

**BZA Results**

**12/7/2017**

.

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

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

---

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

---

**CASE 2017-274 (Council District - 16)**

**Stone & Horworth**, appellant and Compass Partners, LLC, owner of the property located at **2926 Foster Creighton Dr.**, requesting a variance from sidewalk requirements in the IR District, to construct an office building. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Sidewalk

Map 118-16 Parcel(s) 42

**RESULT-Deferred indefinitely**

CASE 2017-304 (Council District - 26)

**David Manor**, appellant and owner of the property located at **4708 Langston Drive**, requesting a varinace from height restrictions in the RS10 District, to construct a 10' solid fence at front facade of residence. Referred to the Board under Section 17.12.040(E)(26). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Fence

Map 133-13 Parcel(s) 39

**RESULT-Tied in votes**

CASE 2017-307 (Council District - 19)

**Al Gregory**, appellant and owner of the property located at **1536 Arthur Avenue**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 811-2-U Parcel(s) 2-CO

**RESULT-Deferred**

CASE 2017-311 (Council District - 20)

**Alex Crow**, appellant and C & H Properties, LLC, owner of the property located at **5502 A & B Urbandale Avenue**, requesting a variance from sidewalk requirements with a request to pay into the sidewalk fund in the R6 District, to construct two single family homes. Referred to the Board under Section 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 911-Q Parcel(s) 1-CO

**RESULT-Granted with Conditions: Applicant will construct the alternate sidewalk approved by Planning, but will not pay into the sidewalk fund.**

Page three

CASE 2017-321 (Council District - 06)

**Summer Harlow**, appellant and owner of the property located at **1107 Seymour**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 83-5 Parcel(s) 189

**RESULT-Upheld the Zoning Administrator: However the applicant will be eligible to apply for a permit on February 6, 2018.**

CASE 2017-323 (Council District - 05)

**Reggie Howard**, appellant and Rhow Properties, LLC, owner of the property located at **17 Fern Avenue**, requesting a variance from sidewalk requirements in the RM20-A District, to construct a new single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 711-4 Parcel(s) 308

**RESULT-Granted-Applicant is not required to construct sidewalk or pay into the sidewalk fund.**

CASE 2017-333 (Council District - 21)

**Jeff Stromatt**, appellant and Woodbine Community Organization, owner of the property located at **1603 Heiman Street**, requesting variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Single Family

Map 811-5 Parcel(s) 405

**RESULT-Granted with condition: Must follow Planning's recommendations.**

CASE 2017-334 (Council District - 02)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at **515 Weakley Avenue**, requesting a varinace from sidewalk requirements in the RS5 District, to construct a new single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 711 Parcel(s) 33

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-336 (Council District - 02)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at **2416 Woodale Lane**, requesting a variance from sidewalk requirements in the R8 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 59-12 Parcel(s) 48

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-337 (Council District - 21)

Jeff Stomatt, appellant and Woodbine Community Organization, owner of the property located at **2912 Clifton Avenue**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 92-5 Parcel(s) 293

**RESULT-Granted with condition: Must follow Planning's recommendations.**

CASE 2017-338 (Council District - 21)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at 1016 40th Avenue North, requesting variance from sidewalk requirements in the CS District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B).

Use-Single Family

Map 91-8 Parcel(s) 12

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-339 (Council District - 19)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at 87 Donelson Street, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 93-16 Parcel(s) 361

**RESULT- Granted with condition that the project must follow Planning's recommendations.**

CASE 2017-340 (Council District - 21)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at 1708 Knowles Street, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 811-5 Parcel(s) 327

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-341 (Council District - 21)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at **1927 Delta Avenue**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 81-8 Parcel(s) 59

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-342 (Council District - 21)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at **2525 Delk Avenue**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 811 Parcel(s) 132

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-343 (Council District - 21)

Jeff Stromatt, appellant and Woodbine Community Organization, owner of the property located at **1613 17th Avenue North**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 811-1 Parcel(s) 198

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-348 (Council District - 20)

**Danielle Wade**, appellant and White Peach Development, LLC, owner of the property located at **5600 New York Avenue, Unit A**, requesting a variance from front setback requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.12.030(C)(3). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 91-24-Q Parcel(s) 1-CO

**RESULT -Granted**

CASE 2017-350 (Council District - 05)

**Kady Alford**, appellant and owner of the property located at **900 Spain Avenue**, requesting a variance from sidewalk requirements in the R6 District, to construct a second single family residence on property. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Duplex

Map 72-9 Parcel(s) 152

**RESULT-Granted: Applicant does not have to construct sidewalks or pay into the sidewalk fund.**

CASE 2017-351 (Council District - 17)

