs** <shaun@buildnashvilletn.com>
Date: Fri, Jun 12, 2020 at 7:26 AM
Subject: 1715 castleman bza support letter
To: Jamie Duncan <jamie@buildnashvilletn.com>, Duane Cuthbertson <dcuthber@gmail.com>

Thanks,
Shaun Burroughs
615-715-6212

Begin forwarded message:

From: Elliott Holt <Elliott.NobleHolt@medicopy.net>
Date: June 12, 2020 at 6:45:34 AM CDT
To: Shaun Burroughs <shaun@buildnashvilletn.com>
Subject: Updated email

To the Board of Zoning Appeals:

My name is Elliott Noble-Holt and I live at 1711 Castleman Drive. Please accept this email as an indication of my support for a request for a Variance of the street setback at 1715 Castleman Drive. The requested street setback reduction from 61' to 50' on Hunt Place is minor and will better complement the streetscape and provide for a more evenly spaced layout for the two homes on the property.

Thank you for your support.

--

Elliott Noble-Holt, CEO
MediCopy Services, Inc.
P: [866.587.6274](tel:866.587.6274)

F: [888.233.4226](tel:888.233.4226)

C: [615.604.8468](tel:615.604.8468)

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager. This message contains confidential information and is intended only for the individual named. If you are not the named addressee you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.

--

Duane Cuthbertson
615.924.9618

From: [Duane Cuthbertson](#)
To: [Shepherd, Jessica \(Codes\)](#); [Lifsey, Debbie \(Codes\)](#)
Subject: Fwd: BZA Case No. 2020-162
Date: Wednesday, July 22, 2020 12:22:18 PM

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

Will you please include the email of support below in our file (BZA 2020-162 : 1715 Castleman)?
Thank you.

----- Forwarded message -----

From: **Shaun Burroughs** <shaun@buildnashvilletn.com>
Date: Tue, Jul 21, 2020 at 10:25 AM
Subject: Fwd: BZA Case No. 2020-162
To: Duane Cuthbertson <dcuthber@gmail.com>

Thanks,
Shaun Burroughs
615-715-6212

Begin forwarded message:

From: Joe Swing <jswing@comcast.net>
Date: July 21, 2020 at 9:53:50 AM CDT
To: shaun@buildnashvilletn.com
Subject: BZA Case No. 2020-162

Mr. Burroughs,

This is to confirm that we have ***no objection*** to your request for a variance to reduce the setback on Hunt Place for your upcoming project.

In the past few years, Build Nashville has constructed a number residences on Castleman Drive. This new project will be directly across the street from our home. We have found that you act responsibly during the construction period and are considerate of the surrounding neighbors.

Kindest regards,

Marilyn and Joe Swing

1706 Castleman Drive

Nashville, Tennessee 37215

joe edward Swing

...art that's different. On Purpose.

--

Duane Cuthbertson
615.924.9618

Metropolitan Nashville Board of Zoning Appeals
800 Second Avenue South | P.O. Box 196300
Nashville, TN 37219-6300

Re; Agenda Date: August 6, 2020

Case Number: 2020-162

Address: 1715 Castleman Dr.

Dear Members of the Board of Zoning Appeals:

As a resident and/or property owner in the surrounding neighborhood I would like to express my support for a variance of the street setback along Hunt Place to allow an already permitted dwelling to be situated 11.1 ft. Closer to the Right-of-Way.

The reduced setback will allow more separation between the two homes proposed on the property and create a spacious compatible with the context of the surrounding neighborhood. The proposed setback is more in line with the pattern found on Hunt Place and will not disrupt an established streetscape.

Sincerely,

Madison Lee  /Name

1805 Castleman Dr. Nashville TN 37215 /Address

From: Duane Cuthbertson <dcuthber@gmail.com>
Sent: Thursday, August 13, 2020 2:20 PM
To: Michael, Jon (Codes); Butler, Lisa (Codes); Shepherd, Jessica (Codes); Lifsey, Debbie (Codes)
Cc: Wyatt, Jonathan (Codes)
Subject: Fwd: 1715 Castleman tree protection
Attachments: CASTLEMAN 1715_SITE PLAN TREE PROTECTION.pdf

Attention: This email originated from a source external to Metro Government. Please exercise caution when opening any attachments or links from external sources.

All -

Please accept the attached modified site plan to accompany our Variance request for 1715 Castleman Drive, specifically as it relates to the relationship between the western proposed house and the existing oak tree on the north side of the existing house.

