

Staff Report

Agenda No.: IV.1.

Case No.: 091923-1

Staff: Mary Samaniego, Planning Director

Applicant: Bryan Paylor

Request: Conditional Use approval for a Swimming Pool

Location: 436 Lynwood Boulevard

Summary:

The applicant on behalf of the property owners is requesting a Conditional Use approval for the construction of a swimming pool on the subject property. The property owners obtained a building permit for the construction of a single-family dwelling in December 2002 and associated land disturbance permit in April 2023. The dwelling is currently under construction.

Planning Considerations:

The following general factors, planning concepts, and other facts should be considered in the review of this application:

1. The subject property is 0.81 acres (35,210 square feet).
2. Per Section 14-204(1)(m)(i) of the Zoning Ordinance, the square footage of the surface area of the water in a swimming pool as compared to the lot size shall not exceed two percent (2%) of lot. The allowable area of water within a pool for the proposed lot is 704 square feet.
3. The proposed area of the water in the swimming pool is 364 square feet.
4. Per Section 14-204(1)(m) of the Zoning Ordinance, the square footage of hardscape, which shall include the maximum swimming pool area, as compared to the lot size shall not exceed eight percent (8%) of the lot area. The allowable area of hardscape including the pool for the proposed lot is 2,816 square feet.
5. The proposed area of the hardscape including the pool is 1,453 square feet.
6. The proposed pool is entirely within the established building envelope (see attached Staff Analysis of Site Plan).

Findings of Fact and Staff Recommendation:

The standards of proof required for each individual Conditional Use are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for Conditional Use in the following findings of fact for the particular use and/or structure per Section 14-202(1)(c):

1. such conditions and safeguards (specifically including, but not limited to, provisions for vegetative screening and/or lighting) as the board may require to protect the character of the community;

Upon site visit, staff noted an established vegetative buffer between the subject property and the adjoining property to the north.

2. a finding by the board that the same will not interfere substantially with the use and enjoyment of adjacent property by its owners and occupants; and,
It is staff's professional opinion that the criteria established within the Zoning Ordinance for the creation of building envelopes and subsequent requirement for pools to be placed within said building envelope adequately provides for substantial use and enjoyment of the adjoining property owner to the north.
3. the approval by the board of the size, dimensions and location of the same, the following may be constructed or erected within the building envelope:
(D) Swimming pools, together with all mechanical equipment necessary to the operation of the same; provided that:
 - (1) Every swimming pool shall be completely enclosed, either by the structural wall or walls of the dwelling to which it is an accessory, or by a fence or wall, not less than six feet (6') in height above the exterior adjoining grade, of the type required by the latest edition of the International Residential Code for one (1) and two (2) family dwellings which has been adopted by the City of Belle Meade.
 - (2) Any opening in said enclosure shall be capable of being closed with lock and key and shall be kept so secured at all times, except when attended by the owner of the property or his authorized representative.
 - (3) All pool lighting shall be located within the pool itself or no more than twenty four inches (24") above ground level around the pool.

The property owner/applicant is required to illustrate compliance with this standard on the site plan and associated application at the time of building permitting.

Staff recommends approval of the conditional use request based on the written findings of fact.

Attachments:

1. Application
2. Location Map
3. Staff Analysis of Site Plan



**CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS**



Subject to the provisions of the Code of the City of Belle Meade as they may be amended from time to time, the following general criteria are considered:

APPEAL # 091323-1 XXXXXXXXXXXXXXXX 091923-1
XXXXXXXXXXXXXXXXXX

APPEAL FEE: \$600 -

APPLICANT (Owner's Name) BRYAN PAYLOR PHONE # 615-585-5699

APPLICANT EMAIL ADDRESS BRYANPAYLOR@HOTMAIL.COM

PROPERTY ADDRESS: 436 LYWOOD BLVD NASHVILLE, TN 37205

REQUEST: SPECIAL EXCEPTION VARIANCE CONDITIONAL USE

REASON FOR APPEAL - Be Specific 12'x24' SWIMMING POOL WATER

LAND TO BUILDING FLOOR AREA RATIO (F.A.R.)

