

**Minutes  
City of Belle Meade  
Board of Zoning Appeals  
November 16, 2021**

**Board Members present**

Doug Hale, Chairman            Chris Tardio            Pete Zabaski

**Staff Members present**

Beth Reardon, City Manager    Rusty Terry, City Recorder  
Lyle Patterson, Assistant City Manager and Building Official  
Doug Berry, City Attorney

**Call to Order:** The meeting was opened by Chairman Doug Hale at 5:00pm

**Consideration of the minutes November 16, 2021**

**Motion to approve:** Zabaski    **Second:** Tardio            **Vote:** All aye

**Old Business:**

1. The application of Davis Murfree (21102) 621 Westview Ave., for conditional use permitting the construction of a swimming pool & pool house and a variance for walls and grade change. The building permit has been denied for the following reasons.
  - A. Swimming pools require BZA approval.
  - B. Accessory structures require BZA approval.
  - C. Walls are over allowed height and in other than permitted locations.
  - D. Grade change is over allowable.

**Presentation:**

Wade Rick, Landscape Architect, presented for the Murfree's at 621 Westview. Rick recapped the hardship of the topographic nature of the property. They are requesting 2 percent over the allowable inside the building envelope and requesting an additional 2 percent over the allowable grade change outside the building envelope. Since the last hearing and the deferment, they have studied the plan and met with the neighbor to the north, Mr. Connor, who is also present. The turnaround from the proposed garage location has been reduced from 35 feet to 32 feet which allows the retaining wall to be pulled closer to the house. They are now sitting 21 feet from the property line. This also allows the reduction of the height of the proposed retaining wall from 11 foot 9 inches to 10 feet at the highest point. This retaining wall acts as a function of the house to allow for ingress and egress out of the garage in its proposed location. Rick met with Mr. Connor and walked through the plan, explaining where this new garage sits in relation to the existing garage. It is further back on the property; Also discussed was the screen planting that will be along the base of this retaining wall to help disguise it from his line of sight as well line of sight from the street. The planting plan was presented showing the 10-foot portion of the retaining wall as the furthest most back towards the rear property line. Holly is being proposed in that area, which will be 10 feet tall at installation. As the wall gets shorter, we are stepping down to various textures in the plant material, using viburnum and schip laurels. One item discussed with Mr. Connor was allowing space for him to access the rear of his property to access his back yard as he always has. The Murfree's are amenable to keeping that scenario.

**Board Questions and Comments:**

- Zabaski: Mr. Zimmerman commented last month that a lot of vegetation was removed from the rear yard which caused more water to seep on his property. Did you plan anything back there?
- Rick: In the rear, lower southwestern corner, we are relocating several viburnum's that are currently on the property and will also plant magnolias. The vegetation that was removed was invasive plant materials, honeysuckle, and privet. Over time the Murfree's would like to add additional screen planting there. To the stormwater nature of your question this particular property does not have a stormwater management plan to date. As part of the building permit process, we are required to put a stormwater management plan in place. That hopefully will alleviate the process down stream of this property.
- Chairman Hale: Building Official, do you still recommend approval?
- Building Official Patterson: I do
- Chairman: Any more questions?
- Tardio: Mr. Zimmerman had also asked about outdoor lighting. Can you address that?
- Rick: There will be a low voltage lighting plan, I believe that Mr. Zimmerman is referring to a property that is north along Westview and has a large sport court, with 36-foot-tall ~~sort of~~ tennis court "quote unquote" lights. We are not proposing anything of that nature on this property.

**Public Comment:**

- Tom Connor: 619 Westview. I met with Rick and the Murfree's they were terrific explaining where the wall would go. I really appreciate that they have lowered it down to 10 feet and I think it will be a lot less of a canyon through there, with the landscaping, I have no objections.
- Chairman: Thank you Mr. Connor. Is there anyone else in attendance that would like to speak to this matter. We will close the public hearing at this time.

**Public Hearing Closed by Chairman**

**Board Discussion:** None

**Motion to approve as submitted:** Zabaski      **Second:** Tardio

Tardio: I believe it fits squarely within the variance language that allows us to grant a variance for exceptional topographic conditions. That's why I vote aye.

**Vote:** All Aye

Chairman Hale: Thank you, Matter is approved. Mr. Rick thank you for reaching out to Mr. Connor, very much appreciate it.

Rick: Thank you.

Chairman Hale: If there be no further business, then without objection,  
meeting is adjourned.  
The meeting adjourned at 5:13 p.m.

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Chairman Doug Hale

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City Recorder Rusty Terry