

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

July 10, 2015

The Forest Hills Board of Zoning Appeals (herein also the "Board") held its regular monthly meeting July 10, 2015 at the City's Offices, 6300 Hillsboro Pike, Nashville, Tennessee, beginning at 8:00 a.m. Chairperson Janie Rowland presided. Also present were Mr. Mark Banks, Mr. David Waller, and Amanda Deaton-Moyer, City Manager. 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 of the meetings dated June 12, 2015.** Mr. Waller motioned to approve the minutes from June 2015 meeting. Chairperson Rowland seconded the motion and it passed unanimously.
2. **Consent Agenda.** Chairperson Rowland asked the City Manager to briefly describe the consent agenda items. Mrs. Deaton-Moyer explained that the home located at 2071 Timberwood Drive was nonconforming on the front setback but the addition would be to the back of the home, not increasing the nonconformity. *Mr. Waller motioned to approve the consent agenda. Chairperson Rowland seconded it and it was approved unanimously.*
3. **Mr. Jason Gabbard of Page-Duke Landscape Architects, represented the owners of the home located at 4321 Chickering Lane,** and requested a variance to build an entrance gate (ranging in height from 5' 1 1/2" to 3 1/2 ') with two stacked stone piers (6'4"). Chairperson Rowland asked Mrs. Deaton-Moyer for a description and her recommendation. She stated that the associated fence met regulations, but to create an entrance, it would only make sense to have taller stone piers. The gate was primarily transparent with only a small portion being opaque. There was also a gate very similar across the street from this home. Mrs. Deaton-Moyer recommended approval. Mr. Gabbard illustrated the landscaping: boxwoods over four feet tall would be planted in front of the piers and a portion of the fencing. Chairperson Rowland asked if there was anyone present to speak to the issue. There were none. Mr. Banks asked about how much of the gate would be solid. Mr. Gabbard responded that at its' highest point, no more than two feet. He added that car headlights would be able to be seen through the gate. *After discussion, Mr. Waller made a motion to approve the plan as submitted. Mr. Banks seconded the motion and it was approved unanimously.*
4. **Mr. Brett Wright of Castle Homes, represented Mr. and Mrs. Andrew Park, owners of the home located at 2400 Tyne Blvd,** and requested a variance to build an entrance gate with stone piers. The gate was proposed to be 2/3 opaque and six feet in height. The associated stacked stone piers were to be 6'6" in height. Chairperson Rowland asked Mrs. Deaton-Moyer for a description and the City's recommendation. Mrs. Deaton-Moyer stated that the request was similar to the previous application except for two issues. First, this gate was a taller and almost completely opaque. Second, the gate was proposed in a neighborhood with smaller lots and more houses. She stated that if the applicant could be convinced to use a transparent gate, she could recommend approval.

Brandon Peppenhorst, Landscape Architect, explained Mr. and Mrs. Park's reasons for proposing the gate, including privacy and security. He also elaborated on the landscaping plan. Chairperson Rowland asked if there was anyone present to speak to the issue. Robert Alford of 2503 Hemingway spoke. He said that there were no other gates like this in the neighborhood and he worried about precedent. Next, Bolin Stumb of 2500 Tyne spoke. She stated that when she and her husband chose to renovate they worked to stay within Forest Hills regulations and they were quite happy with the results. They were opposed to the gate. Other neighbors including Ann Beesley of 2507 Hemingway and Joseph Kennedy of 2401 Hemingway reiterated that sentiment. Next Mr. Park, owner of the home in question stated that he wanted the gate to guard the pool from onlookers and protect his young daughters from the street.

Mr. Banks asked Mr. Peppenhorst how big the pillars would be. He stated that they would be around seven feet with the cap. Chairperson Rowland expressed concern over the mass and opacity of the structure. There was more discussion regarding concern over the design. *Mr. Banks made a motion to deny the gate as submitted, Mr. Waller seconded, and it was approved unanimously.* (the gate was denied).

5. **Mr. Johnson Bullard of KiserVogrinDesign, represented Mr. and Mrs. Joseph Troutman, owners of the home located at 4617 Tara Drive** (a corner lot), and requested a variance to build a garage with front facing doors on the secondary-front side of their home. The home was non-conforming on both sides of the lot. Chairperson Rowland asked Mrs. Deaton-Moyer for a description and the City's recommendation. Mrs. Deaton-Moyer described the front facing garage addition. She said the applicant proposed landscaping that she thought would provide ample screening. The City recommended approval. Mr. Bullard stated that they sought to keep the existing lines of the house and would continue the roofline, extending that portion of the house. The Board reviewed the submitted pictures and asked Mr. Bullard if there was a picture of the front of the existing house. Mr. Bullard responded that there was not. Mr. Banks expressed concern over the uninterrupted straight line of the addition. He asked if there were any plans to emulate the character of the front of the house on the new addition. Mr. Bullard said his plans did not reflect that style, but certainly could. It was the Board consensus that they wanted to see pictures of the front and a complementary design of the addition before passage. *Mr. Bullard said that was agreeable and asked for a deferral. The Board granted the deferral.*

