

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

**NOVEMBER 17, 2006**

The Forest Hills Board of Zoning Appeals (herein also the "Board") held its regular monthly meeting on November 17, 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, 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 October 20, 2006 meeting. Upon a motion by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland, the minutes for the October 20, 2006 meeting were approved.

2. Letters of Credit      None

3. Mrs. Nancy Proctor, owner of 6110 Hillsboro Rd., requested a variance from the current side setback requirements for a corner lot. The proposed addition would not be closer to the side lot line than the current non-conforming home. The request is for 48 feet. Upon motion by Mr. Jim Littlejohn, which was which was seconded by Chairperson Janie Rowland, the Board voted to approve the request for a 48 foot side variance, provided Mrs. Proctor presents a landscape plan (by a Tennessee certified landscape architect) for the Kingsbury & Northeast side of the house. The members of the Board will review the plan in the City office.

4. Mr. Chuck Cochran, owner of the home at 2013 Cromwell Drive, requested a variance from the current side setback. The proposed addition will be no closer than the existing house and would require a 48 foot variance.

After a discussion of drainage toward the rear neighbors (the Johnston's), the size and bulk of the proposed structure, a topographic survey (Tennessee certified landscape architect) landscaping and drainage plans for the tennis court area, the Board voted to deny the request. The motion was made by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland.

5. Mr. Ron Farris, representing Mr. & Mrs. Wilt Fleming, owners of the property at 2612 Tune Blvd., requested a special exception of one foot in height and a front facing Porte Cochere. The Flemings requested deferral of this matter, through the City Attorney.

6. Dr. Bruce Levy, owner of 108 Bancroft Court, presented a landscaping plan and requested a variance for a property line fence on the rear (a wooden fence) and a portion of a fence on the side yard (chain link) that is in violation of the 10 foot setback requirement. The Board heard Dr. Levy's presentation, as well as questions and discussion by the neighbors. After an extended discussion, Mr. Jim Littlejohn offered a motion, which was seconded by Chairperson Janie Rowland, and the Board voted to require Dr. Levy to move the wooden fence to comply with the ten-foot (10) setback and weave between the trees, in order to save as many as possible; plus, either move the portion of the chain link fence that is in violation, or plant ivy and climbing hydrangea to conceal the fence.

7. Mr. Frank white, owner of the construction at 121 Balleroy Drive, requested approval of new plans and a variance/special exception to change the front elevation and bring the roof height into compliance. The house currently under construction differs from the plans that were originally submitted and also exceeded the maximum height.

Upon motion by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland, the Board unanimously voted to approve the submitted plans, contingent on the landscaping being extended about 20 feet on the front side of the guest parking, using materials that would reach a height of 3 to 5 feet.

8. Mr. Jay West, of Bone McAllester, Norton PLLC, representing Mr. Leon Russell, owner of the property at 5654 Hillsboro Rd, requested a variance to increase the maximum building coverage ratio from 6% to 9% and approval of new plans that revise current construction of the house, paving and landscaping.

The petitioner withdrew a previous request for a height variance, since the newly proposed hip roof brings the height into compliance. Petitioner informed the Board that Mr. John R. Brodrick will serve as general contractor and oversee the project.

Upon motion by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland, the Board voted to approve the new construction and landscaping plans, contingent on the following:

- a. Submittal of complete constructions documents; as well as construction, architectural, and landscaping plans

- b. Site plan to limit the driveway to eleven feet in width in the front and to the north of the house and to provide only one, eleven foot parking space at the personnel door on the south side of the house
- c. Provide screening and buffer on the south side of the house
- d. Building Permit to be issued to a Tennessee licensed contractor, bonded for one million dollars
- e. Architect and Landscape Architect (when appropriate to the stage of construction) to provide monthly reports stating that all work for that period conforms to the construction documents
- f. Garage roof to change to a hip (both front & rear) and match the house roof
- g. All parties will provide immediate notification of any problems encountered during the remaining construction

There being no further matters to be discussed and there being no further business to come before the Board, Chairperson Janie Rowland made a motion, which was seconded by Mr. Jim Littlejohn, and to adjourn.

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Recorder

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Chairperson