

APPLICATION FOR HEARING
BOARD OF ZONING APPEALS
OAK HILL, TENNESSEE



Application Date: 9/20/22

BZA Meeting Date: 10/18/22

The undersigned hereby requests consideration for a hearing on the zoning regulations for property noted below in accordance with plans, application, fee, and all data heretofore filed, all of which are attached and made a part of this initial appeal.

Property Address: 5421 Franklin Pike Zone District: _____

Is this application a request to either obtain a new Commercial Use Permit (CUP) or to change an existing CUP? Yes _____ No

Description of Request(s) (for Residential - if encroaching into setback, specify measurement of encroachment in number of feet/inches):

REMOVAL OF TREES LARGER THAN 8" DBH
TO GRADE OF DRIVEWAY

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Lot Area: _____ s.f.

Lot Coverage: _____ s.f. → which equals _____% of Lot Area (noted above)
(total existing & proposed impervious surfaces on lot - ie: roofs, concrete driveways/patios/walks/pool decks, etc.)

Heat/Cooled Area: _____ s.f. → which equals _____% of Lot Area

Proposed Height: _____ feet / _____ stories

Lot Depth/Width Ratio: _____ (maximum ratio allowed is 4:1 for all Zones)
(Lot width is measured at the narrowest point of the lot, and lot depth is measured at the deepest point of the lot)

Avg. front setback of 4 adjacent homes: _____ feet (if applicable)

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Based on the powers and jurisdiction of the Board of Zoning Appeals as set forth in the Zoning Ordinance, a variance is hereby requested as applied to this property. The undersigned understands that the BZA reviews all cases with respect to the following hardship standards, and that it is incumbent upon the applicant to present the manner in which each of these hardships compel the applicant to request this variance.
These hardships do not apply to Conditional Use Permits.

1. The particular physical surroundings, shape, or topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this chapter were carried out must be stated.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
3. The variance will not authorize activities in a zone district other than those permitted by this chapter.
4. Financial returns only shall not be considered as a basis for granting a variance.
5. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this chapter (Ord. #12-16, Jan. 2013)
6. That granting the variance requested will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same districts.
7. The variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.
8. The granting of the variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
9. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

DEREK WILSON - URBAN DEVELOPMENT GROUP, LLC

Applicant Name

12 LEBON AVE NASHVILLE, TN 37207

Applicant Address

615-506-2960

Applicant Phone Number

DEREK.URBANDG@GMAIL.COM

Applicant Email Address

Applicant Signature

City of Oak Hill Code Compliance Officer

CASE NO. (to be completed by City of Oak Hill)

APPLICATION FOR HEARING
BOARD OF ZONING APPEALS
OAK HILL, TENNESSEE

Application Date: 9/20/22

BZA Meeting Date: 10/18/22

The undersigned hereby requests consideration for a hearing on the zoning regulations for property noted below in accordance with plans, application, fee, and all data heretofore filed, all of which are attached and made a part of this initial appeal.

Property Address: 5425 Franklin Pike Zone District: _____

Is this application a request to either obtain a new Commercial Use Permit (CUP) or to change an existing CUP? Yes _____ No

Description of Request(s) (for Residential - if encroaching into setback, specify measurement of encroachment in number of feet/inches):
REMOVAL OF TREES LARGER THAN 8' DUB
TO DRIVEWAY

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Lot Area: _____ s.f.

Lot Coverage: _____ s.f. → which equals _____% of Lot Area (noted above)
(total existing & proposed impervious surfaces on lot - ie: roofs, concrete driveways/patios/walks/pool decks, etc.)

Heat/Cooled Area: _____ s.f. → which equals _____% of Lot Area

Proposed Height: _____ feet / _____ stories

Lot Depth/Width Ratio: _____ (maximum ratio allowed is 4:1 for all Zones)
(Lot width is measured at the narrowest point of the lot, and lot depth is measured at the deepest point of the lot)

Avg. front setback of 4 adjacent homes: _____ feet (if applicable)

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Based on the powers and jurisdiction of the Board of Zoning Appeals as set forth in the Zoning Ordinance, a variance is hereby requested as applied to this property. The undersigned understands that the BZA reviews all cases with respect to the following hardship standards, and that it is incumbent upon the applicant to present the manner in which each of these hardships compel the applicant to request this variance.
These hardships do not apply to Conditional Use Permits.

