



**CITY OF BELLE MEADE
BOARD OF ZONING APPEALS
REGULAR MEETING AGENDA PACKET
OCTOBER 17, 2023, 05:00 PM**



**AGENDA BOARD OF ZONING APPEALS
REGULAR MEETING
OCTOBER 17, 2023, 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. Items for consideration are listed below and plans for agenda items are available on the city website, 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 September 19, 2023.

Attachment: [Minutes - BZA September 19 2023.pdf](#)

III. Old Business

- 1. The application of Bryan Paylor, 091923-1, 436 Lynwood Boulevard, for Conditional Use approval for a swimming pool and a Special Exception for fence placement.**

Attachment: [BZA Application Paid.pdf](#)

Attachment: [20231011 436 Lynwood Site Plan.pdf](#)

Attachment: [20231011 436 Lynwood Landscape Plan.pdf](#)

Attachment: [STAFF REPORT FOR OCT.pdf](#)

Attachment: [Re_436 Lynwood Boulevard - Pool images 1.pdf](#)

IV. New Business

- 1. The application of Damon and Kimmy Drake, BZA 2023-7, 212 Lynwood Terrace, for Conditional Use approval for a pool house.**

Attachment: [Application Pd.pdf](#)

Attachment: [090423 Drake BM tmc.pdf](#)

Attachment: [STAFF REPORT.pdf](#)

Attachment: [208 Lynwood Terrace Stormwater Letter.pdf](#)

- 2. The application of Dan and Brenda Cook, BZA 2023-5, 332 Walnut Drive, for Conditional Use approval for a swimming pool and a Special Exception approval for a retaining wall over 3' in height.**

Attachment: [Application Pd.pdf](#)

Attachment: [Cook BZA Sheet Set.pdf](#)

Attachment: [STAFF REPORT.pdf](#)

- 3. The application of Jim Nantz, BZA 2023-4, 1109 Belle Meade Boulevard, for a Special Exception for gate and fence height for vehicular gate and**

wall in front yard.

Attachment: [Application Pd.pdf](#)

Attachment: [Nantz - BZA Submittal.pdf](#)

Attachment: [STAFF REPORT.pdf](#)

4. The application of Eric and Kate Schneider, BZA 2023-6, 4304 Iroquois Avenue, for Conditional Use approval for a swimming pool.

Attachment: [Application Pd.pdf](#)

Attachment: [Schneider BZA Submittal 09-01-2023.pdf](#)

Attachment: [STAFF REPORT.pdf](#)

5. The application of Trut and Jordan Edwards, BZA 2023-8, 4400 Iroquois Avenue, for Conditional Use approval for a swimming pool and a Variance for a retaining wall over 3' in height.

Attachment: [Application Paid.pdf](#)

Attachment: [Edwards BZA Submittal 09-01-2023.pdf](#)

Attachment: [STAFF REPORT.pdf](#)

V.Other Business: None Scheduled

VI.Adjourn

The next regularly scheduled meeting of the Board of Zoning Appeals will be held November 21, 2023 at 5:00 P.M. at Belle Meade City Hall, 4705 Harding Pike, Nashville, TN.



**MINUTES
BOARD OF ZONING APPEALS – REGULAR MEETING
SEPTEMBER 19, 2023, 5:00 PM
BELLE MEADE CITY HALL, 4705 HARDING PIKE**

The meeting was called to order by Vice-Chairman Pete Zabaski at 5:00 p.m.
Board Members Present

Vice-Chairman Pete Zabaski
Charlie Atwood
Eric Clifford
Ron Farris
Johnny Phipps
Chris Tardio

Staff Members Present

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

Approval of Minutes of August 15, 2023 meeting

Motion to approve: Tardio Second: Farris Vote: All aye
Vice-Chairman Zabaski inquired of the board members if there were any conflicts of interest, there were none.

Old Business

The application of Mike & Shandra O'Keefe, 0815-2, 627 Royal Oaks Place, for conditional use approval for a swimming pool and a variance approval for a portion of the pool outside of the building envelope. The application has been denied for the following reason:

Swimming pools require BZA approval as a Conditional Use and the Variance request was not due to a hardship.

Planning Director Samaniego stated that the application was heard at the August 15, 2023 Board of Zoning Appeal meeting and the request had originally been for a conditional use. At that meeting it was discovered that a significant portion of the pool was outside of the building envelope and procedurally required notification for a variance. Samaniego stated that when the property was developed with the existing house that is on the property the building envelope assignment was heard before the Municipal Planning Commission and at that meeting, one of the conditions for granting the building envelope was that no pool could be built on the property. Therefore the applicant had been notified that the application would need to back to the Municipal Planning Commission requesting the condition be removed from the property, and if granted by the MPC could then be presented to the BZA. Samaniego noted the application could not legally be heard at the current

meeting.

Samaniego asked City Attorney Berry if he had anything to add to the information.

City Attorney Berry recommended deferring the matter.

Samaniego suggested the application be deferred to the next available meeting following the action of the Municipal Planning Commission.

Motion to defer until after the Municipal Planning Commission has reviewed the request: Clifford **Second:** Farris **Vote:** All aye

New Business

The application of Bryan Paylor, 091923-1, 436 Lynwood Boulevard, for Conditional Use approval for a swimming pool. The application has been denied for the following reason:

Swimming pools require BZA approval.

Jeremy Johnson, Clearwater Pools, representing the Paylors, stated they are requesting a small pool, 12' x 24', set next to the house, adding that the pool meets all requirements.

- Atwood: Where will the pool equipment be located?
- Johnson: Using the plans, the location of the equipment was indicated, noting that it is enclosed within its own fence and is located within the setbacks.
- Vice-Chairman Zabaski: How close is the pool to the neighbors house.
- Johnson: Roughly 40 feet with a tree line between the properties.
- Atwood: Is there a reason because the fence does not go to the side property line.
- Johnson: I believe because of the tree line, and it would mean taking too many trees down.
- Zabaski: The fence that does not comply with the zoning ordinance, has to come before the board, and this fence does not comply with the zoning ordinance.
- Johnson: What are the rules?
- Zabaski: A fence must go off the rear corner of the house to the property line, down the side property line, across the rear property line and back up the side property line and over to the other rear corner of the house. Anything other than this type of fence must be approved by the Board of Zoning Appeals.
- Planning Director Samaniego: There are two separate requirements, one is a building code issue that all inground pools must be surrounded by a fence for security, that is what this applicant is providing. Then also there is a fencing requirement for a perimeter fence. The proposed fence is a different type of fence that is not regulated by the property line regulation.
- Vice-Chairman Zabaski: The ordinance states what you can do. It says you can do that. If it is not practical the board will help make the decision where the fence can go. There is nothing in the zoning code that says that the fence can go around the pool.

A discussion ensued with City Attorney Berry and the board members on whether

the fence had been noticed and if the fence in this application met those guidelines.

Vice-Chairman Zabaski suggested that the homeowner or representative meet with Planning Director Samaniego on the location of the fence, stating that the fence needs to be noticed to the public.

Public Comment Opened

No Public Comment

Public Comment Closed

Motion to defer: Farris Second: Atwood Vote: All aye

The application of Belle Meade Condominiums Homeowners Association, 091923-2, 715 Belle Meade Boulevard, for Conditional Use approval for resurfacing of the existing parking lot for a multifamily house development. The application has been denied for the following reason:

The proposed parking improvements require BZA approval.

Wade Rick, Daigh Rick Landscape Architects, presented the plans for the refurbishment of the existing front drive and repair of the existing brick walkway. In the rear, the current gravel driveway, and the proposal is to place an asphaltic binder to hold the pea gravel in place for years to come.

Public Comment Opened

No Public Comment

Public Comment Closed

Motion to approve: Phipps Second: Atwood Vote: All aye

The application of Caldwell Lucas. 091923-3, 3912 Trimble Road, for Conditional Use approval for a revised swimming pool design. The application has been denied for the following reason:

Swimming pools require BZA approval.

Jason Crunk, Landscape Architect, stated the pool was presented and approved by the board a few months ago noting that when onsite they felt the pool was too close to the house. They want to shift the pool further back five feet from the house, which added 141 square feet of impervious surface, stating they were still under the allowable impervious surface.

Public Comment Opened

No Public Comment

Public Comment Closed

Motion to approve: Farris Second: Atwood Vote: All aye

Other Business

Planning Director Samaniego noted this was the first month she had supplied a staff report and wanted to make sure that it was the type of information wanted and was it helpful.

Atwood stated that it was very helpful, noting it was like other planning organizations in large cities where the staff does the nitty gritty so the board knows the facts and can make a decision more easily.

Other board members concurred and Tardio asked City Attorney Berry if the staff reports were part of the record; Berry stated they are part of the record.

Samaniego recommended a change to the agenda format removing the "the application has been denied for the following reason". City Attorney Berry agreed with the agenda format change requested stating that the application was before the board because staff could not approve the request in accordance with the zoning code.

The meeting adjourned at 5:34 p.m.

Chairman Doug Hale

City Recorder Rusty Terry



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



Subject to the provisions of the Code of the City of Belle Meade as they may be amended from time to time, the following general criteria are considered: XXXXXXXXXXXXXXXX 091923-1

APPEAL # 091923-1

APPEAL FEE: \$600 -

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

APPLICANT EMAIL ADDRESS BRYANPAYLOR@HOTMAIL.COM

PROPERTY ADDRESS: 436 LYONWOOD BLVD NASHVILLE, TN 37405

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☐ CONDITIONAL USE ☒

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

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

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

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

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

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

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

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

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

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

Continued on the next page

City of Belle Meade
Application for Board of Zoning Appeals
Page Two

Complete Check List

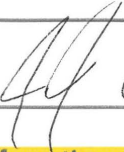
- ☐ Plot plan 1 inch = 30 feet "Show Magnetic North"
- ☐ Show proposed structure shaded with setbacks (building envelope)
- ☐ Show neighbor's house & measurements to it
- ☐ Show all detached structures with elevations
- ☐ Landscape design
- ☐ Survey of lot, lot square feet with contours, average natural grade
- ☐ Building envelope *highlighted*
- ☐ Show all elevations, existing grade, finished grade, FFE's
- ☐ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
- ☐ Submittal, along with appeal fee the first Friday the month prior to the month of the scheduled hearing date.

***MANDATORY** – Clearly highlight the areas that will be discussed in a bright color on the plans. **INITIAL** _____

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

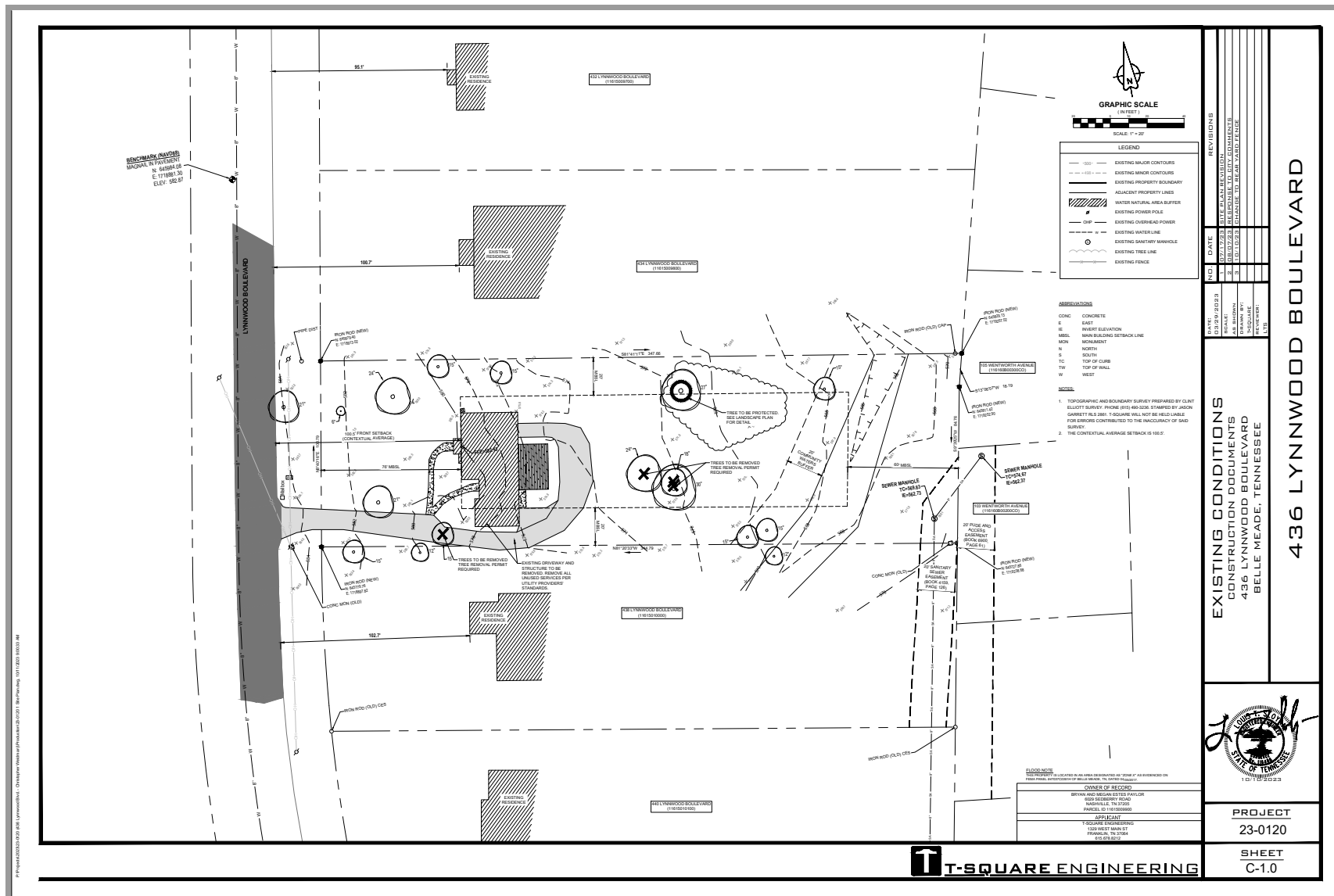
Is the request for a variance the result of a self-induced hardship by the applicant?

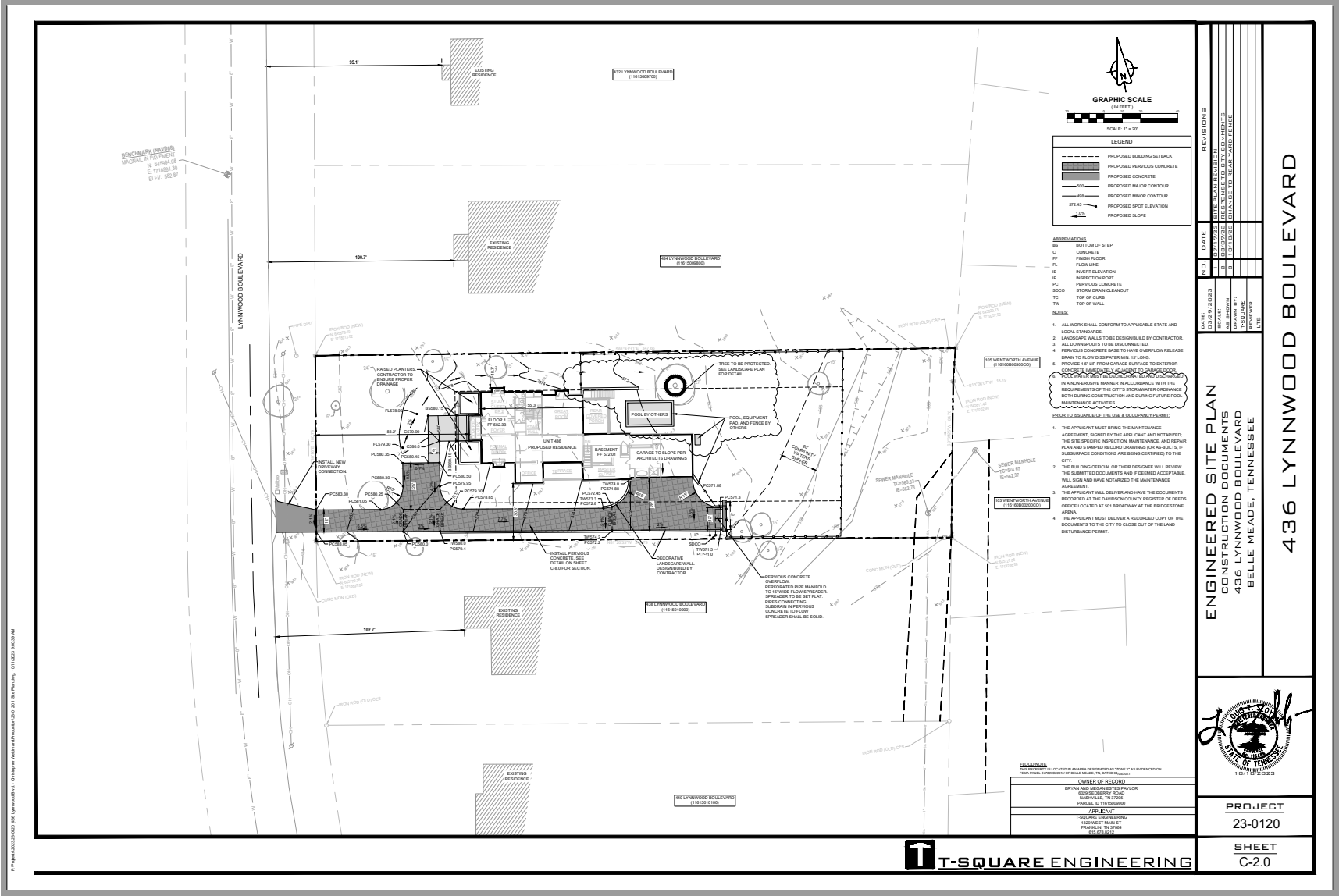
How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

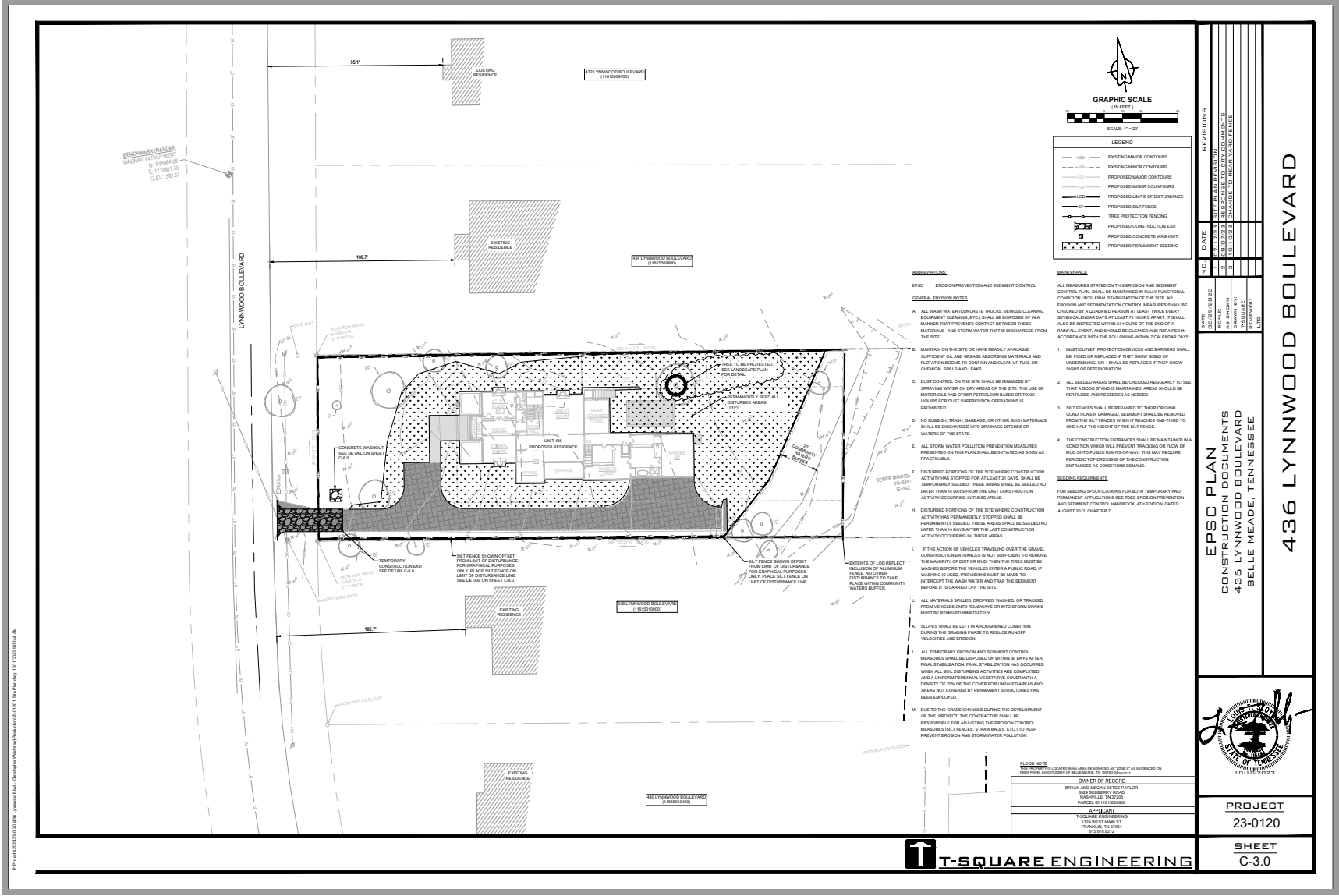
SIGNATURE:  CLEARWATER POOLS (Owner/Agent) **DATE:** 7/31/23

