

MINUTES
BOARD OF ZONING APPEALS
ST. GEORGE'S CHURCH
OCTOBER 16, 2018

Call to Order

The meeting was called to order by Pete Zabaski, Chairman, at 5:00pm.

Board members present

Pete Zabaski Joe Dughman James Edwards
Gloria Sternberg Carole Nelson

Staff members present

Beth Reardon, City Manager Doug Berry, City Attorney
Lyle Patterson, Building Official Charlotte Hunter, City Recorder

CONFLICTS: None

CONSIDERATION OF THE MINUTES:

- 1. The minutes of the regular meeting of the Board of Zoning Appeals held August 18, 2018.

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

OLD BUSINESS: None

NEW BUSINESS

- 1. The application of Gayle Demetros (18101), 608 Lynwood Blvd., for a conditional use for the construction of a swimming pool. The building permit has been denied for the following reasons.
 - A. Swimming pool requires BZA approval.

Presentation:

Mike Jones, Landscape Architect, explained his clients would like to add a swimming pool on their 1.6 acre, heavily screened lot. It meets all the requirements of inside envelope and setbacks. The existing fence will be modified to meet the Belle Meade Codes for a pool fence to be black chained link in the back and decorative wrought iron in the front.

Board Questions/ Comments:

Q: What about lighting?

A: Lighting will be in the pool area and no above ground lights.

Q: What about the pool equipment?

A: It will be recessed in an area with a 3 and a half foot retaining wall. It will be below grade level and so it will be about knee height. Half of it will be underground.

Q: Is the entire pool in the City of Belle Meade?

A: No, some of it is in Metro but we will adhere to the higher standards of the fence in Belle Meade all the way around the pool.

Audience Questions/ Comments: None

Board Discussions: None

Motion to Approve: Nelson **Second:** Sternberg **Vote:** All Aye

2. The application of Jeff Calk (18102) 608 Enquirer Ave., for a conditional use for the construction of a swimming pool and a special exception for the construction of a wall, fence and columns. The building permit has been denied for the following reasons.
 - A. Swimming pool requires BZA approval.
 - B. Wall is in other than permitted location.
 - C. Fence is in other than permitted location.
 - D. Columns are over allowed height.

Presentation:

Justin Franks, Encore Construction and Bob Hermline with Gamble Design

This will be a new house construction and trying to get all approved before we tear down and begin new build. We don't have any plans for a gate but would like entry columns at the end of the driveway about four and half feet tall and with the lanterns a total in height of six feet seven inches. The columns would help to identify the house and driveway. We are requesting two wing walls to flank the front of the house to screen the HVAC units so they are not visible from the street and to keep the noise level of the units down. The pool will be within all setbacks and envelope and will have proper fencing. Both sides of property have lots of vegetation.

Board Questions/ Comments:

Q: Where are the fences that are not in building plans?

A: They are coming off the back left and tying into the garage.

Q: Are these the plans for the house you plan to build?

A: Yes.

Q: Are you getting whole package approved before you start?

A: Yes.

Q: Are you asking for Board of Zoning Approval for wall or fence around the pool?

A: The column and wrought iron fence are all within the setbacks around the pool. The rear wall will be around the back of the pool and will have a fountain. The homeowner doesn't want to block with fences in her yard, she wants the open feel of the original home.

Q: Why are the entry columns so high?

A: It fits the neighborhood.

Q: Any fences up now?

A: Yes, along the south side and the neighbor has a privet wall with a fence in it. No fence at all on north side.

Q: Any gates?

A: No, just columns

Q: How far off street are columns?

A: About 13 to 15 feet. We were trying to duplicate columns that are already on the street and for scaling purposes of the house. Also, to easily identify the house.

Q: The wall for the pool fountain, what height will it be?

A: It is the backdrop for the pool. 9'2" side elevation with the garage at the lowest level.

Q: What is location of pool equipment?

A: It will be in a new enclosed unit that is sound proof because it is in a hard case capsule. It is custom built and most of it is buried. It is made out of PVC Pipe type material. It will be less than 4 feet tall and surrounds with landscaping. The brand is called PumpHouse. It pre-plumbed & wired.

Q: Any way to consider fence to property line with fence.

A; Yes, we can do that but we wanted leave open feel to lot.

Audience Questions/ Comments: None

Board Discussions:

Edwards: Regarding the fence to property line, we are here to promote open spaces. I don't think the fence should be to property line. The decorative wing walls at the entrance are nice. Columns are too high and would like to see them brought down to 4 feet. (Asking for 4' 11")

Zabaski: Agrees with Edwards about the fence in back. And no downside to just putting fence around pool to keep the yard open. Wing walls are approved all over Belle Meade & nice when they hide HVAC. Columns lowered is a no brainer.

