

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

**JANUARY 15, 2010**

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on January 15, 2010 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. Lanson Hyde, 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 November 20, 2009 meeting. Upon a motion by Mr. Lanson Hyde, which was seconded by Chairperson Janie Rowland, the minutes for the November 20, 2009 meeting were approved.

2. Letters of Credit: no action needed

3. Mr. Alan Eubank of 5639 Hickory Springs Road, requested a variance for front facing garage doors on a proposed addition to his home, located on a corner lot. Mr. Eubanks presented drawings, landscape plan, and letters of support from neighbors. The discussion centered on the garage doors facing Hickory Springs Drive. Two neighbors (Ms. Ramsey and Mr. Kimball) spoke in support of the project. After extensive consideration of landscaping to mitigate the large addition and garage doors, a

motion was offered by Mr. Lanson Hyde. Recommended approval, conditioned on removal of the second driveway entrance and filling that opening completely with landscaping material. Prior to issuing a building permit, the landscape architect must submit an itemized listing of all planting materials used for screen purposes, stating the location and installation height of each piece. Upon completion for the project, the City Arborist will visit the site and compare the installation with the plan and inventory list. The motion was seconded by Chairperson Janie Rowland, the Board unanimously voted to approve.

4. Mr. Bob Shaw of McPherson-Shaw Inc., represented Dr. and Mrs. Steve Humphrey, in requesting a front setback variance of approximately 18 feet to allow for building of their proposed new home at 1 Wynstone.

Mr. Shaw began the presentation by recounting the consolidation of the two building lots into one by the Planning Commission. Then he explained the extreme difficulty of the lot, based on steep slopes to the rear of the property and the presence of dellrose soil. Both conditions dictate that the building envelope be restricted to the front of the lot, in order to avoid the extensive work of removing the dellrose soil on the building site. During the discussion it was discovered that the proposed garage doors face the street, which would require a second variance. Secondly, Mr. Mike Lytel, son of the owners of the property at 2 Wynstone, next door to the applicant, addressed the members. He stated his family did not become aware of the meeting until yesterday and they are concerned about the proximity of the proposed construction to the property line, as well as the variance which allows the house to be built closer to the street.

The members also discussed the necessity of additional landscaping materials to mitigate the appearance from the street and the immediate neighbors. Therefore, based on the Members request for more information, the need for a second variance, and the Members desire for more landscaping material, Mr. Shaw requested the matter be deferred until the February meeting. They Board agreed to the deferral.

5. Mr. Michael Goorevich of Mauuel Zeitlan Architects, represented Mr. and Mrs. Larry Babet of 1091 Lynnwood Boulevard, in their variance request to build a swimming pool in their front and side yard. The home is non-conforming and located on a corner lot.

Due to a recent change in the Zoning Ordinance concerning corner lots, each street side of a house is now considered front yard and no accessory uses are permitted within the front yard. Mr. Goorevich presented a three dimensional model of the house and lot and explained the topographic challenges of the project. Following his presentation the Members commented on how helpful the model was in understanding the hardship. The Members did request the owner plant bamboo between 8 and 10 feet in height to facilitate screening the pool from the street. Upon motion by Mr. Lanson Hyde, which was seconded by Chairperson Janie Rowland, the Board unanimously voted to approve the variance to locate the pool in the yard facing Balbade Drive, as shown on the plans.

6. Mrs. Glenda Flexner of 6249 Hillsboro Road requested reinstatement of the expired variance, which was granted April 18, 2008, for an approximate 10 foot front setback, and for garage doors slightly angled towards the street. The construction project

was delayed due to the lengthy approval process by FEMA. Mrs. Flexner no longer wishes to create a new driveway entrance, as previously requested and has not applied to the Tennessee Department of Transportation for a permit. Upon motion by Chairperson Janie Rowland, which was seconded by Mr. Lanson Hyde, the Board unanimously voted to approve the renewal of the original variance granted in April 2008. The extended delay in obtaining a release from FEMA caused the eighteen month period to expire.

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

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Recorder

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Chairperson