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At this time Dr. McCord stated that he had done all that the Commission had asked and needed this to be approved. He said that the Hillsboro Road house would be auctioned off on July 22 and this needed to be done before then. Mrs. McCord stated that Timberwood had only been blocked once when they were building the pool house. Commissioner Hyde said that he was trying to ensure that neighbor access was never blocked. Mrs. McCord restated her story, but said there was a flat portion of the lot that would be good for staging. Dr. McCord asked the Commission if they always included this type of note. Commissioner Hyde said no but the narrowness and the history of the lot made it necessary. Chairman Evans said that it appeared that they (the McCord's and the Commission) were in agreement that construction vehicles were a problem and a staging area was needed.

Mr. Foster presented the following language "No building permit may be issued for lot 2 without including plans for a construction staging area sufficient to provide off-street parking for all contractor vehicles. Mr. Foster added that he had some ministerial changes that needed to be made before the plat is signed. Commissioner Hyde said he was comfortable with the note as stated. *Mayor Coke made a motion to approve the final plat conditioned upon making the changes to the notes as stated. Mr. Jackson seconded the motion and it was approved unanimously.*

- 4. **Concept Plan Approval for consolidation of Lots 12 and 13 in the Tyne Estates Subdivision.** Both lots are in RA Zoning, located in the Hillside Protection Overlay District. Lot 12 contains 1.46 acres, Lot 13 contains 1.82 acres, and their combined acreage would be 3.28. Mr. Tom King briefly explained the plat. Chairman Evans asked staff if they had any comments. Staff stated that Mr. King had made all requested changes. *Mr. Gardner moved to approve the concept plan to move on to preliminary plat. Commissioner Hyde seconded the motion and it was approved unanimously.*

- 5. **Concept Plan Approval for subdivision of property and relocation of lot lines at 5912 Hillsboro Pike and creation of a new lot at 2020 Maplemere Drive.** Currently the overall property contains 3 lots with a combined acreage of 29.38 acres. The proposed lot contains areas of over 20% sloping and falls within the Hillside Protection Overlay District; therefore, the newly created lot will contain at least 3 acres. Ms. Janie Rowland introduced the plan and gave a brief description of her family history with the land. With that in mind, she and her brother wished to allow a family friend one (1) acre to build a modest home. The hillside protection overlay district restrictions required three acres. Because of this, they intended to write into the deed that two 2 acres must remain undeveloped and natural. She also explained that staff had asked her not to leave fragmented property so she had increased the boundaries of her own

91 parcel to just over seven acres. Ms. Rowland added that she and her brother
92 had reached out to Audra Ladd with the Land Trust for Tennessee to begin
93 discussing conservation easements along the ridge of the greater Rowland
94 Investment property and possibly in front of her current home. Much of the
95 property already had green belt status. Ms. Rowland also explained that the
96 proposed building envelope was placed based on drainage and large tree
97 protection and her neighbors request for privacy.

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99 Chairman Evans asked if there were any neighbors present to comment on
100 the plan. Rebecca Millman of 2005 Maplemere spoke. She said she had lived
101 in her home for over 20 years and she could not ask for better neighbors. She
102 had always thought the Rowlands had no intention of building, so she was
103 very surprised when she saw the letter. She did not want to be able to see
104 another house in that direction. She was concerned about screening and noise.
105 Commissioner Hyde offered that because the home would be in the Hillside
106 Protection Overlay, it would have to go to the Board of Zoning Appeals (BZA)
107 before it could be built. The BZA would require a full landscaping plan and
108 they were very cognizant of screening. This would be another opportunity for
109 neighbors to express caution and opinions on the plans for the area.

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111 Chairman Evans asked for comments from staff. Discussion began about
112 clarifying the plat by labeling lots “1 and 2” but it was determined this was
113 not necessary and staff would hash it out before preliminary plat.
114 Commissioner Hyde and Chairman Evans both cautioned to be careful about
115 changes to current lots because of the green belt status. Ms. Rowland stated
116 that was one reason that they intended to reduce the building envelope so that
117 the rest could be possibly be dedicated back. The next comment was that an
118 easement for access was needed. Although Mr. Rowland already had a
119 driveway easement, it would be required for the new lot as well. Mr. Foster
120 asked it is was meant to be a shared drive. Ms. Rowland nodded in the
121 affirmative. Mr. Foster said a shared driveway agreement would be needed
122 before the completion of the project. Mrs. Deaton-Moyer said they would also
123 need to see setbacks on parcel 114 since the parcel-lines were changing. As a
124 whole, staff requested clarity on the preliminary plat.

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126 *Mr. Gardner made a motion to approve the concept plan to move on to*
127 *preliminary plat condition upon meeting staff’s request stated above. Mayor*
128 *Coke seconded the motion and it was approved unanimously.*

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131 **6. Other Matters: A report from the Board of Zoning Appeals.**
132 Chairperson Janie Rowland introduced Mr. Jim Littlejohn to discuss a few
133 issues that had recently come before the Board. He stated that in one area of
134 Forest Hills, off of Tyne and Hemmingway, there are a number of lots that
135 are relatively small and level. These lots do not have hill side or (for the most
136 part) flood plain issues, they are consistently smaller than the minimum lot

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size stated in the residential bulk standard. In the past two months two such cases have come before the board asking for impervious surface variances. In general, he said, the Board does a great job of finding compromise and arbitration between the City's restrictions and the homeowner's requests. Mr. Littlejohn explained in detail the two specific requests on Tyne: 2612 and 2400, each asking for between 23% and 25% coverage when re requirement was 20%. Mr. Gardner asked about what they stated as hardships. Mr. Littlejohn stated that both applicants claimed they did not have the minimum lot size considered for the zoning and should have some lenience on impervious surface. He said he wanted interpretations to be good and fair and asked for the Commission's thoughts on the matter.

Mayor Coke said that because the area was so different from the rest of Forest Hills they needed to rely on the Board for their review and thoughtful approaches to these cases. Chairman Evans said he would be concerned about changing any regulations because then Forest Hills would still have the applications for variances and little by little the city would move the goal post becoming completely covered like Green Hills. Chairman Evans added if anything, codes should be more restrictive. Mr. Gardner suggested that anecdotes like these suggest that the code is working like it was intended: restricting projects to the regulations. Mr. Jackson said that we want to preserve green space, but not penalize people for wanting live and build in Forest Hills. Mr. Littlejohn said that in this area, many of the houses were very small and being torn down to be replaced with more modern homes. New houses were generally bigger. In many cases, homeowners were using pervious pavers and other new mechanisms to deal with the City's impervious surface requirements. Other comments were made and the consensus was that the restrictions were working and should not be changed. Commissioner Hyde said that having updates from the Board like this one was a good and healthy practice.

7. The meeting was adjourned

Chairman, Winston Evans

Recorder, Amanda K. Deaton-Moyer