



**CITY OF BELLE MEADE
MUNICIPAL PLANNING COMMISSION
REGULAR MEETING AGENDA PACKET
JULY 16, 2024, 04:00 PM**



**AGENDA MUNICIPAL PLANNING COMMISSION
REGULAR MEETING
JULY 16, 2024, 04:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

TO ALL MEMBERS OF THE MUNICIPAL PLANNING COMMISSION AND INTERESTED PARTIES:

This is to notify you of the regularly scheduled meeting of the Municipal Planning Commission (MPC), with public hearing and public comment on the agenda items. Public comment will also be heard on any matters related to the MPC. Items for consideration are listed below and are available on the city website, www.citybellemeadetn.org. The meeting will also be available through Live Stream on the city website.

I. Call to Order

II. Approval of Minutes

Consideration of the minutes of the Municipal Planning Commission held June 25, 2024.

Attachment: [MPC Minutes June 25 2024.pdf](#)

III. Old Business

IV. New Business

A. The application of Drew and Shelton Kitchen to the reconfiguration of the vacated Red Wing Avenue at 301 Westview Avenue, 313, 311, 309 Lynwood Boulevard, and 121 Westhampton Place.

Attachment: [PAID APPLICATION.pdf](#)

Attachment: [24050.pdf](#)

V. Public Comment

VI. Adjourn

VII. The next regularly scheduled meeting of the Municipal Planning Commission will be held August 20, 2024 at 4:00 p.m.



**MINUTES
MUNICIPAL PLANNING COMMISSION – SPECIAL MEETING
JUNE 25, 2024, 4:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

Call to Order

Chairman Gavin Duke called the meeting to order at 4:01 p.m.

Commission Members Present

Chairman Gavin Duke

Mayor Rusty Moore

Scott Kendall

Karen Rich

Carter Dawson

Haley Dale joined the meeting at 4:05 p.m.

Vice-Chairman Nina Davidson joined the meeting at 4:07 p.m.

Commission Members Not Present

Ashley Levi

Larry Wieck

Staff Present

Planning Director Mary Samaniego

City Recorder Rusty Terry

City Attorney Doug Berry

Chairman Duke asked if the members had any conflicts of interest, there were none.

Approval of Minutes

Consideration of the minutes of the Municipal Planning Commission held May 21, 2024.

Motion to approve: Moore Second: Rich Vote: All aye

New Business

The application of Ruth Cowan, 105 Lynwood Boulevard MPC 2024-105, for a two lot final plat subdivision.

Jack Robinson, Attorney with Robinson, Reagan & Young, PLLC representing Ruth Cowan reviewed the proposal as submitted for the two lot subdivision of the property at 105 Lynwood Boulevard.

Public Comment Opened

- Gloria Sir, resident at 101 Westhampton Place inquired about when and what would be done with the property. Asking the existing home be repaired first.
- Haley Dale, thanked Sir for her comments, stated that she wanted everyone

present to understand that the board tonight would only be determining the lot subdivision and what happens to the existing residence would be handled by the Historic Zoning Commission.

- Brad Bars, who will develop the new lot and rehab the existing home addressed Sir's concerns.
- Carole Nelson, resident at 103 Westhampton Place, inquired about the repair of the rock wall around the property and where the new home would be accessed.
- Planning Director Samaniego stated the wall would be addressed by another board and the Planning Commission was only going to determine the lot subdivision and access of the home would be decided when the property goes before the Historic Zoning Commission.
- John Phipps, resident at 4406 Forsythe Place asked if a lot was being created, were the setbacks not supposed to be set at that time and what are the setbacks going to be, or was that for another board?
- Mayor Moore said stated that setbacks are per the code, and would be the average of what is on the street and the rear setback.
- Phipps stated so you have created a new corner lot setback.
- Moore stated that his view was we can.
- Dale stated that previously, he (Phipps) may be referring to where a corner lot has come before the board and by bulk standards a building envelope could not be established, noting this lot does not fall into that category because a building envelope could be established by the code, and the envelope is what it is and cannot be modified.
- Phipps inquired if that could be seen now.
- Chairman Duke stated that could be part of their discussion.
- Gloria Sir, resident at 101 Westhampton Place asked exactly where the house would be.
- Dale stated that attending the Historic Zoning Commission would show those plans, stating that it was not the job of the Planning Commission to have or approve that information.
- Sir stated that she wanted to know how it would affect her.
- City Attorney Doug Berry stated we are just doing the lot lines. Stating to the commission you are not doing the building envelope, you are not doing the architecture of the house, we do not know what is proposed and we do not have to know to approve this plat.
- Ron Farris, resident 107 Westhampton Place, asked if the establishment of the lot would place the existing house in non-compliance.

