



**CITY OF BELLE MEADE
MUNICIPAL PLANNING COMMISSION
REGULAR MEETING AGENDA PACKET
AUGUST 20, 2024, 04:00 PM**



**AGENDA MUNICIPAL PLANNING COMMISSION
REGULAR MEETING
AUGUST 20, 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.citybellemeade.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 July 16, 2024.

Attachment: [MPC Minutes July 16 2024.pdf](#)

III. Old Business - None

IV. New Business

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

RECONSIDERATION

Attachment: [PAID APPLICATION.pdf](#)

Attachment: [REVISED PRESENTATION MATERIALS.pdf](#)

Attachment: [FLOYD COMMENTS.pdf](#)

Attachment: [PHIPPS LETTER.pdf](#)

Attachment: [INMAN LETTER.pdf](#)

Attachment: [BRIGHT LETTER.pdf](#)

Attachment: [BRIGHT LETTER 2.pdf](#)

Attachment: [supporting 911 Westview M A Harris.pdf](#)

Attachment: [supporting 911 Westview M Harris.pdf](#)

Attachment: [STAFF ANALYSIS.pdf](#)

Attachment: [PRESENTATION MATERIALS.pdf](#)

Attachment: [PHIPPS COMMENT FOR AUGUST.pdf](#)

Attachment: [Mary Samaniego letter 07-16-24.pdf](#)

Attachment: [Bright letter for August.pdf](#)

V. Public Comment

VI. Adjourn

VII. The next regularly scheduled meeting of the Municipal Planning Commission will be held September 17, 2024 at 4:00 p.m.



**MINUTES
MUNICIPAL PLANNING COMMISSION – REGULAR MEETING
JULY 16, 2024, 4:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

Call to Order

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

Commission Members Present

Chairman Gavin Duke
Carter Dawson
Scott Kendall
Rusty Moore
Karen Rich
Larry Wieck

Commission Members Absent

Haley Dale
Ashley Levi

Staff Present

Planning Director Mary Samaniego
City Recorder Rusty Terry
City Attorney Doug Berry

Approval of Minutes

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

Motion to approve: Moore Second: Dawson All aye

Old Business - None

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.

Commission member Nina Davidson joined the meeting at 4:04 p.m.

Drew Kitchen, resident at 313 Westview Avenue reviewed the plan, as submitted, for platting the properties affected by the city abandonment of Red Wing Avenue.

Wieck inquired how this was different from what was approved by the Municipal Planning Commission.

City Attorney Doug Berry stated this is the actual re-subdivision of the property, a new plat; previously you (Municipal Planning Commission) looked at and made a recommendation to the Board of Commissioners about the

abandonment which is the Planning Commission's role as well. Obviously it is related. This is the actual re-platting because that property is now part of another lot and requires that lot to be redefined.

Dawson asked if all the property that was abandoned was going to the Lynwood properties; what about the properties on Sunnyside.

Berry stated that he and staff concluded that the property was all originally part of one subdivision, and not two, which is often the case, and it would go back to the original subdivision properties adding that it was discussed at length with the Planning Commission and the Board of Commissioners.

Additional discussion ensued.

Chairman Duke inquired from City Attorney Berry if Public Comment was necessary, Berry stated the division had been established and public comment wasn't necessary.

Public Comment Opened

Hunter Oldacre, resident at 400 Sunnyside Avenue stated that he felt that Sunnyside residents would prefer everything remain as is since they were not going to be receiving any property stating the Sunnyside residents thought the land would be split evenly.

Kimberly Kraft, resident at 410 Sunnyside Avenue, expressed the same sentiment as Oldacre.

Mark Wilson, resident at 402 Sunnyside Avenue, stated the same sentiment as Oldacre and Kraft, adding he would not have agreed to the closing had he know he wasn't receiving any of the property.

Kraft spoke again expressing concern about the tree buffer being removed, which screens the homes on the other side of the creek.

Ashley Henry, resident at 311 Lynwood Boulevard, spoke in favor of the proposal.

Public Comment Closed

A board discussion ensued, with questions and answers from City Attorney Berry and Planning Director Samaniego.

Motion to defer in order to give all adjacent landowners to come to an agreement together on a combination of ownership, stewardship: Dawson
Second: Wieck Vote: All aye

Wieck asked for a point of clarification from City Attorney Berry: The adjoining neighbors can come to some agreement that does not have to follow the original subdivision plat.

City Attorney Berry stated they would have to file a new revised subdivision plat on both subdivisions reflecting their agreement as to ownership.

Public Comment - None

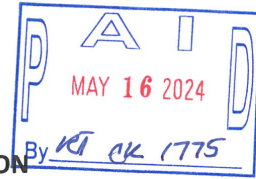
The meeting adjourned at 4:52 p.m.

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 # MPC2024-911 APPEAL FEE: \$400

PROPERTY ADDRESS: 911 Westview Avenue

APPLICANT (Owner's Name) Richard and Lauren Jacques PHONE # 615.852.0647

APPLICANT EMAIL ADDRESS ljacques@bradley.com

SURVEYOR Donlon Land Surveying PHONE # 615.673.9116

SURVEYOR EMAIL ADDRESS markd@donlonlandsurveying.com

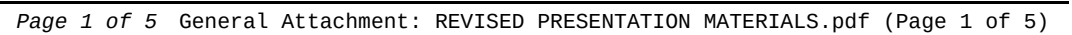
REASON FOR REQUEST: Building Envelope

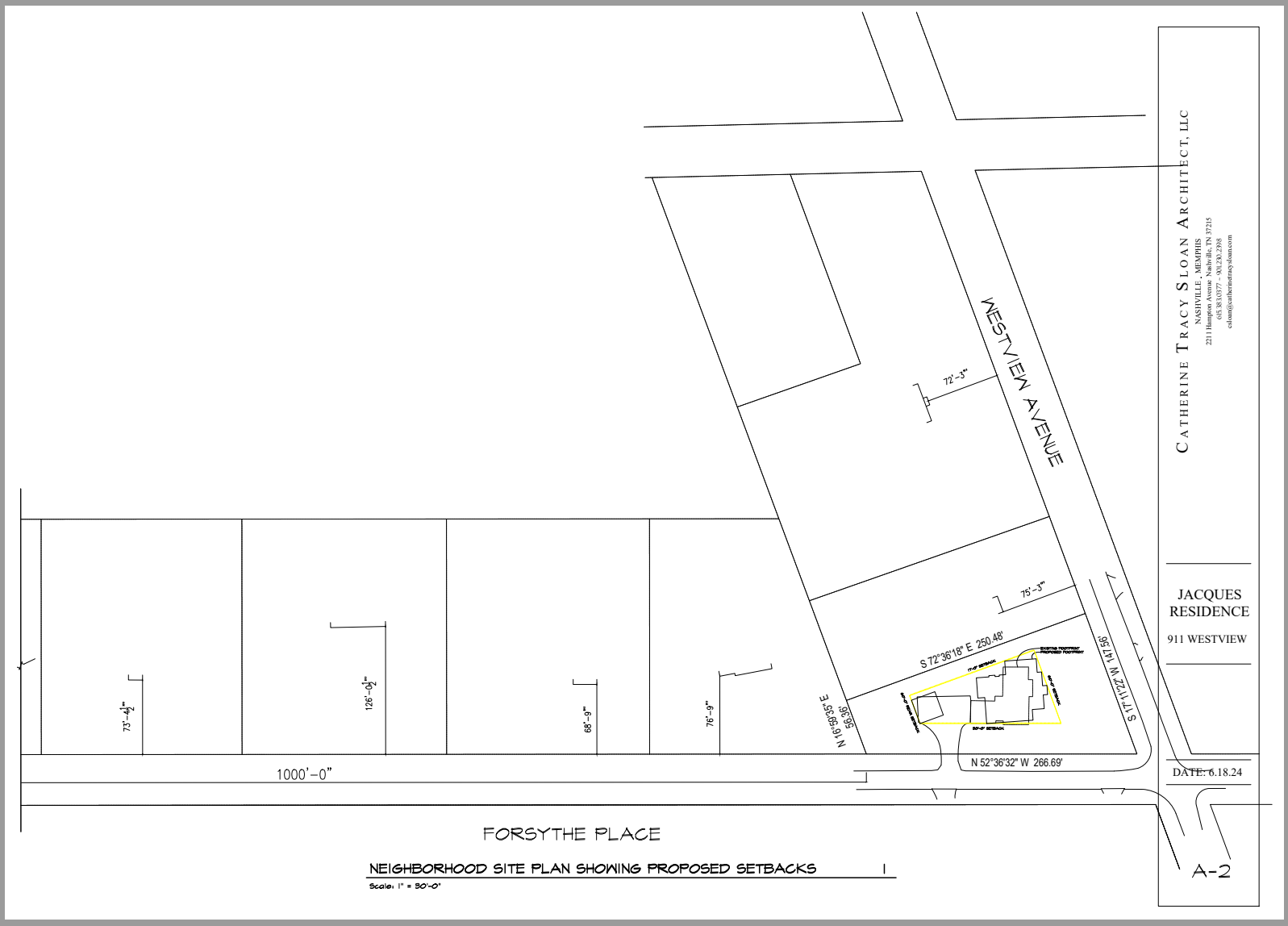
Complete Checklist for Subdivision Application