*FAR IS ALL ENCLOSED COVERED STRUCTURES, MEASURED TO THE OUTSIDE WALLS, AND WILL INCLUDE ATTIC HEIGHT OF 5'6" AND ABOVE, ACCESSIBLE OR NOT. THIS DOES NOT INCLUDE BASEMENT OR GARAGE UNDER HOUSE.

Example: .57 acres x 43,560 sq. ft. = 24,829 lot sq. ft. / 24,829 x 12% = 2,979 footprint of house / 24,829 x .225 = 5,586 total house.

LOT SQ. FT: { 35,210 }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%					
ESTATE A 8%					

F.A.R. X LOT SQ. FT.					
LOTS <40,000 sq. ft. x .225 =					
LOTS > 40,000 sq. ft. x .196 =					

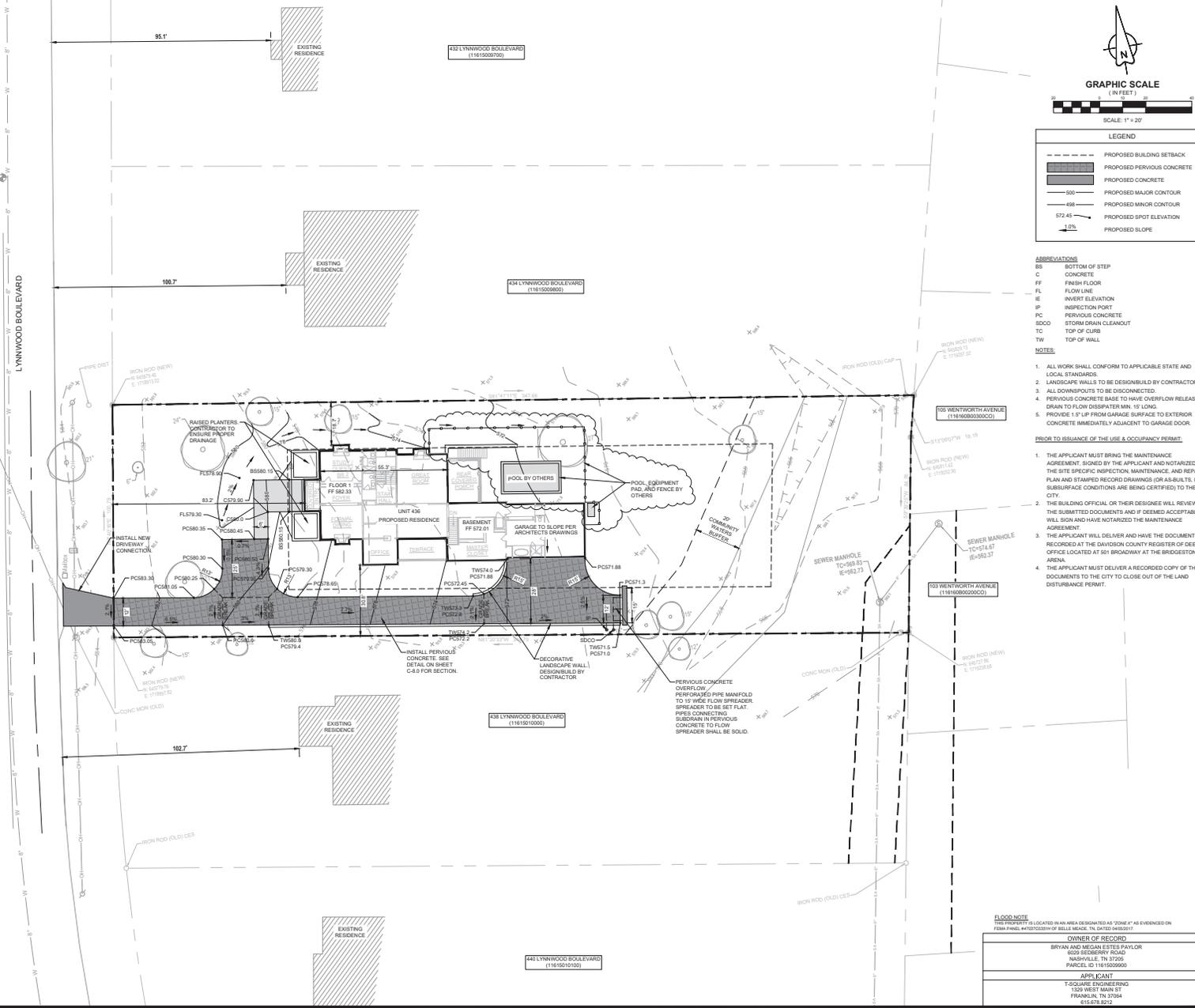
TOTAL ROOF AREA					
% of Low Slope Roof AREAS <6/12 Pitch 30%					