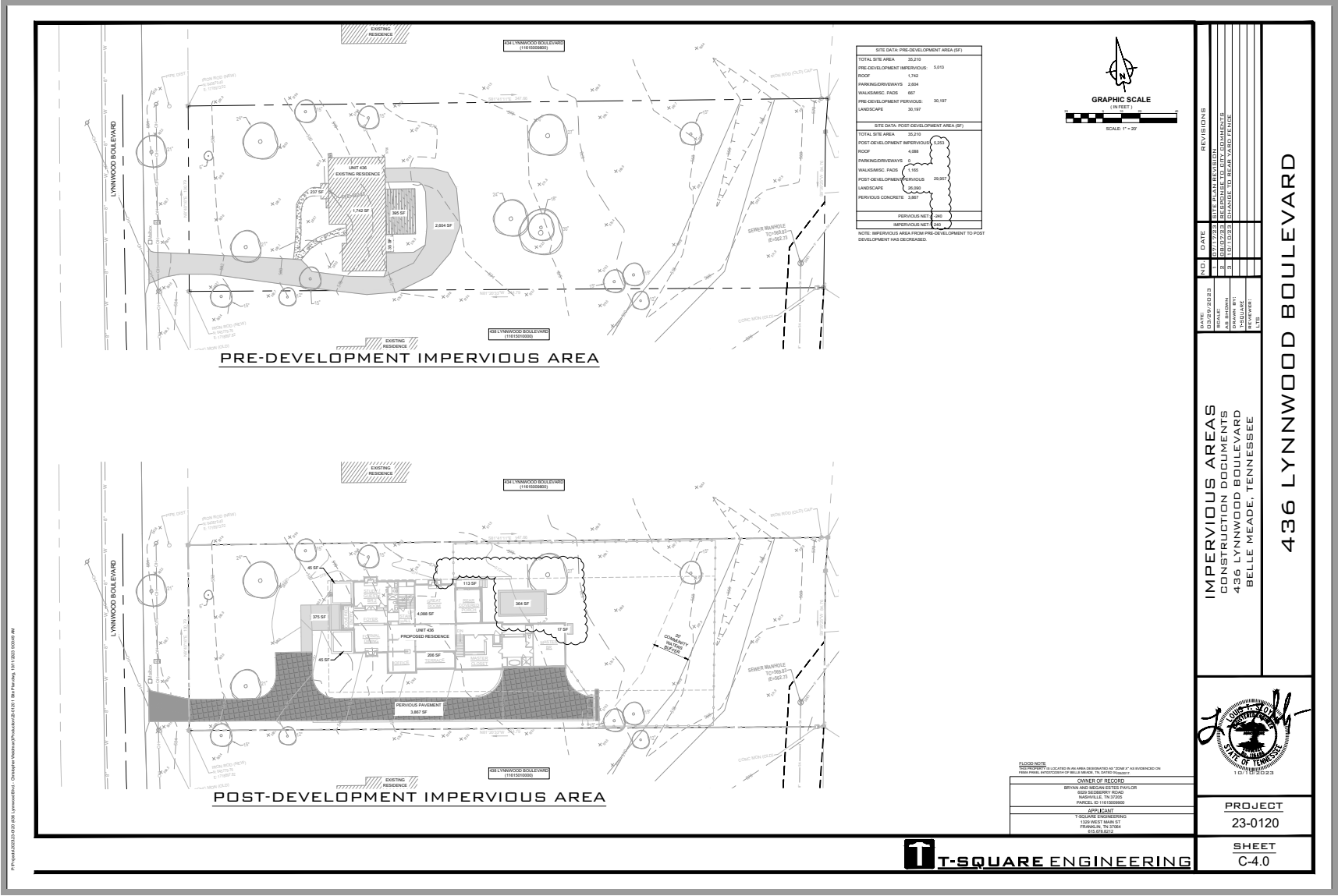
Submit all information, plans & application via email PDF to: inspector@citybellemead.org

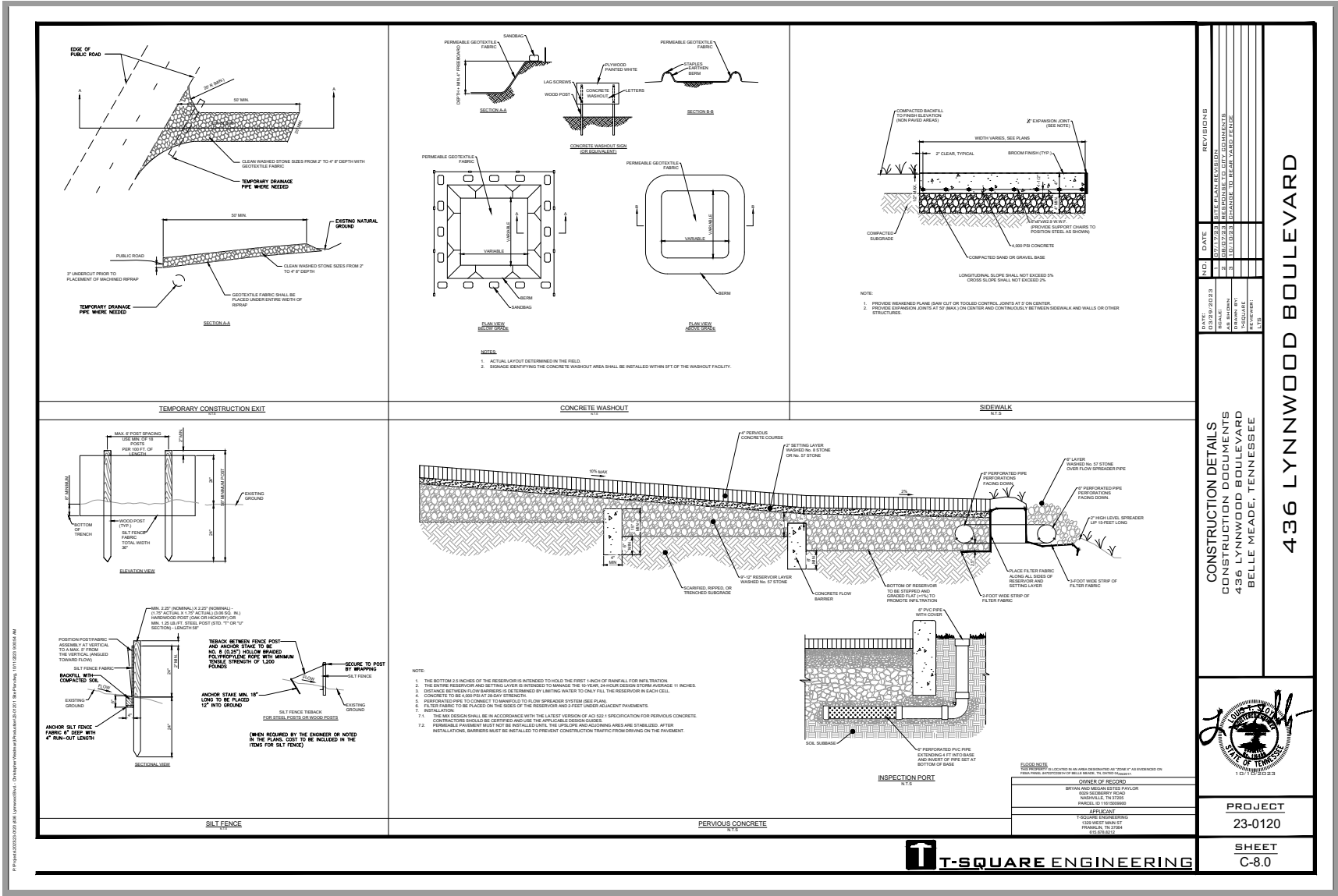
BZA meets the third Tuesday of each month @ 5:00 p.m.
Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.

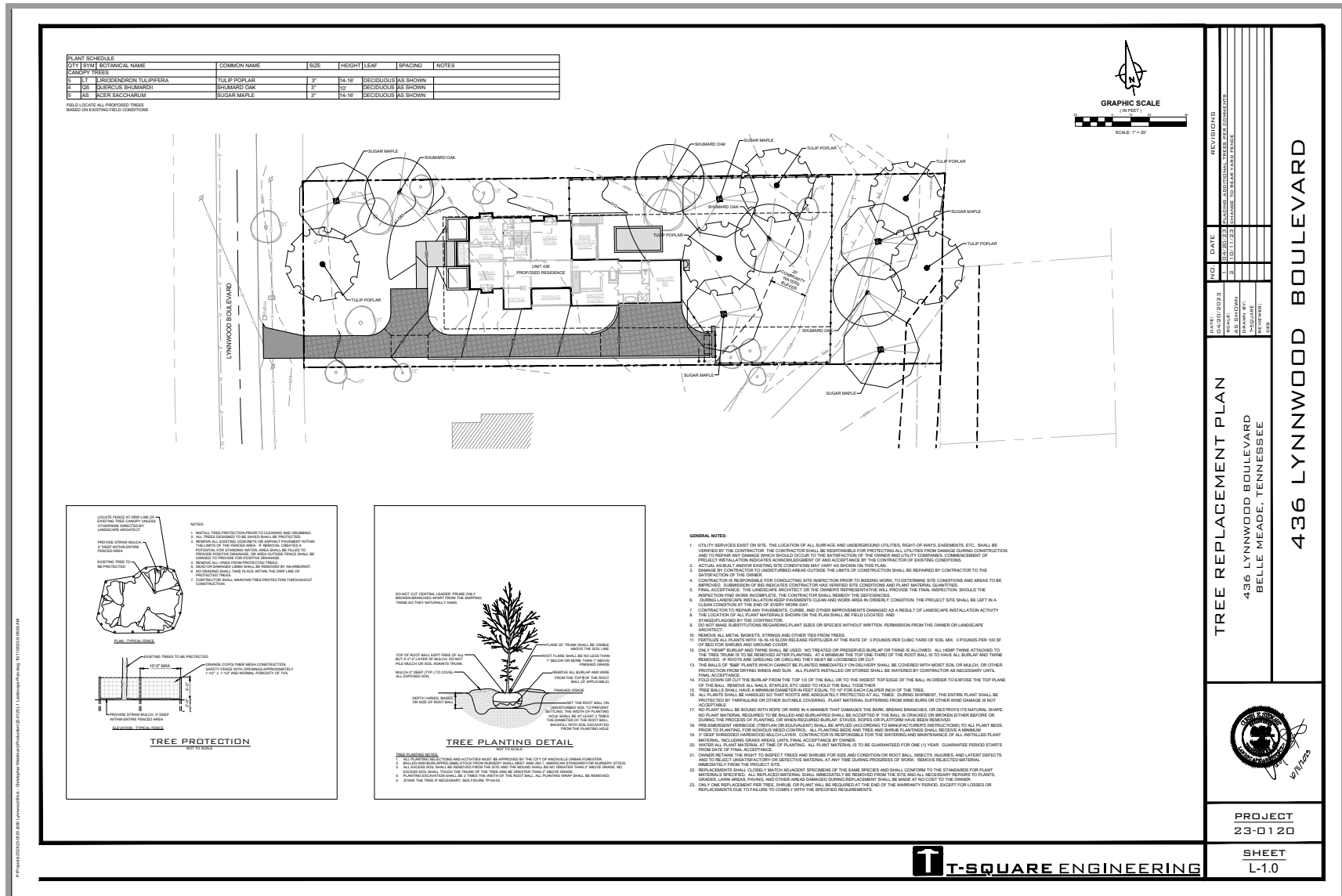


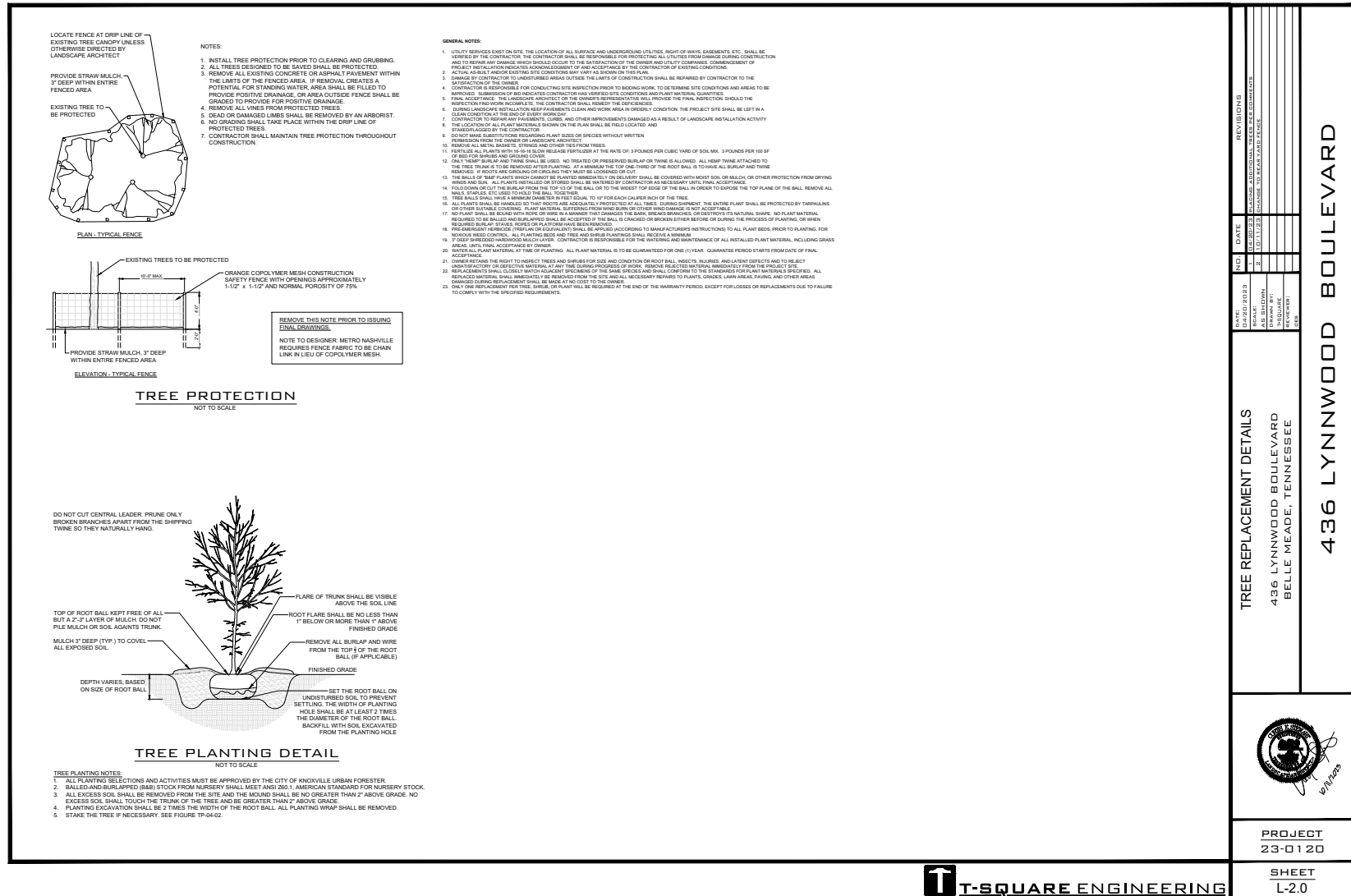












Staff Report

Agenda No.: IV.6.

Case No.: 091923-1

Staff: Mary Samaniego, Planning Director

Applicant: Bryan Paylor

Request: Conditional Use approval for a Swimming Pool and a Special Exception for fence placement

Location: 436 Lynwood Boulevard

Summary:

This application was deferred from the September 19, 2023, meeting to address the fence location. The applicant on behalf of the property owners is requesting a Conditional Use approval for the construction of a swimming pool on the subject property. The property owners obtained a building permit for the construction of a single-family dwelling in December 2002 and associated land disturbance permit in April 2023. The dwelling is currently under construction.

Planning Considerations:

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

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

Findings of Fact and Staff Recommendation:

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

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

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

2. a finding by the board that the same will not interfere substantially with the use and enjoyment of adjacent property by its owners and occupants; and,
It is staff's professional opinion that the criteria established within the Zoning Ordinance for the creation of building envelopes and subsequent requirement for pools to be placed within said building envelope adequately provides for substantial use and enjoyment of the adjoining property owner to the north.

3. the approval by the board of the size, dimensions and location of the same, the following may be constructed or erected within the building envelope:
(D) Swimming pools, together with all mechanical equipment necessary to the operation of the same; provided that:

(1) Every swimming pool shall be completely enclosed, either by the structural wall or walls of the dwelling to which it is an accessory, or by a fence or wall, not less than six feet (6') in height above the exterior adjoining grade, of the type required by the latest edition of the International Residential Code for one (1) and two (2) family dwellings which has been adopted by the City of Belle Meade.

(2) Any opening in said enclosure shall be capable of being closed with lock and key and shall be kept so secured at all times, except when attended by the owner of the property or his authorized representative.

(3) All pool lighting shall be located within the pool itself or no more than twenty-four inches (24") above ground level around the pool.

The property owner/applicant is required to illustrate compliance with this standard on the site plan and associated application at the time of building permitting. It is staff's professional opinion that the fence/barrier required by the 2018 International Swimming Pool and Spa Code Section 305 is a safety element of the overall swimming pool structure/use. This swimming pool fence/barrier is in addition to any optional property line fencing as required in Section 14-204(1)(g) of the Zoning Ordinance.

The standards of proof required for each individual Special Exception are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for special exceptions in the following findings of fact for the particular use and/or structure per Section 14-206(3)(c): Fences and walls which do not conform to the requirements, as to height or location, of § 14-204(1)(g) and/or other accessory buildings or uses listed and/or described elsewhere in this chapter (collectively, the 'proposed use'); provided that the board shall determine that:

1. The proposed use will not be out of harmony with the existing development in the neighborhood and is so designed and located that the public health, safety and welfare will be protected;

The proposed 6' high fence is partially along the north and south property lines adjoining the back edges of the residence. The rear portion of the fence is off-set from the rear property line

by approximately 50' in order to preserve the existing tree lines and drainage areas. The pool and majority of the proposed fence will not be visible from Lynwood Avenue or adjoining properties.

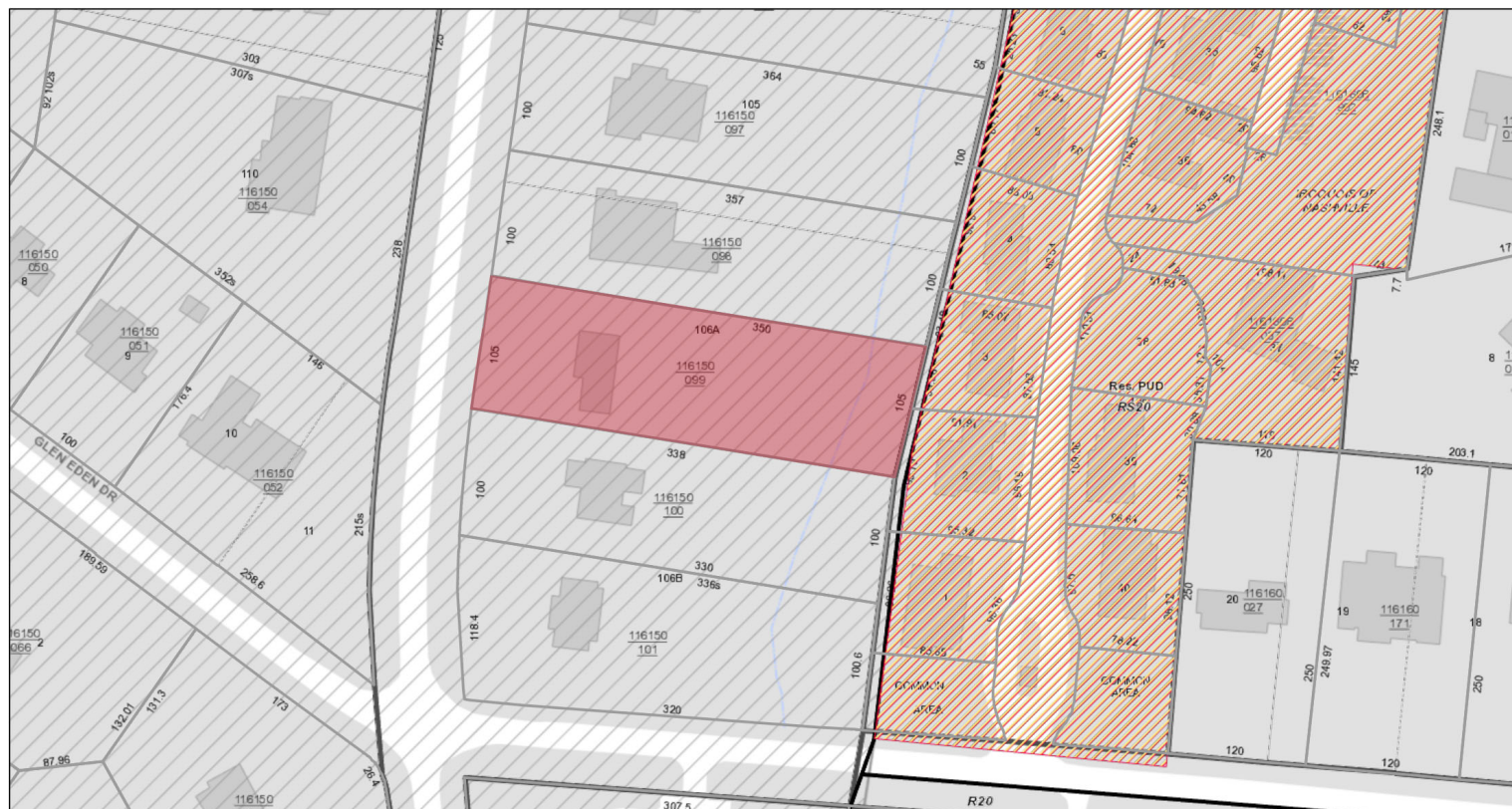
2. The granting of this special exception will not adversely impact abutting properties, including those located across street frontages, or other properties in the immediate area; *The proposed fence is at the back of the property out of view from the roadway and properties across Lynwood Avenue. Staff has previously noted an established vegetative buffer between the subject property and the adjoining property to the north.*
3. The physical characteristics of the proposed use or structure are architecturally compatible with other properties in the area, including building orientation, landscaping, drainage, access and circulation, bulk, height, scale and other like features; and *The majority of the fence will only be observed from the backyard of the property looking west. The existing dwelling, established trees/landscaping, and proposed landscaping in combination will provide a visual buffer from the adjoining properties.*
4. The proposed use will be carried out under such conditions and safeguards as the Board may direct to protect the character of the community. *During the building permitting process, the City will ensure that construction is carried out in compliance with all conditions of this approval.*

