

APPLICATION FOR HEARING
BOARD OF ZONING APPEALS
OAK HILL, TENNESSEE

Application Date: Oct. 18, 2022

BZA Meeting Date: Nov. 15, 2022

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: 906 Overton Lead Road Zone District: Res. F

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):
Permission to remove 4 trees with plans to replace them

(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.*

Gavin Duke

Applicant Name
33 Music Square W unit 106A, Nashville Tn

Applicant Address
615-270-6464

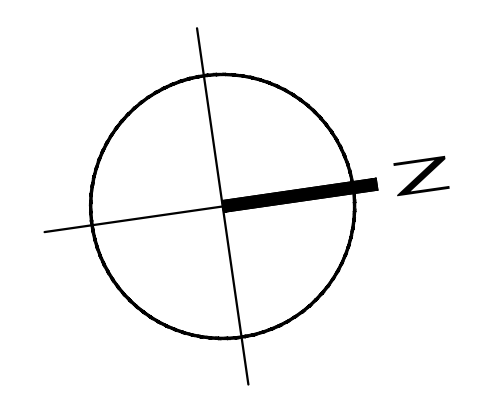
Applicant Phone Number
Brittany@dukedesigngroup.com

Applicant Email Address


Applicant Signature

City of Oak Hill Code Compliance Officer

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



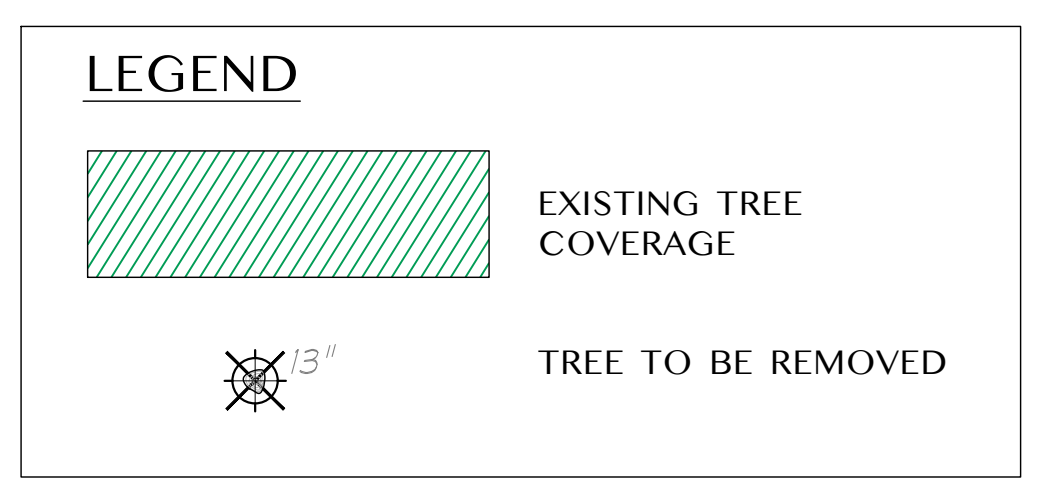
TREE COVERAGE RATIO	
LOT SIZE -	153,293 SQ.FT.
COVERAGE EXISTING -	47,312 SQ.FT.
EXISTING PERCENTAGE -	30.9%
(AS PART OF TOTAL LOT SIZE)	
PROPOSED REMOVAL -	3,849 SQ.FT.
(PERCENTAGE OF EXISTING COVERAGE)	8.1%

OAK HILL TREE REPLACEMENT STANDARDS	
EXISTING TREE SIZE TO BE REMOVED	REQUIRED REPLACEMENT CALIPER MINIMUM
20" HACKBERRY	5"
24" OAK	5"
24" HACKBERRY	5"
30" OAK	5"
TOTAL OF 4 TREES TO BE REMOVED OVER 16" IN D.B.H.	

TREE PRESERVATION NOTES:

- It is the contractor's responsibility to protect existing trees to remain. No heavy equipment should be permitted to operate or be stored, nor any materials to be handled or stored, within the driplines of trees outside the limit of grading. No substitutions as to execution or treatment of tree protection specified on this plan may be made without the approval of the landscape architect.
- The contractor is to hang signs on tree protection fence in highly visible areas; signs to read as follows (must provide English and Spanish):
TREE PROTECTION ZONE:
 NO PARKING ALLOWED!
 NO SOIL DISTURBANCE!
 NO TRENCHING OR GRADING!
 NO MATERIALS STORED!
 NO UNDERGROUND UTILITIES!
 NO DUMPING!
 NO EQUIPMENT
- The contractor is to verify the exact location of all existing utilities. Take care to protect utilities that are to remain. Repair any damage according to local standards and at the contractor's expense. Coordinate all construction with the appropriate utility company.
- All disturbed areas to be seeded unless otherwise noted on the landscape plan. Seed type to be approved by landscape architect.
- All trees, shrubs, and beds are to be mulched with reground pine bark mulch to minimum depth of 3". Mulch should taper out around plant crowns particularly with perennials. The landscape architect reserves the right to refuse any plant material or any defective workmanship.
- Before the landscape project is started, the landscape architect and the landscape contractor will meet on the site for a detailed explanation of the landscape plan.

