

DOCKET

8/1/2019

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

CASE 2019-212 (Council District - 6)

WALKER, JEREMY T. & JULIE R, appellant and owner of the property located at **1525 FATHERLAND ST**, requesting an Item A appeal challenging the zoning administrator's denial of a permit for a second house in the R6, MDHA-FP, OV-UZO, OV-NHC District. Referred to the Board under Section 17.16.030.D and 12.12.020.A. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 08313055000

RESULT – Deferred 8/15/19

CASE 2019-293 (Council District - 21)

DEMETRIUS WIDE, appellant and owner of the property located at **943A 28TH AVE N**, requesting a variance from sidewalk requirements in the CN District, to construct an addition to a commercial building 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-Commercial

Map Parcel 09206005000

RESULT -

CASE 2019-299 (Council District - 14)

BAKER DONELSON, appellant and **LEVOG**, owner of the property located at **4321 OLD HICKORY BLVD**, requesting a variance from sidewalk requirements in the R15 District, to construct a wireless telecommunication tower 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-Telecommunications

Map Parcel 06400010400

RESULT –

CASE 2019-300 (Council District - 19)

JENNIFER CARR, appellant and **PEP MUSIC SQUARE, LLC**, owner of the property located at **900 18TH AVE S**, requesting special exception to allow additional height within the build to zone in the ORI-A District, to construct an office building. Referred to the Board under Section 17.12.020 D. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Commercial

Map Parcel 09216036100

RESULT -Deferred 8/15/19

CASE 2019-305 (Council District - 33)

AMEEN, ROMANY, appellant and owner of the property located at **3009 APPLE ORCHARD TRL**, requesting a variance from rear setback requirements in the RS10 District, to construct a detached 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 150140C02000CO

Results-

CASE 2019-307 (Council District - 8)

SENNETT COMMERCIAL, LLC, appellant and owner of the property located at **3611 GALLATIN PIKE**, requesting a variance from sidewalk requirements in the MUL-A District, to rehab commercial space 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-Commercial

Map Parcel 07202018100

RESULT -

CASE 2019-308 (Council District - 19)

JASPM HITCHCOCK, appellant and **ELEVEN WILLOW, LLC**, owner of the property located at **11 WILLOW ST**, requesting a variance from sidewalk requirements in the IR District, to renovate an existing building without building sidewalks or paying into the sidewalk fund for the frontage along Fairfax Ave. 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 Parcel 09312002600

RESULT -

CASE 2019-310 (Council District - 6)

DOMINIC DEVUYST, appellant and **PARO SOUTH, LLC**, owner of the property located at **626 MAIN ST**, requesting a variance from sidewalk requirements in the MDHA, MUG District, to renovate an existing building for a restaurant 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-Restaurant

Map Parcel 08216003200

RESULT -

CASE 2019-313 (Council District - 5)

OLLENDORFF, ADAM H, appellant and owner of the property located at **331 RICHARDSON AVE**, requesting a variance from setback requirements in the SP District, to construct an addition to an existing garage and convert the garage to a detached accessory dwelling unit. Referred to the Board under Section 17.12.040.E.1.B. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Single Family

Map Parcel 07115045800

RESULT –

CASE 2019-314 (Council District - 32)

HUFFINE FIRST SERVICE, appellant and **ST. IGNATIUS CATHOLIC CHURCH**, owner of the property located at **601 BELL RD**, requesting a variance from digital sign restrictions in the R15 District, to install a digital message board sign. Referred to the Board under Section 17.40.280, 17.32.050 H2. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Religious Institution

Map Parcel 14900025100

RESULT -

CASE 2019-316 (Council District - 5)

AARON OCHOA, appellant and **LUCILLE BUILDING, LLC**, owner of the property located at **1313 DICKERSON PIKE**, requesting a variance from sidewalk requirements in the CS District, to do an interior renovation 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-Personal Care Services

Map Parcel 07115048900

RESULT -

CASE 2019-320 (Council District - 21)

FULMER ENGINEERING, appellant and **TREVOR STREET II, LLC**, owner of the property located at **0 33RD AVE N**, requesting a variance from sidewalk requirements in the OR20 District, to construct an office building without building sidewalks and instead pay 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-Office

Map Parcel 09209030200

RESULT -

Map Parcel 09209030100

CASE 2019-321 (Council District - 5)

BRONSON LANKFORD, appellant and **LIGON SKYLINE, LLC**, owner of the property located at **2 LIGON AVE**, requesting variances from parking deck and minimum parking requirements in the MUG-A District, to construct a multi-family development. Referred to the Board under Section 17.12.020.D and 17.20.030. The appellant alleged the Board would have jurisdiction under Section 17.40.180 B.

Use-Multi-Family

Map Parcel 07114032600

RESULT - Deferred indefinitely

CASE 2019-322 (Council District - 24)

DAVID TUDOR, appellant and **TUDOR BUILDING GROUP, GP**, owner of the property located at **3503 ELKINS AVE**, requesting a variance from sidewalk requirements in the RS5 District, to construct a single-family residence without building sidewalks and instead pay 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-Single Family

Map Parcel 09213034300

RESULT –

SHORT TERM RENTAL CASES

CASE 2019-302 (Council District - 13)

BROOKS, CRAIG & ANDREA, appellant and owner of the property located at **1708 ELM RUN WAY**, requesting Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant does not qualify for a permit under Public Chapter No. 972 in the R10 District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 10812029000

RESULT –

CASE 2019-303 (Council District - 19)

ALFONZO ALEXANDER, appellant and **TANNER, JAMES & JANUS & JAKE**, owner of the property located at **1010 B CALDWELL AVE**, requesting Item A appeal, challenging the zoning administrator's denial of a short-term rental permit. Appellant does not qualify under Public Chapter No. 972 in the DTC District. Referred to the Board under Section 17.16.250 E. The appellant alleged the Board would have jurisdiction under Section 17.40.180 A.

Use-Short Term Rental

Map Parcel 105094G00200CO

RESULT

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: JULIE WALKER
Property Owner: JULIE WALKER
Representative: JULIE WALKER

Date: 3-26-19
Case #: 2019- 212
Map & Parcel: 08313055000

Council District 6

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

Purpose: Construct secondary residence for personal use

Activity Type: _____

Location: 1525 Fatherland St.

This property is in the G-20 R6 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: Item A minimum lot size

Section(s): 17.16.030D, 12.12.020A

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.

JULIE WALKER
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

1525 FATHERLAND ST
Address

SAME
Address

NASHVILLE, TN, 37206
City, State, Zip Code

SAME
City, State, Zip Code

615-981-0361
Phone Number

SAME
Phone Number

juliebiglerwalker@gmail.com
Email
justin@builderassistllc.com

SAME
Email

Zoning Examiner: RJB

Appeal Fee: _____

APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING / NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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 your request and the reasons for this request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of a non-conforming or non-complying structure, it is your job to explain to the Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.

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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

I HEREBY GIVE PERMISSION TO the Department of Codes and Building Safety to post the required sign(s) on the subject property as required by the Zoning Code. I am aware that I am responsible for removing the sign(s) after the public hearing.

APPELLANT

DATE

3/26/19

To: Metro Government of Nashville – Codes

Purpose: Application for Misinterpretation of Codes

Type: Item A Appeal

Address: 1525 Fatherland Street, Nashville, TN 37206

Lot Size: 7,490 square feet

Zone: R6

Reference: 17.16.030.D, 12.12.020A

To whom this may concern,

We are seeking your approval to build a secondary residence, for personal use, on our property located at 1525 Fatherland Street, Nashville, TN 37206. We're writing to submit an Item A appeal based on a misinterpretation of the code 17.16.030.D, items #1 and #2.

Specifically, regarding Residential Uses 17.16.030.D Two Family Dwellings, per #1, a lot must be legally created and is of record in the country register prior to 1984 or #2, a lot must be created by the subdivision of a parcel of land in existence prior to August 1, 1984 into no more than three lots.

Our lot, per 17.16.030.D #1, was created after 1984; thus, it does not meet requirement #1; however, per 17.16.030.D #2, our lot was created by the subdivision of a parcel of land in existence prior to August 1, 1984 into no more than three lots. The parcel was subdivided into two standard sized lots. Additionally, our lot is 47' x 160' and is 7,490 square feet which exceeds the minimum lot size of 6,000 square feet (ref: 17.16.030.G.2), and is larger than other area lots who have been permitted to build a second residential dwelling. Because our lot satisfies requirement 17.16.030.D #2, indicating it is permissible to build a secondary residence on our property, we are applying. We are zoned R6 per 17.12.020A.

If helpful, we will gladly provide reference to other nearby residences who have established a precedent in our area relative to this request. Thank you for your assistance.

Thank you,
Julie

Contact Information:

Julie Walker

Phone: (615) 981-0361

Email: juliebiglerwalker@gmail.com

Owner of property located at:

1525 Fatherland St.

Nashville, TN 37206

REFERENCE:

https://library.munlcode.com/tn/metro-government-of-nashville-and-davidson-county/codes/code-of-ordinances?nodeId=CD_TF17ZO_CH17.16LAU_SDEST_ARTIUSPECOPC_17.16.030REUS

Date: February 7, 2019

Purpose: Seeking your support, thank you ☺

Location: 1525 Fatherland Street, Nashville, TN 37206

Hello! We're hoping to build a small secondary residential structure above our existing garage, *for personal use only*, and would greatly appreciate your willingness to acknowledge and approve of this notice.

A little background, we recently welcomed our third child and with family traveling in from out-of-state, we'd love nothing more than to host them while in town, spending as much time together as possible (while giving them space, too). We also intend to utilize the space for the storage, etc. of personal items.

Thank you for your consideration and time to complete this form. We will gladly pick it up (feel free to text, call, or email), or you're welcome to drop it in our mailbox, please and thank you.

Thanks,
The Walker Family

Our contact information:

Phone: (615) 981-0361 and (615) 804-5335

Email: juliebiglerwalker@gmail.com and jeremytwalker@gmail.com

Your signature: _____

Your name: _____

Your address: _____
Nashville, TN 37206

Phone (optional): _____

Email (optional): _____

To: Metro Government of Nashville – Codes

Purpose: Appeal – Misinterpretation of Codes

Case #: 2019-212

Zoning Classification: R6, MDHA-FP, OV-UZO, OV-NHC | **Type:** Item A Appeal

Address: 1525 Fatherland Street, Nashville, TN 37206 | **Map Parcel:** 08313055000 | **Lot Size:** 7,490sq ft

Council District: 6 | **Reference:** 17.16.030.D, 12.12.020A

To whom this may concern,

We are seeking your approval to build a secondary living space, *for personal use only*, on our property located at 1525 Fatherland Street, Nashville, TN 37206. We're writing to submit an item A appeal based on a misinterpretation of the code 17.16.030.D, items #1 and #2.

Specifically, regarding Residential Uses 17.16.030.D Two Family Dwellings, per #1, a lot must be legally created and is of record in the country register prior to 1984 or #2, a lot must be created by the subdivision of a parcel of land in existence prior to August 1, 1984 into no more than three lots.

Our lot, per 17.16.030.D #1, was created after 1984; however, per 17.16.030.D #2, our lot was created by the subdivision of a parcel of land in existence prior to August 1, 1984 into *no more than* three lots. ***The parcel was subdivided into two standard sized lots.***

Additionally, our lot is 47' x 160' and is 7,490 square feet which exceeds the minimum lot size of 6,000 square feet (ref: 17.16.030.G.2), and is larger than other area lots who have been permitted to build a second residential dwelling. *Thus, our lot also satisfies requirement 17.16.030.D #2*, indicating it should be permissible to build a secondary residence on our property. We are zoned R6 per 17.12.020A.

If helpful, we will gladly provide reference to other nearby residences who have established a precedent in our area relative to this request. Thank you for your assistance.

Thank you,
Julie

Contact Information:

Julie & Jeremy Walker

Phone: (615) 981-0361, (615) 804-5335

Owners of property located at:

1525 Fatherland St.

Nashville, TN 37206

REFERENCE:

https://library.municode.com/tn/metro_government_of_nashville_and_davidson_county/codes/code_of_ordinances?nodeId=CD_TIT17ZO_CH17.16LAUSDEST_ARTIIUSPECOPC_17.16.030REUS

From: [Gina Emmanuel](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: 1525 Fatherland Street
Date: Tuesday, July 16, 2019 10:13:59 AM

I am writing in support of the request for a second residence at 1525 Fatherland. I live less than half a block away and while the lot may be smaller than what zoning mandates, it is a large lot that in my opinion should be developed. We should be looking at properties like this differently than we have in the past to ensure the neighborhoods are vibrant and still remain affordable. If we leave lots undeveloped like this in the middle of an active neighborhood with transit and sidewalks already in existence (and less impact on the environment with utilities and services already available), then we have left something on the table as a city.

I hope to see this approved.

Gina Emmanuel
1609 Fatherland Street

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Demetrius Wide Date: 5-8-19
Property Owner: " " Case #: 2019-293
Representative: " " Map & Parcel: 92-6-50

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: Requesting variance from sidewalk requirements

Activity Type: Commercial addition - Barber shop

Location: 943 A 28th Ave. N.

This property is in the CN 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: Does not have required sidewalks

Section(s): 17.10.120

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.

Demetrius Wide
Appellant Name (Please Print)

Demetrius Wide
Representative Name (Please Print)

916^B Scovel St
Address

916^B Scovel St
Address

Nashville TN 37208
City, State, Zip Code

Nashville TN 37208
City, State, Zip Code

901-495-3754
Phone Number

901-495-3754
Phone Number

Demetriuswide23@gmail.com
Email

Demetriuswide@3atgmail.com
Email

Zoning Examiner: C.H.

Appeal Fee: \$200.00

no site plan submitted with appeal.



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



3667632

ZONING BOARD APPEAL / CAAZ - 20190026931
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09206005000

APPLICATION DATE: 05/08/2019

SITE ADDRESS:

943 A 28TH AVE N NASHVILLE, TN 37208
PT BLK 2 MIDWAY

PARCEL OWNER: WIDE, DEMETRIUS

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting variance to not require sidewalks for proposed barbershop addition to existing building.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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 600 feet pf 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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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

Demetrius Wide
APPELLANT

5-8-19
DATE

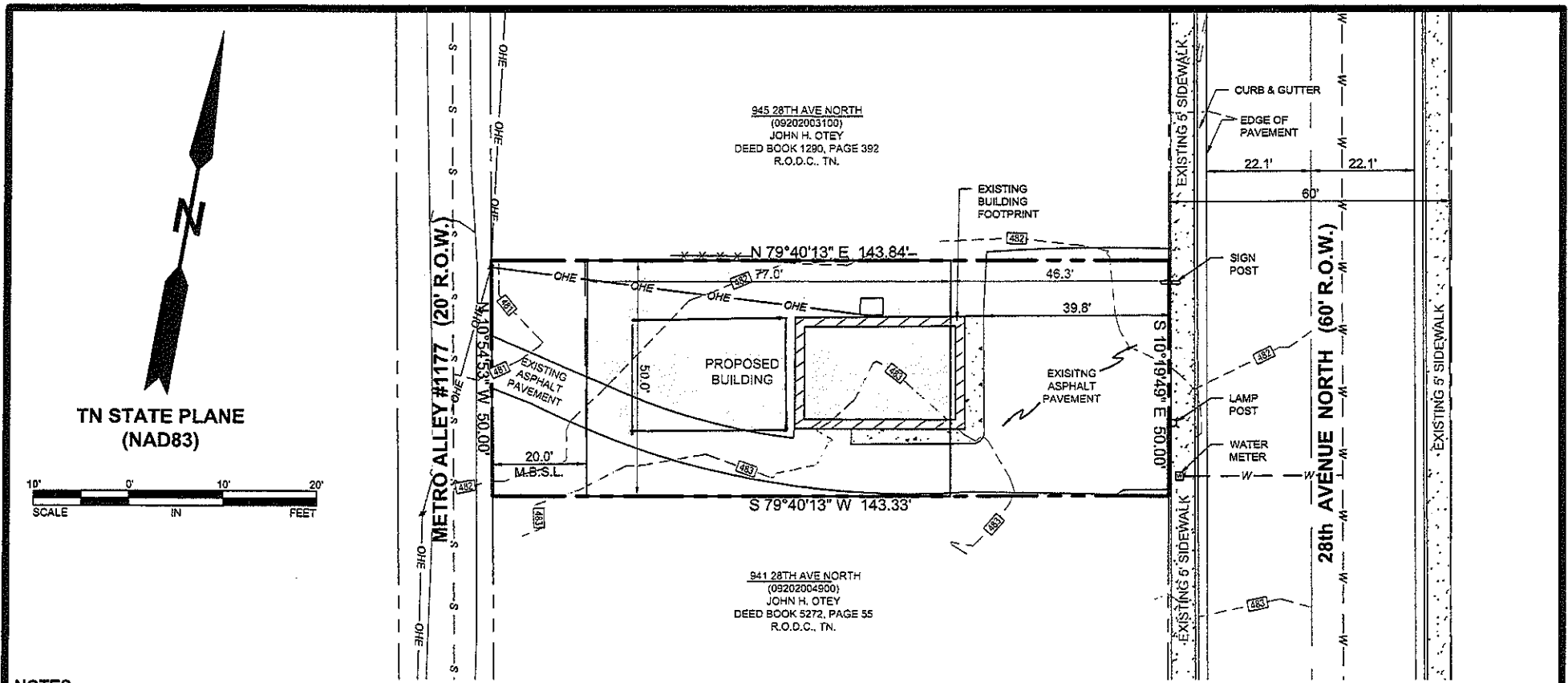
In Simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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.

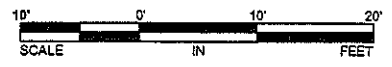
The Board cannot grant a variance based solely on inconvenience to the applicant or solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a **HARDSHIP** as outlined. At the meeting it is important that you explain this hardship as effectively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

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

I would like to build a Barber Shop in the back of my building 943 28th ave north but due to the sidewalk code it will take up the front of my parking lot no place for customer to park

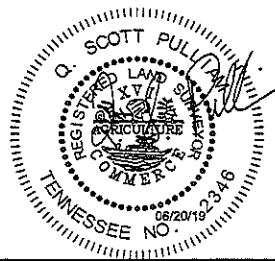


TN STATE PLANE
(NAD83)



NOTES

1. DEED REFERENCE: BEING THE PROPERTY CONVEYED TO DEMETRIUS WIDE AS OF RECORD IN INSTRUMENT NUMBER 20181218-0122918, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.
2. PROPERTY SHOWN AS PARCEL ID 09206005000 ON DAVIDSON COUNTY PROPERTY MAPS.
3. PROPERTY SHOWN AS A PORTION OF LOT 3 IN THE SUBDIVISION OF THE EAST HALF OF BLOCK NO. 2 ON THE PLAN OF MIDWAY AS OF RECORD IN PLAT BOOK 421, PAGE 11, IN THE REGISTER'S OFFICE OF DAVIDSON COUNTY, TENNESSEE.
4. NORTH ARROW BASED ON TENNESSEE STATE PLANE COORDINATE SYSTEM (NAD83).
5. NO UTILITIES SHOWN ON THIS SURVEY. IN TENNESSEE, IT IS A REQUIREMENT OF THE LAW TO LOCATE THE EXISTING UTILITIES BY CONTACTING TENNESSEE ONE-CALL (811) AT LEAST THREE WORKING DAYS BEFORE BEGINNING ANY EXCAVATING OR DIGGING.
6. THIS PROPERTY LIES TOTALLY OUTSIDE ANY FLOODPLAIN AREA AND WITHIN ZONE X (AREAS OF MINIMAL FLOOD HAZARD) ON FEMA FIRM COMMUNITY PANEL NO. 47037C0237H, DATED 04/05/2017.
7. SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE ORIGINAL CLIENT(S) AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THIS SURVEYOR.



SIDEWALK EXHIBIT
EXISTING CONDITIONS
OF
943 28th AVENUE NORTH
METRO PARCEL ID 09206005000
TWENTY-FIRST COUNCIL DISTRICT
NASHVILLE, DAVIDSON COUNTY, TENNESSEE
FOR
ORCA BUILDING GROUP, LLC

QSP Q. Scott Pulliam, RLS
715 Northview Circle, Lebanon, Tennessee 37087
Telephone (615)207-2086 Fax (615)292-7870
qspulliamr@s@yahoo.com
Land Surveying Land Use Consulting Spatial Data Mgmt.

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-293 (943A 28th Avenue N)

Metro Standard:	4' grass strip, 8' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks
Zoning:	CN
Community Plan Policy:	T4 NC (Urban Neighborhood Center)
MCSP Street Designation:	T4-M-AB4-LM
Transit:	#21 – University Connector
Bikeway:	Minor separated bikeway currently planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct an addition to an existing 6,970 square foot barber shop on the property and requests to not upgrade the existing sidewalks along their property frontage. Planning evaluated the following factors for the variance request:

- (1) A 5' sidewalk without a grass strip exists along the property frontage, which is consistent with adjacent properties to the north and south.
- (2) Utility poles and the applicant's surface parking area are currently located to the rear of the existing sidewalk. Constructing sidewalks that meet the Major and Collector Street Plan design will require the relocation of the utility poles and impact the business's off-street parking lot.

Given the factors above, staff recommends **approval with conditions**:

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. The applicant shall contribute in-lieu of construction for the property frontage.

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Baker Donelson
Property Owner: Levog
Representative: Joey Hargis

Date: 5-14-19
Case #: 2019-299
Map & Parcel: 64-104

Council District 14

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

Purpose: To allow the construction of new wireless telecommunications tower without required sidewalks

Activity Type: Wireless Telecom Tower

Location: 4321 Old Hickory Blvd

This property is in the 1000 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: Variance in sidewalk construction

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B 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.

Joey Hargis
Appellant Name (Please Print)

Same
Representative Name (Please Print)

211 Commerce St Ste 800
Address

11
Address

Nashville TN 37201
City, State, Zip Code

11
City, State, Zip Code

615-726-7391 615-406-3559
Phone Number

11
Phone Number

jhargis@bakerdonelson.com
Email

11
Email

Zoning Examiner: _____

Appeal Fee: 200.00



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



3669669

ZONING BOARD APPEAL / CAAZ - 20190028186
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 06400010400

APPLICATION DATE: 05/14/2019

SITE ADDRESS:

4321 OLD HICKORY BLVD OLD HICKORY, TN 37138
LOT 1 GRANWOOD VILLAGE

PARCEL OWNER: LEVOG

CONTRACTOR:

APPLICANT:**PURPOSE:**

CONSTRUCTION OF NEW WIRELESS TELECOMMUNICATIONS TOWER

REQUIRED: PER 17.20.120 SIDEWALKS REQUIRED

REQUEST: NOT TO INSTALL SIDEWALKS OR CONTRIBUTE

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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 600 feet pf 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.

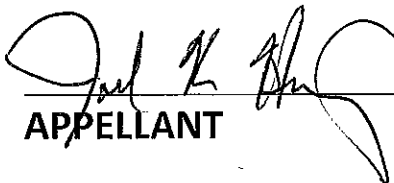
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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



APPELLANT

5-14-19

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.

BAKER DONELSON

BEARMAN, CALDWELL & BERKOWITZ, PC

BAKER DONELSON CENTER,
SUITE 800
211 COMMERCE STREET
NASHVILLE, TENNESSEE 37201

MAILING ADDRESS:
P.O. BOX 190613
NASHVILLE, TENNESSEE 37219

PHONE: 615.726.5600
FAX: 615.726.0464

www.bakerdonelson.com

JOEL K. HARGIS, ATTORNEY
Direct Dial: 615.726.7391
E-Mail Address: jhargis@bakerdonelson.com

May 14, 2019

Mr. Jon Michael
Metro Zoning Administrator
Metro Codes
800 2nd Avenue South
Nashville, TN 37210

Re: Proposed Special Exception for Street Setback
4321 Old Hickory Blvd ; APN: 06400010400

Dear Mr. Michael and Members of the Board of Zoning Appeals

Enclosed are submittal materials associated with our client's variance request to postpone construction of the sidewalks until the property is developed in the future. for the above-referenced location.

SCI Towers, LLC is requesting variance in the sidewalk requirements under §17.20.120 under the zoning ordinance. This request is to allow the construction of an unmanned wireless telecommunications tower. Our request is to postpone construction of sidewalks until a future date once a building is constructed on the property that would generate pedestrian traffic. The proposed development is unmanned and is comprised of no buildings. The public is intentionally discouraged from coming to the site as a matter of safety. The proposed development will not create an adverse impact on adjacent properties

The Planning Commission recommended approval of our client's tower request at its meeting on May 9, 2019 with the condition that a landscaping buffer be placed along the property's frontage and that sidewalks be constructed per the MCSP. Our client has agreed to construct the landscape buffer as requested but respectfully asks to postpone construction of sidewalks until the property develops as planned.

We are submitting the following documents to you on behalf of our client.

1. 3 Copies of Site Plan

May 14, 2019

Page 2

2. Fee for \$200

Please confirm that the materials enclosed with this letter are complete and that you do not need any further information from us in order for the BZA to consider our client's request at its meeting on July 18, 2019. If additional information is needed, please contact me and I will deliver it to you as soon as possible. Thank you very much for your kind assistance regarding this matter.

Respectfully submitted,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

Joel K. Hargis, Attorney

NOTES:

1. THE BASIS OF THE MERIDIANS AND COORDINATES FOR THIS PLAT IS THE TENNESSEE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM 1983 (TNSPCS NAD 83), BASED ON DIFFERENTIAL GPS OBSERVATIONS PERFORMED ON OCTOBER 22, 2018.
2. VERTICAL INFORMATION SHOWN BASED ON THE NORTH AMERICAN VERTICAL DATUM OF NAVD 1988 IN FEET.
3. ALL DISTANCES ARE GROUND UNLESS OTHERWISE NOTED.
4. THE TOWER IS LOCATED IN ZONE "X," AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ACCORDING TO FEMA COMMUNITY PANEL #47037C025H, DATED APRIL 5, 2017.
5. FALL ZONE IS DESIGNED FOR THE LOWEST ENGINEERED BREAK POINT.



PLANS PREPARED FOR:

PO BOX 3469, CARY, NC 27519
(888) 318-2803

PROJECT INFORMATION:

**SCI SITE NAME:
BERRYVILLE**

OLD HICKORY BOULEVARD
(E911 ADDRESS T.B.D.)
OLD HICKORY, TN 37138
(DAVIDSON COUNTY)

PLANS PREPARED BY:

TOWER ENGINEERING PROFESSIONALS
326 TRYON ROAD
RALEIGH, NC 27603
OFFICE: (919) 661-6351
www.tepgroup.net

SEAL:

February 12, 2019

REV	DATE	ISSUED FOR:
2	02-12-19	ZONING
1	02-05-19	ZONING
0	01-11-19	ZONING

DRAWN BY: TLL CHECKED BY: EBM

SHEET TITLE:

SITE PLAN

SHEET NUMBER:	REVISION:
C-1	2
	TEP #: 146203

N/F
**O.I.C. LAUREL HILL
COURTYARD HOMES**
PARCEL ID: 064130B900
PB 6900, PG 573

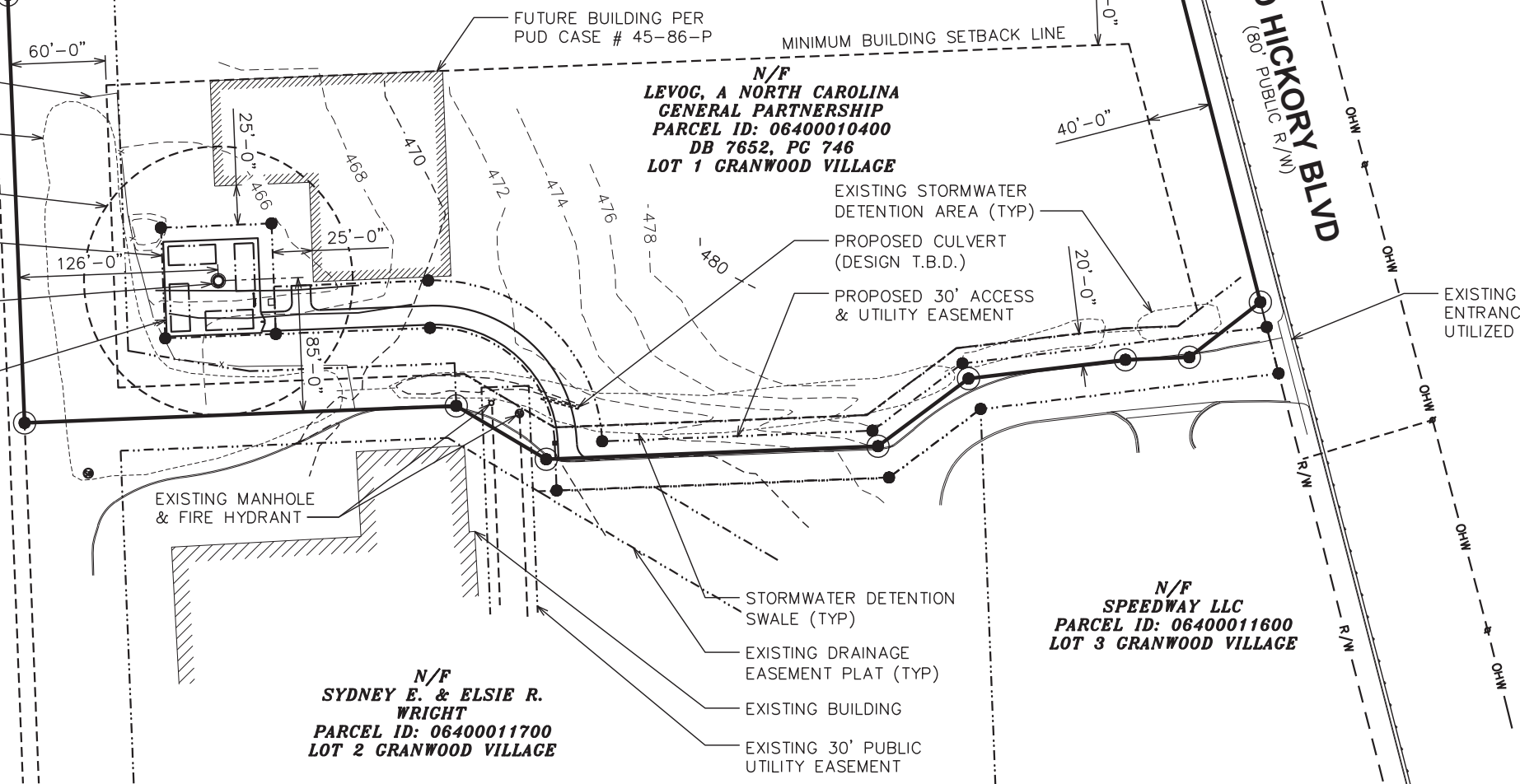
N/F
**WILLIAM LYTTLETON
BUTLER**
PARCEL ID: 06400008900

N/F
**LEVOG, A NORTH CAROLINA
GENERAL PARTNERSHIP**
PARCEL ID: 06400010400
DB 7652, PG 746
LOT 1 GRANWOOD VILLAGE

N/F
SPEEDWAY LLC
PARCEL ID: 06400011600
LOT 3 GRANWOOD VILLAGE

N/F
**SYDNEY E. & ELSIE R.
WRIGHT**
PARCEL ID: 06400011700
LOT 2 GRANWOOD VILLAGE

- EXISTING WIRE FENCE
- EXISTING STORMWATER DETENTION AREA (TYP)
- PROPOSED 85' TOWER FALL ZONE RADIUS
- PROPOSED 70'x70' LEASE AREA BY SCI TOWERS
- PROPOSED MONOPOLE TOWER. SEE SHEET C-3 FOR ELEVATION.
- PROPOSED 60'x60' FENCED EQUIPMENT COMPOUND. SEE SHEET C-2 FOR COMPOUND DETAILS.



LEGEND

- EXIST. PROPERTY LINE
- ⊕ EXIST. UTILITY POLE
- ⊠ EXIST. TELCO PEDESTAL
- PROPERTY CORNER
- 200--- EXIST. CONTOUR LINE
- /// EDGE OF PAVEMENT
- OHW--- OVERHEAD WIRE
- R/W--- RIGHT-OF-WAY
- X — CHAIN LINK FENCE
- ~ ~ ~ EXISTING TREE LINE

TOWER SETBACKS

SETBACK	REQUIRED	PROPOSED
FRONT	150'	635'
REAR	150'	126'
LEFT SIDE	150'	85'
RIGHT SIDE	150'	186'

SITE PLAN

SCALE: 1" = 100'



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-299 (4321 Old Hickory Boulevard)

Metro Standard:	8' grass strip, 6' sidewalk, as defined by the Major and Collector Street Plan
Requested Variance:	Not construct sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	R15
Community Plan Policy:	T3 NC (Suburban Neighborhood Center)
MCSP Street Designation:	T3-M-AB5-S
Transit:	#27 – Old Hickory
Bikeway:	None existing; bike lane planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a cellular tower on the site and requests not to construct sidewalks due to no buildings being constructed and to discourage pedestrians from accessing the utility infrastructure.

Planning evaluated the following factors for the variance request:

- (1) Along this side of Old Hickory Boulevard, 5' wide sidewalks exist directly south of this property. There is a worn walking path in the grass on the property frontage where there is this gap.
- (2) Planning has worked with the applicant to develop an alternate sidewalk design with the construction of the cell tower. The applicant has proposed constructing a 5' wide sidewalk with no grass strip.
- (3) Given the scope of the construction and the anticipation for additional development in the future on the site, an alternative sidewalk design that meets the minimum Metro sidewalk standards is an acceptable solution until future development occurs at this location.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall construct 5' wide sidewalks along the property frontage as the alternative sidewalk design to be coordinated with Metro Public Works.
2. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

From: [Laura Harris Smith](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: cell tower appeal, Old Hickory
Date: Thursday, July 11, 2019 12:51:29 PM
Attachments: [Laura Signature.png](#)
[Laura Email pic.tiff](#)

Dear BZA Board Members,

I am writing you at the suggestion of Councilman Larry Hagar. I am also headed to the FCC offices in Washington, DC about this next week but in addition to that I am reaching out to you at Mr. Hagar's advice.

I am a 30-year resident of Hampton Park subdivision in Old Hickory, TN. It has come to our attention that a cell tower will be built to the side of my home, and we only learned about it due to an ordinance notice that recently went out about a proposed sidewalk. **We never received any notice about the tower itself.** I am not only a nutritionist with two degrees in original medicine, but have a 41 year neurological struggle (convulsions) that has led me to have to make it my life's work to study EMFs, RFs and microwave activity and radioactivity. I have gone to great lengths and expense over the years to rid my home of "dirty electricity" and shield myself from the constant barrage of such electrical emissions. Yes, I have wifi, a laptop, etc., but my home is full of materials and minerals which absorb excesses, including heat and radiation resistance pads and EMF and radioactivity monitors which led to the removal of our microwaves, etc. But there is no way that I could protect myself from the emissions from a cell tower so closeby.

I am aware of the study done by the *American Cancer Society* stating that cell towers aren't that dangerous, but I better trust the *WORLD Health Organization's* 25 million dollar study that proves they are. And the countless other studies that confirm their danger. They are linked to cancer, neurological issues, infertility, migraines, tumors, and so much more. In my neighborhood and culdesac are people who already have some of these issues. If this tower goes up, I know that lives will be lost. I myself will have to leave my home of 30 years to survive. I am sure all our property values will plummet, too.

I cannot find on the BZA site where to file an appeal (to an actual detailed form to fill out) but I see it has to be filed by this Monday, July 15th to be heard at the next meeting on Sept. 5th. I have left two messages by phone and no one is returning my calls. Can you please advise me on where and how to appeal? Or call me at 615-310-1300. I have rallied interest from within our HOA and neighborhood and many of us want to attend the meeting.

I have a television show that airs internationally in primetime and daytime slots every day, and I am gathering data to make an episode out of these very cell tower studies. My show helps people get healthy—body, mind and spirit — as do my books. My husband also pastors a church in Old Hickory.

As you may know, seizures are merely too much electricity in the brain. To stay seizure free, I have not only had to monitor and control my exposure but also wound up creating a natural treatment for which I was awarded a patent by the USPTO earlier this year. All of this to say... I am serious about this fight to maintain my health and the health of my neighbors. I hope you will show compassion and help us.

Sincerely,

A handwritten signature in black ink that reads "Laura". The letters are cursive and fluid, with a large loop for the 'L' and a long tail for the 'a'.

Laura Harris Smith, C.N.C.

author, [official site](#)

host, [theTHREE.tv site](#)

inventor, [Quiet Brain site](#)

pastor, [Eastgate church site](#)

[Official Facebook page](#)



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jennifer Carr Date: 5-16-19
Property Owner: PEP Music Square LLC Case #: 2019-300
Representative: Joe Bucher Map & Parcel: 92-16-361

Council District 19

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

Purpose: To construct office Building to 129' including Parapet wall within build to zone.

Activity Type: New Construction - office

Location: 900 18th Ave. S.

This property is in the ORE-A 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: Does not meet height requirement

Section(s): 17-12-020(D)

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.

JENNIFER T. CARR
Appellant Name (Please Print)

JOE BUCHER
Representative Name (Please Print)

222 2ND AVE SOUTH
Address

222 2ND AVE SOUTH
Address

NASHVILLE, TN 37201
City, State, Zip Code

NASHVILLE TN 37201
City, State, Zip Code

615.770.8124
Phone Number

615.770.8100
Phone Number

jennifer.carr@greshamsmith.com
Email

joe.bucher@greshamsmith.com
Email

Zoning Examiner: C.H.

Appeal Fee: \$200.00



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



3670858

ZONING BOARD APPEAL / CAAZ - 20190028959
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09216036100

APPLICATION DATE: 05/16/2019

SITE ADDRESS:

900 18TH AVE S NASHVILLE, TN 37212

LOTS 107 TH 111 O.B. HAYES 1ST ADDN

PARCEL OWNER: PEP MUSIC SQUARE, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

requesting height variance to allow construction of 129' of building height including parapet wall within the build to zone.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATION FOR A VARIANCE REQUEST

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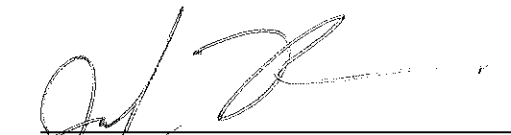
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Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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



APPELLANT

05/16/2019
DATE



May 16, 2019

Department of Codes Administration
 Board of Zoning Appeals
 800 2nd Avenue South Metro Office Building
 Nashville, TN 37212

Subject: Special Exception Request
 LPC/Pearlmark - 900 18th Avenue South Development
 900 18th Avenue South, Nashville TN 37212
 Gresham Smith Project No. 43849.01

To whom it may concern:

Gresham Smith, on behalf of LPC and Pearlmark, would like to request that the proposed office addition to the parking garage structure located at 900 18th Avenue South be considered for a "Special Exception" as outlined below:

Current Zoning: ORI-A

FAR:	3.0 (134,600 S.F.)
Max Height @ Build-to Zone:	65 Feet
Max Height:	105 Feet

Proposed Solution : ORI-A

FAR =	134,122
Max Height @ Build-to Zone:	50 Feet
Max Height	122 Feet max. roof height 129 Feet max. w/ parapet (*4'-0" parapet allowed)
	125 Feet average (20' Variance - 19 %)

*Off street parking required for the primary uses of the property are excluded from FAR calculations. Only the addition of office uses would be counted against the FAR limitations

Per the Metropolitan Zoning Ordinance Section 17.12.060, Paragraph F.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 in Table 17.12.020D, based on the review and approval of Special Exception by the board of zoning appeal.

We are requesting on behalf of the Owner that a special exception be granted for the average design height as indicated on the drawings. The proposed design does not

Genuine Ingenuity

222 Second Avenue South
 Suite 1400

Nashville, TN 37201

615.770.8100

GreshamSmith.com



create an adverse affect on the surrounding context. The addition of not only an active retail and lobby component on the ground level but also an office on the upper levels, transforms this existing parking garage from a utilitarian structure to one that supports an active street and contributes a strong pedestrian streetscape. It is also important to note that our site is located in the proposed "Music Row Core" area, classified as subdistrict 2a, which will allow for 8-12 stories and 168 Feet high in height (as indicated in the Music Row Community Meeting on 04.22.2019). We believe this further reinforces that this project meets the future vision and intent of this area.

The building design honors the minimum "Step-Back" requirements along Chet Atkins Place to allow for an outdoor amenity space that also contributes to the life and vitality of the area. A special exception is also being requested for the step-back along 18th Avenue South. The proposed building face matches the existing garage structure and therefore will not impact the existing building line.

Sincerely,

Jennifer T. Carr
AIA, LEED-AP

CJ

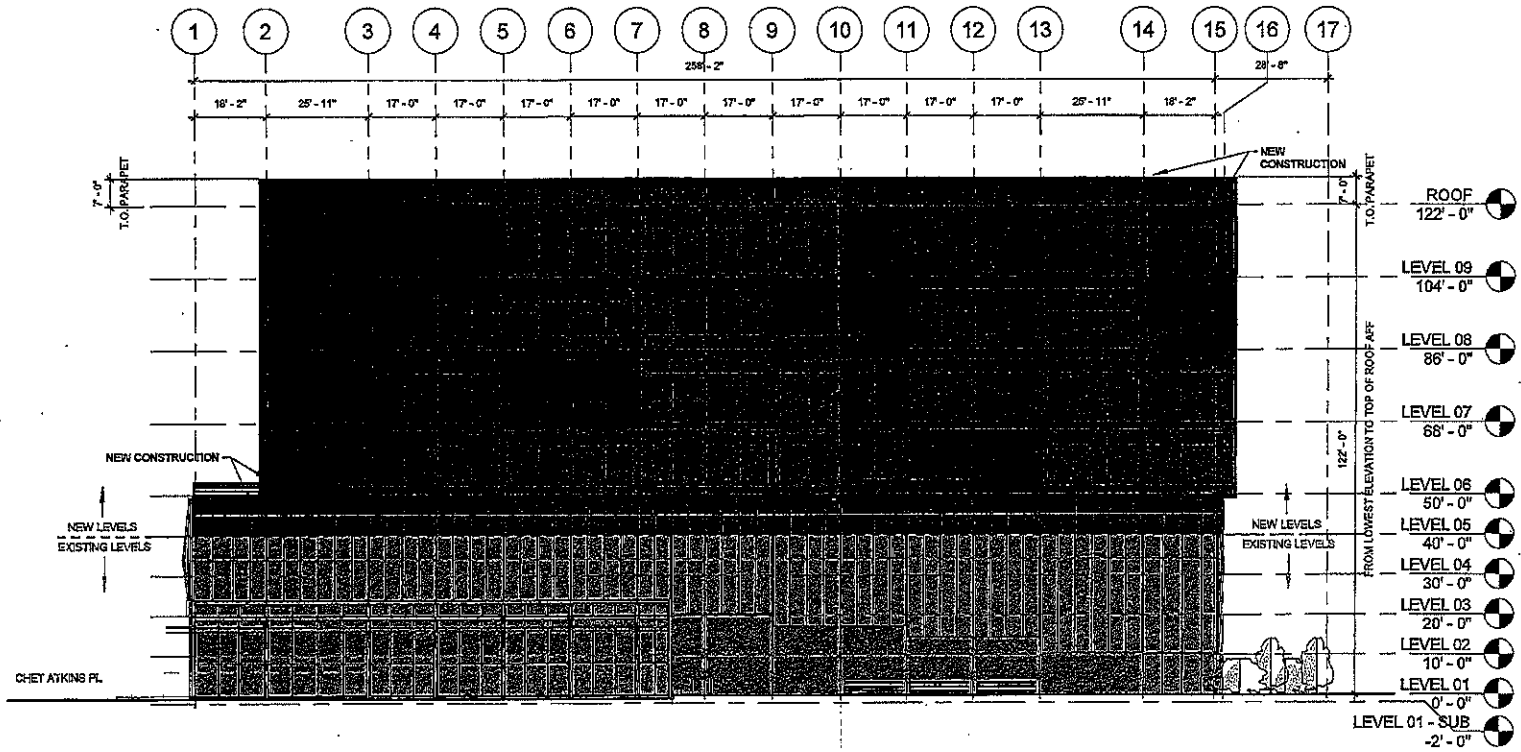
Attachments

Copy Adrienne Miles Ciuba - Gresham Smith
 Jennifer Carr - Gresham Smith
 Ben Dance - Gresham Smith
 Levi Sciara - Gresham Smith

	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
Level 1 (M)		1,651		1,651
Level 1 (S-2)	12,827			12,827
Level 2 (S-2)	29,148			29,148
Level 3 (S-2)	31,502			31,502
Level 4 (S-2)	31,502			31,502
Level 5 (S-2, B)	31,981			31,981
Level 6 (B)		30,415	2,955	31,893
Level 7 (B)		30,415		30,415
Level 8 (B)		30,415		30,415
Level 9 (B)		30,415		30,415
Total	136,960	134,122	2,955	272,560

SQUARE FOOTAGES

GS PROJ. NO.
43848.01
02
04.16.2019



WEST ELEVATION
49 MSW

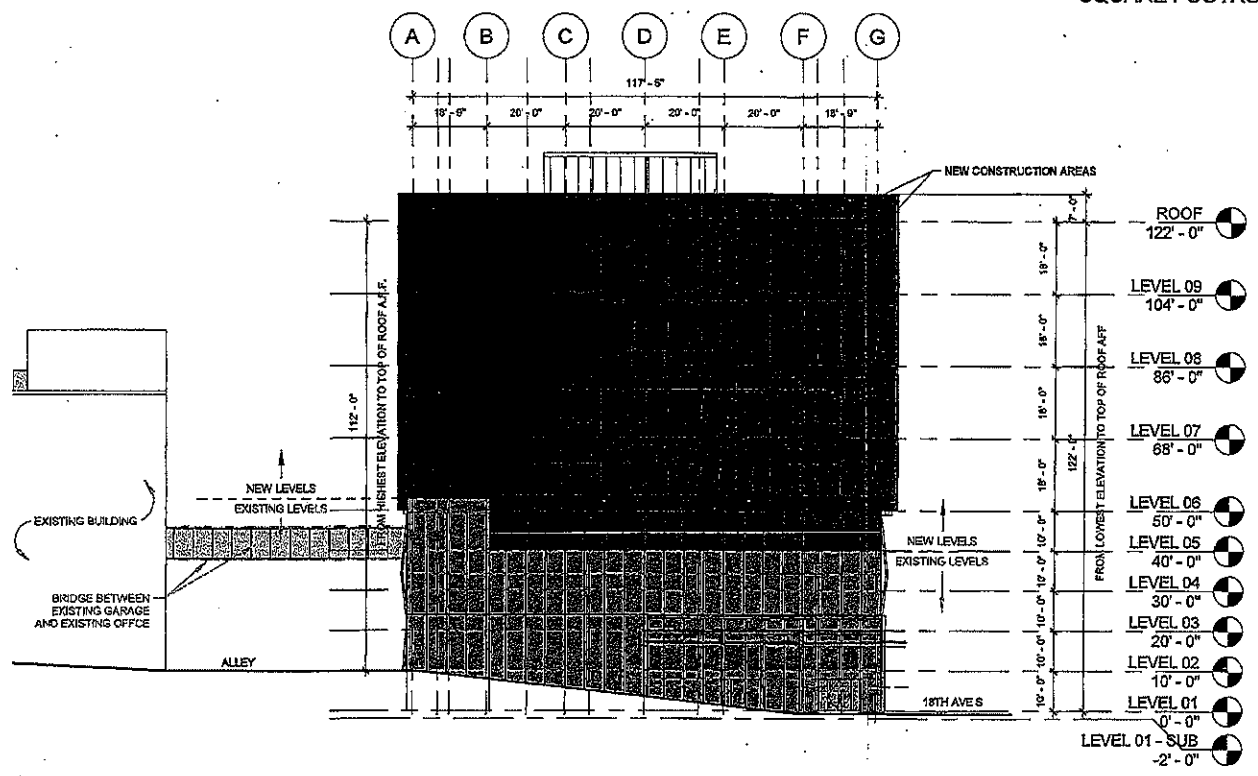
1 900 18TH | WEST ELEVATION
1" = 30'-0"
0' 15' 30' 60' 90'



	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
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SQUARE FOOTAGES

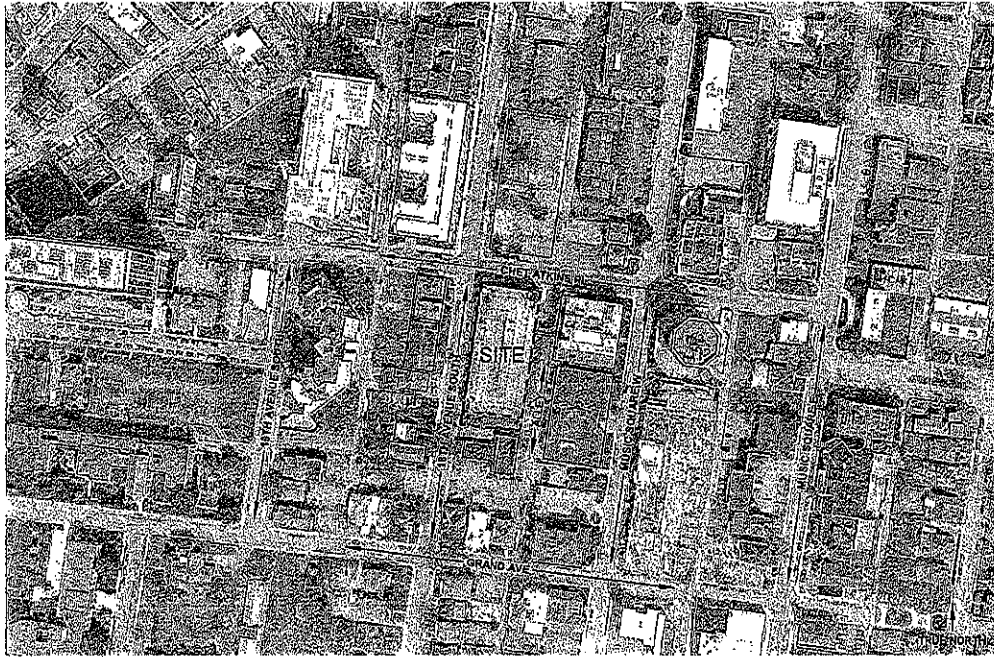
GS PROJ. NO.
43849.01
03
04.16.2019



NORTH ELEVATION
48 MSW

1 900 18TH | NORTH ELEVATION
1" = 30'-0"
0' 15' 30' 60' 90'





49 MSW | VICINITY MAP

	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
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SQUARE FOOTAGES

