



BOARD OF ZONING APPEALS
Meeting Minutes
January 12, 2024

The City of Forest Hills, Tennessee Board of Zoning Appeals met on Friday, January 12, 2024, at 8:00 a.m. at City Hall, 6300 Hillsboro Pike, Nashville, Tennessee 37215. Chairman Jim Littlejohn, members Mark Banks and James Lennon were present. Also, present were City Manager Mark Hill, City Attorney Marshall Albritton, and Engineer Brad Bivens from the City Engineering firm of Neel Schaffer. Mr. Littlejohn opened the meeting at 8:00 a.m.

1. Approval of the minutes of November 9, 2023

Upon motion made by Mr. Lennon, and seconded by Mr. Banks, the Board unanimously approved the minutes of the January 2024 meeting.

2. Unfinished Business

- A. 1242 Jefferson Davis Ct #7835 Zone: RA Overlay: Hillside Protection
Applicant: Byron Houston
Description: Construct new retaining walls
Request: 1) Permission to construct in the Hillside Protection Overlay District
2) Variance for front setback for retaining wall
3) Variance for side setback for retaining wall
4) Height for rear wall

Byron Houston explained that the house was built in 1971 and they used railroad ties which are now failing so they want to use 3 retaining walls with a 10-foot center. They will tie to bedrock. Houston explained the grid lengths could get too long and too close to the foundation. He explained another option would be to have taller walls. The foundation is failing at the driveway. These plans will improve drainage.

Lennon asked why can't you pull the top wall closer to the house? Is there a less disruptive way? Why is the wall so long and so far away? The location is so far away so we don't dig into the steeper slopes. Lennon would like to see less disturbance.

The driveway is also disintegrating as it has settled over 2 feet. We'd like to stabilize the driveway and the foundation. Littlejohn asked why the wall is 250 feet away?

Banks asked if the walls are creating a yard for the children, as much as it is stopping erosion. Littlejohn asked about safety rails on the walls. Yes, they will be mounded to the top. Littlejohn asked about the grading plan. How much closer could you put the walls? Thei is a big site with 8% disturbance, and it needs to be less.

Bivens advised the geo does meet requirements. But a geo would need to be onsite during construction. A nice landscape plan would help this.

Littlejohn asked for neighbor input, none present.

The applicant requested a deferral and agreed to hear the matter at the next Board meeting.

3. New Business

A. <u>1142 Balbade</u>	#7919	Zone: EB	Overlay: Hillside Protection
Applicant:	Natalie Parker		
Description:	Changes to previously approved BZA #7091 Approved to construction in HP District Approved front and side setback variance for retaining wall		
Requests:	1) Change stairs from concrete to wood to avoid excavation 2) Reduce patio size to save tree		

Natalie Parker presented the plans for a slight modification from a previous BZA approval. There is a concrete wall that is falling down, we'd like to replace it with a 10-foot retaining wall with reinforcement. It will match the other walls. There will be a reduction in the size of the patio to save trees.

Littlejohn asked for neighbor input, none present.

Upon a motion made by Mr. Banks, seconded by Mr. Lenon, and unanimously passed, the Board approved the plans

A. <u>6205 Melbourne</u>	#7925	Zone: EB	Overlay: Floodplain
Applicant:	Mike Jones		
Description:	Reconstruct existing pool & remodel existing garage to function as pool house		
Requests:	1) Disturb buffer 2) Change use from existing garage to pool house 3) Variance to exceed 1% for accessory structure 4) Variance for front setback 5) Variance for side setback 6) Variance for location of accessory structure in the front yard		

Mr. Jones explained the lot as non-conforming and is in the Floodplain, previously to the BZA in 2018. The main objective is maintain and repair but with pulling it back into their own yard and away from the Right of Way. There is an encroachment into the utilities with an easement with neighbors. This would offer little disturbance of the 30 foot buffer and nothing in the floodway. The homeowners plan to remodel the pool house and the pool deck will reduce the ISR. Lennon asked if the house was built on stilts. Jones says it is elevated but not on stilts. It sits 10-15 feet above elevation. The garage was added and is 1.8 feet above sea level. Banks asked about the present house and the 100/500 year flood plain. The pool house is outside of the flood plain. Forest Hills has a one-foot elevation requirement and Metro Nashville is 4 feet. Banks asked about the materials on the pool house and they will be the same as the main house. Banks reiterated that this will not be used as an Air BNB, they understood and agreed. Littlejohn asked if any neighbors were present, none were.

Upon a motion made by Mr. Lennon, seconded by Mr. Banks, and unanimously passed, the Board approved the plans with the condition that the paint color be an earth tone to soften and blend with main house.

B. 4514 Yancey Dr #7927 Zone: RA Overlay: None
Applicant: Brett Malone, HR Properties
Description: HVAC located in the side yard
Requests: 1) Variance to allow HVAC equipment in the side yard

Scott Hayley and Brett Malone presented the plans to keep the HVAC unit as placed. It is over by 6.5 feet. The screening is in place and very good. Questions were raised about calculations of ISR. Hayley advised they would be within requirements by the final inspections. Banks asked where the HVAC unit was on the original plans, none sure if they were listed which is now changed for permit approval.

Littlejohn asked for neighbor input, none present.

Upon a motion made by Mr. Banks, seconded by Mr. Lenon, and unanimously passed, the Board approved the plans

C. 1801 Laurel Ridge #7928 Zone: RA Overlay: Hillside Protection
Applicant: Jason Brewer
Description: Modify existing pool
Request: 1) Permission to construct in Hillside Protection Overlay District
2) Accessory structure in front setback

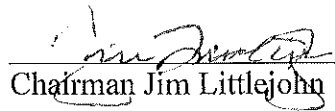
Jason Brewer explained his plans to add to the existing pool.

Lennon asked if the pool deck is already in place, Yes, it is & it has a 6 foot privacy fence that has been there for years.

Littlejohn asked for neighbor input, none present.

Upon a motion made by Mr. Banks, seconded by Mr. Lennon, and unanimously passed, the Board approved the plans with the conditions to screen the pool equipment with a 4 foot solid fence painted to match and give the City written elevation of the current wall under the pool deck with structural evaluation

With no further items of business before the Board, the meeting was adjourned.


Chairman Jim Littlejohn


City Recorder Charlotte Hunter