



**CITY OF BELLE MEADE
BOARD OF ZONING APPEALS
REGULAR MEETING AGENDA PACKET
SEPTEMBER 17, 2024, 05:00 PM**



**AGENDA BOARD OF ZONING APPEALS
REGULAR MEETING
SEPTEMBER 17, 2024, 05:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

TO ALL MEMBERS OF THE BOARD OF ZONING APPEALS AND INTERESTED PARTIES:

This is to notify you of the regularly scheduled meeting of the Board of Zoning Appeals (BZA), with public hearing and public comment on the agenda items. Public comment will also be heard on any matters related to the BZA. 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

The minutes of the Board of Zoning Appeals held August 20, 2024.

Attachment: [Minutes BZA August 20 2024.pdf](#)

III. New Business

A. The application of Jenney Petrikin for Mark and Caroline McCormack, PJ #24-0003, 110 Bonaventure Place, for a variance to the side yard setback from 40' to 27'.

Attachment: [MARK MCCORMACK FRONT ELEVATION SCREEN PORCH FINAL 8 1 24.pdf](#)
Attachment: [MARK MCCORMACK REAR ELEVATION SCREEN PORCH FINAL 8 1 24.pdf](#)
Attachment: [MARK MCCORMACK RIGHT SIDE ELEVATION SCREEN PORCH FINAL 8 1 24.pdf](#)
Attachment: [MARK MCCORMACK SCREEN PORCH ADDITION A1 FINAL 8 1 24.pdf](#)
Attachment: [McCormack Belle meade BZA-Application-2024.pdf](#)
Attachment: [McCormack survey with new footprint 7 29 24.pdf](#)
Attachment: [STAFF REPORT 110 Bonaventure.pdf](#)
Attachment: [McCormack BZA Letter.pdf](#)
Attachment: [McCormack Support Letter.pdf](#)

B. The application of Kylee Ervin for Colormesonny Legacy Trust, PJ #24-0004, 110 Lynwood Terrace, for a conditional use for a swimming pool and variances for swimming pool and equipment outside the building envelop and a fence in an alternative location.

Attachment: [110 Lynwood BZA Set 23 .pdf](#)
Attachment: [BZA-Application-2024.pdf](#)
Attachment: [STAFF REPORT 110 Lynwood Terrace.pdf](#)

C. The application of Gavin Duke for Tom Cox, PJ #24-0005, 421 West Brookfield Avenue, for a conditional use for a swimming pool and variances for a fence in an alternative location.

Attachment: [BZA appeals.pdf](#)
Attachment: [Cox BZA Plans 2024-09-05.pdf](#)
Attachment: [STAFF REPORT 421 West Brookfield Ave.pdf](#)

D. The application of Johnna Scott for 4401 Iroquois Avenue LLC, PJ

#24-0009, 4401 Iroquois Avenue, for variances for maximum footprint, maximum gross floor, maximum driveway and turnaround area, and rear yard setback.

Attachment: [A-003-24-LOT SURVEY-IROQUOIS AVE-072924-18X24 SHEET.pdf](#)

Attachment: [BZA-Application-2024.pdf](#)

Attachment: [Johnna Scott Variance Set of Plans 8-15-24.pdf](#)

Attachment: [STAFF REPORT 4401 IROQUOIS AVE.pdf](#)

Attachment: [Barringer Letter.pdf](#)

E.The application of Kehilla High School for The Temple, PJ #24-0006, 5015 Harding Pike, for a school use within a religious assembly use.

Attachment: [Zoning Appeal for Kehilla-the Temple.pdf](#)

Attachment: [Activity Permit Request Kehilla High School - BOC.pdf](#)

Attachment: [Floor plans - digital 4-12-22.pdf](#)

Attachment: [Kehilla Calendar 2024-2025 pdf.pdf](#)

Attachment: [2024-2025 KHS Bell Schedule.xlsx - Google Sheets.pdf](#)

Attachment: [STAFF REPORT Temple High School.pdf](#)

IV.Other Public Comment

V.Adjourn

The next regularly scheduled meeting of the Board of Zoning Appeals will be held October 15, 2024 at 5:00 P.M. at Belle Meade City Hall, 4705 Harding Pike, Nashville, TN.



**MINUTES
BOARD OF ZONING APPEALS – REGULAR MEETING
AUGUST 20, 2024, 5:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

Call to Order

Chairman Joe Dughman called the meeting to order at 5:28 p.m.

Board Members Present

Chairman Joe Dughman
Erick Clifford
Johnny Phipps
Chris Tardio

Staff Members Not Present

Charlie Atwood
Ron Farris

Staff Present

City Planner Mary Samaniego
City Recorder Rusty Terry
City Attorney Doug Berry

Approval of Minutes

The minutes of the Board of Zoning Appeals held July 16, 2024.

Motion to approve: Tardio Second: Clifford Vote: All aye

Chairman Dughman asked the board members if there were any conflicts of interest, there were none.

Old Business

The application of Larsen and Heather Fusco, BZA 2024-19, 610 Enquirer Avenue, for a Variance to allowable building footprint, allowable gross floor area, side yard setback, and maximum of 30% flat roof.

Charlie Rankin, Architect Rankin DesignWorks, representing Larsen and Heather Fusco reviewed the reason for the deferment of the plans at the July Board of Zoning Appeals meeting and presented the new plans in response to the requests from the board.

Board member Phipps requested the recommendation of staff; Planning Director Mary Samaniego stated she recommended approval based on the findings of fact.

There were no additional questions from the board

Public Comment Opened

No Public Comment**Public Comment Closed**

Motion to approve as submitted: Tardio **Second:** Phipps **Vote:** Clifford Aye, Tardio Aye, Phipps Aye, Dughman Aye

New Business

The application of Sandra Earthman, BZA 2024-21, 607 Enquirer Avenue, for a Variance to allow a fence in an alternative location.

Sandra Earthman, owner and resident of 607 Enquirer Avenue, presented her request for the variance on the location of her fence, stating that if she followed the existing code she would have no access to the fenced in area from the home.

Chairman Dughman requested the recommendation of staff; Planning Director Samaniego stated she recommended approval of the variance request based on the findings of fact.

Public Comment Opened

Haley Dale, resident at 601 Enquirer Avenue, stated she was in support of the fence.

Planning Director Samaniego stated for the record that there were three letters of support from other neighbors, the McDougalls, Fuscus and McDowell's

Public Comment Closed

Motion to approve: Phipps **Second:** Clifford **Vote:** Clifford Aye, Tardio Aye, Phipps Aye, Dughman Aye

The application of Maria and Billy Ray Caldwell, BZA 2024-22, 508 Park Center Drive, for a Conditional Use for a Pool House.

Jenney Petrikin, Architect JP Designs, representing the Caldwell's at 508 Park Center Drive reviewed the plans for the Conditional Use for a Pool House as submitted. Petrikin explained that the HZC had requested the Pool House be detached, and this was the reason for the request.

A period of questions from the board followed the presentation.

Public Comment Opened

Haley Dale, resident at 601 Enquirer Avenue spoke in favor of the plan.

Public Comment Closed

Chairman Dughman asked for staff recommendation; Planning Director Samaniego stated approval was recommended based on the findings of fact for conditional use.

Motion to approve: Phipps **Second:** Clifford **Vote:** Clifford

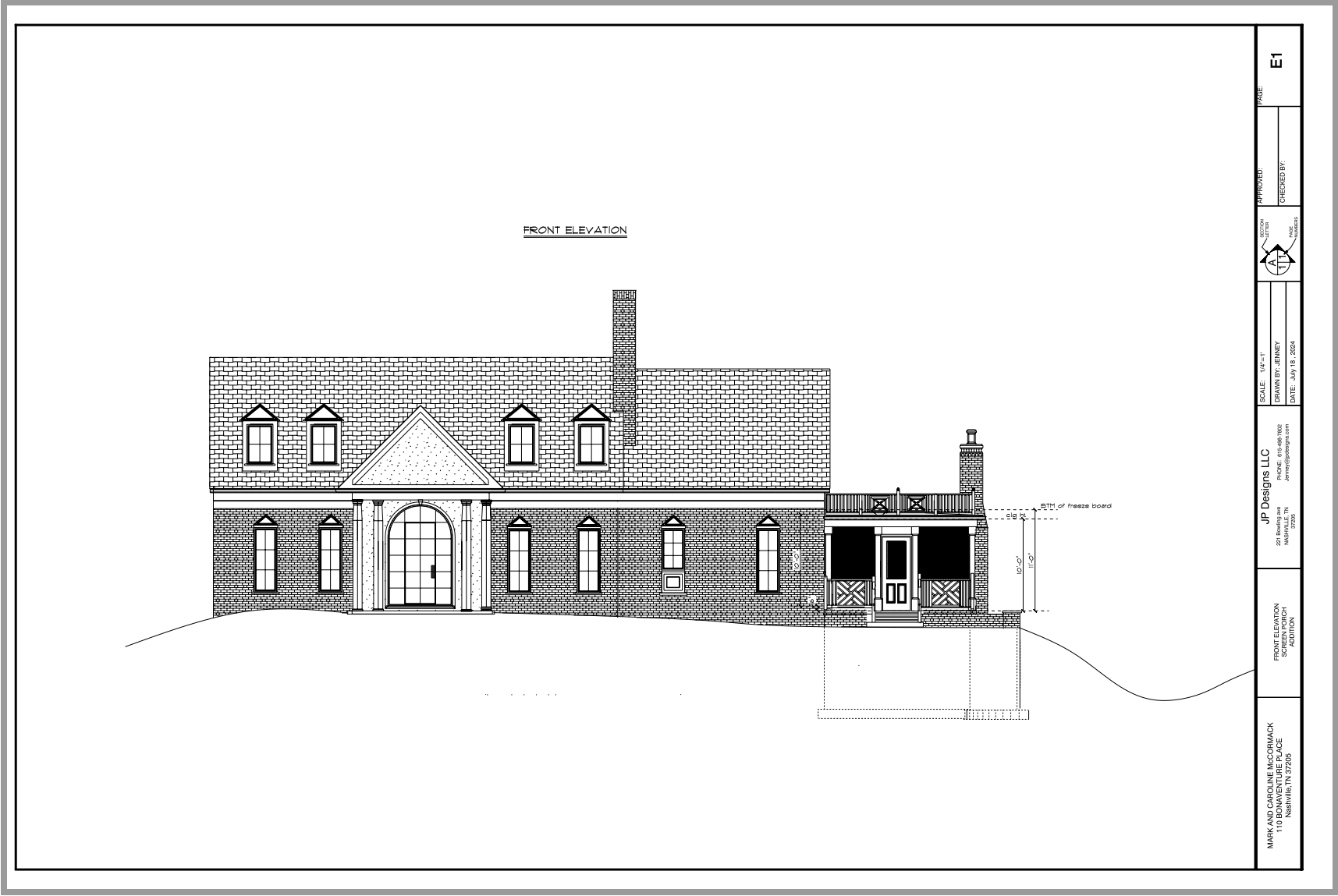
Aye, Tardio Aye, Phipps Aye, Dughman Aye

Other Public Comment - None

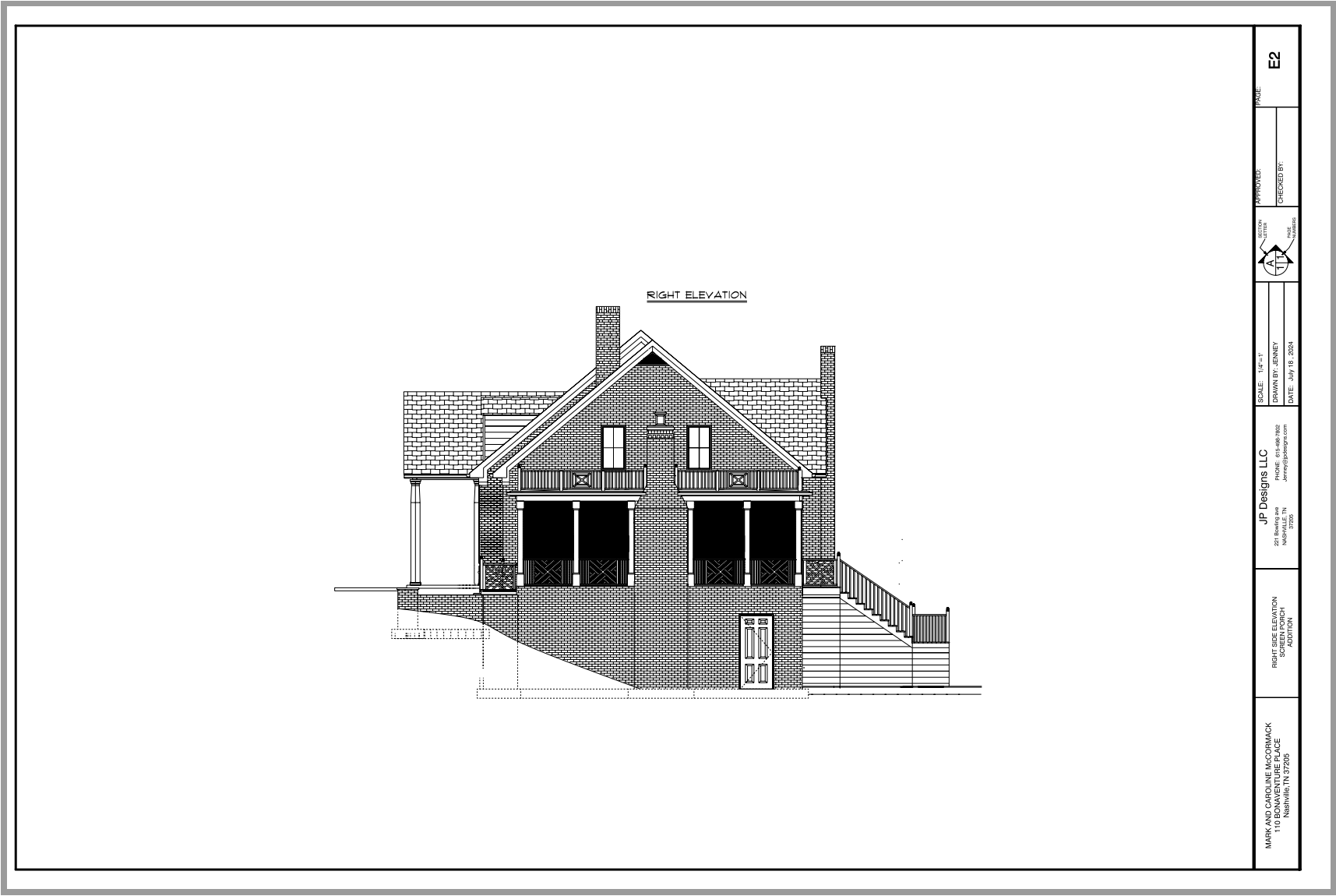
The meeting adjourned at 5:41 p.m.

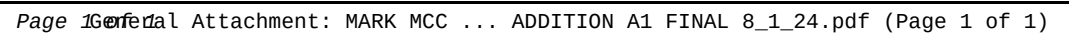
Chairman Joe Dughman

City Recorder Rusty Terry











CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS

APPEAL # _____

APPEAL FEE: _____

APPLICANT (Owner's Name) Jenney Petrikin with JP designs for Mark and Caroline McCormack PHONE # (615) 498-7802APPLICANT EMAIL ADDRESS jenney@jpdesigns.comPROPERTY ADDRESS: 110 Bonaventure placeREQUEST: VARIANCE ☒ CONDITIONAL USE ☐REASON FOR REQUEST: To demolish existing side patio & construct an attached screen porch
on the right side of existing home.

PROJECT CALCULATIONS

LOT SQ. FT:	46,090.36	ALLOWABLE	EXISTING	PROPOSED	% OVER
FOOTPRINT AREA		5530.84	2328	2856	0
GROSS FLOOR AREA (F.A.R. X LOT SQ. FT.)		9033.64	3844	3844	0
FRONT YARD AREA		14,971	14,971	0	0
TOTAL DRIVEWAY AREA		5530.84	5390	0	0
DRIVEWAY IN FRONT YARD AREA		3293.62	2022	0	0
HARDSCAPE AREA		3687.20	998	1585	0
POOL AREA		NA			
F.A.R. = LOTS <40,000 sq. ft. x .225 = LOTS > 40,000 sq. ft. x .196 =					

Complete Check List

- ☒ Survey (signed and sealed by a registered surveyor) of lot and topographic contours
- ☒ Site plan (1 inch = 30 feet)
 - Show existing and proposed structures
 - Building envelope
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations

Variance Approval Criteria

What special circumstances or conditions apply to the building or land by reason of exceptional narrowness, shallowness, exceptional topographic conditions, or other extraordinary and exceptional situation or condition of a specific piece of property?

The lot is located at the far end of the subdivision of Bonaventure Place, it is a sharp pie shape allowing for minimal
room to expand to the side. The existing side setbacks only encompass the existing house. The property slopes
generously from the front to the rear property line bordering Harding rd.

How would the strict application of the zoning ordinance result in practical difficulties to or exceptional or undue hardship upon the owner of such property?

Due to the sharp triangular shape of the lot, the existing side setback hinders the homeowner from any expansion
of the home on the side. We are proposing a 27' right side setback be approved to allow for this screen porch
addition. Total measurement across the front @ front of house is 140' (140 x 50%= 70') (25% x 140'= 27')

How would the granting of this variance be without detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance of the City?

Granting this varrience still gives a setback on the right side of 27' using the variable calculations it would be

within the normal side setback calculatons.

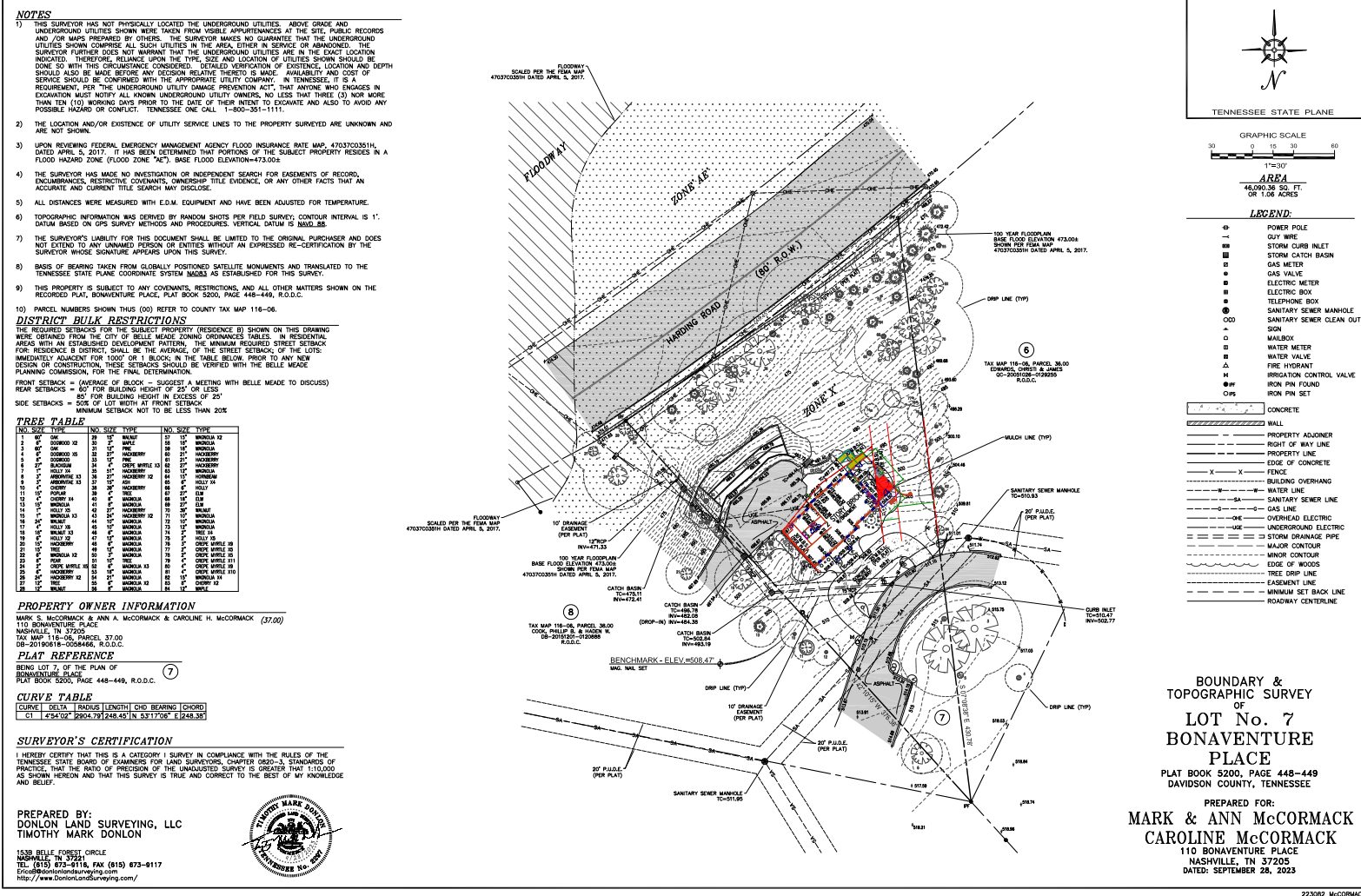
How would the resulting construction not be out of harmony with other homes in the neighborhood?