GS PROJ. NO.
43849.01

00

04.16.2019

VICINITY MAP
49 MSW



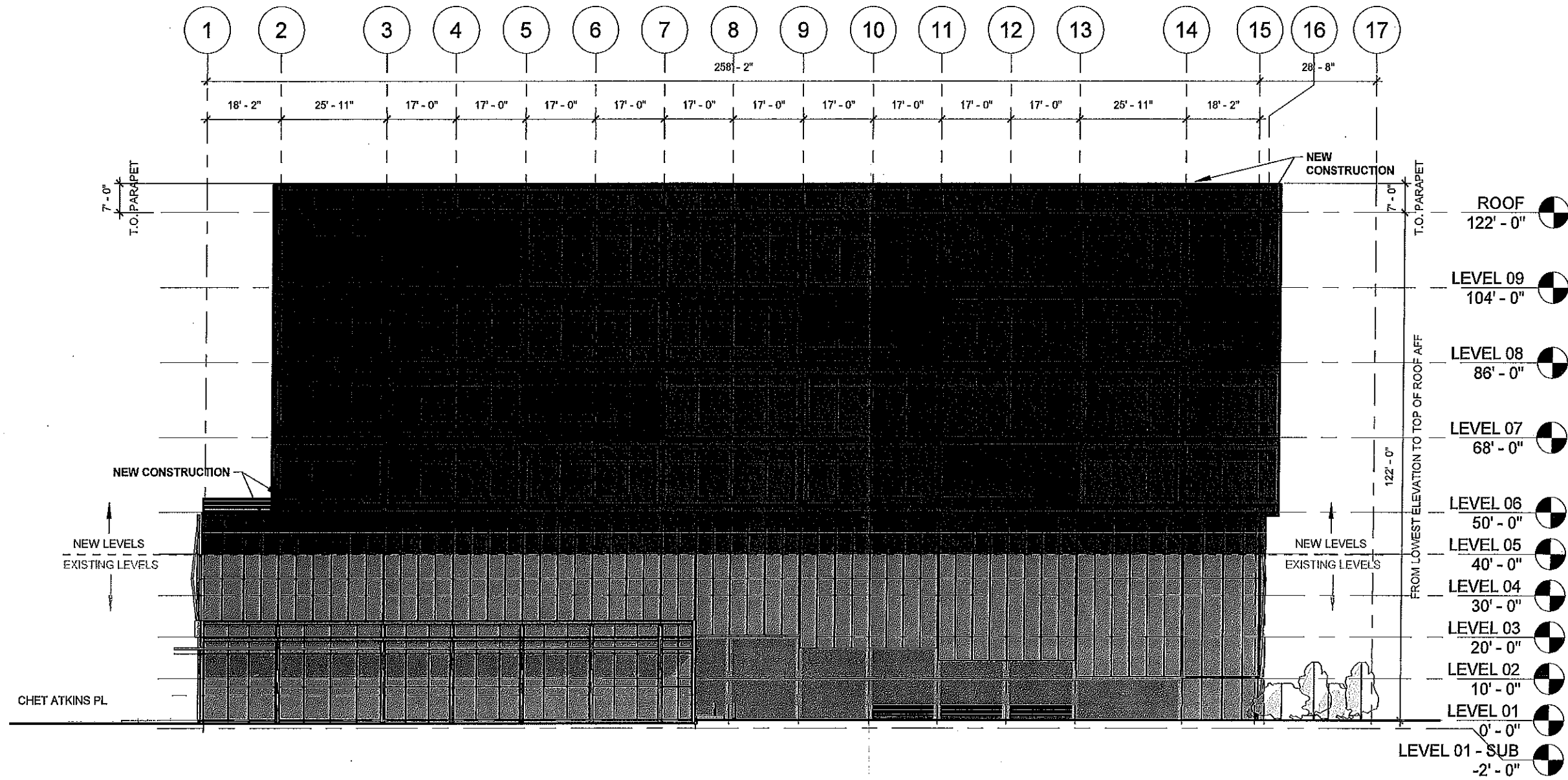
	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
Level 1 (M)		1,651		1,651
Level 1 (S-2)	12,827			12,827
Level 2 (S-2)	29,148			29,148
Level 3 (S-2)	31,502			31,502
Level 4 (S-2)	31,502			31,502
Level 5 (S-2, B)	31,981			31,981
Level 6 (B)		30,415	2,955	31,893
Level 7 (B)		30,415		30,415
Level 8 (B)		30,415		30,415
Level 9 (B)		30,415		30,415
Total	136,960	134,122	2,955	272,560

SQUARE FOOTAGES

GS PROJ. NO.
43849.01

02

04.16.2019



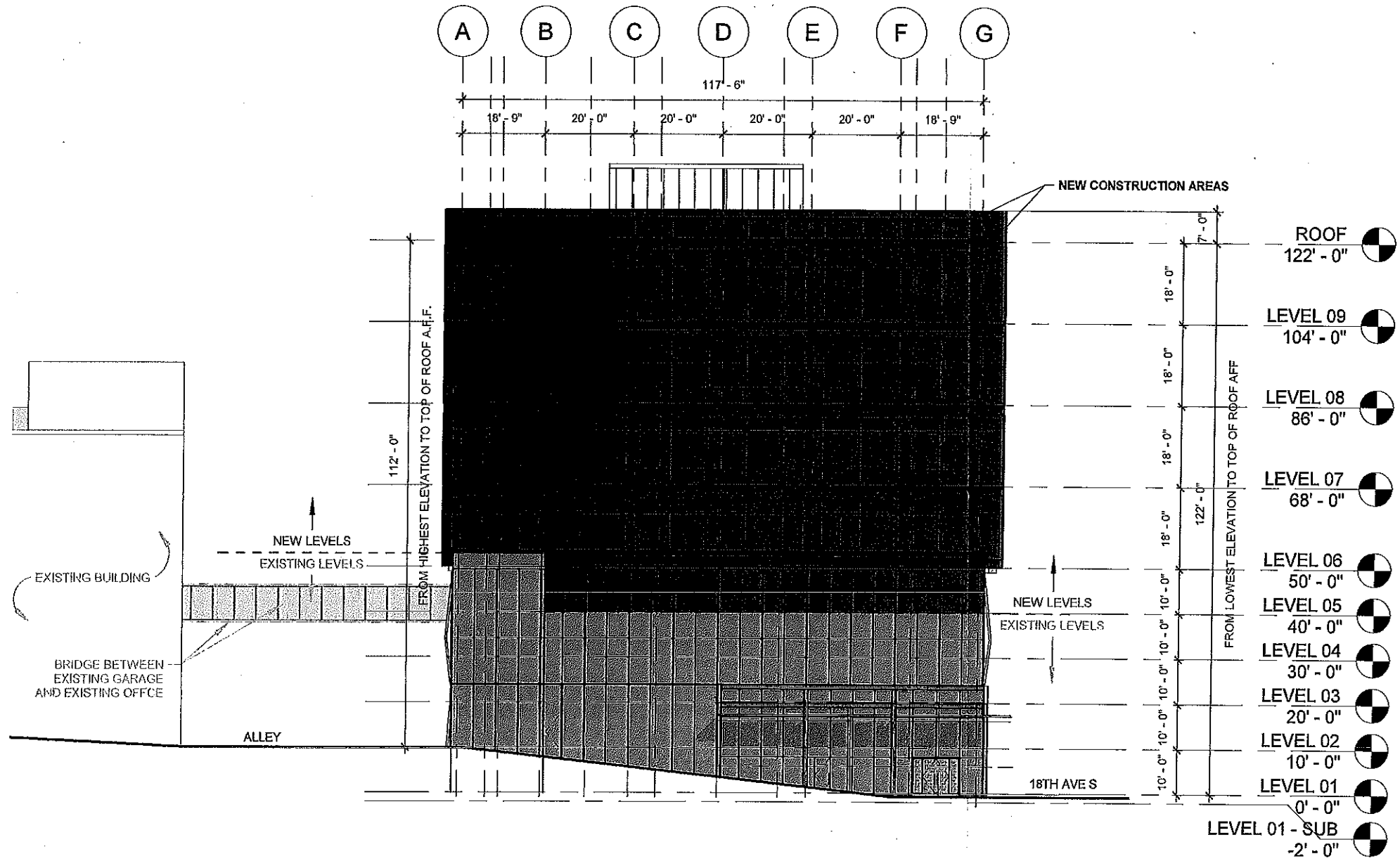
WEST ELEVATION
49 MSW

1 900 18TH | WEST ELEVATION

	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
Level 1 (M)		1,651		1,651
Level 1 (S-2)	12,827			12,827
Level 2 (S-2)	29,148			29,148
Level 3 (S-2)	31,502			31,502
Level 4 (S-2)	31,502			31,502
Level 5 (S-2, B)	31,981			31,981
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Level 9 (B)		30,415		30,415
Total	136,960	134,122	2,955	272,560

SQUARE FOOTAGES

GS PROJ. NO.
43849.01
03
04.16.2019



NORTH ELEVATION
49 MSW

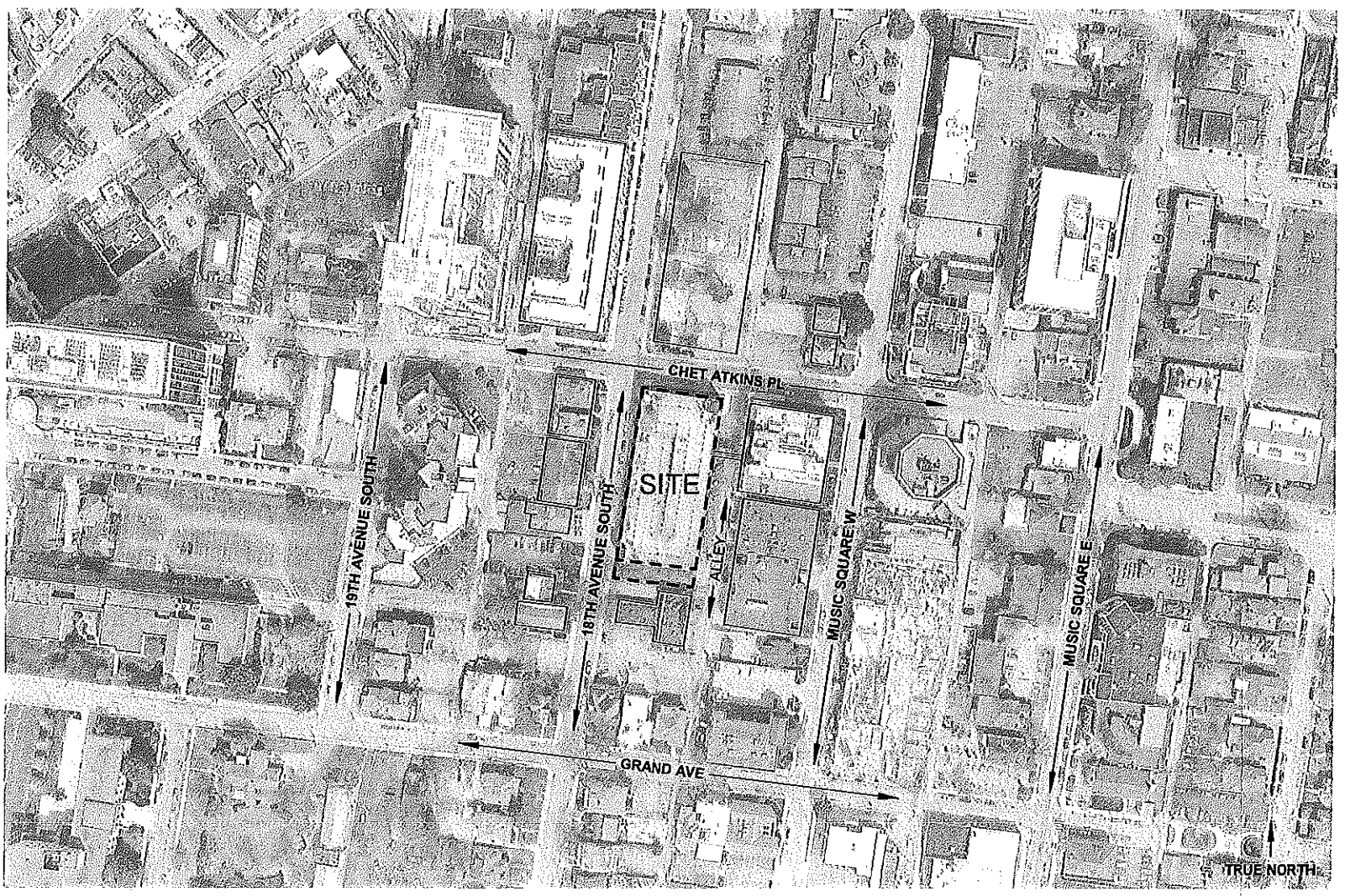
1 900 18TH | NORTH ELEVATION
1" = 30'-0"
0' 15' 30' 60' 90'



GS PROJ. NO.
43849.01

00

04.16.2019



49 MSW | VICINITY MAP

	Existing/ Parking	Proposed New	Exterior	Total
Level 1 (B)		10,811		10,811
Level 1 (M)		1,651		1,651
Level 1 (S-2)	12,827			12,827
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Level 9 (B)		30,415		30,415
Total	136,960	134,122	2,955	272,560

SQUARE FOOTAGES

VICINITY MAP
49 MSW



From: Board of Zoning Appeals (Codes)
To: Powers, James
Subject: RE: Appeal Case # 2019-300

From: Powers, James <james.powers@vumc.org>
Sent: Tuesday, July 9, 2019 5:43 PM
To: Board of Zoning Appeals (Codes) <bza@nashville.gov>
Subject: Appeal Case # 2019-300

From: 807 18th Avenue South # 106

Nashville TN 37203

RE: Appeal Case # 2019-300

900 18th Ave. S. (Jennifer Carr, Appellant)

Map Parcel: 09216036100

Zoning Classification: OR1A

Council district: 19

Date: July 9, 2019

To: Metropolitan Board of Zoning Appeals

Thank you for the opportunity to express opposition to the appellant's request for variance from height requirements to permit construction of an office building at 900 18th Ave. S.

We are in full support of the Music Row Plan adopted by Metro Council to maintain the livability and preserve the historic integrity of Music Row. We have been active in community meetings and support the height restrictions intended to maintain a community environment in this mixed business-residential area of Nashville.

We oppose the request for a variance from height requirements as building height is one of the most significant factors that reduces the livability of a neighborhood. We have been residents of the area for over 10 years do not wish to see commercial growth take precedence in our neighborhood.

Please maintain the building height requirement as adopted by Metro Council.

Sincerely,

James S. Powers

Martha E. Wettemann

From: 807 18th Avenue South # 106
Nashville TN 37203
RE: Appeal Case # 2019-300
900 18th Ave. S. (Jennifer Carr, Appellant)
Map Parcel: 09216036100
Zoning Classification: OR1A
Council district: 19
Date: July 9, 2019

To: Metropolitan Board of Zoning Appeals

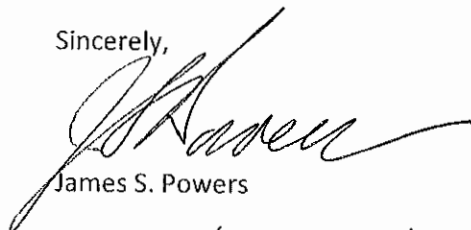
Thank you for the opportunity to express opposition to the appellant's request for variance from height requirements to permit construction of an office building at 900 18th Ave. S.

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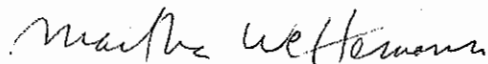
We oppose the request for a variance from height requirements as building height is one of the most significant factors that reduces the livability of a neighborhood. We have been residents of the area for over 10 years ^{and} do not wish to see commercial growth take precedence in our neighborhood.

Please maintain the building height requirement as adopted by Metro Council.

Sincerely,



James S. Powers



Martha E. Wettemann

From: [Scott Voelkerding](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Subject: Permit #20190028959 Zoning Appeal - OPPOSED
Date: Saturday, July 13, 2019 8:24:03 PM

Metropolitan Board of Zoning Appeals:

I am a resident of 807 18th Ave S and I received your letter dated June 11, 2019 regarding Appeal Case Number 2019-300 for the construction of an office building excess of the allowable height at 900 18th Ave S. I reviewed the case details at permits.nashville.gov. I will not be able to attend the hearing on August 1, but I am **OPPOSED** to granting this variance. The “Reason” stated in the permits system is “special exception to allow additional height within the build to zone.” This is not a reason or justification for constructing a building in excess of zoning laws and ordinances. The preservation of the Music Row neighborhood is critical. This is a residential neighborhood and, while it is also zoned for Group B (offices), most of the businesses in this neighborhood operate out of houses and homes that resemble residential occupancies. From a historical perspective, there is no other place like it in the world and it is being eroded and polluted with mid-rise and high-rise projects like this one. A new office building (18th and Chet) was recently constructed in the 800 block of 18th Ave S. It’s currently vacant and the enclosed parking lot on the first few stories is an eyesore for this neighborhood. Bobby’s Idle Hour and a small wedding chapel were recently run out of the neighborhood by a developer looking to make a profit through construction of a residential high rise at the expense of Music Row preservation. Many of the developers proposing these projects do not understand the history or significance of the Music Row neighborhood. The preservation is critical to the history of the country music industry, the residents and business associates who live work in the neighborhood, and Nashville tourism. The height restrictions are important for the preservation of the neighborhood. High rise buildings do not belong here. The Metropolitan Government of Nashville is one fo the few government bodies that can help preserve this neighborhood. Please deny this variance request.

Scott Voelkerding, PE
807 18th Ave S, Unit 104
scott.voelkerding@gmail.com

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : ROMANY AMEEN
Property Owner: " "
Representative : " "

Date: 5/21/2019
Case #: 2019-305
Map & Parcel: 150140C000C0

Council District 33

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

Purpose: CONSTRUCT ATTACHED GARAGE ONTO EXISTING SINGLE FAMILY RESIDENCE

Activity Type: RESIDENTIAL GARAGE
Location: 3009 APPLE ORCHARD TR

This property is in the RS10 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: REQUEST TO BUILD TO 11' REAR SETBACK & 3.88 SIDE SETBACK

Section(s): 17.12.020 (A)

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B 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.

ROMANY AMEEN
Appellant Name (Please Print)

S/A
Representative Name (Please Print)

3009 APPLE ORCHARD TR
Address

Address

ANTIOCH, TN 37013
City, State, Zip Code

City, State, Zip Code

6155258233
Phone Number

Phone Number

romany.soliman170@yahoo.com
Email

Email

Zoning Examiner: TC

Appeal Fee: _____

romany.soliman170@yahoo.com



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



3672059

ZONING BOARD APPEAL / CAAZ - 20190029621
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 150140C02000CO

APPLICATION DATE: 05/21/2019

SITE ADDRESS:

3009 APPLE ORCHARD TRL ANTIOCH, TN 37013
LOT 273 FAWN CROSSING SEC 1

PARCEL OWNER: AMEEN, ROMANY

CONTRACTOR:

APPLICANT:**PURPOSE:**

CONSTRUCT ATTACHED GARAGE TO EXISTING SINGLE FAMILY RESIDENCE

PER 17.12.020 (A) REQUIRE 20' MINIMUM REAR SETBACK

REQUEST 11' REAR SETBACK (9' INTO REQUIRED SETBACK AREA)

PER 17.12.020 (A) REQUIRE 5' MINIMUM SIDE SETBACK

REQUEST 3.88' REAR SETBACK (1.12' INTO REQUIRED SETBACK AREA)

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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 600 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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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

Romany Ameen
APPELLANT

5/21/19
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.

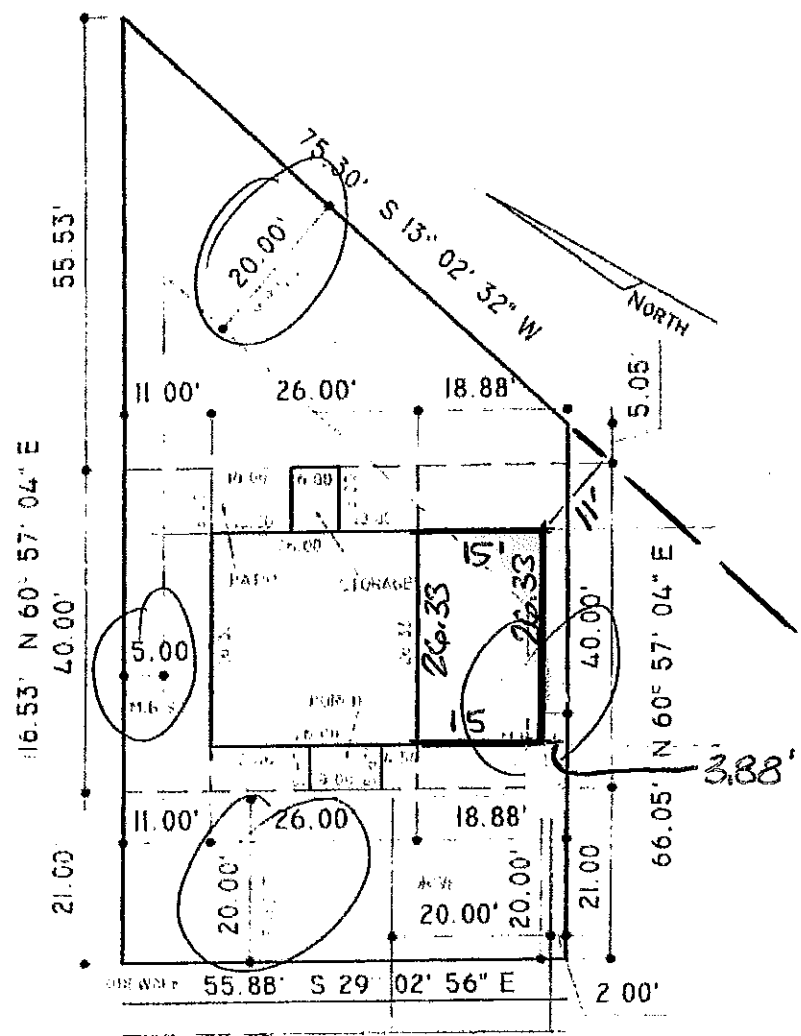
In Simple terms, for the Board to gran you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements, 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.

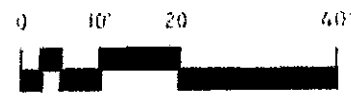
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

REAR PARCEL LINE OF IRREGULAR SHAPED LOT
DOES NOT ALLOW FOR ATTACHED GARAGE



APPLE ORCHARD TRAIL

1.12' 3.88' 1/8



SCALE: 1" = 20'

PLOT PLAN

DESIGN SERVICES CO
615 B33 7818

150-14-C-20-CU
CRAIGHEAD DEVELOPMENT

35.17.2010

FAWN CROSSING, SECTION I
 LOT 273, APPLE ORCHARD TRAIL - 5101.17 SQ. FT. / 0.12 ACRES
 NASHVILLE, DAVIDSON COUNTY, TENNESSEE

PLAN 1422 - THE BRADFORD

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Sennett Commercial LLC
Property Owner: Sennett Commercial LLC
Representative: Kenny Bundy CTC, Inc

Date: 5/21/19
Case #: 2019-307
Map & Parcel: 07202018100

Council District 08

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

Purpose: COMMERCIAL REHAB
"WHITE BOX ONLY"

Activity Type: COMMERCIAL REHAB
Location: 3611 GALLATIN PIKE NASHVILLE, TN

This property is in the MUL-A 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: REQUEST NOT TO INSTALL SIDEWALKS OR CONTRIBUTE TO FUND

Section(s): 17.20.120

Based on powers and jurisdiction of the Board of Zoning Appeals as set out in Section 17.40.180 Subsection B 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 (Please Print)

Kenny Bundy
Representative Name (Please Print)

Address

101 Space Park South Drive
Address

City, State, Zip Code

Nashville TN. 37211
City, State, Zip Code

Phone Number

615-310-0581
Phone Number

Email

Kenny@cictn.com
Email

Zoning Examiner: TC

Appeal Fee: \$200

no site plan submitted



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



3672404

**ZONING BOARD APPEAL / CAAZ - 20190029824
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07202018100

APPLICATION DATE: 05/21/2019

SITE ADDRESS:

3611 GALLATIN PIKE NASHVILLE, TN 37216
LOT 1 KELLEY PROPERTIES, LLC PROPERTY

PARCEL OWNER: SENNETT COMMERCIAL, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

COMMERCIAL REHAB/WHITE BOX
(MUL-A AND UDO OVERLAY)

REQUIRED: PER 17.20.120 SIDEWALKS REQUIRED

REQUEST: NOT TO INSTALL SIDEWALKS OR CONTRIBUTE

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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 600 feet pf 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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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

Sennett Commercial LLC
APPELLANT

6/21/19
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.

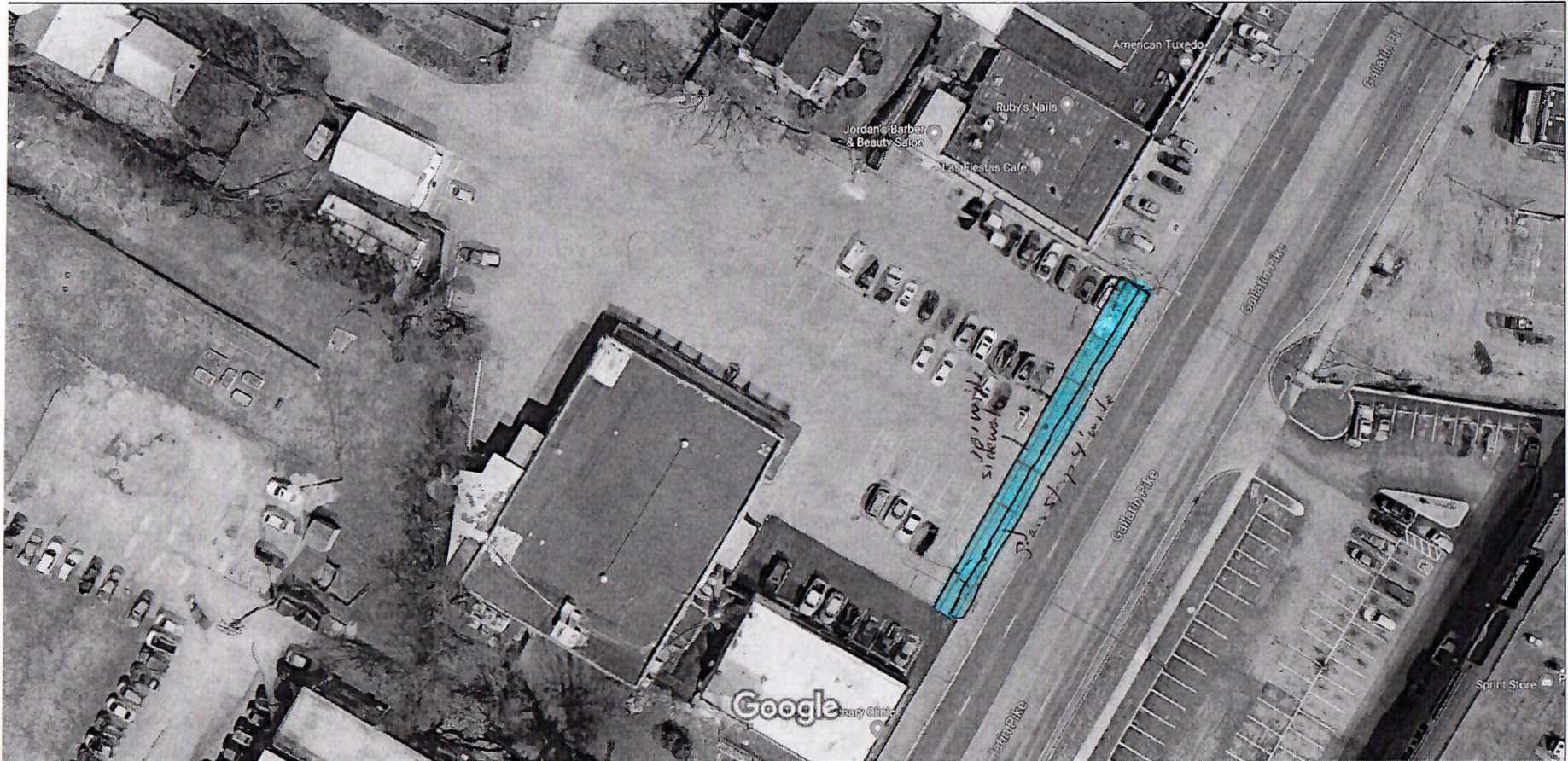
At the public hearing, please be prepared to tell the Board what your hardship is, why you cannot build in accordance with zoning without requesting a variance and why you feel you have legitimate hardship.

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?

4' grass Strip + 10' sidewalk Requirement will encroach on existing Neighbors parking area and building that sets approximately 8' off the existing curb.

Google Maps 3611 Gallatin Pike



Imagery ©2019 Google, Map data ©2019 Google 20 ft

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-307 (3611 Gallatin Pike)

Metro Standard:	4' grass strip, 10' sidewalk as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks
Zoning:	MUL-A
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor)
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#26 – Gallatin Pike; #56 – Gallatin Pike BRT, planned for future light rail per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to conduct interior renovations to an existing commercial building and requests a variance from constructing sidewalks along Gallatin Pike due to impacts on adjacent properties. Planning evaluated the following factors for the variance request:

- (1) A 7' sidewalk currently exists along the property frontage, which is consistent with properties to the north.
- (2) Given the scope of the renovations and reuse of the existing building, dedication of right-of-way along the frontage of Gallatin Pike adjacent to the off-street parking lot is an acceptable alternative until future redevelopment.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall dedicate right-of-way per the Major and Collector Street Plan along the Gallatin Pike frontage where not precluded by the existing building footprint.
2. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
3. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

ZONING APPEAL: NOTICE TO NEIGHBORING OWNERS

OFFICE ADDRESS
METRO OFFICE BUILDING - 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS
POST OFFICE BOX 196350
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

RE: Appeal Case Number: 2019-307
 3611 GALLATIN PIKE
 Map Parcel: 07202018100
 Zoning Classification: MUL-A
 Council District: 8

This is to inform you that Sennett Commercial filed an appeal for the property at the above referenced location. The appellant requested a variance from sidewalk requirements. Should this request be approved, it would allow the applicant to rehab a commercial space without building sidewalks or paying into the sidewalk fund.

I strongly DISAPPROVE!

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

You are hereby notified that the Board of Zoning Appeals will conduct public hearings on THURSDAY 8/1/2019, 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 Noon the Monday before the meeting date.

Becky Dean

This letter is being sent to you because you are the owner of property located within 600' 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 # 20190029824 or search by the address.

METROPOLITAN BOARD OF ZONING APPEALS

June 11, 2019

*1115 McChesney Ave
Nashville 37216*

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Jason Hitchcock
Property Owner: Eleven Willow LLC
Representative: Kirk Slawek

Date: 5/22/19
Case #: 2019-308
Map & Parcel: _____

Council District 19

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

Purpose: RENOVATIONS TO EXISTING COMMERCIAL BUILDING + SITE IN PREPARATION FOR FUTURE TENANTS (2019029194)

Activity Type: Comm. REHAB

Location: 11 WILLOW ST

This property is in the IR 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: SIDEWALK VARIANCE

Section(s): 17.20.120

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.

Jason Hitchcock
Appellant Name (Please Print)

Kirk Slawek
Representative Name (Please Print)

904 Main st, suite A1
Address

11 willow street
Address

Nashville, TN 37206
City, State, Zip Code

Nashville, TN 37210
City, State, Zip Code

615-320-5000
Phone Number

~~630-927-2402~~ 630-927-2402
Phone Number

Jason@powellarchitects.com
Email

kirk@gearseven.tv
Email

Zoning Examiner: LB

Appeal Fee: \$200

no site plan submitted

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 600 feet pf 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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

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


APPELLANT

5/22/19
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 gran 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?

Due to existing topography and existing building, we are only able to do the side walk on ~~with~~ Fairfield not without without losing parking spaces



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



ZONING BOARD APPEAL / CAAZ - 20190029947
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 09312002600

APPLICATION DATE: 05/22/2019

SITE ADDRESS:

11 WILLOW ST NASHVILLE, TN 37210
LOTS 61 62 63 64 PAGEOT PLAN FAIRFIELD

PARCEL OWNER: ELEVEN WILLOW, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

17.20.120 Sidewalk Variance.

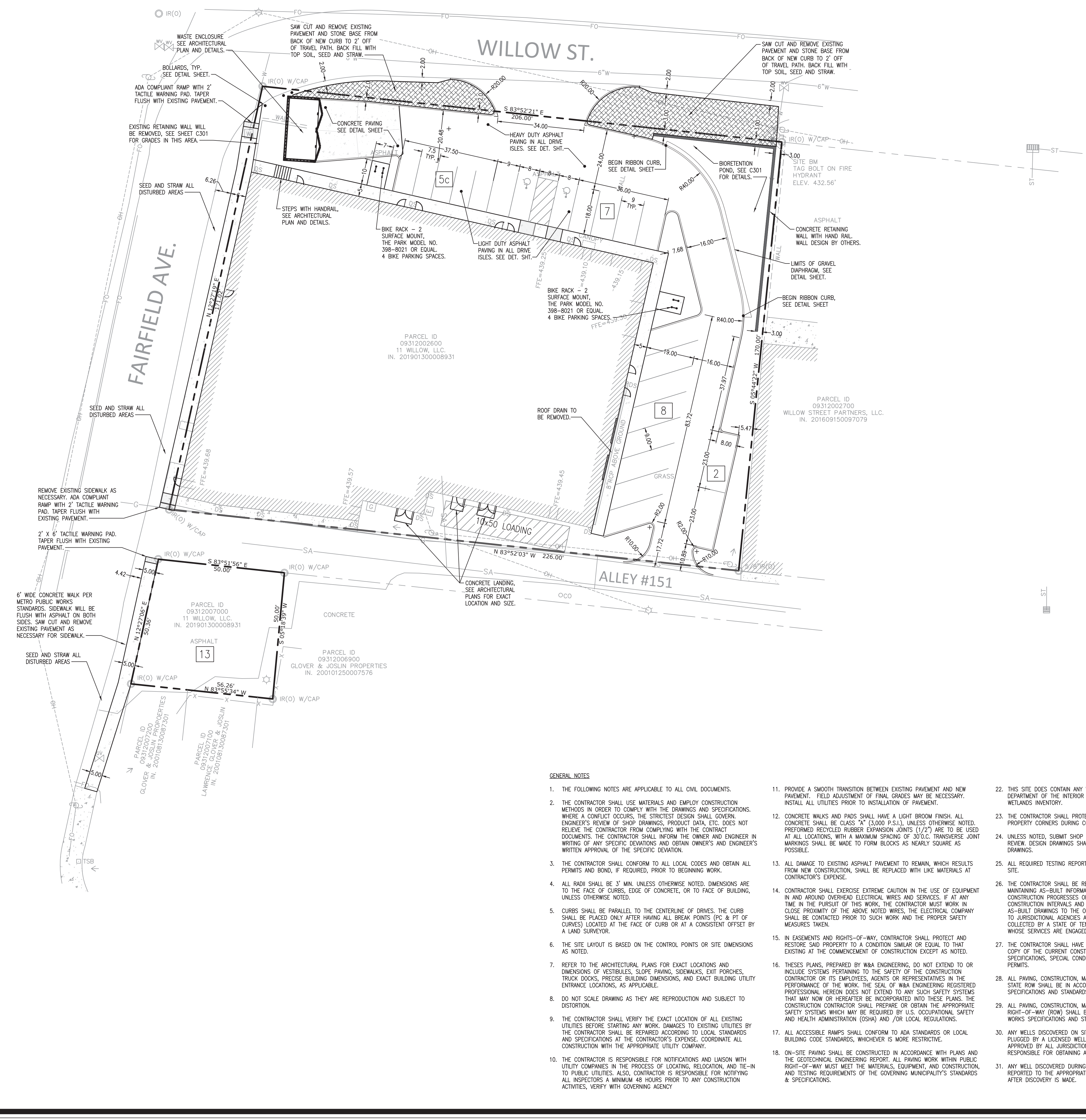
Requesting to build along Fairfax Avenue and not along Willow Avenue. Property is a corner lot.

Rehab Permit 2019029194

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.



- GENERAL NOTES**
- THE FOLLOWING NOTES ARE APPLICABLE TO ALL CIVIL DOCUMENTS.
 - THE CONTRACTOR SHALL USE MATERIALS AND EMPLOY CONSTRUCTION METHODS IN ORDER TO COMPLY WITH THE DRAWINGS AND SPECIFICATIONS. WHERE A CONFLICT OCCURS, THE STRICTEST DESIGN SHALL GOVERN. ENGINEER'S REVIEW OF SHOP DRAWINGS, PRODUCT DATA, ETC. DOES NOT RELIEVE THE CONTRACTOR FROM COMPLYING WITH THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL INFORM THE OWNER AND ENGINEER IN WRITING OF ANY SPECIFIC DEVIATIONS AND OBTAIN OWNER'S AND ENGINEER'S WRITTEN APPROVAL OF THE SPECIFIC DEVIATION.
 - THE CONTRACTOR SHALL CONFORM TO ALL LOCAL CODES AND OBTAIN ALL PERMITS AND BOND, IF REQUIRED, PRIOR TO BEGINNING WORK.
 - ALL RADI SHALL BE 3" MIN. UNLESS OTHERWISE NOTED. DIMENSIONS ARE TO THE FACE OF CURBS, EDGE OF CONCRETE, OR TO FACE OF BUILDING, UNLESS OTHERWISE NOTED.
 - CURBS SHALL BE PARALLEL TO THE CENTERLINE OF DRIVES. THE CURB SHALL BE PLACED ONLY AFTER HAVING ALL BREAK POINTS (PC & PT OF CURVES) LOCATED AT THE FACE OF CURB OR AT A CONSISTENT OFFSET BY A LAND SURVEYOR.
 - THE SITE LAYOUT IS BASED ON THE CONTROL POINTS OR SITE DIMENSIONS AS NOTED.
 - REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF VESTIBULES, SLOPE PAVING, SIDEWALKS, EXIT PORCHES, TRUCK DOORS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE LOCATIONS, AS APPLICABLE.
 - DO NOT SCALE DRAWING AS THEY ARE REPRODUCTION AND SUBJECT TO DISTORTION.
 - THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE STARTING ANY WORK. DAMAGES TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE REPAIRED ACCORDING TO LOCAL STANDARDS AND SPECIFICATIONS AT THE CONTRACTOR'S EXPENSE. COORDINATE ALL CONSTRUCTION WITH THE APPROPRIATE UTILITY COMPANY.
 - THE CONTRACTOR IS RESPONSIBLE FOR NOTIFICATIONS AND LIAISON WITH UTILITY COMPANIES IN THE PROCESS OF LOCATING, RELOCATION, AND TIE-IN TO PUBLIC UTILITIES. ALSO, CONTRACTOR IS RESPONSIBLE FOR NOTIFYING ALL INSPECTORS A MINIMUM 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES. VERIFY WITH GOVERNING AGENCY.
 - PROVIDE A SMOOTH TRANSITION BETWEEN EXISTING PAVEMENT AND NEW PAVEMENT. FIELD ADJUSTMENT OF FINAL GRADES MAY BE NECESSARY. INSTALL ALL UTILITIES PRIOR TO INSTALLATION OF PAVEMENT.
 - CONCRETE WALKS AND PADS SHALL HAVE A LIGHT BROOM FINISH. ALL CONCRETE SHALL BE CLASS #4 (3,000 P.S.I.), UNLESS OTHERWISE NOTED. PREFORMED RECYCLED RUBBER EXPANSION JOINTS (1/2") ARE TO BE USED AT ALL LOCATIONS, WITH A MAXIMUM SPACING OF 30' O.C. TRANSVERSE JOINT MARKINGS SHALL BE MADE TO FORM BLOCKS AS NEARLY SQUARE AS POSSIBLE.
 - ALL DAMAGE TO EXISTING ASPHALT PAVEMENT TO REMAIN, WHICH RESULTS FROM NEW CONSTRUCTION, SHALL BE REPLACED WITH LIKE MATERIALS AT CONTRACTOR'S EXPENSE.
 - CONTRACTOR SHALL EXERCISE EXTREME CAUTION IN THE USE OF EQUIPMENT IN AND AROUND OVERHEAD ELECTRICAL WIRES AND SERVICES. IF AT ANY TIME IN THE PURSUIT OF THIS WORK, THE CONTRACTOR MUST WORK IN CLOSE PROXIMITY OF THE ABOVE NOTED WIRES, THE ELECTRICAL COMPANY SHALL BE CONTACTED PRIOR TO SUCH WORK AND THE PROPER SAFETY MEASURES TAKEN.
 - IN EASEMENTS AND RIGHTS-OF-WAY, CONTRACTOR SHALL PROTECT AND RESTORE SAID PROPERTY TO A CONDITION SIMILAR OR EQUAL TO THAT EXISTING AT THE COMMENCEMENT OF CONSTRUCTION EXCEPT AS NOTED.
 - THESE PLANS, PREPARED BY W&A ENGINEERING, DO NOT EXTEND TO OR INCLUDE SYSTEMS PERTAINING TO THE SAFETY OF THE CONSTRUCTION CONTRACTOR OR ITS EMPLOYEES, AGENTS OR REPRESENTATIVES IN THE PERFORMANCE OF THE WORK. THE SEAL OF W&A ENGINEERING REGISTERED PROFESSIONAL HEREON DOES NOT EXTEND TO ANY SUCH SAFETY SYSTEMS THAT MAY NOW OR HEREAFTER BE INCORPORATED INTO THESE PLANS. THE CONSTRUCTION CONTRACTOR SHALL PREPARE OR OBTAIN THE APPROPRIATE SAFETY SYSTEMS WHICH MAY BE REQUIRED BY U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) AND /OR LOCAL REGULATIONS.
 - ALL ACCESSIBLE RAMPS SHALL CONFORM TO ADA STANDARDS OR LOCAL BUILDING CODE STANDARDS, WHICHEVER IS MORE RESTRICTIVE.
 - ON-SITE PAVING SHALL BE CONSTRUCTED IN ACCORDANCE WITH PLANS AND THE GEOTECHNICAL ENGINEERING REPORT. ALL PAVING WORK WITHIN PUBLIC RIGHT-OF-WAY MUST MEET THE MATERIALS, EQUIPMENT, AND CONSTRUCTION, AND TESTING REQUIREMENTS OF THE GOVERNING MUNICIPALITY'S STANDARDS & SPECIFICATIONS.
 - THIS SITE DOES NOT CONTAIN ANY WETLANDS AS SHOWN ON THE U.S. DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE, NATIONAL WETLANDS INVENTORY.
 - THE CONTRACTOR SHALL PROTECT ALL MONUMENTS, IRON PINS, AND PROPERTY CORNERS DURING CONSTRUCTION.
 - UNLESS NOTED, SUBMIT SHOP DRAWINGS OF ALL FABRICATED MATERIALS FOR REVIEW. DESIGN DRAWINGS SHALL NOT BE REPRODUCED FOR USE AS SHOP DRAWINGS.
 - ALL REQUIRED TESTING REPORTS SHALL BE MADE AVAILABLE AT THE JOB SITE.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR DOCUMENTING AND MAINTAINING AS-BUILT INFORMATION WHICH SHALL BE RECORDED AS CONSTRUCTION PROGRESSES OR AT THE COMPLETION OF APPROPRIATE CONSTRUCTION INTERVALS AND SHALL BE RESPONSIBLE FOR PROVIDING AS-BUILT DRAWINGS TO THE OWNER FOR THE PURPOSE OF CERTIFICATION TO JURISDICTIONAL AGENCIES AS REQUIRED. ALL AS-BUILT DATA SHALL BE COLLECTED BY A STATE OF TENNESSEE PROFESSIONAL LAND SURVEYOR WHOSE SERVICES ARE ENGAGED AND PAID FOR BY THE CONTRACTOR.
 - THE CONTRACTOR SHALL HAVE AVAILABLE AT THE JOB SITE AT ALL TIMES ON COPY OF THE CURRENT CONSTRUCTION DOCUMENTS INCLUDING PLANS, SPECIFICATIONS, SPECIAL CONDITIONS AND COPIES OF ANY REQUIRED PERMITS.
 - ALL PAVING, CONSTRUCTION, MATERIALS AND WORKMANSHIP WITHIN THE STATE ROW SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF TDOT'S SPECIFICATIONS AND STANDARDS.
 - ALL PAVING, CONSTRUCTION, MATERIALS, AND WORKMANSHIP WITHIN THE RIGHT-OF-WAY (ROW) SHALL BE IN ACCORDANCE WITH METRO PUBLIC WORKS SPECIFICATIONS AND STANDARDS (LATEST EDITION).
 - ANY WELLS DISCOVERED ON SITE THAT WILL HAVE NO USE MUST BE PLUGGED BY A LICENSED WELL DRILLING CONTRACTOR IN A MANNER APPROVED BY ALL JURISDICTIONAL AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ANY WELL ABANDONMENT PERMITS REQUIRED.
 - ANY WELL DISCOVERED DURING EARTH MOVING OR EXCAVATION SHALL BE REPORTED TO THE APPROPRIATE JURISDICTIONAL AGENCIES WITHIN 24 HOURS AFTER DISCOVERY IS MADE.

PROJECT DATA

PROPERTY OWNER:
EILEEN WILLOW LLC
11 WILLOW ST.
NASHVILLE, TN
KIRK SLAWEK
615-864-0850

DEVELOPER:
EILEEN WILLOW LLC
11 WILLOW ST.
NASHVILLE, TN
KIRK SLAWEK
615-864-0850

AUTHORIZED AGENT:
W&A ENGINEERING
901 WOODLAND STREET
NASHVILLE, TN 37206
CLINT CAMP
CCAMP@WAENGINEERING.COM
615.610.1023

PHYSICAL ADDRESS: 11 WILLOW STREET

TAX PARCEL: 09312002600

TOTAL PROJECT ACREAGE: 0.84 ACRES (36,717 SF.)

OFF SITE PROPERTY: 0.064 ACRES UNDISTURBED.

CONTOUR INTERVAL: 1 FOOT

BOUNDARY SURVEY: THIS DRAWING WAS PREPARED USING A STIVERS LAND SURVEYING SURVEY FOR POWELL ARCHITECTURE + BUILDING STUDIO, DATED 4/23/2019.

EXISTING ZONING: IR - INDUSTRIAL RESTRICTIVE, OV-UZO OVERLAY.

PROPOSED ZONING: IR - INDUSTRIAL RESTRICTIVE, OV-UZO OVERLAY.

EXISTING USE: WAREHOUSE/DISTRIBUTION

EXISTING BUILDING SF: 21,320 +/- (19,188 FOOT PRINT)

EXISTING PARKING: N/A

PROPOSED USE: OFFICE

PROPOSED BUILDING SF: 21,320 +/- (19,188 FOOT PRINT)

REQUIRED PARKING: 1 SPACE PER 300 S.F. WITH UZO OVERLAY FIRST 2000 S.F. AREA EXEMPT; 1 SPACE PER 500 S.F. FOR FLOOR SPACE IN EXCESS OF 2000 S.F. NONRESIDENTIAL USE LOCATED WITHIN 660' OF PUBLIC TRANSIT IS ALLOWED A 10% REDUCTION IN PARKING REQUIREMENTS. OR:
21,320-2000/500=(38.6) 39 SPACES -(10% 4)= 35 SPACES REQUIRED.
30% (10) OF THE TOTAL REQUIRED CAN BE COMPACT SPACES, 7.6'x15'.

OFF SITE PARKING: 13 TOTAL SPACES, PERMIT NO. 197717402

PROPOSED PARKING: 35 TOTAL, INCLUDING 13 OFF SITE, 5 COMPACT AND 2 ADA SPACES.

REQUIRED BICYCLE PARKING: GENERAL OFFICE - 2 PUBLICLY AVAILABLE SPACES PER ESTABLISHMENT OR 1 SPACE PER 15,000 SQUARE FEET, WHICHEVER IS GREATER. BASED ON 21,320 /15,000 = 1.42 OR 2 BICYCLE PARKING SPACES. BASED ON 4 ESTABLISHMENTS = 8 BICYCLE PARKING SPACES.

PROVIDED BICYCLE PARKING: 8 SPACES.

REQUIRED LOADING SPACE: 10K-25K SF = 1 10x50 LOADING SPACE

PROVIDED LOADING SPACE: PROVIDED: 1 - 10x50

FLOOD PLAN: NO PORTION OF THIS PROPERTY LIES WITHIN THE FLOOD PLAN ACCORDING TO FIRM COMMUNITY PANEL NUMBER 47037C0244H DATED 4/5/2017.

THERE ARE NO STATE WATERS ONSITE, NOR WITHIN 200' OF THE SITE.

THERE ARE NO WETLANDS DELINEATED ON SITE.

WATER SUPPLY: METRO WATER SERVICES

SEWAGE DISPOSAL: METRO WATER SERVICES

SOLID WASTE: BY PRIVATE CONTRACT

UTILITIES: POWER, GAS, WATER, SEWER, TELEPHONE, CABLE TV

SITE DRAINAGE: THE EXISTING BUILDING AND PARKING LOT DRAINS TO THE EAST ALONG WILLOW ST. AND THE ALLEY ALONG THE SOUTH SIDE OF THE SITE. NO WATER QUALITY OR QUANTITY IS CURRENTLY PROVIDED FOR THIS PROPERTY.



W&A Engineering

CIVIL ENGINEERING - LANDSCAPE ARCHITECTURE
SURVEYING - SOIL AND ENVIRONMENTAL CONSULTING
TRAFFIC ENGINEERING - ECONOMIC DEVELOPMENT

901 Woodland Street
Nashville, TN 37206
P: (615) 610-1023
waengineering.com

ALL DRAWINGS SHALL REMAIN THE PROPERTY OF W&A ENGINEERING. THESE INSTRUMENTS OF SERVICE ARE TO BE USED SOLELY FOR THIS SPECIFIC PROJECT. W&A ENGINEERING SHALL RETAIN ALL LEGAL RIGHTS TO THE USE OF THE INSTRUMENTS OF SERVICE AND SHALL RETAIN FULL PROFESSIONAL LIABILITY UNDER UNITED STATES COPYRIGHT LAW.

**11 WILLOW ST.
SHELL RENOVATION**
NASHVILLE, DAVIDSON COUNTY, TN
11 WILLOW STREET - 0.904 TOTAL ACRES

DATE: 5/15/2019

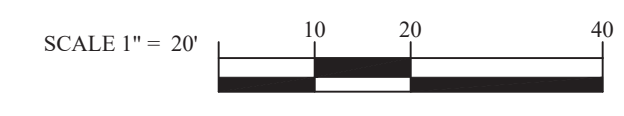
REVISIONS

DATE	COMMENT



CONSTRUCTION DOCUMENTS
W&A JOB NO. 19129

SITE PLAN
C201



PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-308 (11 Willow Street)

Metro Standard:	Willow Street – 4’ grass strip, 5’ sidewalk as defined by the Metro Local Street standard
	Fairfield Avenue – 4’ grass strip, 5’ sidewalk as defined by the Metro Local Street standard
Requested Variance:	Not construct sidewalks on Willow Street; construct sidewalks on Fairfield Avenue
Zoning:	IR
Community Plan Policy:	T4 MU (Urban Mixed Use Neighborhood)
MCSP Street Designation:	Local Street
Transit:	The property is located approximately 191’ north of seven transit routes given its location to serving downtown and WeGo’s Nestor facility.
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to conduct interior renovations to an existing 35,856 square foot distribution warehouse and requests a variance from constructing sidewalks along Willow Street. The applicant proposes to construct sidewalks along the Fairfield Avenue property frontage. Planning evaluated the following factors for the variance request:

- (1) No sidewalks currently exist along either property frontage with Fairfield Avenue and Willow Street. A 5’ wide sidewalk wraps around Hermitage Avenue onto Fairfield Avenue and ends.
- (2) The applicant cannot construct a sidewalk and grass strip along the Willow Avenue frontage to the Local Street standard without adversely impacting the existing warehouse functions and associated parking and loading zones. Due to the orientation of the existing loading docks and surface parking lots, right of way dedication is not possible. However, if more significant development more aligned with the land use policy occurs in the future, the need for sidewalks should be re-evaluated.

Given the factors above, staff recommends **approval with conditions:**

1. Construct a 4’ grass strip and 5’ sidewalk which meet the Local Street standard along the Fairfield Avenue property frontage.
2. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk along Willow Street to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

July 24, 2019

VIA EMAIL AND REGULAR MAIL

Mr. Bill Herbert
Board of Zoning Appeals
Metropolitan Office Building
800 Second Ave South
P.O. Box 196300
Nashville, TN 37219-6300
BZA@nashville.gov

Re: **Appeal Case No. 2019-308**
11 WILLOW ST.
Map Parcel: 09312002600
Zoning Classification: IR
Council District: 19


To Whom It May Concern:

I am writing on behalf of Eleven Willow, LLC as the owner of a neighboring property to 11 Willow Street, Nashville, TN 37210. (**“Property”**) This is in regards to the hearing that will be held on August 1, 2019.

I fully support the proposed renovations and improvements to the **“Property”** including the addition of sidewalk along Fairfield Avenue and the addition of some greenspace and breaking up the continuous stretch of asphalt along Willow Street. I feel the investment to be made and proposed improvements will positively impact the surrounding area.

Should you have any questions or concerns, please do not hesitate to contact me at 615-256-6200 or by email. I appreciate your consideration in this regard.

Sincerely,



Douglas Rice
45 Willow Street
Nashville, TN 37210

cc: Kirk Slawek, Eleven Willow LLC

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Dominic De Vuyt

Date: 5/22/19

Property Owner: PARO SOUTH

Case #: 2019-310

Representative: _____

Map & Parcel: 0821603200

Council District 6

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

Purpose: Renovation of existing building for restaurant use.

Activity Type: _____

Location: 626-A Main Street

This property is in the MdH-A Sp 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: Sidewalk Requirement Variance

Section(s): 17.20.120

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.