In coordination with **Metro's Urban Forester** (correspondence in the email chain below) we submit the attached site plan to indicate our commitment to save the Oak tree identified on the north side of the existing house. Please note that we are still in our design phase for this site and other aspects of the site plan may change. We will not make changes to the plan that encroach upon our commitments to saving the tree.

To that end, we have taken / will take the following measures:

1. adjusted our site plan to create additional space between our western proposed house and the base of the tree to a minimum of 15' of separation.
2. provide a tree protection fence around the perimeter of the tree trunk so that no compaction and little to no disturbance occurs near the bulk of the root structures below ground - the tree protection fence will not only protect the area between the house and the tree but also the space between the tree and Castleman Drive;
3. we are going to 'root prune' along a line adjacent to our proposed building nearest the tree so that there is uniform treatment / disturbance of the root structure as opposed to disproportionate disturbance.
4. we will install an irrigation system to allow the future homeowner to regularly water the grounds

If, despite our measures, the tree does not survive during construction or within one year after the use and occupancy of the western proposed house is issued we will replace the tree with two similar large canopy species trees (minimum 2" calipers at time of planting) along the Castleman Drive frontage.

We hope that you find the location of the oak tree, as well as the out of character setback of the adjacent house on Hunt Place that has unreasonably influenced our required setback as adequate unique circumstances to grant us a small variance that will ultimately allow our proposed house to fit better into the broader Hunt Place context.



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

Appellant: Jeff Yorick, PE (UMH) Date: July 7, 2020
 Property Owner: UMH TN Holiday Village MHP, LLC Case #: 2020-173
 Representative: Brad Bork, PE (GMC) Map & Parcel: 07103004500
02 (Brandon
 Council District: Taylor)

The undersigned hereby appeals from the decision of the Zoning Administrator, wherein a Zoning Permit/Certificate of Zoning Compliance was refused:

Uses on both properties are the same (Holiday Village was constructed in the early 1980's, southern mobile home park constructed in late 1960's), CS base zone property has a Residential PUD overlay for
 Purpose: Mobile Home Park use
 Activity Type: Mobile Home Park
 Location: South property line (201 Grizzard Ave. Nashville, TN)

This property is in the CS (RES PUD #148-81P-002) Zone District, in accordance with plans, application and all data heretofore filed with the Zoning Administrator, all of which are attached and made a part of this appeal. Said Zoning Permit/Certificate of Zoning Compliance was denied for the reason:

Reason: Type C buffer required due to base zone district incompatibility
 Section: 17.24.230 & 17.24.240

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection ___ of the Metropolitan Zoning Ordinance, a Variance, Special Exception, or Modification to Non-Conforming uses or structures is here by requested in the above requirement as applied to this property.

Appellant Name: Jeff Yorick, PE (UMH) Representative: Brad Bork, PE (GMC)
 Phone Number: 724-550-5748 Phone Number: 630-825-8013
 Address: 150 Clay Street, Suite 450 Address: 3310 West End Ave., Suite 420
Morgantown, WV 26501 Nashville, TN 37203
 Email address: jyorick@umh.com Email address: Brad.bork@gmcnetwork.com

Appeal Fee: \$200.00



July 7, 2020

Metro Nashville
 Department of Codes Administration
 800 Second Avenue South
 Nashville, Tennessee 37210

Goodwyn Mills Cawood

3310 West End Avenue
 Suite 420
 Nashville, TN 37203

T (615) 333-7200
 F (615) 333-0529

www.gmcnetwork.com

**Re: UMH Properties – Dickerson Pike & Grizzard Ave.
 Holiday Village Mobile Park Buffer
 Parcel ID: 07103004500
 Board of Zoning Appeals – Hardship Letter**

Dear Codes Administration:

Goodwyn, Mills & Cawood, Inc. on behalf of UMH Properties, Inc. respectfully requests a variance for the above-referenced project located at 201 Grizzard Ave, Nashville, TN. UMH Properties, Inc. plans to expand the existing mobile park located to the west. The existing use would not change.

The variance requested is:

Landscape Buffer Variance (Section 17.24.230 & 17.24.240) - Relief from Landscape Buffer requirements.

The landscape buffer in question would exist between the southern boundary of the expansion and the adjoining property (Parcel ID: 07106005600 & 07102015100) to the south. Both properties are currently mobile home parks. However, the project site has a base zone of Commercial Service (CS) with a Res. PUD overlay (148-81P-002) and OV-FLD while the adjoining property is zoned for Residential (RS5). In place of the generally required buffer zone, UMH Properties, Inc. would like to construct an opaque fence to separate the properties.