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

Attachments:

1. Location Map
2. Staff Analysis of Site Plan

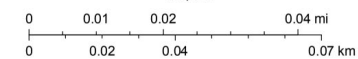
Nashville / Davidson County Parcel Viewer 436 Lynnwood Boulevard Map



August 16, 2023

-  Override 1
-  graphicsLayer2
-  Zoning
-  Urban Design Overlay
-  Planned Unit Development

1:1,128



Metro GIS

Made by: Metro GIS

Nashville / Davidson County Parcel Viewer 436 Lynnwood Boulevard Aerial



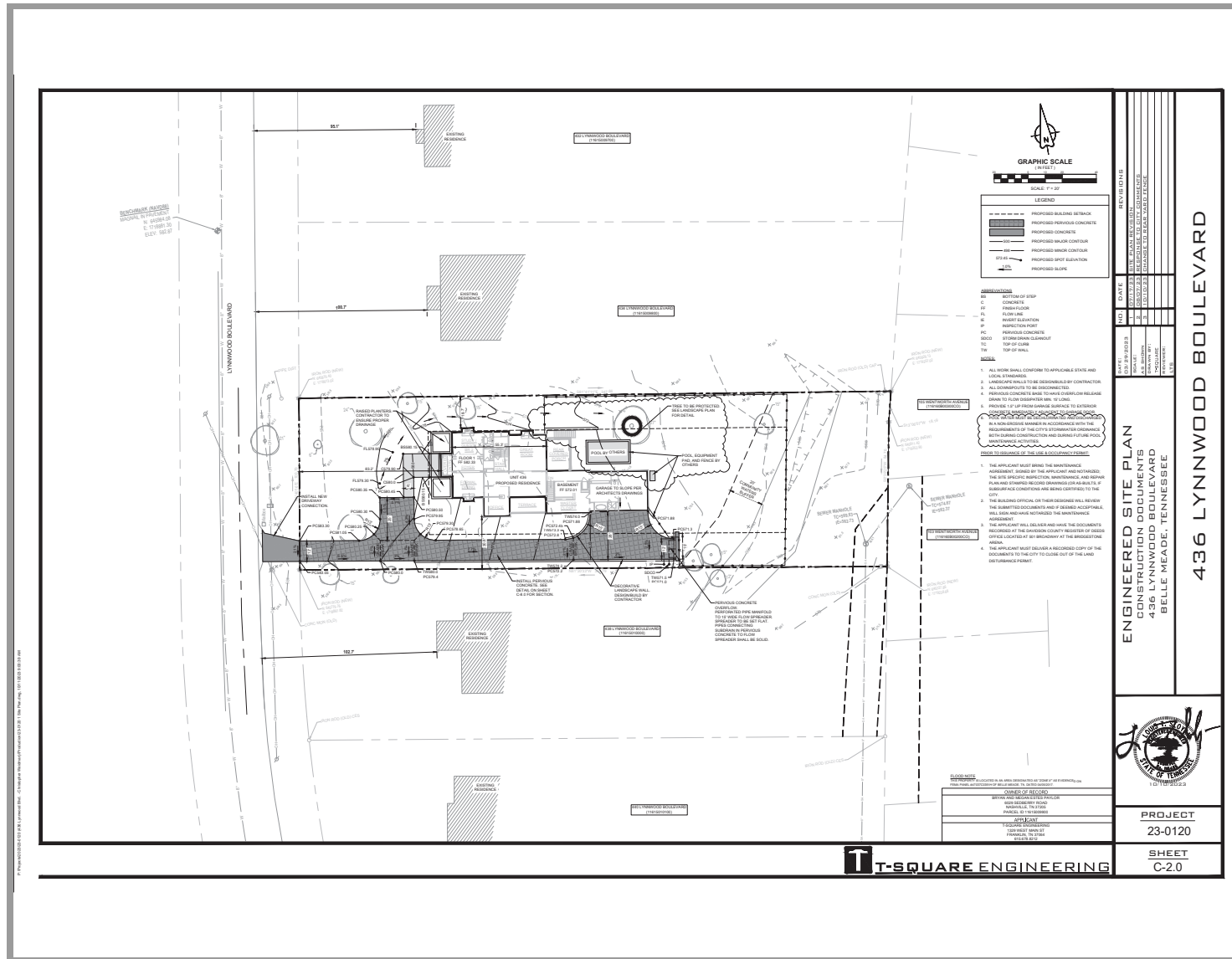
August 16, 2023

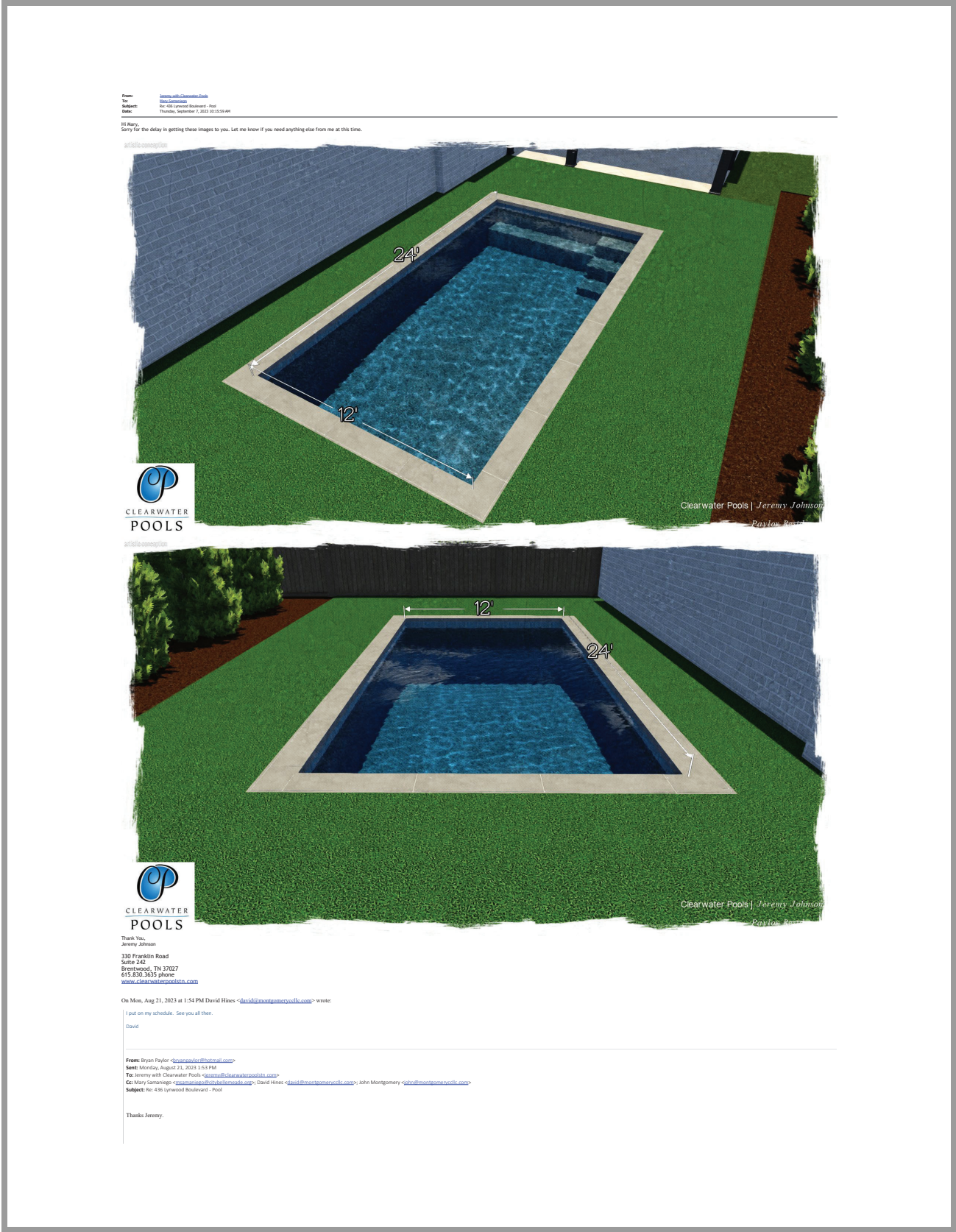
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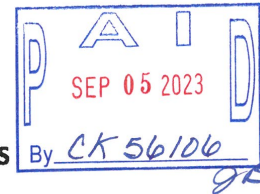
Nashville Maps; Pictometry International







CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



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

APPEAL # B2A 2023-7

APPEAL FEE: \$500.00

APPLICANT (Owner's Name) DANNO & KIMMY DRAKE PHONE # 615-394-5784

APPLICANT EMAIL ADDRESS MIKE@THEMARCHETTICOMPANY.COM

PROPERTY ADDRESS: 212 LYNNWOOD TERRACE

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☐ CONDITIONAL USE ☒

REASON FOR APPEAL – Be Specific TO ADD A POOL HOUSE.

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

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

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

LOT SQ. FT. { <u>34961</u> }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%	<u>4195</u>	<u>3421</u>	<u>4158</u>	<u>737</u>	<u>—</u>
ESTATE A 8%					

F.A.R. X LOT SQ. FT.					
LOTS <40,000 sq. ft. x .225 =	<u>7866</u>	<u>5108</u>	<u>5962</u>	<u>854</u>	<u>—</u>
LOTS > 40,000 sq. ft. x .196 =					

TOTAL ROOF AREA					
% of Low Slope Roof	<u>1630</u>	<u>550</u>	<u>750</u>	<u>1300</u>	<u>—</u>
AREAS <6/12 Pitch 30%					

DRIVEWAY 12%	<u>4195</u>	<u>3214</u>	<u>3214</u>	<u>0</u>	<u>—</u>
DRIVEWAY IN FRONT YARD 22%	<u>3299</u>	<u>2403</u>	<u>2403</u>	<u>0</u>	<u>—</u>
FRONT YARD SQ. FT.	<u>14094</u>				

HARDSCAPE 8% OF LOT	<u>2497</u>	<u>2880</u>	<u>2880</u>	<u>0</u>	<u>30%</u>
HARDSCAPE + POOL 8%	<u>2497</u>	<u>3534</u>	<u>3534</u>	<u>0</u>	<u>76%</u>
POOL 2% OF LOT TOTAL	<u>699</u>	<u>654</u>	<u>654</u>	<u>0</u>	<u>—</u>
***ACCESSORY AREA	<u>5244</u>	<u>3534</u>	<u>3534</u>	<u>0</u>	<u>—</u>

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

City of Belle Meade
Application for Board of Zoning Appeals
Page Two

Complete Check List

- ☒ Plot plan 1 inch = 30 feet "Show Magnetic North" ☒ Show proposed structure shaded with setbacks (building envelope)
☐ Show neighbor's house & measurements to it ☒ Show all detached structures with elevations
☐ Landscape design ☒ Survey of lot, lot square feet with contours, average natural grade
☒ Building envelope highlighted ☒ Show all elevations, existing grade, finished grade, FFE's
☒ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
☒ Submittal, along with appeal fee the first Friday the month prior to the month of the scheduled hearing date.
***MANDATORY** - Clearly highlight the areas that will be discussed in a bright color on the plans. **INITIAL** WMM

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

N/A

Is the request for a variance the result of a self-induced hardship by the applicant?

N/A

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

POOL HOUSES ARE ALLOWED & GIVEN BY ADJAC
WE ARE STAYING WITHIN ALL ALLOWABLES AS
STATED IN ZONING REGS, THIS POOL HOUSE MEETS INTENT.

SIGNATURE:

WMM

(Owner/Agent)

DATE:

8/5/23

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

BZA meets the third Tuesday of each month @ 5:00 p.m.

Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.

The Drake Residence

*212 Lynnwood Terrace
Nashville, Tennessee 37205*

*Progress Set - Not for Construction
04 September 2023*

ARCHITECT:

The Marchetti Company
109 Kenner Avenue, Suite L-101
Nashville Tennessee 37205

Phone: 615.327.9168
Fax: 615.327.9150

DRAWING LIST

COV	COVER SHEET
A1.1	SITE PLAN
A1.2	ELEVATIONS
A1.3	ELEVATIONS
A1.4	ELEVATIONS



DISCLOSURE:
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REV #	REVISION DESCRIPTION

Volume for:
The Drake Residence
212 Lynnwood Terrace
Nashville, Tennessee 37205

B.M. PERMIT

PROJECT ISSUE DATE
04 SEPTEMBER 2023

COVER

DISCLOSURE:
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REV #	REVISION DESCRIPTION

Volume for:

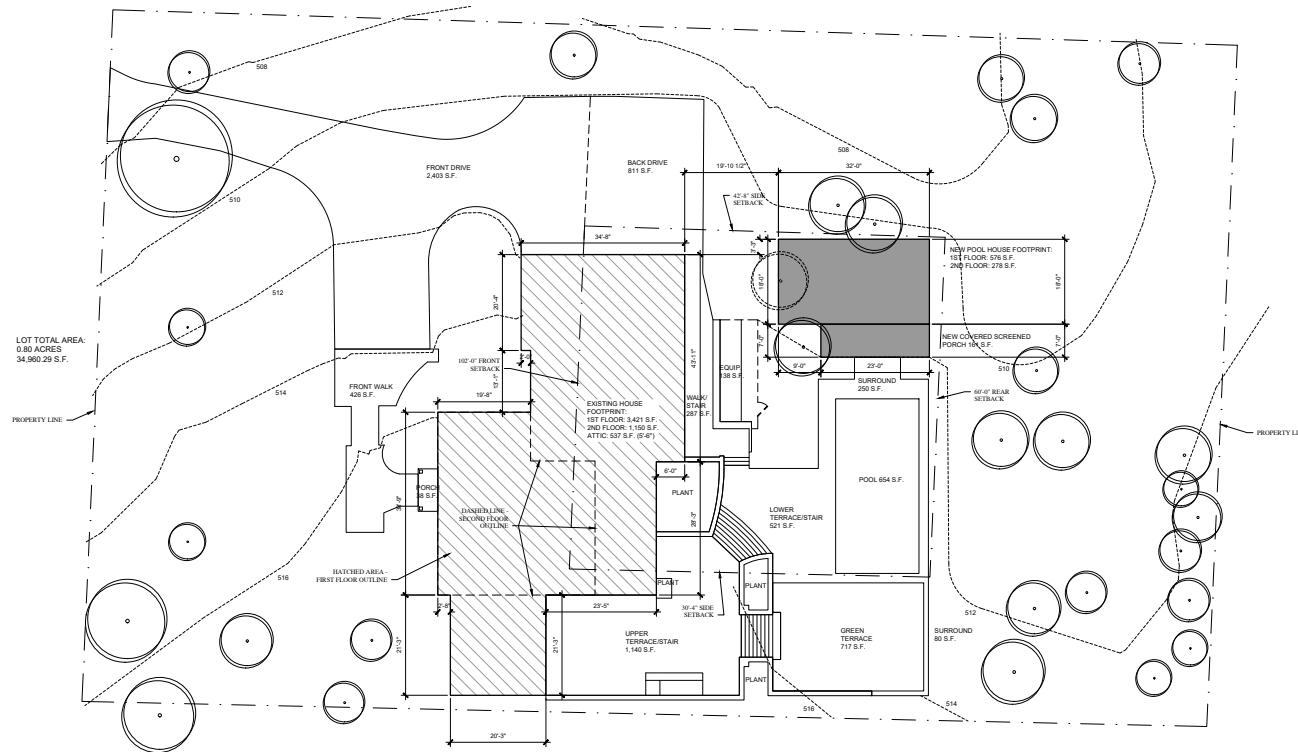
The Drake Residence
212 Lynnwood Terrace
Nashville, Tennessee 37205

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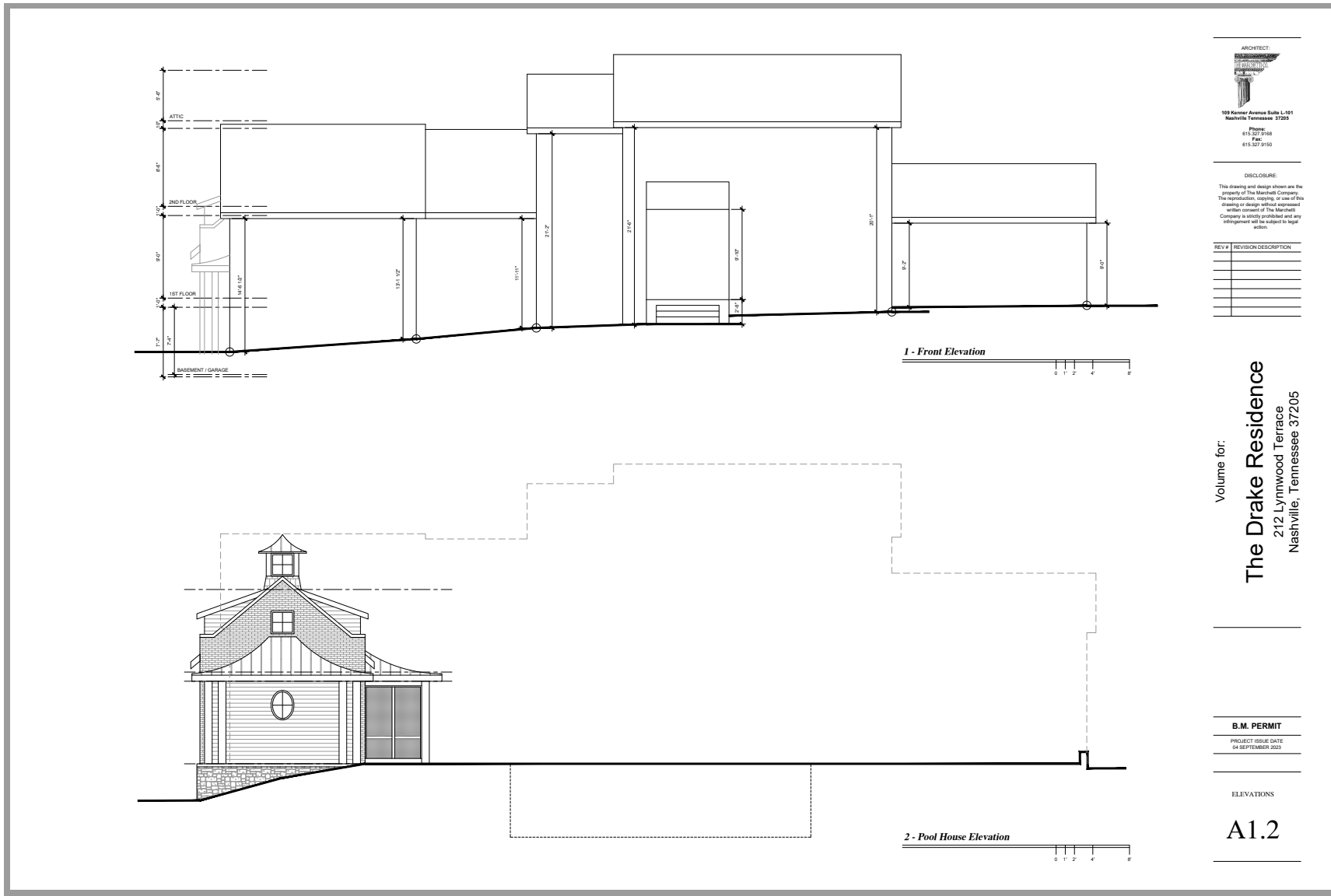
SITE PLAN

