**MINUTES**

**BOARD OF ZONING APPEALS**

**ST.GEORGE’S CHURCH**

**APPRIL 17, 2018**

**Call to Order**

The meeting was called to order by Pete Zabaski, Chairman, at 5:01pm.

**Board members present**

Pete Zabaski Carole Nelson Gloria Sternberg

Mal Wall James Edwards

**Staff members present**

Beth Reardon, City Manager Doug Berry, City Attorney

Lyle Patterson, Building Official Charlotte Hunter, City Recorder

**CONFLICTS:** None

**OLD BUSINESS:**

1. The application of Ethan Colclasure (18032) 4520 Millrace Lane for a variance for the construction of driveway, wall and grade change. The building permit has been denied for the following reasons.

A. Driveway in front is over allowance.

B. Wall is in other than permitted location and over in height.

C. Grade change over allowance.

**Presentation:**

Ethan Colclasure is the owner and builder. His plan to match the other houses on the street. He wants a turn-around drive in the front and he knows it will take a lot of fill to make this happen.

**Board Questions/ Comments:**

Q: Is parking allowed on the street?

A: Not sure, there is a verbal agreement between neighbors not to park on the street.

Q: Have you thought of any other non-traditional plans since the lot is so unusual?

A: We have tried many ideas. The right side of Milrace lane is the Home Owners Assoc. & can’t be used for parking, and the street can’t be used for parking. We have a round-about at our house now and we really like it. It will look just like our neighbors Moore Rhett’s.

Q: Is the setback from the road 50 feet?

A: Yes, it is the average of the street.

Q: Do you plan on having a swimming pool?

A: No, not anymore. Just a deck.

Q: In the garage, the last bay to the rear of the property line, what is the distance to the retaining wall?

A: 23.5 feet. Because of the 100 year Flood plane. Not a typical garage as we wanted to stay out of the flood plan.

Q: How many feet off the property line is the driveway?

A: 5 feet

Q: Which bay is 23.5 from property line?

A: The last garage and it is the single door one.

Q: Lyle, is there any problem with 23.5 feet?  
A: No.  
Q: Will you will be bringing in lots of dirt?  
A: Yes and using some from the digging it out.

Q: Is the flat roof for volume purpose?

A: It is more for design.

Q: How many square feet on the ground level are not heated or cooled?

A: 1844 of garage and storage area

**Audience Questions/ Comments:** None

**Board Discussions**:

Chairman Zabaski says the home is consistent with the neighbors.

Motion to Approve with no swimming pool: Edwards Second: Stenberg Vote: All Aye

**NEW BUSINESS:**

1. The application of Roger Higgins (18041) 504 Belle Meade Blvd., or a special exception for the construction of walls. The building permit has been denied for the following reason.

A. Walls are in other than permitted location and over in height.

**Presentation:**

Jeff Kinman for Roger Higgins and Anne Shipp asking for walls for privacy and to screen the service, HVAC and trash area from the lawn activities. There are 6 steps so the elevation changes from 5 feet down to 3 feet across the back.

**Board Questions/ Comments:**

Q: Are the walls in the front included in the plans for the appeal today?

A: No. Today is only for the rear and back patio walls.

Q: The walls end 5 feet from the property line, Why?

A: It is where the concrete ends and it ties into the old motor court.

Q: At the end, how tall will the wall be?

A: 5 feet

Q: Are the walls in the front part of this appeal today?

A: That is correct, Lyle stated that it was presented to him for only the rear walls.

Q: Where does the wall hit 6’ 8” feet?  
A: At the top of the gate, across the back yard and not seen from the street.   
Q: The retaining wall that is 3 feet high and other side is 5 feet, will you have a hand rail?  
A: Yes, for safety issues.

Q: Is there a concrete pad for the trash cans?

A: No, it will be chipped rock & a little bit of grass.

Q: How tall is wall by trash cans?

A: 6 feet but gradually shrinks down.

Q: Function of wall?

A: Privacy and Wall between gate & garbage can is to separate from the parking area.

Q: How does wall terminate?

A: Double gate for service, wall continues to column, then gate.

Q: Is there an existing fence?

A: No, not across the driveway. But in the backyard.

Q: Could you use living trees instead of a wall?

A: It would be very hard for privacy, no wall on rest of borders, lots of landscape plans. No wall on South side, only this one on back. Space is same as a tent for entertaining. The neighbors (508 Belle Meade Blvd.) wall next door is over 11 feet.

Q: Confusion on if there is a fence on the north border.

