

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE

Elijah Shaw & Patricia Raynor,)
 Plaintiffs,)
v.)
Metropolitan Government)
of Nashville and Davidson County,)
 Defendant.)

No. 17-1299-II

METROPOLITAN GOVERNMENT’S STATEMENT OF UNDISPUTED FACTS

The Metropolitan submits this Statement of Facts under Tenn R. Civ. P. 56.03.

1. Plaintiffs wish to legally operate home-based businesses that involve having clients visit their home (a beauty shop and recording studio). Complaint, ¶ 96.

Response:

2. Plaintiffs are prohibited from having clients visit their home-based businesses.
METROPOLITAN CODE § 17.16.250(D)(1).

Response:

3. In 2017, Councilman Scott Davis filed BL2017-719, which would have changed Mr. Shaw’s zoning from residential to SP (allowing clients to visit his home recording studio). Ordinance BL2017-719.

Response:

4. The Metropolitan Council did not adopt BL2018-719. Complaint, ¶ 132.

Response:

5. In 2017, Councilmember Jeff Syracuse filed BL2017-798, which would have changed Ms. Raynor’s zoning from Residential to Specific Plan (allowing clients to visit her home hair salon). Ordinance BL 2017-798.

Response:

6. The Metropolitan Council did not adopt BL 2017-719. Complaint, ¶ 132.

Response:

Respectfully submitted,

/s/ Lora Fox

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been emailed by agreement to Braden Boucek, Beacon Center of Tennessee, P.O. Box 198646, Nashville, TN 37219 and Keith E. Diggs & Paul V. Avelar, Institute for Justice, 398 South Mill Avenue, Suite 301, Tempe, AZ 85281 on June 14, 2019.

/s/ Lora Fox

Lora Barkenbus Fox