

APPLICATION FOR HEARING  
BOARD OF ZONING APPEALS  
OAK HILL, TENNESSEE

Application Date: 10/7/22

BZA Meeting Date: 11/15/22

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: 4410 Super Ave 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):

We are requesting to remove the two trees within our building envelope and one tree in the front driveway as is shown on the attached Tree Retention Plan.

(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.*

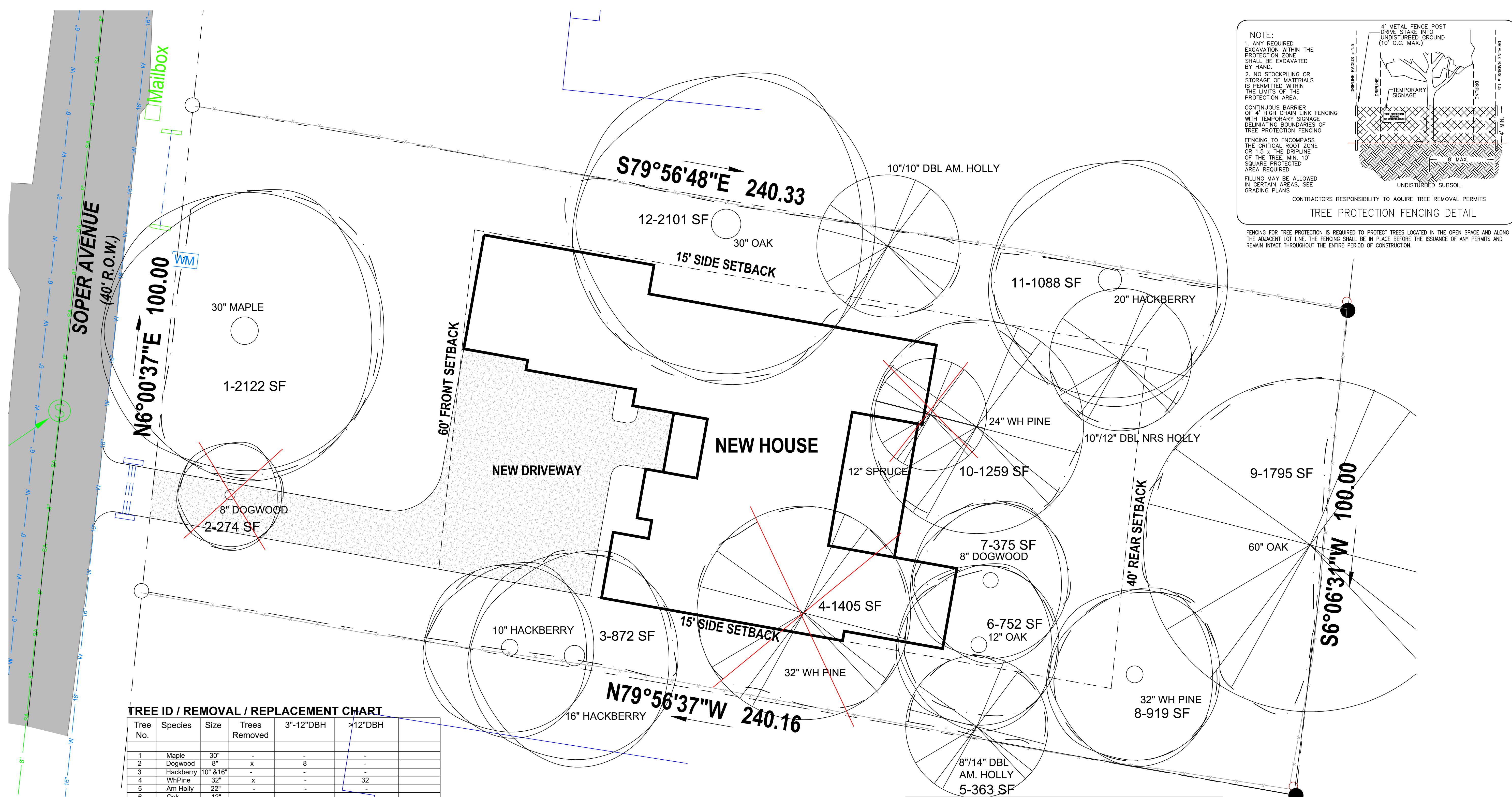
1. The particular physical surroundings, shape, or topographic conditions of the specific property involved that would result in a particular hardship upon the owner as distinguished from a mere inconvenience, if the strict application of this chapter were carried out must be stated.
2. The conditions 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.

Applicant Name: Superior Capital LLC w/ Kent Basile

Applicant Address: 116 Wilson Pk Circle Suite 102. Brentwood, TN 37027

Applicant Phone Number: 615-525-7223

Applicant Email Address: Brett@Superior-Build, Kentbasile@gmail.com Applicant Signature: [Signature]



**NOTE:**  
 1. ANY REQUIRED EXCAVATION WITHIN THE PROTECTION ZONE SHALL BE EXCAVATED BY HAND.  
 2. NO STOCKPILING OR STORAGE OF MATERIALS IS PERMITTED WITHIN THE LIMITS OF THE PROTECTION AREA.  
 CONTINUOUS BARRIER OF 4" HIGH CHAIN LINK FENCING WITH TEMPORARY SIGNAGE DELINEATING BOUNDARIES OF TREE PROTECTION FENCING.  
 FENCING TO ENCOMPASS THE CRITICAL ROOT ZONE OR 1.5 x THE DRIFLINE OF THE TREE, MIN. 10' SQUARE PROTECTED AREA REQUIRED.  
 FILLING MAY BE ALLOWED IN CERTAIN AREAS, SEE GRADING PLANS.  
 CONTRACTORS RESPONSIBILITY TO ACQUIRE TREE REMOVAL PERMITS.

**TREE PROTECTION FENCING DETAIL**

FENCING FOR TREE PROTECTION IS REQUIRED TO PROTECT TREES LOCATED IN THE OPEN SPACE AND ALONG THE ADJACENT LOT LINE. THE FENCING SHALL BE IN PLACE BEFORE THE ISSUANCE OF ANY PERMITS AND REMAIN INTACT THROUGHOUT THE ENTIRE PERIOD OF CONSTRUCTION.

Paul A. Lebovitz,  
 Landscape Architect  
 102 Winslow Road  
 Franklin, Tennessee 37064  
 Office: (615) 415-6855  
 pleb@bellsouth.net

**REVISIONS**

△	
△	
△	
△	
△	

**TREE RETENTION PLAN**  
 for  
**4410 SOPER AVENUE**  
 OAK HILL, TENNESSEE 37204

**TREE ID / REMOVAL / REPLACEMENT CHART**

Tree No.	Species	Size	Trees Removed	3"-12"DBH	>12"DBH
1	Maple	30"	-	-	-
2	Dogwood	8"	x	8	-
3	Hackberry	10" & 16"	-	-	-
4	Wh Pine	32"	x	-	32
5	Am Holly	22"	-	-	-
6	Oak	12"	-	-	-
7	Dogwood	8"	-	-	-
8	Wh Pine	32"	-	-	-
9	Oak	60"	-	-	-
11	NRS Holly	22"	-	-	-
10	Wh Pine	24"	-	-	-
11	Spruce	12"	-	-	-
11	Hackberry	20"	-	-	-
	Am Holly	22"	-	-	-
12	Oak	30"	-	-	-
	Am Holly	22"	-	-	-
			2	8 CI	32 CI

**NOTES:**  
 1. NO TREE REPLACEMENT IS REQUIRED BECAUSE THE SITE RETAINS 39% TREE CANOPY PER CITY GUIDELINES  
 2. TREE CANOPY #10 IS DOMINATED BY A LARGE, TALL WHITE PINE WHICH "OVERSHADOWS" THE SPRUCE TO BE REMOVED. THE CANOPY STAYS THE SAME AS THE PINE REMAINS.