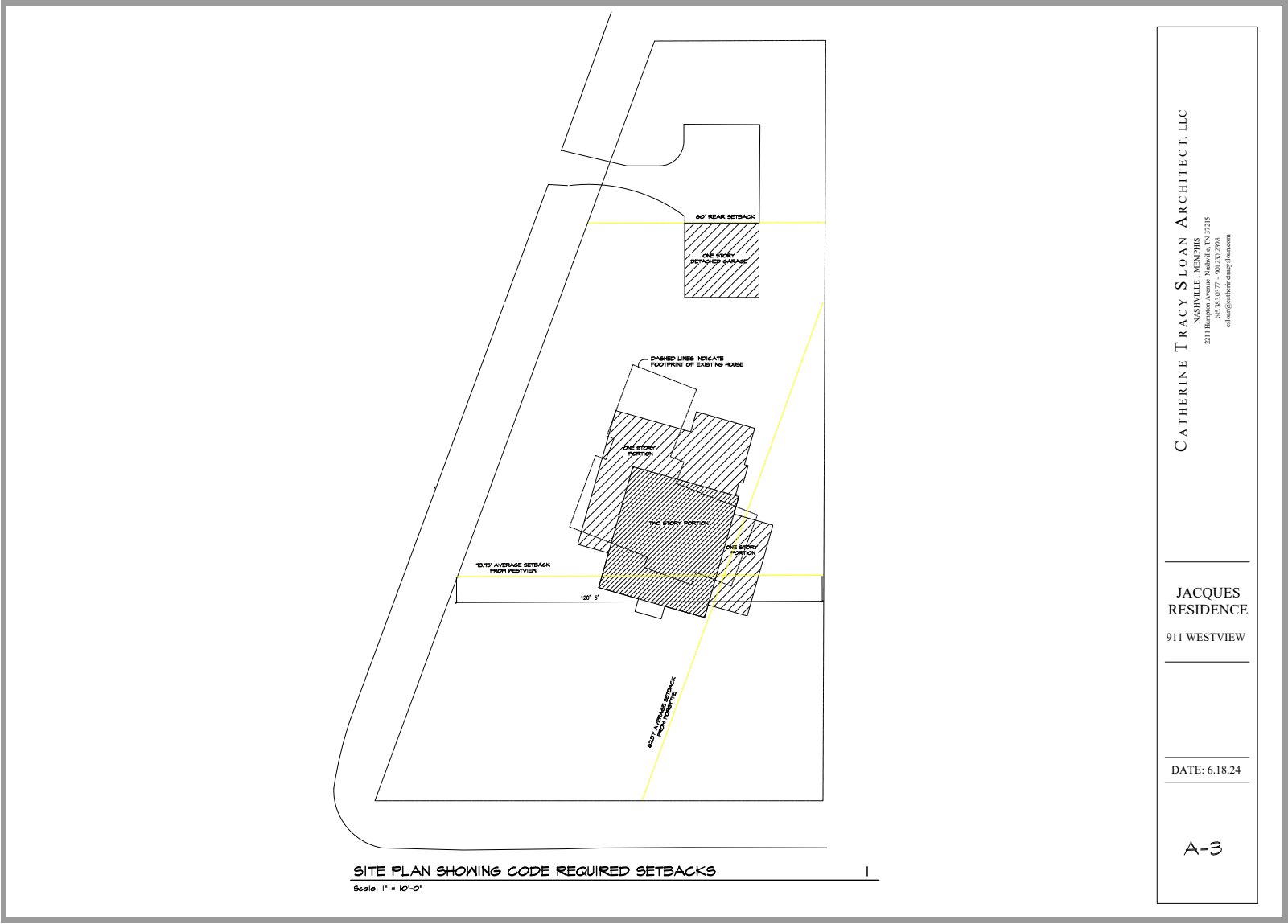
- ☐ Survey/Final Plat (signed and sealed by a registered surveyor) of proposed lots
- Show existing and proposed structures
 - Area in square feet and Building Envelope *highlighted* for each proposed lot
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations for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

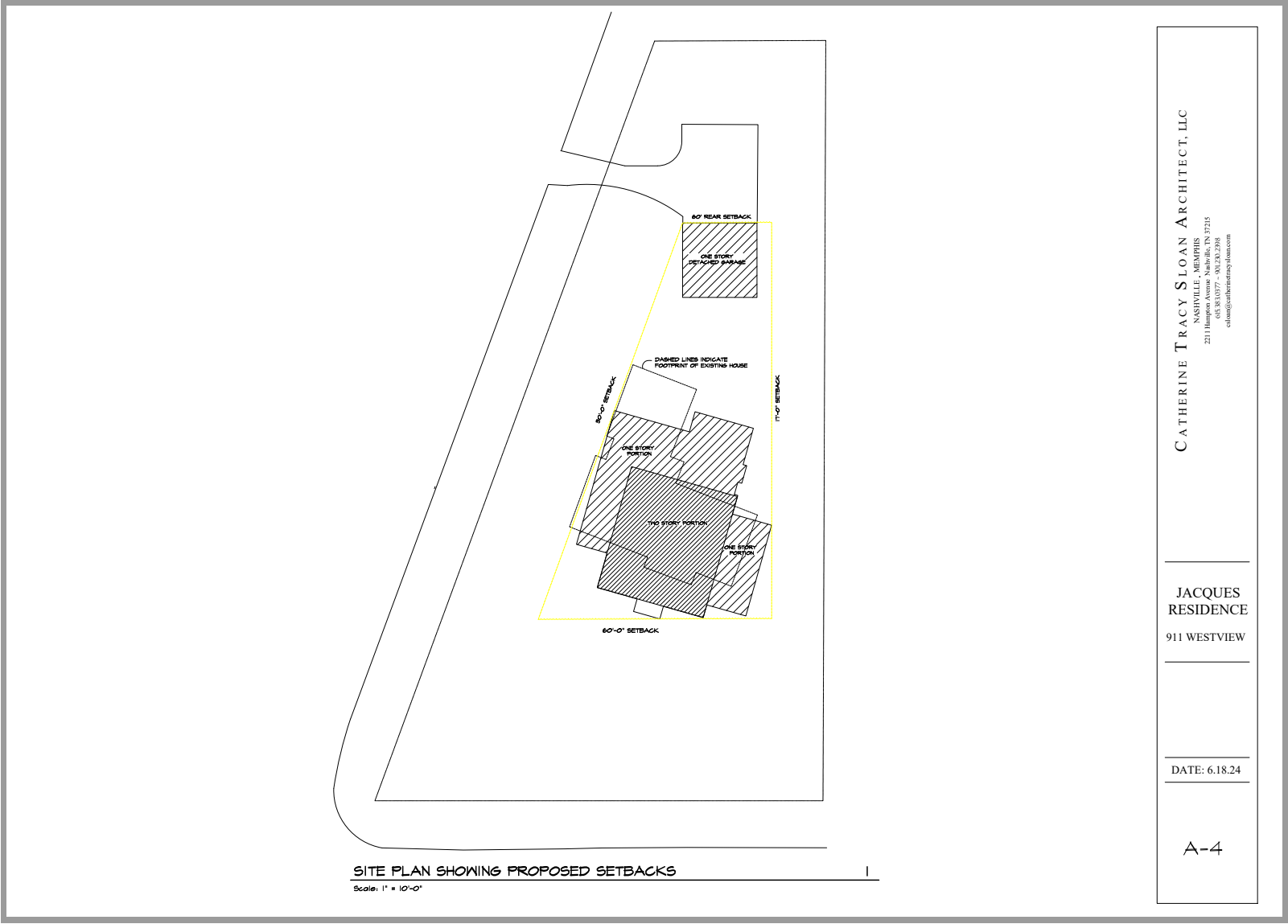
SIGNATURE: Catherine Sloan DATE: 5.13.2024