NOTE:
SEE CIVIL ENGINEER'S PLANS FOR TREE PROTECTION FENCE LAYOUT



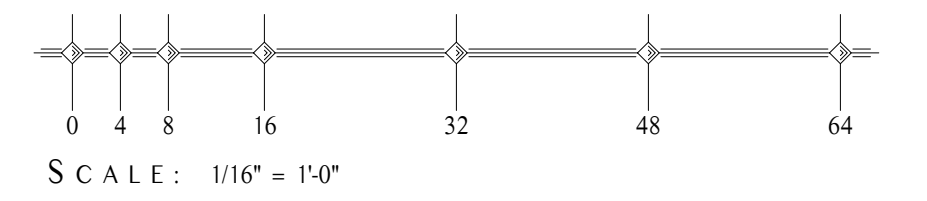
A LANDSCAPE MASTERPLAN FOR THE:
BREWER RESIDENCE
 906 OVERTON LEA ROAD
 NASHVILLE, TENNESSEE

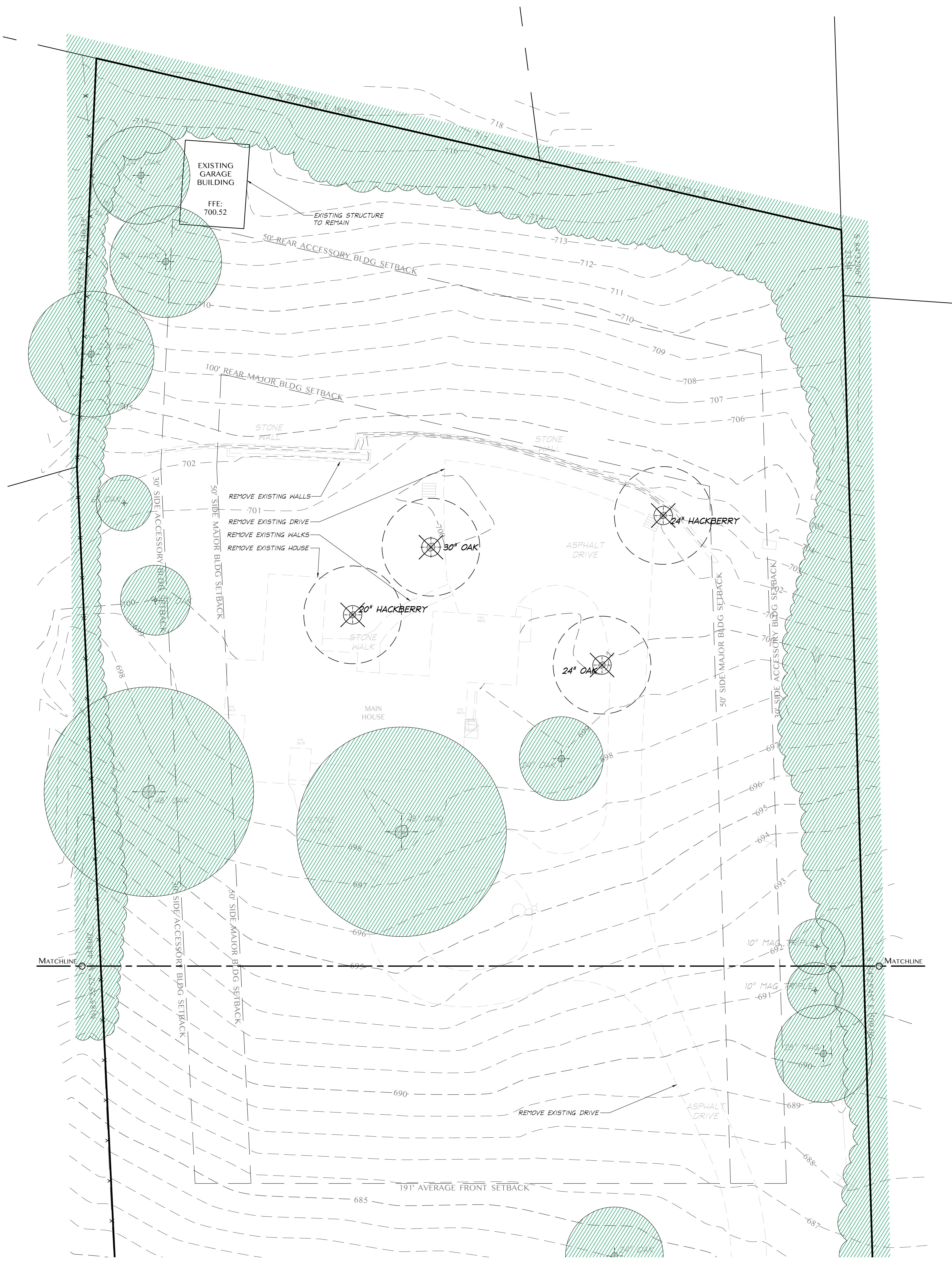
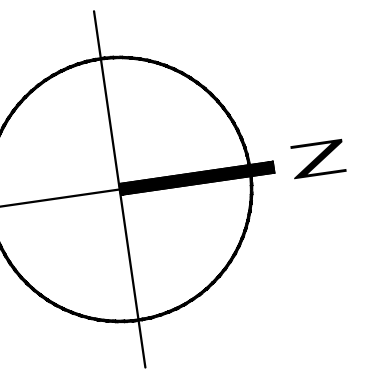
DUKE DESIGN GROUP

33 MUSIC SQUARE WEST 106A
 NASHVILLE, TENNESSEE 37203
 615.270.5020
 GAVIN@DUKEDESIGNGROUP.COM
 BRITTANY@DUKEDESIGNGROUP.COM

DATE: OCTOBER 12, 2022
 SCALE: 1" = 16'-0"
 DRAWN BY: B. DINGLER

SHEET NUMBER:
L1.00





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NOTE:
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LEGEND

