

- Mr. Greathouse: a portion of the proposed garage is over, not all of it.
- Hale: There appears to be a significant amount of square footage available within the setback that could be used for the addition. Is this the only design that the architect could come up with to address the setback complications?
- Mr. Greathouse: We were trying to line up with the existing garage and house and enter from the side and not the front. With this design, the addition will not be seen from the front at all.
- Hale: There is a good bit of space within the building envelope that is not being used.

Public Hearing Closed by Chairman

Board discussion

- Dughman: Not sure a garage could be configured in the remaining area within the building envelope.
- Tardio: Is this a special exception?
- D. Berry: This appeal does follow special exception criteria.
- Sternberg: I am uncomfortable approving something over allowable by this much. Board could defer this for 60 days to give owners time to redesign the addition to fit in building envelope.
- Mrs. Greathouse: Where we live, nothing fits the standard because there was no zoning code in place when these homes were built in the early 1930s. We are willing to go back and work with our architect to look at reconfiguring the design.
- Hale: Could driveway be shifted to allow for addition to be oriented differently in order to reduce or eliminate the overage.
- Mrs. Greathouse: We will go back and look at all of the Board's suggestions.
- Dughman: I would like to hear from other board members. I'm not sure they need to come back to us.
- Tardio: I'm a little uneasy with the size of the addition and a deferral would give the owners an opportunity to research alternatives.
- Sternberg - What is total sq. footage of the lot?
- Patterson: 23,163 sq. ft., .53 acres.

Motion to defer for sixty days: Dughman **Second:** Sternberg
Vote: All aye

NEW BUSINESS:

1. **The application of Russell McLean (21081) 1206 Nichol Lane, for a conditional use permitting the construction of a pool house. The building permit has been denied for the following reasons:**
 - A. **Accessory structure requires BZA approval.**

Presentation: Billy Frank represented the owners, for an accessory structure, a pool house, which will be a new build. The size will be approximately 480 square feet. No variances are being requested.

Public Portion: No one spoke to this appeal.

Public Hearing Closed by Chairman

Board Questions and Comments:

- Dughman: What is staff recommendation"
- Patterson: Staff recommends approval. This resident came before the Board several months ago and received approval to construct a pool. The accessory structure was accidentally omitted from that appeal, which is why they are back this month.
- Dughman: Was location of pool equipment approved with the previous pool construction appeal?
- Patterson: Yes.

Board Discussion: None

Motion to approve: Dughman Second: Sternberg Vote: All aye

- 2. The application of Hunter Ford (21082), 510 Parmer Ave., for a variance permitting the construction of an addition. The building permit has been denied for the following reasons:**
- A. Existing footprint is over the allowable by 880 sq. ft, requesting additional 89 sq. ft. for addition.**
 - B. Addition is over the rear setback but within the existing footprint.**

Presentation: Erin Cypress, project architect, presented, and stated the owners are requesting an overage in footprint for the addition. Current house is already over in footprint. A second story is being added over the current one level home for added space, and a front covered porch is being extended slightly to improve the architectural integrity of the second story. Additionally, on the rear of the house, the master suite is being reworked so it will be in line with the existing outermost portion of the house. Footprint and rear setback are the two issues here. Owners are asking for an additional 3.3 feet over the current rear yard setback. Existing square footage is 3,631 sq. ft. and new square footage will be 3,720. Many houses on Paddock are over in footprint and even with this addition, the Ford's house will not have the highest overage on this street.

Board Questions and Comments:

- Dughman: What will the proposed additions be used for?
- Cypress: A guest bedroom currently behind the garage will be converted to a laundry/mudroom. Some of the interior walls will be removed to make the kitchen and family room a much more open living space. A formal sitting room at the front of the house will remain as is. A small bedroom, closet and bathroom on the first floor will remain. The half-story second floor has two bedrooms, each with closet and bath, and a small common area lounge.
- Dughman: Why do you need to go over the allowable footprint and rear setback?
- Cypress: Reason for overage on the front porch is to architecturally negotiate the transition of the roofline of the second story.
- Dughman: What is the staff recommendation?
- Patterson: Staff recommends. This design was approved by the Historic Zoning Commission recently.

Public Portion: No one spoke to this appeal.

Public Hearing Closed by Chairman

Board Discussion:

Hale: Is there anything above the addition to the master suite?

Cypress: No, there is not.

Hale: This is a variance request, not a special exception. Do you have a basis for identifying a hardship for this application?

Cypress: I identified the main hardship to be the existing house was already over on footprint, which limited what could be done for renovation and additions. The owners and I did not want to explore tearing the house down because there was enough good to merit keeping it. I do not feel the corner lot is a hardship.

Sternberg: Can you define the constraints that are found in this property?

Cypress: The house as it exists is a small ranch house with an early 2000's addition of a garage that is not in keeping with the original house. The addition has 11 foot ceilings; the original ranch has 8 foot ceilings. The original portion has many water issues, rotting wood around windows, etc. The goal is "marry up" the old portion of the house with the newer section.