**NOTES**

1. Tree protection shall not be installed on adjacent properties. Tree protection fence shall terminate at the property line.
2. Barricades shall be installed a minimum of ten(10) feet from a protected tree or at the protected root zone as shown on the approved Site Plan.
3. No excess soil, sediment, fill, vehicles, equipment, liquid waste, solid waste, solvents and/or demolition or construction debris shall be placed within (6') of the protective area surrounding a tree while construction activities, including site preparation, are ongoing.
4. No tree or root system surrounded by a protective barrier shall be damaged as a result of any site preparation or construction activities.
5. No attachments or wires other than those of a protective or of a non-damaging nature shall be attached to any trees.
6. Replacement trees shall be warranted for one year.

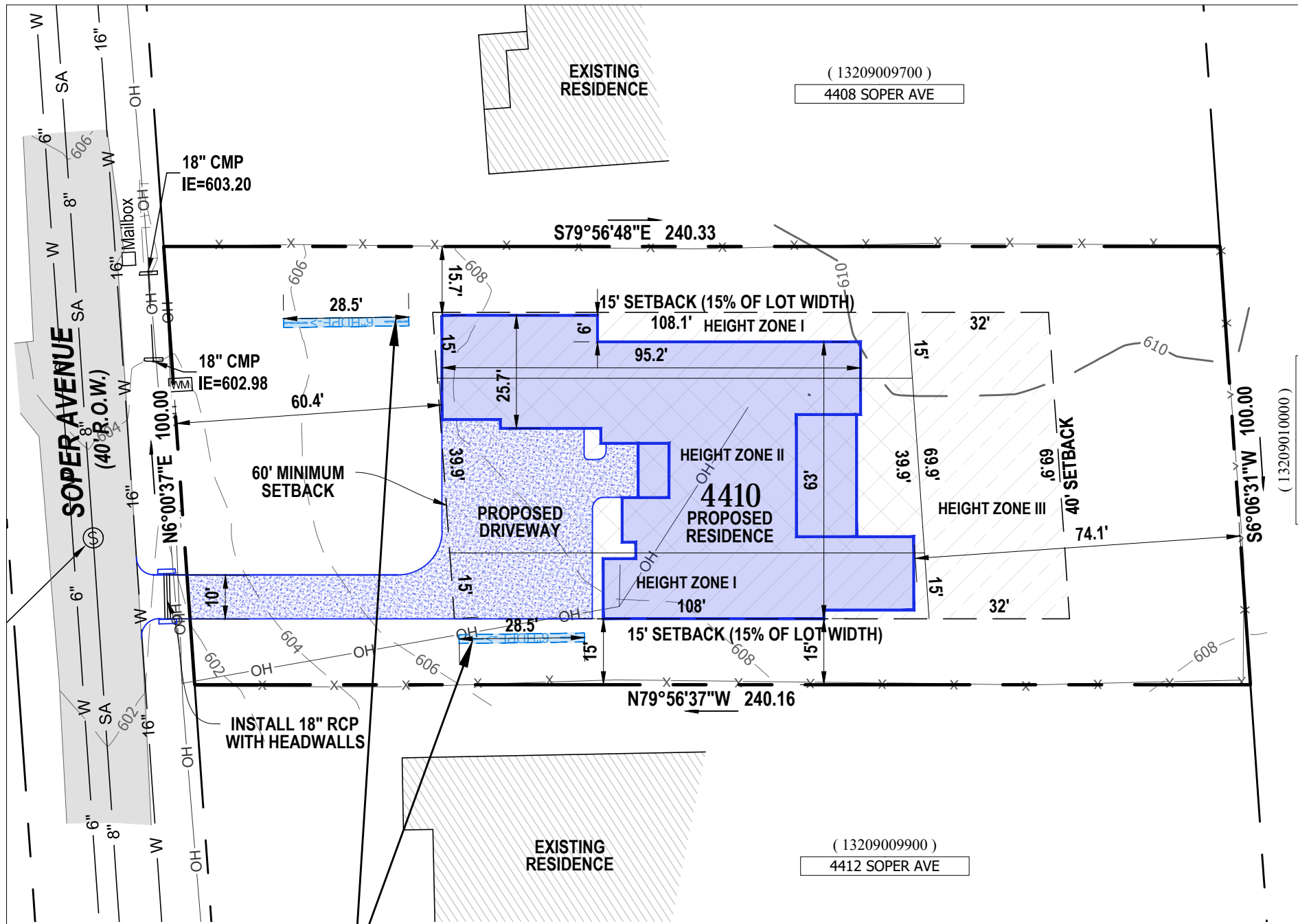
**4410 SOPER AVENUE TREE COVERAGE**

Tree Canopy Area No.	Tree	Coverage to
3	274	
4	872	872
5	1,405	
6	363	363
7	752	752
8	375	375
9	919	919
10	1,795	1,795
11	1,259	1,259
12	1,088	1,088
	2,101	
<b>TOTAL SF</b>	<b>13,325</b>	<b>11,646</b>
<b>SITE SF</b>	<b>23,966</b>	<b>.550 Acres</b>
<b>EXISTING TREE COVER</b>	<b>13,325 SF / 23,966 SF</b>	<b>0.56 56%</b>
<b>MIN. COVERAGE to RETAIN</b>	<b>60% per Table</b>	<b>60 x 13,325 = 7,995 SF MIN. COVERAGE</b>
	<b>MIN. SF COV./ LOT SF =</b>	<b>33% MIN. LOT TREE COVERAGE</b>
<b>COVERAGE to REMAIN</b>	<b>11,646 SF &gt; 7,995 SF</b>	
	<b>11,646 SF/ 23,966 SF = 49% &gt; 33% MIN. LOT TREE COVERAGE</b>	
<b>NO TREE REPLACEMENT REQUIRED</b>		
<b>THIS PROJECT RETAINS MORE THAN THE MIN. TREE COVERAGE REQUIRED</b>		

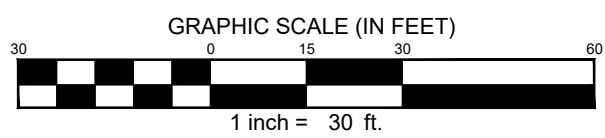
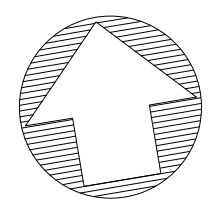


Designed By: pal  
 Drawn By: pal  
 Issue Date: 10/9/2022  
 Job No. 22038  
 Sheet No.