Dominic DeVuyt
Appellant Name (Please Print)

Dominic DeVuyt
Representative Name (Please Print)

54 W. Church St., Suite 250
Address

Same
Address

Orlando, FL 32801
City, State, Zip Code

Same
City, State, Zip Code

407-202-6970
Phone Number

Same
Phone Number

ddevuyt@earthlink.com
Email

Same.
Email

Zoning Examiner: _____

Appeal Fee: \$200

ddevuyt @ earthlink.com



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



3672831

**ZONING BOARD APPEAL / CAAZ - 20190030098
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 08216003200

APPLICATION DATE: 05/22/2019

SITE ADDRESS:

626 MAIN ST NASHVILLE, TN 37206
P/O LOTS 13 & 14 HENRY BLOODS ADDITION

PARCEL OWNER: PARO SOUTH, LLC

CONTRACTOR:

APPLICANT:

PURPOSE:

per permit application T2019025692, applicant request a variance from sidewalk requirements per METZO section 17.20.120.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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 a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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



 APPELLANT

5/22/19

 DATE

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this 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 owner 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 the effective date of this Zoning Code.

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

No injury to neighboring property - The granting of the variance 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.

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 the 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, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-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.B.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 the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

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

The Board can not grant a variance based solely on an inconvenience to the applicant nor 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 PROPERTY HAS SOME EXCEPTIONAL TOPOGRAPHIC
CONDITIONS AND AN EXISTING CMU WALL THAT ABUTS TO
MAIN STREET'S SIDEWALK.

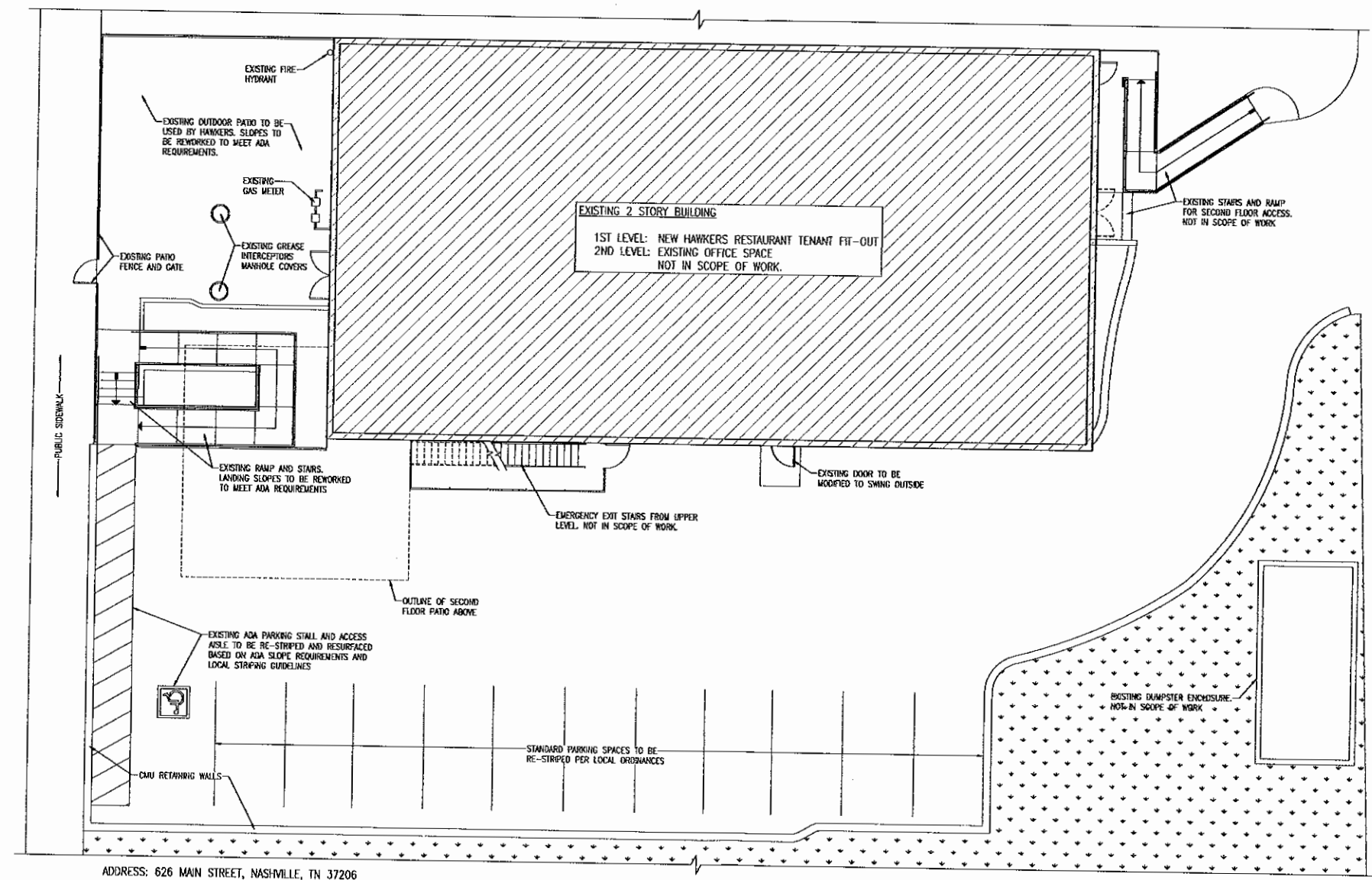
INTERPLAN

ARCHITECTURE
ENGINEERING
INTERIOR DESIGN
PROJECT MANAGEMENT

604 COURTLAND STREET
SUITE 100
ORLANDO, FLORIDA 32804
PH 407.646.5008
FX 407.629.9124

SEAL:

THIS DOCUMENT IS NOT
FOR REGULATORY
APPROVAL, PERMITTING,
OR CONSTRUCTION.



NO DATE REMARKS
REVISIONS

HAWKERS



HAWKERS

626 MAIN STREET
NASHVILLE, TENNESSEE 37206

PROJECT NO: 2018.1084
DATE: 02-15-19

A0.1
FLOOR PLAN

CHECKED: YW DRAWN: YW



ARCHITECTURAL SITE PLAN

NTS

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PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-310 (626A Main Street)

Metro Standard:	4' grass strip, 10' sidewalk as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks; not contribute in-lieu of construction (not eligible)
Zoning:	MUG-A
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor)
MCSP Street Designation:	T4-M-AB4-IM
Transit:	#26 – Gallatin Pike; #30 – McFerrin; #56 – Gallatin Pike BRT, planned for future light rail per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to conduct interior renovations to an existing commercial building for a new restaurant and requests a variance from constructing sidewalks along Main Street due to topography. Planning evaluated the following factors for the variance request:

- (1) An 8' sidewalk currently exists along the property frontage, which is consistent with properties to the north.
- (2) This portion of Main Street has utilities underground, except for light poles, and these obstructions are closely located within a tree well zone. Given the scope of the renovations and reuse of the existing building and adjacent off-street parking lot, there are no other improvements to propose for the site until future redevelopment.

Given the factors above, staff recommends **approval with conditions:**

1. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.
2. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk to current standards unless a new sidewalk variance is granted by the Board of Zoning Appeals.

From: [Withers, Brett \(Council Member\)](#)
To: [Board of Zoning Appeals \(Codes\)](#)
Cc: [Dom DeVuyst; christian@c615.co](#); [Lamb, Emily \(Codes\)](#); [Briggs, Michael \(Planning\)](#); [Lifsey, Debbie \(Codes\)](#); [Braisted, Sean \(Codes\)](#)
Subject: Letter in support of sidewalk case 2019-310 for property located at 626 Main Street
Date: Tuesday, July 30, 2019 12:01:04 PM

Members of the Board of Zoning Appeals:

I am writing to you in support of the staff recommendation for the sidewalk variance request for property located at 626 Main Street. This is an existing commercial building that was renovated a few years ago by Christian Paro to house the Family Wash and other businesses. It is exciting to have Hawkers take over the restaurant space that Family Wash vacated and bring new life back to that section of the Main Street corridor. As has been my custom, I am in support of a sidewalk variance for this adaptive reuse of an existing structure that requires the applicant to maintain the existing sidewalk in good condition but that does not require removing and reconstructing the sidewalk or contributing to the in-lieu fee. Those conditions are more appropriate for new-construction projects. We are fortunate that Main Street has fairly wide sidewalks here that are in good condition and I look forward to having this new business reactivate those sidewalks with customers arriving on foot. Thank you for your consideration of this request.

Brett A. Withers

Metro Council, District 6

Mobile (615) 427-5946 | [facebook.com/Brett A. Withers](https://www.facebook.com/Brett.A.Withers) | [twitter.com @brettawithers](https://twitter.com/brettawithers)

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant : Adam Ollendorff
Property Owner: " "
Representative: " "

Date: 5-30-19
Case #: 2019-313
Map & Parcel: 21-15-458

Council District 5

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

Purpose: Requesting setback variance to allow 1' side & 0' rear setback on existing structure to construct addition & convert to DADU

Activity Type: New Construction - addition

Location: 331 Richardson Ave

This property is in the SP 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: Existing structure does not meet minimum setbacks.

Section(s): 17.12.040(E)(b)

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.

Adam Ollendorff
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

331 Richardson Ave
Address

Address

Nashville TN 37207
City, State, Zip Code

City, State, Zip Code

615-957-0373
Phone Number

Phone Number

AOLLENDORFF@GMAIL.COM
Email

Email

Zoning Examiner: C.H.

Appeal Fee: \$100.00



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



3674942

**ZONING BOARD APPEAL / CAAZ - 20190031394
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07115045800

APPLICATION DATE: 05/30/2019

SITE ADDRESS:

331 RICHARDSON AVE NASHVILLE, TN 37207
PT LOTS 27 & 28 SHARPE & HORNS FIRST ADD

PARCEL OWNER: OLLENDORFF, ADAM H.

CONTRACTOR:

APPLICANT:**PURPOSE:**

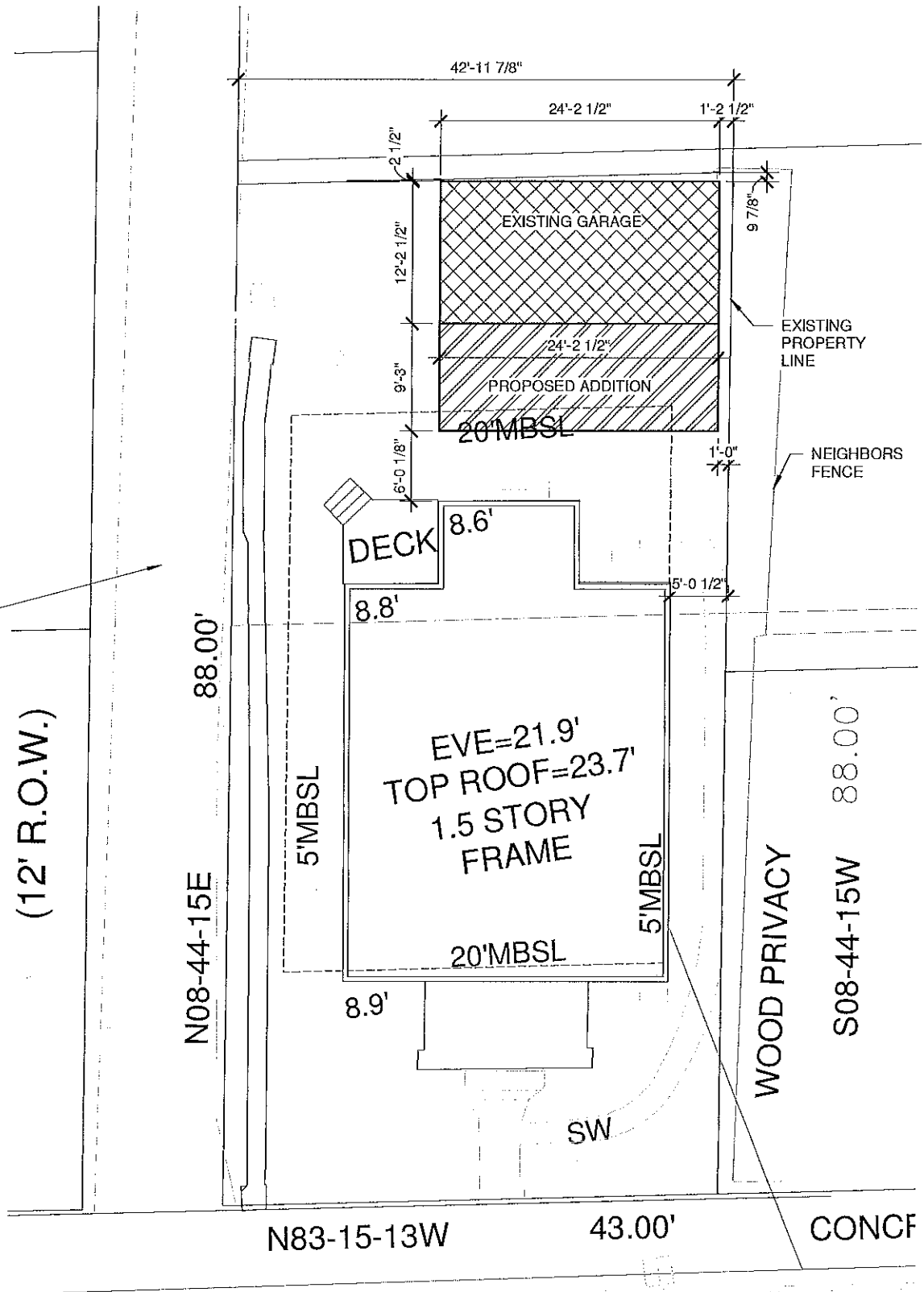
requesting setback variance to allow 1' side setback and 0' rear setback to construct addition to existing garage and convert to detached accessory dwelling unit.
3' min. rear setback and side setbacks.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

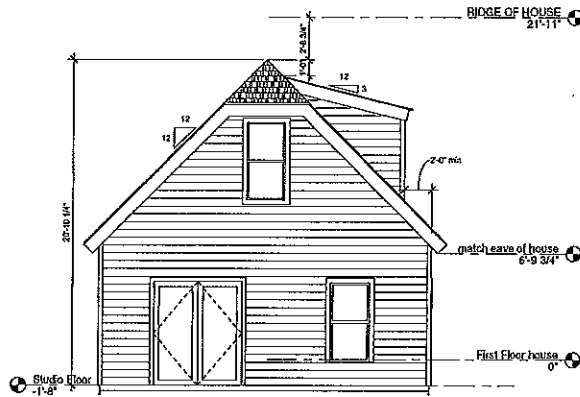
ALLEY#340
(12' R.O.W.)



PROPOSED ADDITION FOR 331 RICHARDSON, NAHSVILLE TN

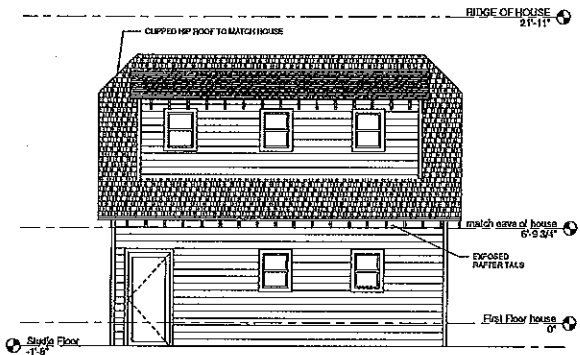
RICHARDSON AVENUE

225



LOWEST EAVE OF HOUSE = 8.6 FT

VIEW FROM ALLEY



LOWEST EAVE OF HOUSE = 8.6 FT

VIEW FROM HOUSE

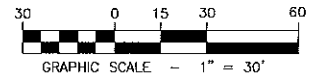
331 RICHARDSON AVENUE 37207

LEGEND

IRON PIN OLD	● IP(O)	EDGE OF PAVEMENT	-----
5/8" IRON PIN NEW & CAP	● IP(N)	MINIMUM BUILDING SETBACK	MBSL
WATER VALVE	⊗	FENCE	-X-X-
FIRE HYDRANT	⊕	PROPERTY/R.O.W. LINE	-----
WATER METER	⊙	EDGE OF CONC.	-----
MANHOLE	⊗	UNDERGROUND WATER	---W---
UTILITY POLE	⊙	SEWER LINE	---S---
LIGHT POLE	⊙	OVERHEAD WIRES	OH OH OH
	⊙	EASEMENT	-----

MAIN STRUCTURE FOOTPRINT=1164 SQ. FT.
 LOWEST EAVE HEIGHT=8.6'
 HIGHEST EAVE HEIGHT=21.9'
 TOP OF ROOF LINE=23.7'

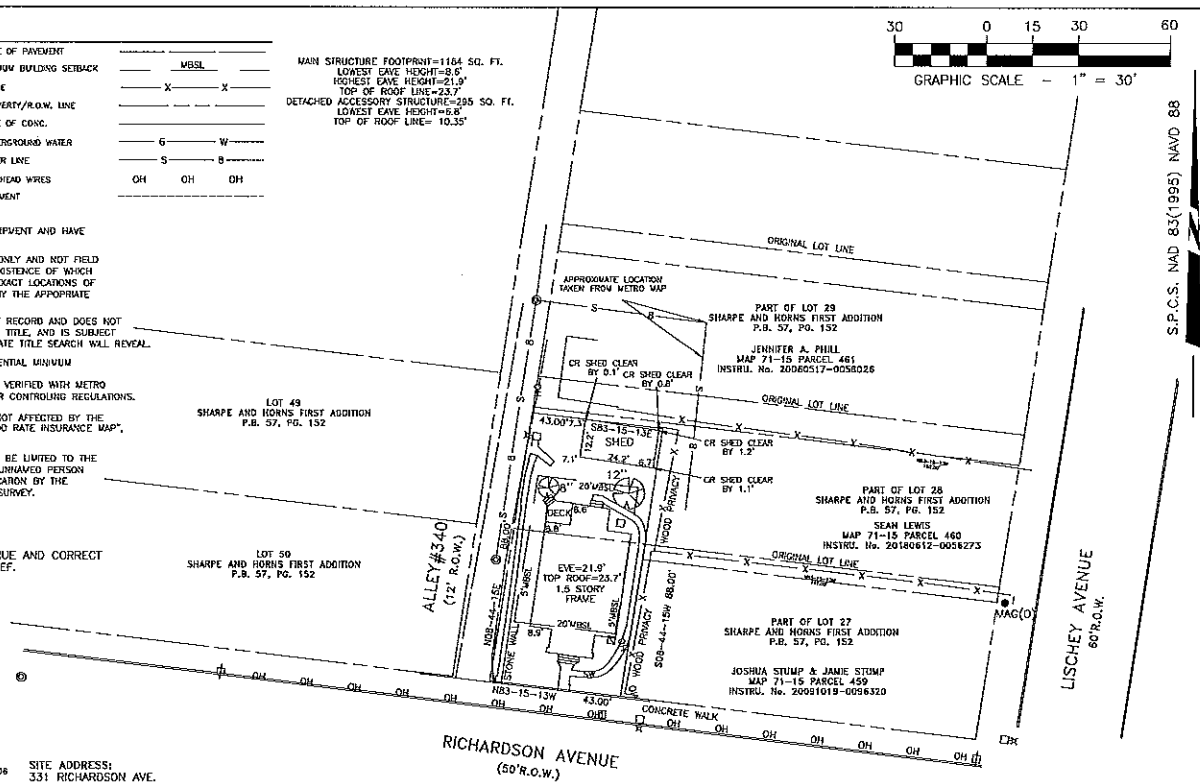
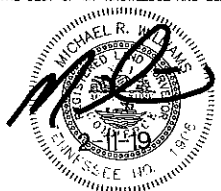
DETACHED ACCESSORY STRUCTURE=295 SQ. FT.
 LOWEST EAVE HEIGHT=8.6'
 TOP OF ROOF LINE= 10.35'



NOTES:

- 1) ALL DISTANCES WERE MEASURED WITH E.D.M. EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
- 2) UTILITIES HAVE SCALED FROM MAPS OF RECORD ONLY AND NOT FIELD LOCATED. THERE MAY BE OTHER UTILITIES, THE EXISTENCE OF WHICH ARE NOT KNOWN TO THIS SURVEYOR. SIZE AND EXACT LOCATIONS OF ALL UNDERGROUND UTILITIES MUST BE VERIFIED BY THE APPROPRIATE UTILITY COMPANY.
- 3) THIS SURVEY PREPARED FROM CURRENT DEED OF RECORD AND DOES NOT REPRESENT A TITLE SEARCH OR A GUARANTEE OF TITLE, AND IS SUBJECT TO ANY STATE OF FACTS A CURRENT AND ACCURATE TITLE SEARCH WILL REVEAL.
- 4) THE PROPERTY IS CURRENTLY ZONED "RS" RESIDENTIAL MINIMUM 5,000 SQ. FT. LOT. ALL ZONING AND SETBACK INFORMATION MUST BE VERIFIED WITH METRO CODES DEPT. 682-6500. THERE COULD BE OTHER CONTROLLING REGULATIONS.
- 5) THE PROPERTY IS LOCATED IN ZONE "X" AREAS NOT AFFECTED BY THE 100 YEAR FLOOD PLAN BASED ON FEMA "FLOOD RATE INSURANCE MAP", NO. 47037C0234H, DATED: APRIL 5, 2017.
- 6) SURVEYOR'S LIABILITY FOR THIS DOCUMENT SHALL BE LIMITED TO THE PARTIES NAMED AND DOES NOT EXTEND TO ANY UNNAMED PERSON OR ENTITIES WITHOUT AN EXPRESSED RE-CERTIFICATION BY THE SURVEYOR WHOSE SIGNATURE APPEARS ON THIS SURVEY.

I HEREBY CERTIFY THAT THIS SURVEY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.



PREPARED BY: MICHAEL R. WILLIAMS R.L.S., TN, # 1808
 SITE ADDRESS: 331 RICHARDSON AVE. NASHVILLE, TN 37207

HFR DESIGN

214 Centerville Drive Suite 300
 Brentwood, TN 37027
 615.370.8500
 hfrdesign.com



SITE INFO:
 ADAM H. OLLENDORFF
 MAP 71-15, PARCEL 458
 INSTR. No. 20150128-0008194
 PARTS OF LOTS 27 & 28
 SHARPE & HORNS FIRST ADDITION
 P.B. 57, PG. 152
 PREPARED FOR:
 ADAM OLLENDORFF
 615-957-0373
 AOLLENDORFF@QMAIL.COM

TOTAL AREA: 3781.66 SQ. FT. OR (0.09± ACRES)

PLOT PLAN FOR
 331 RICHARDSON AVE.
 P.B. 57 PG. 152
 5TH COUNCIL DISTRICT
 NASHVILLE-DAVIDSON COUNTY-TENNESSEE
 DATE: 2-11-19
 HFR PROJECT No. 2019010-00

G:\313\19191\Survey\331 RICHARDSON AVE.dwg, 2/15/2019 11:11:08 AM, Drawn by: ANS, Plot Sheet 8 (17.00 x 11.00 inches), 1/30

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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 a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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

Adam Ollendorff
Adam Ollendorff

5-30-19

APPELLANT

DATE

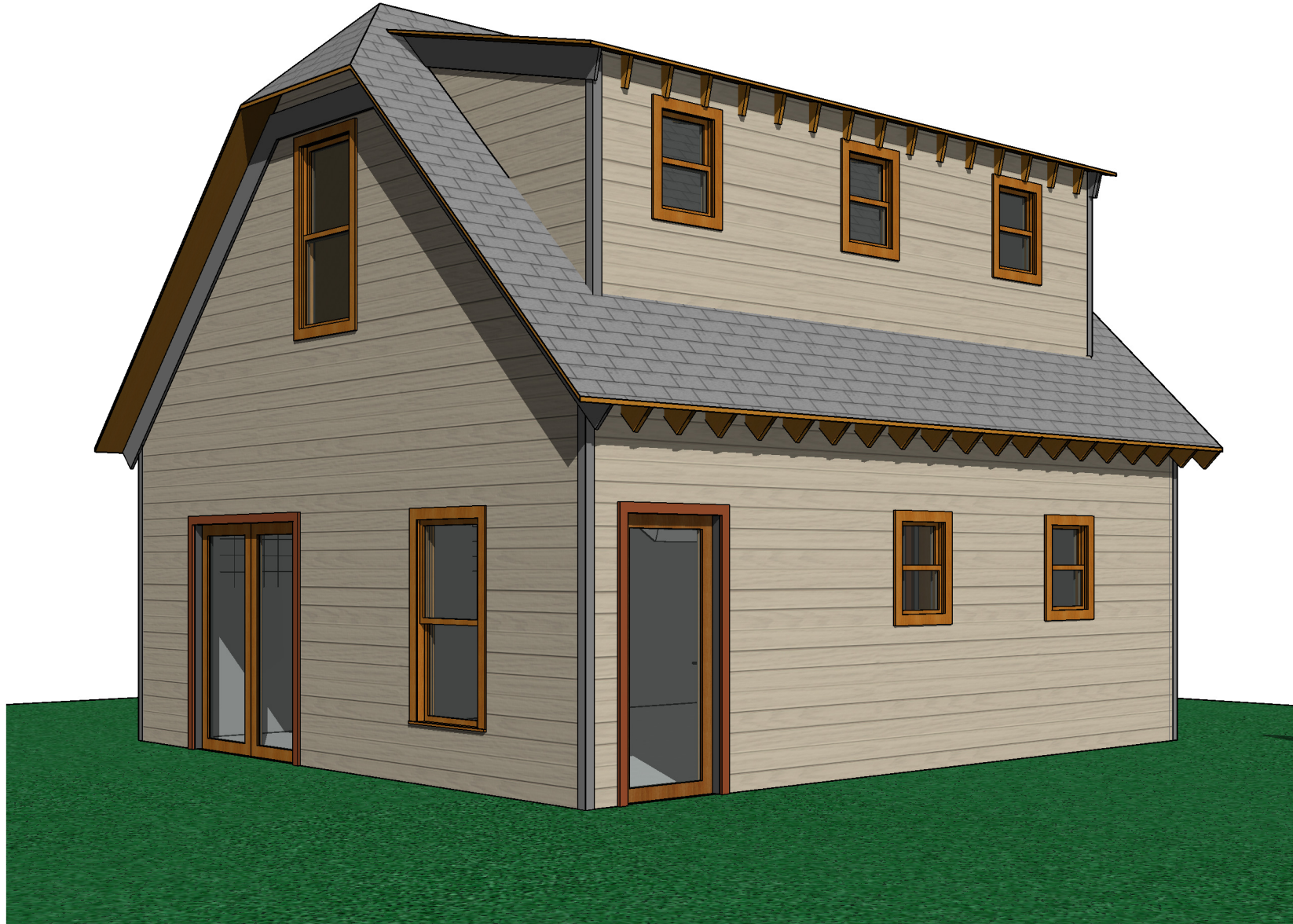
In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements,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

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

The Board can not grant a variance based solely on an inconvenience to the applicant nor 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.

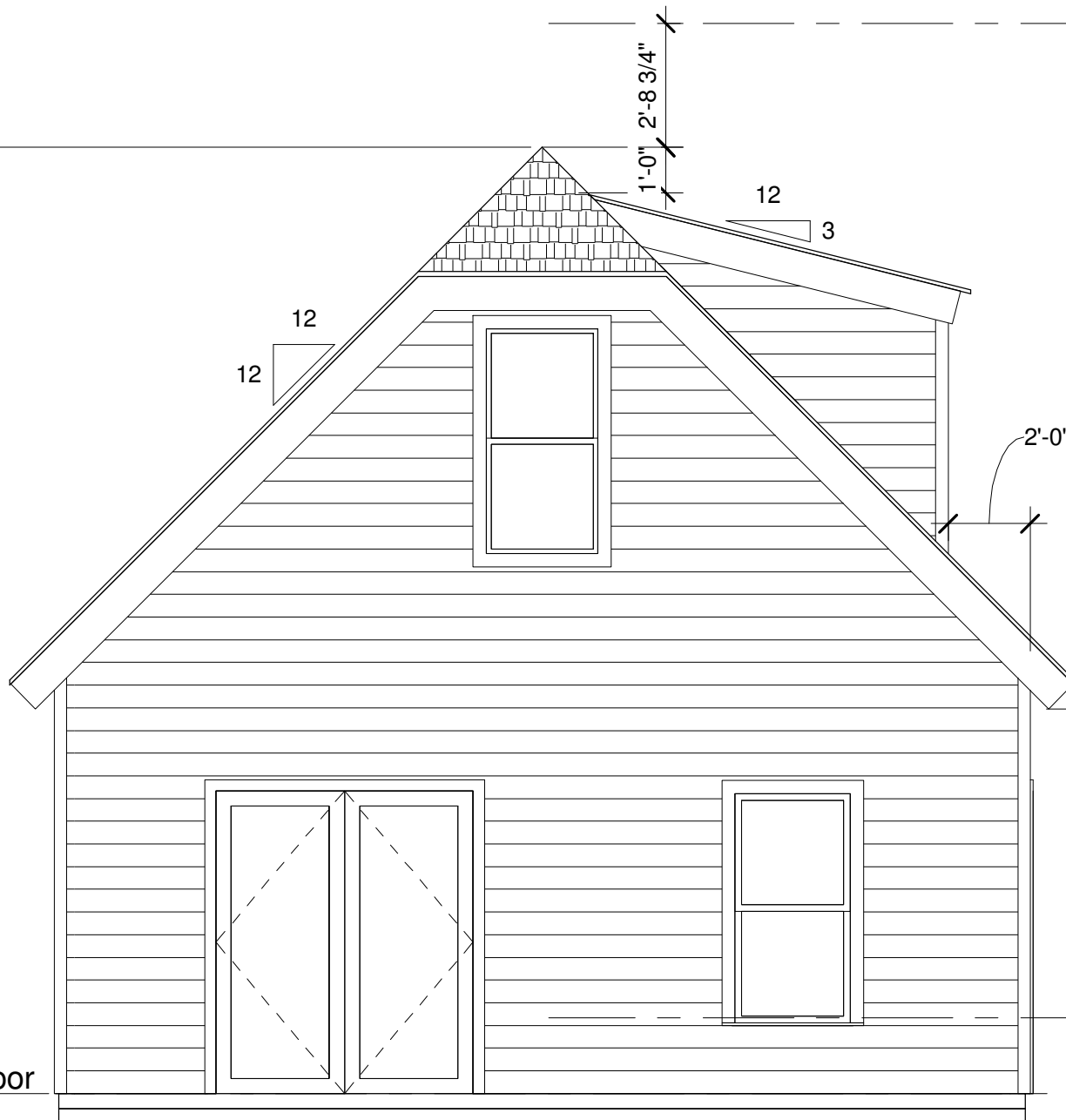
WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

Because of the narrowness and shallowness of the property, a garage had been built -- before I bought the property -- as little as 0.1 feet from the property line. I mean to PRESERVE the existing structure (rather than demolish it, to make way for a structure that sits within the 3.0 foot setbacks required for a DADO in the SP). I mean to finish the existing structure and add on to it. The existing structure would not further encroach on property lines. The west and south sides of the proposed addition would ~~not~~ exist well within the setbacks required by the SP (for a DADO). Only the east side of the proposed addition (totaling 9 ft. 3 in.) would further encroach on the property line, but only by 2.5 inches, as compared with the existing garage.



Studio Floor
-1'-8"

20'-10 1/4"



RIDGE OF HOUSE
21'-11"



match eave of house
6'-9 3/4"



First Floor house
0"

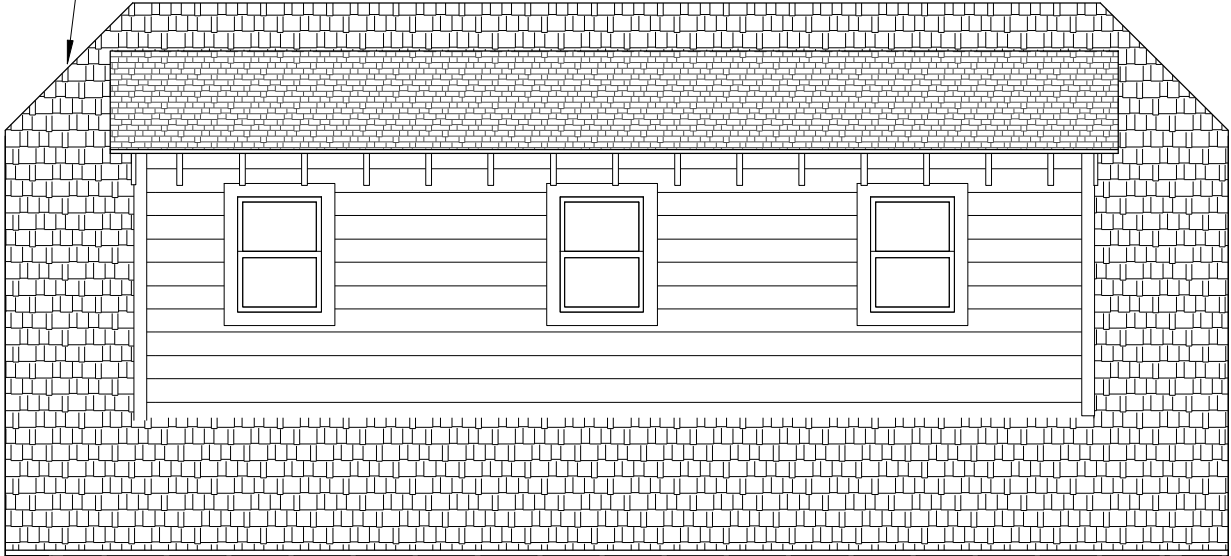


RIDGE OF HOUSE

21'-11"



CLIPPED HIP ROOF TO MATCH HOUSE



match eave of house

6'-9 3/4"



EXPOSED
RAFTER TAILS

First Floor house

0"



Studio Floor

-1'-8"



Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: Huffine First Service

Date: 5/30/19

Property Owner: _____

Case #: 2019-314

Representative: Huffine First Service

Map & Parcel: 14900025100

Council District 32

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

Purpose:

To: install Digital Message Board Sign on Area 15 Zoned Parcel

Activity Type: Signage

Location: 1201 Bell Rd

This property is in the R15/AE^{2A} 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:

Church
Sign Not Permitted

Section(s): 17.40.280 & 17.32.050 H2

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.

Floyd Buck / Huffine
Appellant Name (Please Print) First Service Representative Name (Please Print)

485 Old Nashville Hwy
Address _____ Address

LA Vergne, TN 37086
City, State, Zip Code _____ City, State, Zip Code

615-710-1959
Phone Number _____ Phone Number

FIRST SERVICE Sign and Lighting@gmail.com
Email _____ Email

BS
Zoning Examiner: _____ Appeal Fee: _____



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



3675011

ZONING BOARD APPEAL / CAAZ - 20190031443
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 14900025100

APPLICATION DATE: 05/30/2019

SITE ADDRESS:

601 BELL RD ANTIOCH, TN 37013
SW COR RICE RD & BELL RD

PARCEL OWNER: ST. IGNATIUS CATHOLIC CHURCH

CONTRACTOR:

APPLICANT:**PURPOSE:**

Special Exception per 17.40.280.

Requesting to install a Front Lit Cabinet Sign with Digital Message Center on property for ST IGNATIUS CHURCH.

Use as a Church is by Special Exception in RS Zoning, property is located on a parcel with RS and AR2A Zoning.

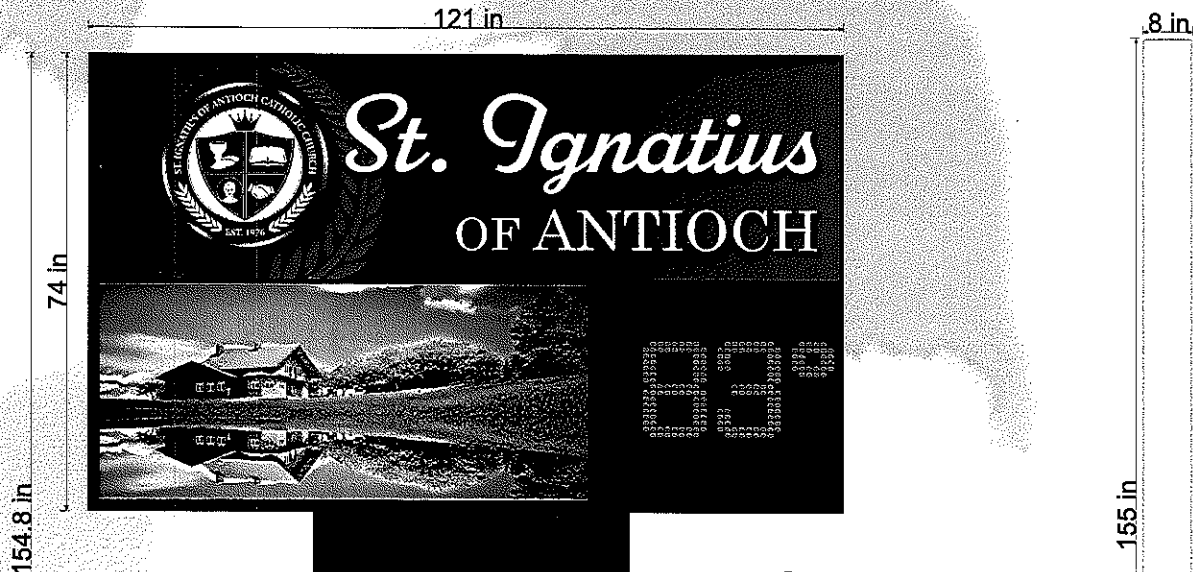
***Message Boards and Digital Display Signs are prohibited in AR2A and RS Zoning per 17.32.050 H2

*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.*

There are currently no required inspections

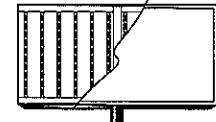
Inspection requirements may change due to changes during construction.

Front-Lit Sign Cabinet and 10mm Message Center CPM/ Mounted St. Ignatius - Antioch, TN



SPECIFICATIONS FOR FABRICATION AND INSTALLATION:

- Internally illuminated cabinet built to UL specifications
- Quantity: one (1)
- Extruded aluminum construction type: As drawing
- Overall length of sign cabinet: 120" / Overall height of sign cabinet: 72" actual size of top sign cabinet 36" x 120"
- Overall height above grade: 155"
- Total square feet: 60
- Cabinet depth: 15" +
- Retainer size: 1.5"
- Face type: Digital Print
- Mounting method: single pole
- Illuminated with LED's
- Primary electrical requirement: 120 volt Timer or photo-cell



A D.F. Illuminated Pole Sign - Cabinet Detail

A Illuminated Cabinet • Typical Section
Scale 1 1/2" = 1' For Production

COLOR SPECIFICATIONS:

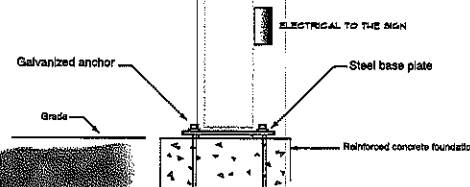
- Cabinet Color : Black
- Interior painted for increased illumination: N/A
- Face colors: Per Customers Logo
- Face graphics: Per Customers Logo

10mm Outdoor P10 SMD Full Color LED Screen
with Front Maintenance Cabinet
MeanWell Power Supply

Module Size 320*160mm Pixel Pitch 10mm
Thickness 20mm Lamp Chip Epistar
Brightness 6500cd/m2 IC FM6124
Resolution 32 x 16= 512 Dots Scan Mode 1/2 Scan
Pixel Density 10000 dots/m2 Power of Unit Board 40W
LED Package SMD 3535 Viewing Angle-H/V 120°±20°/120°±10°
Pixel Composition 1R1G1B Warranty of the Screen 2 years
Front Maintenance Cabinet

Letter Visibility Chart
This letter visibility chart is based upon information provided by the United States Sign Council (USSC)

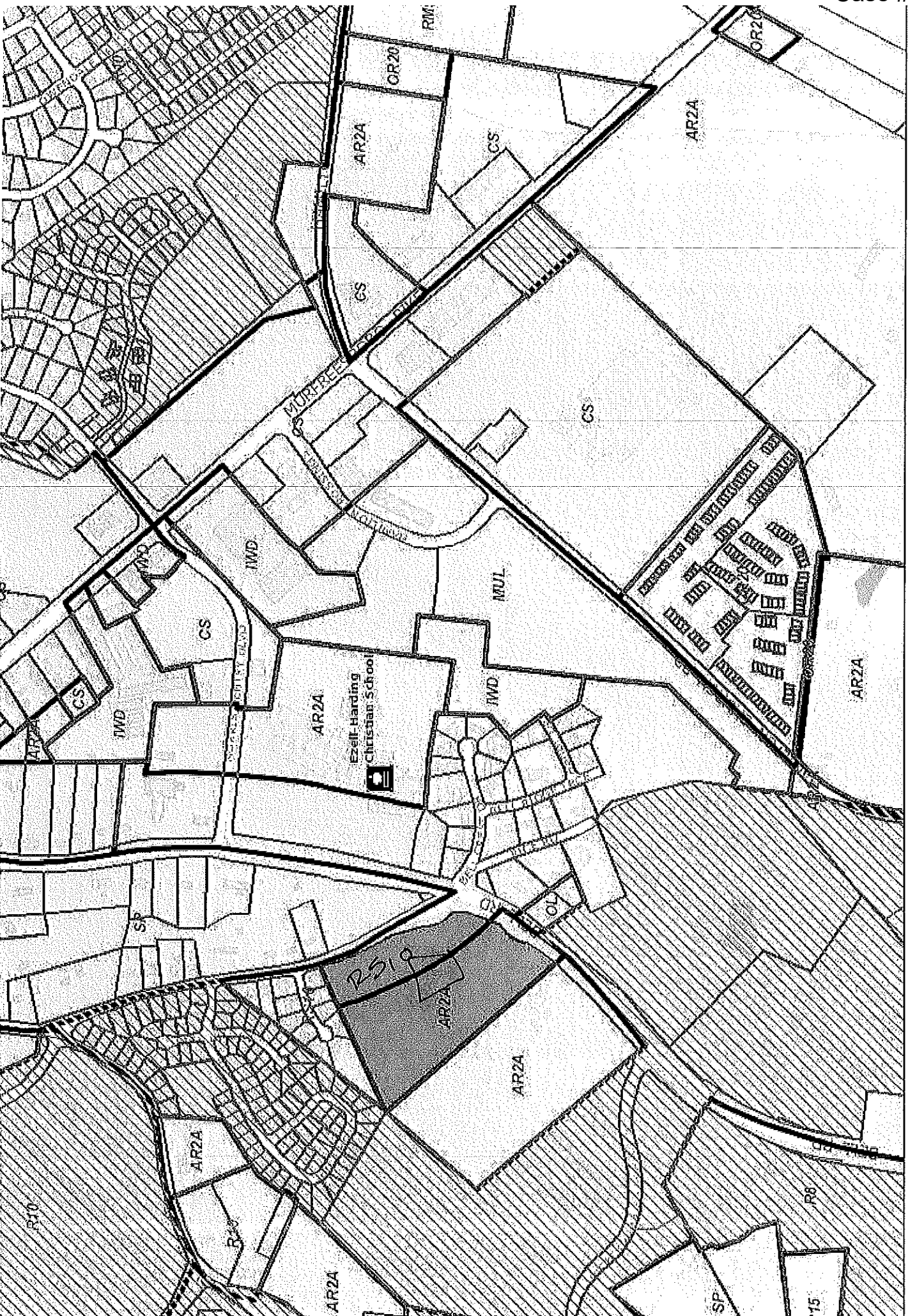
Viewing Distance	Minimum Required Letter Height (in inches)
100 ft.	4"
250 ft.	10"
360 ft. (city block)	16"
500 ft.	22"
750 ft.	32"
1000 ft.	43"
1320 ft. (1/4 mile)	57"



St Ignatius of Antioch
601 Bell Road, Antioch TN 37013

Start Date: TBD
Last Revision:
Job#: PI - 4301965
Drawing#: St. 1
Page:

Client Approval
Landlord Approval



1127 1007

ezell-Harding
Christian School

PS-10

R10

AR2A

R-3

AR2A

AR2A

AR2A

SP

'15

R6

AR2A

IWD

MUL

CS

CS

IWD

IWD

CS

AR2A

OR20

RM

AR2A

OR20



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



3675011

ZONING BOARD APPEAL / CAAZ - 20190031443
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification

PARCEL: 14900025100

APPLICATION DATE: 05/30/2019

SITE ADDRESS:

601 BELL RD ANTIOCH, TN 37013
SW COR RICE RD & BELL RD

PARCEL OWNER: ST. IGNATIUS CATHOLIC CHURCH

CONTRACTOR:

APPLICANT:

PURPOSE:

Special Exception per 17.40.280.

Requesting to install a Front Lit Cabinet Sign with Digital Message Center on property for ST IGNATIUS CHURCH.
Use as a Church is by Special Exception in RS Zoning, property is located on a parcel with RS and AR2A Zoning.

***Message Boards and Digital Display Signs are prohibited in AR2A and RS Zoning per 17.32.050 H2

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

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 600 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 neighborhood 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 noon, The Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEAL (615) 862-6510

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 neighborhood meeting.



APPELLANT

5-30-19

DATE

Metropolitan Board of Zoning Appeals

Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY



Appellant: AARON OCHOA

Date: 5-31-18

Property Owner: Lucile Building LLC

Case #: 2019- 316

Representative: AARON OCHOA

Map & Parcel: 71-15-485

Council District 5

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

Purpose: Requesting variance from sidewalk requirement

Activity Type: Commercial Renovation

Location: 1313 Dickerson Rd

This property is in the CS 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: Requesting variance from sidewalk requirement

Section(s): 17-12-120

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.

