

**D O C K E T**

**9/20/2018**

**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**

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

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**Previously Heard Cases Requiring Board Action:**

**Case 369- (720 McFerrin Ave.) Motion to Set Aside the previous board order previously heard on 7/19/18, regarding sidewalk variance request.**

**CASE 2018-316 (Council District - 20)**

**Cleveland Bain**, appellant and **ROBERT JOHNSON, ETUX**, owner of the property located at **439 W BEND DR**, requesting a variance from sidewalk requirements in the R8 District, to construct a single-family residence without meeting the sidewalk requirements. Referred to the Board under Section 17.12.120. The appellant has alleged the Board has jurisdiction under Section 17.40.180(B).

Use-single family

Map Parcel 09113021000

**RESULTS: Withdrawn**

**CASE 2018-454 (Council District - 19)**

**LANDMARK HOMES OF TN**, appellant and **GREGORY SCOTT PAYNE**, owner of the property located at **921 13TH AVE S**, requesting variances from garage orientation requirements and driveway size requirements in the R-6A District, to construct 2 single family residences on one lot. Referred to the Board under Section 17.12020 B.2 and B.3. The appellant has alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map Parcel 10501007000

**RESULTS**

**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-Duplex

Map Parcel 083031F00100CO

**RESULTS: Deferred 10/4/18**

**CASE 2018-486 (Council District - 20)**

**DANKO, ANNE MARIE**, appellant and **DANKO, ANNE MARIE**, owner of the property located at **5636 KENDALL DR**, requesting a variance to accessory building floor area restrictions in the RS7.5 District, to construct a 14 x 18 screened porch addition to detached garage. Referred to the Board under Section 17.12.050. The appellant has alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10306001000

**RESULTS**

**CASE 2018-487 (Council District - 21)**

**JEFF STROMATT**, appellant and **WOODBINE COMMUNITY ORGANIZATION, INC.**, owner of the property located at **2508 FINLAND ST**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single family residence without building sidewalks or paying into the sidewalk fund. 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 Parcel 08110015000

**RESULTS**

**CASE 2018-488 (Council District - 23)**

**PRESTON QUIRK**, appellant and **COUZINS, JOHN F.**, owner of the property located at **1020 DAVIDSON RD**, requesting a variance from front setback requirements in the RS40 District, to construct a 9x31.5 front porch. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 11503010600

**RESULTS**

**CASE 2018-491 (Council District - 17)**

**KEN BAKER**, appellant and **KEVIN E. DUKE**, owner of the property located at **1989 GATLIN DR**, requesting a variance from street setback requirements in the R8 District, to construct a covered front porch. Referred to the Board under Section 17.12.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 10614002000

**RESULTS**

**CASE 2018-492 (Council District - 6)**

**REMICK MOORE**, appellant and **MOLLIE MURPHREE & LAURA BENOLD**, owners of the property located at **2505 EASTLAND AVE**, requesting a variance from street setback requirement in the R10 District, to construct an addition to the front and side of existing residence. Referred to the Board under Section 17.12.030. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Single Family

Map Parcel 08312015600

**RESULTS**

**CASE 2018-493 (Council District - 17)**

**ADAM SEGER**, appellant and **1700 8TH AVE, LLC**, owner of the property located at **1700 8TH AVE S**, requesting an Item D appeal, for a change in the legally non-conforming use in the CS District, for the parking lot to serve the new business at this location. Referred to the Board under Section 17.40.180D. The appellant alleged the Board has jurisdiction under Section 17.40.180(D).

Use-Commercial

Map Parcel 10506020000

**RESULTS**

**CASE 2018-495 (Council District - 16)**

**CAPRICE PALMER**, appellant and **PALMER, CAPRICE & CAMPBELL, DEBORAH**, owner of the property located at **518 ELGIN ST**, requesting a variance from setback requirements in the RS7.5 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 13301036700

**RESULTS**

**CASE 2018-499 (Council District - 20)**

**ROGER POTTER**, appellant and **O.I.C. HOMES AT 5804 MORROW ROAD**, owner of the property located at **5804 C MORROW RD**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex without building sidewalks or contributing into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Duplex

Map Parcel 091062G90000CO

**RESULTS**

**CASE 2018-500 (Council District - 17)**

**TOM FERRELL**, appellant and, owner of the property located at **2154 C BYRUM AVE**, requesting a variance from driveway number and width restrictions in the R6-A District, to construct a duplex with two driveways of 22.5' each. Referred to the Board under Section 17.12.020 B. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Duplex

Map Parcel 105112G90000CO

**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 alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Motel

Map Parcel 07111000500

**RESULTS: Deferred 10/4/18**

**CASE 2018-502 (Council District - 21)**

**JAY FULMER**, appellant and **CHABAD JEWISH STUDENT CENTER AT VANDERBILT, INC.**, owner of the property located at **111 23RD AVE N**, requesting variances from setback, drive aisle width, and parking requirements in the MUG-A District, to construct a cultural center. Referred to the Board under Section 17.12.020 (d), 17.12.030, and 17.12.060. The appellant alleged the Board has jurisdiction under Section 17.40.180(B).

