

BOARD OF ZONING APPEALS

January 8, 2016

AGENDA

CHAIRPERSON JANIE ROWLAND PRESIDING

1. Approval of the minutes of the December 11, 2015 meeting.
2. Letters of Credit: Safe Deposit Box **(no action needed)**.
3. Ms. Rachel Pittel with Anne Daigh, Landscape Architect, representing Ms. Brigitte Hubbard, owner of the lot located at 4335 Chickering Lane (located in the Hillside Protection Overlay District), return for approval of the State Swppp and drainage plan as required by the Board at the September 11, 2015 meeting.
4. Mr. Mitchell Barnett Architect, representing Mr. and Mrs. Emmet Seibels of 2308 Tyne Blvd. requests a building coverage ratio increase from 10.95% to 13.28% with total impervious coverage ratio from 22.11% to 22.02% on a currently nonconforming home remodel and addition..
5. Mr. Joel Lyons and Mr. Ray Tarkington (owner of the lot located at 2105 Timberwood Drive), request variances for a west side setback variance of approximately 28.5 feet and an east side setback of approximately 14 feet. This non-conforming lot is approximately 130 feet in width at the front setback.
6. Mr. Moore Russell of Old South Construction, representing Sheriff Investment Group, LLC, owner of the lot located at 1222 Old Hickory Boulevard, returns for the Board to report on progress of demolition and review detailed grading and landscaping plans prior to issuance of a building permit.

Adjourn Meeting

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

January 8, 2016

The Forest Hills Board of Zoning Appeals (herein also the “Board”) held its regular monthly meeting Friday, January 8th, 2016 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. Jim Littlejohn, City Manager, Amanda Deaton-Moyer and City Attorney Chad White. 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 meeting dated December 11, 2015.** Mr. Banks made the motion to approve the minutes from the December meeting. Mr. Littlejohn seconded the motion, and it passed unanimously.

2. **Ms. Anne Daigh, Landscape Architect, represented Ms. Brigitte Hubbard, owner of the lot located at 4335 Chickering Lane** (located in the Hillside Protection Overlay District). They were returning for approval of the State Storm Water Pollution Protection Plan (SWPPP) and drainage plan as required by the Board during the September 11, 2015 meeting. Mrs. Deaton-Moyer explained the project and the terms of which the applicant had returned to the Board. The applicant had received their Notice of Coverage from the state, meaning it had been approved. Ms. Daigh presented a revised grading plan that included a changed location for the drive. Previously, the drive was located on the north portion of the property close to the neighboring property. The revision placed the drive near the center of the property. Ms. Daigh said this would make the approach more gradual and limit disturbance. Mr. Banks commended the applicant for moving away from the neighbor’s property. Mr. Littlejohn asked if there was any part of the driveway that reached or exceeded 20% in grade. Ms. Daigh said that for a brief moment, it did reach 20%. Mr. Littlejohn asked if this area could be feathered-out to reduce steepness. Ms. Daigh said that it was possible, but that it may change the gradual feel of the drive.

Chairperson Rowland asked if there were any neighbors to speak to the issue. There were none.

Mr. Littlejohn asked engineer, Ron Hale if he had reviewed the discharges and energy dissipation needed for the lot. Mr. Hale responded that he had performed initial analysis, but would be more detailed before permitting. There was some discussion regarding the temporary drainage that could become permanent fixtures after construction. Mr. Littlejohn expressed concern over the volume and velocity of water flowing down the southern portion of the lot. Mr. Hale and Mr. Littlejohn discussed some techniques for intercepting and controlling that water. Mr. Littlejohn also asked where dirt would be stockpiled. Ms. Daigh responded that they expected to place it in the area outside of the basement. After brief discussion

about construction sequencing and traffic, *Mr. Littlejohn motioned to approve the grading plan and project with the following conditions:*