There are two other homes within Bonaventure place that have existing side screen porch additions so

this addition would remain in harmony with the neighborhood.

SIGNATURE: Jenny Petrukin (Owner/Agent) **DATE:** 8/1/24

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



Staff Report

Agenda No.: III.A.
Case No.: 24-0003
Staff: Mary Samaniego, Planning Director
Applicant: Jenney Petrikin for Mark and Caroline McCormack
Request: A variance for an addition that exceeds the side yard setback from 40' to 27'.
Location: 110 Bonaventure Place

Summary:

The applicant and property owners are requesting variance for an addition that exceeds side yard setback by 13'. The specific request is to construct a screened porch addition to the replace an existing porch that is outside of the required side yard setback. Due to the age of the residence (1983), the addition does not require Historic Zoning Commission approval.

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 1.06 acres (46,090 square feet) and triangularly shaped.
2. The allowable footprint area per the Zoning Code is 5,531 square feet with 2,856 square feet proposed.
3. The allowable hardscape area per the Zoning Code is 3,687 square feet with 1,585 square feet proposed.
4. Per Section 14-204(1)(h), The minimum width of any side yard shall be twenty percent (20%) of the lot width at the front building line: provided, however, that the sum of the widths of both side yards shall be at least fifty percent (50%) of the lot width at the front set back line, and provided further that, in the case of a lot having an irregular front lot line, the width of the lot shall be measured at the midpoint of the front setback line.
5. The required side yard setbacks from the west property line is 30' and from the east property line is 40'.
6. The existing residence (screened porch) is already withing the side yard setback area at 32' from east side property line. The proposed addition is encroaching a further 5' to be 27' from the property line.
7. The lot has 40' elevation changes from the north south with the Richland Creek regulated floodplain being within the north section of the rear yard. No portion of the proposed addition is within the regulatory floodplain.

Findings of Fact and Staff Recommendation:

The standards of proof required for Variances are established in the Zoning Ordinance. The

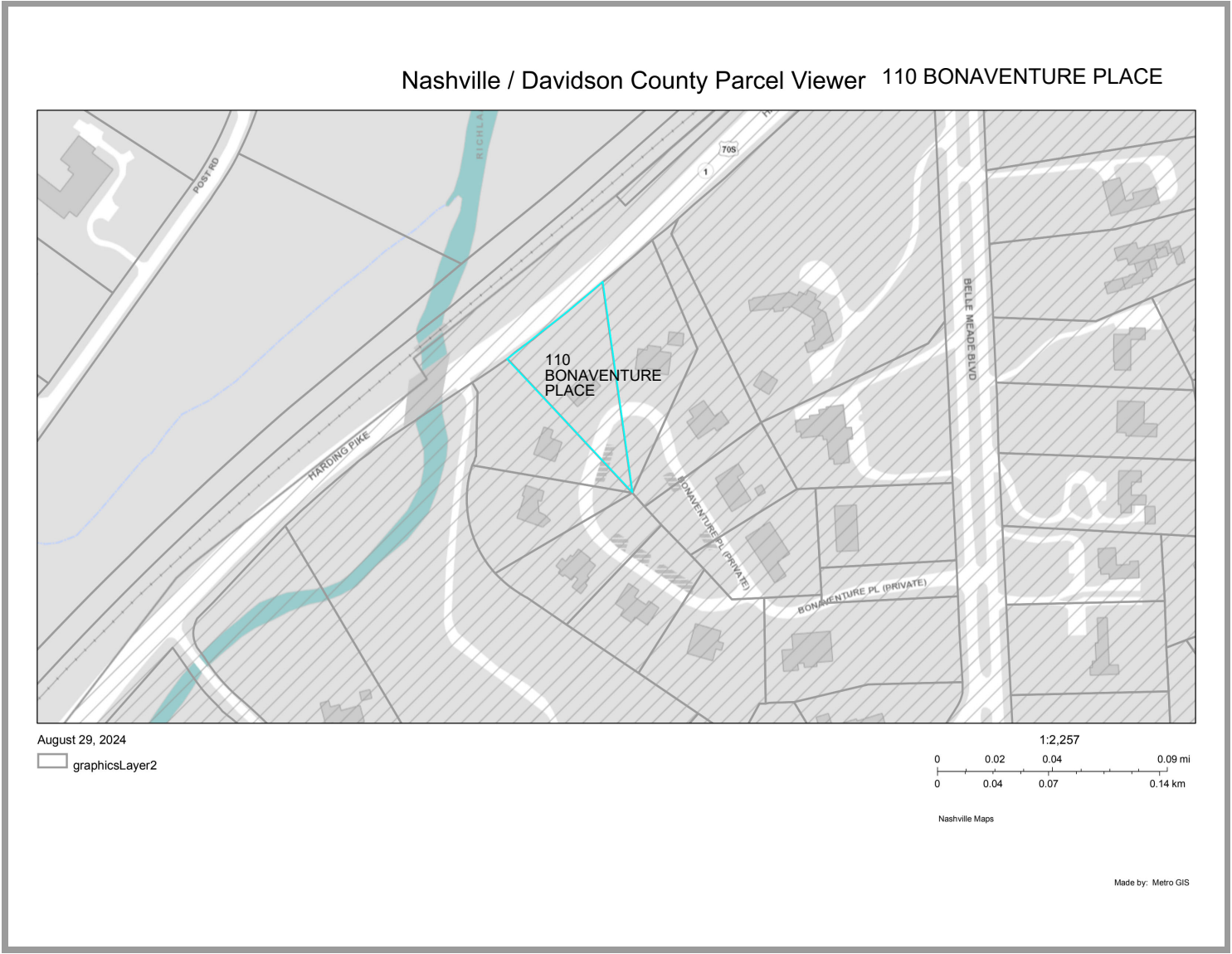
Board of Zoning Appeals has the authority to grant such variance as will not be contrary to the public interest and under the restrictions established with the Zoning Ordinance which states that if the property had on August 16, 1950, an extraordinarily unusual shape, size, or topographic feature(s) as compared to other properties in the immediate neighborhood, then the Board of Zoning Appeals may grant a variance based on the following findings of fact:

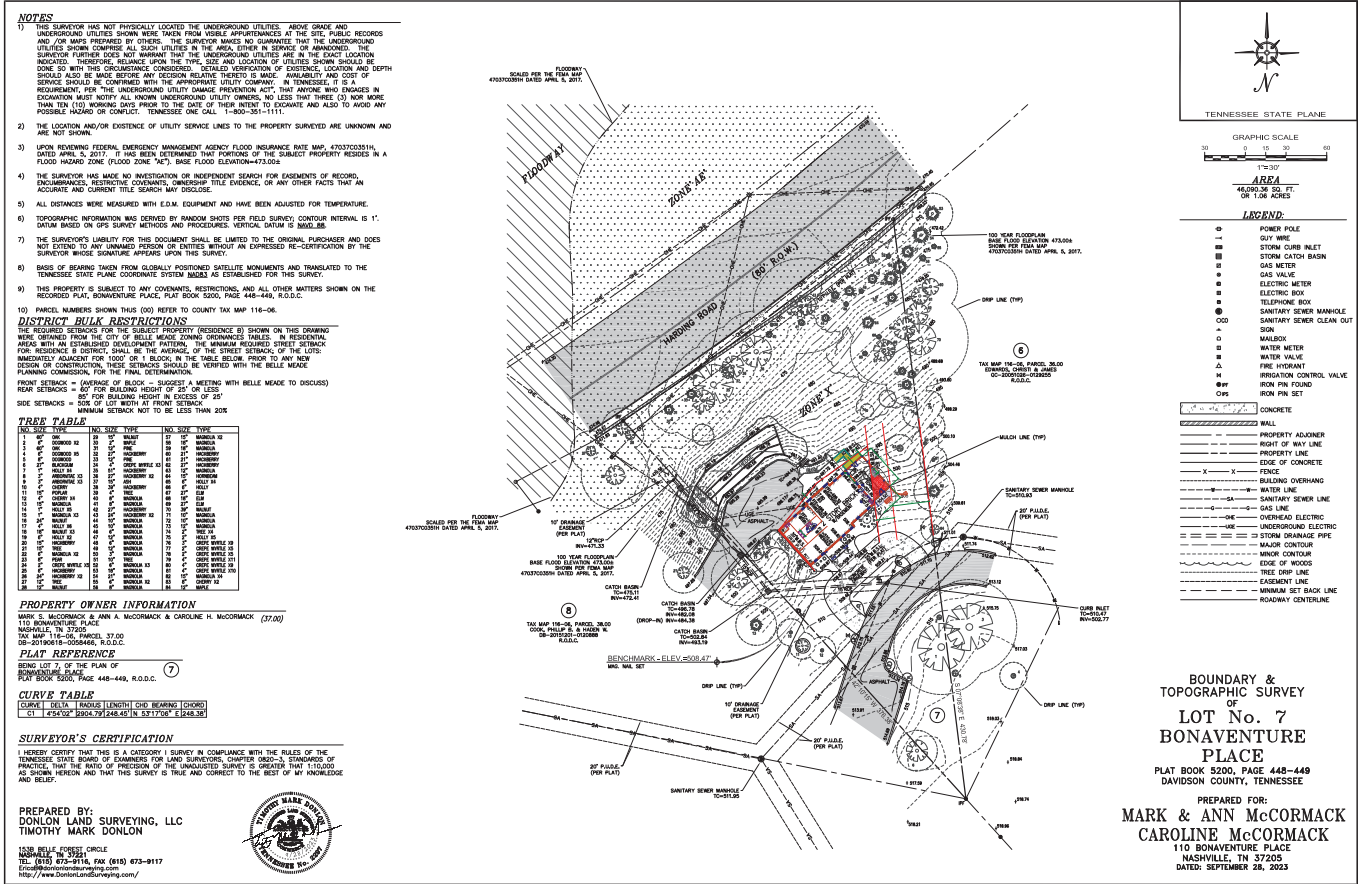
1. The variance shall be granted that will not be a detriment to the public good;
The applicant is proposing to exceed the setbacks that were adopted in the Zoning Ordinance to benefit the public good. However, the proposed addition slightly extends to the farthest edge of the residence closest to the side yard. The addition of an unenclosed side porch onto the existing side elevation will not be detrimental to the intent of the front building line setback. Most of the bulk and massing of the residence is within the required setback distance.
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and
It is staff's professional opinion that the requirement for setbacks is to limit the massing and scale of dwellings within a given site. The City of Belle Meade enjoys large sprawling yards that contributes to the City identity. The intent and purpose of these design and bulk provision, in staff's professional opinion, is to ensure that the placement and scales of dwellings ensures this development pattern of large, open yards. The proposed variance does meet this intent as they provide for a slight expansion of the residence.
3. The resulting home will not be out of harmony with the other homes in the neighborhood.
Upon review of the existing development pattern within the immediate area, it appears that the surrounding dwellings are of similar scale to the proposed project. However, this property includes steep slopes, FEMA floodplain, frontage onto Harding Pike as well as a portion of the property encompasses the private roadway and central park. These physical constraints limit the buildable area within the required building envelope of the property

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

Attachments:

1. Location Map
2. Staff Analysis of Site Plan





September 9, 2024

City of Belle Meade
Board of Zoning Appeals (BZA)
4705 Harding Pike
Belle Meade, TN 37205

REGARDING: PJ #24-0003, 110 Bonaventure Place

To: All Members of the Board of Zoning Appeals:

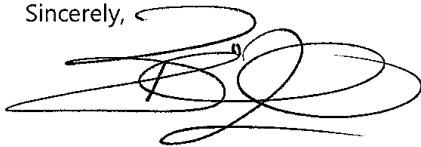
On September 5, 2024, the Bonaventure Home Owners Association approved the plans for the McCormack's addition of a side porch at 110 Bonaventure Place, and hope that you will do the same.

James Edwards, the owner and closest neighbor located at 108 Bonaventure Place will also be providing a supporting letter for this proposed addition and the required side yard setback variance.

We appreciate your prompt approval for Mark & Caroline's plans to make this wonderful addition to their home.

Should you have any questions I can be reached at 615-566-2268.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Cook', with a stylized flourish at the end.

Brian Cook
President, Bonaventure Homeowners Association



ARCHITECTURE PROJECT PLANNING FORENSICS

September 11, 2024

To: **Belle Meade Board of Zoning Appeals**

Re: **Zoning Appeal Application for:
Mark and Caroline McCormack
110 Bonaventure Place**

Dear Board Members,

I write this letter as the next door neighbor to 110 Bonaventure Place, and the neighbor at the house side for which the Zoning Appeal has been made. My wife and I have reviewed the proposed Screen Porch renovations for the McCormack residence and recognize that there is a small building setback line compromise on our side of the property.

The proposed project has absolutely no negative impact on our property and we are in full support of the renovation.

I would like to make a few comments for the Board's consideration:

- Ours is the only property directly impacted by this proposed project.
- The "overage" is minimal and there is already a side porch in place.
- Several other properties in our neighborhood have similar small setback compromises, our property included.
- The "pie-shaped" configuration of most of the properties on Bonaventure Place pose unusual site restrictions regarding house placement and size. Although the property areas are generous, the triangular front property shapes greatly restrict the available widths at the front setback lines.

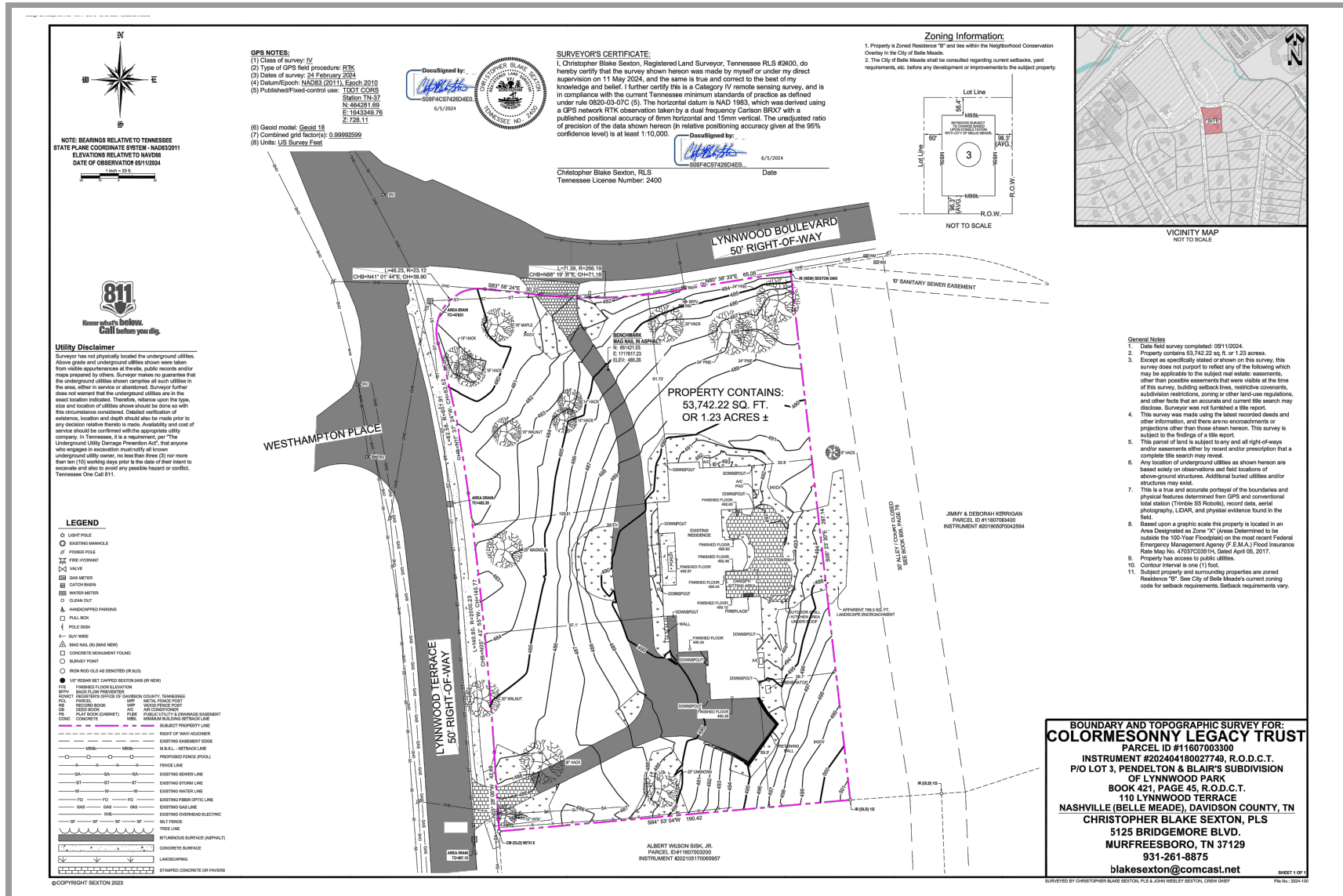
Also, please know that I have been practicing architecture in Nashville for a very long time, with custom residential design as a large part of my experience and work. I have dealt with many irregular property restrictions in my tenure and recognize both the issues involved in house placement and the concerns of the BZA. I served for many years on both the Belle Meade Municipal Planning Commission and the Board of Zoning Appeals and have a special interest in my community and profession regarding these matters.

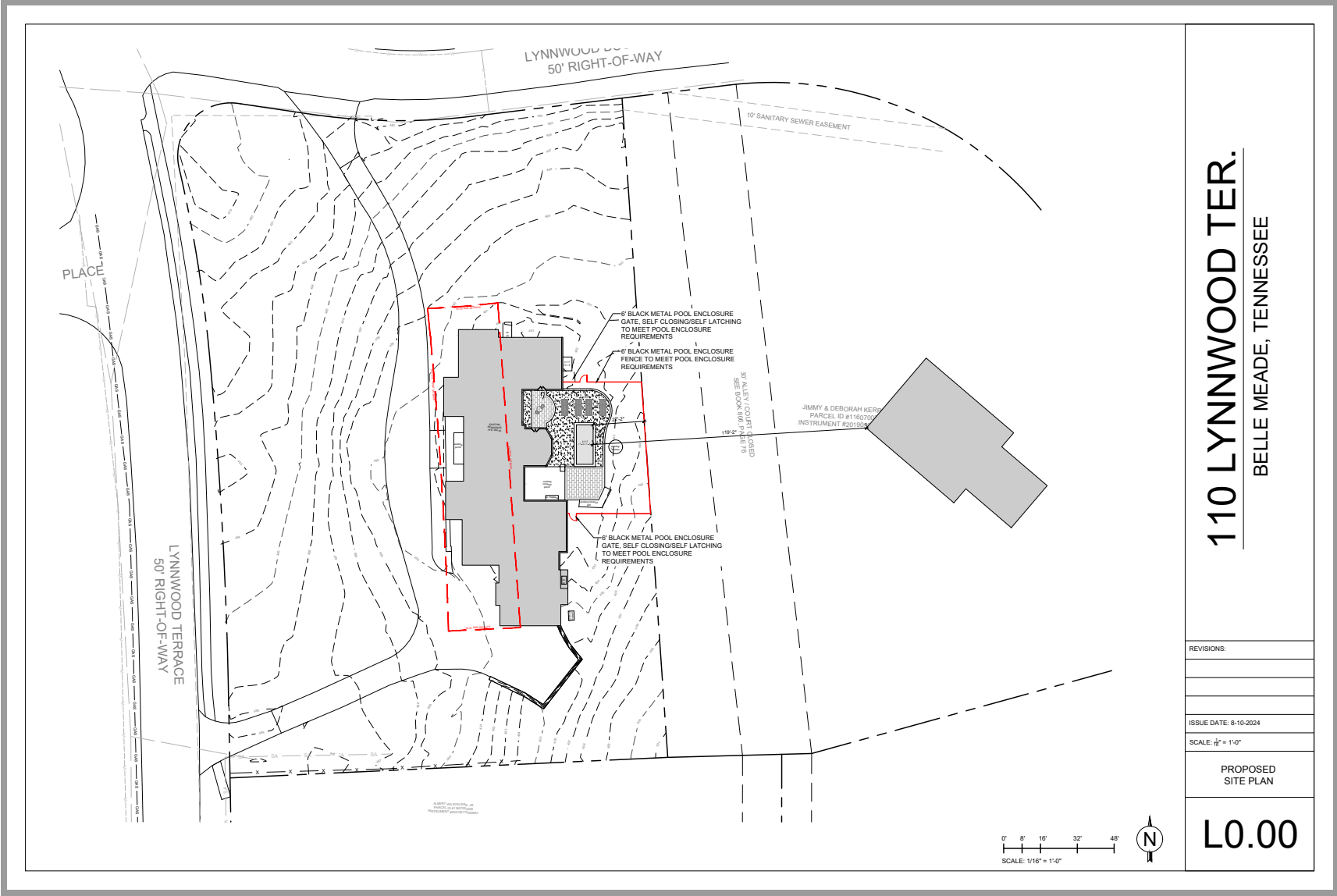
I would be happy to share more information if needed or to speak to the BZA at their scheduled hearing on this matter.

