

097

MINUTES  
BOARD OF ZONING APPEALS  
THE CITY OF BELLE MEADE  
OCTOBER 17, 2016

**Call to Order**

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

**Board members present**

Brian Smallwood                      Craig Andreen                      James Edwards  
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. Dan Cook - 332 Walnut Drive (16101)  
Conditional Use- Construction of a Pool.  
Building permit has been denied:
  - A. Pool requires BZA approval.

**Presentation:**

Dan Cook - Homeowner

Mr. Cook presented a diagram with an 18x18 foot pool in the middle of a courtyard. The pool faces the King residence at 334 Walnut on the opposite side and sits about 80' away. The homeowner has plans to augment the existing landscape as a buffer between the pool and the property line for noise and privacy. The pool is 60% of the allowable size and within the building envelope and setbacks.

**Board Questions/Comments:**

Q: The windows on the top of the drawing in the courtyard-do they go down to the floor?

A: Yes. From the living room it is two steps down but the kitchen is on grade.

Q: And then you have a set of steps that go down toward the garage on the rear of the property?

A: Currently yes. But I think what we will do is not have any steps whatsoever and just make that a courtyard. This was envisioned without a pool.

Q: Where is the garage under the addition?

A: The garage is under the master.

**Audience Questions/Comments:** NONE

**Board Discussion/ Questions:**

- The biggest concern that I have is the noise. I am not a big proponent of pools on small lots. This is a half-acre site. That does not leave a lot of property to have the sound escape. The neighbor on the plan's north side will be shielded by the house. But the neighbor to the south side not only gets the noise from the pool but also gets the reflection of the noise off of it.
- The pool is as close to the neighbors as it can physically get while still being inside the building envelope and it is as large as you can physically

098 in that courtyard area and it seems like a lot of the noise will be directed towards the neighbor.

- If the pool had been located to the rear of the property where the noise could dissipate, I think that it would be a much more favorable location. But, the house and addition are built and we do not have that option to suggest.
- I agree. It is a largely rectangular shaped lot. When you walk out where the edge of the pool would be to where the fence line is, it is pretty tight. From the noise dissipation perspective, it is a difficult location for that neighbor. I agree for the size of the lot and location that there's not a great solution but this could be a hardship for that neighbor.
- I agree with what you're saying. I don't like them (pools) on the ½ acre lots to start with and this one is a tight fit.

**Board Questions:**

Q: The King residence is your next door neighbor at the corner of Abbott Martin and Walnut. Do we know how far the pool edge is from his house?

A: From Google Earth, it looks like it's about 80'.

Q: Is it perceived to be a constant depth pool?

A: It is 4 to 6'. So it is relatively constant.

Q: But there's not necessarily a really deep end and a really shallow end?

A: It is really not big enough to have that.

**Board Discussion:**

- My history with landscaping is that it does not do a good job keeping that type of noise out. I'm not sure that a wall would be better.
- If we could secure a letter from Mr. King that his family has no objection, I would be in favor of it.
- One thing that this board is tasked with is not just the set of neighbors and owners that we have right now but the impact of the decisions that we make to subsequent owners.

Motion to approve if a letter of approval can be secured by Mr. King at 334 Walnut: Edwards Second: None

Motion failed due to lack of second.

Motion to deny: Andreen Second: Wall Vote: All aye.

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2. Jerry Bellar - 4411 Harding Place (16102)  
Special Exception - Construction of an addition.  
Building permit has been denied:

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

**Presentation:**

Jackie Bellar - Homeowner

Mrs. Bellar presented plans to put a screened porch on top of their existing deck. They do not plan to make it any larger but would like to extend the roof line from the den over the garage to cover the porch.

**Board Question/ Comments:**

Q: The portion outside of the existing envelope is 1'?

A: Yes

Q: Are there any volume issues?  
A: No.

Audience Questions/ Comments: NONE

Board Discussion/ Findings:

Q: What is the space under the ground floor now?  
A: It is a plant room. It is not a greenhouse but a place for keeping plants during the winter.  
Q: The glass cover is only on this portion when you look at it on the plans?  
A: That's correct.

Motion to approve: Edwards Second: Wall Vote: All aye.

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3. St. Georges Episcopal Church Kindergarten (16103)  
Special Exception- Construction of a storage shed.  
Building permit has been denied:

A. Accessory buildings and detached structures require BZA approval.

Presentation:

Zee Pendleton - Director  
Ms. Pendleton requested an additional storage shed to the right of the existing storage on the back parking lot.

Board Question/ Comments: NONE

Audience Questions/ Comments: NONE

Board Discussion/ Findings: NONE

Motion to approve: Wall Second: Andreen Vote: All aye.


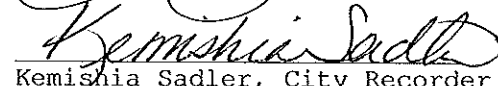
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Consideration of the Minutes:

Minutes 9/20/2016

Motion to defer minutes: Andreen Second: Wall Vote: All aye.

Meeting adjourned at 5:40pm.

  
Brian Smallwood, Chairman  
  
Kemishia Sadler, City Recorder

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