

**MINUTES
BOARD OF ZONING APPEALS
BELLE MEADE CITY HALL
APRIL 16, 2019**

Call to Order

The meeting was called to order by Pete Zabaski, Vice Chairman, at 5:02pm.

Board members present

Pete Zabaski Johnny Phipps Mal Wall
Gloria Sternberg Haley Dale

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. Minutes of the regular meeting of the Board of Zoning Appeals held March 19, 2019.

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

OLD BUSINESS:

1. The application of Shelly Franklin (19031) 1012 Belle Meade Blvd. for a conditional use for the construction of a swimming pool and spa. The building permit has been denied for the following reasons.
 - A. Swimming pool requires BZA approval.
 - B. Spa requires BZA approval

Presentation:

Steve with Rondo Pools says the pool will be within the setbacks.

Board Questions/ Comments:

Audience Questions/ Comments:

Board Discussions:

Zabaski: Where will the pool equipment be located?

A: Close to the driveway, with a 3 foot fence with lots of plantings to buffer. It will look like it is further because of the slope.

Zabaski: The pictures don't show an enclosure, will it have one?

A: Yes. It already has a 6 foot fence and the pool will have an auto closure on it, too.

Motion: Sternberg **Second:** Wall **Vote:** All Aye

NEW BUSINESS:

1. The application of Patrick Lowry (19041) 215 Lynwood Terrace, for a conditional use permitting the construction of a swimming pool, pavilion/accessory structure and a special exception for a fence in

other than permitted location. The building permit has been denied for the following reasons.

- A. Swimming pool requires BZA approval.
- B. Pavilion/accessory structure inside building envelope requires BZA approval.
- C. Fence requires BZA approval.

Presentation: John Thompson, Landscape Architect with Kiser Trabue
It currently has a detached garage and we are asking for a pool and pavilion to replace the garage. The new garage and pavilion will be inside the building envelope. The pool and pavilion will have plenty of evergreen screening. The new fence will be set on the rear property line on Westhampton buy will be set back several feet. There is a large embankment so the fence will be inward a little to preserve some of the trees. The neighbors also have a wall so this will not affect them.

Board Questions/ Comments:

Q: Westhampton, will you go all the way to the property line?

A: No, to the right of way.

Q: Are all of the new buildings inside of setbacks?

A: Yes, by 3 to 4 feet. The new garage is 5 feet from Property line.

Q: Is the garage a tear down?

A: Yes, we are getting rid of the tennis courts also.

Audience Questions/ Comments: None

Board Discussions:

Zabaski: Where will the pool equipment be?

A: On the backside of the pavilion

Motion: Wall **Second:** Sternberg **Vote:** All Aye

2. The application of Dean Chase (19042) 407 Jackson Blvd., for a conditional use permitting the construction of a swimming pool. The building permit has been denied for the following reason.
 - A. Swimming pool requires BZA approval.

Presentation:

Tim from Siteworks presented the plans for the pool. The current setbacks go through the current home and the fence will stay the same. Building Inspector Lyle Patterson asked about the front setbacks and explained the presented plans are not correct. The width of the lot is 137 feet, half of that is the Building envelope which would be 67 feet. The plans show 27 feet side set back on both sides and it should be 27 feet on the left and 40 feet on the right which would be a total of 67. The pool is not inside the building envelope.

Siteworks says it is what they were given on the existing plans.

Board Questions/ Comments: This pool is outside of the building envelope.

Audience Questions/ Comments: None

Board Discussions:

Zabaski: When was the house built?

A: 1994

Zabaski: IS there anywhere else you could put this pool?

A: No, because of a huge, old tree.

Motion to Defer: Sternberg Second: Dale Vote: All Aye

Motion to Adjourn at 5:35pm: Sternberg Second: Wall Vote: All Aye

Chairman Pete Zabaski

City Recorder Charlotte Hunter