

ORDINANCE 2004-2

AN ORDINANCE AMENDING CHAPTER TWO, TITLE 14
OF THE BELLE MEADE CODE

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

ITEM 1

Belle Meade Code Section 14-201(2)(j) is amended to read as follows:

NOT SUBMITTED FOR PROPOSAL

(j) 'Height of building'

The vertical distance from the average existing natural grade, without ~~elevation~~increase, modification or manipulation, along the front setback line or lines to the highest point of the roof surface of such building. In addition, the finished grade along any wall of the building may not be increased, at any point, by more than twenty-four (24") inches above the natural grade.

In the application of the foregoing definition, walls extending not more than four (4'-0") feet above and in line with the external walls of the main building, chimneys not extending more than twelve (12'-0") feet above the point at which the chimney penetrates the roof of the main building, and cupolas, domes and spires, which have been approved by the Board of Zoning Appeals, may be erected and considered as within the height limits for buildings herein established.

ITEM 2

Belle Meade Code Section 14-201(2), ENTITLED **Terms and Definitions** is amended by adding the following new sub-paragraph (t) and re-lettering the existing sub-paragraphs (t) through (u) through (v) respectively.

NOT SUBMITTED FOR PROPOSAL

(t) 'RETAINING WALLS.' Retaining Walls are walls constructed for the purpose of retaining ~~fill-earth~~or the existing grade elevation of a lot.

ITEM 3

Belle Meade Code Section 14-202(2), entitled **Prohibited Uses**, is amended by adding a new sub-section (i) at the conclusion thereof, as follows:

"(i) No change in the existing elevation of a lot, by excavation, fill, grading or otherwise, in excess of twenty-four (24") inches, unless otherwise permitted by the Belle Meade Zoning Ordinance, may be accomplished without the approval, in advance, of the Board of Zoning Appeals."

ITEM 4

Belle Meade Code Section 14-204(1) is amended by adding the following new sub-paragraph (e) and re-lettering the existing sub-paragraphs (e) through (l) as (f) through (m) respectively:

"(e) 'MULTIPLE RETAINING WALLS' If multiple retaining walls are constructed, they must be separated by terraces of at least

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~~_____six (6'-0") feet in width, or such lesser distance as shall be approved by the Board of Zoning Appeals (the "Minimum Terrace Requirement") and shall not exceed three (3) in number. If the combined height of any such group or combination of retaining walls, which meet the Minimum Terrace Requirement, equals or exceeds three (3'- 0") feet, they will be treated as a single wall and can only be constructed with the approval of the Board of Zoning Appeals². Multiple retaining walls, if (i) separated from each other by more than the Minimum Terrace Requirement and (ii) located in a permitted location, and (iii) having an individual height of three (3'- 0") feet or less may be constructed as a matter of right.~~

NOT SUBMITTED FOR PROPOSAL

Belle Meade Code Section 14-202(2), entitled ~~Prohibited Uses~~, is amended by adding a new sub-section (i) at the conclusion thereof, as follows:

~~"(i) No change in the grade of a lot, by excavation, fill, grading or otherwise, in excess of twenty four (24") inches, shall be accomplished without the approval, in advance, of the Board of Zoning Appeals."~~

ITEM 4

ITEM 5

Belle Meade Code Section 14-208 entitled **Plats And Other Information To Accompany Applications For Permits**, is amended by re-writing sub-paragraph (a) at the conclusion of sub-section (1) thereof, to read as follows:

"(a) the actual dimensions and square footage, of the building site and building envelope, together in case of an application for a building permit for the construction of a new house or structure, or an addition to an existing house or structure, with a topographical survey of the same building site and building envelope,"

ITEM 5

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This ordinance shall become effective fifteen days after its passage .

Passed on first reading:

XXXXXXXXXXXXX, 2004

Passed on Second Reading:

XXXXXXXXXXXXX, 2004

George Crook, Mayor

Dorothy L. Wheeler, City Recorder

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