A: I didn’t draw the plans.

**Audience Questions/ Comments:** None

**Board Discussion/ Questions:**

* Chairman Zabaski says the presentation is confusing with too much information as to what is this appeal.
* Edwards focused on front yard when he visited, not the back year.
* Sternberg drove to garage area and she thought there is a wall where elevation changes. The new one will be higher. Application confusing as to which wall to look at.
* Patterson says next month they will present a much clearer and concise plan.

Motion to Defer up to 60 days: Nelson Second: Edwards Vote: All Aye

2. The application of Mark Nicol (18042) 705 Westview Ave., for a special exception for the construction of an addition. The building permit has been denied for the following reason.

1. Addition is outside the building envelope but within the existing setback of the foundation.

**Presentation:**

Katherine Sloan, architect says the Nicol’s are not tearing down the house now and they would like to connect the breezeway from garage to the main house. It will be glass with French doors. It is outside the building envelope but within setbacks. The neighbors, Rock and Linda Morphis (709 Westview Avenue) have approved of their plans.

**Board Questions/ Comments:**

Q: So the hallway will connect to the main house?

A: Yes and it will be have air and heat! The garage was changed by the previous owners to an exercise room and they don’t plan on changing the use.

**Audience Questions/ Comments:** None

**Board Discussion/ Questions:**

* Chairman Zabaski says he is delighted the house isn’t being torn down and very nice application.

Motion to Approve: Wall Second: Nelson Vote: All Aye

3. The application of Todd Glisson (18043)4441 East Brookfield, for a conditional use for the construction of a spa. The building permit has been denied for the following reason.

1. Spa requires BZA approval.

**Presentation:**

Jim Nicol says the spa is needed for health issues. They already have a pool with the required walls and fencing so it won’t be an issue. The spa will follow codes and be locked. It is within building envelope. It will be 18 inches above ground and 24 inches deep.

**Board Questions/ Comments:** None

**Audience Questions/ Comments:** None

**Board Discussion/ Questions:** None

Motion to approve: Sternberg Second: Edwards Vote: All Aye

4. The application of the Belle Meade Country Club (18044) 815 Belle Meade Blvd., for a special exception for the construction of a parking lot at the tennis facility. The building permit has been denied for the following reason.

1. Under the Zoning Ordinance Appendix D, Country Clubs construction or improvements upon a country club site requires BZA approval.

**Presentation:**

Larry Wieck, Architect

Anna Maddox, Civil Engineer

Jay Ramsey, Belle Meade Country Club representative

The location of the new parking lot is on Harding Place across from Harding Academy’s parking lot. The parking lot will be for the employees of the fitness center expansion and overflow from the Club. It will add 76 more striped spaces. Safety lighting will be used and will match what is presently in place.

**Board Questions/ Comments:**

Q: Is the parking lot in the flood zone.  
A: Yes, but we will not park there if storms are in the forecast.

**Audience Questions/ Comments:** None

**Board Discussion/ Questions:**

So the lot will be an underwater parking lot if it rains.

Motion to approve: Nelson Second: Wall Vote: All Aye

5. The application of Hilson Merrill (18045) 4305 Iroquois Ave. for a special exception for the construction of an addition. The building permit has been denied for the following reason.

1. Addition is outside the building envelope but within the existing setback of the foundation.

**Presentation:**

Hilson and Katherine Merrill, homeowner and builder

The changes we are making will conform the existing house with a full renovation on the back left of the property. We are not adding a garage but a storage room. The entrance will be at grade level to the storage area. We are updating the kitchen but it is within setbacks.

**Board Questions/ Comments:**

Q: You are changing the house from one story to two. That is quite a big change.   
A: Kitchen is the addition, and the rest is within current setbacks.  
Q: Does storage access from the outside?  
A: Yes, there is existing driveway to rear of property, the entrance will be at grade level. And will be below the finished area.

Q: Are we approving the yellow portion inside the existing setbacks?  
A: Yes.

**Q:** Edwards clarified the covered porch and uncovered porch to enclose.

A: Elevating the gable roof for more living area. And all the houses around them are all much bigger and this one won’t tower over neighbors.

**Audience Questions/ Comments:** None

**Board Discussion/ Questions:** None

Motion to approve: Edwards Second: Sternberg Vote: All aye

**Consideration of the Minutes**

1. The minutes of the regular meeting of the Board of Zoning Appeals held March 20, 2018.

Motion to approve: Edwards Second: Nelson Vote: All Aye

Meeting adjourned at 6:05pm.

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