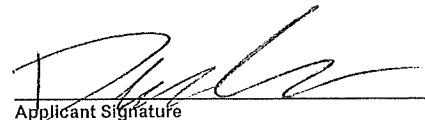
1. The particular physical surroundings, shape, or topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this chapter were carried out must be stated.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
3. The variance will not authorize activities in a zone district other than those permitted by this chapter.
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9. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

DEREL WILSON - URBAN DEVELOPMENT GROUP, LLC
Applicant Name

12 LIGNON AVE NASHVILLE, TN 37207
Applicant Address

615-506-2960
Applicant Phone Number

DEREL.URBANDG@GMAIL.COM
Applicant Email Address


Applicant Signature

City of Oak Hill Code Compliance Officer

CASE NO. (to be completed by City of Oak Hill)

APPLICATION FOR HEARING
BOARD OF ZONING APPEALS
OAK HILL, TENNESSEE

Application Date: 9/20/22

BZA Meeting Date: 10/18/22

The undersigned hereby requests consideration for a hearing on the zoning regulations for property noted below in accordance with plans, application, fee, and all data heretofore filed, all of which are attached and made a part of this initial appeal.

Property Address: 5429 Franklin Pike Zone District: _____

Is this application a request to either obtain a new Commercial Use Permit (CUP) or to change an existing CUP? Yes _____ No

Description of Request(s) (for Residential - if encroaching into setback, specify measurement of encroachment in number of feet/inches):

REMOVAL OF TREES OF 8" OR LARGER CALIPER
DUO TO GRADE OF DRIVEWAY

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Lot Area: _____ s.f.

Lot Coverage: _____ s.f. → which equals _____% of Lot Area (noted above)
(total existing & proposed impervious surfaces on lot - ie: roofs, concrete driveways/patios/walks/pool decks, etc.)

Heat/Cooled Area: _____ s.f. → which equals _____% of Lot Area

Proposed Height: _____ feet / _____ stories

Lot Depth/Width Ratio: _____ (maximum ratio allowed is 4:1 for all Zones)
(Lot width is measured at the narrowest point of the lot, and lot depth is measured at the deepest point of the lot)

Avg. front setback of 4 adjacent homes: _____ feet (if applicable)

(THE FOLLOWING SECTION IS FOR RESIDENTIAL VARIANCE REQUESTS ONLY)

Based on the powers and jurisdiction of the Board of Zoning Appeals as set forth in the Zoning Ordinance, a variance is hereby requested as applied to this property. The undersigned understands that the BZA reviews all cases with respect to the following hardship standards, and that it is incumbent upon the applicant to present the manner in which each of these hardships compel the applicant to request this variance.
These hardships do not apply to Conditional Use Permits.

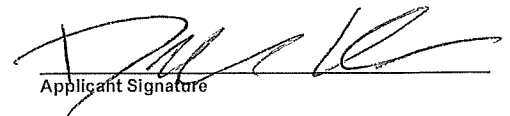
1. The particular physical surroundings, shape, or topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this chapter were carried out must be stated.
2. The conditions upon which the petition for a variance is based would not be applicable, generally, to other property within the same district.
3. The variance will not authorize activities in a zone district other than those permitted by this chapter.
4. Financial returns only shall not be considered as a basis for granting a variance.
5. The alleged difficulty or hardship has not been created by any person having an interest in the property after the effective date of this chapter (Ord. #12-16, Jan. 2013)
6. That granting the variance requested will not confer on the applicant any special privilege that is denied to other lands, structures, or buildings in the same districts.
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9. The proposed variance will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