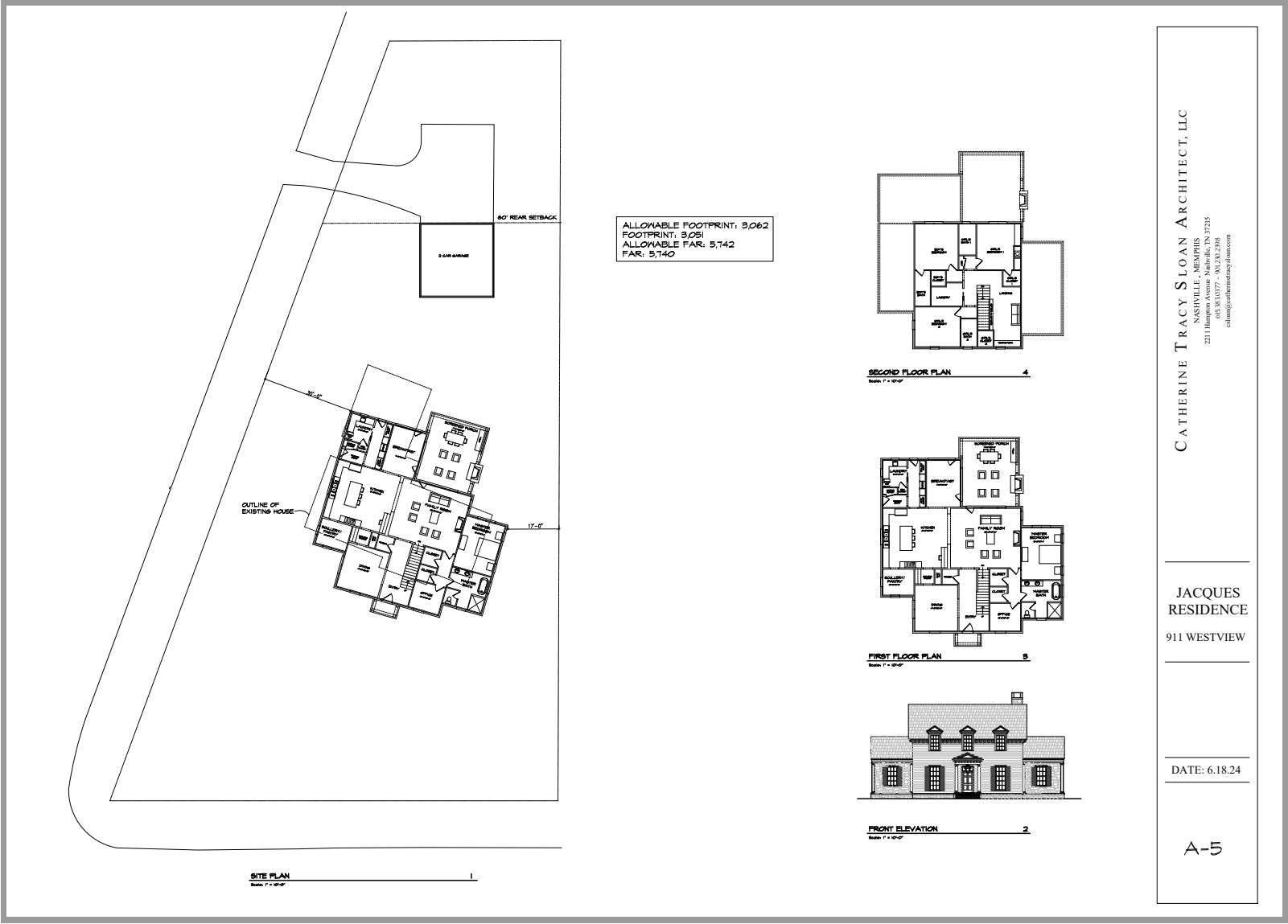
Submit all information, plans & application via email PDF to: msamaniego@citybellemeade.org











From: [Mary Samaniego](#)
To: [frank floyd](#)
Subject: RE: Zoning Appeal 911 Westview Avenue
Date: Wednesday, June 5, 2024 7:45:00 AM

Mr. Floyd - thank you for your input of the zoning applications for the above referenced project. Any property owner in Belle Meade has the legal right to request a variance to Zoning Code provisions as well as to request a building envelope determination if a corner lot. The two requests are being made by the new potential property owners and not the City or myself. I do not know why previous staff did not inform you of your option to request a variance to the Zoning Code provisions for footprint and/or your garage project. I will place your comments in the file for consideration by the Board of Zoning Appeals and Municipal Planning Commission regarding the project at 911 Westview Avenue.

Thank you for your time and attention,

Mary Samaniego
Planning Director
City of Belle Meade
4705 Harding Road, Nashville, TN 37205
Phone 615-297-2364 Fax 615-297-0255

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"This message may contain confidential and/or proprietary information and is intended for the person/entity to which it was originally addressed. Any use by others is strictly prohibited."

-----Original Message-----

From: frank floyd <floyd37205@icloud.com>
Sent: Tuesday, June 4, 2024 8:06 PM
To: Mary Samaniego <msamaniego@citybellemeade.org>
Subject: Zoning Appeal 911 Westview Avenue

Good Morning Mary,

My name is Frank Floyd. I am the current owner and 40 year resident at 908 Westview Ave. Because my property was used as a non compliant reference in the zoning appeal for 911 Westview I wanted to offer the following comments and enter them into the appeal record.

For many years my wife and I have wanted to remodel our house...adding a useable garage. We have been told countless times that we had to work within the existing footprint and that "detached" structures would not be allowed. As a result we did a smaller remodel project adding additional living space. That project was limited to the existing foundation and a maximum volume requirement.....but no useable garage was possible.

Looking at the proposed application for the 911 Westview, the existing footprint is being expanded in all 4 directions, the allowable square footage formula is being exceeded, and a detached garage is being Included. I don't necessarily object to the appeal but request that if It is granted then I can be next in line for a similar project.

Additionally, both the side street setback and the front street setback seem to further block the sight lines of the adjacent neighbors. Both set backs extend well beyond the existing structure. In other words, the proposed structures further block the lateral views of the 2 adjacent neighbors when standing on their front porches. Although it's not affecting me it doesn't seem fair to them.

Finally, the street setbacks on Forsyth of 20 and 22 feet seem to be closer the any other setbacks in the city. At least I have not found one yet. This affects everyone who walks and drives that street on a daily basis.

Again, I am not offering an objection or a remedy. My main point is that if these exceptions pass I want to be able to do the same thing. In order to get my garage I would need the same detached structure exception, the same volume exception, and the same setback exception.