DRIVEWAY 12%					
DRIVEWAY IN FRONT YARD 22%					
FRONT YARD SQ. FT.					

HARDSCAPE 8% OF LOT	2,816	1,165	1,165	0	0
HARDSCAPE + POOL 8%	2,816	1,165	1,529	31%	0
POOL 2% OF LOT TOTAL	704	0	364	100%	0
***ACCESSORY AREA					

*** COMBINATION OF POOL/TERRACE, DECK, TENNIS COURT, OTHER ACCESSORY STRUCTURES OR USES SHALL NOT EXCEED 15%

BENCHMARK (NAD83)
MAGNAN IN PAVEMENT
N: 645954.08
E: 171881.30
ELEV: 352.43



LEGEND

- PROPOSED BUILDING SETBACK
- ▨ PROPOSED PERVIOUS CONCRETE
- ▨ PROPOSED CONCRETE
- 250 PROPOSED MAJOR CONTOUR
- 450 PROPOSED MINOR CONTOUR
- 572.45 PROPOSED SPOT ELEVATION
- 1.0% PROPOSED SLOPE

ABBREVIATIONS

- BS BOTTOM OF STEP
- C CONCRETE
- FF FINISH FLOOR
- FL FLOW LINE
- IE INVERT ELEVATION
- IP INSPECTION POINT
- PC PERVIOUS CONCRETE
- SDCO STORM DRAIN CLEANOUT
- TC TOP OF CURB
- TW TOP OF WALL

- NOTES**
1. ALL WORK SHALL CONFORM TO APPLICABLE STATE AND LOCAL STANDARDS
 2. LANDSCAPE WALLS TO BE DESIGNED/BUILT BY CONTRACTOR
 3. ALL DOWNSPOUTS TO BE DISCONNECTED.
 4. PERVIOUS CONCRETE BASE TO HAVE OVERFLOW RELEASE DRAIN TO FLOW DISSSIPATOR MIN. 15' LONG
 5. PROVIDE 1 1/2" LIP FROM GARAGE SURFACE TO EXTERIOR CONCRETE IMMEDIATELY ADJACENT TO GARAGE DOOR.

- PRIOR TO ISSUANCE OF THE USE & OCCUPANCY PERMIT:**
1. THE APPLICANT MUST BRING THE MAINTENANCE AGREEMENT, SIGNED BY THE APPLICANT AND NOTARIZED, THE SITE SPECIFIC INSPECTION, MAINTENANCE, AND REPAIR PLAN AND STAMPED RECORD DRAWINGS (20 AS-BUILTS, IF SUBSURFACE CONDITIONS ARE BEING CERTIFIED) TO THE CITY.
 2. THE BUILDING OFFICIAL OR THEIR DESIGNEE WILL REVIEW THE SUBMITTED DOCUMENTS AND IF DEEMED ACCEPTABLE, WILL SIGN AND HAVE NOTARIZED THE MAINTENANCE AGREEMENT.
 3. THE APPLICANT WILL DELIVER AND HAVE THE DOCUMENTS RECORDED AT THE DAVIDSON COUNTY REGISTER OF DEEDS OFFICE LOCATED AT 501 BROADWAY AT THE BRIDGESTONE ARENA.
 4. THE APPLICANT MUST DELIVER A RECORDED COPY OF THE DOCUMENTS TO THE CITY TO CLOSE OUT OF THE LAND DISTURBANCE PERMIT.