- (a) *Further reduce the steep slope of the drive.*
- (b) *The complete drainage submittal for permitting shall address discharges, energy dissipation, and construction sequences and be reviewed by the City Engineer.*

Mr. Banks seconded the motion and it was approved unanimously

3. **Mr. Mitchell Barnett Architect, representing Mr. and Mrs. Emmet Seibels of 2308 Tyne Blvd.**, requested a variance to increase the building coverage ratio from 10.95% to 13.28% and to reduce total impervious coverage ratio from 22.11% to 22.02%. This increase was related to a patio and bedroom addition. The existing home was nonconforming due to coverage and setbacks. Mrs. Deaton-Moyer explained the project and the extent to which the structure was nonconforming. She said the proposed addition would increase the nonconformity, but the applicants sought to reduce the effect by replacing their drive with pervious pavers. The applicants had been in the home for a few years and wished to make it more cohesive and meet their needs. While they did not have a hardship, they did seek to make the existing home work for their family. She added that while the porch and master addition were presented together, it was likely going to be a phased-in approach. They wanted the Board to see the full plan.

Mitchell Barnett, architect, reiterated that the proposal was the master plan for approval. The Board thanked the Seibels for bringing the whole picture. Mr. Littlejohn asked if the porch area was the immediate concern. Mr. Barnett said it was the initial concern, but in the long term they sought to bring the property to market standards.

Chairperson Rowland asked if there were any neighbors to speak to the issue. There were none. The Seibels presented letters from their neighbors in favor of the project.

Mr. Banks asked if the landscaping was a balanced approach. After explanation about the existing landscaping, Mr. Banks and Chairperson Rowland agreed the presented landscaping would be sufficient.

Mr. Banks motioned to approve. Mr. Littlejohn seconded the motion and it was approved unanimously.

4. **Mr. Joel Lyons and Mr. Ray Tarkington (owner of the lot located at 2105 Timberwood Drive)**, requested variances for a west side setback variance of approximately 28.5 feet and an east side setback of approximately 14 feet. The non-conforming lot was approximately 130 feet in width at the front setback. Mrs. Deaton-Moyer told the Board that this was a new construction on an existing lot that had never included a home. The lot was narrow and the EB district building

setbacks created hardship. Mrs. Deaton-Moyer stated that the applicant had spoken with the adjacent neighbors, the Lipscomb's and Loren Chumley and Scott Peterson. Mrs. Chumley provided a letter recounting the conversation between themselves and the applicant. The letter included items that Mr. Lyons had promised to change or do as a part of the construction. Those included revising his landscaping plan to respect the root lines of the neighboring large oak tree and enhancing the screening between the proposed garage and adjacent home.

Chairperson Rowland asked if there were any other neighbors to speak to the issue. There were none.

Mr. Lyons explained the project and discussed the placement of the drive that minimized the slope. Mr. Banks asked Mr. Lyons if he was going to live in the home. Mr. Lyons responded that the property was currently owned by Mr. Tarkington who was present. He would be building the home as a "spec house." Mr. Banks asked what other iterations of the home had been reviewed before choosing this layout of the home on the lot. Mr. Lyons said they had reviewed the placement of the garage and drive at length. He wanted to achieve a walk-out basement without having to come up stairs from the garage. This took review and rearranging. Chairperson Rowland said that the Board prefers when homes are built for the lot, not the other way around. Mr. Lyons stated that this home was a custom home, designed for the subject lot. He added that the architect had taken time to work with the height restrictions and make it work on the lot. Mr. Littlejohn asked if the home could be narrower. Mr. Lyons responded that he and the architect had looked into making it deeper, but the deeper it got, the steeper the land became. A deeper design would eliminate a first floor garage. Mr. Littlejohn commented that it looked forced onto the lot. He added that he was not advocating for no variance, as one was clearly needed, but he questioned the approach. He was okay with the drive as it was designed.