Thank you for the work that you do for our city. Frank Floyd



JOHN S. PHIPPS, JR.
4406 FORSYTHE PL.
NASHVILLE, TN 37205

June 13, 2024

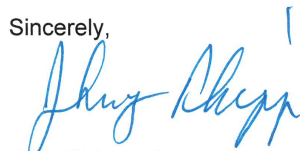
To: Planning Commission
City of Belle Meade

Re: 911 Westview Ave Appeal MPC2024-911

All:

1. I have resided at 4406 Forsythe Place for 40+ years. Our property is adjacent to the rear of 911 Westview
2. For decades I have known this lot would someday present a unique situation if the current house was to be replaced by a new house.
3. I am all for a new house being built on this lot and would be in favor of some minor adjustment outside the existing house footprint, but it seems the requested setback lines in "all 4" directions encroaches excessively toward both Forsythe and Westview, as well as the side neighbor.
4. The detached garage may or may not be allowed by current zoning rules but that is for the BZA to decide.
5. I trust the Planning Commission will make a wise decision on this application, because I think a precedent may be set for other lots with similar situations.

Sincerely,



John Phipps, Jr.

From: [Elizabeth Inman](#)
To: [Mary Samaniego](#)
Cc: johnmarkinman@gmail.com
Subject: 911 Westview
Date: Monday, June 17, 2024 10:33:00 AM

Good morning,

My name is Elizabeth Inman, and my husband John and I live at 4422 Forsythe Place. I write to inform you that we are in FULL support of the Jacques' proposed project at 911 Westview. Please let me know if you have any questions for us or need additional information.

Best,
Elizabeth

Elizabeth Saxton Inman
Vice President & Assistant Corporate Secretary
Dollar General Corporation
100 Mission Ridge
Goodlettsville, TN 37072
615-855-5263 (phone); 615-855-5180 (fax)
einman@dollargeneral.com

Municipal Planning Commission

City of Belle Meade – Planning Director

4705 Harding Pike

Nashville, TN 27205

Re: 911 Westview Avenue

We support the building of a new home at the referenced property but do not support the requested setbacks as shown on plans A-1, 2, 3 & 4 dated 5/13/24. We understand the current setbacks do not allow a home to be built but the proposed size of home planned with requested side & front setbacks and height as allowed will be at a scale very different than other homes along Westview built on 25,000 sf lots. When the rules change it impacts the character of the neighborhood with a recent build along Forsythe being an example and we believe it diminishes the value of our home that is only 20 years old, built within the code at the time.

We would rather not have something built in proportions to homes in Green Hills but hope that whatever is built will be in relation to current homes on similar lots in our neighborhood.

Thank you for your consideration.

Clay & Kim Bright

909 Westview Avenue

Municipal Planning Commission

City of Belle Meade – Planning Director

4705 Harding Pike

Nashville, TN 27205

Re: 911 Westview Avenue

We support what is planned for reference project with a couple of comments that we ask you to consider.

Our only concern is that the proposed 17' setback is too close and would ask the MPC to consider Zoning Code 14-204 (h) Side Yards (i) (A) Minimum Width.

My observation is that the area being requested to build on within the proposed setbacks is 7100 sf compared to a similar sized lot of 25,000 sf is 5750 sf. I do not have all the information I needed to arrive at the 7100 sf so number is not confirmed.

Thank you for your time and consideration of our comments.

Clay & Kim Bright

909 Westview Avenue

June 25, 2024

From: [Mary Ann Harris](#)
To: [Mary Samaniego](#)
Subject: 911 Westview Avenue
Date: Saturday, June 22, 2024 5:17:17 PM

Dear Mary,

My name is Mary Ann Harris. My husband, Tad, and I live at 916 Westview Avenue. We are very much in support of the proposal being made by Lauren and Richard Jacques for the 911 Westview property that will be heard by the Municipal Planning Commission on Tuesday, June 24. We believe that they and the home they are planning would be welcome additions to the property and to our street.

Thank you for including this note in the applicants' file.

Best,
Mary Ann and Tad Harris

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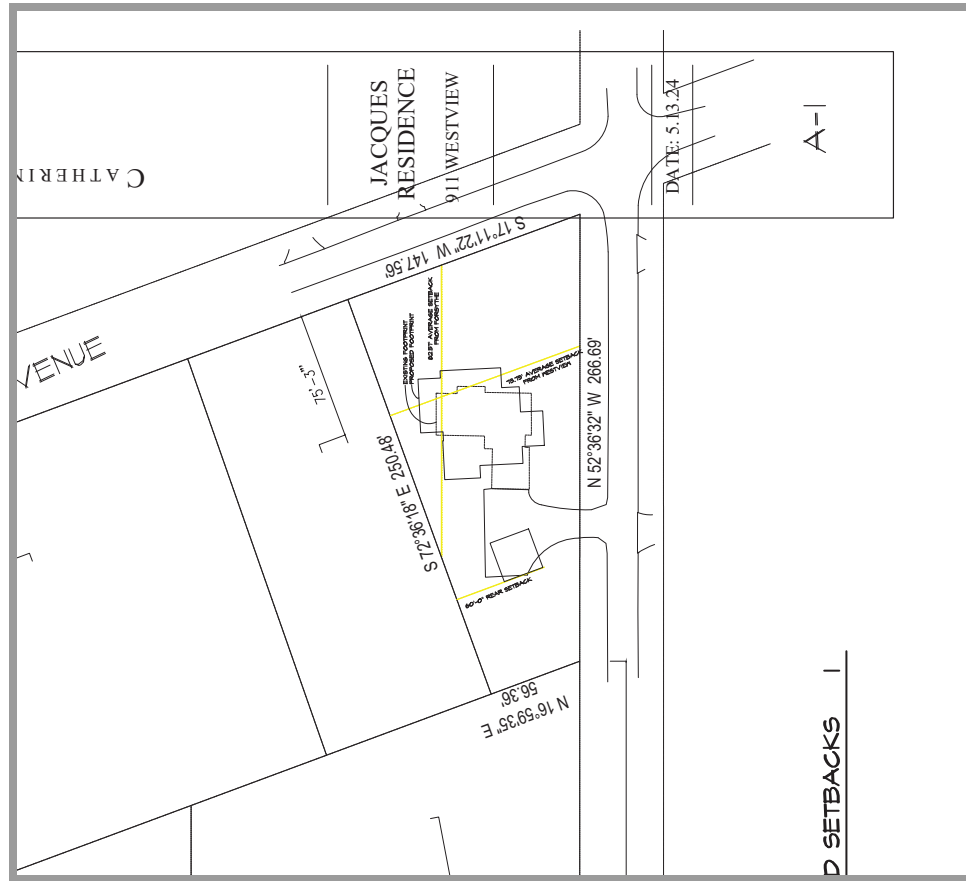
Mary Ann Miller Harris
916 Westview Avenue
Nashville, TN 37205
615-513-8851 cell
maryannharris@gmail.com