**Jeff Stromatt**, appellant and Woodbine Community Organization, owner of the property located at **5 Garden Street**, requesting a variance from sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17-20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 105-4 Parcel(s) 192

**RESULT-Granted with condition: Must follow Planning's recommendations.**

CASE 2017-352 (Council District - 05)

**Sean Roberge**, appellant and RSC, LLC, owner of the property located at **1344 Stainback Avenue**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 71-15 Parcel(s) 535

**RESULT-Granted with Conditions: Appellant must construct an ADA compliant ramp at the corner of Marie Street and Stainback Avenue.**

CASE 2017-354 (Council District - 08)

**Terry Gilley**, appellant and owner of the property located at **642 E. Campbell Road**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence. Referred to the Board under Section 17.12.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 42-3 Parcel(s) 5

**RESULT-Granted with condition: Must follow Planning's recommendations.**

CASE 2017-355 (Council District - 15)

**Zachary Phillips**, appellant and owner of the property located at **1910 Dahlia Circle**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250(E). The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map 95-5 Parcel(s) 3

**RESULT-Upheld the Zoning Administrator: However the appellant can apply for the permit February 3, 2018**



CASE 2017-356 (Council District - 20)

**5207 Indiana, GP**, appellant and owner of the property located at **5207 B Indiana Avenue**, requesting a variance from side setback requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.40.670(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 91-11 Parcel(s) 458

**RESULT -Deferred 12/21/17**

CASE 2017-357 (Council District - 20)

**5207 Indiana, GP**, appellant and owner of the property located at **5207 A Indiana Avenue**, requesting a variance from side setback requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.40.670(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 91-11 Parcel(s) 2

**RESULT-Deferred 12/21/17**

CASE 2017-358 (Council District - 25)

**Brett Design/Build, PLC**, appellant and **ELB Properties, LLC**, owner of the property located at **2831 Kenway Road**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence. Referred to the Board under Section 17.20.120. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

Map 117-13 Parcel(s) 79

**RESULT-Denied**

CASE 2017-359 (Council District - 07)

**Kevin Eakes**, appellant and Mapco Petroleum Inc., owner of the property located at **4126 Gallatin Pike**, requesting a variance from sidewalk requirements in the MUL-A District, to conduct interior renovations to existing convenience store. Referred to the Board under Section 17.20.120(A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Convenience Store

Map 61-11 Parcel(s) 239

**RESULT-Granted with condition: Must follow Planning's recommendations.**

CASE 2017-360 (Council District - 17)

**Adam Ingram**, appellant and Ingram Express, owner of the property located at **320 Hill Avenue**, requesting a variance from sidewalk requirements in the IR District, to construct a 3,069 square foot addition to rear of existing commercial building. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map 106-11 Parcel(s) 16

**RESULT-Denied**

CASE 2017-361 (Council District - 19)

**Willow Street Partners**, appellant and owner of the property located at **69 Willow Street**, requesting a variance from sidewalk requirements in the IR District, to construct a new 40 x 80 warehouse. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Warehouse

Map 94-9 Parcel(s) 29

**RESULT- Granted with condition: Must follow Planning's recommendations.**

CASE 2017-363 (Council District - 19)

**Michael Dewey**, appellant and Best Supply Properties, owner of the property located at **1136 Lebanon Pike**, requesting a variance from sidewalk requirements in the IR District, to construct a 19,800 square foot storage structure partially open on one side. Referred to the Board under Section 17.20.120 (A). The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map 94 Parcel(s) 197

**RESULT-Deferred**

CASE 2017-364 (Council District - 14)

**Ragan Smith**, appellant and Appalachian Land & Leasing Company, LLC, owner of the property located at **5055 Old Hickory Blvd**, requesting a variance from sidewalk requirements in the SCR District, to demolish the existing structure and build a new restaurant. Referred to the Board under Section 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Restaurant

Map 75 Parcel(s) 161

**RESULT-Granted, Subject to the following conditions: Applicant shall pay into the sidewalk fund for the frontage on both Old Hickory Blvd. and Juarez Drive, but no sidewalk construction shall be required.**

CASE 2017-365 (Council District - 20)

**Baker Donelson**, appellant and Invent Communities, Inc., owner of the property located at **6116 A Robertson Avenue**, requesting variances from street setbacks and sidewalk requirements in the R8 District, to construct single family townhomes. Referred to the Board under Section 17.12.030, 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family Townhomes

Map 91-91-C Parcel(s) 9-CO

**RESULT-Granted with condition: Must follow Planning's recommendations.**

Page twelve

**MOTION TO REHEAR-Deferred 2/21/17**

**CASE 2017-315 (Council District - 24)**

**4705 Alabama Avenue**