Mr. Banks suggested that they go through some iterations of how the house could be fit on the lot, while being sensitive to the scale of homes on surrounding lots. Chairperson Rowland echoed Mr. Banks and asked about how the bulk of the home could be reduced. Mr. Littlejohn asked if he was open to reviewing the roofline and height. Mr. Lyons responded that the ceiling heights could be dropped. Changes in the roofline and height would affect the grading and would need to be reviewed.

Mr. Lyons asked for a deferral to address issues the Board had brought to his attention.

5. **Mr. Moore Russell of Old South Construction, represented Sheriff Investment Group, LLC, owner of the lot located at 1222 Old Hickory Boulevard.** He returned to the Board to report on progress of demolition and to provide detailed grading and landscaping plans for approval. Mrs. Deaton-Moyer introduced the project and provided a report from Brad Bivens, City Engineer

detailing the status of the lot. The home had been demolished and significant grading had been completed.

Chairperson Rowland went through each of the issues on Mr. Bivens' report and asked the applicant if they had been addressed. On the point of silt fencing, Mr. Russell outlined the relationship with Mid-Tenn Erosion who would be inspecting and repairing the silt fencing to Mr. Bivens' standards today and throughout the project. Chairperson Rowland asked if there was enough room for the magnolias in the front to thrive. Mr. Russell responded that the dirt was out of their driplines, but this could be reviewed. Chairperson Rowland stated that if they wished to save the magnolias, then additional attention was needed. Other site items were addressed as well.

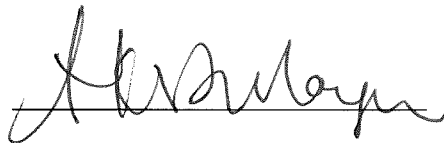
Mr. Littlejohn asked if the culvert along the entrance drive was a 14 foot minimum at the crossing point. Mr. Russell responded that the 14 foot minimum was for the drive when it went over the culvert. He added that the actual pipe was in good shape, but the headwalls needed attention and that would be an opportunity to expand the drive.

The Board went over each of the conditions from the previous meeting. They felt that other than the front yard grading, the conditions had been met. *Mr. Littlejohn made a motion for approval based on the following conditions:*

- (a) Compliance with all recommendations made in Inspection Report 1, dated January 5, 2016.*
- (b) The dimension of the driveway (travel area) over the culvert on the land be a minimum of 14 feet in width. This should be called out in the final site plan for permitting.*
- (c) The City arborist is to review the site and provide recommendations for protecting and preserving the trees on property, particularly the Magnolias in the front yard.*

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

6. The Meeting was adjourned.



Recorder



Chairperson

SIGN IN SHEET

**City of Forest Hills
Board of Zoning Appeals Meeting**

Date: Friday January 3, 2014

NAME:

ADDRESS:

RON HALE

9005 OVERLOOK BLVD. BRENTWOOD 37027

Anne Daigh

1203 Paris Ave Ste-104 Nashville
37204

Ray TARKINGTON

4029 Dorcas Dr Nashville 32215

Greg Gramble

Franklin.

Chad White

UBS bldg

MOORE RUSSELL

1222 OLD HICKORY.

JANIE ROWLAND

CITY

My. Feb Barnett

2204 8th Ave S

Joddyens

2105 Timberwood

RACHEL FITZGERALD

1203 PARIS AVE STE 104 NASHVILLE
37212

Scott Hayduk

5901 Robert E Lee Ct

[Signature]

2121 Chelving Lane

Mal Bond

city

[Signature]

4005 Andrew Dr

JABEN REED

2204 8th AVE S

SIGN IN SHEET

**City of Forest Hills
Board of Zoning Appeals Meeting**

Date: friday june 8, 2014

NAME:

ADDRESS:

Debra W. Wray

City Assessor

Ernest Gibbs

2308 Tyne Blvd

South Falls

"

Brooks Hubbard

276 Harding Pl

Jay Femon

Timberwoods