AARON OCHOA
Appellant Name (Please Print)

SAME
Representative Name (Please Print)

2200 21ST AVE S, STE 240
Address

SAME
Address

NASHVILLE, TN, 37212
City, State, Zip Code

SAME
City, State, Zip Code

615-516-7885
Phone Number

SAME
Phone Number

jo@ochoabros.com
Email justin@builderassistllc.com

SAME
Email

Zoning Examiner: CH

Appeal Fee: \$200.00

no site plan



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



3675610

**ZONING BOARD APPEAL / CAAZ - 20190031834
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07115048900

APPLICATION DATE: 05/31/2019

SITE ADDRESS:

1313 DICKERSON PIKE NASHVILLE, TN 37207
LOT 2 RE-SUB H. W. CHENOWETH'S WILDWOOD ADDITION

PARCEL OWNER: LUCILLE BUILDING, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

to request variance from sidewalk requirements

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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 a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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

Arnon Ochona
APPELLANT

5/31/19
DATE

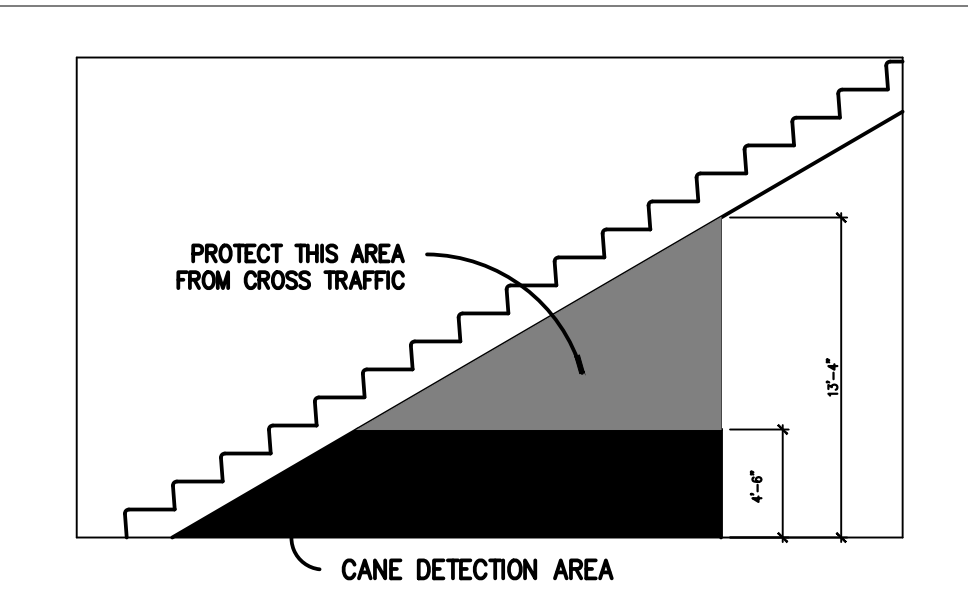
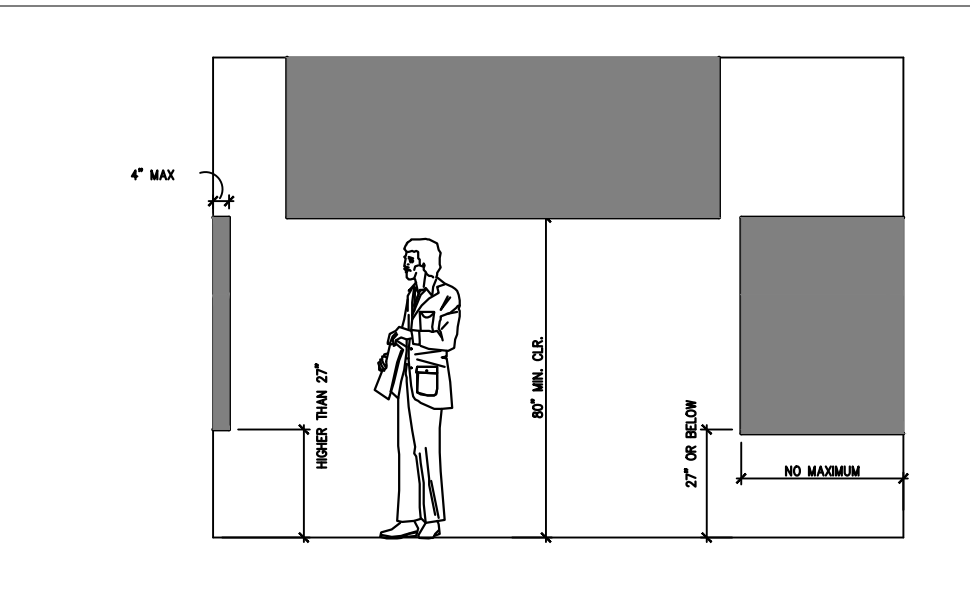
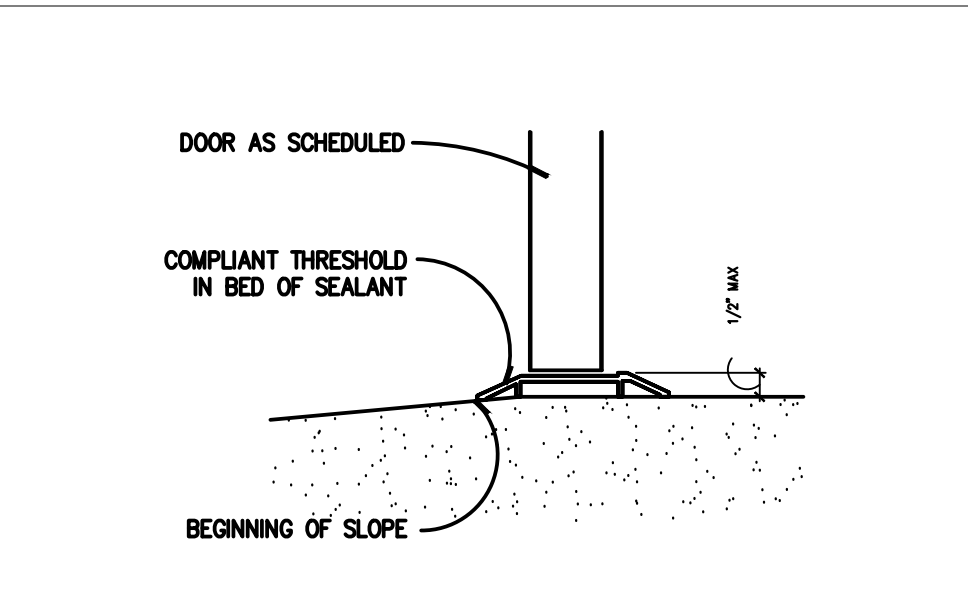
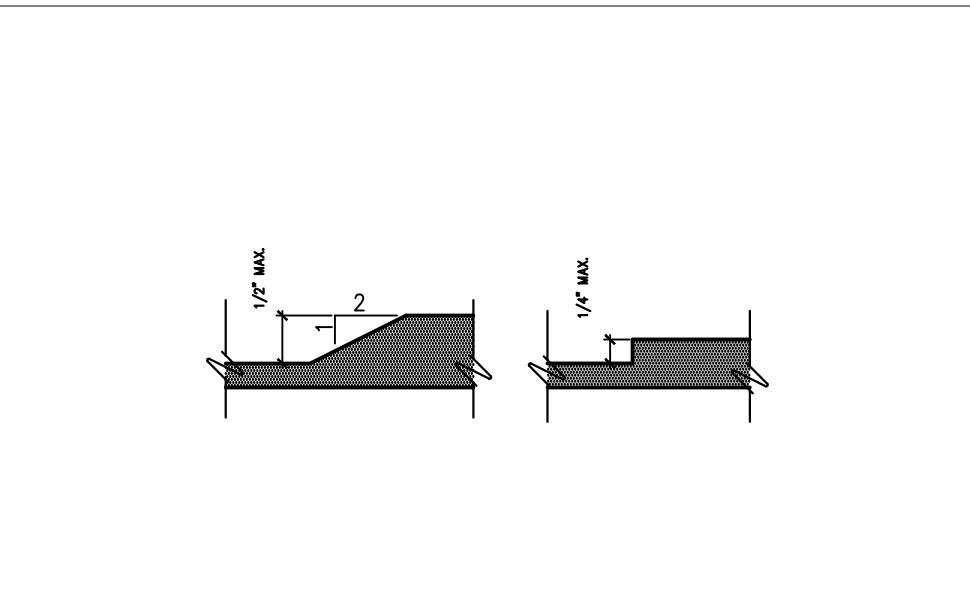
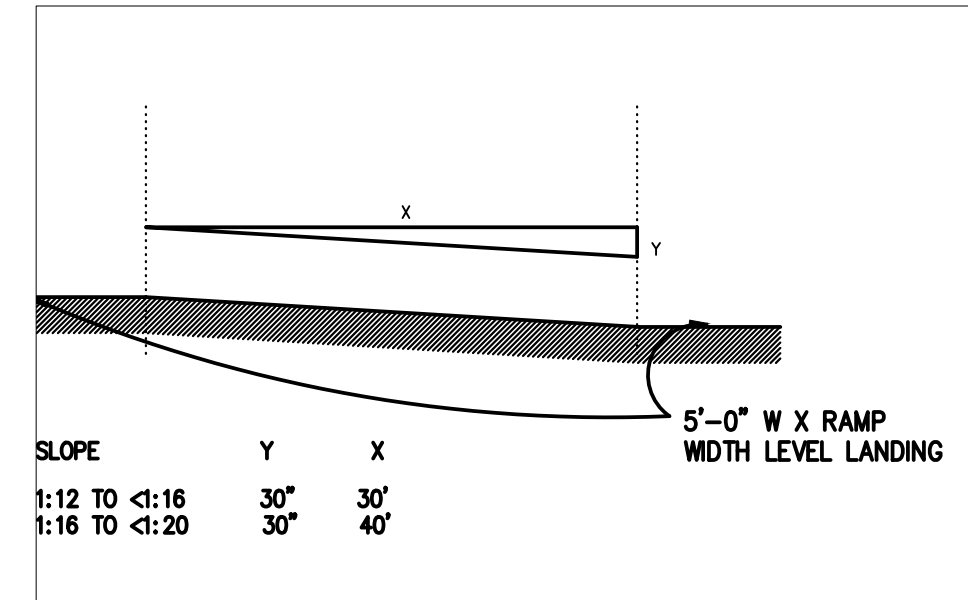
In simple terms, for the Board to grant you a variance in the zoning ordinance, you must convey to the Board what your hardship is. Hardships are narrowness, shallowness, irregular shape, and topography of property. The Board can also consider other practical difficulties such as mature trees, easements,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

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

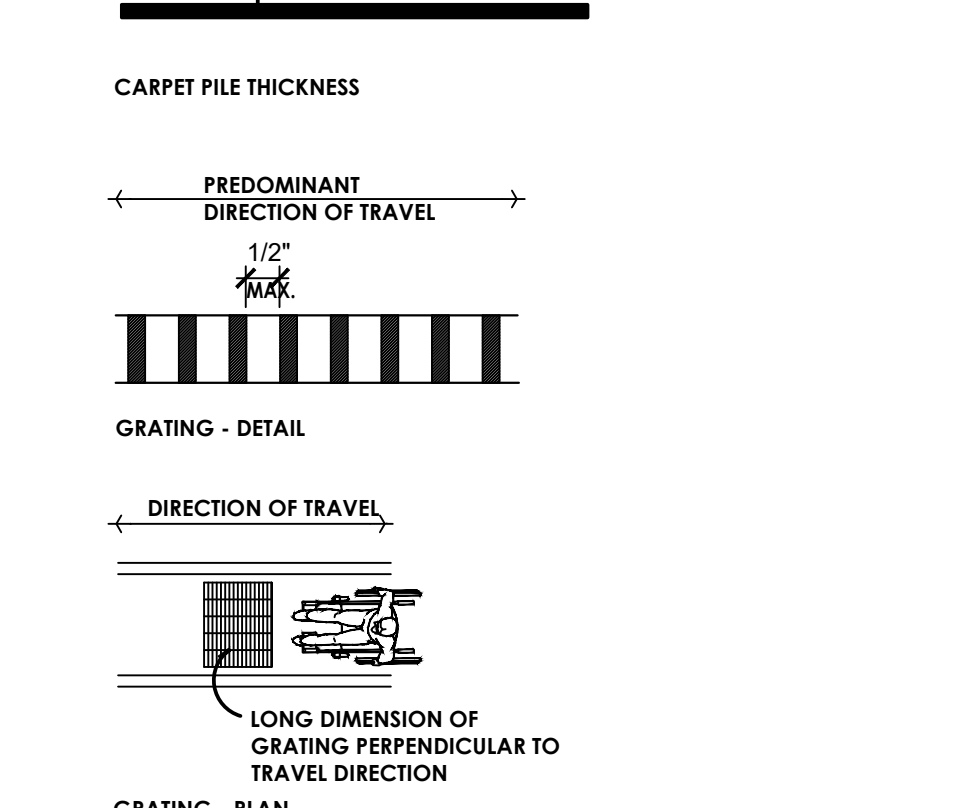
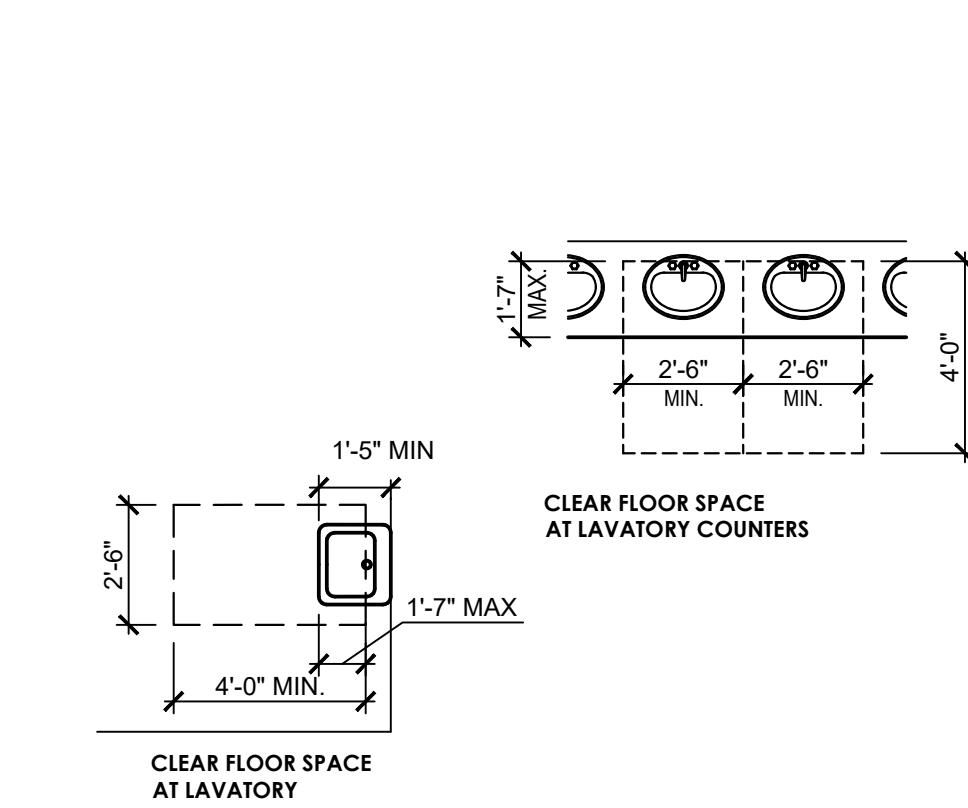
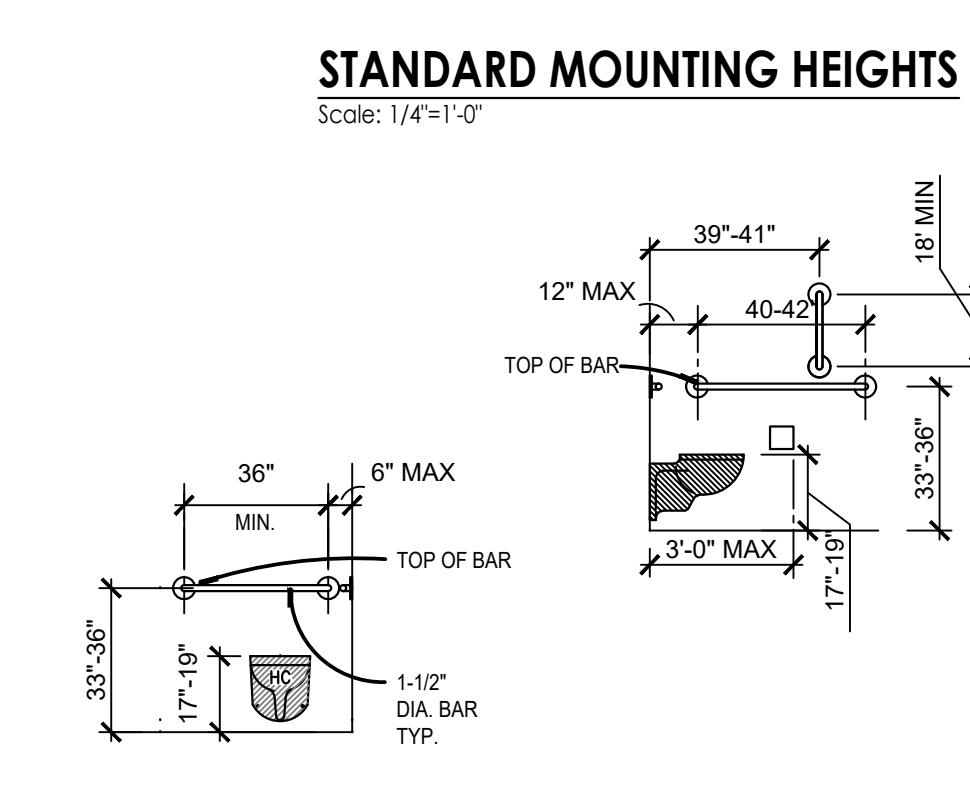
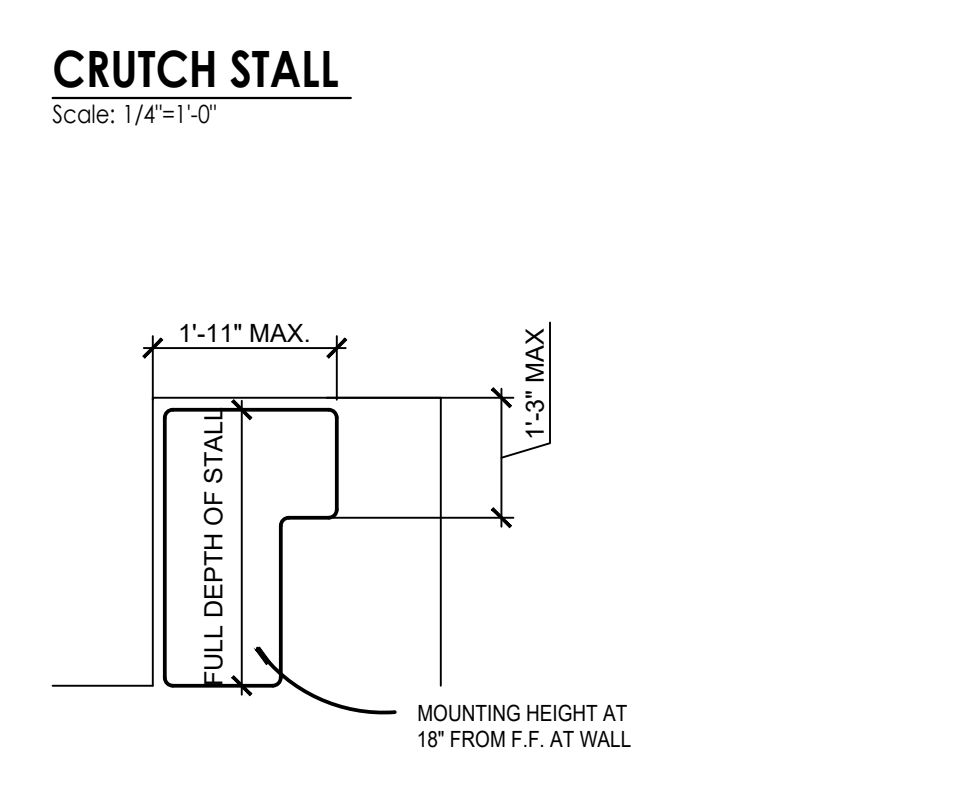
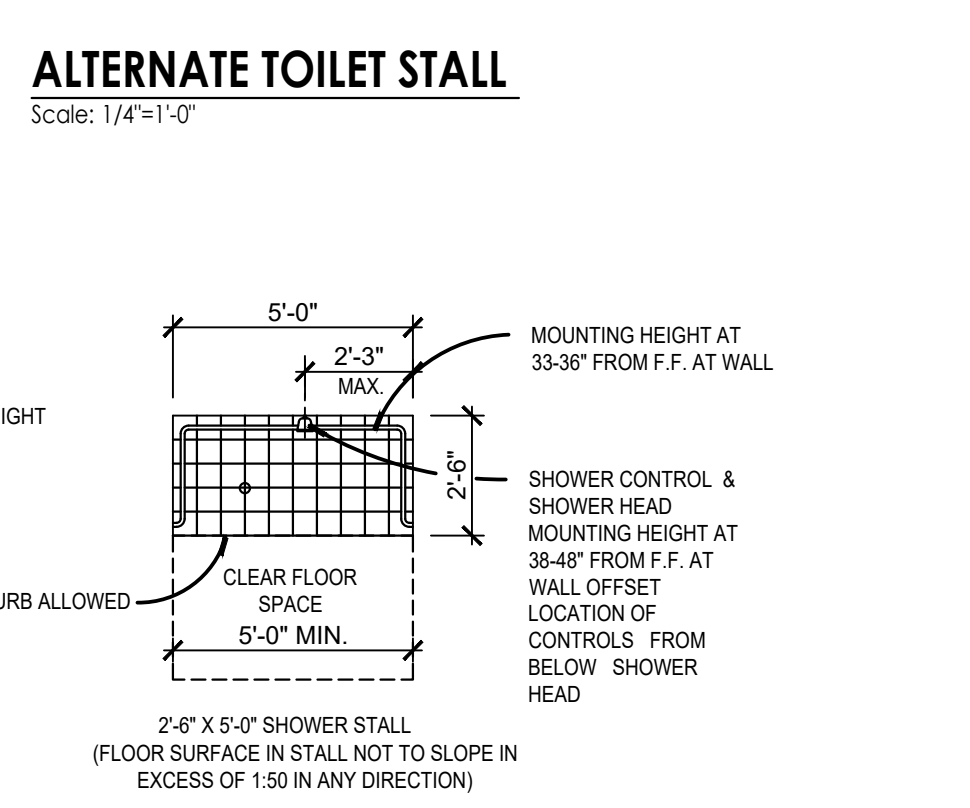
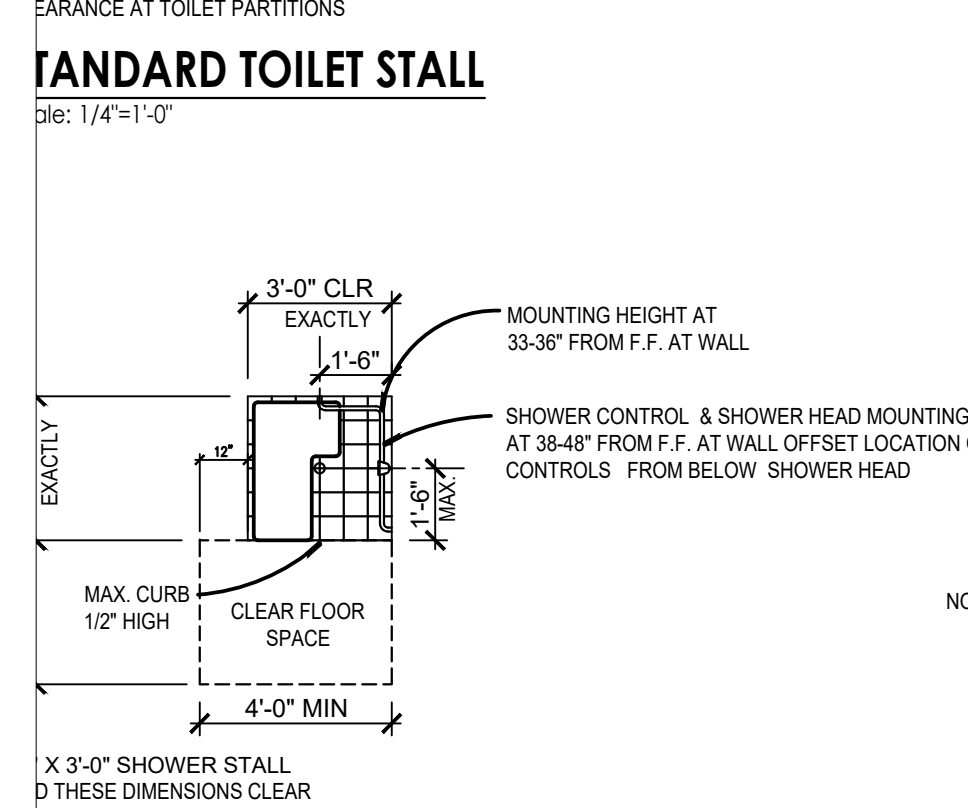
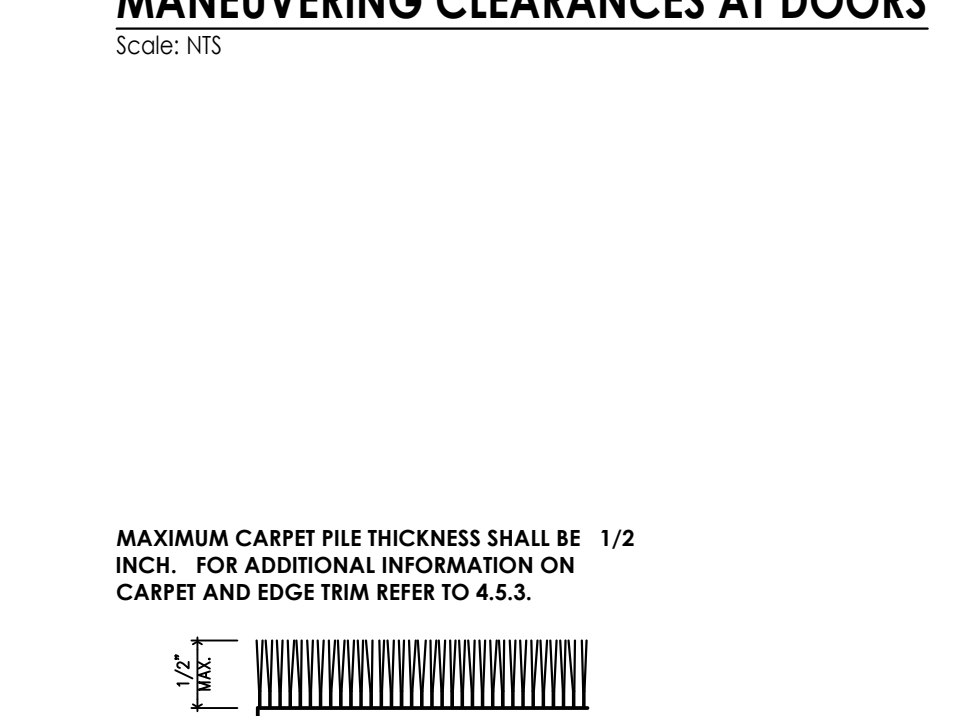
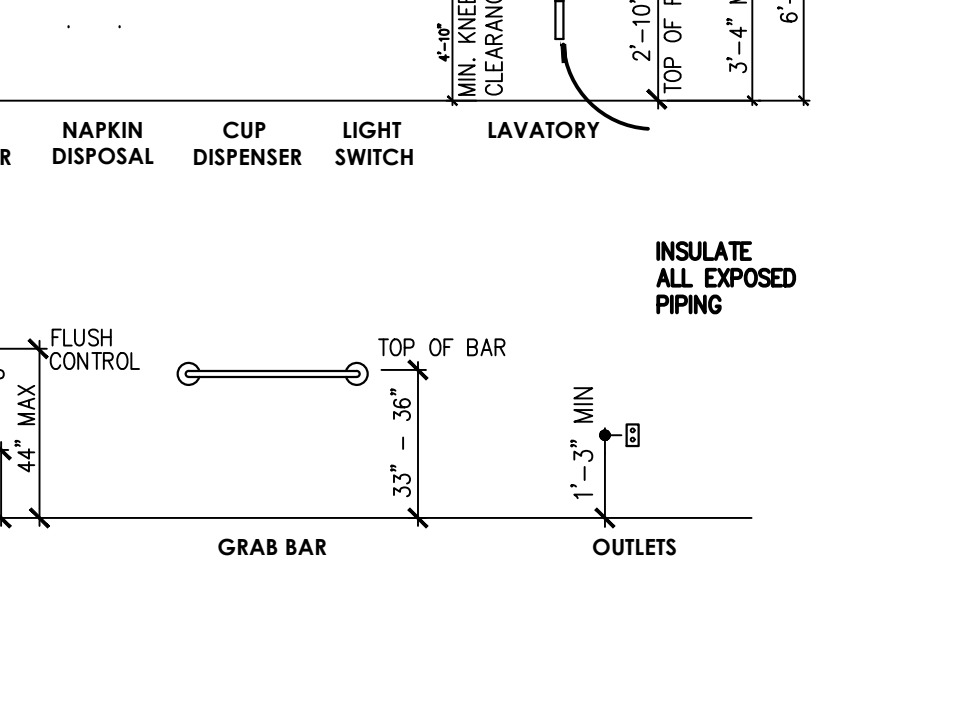
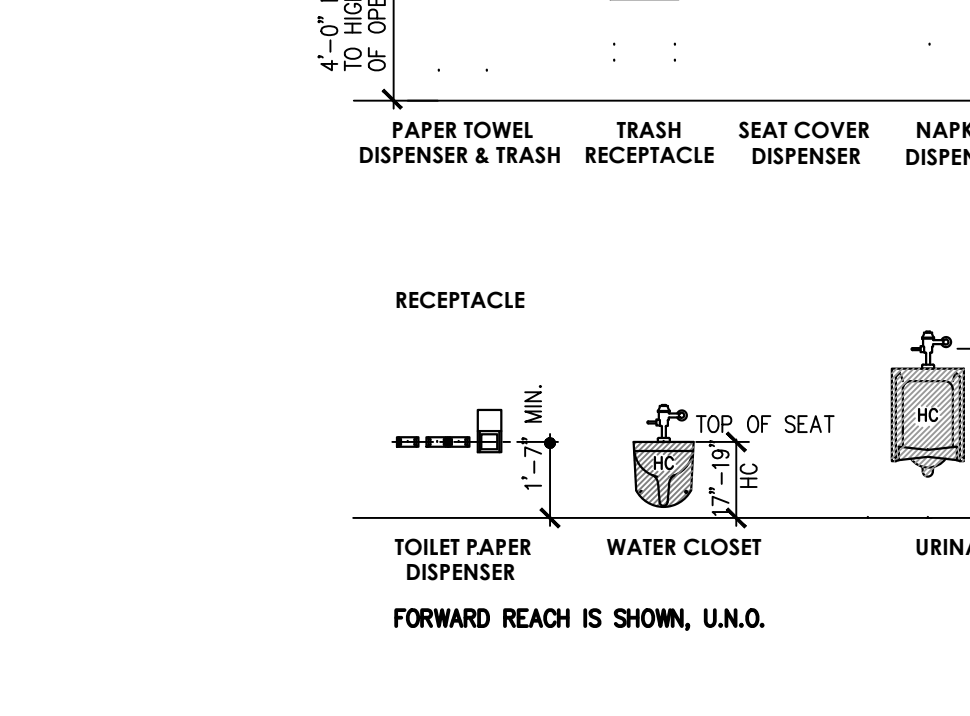
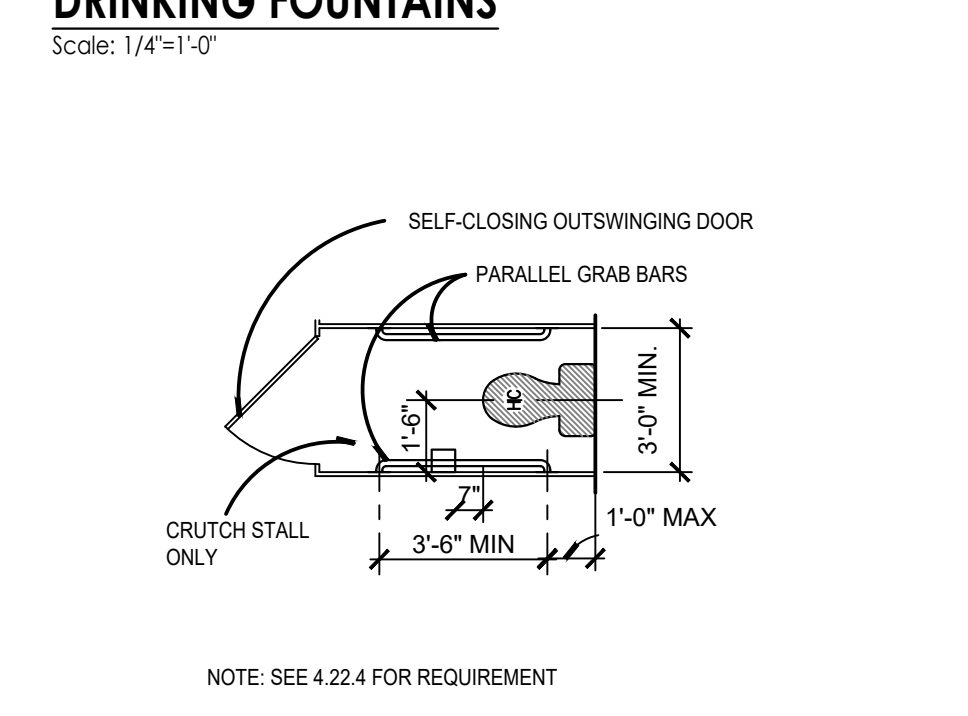
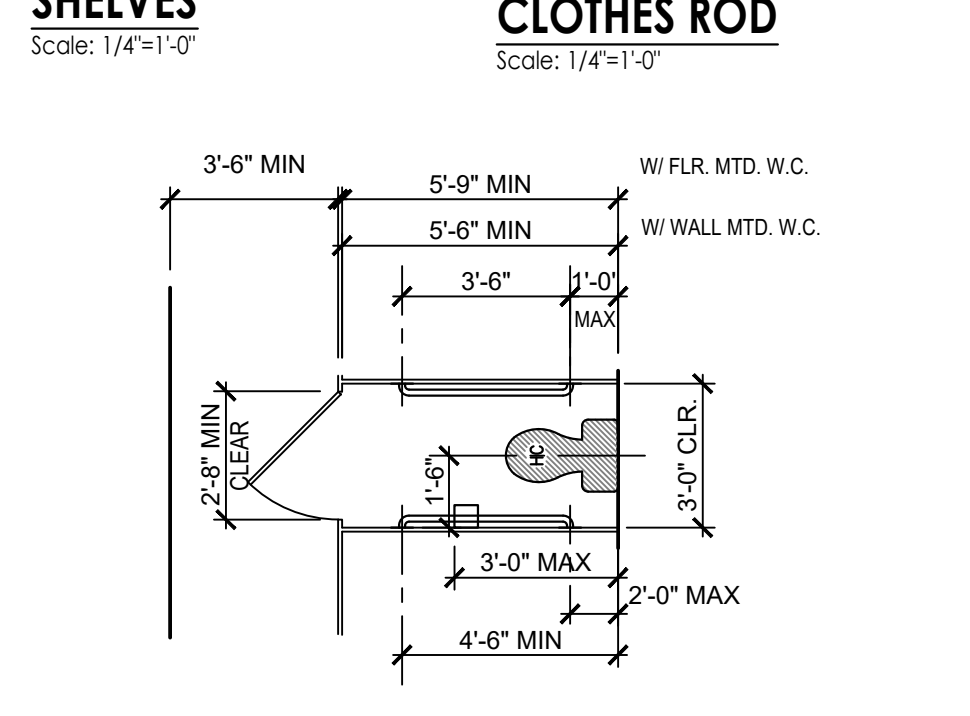
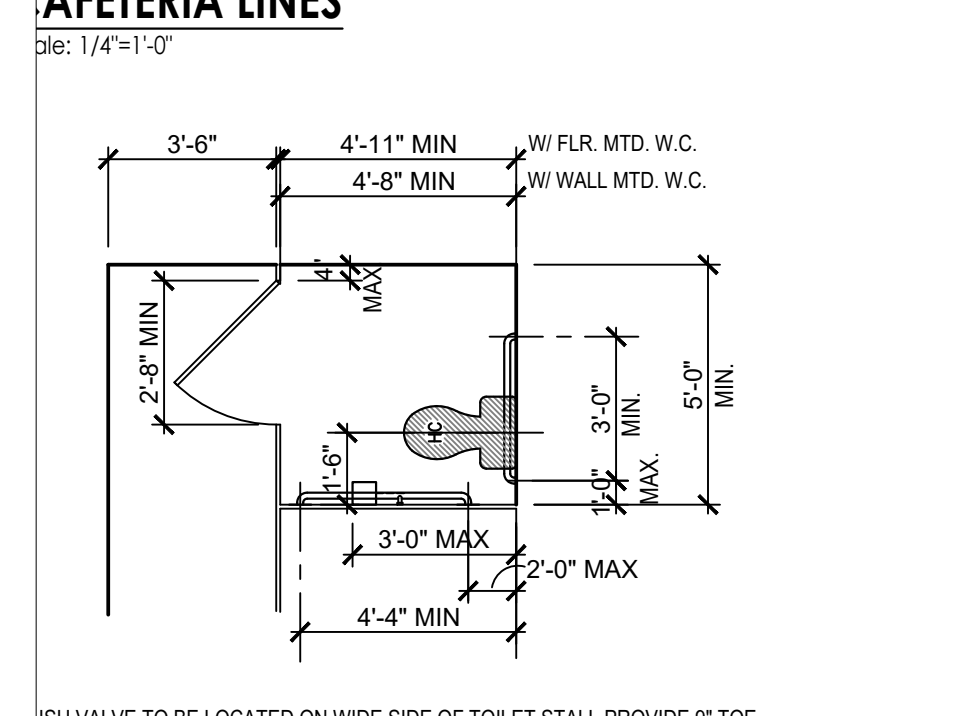
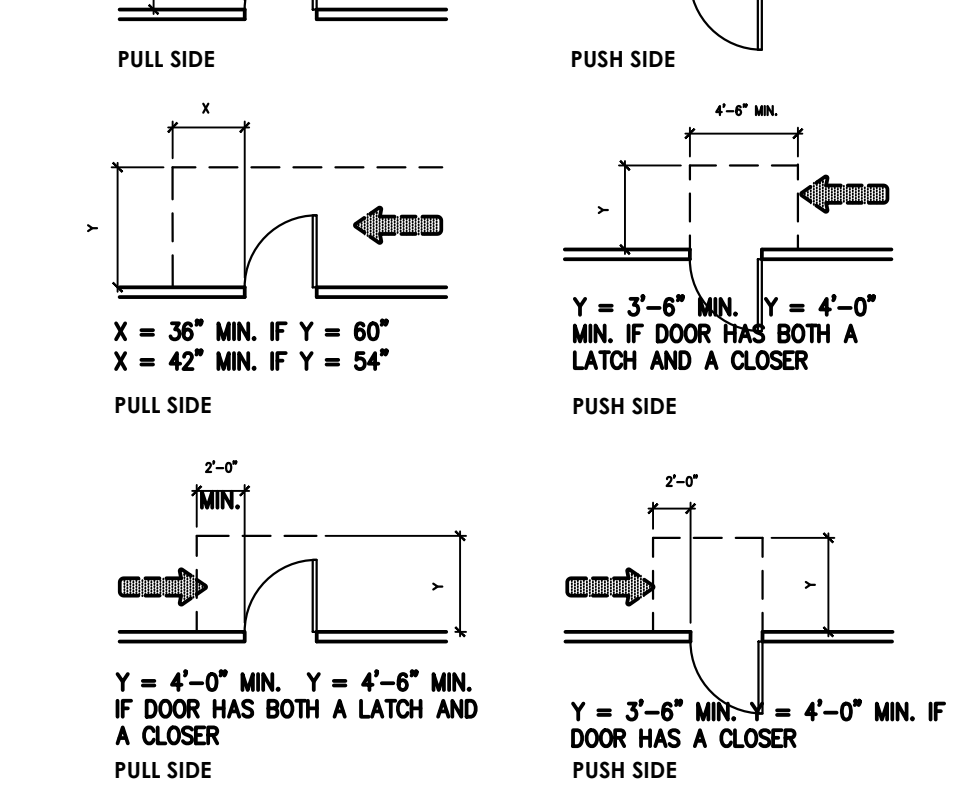
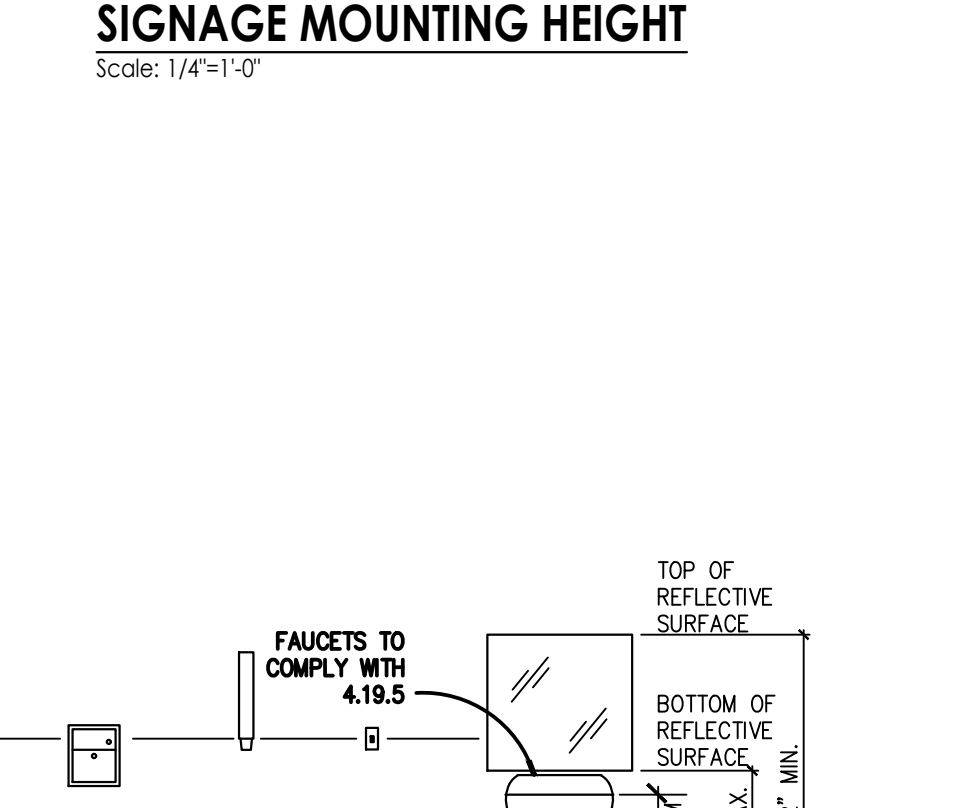
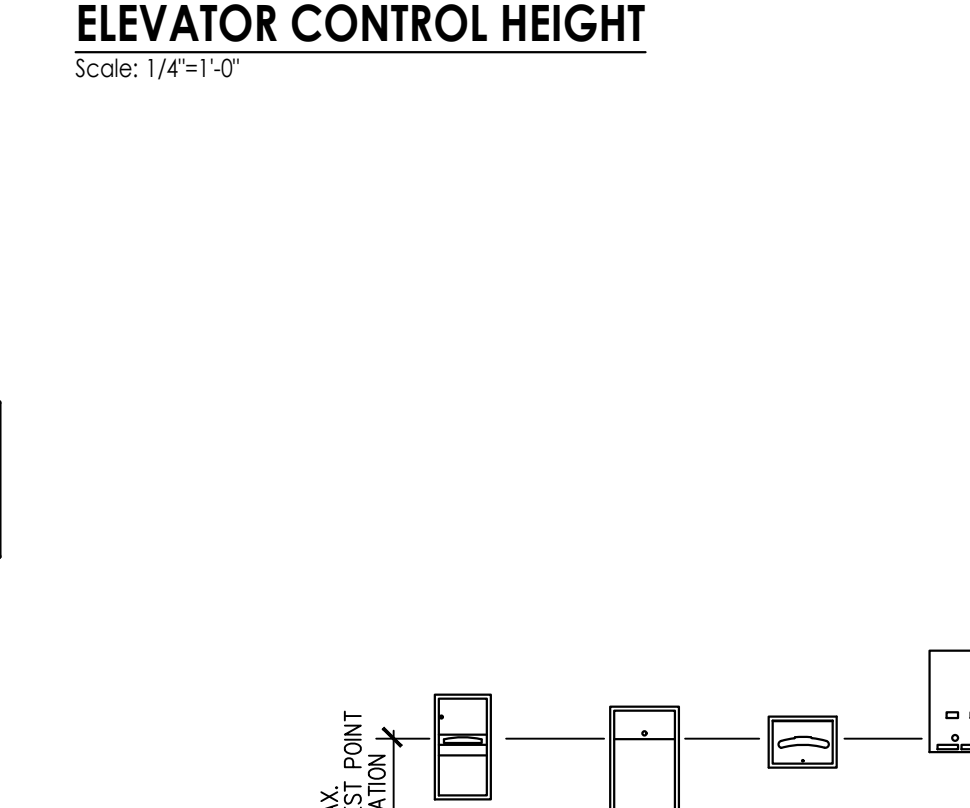
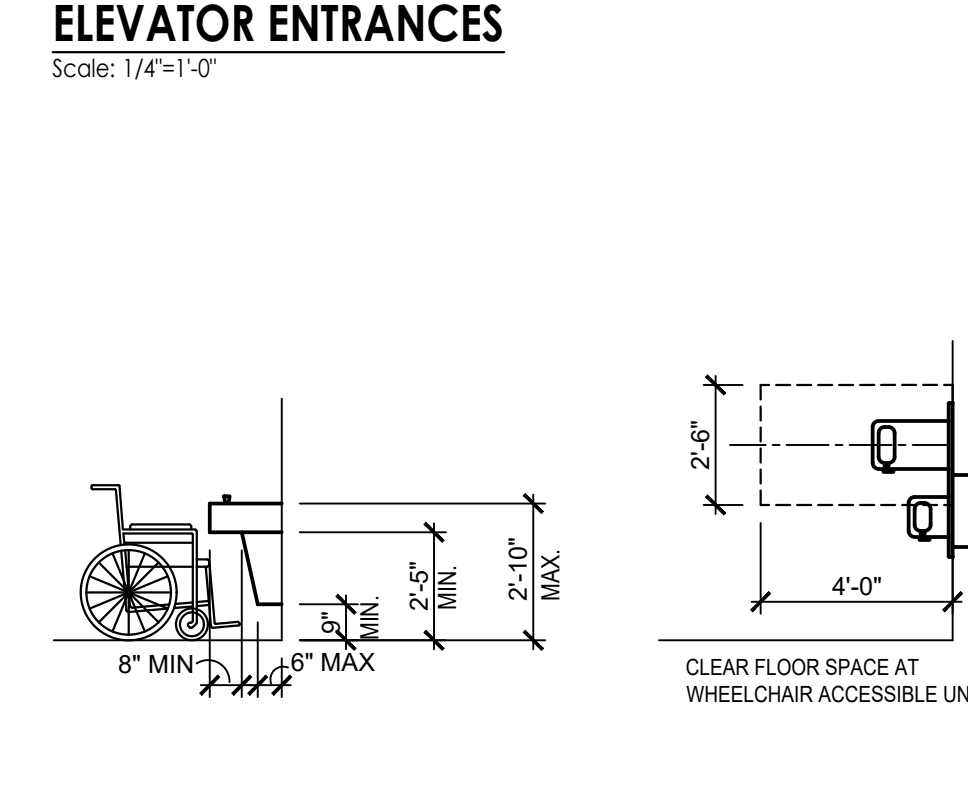
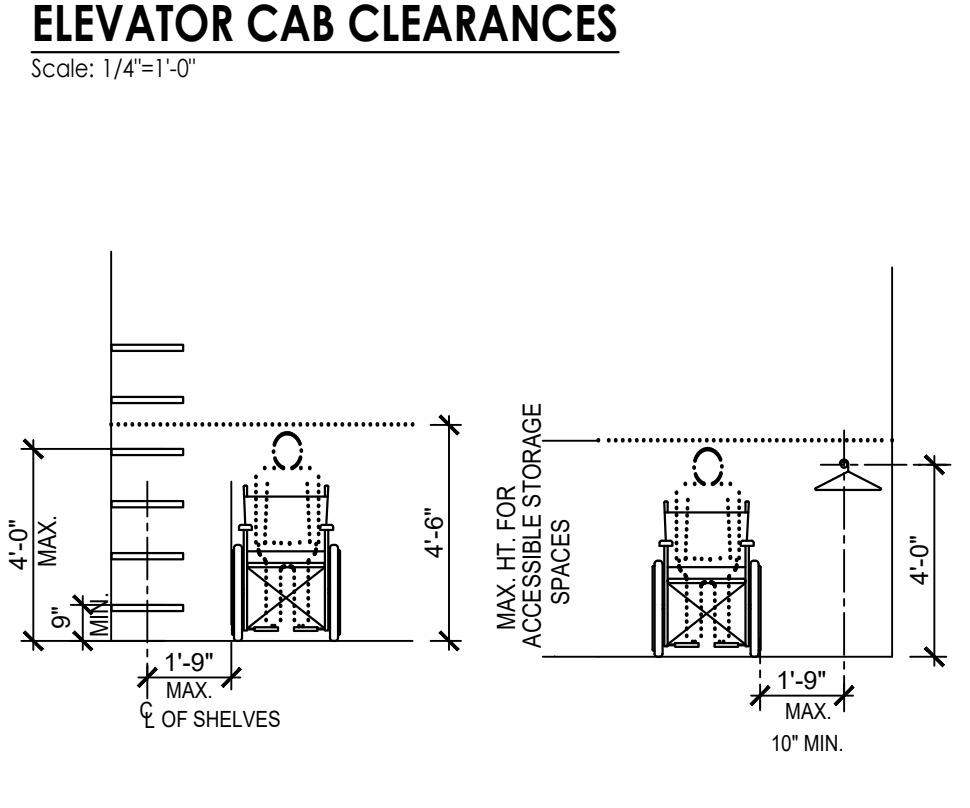
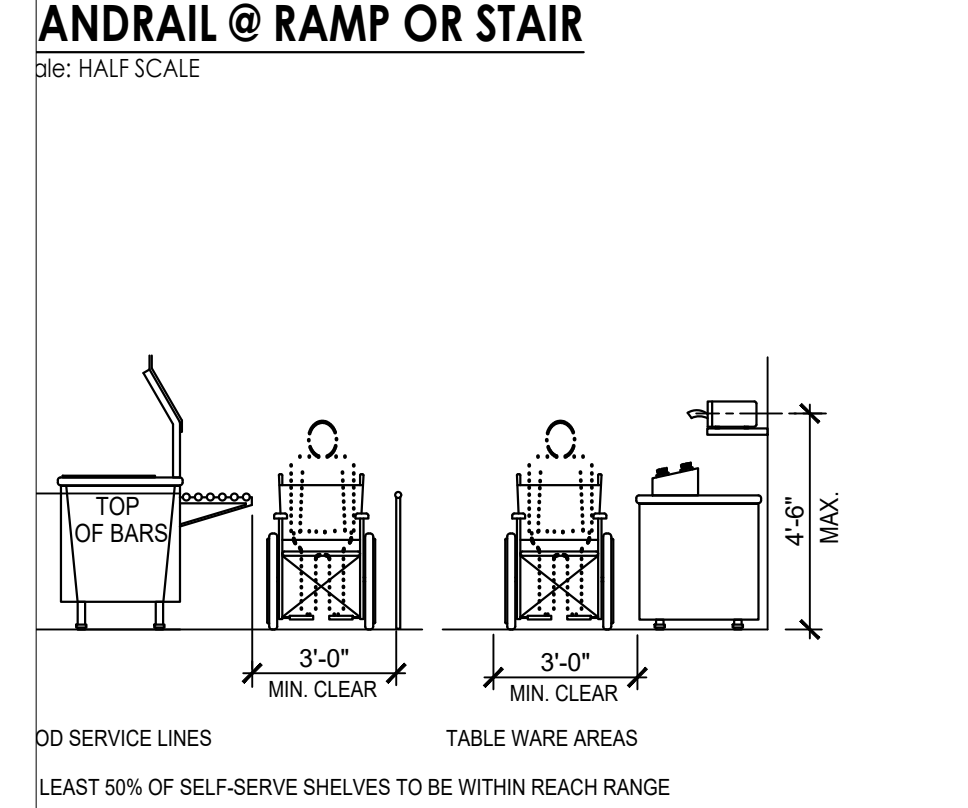
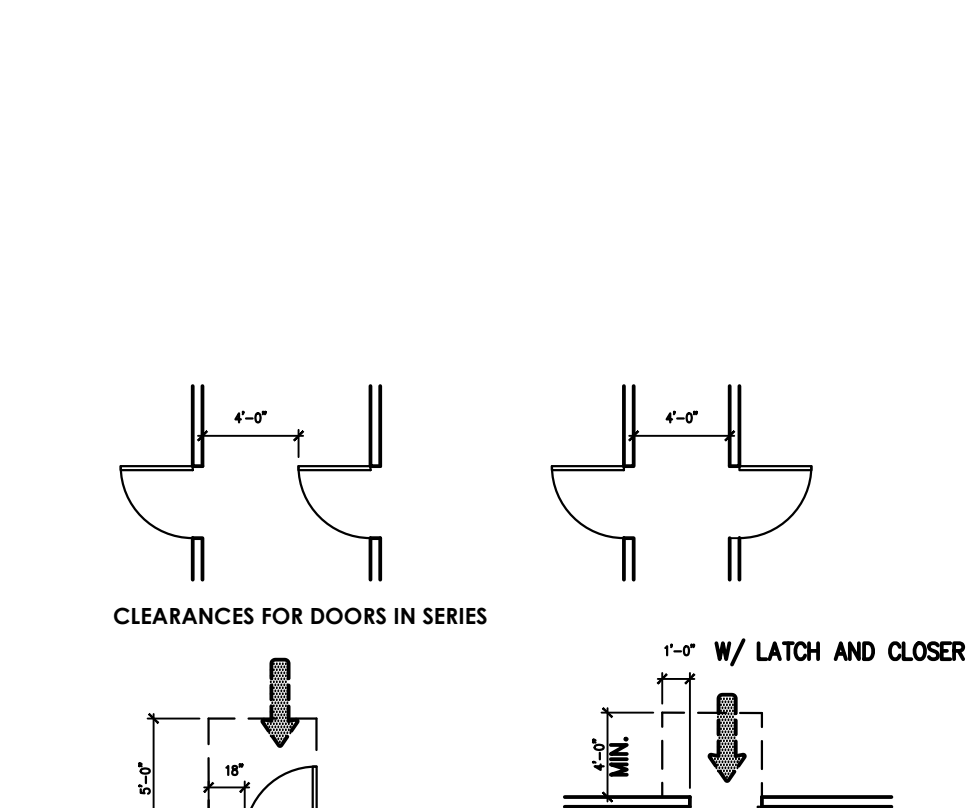
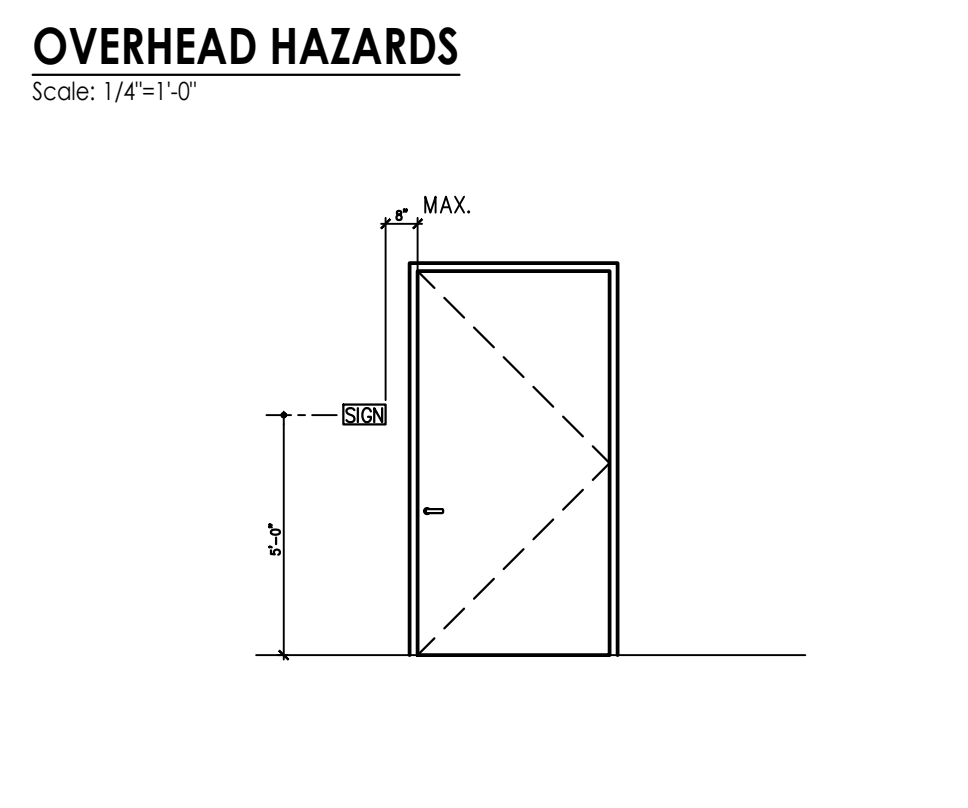
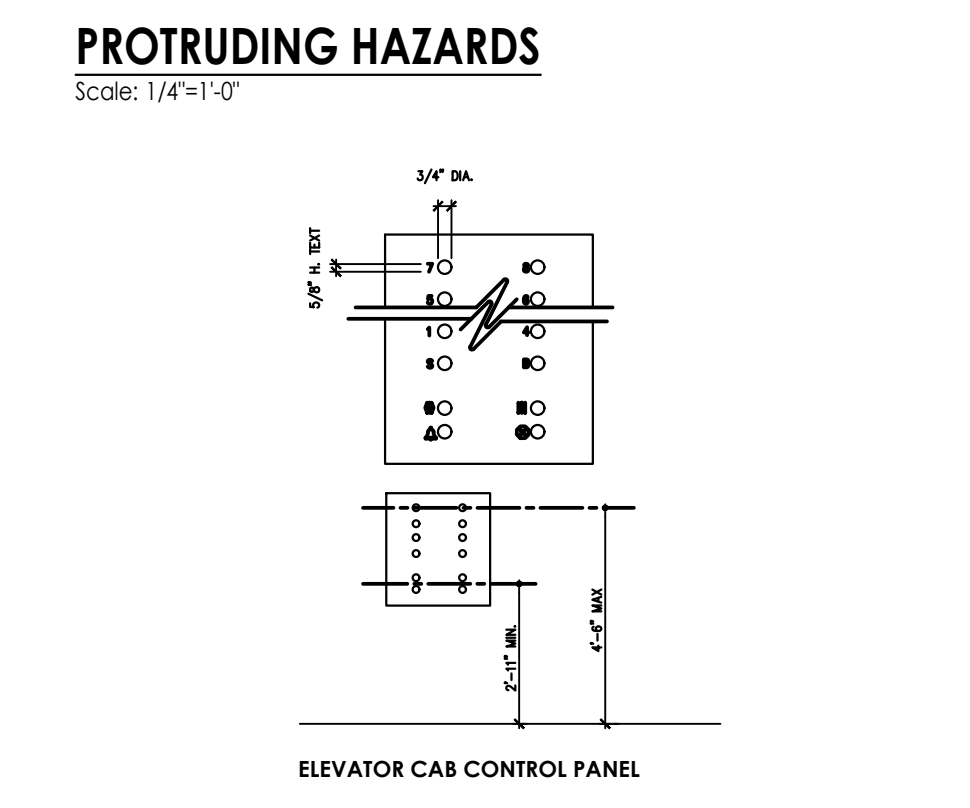
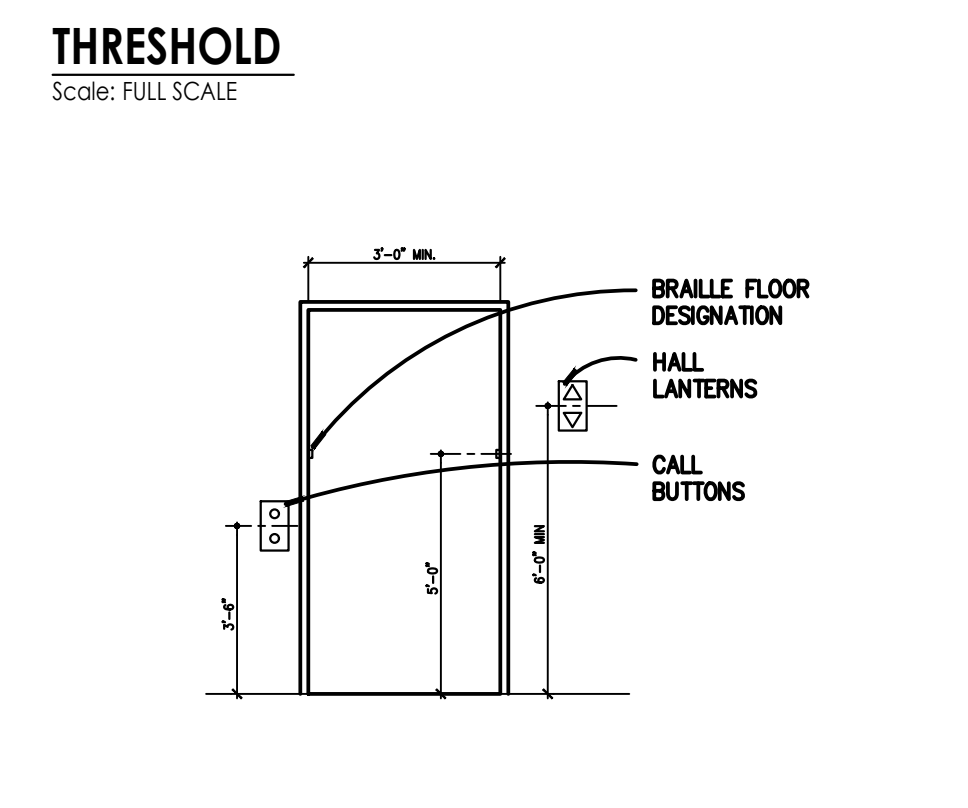
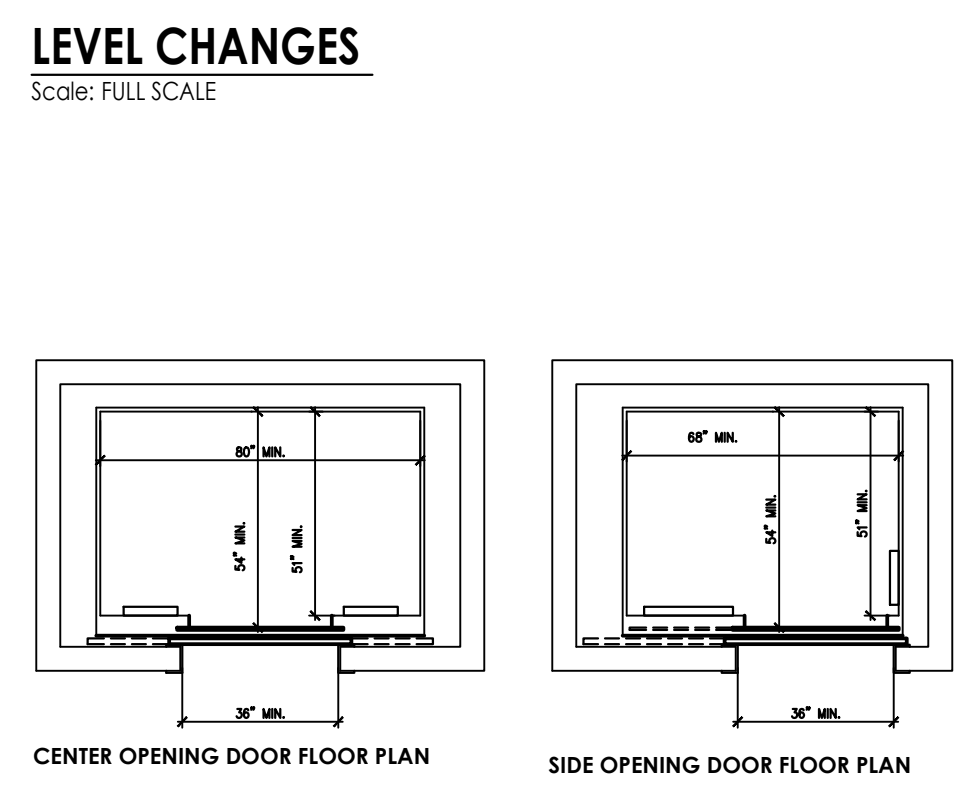
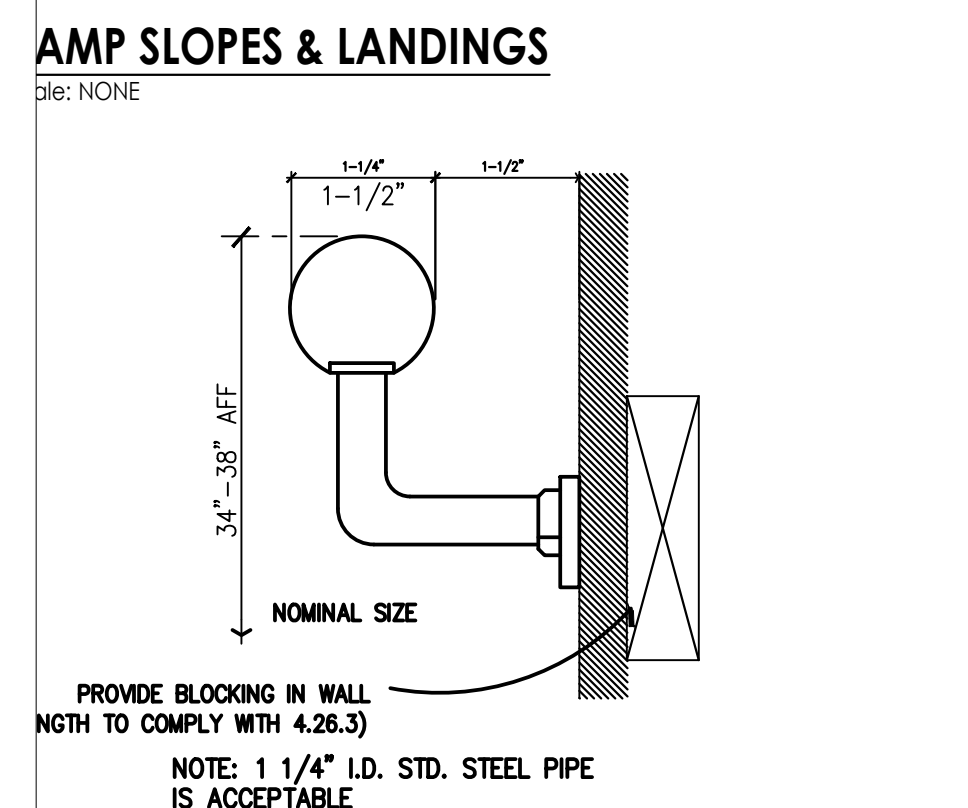
The Board can not grant a variance based solely on an inconvenience to the applicant nor solely on a financial consideration. It is incumbent on you as the appellant to complete this form by conveying a HARDSHIP as outlined. At the meeting it is important that you explain this hardship as effectively as possible.

