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

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September 20, 2013

6 The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly
7 meeting on September 20, 2013 at the City’s Offices, 6300 Hillsboro Pike, Nashville, Tennessee,
8 beginning at 8:00 a.m. Chairperson Janie Rowland presided. Also present were Mr. Jim
9 Littlejohn, Mr. Mark Banks, City Manager Amanda Deaton, and City Attorney Mr. Matt Foster.
10 Others present are shown on the attached sign-in sheet. A copy of the Agenda is also attached to
these minutes.

11 1. **Approval of the minutes of the meetings dated August 16th.** Mr. Banks made
12 the motion to approve the August 16th minutes, Janie Rowland seconded, and the
13 motion was approved unanimously.

14 2. **Letter of Credit** - No action needed, no action was taken.

15 3. **Mr. Dustin Timmons represented Mr. Alexander Assouad and Ms. Nancy**
16 **Youssef, owners of the home located at 5910 Wilshire Dr.** They were before he
17 board to request approval to build a detached garage with front facing garage
18 doors. Mr. Timmons explained that his clients wished to build an unattached
19 garage on a very odd shaped lot. The City regards the front of the house as facing
20 the undeveloped part of Wilshire. The front door of the house actually faces the
21 side yard.

22 Chairperson Rowland asked if there were any neighbors to speak to this request.
23 There were none. Ms. Rowland then asked Mr. Timmons if there were any
24 neighbors to the east or west of the property. The owner, Mr. Assouad, responded
25 that Percy Priest is to the East and the lot is vacant to the West.

26 Mr. Banks asked Mr. Timmons to describe the hardship experienced in this case.
27 Mr. Timmons responded that because the lot is oddly situated, there are few
28 options to situate the garage with the existing driveway. Mr. Banks asked Mr.
29 Timmons about what other options were considered. Mr. Timmons responded that
30 they explored rerouting the driveway and also removing the deck. It was
31 determined that the proposed plan was the best way to proceed.

32 Mr. Littlejohn asked about the landscaping and the planting screen needed for the
33 garage. Mr. Assouad responded with a host of pictures that he shared with
34 members. Mr. Littlejohn explained that the pictures and all other landscaping
35 plans need to be on the stamped landscape plan provided to the City. Mr. Assouad
36 explained that there was a landscape plan. Mr. Littlejohn responded that is did not
37 show a screen of the garage or what size or type of plant expected to be installed.
38 The spirit of the plan must be displayed on paper.

39 Mr. Banks also noted that a more sophisticated drawing of the building plan is
40 needed.

41 Mr. Timmons asked for a deferral.

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43 **4. Mr. Jerry Johnson of Brentwood Builders, who represented Rodney**
44 **Hamilton, owner lot 33 in the Otterwood Subdivision** requested permission to
45 build in the Hillside Protection Overlay as the building envelope is within 50 feet
46 of a steep slope. This item was deferred from the August 16th meeting.

47 Mr. Johnson began by bringing the Board’s attention to the revised erosion and
48 drainage plans as well as the new trees and hedges that had been emphasized.
49 Specifically, the left side of the site would have evergreen planting and would
50 offer coverage twelve (12) months of the year. He mentioned that the owners
51 want Brentwood Builders to disturb as little land as possible.

52 Mr. Banks asked Mr. Johnson to outline what the differences were regarding
53 erosion control since the last meeting. Mr. Johnson explained that he added
54 detailed construction notes on the plan, included erosion blanket as needed across
55 slopes, added ground straw, beefed up check dams, and introduced coconut straw
56 trappers. Mr. Littlejohn asked if these improvements will properly handle the
57 velocity and volume of water that is produced. Mr. Johnson responded in the
58 affirmative. Mr. Littlejohn asked about the specifications of the products he was
59 using. Mr. Johnson did not have them at the time, but noted they could be found
60 shortly.

61 Chairperson Rowland asked if there were any neighbors to speak to this request.
62 Sherly Harris, who represented the Westbrooks asked the Board to remember the
63 flood and the volume of water that came from that Hill. The water was her clients’
64 main concern.

65 Mr. Littlejohn reviewed the two retaining walls and asked what was to go in
66 between. He stated that without landscaping, it appears as one very tall wall. Mr.
67 Banks and Chairperson Rowland both concurred that there needed to be
68 landscaping and it needed to be indicated on the landscape plan.

69 Elecia Lewis, the representative of for the Otterwood Home Owners Association
70 (HOA), spoke endorsing the project. Ms. Lewis indicated that the HOA has a
71 trusting relationship with Brentwood Builders and that the Structural and
72 Architectural Review Board (SARB) had reviewed the project favorably.

73 Mr. Littlejohn motioned for approval conditioned on a revised landscape plan be
74 delivered to City with proper landscaping near the retaining wall and that the
75 builder be placed on notice to substantially reinforce his erosion control devices.
76 Mr. Banks seconded the motion and it was approved unanimously. The
77 expectation was that the conditions be monitored by the City Manager and City
78 Engineer.

79 **5. Review of the Board of Zoning Appeals Rules and Procedures Checklists.**
80 Ms. Deaton provided the board some preliminary checklists to show them the
81 direction we were going related to the new rules and procedures. It included
82 omitting the need for a geotechnical and landscape plan in the Hillside Protection
83 overlay for fences and other small projects. This was generally agreeable, but the
84 threshold would have to be decided. The Board was given the Checklists to
85 review and would have comments during the next regularly scheduled meeting.

86 **6. The meeting was adjourned.**

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Recorder

Chairperson

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