

D O C K E T

August 21st, 2008

1:00 P.M.

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

**Meetings held in the Green Hills Auditorium, Metro Southeast Facility, 1417
Murfreesboro Pike**

**MR. FABIAN BEDNE
MS. JANE CLEVELAND
MR. DAVID EWING, Chair
MS. REBECCA LYFORD
MR. DALE RANDELS, Vice Chair
MS. ELIZABETH SURFACE
MR. CHRIS WHITSON**

Absent: Lyford, Randels

CASE 2008-041 (Council District - 35)

Rondal Cartwright, appellant and owner of the property located at **7221 Riverfront Drive**, requesting a variance in rear setback in the RS15 / PUD District, to construct a covered deck to the rear of the existing residence. Referred to the Board under Sections 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Accessory Structure - Deck

(126160A51400CO)

RESULTS Granted 5-0

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CASE 2008-046 (Council District - 35)

Regions Bank, appellant and owner of the property located at **8000 Highway 100**, requesting a variance in scenic landscape buffer easement in the CL / PUD District, to construct a new 3,820 square foot bank. Referred to the Board under Section 17.24.070. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Financial Institution (156090A01300CO)

RESULTS Granted 5-0

CASE 2008-057 (Council District - 18)

Stephen Carl, appellant and owner of the property located at **3425 C Love Circle**, requesting an addition to non-conforming structure in the RS7.5 District, to construct an addition to existing covered front porch. Referred to the Board under Section 17.40.660. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (D)

Use -Single Family Residence (10406011600)

RESULTS Granted 5-0

CASE 2008-058 (Council District - 05)

Delilah Leggs, appellant and owner of the property located at **907 N. 2nd St.**, requesting a special exception in the RS5 / UZO District, to use a portion of existing residence for a day care home for 12 children. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Home (08203013600)

RESULTS Granted 5-0

CASE 2008-060 (Council District - 25)

Avenue Bank, appellant and owner of the property located at **3823 Cleghorn Avenue**, requesting variance in bypass lane in the OR20 District, to allow the legal use of bank constructed under permit 2007-58841 without required by-pass lane. Referred to the Board under Section 17.20.070. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Financial Institution (11714004000)

RESULTS Granted 5-0

CASE 2008-061 (Council District - 21)

Odell Elliott, appellant and owner of the property located at **2514 Booker Street**, requesting a special exception in the RS5 / UZO District, to use a portion of existing residence for a day care home for 12 children. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Home (09206049200)

RESULTS Granted 5-0

CASE 2008-062 (Council District - 24)

Michael Vaden, appellant and owner of the property located at **4505 Elkins Avenue**, requesting a variance in side setback in the RS7.5 / UZO District, to construct an 11 x 47 garage/carport to the side of existing residence. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Accessory Structure- Garage (09116007700)

RESULTS Denied 5-0

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CASE 2008-064 (Council District - 27)

Lisa Guinn, appellant and owner of the property located at **525 Tobylynn Dive**, requesting special exception in the R10 District, to use a portion of residence for a day care home for 12 children. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Home (16111009100)

RESULTS Deferred until meeting of September 18th, 2008 (Top of Docket)

CASE 2008-065 (Council District - 16)

Ron Sepehr, appellant and owner of the property located at **2326 Nolensville Pike**, requesting a special exception for height and variances in street setbacks, sidewalks, front façade orientation, and perimeter landscaping in the CS / UZO District, to construct a 10,175 square foot non-residence building. Referred to the Board under Sections 17.12.030, 17.12.035, 17.12.060.17.24.150. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B / C)

Use -Retail & Multi-Family (11901042100)

RESULTS Deferred until meeting of September 18th, 2008 (Second case on docket)

CASE 2008-066 (Council District - 33)

Eagle Christian Church, appellant and owner of the property located at **1795 Bakers Grove Road**, requesting a special exception and addition to non-conforming structure in the RS15 District, to construct a 1,508 square foot two second story addition to the existing church. Referred to the Board under Section 17.16.170, 17.40.180. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C / D)

Use -Religious Institution (12300002100)

RESULTS Granted 5-0

CASE 2008-067 (Council District - 05)

Lords Tabernacle Primitive Baptist Church, appellant and owner of the property located at **821 Lischey Avenue**, requesting special exception in the RS5 / UZO District, to construct a 32 x 57 church with 73 seats in the sanctuary. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Religious Institution

(82-7, 401,402,403,404)

RESULTS Granted 5-0

CASE 2008-068 (Council District - 05)

Karen Shakir, appellant and owner of the property located at **207A Treutland Avenue**, requesting a special exception in the RS5 / UZO District, to use a portion of the existing residence as a day care home for 12 children. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Home