URBAN DEVELOPMENT GROUP, LLC - DEREK WILSON
Applicant Name

12 LEBON AVE NASHVILLE TN 37207
Applicant Address

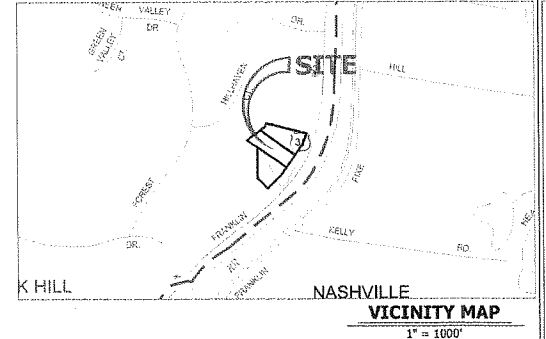
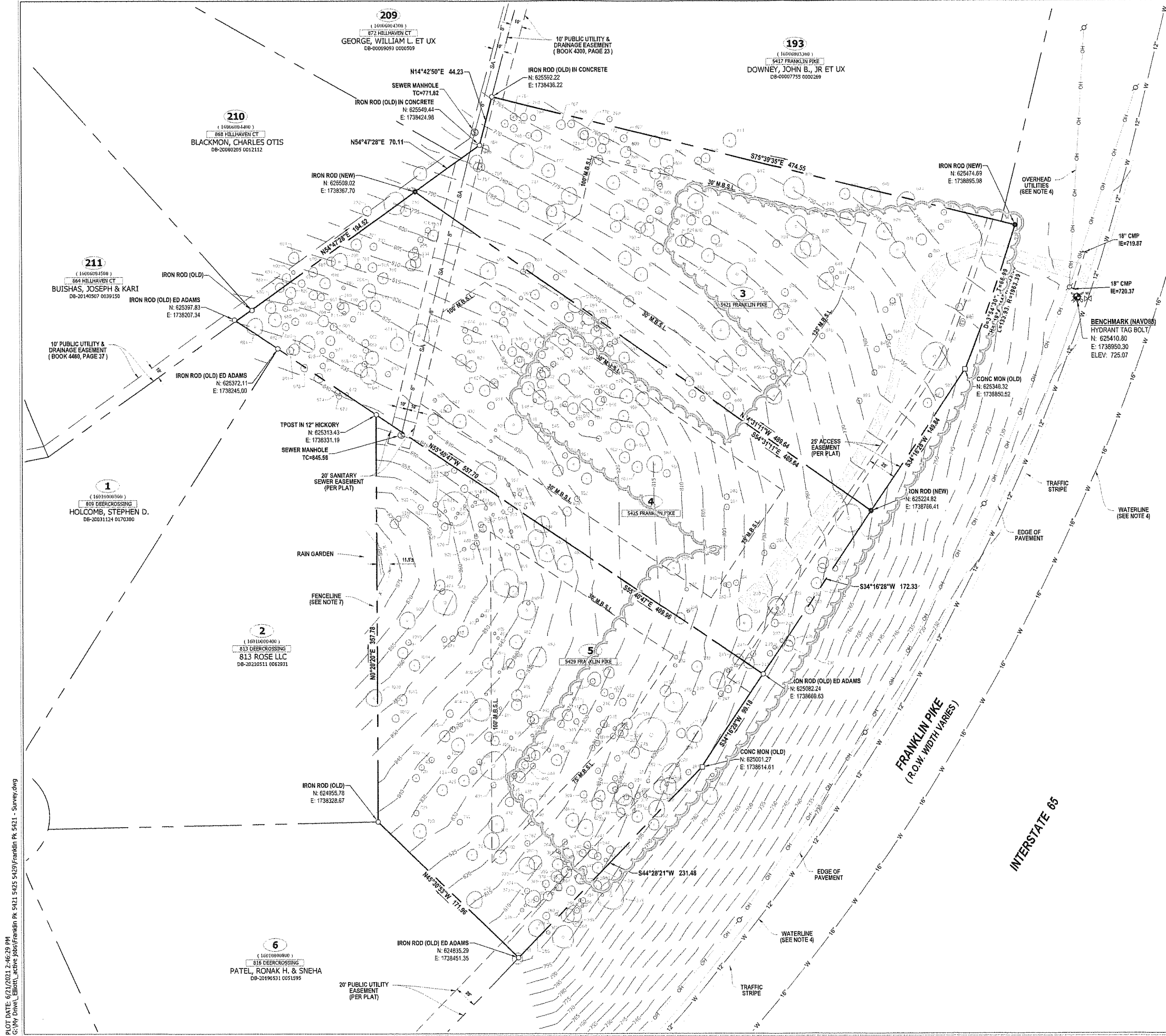
615-506-2960
Applicant Phone Number

DEREK.URBAUD6@GMAIL.COM
Applicant Email Address


Applicant Signature

City of Oak Hill Code Compliance Officer

CASE NO. (to be completed by City of Oak Hill)



TOTAL LOT AREA
 93,002 SF OR 2.135 ACRES± (LOT 3)
 92,996 SF OR 2.134 ACRES± (LOT 4)
 91,139 SF OR 2.092 ACRES± (LOT 5)

MAP REFERENCE
 Parcel ID for subject property is (1801000500) on Davidson County Property Map. (LOT 3)
 Parcel ID for subject property is (1801000600) on Davidson County Property Map. (LOT 4)
 Parcel ID for subject property is (1801000700) on Davidson County Property Map. (LOT 5)

DEED REFERENCE
 Owner : KF Legacy LLC, as of record in Instrument 20210502 0073777 Registers Office, Davidson County, Tennessee.