Use-CULTURAL CENTER

Map Parcel 09215014500

**RESULTS**

**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 sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.12.120. The appellant 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 alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Commercial

Map Parcel 08104022900

## RESULTS

### CASE 2018-505 (Council District - 17)

**KELLY KELLEGG**, appellant and **COTTRELL, ANTHONY W.**, owner of the property located at **1995 GATLIN DR**, requesting a variance from sidewalk requirements in the RS10 District, to restore a fire damaged single-family residence without installing sidewalks or contributing to the sidewalk fund. 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 Parcel 10614008200

## RESULTS

### CASE 2018-506 (Council District - 26)

**WILLIAM HAYNES**, appellant and **WILLIAM HAYNES & JEFFREY LYNCH**, owners of the property located at **521 ARROWWOOD DR**, requesting a variance from height restrictions in the RS20 District, to construct a detached garage. 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 14611009700

## RESULTS

### CASE 2018-507 (Council District - 19)

**WILLIAM REDFORD**, appellant and **ROBERT NORMAN**, 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 alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Convenience Market

Map Parcel 08108041400

## RESULTS

**CASE 2018-508 (Council District - 5)**

**TRIPP SMITH**, appellant and **RHYTHM HOMES AND DEVELOPMENT, LLC**, owner of the property located at **849 CHEROKEE AVE**, requesting variance from landscape buffer requirements in the RM 20-A District, to construct 13 residential units. Referred to the Board under Section 17.24.240. The appellant has alleged the Board has jurisdiction under Section 17.40.180(B).

Use-Multi Family

Map Parcel 07209000300

**RESULTS**

**CASE 2018-509 (Council District - 23)**

**CIVIL ENVIRONMENTAL CONSULTANTS**, appellant and **HILLWOOD COUNTRY CLUB**, owner of the property located at **6201 HICKORY VALLEY RD**, requesting a variance from sidewalk requirements in the RS40 District, to construct an addition to a country club without building sidewalks or paying into the sidewalk fund. Referred to the Board under Section 17.20.120. The appellant alleged the Board would have jurisdiction under Section 17.40.180(B).

Use-Country Club

Map Parcel 11601001000

**RESULTS**

**CASE 2018-510 (Council District - 23)**

**DARBY BROWN**, appellant and **IROQUOIS PLAZA, LLC**, owner of the property located at **5115 HARDING PIKE**, requesting a variance from sidewalk and bike lane requirements in the CS District, to construct a medical office building. 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-MEDICAL OFFICE

Map Parcel 11613010100

**RESULTS**



**CASE 2018-511 (Council District - 17)**

**GREEN HOME**, appellant and **PATRICK & ERIN BLOCK**, owners of the property located at **908 HALCYON AVE**, requesting Item D appeal in the R8 District, to construct an addition to rear of the existing legally nonconforming structure. Referred to the Board under Section 17.40.660 (c). The appellant has alleged the Board would have jurisdiction under Section 17.40.180(D).

Use-SINGLE FAMILY

Map Parcel 11801032800

**RESULTS**

**CASE 2018-512 (Council District - 6)**

**SCOTT SMITH**, appellant and owner of the property located at **2105 EASTLAND AVE**, requesting a variance from sidewalk requirements in the R6 District, to construct a duplex 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-SINGLE FAMILY

Map Parcel 083073C00100CO

**RESULTS**

**Short Term Rental Cases**

**CASE 2018-272 (Council District - 19)**

**DIANA CATANIA**, appellant and **THE DIANA M. 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 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 081082O00100CO

**RESULTS**

**CASE 2018-318 (Council District - 15)**

**CRAIG M. LIZAR**, appellant and owner of the property located at **3117 PENN MEADE WAY**, 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 052130B42400CO

**RESULTS**

**CASE 2018-482 (Council District - 35)**

**RODERICK DOUGLAS THURLEY & DAWN JANENE**, appellants and owners of the property located at **7668 OLD CHARLOTTE PIKE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 (E). The appellant alleged the Board has jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 11400031400

**RESULTS**

**CASE 2018-489 (Council District - 5)**

**RACHEL BUBIS**, appellant and owner of the property located at **1218 LISCHHEY AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board has jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 07115046800

**RESULTS**

**CASE 2018-490 (Council District - 21)**

**AARON MONTY & REBECCA RIENKS**, appellants and owners of the property located at **1815 12TH AVE N**, 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 08107035100

**RESULTS**

**CASE 2018-496 (Council District - 24)**

**JONATHAN B. WEAVER**, appellant and owner of the property located at **3614 NORMANDY PL N**, 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 09213046000

**RESULTS**

**CASE 2018-497 (Council District - 20)**

**ROSE BOWE**, appellant and owner of the property located at **524 SNYDER AVE**, requesting an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Applicant operated prior to obtaining the legally required permit. Referred to the Board under Section 17.16.250 e. The appellant alleged the Board has jurisdiction under Section 17.40.180(A).

Use-Short Term Rental

Map Parcel 09110026400

**RESULTS**