

83

MINUTES
BOARD OF ZONING APPEALS
THE CITY OF BELLE MEADE
June 21, 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	Kemishia Sadler, City Recorder
Beth Reardon, City Manager	Bob Patterson, City Attorney

Conflicts - None

NEW BUSINESS

1. Luke Duggan - 310 Walnut Drive (16061)
Conditional Use - Swimming pool
Special Exception - Grade change
Building permit denied:
 - A. Swimming pool requires BZA approval
 - B. Grade change requires BZA approval

Presentation: Tara Armistead - landscape architect

The request for conditional use of the pool was brought before the Board in April. The original size of the pool was 20'x 40' at 800 square feet. The revised design has been reduced to 15'x 28' at 427 square feet. A 2' raised wall was added on one end for noise abatement as well as a water feature. The size of the pool relative to the back yard is about 3% and 1.9% of the total lot. The allowed is 3% of the total square footage. The depth of the pool was also decreased to 5' at the deep end and 3' at the shallow end. The back property line has a wall and backs up to Metro city limits. On either side and to the rear, trees will provide screening for the property. The homeowners are also requesting permission to fill more than 21 inches on the left side of the pool. It allows for a level area around the shallow side of the pool with respect to the storm water plan.

Board Questions/Comments:

Q: What is the grade change in that area?

A: 25"

Q: Where is the pool equipment?

A: I have not determined where that needs to be since it is a smaller pool. I would probably tuck it in the area behind the shallow end of the pool.

Q: The pool is inside the setbacks?

A: Yes it is. We wanted to make sure that it was within the setbacks and within the allowable square footage. I am trying to scale it much smaller and it is about half the size it was.

Q: The size of the pool I understand is 15'x 28'. Does that include the coping?

A: It does. That is the outside measurement.

Q: And you are still not going to do any decking around it? Is it just grass?

A: No decking. We included it all in our calculations.

Audience Questions/Comments: None

Board Discussion/ Findings:

- I like that the neighbors are supportive of it. I know that they don't make decisions but it is nice when you can see that they're not going to be upset or concerned.
- I don't like the swimming pool on a long skinny lot but the other side of that argument is that both of the adjacent property owners are willing to put in writing that they are in favor of the project.
- What is the possibility when the applicant has sold the house and the previous owners have moved on- is this still something that the city still needs?
- (Smallwood)At 18" for a water feature, would that be an accessory use?
(B. Patterson) Yes. Anything under 18" is considered an accessory use.
- Concerns about the overall size of the lot, which is quite small. The three other pools that are on the street are on significantly larger lots in comfortable with. The geometry of the lot that you have is an advantage in some respects because it is a very deep lot. When it comes to the pool, the deepness of that in acreage means that it has to be thin and that makes you much closer to your neighbors. The geometry of this lot puts the pressure point side to side rather than to the back.
- I appreciate that the applicants went through the effort of looking at pools on somewhat similar lot sizes. I believe that theirs is slightly smaller than all but one on here (map). What it doesn't tell us is when some of these were built. The rules have changed at some point in time.
- The backyard does appear to be larger than a normal back yard. The back of the house is set forward so there is this perception that it is a larger area in the back that what the size of the lot would suggest.
- Is the existing house within the building envelope?
Yes.
- It sits a little forward doesn't it?
Yes. It sits a little forward.

Motion to approve the application as submitted: Zabaski Second: Wall
 Vote: Zabaski, Wall, and Nelson voted for, Blaufuss and Smallwood against.
 Motion was passed due to majority vote.

 Consideration of the Minutes:

Minutes 4/19/2016
 Motion to approve: Blaufuss Second Nelson Vote: All aye.

Minutes 5/17/2016
 Motion to approve: Nelson Second: Blaufuss Vote: All aye.

Meeting adjourned at 5:31pm.

Brian Smallwood
Brian Smallwood, Chairman

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Kemisha Sadler
Kemisha Sadler, City Recorder