PLAT REFERENCE
 Being Lot Nos. 3, 4, & 5 on the First Revision of Deer Run Subdivision, as of record in Book 9700, Page 625, Register's Office for Davidson County, TN.

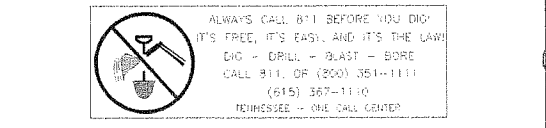
- SURVEYOR'S NOTES**
- This Property is located in the 34th Council District of Davidson County Tennessee.
 - Bearings, Elevations and Coordinates shown are based on Tennessee State Plane NAD83. (NAVD83)
 - The property is located in areas designated as "Zone X" (areas determined to be outside the 0.2 % annual chance floodplain) as noted on the current FEMA Flood Community Panel # 47037C0367H, effective on 4-5-2017.
 - Utilities shown hereon were taken from visible structures and other sources available to me at this time. Verification of existence, size, location and depth should be confirmed with the appropriate utility sources.
 - A Title Report was not provided for the preparation of this survey, therefore this survey is subject to the findings of an accurate title search.
 - No Stream determinations were provided to this surveyor, therefore this survey does not address the existence or non-existence of any water of the state, jurisdictional stream buffers or wetlands.
 - This survey does not address the owner of any fence nor address any adverse claim of ownership of any adjoining property. Removal of any property line fence should be coordinated with adjacent owner.
 - Property is currently Zoned "Residential D". Setbacks per current zoning, verify with City of Co. Hill zoning Ordinance.
 Front Building Setback = Contextual Average = 75' Minimum & 125' Minimum (Per Plat)
 Rear Building Setback = 100' Minimum (Per Plat)
 Side Building Setback = 30' Minimum (Per Plat)
 - This survey was prepared for the exclusive use of the persons or entities named on the certification hereon. Said certificate does not extend to any unnamed person or entity without an express re-certification by the surveyor.

- GPS NOTES**
- The (TDOT) Tennessee Geodetic Reference Network was used for this survey.
 - GPS locations used for this survey were established using a VRS network consisting of multiple reference stations.
 - GPS data was collected with a Spectra Precision 60 receiver.
 - This survey was prepared without the use of a scale factor. Except in the instance of initial survey control, all distances or coordinates were derived from measurements taken by a total station. Coordinates used for the initial survey control were generated with the use of GPS observations and used as the basis for the coordinate system used for this survey.
 - The date of this survey is: 5/12/2021.

SURVEYOR'S CERTIFICATE
 To: Brandon C. Knox and KF Legacy, LLC

I hereby certify that this survey was actually made on the ground under my direct supervision, using the latest recorded deeds, and other information; that there are no encroachments or projections other than those shown; and that this survey exceeds the minimum requirements for a Category 1 Urban Land Survey pursuant to Chapter 0823-3, Section 05 of the Department of Insurance Standards of Practice for Land Surveyors; and that this survey is true and correct to the best of my knowledge and belief.

Jason A. Garrett, TH RL # 2861



Symbol Legend

Symbol	Denotes
(Circle with dot)	IRON ROD (OLD)
(Circle with cross)	BENCHMARK
(Circle with X)	CATCH BASIN
(Circle with H)	FIRE HYDRANT
(Circle with S)	SEWER MANHOLE
(Circle with T)	EXISTING TREE
(Circle with V)	WATER VALVE
(Circle with W)	WATER METER
(Circle with N)	IRON ROD (NEW)
(Circle with U)	UTILITY POLE
(Circle with C)	CONCRETE
(Circle with A)	ASPHALT
(Circle with G)	GRAVEL

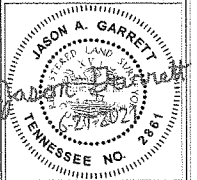
GRAPHIC SCALE (IN FEET)
 1 inch = 40 ft.