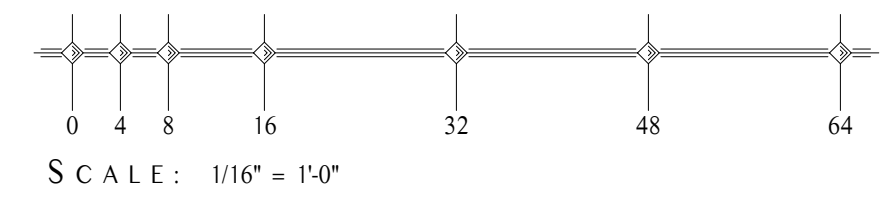
- EXISTING TREE COVERAGE
- TREE PROTECTION FENCING CHAINLINK FENCING OR APPROVED EQUAL
- TREE TO BE REMOVED

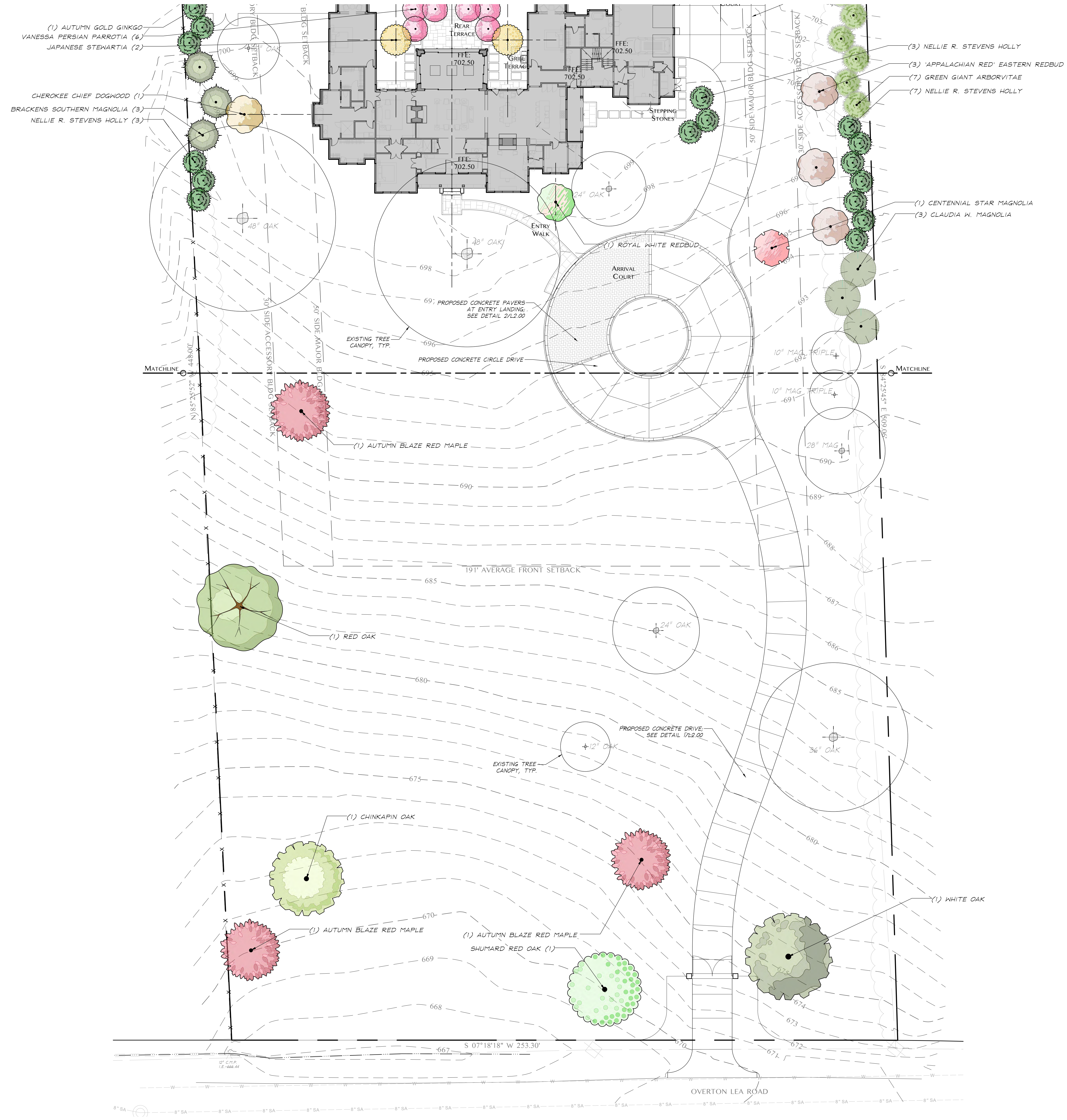
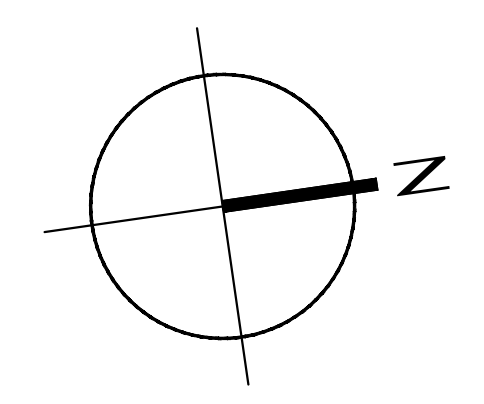
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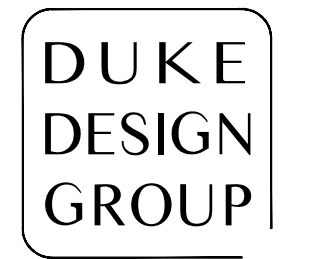