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

UNABLE TO PUT IN SIDEWALKS WITHOUT HAVING
TO MOVE EXISTING BUILDING AND PARKING.



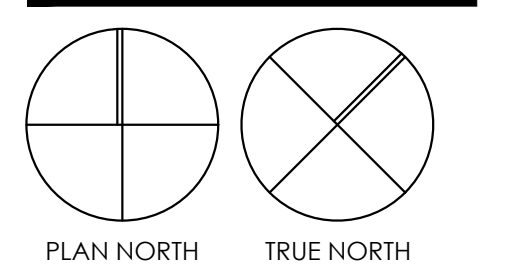
- GENERAL NOTES**
- NOTIFY INTERIOR DESIGNER IF CONFLICTS ARE DISCOVERED BETWEEN TYPICAL ACCESSIBILITY DETAILS AND OTHER DETAILS SHOWN ELSEWHERE.
 - INFORMATION ON THIS SHEET IS THE MINIMUM REQUIRED TO PROVIDE ACCESSIBILITY AND DOES NOT ADDRESS COMPLIANCE WITH OTHER CODES OR STANDARDS. ALL INFORMATION SHOWN DOES NOT NECESSARILY APPLY TO THIS PROJECT.
 - ALL DIMENSIONS SHOWN ARE TO THE FINISHED FACE. CONTRACTOR TO MAKE ALLOWANCES FOR THICKNESSES OF FINISHES SPECIFIED.
 - DOOR HARDWARE (& CLOSER) REQUIREMENTS ARE LISTED IN ADAAG, SECTIONS 4.13.9 - 4.13.11. MILLWORK HARDWARE REQUIREMENTS ARE LISTED IN ADAAG, SECTION 4.25.4.
 - MAXIMUM CARPET PILE THICKNESS SHALL BE 1/2 INCH. FOR ADDITIONAL INFORMATION ON CARPET AND EDGE TRIM REFER TO ADAAG, SECTION 4.5.3.



cramer design studio . LLC
 1423 ordway place
 nashville, tn 37206
 ph: 615.262.9538
 kramer615@gmail.com



BLACK 13 TATTOO RENOVATION
 1313 DICKERSON PIKE
 NASHVILLE, TENNESSEE 37207

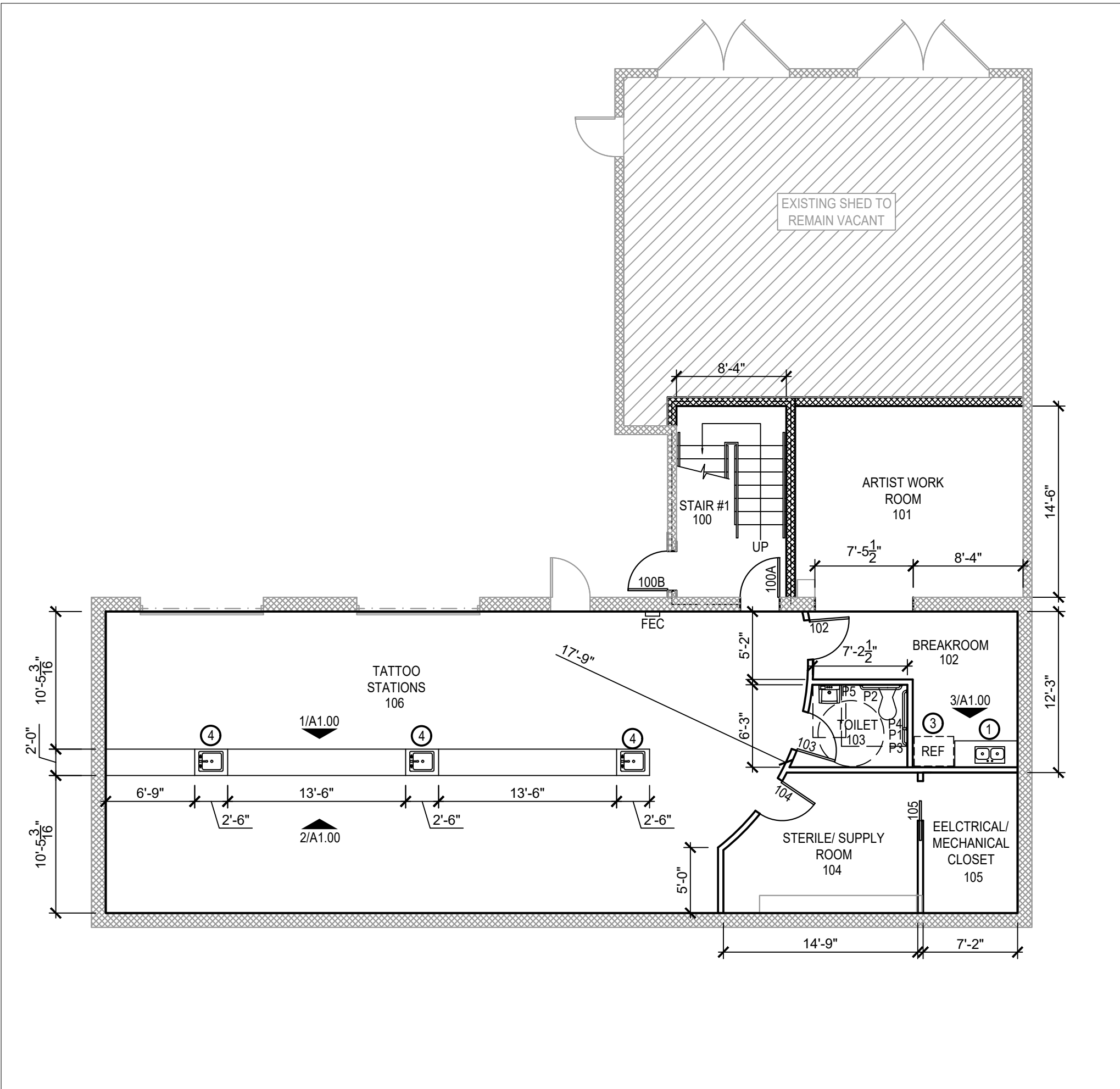


Project Information
 Project No. 18-003-04
 Drawn By: KBC

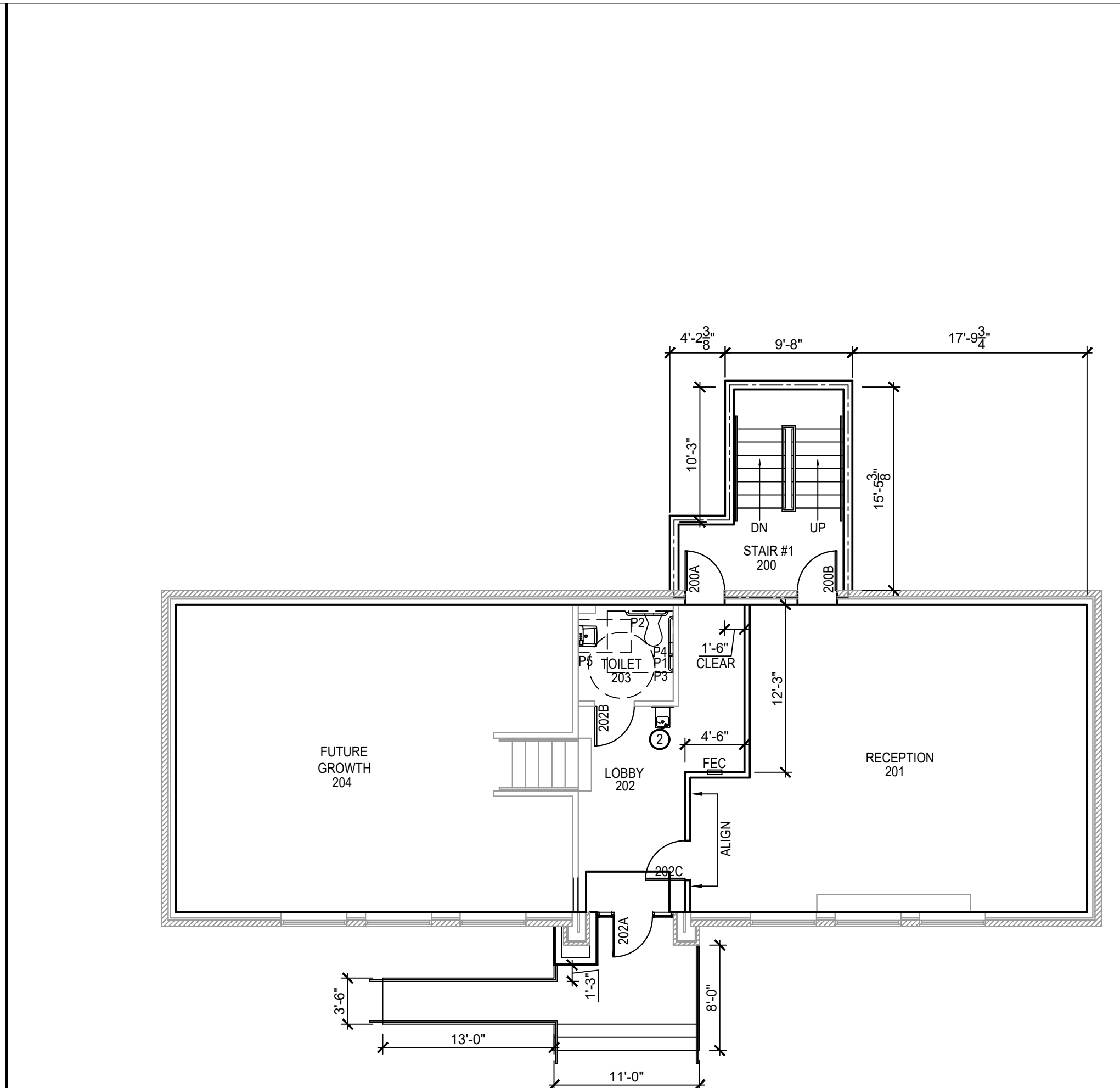
Issues
 PERMIT & CONST. 05.14.2019

ACCESSIBILITY DETAILS

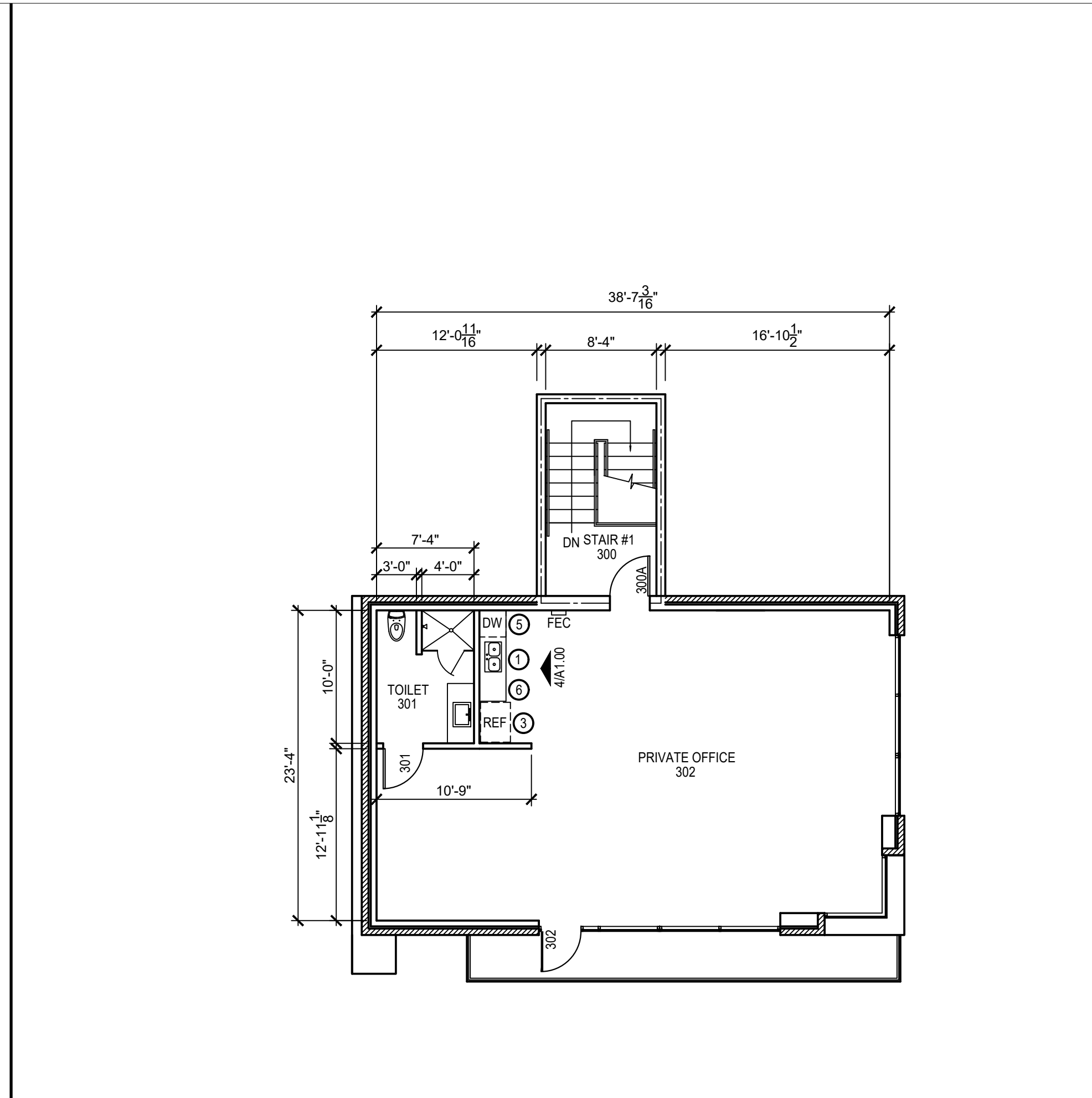
A0.01



1 NEW CONSTRUCTION PLAN - BASEMENT LEVEL
SCALE: 1/8"=1'-0"



2 NEW CONSTRUCTION PLAN - FIRST FLOOR
SCALE: 1/8"=1'-0"



3 NEW CONSTRUCTION PLAN - SECOND FLOOR
SCALE: 1/8"=1'-0"

SYMBOL LEGEND - PARTITION TYPE

- BASE BUILDING CONSTRUCTION TO REMAIN
- BASE BUILDING CONSTRUCTION TO REMAIN - CEMENT BLOCK PARTITION
- INTERIOR PARTITION, NEW CONSTRUCTION - 3/4" WOOD STUDS @ 16" O.C. WITH (1) ONE LAYER 1/2" GYPSUM BOARD EACH SIDE AND 3" R13 SOUND ATTENUATION BATTS ON INTERIOR OF PARTITION, FULL HEIGHT. MECHANICALLY FASTEN BATTS TO GYPSUM BOARD. EXTEND PARTITION FROM SLAB TO 9'-0" ABOVE FINISHED FLOOR.
- EXTERIOR NEW PARTITION - CEMENT BLOCK
- EXTERIOR NEW PARTITION - CEMENT BLOCK, 1 HOUR
- EXTERIOR NEW PARTITION - CEMENT BOARD LAP SIDING, 1 HOUR
- EXTERIOR NEW PARTITION - BRICK

PLAN NOTES - NEW CONSTRUCTION PLAN

- ① STAINLESS STEEL, DOUBLE BOWL SINK WITH ADA COMPLIANT GOOSENECK FAUCET AND LEVER STYLE HANDLES
- ② WATER FOUNTAIN, ADA COMPLIANT
- ③ REFRIGERATOR, O.F.O.I.
- ④ STAINLESS STEEL, SINGLE BOWL BAR SINK, WITH ADA COMPLIANT GOOSENECK FAUCET AND LEVER STYLE HANDLES
- ⑤ DISHWASHER, O.F.O.I.
- ⑥ MICROWAVE, O.F.O.I.

PLUMBING ACCESSORIES

PLAN CODE	DESCRIPTION	FINISH	DIMENSIONS (LxWxD)	LOCATION
P1	1/2" DIA. ST. STL. GRAB BAR - 18"L, VERTICAL	ST. STU/ SATIN	18"L x 1/2"DIA.	TLT. 103, 203
P2	1/2" DIA. ST. STL. GRAB BAR - 36"L	ST. STU/ SATIN	36"L x 1/2"DIA.	TLT. 103, 203
P3	1/2" DIA. ST. STL. GRAB BAR - 48"L	ST. STU/ SATIN	48"L x 1/2"DIA.	TLT. 103, 203
P4	WALL MTD. DUAL-ROLL TOILET TISSUE DISPENSER	ST. STU/ SATIN		TLT. 103, 203
P5	RECESSED PAPER TOWEL DISPENSER	ST. STU/ SATIN		TLT. 103, 203

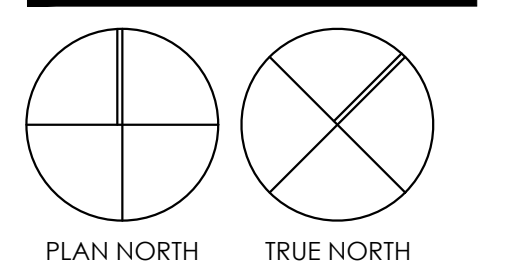
SYMBOL LEGEND - ARCHITECTURAL PLAN

- ⌀ — DIMENSION TO CENTERLINE
- ▲/X-X ELEVATION
- /X-X SECTION
- ⌬ DOOR SYMBOL
- 101 ROOM NUMBER
- ENLARGED PLAN/DETAIL
- ① PLAN NOTE
- SIM. SIMILAR CONDITION
- N.I.C. NOT IN CONTRACT
- O.F.O.I. OWNER FURNISHED - OWNER INSTALLED
- O.F.C.I. OWNER FURNISHED - CONTRACTOR INSTALLED
- C.F.C.I. CONTRACTOR FURNISHED - CONTRACTOR INSTALLED
- TYP. TYPICAL IN ALL SPACES WITH SIM. CONDITIONS
- FE FIRE EXTINGUISHER - WALL HUNG (TOP OF EXTINGUISHER AT 4'-6" A.F.F.)
- FEC FIRE EXTINGUISHER IN RECESSED CABINET (TOP OF EXTINGUISHER AT 4'-6" A.F.F.)

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nashville, tn 37206
ph: 615.262.9538
kramer615@gmail.com



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Project Information
Project No. 18-003-04
Drawn By: KBC

Issues
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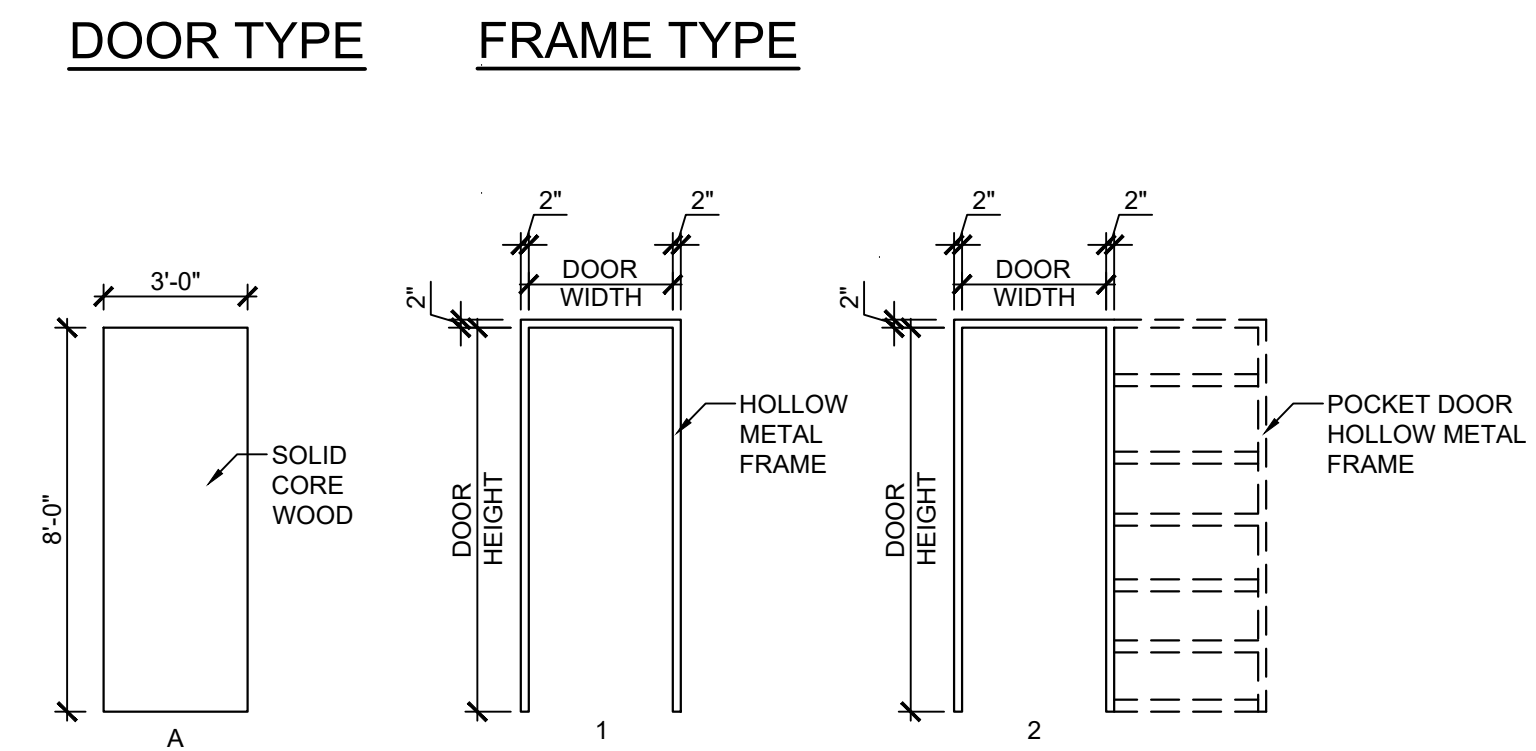
NEW CONSTRUCTION PLAN

A1.00

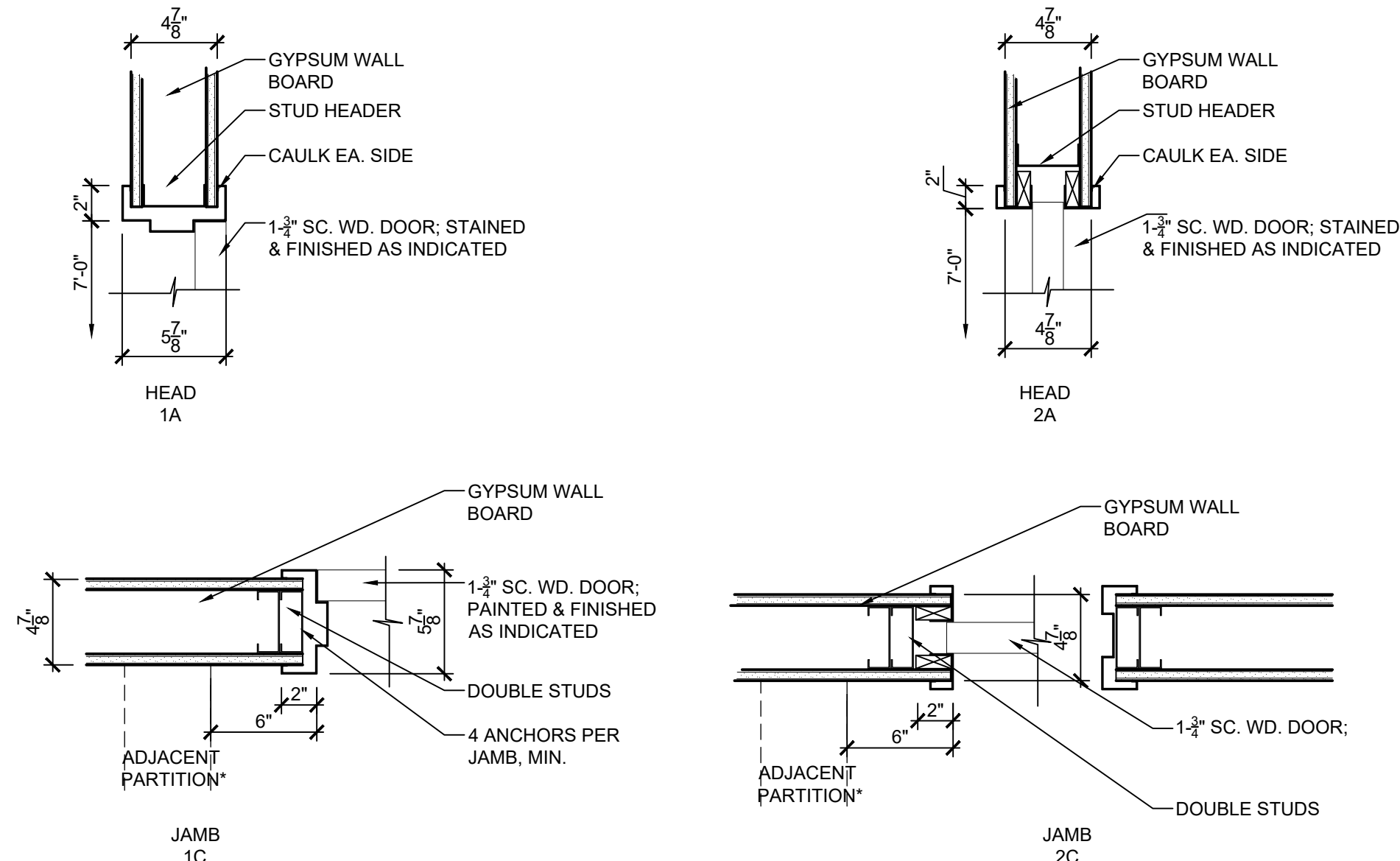
DOOR SCHEDULE														
NUMBER	TYPE	MATL	WIDTH	HEIGHT	THICK	FIN	UL	HDW	FTYPE	FMATL	FFIN	HEAD	JAMB	REMARKS
100A	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	1 HR	HW.1	1	HM	PNT	1A	1C	
100B	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	1 HR	HW.1	1	HM	PNT	1A	1C	
102	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.1	1	HM	PNT	1A	1C	
103	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.2	1	HM	PNT	1A	1C	
104	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.1	1	HM	PNT	1A	1C	
105	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.1	2	HM	PNT	2A	2C	
200A	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	1 HR	HW.1	1	HM	PNT	1A	1C	
200B	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	1 HR	HW.1	1	HM	PNT	1A	1C	
202A	RE: EXTERIOR DOOR AND WINDOW SCHEDULE FOR SPECIFICATIONS													
202B	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.2	1	HM	PNT	1A	1C	
202C	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.1	1	HM	PNT	1A	1C	
300	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	1 HR	HW.1	1	HM	PNT	1A	1C	
301	A	SCWD	3'-0"	7'-0"	1 1/2"	STAIN	---	HW.1	1	HM	PNT	1A	1C	
302	RE: EXTERIOR DOOR AND WINDOW SCHEDULE FOR SPECIFICATIONS													

HARDWARE SCHEDULE

HARDWARE SET #1 (HW.1)	HARDWARE SET #2 (HW.2)	NOTES:
1 LEVER HANDLE 3 HINGES 1 WALL STOP 1 SILENCER	1 LEVER HANDLE 1 THUMB TURN 3 PAIR HINGES 1 WALL STOP 1 SILENCER	* LOCKING MECHANISMS AND CONTROLS WILL BE PROVIDED BY SECURITY VENDOR.



FRAME DETAIL



NOTE:
* PARTITION AT HINGE SIDE OF DOOR ONLY. SEE ADA DETAILS, SHEET A0.01 FOR PUSH/PULL SIDE CLEARANCES

MILLWORK NOTES:

ALL HORIZONTAL DIMENSIONS TO BE FIELD VERIFIED BY CONTRACTOR AND/OR SUPPLIER PRIOR TO FABRICATION AND INSTALLATION.

MILLWORK SHALL BE SOLID WOOD VENEER. MILLWORK TO CONFORM TO AMERICAN WOODWORK INSTITUTE (AWI) CUSTOM GRADE FLUSH OVERLAY STYLE. SELF EDGE COUNTERTOPS, UNLESS OTHERWISE NOTED, SHALL BE 2'-1" DEEP AND HAVE 6" INTEGRAL BACKSPLASH AND SURFACE APPLIED SIDE SPLASHES. COUNTERTOP SHALL BE SCRIBED TO CONFORM TO SURFACE OF ABUTTING WALLS AT BACKS AND ENDS. COUNTERTOPS AND BACKSPLASHES SHALL BE CALKED TO THE WALL. CALK COLOR TO MATCH PAINT COLOR OF ADJACENT WALL.

MILLWORK HARDWARE SHALL BE: SELF CLOSING HINGES AND BALL BEARING DRAWER SLIDES. DOOR AND DRAWER PULLS SHALL BE AS SCHEDULED:

KITCHEN DRAWER AND DOOR PULLS - DOUG MOCKETT #DP206-SSS, CONCAVE DRAWER PULL

UNLESS OTHERWISE INDICATED, WALL CABINETS SHALL BE 1'-1" DEEP OVERALL.

NO FILLER PANELS ARE TO BE USED THROUGHOUT PROJECT.

BASE AND WALL UNIT SHELVING SHALL BE 1" THICKNESS MINIMUM WIDTH HARDWOOD EDGE BAND.

MANUFACTURER WILL FURNISH DOUBLE DOORS ON BASE AND WALL UNITS OVER 24" IN WIDTH.

ALL BASE AND WALL MOUNTED CABINETS WILL HAVE ADJUSTABLE SHELVING UNLESS OTHERWISE NOTED.

SECURE ALL FREE STANDING CABINETS TO FLOOR.

MAXIMIZE AND EQUALIZE LENGTHS OF ALL UNITS WHEREVER POSSIBLE.

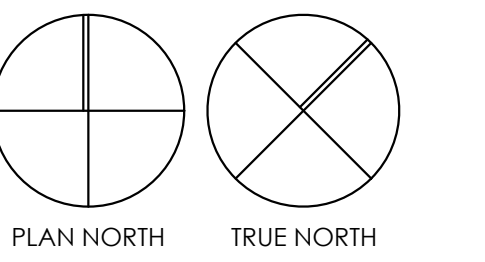
DRAWERS SHALL BE A MINIMUM OF 1'-3" IN WIDTH OR AS DETAILED.

CONTRACTOR SHALL PROVIDE WOOD BLOCKING, CONCEALED WITHIN PARTITION FOR ALL HEAVY WALL-MOUNTED ITEMS SUCH AS MILLWORK, SHELVING, TOILETS, URINALS, TOILET ACCESSORIES, ETC. AS REQUIRED FOR SECURE INSTALLATION.

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nashville, tn 37206
ph: 615.262.9538
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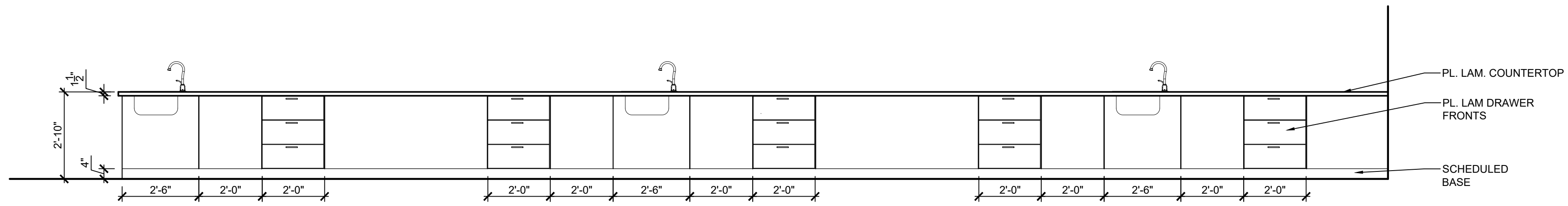
Project Information
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Issues
PERMIT & CONST. 05.14.2019

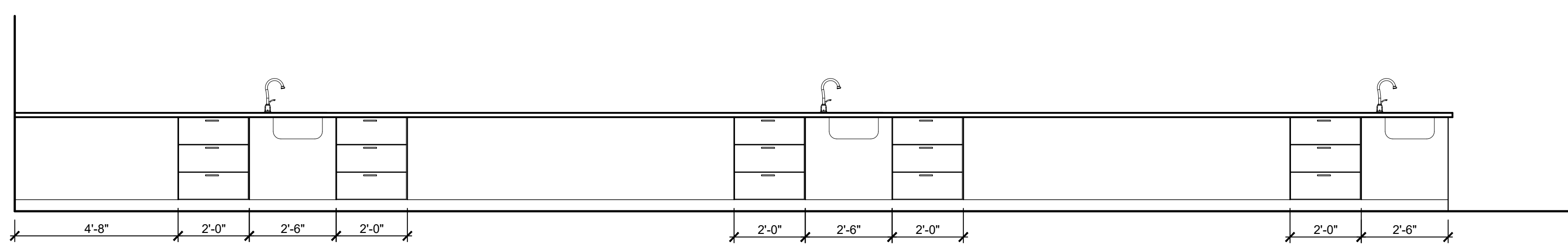
DOOR SCHEDULE & MILLWORK ELEVATIONS

A1.01

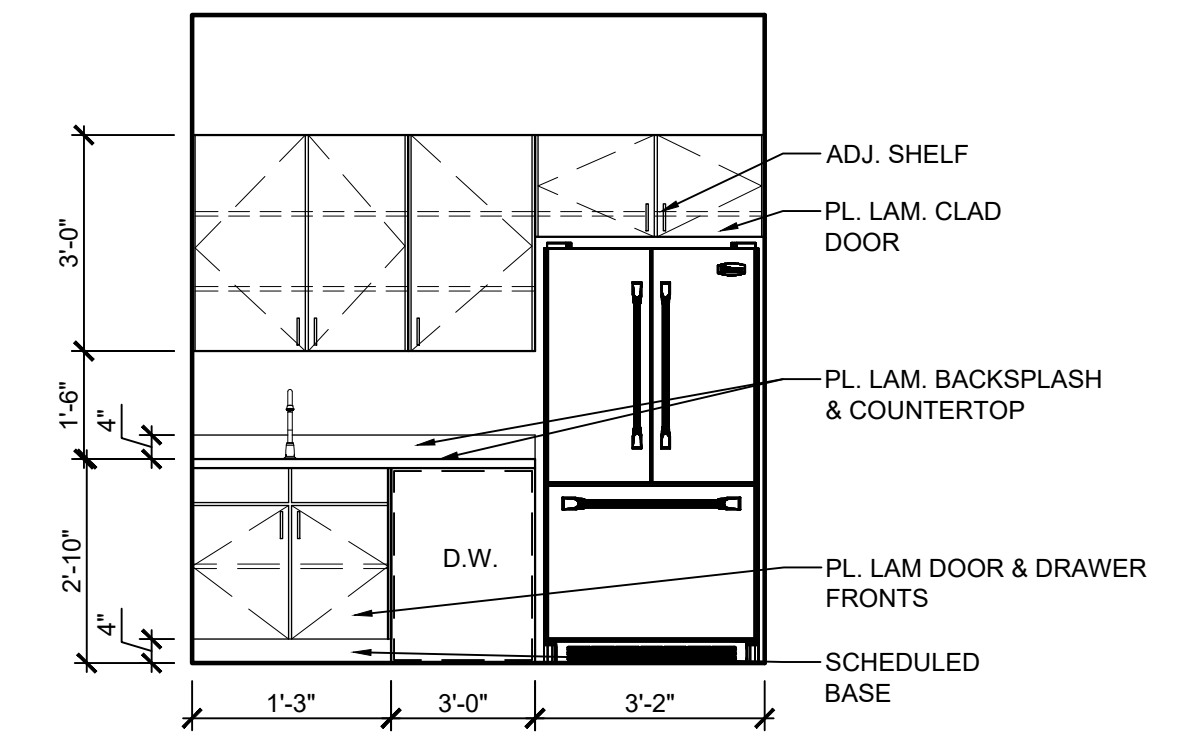
1 MILLWORK ELEVATION TATTOO STATIONS
SCALE: 3/8"=1'-0"



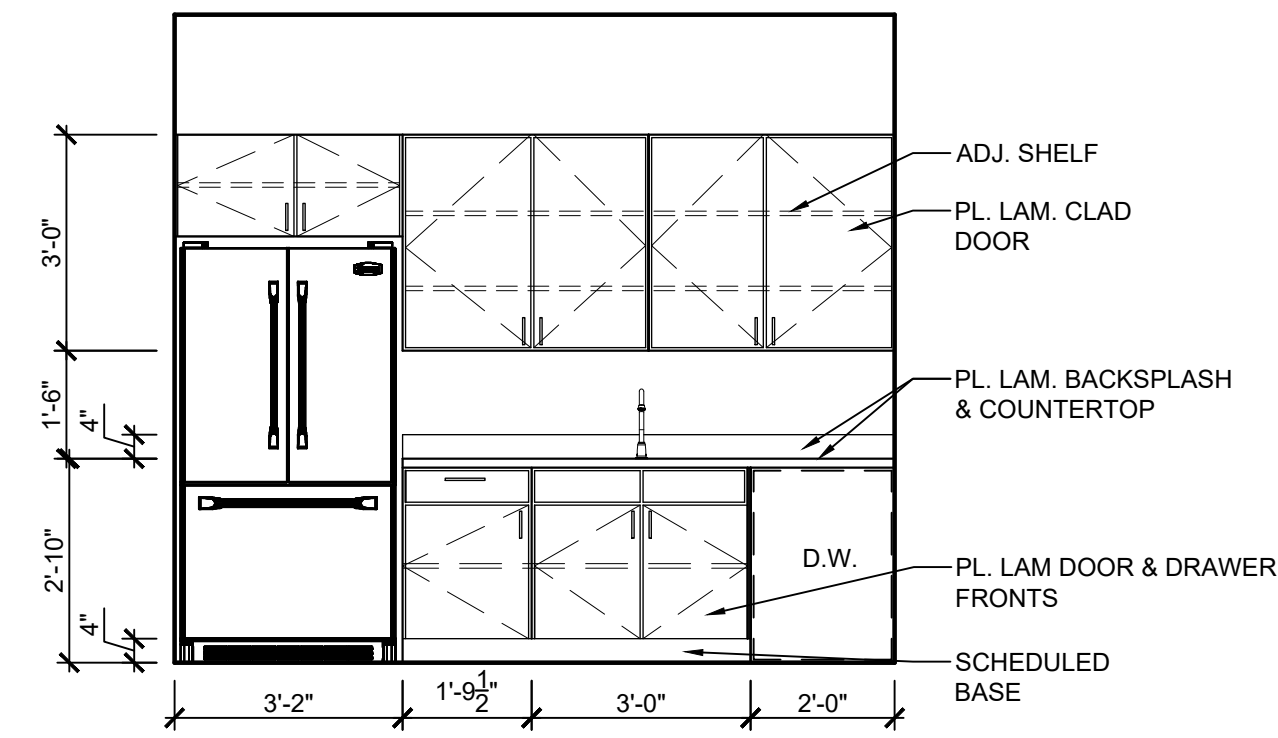
2 MILLWORK ELEVATION TATTOO STATIONS
SCALE: 3/8"=1'-0"