Motion to approve, stating the application meets the criteria for a variance due to the size and limitations of the lot: Dughman Second: Tardio

Vote: Aye: Dughman, Tardio, Sternberg, Clifford No: Hale

Motion Passes

3. **The application of Tim Browne (21083), 428 Lynwood Blvd., for a conditional use permitting the construction of a swimming pool. The building permit has been denied for the following reason.**
 - A. **Swimming pools require BZA approval.**

Presentation: Matt Hardy, representing the owners. The plans are to build a pool in the area where an existing terrace is located. A portion of the terrace will remain and will be upgraded to make it more functional.

Public Portion:

- Lee Grubbs, neighbor next door at 426 Lynwood spoke, stated his family is not in favor due to the fact that this neighborhood sits on limestone. He does not want to live through dynamiting and potential damage to their house.

Board Questions and Comments:

- Dughman: Mr. Hardy, do you plan to have any visual screening between this property and the neighbors, such as landscaping?
- Hardy: Yes, there is a landscaping plan to relocate crepe myrtles and existing hollies to the property line.
- Sternberg: Is dynamite or explosives allowed in Belle Meade?
- Patterson: Dynamite and explosives are not allowed at all.
- Hale: Is there a reason the landscaping couldn't be redirected more to the side property line, in relation to where the pool is located?
- Hardy: Yes, we can relocate the landscaping more to Mr. Grubbs side, and there is always an opportunity to add additional plantings.
- Hale: Lyle, should this be accompanied by a permanent landscape plan?
- Patterson: I agree that it should.

Public Hearing Closed by Chairman

Board Discussion:

- Dughman: I would like to defer this until a permanent landscape plan is submitted to the Board.
- Tardio: Are we required to do this?
- Dughman: We are not required, but we should take into consideration the neighbor's concerns.
- Sternberg: How will pool be constructed if no dynamite is allowed?
- Hardy: It will not be a dive pool - only about 4 feet deep. One of the reasons we are locating the pool at the site of the existing terrace is because there is an existing footer there for the terrace, which makes it easier to dig. If we do encounter rock, the contractor will use a rock hammer to break it up. This is a common tool used on many projects.
- Tardio: Is there anything at all preventing additional landscape screening being added to your plan?
- Hardy: Not at all, we would be happy to do this.
- Sternberg: There have been other cases where the owner was required to work with the neighbors to develop an agreeable planting plan.
- Hale: Would you be willing to defer to do this?
- Hardy: I would be happy to if that is what the Board recommends.
- Grubbs: Landscaping can be worked through. The bigger concern to me is removal of the rock, either by jackhammer or dynamite. I do not want any structural damage to my house that sits on the same slab of limestone.
- Patterson: Again, dynamite and explosives are not allowed.
- Grubbs: Anything that will disturb or jar the limestone layer to the extent it will affect my house is a concern.
- Hale: A geotechnical survey may need to be done to determine the minimal amount of invasive rock necessary for removal.
- Hardy: Since the pool area is currently under the terrace, we are unable to do a geo-technical survey at this time.

Motion to defer 30 days: Dughman **Second:** Tardio **Vote:** All aye

4. The application of Ethan Colclasure (21084) 4520 Millrace Lane, for a conditional use permitting the construction of a swimming pool. The building permit has been denied for the following reason.

A. Swimming pools require BZA approval.

Presentation: Mr. Colclasure, owner and general contractor, stated they are rebuilding their home after a fire 18 months ago, and would like to add a pool during the reconstruction of the main dwelling.

Public Portion:

- Puneet Mishra, next door neighbor, stated he supports the project overall. He is building on his lot now and since these properties are in the flood plain, he would like to know if this plan relates to current puddling on his lot.
- Colclasure: I have had multiple meetings with Lyle and the city civil engineer regarding the construction of the pool. There is a cut and fill ratio used by engineers to achieve a net zero impact to my lot and any lot downstream. We are still working on this with my engineers and the city.

Board Questions and Comments:

- Hale: Lyle, is this study part of the record and submitted to you?

- Patterson: This is still under review by the City's civil engineer, and this is not a matter for the BZA to hear or rule on. I can have these discussions with everyone outside of this meeting.
- Sternberg: Does this lot drop off significantly? It looks like the pool is almost at the level of the house. Is the pool built up?
- Colclasure: This is a basement lot. The pool is built up above the 100-year flood line.
- Patterson: The pool is on the daylight basement level, above the 100-year floodplain elevation.
- Hale: In the application it states there is no significant contribution to Sugartree creek. Does the hydraulic study show zero contribution to the creek?
- Colclasure: I would have to check with my engineer for an answer to that.
- Sternberg: What is the staff's recommendation?
- Patterson: I recommend approval, based on the approval of the city's civil engineer.
- Hale: What is the city engineer going to address?
- Patterson: It is a lengthy process that will address many things, including the equalization of changes to grade so there are no changes to flow and volume of water. You cannot increase the base flood elevation up and downstream.

Public Hearing Closed by Chairman

**Motion to approve based on approval of the city's civil engineer : Dughman
 Second: Sternberg Vote: All aye**

The meeting was adjourned at 6:12pm:

Chairman Doug Hale

City Manager Beth Reardon