FLOOD NOTE
THIS PROPERTY IS LOCATED IN AN AREA DESIGNATED AS "ZONE X" AS INDICATED ON FEMA PANEL #17070309H OF BELLE MEADE, TN, DATED 04/22/17.

OWNER OF RECORD
BRYAN AND MEGAN ESTES PAYLOR
6025 BEDFERRY ROAD
NASHVILLE, TN 37220
PARCEL ID 11815020900

APPLICANT
T-SQUARE ENGINEERING
1320 WEST MAIN ST
FRANKLIN, TN 37064
615.678.8212

REVISIONS

NO.	DATE	DESCRIPTION
1	07/17/23	SITE PLAN REVISION

ENGINEERED SITE PLAN
CONSTRUCTION DOCUMENTS
436 LYNNWOOD BOULEVARD
BELLE MEADE, TENNESSEE

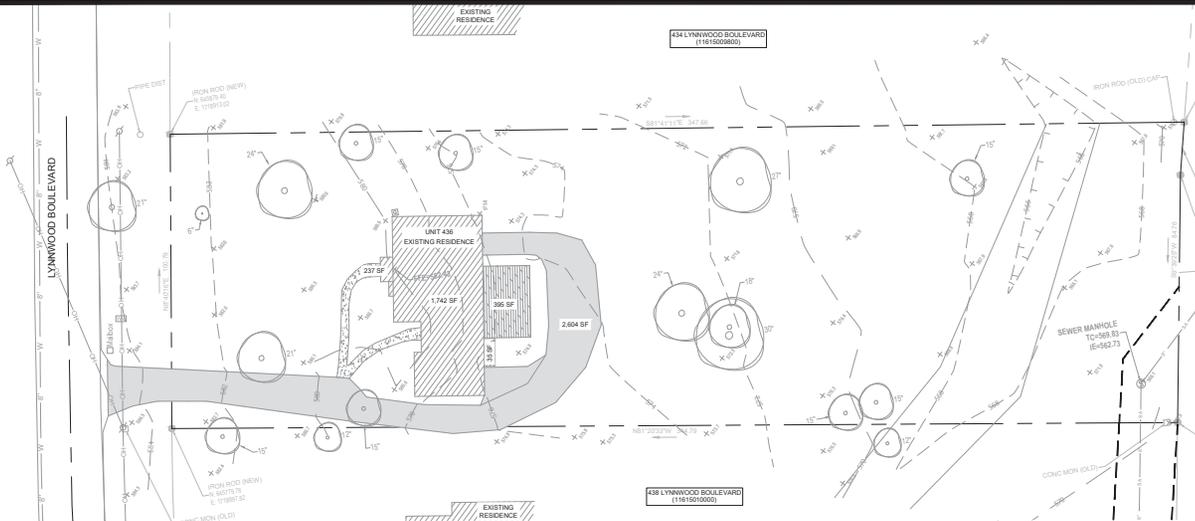


PROJECT
23-0120

SHEET
C-2.0



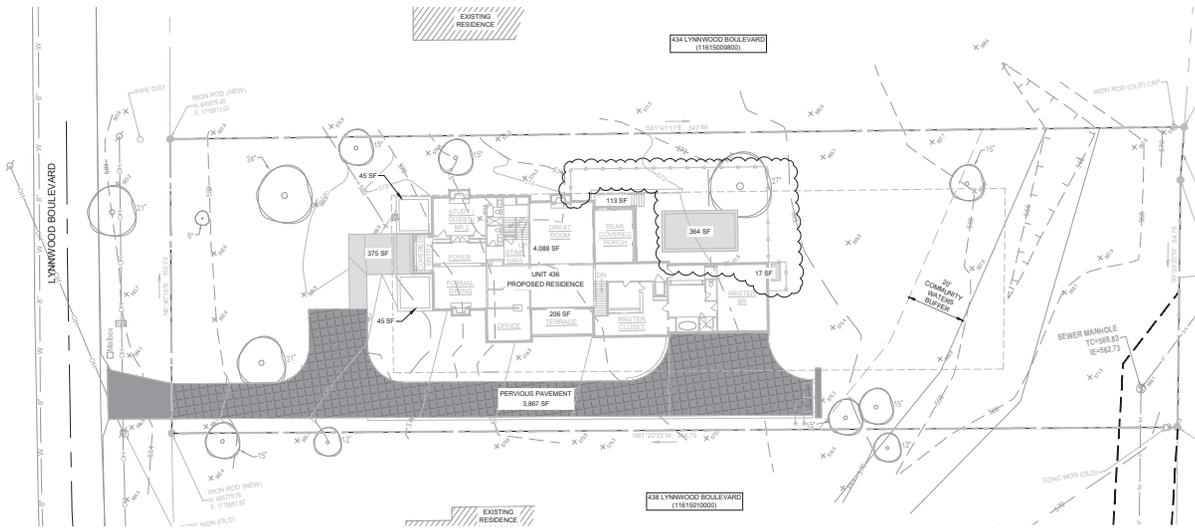
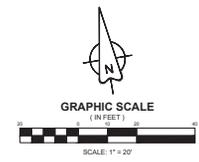
436 LYNNWOOD BOULEVARD



PRE-DEVELOPMENT IMPERVIOUS AREA

SITE DATA: PRE-DEVELOPMENT AREA (SF)	
TOTAL SITE AREA	35,210
PRE-DEVELOPMENT IMPERVIOUS	5,913
ROOF	1,742
PARKING/DRIVEWAYS	2,684
WALKS/MISC. PADS	667
PRE-DEVELOPMENT PERVIOUS	30,197
LANDSCAPE	30,197
SITE DATA: POST-DEVELOPMENT AREA (SF)	
TOTAL SITE AREA	35,210
POST-DEVELOPMENT IMPERVIOUS	5,231