Boundary & Topographic Survey
 5421, 5425, & 5429 Franklin Pike
 Nashville, Davidson County, Tennessee 37220

P.O. Box 331875
 Nashville, TN 37203
 cliffelliottsurvey.com
 (615) 490-3256

ELLIOTT SURVEY

Rev.	Date	Revision Description



Issue Date: 6-21-2021
 Project ID: FRANKLIN PK 5421
 Drafted By: KW/SS
 Field Crew: AK
 Checked By: KW

Boundary & Topographic Survey

Sheet No.
V-1.00

PLOT DATE: 6/21/2021 2:46:29 PM
 G:\N\Draws\Bldg\Acad\Acad\Jas\Franklin PK 5421, 5425, 5429\Franklin PK 5421 - Survey.dwg

GRADING/DRAINAGE, EROSION CONTROL LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- SILT FENCE, TCP-13
- STABILIZED CONSTRUCTION ENTRANCE, TCP-03
- CONCRETE WASHOUT,
- SLOPE MATTING, TCP-09
- SEDIMENT TUBE, TCP-14
- LIMITS OF DISTURBANCE = 0.35 AC
- FINISHED SURFACE
- TOP OF WALL
- BOTTOM OF WALL
- FINISHED GRADE
- XXXXXX FG
- XXXXXX BW
- XXXXXX TW
- XXXXXX FS
- ① FRENCH DRAIN, 128 LF, 36" GRAVEL DEPTH #1/CS.10
- ② RETAINING WALL, STRUCTURAL DESIGN BY OTHERS

NOTE:

ALL PERIMETER MEASURES MUST BE IN PLACE BEFORE GRADING.
 CONTRACTOR SHALL PROVIDE AN AREA FOR CONCRETE WASH DOWN AND EQUIPMENT FUELING IN ACCORDANCE WITH METRO CP-10 AND CP-13, RESPECTIVELY. CONTRACTOR TO COORDINATE EXACT LOCATION WITH NEPS DEPARTMENT DURING PRECONSTRUCTION MEETING. CONTROL OF OTHER SITE WASTES SUCH AS DISCARDED BUILDING MATERIALS, CHEMICALS, LITTER AND SANITARY WASTES THAT MAY CAUSE ADVERSE IMPACTS TO WATER QUALITY IS ALSO REQUIRED BY THE GRADING PERMITTEE. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED ACCORDING TO DEC'S SPECIFICATIONS.
 PROVIDE EROSION CONTROL MATTING ON ALL SLOPES 3:1 OR GREATER.
 SITE CONTAINS 15% OR GREATER SLOPES ACROSS THE PROPERTY.
 ALL GRASSED AREAS ON SLOPES 15% OR GREATER WILL REQUIRE SOD.
 GEOTECHNICAL ENGINEER SHALL BE ON SITE DURING CONSTRUCTION TO MONITOR CONSTRUCTION. ENGINEER SHALL SUBMIT A GEOTECHNICAL CERTIFICATION LETTER CERTIFYING THE STABILITY OF THE SLOPE AND THE STRUCTURE TO THE CITY OF OAK HILL UPON COMPLETION OF CONSTRUCTION AND PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

