



Metropolitan Nashville and Davidson County, TN

Legislation Details (With Text)

File #: BL2024-346 **Name:**

Type: Bill (Ordinance) **Status:** Public Hearing

File created: 4/29/2024 **In control:** Planning Commission

On agenda: 7/2/2024 **Final action:**

Title: An ordinance to amend Chapter 16.04 and Section 17.12.030 of the Metropolitan Code of Laws to relocate the front façade orientation requirement for single-family principal structures from Title 16 of the Metropolitan Code of Laws to Title 17 of the Metropolitan Code of Laws (Proposal No. 2024Z-011TX-001).

Sponsors: Jordan Huffman

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/7/2024	1	Metropolitan Council	advertised	
5/7/2024	1	Metropolitan Council	passed on first reading	
4/30/2024	1	Metropolitan Council	referred	
4/30/2024	1	Metropolitan Council	filed	

An ordinance to amend Chapter 16.04 and Section 17.12.030 of the Metropolitan Code of Laws to relocate the front façade orientation requirement for single-family principal structures from Title 16 of the Metropolitan Code of Laws to Title 17 of the Metropolitan Code of Laws (Proposal No. 2024Z-011TX-001).

WHEREAS, the regulation on the orientation of the front façade of single-family homes was adopted by the Metropolitan Council in 2005; and

WHEREAS, for the sake of expediency this regulation was placed within Title 16 of the Metropolitan Code despite it not being related to the building code or dealing with a building issue; and

WHEREAS, the regulation of the placement and orientation of a building on a lot is generally dealt with through the Zoning Code and is considered a zoning issue; and

WHEREAS, regulations within Title 16 are appealed to the Building & Fire Code Appeals Board, while regulations within Title 17 are appealed to the Board of Zoning Appeals; and

WHEREAS, the Board of Zoning Appeals is a more appropriate body to review appeals from the front façade orientation regulation than the Building & Fire Code Appeals Board; and

WHEREAS, relocating the regulation on the orientation of the front façade of single-family homes from Title 16 to Title 17 of the Metropolitan Code would place the regulation under the purview of the Board of Zoning Appeals and allow property owners to seek relief from the regulation through the established zoning variance process.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Chapter 16.04 of the Metropolitan Code of Laws is hereby amended by deleting Section

16.04.240 in its entirety.

Section 2. That Section 17.12.030 of the Metropolitan Code of Laws is hereby amended by adding the following as a new Subsection C.7:

7. The front façade of all single-family principal structures constructed within the RS20, RS15, RS10, RS7.5, RS5, RS3.75, R20, R15, R10, R8, and R6 zoning districts shall face a public or private street unless the property is within a redevelopment district or zoning overlay that specifically includes a design review process to evaluate the appropriateness of an individual alternative front façade location.

Section 3. The Metropolitan Clerk is directed to publish a notice announcing such change in a newspaper of general circulation within five days following final passage.

Section 4. This Ordinance shall take effect upon publication of above said notice announcing such change in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Chapter 16.04 and Section 17.12.030 of the Metropolitan Code to relocate the front façade orientation requirement for single family structures from Title 16 - Buildings and Construction to Title 17 - The Zoning Code. The location and orientation of a structure on a parcel is regulated by the Zoning Code contained within Title 17 as a part of the Bulk Regulations, with appeals being heard by the Board of Zoning Appeals. Title 16 generally regulates the building code and how structures are constructed, with appeals being heard by the Building & Fire Appeals Board.

As proposed, the ordinance relocates the front façade orientation requirement for single family structures to Title 17 of the Metropolitan Code, which will place it within the Bulk Regulations of the Zoning Code. This relocation will allow appeals to the façade orientation requirement to be heard by the Board of Zoning Appeals, which has the training and knowledge base to adequately review and decide appeals to requirements related to the orientation and location of structures on a parcel. Currently, appeals to this requirement are heard by the Building & Fire Appeals Board, which is more adept in matters of the building code and construction, rather than the placement of building on a parcel.

The Planning Commission is scheduled to hear this item at their June 27, 2024, meeting.