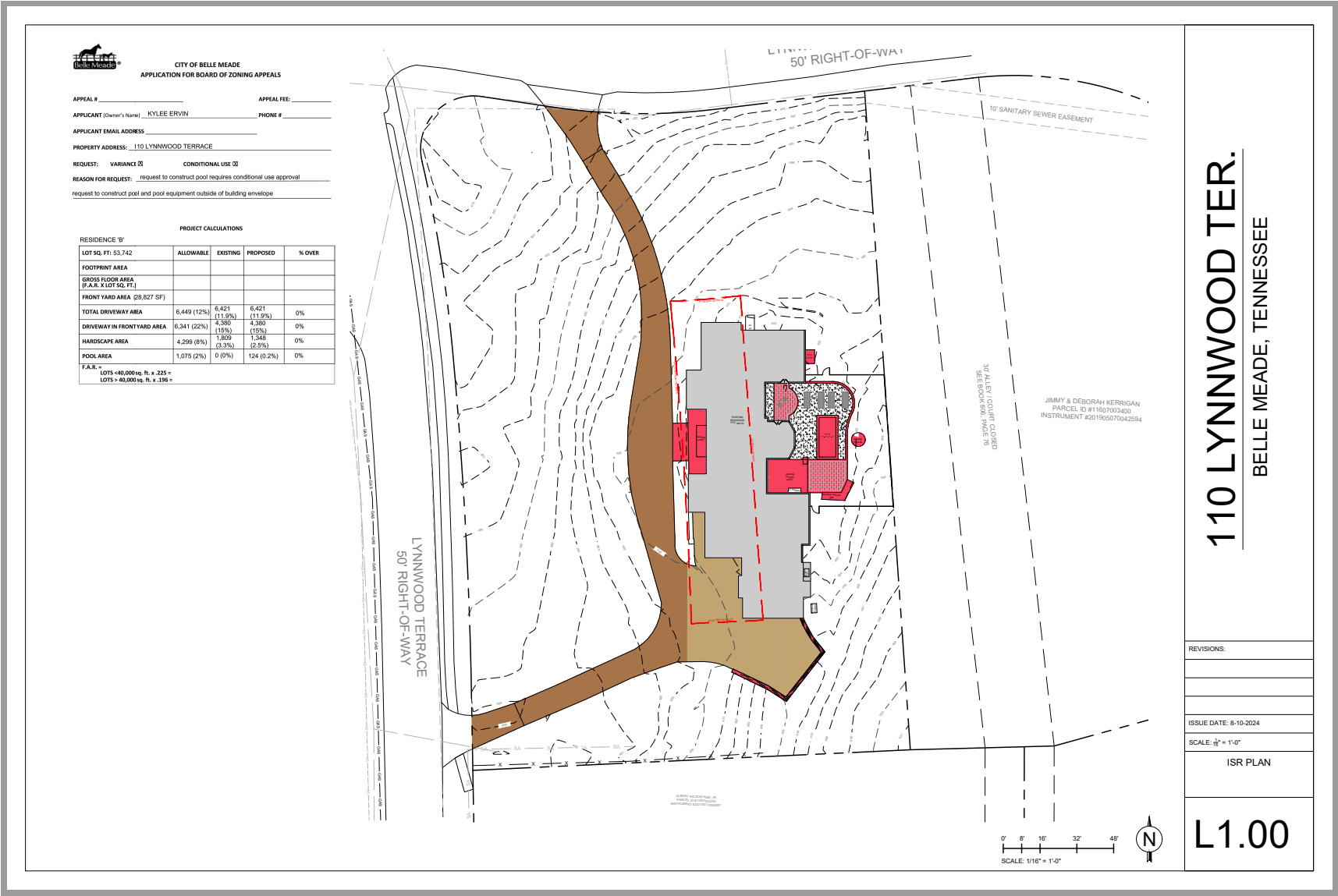
Sincerely, for Christi and James Edwards

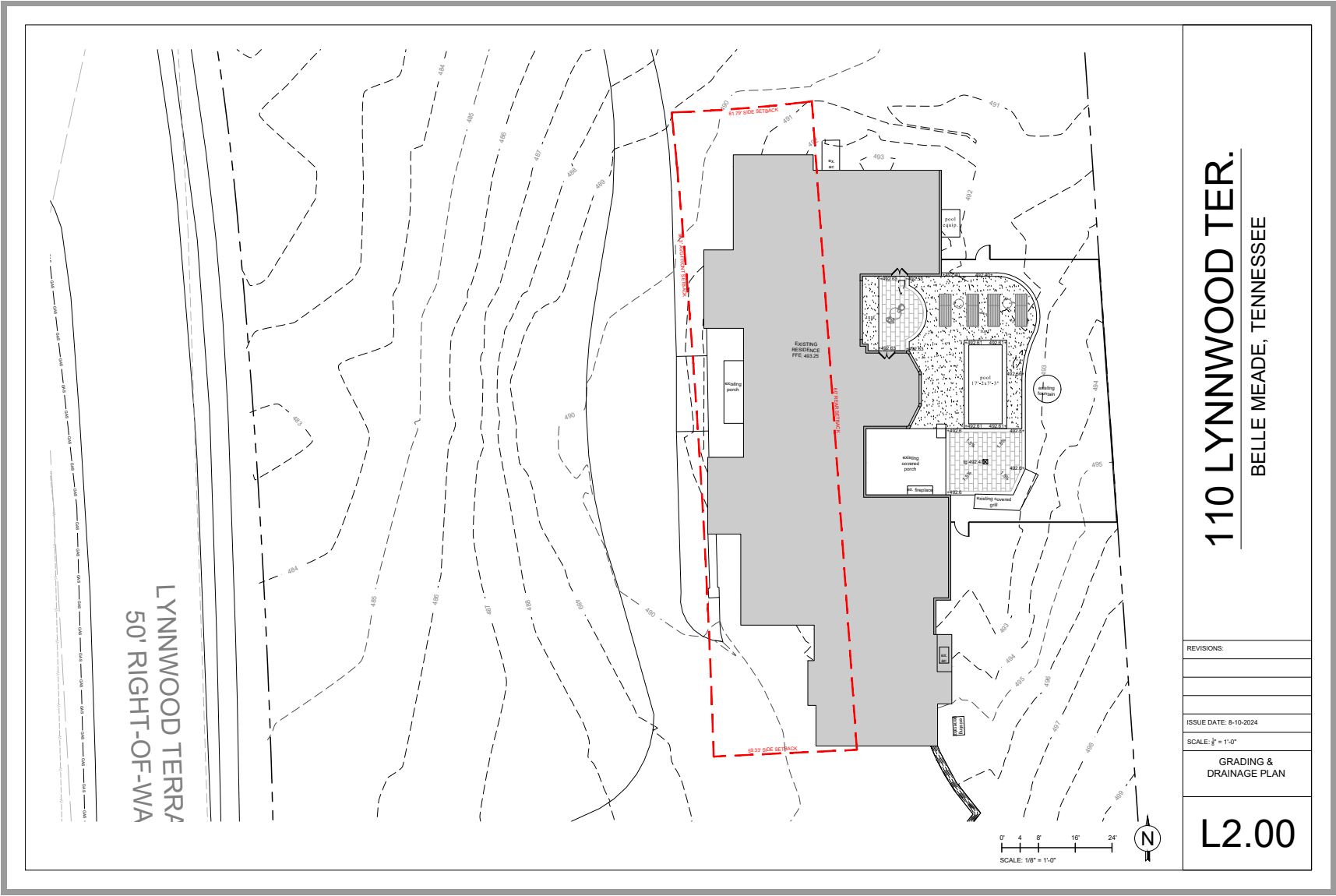
THE COWBOY SUITE

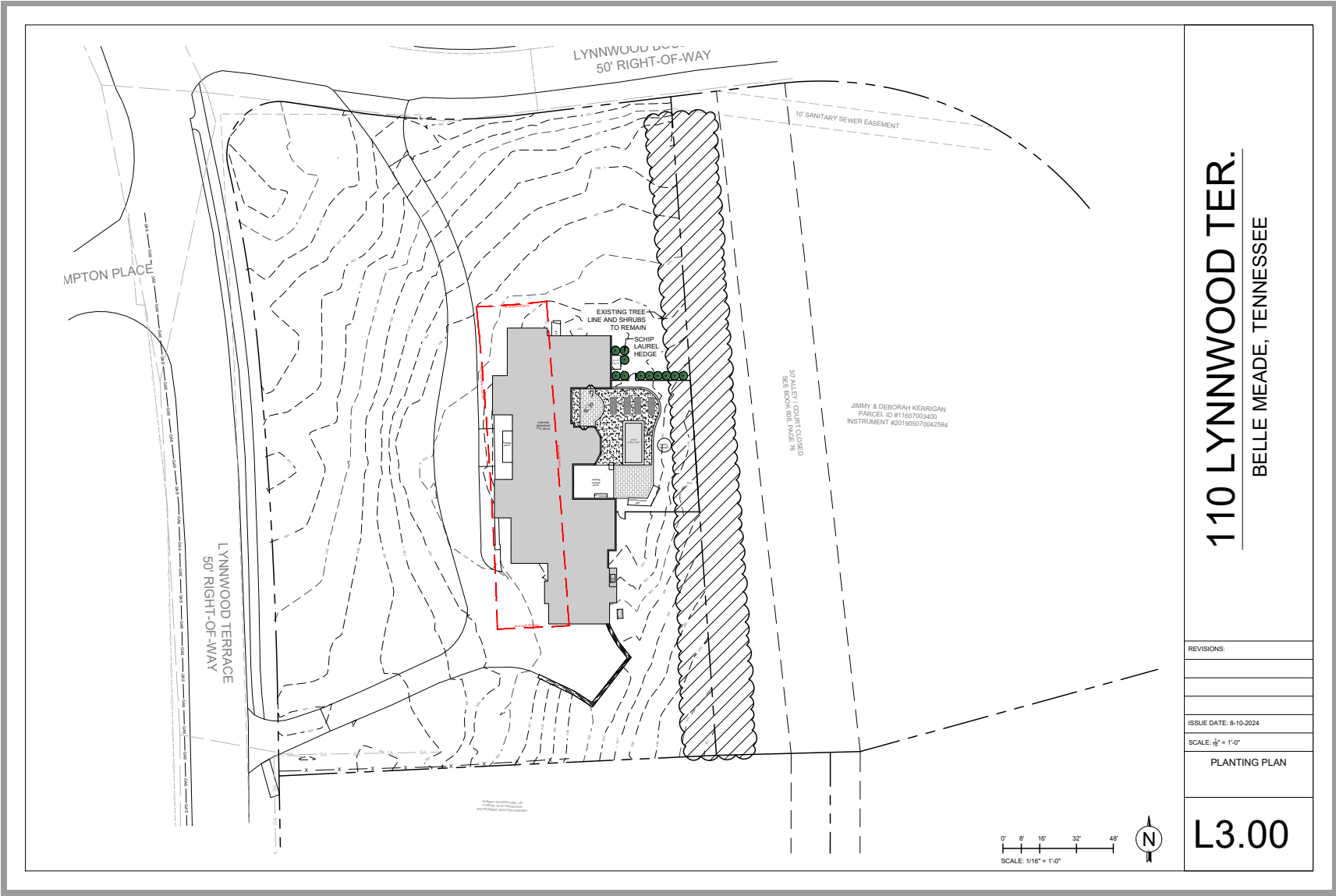
108 BONAVENTURE PLACE | NASHVILLE, TN 37205 | cowboy87architect@gmail.com | Ranch 615-915-0464 | Trail 615-948-4315













110 LYNNWOOD TER.
BELLE MEADE, TENNESSEE

REVISIONS:
ISSUE DATE: 8-10-2024
SCALE: NOT TO SCALE
PROPOSED SITE RENDERINGS
L4.00



110 LYNNWOOD TER.
BELLE MEADE, TENNESSEE

REVISIONS:

ISSUE DATE: 8-10-2024

SCALE: NOT TO SCALE

EXISTING SITE
IMAGES

L5.00



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS

APPEAL # _____

APPEAL FEE: _____

APPLICANT (Owner's Name) _____

PHONE # 615.533.6309

APPLICANT EMAIL ADDRESS

kylee@warhorseluxury.com

jackson@nashvilledippools.com

PROPERTY ADDRESS: _____

REQUEST:

VARIANCE ☐

CONDITIONAL USE ☐

REASON FOR REQUEST: _____

PROJECT CALCULATIONS

LOT SQ. FT:	ALLOWABLE	EXISTING	PROPOSED	% OVER
FOOTPRINT AREA				
GROSS FLOOR AREA (F.A.R. X LOT SQ. FT.)				
FRONT YARD AREA				
TOTAL DRIVEWAY AREA				
DRIVEWAY IN FRONT YARD AREA				
HARDSCAPE AREA				
POOL AREA				
F.A.R. = LOTS <40,000 sq. ft. x .225 = LOTS > 40,000 sq. ft. x .196 =				

Complete Check List

- ☐ Survey (signed and sealed by a registered surveyor) of lot and topographic contours
- ☐ Site plan (1 inch = 30 feet)
 - Show existing and proposed structures
 - Building envelope
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations

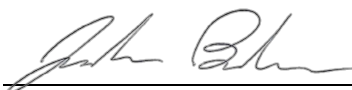
Variance Approval Criteria

What special circumstances or conditions apply to the building or land by reason of exceptional narrowness, shallowness, exceptional topographic conditions, or other extraordinary and exceptional situation or condition of a specific piece of property?

How would the strict application of the zoning ordinance result in practical difficulties to or exceptional or undue hardship upon the owner of such property?

How would the granting of this variance be without detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance of the City?

How would the resulting construction not be out of harmony with other homes in the neighborhood?

SIGNATURE:  (Owner/Agent) **DATE:** 08/12/24

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

Staff Report

Agenda No.: III.B.
Case No.: 24-0004
Staff: Mary Samaniego, Planning Director
Applicant: Kylee Ervin for Colormesonny Legacy Trust
Request: Approval of a conditional use for a swimming pool and variances for swimming pool and equipment outside the building envelope and a fence in an alternative location.
Location: 110 Lynwood Terrace

Summary:

The applicant and property owner are requesting a Conditional Use for a swimming pool and variances for swimming pool and equipment outside the building envelope and a fence in an alternative location. The existing residence and associate guest house were constructed in 1952.

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 1.22 acres (53,742 square feet) and is a rectangular shaped corner lot with frontage on Lynwood Terrace and Lynwood Boulevard.
2. The lot is slightly sloped with a 20' grade change and does not have any regulatory floodplain or water features.
3. 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 1,075 square feet. The proposed area of water in the swimming pool is 124 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 4,299 square feet. The proposed area of the hardscape including the pool is 1,348 square feet.
5. The proposed swimming pool and associated equipment are entirely outside of the established building envelope (see attached Staff Analysis of Site Plan). The pool placement and the associated pool equipment placement requires variance approvals.
6. The applicant is proposing a 6' fence that will begin along the rear facade of the residence but not the furthest rear edge of the structure. Therefore, a variance is required.
7. The required rear yard setback in the Residence B zoning district is 60' and the applicant is proposing the swimming pool placement at 22'.

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;
The existing property line hedge and proposed fence should adequately screen the pool and equipment from the adjoining properties.
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 while the existing landscaping location will ensure that the pool improvements are somewhat buffered from view of adjoining properties. However, the placement of the swimming pool will negatively impact the adjoining property to the east.
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 has illustrated compliance with this standard on the site plan and is aware of the long-term compliance standards.

Findings of Fact and Staff Recommendation:

The standards of proof required for Variances are established in the Zoning Ordinance. The Board of Zoning Appeals has the authority to grant such variance as will not be contrary to the public interest and under the restrictions established with the Zoning Ordinance which states that if the property had on August 16, 1950, an extraordinarily unusual shape, size or topographic feature(s) as compared to other properties in the immediate neighborhood, then the Board of Zoning Appeals may grant a variance based on the following findings of fact:

1. The variance shall be granted that will not be a detriment to the public good;

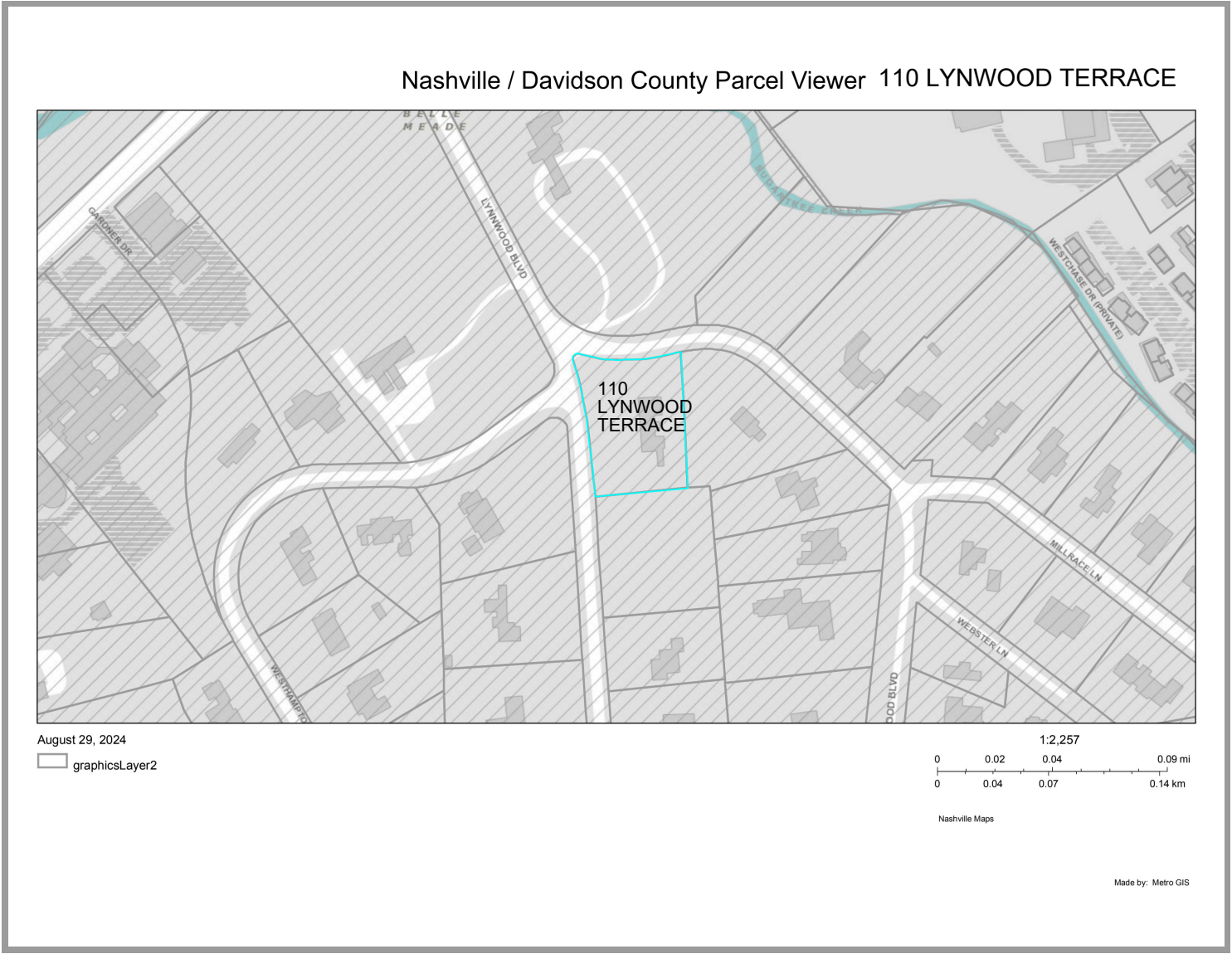
The applicant is proposing to place the fence to the rear of the residence but not at the furthest edge (see application site plan). From Lynwood Boulevard right-of-way, it will appear that the fence is at the back edge because the existing fence is inset to the interior of the property. The pool and equipment will encroach 38' into the rear yard setback which is a significantly close to the rear property line for visual and sound purposes.