OVERALL GRADING AND DRAINAGE PLAN

CONSTRUCTION DOCUMENTS
5421, 5425, 5429 FRANKLIN PIKE
 MEMPHIS, TENNESSEE 37220

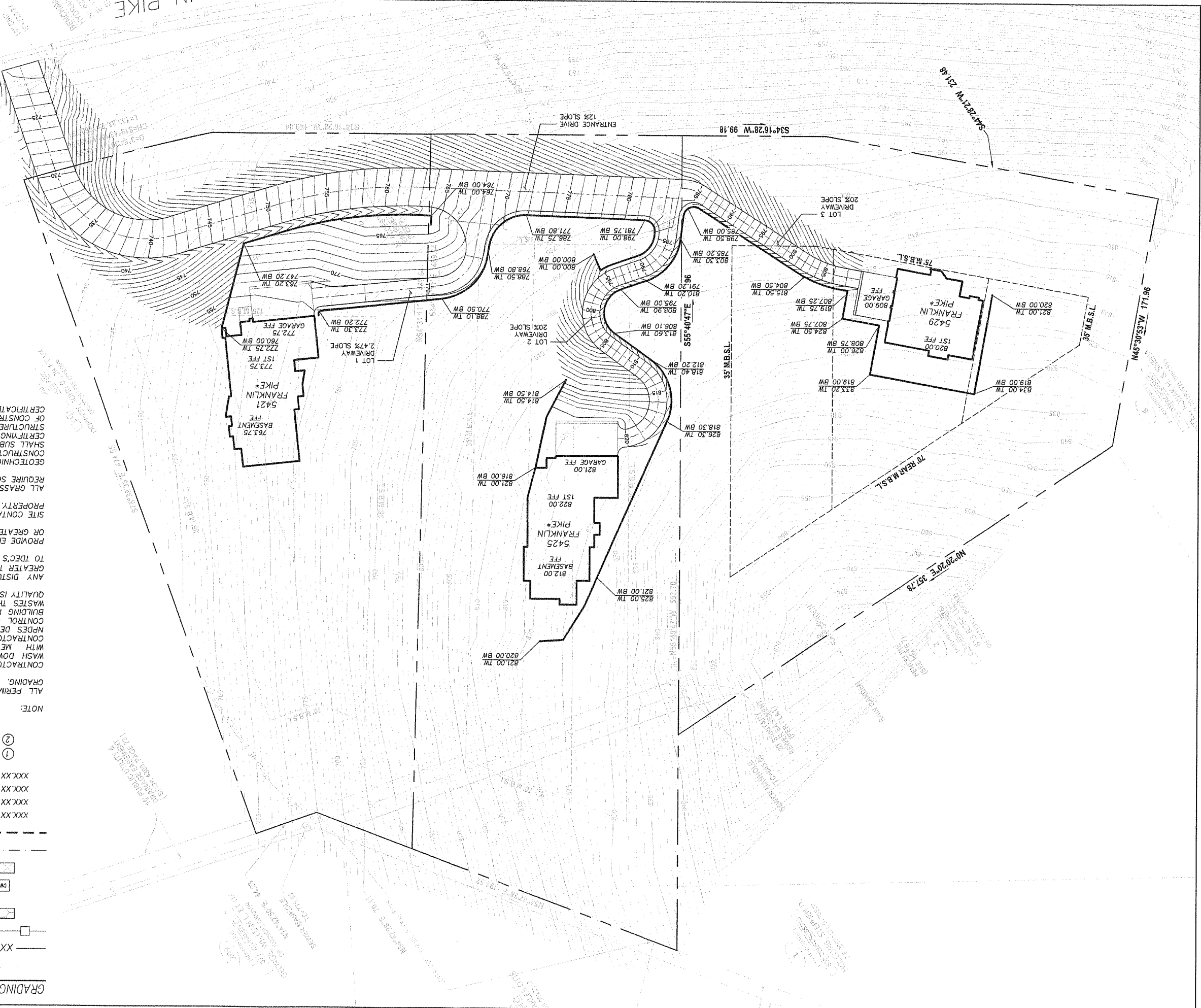
DATE	COMMENTS	REV.

MAP NO. 16.01 - PARCEL 07.00

PROJECT BENCHMARK
 BENCHMARK DESCRIPTION: HYDRANT TAG BOLT
 N: 625410.80 ELEVATION: 723.07
 E: 1739950.30 (NAD83)

SCALE IN FEET
 GRAPHIC SCALE 1"=30'

JOB NO.: 22-2701
 CHKD BY: PDA
 DWN BY: PDA



5421 Franklin Pike Trees to remove

Point#	Description
588	12" HICK
813	18"ASH
814	10" ASH
815	10"ASH
816	10"ASH
818	15" HICK
819	15" HICK
820	12" HICK
822	12" OAK
833	24" HICK
834	8" MAPLE
836	24" HICK
837	24" HICK
838	18" HICK
839	18" HICK
844	21" OAK
845	18" BEECH
848	8" ASH
849	12" HICK
850	10" ASH
857	8" ELM
858	18" HACK
859	18" HACK
871	8" HACK
878	18" HICK
879	18" HICK
880	12" OAK
884	8" CEDAR
887	30" ELM
888	10" OAK
889	10" OAK
Total Trees	31