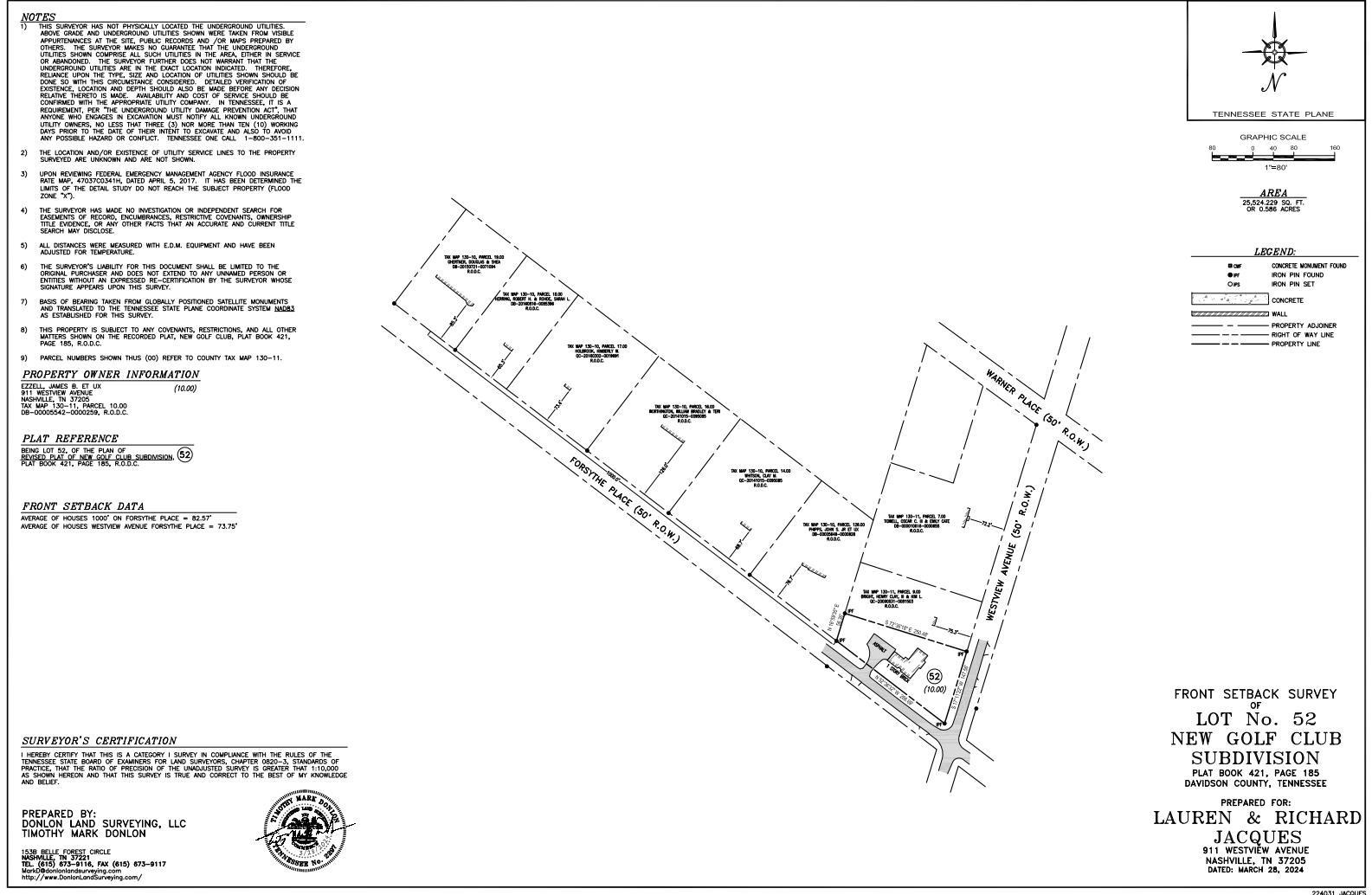
From: [Margaret Harris](#)
To: [Mary Samaniego](#)
Subject: supporting 911 Westview
Date: Friday, June 21, 2024 4:12:34 PM