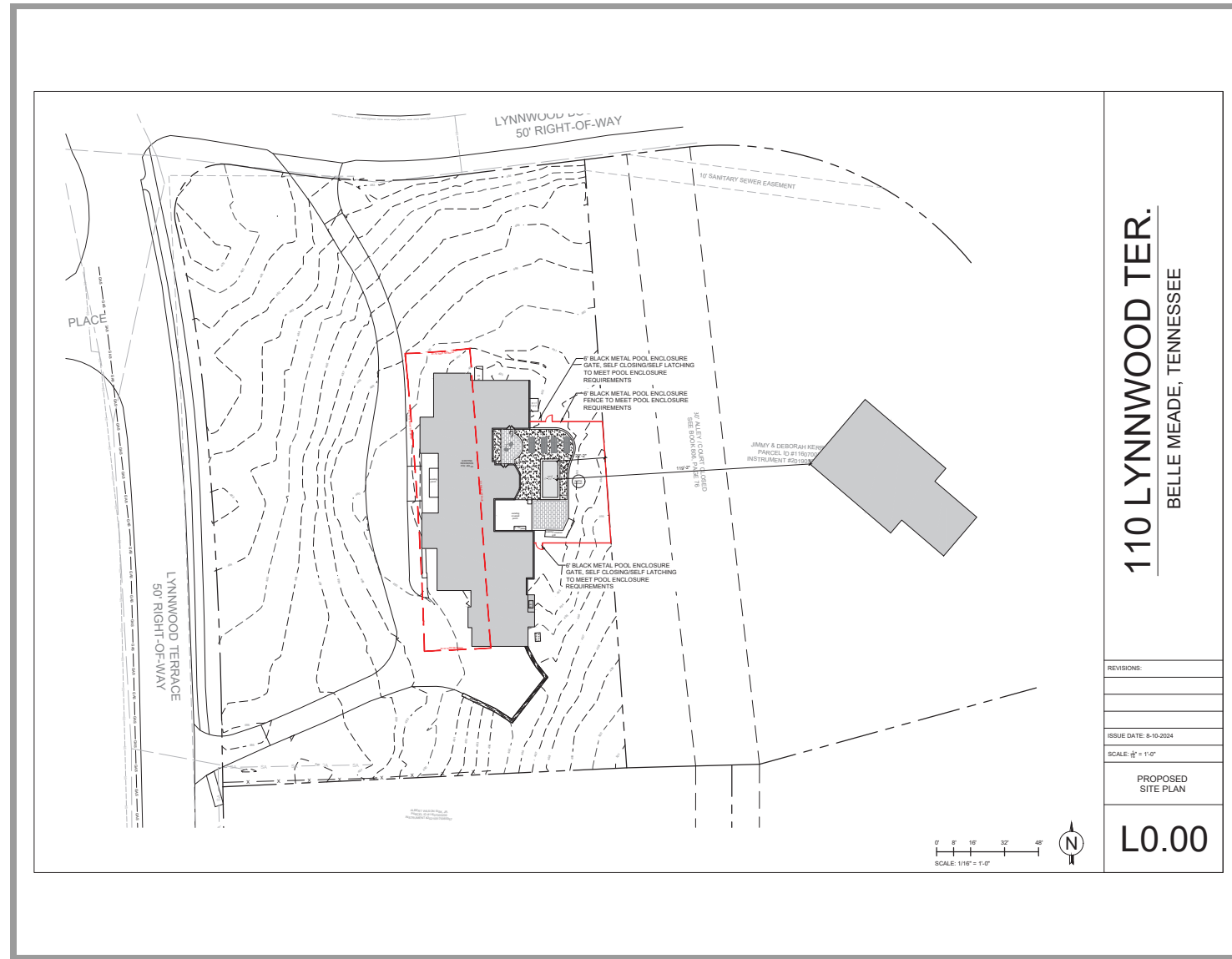
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and
The proposed fence does not follow furthest building edge as required. The intent and purpose of the fence provision, in staff's professional opinion, is to insure that fences are placed in the rear yard as opposed to side yards. The proposed fence placement in the rear yard behind most of the residence meets this intent. The pool and associated equipment are outside the regulatory building envelope. Although it is a corner lot, there are no significant physical constraints on the property that would support a variance approval.
3. The resulting home will not be out of harmony with the other homes in the neighborhood.
The proposed pool will be out of harmony with the surrounding development pattern. All properties (except for one) within this block have conforming swimming pool placement or no swimming pool at all.

Staff recommends denial of the conditional use and the variance request based on the written findings of fact.

Attachments:

1. Location Map
2. Staff Analysis







CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS

APPEAL # _____

APPEAL FEE: _____

APPLICANT (Owner's Name) Tom Cox

PHONE # _____

APPLICANT EMAIL ADDRESS thomasfcox@comcast.net

PROPERTY ADDRESS: 412 West Brookfield Avenue

REQUEST: **VARIANCE** ☒

CONDITIONAL USE ☒

REASON FOR REQUEST: Swimming pool and fence over 6' requires board approval.

PROJECT CALCULATIONS

LOT SQ. FT:	39,935	ALLOWABLE	EXISTING	PROPOSED	% OVER
FOOTPRINT AREA					
GROSS FLOOR AREA (F.A.R. X LOT SQ. FT.)					
FRONT YARD AREA	14,806 sf				
TOTAL DRIVEWAY AREA	4,792 sf	6,004 sf	0 sf		
DRIVEWAY IN FRONT YARD AREA	3,257 sf	3,690 sf	0 sf		
HARDSCAPE AREA	3,194 sf	1,392 sf	2,345 sf	0 % over	
POOL AREA	798 sf	0 sf	512 sf	0 % over	
F.A.R. = LOTS <40,000 sq. ft. x .225 = LOTS > 40,000 sq. ft. x .196 =					

Complete Check List

- ☒ Survey (signed and sealed by a registered surveyor) of lot and topographic contours
- ☒ Site plan (1 inch = 30 feet)
 - Show existing and proposed structures
 - Building envelope
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations

Variance Approval Criteria

What special circumstances or conditions apply to the building or land by reason of exceptional narrowness, shallowness, exceptional topographic conditions, or other extraordinary and exceptional situation or condition of a specific piece of property?

There are no special conditions for this request.

How would the strict application of the zoning ordinance result in practical difficulties to or exceptional or undue hardship upon the owner of such property?

There are no special conditions for this request.

How would the granting of this variance be without detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance of the City?

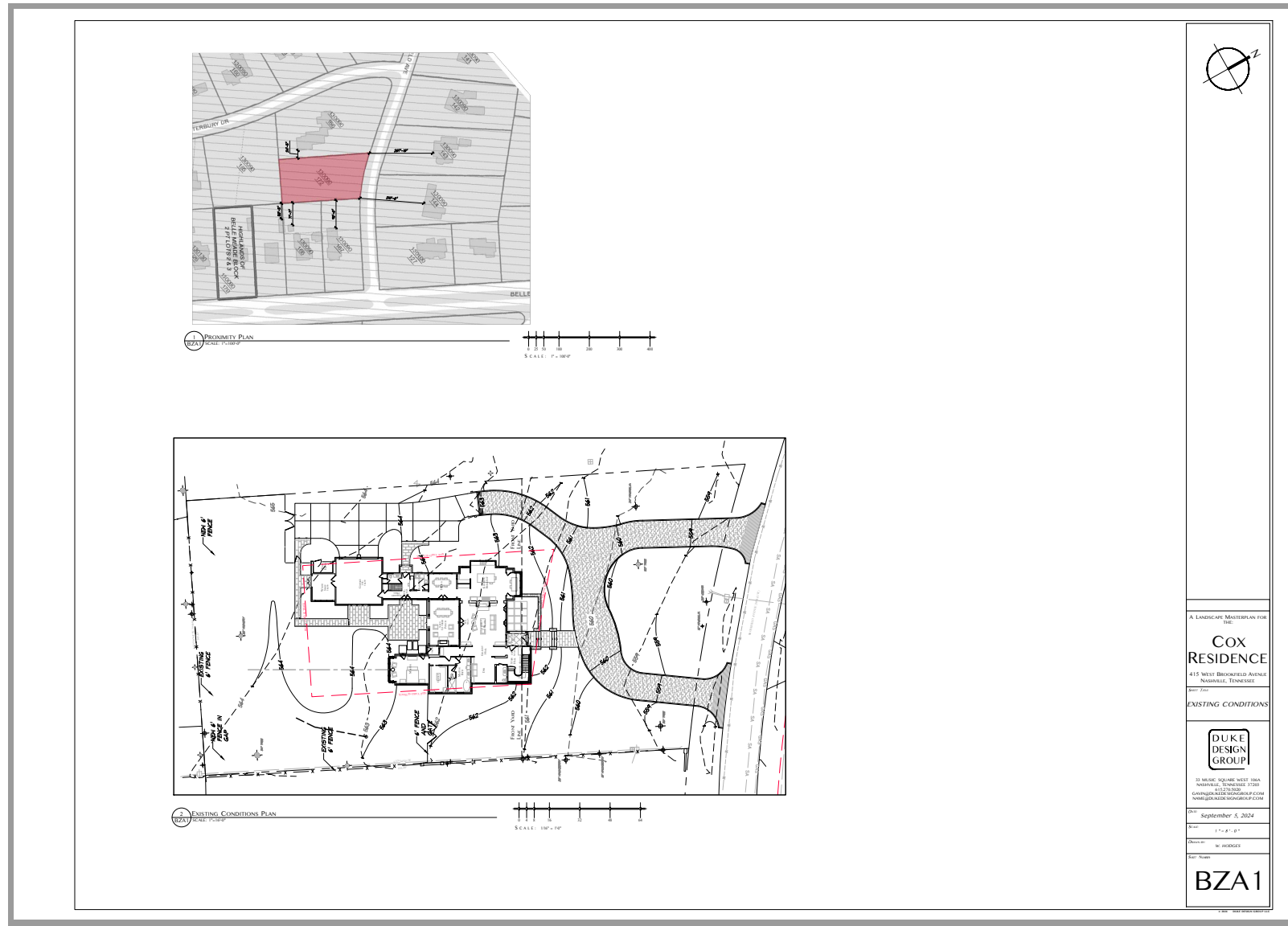
A swimming pool requires board approval.

How would the resulting construction not be out of harmony with other homes in the neighborhood?

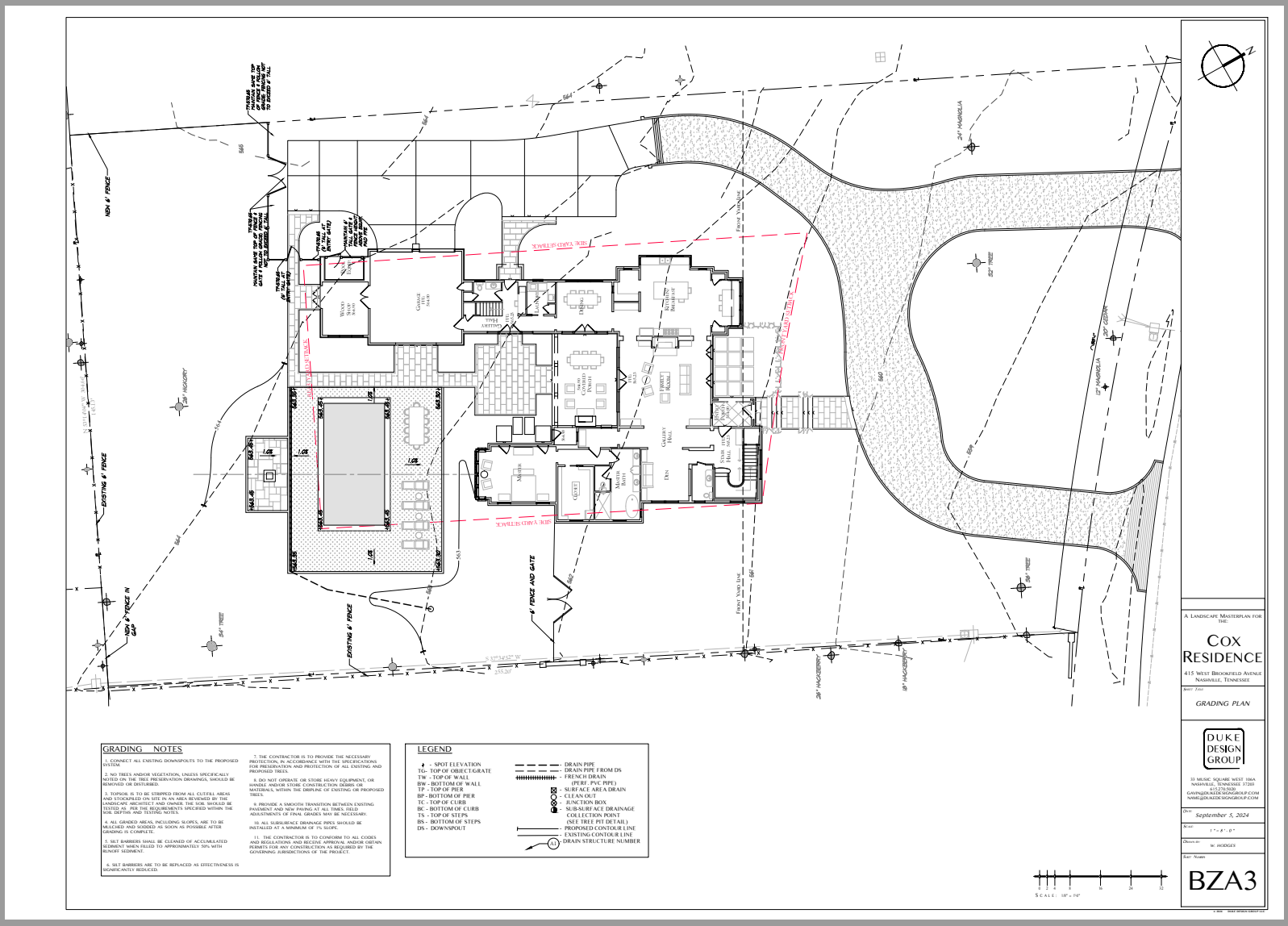
A swimming pool requires board approval.

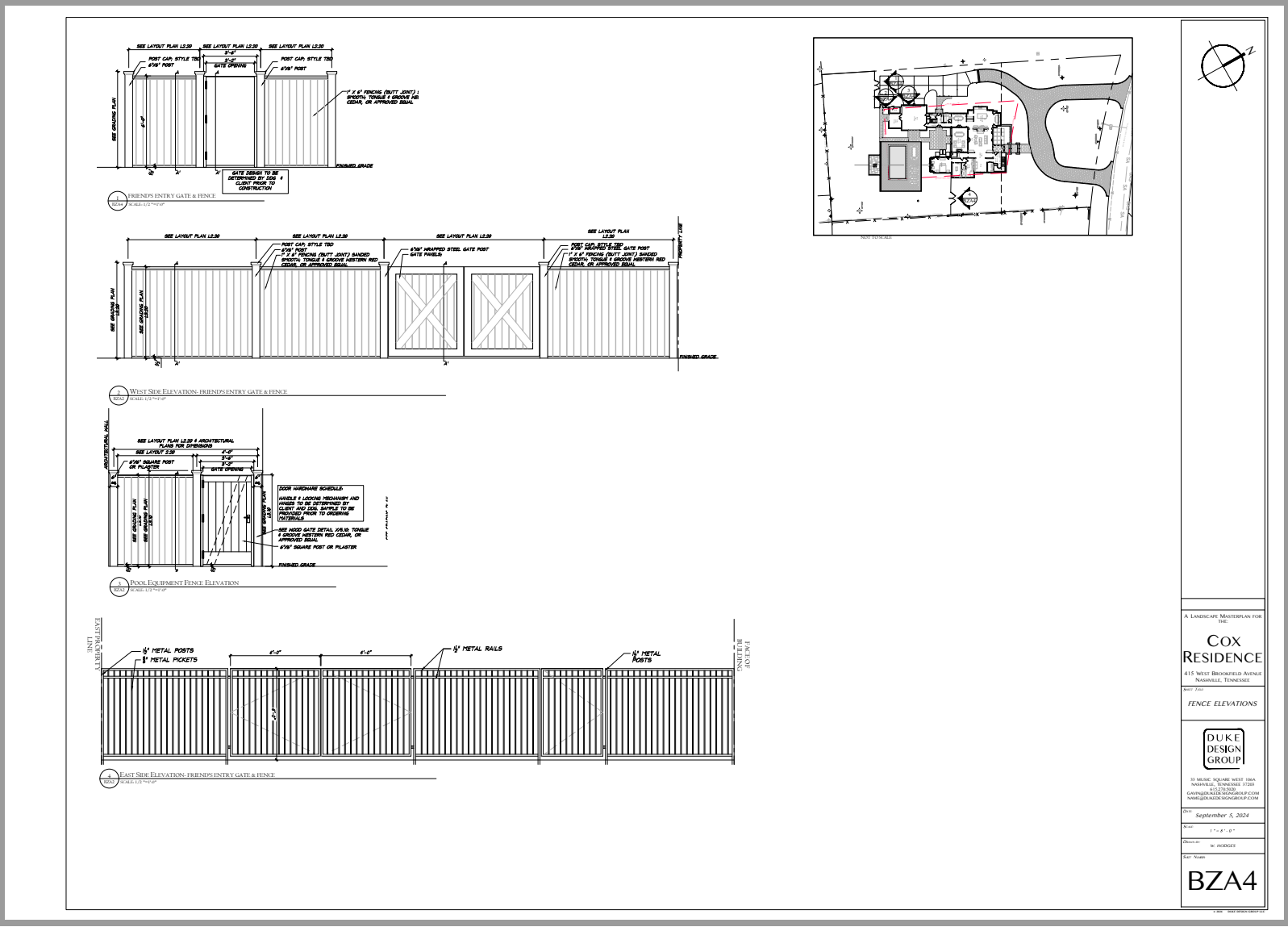
SIGNATURE: Gavin Duke (Owner/Agent) **DATE:** August 9, 2024

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









Staff Report

Agenda No.: III.C.
Case No.: 24-0005
Staff: Mary Samaniego, Planning Director
Applicant: Gavin Duke representing Tom Cox
Request: Approval of a Conditional Use for a swimming pool and a variance for fence placement.
Location: 421 West Brookfield Avenue

Summary:

The applicant and property owner are requesting a Conditional Use for the construction of a swimming pool and variance for fence placement. The existing residence was constructed in 2019 and is approximately 5,513 square feet in area.

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 0.92 acres (39,935 square feet) and is a rectangular shaped lot with frontage on West Brookfield Avenue.
2. The lot is relatively flat and does not have any regulatory floodplain or water features.
3. 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 798 square feet. The proposed area of water in the swimming pool is 512 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 3,194 square feet. The proposed area of the hardscape including the pool is 2,345 square feet.
5. The proposed pool equipment is entirely inside of the established building envelope (see attached Staff Analysis of Site Plan).
6. The applicant is proposing a 6' fence that will begin at side edges of the residence but not the furthest rear edge of the structure. Therefore, a variance is required.

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;
The existing property line hedge and proposed fence should adequately screen the pool and equipment from the adjoining properties.
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 existing landscaping will ensure that the pool improvements are adequately buffered from view of adjoining properties.
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 has illustrated compliance with this standard on the site plan and is aware of the long-term compliance standards.*

Findings of Fact and Staff Recommendation:

The standards of proof required for Variances are established in the Zoning Ordinance. The Board of Zoning Appeals has the authority to grant such variance as will not be contrary to the public interest and under the restrictions established with the Zoning Ordinance which states that if the property had on August 16, 1950, an extraordinarily unusual shape, size or topographic feature(s) as compared to other properties in the immediate neighborhood, then the Board of Zoning Appeals may grant a variance based on the following findings of fact:

1. The variance shall be granted that will not be a detriment to the public good;
The applicant is proposing to place the fence to the rear of the residence but not at the furthest edge (see application site plan). From the West Brookfield Avenue right-of-way, it will appear that the fence is at the back edge because the existing fence is inset to the interior of the property.
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and

The proposed fence does not follow furthest building edge as required. The intent and purpose of the fence provision, in staff's professional opinion, is to insure that fences are placed in the rear yard as opposed to side yards. The proposed fence placement in the rear yard behind most of the residence meets this intent.

