

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

**FEBRUARY 17, 2012**

The Forest Hills Board of Zoning Appeals (herein also the "Board") held its regular monthly meeting on, February 17, 2012 at the City's Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 8:00 a.m., with Chairperson Janie Rowland presiding. Also present were Mr. Jim Littlejohn, 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.

Prior to the meeting, Vice Mayor John Lovell addressed the members of the Board of Zoning Appeals and presented Chairperson Janie Rowland a gavel in honor of her first meeting in the new city hall and in recognition of her long service on the Board of Zoning Appeals.

Approval of the minutes: The minutes November 18, 2011, and January 20, 2012 were deferred, due to the absence of Mr. Banks.

Mr. and Mrs. Simon Sedek reappeared before the Board, after asking for a deferral in the January 20<sup>th</sup> meeting. The Sedeks own the home located at 4 Bridleway Trail and are requesting a variance for a 6 foot black aluminum fence. The house is a corner lot and both sides facing the street are considered front yard, and restricts the height of a fence to four feet. A variance is also required because the proposed fencing would connect to areas of the home that are not the rear most corners of the dwelling, as required by the Zoning Ordinance. The Members inquired if the applicant had a survey of the property, as requested in the last meeting and they did not. Mr. Littlejohn then asked if they had landscape plan, as requested in the last meeting, and they did not. The Members stated that without the information previously requested last month, they were unable to grant the request. The applicants left the lectern and took their seats in the audience. As the Chairperson prepared to continue with the agenda, the City Manager reminded the members that the Sedek's request could not remain unaddressed, so Mr. Littlejohn made a motion to deny the request, and Chairperson Rowland seconded the motion and the request was denied in its entirety.

Mr. and Mrs. Sidney McAlister of 6133 Montcrest Drive propose demolition of one section of the existing house, an addition and remodel of the existing nonconforming home, which will reduce the footprint by approximately 240 square feet. The current

coverage ratio is just over 16%. The McAlister's requested variances for building coverage; side yard setback; and the rear yard setback. All of these situations are created by the preexisting, nonconforming condition of the property. No new violations are created by the proposed work. Upon motion by Mr. Littlejohn to approve the three variance requests, Chairperson Rowland agreed and seconded the motion and all three variances were granted.

Mr. and Mrs. David Johnson of 6024 Ashland Drive requested a variance on front and rear setbacks for a proposed addition to their existing nonconforming home. The proposed additions would increase the preexisting nonconformity of the house to approximately 70.6 feet from the front lot line and approximately 14.8 feet from the rear lot line. Mr. Johnson made a digital presentation outlining the entire project, presented a landscape plan, and listed all neighboring properties which have structures as close to the property lines as his proposed project. All neighbors were in agreement with the proximity of the additional, including Mr. Sandy Moore, who was present. Mr. Littlejohn offered to approve the variance request, conditioned on the new driveway not being closer than five feet from the rear property line. The new garage will be constructed within 14 feet of the rear property line. Chairperson Rowland seconded the motion and both variances were approved.

Mr. Philip Patey and Deborah A. Van Slyke, PhD., of 2001 Otter Valley requested a variance to reduce the side yard setback of their nonconforming home. Currently the home is 34.01 feet from the side yard property line and the proposed addition will not be any closer at approximately 30.30 feet. Following a review of the project and question about the process, the members asked if the applicants had a landscape plan to mitigate the close proximity to the neighbor. Since no landscape plan was prepared, Mr. Littlejohn made a motion to approve the request, conditioned on a landscape plan being submitted to the City Manager for approval, and the final planting verified by the City Arborist. Chairperson Rowland agreed and seconded the motion for approval with an appropriate landscape plan.

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

Chairperson