Permit #: 147 Permit Date: 03/19/24

Permit Type: Board of Zoning Appeals

Case Number: BZA 24-20

PC Meeting Date:

BZA Meeting Date: d. 3rd Tuesday of April

Assigned Meeting Date: 04/16/2024

Special Meeting Date:

Applicant Is: Contractor Applicant Name: Daniel Alley Applicant Address: 942A Strouse Ave. Applicant City, State, ZIP: Nashville, TN 37206

Applicant Phone Number: 6156426635

Applicant Email: danedevelopmentllc@gmail.com

Description: 1. Requesting height variance of 1'-6" for house addition. Current nonconforming house height is 37'-6". 2. Requesting

variance to construct five garage spaces, with 41 ft. of aggregate door opening width.

Project Cost: 0 Square Feet: 2031 Lot Area: 51556 Lot Coverage: 10989 Heat/cooled area: 8137 Proposed Height(ft.): 38 #of stories: 2

Lot Depth/Width Ratio: Avg. front setback of adjacent homes:

Zoning District: Zone C

Radnor Lake Impact Zone: No

Steep Slope: No Plat/Subdivison: No Status: Open

Fee

Assigned To: Stephen Snow

Property

Parcel # Address Legal Description Owner Name Owner Phone Zoning BAIRD GRAHAM 13214005000 875 ROBERTSON ACADEMY RD LOT 48 OAK HILL VALLEY

COMPANY, LLC., THE

Notes

Fees

Description \$250.00 Variance/Administrative Appeal Total \$250.00

Payments

Paid By Payment Type Description Date Accepted By Amount 03/19/2024 Daniel Alley BZA Application Fee 1024 Stephen Snow \$250.00 **Outstanding Balance** \$0.00

Uploaded Files

File Name Date

03/19/2024 03/19/2024 03/19/2024 03/19/2024 03/19/2024

18984225-875 Robertson Academy Tree Survey.pdf 18984226-Lipman Plans 2023-11-26 (1).pdf 18984227-Oak Hill Zoning Board Letter PDF.pdf 18984222-ROBERTSON ACADEMY ROAD 875 SITE 121523A (2).pdf 18984224-875 Robertson Academy Rd.SP 03-08-24.pdf

Amount

Daniel Alley
875 Robertson Academy Rd
Nashville, TN 37220
Oak Hill Board of Zoning Appeals
5548 Franklin Pike, Suite 101
Nashville, TN 37220
Dear Members of the Zoning Appeals Board,
I am writing to provide a detailed description of the proposed construction project and to elucidate the reasons why it necessitates a variance from the city ordinances.
The proposed construction entails the addition of a garage to the existing home with a request to increase the height above current limitations. The lot, unfortunately, presents several challenges that limit our options for expansion. Firstly, the lot is excessively narrow, rendering it impractical to extend the structure outward. Furthermore, the addition of the garage is essential not only for the owners' personal needs but also for maintaining the uniformity and aesthetic coherence of the home. It is paramount for us to ensure that any modifications are in harmony with the existing architectural design.
Additionally, the constraints imposed by setbacks from the waterway further restrict our ability to build outward. Responsibly, we must adhere to the mandated setbacks to preserve the integrity of the waterway/stream and to comply with local regulations regarding property development near waterways/streams. This limitation significantly influences our ability to expand horizontally, making the height of the garage the most viable and logical solution.
It is worth noting that the approval of previous home modifications was granted, considering the unique shape of the lot and the setbacks from the waterway. The precedent set by these approvals underscores the validity of our current proposal and further emphasizes the necessity of accommodating the specific circumstances of the property.
In conclusion, the proposed construction height of the garage is not a matter of preference but rather a practical necessity dictated by the inherent constraints of the lot and the regulatory framework governing setbacks from waterway/streams. We respectfully request your favorable consideration of our variance request, as it is essential for the improvement and functionality of the home.
Thank you for your time and attention to this matter.
Sincerely,
Daniel Alley

Front Desk

Subject:

FW: Variance request at 875 Robertson Academy Road

From: david@demarcofamily.org <david@demarcofamily.org>

Sent: Monday, April 15, 2024 7:29 AM

To: Code Officer < code.officer@oakhilltn.us>; katherynwardbooth@gmail.com

Cc: City Manager < citymanager@oakhilltn.us>

Subject: Variance request at 875 Robertson Academy Road

Kat and Stephen,

We are sending this to you since you are the only email addresses we have for the BZA. We received a notice about an upcoming variance request for 875 Robertson Academy Road. We live at 860 Robertson Academy Road. Our objection is to the proposed five car garage in zone C. As you know, Zone C does not allow 5 car garages. That is not a hardship, that is simply something that is not allowed. We don't see how that part of the request could be a hardship that meets all of the 9 requirements below. Specifically, we believe it would fail each of the required items 1, 2, 5, 6 and 7. But certainly item 6.

As an additional matter, only indirectly related, the current resident has multiple high performance cars that do not appear to have mufflers and backfire repeatedly. We have heard complaints from multiple residents regarding this noise. Anyone attempting to take a nap when they drive by will be rudely awakened. The noise is so loud, when outdoors, we can hear the cars travel down Robertson Academy Road, can tell whether they turn left or right on Franklin Pike, whether or not they have to stop at the light at Franklin Road and Harding/Battery and whether or not they to straight on Franklin Pike or turn right on Harding. We live .3 miles as the crow files from the Harding/Franklin Pike intersection.

Sincerely,
David and Jerri DeMarco
860 Robertson Academy Road

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.

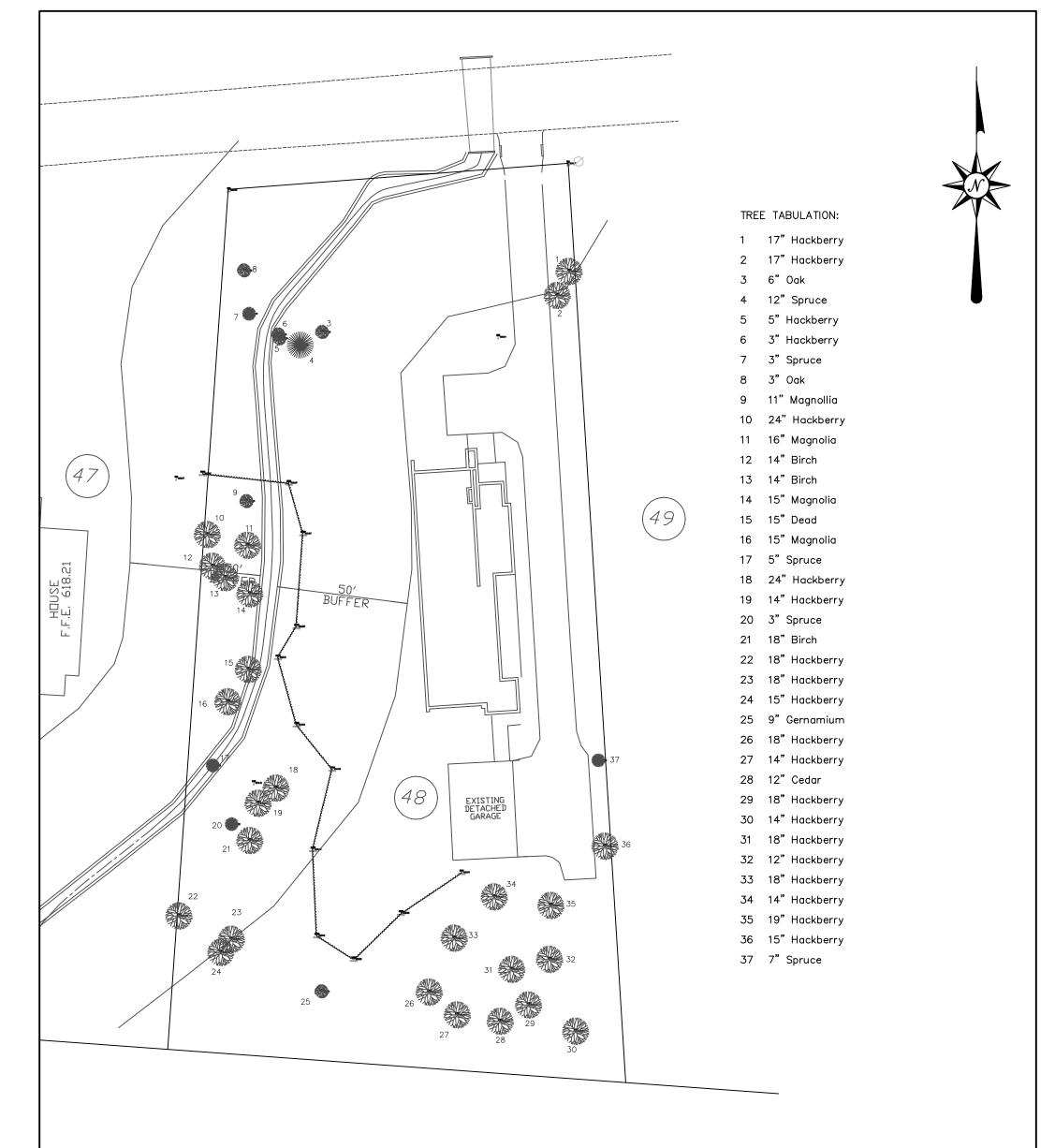
These hardships do not apply to Conditional Use Permits.

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.



GENERAL NOTES:

- 1. PROPERTY BOUNDARY LINES AS SHOWN HEREON ARE REFERENCED FROM A SITE PLAN CAD FILE PROVIDED BY CLIENT. THIS IS NOT A BOUNDARY SURVEY AS DEFINED BY TENNESSEE CODE ANNOTATED.
- 2. ALL DISTANCES WERE MEASURED WITH EDM EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
- 3. UTILITIES ARE NOT SHOWN AS PART OF THIS SURVEY.

PUBLIC UTILITY & DRAINAGE EASEMENT

MINIMUM BUILDING SETBACK LINE

R.O.W.C., TN. REGISTERS OFFICE WILLIAMSON COUNTY, TN

TREE SURVEY
OF
875 ROBERTSON ACADEMY RD.
NASHVILLE, TN 37220

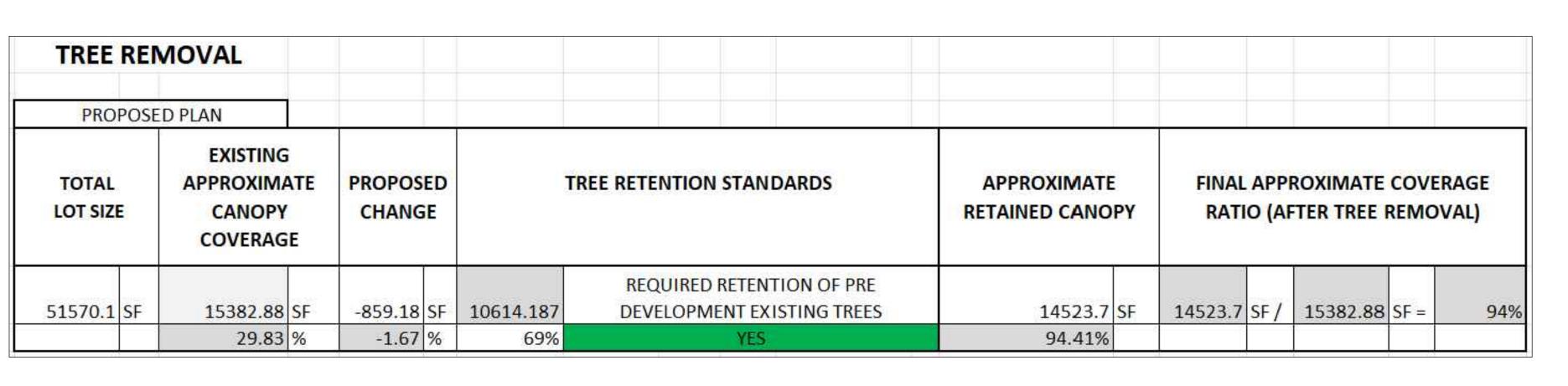
LOT NO. 48, PLAN OF OAK HILL VALLEY PLAT BOOK 1835 PAGE 15, R.O.D.C., TN. DAVIDSON COUNTY, TN. TAX PARCEL: 132.140 - 050.00

LEGEND: P.U.D.E.

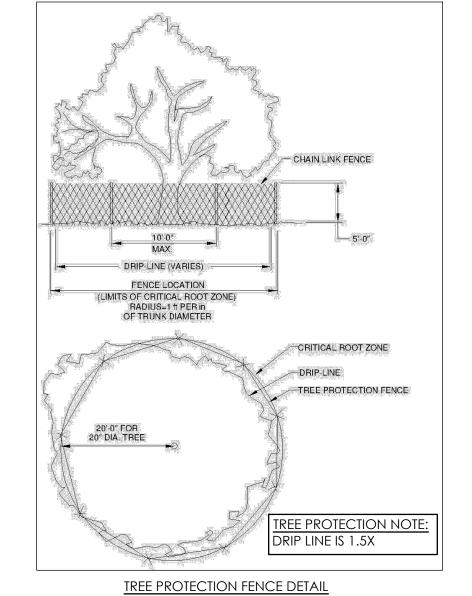
M.B.S.L.

HOMELAND SURVEYING & MAPPING, LLC

PROFESSIONAL LAND SURVEYING (615) 268-9658
Jake@HomelandTN.com
www.HomelandTN.com

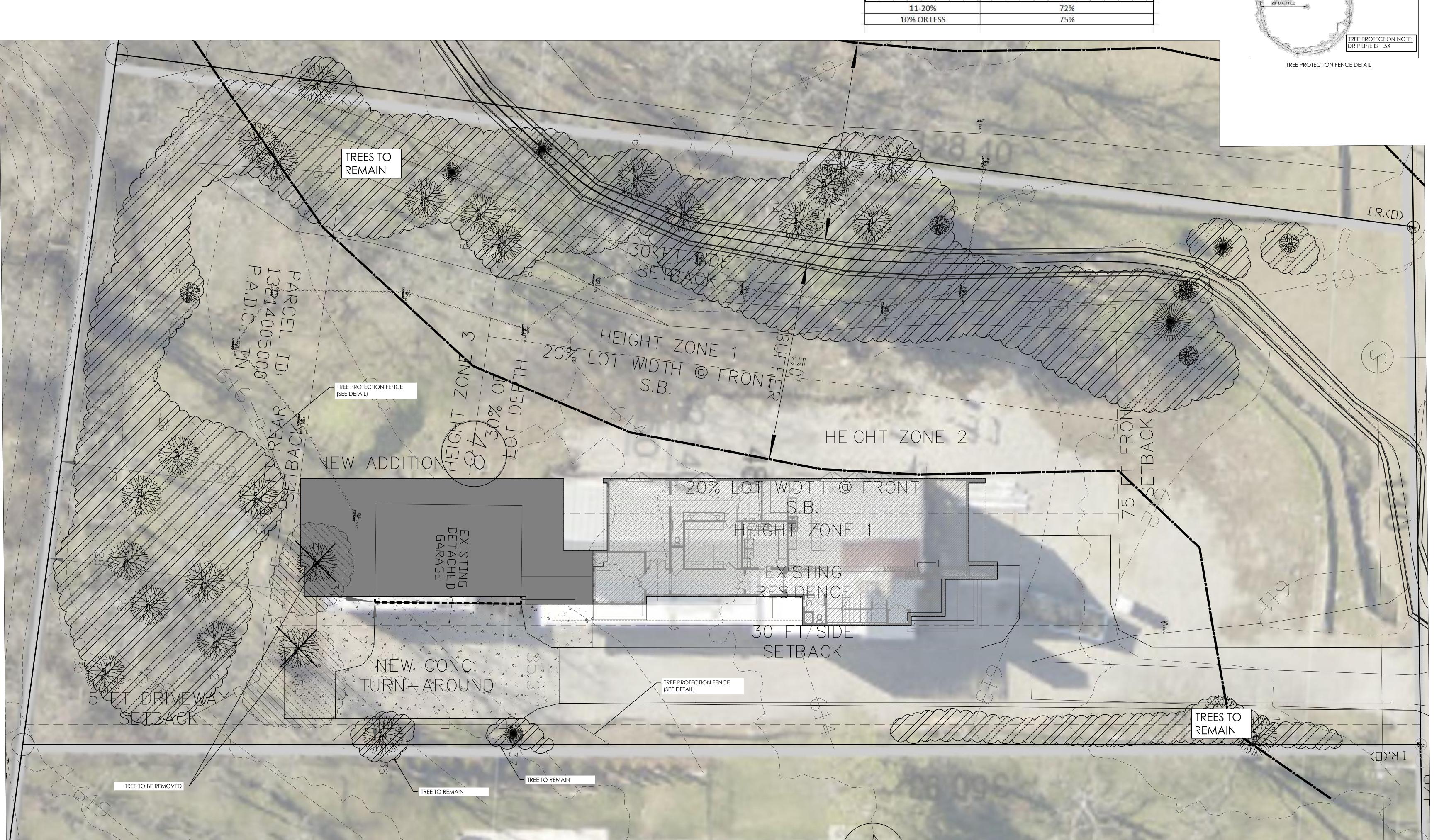


TREE RETENTION STANDARDS		
EXISTING TREES (TREE CANOPY COVER AS A PERCENT OF THE LOT SIZE	MINIMUM PERCENTAGE OF EXISTING TREES THAT SHALL BE RETAINED AND PROTECTED (AS A PERCENT OF THE TOTAL PREDEVOPMENT TREE CANOPY COVER)	
91-100%	48%	
81-90%	51%	
71-80%	54%	
61-70%	57%	
51-60%	60%	
41-50%	63%	
31-40%	66%	
21-30%///	69%	
11-20%	72%	
10% OR LESS	75%	



<u>SCALE: 1" = 10'</u>

The Addison Group, LLC 2023

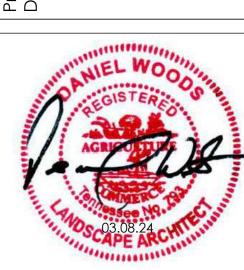


theaddisongrol

ACADEMT RD
ZONING

875 ROBERTSON AC

repared For: DANIEL ALLEY



2023 The Addison Group LLC Drawings, written material, and design concepts shall not be used or reproduced in whole or part in any form or format without prior written consent of The Addison Group,

DATE: 03.08.24

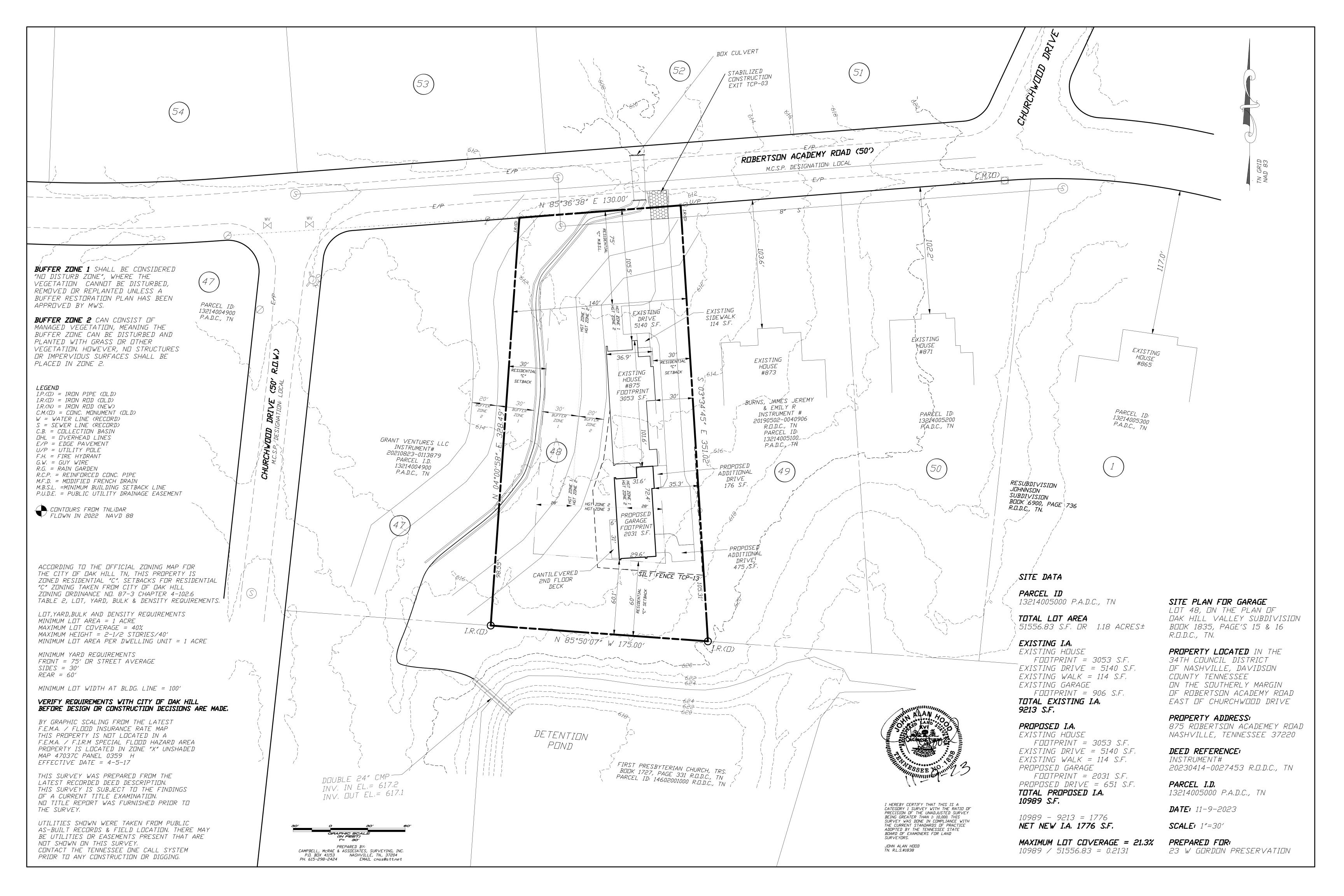
REVISIONS:

KE VIOLOT (O.

SHEET NO.

NOTE: BUILDER TO VERIFY SIDEWALK LOCATIONS IN THE FIELD BEFORE PROCEEDING WITH CONSTRUCTION NOTE: BUILDER TO VERIFY SPOT ELEVATIONS IN THE FIELD BEFORE PROCEEDING WITH SITE WORK.

TREE PROTECTION PLAN



REVISION

SHEET TITLE DATE A0.00 11/26/2023 SITE PLAN DIAGRAM A1.00 11/26/2023 FOUNDATION PLAN 11/26/2023 A1.02 GROUND LEVEL FLOOR PLAN 11/26/2023 SECOND LEVEL FLOOR PLAN 11/26/2023 A1.03 A1.04 **ROOF PLAN** 11/26/2023 A2.00 EAST ELEVATION 11/26/2023 A2.01 WEST ELEVATION 11/26/2023 NORTH & SOUTH ELEVATIONS 11/26/2023

REVISION LIST

DESCRIPTION DATE

GENERAL NOTES

PERMIT DRAWINGS

1. THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND REPRESENT ONLY THE DESIGN INTENT. ALL FOUNDATIONS, FRAMING, LUMBER, STRUCTURAL, AND NON-STRUCTURAL ELEMENTS ARE TO BE DESIGNED/SIZED BY A LICENSED ENGINEER AND/OR A QUALIFIED PROFESSIONAL.

2. THE CONTRACTOR/BUILDER SHALL COMPLY WITH ALL RELEVANT BUILDING CODES, ENERGY CODES, AND ZONING ORDINANCES.

3. THE CONTRACTOR/BUILDER SHALL LAY OUT THE ENTIRE BUILDING AND VERIFY SITE AND OVERALL DIMENSIONS PRIOR TO BEGINNING ANY CONSTRUCTION.

4. ALL RELEVANT ELEMENTS OF THE PROJECT SHALL BE REVIEWED AND APPROVED BY THE PROPER AUTHORITIES.

DIMENSIONS AS SHOWN ON PLANS.

5. FOUNDATION DIMENSIONS ARE SHOWN TO THE FACE OF MASONRY AND THE CENTERLINES OF PIERS, GIRDERS, AND WALLS ABOVE.

6. ALL EXTERIOR STUDS TO BE 2X6 @ 16" O.C., ALL INTERIOR STUDS TO BE 2X4 @ 16" O.C., UNLESS OTHERWISE NOTED.

7. ALL FLOOR PLAN DIMENSIONS ARE SHOWN TO THE FACES OF STUDS AND CENTERLINES OF OPENINGS UNLESS NOTED OTHERWISE. PROVIDE CLEAR

8. THE DESIGNER WILL NOT OVERSEE CONSTRUCTION AND SHALL TAKE NO PART THEREIN, THEREFORE THE DESIGNER ASSUMES NO LIABILITY FOR THE BUILDING METHODS USED TO CONSTRUCT THE DESIGN CONTAINED HEREIN.

9. IN THE EVENT OF ANY DISCREPANCIES AND/OR ERRORS FOUND IN THE DESIGN DRAWINGS, OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR AND OWNER TAKE RESPONSIBILITY OF COSTS AND ANY OTHER DAMAGES OR COSTS STEMMING THEREFROM.

10.BY UTILIZING THESE DRAWINGS, THE OWNER AND CONTRACTOR WAIVE ANY AND ALL CURRENT AND FUTURE CLAIMS AND/OR DAMAGES AGAINST THE DESIGNER.

L I P M A N RESIDENCE

PROJECT ADDRESS

875
ROBERTSON
ACADEMY RD
NASHVILLE
TENNESSEE
37220

DATE

NOV. 26, 2023

LIPMAN RESIDENCE

875 ROBERTSON ACADEMY RD. NASHVILLE. TENNESSEE. 37220

SHEET NUMBER

A0.00

GENERAL NOTES

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BUILDING DATA

EXISTING HEATED AND COOLED GROSS SF 3,009 SF LOWER + 2,448 SF UPPER = 5,457 SF

SHALL BE SOLELY RESPONSIBLE FOR RESOLUTION.

UNDERGROUND OR OVERHEAD UTILITIES.

2. NO GUARANTEES ARE EXPRESSED OR IMPLIED WITH RESPECT TO UTILITY

LOCATIONS AND SIZES SHOWN HEREIN. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT OCCUR BY THE

CONTRACTOR'S FAILURE TO VERIFY LOCATION AND SIZE OF ANY AND ALL

3. FINISH GRADE SHALL PROVIDE POSITIVE DRAINAGE AWAY FROM BUILDING

4. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THAT THE SITE IS SUITABLE FOR DEVELOPMENT. THE DESIGNER MAKES NO GUARANTEES TO

THE SITE, ITS SUBSURFACE, OR ENVIRONMENTAL CONDITION.

PROPOSED HEATED AND COOLED GROSS SF 2,068 SF LOWER + 1,466 SF UPPER = 3,534 SF

COMBINED HEATED AND COOLED GROSS SF 5,457 SF EXISTING + 3,534 SF NEW = 8,991 SF

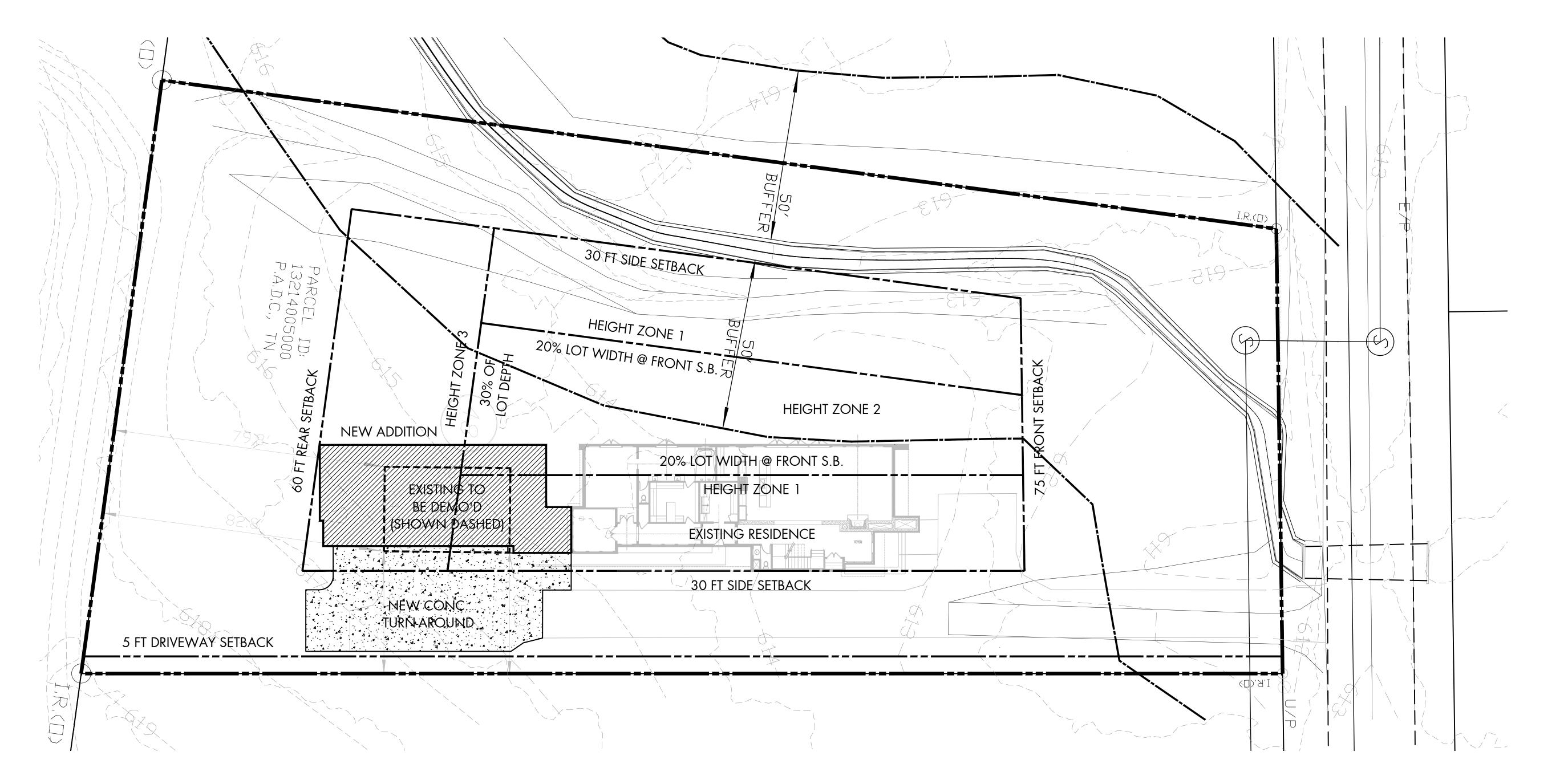
NEW TOTAL BUILDING FOOTPRINT 3,009 SF + 2,068 SF = 5,077 SF

51,557 SF EXISTING LOT SIZE @ 18% = 9,281 SF MAX ALLOW. FLOOR AREA

51,557 SF EXISTING LOT SIZE @ 30% = 15,467 SF MAX ALLOW. LOT COVERAGE

140 FT PROPERTY WIDTH AT FRONT SETBACK LINE

140 FT @ 20% = 28 FT WIDTH OF HEIGHT ZONE 1 EACH SIDE



L I P M A N RESIDENCE

PERMIT DRAWINGS

PROJECT ADDRESS

875
ROBERTSON
ACADEMY RD
NASHVILLE
TENNESSEE
37220

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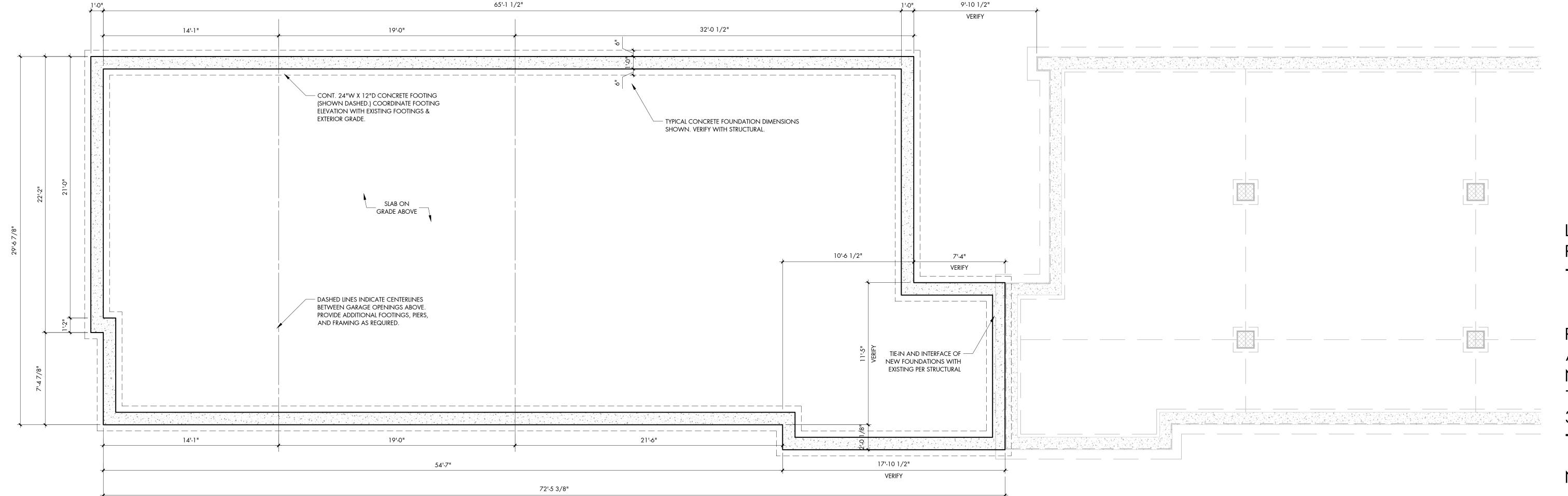
NOV. 26, 2023

SHEET NUMBER

SITE PLAN DIAGRAM

- A1.0C

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VERIFY PER REAR SETBACK

LIPMAN RESIDENCE

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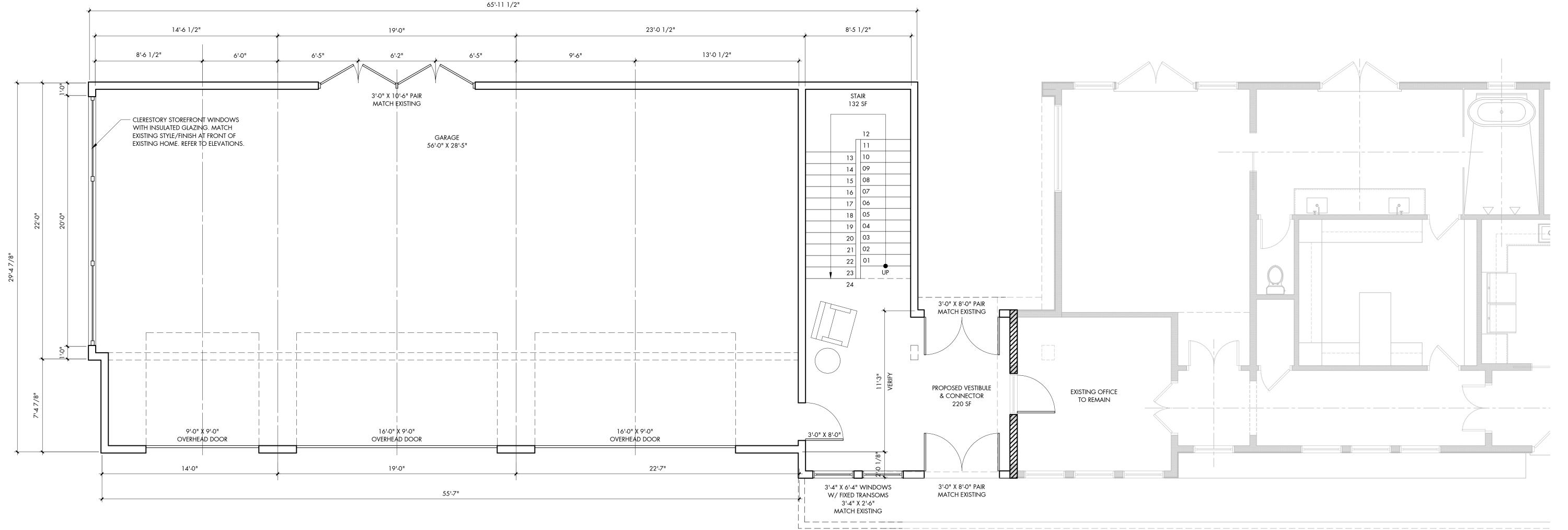
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SHEET NUMBER

FOUNDATION PLAN

- A1.0

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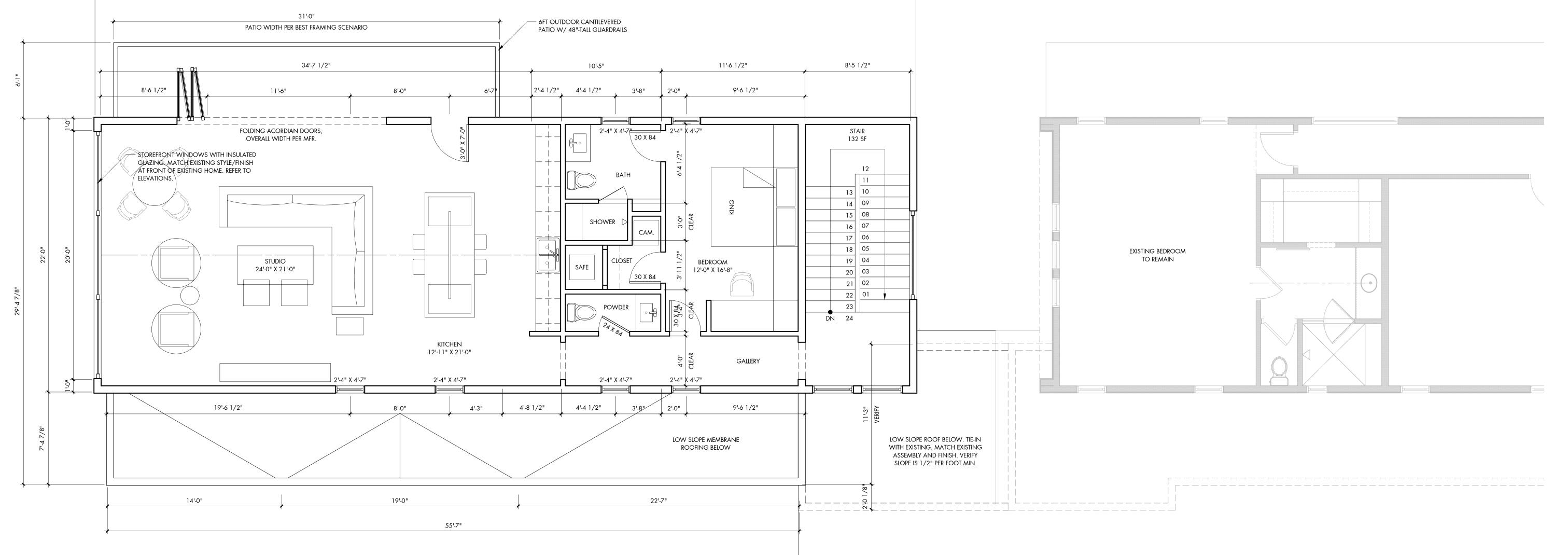
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65'-11 1/2"

L I P M A N RESIDENCE

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TENNESSEE
37220

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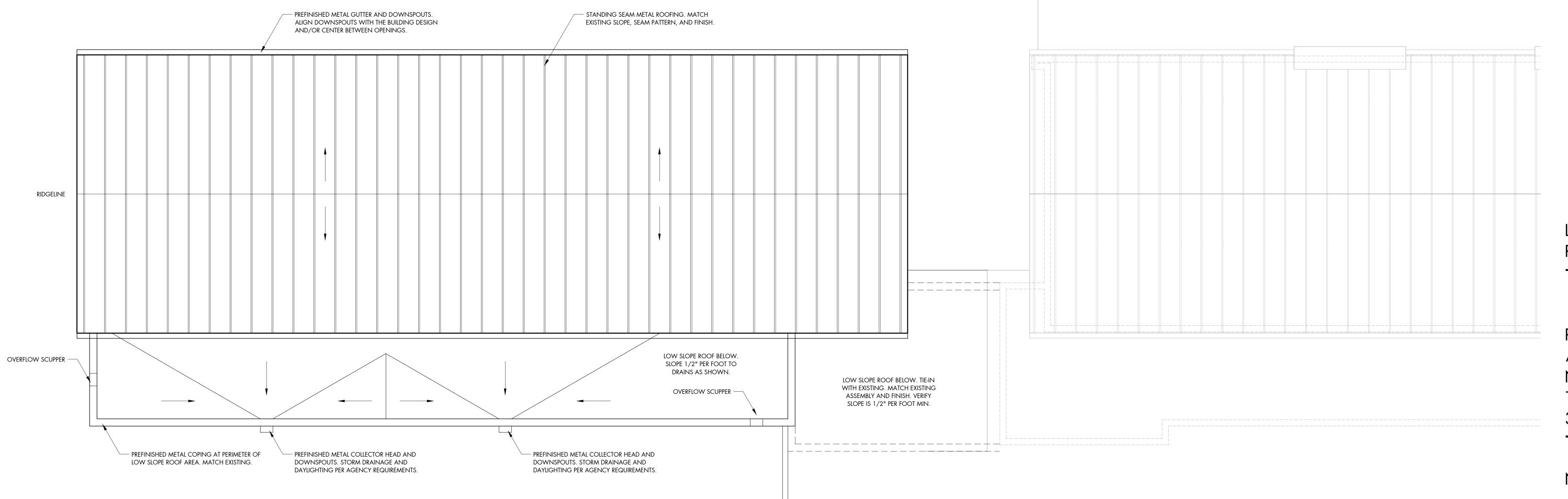
NOV. 26, 2023

SHEET NUMBER

SECOND LEVEL FLOOR PLAN

- A1.03

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LIPMAN RESIDENCE

PROJECT ADDRESS

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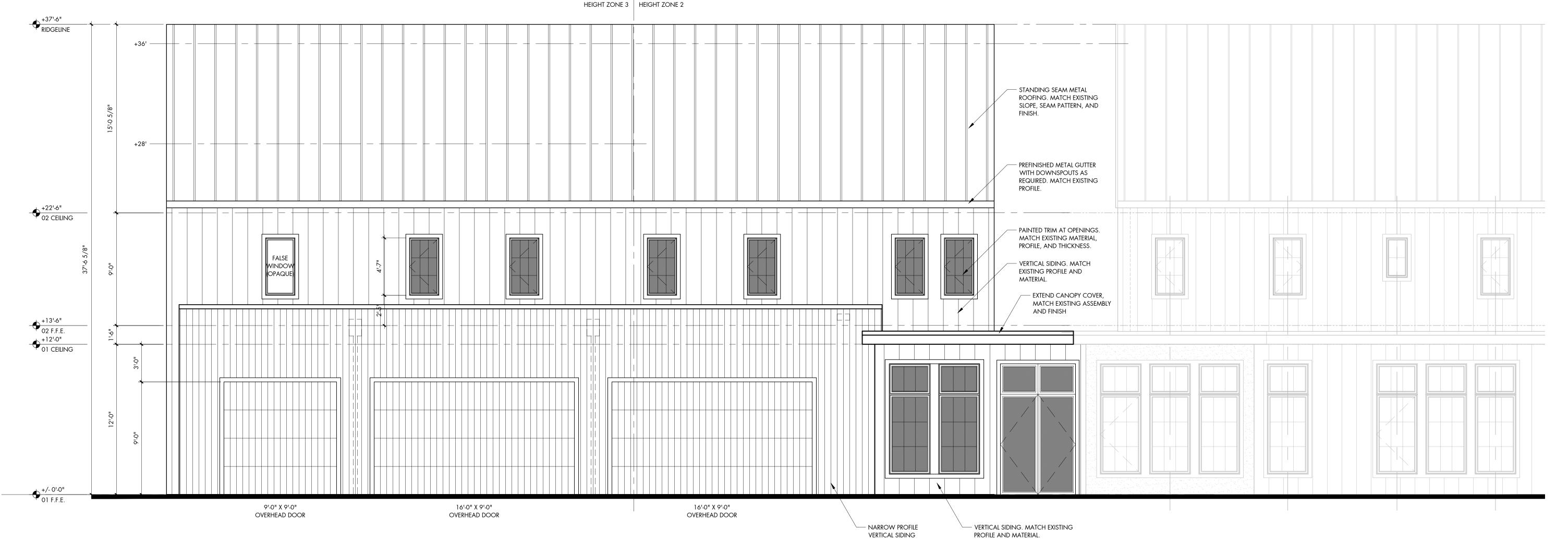
NOV. 26, 2023

SHEET NUMBER

ROOF PLAN

6"1' 2' 4' 8' A 1 . O 4

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- 9. IN THE EVENT OF ANY DISCREPANCIES AND/OR ERRORS FOUND IN THE DESIGN DRAWINGS, OR IF PROBLEMS ARE ENCOUNTERED DURING CONSTRUCTION, THE CONTRACTOR AND OWNER TAKE RESPONSIBILITY OF COSTS AND ANY OTHER DAMAGES OR COSTS STEMMING THEREFROM.
- 10.BY UTILIZING THESE DRAWINGS, THE OWNER AND CONTRACTOR WAIVE ANY AND ALL CURRENT AND FUTURE CLAIMS AND/OR DAMAGES AGAINST THE DESIGNER.



L I P M A N RESIDENCE

PROJECT ADDRESS

875
ROBERTSON
ACADEMY RD
NASHVILLE
TENNESSEE
37220

DATE

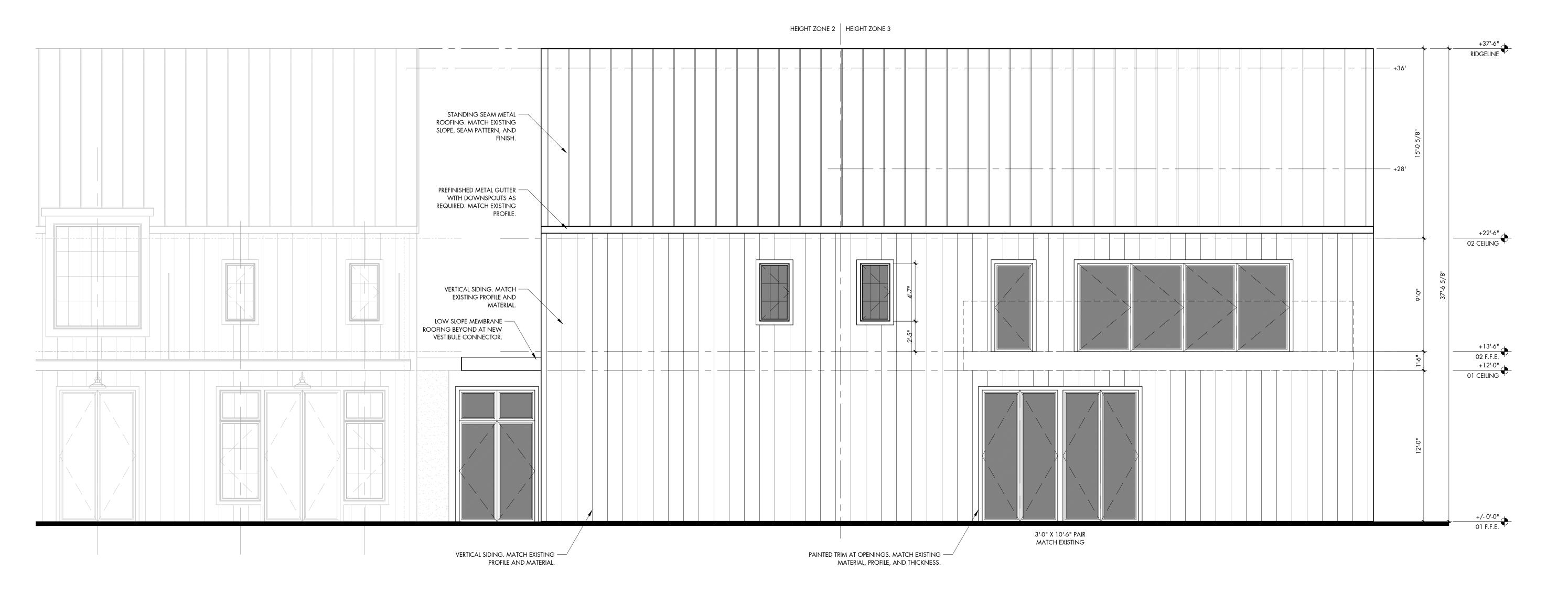
NOV. 26, 2023

SHEET NUMBER

EAST ELEVATION

A2.00

- THESE DRAWINGS ARE DIAGRAMMATIC IN NATURE AND REPRESENT ONLY
 THE DESIGN INTENT. ALL FOUNDATIONS, FRAMING, LUMBER, STRUCTURAL,
 AND NON-STRUCTURAL ELEMENTS ARE TO BE DESIGNED/SIZED BY A
 LICENSED ENGINEER AND/OR A QUALIFIED PROFESSIONAL.
- 2. THE CONTRACTOR/BUILDER SHALL COMPLY WITH ALL RELEVANT BUILDING CODES, ENERGY CODES, AND ZONING ORDINANCES.
- THE CONTRACTOR/BUILDER SHALL LAY OUT THE ENTIRE BUILDING AND VERIFY SITE AND OVERALL DIMENSIONS PRIOR TO BEGINNING ANY CONSTRUCTION.
- 4. ALL RELEVANT ELEMENTS OF THE PROJECT SHALL BE REVIEWED AND APPROVED BY THE PROPER AUTHORITIES.
- 5. FOUNDATION DIMENSIONS ARE SHOWN TO THE FACE OF MASONRY AND THE CENTERLINES OF PIERS, GIRDERS, AND WALLS ABOVE.
- 6. ALL EXTERIOR STUDS TO BE 2X6 @ 16" O.C., ALL INTERIOR STUDS TO BE 2X4 @ 16" O.C., UNLESS OTHERWISE NOTED.
- 7. ALL FLOOR PLAN DIMENSIONS ARE SHOWN TO THE FACES OF STUDS AND CENTERLINES OF OPENINGS UNLESS NOTED OTHERWISE. PROVIDE CLEAR DIMENSIONS AS SHOWN ON PLANS.
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LIPMAN RESIDENCE

PROJECT ADDRESS

875
ROBERTSON
ACADEMY RD
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TENNESSEE
37220

DATE

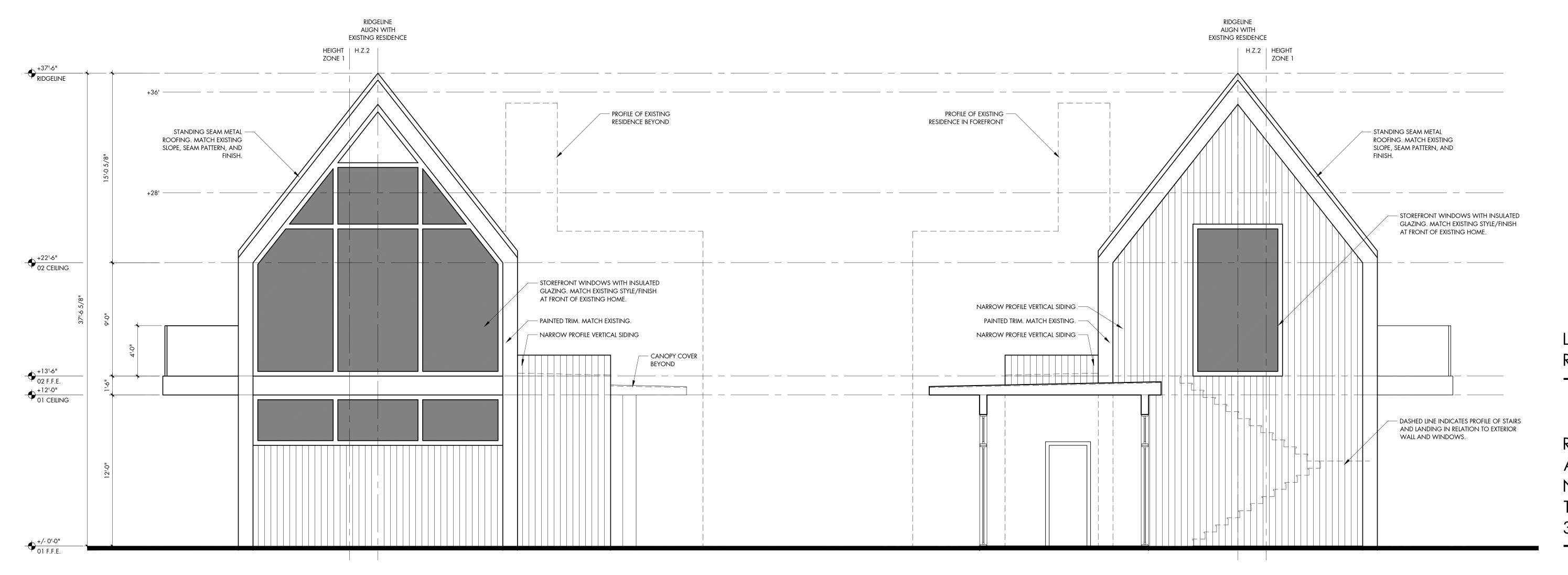
NOV. 26, 2023

SHEET NUMBER

WEST ELEVATION

*- **A2.0**

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L I P M A N RESIDENCE

PROJECT ADDRESS

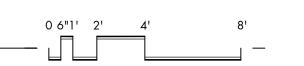
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DATE

NOV. 26, 2023

SHEET NUMBER

SOUTH ELEVATION



NORTH ELEVATION

- A2.02