Public Comment Closed

A lengthy discussion ensued regarding the subdivision of the property.

Motion to approve subdivision as presented with the provision must be oriented toward Harding Pike and subject to the Planning Director determining the setbacks and the final plat to show the setbacks: Moore Second: Dale

Additional board discussion ensued.

Vote: Dawson Aye, Rich Aye, Kendall Aye, Moore Aye, Davidson Aye, Dale Aye, Duke Aye

The application of Richard and Lauren Jacques, 911 Westview Avenue, MPC 2024-911, for building envelop determination for a corner lot.

Catherine Sloan, Architect, representing Richard and Lauren Jacques, reviewed the plans as submitted for the project at 911 Westview Avenue.

Public Comment Opened

Planning Director Samaniego stated there had been letters of concern and support that were included in the packet.

A question from Board Member Rich addressing the size of the home was addressed by Sloan.

Additional comments and questions from the board followed, which were also addressed by Sloan.

Frank Floyd, 908 Westview Avenue, asked if he would be allowed to construct a detached garage within the setbacks on his property.

Planning Director Samaniego stated that the issue he was asking about was being clarified in the new zoning ordinance.

No other Public Comment

Public Comment Closed

Motion to approve as submitted: Dale Second: Kendall

Board Discussion

- Dawson: I just want to confirm that the side setback between the neighbor is equal to what their house is.
- Chairman Duke: It is seventeen feet.

Vote: All aye

Old Business

Recommendation for approval of the revised City of Belle Meade Zoning Ordinance.

Motion that tennis courts may not be illuminated after 9 p.m.: Rich
Second: Davidson

A board discussion ensued.

Vote All aye

Motion that sport courts may not be illuminated after 9 p.m.: Rich
Second: Kendall Vote: All aye

- Planning Director Samaniego: Draft Page 22, Moving the conditional use definition

Motion to move the conditional use definition from the beginning of the table to the end: Dale Second: Moore Vote: All aye

- Planning Director Samaniego: Draft Page 24, Fences and Walls subsection 2 Add more flexibility into the furthest rear corner of the dwelling

A board discussion ensued.

- Ron Farris, Architect and Belle Meade resident addressed the issue stating the original intent was to avoid no-man's land areas, noting he was not arguing for or against the proposal.

Board discussion continued

- City Attorney Doug Berry inquired of Planning Director Samaniego what other peer cities do.
- Planning Director Samaniego: In other Tennessee cities and cities throughout the country the fence for the pool is part of the pool improvements and is a separate animal than a property line fence.
- Berry: What about other fences, do you typically see rules like this?
- Planning Director Samaniego: Yes
- City Attorney Berry: Is there language that is clear and more definite that would not require variances every month.
- Farris: Other language I have read states that the fence may start at the rear corner and go to the side property line, or it can start at other locations past that rear corner, which gives Samaniego discretion.

Motion to change the fence location language to state that the fence must extend from the rear corner of the home that is closest to the rear property line that the fence will extend to: Dale Second: Moore

Planning Director Samaniego recommended amending the motion made by Dale: It would read parallels to the front lot line and extending from a side lot line to the rear corner of the dwelling that is closest to the side property line or a lesser area.