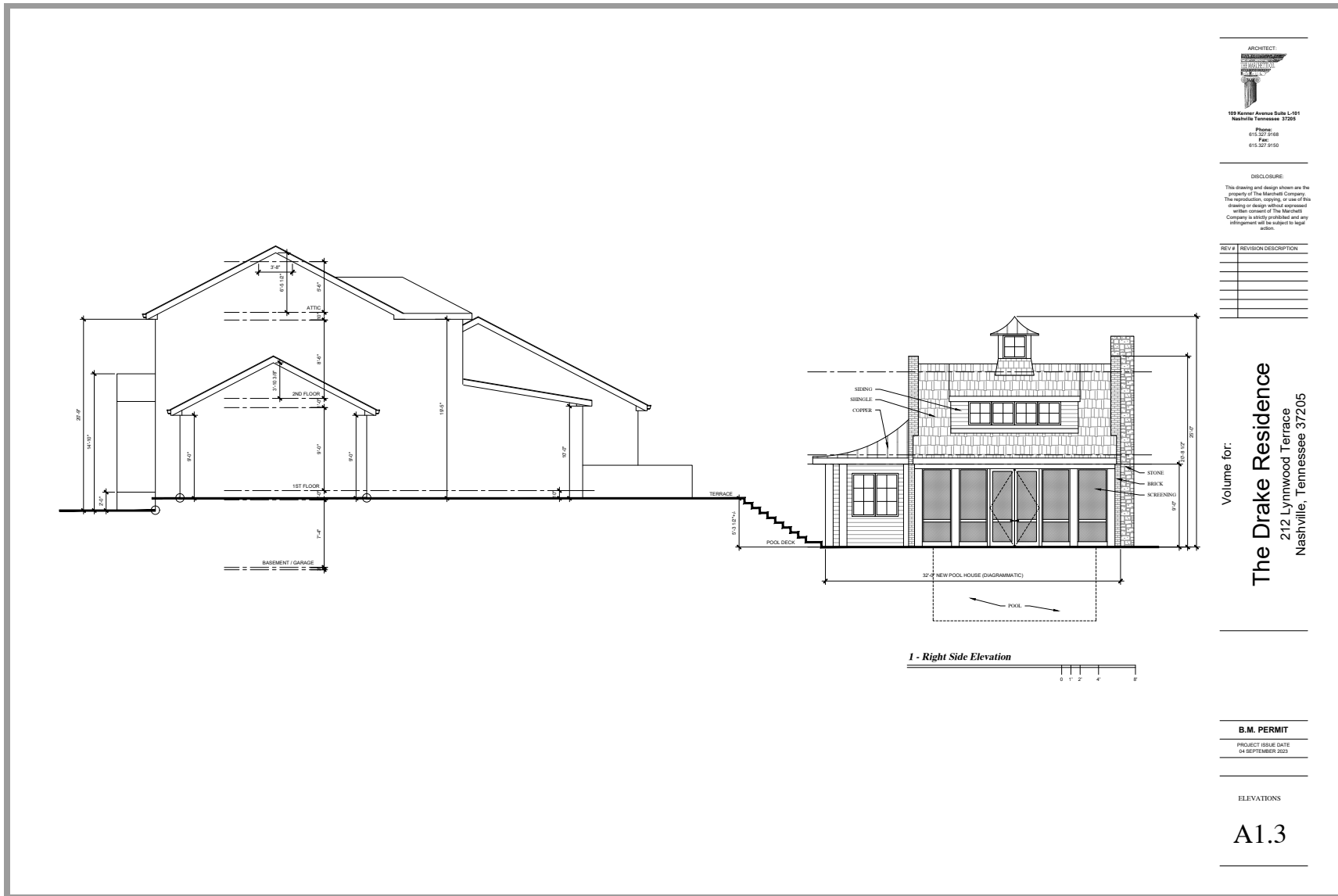
A1.1

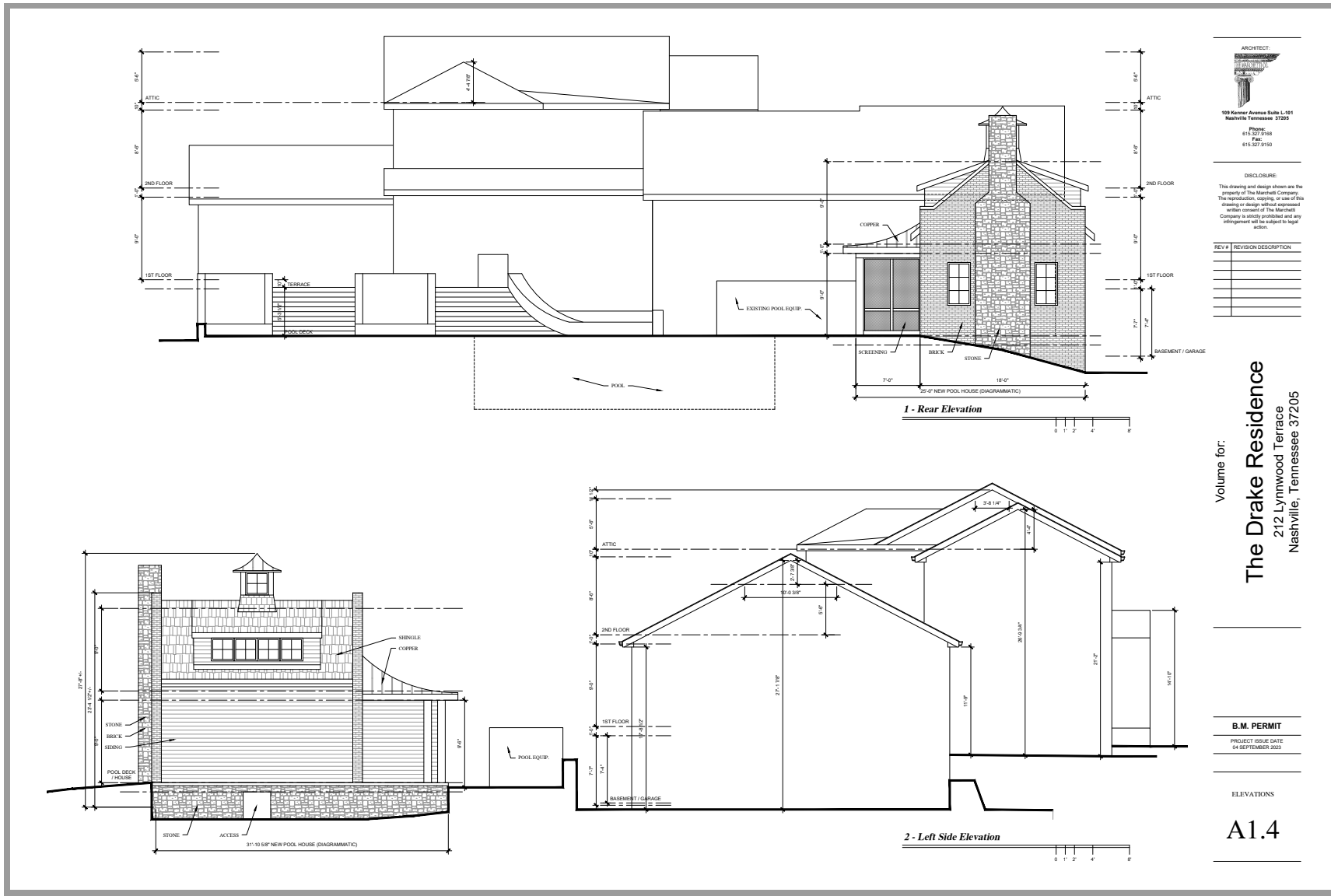


1 - Site / Existing Plan

13







Staff Report

Agenda No.: IV.1.
Case No.: BZA 2023-7
Staff: Mary Samaniego, Planning Director
Applicant: Damon and Kimmy Drake
Request: Conditional Use approval for a Pool House
Location: 212 Lynwood Terrace

Summary:

The applicant on behalf of the property owners is requesting Conditional Use approval for the construction of a pool house on the subject property. The existing residence was constructed in 1925. The swimming pool was approved by the Board of Zoning Appeals in November of 2020 (Application #20117 and a building permit was issued in May 2021.

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 0.80 acres (34,961 square feet).
2. The property owner is proposing the construction of a two-story pool house that is 854 square feet of enclosed space with a 161 square feet screened porch facing the pool.
3. Per Section 14-204(1)(d)(i) of the Zoning Ordinance, the square footage of footprint shall not exceed eight percent (12%) of the lot area. The allowable footprint for the proposed lot is 4,195 square feet.
4. The proposed area of total building footprint including the pool house is 4,158 square feet. The specific footprint of the pool house is 737 square feet.
5. 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 .255. For the subject property, the allowable area per the FAR equation is 7,866 square feet.
6. The proposed area of total building area including the pool house is 6,123 square feet. The specific area of the pool house with screened porch is 1,015 square feet.
7. The proposed pool house is entirely within the established building envelope (see attached Staff Analysis of Site Plan). The overall height of the pool house to the top of the cupola is 25'.

Findings of Fact and Staff Recommendation:

The standards of proof required for each individual Conditional Use are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for Conditional Use in the following findings of fact for the particular

use and/or structure per Section 14-202(1)(c):

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

Upon site visit, staff noted an established vegetative buffer between the subject property and the adjoining properties on all sides (see existing trees illustrated on Sheet A1.1 of the site plan).

Similarly, because the pool house is positioned directly behind the dwelling, the pool house should not be visible from Lynwood Terrace.

2. a finding by the board that the same will not interfere substantially with the use and enjoyment of adjacent property by its owners and occupants; and,

It is staff's professional opinion that the criteria established within the Zoning Ordinance for the creation of building envelopes and subsequent requirement for pool houses to be placed within said building envelope adequately provides for substantial use and enjoyment of the adjoining property owners.

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: Pool House.

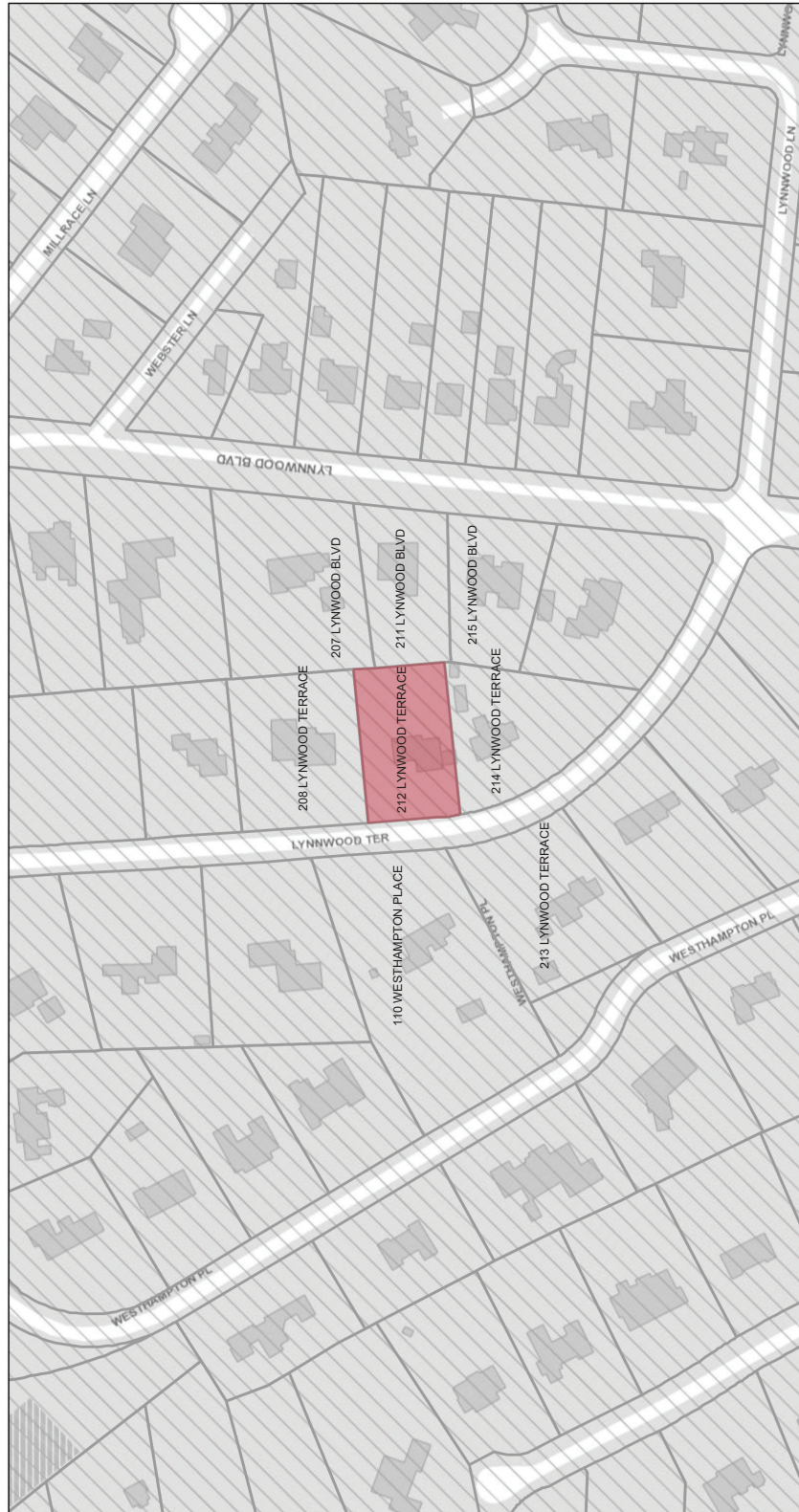
Section 14-202(1)(c)(iii)(E) - Pool Houses does not have any specific conditions delineated for the Board of Zoning Appeals consideration.

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

Attachments:

1. Location Map
2. Staff Analysis of Site Plan

Nashville / Davidson County Parcel Viewer 212 LYNWOOD TERRACE



September 22, 2023

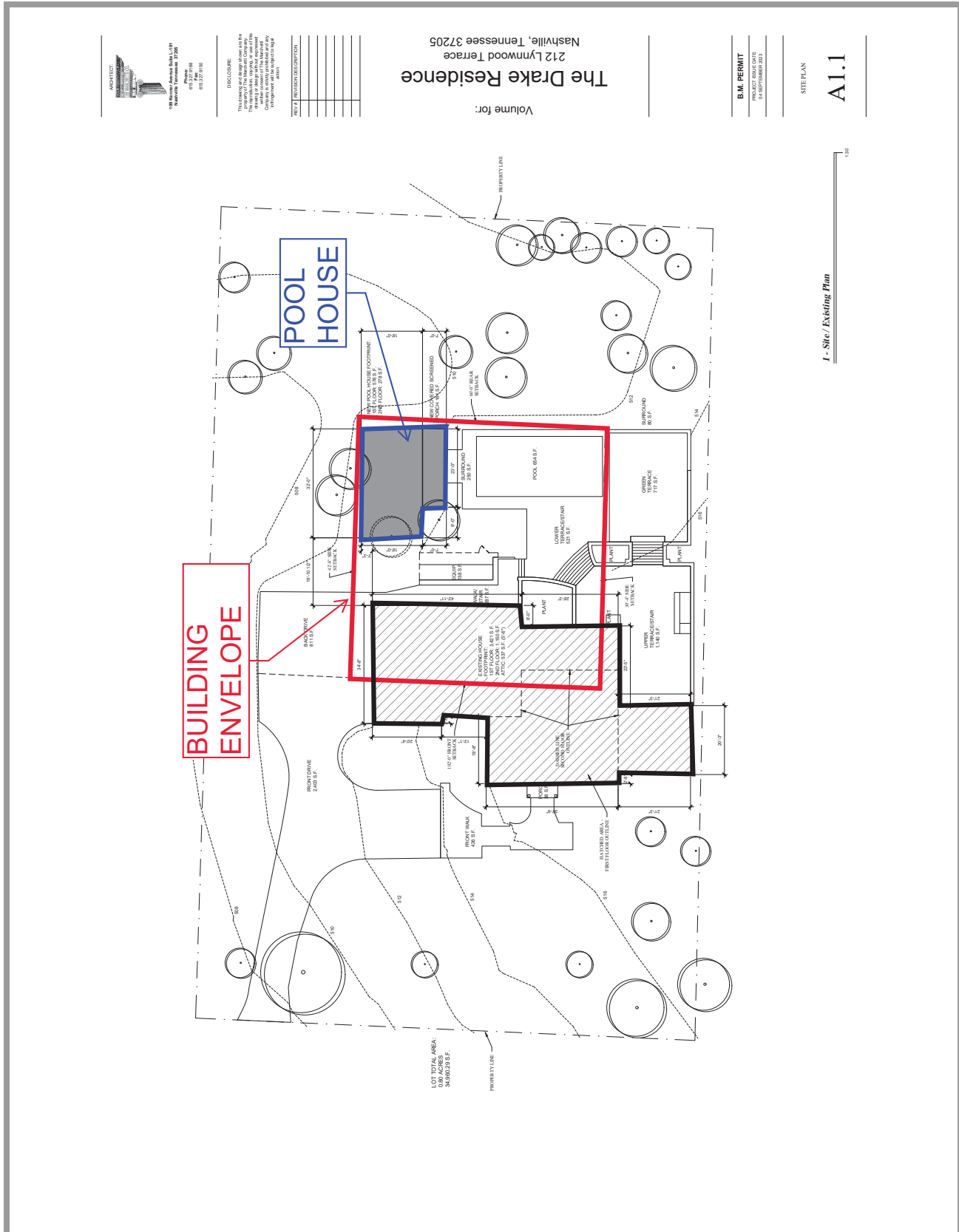
- Override 1
- graphicsLayer2
- Zoning
- Urban Design Overlay
- Planned Unit Development

1:2,257

0 0.02 0.04 0.07 0.09 mi
0 0.04 0.07 0.14 km

Metro GIS

Made by: Metro GIS





October 11, 2023

Mary Samaniego
City of Belle Meade
Planning Director
4705 Harding Road
Nashville, TN 37205

RE: Board of Zoning Appeals – 212 Lynnwood Terrace

Dear Ms. Samaniego,

It is our understanding, the subject property also known as parcel 26 on tax map 116-07 has requested a Conditional Use for a proposed pool house adjacent to an existing pool. Dewey Engineering has been contacted by the adjacent property owner at 208 Lynnwood Terrace as they have experienced some stormwater damage to their property in the past. We just want to make sure there are not any adverse impacts downstream due to the construction of the proposed pool house.

Dewey Engineering has briefly reviewed a set of plans provided titled “The Drake Residence” dated September 4, 2023. The plans appear to be a progress set only, so we understand the stormwater design may not be completed to date. Per our discussions with the city staff, there is a considerable stormwater conveyance flowing through the rear yard of the subject property, then meanders along the north property line also being the shared property line with 208 Lynnwood Terrace, then flows to the front yard of 208 Lynnwood Terrace. The conveyance appears to have a drainage area at this point larger than 10 acres after a cursory review.

On behalf of the property owner at 208 Lynnwood Terrace, Dewey Engineering requests the opportunity to review the stormwater management plans prior to final approval in an effort to provide additional security that no adverse impacts are anticipated as a result of the pool house construction. Since there has been previous damage at 208 Lynnwood Terrace, we want to seek extra precautions for the property owner and make every effort to avoid any future damage.

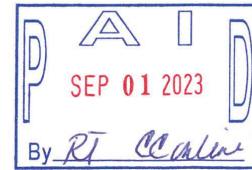
Specifically, Dewey Engineering wants to make sure the existing conveyance is not restricted and any additional impervious areas are accounted for in the stormwater design. Due to the sensitivity of this conveyance, Dewey Engineering requests any impervious areas added be detained as to not increase any stormwater flows to the adjacent downstream property located at 208 Lynnwood Terrace.

Thank you for your consideration of this request. Please feel free to contact Dewey Engineering at (615) 401-9956. We appreciate your help in this matter.

Sincerely,
Michael Dewey, PE
Dewey Engineering



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



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

APPEAL # BZA 2023-5

APPEAL FEE: \$ 600.00

APPLICANT (Owner's Name) Dan and Brenda Cook PHONE # 615-298-9720

APPLICANT EMAIL ADDRESS mike@kaisertrabue.com

PROPERTY ADDRESS: 332 Walnut Drive, Nashville, TN 37205

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☐ CONDITIONAL USE ☒

REASON FOR APPEAL – Be Specific Construction of swimming pool, pool needs board approval

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

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

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

LOT SQ. FT: { 18,225 sq. ft. }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%			n/a		
ESTATE A 8%					

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

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

DRIVEWAY 12%	2,187	2,515	2,475	-40	13%
DRIVEWAY IN FRONT YARD 22%	1,337	1,060	1,000	-60	under by 25%
FRONT YARD SQ. FT.	6261				

HARDSCAPE 8% OF LOT					
HARDSCAPE + POOL 8%	1458	1225	1415	190	under by 3%
POOL 2% OF LOT TOTAL	365	0	352	352	under by 4%
***ACCESSORY AREA					

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

Continued on the next page

City of Belle Meade
 Application for Board of Zoning Appeals
 Page Two

Complete Check List

- ☒ Plot plan 1 inch = 30 feet "Show Magnetic North"
 - ☒ Show proposed structure shaded with setbacks (building envelope)
 - ☒ Show neighbor's house & measurements to it
 - ☒ Show all detached structures with elevations
 - ☒ Landscape design
 - ☒ Survey of lot, lot square feet with contours, average natural grade
 - ☒ Building envelope *highlighted*
 - ☒ Show all elevations, existing grade, finished grade, FFE's
 - ☒ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
 - ☒ Submittal, along with appeal fee the first Friday the month prior to the month of the scheduled hearing date.
- *MANDATORY** – Clearly highlight the areas that will be discussed in a bright color on the plans. INITIAL MK

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

n/a

Is the request for a variance the result of a self-induced hardship by the applicant?

No

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

No variance needed, the pool is in concert with the fabric of the neighborhood

SIGNATURE:



Mike Kaiser (Owner/Agent)

DATE: 2023.09.01

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

BZA meets the third Tuesday of each month @ 5:00 p.m.

Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.