Because the two properties have the same use (Holiday Village was constructed in the early 1980's, Trinity Estates in the late 1960's), the screening or privacy provided by the usual buffer is not necessary. The mobile home lots closest to the property line would greatly benefit from this expanded space. Additionally, the ground and soil in the buffer zone has a significant amount of surface bedrock and unlikely to yield healthy trees or new growth.

Most importantly, there is a 50' easement for a Piedmont Gas transmission pipeline that crosses directly through the center of the buffer zone. The easement does not allow for landscape plantings, but a fence is allowed, and a gate will be provided for the Metro Fire Department and Piedmont Gas to maintain the pipeline.

The proposed opaque fence would meet the intent of a buffer by providing separation of the two similar uses. The granting of this variance request would not be injurious to neighboring properties or to the public welfare, as the uses are the same and would not normally have a buffer between them. Finally, the hardship created is not self-imposed, due to the existing utility, easements, and surface bedrock.

Please advise if you have any questions or require additional information.

Sincerely,

Bradley Bork, P.E. (TN)
 Project Manager, Engineering
 T: 615.333.7200 Ext. 554
 D: 615.866.5373

APPLICATION FOR A VARIANCE REQUEST

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members. So they will have a better ideal of the nature of your request. Zoning staff will notify the district council member of the hearing. **You will be responsible for preparing the envelopes and notices for mailing to the owners of property within 1,000 feet of the property at issue in the case. The envelopes must include the return address for the BZA and case number.** Fold and insert notices into envelopes, seal the envelopes, and apply first class postage. These neighbor notices must be delivered to Zoning staff at least twenty-three (23) days before the public hearing. Additionally, you will be responsible for purchasing, posting, and removing the red Zoning Appeal signs for the subject property. (See attached Metro Code of Laws requirements regarding, sign placement.)

The day of the public hearing, it will be your responsibility to convey to the Board the nature of the hardship in your request that makes it difficult/impossible for you to comply with the Zoning Code. **It would be to your benefit to let your neighbors know about your request prior to all notices being sent to them from our office.**

Any party can appeal the Board's decision to Chancery or Circuit Court within sixty (60) days from the date the order in the case is entered. **Should your request be granted, we would remind you that it is your responsibility to obtain the permit for which you have applied.** You should also be aware that you have two (2) years to obtain the permit or you would have to re-file your request with the board.

Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

Any correspondence to the Board must be submitted to our office by close of business, the Thursday prior to the public hearing to be included in the record.

I am aware that I am responsible for posting and also removing the sign(s) after the public hearing.

APPELLANT

DATE

Standards for a Variance

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of the Zoning Code based upon findings of fact related to the standards in section 17.40.370. This Section is included as follows:

Physical Characteristics of the property- The exceptional narrowness, shallowness or shape of a specific piece of property, exceptional topographic condition, or other extraordinary and exceptional condition of such property would result in peculiar and exceptional practical difficulties to, or exceptional or undue hardship upon the owners of such property.

Unique characteristics- *The specific conditions cited are unique to the subject property and generally not prevalent to other properties in the general area.*

Hardship not self-imposed- The alleged difficulty or hardship has not been created by the previous actions of any person having an interest in the property after date of Zoning Code.

Financial gain not only bases-Financial gain is not the sole basis for granting the variance.

No injury to neighboring property- The granting of a variance will not be injurious to other property or improvements in the area, impair and adequate supply of light and air to adjacent property, or substantially diminish or impair property values within the area.

No harm to public welfare- *The granting of the variance will not be detrimental to the public welfare and will not substantially impair the intent and purpose of this Zoning Code.*

Integrity of Master Development Plan- *The granting of a variance will not compromise the design integrity or functional operation of activities or facilities within an approved Planned Unit Development.*

The Board shall not grant variances to the land use provisions of section 2.3, nor the density of Floor Area Ratio (FAR) standards of Tables 3-B and 2-C, nor the required size of residential lots approved by the Planning Commission under the authority of section 3.7 (Lot Averaging), section 3.8 (Cluster Lot Option) or Section 9. E.3 (PUD). Further the Board shall not act on a variance application within a Planned Unit Development (PUD), Urban Design Overlay or Institutional Overlay district without first considering a recommendation from the Planning Commission.

Department of Codes Administration
800 2nd Avenue South
Metro Office Building

Board of Zoning Appeals Checklist

The following items **must** be provided with submittal prior to acceptance by the Board of Zoning Appeals. Site plans and pictures should be submitted on a CD or thumb drive when possible.

All appeal cases must be reviewed by a Zoning Examiner prior to scheduling for a BZA docket. The Zoning Examiner will start the application. However failure to provide any of the items under your appeal type listed below will be deemed an incomplete submittal and will not be scheduled for a docket.

