

**Minutes
City of Belle Meade
Board of Zoning Appeals
June 21, 2022**

Board Members present

Doug Hale, Chairman Joe Dughman, Vice Chairman Chris Tardio
Erick Clifford

Staff Members present

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

Call to Order: The meeting was opened by Chairman Doug Hale at 5:00 p.m. There were no conflicts of interest from the board members.

Consideration of the minutes May 17, 2022

Motion to approve: Dughman **Second:** Clifford **Vote:** All aye

Old Business:

1. The application of Nathan Lyons (22042) 113 Bellevue Drive S., 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.
At the April 17th meeting, the board requested additional plantings in the northwest corner.

Presentation: Andrew Moreton, Vintage South Development, LLC
Moreton provided the house plans as drawn by architect Ron Farris and approved by the Historic Zoning Commission, using the plans he indicated the location of the pool and the rear terrace and location of access points from the home. Moreton then presented an updated landscape plan, indicating the location of the additional plantings that the board had requested at the May 17 meeting.

- Chairman Hale: Will the hollies be ten-feet tall?
- Moreton: They are 8-10-foot hollies; last month we only discussed the arborvitaes in front to make that a continuous buffer in front of the existing buffer.
- Vice Chairman Dughman: Is there a size listed on the plan for the arborvitaes?
- Moreton: These were submitted several weeks ago, and the arborvitaes are at a 15-foot minimum.
- Chairman Hale: Have you received any comments or concerns about the other corner? Can you enlighten us about the screen on the opposite corner?
- Moreton: That is the lowest corner and shares the property line with Belle Meade Historic Site, there have been no comments about screening this corner other than the existing screening.

- Chairman Hale: Do any of your photographs show the existing screening of that corner?
- Moreton: They do not, we have not spoken about this corner.
- Chairman Hale: Is it similar in age and density as the other screening?
- Moreton: There are no magnolias on that corner, but the screening is dense; you can not see the back of Belle Meade Historic site from the property.

Public Comment

Bea Isenhour, resident 204 Scotland Place, began by stating that she was there to also speak for the Garvey's at 200 Scotland Place who were out of town. She stated that she appreciated the fact that the board was concerned about the landscaping. She noted that they never received any type of notification about the project. She stated that she was not in favor of any portion of the project, from the pool to the house noting that the house was too big for the neighborhood. Isenhour also states that she was concerned about the direction the city was going in, and she felt the city should address their priorities.

Public Comment Closed

Board Discussion

- Vice Chairman Dughman: The applicant has done as we have asked, I am pleased with the height of the arborvitaes.
- Tardio: to Building Official Patterson: In reference to the comment from Ms. Isenhour; is there a public notice that goes out before a project goes before the Historic Zoning Commission?
- Building Official Patterson: Yes, to all contiguous neighbors.
- Tardio: A notice would have been sent out before this particular project?
- Building Official Patterson: Yes.
- Chairman Hale: Does the house, in all other respects, comply with all the regulations?
- Building Official Patterson: Yes, it does.
- Chairman Hale: We felt the ordinance gave us the authority to address vegetation to help preserve harmony and character in the neighborhood, and that is where we have focused.

Motion to approve the landscaping plan as submitted and to approve the pool as presented: Dughman Second: Clifford

Board Discussion

- Tardio: I approve, and I do understand the concerns expressed by Mrs. Isenhour, they seem to be toward the overall project, which we do not have control over. If the project complies with the regulations the city has set and has been approved by the Historic Zoning Commission, it falls outside our authority. In the last 3 months this board has gone to extensive lengths to balance the obvious tension between the neighbors and those building the house. I do believe that everything we have asked for has been done.

- Dughman: I approve as well; I am also very bothered by the size of the house, but our authority is limited, and I am compelled to vote the facts.
- Clifford: I would iterate the comments made by my fellow board members; the neighbors concerns have been heard, and that may be something for them to take up with the city commissioners. In terms of our authority, we have tried to put forth the best solution in light of the ordinance we govern.

Vote: All aye

OTHER BUSINESS: NONE

Chairman Hale adjourned the meeting at 5:18 p.m.

Chairman Doug Hale

City Recorder Rusty Terry