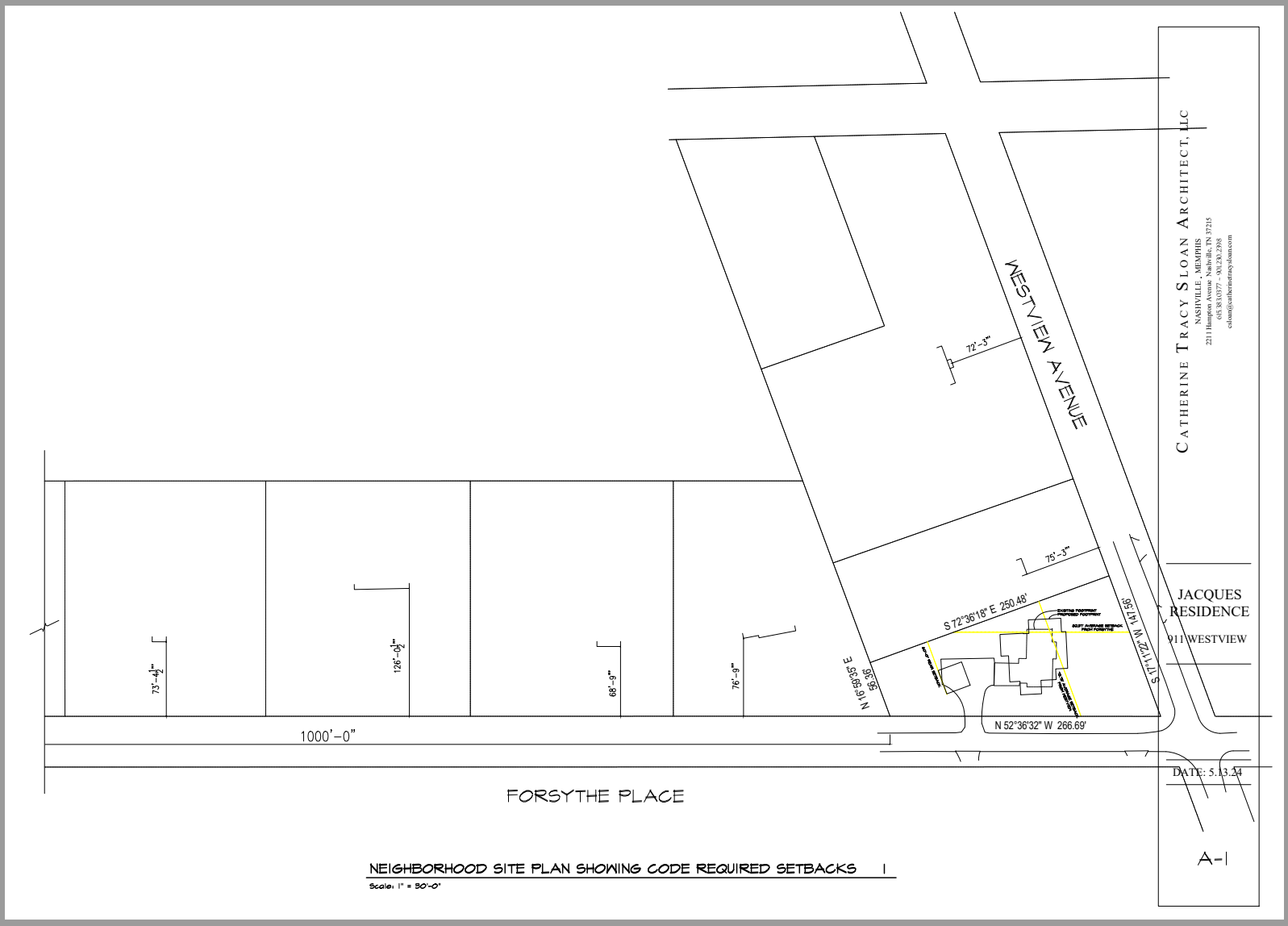
Dear Mary,

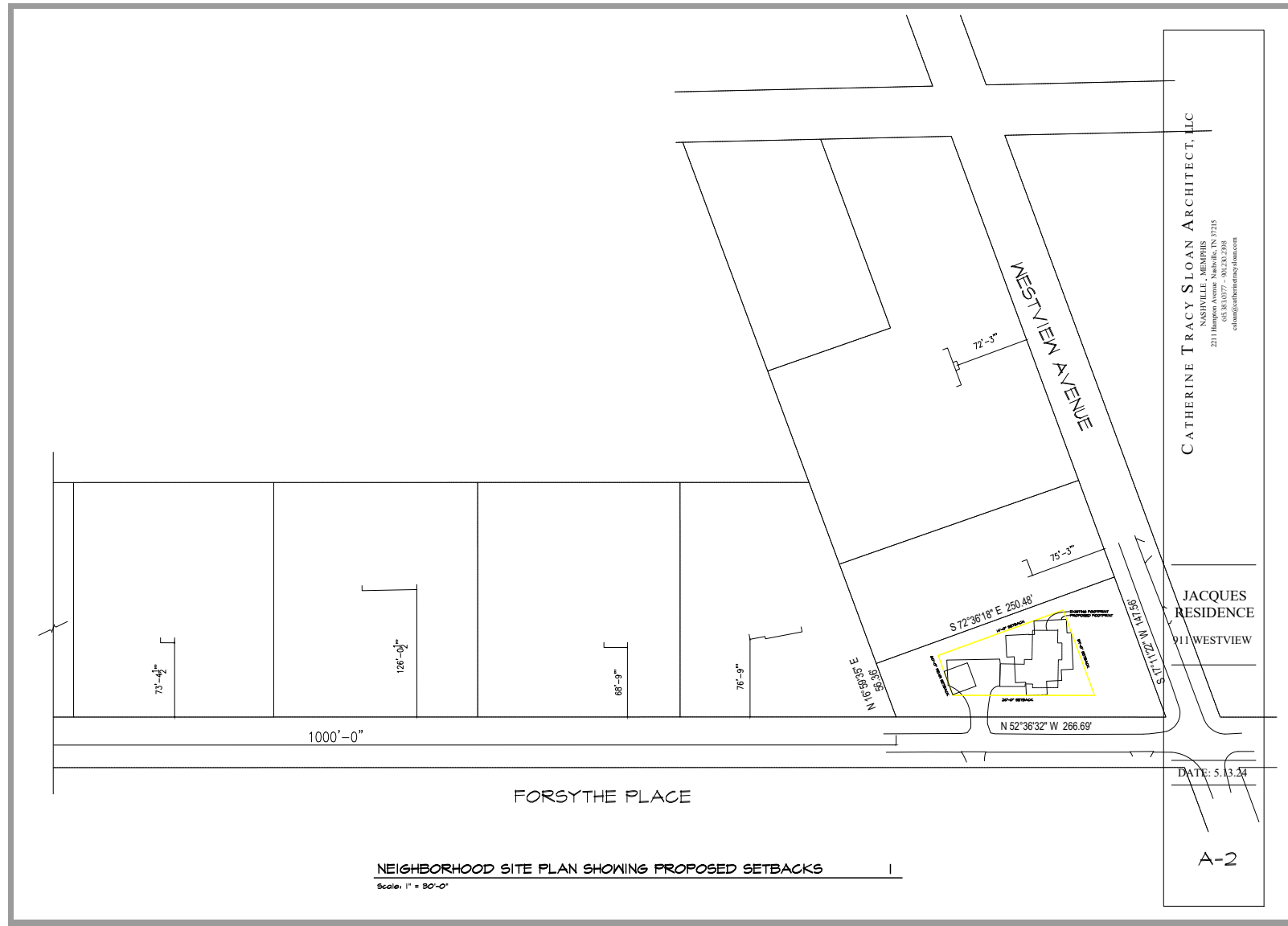
My name is Margaret Harris, and my husband, Miller, and I live at 4305 Forsythe Place. My in-laws live right next to us at 916 Westview, and I walk to the Westview/Forsythe stop sign almost daily as it is my children's bus stop to come home from Julia Green, so I see this property all the time. We are in support of the proposal of Lauren and Richard Jacques for the 911 Westview property. We've seen the plans, and we used the same architect for our house, and we trust her whole-heartedly! Thanks for including this note in the applicants' file.