Item A Appeal

- Letter detailing the bases for the appeal. The letter must specifically address the error in the interpretation or application of law made by the zoning staff.

Variance Requests

- Scaled Site Plan (Drawn to engineer's or architect's scale)
Minimum Size 8.5" x 11"
Maximum Size of 11 x 17.
- Hardship Form or Letter (Available online at www.nashville.gov/codes.bza)

Special Exceptions

- Scaled Site Plan (Drawn to engineer's or architect's scale)
Minimum Size 8.5" x 11"
Maximum Size of 11 x 17.
- Neighborhood meeting will take place after application but before BZA hearing date.

Item D Appeals (Non-Conforming Uses/Structures)

- Scaled Site Plan (Drawn to engineer's or architect's scale)
Minimum Size 8.5" x 11"
Maximum Size of 11 x 17.

Department of Codes Administration
800 2nd Avenue South
Metro Office Building

Board of Zoning Appeals Checklist

Scheduling

Before scheduling your case for a docket, all site plans and applications will be checked by staff. Incomplete applications will not be scheduled for a docket until the submittal is complete.

Item A Appeals

Item A appeals are appeals pertaining to the Zoning Administrator's interpretation of the zoning Ordinance. Persons submitting appeals for an Item A appeal must provide a cover letter that addresses the reasons for the appeal. This letter must state with specificity what section of the zoning ordinance you are challenging. Letters of a general nature will not be accepted for filing.

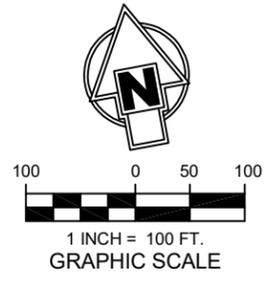


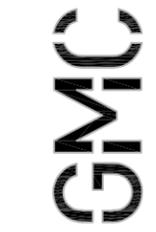
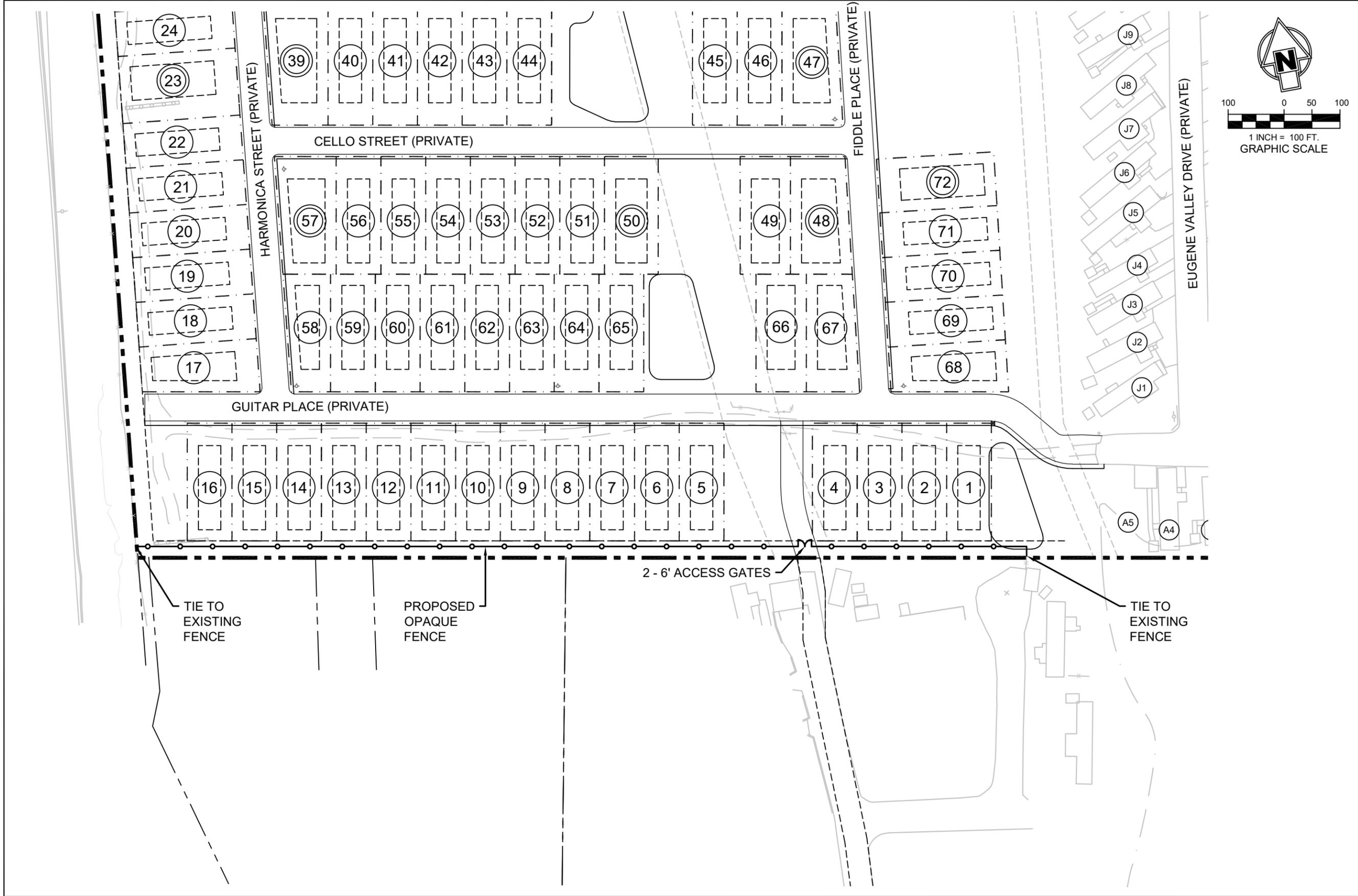
**BUFFER
EXHIBIT
C-1.0**

