

Minutes  
Historic Zoning Commission  
Belle Meade City Hall  
December 10, 2019

**1. Call to Order**

The meeting was called to order by Mal Wall, Chairman, at 3:05pm

**Commission members present**

Mal Wall, Jeannette Whitson, Gavin Duke, Ron Farris, Bunny Blackburn

**Staff members present**

Beth Reardon, City Manager

Doug Berry, City Attorney

Lyle Patterson, City Official

Edie Glaser, City Recorder

**Consideration of the Minutes**

Minutes of the HZC meeting held November 25, 2019

**Motion to approve: Whitson      Second: Farris      Vote: All Aye**

2. Mal Wall began the meeting announcing it was a public hearing and open for comments.

Charles Atwood (419 West Tyne Drive) commented that he recognizes the problem we are trying to solve with the Interim Design Guidelines. He does not feel the City has allowed adequate time for public input and comment. He would like the Commissioners to put great effort into communicating with residents and postpone the decision to vote on the Interim Design Guidelines until January 2020.

Wes Cook (415 West Brookfield Avenue) commented he is totally in the spirit of the Interim Design Guidelines however is concerned if there might be diminishing property values down the road due to this. Wall responded the Commissioners have discussed this and past experience shows historic or conservation overlays improve property values.

Whitson addressed the public and encouraged them to speak freely.

Charlie Atwood (415 West Brookfield Avenue) commented he is less concerned with the Interim Guidelines but more concerned with the citizens being disengaged and not knowing or understanding what is taking place.

Whitson said it is critical to get something on paper to meet the moratorium deadline. The Guidelines are interim, with option to be flexible and make changes. Wall stated the Board of Commissioners (BC) are the final vote. The Historic Zoning Commission (HZC) recommends Ordinance 2019-9. Berry stated the HZC approves the Interim Design Guidelines and can amend them as time goes on.

Karen Rich (4401 Honeywood Drive) commented she appreciates what the HZC has done and asked if there is a time limit to make guidelines permanent? She also asked what supercedes, the BZA, or HZC?

Wall responded yes there is a time limit of about twelve months due to state grant possibility. Berry commented the conservation overlay zone does not change any existing code. If there is conflict, there may be a need to amend current codes or guidelines.

Farris said the process must start somewhere or we ignore it and live with the results.

Ray Hensler (1206 Nichol Lane) asked if full plans are required when an owner wants to tear down? Farris responded sketches should suffice. Hensler expressed he is in favor of the Interim Design Guidelines.

Charlie Atwood (419 West Tyne) asked the question, if there was a significant house that burned would the owner be required to build a new home back the same as previous? Patterson replied you would not have to build back the same historic house. Procedure for tear downs would be to see the Building Official first, then the HZC, then the COA steps are in the Guidelines.

Karen Rich (4401 Honeywood Drive) asked if Patterson would have enough time to manage this new procedure? Patterson replied yes, he does much of this now. Whitson added many decisions will be made by staff, i.e. Building Official.

Joe Dughman (404 Leake Avenue) commented he thinks the HZA did a fabulous job on the Interim Guidelines. He believes it is a great start. Whitson added that Phil Thomason is to thank also for all his hard work. Blackburn commented the HZC has collectively and individually done much research, reading guidelines from many other cities.

Larry Wieck (411 Sunnyside Drive), asked why Interim and are public hearings required every time the Guidelines are amended? Berry responded every time the Guidelines are changed, they must go back to public hearing. Wall commented the entire City would be under the conservation overlay. The Guidelines apply to all the houses in Belle Meade. All the houses are divided into four or five categories.

Wieck stated there are some real inconsistencies between the process and what the narratives are and hope the Commissioners will clarify this. He believes the City Building Official does an outstanding job but would hope and recommend that not just one staff member would approve or not approve a job.

Whitson stated everything that is a new build must come to the HZC first. Additions under thirty five percent are decided by the Building Official.

Wieck asked if the HZC could clearly define the thirty five percent? He is asking for most everything to come before the HZC during the year before the grant survey is completed.

Whitson stated the goal is to give more latitude and interpretation to the Building Official. If there is a discretion in the thirty five percent, he will send it to the HZC.

The HZC agreed to define the thirty five percent in the Guidelines.

Karen Rich asked who is defining what category a house is in? Berry replied the City is applying for a Federal Grant. The HZC will be defining it once the survey has been done. Survey will be done within the next year.

Wieck asked what does the HZC do with the houses that are more than fifty years old that are not worthy of conservation and properties of significance? Who will define the property?

Farris responded the HZC will decide this with any new house or tear down. Whitson commented the Guidelines are a work in progress. The suggestions are well received and the HZC will look at all the recommendations mentioned today.

**Motion to close the public hearing: Duke Second: Whitson Vote: All aye**

**Motion to adopt the Citywide Conservation Overlay Interim Design Guidelines Whitson Second: Farris Vote: All aye**

**Open Discussions:**

Berry commented there is a need to comb through the existing powers of the BZA, HZC, and even the MPC to make sure we are clear on who is doing what to minimize the burden on the property owners. He also agreed with the suggestions made by Wieck to be more specific on the 35 percent rule.

Duke would like to work on some clarity to the public on the differences between the MPC, BZA and the HCZ.

Whitson would like to schedule round table discussions with the applicants.

**3. Establish Date for the next Meeting**

The next meeting will be Tuesday, January 7, at 4:00pm.

**4. Motion to adjourn 5:20pm: Whitson Second: Duke Vote: All Aye**

---

Chairman, Mal Wall

---

Edie Glaser, City Recorder