3. The resulting home will not be out of harmony with the other homes in the neighborhood. *The proposed fence will be placed on the lot with minimal visibility from West Brookfield Avenue as well as behind existing vegetation. Given this information, the impact on surrounding properties when viewing the property from the street is negligible in staff's professional opinion.*

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

Attachments:

1. Location Map
2. Staff Analysis





- Notes:**
- 1.) Parcel numbers shown thus (0.00) pertain to Property Map 130-7 Parcel 012.00
 - 2.) Property subject to any and all findings of a current and accurate title search. No title report furnished to this surveyor prior to survey.
 - 3.) Utilities not checked. In Tennessee it is a requirement of the "Underground Utility Damage Prevention Act" that anyone who engages in excavation must notify all known utility owners. Tennessee One-Call System #1-800-351-1111 or 811. Utilities that may affect this property may be subject to one or more easements. Owners should contact the appropriate utility providers to locate utilities and state the exact location of any easements.
 - 4.) This survey meets or exceeds the requirements of a Category I Urban and Subdivision Land Survey, as per the standard of practice. The Ratio of Precision of the unadjusted survey is greater than 1:10,000' or does not exceed 1/10 of a foot of positional error at any corner.
 - 5.) Bearing system derived from Tennessee State Plan Coordinate System. Horizontal Datum: NAD83; Vertical Datum: NAVD83.
 - 6.) Deed Reference: Book 4275, page 149, R.O.D.C., TN
Plan of Record Book 421, Pages 102 and 103, R.O.D.C., TN
 - 7.) The within tract of land lies within Flood Hazard Zone X (Unshaded) as said tract plots by scale on Community Panel Number 4703703551H on The Flood Insurance Rate Maps for Belle Meade, Davidson County, Tennessee, (Maps dated April 05, 2007).

LEGEND

- IRON PIPE FOUND
- ⊕ UTILITY POLE
- ⚡ GRINDER PUMP ALARM
- ⚙ SEWER GRINDER PUMP
- ⓧ SEWER VALVE BOX
- ⚙ SEWER CONTROL VALVE
- ⓧ LAMP POST
- ⓧ SEWER CLEANOUT
- ⓧ GAS METER
- ⓧ WATER METER
- ⓧ IRRIGATION VALVE
- ⓧ IRRIGATION BACKFLOW
- ⓧ HEADWALL
- ⓧ ELECTRIC METER
- ⓧ TREE
- OVERHEAD UTILITY LINES
- - - UNDERGROUND SANITARY SEWER
- - - UNDERGROUND WATER LINE

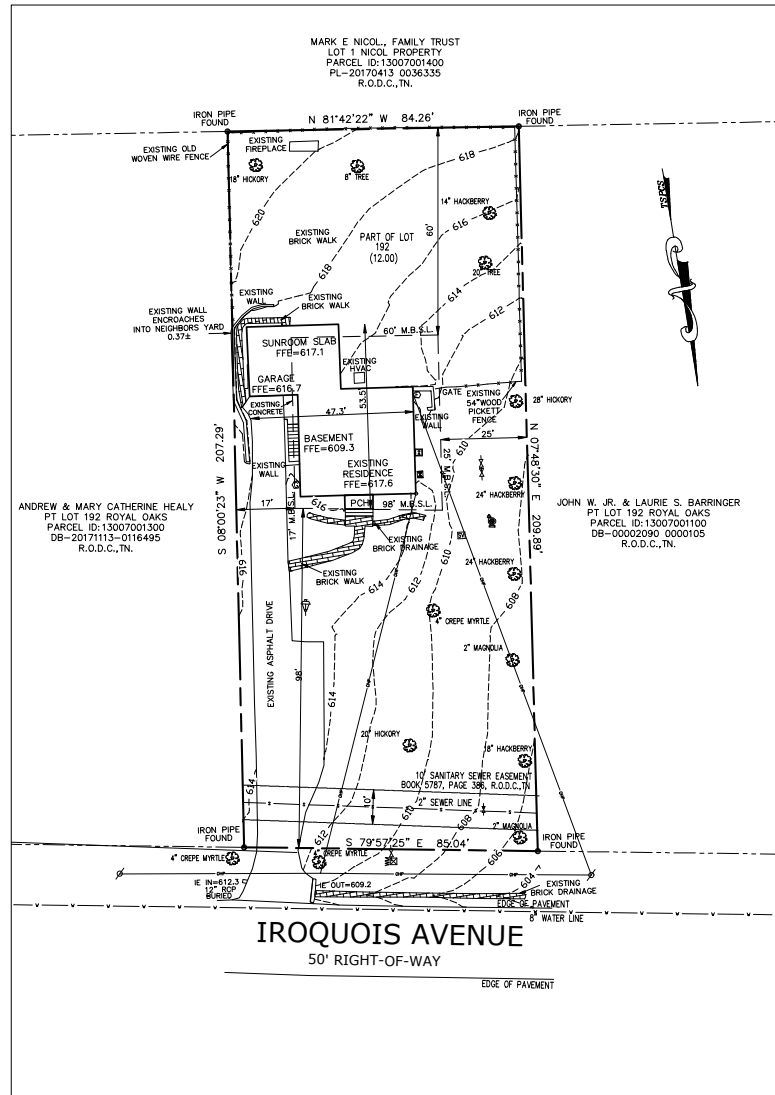
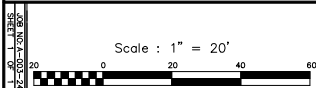


ZONED: RS-B
SETBACKS
FRONT: 98'
SIDE: 17'/25'
BACK: 60'

SITE DATA:
TOTAL SITE AREA = 17,651 SQ.FT.±
IMPERVIOUS AREA
EXISTING
HOUSE = 1,596 SQ.FT.±
ASPHALT DRIVE = 5,089 SQ.FT.±
BRICK WALKS = 160 SQ.FT.±
HVAQ PAD = 9 SQ.FT.±
CONCRETE SLAB & STEPS = 67 SQ.FT.±
WALLS = 74 SQ.FT.±
FIREPLACE = 24 SQ.FT.±
BRICK DRAINAGE = 89 SQ.FT.±
HEADWALL 7 SQ.FT.±
TOTAL AREA = 4,115 SQ.FT.±
TOTAL COVERAGE = 23%
REMAINING GREEN SPACE = 77%

TITLE: LOT SURVEY

OWNER: 4401 IROQUOIS AVE, LLC
ADDRESS: 4401 IROQUOIS AVE
CITY: NASHVILLE, TN 37205
LOT # PART OF 192 SUBD. ROYAL OAKS
RECORD: BOOK 421, PAGE 102 AND 103 R.O.D.C., TN
PARCEL ID: 13007001200
AREA: 17,651 SQ.FT.± OR 0.405 AC.±
SCALE: 1"=20'. DATE: JULY 29, 2024



4401 IROQUOIS AVE, LLC
4401 IROQUOIS AVE
NASHVILLE, TN 37205
LOT NO: PART OF 192 SUBD. ROYAL OAKS
RECORD: BOOK 421, PAGE 102 AND 103 R.O.D.C., TN

ACE Field Data & Mapping, LLC.
107 S. Greenwood St., Ste L
Lebanon, TN 37087
Office #615-927-1533



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS

APPEAL # _____

APPEAL FEE: _____

APPLICANT (Owner's Name) _____ PHONE # _____

APPLICANT EMAIL ADDRESS _____

PROPERTY ADDRESS: _____

REQUEST: VARIANCE ☐CONDITIONAL USE ☐

REASON FOR REQUEST: _____

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

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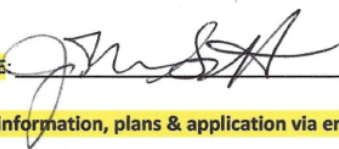
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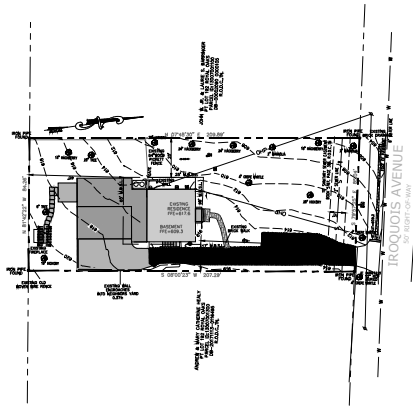
How would the resulting construction not be out of harmony with other homes in the neighborhood?

SIGNATURE:  (Owner/Agent) DATE: 8.16.2024
Submit all information, plans & application via email PDF to: msamaniego@citybellemead.org

BZA SUBMITTAL / HZC SUBMITTAL																																									
GENERAL NOTES 1. THE GENERAL CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND SITE CONDITIONS BEFORE COMMENCING WITH WORK. THE ARCHITECT MUST BE NOTIFIED OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK. 2. DO NOT SCALE DRAWINGS. IF DIMENSIONS ARE IN QUESTION, OBTAIN CLARIFICATION FROM THE ARCHITECT BEFORE CONTINUING WITH THE WORK. 3. DIMENSIONS ARE WITNESSED TO FACE OF MASONRY OR TO FACE OF STUD UNLESS OTHERWISE NOTED. 4. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL MEET ALL STATE BUILDING CODES, THE NATIONAL ELECTRIC CODE, AND ORDINANCES OF THE LOCAL AUTHORITY HAVING JURISDICTION. 5. THE ARCHITECT SHALL BE NOTIFIED BEFORE PROCEEDING WITH WORK IF A CONFLICT IS DISCOVERED WITHIN THE CONSTRUCTION DOCUMENTS. 6. THERE SHALL BE NO BUILDING MATERIALS CONTAINING ASBESTOS OR OTHER HAZARDOUS MATERIALS INSTALLED ON THIS PROJECT. 7. ALL MATERIALS AND EQUIPMENT PROVIDED SHALL BE INSTALLED AS PER MANUFACTURER'S RECOMMENDATIONS AND AS PER CODE REQUIREMENTS. 8. ITEMS REQUIRING FINISH SELECTIONS NOT APPEARING IN THE DOCUMENTS SHALL BE SELECTED BY THE OWNER FROM SHOP DRAWINGS, SAMPLES, AND/OR SAMPLES AS REQUIRED. 9. THE DESIGN, ADEQUACY, AND SAFETY OF ECTION BRACING, SHORING, TEMPORARY SUPPORTS, ETC., IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR. 10. FILL SOILD ALL MASONRY VOIDS WHERE ANCHORS OCCUR. FILL SOILD ALL NEW MASONRY UNITS LOCATED BELOW FINISHED GRADE. 11. COORDINATE LOCATIONS AND/OR ELEVATIONS OF FLOOR DRAINS, REGISTERS, GRILLES, LOUVERS, PANELS, ETC., WITH MECHANICAL AND ELECTRICAL CONTRACTORS. 12. SIZE AND LOCATION OF ALL FLOOR OPENINGS TO BE VERIFIED WITH THE TRADE AFFECTED BEFORE PROCEEDING WITH THE WORK. 13. BOLTING OF WOOD TO STRUCTURAL MEMBERS OR MASONRY SHALL BE WITH A MINIMUM OF 3/4" BOLTS @ 24" O.C. EXCEPT WHERE SHOWN OTHERWISE. 14. PROVIDE LINTELS OVER ALL OPENINGS INCLUDING THOSE REQUIRED FOR ELECTRIC, PIPES, LOUVERS, GRILLES, DAMPERS, ETC. 15. PROVIDE CONCRETE PADS FOR ALL NEW MECHANICAL AND ELECTRICAL EQUIPMENT. 16. PROVIDE DOUBLE STUDS AND BRACING WHERE REQUIRED TO SUPPORT EQUIPMENT AND/OR MISCELLANEOUS ITEMS (E.G., TILE, CASEWORK, MILLWORK, CABINETS, ETC.). 17. SLOPE ALL GRASSES, WALKS AND CONCRETE PADS AWAY FROM BUILDING AT LEAST 1/8" PER FOOT. 18. PROVIDE UNDERGROUND DRAINAGE FOR ALL DOWN SPOUTS UNLESS OTHERWISE NOTED. 19. PROVIDE 6 MIL VAPOR BARRIER UNDER ALL INTERIOR CONCRETE SLAB ON GRADE CONDITIONS. 20. PROVIDE 1" THICK PERIMETER INSULATION AT ALL NEW CONCRETE SLABS ALONG EXTERIOR WALLS. 21. THE "GENERAL CONDITIONS OF THE CONTRACTOR FOR CONSTRUCTION" A.I.A. DOCUMENT A201 IS HEREBY MADE A PART OF THIS PROJECT THE SAME AS IF BOUAD HEREIN. THESE CONDITIONS APPLY TO ALL SUBCONTRACTORS AS WELL AS TO THE GENERAL CONTRACTOR. 22. CONTRACTOR SHALL MAINTAIN THE JOB CLEAR OF TRASH AND DEBRIS. ALL WASTE MATERIAL SHALL BE REMOVED FROM SITE PRIOR TO SUBSTANTIAL COMPLETION AND PRIOR TO FINAL ACCEPTANCE. 23. CONTRACTOR SHALL PRESENT THE BUILDING TO THE OWNER FOR ACCEPTANCE, CLEAN AND READY FOR OCCUPANCY. ALL GLASS SHALL BE CLEANED AND POLISHED, FLOORS SWEEPED BROOM CLEAN. PICTURES & SIGNED WITH ALL LABELS REMOVED AND THE EXTERIOR TO BE RASGHTLINE OF TRASH. 24. CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH ALL CONDITIONS PRIOR TO COMMENCING CONSTRUCTION. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS WITH THOSE AT THE SITE. ANY VARIATION WHERE REQUIRED PHYSICAL CHANGE SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.	Addition & Remodeling For: Johnna Scott 4401 Iroquois Avenue City Of Belle Meade - Zone RS-B Nashville, TN 37205  Application Submittal : August 16, 2024 Issued : August 15, 2024 NOTICE: THIS RENDERING SHOWS DESIGN INTENT ONLY. THIS IS AN ARTIST RENDERING. DO NOT USE THIS DRAWING FOR MATERIALS, DESIGN OR DIMENSIONS. REFER TO ARCHITECTURAL DRAWING(S) FOR ALL CONSTRUCTION DOCUMENTS.	DRAWING INDEX <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10%;">T.1.0</td><td>Title Sheet</td></tr> <tr><td>C.0.1</td><td>Survey</td></tr> <tr><td>C.1.0</td><td>Existing/Demo Site Plan (2)</td></tr> <tr><td>C.1.1</td><td>Proposed Site Plan (2)</td></tr> <tr><td>D.1.0</td><td>Existing/Demo First Floor Plan</td></tr> <tr><td>D.2.0</td><td>Existing/Demo Second Floor Plan</td></tr> <tr><td>D.2.0</td><td>Existing/Demo Elevations</td></tr> <tr><td>A.1.0</td><td>Proposed First Floor Plan</td></tr> <tr><td>A.1.1</td><td>Proposed Second Floor Plan</td></tr> <tr><td>A.1.2</td><td>Proposed Roof Plan</td></tr> <tr><td>A.2.0</td><td>Proposed Elevations & Schematic Sections</td></tr> <tr><td>A.2.1</td><td>Proposed Elevations</td></tr> </table>	T.1.0	Title Sheet	C.0.1	Survey	C.1.0	Existing/Demo Site Plan (2)	C.1.1	Proposed Site Plan (2)	D.1.0	Existing/Demo First Floor Plan	D.2.0	Existing/Demo Second Floor Plan	D.2.0	Existing/Demo Elevations	A.1.0	Proposed First Floor Plan	A.1.1	Proposed Second Floor Plan	A.1.2	Proposed Roof Plan	A.2.0	Proposed Elevations & Schematic Sections	A.2.1	Proposed Elevations	SQUARE FOOTAGE DATA <table style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 70%;">First Floor Heated:</td><td style="text-align: right;">1,986 SF</td></tr> <tr><td>Second Floor Heated:</td><td style="text-align: right;">1,671 SF</td></tr> <tr><td>Total 1st & 2nd Heated:</td><td style="text-align: right;">3,657 SF</td></tr> <tr><td colspan="2">Garage: 710 SF</td></tr> <tr><td colspan="2">Front Porch: 40 SF</td></tr> <tr><td colspan="2">Back Porch: 144 SF</td></tr> <tr><td colspan="2">Total Unheated: 894 SF</td></tr> </table> EXTERIOR MATERIAL - ROOF SHALL BE CEDAR SHAKE - EXTERIOR SIDING SHALL BE 5 INCH OVERLAY HARDI-PLANK SIDING / PAINTED WHITE - WINDOWS SHALL BE WHITE ALUMINUM CLAD - GUTTERS AND DOWNSPOUTS SHALL BE WHITE ALUMINUM; GUTTERS SHALL BE OGEE PROFILE; DOWNSPOUTS SHALL BE ROUND PROFILE - GARAGE DOORS SHALL BE SIMULATED CARRIAGE STYLE, SECTIONAL OVERHEAD DOORS; PAINTED "IRON ORE" BY SHERWIN WILLIAMS. - FRONT DOORS SHALL BE STAINED MAHOGONY - FRONT WALK SHALL BE RANDOM RECTANGULAR FLAGSTONE - FRONT LANTERNS SHALL BE COPPER HOUSING GAS LIGHTS	First Floor Heated:	1,986 SF	Second Floor Heated:	1,671 SF	Total 1st & 2nd Heated:	3,657 SF	Garage: 710 SF		Front Porch: 40 SF		Back Porch: 144 SF		Total Unheated: 894 SF	
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SURVEYOR ACE FIELD DATA & MAPPING, LLC. 107 S. Greenwood St., Ste. L, Lebanon TN 37087 OFFICE: (615) 927-1533	BUILDER <u>TBD</u>	ARCHITECT  Mitchell Barnett, Architect, P.C. Architects Planners 2021 Richard Jones Rd. Suite# 310A Nashville, TN 37215 (615) 385-3033 E-mail : mitch@mitchebarnettarchitect.com Web Site : mitchellbarnettarchitect.com	Addition & Remodeling For: Johnna Scott 4401 Iroquois Avenue, City Of Belle Meade, Nashville, TN 37205 Drawing No: 0001 Checked By: NMBH Date: 8/15/24 Title: Remodel Plot Number: Sheet Number: Issued: August 15, 2024 T.1.0																																						



NOTE: This Site plan is Scaled
1"= 30'-0" as Per City of Belle
Meade Application For Board of
Zoning Appeals Complete Checklist.
We have included the same sheet
Scaled 1" = 10'-0" for Clarity.



Proposed Enlarged Site Plan

SCALE: 1" = 30'-0"

NOTE: THIS SURVEY WAS PROVIDED TO THE ARCHITECT BY ACE FIELD DATA & MAPPING, LLC. ARCHITECT CANNOT GUARANTEE NOR WARRANTY THE INFORMATION CONTAINED HEREIN. HOWEVER, THE ARCHITECT HAS RELIED ON THIS INFORMATION FOR DESIGN.	OWNER: 4401 IROQUOIS AVE, LLC ADDRESS: 4401 IROQUOIS AVE, NASHVILLE, TN 37205 LOT# PART OF 142 SUBD ROYAL OAKS RECORD: BOOK 421, PAGE 102 & 103 RODG TN PARCEL ID: 13001001200	LOT SQ. FT.: 17,651 SF	ALLOWABLE	EXISTING	PROPOSED	% OVER ALLOWABLE
NOTE: THICK LINE INDICATE EXISTING HOUSE BOUNDARY	COMMUNITY DATA: WINGPACTIVITY: ZONING: BELLE MEADE RS-B	F.A.R. x LOT SQ. FT. LOTS 40,000 X 225 3471	FOOT PRINT 12%	2110	1540	27 %
	REQUIRED SETBACKS: FRONT SETBACK: 40' LEFT SETBACK: 17' RIGHT SETBACK: 25' REAR SETBACK: 60'	FRONT YARD AREA	DRIVEWAY 12%	2110	1824	26 %
	F.A.R. TOTALS FIRST FLOOR.....1806 SECOND FLOOR.....1671 GARAGE.....710 3RD ATTIC.....N.A. TOTAL.....4387	HARDSCAPE + POOL 8%	DRIVE IN FRONT 22%	1412	33	0
		POOL 2% OF LOT	ACCESSORY AREA 15%	393	0	0
				2647	0	0

Issued: August 15, 2024

Michael Barnett Architects, P.C.
100 International Drive, Suite 200
Nashville, TN 37203
615.259.1111

City of Belle Meade, Nashville, TN 37205

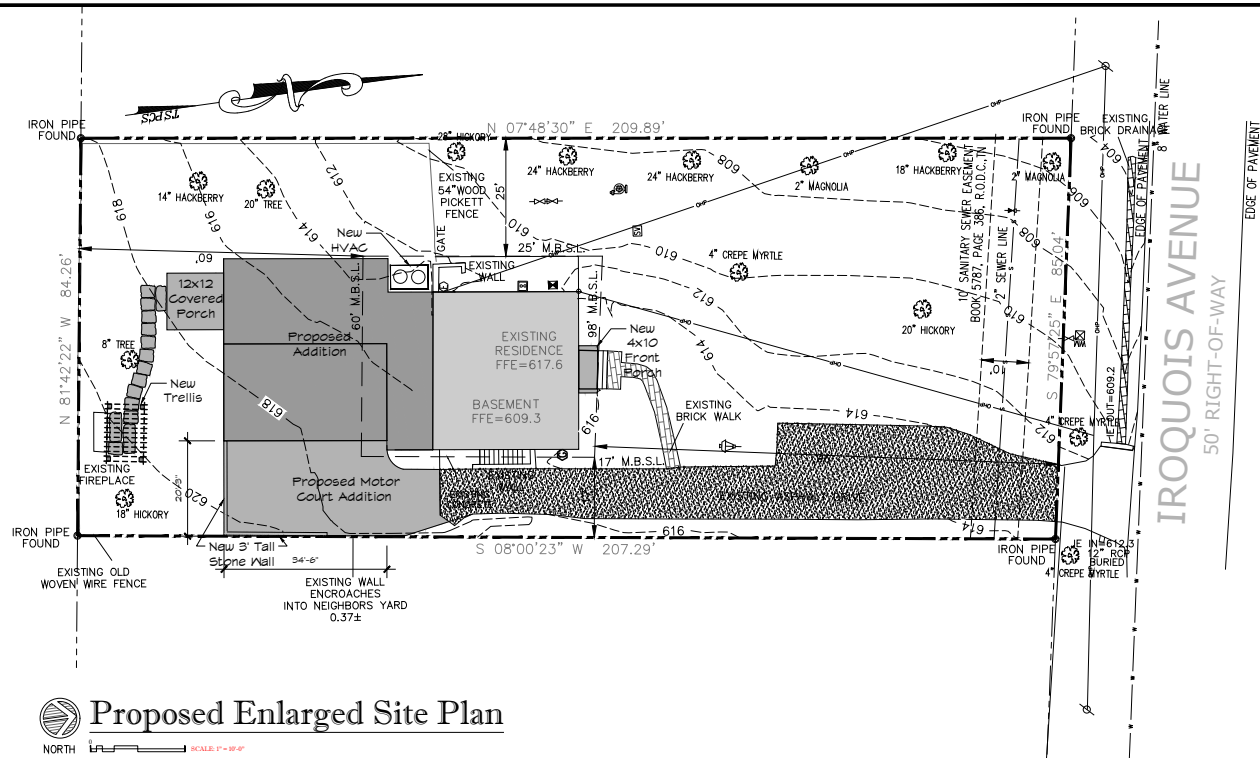
Addition & Remodeling For:

Johnna Scott

4401 Iroquois Avenue,
City of Belle Meade, Nashville, TN 37205

Drawn By: MAB
Checked By: MAB
Date: 08/15/24
File: 8000002
Sheet Number

C.1.1



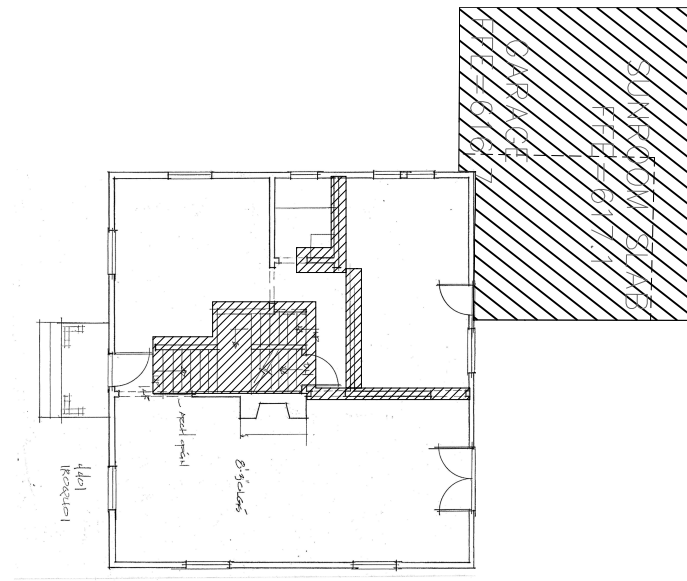
Architect & Remodeling Firm:
Johnna Scott
4401 Iroquois Avenue,
City of Belle Meade, Nashville, TN 37205

Mineral Rights Address, P.C.
100 Iroquois Avenue, Nashville, TN 37205
100 Iroquois Avenue, Nashville, TN 37205
100 Iroquois Avenue, Nashville, TN 37205

Access By: 1000
Closed By: 1000
Date: 10/01/2024
File: 10000002
Sheet Number: 10000002

C.1.1

Issued: August 15, 2024

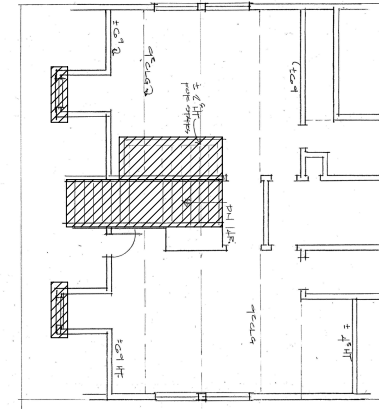


Existing / Demo First Floor Plan

SCALE: 1/4"=1'-0"

SQUARE FOOTAGE CALCULATIONS	
SF First Floor of Remaining House:	1033 SF
SF Second Floor Existing:	704 SF

LEGEND:	
Walls to be Removed	

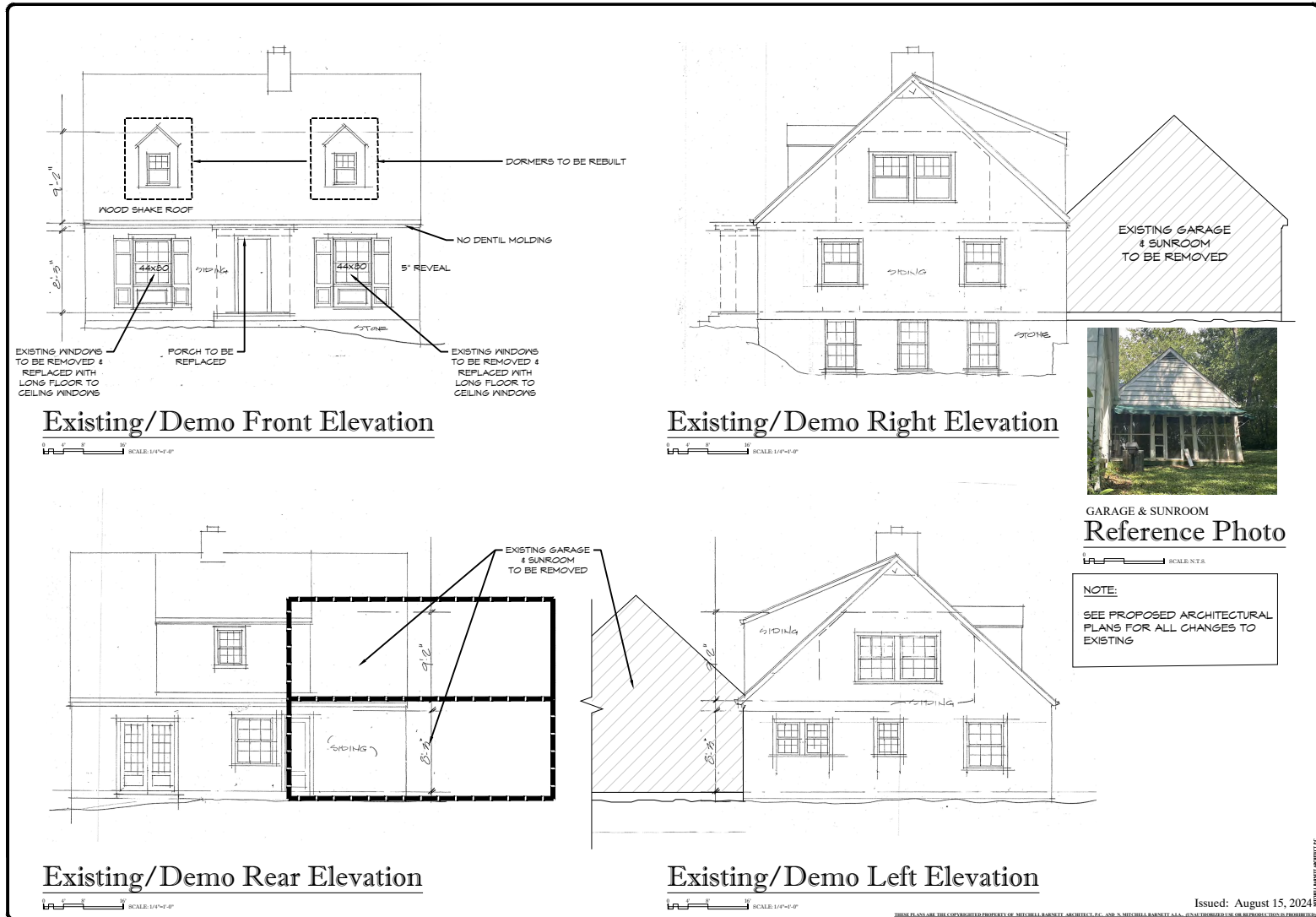


Existing / Demo Second Floor Plan

SCALE: 1/4"=1'-0"

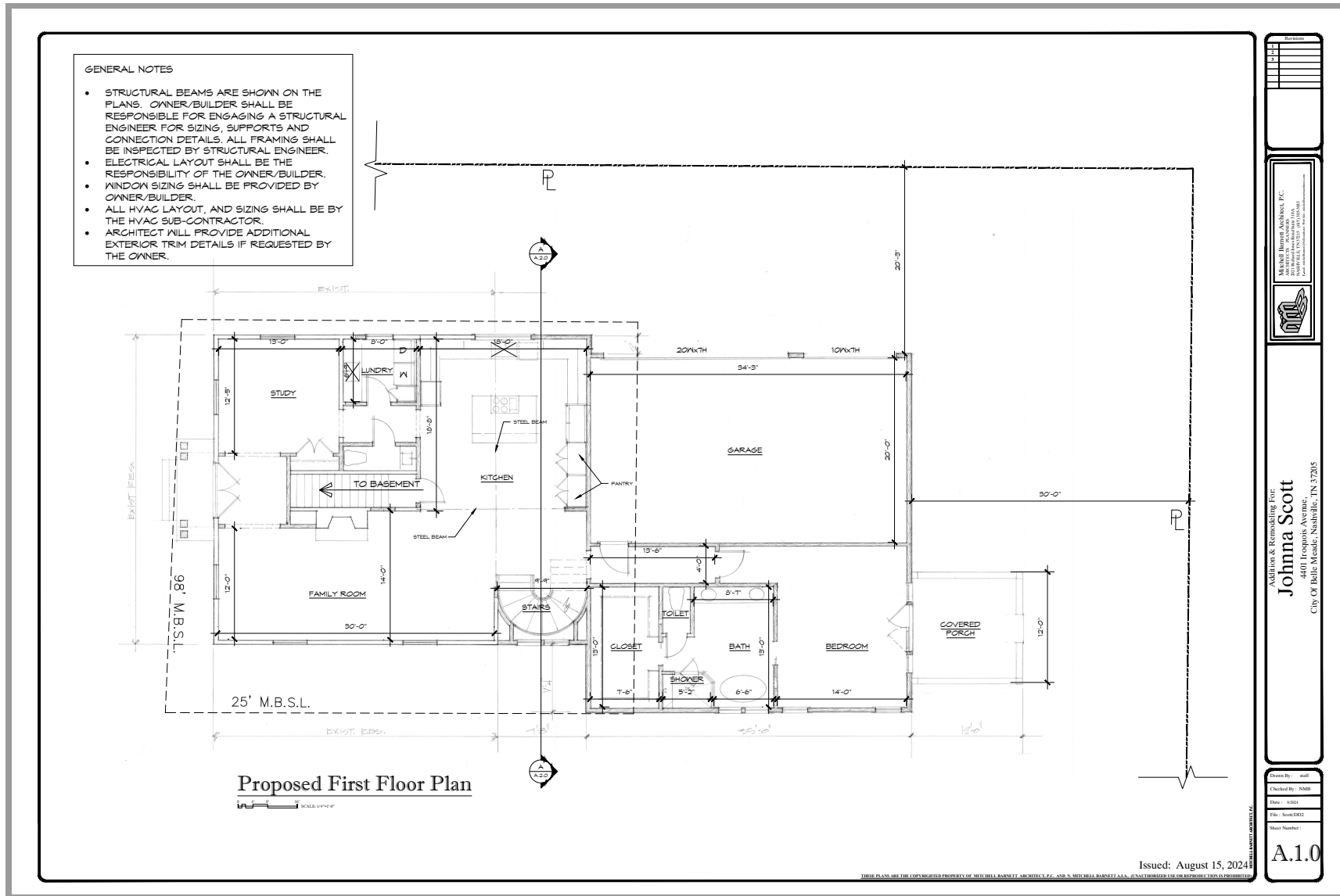
Issued: August 14, 2024

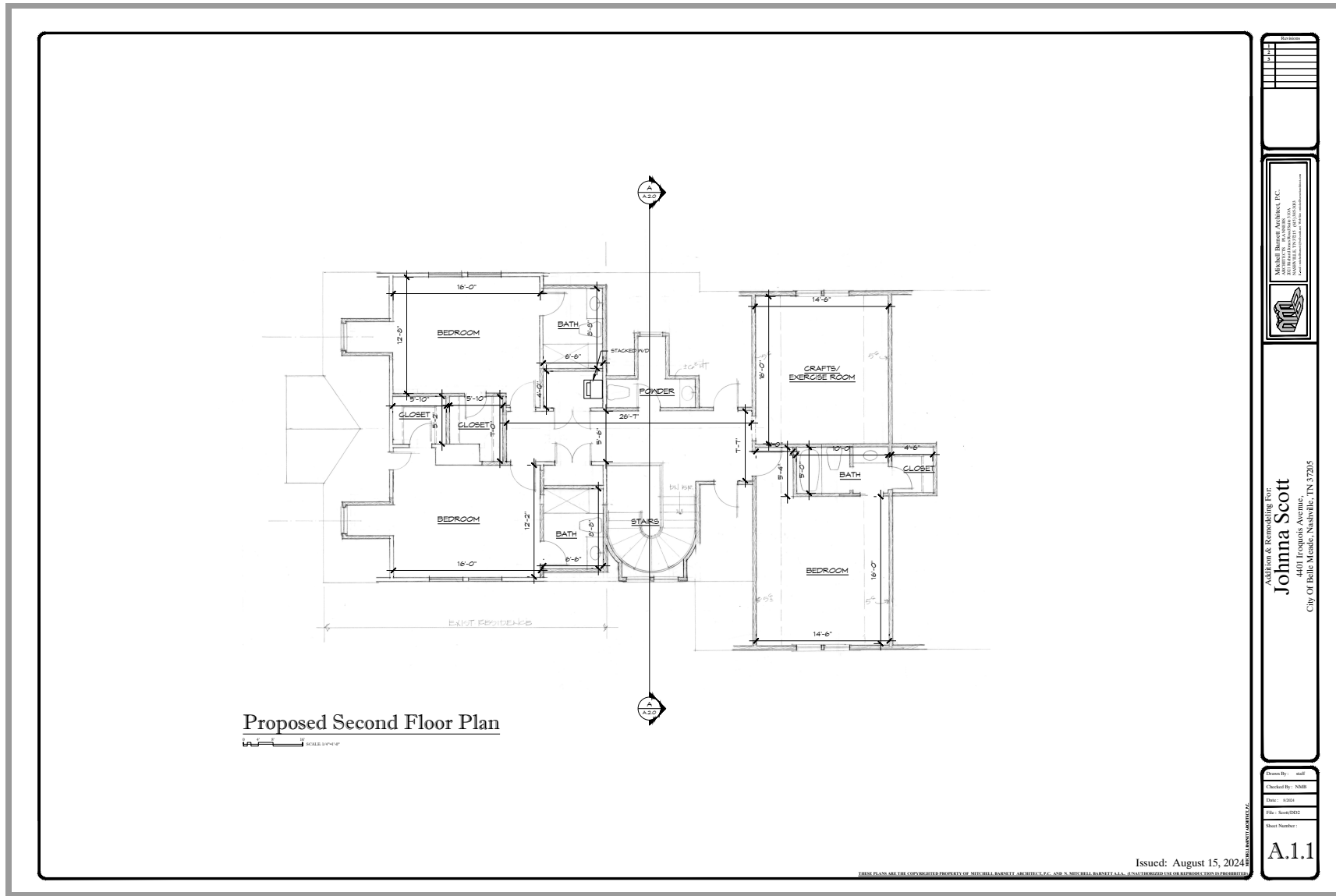
	
Addition & Remodeling For: Johnna Scott 4401 Iniquity Avenue, City of Belle Meade, Nashville, TN 37205	
Prepared By: MB Checked By: MB Date: 8/14/24 Title: Remodel Sheet Number:	D.1.0

