

BOARD OF ZONING APPEALS
Meeting Minutes
March 8, 2024



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

1. Approval of the minutes of February 8, 2024

Upon motion made by Mr. Waller, and seconded by Mr. Lennon, the Board unanimously approved the minutes of the February 9, 2024 meeting.

2. Unfinished Business

A. 2508 Hemingway #7948 Zone: RA Overlay: None
Applicant: Will Finn
Description: Demolish existing house and construct new house
Requests: 1) Variance for front setback
2) Variance to exceed Impervious Surface Ratio (ISR)
3) Variance to exceed Building Cover (BC)

The homeowner, Will Finn spoke about his future home in Forest Hills. He introduced his team and their plans to reduce the ISR with pavers and to rework the driveway. He hopes the plans will better fit the site. Mike Jones spoke about the tree canopy and the removal of the FAR variance requirement and improved Storm Water plans. Lennon thanked the team for the hard work in saving trees and SW efforts. Rowland asked if any neighbors were present, none were.

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

1. New Business

A. 1801 Laurel Ridge #7921 Zone: RA Overlay: Hillside Protection
Applicant: Mark Poe
Description: Construct sport court, putting green, outdoor cooking area and fire pit
Requests: 1) Permission to construct in Hillside Protection Overlay District
2) Permission to proceed without a geotechnical investigation
3) Variance for front setback
4) Variance for side setback
5) Variance for accessory structure in setbacks

Allison Littman with Mark Poe Builders presented the plans for the home built in 2016 on a steep slope and a odd, shaped lot. They will be adding more driveway but using the current retaining walls. More landscape will be added. Lennon asked about a GEO letter. Littman referred to the previous work by Chris Beaver that stated the retaining walls were all ok. Lennon agreed for her to use Beaver again and get a new GEO letter from him. Rowland asked if any neighbors were present, none were.

Lennon asked about the location of the pool equipment. He asked if it could go anywhere else and not in corner by the property line.

Upon motion made by Mr. Waller, and seconded by Mr. Lennon, the Board unanimously approved the requests with the condition to contact Beaver Engineering to verify if the foundation needs to be tied to bedrock or not.

B. 5700 Hillsboro #8004 Zone: EA/EB Overlay: Hillside Protection
Applicant: Jim Mullowney
Description: Construct sport court, putting green, outdoor cooking area and fire pit
Requests: 1) Permission to construct in Hillside Protection Overlay District

Jim Mullowney spoke about the buildings at 5700 Hillsboro. The new bunk house was proposed to have a pond but the owners have since changed their mind and would prefer a putting green and a Sports Court. But the Sports Court is now off the table due to so much neighbor input. The Curtis family wants to be good neighbors. There are 358 trees on both properties. They have removed 150 but planted 385 trees including magnolia, oaks, and more are planned. Rowland asked for neighbor input.

Troy Fitzgibbon, 5520 Stanford, asked if a sports court would be built. Mullowney said no.

Sarah Cohen 5744 Laura Hill, lives directly behind them, says too much construction. Asking how much longer and what is next. Jim responded the 5700 House is complete, the putting green should only take a few months. The new house next door hasn't started yet.

Whit Williams, 5426 Stanford, asked if the Curtis family was at the meeting today. No

Lennon thanked Mullowney and Curtis's family for listening to their neighbors.

Upon motion made by Mr. Waller, and seconded by Mr. Lennon, the Board unanimously approved the request for a putting green only with the condition of adding additional screening on the South side of the property. The undergrowth is now gone, and it looks bare, the tree canopy will look good but shrubs are needed.

C. 2021 Earlington #8011 Zone: RA Overlay: None

Applicant: Rob Cochran

Description: Construct addition

Requests: 1) Variance to exceed Impervious Surface Ratio (ISR)
2) Variance to exceed Building Cover (BC)

Rusty and Renee Lewis are the homeowners with 3 young girls. They would like to expand their ranch home by expanding their kitchen, bedroom and adding an office and another bedroom. Rob Cochran spoke as he is the architect. He says this remodel is very modest compared to many others in Forest Hills. The lot is just 1.07, 2.54% is needed for ISR and BC is only 2.2%. They have added SW retention even though they are under requirements. They will add additional landscaping to both sides of the house. Rowland asked if any neighbors were present, none were. The City did receive about 15 positive letters.

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

D. 2121 Chickering Ln #7924 Zone: EB Overlay: None

Applicant: Jim Littlejohn

Description: Construct new home

Request: 1) Variance for rear setback
2) Variance for front setback
3) Variance to exceed Impervious Surface Ratio (ISR)
4) Variance to exceed Building Cover (BC)
5) Variance to exceed Floor Area Ratio (FAR)

Jim Littlejohn is the homeowner of this home. He and his family have lived in it for 38 years and it is past time for upgrades. They have addressed the drainage issues. The FAR is 14% but the space isn't usable. The new home will be 5600 sq feet at 11.9%. The basement will not be finished at this time and will be below grade. Rowland asked how can you get the ISR number down? Littlejohn says the way his driveway comes out at the roundabout makes it difficult. Even if they use permeable pavers, they will still be over. Waller says if you only had 2.0 acre as zoned you wouldn't have to be here today. Lennon asked about water run off or to slow it down and how it depends on where you are in the basin. Waller asked if the screen porch was going to be used or needed? Rowland asked Bivens about drainage for SW runoff. Rowland asked if any neighbors were present, none were. Littlejohn spoke to most neighbors, and all were in favor.

Upon motion made by Ms. Rowland, and seconded by Mr. Waller, the Board unanimously approved the requests with the condition to adopt Stormwater plan to limit discharge for pre & post construction. Submit SW plans to City with permit for approval

E. 1309 Tyne Blvd #8006 Zone: EB Overlay: Hillside Protection

Applicant: Julia Littlejohn Champion

Description: Present updated plans to previous BZA approval

Request: 1) Variance for side setback
2) Variance for front setback
3) Variance to exceed Impervious Surface Ratio (ISR)
4) Variance to exceed Building Cover (BC)
5) Variance for front facing garage doors

Julie Littlejohn Champion (Jim's daughter) has lived in this home for 16 years on this busy street. Previous BZA approval in 2019 but the project didn't move forward. They plan on pulling the house forward on this pie shaped lot. The front facing garage is 1% from not front facing, due to angle. Drainage, tree canopy, and other issues have been addressed appropriately. Rowland asked if any neighbors were present, two were.

Richard Exton 1313 Tyne, likes the plan. He asked how the City defines BC. Says the new house will be better.

Matt Dozier 1307 Tyne, worried about watershed but this plan will improve matters.

Waller asked about the driveway, is it for safety reasons? The driveway will make a loop and they are taking out some of the existing rear driveway so the ISR is reduced.

Upon motion made by Mr. Waller, 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 Jane S. Rowland

City Recorder Charlotte Hunter