**1.0**  
 Tree Retention Plan



**INSTALL MODIFIED FRENCH DRAIN SYSTEM**  
 (2' x 57' @ 2' LOWER STONE DEPTH)  
 DIVERT ROOF DRAINAGE TOWARD MFDs



**CLINT ELLIOTT SURVEY**  
 P.O. Box 331875  
 Nashville, TN 37203  
 clintelliotts survey.com  
 (615) 490-3236



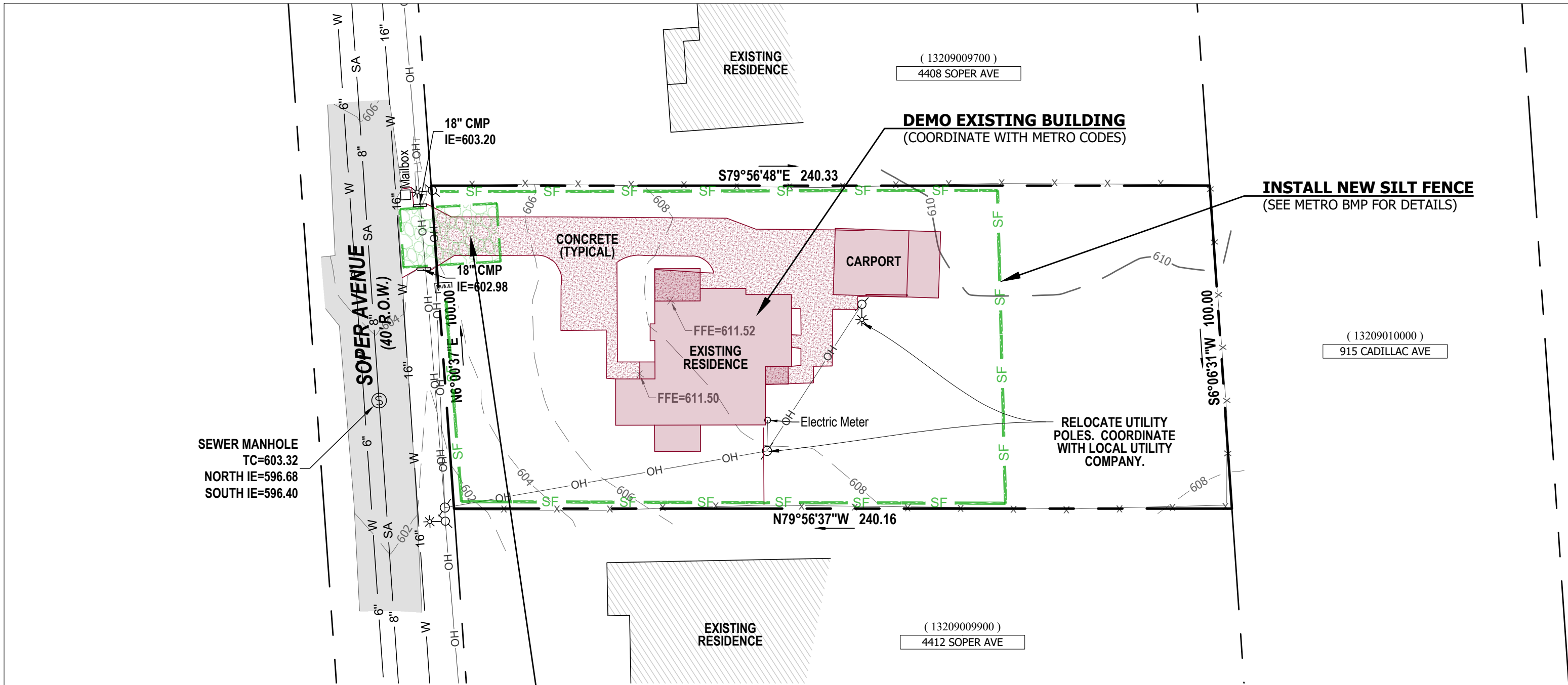
Requirement	A	B	C
Minimum Lot Area	10,000 SF	20,000 SF	1 Acre
Minimum Front Lot Line <sup>1</sup>	50 Feet	50 Feet	100 Feet
Maximum Lot Depth Lot Width Ratio <sup>2</sup>	4:1	4:1	4:1
Maximum Lot Coverage			
For Lots less than the Minimum Lot Area	4,000 sf	7,000 sf	13,000 sf
For Lots greater than the Minimum Lot Area	40% up to 6,000 sf	36% up to 9,000 sf	30% up to 18,000 sf
Maximum Gross Floor Area Ratio (FAR) FAR = Gross floor area / Lot area	24% with a Maximum of 3,600 sf	32% with a Maximum of 7,000 sf	18% with a Maximum of 10,000 sf
Minimum Yard Requirements for Primary Structure			
Front Setback <sup>3</sup>	60 feet	60 feet	75 feet
Side Setback: Interior lot line	10 feet	10 feet or 15% of front lot width, whichever is greater. Up to 15 feet	15 feet side yard or 20% of lot width, whichever is greater. Up to 30 feet
Side Setback: Side Street	30 feet	40 feet	40 feet
Rear Setback	50 feet	40 feet	60 feet
Maximum Primary Structure Height - Overall			
Maximum Stories	2 Floors. Second Floor shall be a Half Story.	2 floors	2 floors
Maximum Height <sup>4</sup>	28 feet	Varies	Varies
Height Zone 1 Height Maximum	Not applicable	28 Feet	28 Feet
Height Zone 2 Height Maximum	Not applicable	32 Feet	36 Feet
Height Zone 3 Height Maximum <sup>5</sup>	Not applicable	28 Feet	28 Feet
Minimum Yard Requirements for Accessory Structures, Pool Houses, Pools, and Pool Decks			
	A	B	C
Front Setback	Behind the Primary Structure	Behind the Primary Structure	Behind the Primary Structure
Side Setback	10 feet	15 feet	15 feet
Side Setback: Side Street	30 feet	40 feet	40 feet
Rear Setback	20 feet	20 feet	30 feet
Pool House	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure
Maximum Height	25 feet & 1 floor	25 feet & 1 floor	25 feet & 1 floor

Additional Regulations:  
<sup>1</sup> Lots on cul-de-sacs are exempt from this provision; but must have a minimum front lot line of at least fourth feet (40') feet measured from the street.  
<sup>2</sup> Lot width is measured at the narrowest point of the respective lot and lot depth is measured at the deepest point of the lot. (Ord. #12-16, Jan. 2013, as amended by Ord. #0-17-08-01-90, Feb. 2017, and Ord. #0-18-02-02-90, Feb. 2018)  
<sup>3</sup> Whichever is greater from this table or § 14-121(f)  
<sup>4</sup> Flat Roof structures are permitted to be a maximum of one floor & 18 feet in accessory structures, Zone A, and in Height Zone I.  
<sup>5</sup> Height Zone 3 is not applicable to lots with lot depths less than 200 feet.

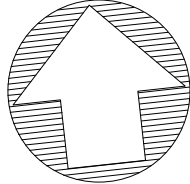
**Site Plan**  
**4410 Soper Avenue**  
**Nashville, Davidson County, Tennessee**

Drafted By: CM  
 Sheet No.  

# V-2.1



SEWER MANHOLE  
 TC=603.32  
 NORTH IE=596.68  
 SOUTH IE=596.40



GRAPHIC SCALE (IN FEET)



1 inch = 30 ft.



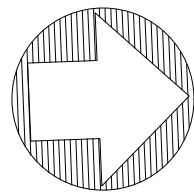
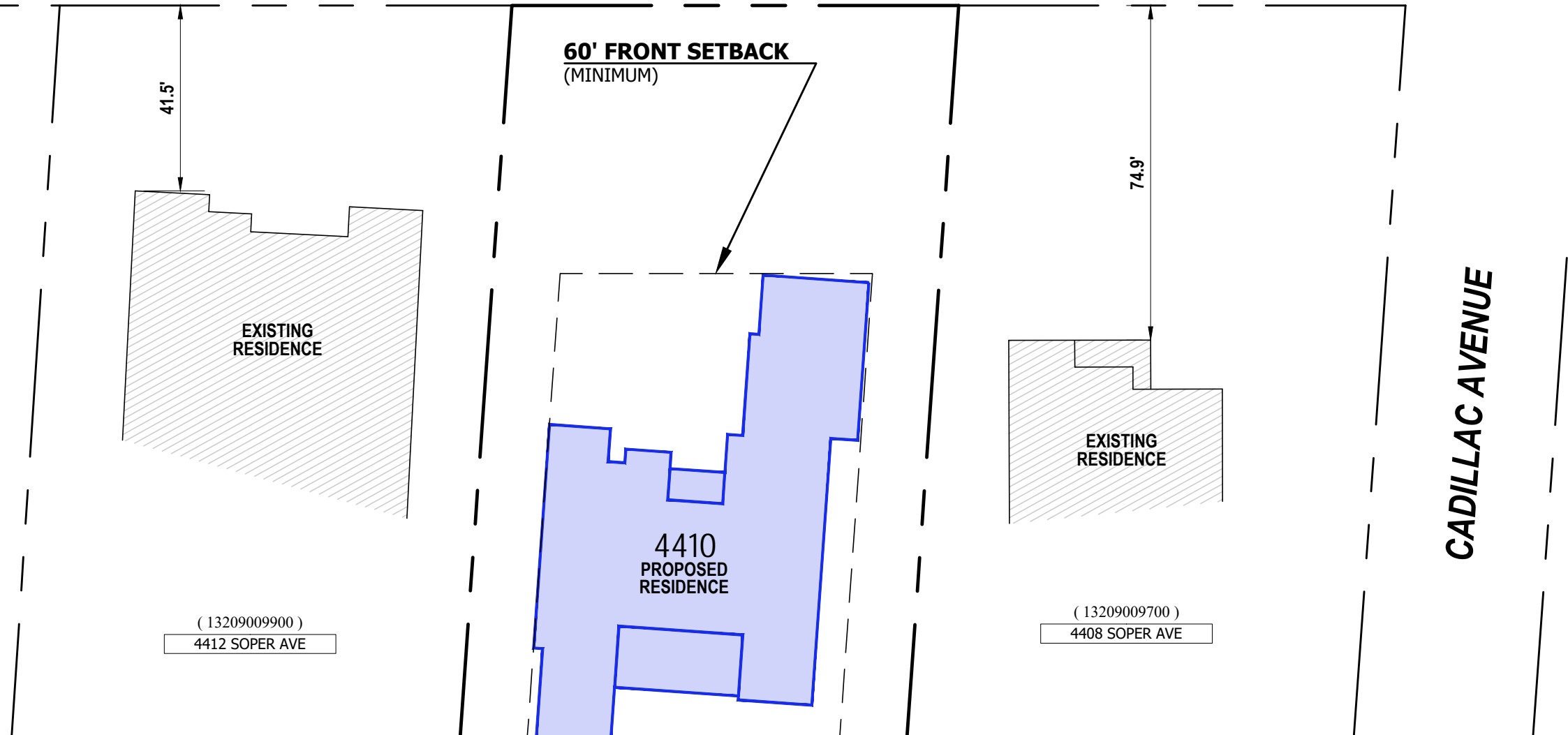
P.O. Box 331875  
 Nashville, TN 37203  
 clintelliotsurvey.com  
 (615) 490-3236