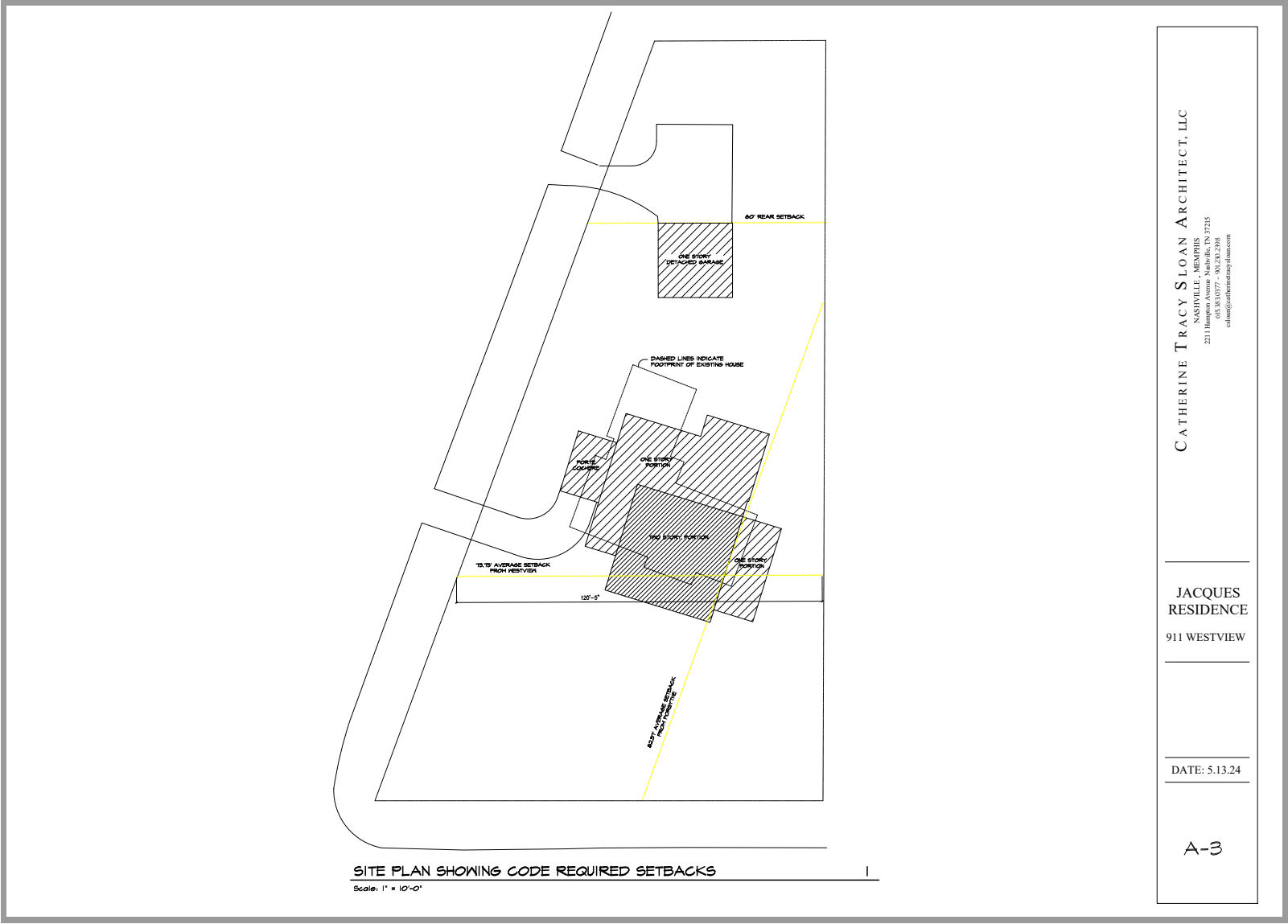
Sincerely,
Margaret Harris

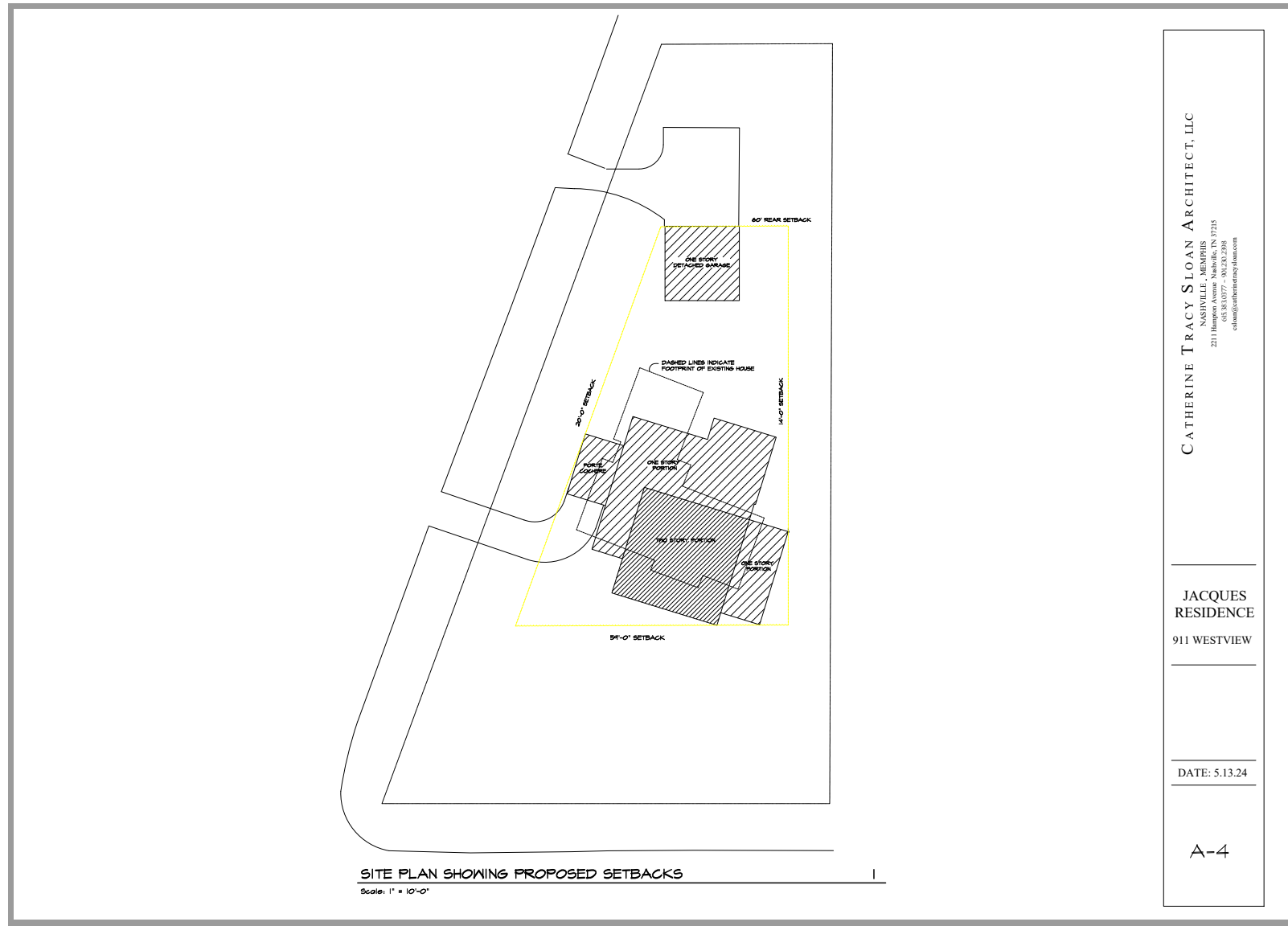












JOHN S. PHIPPS, JR.
4406 FORSYTHE PL.
NASHVILLE, TN 37205

August 6, 2024

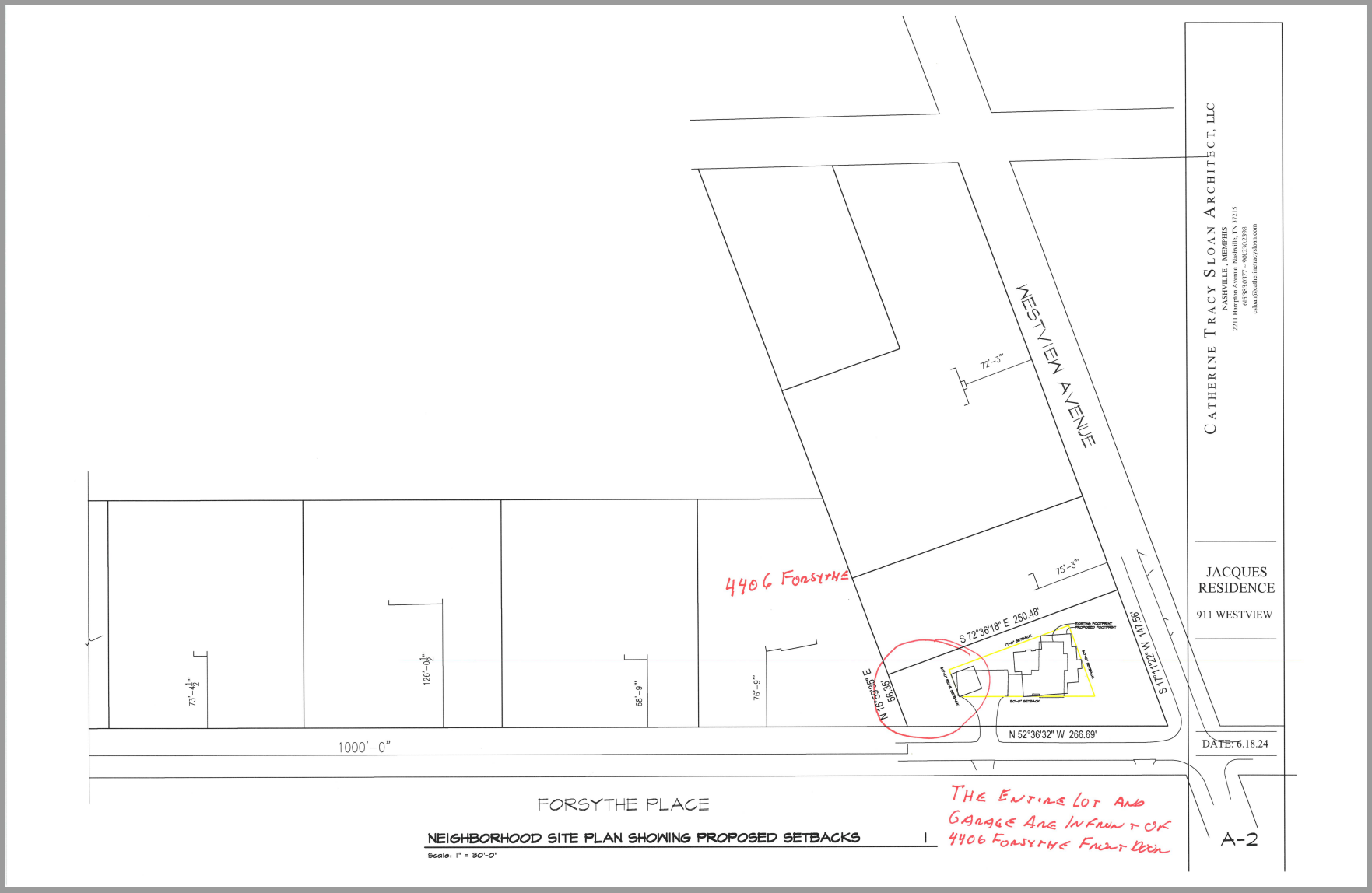
To: Planning Commission
City of Belle Meade