A LANDSCAPE MASTERPLAN FOR THE:

BREWER RESIDENCE

906 OVERTON LEA ROAD
NASHVILLE, TENNESSEE

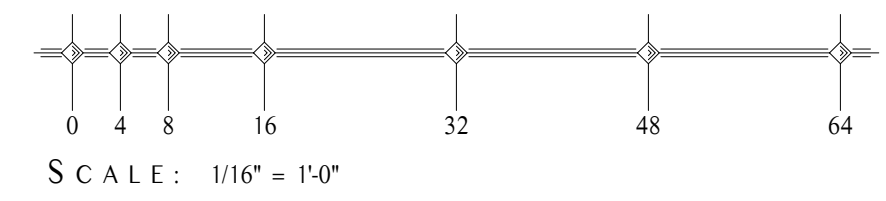
SHEET TITLE:
PROPOSED TREE PLANTING & HARDSCAPE PLAN

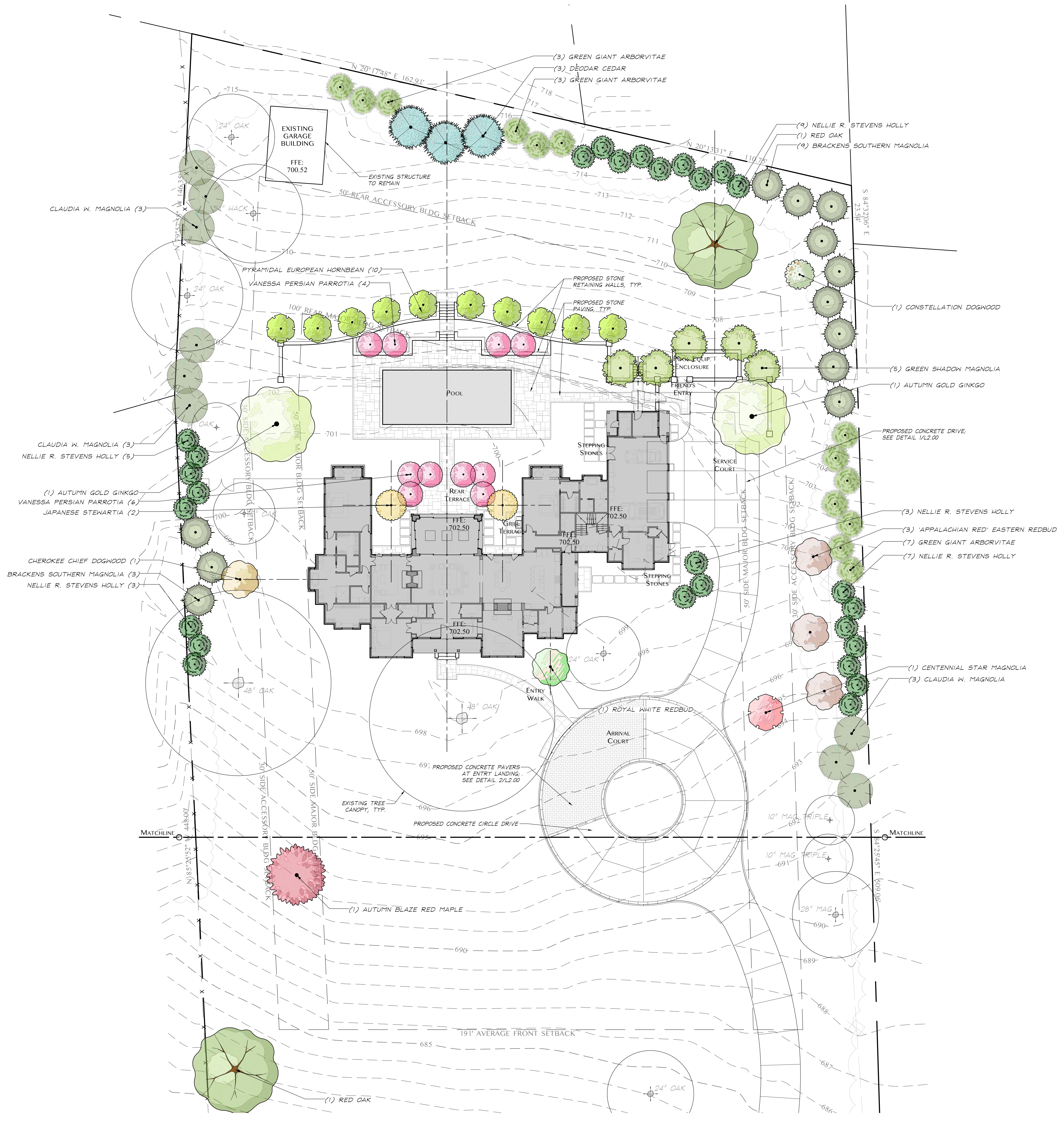
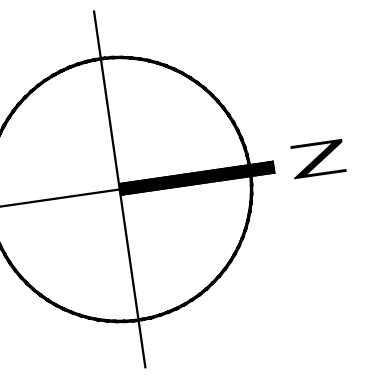


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DATE: OCTOBER 12, 2022
 SCALE: 1" = 16'-0"
 DRAWN BY: B. DINGLER
 SHEET NUMBER:

L2.00



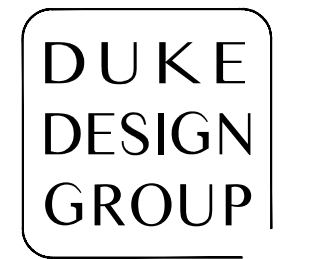


A LANDSCAPE MASTERPLAN FOR THE:

BREWER RESIDENCE

906 OVERTON LEA ROAD
NASHVILLE, TENNESSEE

PROPOSED TREE
PLANTING &
HARDSCAPE PLAN CONT'D



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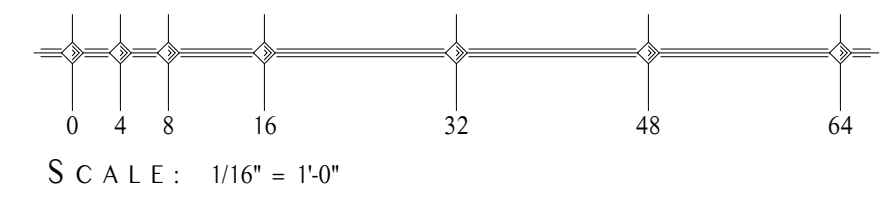
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BREWER PLANT SCHEDULE

TREES	QTY	BOTANICAL / COMMON NAME	ROOT	CAL.	SIZE	REMARKS
	3	* Acer rubrum 'Autumn Blaze' / Autumn Blaze Red Maple	B & B	5" CAL.		Well-branched,
	10	* Carpinus betulus 'Fastigiata' / Pyramidal European Hornbeam	B & B	5" CAL.		Single-trunk, limbed up 4' minimum
	3	Cedrus deodara / Deodar Cedar	B & B		10-12' ht.	Skirted to ground, heavily-branched, dense
	3	Cercis canadensis 'Appalachian Red' / 'Appalachian Red' Eastern Redbud	B & B	2" CAL.	8'-10'	Well-branched
	1	Cercis canadensis 'Royal White' / Royal White Redbud	B & B	2" CAL.		Specimen quality, heavily branched
	1	Cornus florida 'Cherokee Chief' / Cherokee Chief Dogwood	B & B	2" CAL.		Single-trunk, well-branched
	1	Cornus x 'Rutcan' / Constellation Dogwood	B & B		8'-10' HT	Specimen, single-trunk, dense
	2	* Ginkgo biloba 'Autumn Gold' TM / Autumn Gold Ginkgo	B & B	5" CAL.		Single-trunk, specimen, to be photo-approved by DDG and homeowner prior to purchase/install
	27	Ilex x 'Nellie R Stevens' / Nellie R. Stevens Holly	B & B		8'-10' ht.	Dense, full to ground, matched
	12	Magnolia grandiflora 'Brackens Brown Beauty' / Brackens Southern Magnolia	B & B		12'-14' ht.	Well-branched to ground, dense, full, matched
	9	Magnolia grandiflora 'Claudia Wannamaker' / Claudia W. Magnolia	B & B		10-12' ht.	Dense, full, well-branched to ground
	1	Magnolia stellata 'Centennial' / Centennial Star Magnolia	B & B		10' ht.	Single-trunk, heavily-branched, specimen quality
	5	Magnolia virginiana 'Green Shadow' / Green Shadow Magnolia	B & B		10-12' ht.	Single-trunk, limbed up 4' minimum, well-branched
	10	Parrotia persica 'Vanessa' / Vanessa Persian Parrotia	B & B	3" CAL.		Single-trunk, limbed up 4' minimum, dense, full, matched
	1	* Quercus alba / White Oak	B & B	5" CAL.		Dense, well-branched, matched
	1	* Quercus muehlenbergii / Chinkapin Oak	B & B	5" CAL.		Single-trunk, limbed up 4' minimum, well-branched specimen
	2	* Quercus rubra / Red Oak	B & B	5" CAL.		Main leader specimen, heavily-branched
	1	* Quercus shumardii / Shumard Red Oak	B & B	5" CAL.		Single-leader, well-branched, specimen
	2	Stewartia pseudocamellia / Japanese Stewartia	B & B	4" CAL.		Single-trunk, limbed up 4' min
	13	Thuja occidentalis 'Green Giant' / Green Giant Arborvitae	B & B		12' HT.	Well-branched to ground, dense, full, matched

OAK HILL TREE REPLACEMENT STANDARDS

EXISTING TREE SIZE TO BE REMOVED	REQUIRED REPLACEMENT CALIPER MINIMUM	PROPOSED TREE REPLACEMENT (SHOWN IN PLANT SCHEDULE W/ *)
20" HACKBERRY	(4) 5"	(3) 5" AUTUMN BLAZE MAPLES, (1) 5" WHITE OAK
24" OAK	(5) 5"	(5) 5" PYRAMIDAL EUROPEAN HORNBEAMS
24" HACKBERRY	(5) 5"	(5) 5" PYRAMIDAL EUROPEAN HORNBEAMS
30" OAK	(6) 5"	(2) 5" AUTUMN GOLD GINKGOS, (1) 5" CHINKAPIN OAK, (2) 5" RED OAK, (1) 5" SHUMARD OAK
TOTAL OF 98" CALIPER SIZE TO BE REMOVED		MINIMUM OF (20) 5" CALIPER TREES TO REPLACE REMOVED TREES

LANDSCAPE NOTES:

1) Before the landscape project is started, the chosen landscape contractor will meet the Landscape Architect on site for a detailed explanation of the landscape plan. All plant material provided shall be nursery grown and shall comply with the American Standard For Nursery Stock: ANSI Z601-1996, for size and quality. No substitutions as to type, size, or spacing of plant materials specified on this plan may be made without written approval of owner and Landscape Architect. All plants will be guaranteed to live, flourish, and be true-to-name for one full year from the date of completion of work by the landscape contractor as determined by the Landscape Architect.

2) It is the contractor's responsibility to protect existing trees to remain. No heavy equipment should be permitted to be operated or stored, nor any materials to be handled or stored within the drip lines of any trees to remain. Specific instructions regarding planting within the drip line of existing trees can be found in detail P/2 on L6.13.

3) The quantities indicated on the plant list and plan are provided for the benefit of the contractor, but should not be assumed to always be correct. The landscape contractor assumes all responsibility for his or her own quantity calculations and the liability which pertains to those quantities and to any related contract documents and/or price quotations.

4) The contractor is to verify the exact locations of all existing utilities. Take care to protect utilities that are to remain. Repair any damage according to local standards and codes, and at landscape contractor's expense. Coordinate all construction with appropriate utility company.

5) All disturbed areas outside of planters and planting beds to be seeded unless otherwise noted on landscape plan. Seed type to be approved by Landscape Architect.

BED PREPARATION NOTES:

The objective of the bed preparation and planting notes herein is to develop and preserve landscape material according to our landscape plan. Included in that goal is a standard of achieving optimum health, including growth and appearance of all ornamental landscape plants, while recognizing the unique growing environment presented by each planting location. The chosen landscape contractor must perform percolation tests in areas of planting, especially in areas where plants are to be installed that do not tolerate wet conditions. If it is observed that soils to not percolate well, the Landscape Architect and home owner are to be notified immediately and prior to any planting. Before planting installation is to begin, a soil test is to be performed for all planting areas in order to determine the soil's structure, pH, and nutrient content. Specifically addressing the relationship between nitrogen, phosphorus, and potassium; as well as testing for other nutrients, organic matter, and soluble salt composition. Analysis is also required of any stockpiled topsoil. If topsoil is imported, then analysis shall be done for each location where the topsoil was excavated. These tests will guide the makeup of all future soil amendments as well as any additional soil excavation and replacement that may be necessary when determined and or approved by Landscape Architect and home owner. These notes provide a general outline for soil sampling, preparation, plant installation, fertilization, and mulching.

OBTAINING SOIL SAMPLES FOR TESTING:

Proper interpretation of soil test results depends upon collecting a representative sample of the soil. Soil samples can be taken any time of year. Separate samples should be collected from areas that differ in soil texture, color, slope, plant communities, and past management practices. Samples are most easily collected using a clean soil tube, soil auger, garden trowel, or spade. The chosen tool for collection shall also be free from rust. Sample garden soils and soils to be used for turf to a depth of 8-12". Each soil sample should be a composite of sub samples collected from randomly selected spots within a chosen area. Take 5-10 sub samples for small areas no larger than 1000 square feet. Take 10-15 sub samples for areas larger than 1000 square feet. Collect the sub samples in a clean plastic pail and mix the soil thoroughly. Air-dry the sample on a thin layer of butcher paper, plastic, or another clean surface. Do not use newspaper. After the soil sample is dry, place a minimum of one pint of this mixture into a sample bag or box. Label the sample container and keep a record of the area represented by each sample taken. Samples can be sent directly to soil testing facilities in the area.

PLANTING SOIL PREPARATION:

Soil preparation shall be provided on all areas to be planted, and on turf areas where specified. Future soil mixes and topsoil shall improve soil texture, till, and biological activity of the planting bed soil. All planting soil, topsoil, mulch, "soil conditioners" and other additives and amendments are subject to testing and approval of the home owner and Landscape Architect.

The planting soil shall be tested and shall meet the following criteria:
 pH range:
 organic matter: 25%
 soluble salts not o exceed: 500ppm
 soluble salt concentration: 10dS/m max.
 physical contaminants: <1%, dry weight basis
 chemical contaminants: meet or exceed US EPA

SOIL TESTING:

Testing shall be done by a qualified soils laboratory, in accordance with "Methods of Soils Analysis -Agronomy #9" as published by the American Society of Agronomy, and testing shall be at the contractor's expense. Upon request of the owner and Landscape Architect, the following information shall be provided:
 -specific locations from which the manure and organic compost were obtained
 -agricultural test results showing mixture composition and analysis

SOIL ADD MIXTURES:

Additional soil materials and amendments shall be a uniform mix, free of stones, stumps, roots, sticks, or other similar objects larger than 1". The mixture shall also be free from clay subsoil, mountain peat, lumps, plants or their roots, weed stolons, and seeds. No other materials or substances shall be seeded or dumped within the planting area that may be harmful to plant growth, or prove a hindrance to the planting or maintenance operations. The soil materials shall be free of noxious weeds.

SOIL AMENDMENTS:

Soil material amendments shall be a mixture of twenty-five percent (25%) ground aged manure (or comparable, approved substitute) and fifty percent (50%) composted organic matter. The manure and organic compost shall be coarsely ground and thoroughly mixed together to ensure an even composition. The mix shall have a carbon to nitrogen ratio ranging from 15:1 to 30:1, and shall meet the following mechanical analysis:

	%Passing	%Retained
2" screen	100	0
1" screen	90-100	0-10
1/2" screen	50-80	20-50
#100 mesh sieve	0-15	85-100

COMPOST:

Compost used shall be a well decomposed, stable, weed free organic matter source. It shall be derived from: yard trimmings, agricultural, food, or industrial residuals. The product shall contain no substances toxic to plants, humans, or animals and shall be reasonably free (<1% by dry weight) of man-made foreign matter. The composted material will possess no objectionable odors and shall not resemble the raw material from which it was derived.