**EPSC Plan**  
**4410 Soper Avenue**  
**Nashville, Davidson County, Tennessee**

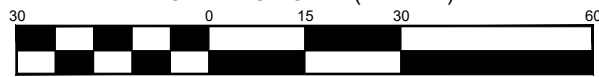
Sheet No.

**V-2.2**

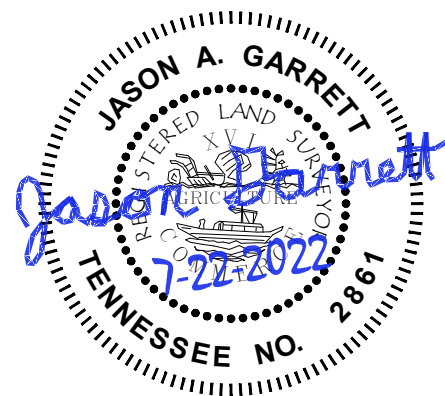
**SOPER AVENUE**  
(40' R.O.W.)



GRAPHIC SCALE (IN FEET)



1 inch = 30 ft.



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**Building Setbacks**  
4410 Soper Avenue  
Nashville, Davidson County, Tennessee

Sheet No.

V-2.3

**SITE DATA: PRE-DEVELOPMENT**

Total Site Area 23,966 SF

**PRE-DEVELOPMENT IMPERVIOUS: 5,531 SF**

Buildings 2,718 SF  
 Parking/Drives 2,813 SF  
 Walks/Misc Pads 0 SF

**SITE DATA: POST-DEVELOPMENT**

Total Site Area 23,966 SF

**POST-DEVELOPMENT IMPERVIOUS: 6,805 SF ( 28.4% )**

Buildings 4,591 SF  
 Parking/Drives 2,214 SF  
 Walks/Misc Pads 0 SF

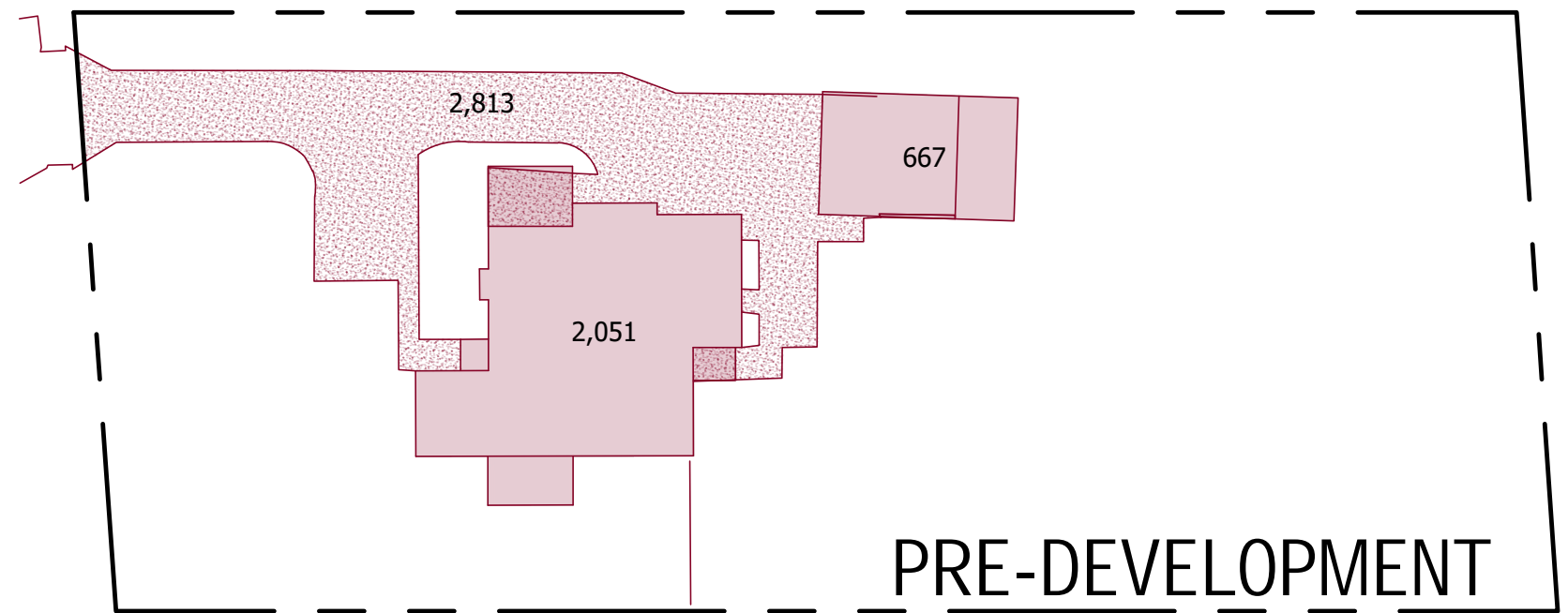
**POST- IMPERVIOUS NET GAIN: 1,274 SF ( TIER I )**