(08211001300)

RESULTS Granted 5-0

CASE 2008-069 (Council District - 19)

Ella Russell, appellant and owner of the property located at **1621 12th Avenue North**, requesting a special exception in the RS5 / UZO District, to use a portion of the existing residence as a day care home for 12 children. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Home

(08111053100)

RESULTS Granted 5-0

CASE 2008-070 (Council District - 16)

Dwight Beard, appellant and owner of the property located at **331 Whitsett Road**, requesting Item A in the RS5 / UZO Districts, to appeal the expiration of permit 2004-01171 that permitted for a two-family residence. Referred to the Board under Section 17.40.370. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (A)

Use -Two Family Residence (11905037200)

RESULTS Upheld the Zoning Administrator 5-0

CASE 2008-071 (Council District - 21)

Pittman Dental, appellant and owner of the property located at **333 21st Avenue North**, requesting a variance in street setback in the ORI District, to erect an 18 square foot monument sign. Referred to the Board under Section 17.32.070. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Medical Office (09211029600)

RESULTS Granted 4-0-1

CASE 2008-072 (Council District - 03)

Donna Powell, appellant and owner of the property located at **3404 Shellbark Drive**, requesting a variance in side setback in the AR2a District, to construct a 26 x 30 detached garage to the rear of residence. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Accessory Structure - Garage (03900+019500)

RESULTS Granted 5-0

CASE 2008-073 (Council District - 24)

Richard McCoy, appellant and owner of the property located at **3600 Sperry Avenue**, requesting variance in side setback in the RS20 District, to construct additions of 20 x 32 and 3 x 16 to the side and rear of existing residence. Referred to the Board under Section 17.12.020. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Single Family Residence (11705001100)

RESULTS Granted 5-0

CASE 2008-074 (Council District - 26)

Crieve Hall Church of Christ, appellant and owner of the property located at **4806 Trousdale Drive**, requesting a special exception in the RS10 District, to construct a new two story addition and a new one story addition to the rear of existing church. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Religious Institution (146-4; 14,15,16,140)

RESULTS Granted 5-0

CASE 2008-075 (Council District - 27)

Christ Church, appellant and owner of the property located at **15354 Old Hickory Boulevard**, requesting a special exception in the R20 / R10 District, to use a portion of existing church for a day care center for 75 childrent. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Day Care Center (16100006900)

RESULTS Granted 5-0

CASE 2008-076 (Council District - 02)

Issac Okoreeh-Baah, appellant and owner of the property located at **2745 Buena Vista Pike**, requesting variance in street setback in the R10 District, to construct a new single family residence. Referred to the Board under Section 17.12.030. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B)

Use -Single Family Residence (07006008300)

RESULTS Granted 5-0

CASE 2008-032 (Council District - 02)

Corinthian Missionary Baptist Church, appellant and owner of the property located at **819 33rd Avenue North**, requesting an amendment to the plan approved by the Board to allow for an additional ten feet building width.. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C)

Use -Religious Institution (09205025300)

RESULTS Granted 5-0

ADDENDUM

(DEFERRED CASES)

CASE 2008-048 (Council District - 30)

Iglesia De Cristo, appellant and owner of the property located at **343 Haywood Lane**, requesting a special exception in the RS40 District, to allow for the construction of a 75' x 140' church facility. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C).

Deferred from meeting of June 19th, 2008.

Use -Religious Institution (14712004500)

RESULTS DENIED 5-0

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CASE 2008-037 (Council District - 08)

First Apostolic Church, appellant and owner of the property located at **406 Walton Lane**, requesting special exception in the RS10 District, to construct a new 12,150 square foot sanctuary building. Referred to the Board under Section 17.16.170. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (C) Deferred from meeting of May 15th, 2008.

Use-Religious Institution (06101005100)

RESULTS Granted 4-0

CASE 2008-053 (Council District - 05)

Chris Choate, optionee and **Robert Batts**, owner of the property located at **1049 Chicamauga Avenue**, requesting an variance in landscape buffer width and wall provisions in the OR20 / UZO District, to construct five townhome units. Referred to the Board under Section 17.24.240. The appellant has alleged the Board would have jurisdiction under Section 17.40.180. (B) . Deferred from meeting of July 3rd, 2008.

Use -Multi-Family (08305004700)

RESULTS Granted 4-0

CASE 2000-165 (Council District -31)

City of Brentwood, appellant and **Investors Towne Center Partners I, L.P** ,owner of the property located at **100 Franklin Pike**, remanded to the Board by the Court of Appeals to resolve the questions raised by the Court in its remand order.

Use -Billboard (171000000200)

RESULTS Tied up on votes. Case reset for November 6th, 2008