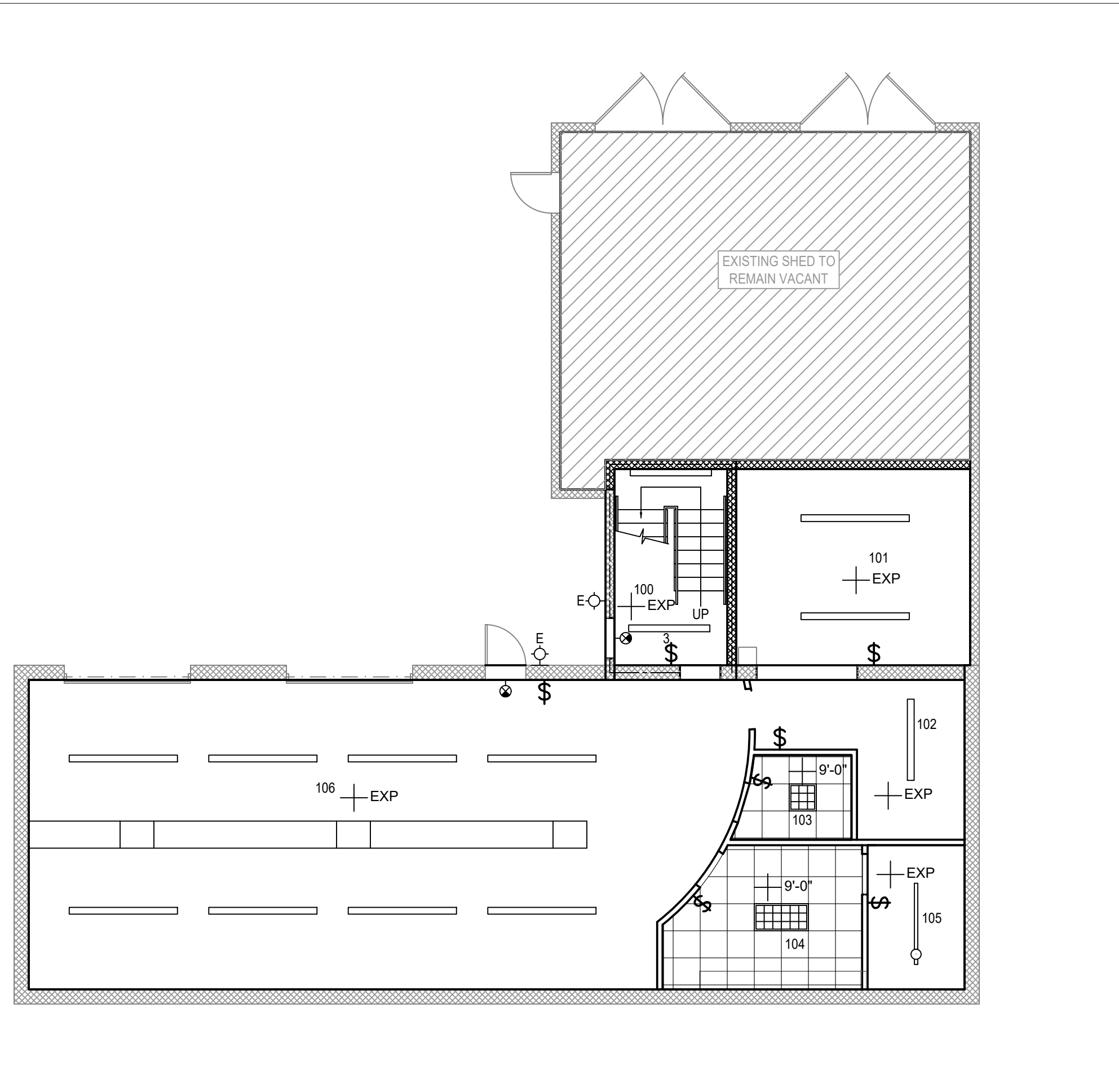


3 MILLWORK ELEVATION BREAK ROOM
SCALE: 3/8"=1'-0"

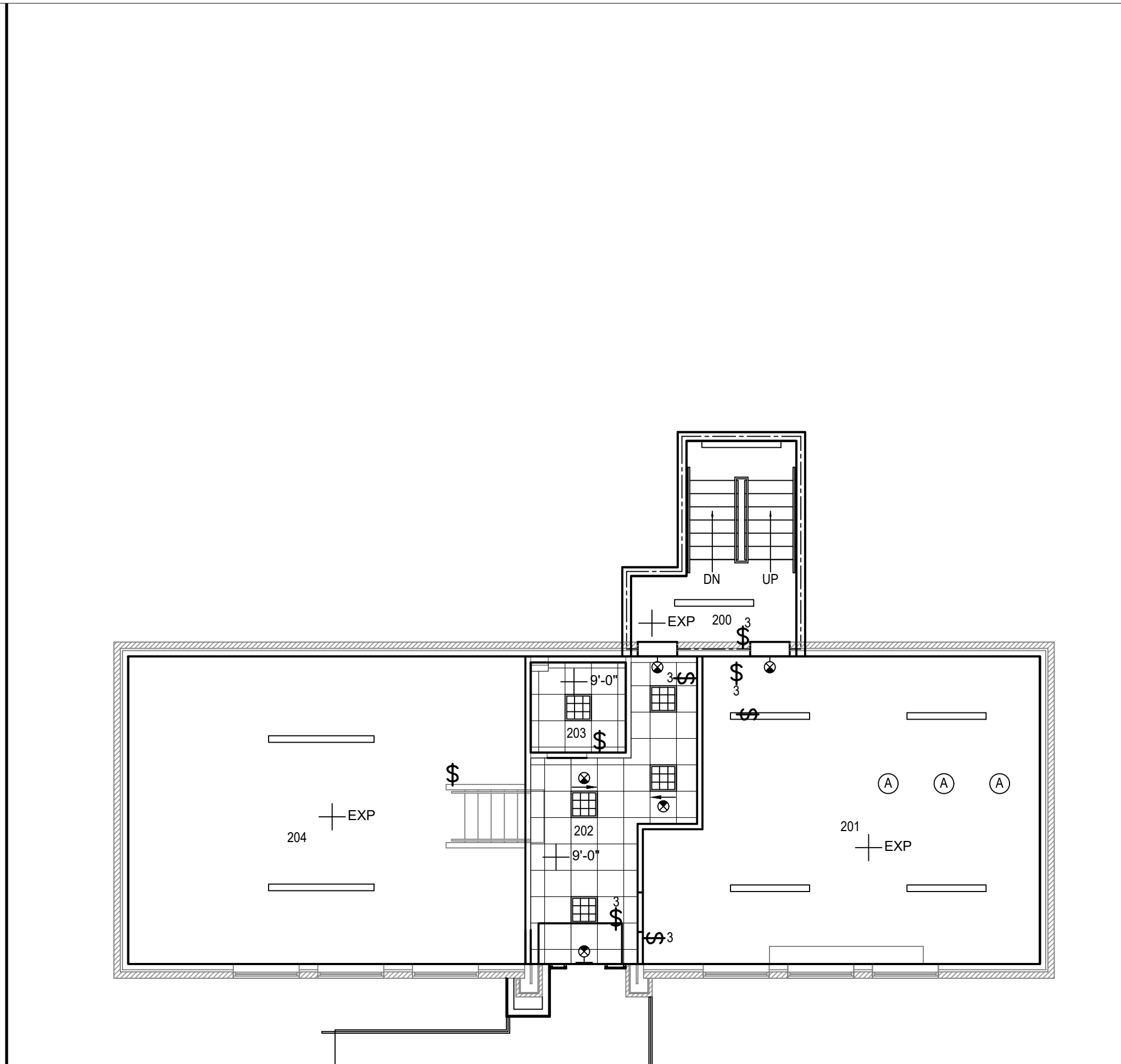


4 MILLWORK ELEVATION PRIVATE OFFICE
SCALE: 3/8"=1'-0"

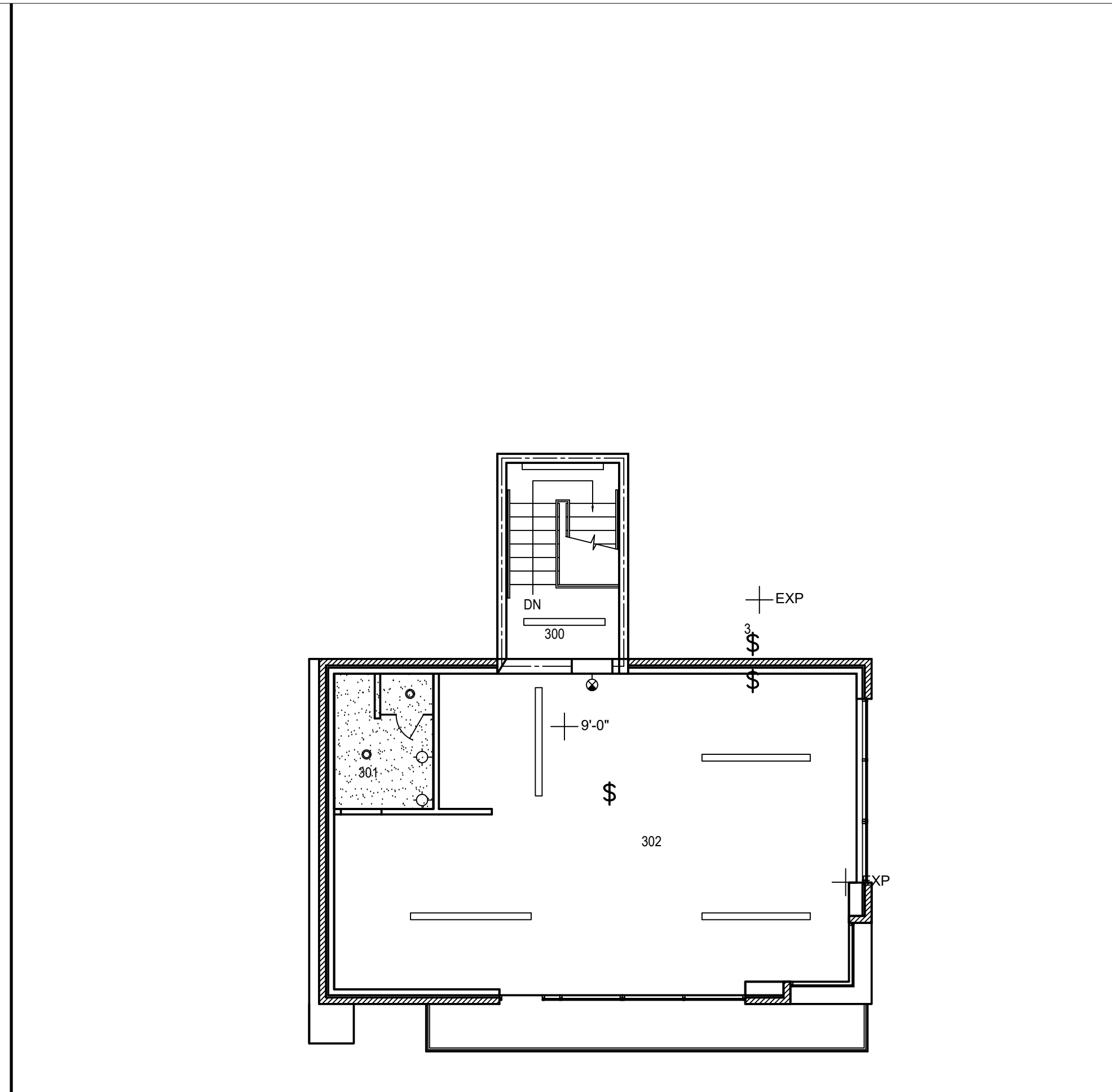




1 REFLECTED CEILING PLAN - BASEMENT LEVEL
SCALE: 1/8"=1'-0"

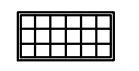









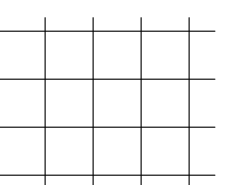


2 REFLECTED CEILING PLAN - FIRST FLOOR
SCALE: 1/8"=1'-0"



3 REFLECTED CEILING PLAN - SECOND FLOOR
SCALE: 1/8"=1'-0"

SYMBOL LEGEND - REFLECTED CEILING PLAN

-  2X4' SURFACE MOUNTED PARABOLIC FIXTURE
-  2X2' SURFACE MOUNTED PARABOLIC FIXTURE
-  RECESSED LED CAN FIXTURE
-  PENDANT LIGHT FIXTURE; O.P.C.I.
-  WALL SCONCE, EXTERIOR
-  EXIT LIGHT - WALL MOUNTED
-  EXIT LIGHT - CEILING MOUNTED
-  SUSPENDED, DIRECT/ INDIRECT 8'-0" FLUORESCENT LIGHT;
-  WALL SWITCH MOUNTED AT 48" A.F.F. (D = DIMMER, 3 = 3-WAY SWITCH)
-  CEILING HEIGHT
-  2 X 2' CEILING GRID

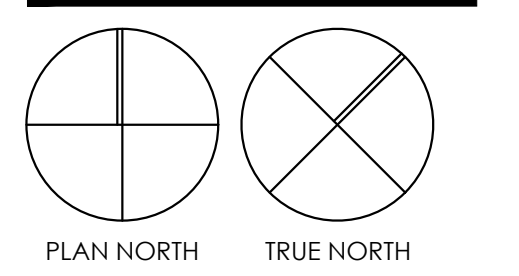
GENERAL NOTES - REFLECTED CEILING PLAN

1. INFORM INTERIOR DESIGNER IMMEDIATELY OF CONFLICTS DISCOVERED ON SITE BETWEEN DRAWINGS AND FIELD CONDITIONS. OBTAIN CLARIFICATION OR RESOLUTION OF CONFLICTS PRIOR TO PROCEEDING WITH WORK IN QUESTION.
2. REFER TO LIGHTING, POWER AND COMMUNICATIONS GENERAL NOTES FOR INFORMATION PERTAINING TO LIGHTING.
3. THE ELECTRICAL CONTRACTOR SHALL PROVIDE ALL ADDITIONAL FIRE ALARM DEVICES, VISUAL ALARM LIGHTS, SPEAKERS, AND WIRING AS REQUIRED TO MEET THE INTERNATIONAL BUILDING CODE, AND LIFE SAFETY CODE REQUIREMENTS.
4. CONTRACTOR TO FIELD VERIFY THAT EXIT LIGHTS, EMERGENCY LIGHTS, STROBE & FIRE ALARM FIXTURES MEET APPLICABLE CODES. MODIFY AS REQUIRED.
5. SWITCHES ARE FOR LOCATION ONLY; CONTRACTOR TO PROVIDE ADEQUATE SWITCHING, AS REQUIRED.

cramer design studio . LLC
1423 ordway place
nashville, tn 37206
ph: 615.262.9538
kramer615@gmail.com



BLACK 13 TATTOO RENOVATION
1313 DICKERSON PIKE
NASHVILLE, TENNESSEE 37207

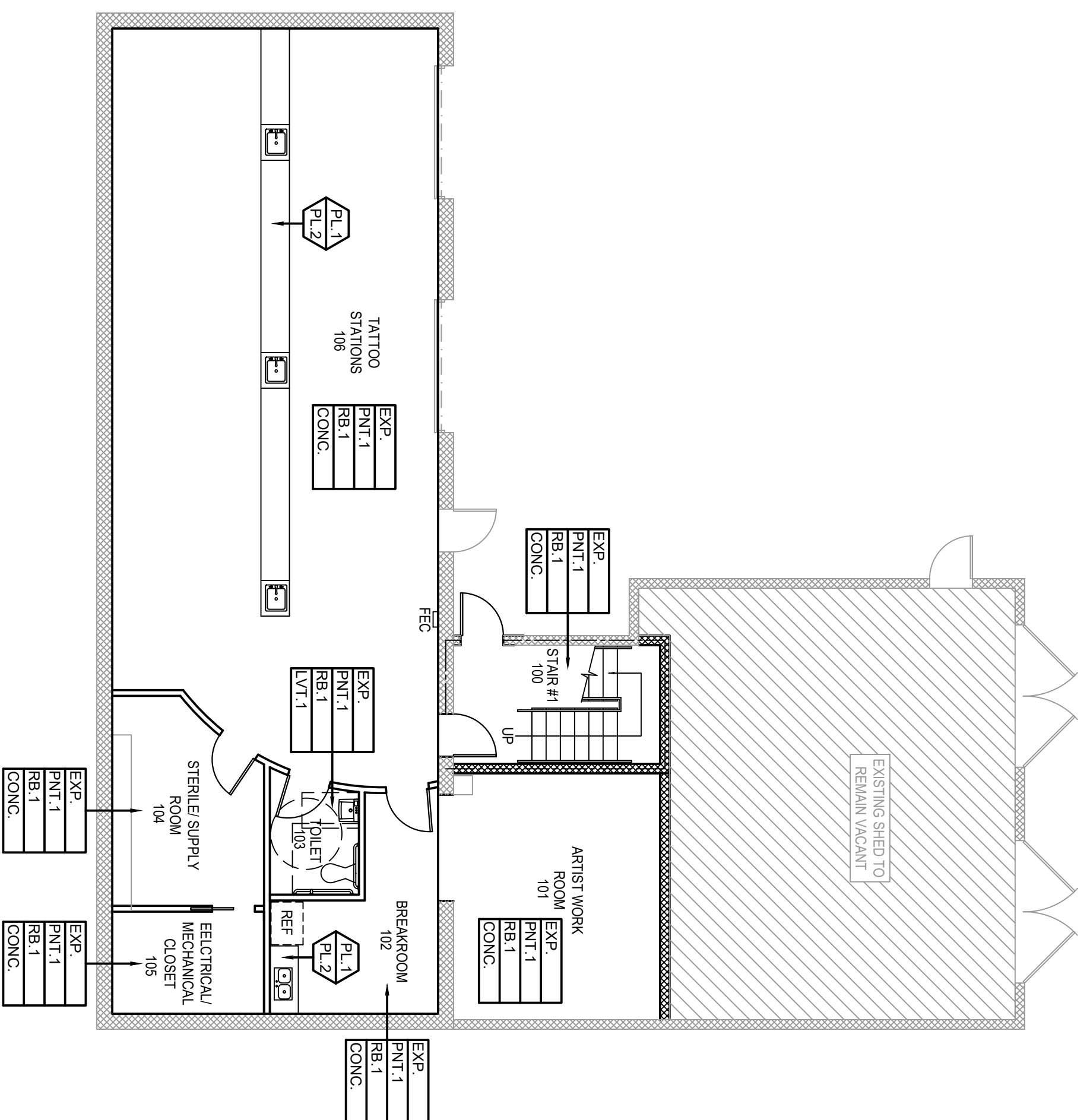


Project Information
Project No. 18-003-04
Drawn By: KBC

Issues
PERMIT & CONST. 05.14.2019

REFLECTED CEILING PLAN

A3.00



1 FINISH PLAN - BASEMENT LEVEL
SCALE: 3/8"=1'-0"

SYMBOL LEGEND - FINISH PLAN

ACT	CEILING TYPE
PNT	WALL FINISH
WDB	BASE
CPT	FLOOR

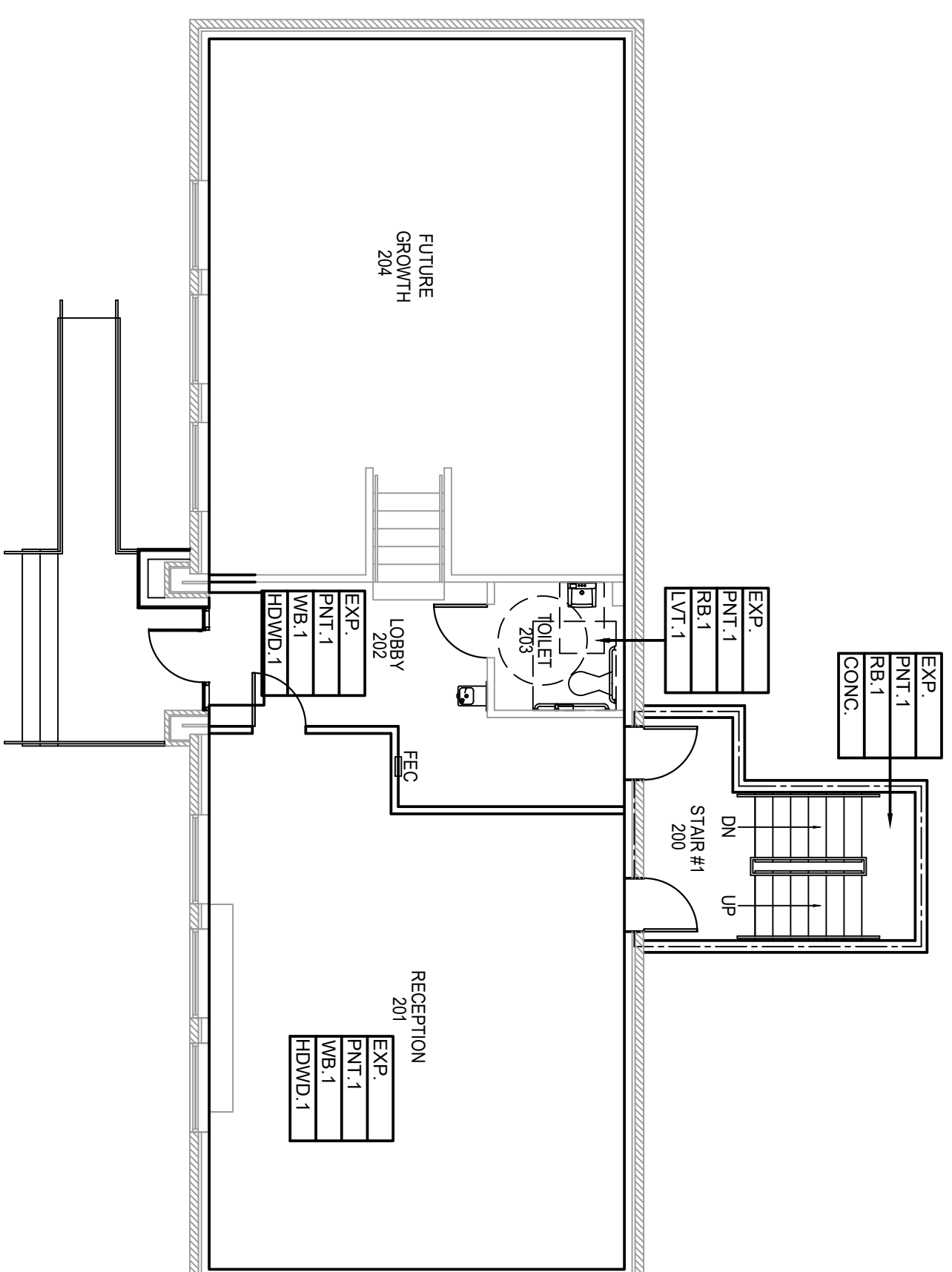
EXTENT OF FINISHES

TRANSITION OF FLOOR MATERIALS
PROVIDE AND INSTALL SCHLUTER METAL
TRANSITION STRIP, THIN PROFILE

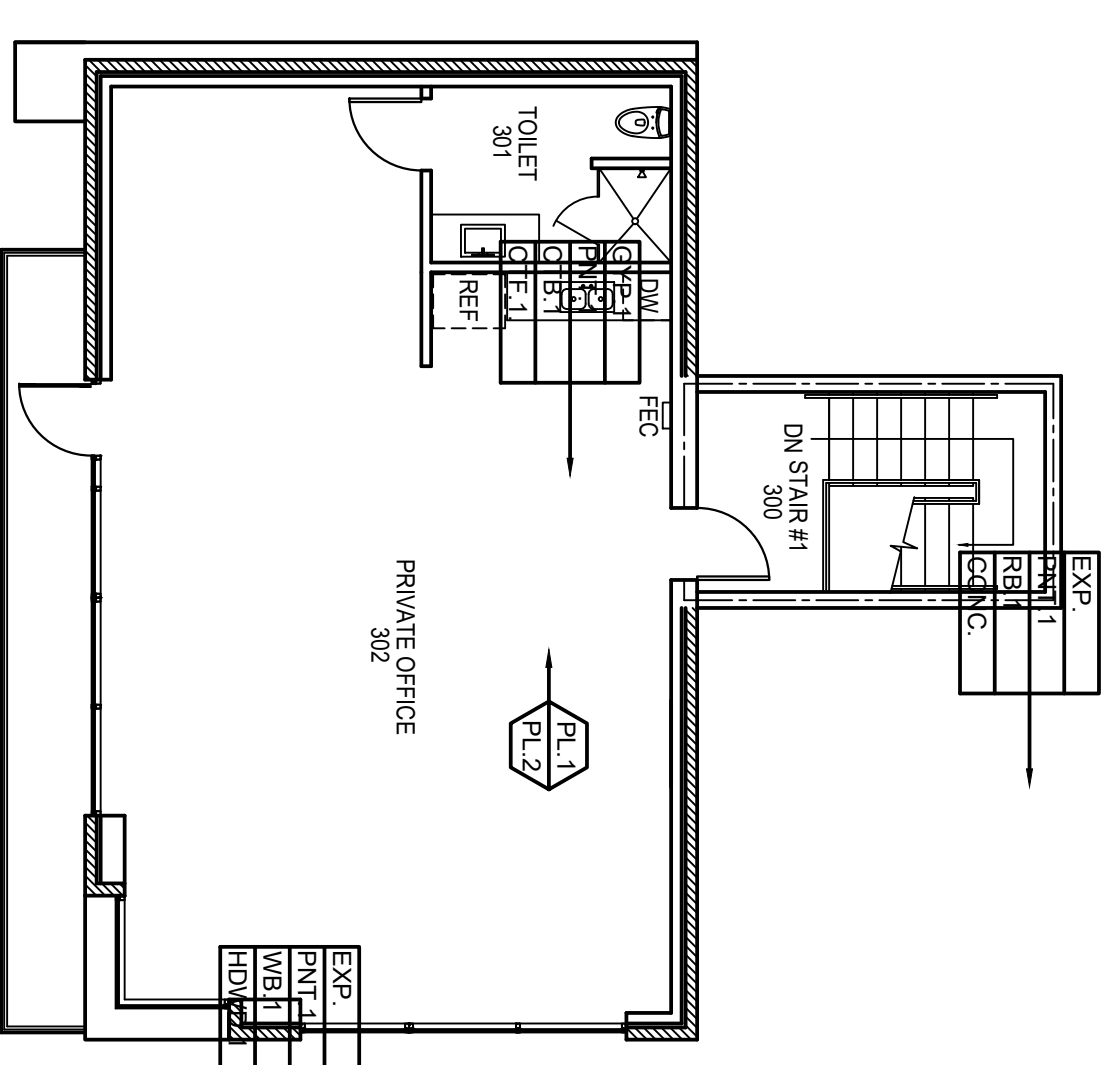


FINISH LEGEND

- EXP EXPOSED CEILING
- GYP 1 PAINTED GYPSUM BOARD CEILING, PAINT, SHERWIN WILLIAMS
COLOR TO BE DETERMINED, FLAT FINISH
- PNT 1 GENERAL WALL PAINT, SHERWIN WILLIAMS, COLOR TO BE
DETERMINED, EGGSHELL FINISH
- RB 1 RUBBER BASE, 109PF-44, COVE BASE, 129' ROLLED GOODS,
COLOR TO BE DETERMINED
- WB 1 WOOD BASE, PROFILE TO BE SELECTED BY OWNER, FINISH:
PAINTED SEMI-GLOSS
- CTB 1 CERAMIC TILE BASE, COLOR TO BE DETERMINED
- CTF 1 CERAMIC TILE FLOOR, COLOR TO BE DETERMINED
- LVT 1 LUXURY VINYL TILE, PATTERN & COLOR TO BE DETERMINED
- CONC SEALED CONCRETE FLOOR
- HWD 1 HARDWOOD FLOORING, OWNER TO SELECT SPECIES, STAIN
AND PLANK SIZE
- PL 1 PLASTIC LAMINATE - COUNTERTOPS, WILSONART #48247
SAIN OXIDE
- PL 2 PLASTIC LAMINATE - CABINETS, WILSONART #4794K-18 ASIAN
NIGHT



2 FINISH PLAN - FIRST FLOOR
SCALE: 3/8"=1'-0"



3 FINISH PLAN - SECOND FLOOR
SCALE: 3/8"=1'-0"

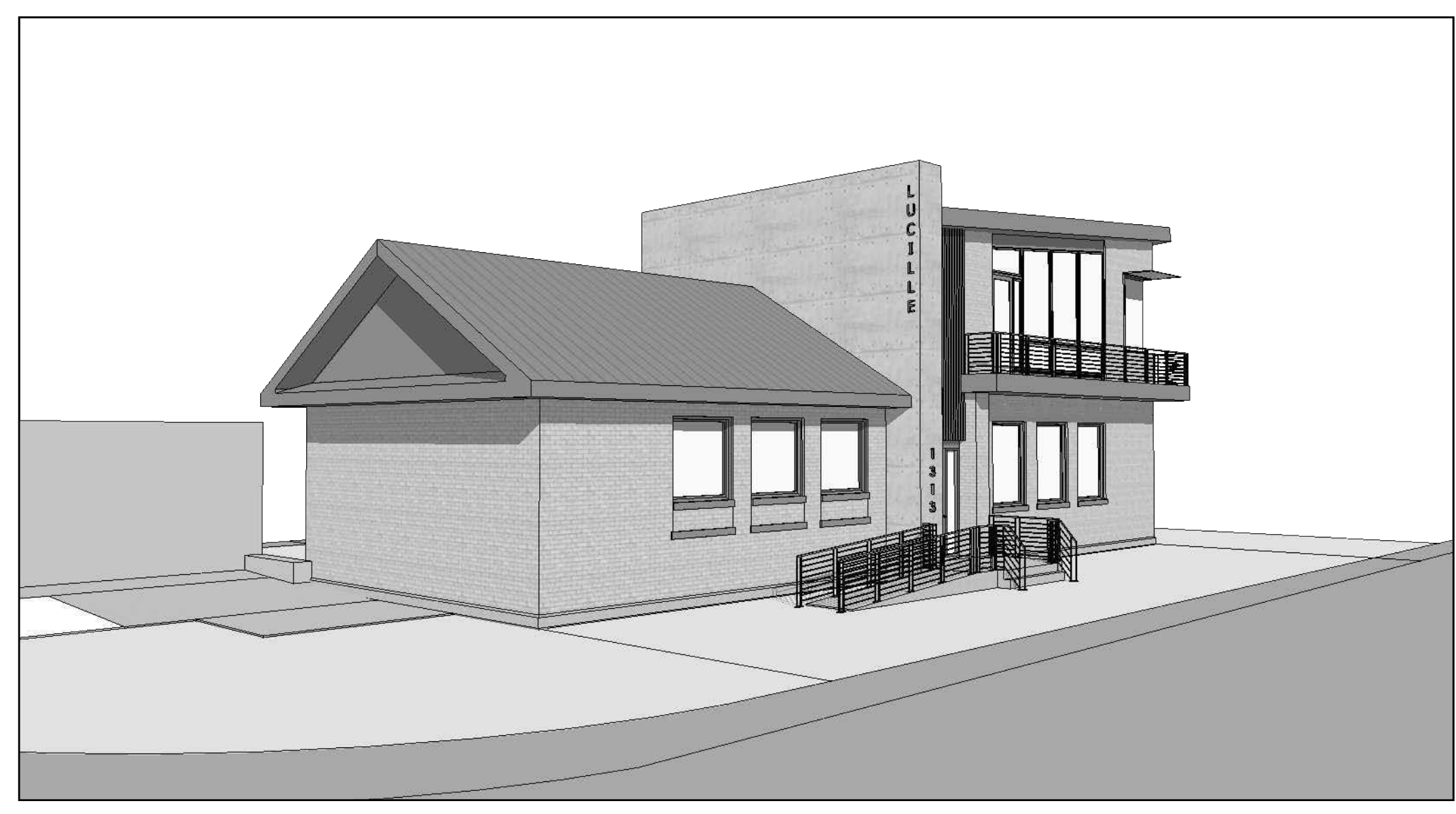


BLACK 13 TATTOO
1313 DICKERSON ROAD
NASHVILLE, TN
37207



1 FRONT EXTERIOR ELEVATION
SCALE: 1/4" = 1'
WHEN PLOTTED AT 24 X 36

- EXISTING ELECTRICAL SERVICE
- DASHED LINE REPRESENTS HEIGHT OF EXISTING BRICK
- CANTILEVERED FLOOR SYSTEM CREATES 42" DEEP BALCONY WITH METAL RAILING



ISSUES		NOTES
#	DATE	DESCRIPTION
01	2019.04.02	CHECK SET
02	2019.04.16	CHECK SET #2
03	2019.05.07	PERMIT SET
		WINDOW SCHEDULE ADDED

19001

EXTERIOR ELEVATIONS

PERMIT SET

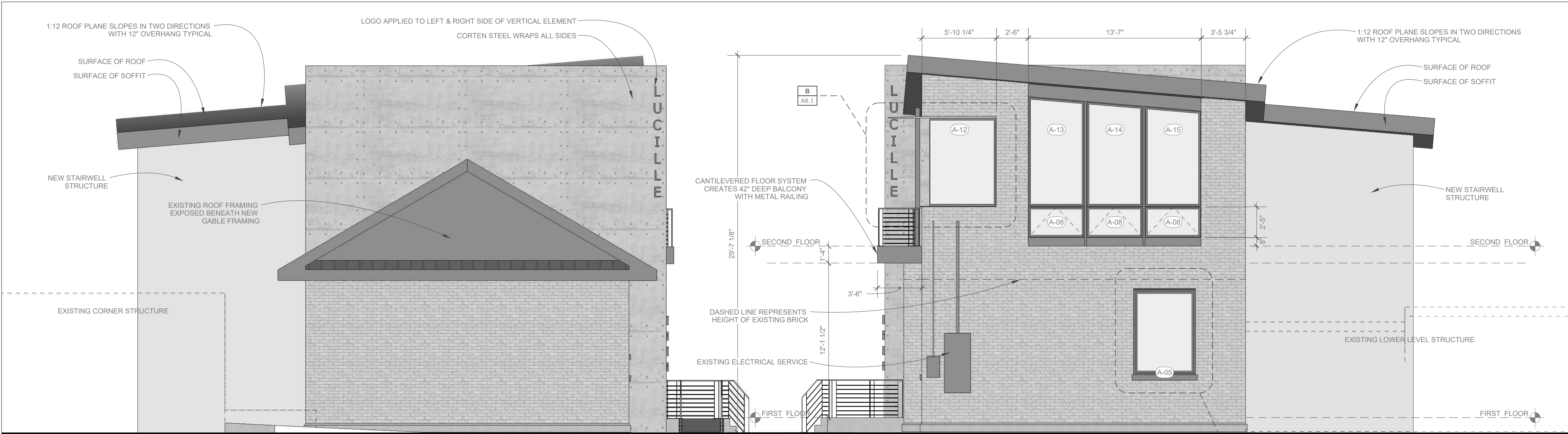
A2.1



BYNUM DESIGN, LLC
 1200 Clinton Street, Suite 30
 Nashville, TN 37203
 615.415.7877
 dee@bynumdesign.com
 www.bynumdesign.com

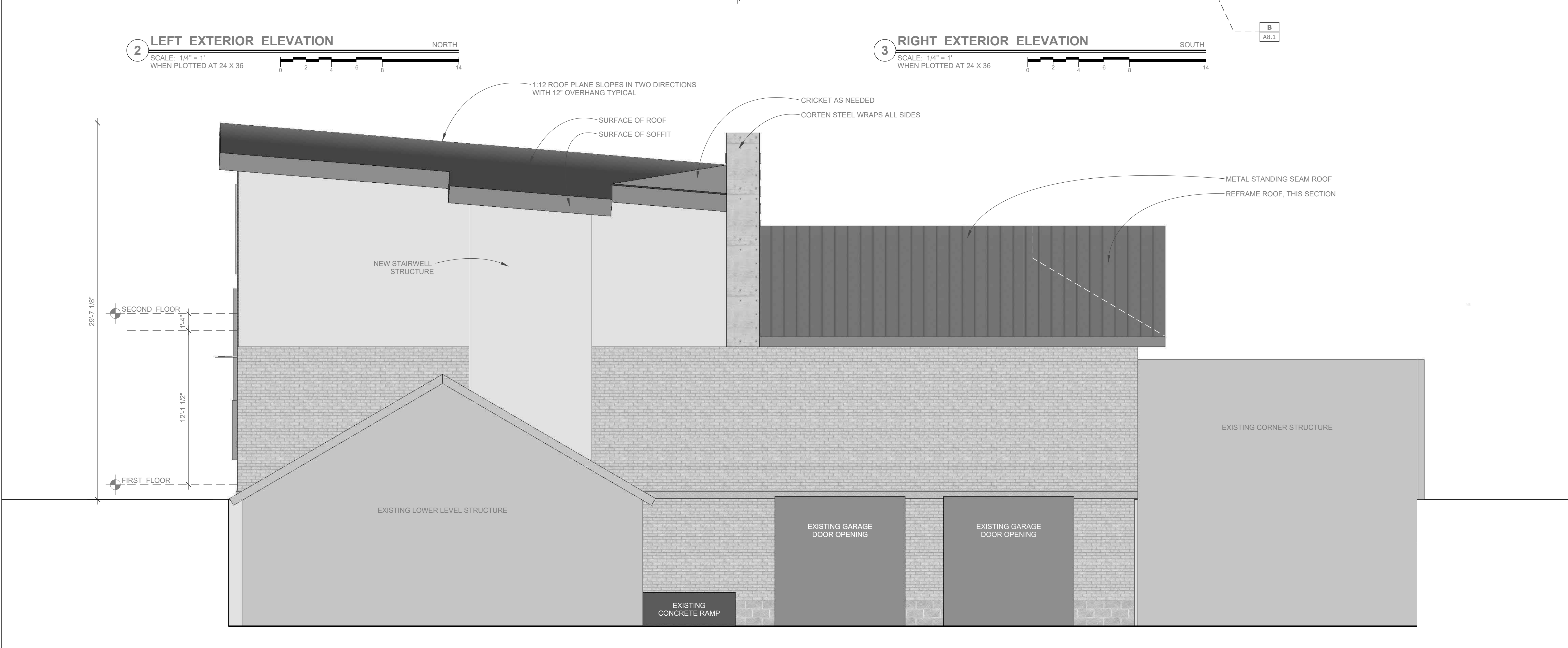


BLACK 13 TATTOO
 1313 DICKERSON ROAD
 NASHVILLE, TN
 37207



2 LEFT EXTERIOR ELEVATION
 SCALE: 1/4" = 1'
 WHEN PLOTTED AT 24 X 36

3 RIGHT EXTERIOR ELEVATION
 SCALE: 1/4" = 1'
 WHEN PLOTTED AT 24 X 36



4 REAR EXTERIOR ELEVATION
 SCALE: 1/4" = 1'
 WHEN PLOTTED AT 24 X 36

ISSUES		NOTES
#	DATE	DESCRIPTION
01	2019-04-02	CHECK SET
02	2019-04-16	CHECK SET #2
03	2019-05-07	PERMIT SET
		WINDOW SCHEDULE ADDED

19001

EXTERIOR ELEVATIONS

PERMIT SET

A2.2

THE DESIGN AND DRAWINGS CONTAINED HEREIN ARE A COPYRIGHTED DOCUMENT OF SERVICE AND SHALL REMAIN THE INTELLECTUAL PROPERTY OF THE DESIGNER. THESE DOCUMENTS ARE PROVIDED FOR A ONE-TIME USE ON THIS UNIQUE PROPERTY AND SHALL NOT BE REPRODUCED, PUBLISHED, OR USED IN ANY WAY WITHOUT EXPRESSED WRITTEN CONSENT FROM DESIGNER. UNAUTHORIZED USE OR REPRODUCTION IS SUBJECT TO LEGAL ACTION.



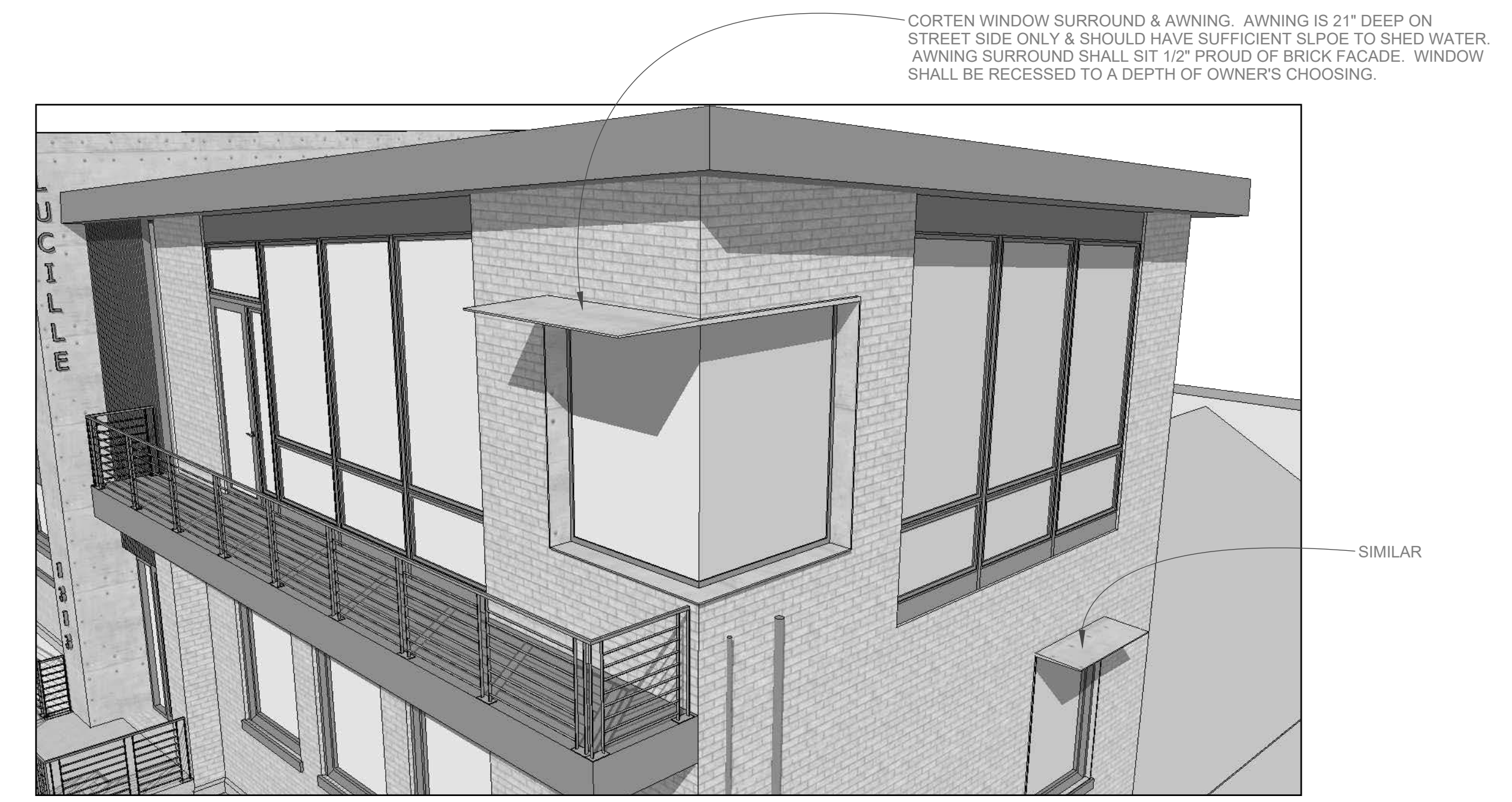
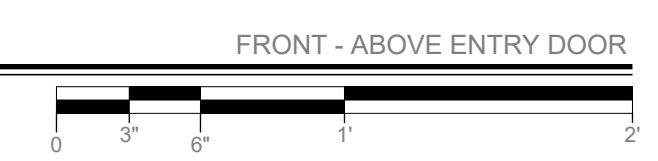
BYNUM DESIGN, LLC
 1200 Clinton Street, Suite 30
 Nashville, TN 37203
 615.415.7877
 dee@bynumdesign.com
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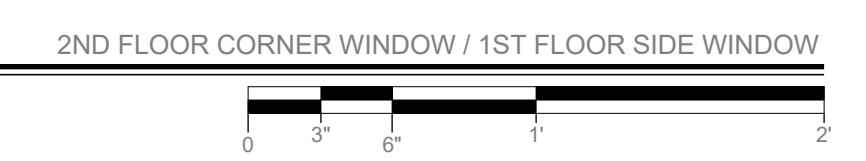
BLACK 13 TATTOO
 1313 DICKERSON ROAD
 NASHVILLE, TN
 37207



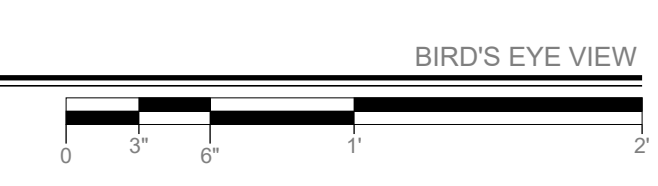
A METAL FIN DETAIL
 NOT TO SCALE



B METAL WINDOW AWNING DETAIL
 NOT TO SCALE



C OVERALL AERIAL
 NOT TO SCALE



ISSUES		NOTES
#	DATE	DESCRIPTION
01	2019-04-02	CHECK SET
02	2019-04-16	CHECK SET #2
03	2019-05-07	PERMIT SET
		WINDOW SCHEDULE ADDED

19001

**ARCHITECTURAL
 DETAILS**

PERMIT SET

A8.1

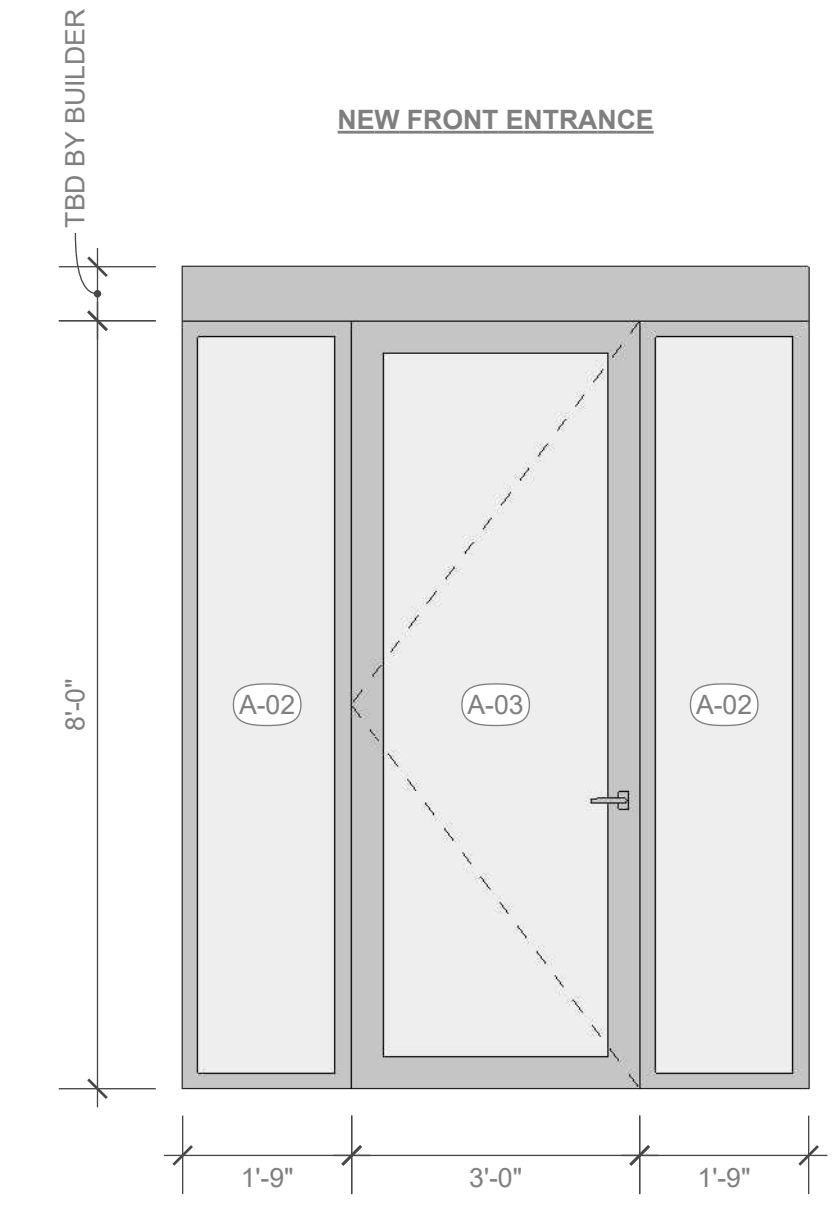


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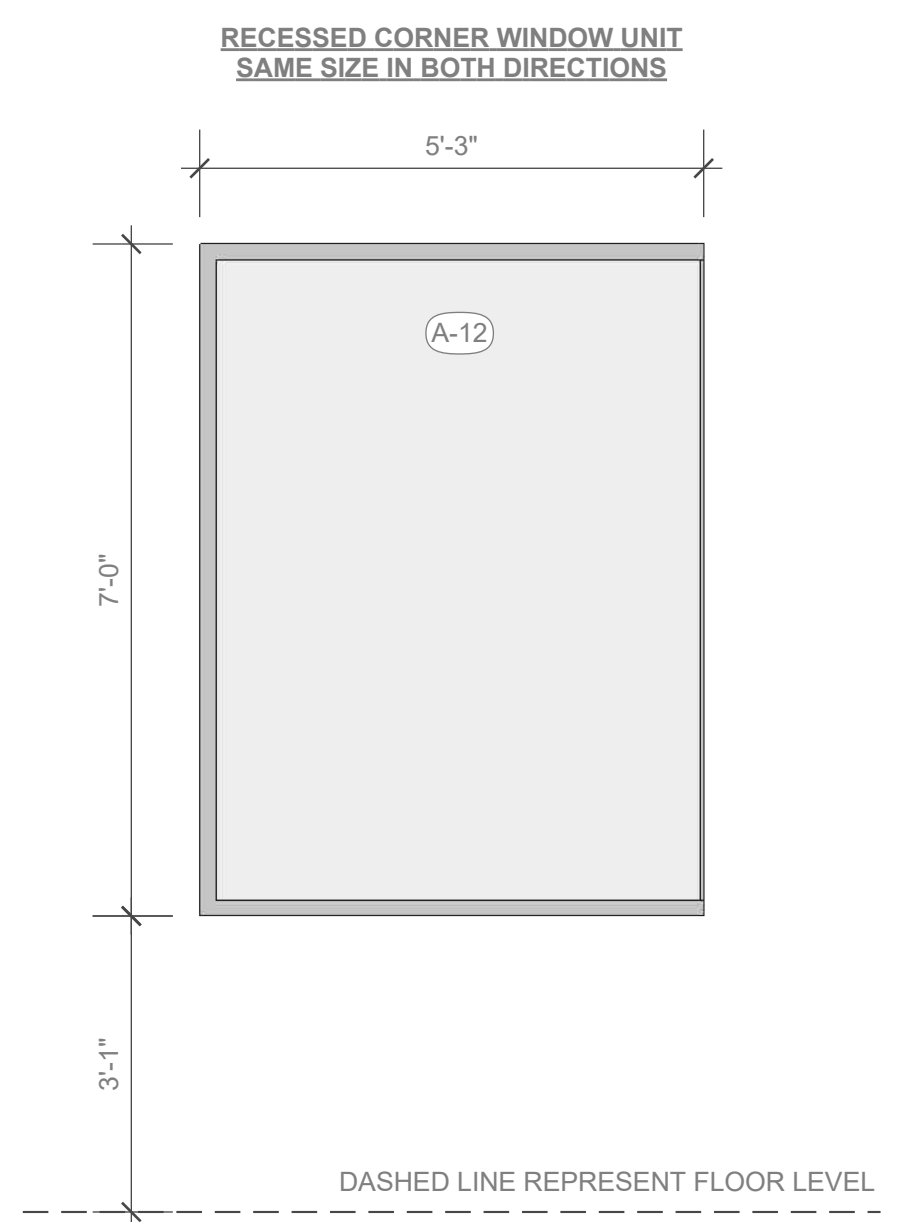
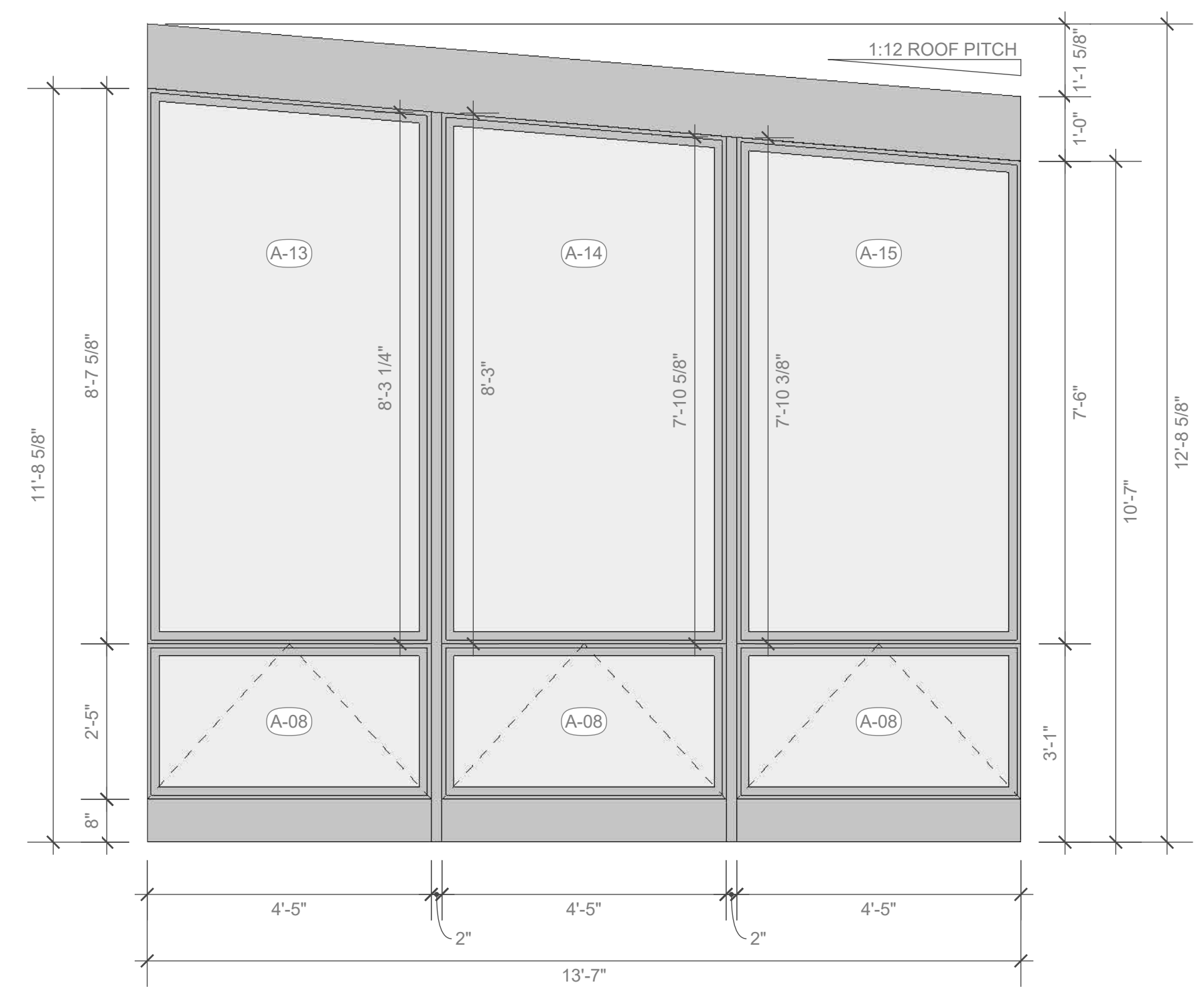
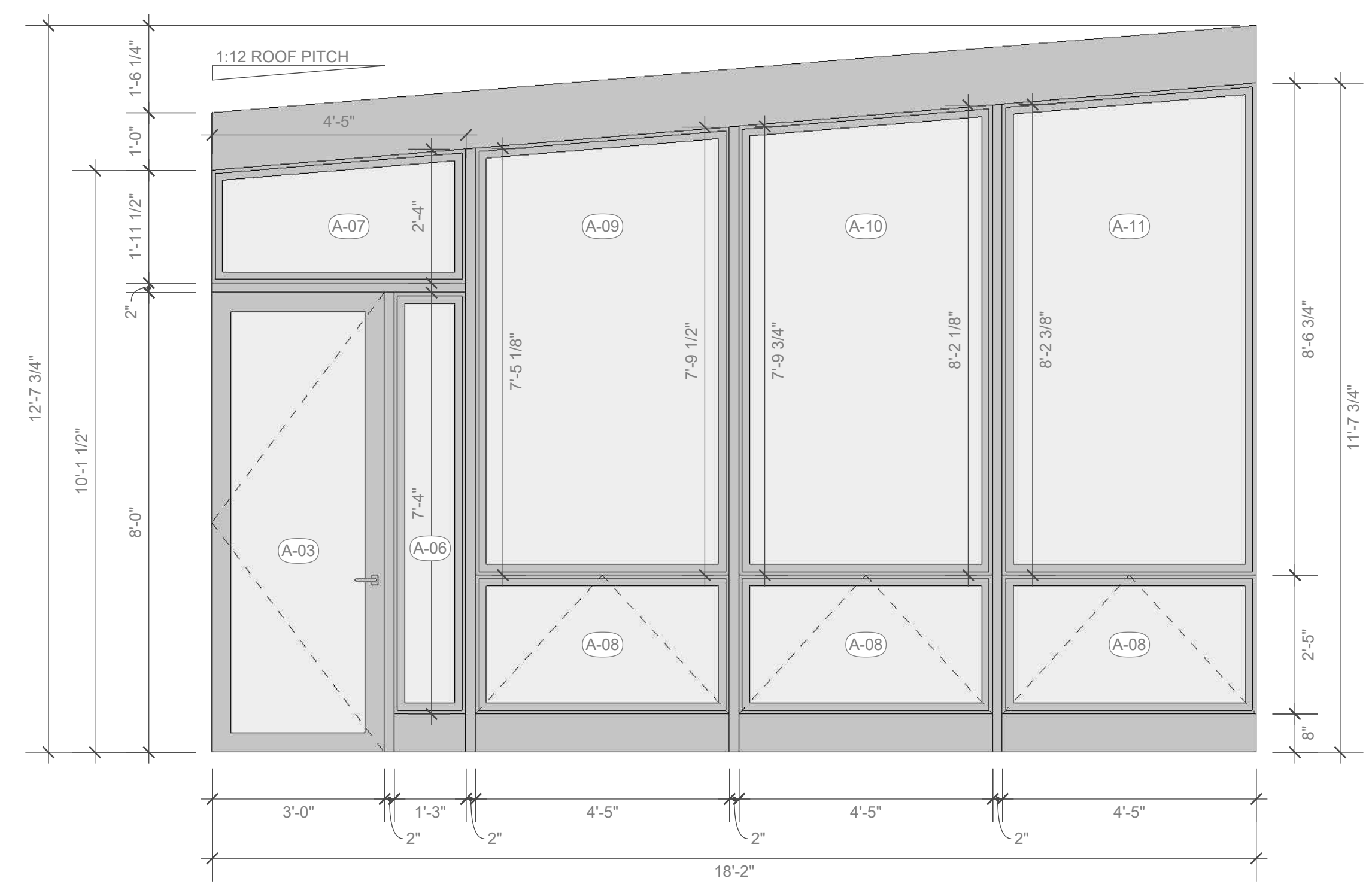


BLACK 13 TATTOO
 1313 DICKERSON ROAD
 NASHVILLE, TN
 37207



WINDOW SCHEDULE - RESIDENCE

WINDOW MARK	QTY.	VENDOR / LINE	CODE	DIMENSIONS	TYPE	GRID
A-01	3	EXISTING	-	-	FIXED	NO GRID
A-02	2	PELLA / SUPPORT PRODUCT	-	1'-9" X 8'-0"	FIXED	NO GRID
A-03	2	PELLA / PROLINE	3696	3'-0" X 8'-0"	EXTERIOR DOOR - FULL GLASS	NO GRID
A-04	3	EXISTING	-	-	FIXED	NO GRID
A-05	1	MATCH EXISTING A-04	-	-	FIXED	NO GRID
A-06	1	PELLA / SUPPORT PRODUCT	-	1'-3" X 7'-4"	FIXED	NO GRID
A-07	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-08	6	PELLA / PROLINE	5329	4'-5" X 2'-5"	AWNING	NO GRID
A-09	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-10	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-11	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-12	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / CORNER UNIT	NO GRID
A-13	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-14	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID
A-15	1	PELLA / SUPPORT PRODUCT	-	SEE DIMENSIONS BELOW	FIXED / ANGLED TOP	NO GRID



DOOR / WINDOW DETAILS
 SCALE: 1/2" = 1'
 WHEN PLOTTED AT 24 X 36

ISSUES		NOTES
#	DATE	DESCRIPTION
01	2019.04.02	CHECK SET
02	2019.04.16	CHECK SET #2
03	2019.05.07	PERMIT SET
		WINDOW SCHEDULE ADDED

19001

GENERAL NOTES & SCHEDULES
PERMIT SET

G1.1

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-316 (1313 Dickerson Pike)

Metro Standard:	4' grass strip, 10' sidewalk as defined by the Major and Collector Street Plan
Requested Variance:	Not upgrade sidewalks
Zoning:	CS
Community Plan Policy:	T4 CM (Urban Mixed Use Corridor); Special Policy Area – 05-Highland Heights
MCSP Street Designation:	T4-M-AB5-IM
Transit:	#43 – Hickory Hills; #23 – Dickerson Road; planned for future bus rapid transit per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct additions to an existing commercial building and requests a variance from constructing sidewalks along Dickerson Pike due parking impacts. Planning evaluated the following factors for the variance request:

- (1) There is currently no sidewalk on the property frontage, which is consistent with properties to the north, and to the south as far as Douglas Avenue.
- (2) Although Dickerson Pike is planned for future bus rapid transit, increased density, and high pedestrian traffic, sidewalk construction and right-of-way dedication is not feasible given the proposed building reuse and associated parking needs.