**STORMWATER NET GAIN TREATMENT**

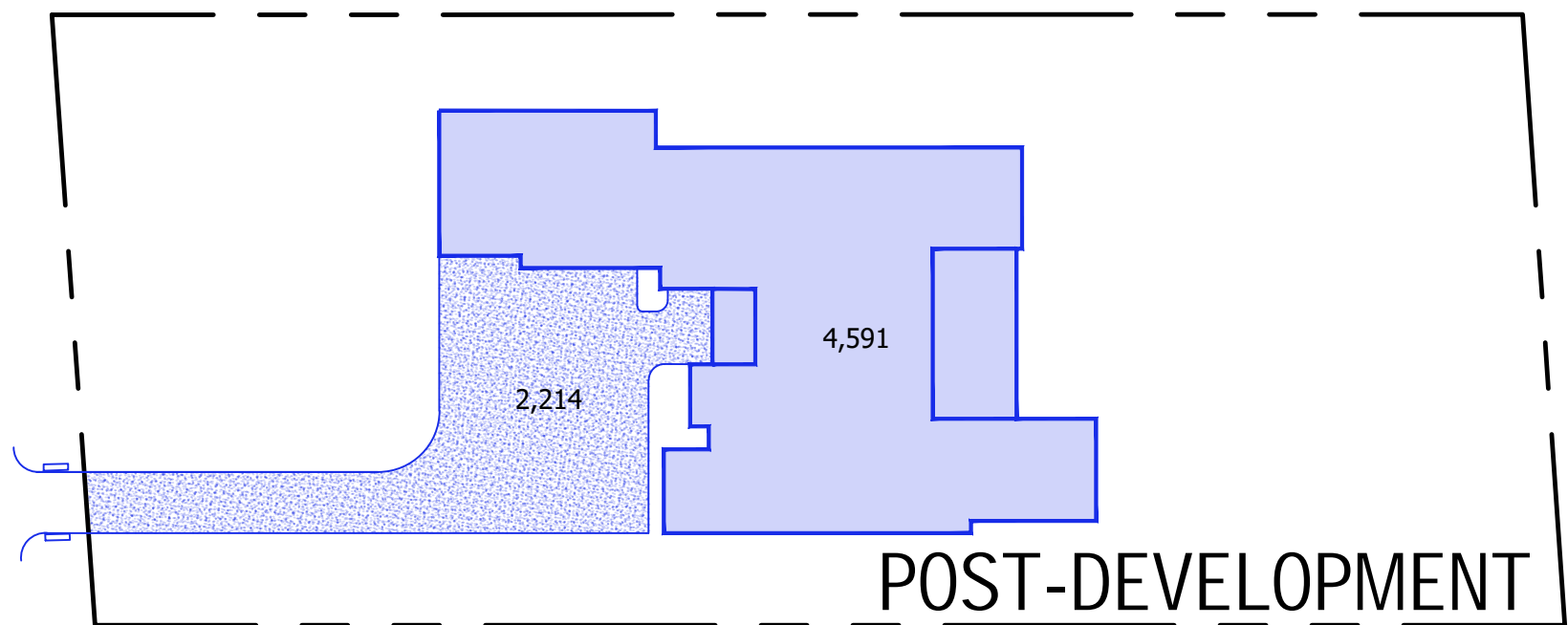
Total Site Area 23,966 SF

**POST-DEVELOPMENT STORMWATER TREATMENT: 1,274 SF**

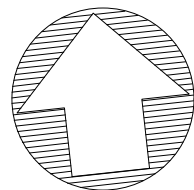
MODIFIED FRENCH DRAINS Required: 2' x 57' @ 24" Lower Stone Depth



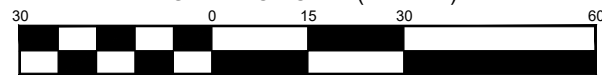
PRE-DEVELOPMENT



POST-DEVELOPMENT



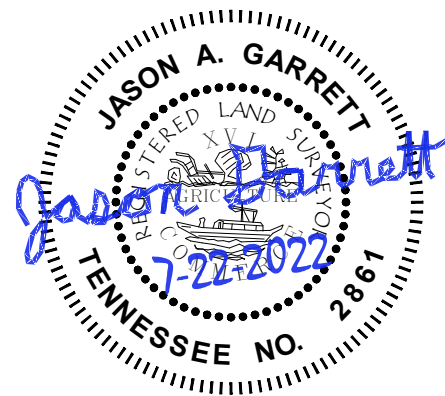
GRAPHIC SCALE (IN FEET)



1 inch = 30 ft.



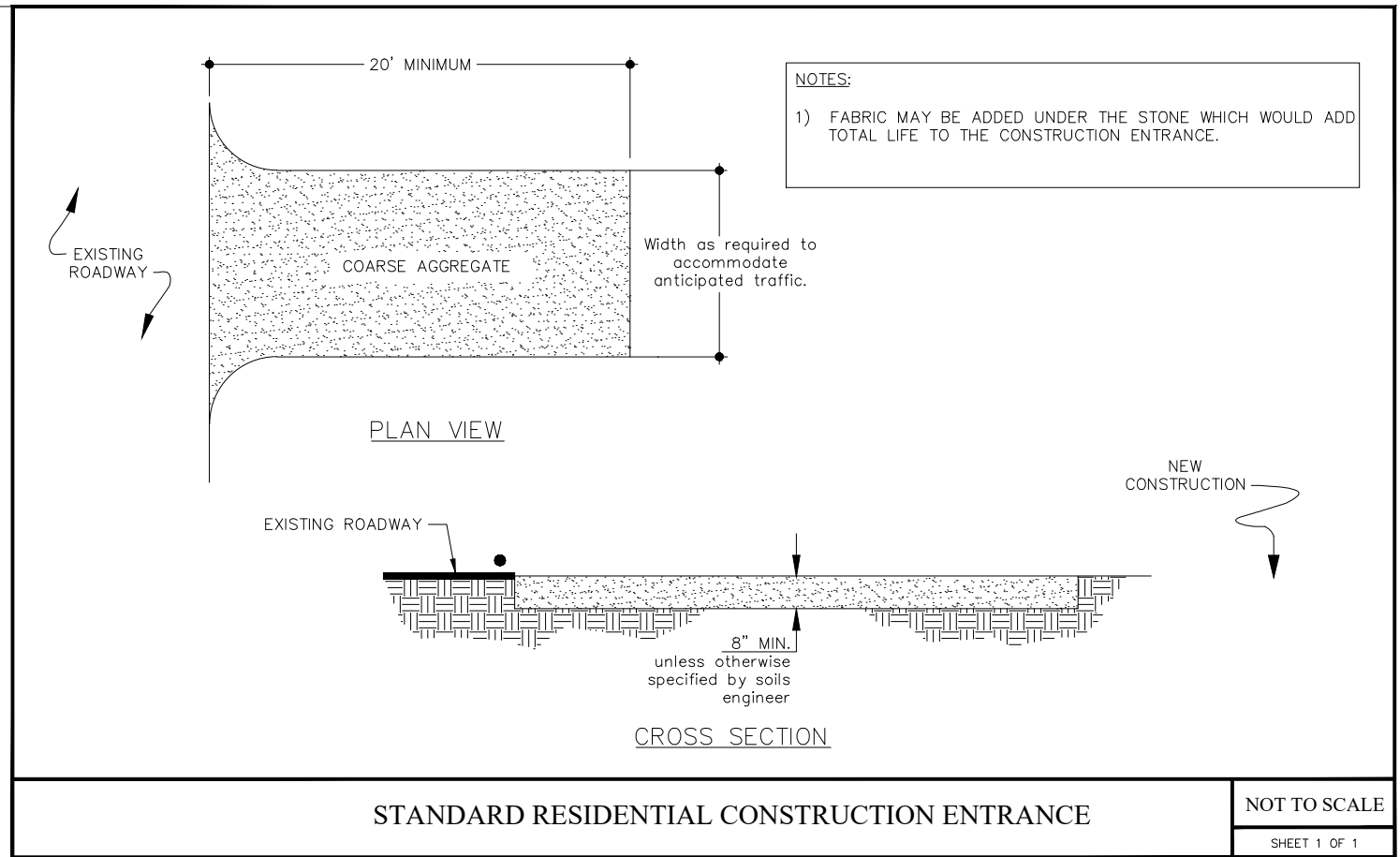
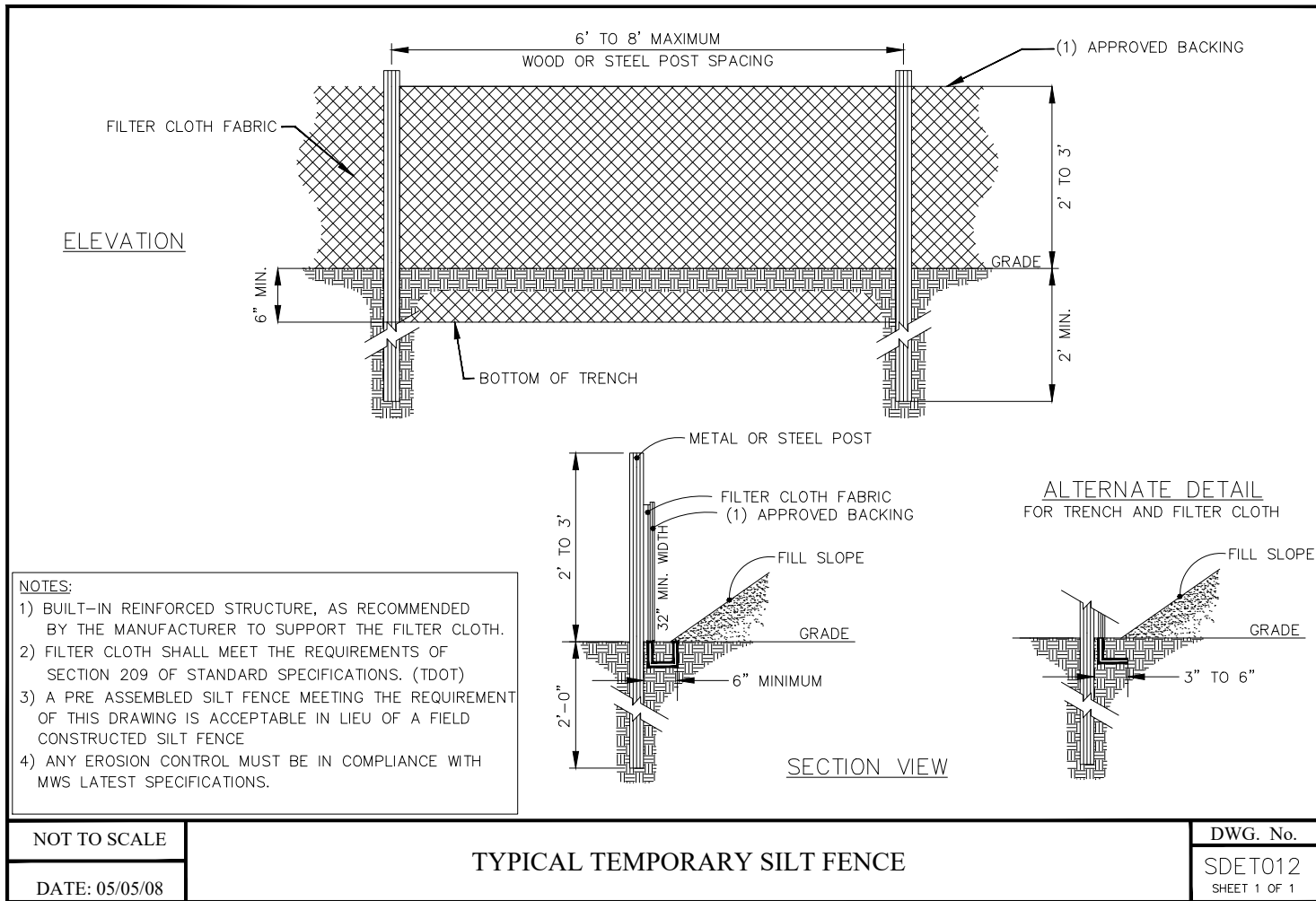
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**Impervious Areas**  
 4410 Soper Avenue  
 Nashville, Davidson County, Tennessee

