

ORDINANCE NO. 51-2

AN ORDINANCE TO AMEND AN ORDINANCE ADOPTED BY THE CITY OF BELLE MEADE, TENNESSEE, ON THIRD READING AUGUST 16, 1950, ENTITLED "AN ORDINANCE TO REGULATE, RESTRICT AND LIMIT, BY DISTRICTS OR ZONES, IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE, PROSPERITY, AND GENERAL WELFARE, THE USES AND LOCATIONS OF BUILDINGS AND OTHER STRUCTURES, AND THE USES AND MAINTENANCE OF PROPERTY, THE HEIGHT, BULK AND LOCATIONS OF BUILDINGS, AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED, INCLUDING LOT AREA PER FAMILY, SET BACK BUILDING LINES AND THE AREAS TO BE DEVOTED TO OPEN SPACES; AND TO PROVIDE A METHOD OF ADMINISTRATION, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; AND TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH." SO AS TO REQUIRE ADDITIONAL PARKING AREA OR SPACE UPON THE LOT OR SITE UPON WHICH APPLICATION IS MADE TO ERECT A CHURCH, OR OTHER PLACE OF WORSHIP; AND SO AS TO PROVIDE THAT THE CITY BUILDING INSPECTOR SHALL NOT ISSUE A PERMIT FOR A BUILDING OR STRUCTURE WHICH MIGHT BE IN VIOLATION OF AN ORDINANCE TO AMEND THE ZONING ORDINANCE, AFTER SAME HAS BEEN INTRODUCED IN A MEETING OF THE MUNICIPAL PLANNING COMMISSION OR THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE, AND FILED WITH THE CITY BUILDING INSPECTOR.

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

Section 1. Ordinance No. 39, adopted by the City of Belle Meade, Tennessee, on third reading on the 16th day of August, 1950, entitled "AN ORDINANCE TO REGULATE, RESTRICT AND LIMIT, BY DISTRICTS OR ZONES, IN THE INTEREST OF THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE, PROSPERITY, AND GENERAL WELFARE, THE USES AND LOCATIONS OF BUILDINGS AND OTHER STRUCTURES, AND THE USES AND MAINTENANCE OF PROPERTY, THE HEIGHT, BULK AND LOCATIONS OF BUILDINGS, AND OTHER STRUCTURES HEREAFTER ERECTED OR ALTERED, INCLUDING LOT AREA PER FAMILY, SET BACK BUILDING LINES AND THE AREAS TO BE DEVOTED TO OPEN SPACES; AND TO PROVIDE A METHOD OF ADMINISTRATION, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF; and TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH". be, and the same is hereby amended as follows:

After the words, "Churches and other places of worship", in Section 1, Subsection 4 of said Ordinance No. 39, change the period following said words to a comma, and add the following words, "subject to the provisions as to parking areas for automobiles hereinafter set out."

After the paragraph ending with the words, "and likewise the posting of any signs, except street and road signs, other than for the purposes hereinabove set out, is prohibited." in Section 1, Subsection 6 (f) of said Ordinance No. 39, insert an additional provision as follows:

"1 x 6 (g) In cases where a permit is sought for the erection of a church, or other place of worship, there shall be provided and constructed, on the lot or site so proposed to be used, available automobile parking space for one (1) automobile for each four (4) seats, or seating spaces, to be provided for in the main auditorium, sanctuary, or assembly room in such proposed church or other place of worship. A seating space shall be deemed to require ten (10)

square feet of floor space in the main auditorium, sanctuary, or assembly room. Three hundred (300) square feet shall be the minimum gross area required for parking space for each vehicle. Such parking area, or areas, shall be subject to the same requirements as to setback from the street, or streets, as the main building or use."

After the words, "No permits shall be issued for excavation or for construction or alteration of any building, structure, or part thereof, where the plans, specifications or intended use indicate that the building or use would not conform in all respects with the provisions of this Ordinance", in Section 8, of said Ordinance No. 39, change the period following said words to a comma, and add the following words: "or any amendments hereof".

After the words set forth immediately hereinabove, insert an additional provision as follows:

"8 X. Upon the introduction before a meeting of the Municipal Planning Commission or the Board of Commissioners of the City of Belle Meade of an ordinance proposing to amend or alter the building zone map or the provisions of the zoning ordinance or ordinances in effect, the City recorder shall immediately forward to the City Building Inspector, who shall file same, a copy of such proposed ordinance. After receipt of same, and until such proposed ordinance shall be finally disposed of, the City Building Inspector shall not issue a permit for a building or structure or occupancy which might be unlawful under the proposed ordinance. If the proposed ordinance is adopted by the board of Commissioners of the City of Belle Meade and becomes effective, no such permit shall be issued, but if the proposed ordinance shall, in the ordinary course of action or procedure, fail of adoption within forty-five (45) days from the introduction of same at the meeting of the Board of Commissioners of the City of Belle Meade, then, and in that event, the City Building Inspector may issue a permit in accordance with the existing law."

Section 2. The Board of Commissioners of the City of Belle Meade hereby certify that this amendment to the Zoning Ordinance, to-wit, Ordinance No. 39, has been submitted to and approved by the Municipal

Planning Commission of the City of Belle Meade, and a public hearing thereon has been held after at least 15 days notice of the time and place of same was published in a newspaper of general circulation in the City of Belle Meade; and hereby make the statement that an emergency exists because of the fact that, unless restricted by this ordinance, buildings will be erected and property will be used within the City of Belle Meade otherwise than as permitted by this ordinance, which construction and use will be detrimental, or is liable to be detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City of Belle Meade for the following reasons:


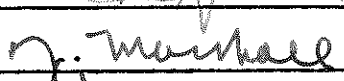


(a) The paved portions of the streets of the City of Belle Meade are developed for use of moving traffic only, and, in most cases, are not of sufficient width to permit the passage of traffic when automobiles are parked thereon. The remaining, unpaved parts of the rights-of-way of the said streets are, in most cases, either used for drainage purposes, or have been used by the abutting property owners and planted or otherwise beautified as a part of the lawns of such abutting property owners. There are no sidewalks maintained by the City of Belle Meade, and the streets are not bounded by curbing.

(b) The development of the City of Belle Meade has progressed along definite lines, and likewise the development of property for use by churches has progressed in a definite manner, unlike the type found in urban centers. In order to promote the orderly development of the City and to protect the property values it is desirable and necessary that further development of property for use by churches or other places of worship be so directed and guided as to be in harmony with the existing development. At the present time it appears that unless immediately prevented, much construction not in harmony with the existing development will occur in the City.

(c) Substantially all of the citizens of the City of Belle Meade work or have their business in the City of Nashville, and in many instances have moved to the City of Belle Meade in order to avoid the crowding and nuisance of automobiles and automobile noises and odors brought about by crowded streets and parking conditions.

It is therefore particularly essential in order to avoid the automobile parking nuisance that provision for parking off the street be made in any case where there will be, or is likely to be, a regularly recurring concentration of a number of automobiles.

In view of the foregoing, this ordinance shall take effect upon the date of its final passage.


 _____ Mayor

 _____ Vice-Mayor

 _____ Commissioner

 _____ City Recorder

Passed on First Reading
April 27, 1951

Passed on Second Reading
May 14, 1951

Passed on Third Reading
and Adopted
May 16, 1951.