

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

APRIL 19, 2013

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting on April 19, 2013 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 8:00 a.m. Chairperson Janie Rowland presided. Also present were Mrs. Alison Douglas, Mr. Mark Banks, 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 from March 15, 2013: Mr. Banks offered a motion to approve the minutes. The motion was seconded by Mrs. Douglas, and the minutes from March 15, 2013 were unanimously approved.

2. Letters of Credit: none

3. Mr. Tony Cline of Botsco Builders represented the owners of 2201 Harding Place in their request for a variance to build a tennis court (an accessory uses) in their secondary front yard, rather than the rear yard as required in the City of Forest Hills Zoning Ordinance. The applicant previously received a variance for a different location but has determined the current request will be less intrusive for neighbors. The presentation focused on the heavily treed area and how additional landscape materials will provide additional screening for neighbors and will also offer sound damping from use of the court.

A representative of the Northumberland Home Owners Association spoke and addressed the hours of use and possible disturbance of the Northumberland residents. She continued by explaining the H.O.A. places restrictions on of use of the Northumberland tennis courts and asked for restriction on the applicant.

Following the discussion Mr. Banks offered a motion to approve the request, conditioned on the following items: the owners of 2201 Harding Place will comply with the restrictions of Northumberland H.O.A. regarding use of the court, and secondly the applicant agrees that the previous variance granted September 21, 2012 for location of a tennis court on the southeast corner is hereby withdrawn and invalid. Mrs. Douglas

seconded the motion and the Members unanimously voted to approve the variance for the new location.

4. Mr. & Mrs. Chase Myers, owners of the home located at 3910 Wayland Drive, previously planned to demolish the existing house and build a new structure. The plan required side yard setback variances of 19 feet on the west and 14 feet on the east side of the property. The Myers now proposed to flip the house plan and with other revisions their variance request has been reduced to 12 feet 2 inches on each side and no other variance is required. With the revision, the new house will encroach less into the setbacks than the existing house.

Ms. Baker spoke as the next door neighbor and said the revision was much better and she is agreeable with the new plan. Following the discussion Mr. Banks made a motion to approve, conditioned on the Myers adding more hardwood plantings to the landscape plan, and the City Arborist must review and approve the revised plan. Chairperson Rowland seconded the motion and the Members unanimously voted to approve the request for both side yard setbacks.

5. Mr. Bruce Mott represented Mrs. Jennifer Gendron, in a request for a variance for the addition of a covered porch, which will increase the footprint of the home by 916 square feet. The house is located on a lot with an elevation of approximately 808 feet. In accordance with the City of Forest Hills Zoning Ordinance any construction or land disturbance requiring a permit, in an area above the 700 foot elevation, must seek a variance from the Board of Zoning Appeals.

Following the presentation Mr. Banks offered a motion to approve the variance, which was seconded by Chairperson Janie Rowland, and the Members unanimously voted to approve the request.

6. Mr. Robert Bomar of Nature Impressions represented Mr. and Mrs. William Neiman of 5816 Beauregard, in a request for a pool and retaining wall. The property elevation is 830 feet, which exceeds the 700 foot elevation stated in the Forest Hills Zoning Ordinance, thereby requiring a variance.

Mr. Bomar presented his plan; however, the Members determined the presentation was not complete, since it did not include a landscape plan. The pool will need to be landscaped to soften the view of the neighbors. Mr. Bomar requested a deferral and asked to be added to the May 17, 2013 agenda.

7. Mrs. Julia Littlejohn Champion of 1309 Tyne Boulevard requested a variance to exceed the allowed 18% impervious surface ratio by 2.2%. The primary intent of the driveway project is to add a second driveway entrance, in order to better negotiate the Tyne Blvd. traffic. The Members discussed the proposal, the landscape plan, the drainage directed toward the next door neighbor, and called for public comment.

Two neighbors attended and spoke on Mrs. Champion behalf, both having reviewed the plan during the design phase. Chairperson Rowland made a motion to approve the request as presented. Mr. Banks seconded and the motion was approved.

There being no further matters before the Board, the meeting was adjourned.

Recorder

Chairperson