Given the factors above, staff recommends **approval with conditions:**

1. If the site is redeveloped or sidewalks are triggered in the future, the redevelopment or site improvements shall incorporate appropriate site work to construct a sidewalk which meets the Major and Collector Street Plan.

From: [Aaron Armstrong](#)
To: [Board of Zoning Appeals \(Codes\)](#); [Doy Gardner](#)
Subject: Letter of support for case number 2019-316
Date: Friday, July 19, 2019 6:22:00 PM

My name is Aaron Armstrong and I am the owner of the property located at 1301 Dickerson Pike, Nashville, TN 37207. Please share my comments and details with the board so they can be included in public comments for the hearing.

As a property owner on this block I am in favor of granting a variance for the new owners of the property at 1313 Dickerson as it related to the current sidewalk setback. Due to the proximity of the building to the street and the need for ADA access, having to abide by the current sidewalk setback would make it virtually impossible to use to renovate the existing structure. It would be a shame to miss out on a new user who is going to bring a new business and renovate a building that has been neglected for years. We are in a corridor that is in great need of invested owners who occupy their buildings and I believe granting a variance to the owners of 1313 Dickerson is appropriate in this circumstance.

Best,

Aaron Armstrong

--



Aaron Armstrong, CEO
615.800.8484 | ARMSTRONGREALESTATE.COM
1301 DICKERSON PIKE NASHVILLE, TN 37207

CONNECT WITH US:



Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210



Appellant: Ermon Eng
Property Owner: Treva St 11, LLC
Representative: JAY FERMON

Date: 6/3/19
Case #: 2018- 320
Map & Parcel: 092 09030200
09209030100

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:

VARIANCE FROM SIDEWALK REQUIREMENTS
to construct an office building

Activity Type: COMMERCIAL OFFICE BUILDING

Location: 0 33RD AVE N (SEE MAP)

This property is in the 0R20 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: ~~STEEP TOPOGRAPHY~~ Sidewalk variance

Section(s): 17.20.120/125

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.

JAY FERMON
Appellant Name (Please Print)

SAME AS APPELLANT
Representative Name (Please Print)

2002 RICHARD JONES RD
Address
C304

Address

NASHVILLE, TN 37215
City, State, Zip Code

City, State, Zip Code

615-345-3771
Phone Number

Phone Number

JAY@FERMONENG.COM
Email

Email

Appeal Fee: _____

Zoning
Committee: LB



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



3677021

**ZONING BOARD APPEAL / CAAZ - 20190032732
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09209030200

APPLICATION DATE: 06/04/2019

SITE ADDRESS:

0 33RD AVE N NASHVILLE, TN 37209
PT. LOT 116 WILCOX SUB. 25 AC.

PARCEL OWNER: TREVOR STREET II, LLC

CONTRACTOR:

APPLICANT:**PURPOSE:**

Sidewalk Variance request per 17.20.120 which requires construction of sidewalks, not eligible to contribute in lieu of construction. Requesting to contribute into Sidewalk Fund in lieu of building sidewalks.

2 parcels to be combined prior to Construction (09209030200 and 09209030100) 0 33rd Ave N and 0 33rd Ave N

No Permit Application started for proposed Commercial Project.

*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.*

There are currently no required inspections

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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 a hearing until complete.

Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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



 APPELLANT

6/3/19

 DATE

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this 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 owner 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 the effective date of this Zoning Code.

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

No injury to neighboring property - The granting of the variance 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.

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 the 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, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-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.B.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 the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

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

The Board can not grant a variance based solely on an inconvenience to the applicant nor 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?

EXTREME TOPOGRAPHY AND TERMINATION OF PUBLIC ROW SECTION.



113

114

R6

125.07

147.02

115

74.82

87

116

50

SITE

OR20
100

117

50

112.33

118

108

150

33RD AVENUE N

160

119

092090
29OR20

192.74

109

120

96.5

130s

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-320 (0 33rd Avenue North)

Metro Standard:	4' grass strip, 5' sidewalk as defined by the Local Street standard
Requested Variance:	Not construct sidewalks
Zoning:	CS
Community Plan Policy:	CO (Conservation)
MCSP Street Designation:	Local Street
Transit:	800' from #10 – Charlotte Pike; #40 – Charlotte Pike BRT; planned for future light rail per nMotion
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct an office building and requests a variance from constructing sidewalks along 33rd Avenue North due to topography and frontage on a dead-end street. Planning evaluated the following factors for the variance request:

- (1) There is currently no sidewalk on the property frontage, which is consistent with properties to the south.
- (2) Since this is a dead-end street with topographic issues, contributing in lieu of constructing sidewalks is an acceptable alternative to address the broader walking needs in the area.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.

From: [Michelle Walther](#)
To: [Kindall, Ed \(Council Member\); Board of Zoning Appeals \(Codes\)](#)
Subject: Case # 2019-220, Case # 2019-320, Case # 2019-312
Date: Wednesday, June 26, 2019 9:15:15 AM

I am writing as a Nashville resident to express my concern about the request to avoid sidewalks in the above appeals cases. Sidewalks are vital to our growing city for the safety of pedestrians and vehicles. It should be an expected and known cost of building. Please deny these request to not build and also not pay into the in-lieu fee for sidewalks.

Thank you,
Michelle Walther MD
4712 Benton Smith Rd
37215

From: [Dorris, Stacy](#)
To: [Board of Zoning Appeals \(Codes\); Kindall, Ed \(Council Member\)](#)
Subject: 2019-320 - please deny this variance request
Date: Sunday, June 23, 2019 9:07:45 PM

Dear BZA and CM Kindall,

I am writing to request that you deny the the Trevor Street II, LLC variance, Case # 2019-320 at 0 33RD AVE N 37209 to not build sidewalk required. They intend to build a new office building but are asking to avoid the sidewalk build. New sidewalks are intimately linked with development. If the opportunity is missed, the community then waits literally decades for another chance. In this case, the employees of the building will also miss this opportunity to be able to walk to nearby locals. Since Nashville is significantly behind in sidewalks already, we have just 20% of our roadways sidewalked, we just cannot miss any opportunity.

The sidewalk is a gift to our city for development and it is a known cost of doing business for any building group such as Trevor Street. Please deny this and any request such as this one to not build sidewalks. It is a safety & a health issue for all Nashvillians.

Sincerely,
Stacy Dorris
801 Timber Ln
37215
The Sidewalk Foundation



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



3677112

**ZONING BOARD APPEAL / CAAZ - 20190032789
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 07114032600**APPLICATION DATE:** 06/04/2019**SITE ADDRESS:**

2 LIGON AVE NASHVILLE, TN 37207
LOT 43 BLK A EAST VIEW SUB

PARCEL OWNER: LIGON SKYLINE, LLC**CONTRACTOR:****APPLICANT:****PURPOSE:**

Requesting a street level parking deck variance per METZO section 17.12020(D); a parking variance per METZO table 17.20.030. need to combine parcels.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

STANDARDS FOR A VARIANCE

The Metropolitan Board of Zoning Appeals may grant variances from the strict application of the provisions of this 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 owner 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 the effective date of this Zoning Code.

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

No injury to neighboring property - The granting of the variance 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.

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 the 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, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-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 the neighborhood and the way it is developed. One or more of these conditions MUST affect your inability to build or occupy the property to prove your case.

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

The Board can not grant a variance based solely on an inconvenience to the applicant nor 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?

APPLICATIONS FOR VARIANCE REQUESTS

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that 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 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the case number. Fold and insert the 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.

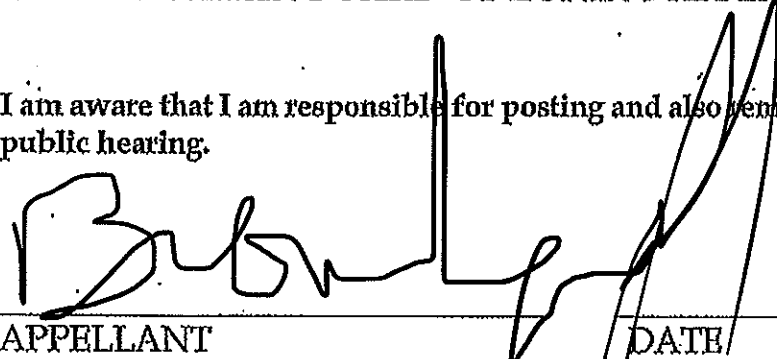
Once your request is filed, the staff will review your request to verify that the submittal is complete. Incomplete submittals will not be scheduled for a hearing until complete.

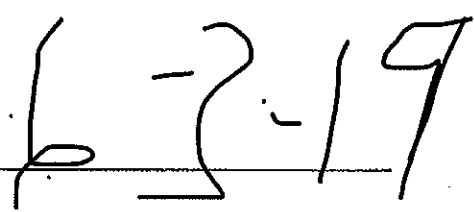
Any correspondence to the Board must be submitted to our office by noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff..

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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


APPELLANT


DATE



2606 Eugenia Ave, Suite D · Nashville, TN 37211 · 615.647.8775 · www.shgroupplc.com

June 4, 2019

Board of Zoning Appeals
800 2nd Ave S
Nashville, TN 37210

Re: 2, 4, 6 and 8 Ligon Avenue
Nashville, TN 37207
Parcels 07114032600, 07114032700, 07114032800 and 07114032900

To Whom It May Concern:

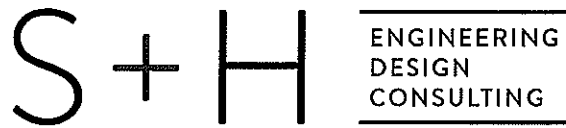
On behalf of our client, S+H Group (S+H) is submitting the referenced project for a Variance Request from Sections 17.12.020D and 17.20.030 of the Metropolitan Code pertaining to street level parking decks and minimum parking requirements, respectively. Due to the unique circumstances of severe elevation change and proximity to the UZO of the property located at 2, 4, 6 and 8 Ligon Avenue, Nashville, TN 37027 (collectively, the "property"), we are requesting the requirement for 75 percent of street level parking deck dedicated to 'non-parking' use be removed and the number of minimum parking spaces be dictated by the calculation used for parking within the UZO district. Please consider this letter and the enclosed documents as our Variance Application. Please find our unique circumstances (hardships) described below and the following documents enclosed:

1. Eight (8) copies of the Site Plan
2. Exhibit - Architectural Elevations
3. Exhibit - Urban Zoning District Map
4. Board of Zoning Appeals Checklist
5. Application for Variance Request
6. Check in the amount of \$200.00 to Board of Zoning

Variance Request 1 - Street Level Parking Deck

Per Section 17.12.020D, Note 3(d) of the Code, "parking decks located at street level shall have no less than seventy-five percent of the lineal street frontage devoted to office or nonparking commercial uses, or in districts that only permit residential uses, residential uses at a minimum depth of twenty feet. A minimum of fifty percent of that wall area shall be glazed. That floor area shall be excluded from the calculation of floor area ratio." The project envisions that the bottom two (2) levels of the building will be parking decks. The parking decks will not be connected with a ramp as each will have an entrance via public street. The project intent is to utilize the grade change across the property (approximately 9%) with the first parking level accessed off of the Alley #2014 and the second parking level accessed off of Ligon Ave.

If implemented as written, this Code section to the first parking level would require that a large commercial space be constructed underground due to the change in grade. Applying the same Code section to the second parking level would result in a large portion of commercial space that is 4-12 feet above sidewalk level. Both situations would be challenging for access from foot traffic, which is what the Code appears to encourage.



2606 Eugenia Ave, Suite D · Nashville, TN 37211 · 615.647.8775 · www.shgrouppllc.com

Based on the extreme elevation change and the hardship(s) as described above, it is requested that the project be exempt from requiring 75% of frontage on street level parking decks to be 'non-parking' uses as detailed in Section 17.12.020D, Note 3(d)

Variance Request 2 - Minimum Parking Spaces

Per Section 17.20.030 and Table 17.20.030 of the Code, the minimum required parking spaces for a Multifamily development outside the UZO district is 1 space per bedroom up to 2 bedrooms and 0.5 spaces per bedroom for each additional bedroom. Inside the UZO district, the minimum required parking spaces is 1 space per unit with 1 bedroom and 1.5 spaces per unit with 2 or more bedrooms.

Based on the proposed project program, the minimum number of parking spaces required using the **outside-UZO district** calculation is 123 spaces. Using the **inside-UZO district** calculation, the requirement is 82 spaces. The boundary of the UZO district is Ligon Ave, with all properties on the south side of Ligon Ave being within the UZO district and all the properties on the north side of Ligon Ave being outside the district. The property at issue are on the north side of Ligon.

The current Community Character Policy for the property is T4CC or Urban Community Center. As defined by NashvilleNext, the intent of T4CC is to encourage [urban community center's] development or redevelopment as intense mixed use areas that provide a mix of uses and services to meet the needs of the larger surrounding urban area. Additionally, the property is currently zoned Mixed Use General (MUG-A), which is intended for a moderately high intensity mixture of residential, retail, and office uses.

It is clear that long range planning has indicated that future growth is envisioned for the property and its surroundings. Given the proximity of the property in question to the UZO district and the future growth that is planned for the property and its surroundings, it is requested that the project be allowed to use the UZO calculation for establishing minimum parking spaces.

If you have any questions or concerns, please call or email me at 615-647-8775 ext. 101 and chip@shgrouppllc.com.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chip Howorth', written over a horizontal line.

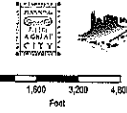
Chip Howorth
Principal

cc: James Nyquist, PE

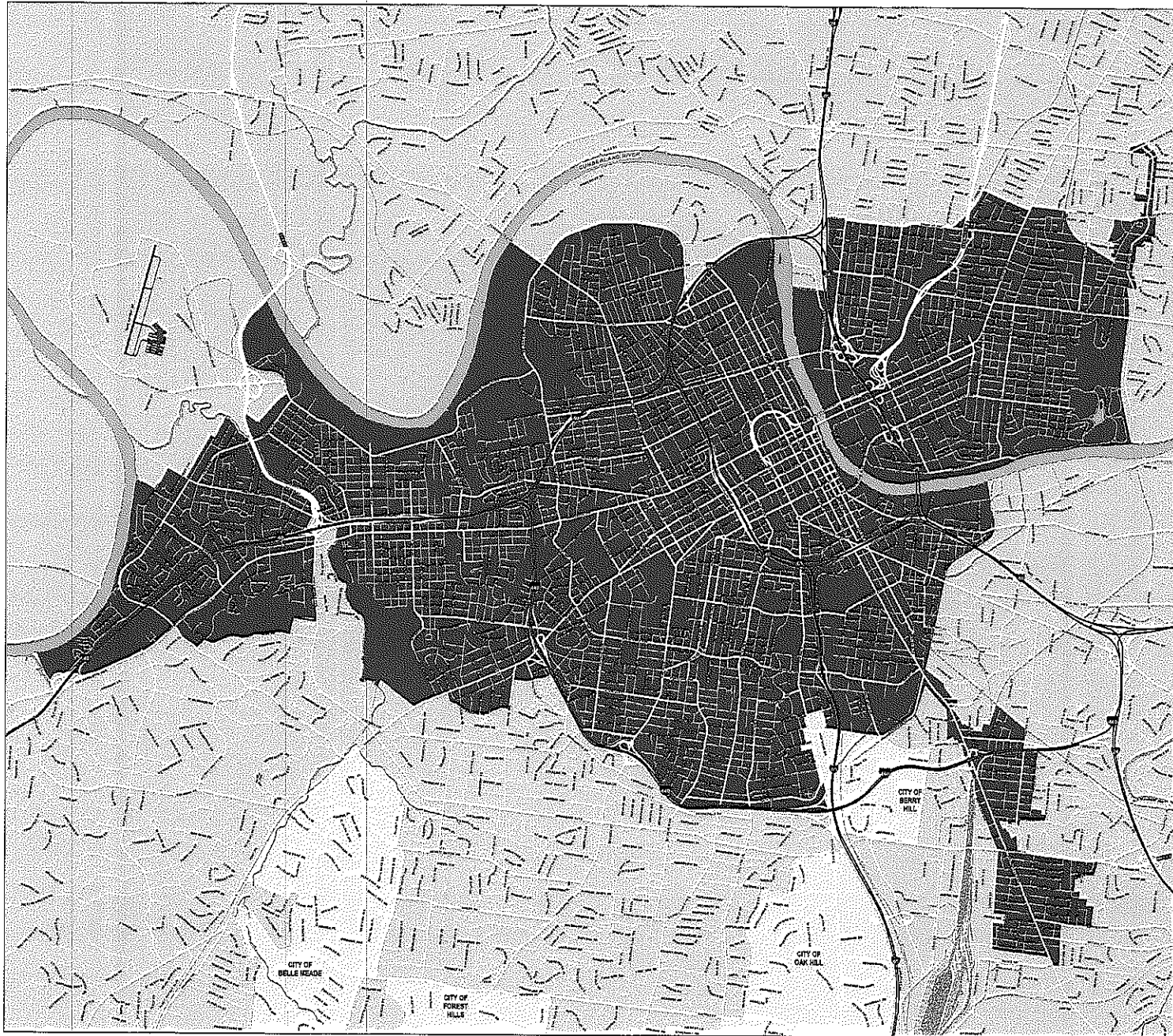


Metropolitan Nashville Davidson County Urban Zoning Overlay

- Urban Zoning Overlay
- Satellite City



Metropolitan Government of Nashville and Davidson County Planning Department
Map Date: November 2017 District: 04 District: 04A22
Coordinate System: North Carolina State Plane Scale: 1 Inch Equals 1,000 Feet



2019-321

LIGON SKYLINE LIGON AVENUE, NASHVILLE, TN 37207



REMICK ARCHITECTURE
315 MADISON ST. NASHVILLE, TN 37208
REMICK@REMICKARCH.COM | 315.305.2335

PRELIMINARY -
NOT FOR
CONSTRUCTION

LIGON SKYLINE
1814H
LIGON AVENUE, NASHVILLE, TN 37207

PROJECT TEAM:

PROJECT OWNER
BRONSON LANKFORD
LANKFORD CONSTRUCTION
NASHVILLE, TN 37215
(615) 593-0323
WWW.LDCTN.COM

ARCHITECTURAL
REMICK ARCHITECTURE
315 MADISON ST
NASHVILLE, TN 37208
(615) 305-2335
WWW.REMICKARCH.COM

COVER SHEET

S00

CONCEPTUAL
DESIGN
04/09/2019

REV: 04/09/2019 10:00 AM



VICINITY MAP
N.T.S.



AERIAL RENDERING
N.T.S.



REMICK
ARCHITECTURE
315 MADISON ST., NASHVILLE, TN 37208
REMICK@REMICKARCH.COM | 315.365.2335

PRELIMINARY -
NOT FOR
CONSTRUCTION

LIGON SKYLINE

1814H

LIGON AVENUE, NASHVILLE, TN 37207

GENERAL

S01

CONCEPTUAL
DESIGN
04/09/2019



Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

Appellant: DAVID TUDOR Date: 06/04/19
Property Owner: TUDOR BUILDING GROUP Case #: 2019.322
Representative: DAVID TUDOR Map & Parcel: 09213034300
Council District: 24

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

Purpose: To construct a single family residence
Activity Type: Residential Construction
Location: 3503 Elkins Ave.
Permit Application T2019025870

This property is in the RS5 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: Sidewalk Variance
Requesting to contribute in lieu of constructing sidewalks.

Section: 17.20.120

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: DAVID TUDOR Representative: -
Phone Number: 615-308-7704 Phone Number: _____
Address: 110 WINDSOR DR. Address: _____
NASHVILLE, TN 37205
Email address: david@tudorbuild.com Email address: _____

Appeal Fee: _____

Zoning Examiner: LB



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



3677111

**ZONING BOARD APPEAL / CAAZ - 20190032788
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 09213034300**APPLICATION DATE:** 06/04/2019**SITE ADDRESS:**

3503 ELKINS AVE NASHVILLE, TN 37209
PT LOT 112 HORTENSE PLACE

PARCEL OWNER: TUDOR BUILDING GROUP, GP**CONTRACTOR:****APPLICANT:****PURPOSE:**

Sidewalk Variance Per 17.20.120
Requesting to contribute in lieu of constructing sidewalks.

Permit App started : T2019025870

*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.*

There are currently no required inspections

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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 noon, the Monday prior to the public hearing to be included in the record. You must provide eight (8) copies of your information to staff.

We hope that this information will be of help to you in understanding the variance procedure and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6530

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

TUDOR BUILDING GROUP
APPELLANT

06/04/19
DATE

STANDARDS FOR A VARIANCE

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

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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 the effective date of this Zoning Code.

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

No injury to neighboring property - The granting of the variance 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.

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.

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The Board shall not grant variances to the land use provisions of Section 2.3, the density of Floor Area Ratio (FAR) standards of Tables 3-B and 3-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.B.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.

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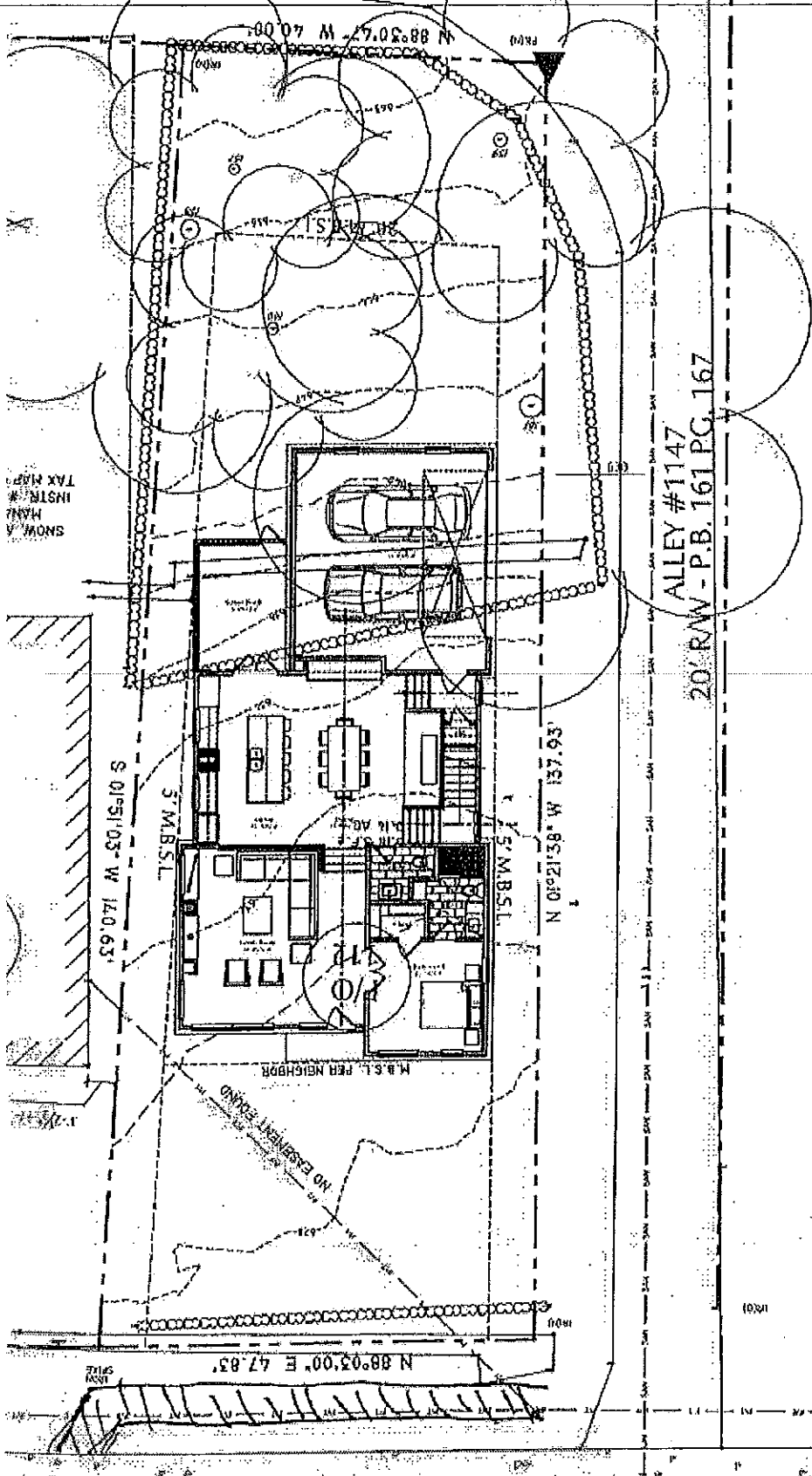
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WHAT SPECIFIC AND UNIQUE CIRCUMSTANCES (HARDSHIP) EXIST THAT WOULD AUTHORIZE THE CONSIDERATION OF THE BOARD UNDER THE REVIEW STANDARDS AS OUTLINED?

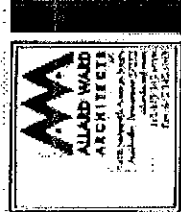
WE WOULD LIKE THE ABILITY TO PAY INTO
THE SIDEWALK FUND IN LIEU OF CONSTRUCTION.
THERE IS A POWER POLE AND UNDERGROUND
GOOGLE FIBER STATION IN THE PATH OF THE
NEW SIDEWALK. THE CURRENT SIDEWALK IS
IN GREAT CONDITION AS WELL.

SCHEMATIC - NOT FOR CONSTRUCTION



Architectural Site Plan

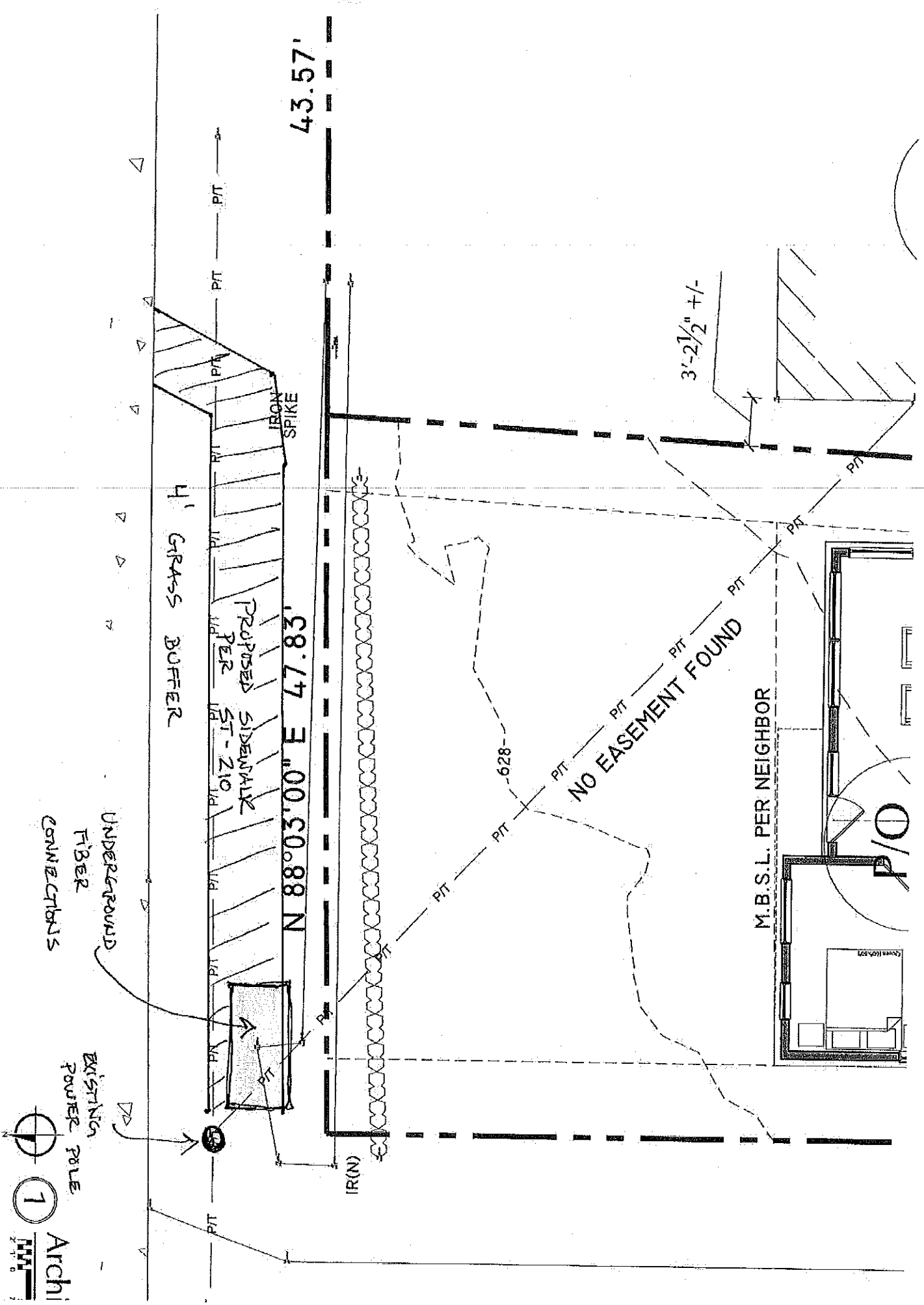
A New Residence at:
3503 Elkins Avenue
Nashville, TN 37209



Revisions	
No.	Description

Drawn by: _____
 Checked by: _____

A1.0



Archi



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



3665718

**APPLICATION FOR BUILDING RESIDENTIAL - NEW / CARN - T2019025870
THIS IS NOT A PERMIT**

PARCEL: 09213034300

APPLICATION DATE: 05/03/2019

SITE ADDRESS:

3503 ELKINS AVE NASHVILLE, TN 37209
PT LOT 112 HORTENSE PLACE

PARCEL OWNER: BARISH, AL ETUX

APPLICANT: TUDOR BUILDING GROUP, GP
David Tudor
110 WINDSOR DR
NASHVILLE, TN 37205 6153087784

CONTACT: TUDOR BUILDING GROUP, GP
110 WINDSOR DR

NASHVILLE, TN 37205

PURPOSE:

NEED FRONT SETBACK SURVEY.

No door allowed on attached carport, carport must be open on at least 2 sides.

To construct a single family residence with 3,000 sq ft of living, 545 sq ft of garage and 284 sq ft of porches and decks, 5 ft minimum side setbacks, 5 ft attached carport setback along alley on side property line, and 20 ft minimum rear setback. Must conform with all easements.

Pursuant # 2006-1263 Metro Code of Laws, I (holder OF 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 Metro Code. For every 50 feet of site frontage, a double-sided sign 24" x 36" in size must be posted in English and Spanish that contains the information required by Ordinance No. 2017-835. No more than three signs are required. Sidewalks ARE required for this project because this parcel is within the UZO. You are NOT eligible to contribute to the Pedestrian Benefit Zone in-lieu of construction

*Before a building permit can be issued for this project, the following approvals are required.
The Applicant is responsible for providing any plans or other information to the individual agencies*

[A] Site Plan Review	REJECTED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Site Plan Review	APPROVED	(615) 862-4138 Lisa.Butler@nashville.gov
[A] Zoning Review		
CA - Zoning Sidewalk Requirement Review	SWREQUIRED	(615) 862-4138 Lisa.Butler@nashville.gov
PW - Public Works Sidewalk Capital Project Coordinatic		615-862-6558 Jonathan.Honeycutt@nashville.gov 862-5230
[B] Fire Life Safety Review On Bldg App		
[E] Sewer Availability Review For Bldg	COND	615-862-6825 Sara.Jinnette@nashville.gov
[E] Sewer Variance Approval For Bldg	N/A	615-862-6825 Sara.Jinnette@nashville.gov
[E] Water Availability Review For Bldg	COND	615-862-6825 Sara.Jinnette@nashville.gov
[E] Water Variance Approval For Bldg	N/A	615-862-6825 Sara.Jinnette@nashville.gov
[G] Bond & License Review On Bldg App	APPROVED	615-862-6517 Margo.Potter@nashville.gov
[F] Address Review On Bldg App	APPROVED	615-880-2427 Sara.Cain@nashville.gov
[D] Grading Plan Review For Bldg App	COND	(615) 862-6038 Logan.Bowman@nashville.gov
[F] Ramps & Curb Cuts Review For Bldg A		862-8782 PWPermitsl@nashville.gov

PLANNING DEPARTMENT SIDEWALK VARIANCE RECOMMENDATION

BZA Case 2019-322 (3503 Elkins Avenue)

Metro Standard:	4' grass strip, 5' sidewalk, as defined by the Metro Local Street Standard
Requested Variance:	Contribute in-lieu of construction (not eligible)
Zoning:	RS5
Community Plan Policy:	T4 NM (Urban Neighborhood Maintenance)
MCSP Street Designation:	Local Street
Transit:	Property 819' south from #10 – Charlotte and #42 – Charlotte Pike BRT Lite; Planned High Capacity Transit per nMotion.
Bikeway:	None existing; none planned

Planning Staff Recommendation: *Approve with conditions.*

Analysis: The applicant proposes to construct a single family dwelling and requests a variance to contribute in-lieu of upgrading sidewalks due to topographic features, utilities, and existing sidewalks along the frontage of the site. Planning evaluated the following factors for the variance request:

- (1) A 5' wide sidewalk without a grass strip exists along the property's frontage, which is consistent with the adjacent properties to the east and west along the block face.
- (2) The property has a grade change of 2'-4' from the back of the curb to the back of the existing sidewalk. Constructing sidewalks to the Local Street standard may require new retaining walls, which may impact the topography of adjacent properties to the east and west.

Given the factors above, staff recommends **approval with conditions:**

1. The applicant shall contribute in-lieu of construction for the property frontage.
2. Maintain existing sidewalk conditions in a state of good repair per Public Works final guidance. Any portion of the existing sidewalk along the property frontage that is not ADA compliant is to be removed and replaced in-kind with MPW Detail ST-210 sidewalk.

From: [Dorris, Stacy](#)
To: [Board of Zoning Appeals \(Codes\)](#); [Murphy, Kathleen \(Council Member\)](#)
Subject: 2019-322 - please deny
Date: Sunday, June 23, 2019 9:02:30 PM

Dear BZA and CM Murphy,

I am writing to request from the TUDOR BUILDING GROUP that you deny Case # 2019-322 at 3503 Elkins Av 37209 to not build sidewalk required. New sidewalks are intimately linked with development. If the opportunity is missed, the community then waits literally decades for another chance. Since Nashville is significantly behind in sidewalks already, we have just 20% of our roadways sidewalked, we just cannot miss any opportunity.

The sidewalk is a gift to our city for development and it is a known cost of doing business for any building group such as Tudor. Please deny this and any request such as this one to not build. It is a safety & a health issue for all Nashvillians.

Sincerely,
Stacy Dorris
801 Timber Ln
37215
The Sidewalk Foundation



METROPOLITAN COUNCIL

Member of Council

Kathleen Murphy
Councilwoman, District 24
231 Orlando Avenue- Nashville, TN 37209
615-422-7109/ email: Kathleen.murphy@nashville.gov

July 29, 2019

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

Appeal Case Number: 2019-322
3503 Elkins Ave.

Dear Chair and Members:

I respectfully request that the Board of Zoning Appeals disapprove the above appeal Case No. 2019-322 located at 3503 Elkins Avenue. This request is for a variance in the RS5 District, to construct a single-family home without building sidewalks, but will pay into the sidewalk fund.

I have not been made aware of any hardship related to this property and therefore, your consideration in opposing this request is appreciated.

Thank you for your service to the city of Nashville.

Sincerely,

Kathleen Murphy
Councilwoman, District 24

KM/dc



Metropolitan Board of Zoning Appeals
 Metro Howard Building
 800 Second Avenue South
 Nashville, Tennessee 37210

Appellant: Craig Brook Date: 5-20-2019
 Property Owner: Craig and Andrea Brooks Case #: 2019-302
 Representative: James Ellis Map & Parcel: 10812029000
 Council District: 13

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

Purpose: To obtain a STRP permit
 Activity Type: Short Term Rental
 Location: 1708 Elm Run Way

This property is in the R10 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: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify to apply under Public Chapter No. 97 2.

Section: 17.16.250 E

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: Craig Brooks Representative: James Ellis
 Phone Number: (250) 262-9159 Phone Number: (615) 522-4943
 Address: 10407 111th Ave. Address: 149 Bonita Parkway
Fort St. John British Columbia V1J2V5 Hendersonville, TN 37075
 Email address: craigbrooks@shaw.ca Email address: jameswhellis@gmail.com

Appeal Fee: 100.00



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



**ZONING BOARD APPEAL / CAAZ - 20190029318
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 10812029000

APPLICATION DATE: 05/20/2019

SITE ADDRESS:

1708 ELM RUN WAY NASHVILLE, TN 37214
LOT 102 TRAILWOOD SEC 7

PARCEL OWNER: BROOKS, CRAIG & ANDREA

CONTRACTOR:

APPLICANT:

PURPOSE:

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify to apply under Public Chapter No. 972

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our 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 the property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the 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.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

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 noon, the Monday prior to public hearing to be included in the record. You must provide eight (8) copies of you information to staff.

We hope that this information will be of help to you in understanding the variance procedures and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for removing the Sign(s) after the public hearing.



APPELLANT

MAY 20, 2019
DATE



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



3245826

RESIDENTIAL SHORT TERM RENTAL / CASR - 2016025399

**PERMIT EXPIRES ONE (1) YEAR FROM DATE OF ISSUANCE UNLESS RENEWED. REFER TO
[HTTP://STRP.NASHVILLE.GOV](http://STRP.NASHVILLE.GOV) FOR RENEWAL INSTRUCTIONS**

PARCEL: 10812029000 **APPLICATION DATE:** 05/27/2016

SITE ADDRESS: **ISSUED DATE:** 07/27/2016

1708 ELM RUN WAY NASHVILLE, TN 37214
LOT 102 TRAILWOOD SEC 7

PARCEL OWNER: BARGATZE, STEPHEN & CAROL

APPLICANT:

CONTACT: Craig Brooks
1708 Elm Run Way
Nashville, TN
250-261-5978

PURPOSE:

To use residential home with three bedrooms, 10 person maximum occupancy....Non owner occupied...By making this application for a Residential Short Term Rental permit, I certify that I will comply with all requirements of Ordinance BL2014-951...

U&O Life Safety Final Approval

IGNORE

615-862-5233 Chad.Young@nashville.gov

Renew Short Term Rental Permit

RENEWSR

615-862-6517 Teresa.Moore@nashville.gov

Inspection requirements may change due to changes during construction.

*Expired
7-27-18*

STATE OF TENNESSEE, COUNTY OF DAVIDSON

To Any Lawful Officer to Execute and Return:

Summon **BROOKS, CRAIG & ANDREA 10812029000**

To appear before the Metropolitan General Sessions Court of Davidson County, Tennessee, to be held in Courtroom 4B, Justice A. A. Birch Building, 408 Second Avenue North, Nashville, Tennessee, on Wednesday,

28th day of May, 2019 at 2:00 p.m., then and there to answer in civil action brought by the Plaintiff(s)

ON 1-24-2019 VIOLATION OF METRO CODE SECTION 17.16.070.U.1.a and/or Section 17.16.250.E.1.a – ADVERTISING/OPERATING A STRP WITHOUT A PERMIT AT ADDRESS 1708 Elm Run Way, Nashville, TN 37214. Metro seeks an Order to remedy violations. Robert Osborn (615-862-6590)

NOTICE: FAILURE TO APPEAR IN COURT IN THE DATE ASSIGNED BY THIS CITATION/WARRANT CAN RESULT IN THE COURT ORDERING YOU TO PAY A CIVIL FINE/PENALTY, COURT COSTS AND LITIGATION TAXES TO THE METROPOLITAN GOVERNMENT; THE ISSUANCE OF AN EXECUTION AND GARNISHMENT TO COLLECT THE FINE/PENALTY, COSTS AND TAXES; AND THE ISSUANCE OF A BENCH WARRANT FOR YOUR ARREST FOR CONTEMPT OF COURT, WITH A PENALTY OF UP TO FIVE (5) DAYS IN JAIL AND/OR A FINE OF UP TO FIFTY DOLLARS (\$50.00)

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Judgment for Plaintiff against Defendant(s) for \$ _____ and Cost,

Dismissed with cost taxed to Plaintiff,

Dismissed with cost taxed to Defendant(s), for which execution may issue.

Entered: _____ 20 _____

Judge/Referee Division IV, Metropolitan General Sessions Court



If you have a disability and require assistance, please contact 880-3309

COURTROOM 4B

No. _____

ENVIRONMENTAL COURT

Plaintiff(s) Metropolitan Government of Nashville & Davidson County (401)

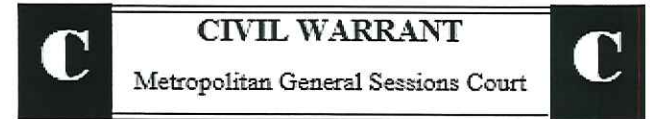
vs.

Defendant BROOKS, CRAIG & ANDREA

Address 1708 ELM RUN WAY
NASHVILLE, TN 37214

Defendant

Address



Issued _____ 2019

Richard Rooker

By: _____

Deputy Clerk

Day of the week Wednesday

Set for 2:00 p.m. on 28th day of May, 2019

Courtroom 4B Justice A. A. Birch Building
408 Second Avenue North
P.O. box 196304
Nashville, Tennessee

Reset for: _____

Came to hand same day issued and executed as commanded on:

Davidson County Sheriff's Department -- Warrant Division

610 W Due West Avenue, Madison, TN 37115

Served: _____ 20 _____

Sheriff/Process Server

Quantavius Poole (#32314) Attorney for Plaintiff

(615) 880-3767 Telephone

Attorney for Defendant

Case # 2019-302

STRP RENEWAL AFFIDAVIT

Comes now affiant CRAIG BROOKS, designated representative for Short Term Rental Property ("STRP") Permit # _____ for the property located at 1708 ELM RUN WAY NASHVILLE TENNESSEE and states as follows, based upon the affiant's personal knowledge:

1. That I am over the age of eighteen and competent to provide this Affidavit.
2. That I am the designated representative for STRP Permit # _____.
3. That I wish to continue the permitted operation of an STRP at 1708 ELM RUN WAY NASHVILLE TN, pursuant to MCL 17.16.070U.
4. That the floor plan at the permitted address has not changed since the prior STRP inspection and approval by the Metro Fire Marshal.
5. That I possess the full insurance coverage for the STRP, as required by MCL 17.16.070U.
6. That I have paid all applicable taxes related to this permit and this land use.
7. That I have not violated the requirements for operation of a permitted STRP, pursuant to MCL 17.16.070U.

FURTHER, AFFIANT SAITH NOT:



SIGNATURE

JULY 1, 2018

DATE

Affiant's PRINTED Name

CRAIG BROOKS

Affiant's Address

1708 ELM RUN WAY
NASHVILLE TENNESSEE 37214

CONTACT INFORMATION FOR RESPONSIBLE PARTY WITHIN 25 MILE RADIUS OF THE SUBJECT PROPERTY

First/Last Name: VANESSA TRAVIS

Address: 3301 EAST LAKE DRIVE NASHVILLE 37214-4290

Phone: 615-545-0963 / 615 887-6580

Email: VTRAVIS2010@YAHOO.COM

Rental Unit Record

1708 Elm Run Way, Nashville, TN 37214, USA

Active ●
Identified ✓
Compliant X

PRINT

Listing(s) Information

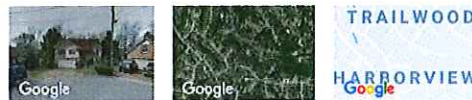
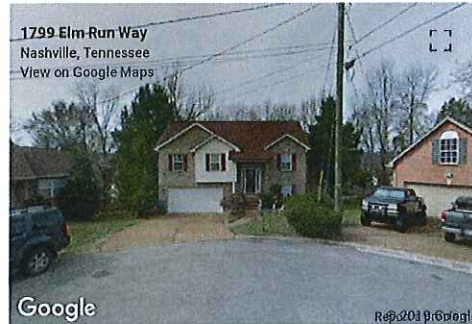
VRBO - 321.855688.1403627

Airbnb - 13547196

Flipkey - 9654588



Rental Unit Information



Identified Address

1708 Elm Run Way, Nashville, TN 37214, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.134490, -86.635834

Parcel Number

10812029000

Owner Name

BROOKS, CRAIG & ANDREA

Owner Address

1708 Elm Run Way
Nashville, TN 37214, US

Registration / Permit Number

501881

Matched Details

Analyst

LYY3

Explanation

Matched listing photo to realty site.

Listing Photos



Same exterior.

Matching 3rd Party Sources



Zip Code Match

City Name Match

Timeline of Activity

View the series of events and documentation pertaining to this property

Listing Details

2 Documented Stays

Matched property listing



























Listing URL	— https://www.airbnb.com/rooms/13547196
Listing Status	● Active
Host Compliance Listing ID	— air13547196
Listing Title	— Amazing Entertainment Home near Airport & Downtown
Property type	— House
Room type	— Entire home/apt
Listing Info Last Captured	— May 20, 2019
Screenshot Last Captured	— May 17, 2019
Price	— \$219/night
Cleaning Fee	— \$175

Information Provided on Listing

Contact Name	— Jonny
Latitude, Longitude	— 36.135090, -86.635760
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 12
Max Number of People per Bedroom	— 3
Number of Reviews	— 28
Last Documented Stay	— 04/2019

Listing Screenshot History  [View Latest Listing Screenshot](#)



- April, 2019
-  3 Documented Stays
March, 2019
-  3 Documented Stays
February, 2019
-  1 Documented Stay
January, 2019
-  1 Documented Stay
December, 2018
-  Listing fil9654588 Removed
December 3rd, 2018
-  2 Documented Stays
November, 2018
-  First Warning - No STR or Tax: Delivered
October 12th, 2018 
- Listing air13547196 Reposted
October 11th, 2018
-  3 Documented Stays
October, 2018
-  Listing air13547196 Removed
October 10th, 2018
-  First Warning - No STR or Tax: Sent 
October 5th, 2018
-  Listing fil9654588 Identified
September 24th, 2018
-  First Warning - No STR Permit: Delivered
September 13th, 2018 
-  2 Documented Stays
September, 2018
-  First Warning - No STR Permit: Sent 
September 5th, 2018
-  3 Documented Stays
August, 2018
-  Listing fil9654588 First Crawled
August 23rd, 2018
- Listing fil9654588 First Activity
August 23rd, 2018
-  2 Documented Stays
July, 2018
- Listing air13547196 Reposted
June 23rd, 2018
-  Listing air13547196 Removed
June 22nd, 2018
-  3 Documented Stays
June, 2018
-  2 Documented Stays
May, 2018
-  2 Documented Stays
April, 2018
- Listing hma321.855688.1403627 Reposted
April 21st, 2018
-  Listing hma321.855688.1403627 Removed

- April 19th, 2018
- ✈ Airbnb Letter: Delivered ☑
April 9th, 2018
- ✈ Airbnb Letter: Sent ☑
April 3rd, 2018
- ☑ 2 Documented Stays
March, 2018
- Listing hma321.855688.1403627 Reposted
February 26th, 2018
- ✘ Listing hma321.855688.1403627 Removed
February 21st, 2018
- ☑ 2 Documented Stays
February, 2018
- Listing air13547196 Reposted
February 4th, 2018
- ✘ Listing air13547196 Removed
January 31st, 2018
- ☑ 2 Documented Stays
January, 2018
- ☑ 2 Documented Stays
December, 2017
- ☑ 2 Documented Stays
November, 2017
- ☑ 4 Documented Stays
October, 2017
- ☑ 3 Documented Stays
September, 2017
- ☑ 2 Documented Stays
August, 2017
- ✓ Listing air13547196 Identified
August 2nd, 2017
- ☑ 2 Documented Stays
July, 2017
- ✓ Listing hma321.855688.1403627 Identified
July 29th, 2017
- ☑ 2 Documented Stays
June, 2017
- ☑ 2 Documented Stays
May, 2017
- ☑ 1 Documented Stay
April, 2017
- ☑ 5 Documented Stays
March, 2017
- ☑ 1 Documented Stay
February, 2017
- ☑ 1 Documented Stay
January, 2017
- ☑ 4 Documented Stays
December, 2016
- ☑ 2 Documented Stays
November, 2016
- ☑ 2 Documented Stays

2019-302

5/28/2019

To whom it may concern:

The Air BnB at 1708 Elm Run Way (37214) has not been an issue for me as the neighbor. Craig and Andrea have run a very clean, well kept home for our cult de sac and they have personally been a pleasure to be around. For the most part, the renters go unnoticed and their cleaning crew and lawn care always keeps the place well manicured.

