



BOARD OF ZONING APPEALS
Meeting Minutes
June 14, 2024

The City of Forest Hills, Tennessee Board of Zoning Appeals met on Friday, June 14, 2024, at 8:00 a.m. at City Hall, 6300 Hillsboro Pike, Nashville, Tennessee 37215. Chairwoman Janie Rowland and alternate members David Waller and James Lennon were present. Also present were City Manager Mark Hill, City Recorder Charlotte Hunter, City Engineer Brad Bivens and City Attorney Marshall Albritton. Ms. Rowland opened the meeting at 8:00 a.m.

1. Approval of the minutes of the May 10, 2024

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

1. New Business

A. 2401 Hemingway #8157 Zone: RA Overlay: None

Applicant: Robert Scruggs

Description: Construct new house

Requests: 1) Variance for Building Cover (BC)
2) Variance for Impervious Surface Ratio (ISR)
3) Variance for Floor Area Ratio (RA)
4) Variance for front setback

Bob Scruggs explained his plans to build a spec house on the .98-acre lot. He plans on using the 75- foot setback versus the 90. The back deck and living are putting the building coverage over for the variance request. Rowland requested he make more of an effort to build within our codes as he has a clean slate by tearing down the old home. The house you have planned is massive for the size of the lot. Waller asked for the grading plan, none provided. Waller asked about why using both concrete and pavers. Lennon asked about the square footage and it being different than on paper. Lennon asked for a Stormwater and Drainage plan, none provided. The lot does slope towards the neighbors. Rowland stated it is not a hardship when you have a clean slate. Lennon says the RA zoning is intended to recognize the character of older houses in historic neighborhoods.

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

B. 6123 Stonehaven Ct. #8161 Zone: EB Overlay: Hillside Protection

Applicant: Greg & Kelley Dew

Description: Modify previously approved plans

Requests: 1) Variance for Impervious Surface Ratio (Change)

Kelly Dew presented plans to update the previously approved plans. The changes include saving a few red and white oak trees. The driveway will stay the same but would like to add a parking spot and the pool pavilion is now 15 x10. They plan to add a decorative bolder wall.

Rowland asked for neighbor input, no one present.

Rowland thanked her for coming back with updated plans and for saving the trees.

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

C. 6024 Hillsboro Pk. #8163 Zone: EA Overlay:

Applicant: Sweet Bay Pools

Description: Construct swimming pool

Requests: 1) Variance for Impervious Surface Ratio (ISR)
2) Variance for side setback

Chris Ward the homeowner thanked the Board for keeping the character of the City. His family has lived there six years. The previous owners removed a pool that was going in the same spot. Troy Wooley with Sweet Bay Pools explained the RA lot is only 2.2 acres. Not the required 3. ISR will be 19.1% vs the current 18.4%. They will be removing some of the patio area. The side setback request is for the pool equipment placement to go back to exact location as before as electrical and pad is already there.

Rowland asked for any neighbor input, no one present.

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

3. Unfinished Business

A. 2014 Otter Valley Ln #7788 Zone: RA Overlay: Hillside Protection

Applicant: Chet Rhodes, Rhodes Engineering

Description: Amend plan previously approved by the BZA on March 13, 2020

Requests: 1) Permission to construct in Hillside Protection Overlay District
2) Variance for front yard setback
3) Variance for side setback
4) Variance for driveway in the side setback with retaining wall attached

The Homeowner Manish Kharat explained the new plans to move the house down the hill

because an arborist said not to remove all the trees. The house is a single level ranch that was designed for the lot with a 3-car garage. The pool and privacy fence request have been removed from the request. Littlejohn requested the driveway retaining walls be pulled in and away from the neighbor Smith's. Waller asked about the tree survey as it looks out of date. He agreed and will provide an updated one. Waller asked about the design of the 23.7-foot-high retaining wall. Waller asked for a grading plan as none was provided. The last provided Geotechnical Plan was from 2019, things have surely changed. Lennon asked about comments on page C30 and 20-foot cuts, it's very incomplete. Waller asked about C5, is listed as 14, but in the drawings, it is at 20. The City must have what is on paper, be done exactly on the site for approval. There are several comments about a pond. Highway 70S and soil in a bucket that just doesn't add up like it was copied and pasted from other plans. Lennon also said that a ranch house is not usually 56 feet wide. A 2 story house on the lot would probably be better. The front door / steps is 24 feet above the driveway, too much. Rowland asked for neighbor input, Andy Brenna 2013 Otter Valley is disappointed this has taken so long. Different people have tried to build on this site. There is a reason nobody has been successful. Rowland says Kharat needs to get a good team together to get this done at the next BZA meeting. Waller motioned to deny. Lennon won't support a denial this time.

The applicant requested a deferral, and the matter will be heard at the September 13th Board meeting.

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

Chairwoman Janie Rowland

City Recorder Charlotte Hunter