

D O C K E T

10/4/2018

1:00 P.M.

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

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

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

CASE 2018-479 (Council District - 19)

REGIONS BANK, appellant and **PRIM ONE NASHVILLE PLACE, LLC**, owner of the property located at **150 4TH AVE N**, requesting an Item A appeal, challenging the zoning administrator's issuance of a sign permit in the DTC District. Referred to the Board under Section 17.40.180 (A). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Commercial

Map Parcel 09306110300

RESULTS: Deferred 11/1/18

CASE 2018-480 (Council District - 7)

JOHN PIRTLE, appellant and **EASTLAND DEVELOPMENT, LLC**, owner of the property located at **1301 C PORTER RD**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex without constructing sidewalks or paying into the sidewalk fund. 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-Two Family

Map Parcel 083031F00100CO

RESULTS:

CASE 2018-484 (Council District - 31)

NORA EL-CHAER, appellant and **KIMBERLY & CHARLES WARDEN**, owner of the property located at **6391 PETTUS RD**, requesting a special exception in the AR2A District, to operate a kennel. Referred to the Board under Section 17.16.175 (a). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-Kennel

Map Parcel 18100022500

RESULTS:

CASE 2018-501 (Council District - 5)

JAY FULMER, appellant and **KEY MOTEL, LLC**, owner of the property located at **1414 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to renovate an existing hotel without updating the sidewalks. 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-Hotel

Map Parcel 07111000500

RESULTS: Deferred 10/18/18

CASE 2018-503 (Council District - 15)

JAY FULMER, appellant and **HJL PROPERTIES, GP**, owner of the property located at **2414 LEBANON PIKE**, requesting a variance from sidewalk requirements in the CL District, to construct an addition to an existing restaurant without building sidewalk or paying into the sidewalk fund. 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-RESTAURANT

Map Parcel 09504000300

RESULTS:

CASE 2018-504 (Council District - 2)

PHILIP NEAL, appellant and **METRO DEE PARTNERS**, owner of the property located at **2030 ROSA L PARKS BLVD**, requesting variances from sidewalk and landscape requirements in the CS District, to construct two commercial buildings without upgrading the existing sidewalks. Referred to the Board under Section 17.24.240 and 17.12.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map Parcel 08104022900

RESULTS:

CASE 2018-507 (Council District - 19)

WILLIAM REDFORD, appellant and **NORMAN, ROBERT K.**, owner of the property located at **614 GARFIELD ST**, requesting a variance from sidewalk requirements in the R6-A District, to conduct interior rehabilitation to an existing market without building new sidewalks or paying into the sidewalk fund. 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-Convenience Market

Map Parcel 08108041400

RESULTS:

CASE 2018-513 (Council District - 34)

BAIRD GRAHAM, appellant and **HAUCO, LLC**, owner of the property located at **3501 TRIMBLE RD**, requesting a variance from sidewalk requirements in the RS20 District, to construct a single family residence without building sidewalks. 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 Parcel 13105002000

RESULTS:

CASE 2018-515 (Council District - 25)

URBAN DEVELOPMENT, appellant and **SHORTWAVE, LLC**, owner of the property located at **2034 CASTLEMAN DR**, requesting a variance from sidewalk requirements in the R15 District, to construct a duplex. 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-Two-Family

Map Parcel 131060L00100CO

RESULTS:

CASE 2018-517 (Council District - 3)

DBS and Associates, appellant and **CHURCH ON THE ROCK OF NASHVILLE TN, INC.**, owner of the property located at **1304 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to construct a religious institution without building sidewalks or paying into the sidewalk fund. 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-Religious Institution

Map Parcel 03300024100

RESULTS:

CASE 2018-518 (Council District - 15)

608 HOTELS, LLC, appellant and owner of the property located at **608 MCGAVOCK PIKE**, requesting a variance to reduce landscape buffer yard from 20' to 12', and a variance from height and sky plane restrictions in the CL District, to construct a hotel. Referred to the Board under Section 17.24.240C (c-3) 17.12.020 C. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-HOTEL

