

**MINUTES OF A MEETING OF
THE PLANNING COMMISSION OF
THE CITY OF FOREST HILLS**

SEPTEMBER 18, 2008

The Forest Hills Planning Commission (herein also the “Board”) held its regular monthly meeting on September 18,, 2008 at the City’s Offices, 4012 Hillsboro Road, Nashville, Tennessee, beginning at 6:00 p.m. Chairman Warner Bass , presided. Also present were Vice Chairman Winston Evans, Mrs. Carroll Kimball, Mr. Sandy Moore, Mr. David Waller, Mayor Evers, and Vice Mayor Lovell. 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 August 21, 2008 Planning Commission meeting. Upon motion by Mr. David Waller, which was seconded by Mrs. Carroll Kimball, the Board the Board unanimously voted to approve the minutes of the August 21, 2008 meeting.

2. Letters of Credit ----- **ACTION REQUIRED**
- a. **Expires: December 18, 2007 / Issued: December 17, 2006**
#8996-30001 1st Trust Bank, Memphis, TN 38120
Terry W. Smith (Againcourt) --- \$51,000
 - b. Expires: August 31, 2008 / Issued: September 06, 2006
#SCL012915 National City, Cleveland, OH
Advising Bank ---Tennessee Commerce Bank, Franklin, TN
WDL Investments, LLC (Tyne Estates) ---\$497,000
 - c. Expires: January 19, 2010 / Issued: January 19, 2007
#P003902 SunTrust 25 Park Place, 16thFloor 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.

City Engineer Brad Bivens addressed the Commission and informed them that Againcourt has completed the punch list and has substantially completed all required work. Mr. Bivens recommend that the Letter of Credit be released.

Upon motion by Mr. Sandy Moore, which was seconded by Mr. David Waller, the Board unanimously voted to approve the release of the Againcourt Letter of Credit.

3. **PUBLIC HEARING:**

The City Attorney received comments on proposed Ordinance 08-184. The purpose of the Ordinance is to amend the Zoning Ordinance and increase the period for Planning Commission approval or disapproval of a proposed plat from 30 days to 35 days. This amendment will bring the Zoning Ordinance into compliance with current State legislation.-----No Comment was offered, Chairman Warner Bass closed the Public Hearing.

Submission of Ordinance No 08-184 to the Planning Commission for approval: Mr. Foster requested the Members consider and vote on proposed Ordinance No. 08-184. Mr. Bass asked if there were a motion on Ordinance No. 08-184.

Upon motion by Vice Mayor Lovell, which was seconded by Mr. David Waller, the Board unanimously voted to approve Ordinance 08-184 and recommend approval to the Board of Commissioners.

4. Mr. James Terry, of Terry & Associates, represented Mr. & Mrs. Larry Douglas of 1252 Saxon Drive, and requested approval of a **Preliminary Plan**. The Plan is for the subdivision of property owned by the Douglas's. The approximate 2.61 acre tract is located at 1252 Saxon Drive and is zoned RA. The Douglas's are requesting to subdivide their property into 2 lots. The primary proposed lot contains their residence and would be 1.36 acres and the second lot would contain 1.251 acres.

Chairman Bass called for questions, then comments from the staff. Brad Bivens stated that Appendix 13 should be added on the Final Plat.

Upon motion by Mr. David Waller, which was seconded by Vice Mayor Lovell, the Board unanimously voted to approve the Preliminary Plan for subdivision of the 2.61 acres into two lots and required Appendix 13 on the Final Plat.

5. Mr. Shawn Henry, Attorney, represented Mr. and Mrs. Marc Barclay of 34 Park Meadows. The purpose is to seek approval of a Final Plat, to sell a portion of their lot to Mr. and Mrs. Dennis Ryan, their contiguous neighbors, at 78 St. Mellion. Currently the Barclay's lot is approximately 1.31 acres and the Ryan's lot is approximately 1.24 acres. A portion of land equaling approximately .15 acre would be added to the Ryan property. Previously, the Ryan's were unaware of the exact property boundary lines, and mistakenly installed playground equipment on the Barclay's property.

Mr. Bass called for questions, then comments from the staff. Both the Planner and Engineer approved the final Plat.

Upon motion by Mr. Sandy Moore, which was seconded by Mr. David Waller, the Board unanimously voted to approve the transfer of .15 acres from the Barclay's lot

and would reduce their lot to approximately 1.16 and increase the Ryan's lot, to approximately 1.39 acres.

6. Mr. Shawn Henry, Attorney, represented Mr. Eric Ericson; owner of the home located at 2312 Chickering Lane and also represented the property located at the northeast corner of the intersection of Chickering Lane and Chickering Lane. The purpose is to seek approval of a Development Plan in creating three (3) lots, which total 8.66 acres. The development plan will amend Lot 1 of Chickering Estates Subdivision and will also amend a lot in the Chickering Valley Subdivision. The proposed development plan creates two (2) regular shaped lots and one (1) flag lot.

Prior to calling this item, Mr. Winston Evans, stated his firm previously represented the former owner of the Chickering Estates Lot and recused himself and left the meeting.

Mr. Henry presented the revised plan for the three lots, reducing lot 1 to approximately 3.66 acres and adjusting the setback to comply with the neighboring house to the north. Following the presentation several citizens spoke, the last being Mr. Ericson. Mr. Ericson stated he had no desire to create hard feels and alienate the residents of the Chickering Lane area and formally withdrew his proposal.

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

Recorder

Chairman