

**MUNICIPAL PLANNING COMMISSION
CITY OF BELLE MEADE
October 15, 2019**

Call to Order

The meeting was called to order by Steve Horrell, Chair, at 4:00pm.

Board members present

Steve Horrell	John Eason	Larry Wieck	Jim Hastings	Jim Hunt
Chris Tardio	Bob Weigel	Karen Rich	Mal Wall	

Staff members present

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

Approval of Minutes:

Minutes of the regularly scheduled meeting held August 20, 2019.

Motion to Approve: Hunt **Second:** Tardio **Vote:** All aye

Old Business: None

New Business:

1. The application of Rhoads Zimmerman, 1105 Belle Meade Blvd., (PC12101), requesting to combine a portion of property located at 0 Canterbury Drive into his main residence property located at 1105 Belle Meade Blvd. Both properties are owned by Mr. Zimmerman.

Presentation:

Bim Glasgow, Architect, stated the reason for the appeal is that Mr. Zimmerman wishes to build a two-story addition, 48 feet long, on the right side of the house to accommodate an elevator to the 2nd floor. The proposed addition is currently outside of the allowable footprint. Therefore, they are asking to subdivide the undeveloped Canterbury property and take some square footage from it to combine with the Belle Meade property in order to stay within the allowable footprint capacity of 12%. Of the 3 different schemes prepared by Glasgow, Mr. Zimmerman wished to present #2, which takes an 11'-8" strip from across the back of the Canterbury property and adds it to the Belle Meade Blvd. property. Removal of this small portion of land will not affect the building envelope of the Canterbury property.

Board Questions/Comments:

- Horrell - Will this proposal change the ability to build on the vacant Canterbury lot?
- Patterson - No.
- Eason - Is neighbor Jim Armistead aware of this proposal?
- Rich - Are neighbors Mark and Nancy Deaton aware of this?
- Zimmerman - Stated he had not spoken yet with the neighbors.
- Hunt - Are there fences at the back of the property now?
- Glasgow - Yes, there is a chain link fence across the back of the Zimmerman property and also one across the back of the Armistead property made of brick and wrought iron.

- Patterson - If a future owner of the Canterbury lot builds a fence along the back property line, it will create a "no mans land" between fences which may be a maintenance issue, and a potential aesthetic issue with different types of fence material alongside each other.
- Hastings - Can you just not extend the property the same width of the addition along the back property line?
- Glasgow - Mr. Zimmerman does not favor that option, which is option #3, which projects back 26 feet into the Canterbury property.
- Zimmerman - That option seems intrusive and will impinge the value of the Canterbury lot.
- Rich - Would it be more beneficial to go to the BZA first, and then come back to the MPC if BZA did not approve the appeal for an addition?
- Patterson - The risk is that BZA might not want to set a precedent by granting the addition on the Zimmerman property, which creates an overage in footprint, without a proven hardship.

Audience Question/Comments: None

Board Discussion/Findings:

- Chairman Horrell stated that the MPC has been presented with Mr. Zimmerman's choice (Option #2) and called for a decision and motion. Horrell asked City Attorney Berry if they must vote up or down on exactly what was presented to them at this meeting or if they could modify the approval. Berry stated the Commission could place conditions on their decision as long as they are supported by the subdivision regulations.

Motion to Disapprove: Hastings **Second:** Wieck

- Berry asked Hastings to articulate a reason for the motion. Hastings replied that it is creating a no-man's land between the fences and a potential maintenance issue. Eason and Rich felt that neighbors may also have an issue with this strip of land if it was not maintained by current and future owners.
- Horrell - could a deed restriction be placed on the strip of land to ensure the owner will always maintain this?
- Wieck felt that creating this strip may be a maintenance and environmental issue for the City and secondly, there are alternative ways to do this that allow the homeowner to achieve what he wants.
- Hastings is willing to re-examine his motion if the owner would consider a different option to avoid the "no man's land".
- Question has been called. Eason has an objection. He feels the neighbors do not know enough about this appeal and deserve more time.

Motion to Continue One Month: Eason **Second:** Weigel Motion passes
Approve: Eason, Weigel, Horrell, Hunt, Tardio, Rich, Wall
Oppose: Hastings, Wieck

- Eason stated neighbors do not have to be present at meeting next month, they can submit something in writing about their concerns or support.
- Berry confirmed this was proposed as a plat revision and therefore under state law must be acted upon within 30 days of this meeting; otherwise it is automatically approved.

Other Business: None

Motion to adjourn: Wall Second: Rich All aye

Motion to reopen meeting and reconsider previous motion: Wieck
Second: Hastings All Aye

Glasgow stated Mr. Zimmerman would like to go with Option #3, moving a portion of the property line back 26 feet.

Motion to Approve: Eason Second: Hastings Vote: All aye

Horrell asked for a motion to adjourn.

Motion to adjourn: Hunt Second: Eason All aye

Meeting adjourned at 4:42pm.

Chairman Steve Horrell

City Manager Beth Reardon