Motion amended: The fence shall extend from a line that is parallel to the front lot line to the side property line from the rear corner of the dwelling on the premises that is the closest to the side property line or lesser area: Dale Second: Moore

Vote: All aye

Planning Director Samaniego Page 26, Instead of signage being posted five days before a meeting change to ten days

Motion to change signage requirement to ten days: Dale Second: Moore
Vote: All aye
 No board discussion

Vote: All aye

Planning Director Samaniego Page 26 references the HZC, page 28 references the BZA

Motion that on page 28 Sub-section 5A be revised to require posting of the sign to ten days: Moore Second: Davidson
 No board discussion

Vote: All aye

Kendall: Addressing the Draft, 14-205, page 23

A board discussion of FAR (Floor Area Ratio) ensued

Motion to add in the section where it states for zoning districts residential A & B and Estate A & B is .2, for properties 40,000 square feet or less in these two zoning districts the FAR shall be .225: Kendall Second: Moore

A board discussion ensued

**Vote Aye: Dawson, Rich, Kendall, Moore, Davidson Duke
Vote No: Dale**

Kendall, also in 14-205 E, maximum height in residential C where the height is 30 feet

**Motion that the maximum height in C district be thirty-five feet: Kendall
Second: Dale**

A board discussion ensued

- Ron Farris, Architect and Belle Meade resident addressed the issue

Dale: Call the question

There was no vote on the question Chairman Duke called for the vote on the motion

**Vote: Dawson No, Rich Yes, Kendall Yes, Moore No, Duke Yes, Davidson No,
Dale No**

Chairman Duke stated it did not pass and the height will remain at thirty feet

Kendall stated he rethought basements after the last meeting, and asked that they revisit the basement and how much would be counted as FAR

A discussion ensued

Ron Farris, Architect and Belle Meade resident addressed the board on the issue, stating that he was not arguing for or against.

Motion to remove the basement calculation from FAR: Dale Second: Kendall

A board discussion ensued

Motion withdrawn by Dale

Second withdrawn by Kendall

Motion to revise it from 50 percent to twenty five percent (it being the portion of the basement calculation included in FAR): Kendall Second: Moore

Vote: All aye

Following a question from Moore, addressed to Planning Director Samaniego, about the current language regarding garages a discussion ensued.

Planning Director Samaniego asked for clarification on garages

Motion that when referring to the required garage structure that it may be attached or detached: Moore Second: Davidson

- Carter asked for clarification on FAR as it relates to garages.
- Planning Director Samaniego stated that if a garage is attached it is part of the house it is part of the footprint and FAR and a detached garages it is hardscape, not footprint of FAR.

Additional discussion ensued.

Vote: All aye

Motion to include detached garages in footprint and FAR: Moore
Second: Kendall

Vote: Aye Dawson, Kendall, Moore, Duke, Davidson Dale No Rich
Motion to include pool houses and guest houses in FAR and footprint:
Moore Second: Dale

A discussion ensued.

Roll call vote: Dawson No, Rich Yes, Kendall Yes, Moore Yes, Duke Yes, Davidson Yes, Dale No

Mayor Moore left the meeting at 6:48 p.m.

Public Comment - None

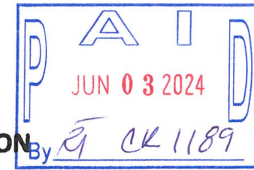
The meeting adjourned at 6:50 p.m.

Chairman Gavin Duke

City Recorder Rusty Terry



CITY OF BELLE MEADE
APPLICATION FOR MUNICIPAL PLANNING COMMISSION



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

APPEAL # MPC2024-12 APPEAL FEE: \$400

PROPERTY ADDRESS: Red Wing Closure - affected lots

APPLICANT (Owner's Name) Drew & Shelton Kitchen PHONE # 205-306-3296

APPLICANT EMAIL ADDRESS drewkitchen@yahoo.com

SURVEYOR Michael Charotte PHONE # 615-269-3972

SURVEYOR EMAIL ADDRESS mhc-cls@comcast.net

REASON FOR REQUEST: Reversion of Abandoned Red Wing Property

Complete Checklist for Subdivision Application

- ☐ Survey/Final Plat (signed and sealed by a registered surveyor) of proposed lots
- Show existing and proposed structures
 - Area in square feet and Building Envelope *highlighted* for each proposed lot
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations for properties in the FEMA floodplain

SIGNATURE: _____

DATE: 6/3/24

Submit all information, plans & application via email PDF to: msamaniego@citybellemead.org