Map Parcel 09511019000

RESULTS:

CASE 2018-519 (Council District - 23)

KIM SHINN, appellant and owner of the property located at **884 RODNEY DR**, requesting variances from side and front setback requirements in the RS40 District, to construct a 900 sq ft addition along the north side of existing single family residence. Referred to the Board under Section 17.12.030.c.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-SINGLE FAMILY

Map Parcel 11505006700

RESULTS:

CASE 2018-520 (Council District - 5)

FOWLKES, EARL M., appellant and owner of the property located at **1075 ZOPHI ST**, requesting a variance from front setback requirements in the R6 District, to construct a new front porch on an existing residence over the existing landing. Referred to the Board under Section 17.12.030. C.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use- SINGLE FAMILY

Map Parcel 07206016800

RESULTS:

CASE 2018-521 (Council District - 13)

PLEASANT HILL CHURCH OF CHRIST, appellant and **ROBERT WALDEN, ET AL, TRS.**, owner of the property located at **3354 BELL RD**, requesting a special exception in the R15 District, to construct a religious institution. Referred to the Board under Section 17.16.170 (E). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(C).

Use-RELIGIOUS INSTITUTION

Map Parcel 10800014700

RESULTS:

CASE 2018-522 (Council District - 17)

THE MC2 GROUP, INC., appellant and owner of the property located at **1704 CARVELL AVE**, requesting a variance to allow front loading garage in the R6-A District, to construct a single-family residence with front loading garage. Referred to the Board under Section 17.12.020 (A). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10511019200

RESULTS:

CASE 2018-525 (Council District - 15)

WILLIAM BLANTON, appellant and owner of the property located at **2333 REVERE PL**, requesting a variance from height requirements in the RS20 District, for garage built over maximum allowed height.. Referred to the Board under Section 17.12.060 (B). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08415013000

RESULTS:

CASE 2018-526 (Council District - 5)

MELISSA CHAMBERS, appellant and owner of the property located at **1219 N 7TH ST**, requesting a variance from front setback requirements in the RS5 District, to construct a front porch on existing single family residence. Referred to the Board under Section 17.12.035. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 07116025100

RESULTS:

CASE 2018-527 (Council District - 26)

GLADU, FRANCIS X. & PATRICIA M., appellant and owners of the property located at **5136 COCHRAN DR**, requesting a variance from side setback requirements in the RS20 District, to construct a 12'x20' screened porch off south side of a single family residence. Referred to the Board under Section 17.12.020 a. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 16101000500

RESULTS:

CASE 2018-529 (Council District - 34)

JEFF KINMAN, appellant and owner of the property located at **4009 COPELAND DR**, requesting variances from setback requirements and height restrictions in the RS20 District. Referred to the Board under Section 17.12.020 and 17.12.060 B. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 11616003800

RESULTS:

CASE 2018-530 (Council District - 15)

HUNTER HAKANSON, appellant and owner of the property located at **251 FAIRWAY DR**, requesting two setback variances in the RS10 District, to construct an addition to the house and construct a detached shed. Referred to the Board under Section 17.12.020 and 17.12.040. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 09507003800

RESULTS:

CASE 2018-531 (Council District - 17)

MARK WALLACE, appellant and **RISE DEVELOPMENT, LLC**, owner of the property located at **1108 WADE AVE**, requesting variances from minimum lot area restrictions and sidewalk requirements in the RM20 District, to construct 3 residential units without updating sidewalks or contributing to the sidewalk fund. Referred to the Board under Section 17.12.020 B and 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Multi-Family

Map Parcel 10505026900

RESULTS:

CASE 2018-532 (Council District - 2)

SEAN ROBERGE, appellant and **JOSEPH PIERCE, JOSEPH & WILLIAM LUCAS**, owners of the property located at **1020 B ALICE ST**, requesting a variance from front setback requirements in the R8 District, to construct a single family residence. Referred to the Board under Section 17.12.030 (c) 3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 070070M00200CO

