



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** BL2021-640

**Type:** Bill (Ordinance) **Status:** Passed

**File created:** 1/22/2021 **In control:** Metropolitan Council

**On agenda:** 4/6/2021 **Final action:** 4/6/2021

**Title:** An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to SP zoning for property located at 1305 Lischey Avenue, approximately 300 feet north of Douglas Avenue (0.18 acres), all of which is described herein (Proposal No. 2021Z-011PR-001).

**Sponsors:** Sean Parker

**Indexes:**

**Code sections:**

**Attachments:** 1. BL2021-640 Sketch, 2. Substitute BL2021-640

Date	Ver.	Action By	Action	Result
4/9/2021	1	Metropolitan Council	effective	
4/7/2021	2	Mayor	approved	
4/6/2021	1	Metropolitan Council	passed on third reading	
4/6/2021	2	Metropolitan Council	substituted	
4/5/2021	1	Planning and Zoning Committee	approved with a substitute	
3/16/2021	1	Metropolitan Council	passed on second reading	
3/2/2021	1	Metropolitan Council	deferred	
3/2/2021	1	Metropolitan Council	public hearing	
2/5/2021	1	Metropolitan Council	advertised	
2/2/2021	1	Metropolitan Council	passed on first reading	
1/26/2021	1	Metropolitan Council	filed	
1/21/2021	1	Planning Commission	approved	Pass

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from RS5 to SP zoning for property located at 1305 Lischey Avenue, approximately 300 feet north of Douglas Avenue (0.18 acres), all of which is described herein (Proposal No. 2021Z-011PR-001).

Map & Parcel no. /Owner: Map 071-15, Parcel(s) 258/Top R and A Development, LLC  
Requested by: Reginal McKeever

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

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from RS5 to SP zoning for property located at 1305 Lischey Avenue, approximately 300 feet north of Douglas Avenue (0.18 acres), being Property Parcel No. 258 as designated on Map 071-15 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the attached sketch, which is attached to and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the uses of this SP shall be limited to single family and two family uses. No more than two dwelling units shall be permitted.

Section 3. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
2. If developed as a two family use, then the dwelling units shall be attached and share the same roofline.
3. Vehicular access to the development shall only be from the rear alleyway (301 ALY) unless Codes and/or Public Works determines the Alleyway to be incapable of adequately serving the development. If the alleyway is determined to be insufficient, then a single 12' wide curb cut shall be allowed on Lischey Ave to serve both dwelling units.
4. The maximum height of the development shall be restricted to 28' as measured to the roof ridge line.

Section 4. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 5. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee, based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increases the permitted density or floor area, adds uses not otherwise permitted, eliminates specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or adds vehicular access points not currently present or approved.

Section 6. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of RM15-A-NS zoning districts as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 7. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 071 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.