Sheet No.

V-2.4



**SITE GRADING & EROSION CONTROL NOTES**

1. NO PORTION OF THE PROPERTY SHOWN LIES WITHIN A 100 YEAR FLOOD HAZARD AREA AS PER THE CURRENNT FEDERAL EMERGENCY MANAGEMENT AGENCY, (FIRM) MAP.
2. CLEAN SILT BARRIERS WHEN THEY ARE APPROXIMATELY 33% FILLED WITH SEDIMENT, SILT BARRIERS SHALL BE REPLACED AS EFFECTIVENESS IS SIGNIFICANTLY REDUCED, OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
3. REMOVE THE TEMPORARY EROSION AND WATER POLLUTION CONTROL DEVICES ONLY AFTER A SOLID STAND OF GRASS HAS BEEN ESTABLISHED ON GRADED AREAS AND WHEN THEY ARE NO LONGER NEEDED.
4. PROVIDE TEMPORARY CONSTRUCTION ACCESS(ES) AT THE POINT(S) WHERE CONSTRUCTION VEHICLES EXIT THE CONSTRUCTION AREA. MAINTAIN PUBLIC ROADWAYS FREE OF TRACKED MUD AND DIRT.
5. PROVIDE POSITIVE SLOPE (2% MINIMUM) TO DRAIN ALL BALCONIES, DECKS, PATIOS, WALL(S), DRIVEWAYS, GRADE ADJACENT TO BUILDINGS, AND SWALES REGARDLESS WHETHER PLANS GRAPHICALLY PORTRAY OR INDICATE SLOPE. FINAL CONSTRUCTION SHALL NOT PERMIT PONDING OF WATER IN ANY OF FOREGOING AREAS.



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1-615-366-1987  
TENNESSEE ONE CALL  
IT'S THE LAW

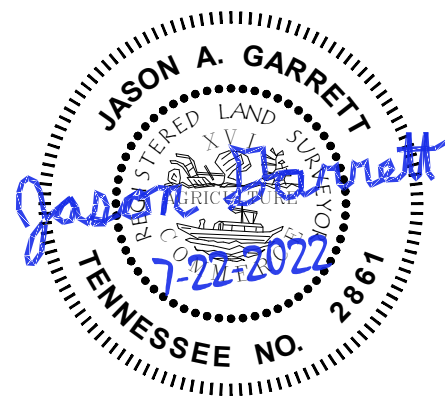
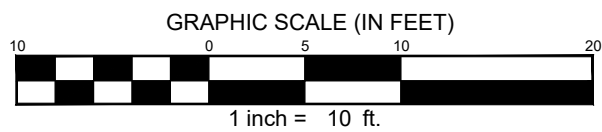
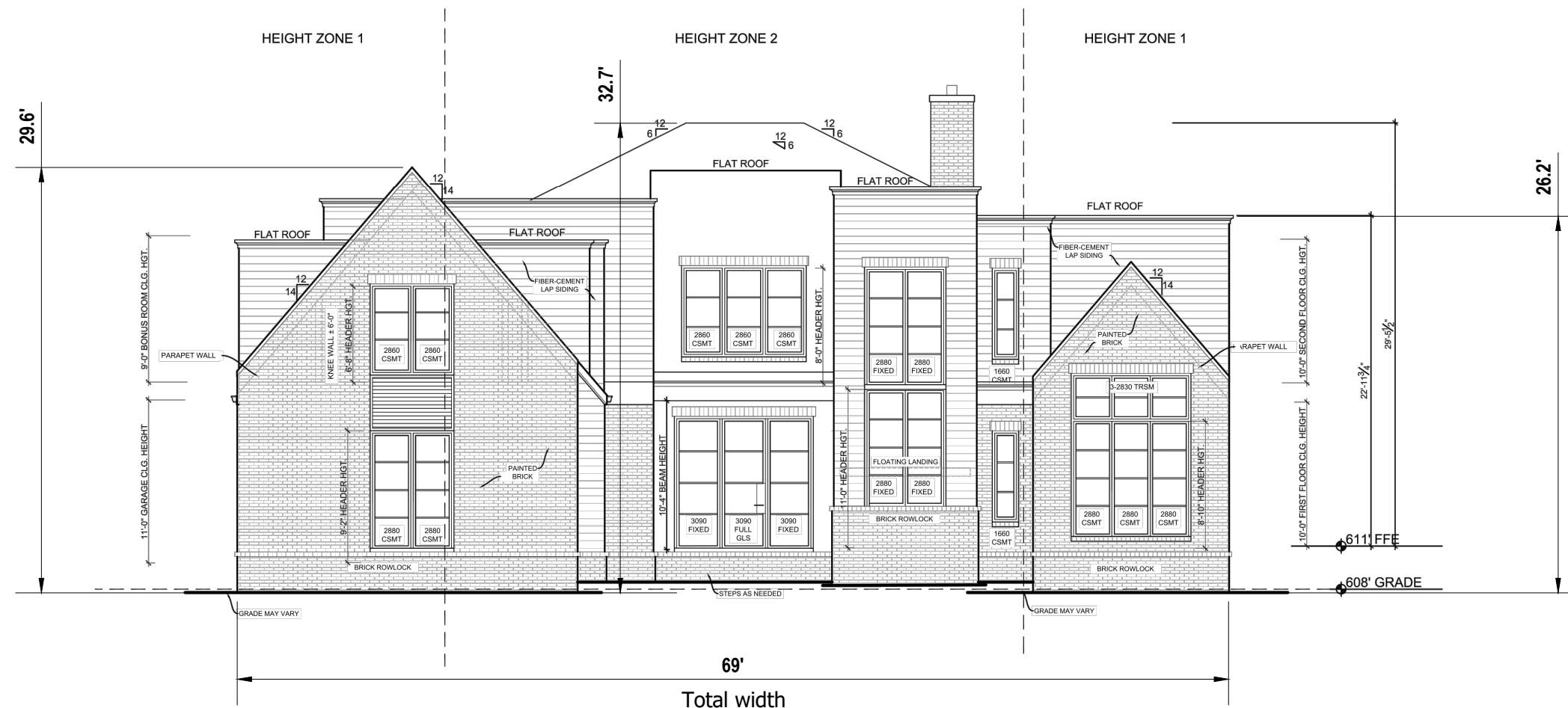