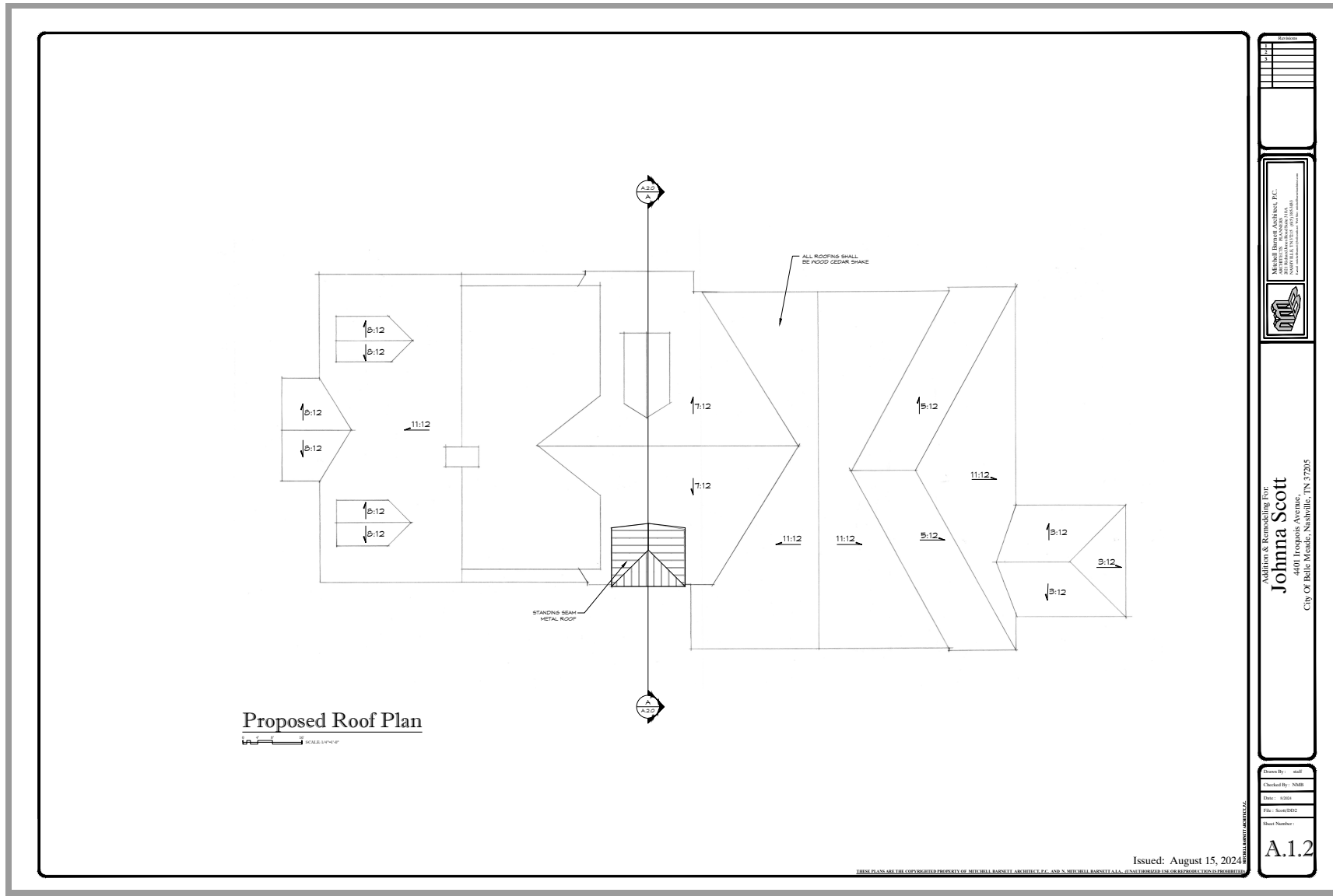


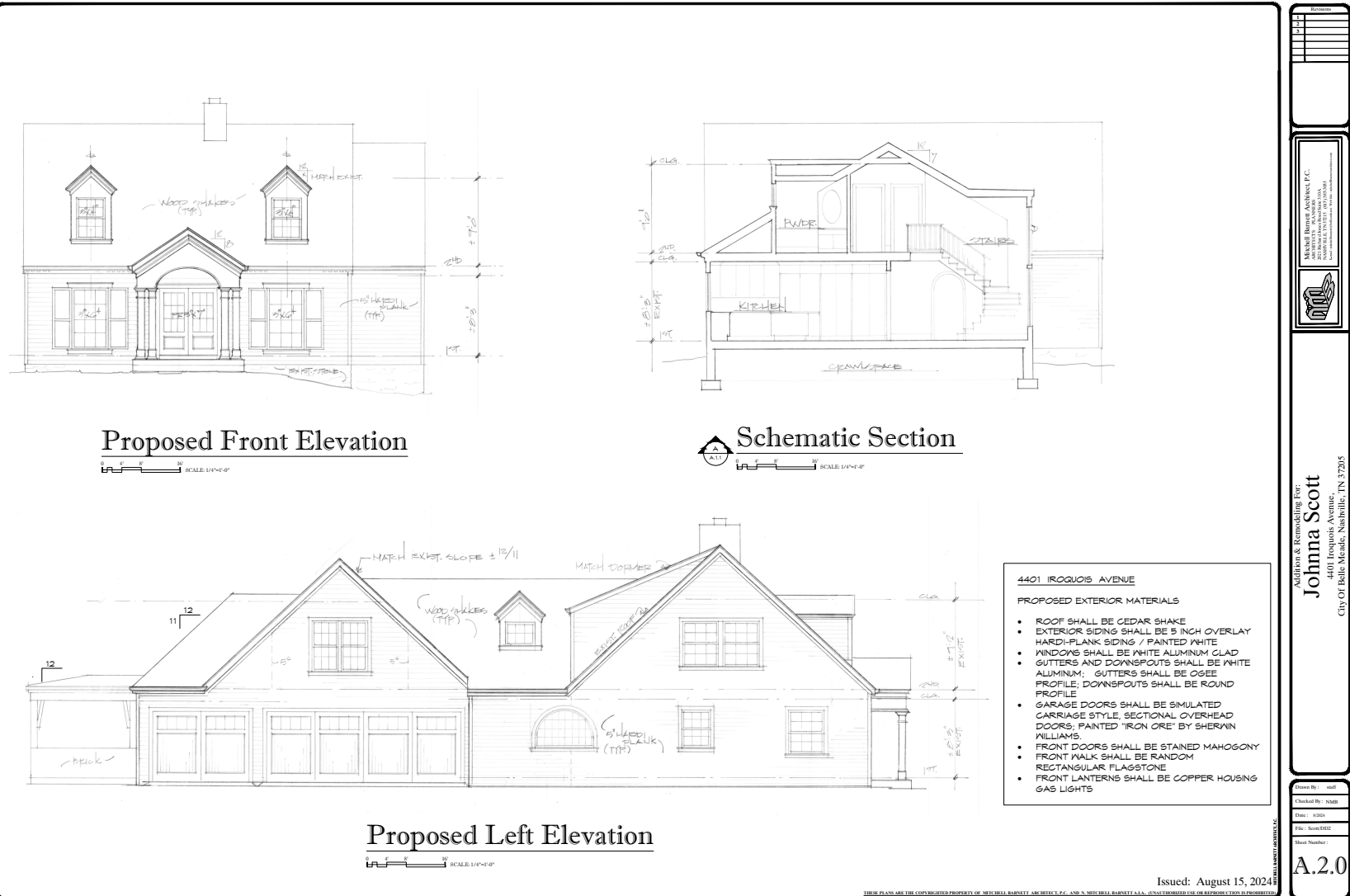
Project No.	2024-001
Client	Johnna Scott
Address	4401 Iniquity Avenue, Nashville, TN 37205
City	Nashville, TN
State	TN
Country	USA
Scale	1/4"=1'-0"
Sheet Number	D.2.0

Johnna Scott
 Addition & Remodeling Firm
 4401 Iniquity Avenue, Nashville, TN 37205
 City of Belle Meade, Nashville, TN 37205



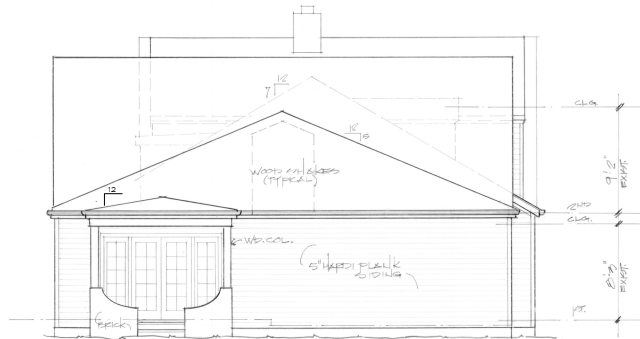








Proposed Right Elevation



Proposed Rear Elevation



- 4401 IROQUOIS AVENUE

PROPOSED EXTERIOR MATERIALS

- ROOF SHALL BE CEDAR SHAKE
- EXTERIOR SIDING SHALL BE 5 INCH OVERLAY HARD-PLANK SIDING / PAINTED WHITE
- WINDOWS SHALL BE WHITE ALUMINUM GLAD
- GUTTERS AND DOWNSPOUTS SHALL BE WHITE ALUMINUM; GUTTERS SHALL BE OGEE PROFILE; DOWNSPOUTS SHALL BE ROUND PROFILE
- GARAGE DOORS SHALL BE SIMULATED CARRIAGE STYLE, SECTIONAL OVERHEAD DOORS; PAINTED "IRON ORE" BY SHERWIN WILLIAMS.
- FRONT DOORS SHALL BE STAINED MAHOGONY
- FRONT WALK SHALL BE RANDOM RECTANGULAR FLAGSTONE
- FRONT LANTERNS SHALL BE COPPER HOUSING GAS LIGHTS

Issued: August 15, 2024

Client Information		Project Information	
Name	Address	Project Name	Project Number
Johnna Scott	4401 Tropicana Avenue, City Of Belle Meade, Nashville, TN 37215	4401 Tropicana Avenue, City Of Belle Meade, Nashville, TN 37215	

Project Details		Client Contact	
Project Type	Project Status	Client Name	Client Phone
Residential	In Progress	Johnna Scott	(615) 251-1234

Project Schedule		Project Budget	
Start Date	End Date	Budget Amount	Budget Type
01/01/2024	03/31/2024	\$100,000.00	Fixed Fee

Project Notes	
Project Description: Construction of a new 4,401 sq. ft. single-family residence. Project Location: 4401 Tropicana Avenue, City Of Belle Meade, Nashville, TN 37215. Project Status: In Progress. Project Budget: \$100,000.00. Project Schedule: 01/01/2024 to 03/31/2024.	

Staff Report

Agenda No.: III.D.

Case No.: 24-0009

Staff: Mary Samaniego, Planning Director

Applicant: Johnna Scott

Request: Variances for maximum footprint, maximum gross floor, maximum driveway area and turnaround area, and rear yard setback.

Location: 4401 Iroquois Avenue

Summary:

The applicant is requesting variances for an addition that exceeds the maximum allowable building footprint, allowable gross floor area, rear yard setback, and maximum driveway area and turnaround area. The specific request is to construct a two-story addition and garage on to the rear of the existing residence. A request to demolish the existing residence was heard and denied at the May 2024 Historic Zoning Commission. If the variances are approved, the addition will be heard for approval at the October 2024 Historic Zoning Commission meeting.

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 0.41 acres (17,561 square feet - SF), 85' in the width, and rectangular in shape with frontage on Iroquois Avenue.
2. The residence was constructed in 1939 and has a Cape Cod architectural style. Due to its construction date, per the Belle Meade Citywide Conservation Overlay Design Guidelines, it is determined to be *a property worthy of conservation*.
3. The residence is one-story-and-a-half stories and approximately 2,332 SF with an attached one-car garage.
4. Per Section 14-204(1)(d)(i) of the Zoning Ordinance, the square footage of footprint shall not exceed twelve percent (12%) of the lot area. The allowable footprint for the proposed lot is 2,118 square feet.
5. The existing residence has a building footprint of 1,548 square feet and the proposed addition of 1,663 square feet will then provide as overall building footprint of 2,696 square feet (578 square feet over the maximum allowable).
6. Per Section 14-204(1)(d)(ii) of the Zoning Ordinance, the allowable Floor Area Ratio (FAR) for lots forty thousand (40,000) square feet or less is .225. For the subject property, the allowable area per the FAR equation is 3,971 square feet.

7. The existing residence has a building area of 2,252 square feet and the proposed addition of 2,115 square feet will then provide an overall building footprint of 4,367 square feet (396 square feet over the maximum allowable).
8. Per Section 14-204(2)(d)(3), the Residence B zoning district requires a rear yard setback is 60' for structures less than 25' in height and the proposed addition is 19' from the rear property line.
9. Per Section 14-204(1)(d)(4) of the Zoning Ordinance, the total of all drive and parking areas on any lot shall not exceed twelve (12) percent of the total lot area. The allowable area of drive and parking area for the proposed lot is 2,118 square feet and the proposed area of drive and parking area is 2,672 square feet, which is over the requirement by 554 square feet. In this Code section there is also a requirement for a 25' by 25' turnaround area for the garage spaces and a 20' by 34' turnaround area is proposed.
10. Per Section 14-204(1)(h)(1)(B), Between any driveway and the nearest property line there shall be a minimum five foot (5') "green space," to be devoted to grass or other vegetation. A portion of the 20' by 34' turnaround area for the garage is 0 feet to the side property line.

Findings of Fact and Staff Recommendation:

The standards of proof required for Variances are established in the Zoning Ordinance. The Board of Zoning Appeals has the authority to grant such variance as will not be contrary to the public interest and under the restrictions established with the Zoning Ordinance which states that if the property had on August 16, 1950, an extraordinarily unusual shape, size or topographic feature(s) as compared to other properties in the immediate neighborhood, then the Board of Zoning Appeals may grant a variance based on the following findings of fact:

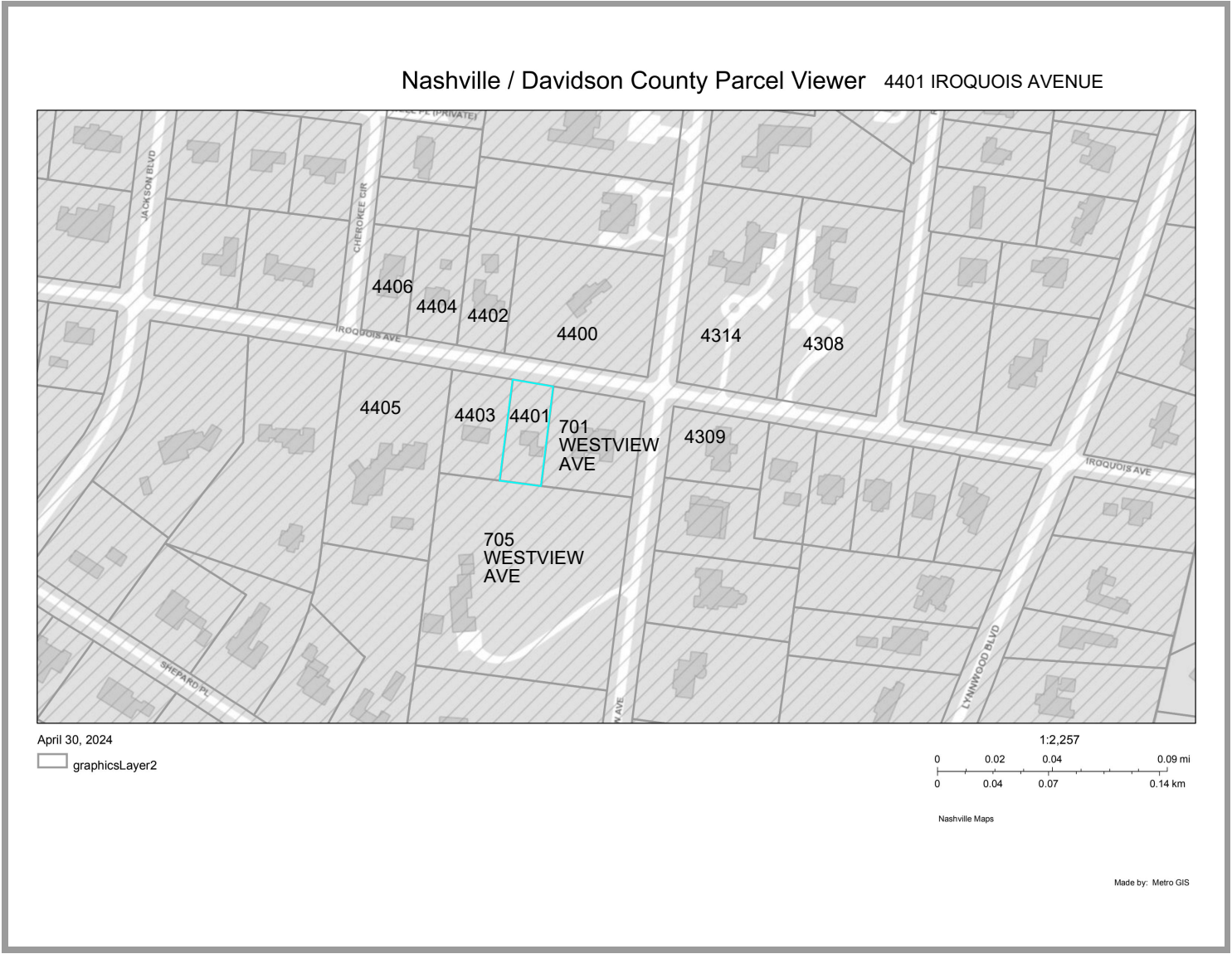
1. The variance shall be granted that will not be a detriment to the public good;
The applicant is proposing to exceed the maximum footprint, building area, setbacks, and criteria for driveway that were adopted in the Zoning Ordinance to benefit the public good. However, the small size and narrowness in width of the lot make construction of an addition difficult within the parameters of expected residences size in Belle Meade. A request to demolish the residence was denied by the Historic Zoning Commission due to the age of the residence. The existing residence at 2,332 total square feet is small for the average sizes of residences and most of the features of the existing house are substandard per current building codes. The addition proposed with associated driveway will not be detrimental to the public good.
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and
It is staff's professional opinion that the requirement for footprint, building area, setbacks, and driveway standards is to limit the massing and scale of dwellings within a given site. The City of Belle Meade enjoys large sprawling yards that contributes to the City identity. The intent and purpose of these design and bulk provision, in staff's professional opinion, is to ensure that the placement and scales of dwellings ensures this development pattern of large, open yards. The proposed meet this intent as it provides an addition to a historic residence on a smaller lot.

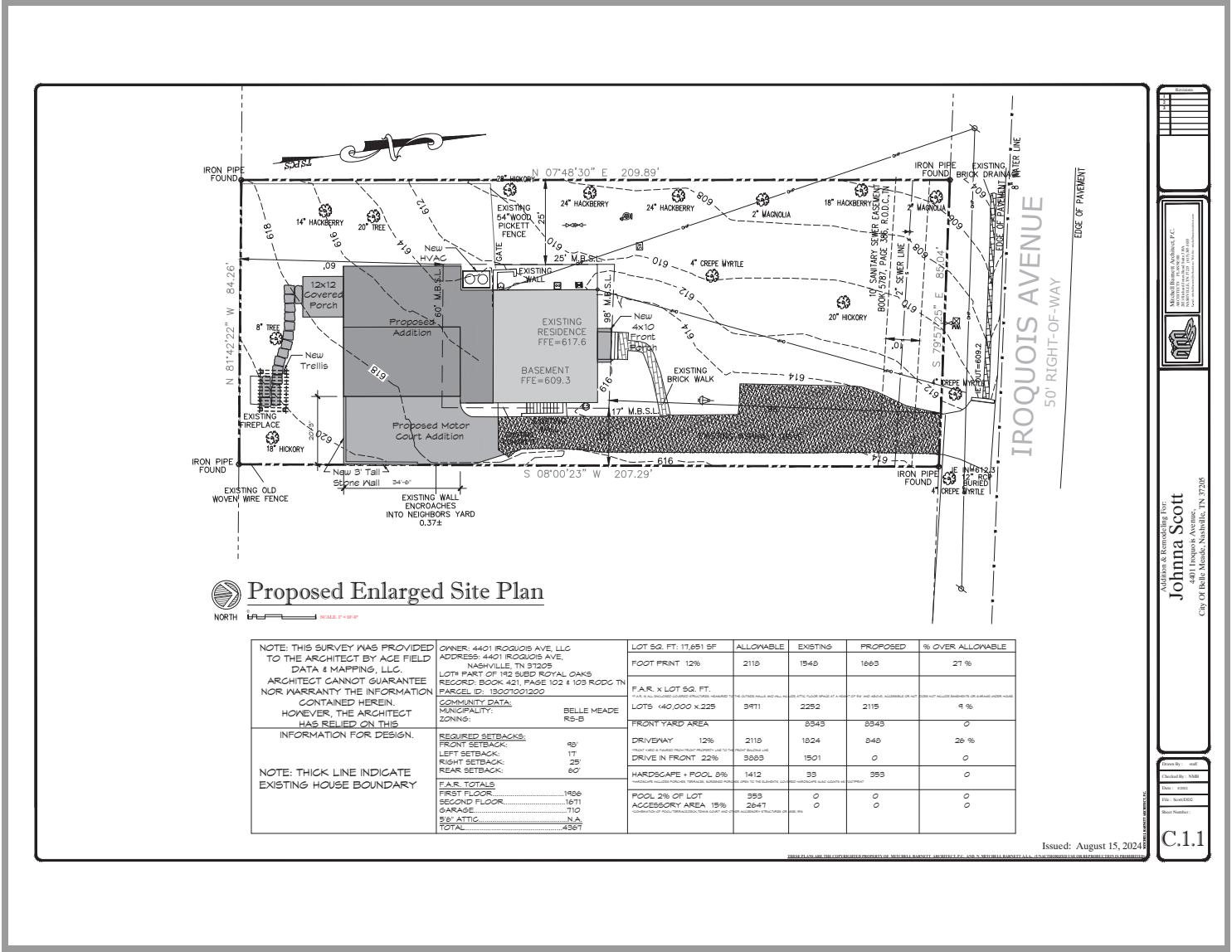
3. The resulting home will not be out of harmony with the other homes in the neighborhood.
Upon review of the existing development pattern within the immediate area, it appears that many of the surrounding dwellings and lots are significantly larger in size. Therefore, the proposed addition while exceeding the parameters within the site will not be out of character with the surrounding area as far as size.

Staff recommends approval of the variance requests based on the written findings of fact.

Attachments:

1. Location Map
2. Staff Analysis of Site Plan





From: [laurie.barringer](#)
To: [Mary.Samaniego](#)
Subject: 4401 Iroquois variance case 24-009
Date: Tuesday, September 17, 2024 9:45:50 AM

To whom it may concern;

With regards to the variance request for 4401 Iroquois ave, we have no inherent objections. However, we would like to go on record to voice our concern about drainage issues. We endured three years of construction of the house behind us on Westview. This left us with horrible drainage problems that we spent thousands of dollars to repair. Still today if their pool overflows it comes up through the asphalt in our driveway. That being said, We do not want to experience these same issues again with the property next door. We are downhill from 4401 Iroquois. Having lived here 25 years we have not had any trouble with drainage from 4401 Iroquois. We would like to be assured it will stay that way. Secondly regarding this issue, it is my understanding this house is being built for resale. We are concerned if there is an issue it will just be passed on to the new owner. As long as these issues are addressed and agreed upon, we see no glaring issue with the variance

Best regards

Laurie and John Barringer
4403 Iroquois ave.
Nashville,Tn.37205

615-335-3258



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS

APPEAL # _____ APPEAL FEE: _____

APPLICANT (Owner's Name) Saran Roth + Mark Shephard PHONE # 615 352 7620

APPLICANT EMAIL ADDRESS sroth@nashvillejhs.org

PROPERTY ADDRESS: 505 Harding Pike Nashville TN 37205

REQUEST: VARIANCE ☐ CONDITIONAL USE ☒

REASON FOR REQUEST: renewal of permission for Kehilla
High School to use the premises

PROJECT CALCULATIONS

LOT SQ. FT:	ALLOWABLE	EXISTING	PROPOSED	% OVER
FOOTPRINT AREA				
GROSS FLOOR AREA (F.A.R. X LOT SQ. FT.)				
FRONT YARD AREA				
TOTAL DRIVEWAY AREA				
DRIVEWAY IN FRONT YARD AREA				
HARDSCAPE AREA				
POOL AREA				
F.A.R. = LOTS <40,000 sq. ft. x .225 = LOTS > 40,000 sq. ft. x .196 =				

Complete Check List

- ☐ Survey (signed and sealed by a registered surveyor) of lot and topographic contours
- ☒ Site plan (1 inch = 30 feet)
 - Show existing and proposed structures
 - Building envelope
 - Show all topographic elevations, existing grade, finished grade, Finished Floor Elevations

Variance Approval Criteria

What special circumstances or conditions apply to the building or land by reason of exceptional narrowness, shallowness, exceptional topographic conditions, or other extraordinary and exceptional situation or condition of a specific piece of property?