6. **Mr. Adam Stern, owner of the lot at 1236 Saxon Drive**, requested a building permit for a proposed new home located in the Hillside Protection Overlay District and a variance to disturb approximately 26.7% of the area located in steep slopes. Chairperson Rowland asked Mrs. Deaton-Moyer for a description and the City's recommendation. Mrs. Deaton-Moyer reminded the Board of the process by which all Geotechnical reports are sent to Rick Heckel at Ardent for review. The geotechnical reports regarding 1236 Saxon had been reviewed and a memo provided to the Board. The memo found the plan satisfactory but recommended regular inspections from a geotechnical engineer. Mrs. Deaton-Moyer delivered a brief history of the slides that had occurred uphill from the subject lot. Mr. Stern described his project. Chairperson Rowland asked if there was anyone present to speak to the issue. Linda Bradley of 1239 Saxon Drive spoke, giving a detailed history of the area and subdivision. She said that she and her neighbors were not opposed to building a home, but felt that no variances should be granted. She said the land needed attention as it was significantly overgrown. She added that during the subdivision process they were assured that no blasting would occur. Mr. Stern confirmed that no blasting would be necessary. He said he felt one hundred percent confident that the project was doable and would be successful.

Chairperson Rowland asked questions regarding the drive and landscaping. Mr. Doug Arnold, landscape architect, said they tried to limit cut and fill, but retaining walls were necessary. Mr. Banks asked about height and the materials with which the walls would be clad. Mr. Arnold said the walls would be brick and no more than eight and half feet tall. The planting at the entrance of the drive were discussed. The Board agreed that more landscaping was needed at the front of the drive. Reviewing the area of disturbance, Mr. Waller and Mr. Banks commented that the area seemed to be as minimized as possible. Mr. Arnold concurred, stating they had revised the placement several times to limit disturbance.

Mr. Banks motioned to approve the application based on the following conditions:

- *No blasting shall occur during the project.*
- *Landscaping must be installed at the entrance and along the first retaining wall. The plan must be submitted prior to permitting.*
- *The materials for all the retaining walls must be called out (and match the home) in plans for permitting.*
- *A geotechnical engineer will be present and provide recommendations during every stage of excavation and wall/foundation construction.*

- *All conditions in the memo submitted by Ardent, city consultant, shall be met.*
- *Biweekly reports of the required inspections of excavation and retaining wall construction must be submitted to the City. Any landslides, slope failures must be reported to the City.*

Mr. Waller seconded the motion and it was approved unanimously.

7. Information session. Mr. Doug Sharp, representing builder Pete Ferrari who has an option on 1833 Cromwell Drive and three lots off of 6206 Melbourne Drive, brought conceptual plans for four homes to be developed in the Hillside Protection Overlay District. He sought guidance on land disturbance thresholds, ingress and egress, impervious surface, setbacks, and accessory structures. This was the second informational session regarding the “Forrest Trails” project. Since the previous session, thorough surveys were conducted and they had a better idea of possible placement of homes. Mr. Sharp presented bulk standard charts for each individual lot and the development as a whole. The impervious surface ratios exceeded bulk standards on two lots. Mr. Banks commented that because these lots had never been developed they needed to “play within the rules,” meaning they needed to meet bulk standard regulations.

Mr. Sharp showed preliminary placement of each home and their accessory structures. Chairperson Rowland asked Mr. Sharp about the approximate footprint of each home. Mr. Sharp responded that they would be between 5,000 and 6,000 square feet, making the homes between 9,000 and 10,000 square foot homes in total. Chairperson Rowland was concerned about the significant mass of these homes and suggested reducing the scale. Chairperson Rowland excused herself from the meeting.

There was additional discussion about possible options for impervious surface ratio reduction and placement of accessory structures. Mr. Banks asked if there were neighbors present to discuss the issue. No one spoke. Mr. Sharp and Mr. Ferrari briefly outlined their next steps and thanked the Board for their insight.

8. **The Meeting was adjourned.**



Recorder



Chairperson

SIGN IN SHEET

City of Forest Hills

Board of Zoning Appeals Meeting

Date: ~~Friday~~ July 10, 2015

~~July~~ July
ADDRESS:

NAME:

Amanda

City Hall

Gary moody

Hendersonville TN

~~Charles Sprung~~

Jaxson Ridge 1243

David Walker

1809 Kingsbury Dr.

~~Monique Appal~~

2503 Hemphrey Dr.

JASON GABBARD

519 PRUKE VALLES FRANKLIN

Bolin Stump

2500 TUNE BIRD

Jerry Stunk

" " "

Mark Banks

City of Great Hills

SAVIN DUKE

FRAS/DUKE LINDSAY BRUNTON

~~BANKEN BULLARD~~

500 WHEEPING HILLS DR

~~BERT WEIGBT~~

305 MAYFIELD STATION

Matt Taylor

714 9th Ave. Nashville

Joseph KENNEDY

2401 Hemphreyway

Pete Fenter

7012 IMP. ARTHUR

ADAM SPERL

1000 BRITAIN DOWNS DR NOKROSSVILLE 37135

DAVID TACHER

15001 CALIFORNIA AVENUE

Sydney Bradley

1239 Sayer Dr.

Roger Bradley

1239 Sayer Ave.

Doug Arnold

618 WATER BRANCH DR FRANKLIN