Their happy neighbor,

Casey Wood

FROM THE DESK OF

Vanessa Travis

7-16-2019

RE: Appeal Case # 2019-302
1708 Elm Runway

I am a neighbor to the above address which is trying to obtain a permit for short term rental. I have no problem with this property being used as a short term rental. I am friends with the owner, Craig Brooks and have had no problems with any of the guests that have been at this property.

Thank You -

Vanessa Travis
3301 East Lake Dr.
Nashville, TN 37214

July 1, 2019

RE: Appeal Case Number	2019-302
1708 Elm Run Way	
Map Parcel:	10812029000
Zoning Classification	R10
Council District	13

On behalf of my wife Andrea Brooks and myself I would like to thank the court for its time today as well as apologize for being unable to attend in person. The reason for this will be explained in the body of this letter. I first came to Nashville ten years ago to record my first Album and was immediately taken by its pristine environment and deep cultural influence. As the years followed I returned to Tennessee on a number of occasions and started to become a part of the Nashville music community. It was four years ago that my wife Andrea came along and she immediately wanted to start looking for a place to call our own here in the hopes of one day being able to retire here. At this point air B&B's were not the popular thing they are today but as we spoke to various reputable realtors we discovered that short term rentals were a logical way to be able to spend time in Tennessee and have some form of passive income to support the debt. We invested over 300,000.00 into our property back in 2016 and began traveling back and forth from our home in Northern Canada. A local management company managed the property, and we employ a number of services locally including a janitorial service, a lawn maintenance company and a construction/renovation company. I have attached letters of reference from these people as it pertains to our business dealings and overall care for the property to ensure it remains in the highest of standards. In the past three to four years hundreds of people have travelled with their family and friends to stay as our guests, bringing substantial tourism dollars to the area. Many of these people would not have been able to afford to come in these larger groups if they were only able to rent hotels as the prices for that form of accommodation has skyrocketed in the recent years. We have attached the comments from a small portion of our guests as a testimonial to the quality of home we offer to them. In addition we have made a conscious effort to reach out to our neighbors to ensure that the presence of a short-term rental has not had a negative impact on their community. We have attached letters of support from the people closest to us in our cul-de-sac.

In July of 2018, our permit to operate a short-term rental property came due. Although we have a neighbor in the neighborhood check our mail weekly and send us any important documents, bills, etc., we never received a notice of our permit

being expired or that we were operating outside the constraints of the Davidson County regulations. We have included a letter from our neighbor Vanessa and snapshots of text conversations regarding the maintenance of our mall as support for these claims. As luck would have it, we were at our residence in Tennessee this May when I received a summons to appear in court. I immediately went down to the Davidson county office to see if I could rectify this oversight but was told that due to my negligence my permit was no longer valid and we were required to stop all advertising of our property and cease allowing customers to stay in our home immediately. We immediately complied and cancelled all of our bookings for the summer, which totaled in the tens of thousands of dollars. In addition, as I was unable to stay indefinitely waiting for the court date to occur, I was forced to hire legal representation to appear on my behalf. In short, our oversight has cost us an estimated \$30,000.00 already, which is one of the reasons I cannot be present in the court today as honestly, we just cannot afford it.

We have heard through various sources that there is a battle being waged between the counties that have issued these permits and the large group of permit holders that have caused a negative impact on the city, through manipulation and disregard for the guidelines put in place to guide short-term rental owners. We are not these people. We are just a couple approaching our 60's doing the best we can to sustain a property in an area that we truly love. We did honestly overlook one small fee over the course of three years, which we have addressed and have made amends to the county for. At all times we have run our establishment with the highest regard for the standards that have been put in place as we agree they are essential to maintain the integrity of the neighborhoods in which they reside.

The model of the properly run short term rental property has a number of positive impacts on the Nashville and surrounding areas bringing substantial tourism dollars annually from people that otherwise could not afford to come here in family groups. I would ask the court that we would be permitted to carry on as we were before and continue to offer clean safe affordable short-term accommodations for those who wish to experience the beauty and unique qualities that Nashville and the rest of Tennessee has to offer. Sadly without your consent, due to the escalating costs of this appeal, the monthly expenses and the mortgage and interest, my wife and I will most likely have to give up our dreams of building a life here, which in my mind does not seem just or fair considering our considerable efforts to be good citizens of this county and state.

Thank you again for your time.

Craig and Andrea Brooks

Craig Brooks

From: Craig Brooks <craigbrooks@shaw.ca>
Sent: Monday, July 29, 2019 9:01 AM
To: Craig Brooks
Subject: Fwd: Reference

EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.

Begin forwarded message:

From: James Ellis <jameswhellis@gmail.com>
Subject: Reference
Date: July 28, 2019 at 7:20:21 PM MST
To: Craig Brooka <craigbrooks@shaw.ca>, Andrea Brooks <jenhors@shaw.ca>

To whom it may concern,

Craig & Andrea have been exemplary owners of this vacation rental. They come to town and visit regularly, each time upgrading certain aspects of the home. When they are in town, they invite neighbors over for dinner and are a fine example of the benefits short term rentals can bring to neighborhoods. We have never had any complaints, the house is always well looked after and I believe the neighborhood would be poorer for not having them in it.

Kind regards
James Ellis

07/16/2019

To whom it may concern:

I am Regina M. Romo, I own Juan & Bros. Construction Company, LLC. My company has worked with Mr. and Mrs. Brooks over last three years on their properties whether it be a minor repair or complete remodel. Their properties are always in the greatest condition and if there is an issue with a property, they will solicit my business to come and fix the issues that has arisen. They have always been prompt with their payment once the project was completed. They are good people and treat others with dignity and respect. I enjoy working with them on any project that they need and will continue to do so in the future. My contact information juanbroseconstructioncompany@gmail.com and phone number is 574-214-6154 or you can also reach my husband, Juan Romo Guzman, at 615-593-6650.

Sincerely,



Regina M. Romo, Owner

5/28/2019

To whom it may concern:

The Air BnB at 1708 Elm Run Way (37214) has not been an issue for me as the neighbor. Craig and Andrea have run a very clean, well kept home for our cult de sac and they have personally been a pleasure to be around. For the most part, the renters go unnoticed and their cleaning crew and lawn care always keeps the place well manoured.

Their happy neighbor,

Casey Wood

June 28, 2019

Alyse Sands George
3428 Harborwood Cir.
Nashville, TN, 37214

Re: Brooks, 1708 Elm Run Way, Nashville, TN. 37214

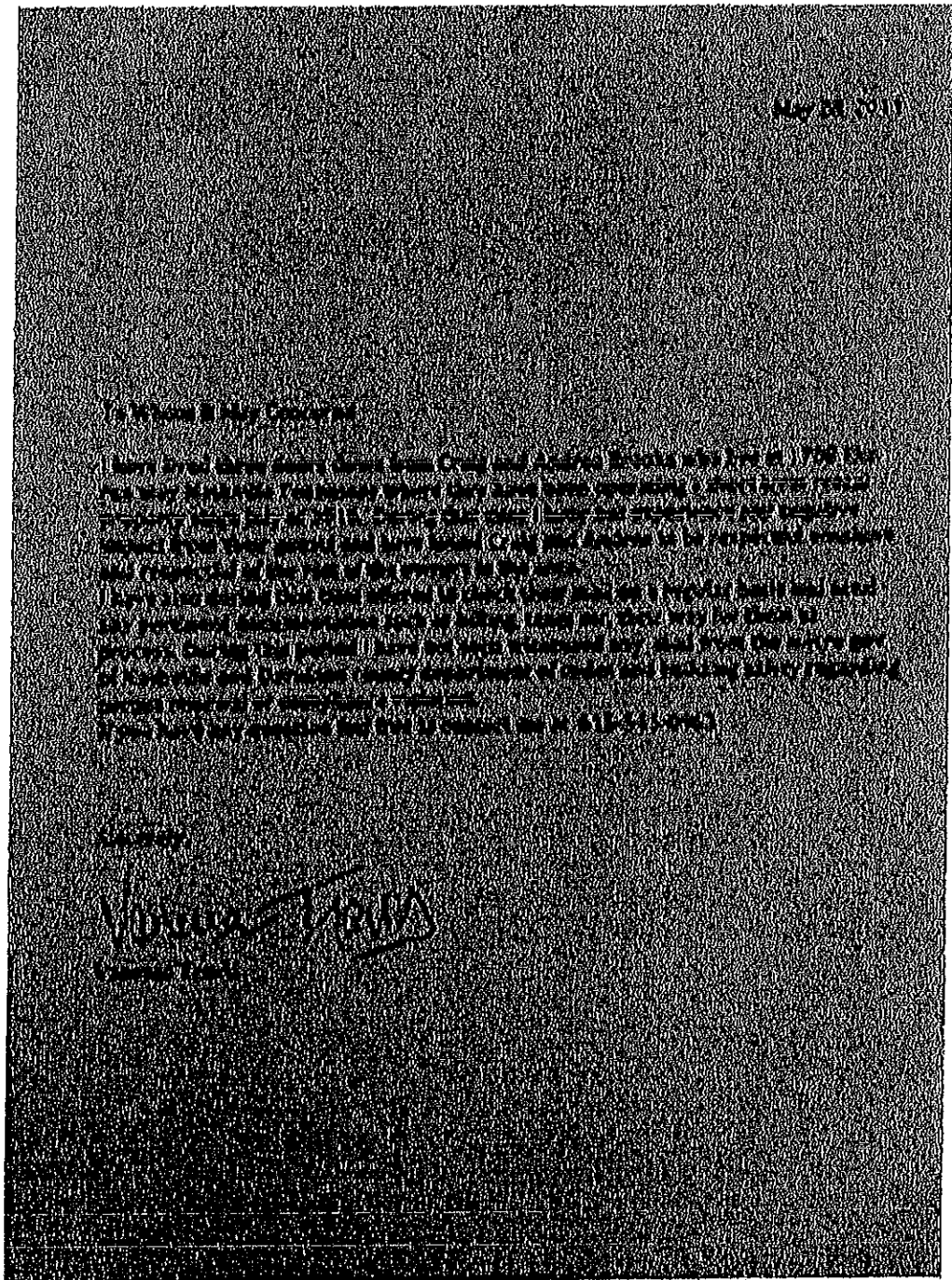
To whom it may concern:

The Brooks' property at 1708 Elm Run Way is almost directly behind my home. I am aware that they have been short term renting their home for the past few years although I would never have known it until I met them and they told me. I have never had any issue or heard any noise from their home and I support their continuing to STR their house.

Regards,

Alyse S George

Alyse Sands George



From: Craig Brooke cbrooks@newwaves.com
Subject:
Date: May 28, 2019 at 7:19 PM
To: Craig Brooke cralgbrooks@shaw.ca



This e-mail may contain information that is privileged, confidential and/or exempt from disclosure. No waiver whatsoever is intended by sending this e-mail which is intended only for the named recipient(s). Unauthorized use, dissemination or copying is prohibited. If you receive this email in error, please notify the sender and destroy all copies of this e-mail. Our privacy policy is available at www.newwaves.com

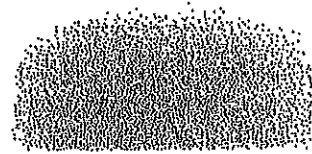
T-Mobile LTE

10:31 AM

72%

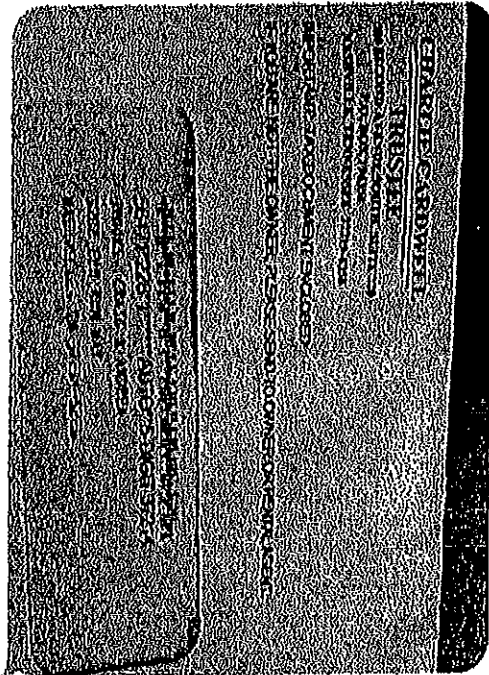


2 People >



Today 9:55 AM

Andrea Brooks
...
taxes in the mail, I wasn't
sure if you get this via e
mail ?



No I don't. I should set that up. I thought I paid for this year already?? Weird. can once for now, \$300 each time 🙄

Apr 16, 2018, 4:16 PM

This came in the mail

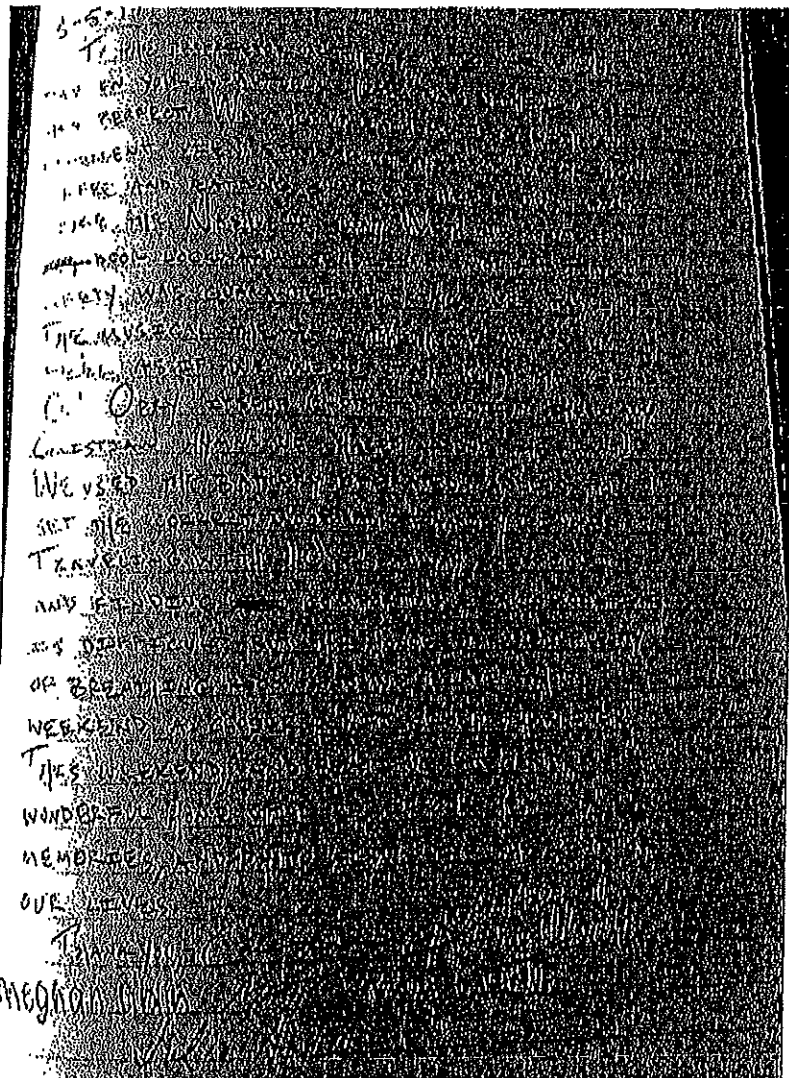


Sent from my iPhone

Craig Brooks

From: Andrea Brooks <Ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:01 PM
To: Craig Brooks

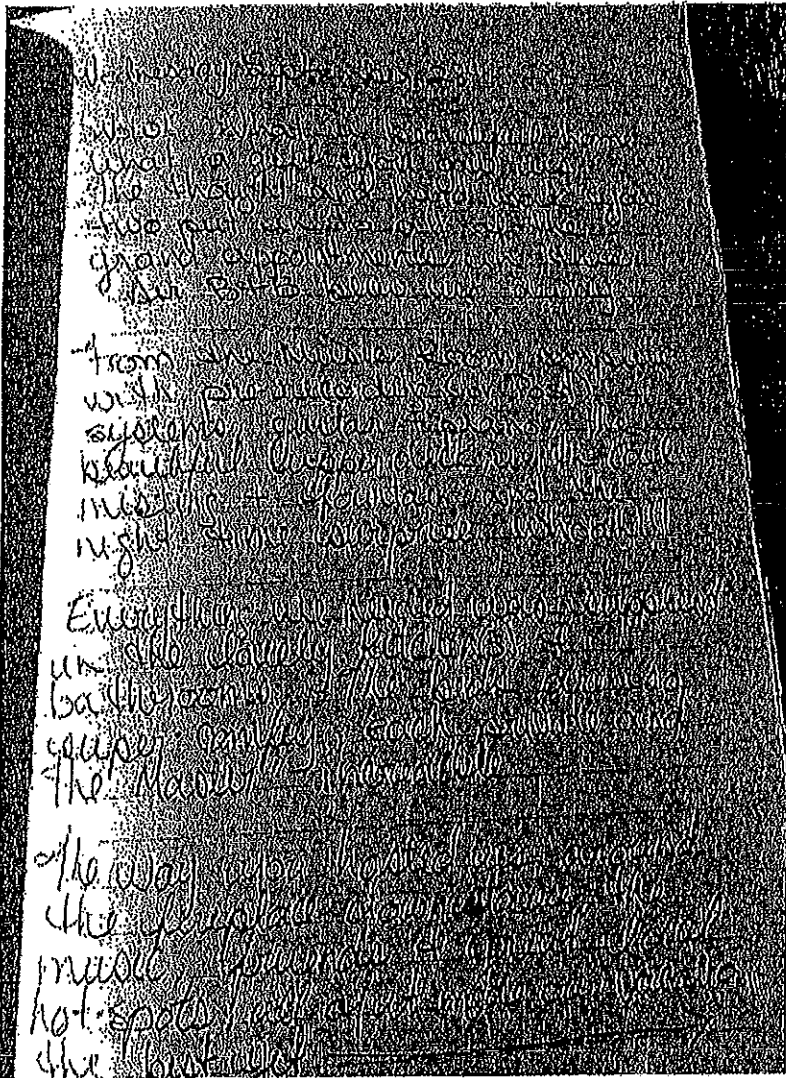
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <Ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:02 PM
To: Craig Brooks

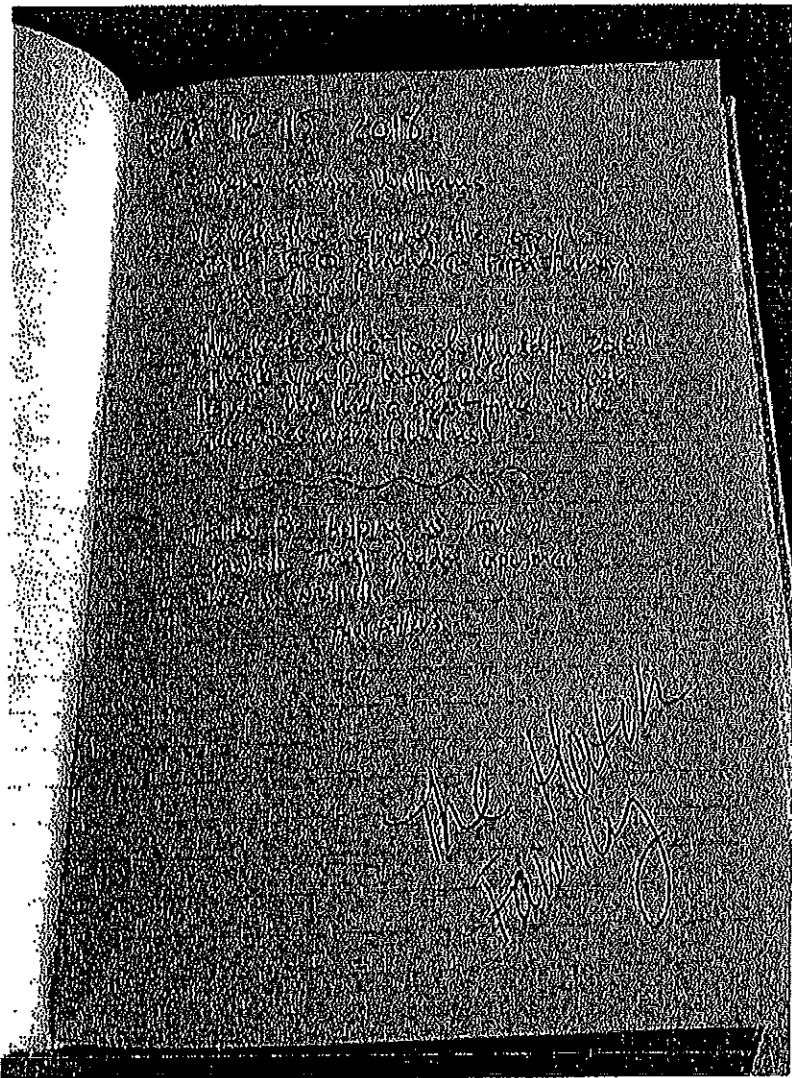
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <Ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:20 PM
To: Craig Brooks

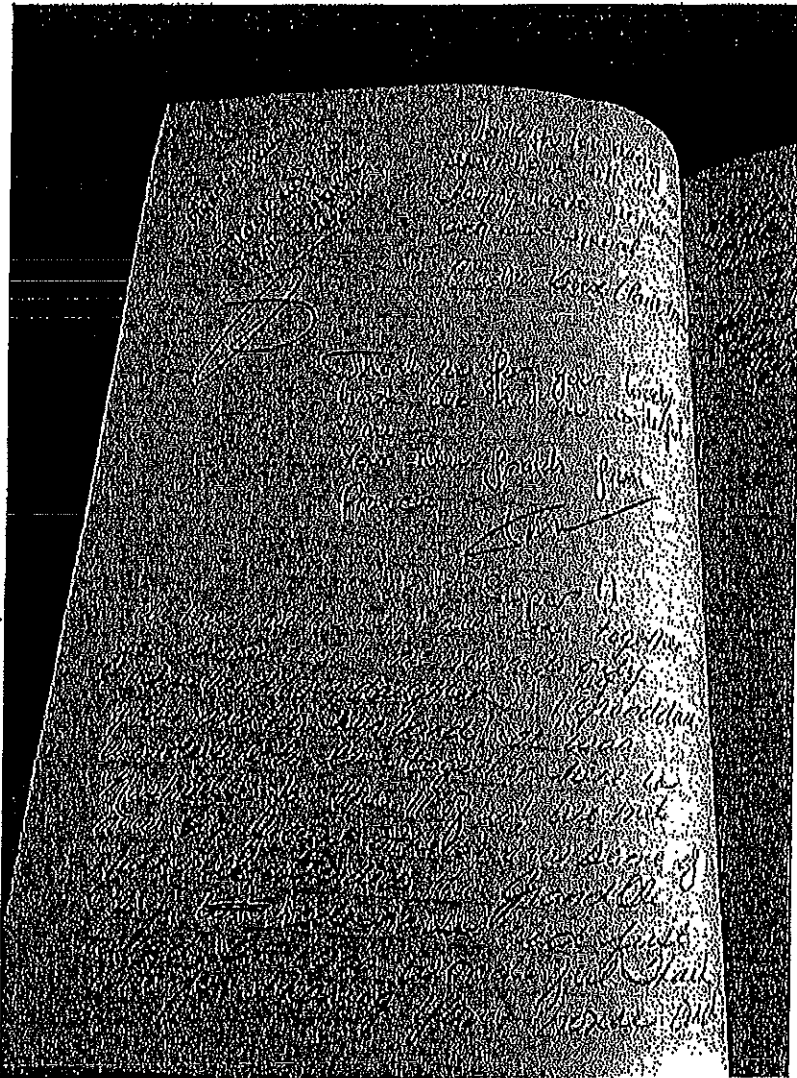
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:19 PM
To: Craig Brooks

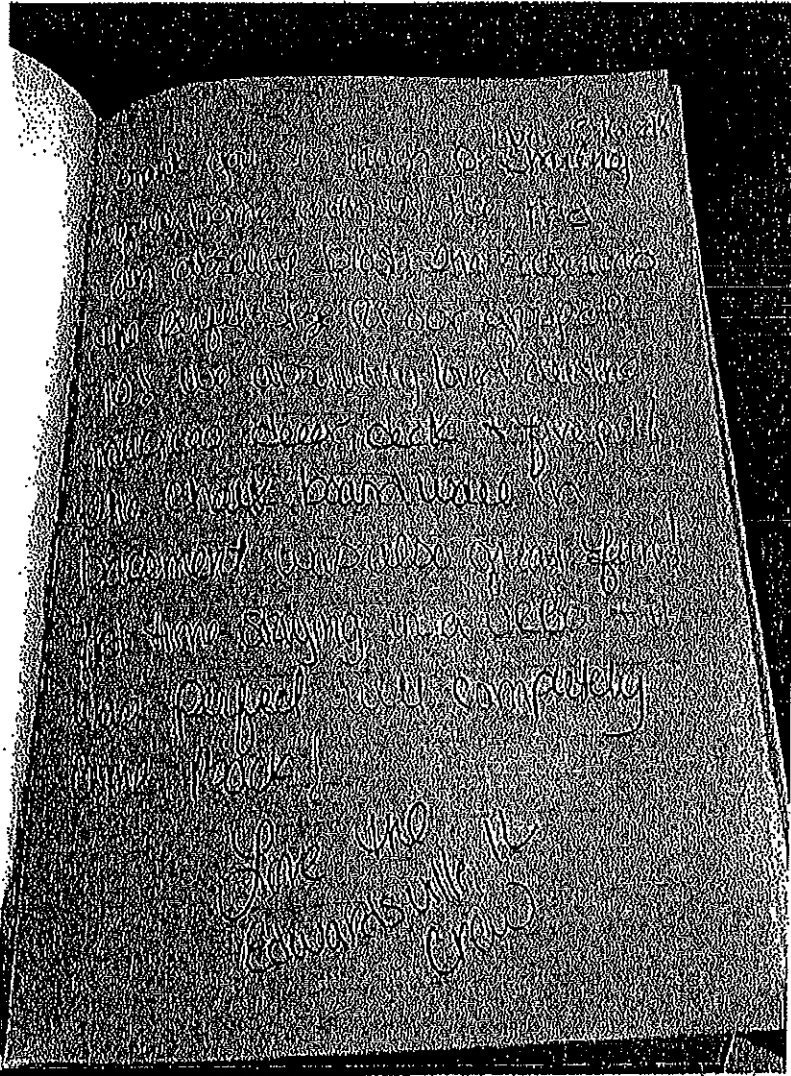
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:17 PM
To: Craig Brooks

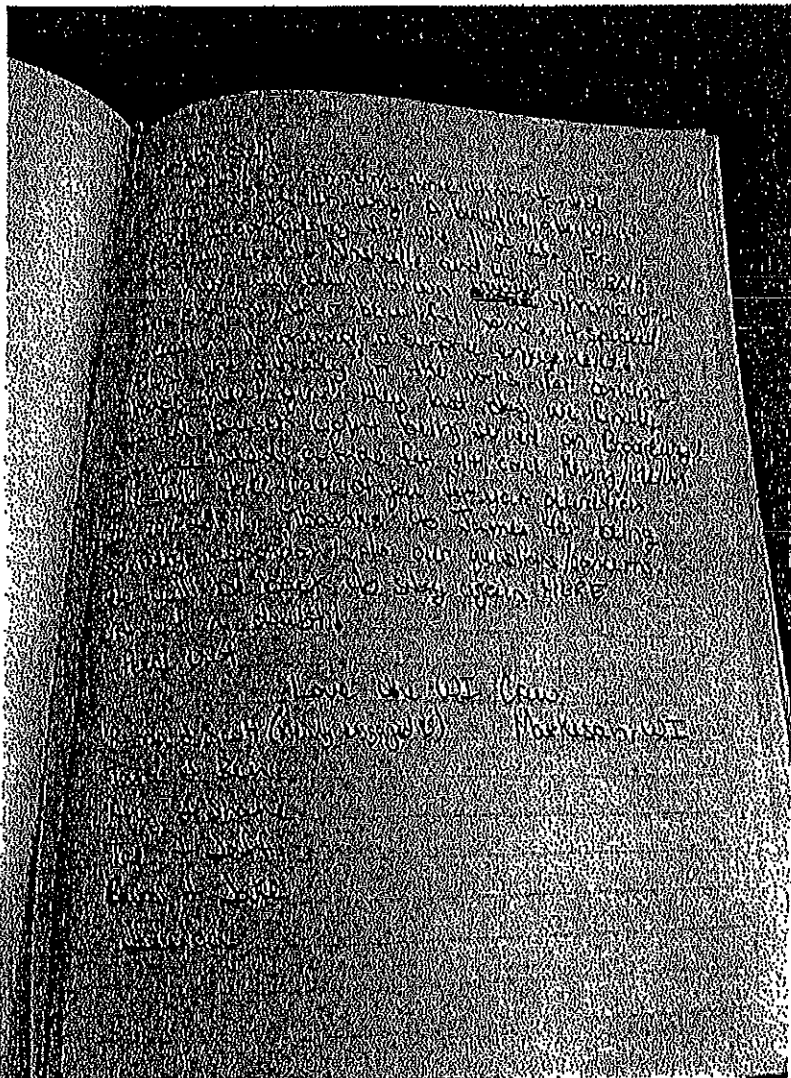
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <Ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:16 PM
To: Craig Brooks

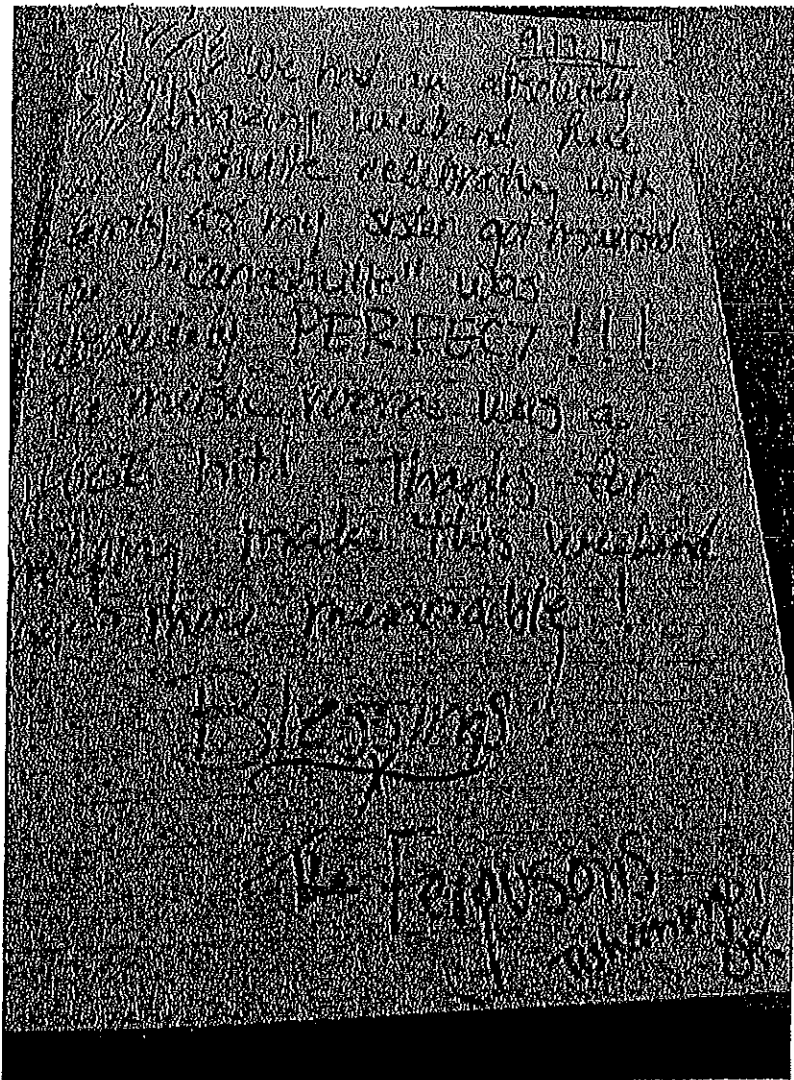
EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Craig Brooks

From: Andrea Brooks <ironhors@shaw.ca>
Sent: Saturday, July 13, 2019 1:12 PM
To: Craig Brooks

EXTERNAL EMAIL: This message was sent from OUTSIDE the organization. Please exercise caution.



Reservations as of May 28, 2019 11:04 AM

Guest	Check-in	Check-out	Property	Guests	Contact Information
Mary Ann Creagar VacationRentals.com	06/08/2019	06/15/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	5 adults 0 children	+1 (419) 789-2837 mcreagar@bright.net
Lou Scotese Vrbo	06/21/2019	06/23/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	12 adults 0 children	louscotese@gmail.com
Beth White Vrbo	06/25/2019	07/01/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	8 adults 0 children	+1 (251) 695-5856 bethaytoupink@gmail.com
Marc Solt Vrbo	07/02/2019	07/07/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	7 adults 3 children	+17633314670 msolt51@yahoo.com
Andria Lord HomeAway.com	07/12/2019	07/16/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	8 adults 0 children	+1 (815) 483-0494 dalord1999@gmail.com
Melissa Glingrich Vrbo	07/19/2019	07/21/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	10 adults 0 children	mingley7@gmail.com
ronald barnes Vrbo	07/22/2019	07/27/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	7 adults 0 children	+1 (919) 422-9874 caralinascott73@yahoo.com
Cindy Jarosz Vrbo	09/24/2019	09/28/2019	Amazing Entertainment Home near Airport & Downtown, 1708 Elm Run W..	6 adults 0 children	+1 (308) 390-2261 mjjarosz@charter.net

Estimated costs due to court summons

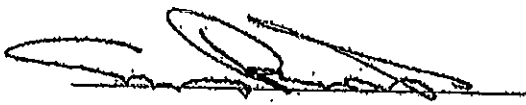
Flight changes	800.00
Car rental	731.00
Home sitter	250.00
Lost wages	2500.00
Lost rental income	1600.00
Lost future income	22,000.00
Lawyer	1000.00
Grocery's	300.00
Appeal filing	100.00
	\$ 29,281.00

STRP RENEWAL AFFIDAVIT

Comes now affiant CRAIG BROOKS designated representative for Short Term Rental Property ("STRP") Permit # 2016025399 for the property located at 1708 ELMS RUN WAY NASHVILLE TENNESSEE and states as follows, based upon the affiant's personal knowledge:

1. That I am over the age of eighteen and competent to provide this Affidavit.
2. That I am the designated representative for STRP Permit # 2016025399.
3. That I wish to continue the permitted operation of an STRP at 1708 ELMS RUN WAY NASHVILLE TN, pursuant to MCL 17.16.070U.
4. That the floor plan at the permitted address has not changed since the prior STRP inspection and approval by the Metro Fire Marshal.
5. That I possess the full insurance coverage for the STRP, as required by MCL 17.16.070U.
6. That I have paid all applicable taxes related to this permit and this land use.
7. That I have not violated the requirements for operation of a permitted STRP, pursuant to MCL 17.16.070U.

FURTHER, AFFIANT SAITH NOT:



SIGNATURE

JULY 1, 2018

DATE

Affiant's PRINTED Name

CRAIG BROOKS

Affiant's Address

1708 ELMS RUN WAY
NASHVILLE TENNESSEE 37214

CONTACT INFORMATION FOR RESPONSIBLE PARTY WITHIN 25 MILE RADIUS OF THE SUBJECT PROPERTY

First/Last Name: VANESSA TRAVIS

Address: 3301 EAST LAKE DRIVE NASHVILLE 37214-4290

Phone: 615-545-0963 / 615-887-6580

Email: VTRAVIS2010@YAHOO.COM

oppose

This letter is in regard to the Zoning appeal:

- Case number 2019-302
- 1708 Elm Run Way
- Map Parcel 10812029000
- Zoning classification R10
- Council District 13
- Permit #20190029318

We are in receipt of notification regarding the appeal filed by Craig Brooks, challenging the zoning administrator's denial of a short term rental permit. We are opposed to short term rentals in this area. It negatively impacts our quality of life in a number of ways.

Recently, the news has reported the increase in burglaries at short term rental houses. Criminals are targeting the short term rental homes. Allowing short term rentals in our neighborhood will increase criminal activity in our neighborhood. The increase in crime will reduce the safety of our neighborhood and lower the property value of our homes.

In addition to safety and home value concerns, quality of life is a concern. There are many examples of short term rental properties becoming "party" houses, where visitors conduct themselves in manners inconsistent with family neighborhoods. Our community is designed for family living, not for short term rental accommodations.

The Harborview Home Owners Association does not allow for short term rentals. This home is located within 600 feet of multiple homes in the Harborview neighborhood, including the clubhouse. The neighborhood clubhouse has a pool, which many families enjoy with their children.

The Metropolitan Government of Nashville and Davidson County zoning requirements are designed to protect neighborhoods and maintain a good quality of life for the citizens of Nashville. We ask that you deny the request for an appeal.

Best regards,





Metropolitan Board of Zoning Appeals
Metro Howard Building
800 Second Avenue South
Nashville, Tennessee 37210

Appellant: Alfonzo Alexander Date: 5-20-2019
Property Owner: Riverfront Rentals, LLC Case #: 2019-303
Representative: Alfonzo Alexander Map & Parcel: 105094600200 C0
Council District: 19

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

Purpose: To obtain a STRP permit
Activity Type: Short Term Rental
Location: 1010 B Caldwell Ave.

This property is in the DTC 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: Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify to apply under Public Chapter No. 972.

Section: 17.16.250 E

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: Alfonzo Alexander Representative: Same
Phone Number: (615) 913-7837 Phone Number: _____
Address: 806 3rd Ave.S Address: _____
Nashville, TN 37210
Email address: alfonzo@playlistproperties.com Email address: _____

Appeal Fee: _____



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



3671541

**ZONING BOARD APPEAL / CAAZ - 20190029330
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 105094G00200CO**APPLICATION DATE:** 05/20/2019**SITE ADDRESS:**

1010 B CALDWELL AVE NASHVILLE, TN 37204

UNIT B HOMES AT CALDWELL AVENUE

PARCEL OWNER: TANNER, JAMES & JANUS & JAKE**CONTRACTOR:****APPLICANT:****PURPOSE:**

Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify under Public Chapter No. 972.

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.



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



3402021

RESIDENTIAL SHORT TERM RENTAL / CASR - 2017057262
PERMIT EXPIRES ONE (1) YEAR FROM DATE OF ISSUANCE UNLESS RENEWED. REFER TO
***HTTP://STRP.NASHVILLE.GOV* FOR RENEWAL INSTRUCTIONS**

PARCEL: 105094G00200CO**APPLICATION DATE:** 08/31/2017**SITE ADDRESS:****ISSUED DATE:** 09/15/2017

1010 B CALDWELL AVE NASHVILLE, TN 37204

UNIT B HOMES AT CALDWELL AVENUE

PARCEL OWNER: Janus & Jake Tanner**APPLICANT:****CONTACT:**

Janus & Jake Tanner
1010 B Caldwell Ave.
Nashville, TN 37204
661 373-4547

PURPOSE:

By making this application for a Type 1 Residential Short Term Rental permit, I certify that I will comply with all requirements of Ordinance BL2014-951.

Property is Owner occupied, 4 sleeping rooms, 12 person maximum occupancy.

Proof of residence has been verified.

Owner compliance letter verified.

Floor Plan and smoke detectors verified.

Notification to adjacent residences confirmed.

Homeowner has confirmed that subject property is not in violation of a Homeowners Association

Renew Short Term Rental Permit

Inspection requirements may change due to changes during construction.

DAVID BRILEY
MAYOR



METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY

DEPARTMENT OF CODES & BUILDING SAFETY

OFFICE ADDRESS

METRO OFFICE BUILDING – 3rd FLOOR
800 SECOND AVENUE, SOUTH
NASHVILLE, TENNESSEE 37210

MAILING ADDRESS

POST OFFICE BOX 196300
NASHVILLE, TENNESSEE 37219-6300
TELEPHONE (615) 862-6500
FACSIMILE (615) 862-6514
www.nashville.gov/codes

November 14, 2018

Jake Tanner
1010 B Caldwell
Nashville, TN 37204

RE: Permit CASR #2017057262
1010 B Caldwell Ave

Dear Mr. Tanner:

This letter is sent to notify you of the cancellation of the above-referenced permit.

This permit was issued as an owner occupied permit, pursuant to representations made on the permit application. However, the Codes Department later determined that this property is not currently the owner's principal residence. Based upon the determination that this is in fact a non-owner occupied property, the permit referenced above is cancelled and denied for renewal. Your renewal documents are enclosed and returned with this letter.

You are welcome to apply for a new permit at the Metro Codes Department. However, without an active permit, you are not legally permitted to advertise or operate the property as a short term rental under MCL 17.16.070(U)(1)(a) and 17.16.250(E)(1)(a).

You have the right to appeal this action to the Metro Board of Zoning Appeals.

Sincerely,

Emily Lamb
Metro Codes, Zoning Division

Enclosure

APPLICATIONS FOR INTERPRETATION AGAINST THE ZONING ADMINISTRATOR AND NON-COMPLYING/NON-CONFORMING USES

After your appeal is filed, Zoning staff will visit the site to take photographs for the Board members so that they will have a better idea of the nature of our 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 the property within 600 feet of the property at issue in this case. The envelopes must include the return address for the BZA and the 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.)

The day of the public hearing, it will be your responsibility to convey to the Board your request and the reasons for the request. In the case of questioning the Zoning Administrator in his interpretation of the Zoning Code, it is your job to explain to the Board why he is wrong and you are right. In the case of non-conforming or non-complying, it is your job to explain to Board how this change/enlargement, etc. would result in less of an impact on the surrounding area. **It would be to your benefit to contact your neighbors and explain to them what you are doing and attempt to obtain their support and evidence that support in some form at the public hearing.**

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 noon, the Monday prior to public hearing to be included in the record. You must provide eight (8) copies of you information to staff.

We hope that this information will be of help to you in understanding the variance procedures and if our office can be of further assistance, please do not hesitate to contact us.

METROPOLITAN BOARD OF ZONING APPEALS (615) 862-6510

I am aware that I am responsible for removing the Sign(s) after the public hearing.


APPELLANT

5/20/2019
DATE

Rental Unit Record

740 1st Ave N, Nashville, TN 37201, USA

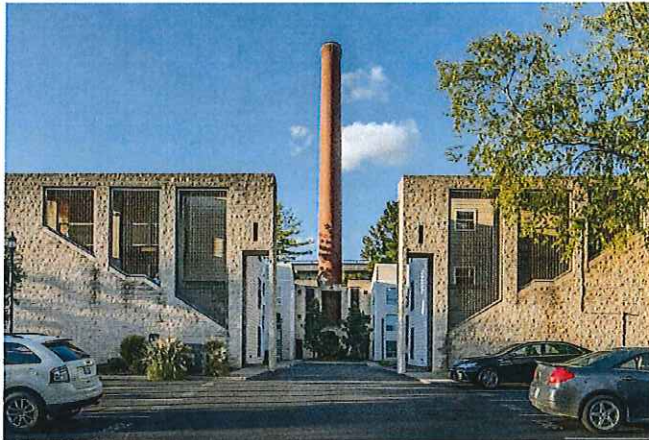
Removed ✕
Identified ✓
Compliant ✓

PRINT

Listing(s) Information

VRBO - 321.1144950.1693161

Airbnb - 20329546



Rental Unit Information



Identified Address

740 1st Ave N, Nashville, TN 37201, USA

Identified Unit Number

None

Identified Latitude, Longitude

36.172616, -86.780151

Parcel Number

082140A11400

Owner Name

RIVERFRONT RENTALS, LLC

Owner Address

1247 Twelve Stones Xing
Goodlettsville, TN 37072, US

Registration / Permit Number

504745

Matched Details

Analyst

CDZT

Explanation

Exterior matches in street view. A photo shows the apartment door and #740. <http://prntscr.com/hqmqf1> The Nashville records and map confirm the location and address and show APN 082140A11400CO. <http://prntscr.com/hqmspu>

Listing Photos



Same exterior.

Matching 3rd Party Sources



Zip Code Match

City Name Match

Timeline of Activity

View the series of events and documentation pertaining to this property

Listing Details

✕ Listing air20329546 Removed

Matched property listing

Listing URL	— https://www.airbnb.com/rooms/20329546
Listing Status	● Inactive
Host Compliance Listing ID	— air20329546
Listing Title	— Downtown Nashville - Pool, Gym, Balcony!
Property type	— Condominium
Room type	— Entire home/apt
Listing Info Last Captured	— Mar 19, 2019
Screenshot Last Captured	— Mar 19, 2019
Price	— \$216/night
Cleaning Fee	— \$80

Information Provided on Listing

Contact Name	— Reservations
Latitude, Longitude	— 36.171980, -86.778710
Minimum Stay (# of Nights)	— 2
Max Sleeping Capacity (# of People)	— 4
Max Number of People per Bedroom	— 4
Number of Reviews	— 7
Last Documented Stay	— 05/2018

Listing Screenshot History  [View Latest Listing Screenshot](#)



- Listing air20329546 Reposted February 25th, 2019
- ✕ Listing air20329546 Removed February 7th, 2019
- Listing air20329546 Reposted February 3rd, 2019
- ✕ Listing air20329546 Removed January 24th, 2019
- ✕ Listing hma321.1144950.1693161 Removed January 16th, 2019
- Listing air20329546 Reposted January 1st, 2019
- ✕ Listing air20329546 Removed December 16th, 2018
- ✔ First Warning - No STR Permit: Delivered December 2nd, 2018 
- 📅 2 Documented Stays November, 2018
- ✔ First Warning - No STR Permit: Sent November 26th, 2018 
- Listing air20329546 Reposted October 22nd, 2018
- ✕ Listing air20329546 Removed October 20th, 2018
- 📅 1 Documented Stay October, 2018
- Listing hma321.1144950.1693161 Reposted August 13th, 2018
- ✕ Listing hma321.1144950.1693161 Removed August 7th, 2018
- 📅 2 Documented Stays July, 2018
- Listing air20329546 Reposted June 23rd, 2018
- ✕ Listing air20329546 Removed June 22nd, 2018
- 📅 1 Documented Stay June, 2018
- 📅 2 Documented Stays May, 2018
- Listing hma321.1144950.1693161 Reposted May 2nd, 2018
- ✕ Listing hma321.1144950.1693161 Removed April 26th, 2018
- ✔ Airbnb Letter: Delivered April 8th, 2018 
- ✔ Airbnb Letter: Sent March 29th, 2018 
- 📅 1 Documented Stay March, 2018
- Listing hma321.1144950.1693161 Reposted

February 26th, 2018

- ✘ Listing hma321.1144950.1693161 Removed
February 21st, 2018
- Listing air20329546 Reposted
February 5th, 2018
- ✘ Listing air20329546 Removed
January 31st, 2018
- 📅 1 Documented Stay
January, 2018
- ✓ Listing hma321.1144950.1693161 Identified
December 26th, 2017
- ✓ Listing air20329546 Identified
December 26th, 2017
- 📅 4 Documented Stays
December, 2017
- 📅 3 Documented Stays
November, 2017
- 📅 3 Documented Stays
October, 2017
- Listing air20329546 Reposted
October 14th, 2017
- Listing hma321.1144950.1693161 Reposted
October 8th, 2017
- ✘ Listing air20329546 Removed
October 5th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
October 5th, 2017
- 📅 2 Documented Stays
September, 2017
- 📅 1 Documented Stay
August, 2017
- ✱ Listing air20329546 First Crawled
August 12th, 2017
- Listing air20329546 First Activity
August 8th, 2017
- ✱ Listing hma321.1144950.1693161 First
Crawled
August 6th, 2017
- Listing hma321.1144950.1693161 Reposted
August 6th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
June 24th, 2017
- 📅 1 Documented Stay
June, 2017
- Listing hma321.1144950.1693161 Reposted
June 22nd, 2017
- ✘ Listing hma321.1144950.1693161 Removed
June 3rd, 2017
- 📅 3 Documented Stays
May, 2017
- Listing hma321.1144950.1693161 Reposted
May 28th, 2017

- ✘ Listing hma321.1144950.1693161 Removed
May 6th, 2017
- Listing hma321.1144950.1693161 Reposted
May 2nd, 2017
- ✘ Listing hma321.1144950.1693161 Removed
April 22nd, 2017
- ☑ 3 Documented Stays
April, 2017
- Listing hma321.1144950.1693161 Reposted
April 19th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
April 15th, 2017
- Listing hma321.1144950.1693161 Reposted
April 13th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
April 8th, 2017
- Listing hma321.1144950.1693161 Reposted
April 3rd, 2017
- ✘ Listing hma321.1144950.1693161 Removed
March 27th, 2017
- ☑ 3 Documented Stays
March, 2017
- Listing hma321.1144950.1693161 Reposted
March 22nd, 2017
- ✘ Listing hma321.1144950.1693161 Removed
March 21st, 2017
- ☑ 3 Documented Stays
February, 2017
- Listing hma321.1144950.1693161 Reposted
February 24th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
February 24th, 2017
- Listing hma321.1144950.1693161 Reposted
February 7th, 2017
- ✘ Listing hma321.1144950.1693161 Removed
January 21st, 2017
- ☑ 1 Documented Stay
January, 2017
- Listing hma321.1144950.1693161 Reposted
January 21st, 2017
- ✘ Listing hma321.1144950.1693161 Removed
January 1st, 2017
- ☑ 1 Documented Stay
December, 2016
- Listing hma321.1144950.1693161 Reposted
December 27th, 2016
- ✘ Listing hma321.1144950.1693161 Removed
November 28th, 2016
- ☑ 1 Documented Stay
October, 2016
- ☑ 1 Documented Stay
September, 2016

Matched property listing

- 📅 1 Documented Stay
August, 2016
- 📅 1 Documented Stay
July, 2016
- Listing hma321.1144950.1693161 Reposted
July 22nd, 2016
- ✘ Listing hma321.1144950.1693161 Removed
July 19th, 2016
- 📅 1 Documented Stay
May, 2016
- 📅 2 Documented Stays
April, 2016
- 📅 1 Documented Stay
March, 2016
- 📅 1 Documented Stay
February, 2016
- Listing hma321.1144950.1693161 First
Activity
February 1st, 2016

BEFORE THE METROPOLITAN BOARD OF ZONING APPEALS

RE: Jake Tanner Appeal Case 2019-091
 1010 B CALDWELL AVE
 Map Parcel: 105094G00200CO
 Zoning Classification: R8

ORDER

This matter came to be heard in public hearing on 3/7/2019, before the Metropolitan Board of Zoning Appeals, upon application for an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify for a permit based on the property's zoning classification.

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.

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

UPON MOTION BY: David Taylor

Seconded By: David Harper

Result:

Ayes: Christina Karpynek, Ross Pepper, Alma Sanford

Nays:

Abstaining:

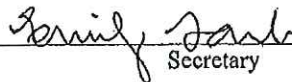
Absent: David Ewing, Cynthia Chappell

ENTERED THIS 12 DAY OF March, 2019

METROPOLITAN BOARD OF ZONING APPEALS



Chair



Secretary



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



**ZONING BOARD APPEAL / CAAZ - 20190002831
Inspection Checklist for Use and Occupancy
This is not a Use and Occupancy Notification**

PARCEL: 105094G00200CO

APPLICATION DATE: 01/15/2019

SITE ADDRESS:

1010 B CALDWELL AVE NASHVILLE, TN 37204

UNIT B HOMES AT CALDWELL AVENUE

PARCEL OWNER: TANNER, JAMES & JANUS & JAKE

CONTRACTOR:

APPLICANT:

PURPOSE:

an Item A appeal, challenging the zoning administrator's denial of a short term rental permit. Appellant does not qualify for a non-owner occupied permit based on the property's zoning classification

*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.*

There are currently no required inspections

Inspection requirements may change due to changes during construction.

From: [Sledge, Colby \(Council Member\)](#)
To: [Braisted, Sean \(Codes\)](#); [Lamb, Emily \(Codes\)](#); [Michael, Jon \(Codes\)](#)
Subject: BZA D17 item
Date: Friday, July 26, 2019 7:25:24 AM

Good morning, all,

Case 2019-303 is listed as being in District 19, but it's in D17. I am **opposed** to this STR request, but the case states that it's in the DTC district, which it isn't. If anyone can give me some clarity (1010B Caldwell Ave), I'd appreciate it.

Colby

Colby Sledge
Metro Council, District 17
(615) 442-3727
ColbySledge.com
[Sign up for my weekly newsletter here!](#)