

Minutes of a meeting of the Board of Zoning and Appeals of the City of Forest Hills

May 20, 2011

The Forest Hills Board of Zoning Appeals (herein also the "Board") held its regular monthly meeting on May 20, 2011 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. 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.

Approval of the minutes of the April 15, 2011 meeting: Upon a motion Mr. Lanson Hyde, which was seconded by Mr. Jim Littlejohn, the minutes for the April 15, 2011 meeting were approved.

Letters of Credit: no action required

Ms. Jenny Riordan of 1608 Otter Creek Road requested a variance of approximately one foot to allow for a rear yard, five-foot, aluminum fence with stone pillars. The Members heard Ms. Riordan's presentation and discussed the general circumstances, conditions of the lot, and the fact that the fence is proposed only in the rear yard. Mr. Littlejohn spoke against the variance and increasing the fence from the 4 foot maximum height to 5 feet. Upon motion by Mr. Lanson Hyde, which was seconded by Chairperson Janie Rowland, the members voted two to one for approval of the variance. Mr. Littlejohn cast the dissenting vote.

Mr. Neil O'Donnell of 5329 N. Stanford, requested modification of a landscape plan previously required by the Board of Zoning Appeals. The Members approved the construction of a pool in the side yard based on the submitted landscape plan. Following a discussion with Mr. O'Neill, the members required submittal of the new compromise plan. Mr. O'Donnell requested the matter be deferred until he can prepare the required revisions. The Members granted the deferral.

Mr. and Mrs. Philip Lee of 2020 Stonehurst Drive requested a variance in the maximum coverage ratio for construction of a garage. The proposed coverage ratio is 10.2%, exceeding the allowable ratio by 2/10 of one percent. After reviewing the plan, Mr. Littlejohn offered a motion to grant the variance in the coverage ratio. The motion was seconded by Mr. Hyde and the Members unanimously voted to approve the variance.

Mr. and Mrs. Richard Patton of 1600 Chickering Road requested a variance for a retaining wall ranging in height from approximately four feet to almost ten feet. The City Manager informed the Members that the old wall was damaged by the May flood and as a pre-existing, non-conforming wall, it was eligible for replacement in its originally located without a variance. However; Mr. Patton wished to rebuild a smaller, shorter wall in a new location, in order to preserve the existing natural state of the yard and eliminate any removal of trees. Mr. Littlejohn offered a motion to approve the height variance and Mr. Hyde seconded the motion. The Members unanimously voted to approve the variance in height.

Mr. Jud Kaufmann of 1937 Cromwell Drive requested a variance for a six foot fence, which was constructed without a permit. The City Manager informed the members that there is a second variance required for this property. Mr. Kaufmann constructed a storage building in the side yard, also without a permit. The Zoning Ordinance requires all accessory buildings to be place in the rear yard. Following a lengthy discussion, the Members required a landscape plan by a certified landscape architect. The desire is to soften the appearance of both the wall, and either screen the accessory building, or relocate it to the proper area of the rear yard. Mr. Kaufmann requested a deferral in order to meet the requirements of the Board of Zoning Appeals.

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