ROOF	4,088
PARKING/DRIVEWAYS	0
WALKS/MISC. PADS	1,165
POST-DEVELOPMENT PERVIOUS	29,957
LANDSCAPE	32,000
PERVIOUS CONCRETE	3,867
PERVIOUS NET	340
IMPERVIOUS NET	242

NOTE: IMPERVIOUS AREA FROM PRE-DEVELOPMENT TO POST DEVELOPMENT HAS DECREASED.



POST-DEVELOPMENT IMPERVIOUS AREA

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CONSTRUCTION DOCUMENTS**
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BELLE MEADE, TENNESSEE

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FLOOD NOTE THIS PROPERTY IS LOCATED IN AN AREA DESIGNATED AS "ZONE X" AS EVIDENCED ON FEMA PANEL #17020389P OF BELLE MEADE, TN. DATED 04/02/21.
OWNER OF RECORD BRIAN AND MEGAN ESTES TAYLOR 603 BEDFERRY ROAD NASHVILLE, TN 37205 PARCEL ID 11815020900
APPLICANT T-SQUARE ENGINEERING 1320 WEST MAIN ST FRANKLIN, TN 37064 615.678.8212

PROJECT
23-0120

SHEET
C-4.0



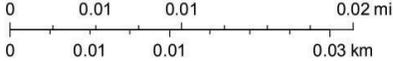
Nashville / Davidson County Parcel Viewer 436 Lynnwood Boulevard Aerial