5425 Franklin Pike Trees to remove

Point#	Description
224	30" HICK
225	12" HICK
226	10" HICK
228	12" HICK
229	18" HACK
230	18" HACK
233	10" HICK
234	18" HICK
235	8" CEDAR
236	12" HICK
238	12" HICK
242	12" HICK
243	12" CEDAR
258	15" HICK
544	8" HACK
545	15" HACK
546	10" HICK
547	15" HACK
549	21" HICK
553	15" HACK
556	12" HICK
557	12" HACK
558	12" HACK
561	15" HACK
562	12" HACK
563	12" HACK
564	12" HACK
565	12" MAPLE
566	10" MAPLE
567	18" HACK
568	8" HACK
569	12" HICK
570	15" HICK
574	15" HICK
575	15" HICK
578	8" HICK
582	12" HICK
592	10" MAPLE
605	12" HACK
610	8" HACK
624	12" HACK
625	10" HICK
629	15" HACK
632	10" HICK
Total Trees	44

5429 Franklin Pike Trees to remove

Point#	Description
245	8" HICK
246	18" HACK
248	12" CEDAR
250	21" HICK
251	12" HICK
255	12" ASH
274	12" HICK
275	36" OAK
276	18" HACK
277	10" HICK
278	12" HICK
282	21" HICK
283	18" HICK
284	18" HICK
286	15" HICK
288	18" HICK
292	12" MAPLE
293	12" HICK
296	21" HICK
297	21" HICK
298	10" HICK
301	12" HICK
302	12" MAPLE
303	12" MAPLE
304	8" OAK
308	8" MAPLE
309	10" MAPLE
310	8" HACK
312	12" HACK
315	8" HICK
318	15" HACK
319	8" HACK
322	12" HICK
324	15" MAPLE
340	18" HICK
341	8" MAPLE
342	8" MAPLE
343	10" MAPLE
344	8" MAPLE
345	8" MAPLE
347	10" HICK
348	12" HICK
350	12" HICK
351	12" HICK
353	30" OAK
357	10" HICK
367	8" HICK
377	10" HICK
383	12" HICK
388	15" HICK
389	15" HACK
390	12" HICK
410	12" CEDAR
430	30" HICK
432	18" MAPLE
434	10" MAPLE
435	10" HACK
439	12" HACK
440	8" HICK
441	15" HICK
442	8" MAPLE
445	15" MAPLE
446	10" HACK
447	12" HICK
451	10" MAPLE
452	8" HICK
Total Trees	66



URBAN DEVELOPMENT GROUP, LLC

PO Box 90288
NASHVILLE, TN 37209
OFFICE: 615.861.1624
FAX: 760.560.1618

DATE: 9/16/2022

5421 Franklin Pk Nashville, TN 37220 Parcel: 16010000500
5425 Franklin Pk Nashville, TN 37220 Parcel: 16010000600
5429 Franklin Pk Nashville, TN 37220 Parcel: 16010000700

To Whom it May Concern:

We are requesting a variance to allow trees over 8" to be removed in front of the proposed houses due to Nashville Fire Marshall review / approval Letter.

The existing grade of the gravel driveway is 15%, but the Fire Marshal is requiring 12% max grade on the shared driveway. Due to the steep topography of these properties, we will have to cut and grade out from the back of the properties to the front to make this road work. Fire Marshall is requiring this for truck access under 18.2.3.5.6.1 (see below for more details). We will also have to widen the drive for the Fire Marshall as well. Doing this will require between 10-15 feet of cut and will remove most of the trees clouded on submitted site plan.

We purchased this property under the impression this is a shared driveway and is grandfathered and recorded in Oak hill as a shared driveway.

The Marshall is stating that due to the drive serving more then one house then it will have to meet their "Road" requirement. We will also have to widen the drive for the fire Marshall as well.

Installing underground utilities; Water, Sewer, and Electric from the road up to the houses will also affect a few of trees in this area along the driveway in the clouded area on the site plan.

This is the code from the Fire Marshall that is causing us to have the 12% max grade.
Chapter 18 Fire Department Access and Water Supply

18.2.3.5.6 Grade

18.2.3.5.6.1

The gradient for a fire department access road shall not exceed the design limitations of the fire apparatus of the fire department and shall be subject to approval by the AHJ.

<https://up.codes/viewer/nashville/nfpa-1-2018/chapter/18/fire-department-access-and-water-supply#18>

Respectfully,
Urban Development Group, LLC
Jeremy Walker
615.506.7296
Jeremy.UrbanDG@Gmail.com