RESULTS:

CASE 2018-533 (Council District - 2)

SEAN ROBERGE, appellant and **JOSEPH PIERCE, JOSEPH & WILLIAM LUCAS**, owners of the property located at **1020 A ALICE ST**, requesting a variance from front setback requirement in the R8 District, to construct a single family residence. Referred to the Board under Section 17.12.030 (c) 3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 070070M00100CO

RESULTS:

CASE 2018-534 (Council District - 17)

JOSH HELLMER, appellant and **H.C. DUKE**, owner of the property located at **0 SHEPARD ST**, requesting variances from lot size and front setback and sidewalk requirements in the R6 District, to construct a single family residence. Referred to the Board under Section 17.40.670 , 17.12.030 C3 and 17.20.120. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10504012700

RESULTS:

CASE 2018-536 (Council District - 20)

Lauren Harris, appellant and **BELLS BLUFF, LLC**, owner of the property located at **7600 CABOT DR**, requesting sign variances from height, size, and internal illumination restrictions in the RM20 District, to construct a new sign. Referred to the Board under Section 17.32.080 B 5, 17.32.080 B, 17.32.080 C1. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-MULTI-FAMILY

Map Parcel 10200001800

RESULTS:

CASE 2018-537 (Council District - 16)

BAKER DONELSON, appellant and **KNESTRICK PROPERTIES HOLDINGS, LLC**, owner of the property located at **2615 GRANDVIEW AVE**, requesting a variance from sidewalk requirements, requesting not to build or pay into the sidewalk fund in the IWD District, to construct a 4000 sf addition. 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 Parcel 11905012900

RESULTS:

CASE 2018-541 (Council District - 17)

Josh Hellmer, appellant and **SAMUEL BUCHANAN, ET AL**, owners of the property located at **16 CLAIBORNE ST**, requesting a variance from side street setback requirements in the R6 District, to build two single family homes with garage door facing side street at 8' setback. Referred to the Board under Section 17.12.030 C2, 17.20.060 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Two Family

Map Parcel 10504001000

RESULTS:

CASE 2018-545 (Council District - 7)

MARGARET PARRISH, appellant and **CHARLES ROGERS HOLMES**, owner of the property located at **1315 OTAY ST**, requesting a variance from sidewalk requirements in the R6 District, to construct a new duplex. 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-Two-Family

Map Parcel 07210025600

RESULTS:

SHORT TERM RENTAL CASES

CASE 2018-272 (Council District - 19)

DIANA CATANIA, appellant and **THE DIANA CATANIA TRUST**, owner of the property located at **508 A BUCHANAN ST**, requesting Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required short term rental permit in the R6-A District, to obtain a short term rental permit. Referred to the Board under Section 17.16.250 e. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-short term rental

Map Parcel 081082000100CO

RESULTS:

CASE 2018-419 (Council District - 8)

SCARLET WEIR & MARK HIRST, appellant and **SARAH RODMAN**, owner of the property located at **812 JONES PL**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 06016030800

RESULTS:

CASE 2018-421 (Council District - 6)

MACDONALD, GREGGORY J., appellant and owner of the property located at **924 DALEBROOK LN**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 08308003300

RESULTS:

CASE 2018-514 (Council District - 17)

MCDONALD, ROBERT BRANDON, appellant and owner of the property located at **1067 B 2ND AVE S**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant continued to operate after transfer of ownership, in violation of law. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 105030I00400CO

RESULTS:

CASE 2018-528 (Council District - 15)

KELLIE VONSCHIPMANN, appellant and owner of the property located at **149 SPRING VALLEY RD**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 09508011200

RESULTS:

CASE 2018-535 (Council District -20)

LAUREN HARRIS, appellant and owner of the property located at **1503 JEFFERSON ST**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 E. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 10200001800

RESULTS: