

MINUTES
BOARD OF ZONING APPEALS
THE CITY OF BELLE MEADE
MARCH 15, 2016

Call to Order

The meeting was called to order by Brian Smallwood, Chairman, at 5:00pm.

Board members present

Mary Ann Blaufuss Brian Smallwood Pete Zabaski
Carole Nelson Mal Wall

Staff members present

Lyle Patterson, Building Official Linda Berner, City Recorder
Beth Reardon, City Manager Bob Patterson, City Attorney
Kemishia Sadler, City Court Clerk

Conflicts - Smallwood to recuse himself from the Hundley appeal

NEW BUSINESS

- 1. Angela Murphy - 4409 Tyne Blvd (16031)
Special Exception - addition
Building permit denied:
 - A. Addition is outside the building envelope but within existing setbacks.

Presentation: Sharon Pigott - architect
The appellants are asking for a screened porch adjacent to the living room.

Board Questions/Comments:

Q: Is this a side setback issue?
A: Yes.

Audience question/comments: None

Board Discussion/Findings:

- Straightforward request and under allowables

Motion to approve: Nelson Second: Wall Vote: All aye

- 2. James Hundley - 4407 Howell Pl (16032)
Special Exception - addition
Building permit denied:
 - A. Addition is outside the building envelope but within existing setbacks.
 - B. House exceeds maximum height.

Presentation: Jim Nickle, architect
The request is to remove an existing terrace to build a one story addition to extend the kitchen. This addition will be outside the building envelope by approximately two feet. The second part of the appeal refers to a portion of the building addition to the rear of the house which exceeds the 25' height limit.

Board Questions/Comments:

Q: Does the part of the addition that exceeds the height limit have a function?
A: No, it is just an esthetic continuation of the roof form.
Q: How far over the height is the addition?
A: Approximately 8 feet deep and 5 feet at the peak of the triangular portion.

Q: Can you show a photo of the existing rear portion of the house?
 A: (Shown) it is one story with attic space
 Q: Is the front roof extension larger than the back roof extension?
 A: No, it is symmetrical.
 Q: Would it be effectively esthetic if the rear roof portion is lowered?
 A: Yes

Audience question/comments: None

Board Discussion/Findings:

- Not seeing an argument to extend the height 5' past the required limit.
- One neighbor didn't seem bothered. Is there a precedent? (yes, one within the last two years)
- If the dormer on the front is not over the limit, why is the back? (rear setback - property is in Residence B)

Decision to be determined in two parts:

Item A: Motion to **approve**: Zabaski Second: Blaufuss Vote: All aye *
 Item B: Motion to approve: Wall Second: None Motion fails due to lack of second
 Item B: Motion to defer for 30 days: Zabaski Second: Nelson Vote: All aye*

*Smallwood recused himself from voting

3. Marv Green - 4412 Warner Pl (16033)
 Special Exception - fence, grade change
 Conditional Use - swimming pool
Building permit denied:
 A. Fence is other than in permitted location.
 B. Grade change more than 21 inches requires BZA approval.
 C. Swimming pool requires BZA approval.
 D. Wall is other than in permitted location.

Presentation: Clay Trabue, landscape architect
 The request is to raise the grade of an approximate 200 square feet area to protect an existing garage and to control water drainage; offset the fence by 8' from the back right corner of the house to be out of the way of utilities and a proposed terrace; add a pool; and add a masonry wall by the pool to screen the pool equipment.

Board Questions/Comments:

Q: Looking from the street, what is at the front of the house on the left?
 A: A sunroom.
 Q: Will there be landscaping in front of the fence?
 A: Yes, hedges.
 Q: Will there be anything on the back of the wall by the pool equipment?
 A: It will remain open but some plantings will be added.
 C: There needs to be sound abatement for the neighbors from the noise.
 A: We can put up a 3' fence as well as plantings.

Audience question/comments: None

Board Discussion/Findings:

- Like the idea to abate the noise with fencing around the pool equipment.
- There is so much house that it will be hard to tell where the fence is located, so don't have a problem with the fence coming forward from the back corner.

Motion to approve with the stipulation that there will be some sound attenuation on the back of the pool equipment wall: Wall Second: Blaufuss Vote: All aye

4. Govan White - 114 Belle Meade Blvd (16034)

Special Exception - addition

Building permit denied:

A. Addition is outside the building envelope but within existing setbacks.

Presentation: Mark Harrison, architect

The request is to expand the dining room by moving the adjoining wall into the kitchen, then expanding the kitchen wall out by 2ft. It will be a two-story addition.

Board Questions/Comments:

Q: Why not ask for 2 feet all the way to the back?

A: Showed the side elevation where the garage is located. If the addition is "pulled out" even with the existing footprint, there will be a two story wall addition crashing into the one story roof.

Audience question/comments: None


Board Discussion/Findings:

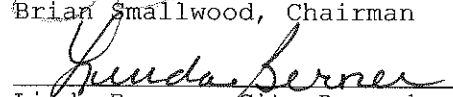
Motion to approve: Zabaski Second: Nelson Vote: All Aye

Consideration of the Minutes:

Nelson motioned approval, Blaufuss seconded. Vote: All aye

Meeting adjourned at 5:46pm.



Brian Smallwood, Chairman


Linda Berner, City Recorder