TOPSOIL:

Good topsoil is highly desirable, and may equal the value of soil amendments as far as encouraging growth. When good topsoil exists on site, the contractor may be required to strip and stock pile topsoil, and redistribute topsoil at a later time in the construction process. Topsoil shall be a fertile sandy clay loam. Topsoil shall be taken from the top 18-24" of a well-drained site, and be free from clay subsoil, stones, lumps, plants or their roots, sticks, stolons, seeds, high salt content, and other materials harmful to plant life, and shall be screened and meet the following mechanical analysis:

	%Passing	%Retained
1"screen	100	0
1/2"screen	97-100	0-3
#100 mesh sieve	60-40	40-60

Root stock of all material to be planted shall be kept moist at all times during transportation and on-site storage. Set and maintain the plants upright and straight throughout the entire on site storage and planting process.

COMPACTION:

It is very important to minimize compaction of the planting beds as well as stockpiled topsoil and imported topsoil. Whenever necessary and possible, use excavation hoers to remove original soils. If use of a loader is necessary, contractor should use wide track or light equipment with turf type tires. Use of equipment with large lugs, or high pressure tires will cause excessive compaction resulting in reduced infiltration rates and is not acceptable. Compaction will significantly contribute to design failure.

PLANT INSTALLATION:

1) Soil amendments shall be incorporated in the following manner; the soil surface shall be loosened by rototilling to a minimum depth of 18" (only when outside the drip line of existing trees). All materials over 1" in diameter shall be removed. The manure and organic compost mixture shall be evenly spread over the area at a rate of 12 cubic yards per thousand square feet, and shall be mixed thoroughly into the soil surface to a depth of 6 inches by means of a rototiller, soil mixer or similar apparatus. Adjusting agents (e.g. lime and sulfur) may be applied in conjunction at this time based on the soil tests, and approved by the Landscape Architect. When incorporating topsoil, it should be spread over the area to a minimum 4" compacted depth, and mixed lightly into the subsoil by means of a rototiller, soil mixer or similar apparatus. Amendments are to be spread and tilled into the soil uniformly.

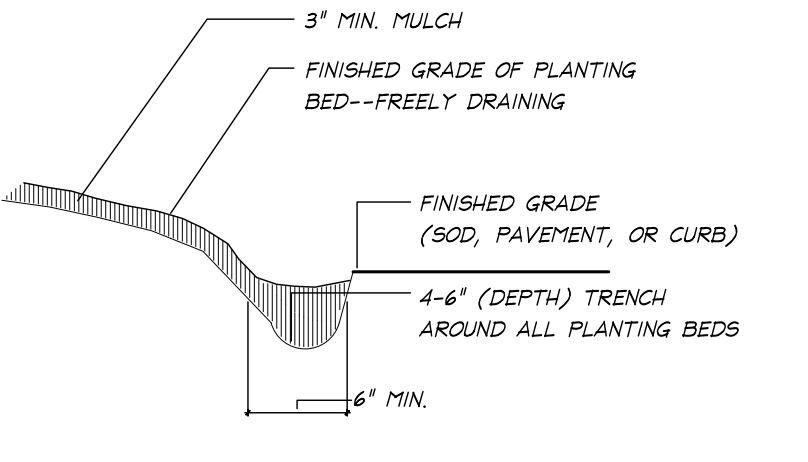
2) In situations where existing soil is to be excavated from non-turf planters and replaced as per planting plan notes, remove soil to specified depth. Replace soil with a mixture containing fifty percent (50%) coarse river sand, twenty-five percent (25%) organic matter, and twenty-five (25%) topsoil. Soil mixture will be subject to the same chemical and mechanical analysis described above. Composted organic matter used shall be a well decomposed, stable, weed free source. It shall be derived from: yard trimmings, agricultural, food, or industrial residuals. The product shall contain no substances toxic to plants, animals, or humans and shall be reasonably free (<1% by dry weight) of man-made foreign matter. The composted organic matter will possess no objectionable odors and shall not resemble the raw material from which it was derived. Topsoil shall be a fertile sandy clay loam. Topsoil shall be taken from the top 18-24" of a well-drained site, and free from clay subsoil, stones, lumps, plants or their roots, sticks, stolons, and seeds, high salt content, and other materials harmful to plant life. Mix soil mixture lightly into the subsoil by means of a rototiller, soil mixer or similar apparatus

3) Fertilize all plant beds and planters with a complete slow release fertilizer which has a 2-1-2 NPK ratio to stimulate root growth. Fertilize planting beds at a rate that will provide 2-3 lbs. of actual nitrogen per 1000 square feet in the planting bed. Prior to seeding or sodding, fertilizer with a 10-10-10 NPK ratio shall be spread evenly over the surface at the rate of five pounds per thousand square feet. Never shall fertilizers be added to the soil of a new planting bed or lawn area with NPK ratios higher than 10-10-10.