**CLINT ELLIOTT SURVEY**

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**Site Details**  
4410 Soper Avenue  
Nashville, Davidson County, Tennessee

Sheet No.  
**V-2.5**





Requirement	A	B	C	D	E	F
Minimum Lot Area	10,000 SF	20,000 SF	1 Acre	2 Acre	3 Acre	4 Acre
Minimum Front Lot Line <sup>1</sup>	50 Feet	50 Feet	100 Feet	150 Feet	175 Feet	225 Feet
Maximum Lot Depth Lot Width Ratio <sup>2</sup>	4:1	4:1	4:1	4:1	4:1	4:1
<b>Maximum Lot Coverage</b>						
For Lots less than the Minimum Lot Area	4,000 sf	7,000 sf	13,000 sf	13,000 sf up to 25%	15,000 sf up to 20%	15,000 sf up to 20%
For Lots greater than the Minimum Lot Area	40% up to 6,000 sf	36% up to 9,000 sf	30% up to 18,000 sf	25% up to 25,000 sf	20% up to 35,000 sf	20% up to 37,000 sf
Maximum Gross Floor Area Ratio (FAR) FAR = Gross floor area / Lot area	24% with a Maximum of 3,600 sf	32% with a Maximum of 7,000 sf	18% with a Maximum of 10,000 sf	18% with a Maximum of 18,000 sf	14% with a Maximum of 18,000 sf	14% with a Maximum of 18,000 sf
<b>Minimum Yard Requirements for Primary Structure</b>						
Front Setback <sup>3</sup>	60 feet	60 feet	75 feet	75 feet	100 feet	150 feet
Side Setback: Interior lot line	10 feet	10 feet or 15% of front lot width, whichever is greater. Up to 15 feet	15 feet side yard or 20% of lot width, whichever is greater. Up to 30 feet	20 feet side yard or 22% of lot width, whichever is greater. Up to 35 feet	40 feet	50 feet
Side Setback: Side Street	30 feet	40 feet	40 feet	40 feet	40 feet	50 feet
Rear Setback	50 feet	40 feet	60 feet	70 feet	100 feet	100 feet
<b>Maximum Primary Structure Height - Overall</b>						
Maximum Stories	2 Floors. Second Floor shall be a Half Story.	2 floors	2 floors	2 floors	3 Floors. Third floor shall be a Half Story.	3 Floors. Third floor shall be a Half Story.
Maximum Height <sup>4</sup>	28 feet	Varies	Varies	Varies	42 Feet	42 Feet
Height Zone 1 Height Maximum	Not applicable	28 Feet	28 Feet	28 Feet	Not Applicable	Not Applicable
Height Zone 2 Height Maximum	Not applicable	32 Feet	36 Feet	40 Feet	Not Applicable	Not Applicable
Height Zone 3 Height Maximum <sup>5</sup>	Not applicable	28 Feet	28 Feet	Not Applicable	Not applicable	Not applicable
<b>Minimum Yard Requirements for Accessory Structures, Pool Houses, Pools, and Pool Decks</b>						
	A	B	C	D	E	F
Front Setback	Behind the Primary Structure	Behind the Primary Structure	Behind the Primary Structure	Behind the Primary Structure	Behind the Primary Structure	Behind the Primary Structure
Side Setback	10 feet	15 feet	15 feet	25 feet	25 feet	30 feet
Side Setback: Side Street	30 feet	40 feet	40 feet	40 feet	40 feet	50 feet
Rear Setback	20 feet	20 feet	30 feet	40 feet	50 feet	50 feet
Pool House	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure	Maximum footprint of 25% of the Primary Structure
Maximum Height	25 feet & 1 floor	25 feet & 1 floor	25 feet & 1 floor	25 feet & 1 floor	25 feet & 1 floor	25 feet & 1 floor

**Additional Regulations:**

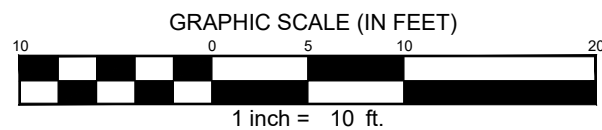
<sup>1</sup> Lots on cul-de-sacs are exempt from this provision; but must have a minimum front lot line of at least forty feet (40') feet measured along the curve at the edge of the right-of-way

<sup>2</sup> Lot width is measured at the narrowest point of the respective lot and lot depth is measured at the deepest point of the lot.  
(Ord. #12-16, Jan. 2013, as amended by Ord. #0-17-08-01-90, Feb. 2017, and Ord. #0-18-02-02-90, Feb. 2018)

<sup>3</sup> Whichever is greater from this table or § 14-121(f)

<sup>4</sup> Flat Roof structures are permitted to be a maximum of one floor & 18 feet in accessory structures, Zone A, and in Height Zone 1 & 3, and a maximum of 2 floors in Height Zone 2, Zone E, and Zone F.

<sup>5</sup> Height Zone 3 is not applicable to lots with lot depths less than 200 feet.



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**Building Elevations**  
4410 Soper Avenue  
Nashville, Davidson County, Tennessee

Sheet No.

**V-2.7**

SKETCH LAYOUT  
 PROVIDE PLAN AND ELEVATION VIEWS OF MFD AND HOUSE SHOWING ROOF AREA DIRECTED TO  
 MFD AND KEY DIMENSIONS, CONNECTIONS AND OVERFLOW RELATIVE TO PROPERTY LINE.

### Modified French Drain

**SIZING CALCULATION:**

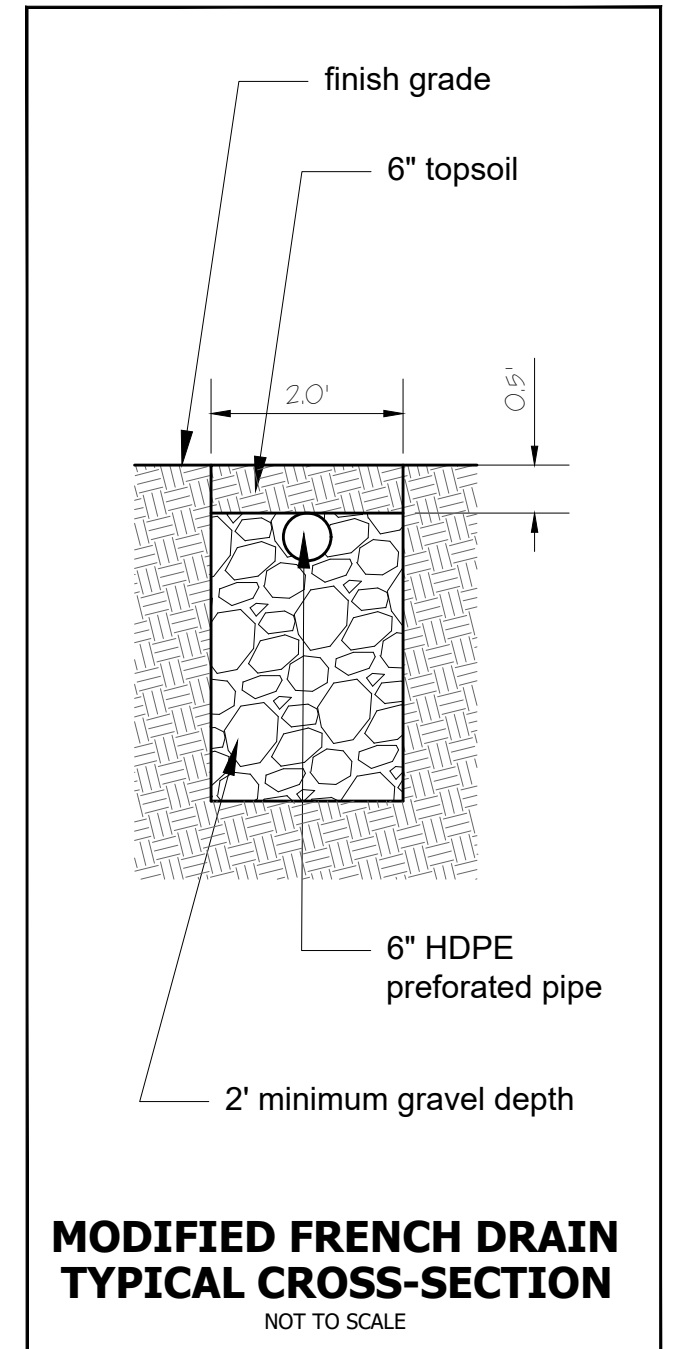
Rooftop Area (square feet)	Depth of Gravel From Top of Pipe (inches)			
	18	24	30	36
	Required Linear Feet of MFD =			
100	6	5	4	3
500	30	25	20	15
1000	60	45	40	35
2000	120	95	75	65
3000	185	140	115	100
4000	245	190	155	130
5000	305	235	195	165

**MAINTENANCE:**

1. INSPECT GUTTERS AND DOWNSPOUTS REMOVING ACCUMULATED LEAVES AND DEBRIS, CLEANING LEAF REMOVAL SYSTEM(S).
2. IF APPLICABLE, INSPECT PRETREATMENT DEVICES FOR SEDIMENT ACCUMULATION. REMOVE ACCUMULATED TRASH AND DEBRIS.
3. INSPECT MFD FOLLOWING A LARGE RAINFALL EVENT TO INSURE OVERFLOW IS OPERATING AND FLOW IS NOT CAUSING PROBLEMS.

MEASURE CONTRIBUTING DRAINAGE AREA AND READ AREA FOR GIVEN MEDIA DEPTH.

CONTRIBUTING DRAINAGE AREA= 1,274 SQ FT  
 DEPTH OF STONE MEDIA= 24 INCHES  
 WIDTH OF TRENCH= 24 INCHES  
 LENGTH OF MFD= 57 FT

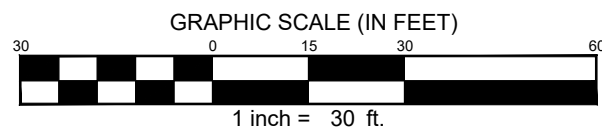
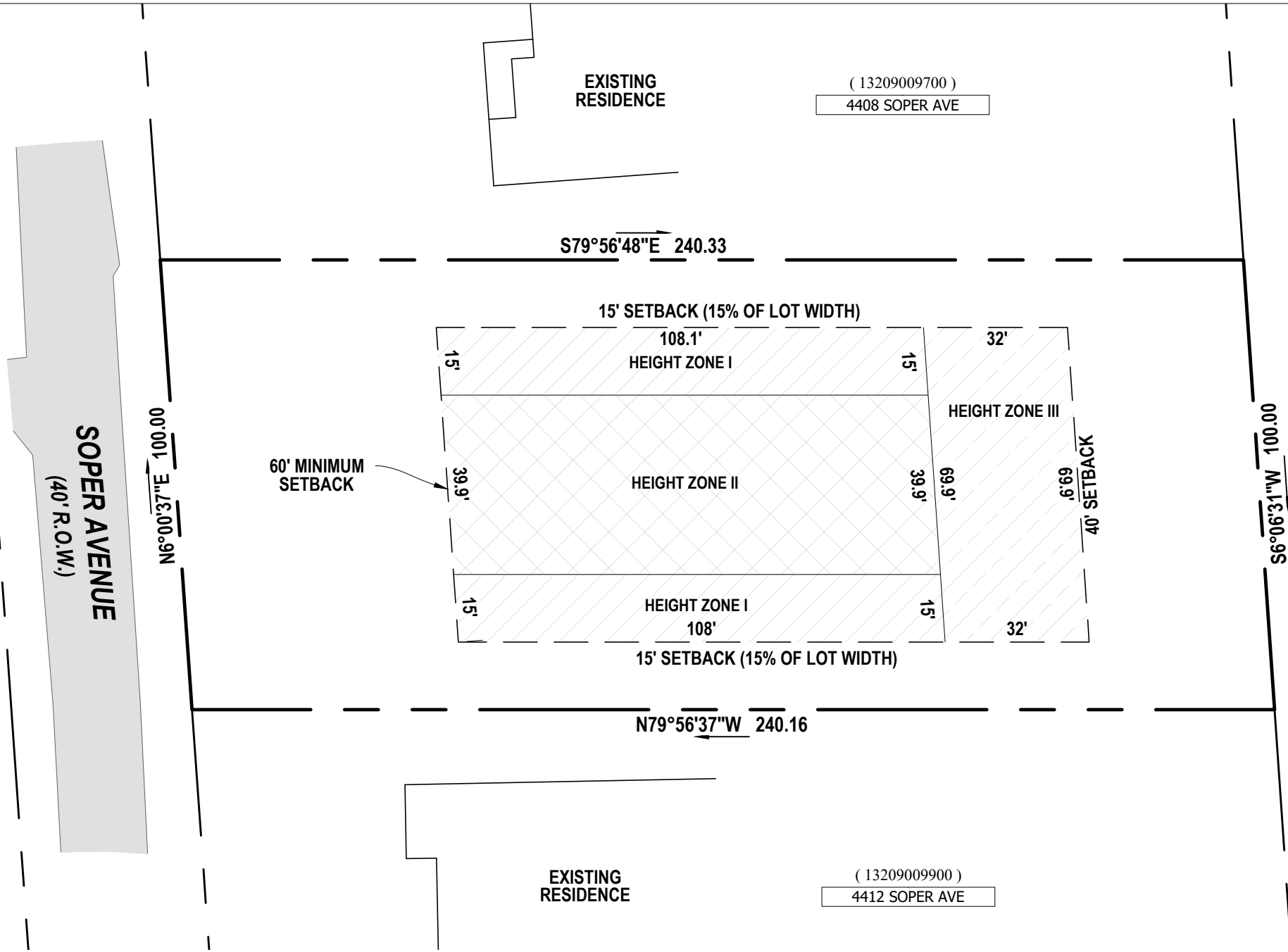


METRO NASHVILLE  
 DEPARTMENT OF  
 WATER SERVICES

ATTACHED THIS TWO-PAGE  
 SPECIFICATION TO HOUSE  
 PLAN SUBMITTAL

MODIFIED FRENCH DRAIN  
 SPECIFICATIONS  
 PAGE 2 OF 2





# Building Height Restrictions

4410 Soper Avenue  
Nashville, Davidson County, Tennessee

Sheet No.  
**V-2.9**