

MINUTES
BOARD OF ZONING APPEALS
BELLE MEADE CITY HALL
August 20, 2019

Call to Order

The meeting was called to order by Joe Dughman, Chairman, at 5:12pm.

Board members present

Joe Dughman Haley Dale Gloria Sternberg
Mal Wall Pete Zabaski

Staff members present

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

CONFLICTS: None

CONSIDERATION OF THE MINUTES:

1. Minutes of the regular meeting of the Board of Zoning Appeals held June 25, 2019.

A Motion was made, seconded, and approved to defer these minutes again.

2. Minutes of the regular meeting of the Board of Zoning Appeals held July 16, 2019.

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

OLD BUSINESS: None

NEW BUSINESS:

1. The application of Rob Lowe (19081) 109 Lynwood Terrace, for a variance permitting the construction of an addition and a special exception permitting the construction of a low sloped roof that is over allowance. The building permit has been denied for the following reasons:
 - A. Addition is outside the building envelope, seeking variance due to irregular shaped corner lot.
 - B. The low sloped roof is over allowance but in keeping with the original roof design/slope.

Presentation: Jamie Pfeffer, architect, stated the owner wishes to maintain the character of the 1925 historic home and not alter the front façade. They will use existing vegetation and landscape wall around house to discretely hide the proposed addition. The low slope roof will match the existing roof and maintain continuous slope.

Board Questions/ Comments:

Q. Explain the hardship for this variance request.

A. Home was built and building envelope was established prior to any zoning ordinance in Belle Meade. This is a corner lot with an unusual shape. Also, the building envelope is situated towards the front of the lot and the home

is built farther back, leaving the unused portion of the building envelope in front of the structure. Any addition in this portion of the building envelope would detract from the historical presentation of the home. The proposed addition will be hidden from view on both side streets.

Q. Was consideration given to place the addition where the current garage is, which is inside the building envelope.

A. An addition here would have more impact on neighbors and there would be no way to have a garage if the current one is converted. The proposed addition is a low single story with no windows on the side facing neighbors.

Q. Was building envelope created after the house was built?

A. Yes.

Q. What is height of proposed structure?

A. Less than 25 feet.

Audience Questions/ Comments: None

Board Discussions:

Dale: the landscaping here is as historic as the structure. An addition in front would ruin the look of the house.

Zabaski: Agrees the proposed location for addition is best option, but still has trouble seeing this appeal as a hardship case.

Sternberg: Everything is under F.A.R. and in harmony with neighborhood. Has issue with hardship case.

Wall: In favor because it maintains character of neighborhood, even though it doesn't meet side setback by 10%.

Dughman: Neighbor letters in favor of appeal from Katherine Delay and Scott and Laurie Standard will be a matter of record. Asked Doug Berry if the variance statute is intended to consider location of a building envelope in light of the shape of the lot. Mr. Berry states the statute only looks at the shape of the lot.

Motion to Approve: Wall **Second:** Dale **Vote Aye:** Wall, Dale,
Dughman, Sternberg **Opposed:** Zabaski

Appeal was re-opened to discuss item B. Low sloped roof. Mr. Pfeffer stated roof on the addition matches the style and slope of existing and is within F.A.R.

Motion to Approve: Sternberg **Second:** Wall **Vote Aye:** Sternberg, Wall,
Dale, Dughman **Abstain:** Zabaski

2. The application of David Turner (19082), 801 Westview, for a special exception permitting the construction of a garage. The building permit has been denied for the following reason.

A. Garage is over the allowed footprint but under F.A.R. floor area ratio.

Presentation: Mark Thomas, Landscape Architect stated this is a very difficult corner lot. Owner is proposing a rear facing garage with new driveway. No more cars parked facing Westview anymore. All old impervious surfaces will be removed and converted to greenspace. New construction is

under on driveway allowance. Lyle asked for the distance from property line on Westview to the front door, since the ordinance states parking area must be minimum of 20 feet from property line. Mark stated about 30 feet.

Board Questions/ Comments: None

Audience Questions/ Comments: Mary Proctor, 4426 Warner Pl. spoke in favor of the project. Haley Dale said her mother lives in Stone Throw condos and removal of the impervious surface will help greatly with runoff issues. Laura Katherine Wood, 4405 Harding Pl. spoke in favor - great improvement.

Board Discussions: None

Motion to Approve: Zabaski Second: Sternberg Vote: All Aye

Other Business: None Scheduled

Motion to Adjourn at 5:53pm: Sternberg Second: Dale Vote: All aye

Chairman Joe Dughman

City Manager Beth Reardon