

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

**OCTOBER 20, 2006**

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on October 20, 2006 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. Jim Littlejohn, Mr. Jack Freeman, City Manager Al Deck, Brad Bivens, City Engineer 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 September 15, 2006 meeting. Upon a motion by Mr. Jack Freeman and which was seconded by Mr. Jim Littlejohn, the minutes for the September 15, 2006 meeting were approved.

2. Ms. Sharon Pigott, representing Mr. & Mrs. Bruce McCrae, owners of the lot located at 4513 Everett, is requesting a variance to exceed the front setback by 12 feet in construction of a new home.

Ms Pigott and the engineer stated they had conducted a tree count and identified all trees in excess of 8 caliper inches, calculated the storm water flow, and concluded that the drainage trench will prevent water from flowing onto the rear neighbor. Upon a motion by Mr. Jack Freeman, which was seconded by Mr. Jim Littlejohn, the Board unanimously

voted to approve the setback variance, conditioned upon the drainage berm being flared up the hill to retain water and for the berm to remain outside the drip line of all trees.

3. Mr. Frank White, owner of the new construction at 121 Balleroy Drive, seeks approval of the house, which varies from the plan that was submitted and approved in both design and in maximum building height. Mr. White's presentation did not properly address the Board of Zoning Appeals concerns and he requested this item be deferred until next month. The stop work order remains in place.

4. Mr. Bill Fresch, representing Dr. Bruce Levy, owner of 108 Bancroft, requests a variance for two fences, which were constructed without a permit, and are located either on or within ten (10) feet of the property line. Mr. Fresch did not have sufficient information to support Dr. Levy's request. The members of the Board suggested a landscape plant, by a Tennessee landscape architect and a survey to locate and identify the trees. Mr. Fresch requested a deferral until the additional information can be obtained. Since this was the second appearance and 2 months had elapsed since the last appearance, Mr. Jim Littlejohn made a motion, which was seconded by Mr. Jack Freeman, stating that if the City has not received a suitable submittal 10 days prior to the November 17 meeting (November 7<sup>th</sup>) that the portion of the fences in violation be removed.

5. Mr. Ken McNeese, owner of the lot at 5540 Hillsboro requests a side yard variance of approximately 63 feet in construction of a new home. The house would be no

closer to the side property line than the original house. The Board stated that they need more information, such as site specific survey to locate the house and to locate and identify trees on the property; and a grading plan. The Board also suggested Mr. McNeese consider placing the house so it would front N. Stanford. Mr. McNeese requested a referral to gather the additional information.

6. Mr. Blaine Bonadies, Architect for Mr. Paul Christians of 4354 Chickering Lane, requests a variance to exceed the side setback by five (5) feet, in constructing an addition to the master bedroom. Upon a motion by Mr. Jim Littlejohn, which was seconded by Mr. Jack Freeman, and the Board unanimously voted to approve the variance, provided the Christians place additional landscaping on the side yard and submit the plan to the City.

7. Mr. Robert Anderson, representing Mr. and Mrs. Afshin Yazdian, owners of the lot located at 26 Inverrary, request a variance to increase the maximum building coverage ratio from 12% to 18.5%. Upon a motion by Mr. Jim Littlejohn, which was seconded by Mr. Jack Freeman, the Board unanimously voted to approve the variance.

8. Mr. and Mrs. Scott Sims of 5317 Cherry Blossom Trail, request a variance to exceed the front setback by approximately five (5) feet, for construction of a front porch to their home. Upon a motion by Mr. Jim Littlejohn, which was seconded, by Mr. Jack Freeman, the Board unanimously voted to approve the requested variance.

9. Mr. Sid Smith, of Ragan-Smith, representing Mr. & Mrs. Michael Goldston, developers of Cambridge Downs Subdivision, seek approval of a driveway serving three (3) lot off Cromwell Drive. Planning Commission gave final approval of the plat revision, subject to Board of Zoning Appeals approval.

The Board discussed the topography of the three (3) lots and the likelihood that the eventual owners will come to Board of Zoning Appeals seeking variances prior to construction. Upon a motion by Mr. Jim Littlejohn, which was seconded by Mr. Jack Freeman, the Board unanimously voted to approve the private drive serving 3 lots, conditioned upon the following: A note be placed on the revised final plat requiring - engineered grading, drainage, and landscape plans; a field run, site specific, survey to locate and identify all trees; and that the plans be presented to the Board of Zoning Appeals for review, prior to issuing a building permit.

10. Mr. Jay West of Bone, McAllester, Norton, PLLC, representing Mr. Leon Russell of 5654 Hillsboro Road, are requesting a variance to increase the maximum building coverage from 6% to 9%, special exception on roof height from 35 to 40 feet and Board approval of revised construction drawings, and landscape plan.

The presentation group, Board of Zoning Appeals members and the public discussed the proposed plan for 5654 Hillsboro for approximately an hour.

Upon a motion by Mr. Jim Littlejohn, which was seconded by Mr. Jack Freeman, the Board unanimously voted to end public comment.

In general, the consensus of the Board was that the plan still need more work in four areas: (1) limited paved surface on both the front & sides...with possible removal of all

paving on the south side; (2) removal of the concrete wall, which would lower the height of the front entry, and establish a sloping grade from the entry to the street;

(3) changing the front of the house, specifically establishing the plantation theme by changing the proposed columns, so that they: span the full two story height of the front and have more girth, and are located in front of the porch. (4) changing the appearance of the roof in terms of height and slope.

Mr. West requested that the matter be deferred to allow for revision of the plans.

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

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Recorder

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Chairperson