PERMIT DRAWINGS FOR

THE RESIDENCE OF

BRENDA & DAN COOK

332 WALNUT DRIVE - NASHVILLE, TENNESSEE

SHEET #	SHEET TITLE
1	TITLE
2	EXISTING SURVEY & VICINITY MAP (1/8" = 1' - 0 ")
3	LOT COVERAGE PLAN (1/8" = 1' - 0 ")
4	GRADING & DRAINAGE PLAN (1/8" = 1' - 0 ")
5	PLANTING PLAN (1/8" = 1' - 0 ")
6	ELEVATIONS & SECTIONS (1/8" = 1' - 0 ")

KAISER TRABUE

landscape architecture

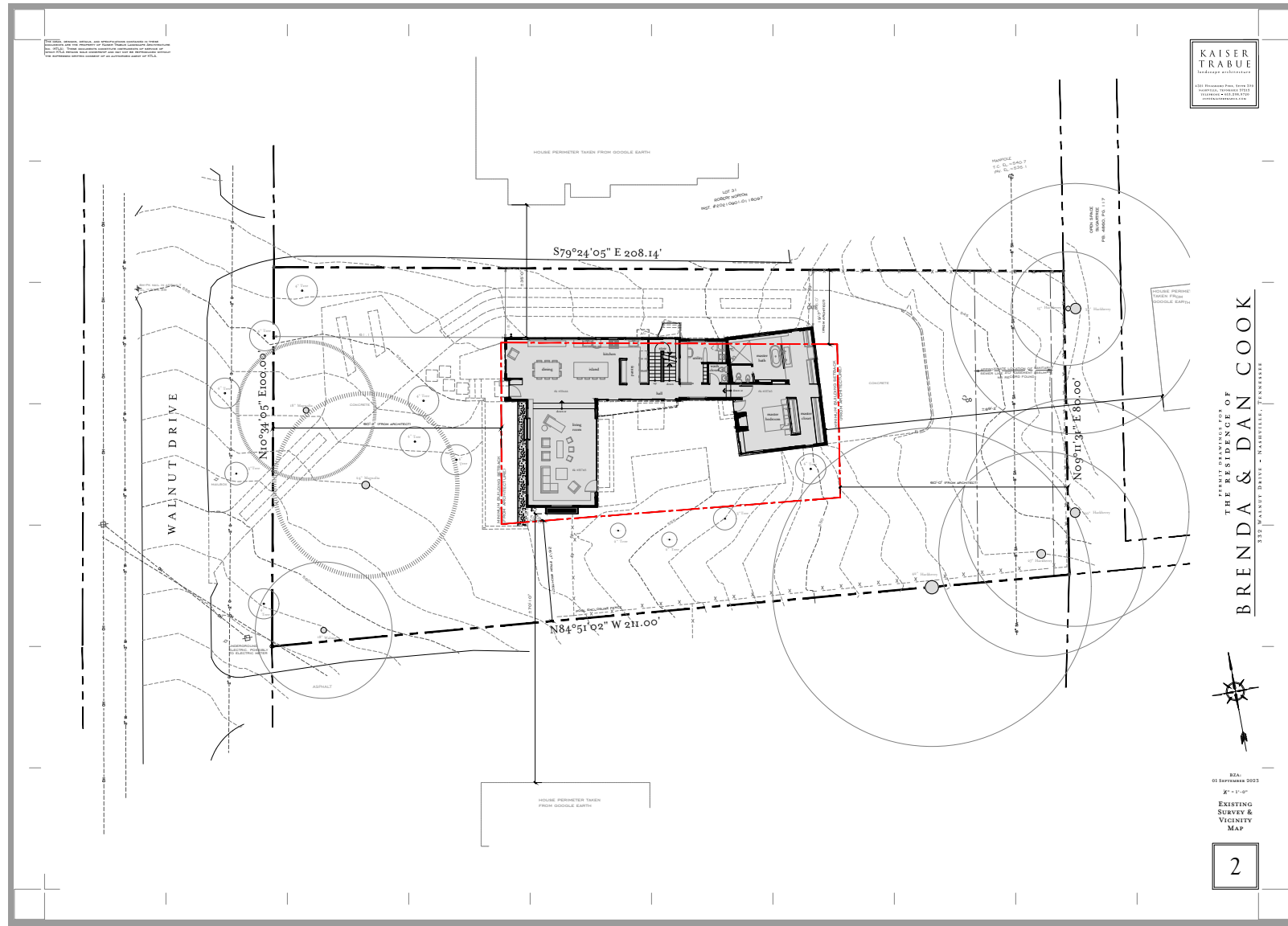
4301 HOLLANDS FIRM, SUITE 300
NASHVILLE, TENNESSEE 37203
615.259.5755 (OFFICE)
INFO@KAISERTRABUE.COM

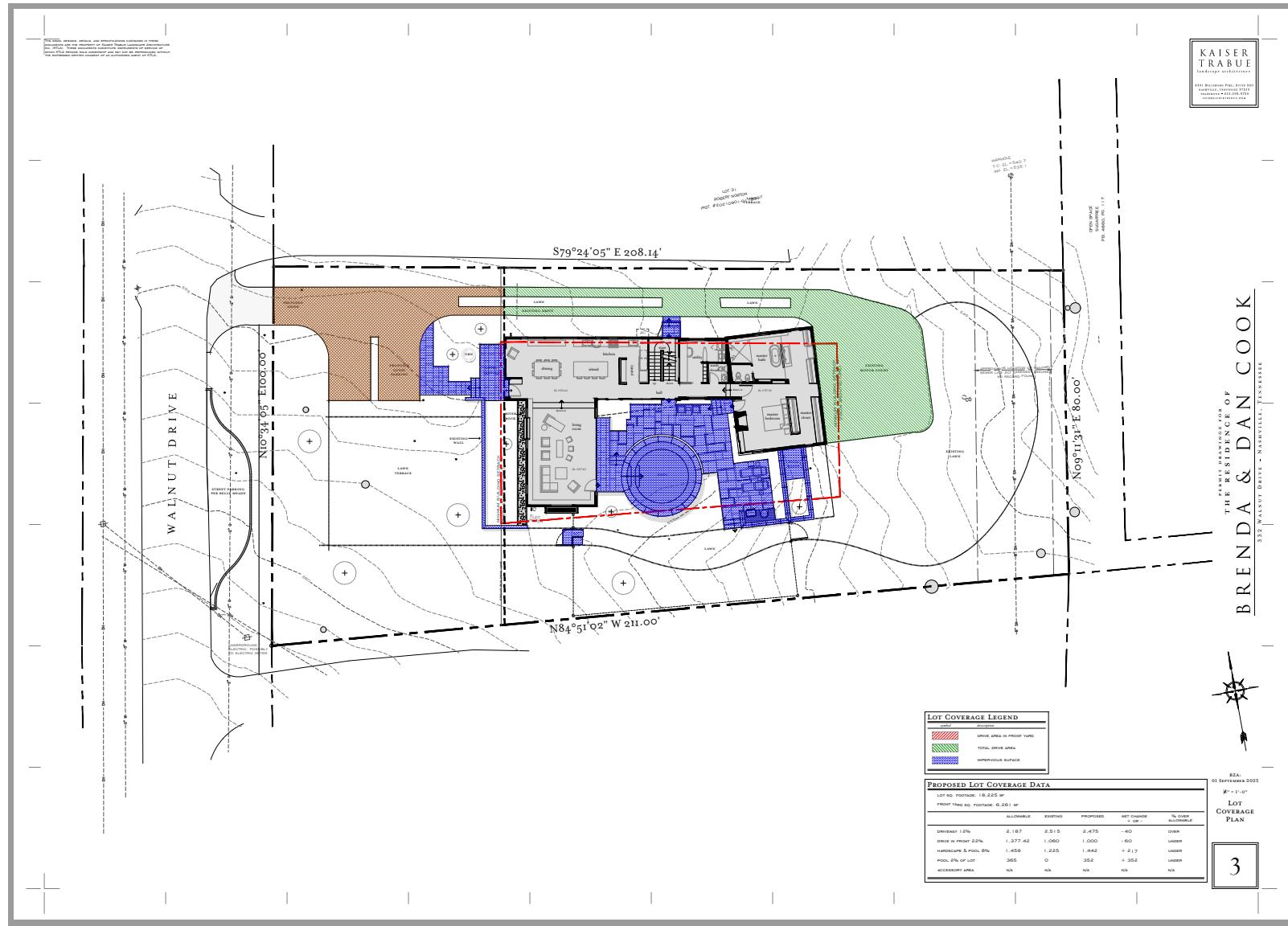
BZA:
01 SEPTEMBER 2023

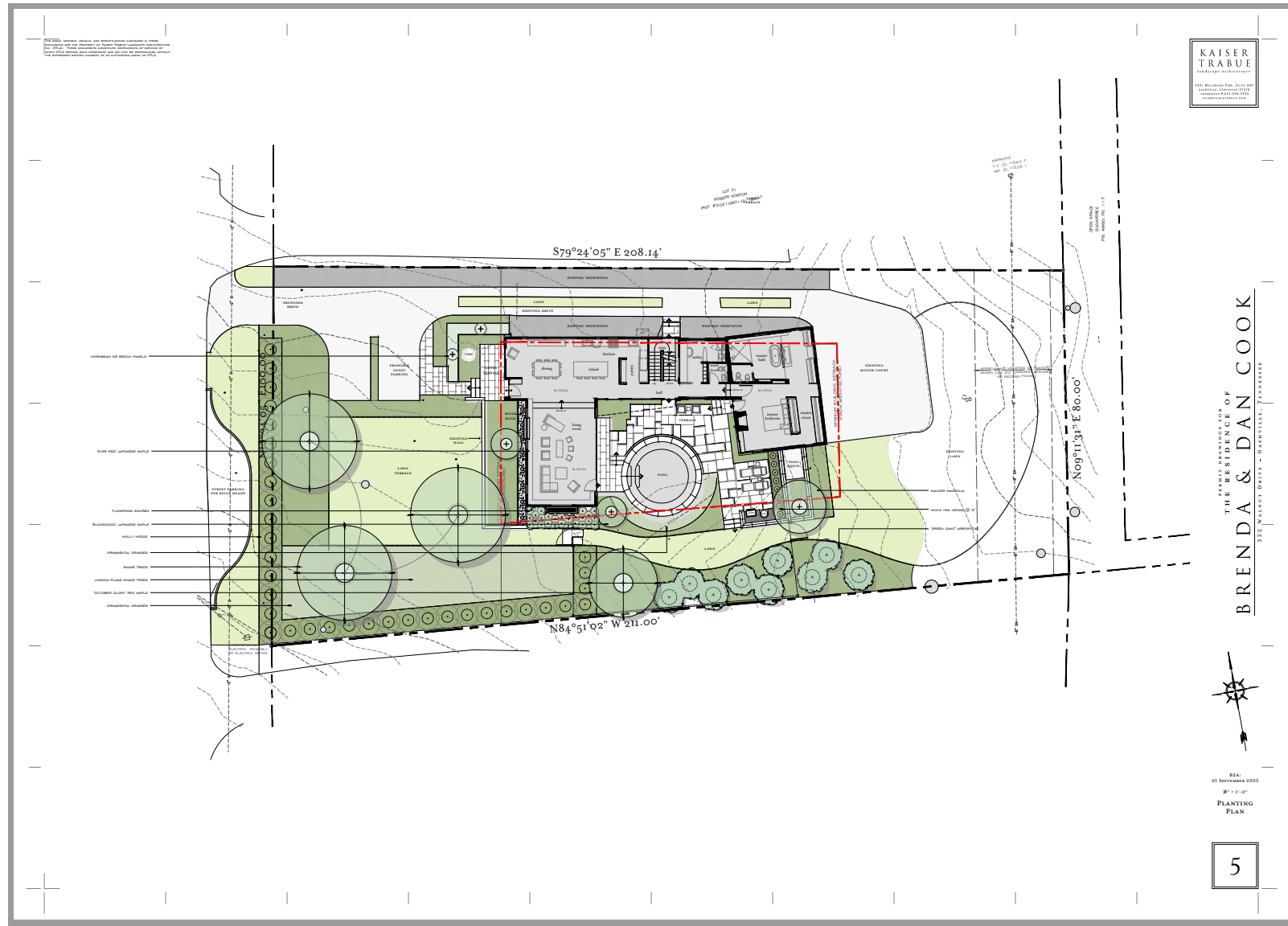
THE RESIDENCE OF
BRENDA & DAN COOK

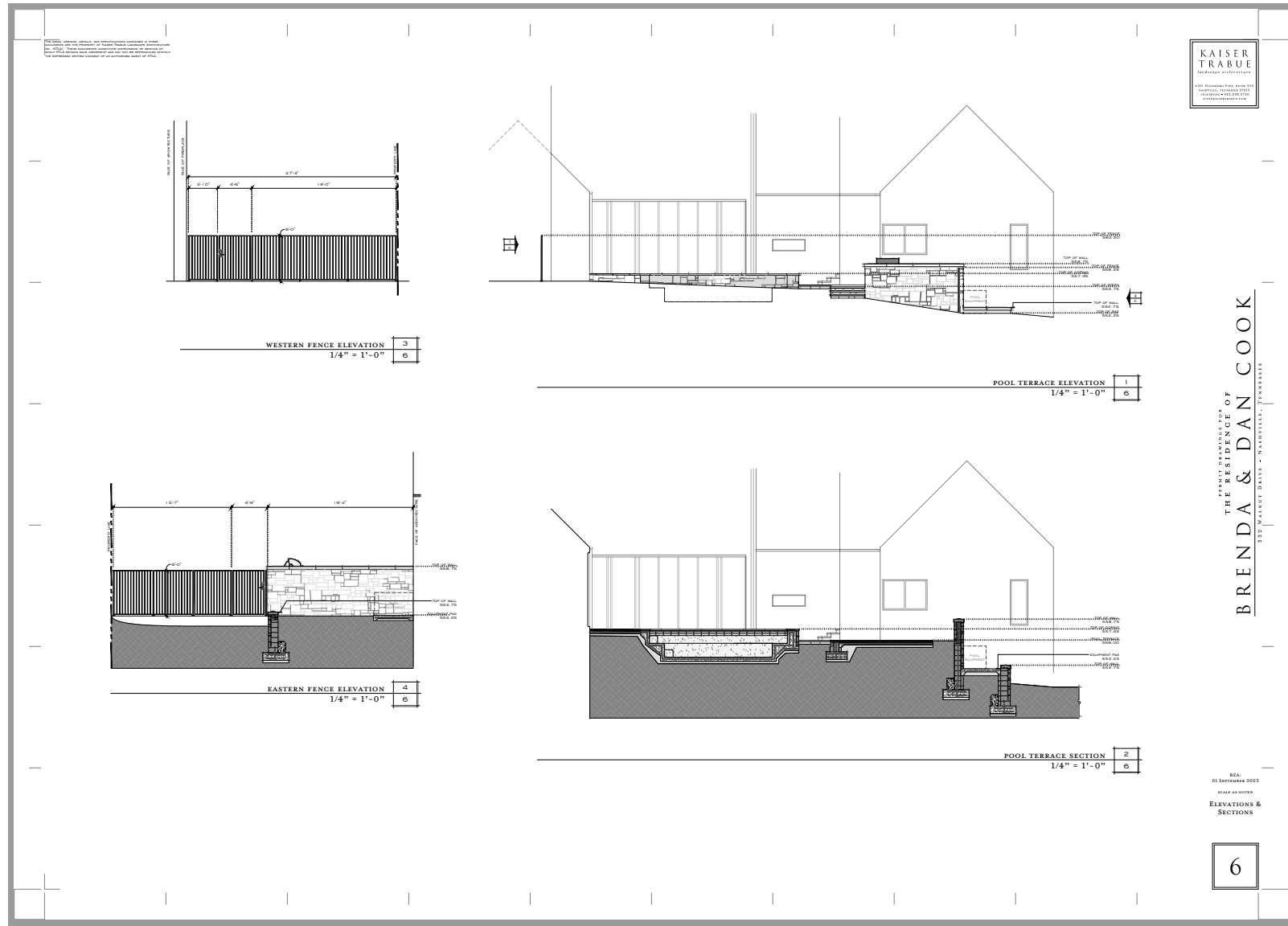
PERMIT DOCUMENTS

1









Staff Report

Agenda No.: IV.2.
Case No.: BZA 2023-5
Staff: Mary Samaniego, Planning Director
Applicant: Brenda Cook
Request: Conditional Use approval for a swimming pool and a Special Exception for a retaining wall over 3' in height
Location: 332 Walnut Drive

Summary:

The applicant on behalf of the property owners is requesting a Conditional Use approval for the construction of a swimming pool as well as a Special Exception approval for retaining wall height on the subject property. In conjunction with the pool patio construction, a retaining wall over 3' in height is proposed. The proposed 6' high retaining wall requires a Special Exception approval. The existing single-family dwelling was constructed in 1930 and had significant alterations over the years.

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 0.42 acres (18,225 square feet).
2. Per Section 14-204(1)(m)(i) of the Zoning Ordinance, the square footage of the surface area of the water in a swimming pool as compared to the lot size shall not exceed two percent (2%) of lot. The allowable area of water within a pool for the proposed lot is 365 square feet.
3. The proposed area of water in the swimming pool is 352 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 1,458 square feet.
5. The proposed area of the hardscape including the pool is 1,415 square feet.
6. The proposed pool and associated pool equipment is entirely within the established building envelope (see attached Staff Analysis of Site Plan).
7. There is an existing black fence in place around the backyard that will serve as the required pool enclosure fence. A portion of the existing fence that adjoins the southern side of the dwelling is non-conforming due to placement. However, per the historic record and a review of site photography, a fence has been in this location since the dwelling was built in 1930 (see historic record and Sheet 2 of the application site plan). It appears that the existing black fence replaced the picket fence at some point between 2016 and 2019. Appendix F (Non-conforming

Uses) of the Zoning Ordinance states: *A non-conforming structure or improvement may be reconstructed without approval of the Board of Zoning Appeals, regardless of cost of the reconstruction, so long as the footprint or other non-conformity of the structure or improvement are not increased or enlarged.*

8. Per Section 14-204(1)(g) of the Zoning Ordinance, multiple retaining walls which alter the average existing grade in excess of three feet (3') will be treated as a single wall and may only be constructed with the approval of the Board of Zoning Appeals.
9. The proposed retaining wall height is 6'.
10. There is a significant number of mature trees throughout the property (see aerial photograph and applicant submit Sheet 2).

Findings of Fact and Staff Recommendation:

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

1. such conditions and safeguards (specifically including, but not limited to, provisions for vegetative screening and/or lighting) as the board may require to protect the character of the community;
Upon site visit, staff noted an established vegetative buffer between the subject property and the adjoining property to the south. Similarly, Sheet 5 of the site plan illustrates Arborvitae that will be installed to further serve as landscaping screen along the southern property line.
2. a finding by the board that the same will not interfere substantially with the use and enjoyment of adjacent property by its owners and occupants; and,
It is staff's professional opinion that the criteria established within the Zoning Ordinance for the creation of building envelopes and subsequent requirement for pools to be placed within said building envelope adequately provides for substantial use and enjoyment of the adjoining property owner to the south.
3. the approval by the board of the size, dimensions and location of the same, the following may be constructed or erected within the building envelope:
(D) Swimming pools, together with all mechanical equipment necessary to the operation of the same; provided that:
 - (1) Every swimming pool shall be completely enclosed, either by the structural wall or walls of the dwelling to which it is an accessory, or by a fence or wall, not less than six feet (6') in height above the exterior adjoining grade, of the type required by the latest edition of the International Residential Code for one (1) and two (2) family dwellings which has been adopted by the City of Belle Meade.
 - (2) Any opening in said enclosure shall be capable of being closed with lock and key and shall be kept so secured at all times, except when attended by the owner of the property or his authorized representative.
 - (3) All pool lighting shall be located within the pool itself or no more than twenty-four inches (24") above ground level around the pool.

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

The standards of proof required for each individual Special Exception are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for special exceptions in the following findings of fact for the particular use and/or structure per Section 14-206(3)(c): Fences and walls which do not conform to the requirements, as to height or location, of § 14-204(1)(g) and/or other accessory buildings or uses listed and/or described elsewhere in this chapter (collectively, the 'proposed use'); provided that the board shall determine that:

1. The proposed use will not be out of harmony with the existing development in the neighborhood and is so designed and located that the public health, safety and welfare will be protected;
The applicant is proposing to follow the existing topographic contours for the proposed construction while at the same time creating level development areas (see application site plan). The proposed 6' high retaining wall is primarily within the building envelope as will serve to establish a boundary to the pool and associated patio area.
2. The granting of this special exception will not adversely impact abutting properties, including those located across street frontages, or other properties in the immediate area;
The proposed wall is in the back of the property out of view from the roadway and properties across Walnut Drive. Staff has previously noted an established vegetative buffer as well as Arborvitae to be planted between the subject property and the adjoining property to the south.
3. The physical characteristics of the proposed use or structure are architecturally compatible with other properties in the area, including building orientation, landscaping, drainage, access and circulation, bulk, height, scale and other like features; and
The portion of the retaining wall that is 6' in height will only be observed from the back yard of the property looking west. The existing dwelling established trees/landscaping, and proposed landscaping in combination will provide a visual buffer from the adjoining properties. Given the naturally rolling topography of Belle Meade, it is common to see the use of the retaining walls to establish patio foundations.
4. The proposed use will be carried out under such conditions and safeguards as the Board may direct to protect the character of the community.
During the building permitting process, the City will ensure that construction is carried out in compliance with all conditions of this approval.

Staff recommends approval of the conditional use and special exception requests based on the written findings of fact.

