

**MINUTES OF A MEETING OF
THE BOARD OF ZONING & APPEALS
THE CITY OF FOREST HILLS**

MARCH 28, 2008

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on March 28, 2008 at the City’s Offices, 4012 Hillsboro Road, Nashville, Tennessee, and beginning at 8:00 a.m. Chairperson Janie Rowland presided. Also present were Mr. Tim Douglas, City Manager Al Deck, and City Assistant Cynthia Despot. Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to these minutes.

1. Approval of the minutes of the February 15, 2008 meeting. Upon a motion by Mr. Tim Douglas, which was seconded by Chairperson Janie Rowland, the minutes for the February 15, 2008 meeting were approved.

2. Letters of Credit: Pinnacle Bank-----No action required
 - a. Expires 10/11/2010. LOC #SM228226W
Gary & Carroll Kimball, Demolition of house, w/o plans,
on Chickering Lane. Amount \$32,500.00, Issued 10/11/07,
 - b. Expires 10/19/2010, LOC #2007009
Kevin D. Montgomery, Demolition of house, w/o plans
2005 Cromwell Dr., Amount \$11,000, Issued 10/19/07,
 - c. Expires: January 19, 2010 / Issued: January 19, 2007
#P003902 SunTrust 25 Park Place, 16th Floor Atlanta, GA 30303
Joseph C. Davis LLC – Demolition--- 1134 Balbade Drive
 - d. Expires: April 10, 2010 / Issued: April 10, 2007
#PO004093 SunTrust 25 Park Place, 16th Floor Atlanta, GA 30303
Scott Siman----Demolition --- 1808 Stonehaven Ct.

3. Mr. Paul Hammond of Hammond Brant Builders represented Ms. Karen King of 1238 East Hickory Springs, in her request to extend a new three plank fence from the rear corner of the house to the side yard property line. The Board reviewed the presentation and upon motion by Mr. Tim Douglas, which was seconded by Chairperson

Janie Rowland, the Board unanimously voted to approve a variance to place a fence on the side property line.

4. Mr. Phil Lyons of Eagle Construction Co. represented Mr. & Mrs. Joseph Farrington of 5325 Cherry Blossom Trail. They requested a side yard setback variance, for the location of a proposed pool house. The variance is for approximately 17 feet. Upon motion by Chairperson Janie Rowland, which was seconded by Mr. Tim Douglas, the Members granted a 17 foot side yard variance, conditioned on the Contractor presenting a landscape plan, by a Tennessee Certified Landscape Architect, to the City Manager. The Members requested particular attention to landscaping on the side of the pool house, closest to the neighbor.

5. Mr. Blair Myers of Bryan Homes represented Mr. & Mrs. Paul Sachtebem, owners of 2004 Stonehurst, in requesting a 2 foot variance in the rear yard. The owner wishes to cover an existing porch, which will cause the porch to encroach on the rear setback by 2 feet; however, the garage already encroaches by more than the proposed porch and is currently non-conforming. Upon motion by Chairperson Janie Rowland, which was seconded by Mr. Tim Douglas, the Board unanimously voted to approve, with the condition the contractor restore the existing fence on the rear property line.

6. Mr. Mike Kaiser, of Kaiser Trabue Landscape Architecture, represented the owners of 1152 Crater hill Trust, in their request to locate a pool in the side yard and construct two, 10 foot masonry columns, with a gate, as the entrance to the swimming pool. During the presentation the Board also heard from neighbors, concerning the 18 foot concrete retaining wall. The wall is visible to neighbors and they were concerned

that no landscaping is planned to hide it from view. Mr. Kaiser informed the Board that he had planted ivy, but it did not survive the drought. Also there are some Hemlocks planted on the corner of the wall. There was addition question about the exact height of the wall and how it best could be hidden. Upon motion by Mr. Tim Douglas, which was seconded by Chairperson Janie Rowland, the Board unanimously voted to approve the location of the pool in the side yard; due to the fact other pools in the area are similarly situated. The motion was also conditioned on the owners presenting a landscape plan to conceal the retaining wall and to establish the exact height of the wall. The landscape plan is to be presented to the City Manager, for review by the city arborist.

7. Mr. Dave Parker represented Mr. Walt Baker and Ms. Melinda Pate, owners of the property at 37 Annandale, in requesting a variance to build retaining walls closer to the side property lines than allowed and to exceed the open space requirement for critical lots by 1.1%. After the presentation and a lengthy discussion, Chairperson Janie Rowland offered a motion, which was seconded by Mr. Tim Douglas, to approve construction of the retaining walls, less than 10 feet from the side yard property line. The approval was also conditional on the driveway remaining as grass and the turnaround and parking area to be paved with pervious materials. These actions would bring the lot into compliance with the 85% open space requirement. Any future paving of either these two sections would be a violation of the Zoning Ordinance.

There being no further matters to be discussed and there being no further business to come before the Board, the meeting was adjourned.

Recorder

Chairperson