

MINUTES  
MUNICIPAL PLANNING COMMISSION  
CITY OF BELLE MEADE  
DECEMBER 20, 2016

**Call to Order**

The meeting was called to order by Steve Horrell, Chairman, at 4:00pm.

**Board members present**

Steve Horrell	James Hastings	John Eason	Jim Hunt
Alice Mathews	Bob Weigel	Nick Spiva	Charlie Atwood
Larry Wieck			

Gloria Sternberg attended meeting via telephone but was not included in voting.

**Staff members present**

Lyle Patterson, Building Official	Bob Patterson, City Attorney
Kemishia Sadler, City Recorder	Beth Reardon, City Manager

**Agenda Items**

1. Approval of Minutes from November 15, 2016  
Motion to approve: Eason                      Second: Mathews                      Vote: All aye

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2. The application of Mr. Brian Brown (PC16101), 515 Jackson Blvd. for the subdivision of lot 6 Davis Estate into two lots and if necessary, to establish front setback lines.

Chairman Horrell reminded the commission and attendees that this application had been discussed at length in prior meetings, and asked that comments be confined to matters not previously addressed to the committee. He noted further that the committee had received communications from counsel for both the applicant and those opposed to the application. He noted that the committee had discussed in prior meetings the criteria by which it would be guided in exercising its discretion to review this application.

**Presentation:**

Jason Callen, attorney for the Browns at 515 Jackson Blvd, stated that the Browns met with a group of the surrounding neighbors in an attempt to reach a compromise concerning the subdivision of the property at 515 Jackson Blvd. They were not able to reach an agreement. Mr. Callen reiterated points that the proposed two lots will meet the size requirements as per the zoning code. The average size of the lots in the neighborhood is 72,000 square feet and the two proposed lots at 515 Jackson Blvd are 60,000 and 82,000 square feet. The setbacks are established from Jackson Boulevard and the side setbacks are from Gerald Place on one side and Truxton Place on the other. The minimum side setbacks are required to be 20% of the total lot width. The Browns used 30% to determine side setbacks to yield more green space.

Brian Brown- Property Owner

The Browns purchased the property with the plan to subdivide. The original house designed for this lot was not their ideal home. They decided on a plan

to build a home that fit in to the neighborhood under the guidelines that the City requires on one of the proposed lots.

**Board Questions/Comments:**

Q: What is the setback from Jackson Blvd to the front of the house on both lots?

A: It is 120'.

Q: What is the side setback from Gerald Place?

A: 69'.

Q: It appears from the sketch, that the side setback on Gerald Place is more forward than the average envelope of the houses on Gerald Place?

A: That is true. With a corner lot, you will end up with a building envelope that is sitting farther up than the neighboring property.

Q: What is the average of those three houses?

A: It would be 124.3'

Q: Would Jackson Blvd be the same scenario?

A: Yes it would be less than 120'. Maybe around 100'.

Q: What are the setbacks for the house on the corner of Truxton Place and Jackson Blvd?

A: The front setback is 163' and the side setback is 84'.

Q: What are the proposed setbacks for 515 Jackson Blvd?

A: 120' and 75'.

**Audience Question/Comments:**

Chris Whitson- Attorney representing neighbors in opposition of subdivision of 515 Jackson Blvd. (1) the Planning Commission does not have authority to approve the proposed subdivision under the Belle Meade subdivision regulations because building permits for the resulting new lots could not be issued as a matter of right, (2) the Planning Commission does not have discretion under the recent amendment to the zoning code to approve the proposed new building envelopes because the existing corner lot is suitable for construction of a dwelling, and (3) even if the Planning Commission did have authority and discretion then it would be in the interest of the neighbors and the City of Belle Meade to reject the proposed subdivision because the increased density and reduced setbacks are not in harmony with the existing development in the neighborhood.

Gary Parkes- 4411 Truxton Place, spoke in opposition of the subdivision of 515 Jackson Blvd. He stated that the proposed subdivision is not consistent with the historical development of the existing homes and setbacks in the neighborhood. He was concerned about precedence and what would happen in the future if the Board allowed the property to be subdivided.

Owen Jones- 621 Westview Ave, spoke against the proposed subdivision in that it will not be in harmony with the rest of the neighborhood. He insisted that harmony included both sides of the street and precedence in the future.

**Board Discussion/Comments:**

- This property is about three acres but it has a shape and a layout that is different from most three acre lots. It is not being divided in half but in another unusual lot combination. Less than 70' on Gerald Place is not satisfactory.

Motion to approve: Horrell Second: NONE  
due to lack of second. Application denied.

Vote: Motion failed

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3. The application of Roads Zimmerman (16121), 0 Canterbury Drive, for the combining of lots 7 & 8.

**Presentation:**

L. Patterson stated this this is to combine parcels into one lot so that appellants can make modifications to their property in accordance with the city's zoning laws.

**Board Questions/Comments:**

Q: How many square feet is that lot?

A: 62,391 square feet.

Q: Is this combining with a lot that is unbuildable now?

A: It is being combined with a lot that has a house on it now.

**Audience Question/Comments:** NONE

**Board Discussion/Findings:**

Motion to approve: Spiva Second: Wieck Vote: All aye

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4. The consideration of Ordinance 2016-8, Amend Title 14, Section 204 of the City Code to (1) replace the "flat" as used to describe flat roofs and to define "low slope" roofs and (2) to establish new height limitations for residential structures.

**Presentation:**

L. Patterson stated that this ordinance is to amend the maximum height of a residential structure from thirty-five feet to forty feet and to raise the maximum along the sides and rear from forty-five feet to fifty feet. Section 204 was modified to replace "flat" roof with the term "low slope" for any dwelling with a roof less than 6:12 pitch. Only 30% of the roof can be considered low slope.

**Board Questions/Comments:**

Concerns were expressed about recommending that this ordinance become law independent of the volume ordinance.

**Audience Question/Comments:** NONE

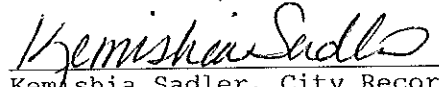
**Board Discussion/Findings:**

Call for question: Vote: All aye except Hastings who opposed and Mathews who abstained.

Meeting adjourned at 5:01pm.



Steve Horrell, Chairman



Kemisha Sadler, City Recorder