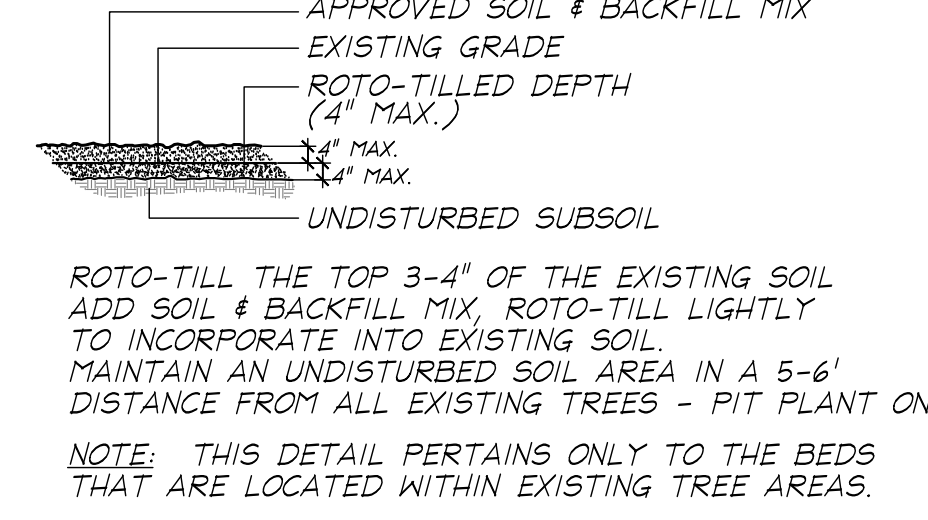
4) All planting beds within the drip line of existing trees are to be prepped with the addition of light topsoil amendments over the existing topsoil and vertical mulching. The vertical mulching should occur at 18" on center with a 1-1/2" auger, 12-15" deep. The augured holes are to then be filled with approved organic matter and mulches.

5) The diameter of the planting pit shall be at least six inches larger than the diameter of the planting ball for all trees and large shrubs. Trees and large shrubs shall be planted so 1/8 of the root ball is above final grade (at least 2" of root ball). All plants are to be installed with mycorrhizae, following manufacturer's directions. The top soil material should taper out around plant crowns, particularly with perennials.

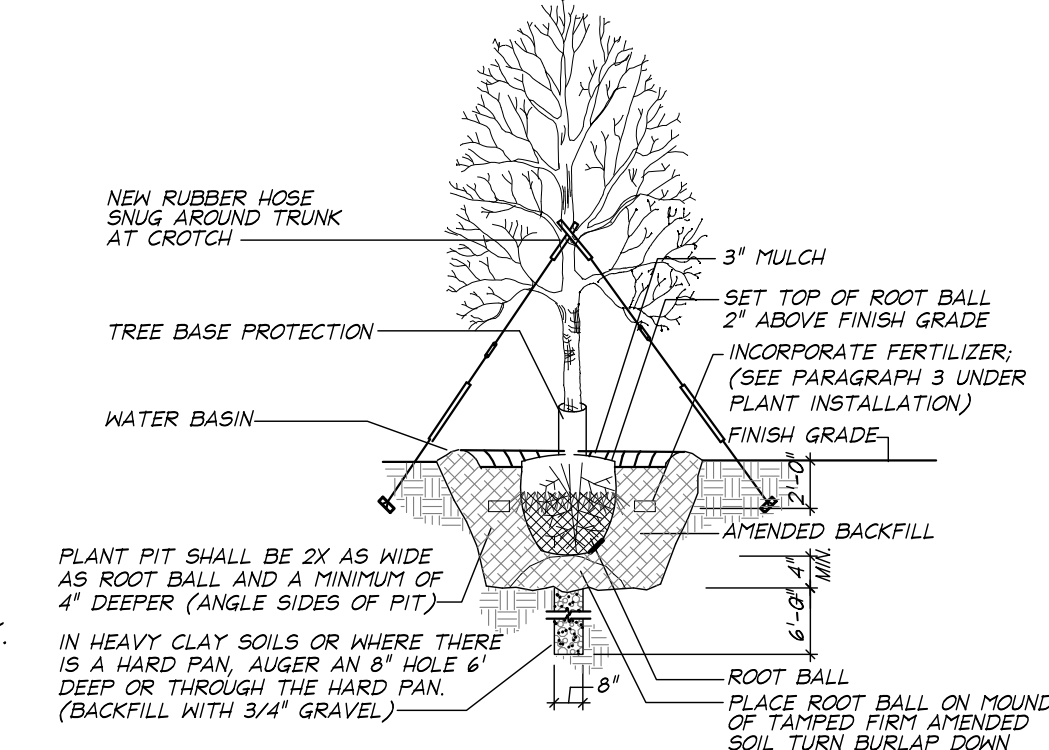
6) Thoroughly water the ground bed cover after installation. Contractor shall mulch planting beds to a depth of 2 1/2-3", not allowing mulch depth over 1" against any tree trunk. Shredded pine mulch is the only accepted mulch and must be aged a minimum of 6-12 months for acceptance. Hardwood mulch will not be accepted. Leave some organic matter on the surface.



1) PLANTING BED EDGE DETAIL
NOT TO SCALE



2) BED PREP DETAIL
NOT TO SCALE



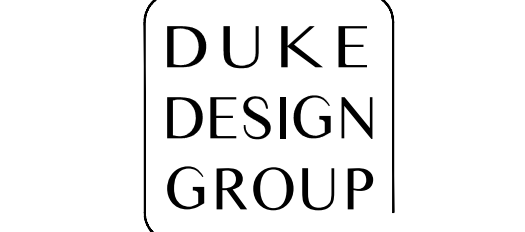
3) EVERGREEN & TREE GUYING DETAIL
NOT TO SCALE

A LANDSCAPE MASTERPLAN FOR THE:

BREWER RESIDENCE

906 OVERTON LEA ROAD
NASHVILLE, TENNESSEE

SHEET TITLE:
PROPOSED TREE PLANT SCHEDULE



33 MUSIC SQUARE WEST 106A
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SCALE: N/A

DRAWN BY: B. DINGLER

SHEET NUMBER:

L2.02