

ORDINANCE 2014-9

AN ORDINANCE AMENDING TITLE 14, CHAPTER 2,  
SECTION 202(1)(b)(vi) and SECTION 202(1)(c)(K)  
GOVERNING PLAYHOUSES

It appearing to the Commissioners that Zoning Code requires clarification regarding the construction of “children’s playhouses” in the City of Belle Meade as such structures are currently governed as “Accessory Uses” and “Conditional Uses;” and

It appearing that “children’s playhouses” are oftentimes permanent structures whereas children are, at least age-wise, only temporarily children; and, accordingly,

It appearing that the Zoning Code should regulate the location, design and construction of permanent structures regardless of how they are described, and accordingly that the provisions governing “children’s playhouses” as “Accessory Uses” as provided in Belle Meade Code Title 14, Chapter 2, Section 202(1)(b)(vi) and as a “Conditional Use” as provided in Belle Meade Code Title 14, Chapter 2, Section 202(1)(c)(K) should be amended;

BE IT ORDAINED BY THE CITY OF BELLE MEADE, as follows:

SECTION 1. Belle Meade Code, Title 14, Chapter 2, Section 202(1)(b)(vi) that currently governs “children’s playhouses” as an “Accessory Use” and Belle Meade Code, Title 14, Chapter 2, Section 202(1)(c)(K) that governs “children’s playhouses” as a “Conditional Use,” are hereby amended to assure that permanent structures such as playhouses shall be regulated as Conditional Uses.

***The Current Versions of these Code Sections are provided below:***

Belle Meade Code, Title 14, Chapter 2, Section 202(1)(b)(vi) currently provides:

(vi) Children's playhouses and/or tree houses without plumbing or electrical wiring, not to exceed one hundred (100) square feet in floor space, and diminutive in scale and design, and similar children's recreational facilities; provided they are to the rear of the dwelling and are at least ten (10) feet from the rear and side lot lines.

Belle Meade Code, Title 14, Chapter 2, Section 202(1)(c)(K) currently provides:

(K) Children's playhouses and/or tree houses without plumbing or electrical wiring, in excess of one hundred (100) square feet in floor space, provided they are to the rear of the dwelling and are at least ten (10) feet from the rear and side lot lines.

***As revised, these Code section are amended to read:***

Belle Meade Code, Title 14, Chapter 2, Section 202(1)(b)(vi) is hereby amended to define as Accessory Uses those structures that are not permanent, which is objectively defined by the existence of a "permanent foundation" and to read as follows:

(vi) Children's playhouses without a permanent foundation, plumbing or wiring and/or tree houses without plumbing or electrical wiring, not to exceed one hundred (100) square feet in floor space, less than eight feet in height and diminutive in scale and design, and similar children's recreational facilities; provided they are to the rear of the dwelling and are at least ten (10) feet from the rear and side lot lines.

Belle Meade Code, Title 14, Chapter 2, Section 202(1)(c)(K) is hereby amended to define as a "Conditional Use" any structure with a permanent foundation regardless of its physical description and to read as follows:


(K) Any structure other than a single family dwelling and/or permitted Accessory Use with a permanent foundation or with plumbing or wiring. Additionally, any children's playhouse, regardless of location, that is more than one hundred square feet in floor space, more than eight feet in height, or otherwise is not diminutive in scale and design.

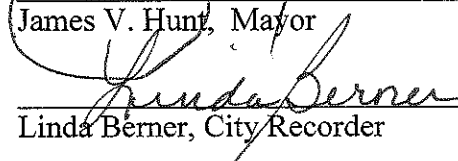
This Ordinance shall become effective fifteen days after its passage.

Passed on first reading:  
**October 15, 2014**

Recommended by the Municipal Planning Commission  
**October 21, 2014**

Passed on Second Reading:  
**November 19, 2014**

  
\_\_\_\_\_  
James V. Hunt, Mayor

  
\_\_\_\_\_  
Linda Berner, City Recorder