

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

JULY 20, 2012

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on July 20, 2012 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 8:00 a.m. Chairperson Janie Rowland presided. 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. Mr. Mark Banks was absent.

1. Approval of the minutes of the June 15, 2012 meeting. Upon a motion by Mr. Jim Littlejohn, which was seconded by Chairperson Janie Rowland the minutes for the June 15, 2012 meeting were approved.

2. Letters of Credit: none

3. Mr. Tony Cline of Botco Builders & Mr. Mike Jones (Landscape architect) represented the owner of 2201 Harding Place, in a request to place an accessory use (tennis court) in the side yard, rather the rear yard as required by the Zoning Ordinance. The applicants presented the site and landscape plans for the property. The applicant also agreed to follow the guidelines of the Northumberland H.O.A. regarding time limitations on the use of tennis courts and lights.

The Chair asked for public comment. Mr. Steven Matthews, Dr. Michael Gold, and Lori, representing the Northumberland H.O.A. spoke in opposition to the request. Following additional questions and comments, the applicant requested the matter be deferred. No return date was requested.

4. Ms. Catherine Tracy Sloan represented Mr. and Mrs. Richard Cummings, owners of the vacant lot at 2803 Tyne Blvd. The variance requests were for a reduction in their non-conforming side yard setback from 45 to 19 feet on the West side; a privacy fence (in excess of four feet high) to hide garbage cans; and an increase in the Impervious Surface Ratio from 20% to 22%. All previous objections of neighbors have been resolved and following a brief discussion, Mr. Littlejohn offered a motion to approve variances for the side setback from 45 feet to 19 feet; a privacy fence in excess of four feet in height; and an increase in the impervious surface ratio from 20% to 22%.

Chairperson Janie Rowland seconded the motion and the Members unanimously voted to approve the three variance requests.

5. Mr. and Mrs. Josh Tyler, owner of the vacant lot at 5323 Stanford Drive requested a reduction in the side yard setback from 50 feet to 40 feet, in the construction of their new home. The Tylers, along with their representative from DA-AD Architecture, presented their concept of the new house and landscape plan. Following the presentation the Chair called for public comment.

Doug, the immediate neighbor to the north, had no problem with the non-conforming issue of the plan; however, his personal concern was their view of the proposed garage. He therefore requested the applicant consider flipping the house so that the garage would be on the other side, or at least increase the landscape material to shield their view. Following an explanation by the Architect about the restrictions of the lot, the applicant requested a deferral until the August meeting.

6. Mr. and Mrs. Christopher White, owners of the vacant lot on the corner of Chickering Lane and Chickering Lane, were represented by Issac Wantland, Landscape Architect, in a request for two variances: working within 50 feet of an area classified as a steep slope and a privacy fence in excess of four feet high to hide garbage cans.

Mr. Littlejohn disclosed that his engineering firm participated in drafting the plan for this project. While he was not personally involved, he recused himself from hearing the request. Since BZA Member Mark Banks was unavailable to attend the meeting, the Board did not have a quorum to hear this matter and could not act on this request. The applicants requested a special meeting in order to provide timely consideration of the request. The Chair requested the City Manager to contact the City Attorney and confirm the Boards ability to call such a meeting. The City Manager requested the Chair call for public comment, to determine if anyone attended the meeting with objections to the proposed plan. No one was present to speak for or against the proposal.

The applicants requested a deferral.

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

Recorder

Chairperson