Attachments:

1. Location Map
2. Staff Analysis of Site Plan
3. Historic Record of Property

Made by: Metro GIS





Tennessee Historical Commission Viewer

+

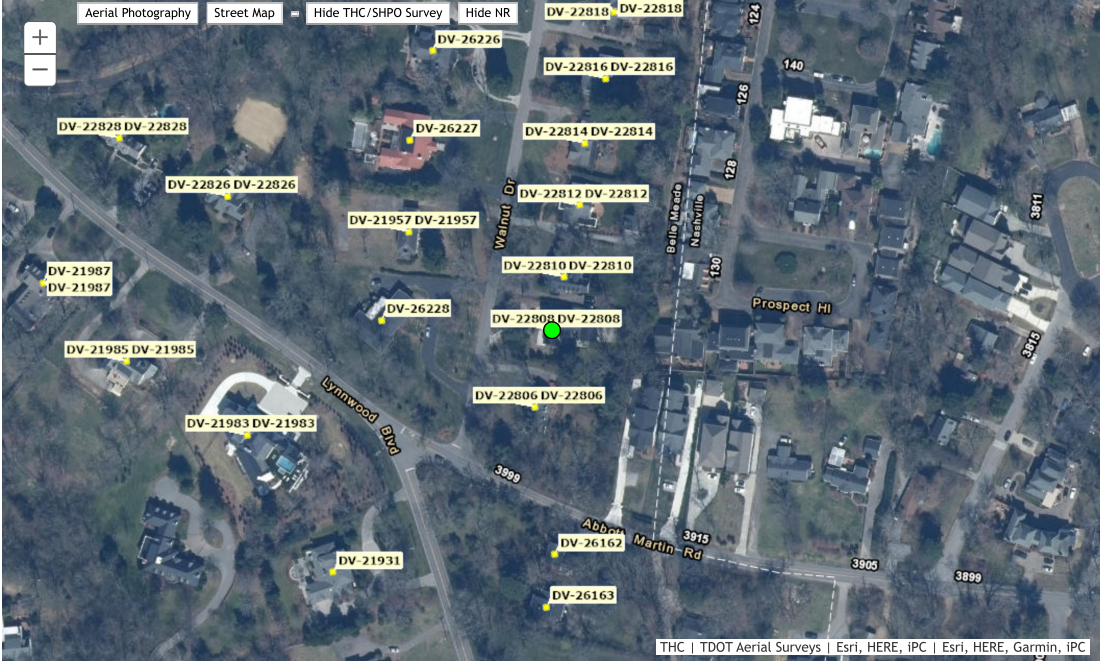
-

Aerial Photography

Street Map

Hide THC/SHPO Survey

Hide NR



THC | TDOT Aerial Surveys | Esri, HERE, iPC | Esri, HERE, Garmin, iPC

Zoom in

Pan

Identify

Help

Address Search

Area Search

Survey Text Search

Search Results

Site Detail

Clear Selection Show More

County:	Davidson
Survey ID:	DV-22808
Historical Name:	
Common Name:	
Address:	WALNUT DR 332
City:	BELLE MEADE
Owner:	
Date Constructed:	1930
Notes:	
Primary Style:	
Original Use:	Single family dwelling
Plan:	Other
Architectural Comments:	PICKET FENCE

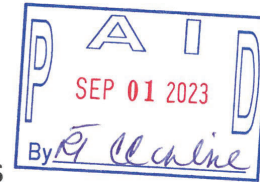
Contact Us about this property

Export PDF of this map (Note: may be blocked by your browser. Direct link appears below.)

Direct link to last .pdf created.



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



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

APPEAL # BZA 2023-4

APPEAL FEE: \$300.00

APPLICANT (Owner's Name) Jim Nantz

PHONE # 615-298-9720

APPLICANT EMAIL ADDRESS mike@kaisertrabue.com

PROPERTY ADDRESS: 1109 Belle Meade Boulevard

REQUEST: SPECIAL EXCEPTION ☒ VARIANCE ☐ CONDITIONAL USE ☐

REASON FOR APPEAL – Be Specific Seeking a special exception to gate and fence height for vehicular gate and wall at front of the property

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

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

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

LOT SQ. FT: { 37,443 sq. ft. }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%	4,492	4,508	n/a		4%
ESTATE A 8%					

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

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

DRIVEWAY 12%	4,493	5,584	n/a		24%
DRIVEWAY IN FRONT YARD 22%	3,160	4,067	n/a		29%
FRONT YARD SQ. FT.		14,373	n/a		

HARDSCAPE 8% OF LOT	n/a	n/a	n/a		n/a
HARDSCAPE + POOL 8%	2,995	3,337	n/a		11%
POOL 2% OF LOT TOTAL	749	746	n/a		1%
***ACCESSORY AREA	5,616	3,337	n/a		-41%

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

City of Belle Meade
 Application for Board of Zoning Appeals
 Page Two

Complete Check List

- ☒ Plot plan 1 inch = 30 feet "Show Magnetic North"
 - ☒ Show proposed structure shaded with setbacks (building envelope)
 - ☒ Show neighbor's house & measurements to it
 - ☒ Show all detached structures with elevations
 - ☒ Landscape design
 - ☒ Survey of lot, lot square feet with contours, average natural grade
 - ☒ Building envelope *highlighted*
 - ☒ Show all elevations, existing grade, finished grade, FFE's
 - ☒ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
 - ☒ Submittal, along with appeal fee the first Friday the month prior to the month of the scheduled hearing date.
- *MANDATORY** – Clearly highlight the areas that will be discussed in a bright color on the plans. **INITIAL** MK

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

The existing driveway elevation drops 1'-8" from the road to the location of the gates.

Is the request for a variance the result of a self-induced hardship by the applicant?

No

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

The proposed gate design and height will conform and be in harmony with existing precedents and would not adversely effect adjacent properties.

SIGNATURE:



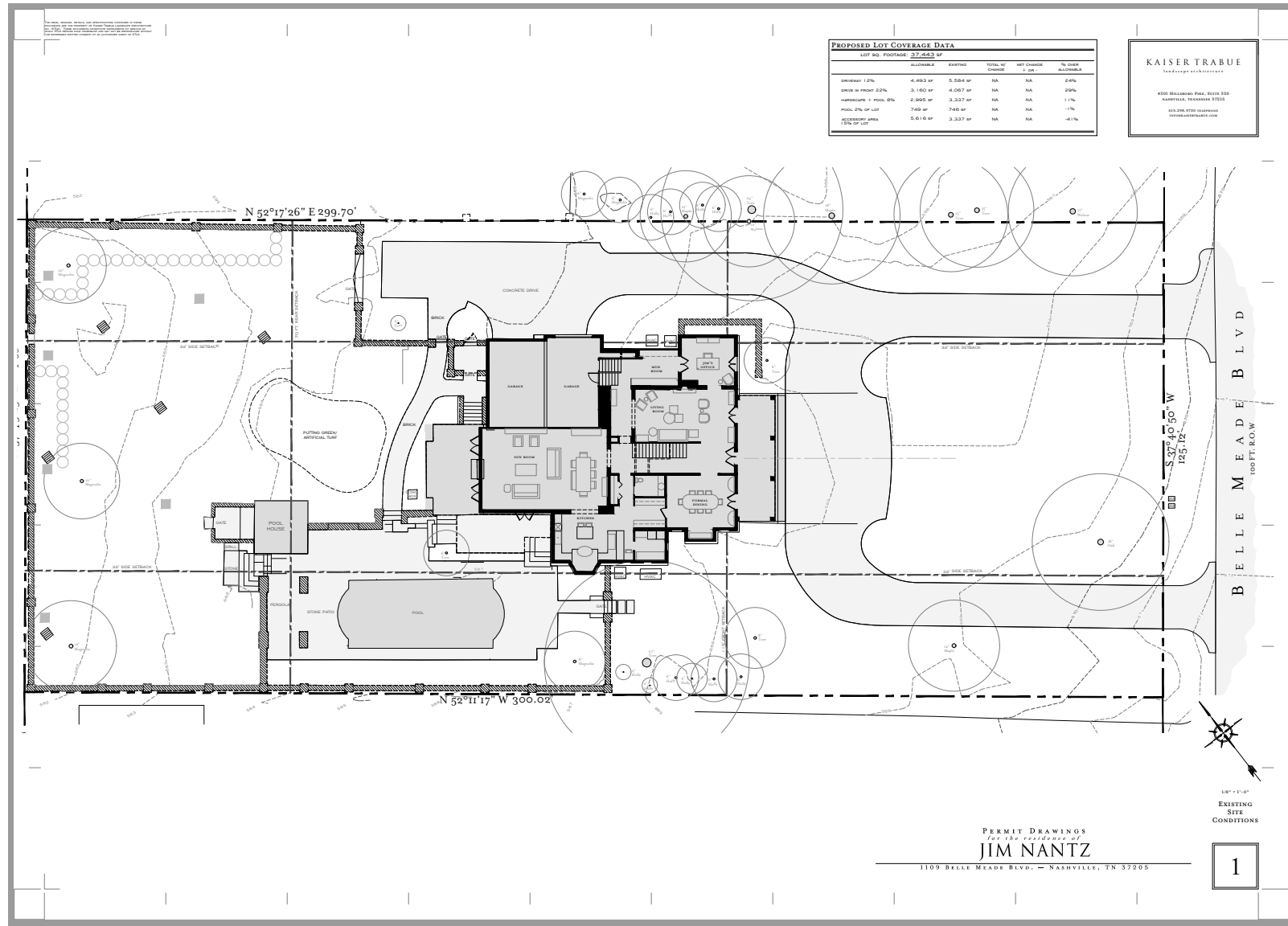
Mike Kaiser (Owner/Agent)

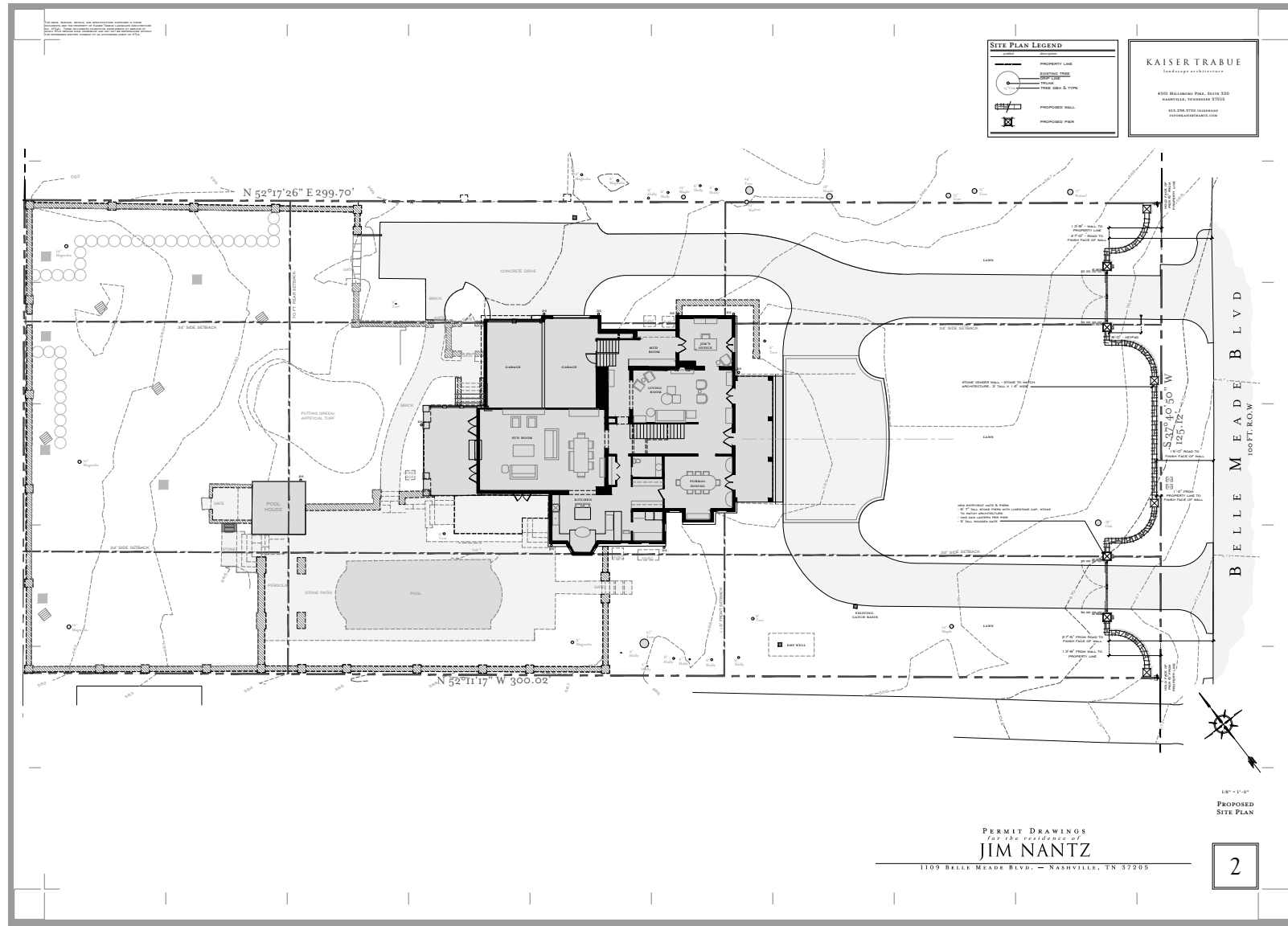
DATE: 2023.09.01

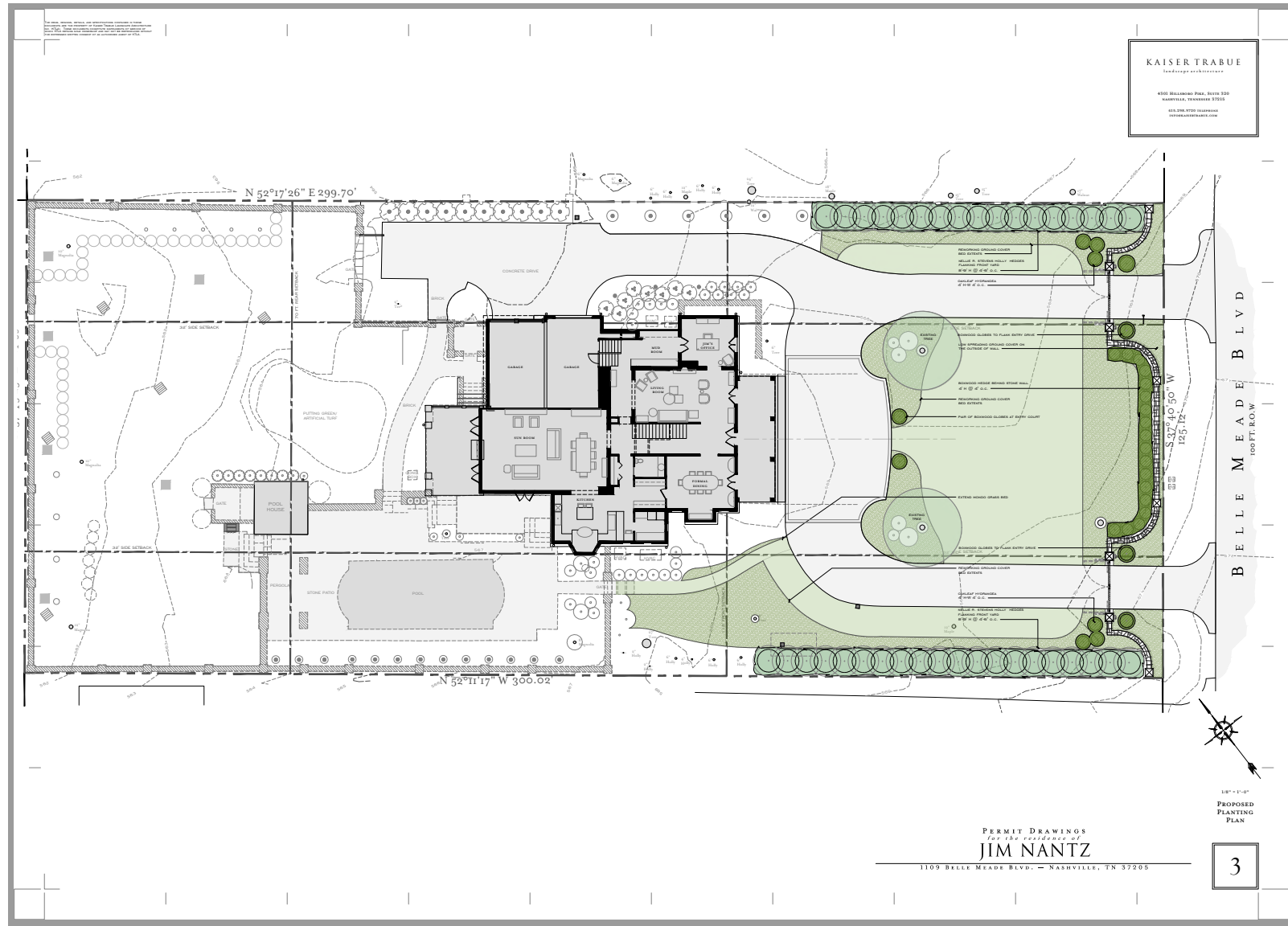
Submit all information, plans & application via email PDF to: inspector@citybellemead.org

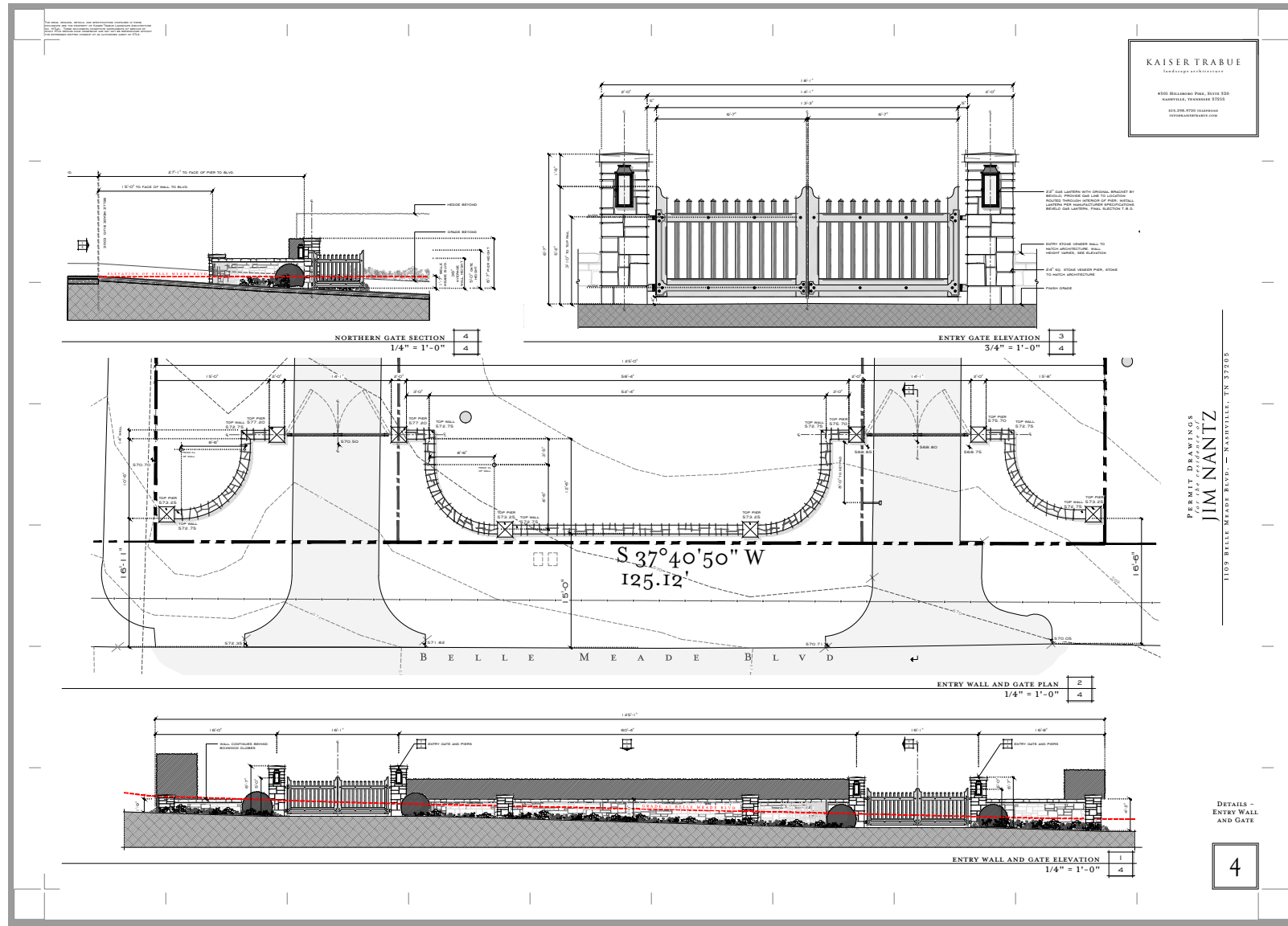
BZA meets the third Tuesday of each month @ 5:00 p.m.