August 16, 2023

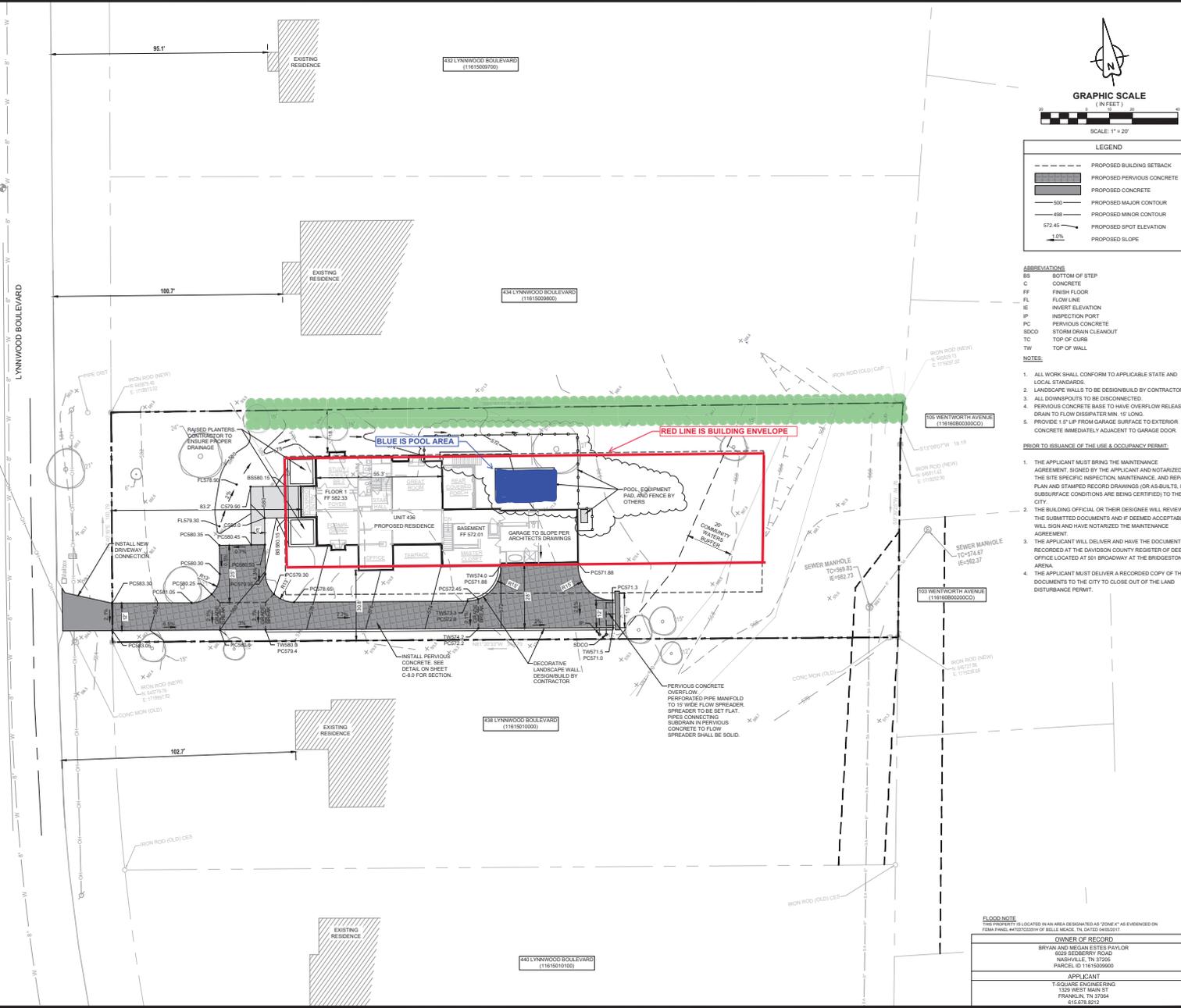
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Nashville Maps; Pictometry International

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GRAPHIC SCALE
1" = 20'

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