

BOARD OF ZONING APPEALS
Meeting Minutes
February 9, 2024



The City of Forest Hills, Tennessee Board of Zoning Appeals met on Friday, February 9, 2024 at 8:00 a.m. at City Hall, 6300 Hillsboro Pike, Nashville, Tennessee 37215. Acting Chairman Jim Littlejohn, member Mark Banks, and alternate member 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 January 12, 2024

Upon motion made by Mr. Banks, and seconded by Mr. Lennon, the Board unanimously approved the minutes of the January 12, 2024 meeting.

2. Unfinished Business

A. 1242 Jefferson Davis Ct (RA) – *Byron Houston of Houston Engineering represented the owners, Shaun and Katherine Melby*

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. Variance to build retaining wall over 4 feet tall

Mr. Houston described the proposed project to repair and stabilize the driveway and hillside located behind the home. After the deferral following the last presentation before the Board, the proposal had been revised to reduce the number of walls from 3 to 2, and to narrow the walls and bring them closer to the residence. The landscaping plan had also been revised.

Upon motion made by Mr. Littlejohn, and seconded by Mr. Banks, the Board unanimously approved the requests upon the following conditions: all work shall be performed in accordance with the City's geotechnical engineering consultant, with the consultant being onsite during and to approve the installation, and the issuance of a letter by Mr. Houston and Houston Engineering upon completion of the work certifying that all work was done in accordance with best practices and the recommendations of Mr. Houston and Houston Engineering.

3. New Business

A. 2508 Hemingway Drive (RA) – *Architectural firm Daniels Chandler, and Landscape Architect Mike Jones represented the owners, William Finn and Margaret Conner*

1. Variance for front setback
2. Variance to exceed impervious surface ratio (ISR)
3. Variance to exceed building cover (BC)

The proposed project involves the demolition of the existing residence and the construction of a new residence. The lot is undersized and is legally nonconforming, though less than 1 acre in size, so the owners may not use the plat setbacks by right. The plat setback is 75 feet, and the setback set by the Zoning Ordinance is 90 feet. The house is proposed to be located at 78.2 feet in order to save large trees in the rear yard. The proposed ISR is 22.4% versus the Zoning Ordinance ISR of 20%. The proposed BC is 11.6% versus the Zoning Ordinance BC of 10%. James and Rebecca Summar, owners of property at 2600 Tyne Boulevard, 2 properties from the subject, expressed general concerns as to whether the project would cause stormwater runoff. The

owners' representatives explained that the design and use of pervious pavers will reduce the stormwater runoff from the site.

Upon request by the owners and their representatives, the Board granted a 30 day deferral so that the owners and their representatives may obtain additional information for the Board's consideration, including information regarding the location of neighboring homes in relation to the front setback.

B. 2020 Otter Creek Road (EA)- *Jason Gabbard, Landscape Architect, represented the owner, the 2020 Otter Creek Road Trust.*

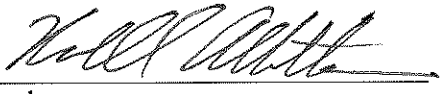
1. Permission to construct in the Hillside Protection Overlay District
2. Variance for side setback for HVAC unit

Mr. Gabbard presented revisions to the project which had been previously approved by the Board in March, 2022. The proposed revisions included changes to the swimming pool deck and an expansion to an outdoor terrace. Overall, the revisions reduced the hardscapes by 753 square feet. The HVAC pad has been installed, but would be screened by a louvered wall and landscaping. The Board acknowledged the receipt of 4 letters from neighbors in support of the proposed revisions.

Upon motion made by Mr. Banks, and seconded by Mr. Lennon, the Board unanimously approved the requests.

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


Chairwoman Jim Littlejohn


City Recorder