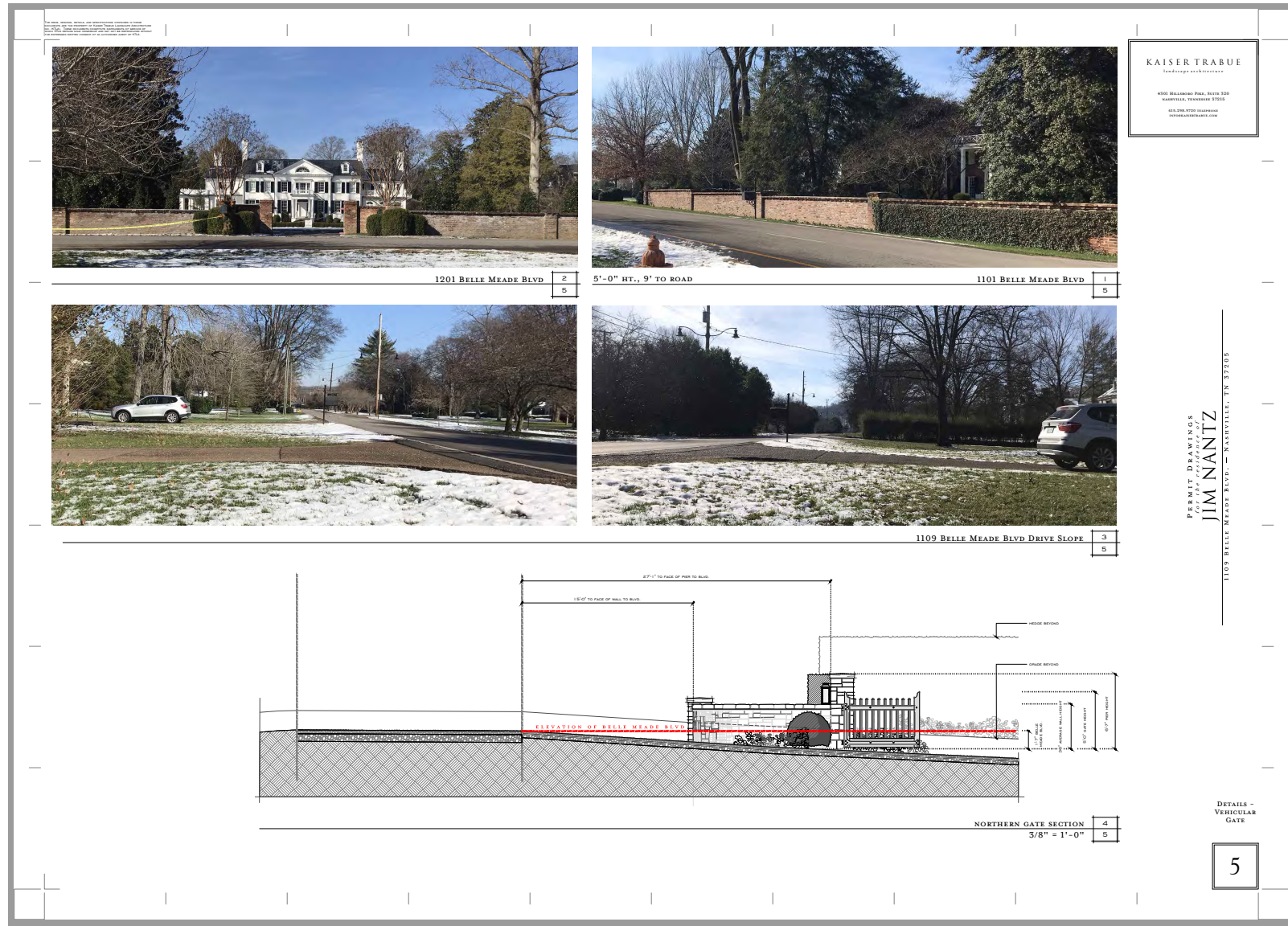
Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.

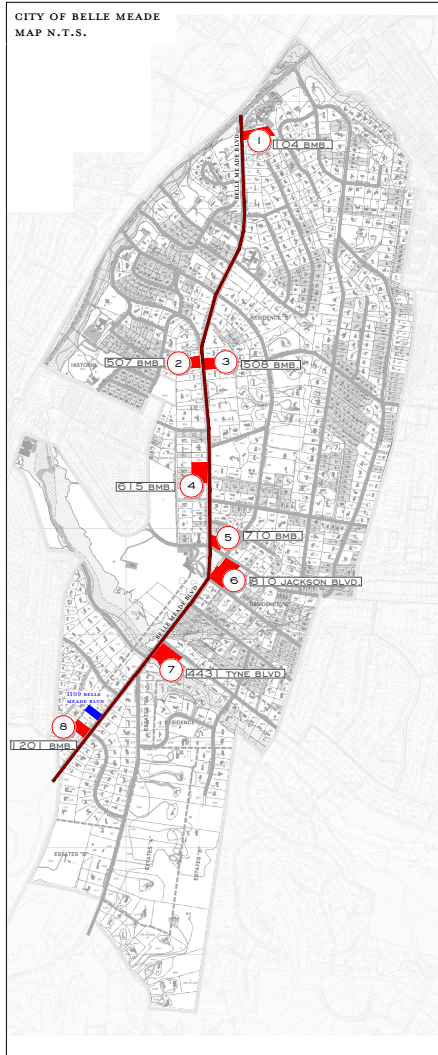












1 104 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	13'-0"
PIER HEIGHT:	7'-3"
GATE HEIGHT:	7'-6"
NOTES:	6'-0" TO TOP RAIL



2 507 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	35'-6"
PIER HEIGHT:	8'-0"
GATE HEIGHT:	10'-0"
NOTES:	HEIGHTS OVER 9' ARE APPROXIMATE



3 508 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	46'-6"
PIER HEIGHT:	12'-0"
GATE HEIGHT:	10'-6"
NOTES:	8'-6" TO TOP RAIL, HEIGHTS OVER 9' ARE APPROXIMATE



4 615 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	26'-0"
PIER HEIGHT:	8'-0"
GATE HEIGHT:	6'-8"
NOTES:	NO REMARK



5 710 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	27'-0"
PIER HEIGHT:	7'-8"
GATE HEIGHT:	9'-0"
NOTES:	4'-0" TO TOP RAIL, HEIGHTS OVER 9' ARE APPROXIMATE



6 810 JACKSON BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	50'-9"
PIER HEIGHT:	7'-0"
GATE HEIGHT:	6'-0"
NOTES:	GATE IS NOT ON BELLE MEADE BLVD. BUT FACES AND CAN BE SEEN FROM BELLE MEADE BLVD.



7 4431 TYNE BOULEVARD

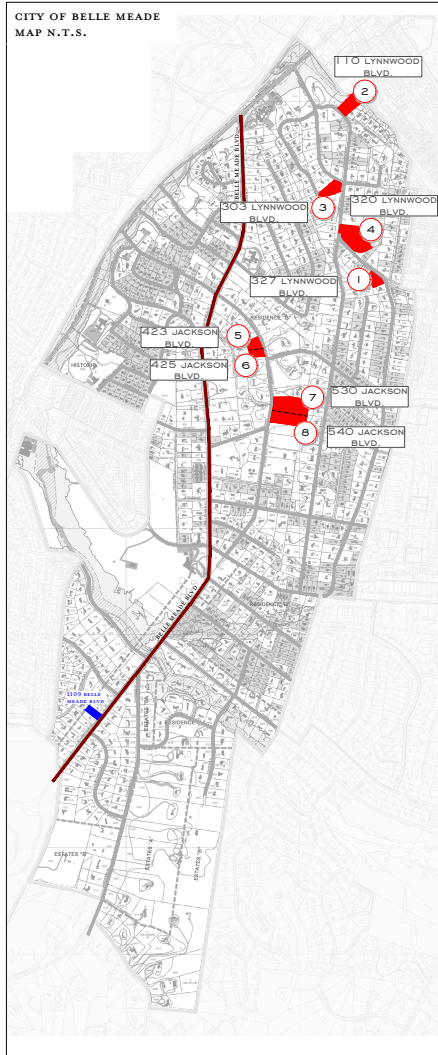
GATE INFORMATION	
DISTANCE FROM STREET:	27'-6"
PIER HEIGHT:	9'-6"
GATE HEIGHT:	12'-0"
NOTES:	HEIGHTS OVER 9' ARE APPROXIMATE. THIS ADDRESS HAS TWO SETS OF GATES (SEE PG. 3)



8 1201 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	28'-6"
PIER HEIGHT:	7'-0"
GATE HEIGHT:	UNKNOWN
NOTES:	GATE NOT CURRENTLY INSTALLED (2022.01.24)

**(1) EXISTING GATE PRECEDENTS ABOVE
4' - 0" ALONG BELLE MEADE BOULEVARD**



1 327 LYNNWOOD BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
30'-0"
PIER HEIGHT:
6'-4"
GATE HEIGHT:
6'-10"
NOTES:
NO REMARK



2 110 LYNNWOOD BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
13'-0"
PIER HEIGHT:
7'-4"
GATE HEIGHT:
6'-0"
NOTES:
SLIDING GATE



3 303 LYNNWOOD BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
48'-0"
PIER HEIGHT:
8'-4"
GATE HEIGHT:
6'-10"
NOTES:
NO REMARK



4 320 LYNNWOOD BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
51'-6"
PIER HEIGHT:
6'-0"
GATE HEIGHT:
10'-6"
NOTES:
HEIGHTS OVER 6' ARE
APPROXIMATE



5 423 JACKSON BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
37'-0"
PIER HEIGHT:
6'-10"
GATE HEIGHT:
6'-3"
NOTES:
NO REMARK



6 425 JACKSON BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
28'-0"
PIER HEIGHT:
8'-0"
GATE HEIGHT:
6'-3"
NOTES:
NO REMARK



7 530 JACKSON BOULEVARD

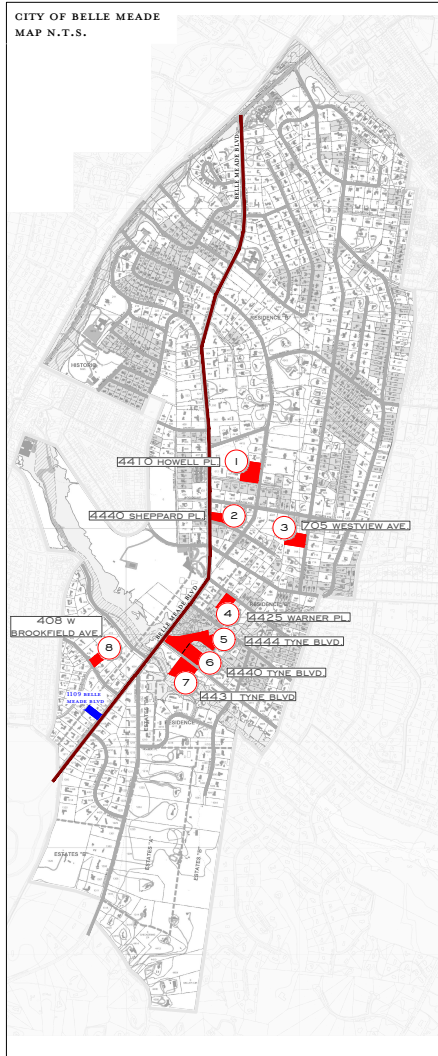
GATE INFORMATION
DISTANCE FROM STREET:
52'-0"
PIER HEIGHT:
8'-0"
GATE HEIGHT:
7'-0"
NOTES:
NO REMARK



8 540 JACKSON BOULEVARD

GATE INFORMATION
DISTANCE FROM STREET:
42'-0"
PIER HEIGHT:
9'-6"
GATE HEIGHT:
8'-0"
NOTES:
HEIGHTS OVER 6' ARE
APPROXIMATE

(2) EXISTING GATE PRECEDENTS ABOVE
4' - 0" WITHIN THE CITY OF BELLE MEADE



1 4410 HOWELL PLACE

GATE INFORMATION	
DISTANCE FROM STREET:	16'-0"
PIER HEIGHT:	6'-0"
GATE HEIGHT:	7'-6"
NOTES:	6'-2" TO TOP RAIL



2 4440 SHEPPARD PLACE

GATE INFORMATION	
DISTANCE FROM STREET:	14'-0"
PIER HEIGHT:	4'-8"
GATE HEIGHT:	4'-6"
NOTES:	NO REMARK



3 705 WESTVIEW AVENUE

GATE INFORMATION	
DISTANCE FROM STREET:	50'-0"
PIER HEIGHT:	4'-8"
GATE HEIGHT:	5'-4"
NOTES:	4'-4" TO TOP RAIL



4 4425 WARNER PLACE

GATE INFORMATION	
DISTANCE FROM STREET:	34'-0"
PIER HEIGHT:	7'-0"
GATE HEIGHT:	5'-2"
NOTES:	NO REMARK



5 4444 TYNE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	26'-0"
PIER HEIGHT:	5'-2"
GATE HEIGHT:	4'-6"
NOTES:	NO REMARK



6 4440 TYNE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	30'-0"
PIER HEIGHT:	9'-0"
GATE HEIGHT:	7'-4"
NOTES:	HEIGHTS OVER 9' ARE APPROXIMATE, TWO SETS OF GATES - SAME



7 4431 TYNE BOULEVARD

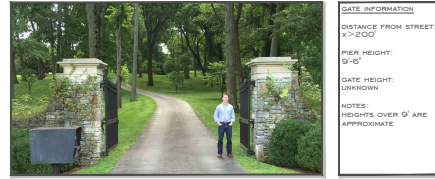
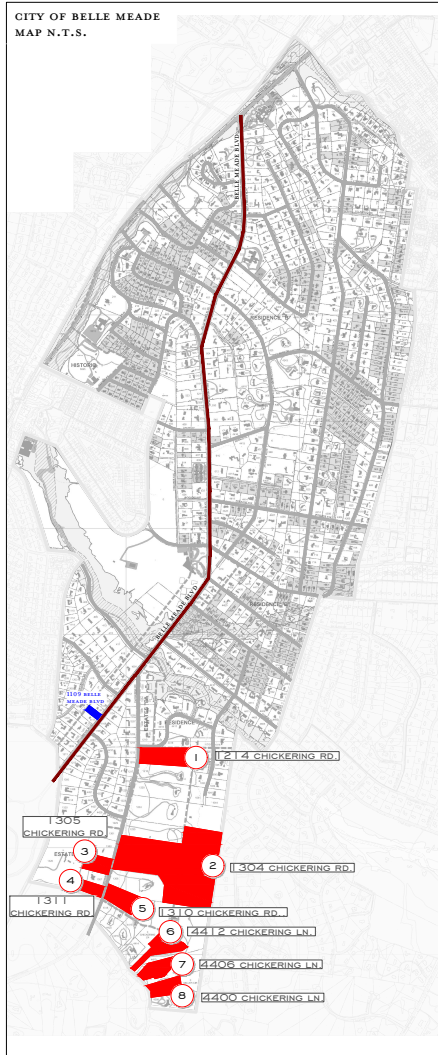
GATE INFORMATION	
DISTANCE FROM STREET:	26'-6"
PIER HEIGHT:	5'-0"
GATE HEIGHT:	4'-10"
NOTES:	THIS ADDRESS HAS TWO SETS OF GATES (SEE PG. 1)



8 408 WEST BROOKFIELD AVENUE

GATE INFORMATION	
DISTANCE FROM STREET:	35'-6"
PIER HEIGHT:	4'-2"
GATE HEIGHT:	4'-2"
NOTES:	3'-4" TO TOP RAIL, TWO SETS OF GATES - SAME

(3) EXISTING GATE PRECEDENTS ABOVE
4' - 0" WITHIN THE CITY OF BELLE MEADE



1 1214 CHICKERING ROAD

GATE INFORMATION
DISTANCE FROM STREET: X > 200'
PIER HEIGHT: 9'-6"
GATE HEIGHT: UNKNOWN
NOTES: HEIGHTS OVER 9' ARE APPROXIMATE



2 1304 CHICKERING ROAD

GATE INFORMATION
DISTANCE FROM STREET: X > 200'
PIER HEIGHT: TOP OF FINIAL 13'-0"
GATE HEIGHT: UNKNOWN
NOTES: HEIGHTS OVER 9' ARE APPROXIMATE



3 1305 CHICKERING ROAD

GATE INFORMATION
DISTANCE FROM STREET: 58'-0"
PIER HEIGHT: 6'-9"
GATE HEIGHT: 5'-10"
NOTES: 5'-8" TO TOP RAIL



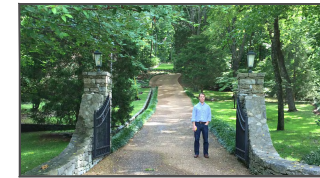
4 1311 CHICKERING ROAD

GATE INFORMATION
DISTANCE FROM STREET: 39'-10"
PIER HEIGHT: 5'-10"
GATE HEIGHT: 5'-0"
NOTES: TWO SETS OF GATES - SAME



5 1310 CHICKERING ROAD

GATE INFORMATION
DISTANCE FROM STREET: 35'-0"
PIER HEIGHT: 6'-6"
GATE HEIGHT: 9'-6"
NOTES: HEIGHTS OVER 9' ARE APPROXIMATE



6 4412 CHICKERING LANE

GATE INFORMATION
DISTANCE FROM STREET: 93'-0"
PIER HEIGHT: TOP OF LANTERN 10'-0"
GATE HEIGHT: UNKNOWN
NOTES: HEIGHTS OVER 9' ARE APPROXIMATE



7 4406 CHICKERING LANE

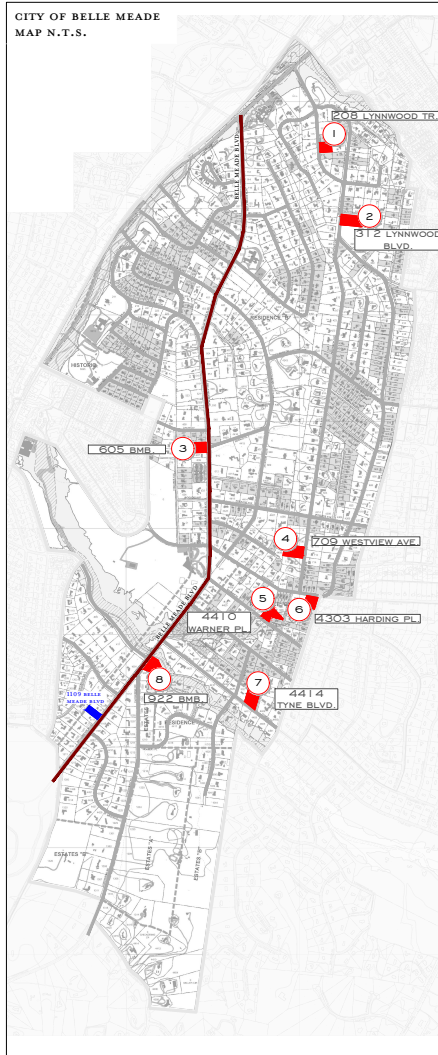
GATE INFORMATION
DISTANCE FROM STREET: 58'-0"
PIER HEIGHT: 8'-9"
GATE HEIGHT: 5'-7"
NOTES: 3'-11" TO TOP RAIL



8 4400 CHICKERING LANE

GATE INFORMATION
DISTANCE FROM STREET: UNKNOWN
PIER HEIGHT: 8'-6"
GATE HEIGHT: UNKNOWN
NOTES: NO REMARK

**(4) EXISTING GATE PRECEDENTS ABOVE
4' - 0" WITHIN THE CITY OF BELLE MEADE**



1 208 LYNNWOOD TERRACE

GATE INFORMATION	
DISTANCE FROM STREET:	32'-6"
PIER HEIGHT:	4'-3"
GATE HEIGHT:	3'-10"
NOTES:	3'-4" TO TOP RAIL



2 312 LYNNWOOD BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	50'-0"
PIER HEIGHT:	4'-2"
GATE HEIGHT:	3'-8"
NOTES:	3'-2" TOP RAIL



3 605 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	47'-0"
PIER HEIGHT:	4'-0"
GATE HEIGHT:	4'-0"
NOTES:	2'-9" TO TOP OF ADJACENT BRICK PIER



4 709 WESTVIEW AVENUE

GATE INFORMATION	
DISTANCE FROM STREET:	43'-6"
PIER HEIGHT:	6'-8"
GATE HEIGHT:	3'-4"
NOTES:	PIER HEIGHT TAKEN AT WALL END PIER, NOT ADJACENT TO GATE



5 4410 WARNER PLACE

GATE INFORMATION	
DISTANCE FROM STREET:	21'-0"
PIER HEIGHT:	3'-5"
GATE HEIGHT:	3'-8"
NOTES:	3'-0" TO TOP RAIL



6 4303 HARDING PLACE

GATE INFORMATION	
DISTANCE FROM STREET:	38'-6"
PIER HEIGHT:	4'-0"
GATE HEIGHT:	3'-0"
NOTES:	NO REMARK



7 4414 TYNE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	28'-6"
PIER HEIGHT:	3'-8"
GATE HEIGHT:	3'-7"
NOTES:	3'-1" TO TOP RAIL



8 922 BELLE MEADE BOULEVARD

GATE INFORMATION	
DISTANCE FROM STREET:	30'-0"
PIER HEIGHT:	4'-2"
GATE HEIGHT:	4'-8"
NOTES:	4'-0" TO TOP RAIL

(5) EXISTING GATE PRECEDENTS BELOW
4' - 0" WITHIN THE CITY OF BELLE MEADE

Staff Report

Agenda No.: IV.3.
Case No.: BZA 2023-4
Staff: Mary Samaniego, Planning Director
Applicant: Jim Nantz
Request: Special Exception for gate and fence height for vehicular gate and wall in front yard
Location: 1109 Belle Meade Boulevard

Summary:

The property owner is requesting a Special Exception approval for the construction of two vehicular gates and a corresponding wall in the front yard on the subject property. The wall will be an average of 3' in height, the gates will be 5' in height, and the pier caps on either side of each gate will be 6'7" in height. The property owner received approval for a similar wall and gate in January and February 2022 by the BZA. The applicant did not apply for a building permit to construct the project after her February 2022 approval. Per Section 14-206(3)(ii): *Any order of the board of zoning appeals directing or authorizing the issuance of such permit shall expire and become ineffective at the end of one (1) year after its issuance, or at the end of one (1) year after September 1, 1997, in the case of orders issued by the board of zoning appeals prior to September 1, 1997, which time may be extended by the city building official for reasonable cause.*

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 0.86 acres (37,443 square feet) and is located within the Residence "A" zoning district.
2. The maximum allowed driveway area in the front yard is 3,160 square feet and there is 4,067 square feet of driveway area existing. The front parking area is comprised of a one-way circular driveway with two driveways accessing Belle Meade Boulevard.
3. The maximum allowed driveway area for the entire property is 4,293 square feet and there is 5,584 square feet of driveway area existing.
4. The existing house was constructed in 1929 and was originally used as a post office.
5. Per Section 14-204(1)(g) of the Zoning Ordinance, a fence or wall less than three feet (3') in height may be constructed at any location on a lot. Also, a fence or wall not more than six feet (6') in height with posts or columns that extend up to, but not more than, eight inches (8") above the fence may be located on the lot adjoining a rear lot line, or extending from a side lot line parallel to the street to the rear corner of the dwelling on the premises.