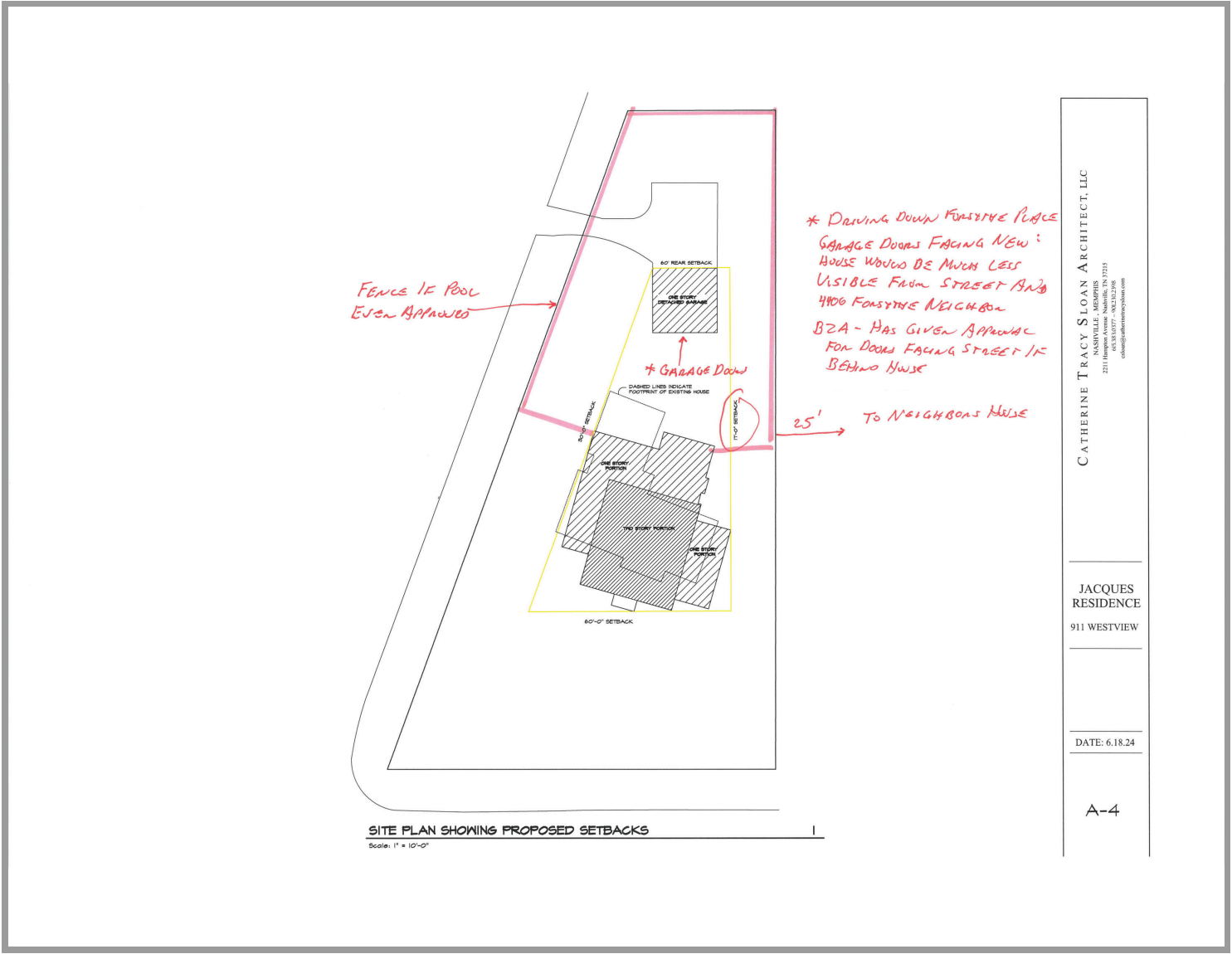
Re: 911 Westview Ave Appeal MPC2024-911 Reconsideration

All:

1. I have resided at 4406 Forsythe Place for 40+ years. Our property is adjacent to the rear of 911 Westview
2. I am all in favor of a new house being built on this lot, but not at the potential of hurting the value of my property or the disruption of sight lines from the front of my home as well as along Forsythe Place.
3. Since the Planning Commission meeting of June 25, 2024 clarifying that detached garages count as "Footprint", I see no reason the garage could not be attached to the house instead of being totally visible from my front porch.
4. If the garage must be detached and visible from my front porch, at least have garage doors facing the rear of new house not my front porch.
* BZA has approved garage doors facing the street if behind the house
5. The footprint including garage per MPC June 25, 2024 is approximately 19% over allowable footprint not less as shown on Sheet A-5 of drawings.
6. At the June 25, 2024 MPC meeting, Catherine Sloan, Architect for this project stated, "We are not proposing a swimming pool". I would like the "No Pool" stipulation added to any approval of this lot for the following reasons:
 - Pool would be visible from my front porch
 - Pool would be visible from Forsythe Place
 - Fencing around pool would be along property line in front of my front door and basically only feet away from Forsythe Place (see Attached Drawing).
7. It should be noted that the Jacques, knowingly made an offer on a site with a 230 SF building footprint, so anything outside the existing house footprint, is a bonus, and all these requested exceptions for a 5,100 SF (including garage) should be closely reviewed.
8. I trust the Planning Commission will make a wise decision on this application. To protect both adjoining property values as well as sight lines from the street and neighbors.

 8-6-24





DON L. SMITH
GREGORY L. CASHION
RICHARD M. SMITH
JEFFERSON C. ORR
H. BRENT PATRICK
VIC L. McCONNELL†
S. JOE WELBORN††

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WILL L. FITTS
BLAKE E. CREEKMUR
BRENDEN HOLBROOK
JOEY TISONE
ALEX TRUJILLO

† ALSO LICENSED IN KY
†† ALSO LICENSED IN LA
* ALSO LICENSED IN AL

July 16, 2024

Via E-Mail and U.S. Mail
msamaniego@citybellemead.org

Ms. Mary Samaniego
Planning Director
City of Belle Meade
4705 Harding Road
Nashville, Tennessee 37205

RE: Request for Reconsideration of Municipal Planning Commission Decision
Municipal Planning Commission Meeting, Tuesday, June 25, 2024
Application of Richard and Lauren Jacques
911 Westview Avenue
MPC 2024 – 911

Dear Ms. Samaniego:

As you are aware, I represent Clay Bright who resides at 909 Westview Avenue. We request that the Planning Commission reconsider its decision on June 25, 2024 regarding the above-referenced property.

Our grounds for reconsideration is that there was a mistake in the representation made by the architect, Catherine Sloan, at the hearing. At the Planning Commission hearing, Ms. Sloan told the Planning Commission that the setback of the house to be constructed at 911 Westview Avenue was 17 feet from the shared property line with Mr. Clay Bright. At minute mark 50:47, Gavin Duke asked Ms. Sloan if the 17-foot setback on the 911 Westview property was equal to the setback from the shared property line to the house of Mr. Clay Bright. Ms. Sloan responded that the setbacks on the shared property line were 17 feet or equal on both sides of the properties.

Later, at minute mark 1:03:44, when the motion was made to approve the application, there was one question by the Commission. A Commission member asked that it be confirmed that both setbacks (909 and 911) each way are the same at 17 feet. Ms. Sloan again confirmed that the distance from the shared property line to the house of Mr. Bright was 17 feet.

Page 2

On June 26, 2024, you confirmed that the applicant stated that Mr. Bright's house was 17 feet from the shared property line. Also, based on your measurement on the mapping system, you confirmed that Mr. Bright's house is 25 feet from the shared property line. Accordingly, we request that the Planning Commission reconsider its decision which was based on inaccurate information.

We request that the reconsideration of the decision by the Planning Commission be set on the August 20, 2024 meeting agenda.

We appreciate your consideration.

Very truly yours,

SMITH CASHION & ORR, PLC

By:

Gregory L. Cashion

GLC:th

cc: Gavin Duke
Doug Berry
Clay Bright

365187

Municipal Planning Commission

City of Belle Meade – Planning Director

4705 Harding Pike

Nashville, TN 27205

Re: 911 Westview Avenue

After review of the revised presentation materials, our concerns are the proposed front setback to Westview and side setback to our property at 909 Westview Ave which are not within the zoning ordinance or within the footprint of the existing home. While I understand the setback along Forsythe makes this property unbuildable, I don't believe the front and side setback as stated in the zoning ordinance make it a hardship to build on this property. Other homes along Westview have been able to build within code.

The proposed design is 15' in front of our home and 5' closer than the existing home. We are asking that the front setback to Westview & side setback to our home abide by the zoning ordinance as written for the referenced property.

Thank you for your careful consideration of our concerns.

Clay & Kim Bright

909 Westview Avenue

August 19, 2024