The Temple has ample space available during the business week to partner with a mission-appropriate Jewish school and would like to provide that.

How would the strict application of the zoning ordinance result in practical difficulties to or exceptional or undue hardship upon the owner of such property?

Kehilla High School's use of the Temple's space during the significant time each week that it is not in use improves the Temple's financial and sustainability outlook, and helps meet the mission of serving the local community.

How would the granting of this variance be without detriment to the public good and without substantially impairing the intent and purpose of the zoning ordinance of the City?

Kehilla High School's student and staff population
is under 30. We do not anticipate any
significant increase in traffic, parking, or
security, and the students have created no
detrimental impact on the neighborhood of
the Temple. Like the Temple's preschool,
Kehilla High School provides an educational
resource to the community of Belle Meade while
falling under the Temple's religious use purpose.

How would the resulting construction not be out of harmony with other homes in the neighborhood?

No construction is required.

SIGNATURE:  (Owner/Agent) DATE: 8/1/24

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



August 1, 2024

Dear Board of Commissioners, City of Belle Meade:

I write to you on behalf of Mark Shepard, the Director of Facility Management of Temple Ohabei Shalom of Belle Meade, and myself to request an activity permit for the coming year allowing Kehilla High School (KHS) to operate on the premises of the Temple. I am aware there has been a gap in the permitted activity of KHS at the Temple site and as the newly appointed head of school, I will ensure that we are in compliance at all times should the activity permit be granted. Please find the details of the requested activity below.

Kehilla High School will operate daily from 7:45am to 4:15pm during the academic year, which will run from August 12, 2024, to May 23, 2024. I have sent our academic calendar and daily schedule should you wish to consult those. As of today, Kehilla will have 18 students enrolled grades 9-11 as well as 4 full-time faculty/staff and 4 part-time faculty. We anticipate using a maximum of 15 parking spots on a regular basis, which will be readily accommodated by the Temple's existing lot during our hours of operation. The vast majority of Kehilla activities will take place inside the Temple, making regular use of 8 rooms. Students will occasionally spend class periods outdoors on the Temple grounds under faculty supervision; these infrequent occasions will require no set-up, will not be visible to anyone not already on the Temple's premises, and will incur no additional traffic or security needs beyond what the Temple already has. Should Kehilla wish to hold any additional activities that go beyond what is described here, we will work with Mark Shepard to ensure that these are planned and permitted appropriately through the City. Head of School Sarah Roth can be contacted at any time about KHS activities at (734) 417-5751 or sroth@nashvillejhs.org.

In addition to the activity permit, we request permission to place a sign indicating the location of KHS of no greater dimensions than 3'x2' at the location where the current Temple sign stands, at the corner of the Temple's drive and Harding Pike. Thank you very much for considering this application.

All the best,

A handwritten signature in black ink, appearing to read 'SRoth', is placed above the typed name.

Dr. Sarah Roth
Head of School, Kehilla High School

Kehilla Calendar 2024-2025

August 2024						
Su	Mo	Tu	We	Th	Fr	Sa
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September 2024						
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October 2024						
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November 2024						
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December 2024						
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January 2025						
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May 2025						
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August 8-9 – professional development (students do not report)
 August 12 – First Day of School
 January 3 – Professional Development (students do not report)
 March 10-14 Professional development/Spring Break (students do not report)
 May 23 – Last Day of School/half day

Calendar Days – 180

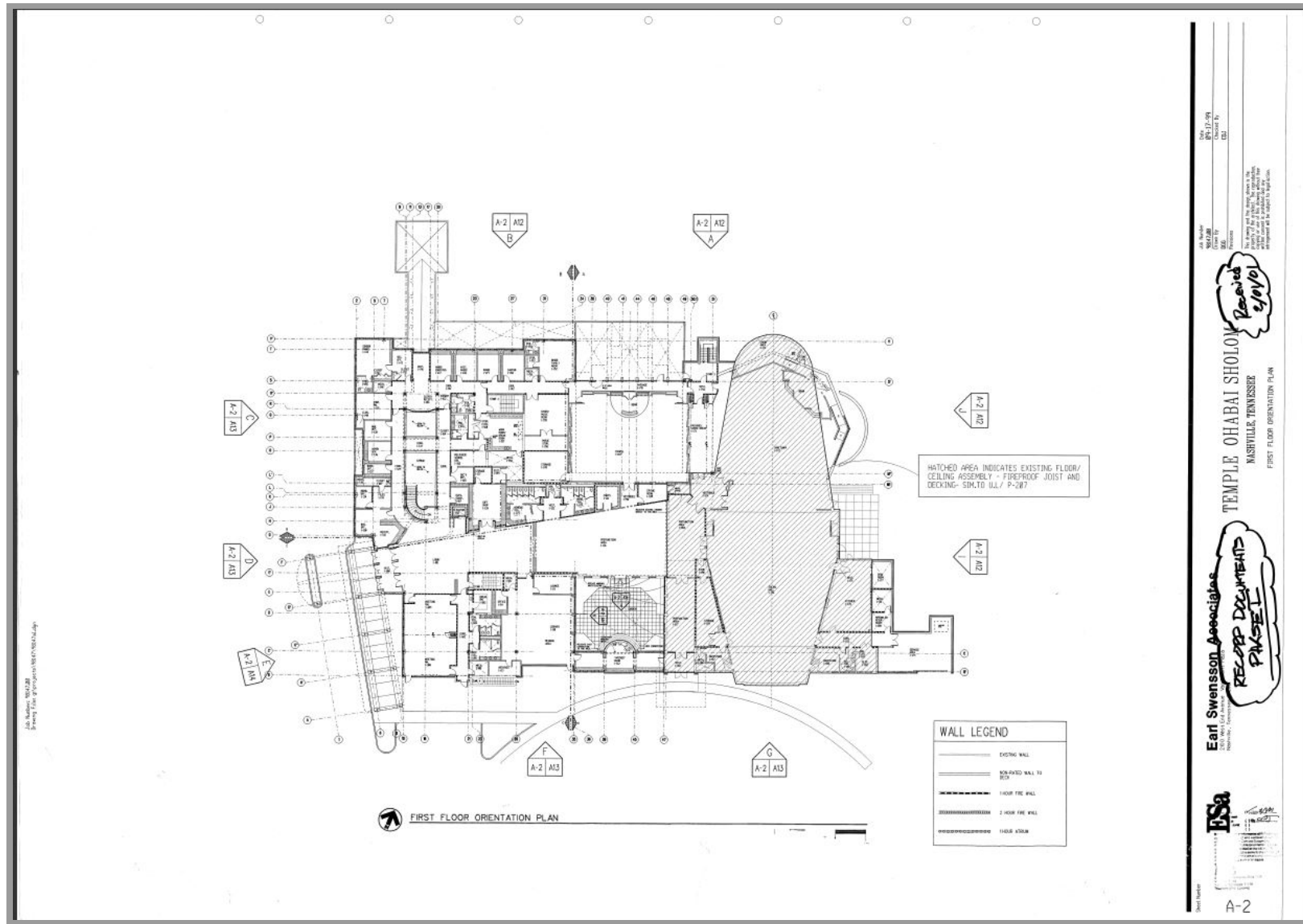
Days Off/Half Days

Sept 2 – Labor Day (no school)
 Oct 3 – 4 – Rosh Hoshana (no school)
 Oct 17-18 – Sukkot No School
 Oct 24-25 – Sukkot No School

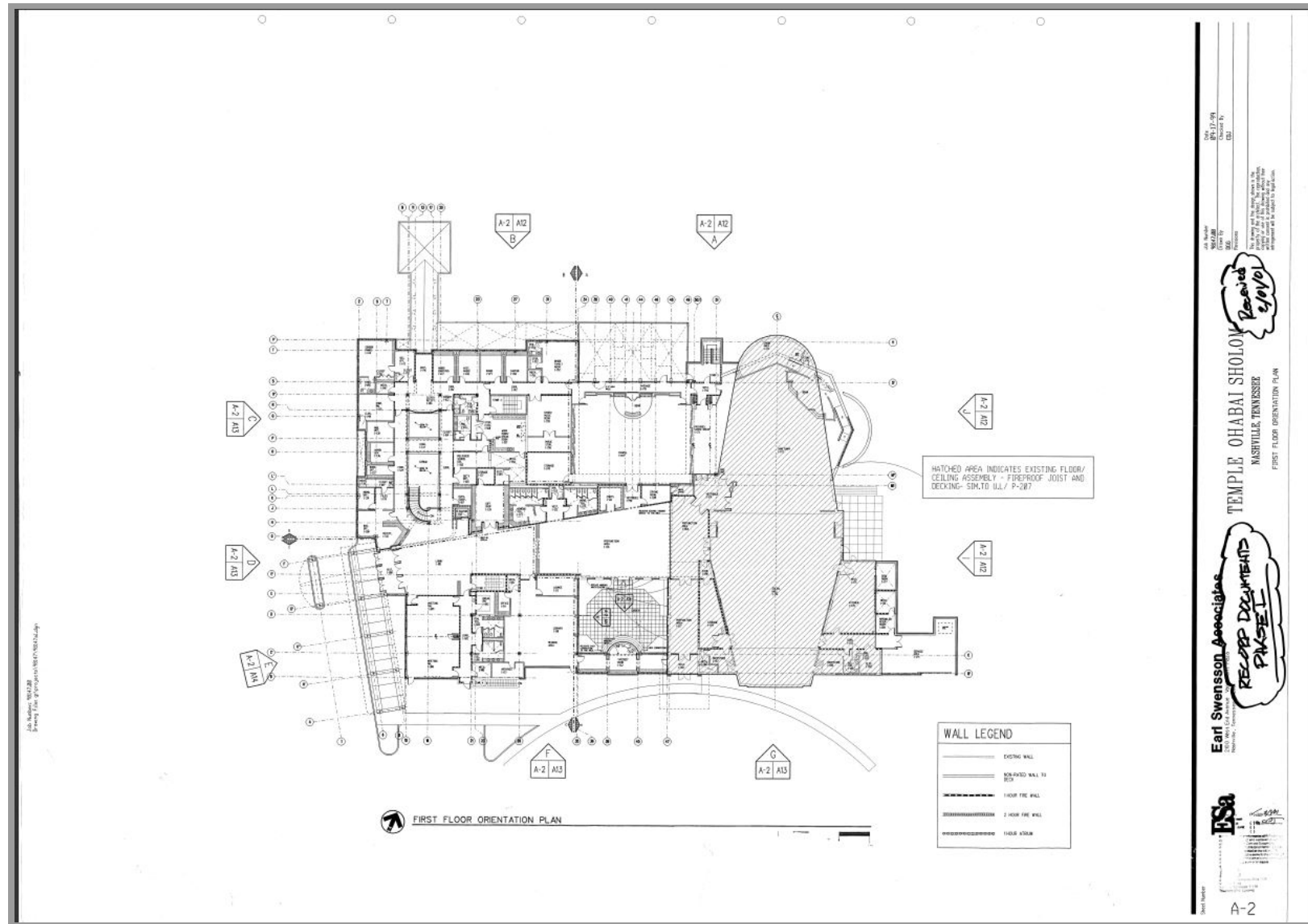
Nov 25-27 – Teacher in-service (no school)
 Nov 28-29 – Thanksgiving (no school)
 Dec 18-20 – Exams/half days
 Dec 23 - Jan 3 – Winter Break (no school)
 Jan 20 – MLK Day (no school)

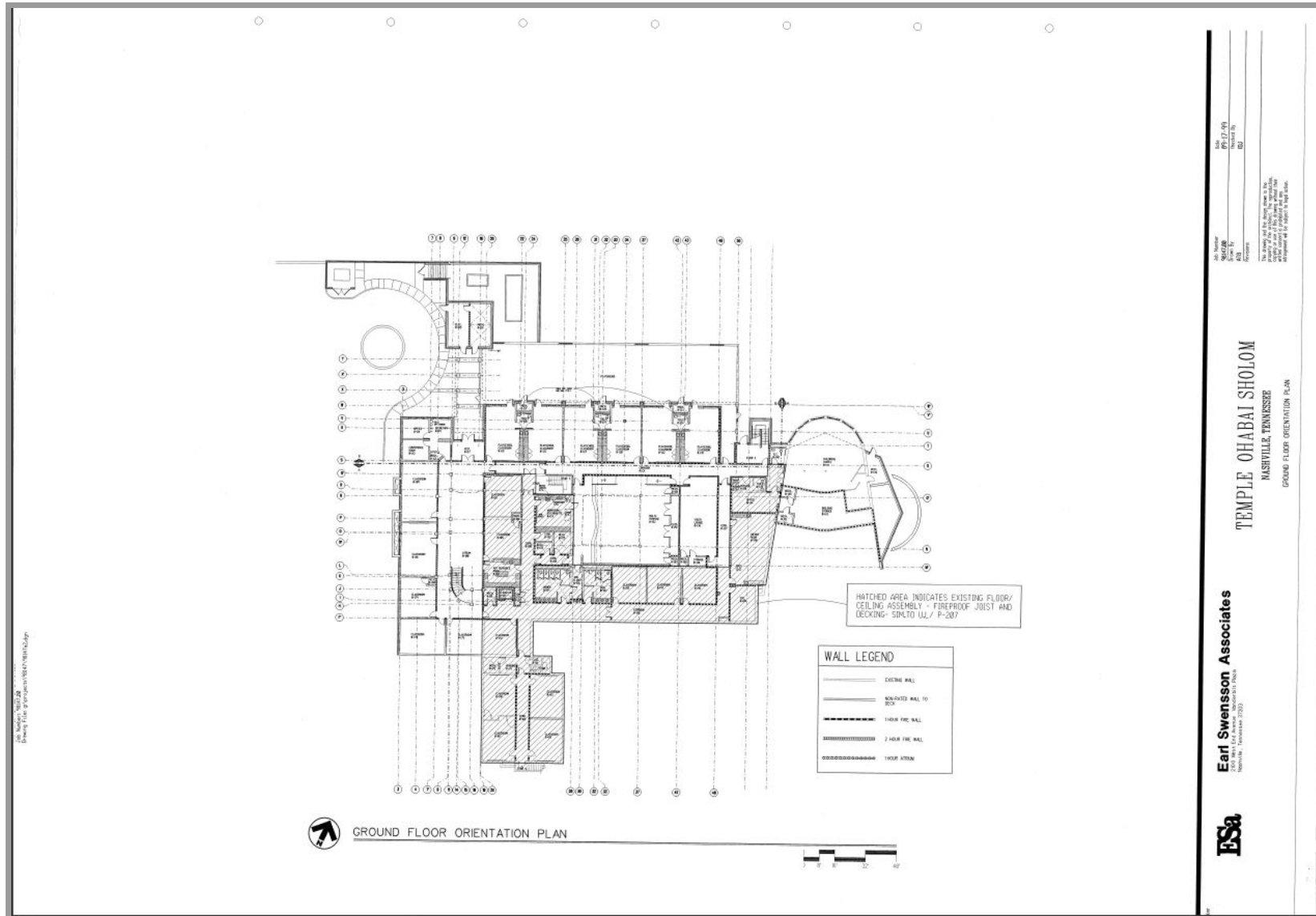
Feb 17 – President's Day (no school)
 March 10-14 – Spring Break (no school)
 April 11 – Passover (half day)
 April 14-18 -Passover (no school)
 May 21-23 Exams (half days)

				Kehilla High School Weekly Schedule											
Hour	Time	Monday		Tuesday		Wednesday		Thursday		Flex Friday		Time	Hour		
Tefilah/ Ohalim	7:45-8:15AM											7:45-8:15AM	Arriva		
Alef	8:20-9:10AM					JCC Movement Morning				AP Lit	Math 2	8:20-9:10AM	Alef		
Bet	9:12-10:02AM									APUSH	Algebra 1	9:12-10:02AM	Bet		
AM Break	10:03-10:18AM									Flex Friday		10:03-10:18AM			
Gimel	10:18-11:08AM											10:18-11:08AM	Gime		
Daled	11:10AM-12PM											11:10AM-12PM	Daled		
Lunch	12-12:25PM													12-12:25PM	Lunch
Ohalim	12:25-12:55PM	Town Hall		Ohalim										12:25-12:55PM	Ohalim
Hay	12:55-1:45PM									JCC		12:55-1:45PM	Hay		
Va'av	1:47-2:37PM											1:47-2:37PM	Va'av		
Zayin	2:40-3:30PM											2:40-3:30PM	Zayin		
Dismissal / Clubs	3:30-4:15PM											3:30-4:15PM	Dismiss Clubs		









Kehilla Calendar 2024-2025

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Bet	9:12-10:02AM					APUSH	Algebra 1	9:12-10:02AM	Bet		
AM Break	10:03-10:18AM					Flex Friday		10:03-10:18AM			
Gimel	10:18-11:08AM							10:18-11:08AM	Gimel		
Daled	11:10AM-12PM							11:10AM-12PM	Daled		
Lunch	12-12:25PM								12-12:25PM	Lunch	
Ohalim	12:25-12:55PM	Town Hall							12:25-12:55PM	Ohalim	
Hay	12:55-1:45PM					JCC		12:55-1:45PM	Hay		
Va'av	1:47-2:37PM							1:47-2:37PM	Va'av		
Zayin	2:40-3:30PM							2:40-3:30PM	Zayin		
Dismissal / Clubs	3:30-4:15PM							3:30-4:15PM	Dismissal/ Clubs		

Staff Report

Agenda No.: III.E.
Case No.: 24-0006
Staff: Mary Samaniego, Planning Director
Applicant: Kehilla High School at the Temple
Request: Approval for a school use (expansion)
Location: 5015 Harding Pike

Summary:

The applicant on behalf of the property owners are requesting an approval for an expansion of a school use at the Temple per Zoning Ordinance Appendix A. There are no alterations to the existing site or structures proposed with this application.

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 9.30 acres.
2. The Kehilla High School was last approved by the Board of Zoning Appeals (BZA) in July 2022, to establish Kehilla High School. That approval was for a maximum of three rooms within the existing Temple building campus to be used for a total of 8 ninth grade students. No onsite improvements were required or proposed and the approval was for two years.
3. The current application is to seek BZA approval for the current school year for a total of 18 students in grades ninth through eleventh. There are four full-time faculty and four part-time staff.
4. The initial activity permit for this school use with 8 students as required in Zoning Ordinance Appendix A (8) was reviewed and approved by the Board of Commissioner in July 2022. The proposed expansion of the school use to 18 students was reviewed and approved by the Board of Commissioner in August 2024.

Findings of Fact and Staff Recommendation:

The standards of proof required for each individual use are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for a School use in the following findings of fact for the particular use and/or structure per Appendix A (1) and (3):

The Board of Zoning Appeals of the City of Belle Meade shall have exclusive jurisdiction and authority to grant a permit for the erection of churches and school buildings, including all accessory buildings and structures, parking areas, walkways, entrances, exits and driveways constructed in conjunction therewith. The board shall

authorize such a permit only if it is the finding of the board that such proposed use and/or buildings will not impair an adequate supply of light and air to adjacent property, or materially increase the congestion of public streets, or increase the public danger by reason of fire, or impair the public safety, or tend to impair the public health by creating a smoke nuisance, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health safety, comfort, morals, and welfare of the community. The board of zoning appeals may, in addition to the specific requirements of the applicable ordinances, require, as a condition for the approval of a permit, such provisions and safeguards as will preserve the integrity and character of the district, and as will prevent the proposed use from imposing any undue financial burden upon the city. In exercising the foregoing authority, the concurring vote of at least two thirds (2/3rds) of the members of the board of zoning appeals shall be required for the authorization of such permit.

The property owner/applicant is proposing a small school uses within an existing building without any exterior additions or renovations. The building plans and permits have been reviewed by the Belle Meade Building Department and State Fire Marshall's Office. It is not anticipated that the school with 18 students and up to 8 staff persons will generate enough activity to become a nuisance to the surrounding property owners.

(3) Parking areas shall be provided for all premises proposed to be used as a church or other place of worship, school, or any other permitted use whose activities regularly involve the assembly or gathering of more than twenty-five (25) people. In the case of a church, or other place of worship, there shall be provided and constructed, on the lot or site so proposed to be used, available automobile parking space for one (1) automobile for each four (4) seats or seating spaces to be provided for in the main auditorium, sanctuary, or assembly room in such church or other place of worship or existing building proposed to be used as such. A seating space shall be deemed to require ten (10) square feet of floor space in the main auditorium, sanctuary, or assembly room. In the case of a school, parking space shall be provided for each three (3) employees, and such additional space for students, visitors, and others as the board of zoning appeals shall find appropriate, commensurate with the intended use.

The Temple campus has approximately 211 parking spaces which will adequately serve the school use with classroom hours during the day on weekdays.

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

Attachments:

1. Location Map