Motion to Approve with Columns not to be taller than 4 feet not including the lamps: Zabaski **Second:** Edwards **Vote:** All Aye

- 3. The application of Steve Cates (18103) 200 Jackson Blvd., for a conditional use for the construction of a swimming pool. The building permit has been denied for the following reason.
 - A. Swimming pool requires BZA approval.
 - B. Wall is in other than permitted location. (Retaining earth for pool/terrace).
 - C. Wall over allowed height. (Retaining earth front drive).

Presentation:

Ann Daigh, Landscape Architect
The homeowner already had the building permit and the house is under construction. This was being built as spec house and now the contractor decided he now wants a pool and to customize his motor court. It has a raised main floor and the garage is at basement level. Proposing the series of

steps & low walls to make entrance more graceful. Keeping the walls 3 feet for the most part except near the basement walls that have to be higher than the 3 feet to hold back the ground. The 3 car garage will be under ground. He would like to add a dipping pool inside the building permit (12x24) to be built inside the courtyard. We are trying to minimize the height of the walls.

Board Questions/ Comments:

Q: At the arch by the pool, will you have plantings?

A: Yes, right up to the edge.

Q: I am looking at the Elevation plan, what is the height of wall where man is standing in picture is that 9'5"?

A: 9'2", we can't help with this height because of the garage and it has to hold up the ground. Don't want pool to be down in a hole.

Q: Is the height of the railing 3 feet?

A: Yes, so you can walk to bottom of wall

Q: Is the finished grade to the top of railing 12"2? at highest point?

A: Yes, but the grade helps

Q: Does the driveway extend past the garage to the side of the house?

A: Yes, for a back-up spot

Q: The wall of the driveway, has to curve down to the garage wall 4'5", does it need to be that high?

A: Yes, trying to get it lower and with grading. It is terraced it down to 2" So it won't be just a big slope.

Q: why does curve have to come so far out & pushed back towards house?

A: Cates didn't want to be closed in & to have a pool terrace & not caged in. It gives them more room in courtyard area.

Q: What is the wall height by the pool?

A: It varies because of grade 5'2" - 8' 10 with column & railing

Q: What is to left side back out area, appears a fence with double gate

A: Not sure if we will do that or not. Do we need to get that approved? Never mind, not getting that gate.

Q: How tall is front wall?

A: At the garage it's 4'5" feet then down to 8 inches tall near motor court area. Motor court is on the higher side of the property so not have a huge wall with a greater slope. We shifted the steps and more subtle to keep walls less than 3 feet. We have to hold back the grade from the basement & garage.

Q: What is the wall material?

A: The front will be stone to match the house & the side where the pool is will be a natural color stucco.

Audience Questions/ Comments: None

Board Discussions:

Dughman: The design is done to fit lot & no other choices with the grades & walls.

Zabaski: Too much unknown and there has to be a way to put in a pool without having to build a 9'5" and 3 feet of iron fence on top of that. If you were starting from scratch, it would be different. This is asking for a lot.

Ann Daigh: says the wall has to hold up the grade from basement.

Zabaski: If it were pushed back more and didn't hit the front of Jackson Blvd, it might look better than a wall and a house.

Ann Daigh: We plan to do extensive landscaping.

What happens if not approved, what is plan B?

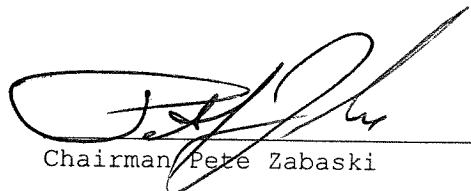
Ann Daigh: he really wants a pool. If we dropped the terrace down 5 feet, it would look worse. It is going to have to have a wall. It is part of the house & creates the courtyard with the wall.

Edwards: You don't have to put the courtyard near the main level and then you could reduce the wall height, the 3 foot railing on the stucco wall isn't required. The drop off doesn't matter. The 200 linear feet of wall with an average of over 9 feet is too much wall.

Zabaski: Part of the wall is outside the building footprint set-backs line and that is important to the board. Suggestion of deferral for you to consider what is outside of building envelope and get the height walls to 6 feet or there about.

Motion to Defer up to 60 days: Edwards Second: Nelson Zabaski and Sternberg Vote: Deffered
Dughman opposed to deferral.

Meeting adjourned at 6:27pm.


Chairman Pete Zabaski


City Recorder Charlotte Hunter