**HOLIDAY VILLAGE MOBILE PARK
PHASE 2**
DICKERSON PIKE & GRIZZARD AVE.
NASHVILLE, TN 37207

GMC PROJECT #CNAS180058

3310 West End Avenue, Suite 420
Nashville, TN 37203
T 615.333.7200
GMCNETWORK.COM





3310 West End Avenue, Suite 420
 Nashville, TN 37203
 T 615.333.7200
 GMCNETWORK.COM

HOLIDAY VILLAGE MOBILE PARK

PHASE 2
 DICKERSON PIKE & GRIZZARD AVE.
 NASHVILLE, TN 37207

GMC PROJECT #CNAS180058

FENCE EXHIBIT

C-2.0

From: [Kivett, Stephan \(Codes\)](#)
To: [Lifsey, Debbie \(Codes\)](#)
Cc: [Michael, Jon \(Codes\)](#)
Subject: RE: 2020-173
Date: Tuesday, August 11, 2020 12:13:19 PM

I don't have a problem with a variance (assuming no opposition)

Stephan Kivett
Urban Forester

From: Lifsey, Debbie (Codes) <Debbie.Lifsey@nashville.gov>
Sent: Monday, August 10, 2020 9:34 AM
To: Kivett, Stephan (Codes) <Stephan.Kivett@nashville.gov>
Subject: 2020-173

Appeal case 2020-173 Landscape buffer

Debbie Lifsey
Administrative Services Officer III
800 2nd Avenue South 1st Floor
Nashville, TN 37210
(615) 862-6505

8-15-20

Metropolitan Board of Zoning Appeals

RE: Appeal Case # 2020-173
 2016 Wiggan Ave
 map parcel: 071103004500
 zoning class: CS
 Council District: 2

This letter is to inform you
 that we ~~oppose~~ ^{oppose} a mobile
 home park on this property.

Sincerely

T.M.F. LLC
 Truman Ford

JOHN COOPER
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

July 13, 2020

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

OFFICE ADDRESS
METRO OFFICE BUILDING—3rd FLOOR
600 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196350
NASHVILLE, TENNESSEE 37219-6350
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

RE: Appeal Case Number: 2020-173
 201 GRIZZARD AVE
 Map Parcel: 07103004500
 Zoning Classification: CS
 Council District: 2

This is to inform you that Jeff Yorick filed an appeal for the property at the above referenced location. The appellant requested a variance from landscape buffer requirements. Should this request be approved, it would allow the applicant to permit a mobile home park.

*******THIS IS NOT A ZONE CHANGE REQUEST*******

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on **THURSDAY 8/20/2020, beginning at 1:00 p.m.** in the Sonny West Conference Center of the Howard Office Building, 700 2nd Avenue South. If you wish to show support or opposition to your neighbor's request, you may do so in person. In lieu of a personal appearance, you may submit written communication to the Board prior to the scheduled board meeting date. We cannot guarantee written communication to be a part of the record unless it is received no later than close of business the Thursday before the meeting date.

This letter is being sent to you because you are the owner of property located within 1000' of the subject location. This request is only for the property at the above location. We are required by law to notify you of what your neighbor wishes to do on his/her property.

Should you have questions or require special accommodations (handicap accessibility), you may email us at BZA@nashville.gov. You can view this case at epermits.nashville.gov and search by permit # 20200041931 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS