

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

APRIL 20, 2007

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on April 20, 2007 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. 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 March 16, 2007 meeting. Upon a motion by Mr. Jim Littlejohn, which was seconded by Mr. Tim Douglas, the minutes for the March 16, 2006 meeting were approved.

2. Letters of Credit----no action required

3. Mr. and Mrs. Richard Patton of 1600 Chickering Road and their representatives from Ben Page & Associates request a variance to build a proposed “potting shed” (accessory building) in the side yard. Furthermore, a height variance is requested on portions of a proposed brick and wrought iron retaining fence that would exceed the height requirements for approximately 60 linear feet ranging from 8’6” to 9 feet because on inconsistencies in the slope of the topography.

Upon motion by Mr. Jim Littlejohn, which was seconded by Mr. Tim Douglas, the Board unanimously voted to approve the request; however, the Board did ask for consideration of additional planting in the area of the wall.

4. Ms. Carla Beach, of Beach Designs, will be representing Mr. Branan White and Mr. Scott Nickels, owners of 3807 Harding Place. They are requesting a variance to increase the maximum building coverage ratio from 6 to 6.5%. After construction began, an additional 250 feet were added to the main floor. Furthermore, plans were altered upstairs and the builder finished approximately 1400 additional square feet upstairs with obtaining permission, amending the permit or paying a fee.

During the discussion it was discovered that in addition to exceeding the maximum building ratio and construction approved in the original plan, the builder also constructed a wing wall on the west side of the front corner that was not permitted. The original permit has expired and the construction cost of the project was understated on the permit. Upon motion by Mr. Jim Littlejohn, which was seconded by Mr. Tim Douglas, the Board unanimously voted to approve the variance with the following conditions:

- 1) return to the Board of Zoning Appeals and provide the following:
- 2) an as-built survey, with topography and square footage of all impervious surfaces
- 3) a landscape plan by a Tennessee certified landscape architect
- 4) mitigation of the wing wall, if you wish to retain it

5) purchase new permits, based on the corrected cost of construction of \$1,100,000 and the square footage of the impervious surfaces, plus the required double fee for violation of the building permit.

5. Mr. and Mrs. Larry Fuldauer, owners of the lot located at 2 Bridleway Trail, and their representatives from Durden Architecture, request a variance to exceed the side setback requirements by approximately 26 inches in allowing for eave encroachments only on the southeastern corner of the garage. Also requested is a variance to position a lap pool in the side yard due to setback constraints and a floodplain in the rear yard. Upon motion by Mr. Jim Littlejohn, which was seconded by Mr. Tim Douglas, the Board unanimously voted to approve the variances requested, conditioned on providing a landscape plan by a Tennessee certified landscape architect, and increase the amount of evergreen plantings on the eastern side and interior of the driveway to screen and mitigate the variance for the pool. The landscape plan to be presented to and approved by the City Manager prior to issuance of a building permit.

6. Mr. Keith Hood, representing Mr. and Mrs. Charles Vaughn of 2 Castlewood Court, requests a variance to increase the maximum building coverage ratio from 12 to 15.5% in building a proposed new garage addition to their existing home. Motion by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland, to deny the request to exceed the maximum building ratio, due to the fact that no other house in Castlewood subdivision has exceed the 12% ration and the Board does not wish to set a prescient.

7. Report on Leon Russell Bridges house.

Assistant City Attorney Matt Forster reported on the status of the Russell Bridges matter. In a conversation with Mr. Bridges' attorney, Mr. McAllester stated that Mr. Bridges has made an offer on a house outside the Forest Hills area. In addition, Mr. Bridges is trying to sell his house in Forest Hills and has no intension of doing anything to the existing house. Mr. Foster is in the process of preparing a report for the Board of Commissioners, to outline the City's options regarding the property. He will also report those options to the Board of Zoning Appeals.

In another matter, Mr. Foster informed the City Manager that Mr. Tom White, attorney for the Goldstons (owners of Chambridge Downs), requested that Cambridge Downs be placed on the June agenda.

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