6. The property owner is proposing a wall will be an average of 3' in height, the gates will be 5' in height, and the pier caps on either side of each gate will be 6'7" in height adjacent to the front property line along Belle Meade Boulevard.

Staff Recommendations and Findings of Fact:

The standards of proof required for each individual Special Exception are established in the Zoning Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for special exceptions in the following findings of fact for the particular use and/or structure per Section 14-206(3)(c)(iii)(C): Fences and walls which do not conform to the requirements, as to height or location, of § 14-204(l)(g) and/or other accessory buildings or uses listed and/or described elsewhere in this chapter (collectively, the 'proposed use'); provided that the board shall determine that:

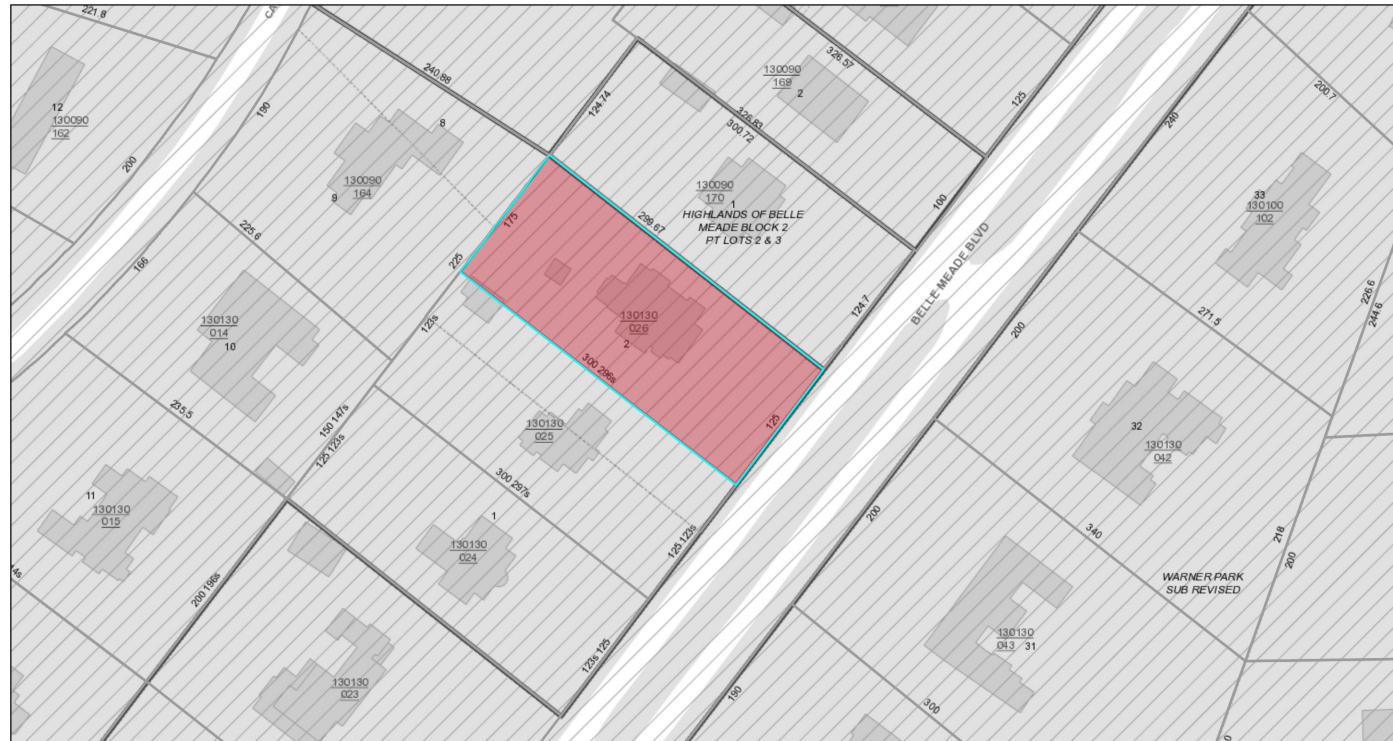
- (1) The proposed use will not be out of harmony with the existing development in the neighborhood and is so designed and located that the public health, safety and welfare will be protected; *The property owner has submitted an exhibit as part of their application packet that illustrates eight (8) properties along Belle Meade Boulevard and thirty-two (32) other properties within the City that have vehicular access gates with associated low front walls. (see application)*
- (2) The granting of this special exception will not adversely impact abutting properties, including those located across street frontages, or other properties in the immediate area; *The proposed walls are 15' and the gates are 27' from the edge of pavement of Belle Meade Boulevard. This overall 15' of driveway within the right-of-way outside of the proposed wall and gate areas should provide adequate sight distance for adjoining property owners to safely enter and exit their properties, in staff's professional opinion. (see staff analysis in exhibits)*
- (3) The physical characteristics of the proposed use or structure are architecturally compatible with other properties in the area, including building orientation, landscaping, drainage, access and circulation, bulk, height, scale and other like features; *Upon review of the applicant's submittal, the proposal appears to be following an existing pattern of low walls connecting the gates that does not visually obstruct the view of the residence from the street. Beyond the combination of walls and driveway access gates, the presence of low stone walls is a historic and cultural element that is an identifier for Belle Meade.*
- (4) The proposed use will be carried out under such conditions and safeguards as the board may direct to protect the character of the community. *Per City Code and the anticipated cost of construction, this project will require a City building permit with associated inspections. The inspections will ensure compliance with the Special Exception as approved.*

Staff recommends approving the special exception request based on the findings of fact.

Attachments:

1. Location Map

Nashville / Davidson County Parcel Viewer 1109 Belle Meade Boulevard



September 18, 2023

- Override 1
- graphicsLayer2
- Zoning
- Urban Design Overlay
- Planned Unit Development

1:1,128

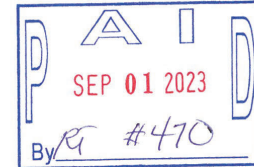
0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

Metro GIS

Made by: Metro GIS



CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



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

APPEAL # BZA 2023-6

APPEAL FEE: 600.00

APPLICANT (Owner's Name) Eric & Kate Schneider PHONE # 870-557-0378

APPLICANT EMAIL ADDRESS gavin@dukedesigngroup.com

PROPERTY ADDRESS: 4304 Iroquois Avenue

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☒ CONDITIONAL USE ☒

REASON FOR APPEAL – Be Specific Required by Belle Meade regulations to apply for pool

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

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

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

LOT SQ. FT: { 40,488.62 }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%	4,858.63 SF	0 SF	4,729.33 SF	+ 4,729.33 SF	0%
ESTATE A 8%					

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

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

DRIVEWAY 12%	4,858.63 SF	810.89 SF	4,823.53 SF	+ 4,012.64 SF	0%
DRIVEWAY IN FRONT YARD 22%	3,396.51 SF	810.89 SF	3,126.99 SF	+ 2,316.10	0%
FRONT YARD SQ. FT.	15,438.66 SF				

HARDSCAPE 8% OF LOT	3,239.09 SF	0 SF	2,032.01 SF	+2,032.01 SF	0%
HARDSCAPE + POOL 8%	3,239.09 SF	0 SF	2,627.01 SF	+ 2,627.01 SF	0%
POOL 2% OF LOT TOTAL	809.77 SF	0 SF	595 SF	+ 595 SF	0%
***ACCESSORY AREA	6,073.29 SF	0 SF	2,627.01 SF	+ 2,627.01 SF	0%

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

City of Belle Meade
 Application for Board of Zoning Appeals
 Page Two

Complete Check List

- ☐ Plot plan 1 inch = 30 feet "Show Magnetic North" ☐ Show proposed structure shaded with setbacks (building envelope)
☐ Show neighbor's house & measurements to it ☐ Show all detached structures with elevations
☐ Landscape design ☐ Survey of lot, lot square feet with contours, average natural grade
☐ Building envelope *highlighted* ☐ Show all elevations, existing grade, finished grade, FFE's
☐ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
☐ Submittal, along with appeal fee the first Friday the month prior to the month of the scheduled hearing date.
- *MANDATORY – Clearly highlight the areas that will be discussed in a bright color on the plans. INITIAL MGD

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

Required by Belle Meade regulations to apply for pool

Is the request for a variance the result of a self-induced hardship by the applicant?

No.

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

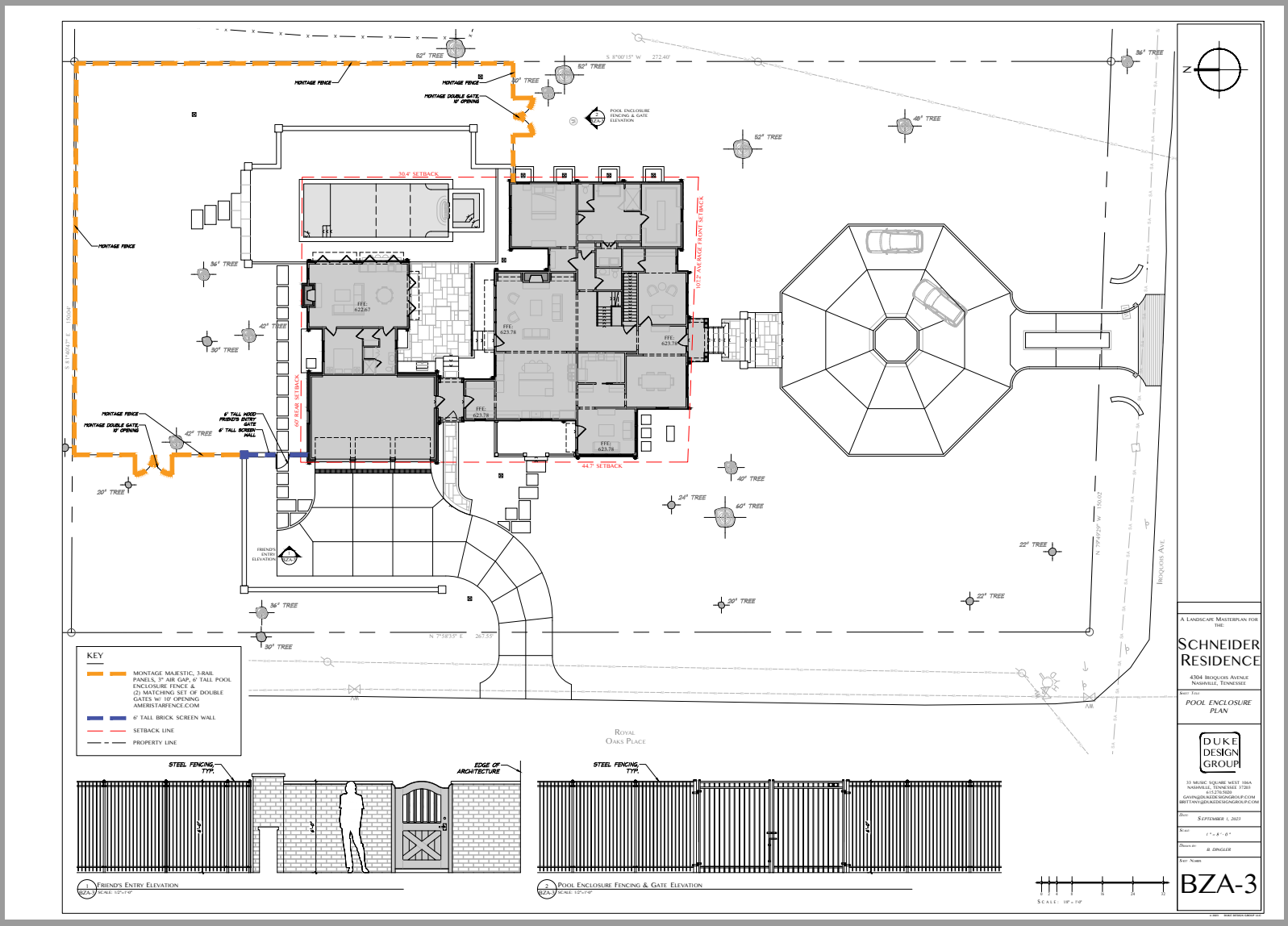
SIGNATURE: Gavin Duke (Owner/Agent) DATE: 09/01/23

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

BZA meets the third Tuesday of each month @ 5:00 p.m.

Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.





Staff Report

Agenda No.: IV.4.
Case No.: BZA 2023-6
Staff: Mary Samaniego, Planning Director
Applicant: Eric & Kate Schneider
Request: Conditional Use approval for a Swimming Pool
Location: 4304 Iroquois Avenue

Summary:

The applicant on behalf of the property owners is requesting a Conditional Use approval for the construction of a swimming pool on the subject property. The property owners have obtained Historic Zoning Commission approval for a new dwelling however building permits have not been issued. The property is currently vacant.

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 0.93 acres (40,489 square feet).
2. The building envelope was established at the November 2022 Municipal Planning Commission meeting. The proposed swimming pool is entirely within this established building envelope per Zoning Ordinance requirement.
3. The proposed dwelling on the property was approved by the Historic Zoning Commission in June 2023.
4. 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 809 square feet.
5. The proposed area of the water in the swimming pool is 595 square feet.
6. 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 3,239 square feet.
7. The proposed area of the hardscape including the pool is 2,627 square feet.
8. Throughout the pool and associated patio area, there is an average of 2' grade change.
9. The proposed pool is entirely within the established building envelope (see attached Staff Analysis of Site Plan).

Findings of Fact and Staff Recommendation:

The standards of proof required for each individual Conditional Use are established in the Zoning

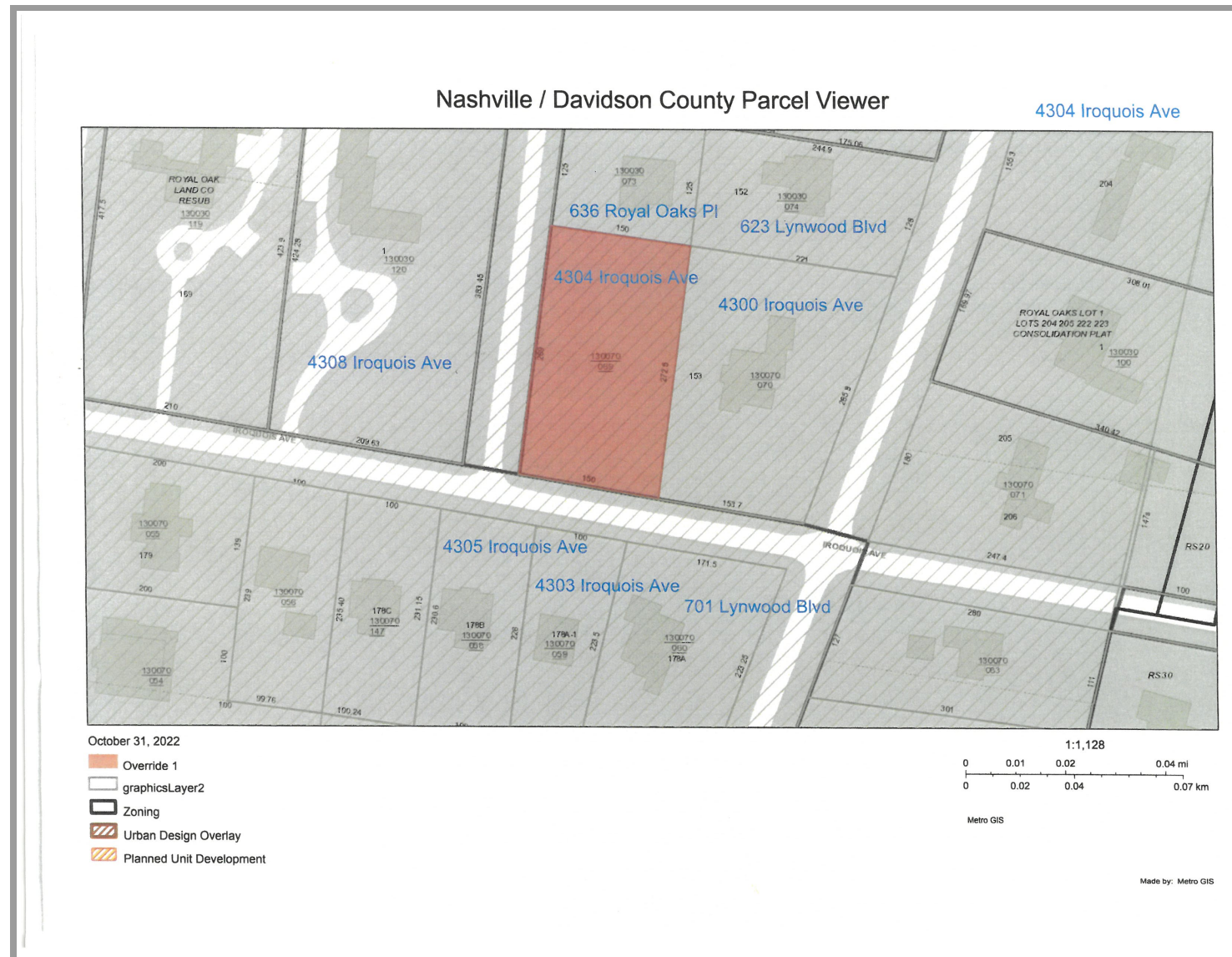
Ordinance. The Board of Zoning Appeals shall have power and authority to authorize the issuance of permits for Conditional Use in the following findings of fact for the particular use and/or structure per Section 14-202(1)(c):

1. such conditions and safeguards (specifically including, but not limited to, provisions for vegetative screening and/or lighting) as the board may require to protect the character of the community;
Sheet BZA-4 of the applicants' submittal indicates landscaping along the property lines adjacent to the pool that will serve as a visual buffer for adjoining property owners. Similarly, when the building envelope was approved by the Planning Commission a condition was added that landscaping is required along Royal Oaks Place and the rear (north) property line.
2. a finding by the board that the same will not interfere substantially with the use and enjoyment of adjacent property by its owners and occupants; and,
It is staff's professional opinion that the criteria established within the Zoning Ordinance for the creation of building envelopes and subsequent requirement for pools to be placed within said building envelope adequately provides for substantial use and enjoyment of the adjoining property owners.
3. the approval by the board of the size, dimensions and location of the same, the following may be constructed or erected within the building envelope:
 (D) Swimming pools, together with all mechanical equipment necessary to the operation of the same; provided that:
 - (1) Every swimming pool shall be completely enclosed, either by the structural wall or walls of the dwelling to which it is an accessory, or by a fence or wall, not less than six feet (6') in height above the exterior adjoining grade, of the type required by the latest edition of the International Residential Code for one (1) and two (2) family dwellings which has been adopted by the City of Belle Meade.
 - (2) Any opening in said enclosure shall be capable of being closed with lock and key and shall be kept so secured at all times, except when attended by the owner of the property or his authorized representative.
 - (3) All pool lighting shall be located within the pool itself or no more than twenty-four inches (24") above ground level around the pool.*The property owner/applicant is required to illustrate compliance with this standard on the site plan and associated application at the time of building permitting.*

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

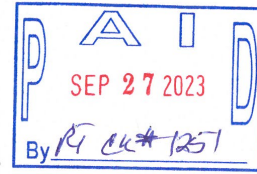
Attachments:

1. Location Map
2. Staff Analysis of Site Plan





CITY OF BELLE MEADE
APPLICATION FOR BOARD OF ZONING APPEALS



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

APPEAL # BZA 2023-8

APPEAL FEE: \$900

APPLICANT (Owner's Name) Trut & Jordan Edwards PHONE # _____

APPLICANT EMAIL ADDRESS gavin@dukedesigngroup.com

PROPERTY ADDRESS: 4400 Iroquois Ave

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☒ CONDITIONAL USE ☐

REASON FOR APPEAL – Be Specific We are requesting a variance for a pool as well as a variance for retaining walls over 3' in height.

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

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

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

LOT SQ. FT: { 74,514.03 sf }	ALLOWABLE	EXISTING	TOTAL CHANGE	NET CHANGE +/-	% OVER
FOOTPRINT 12%	8,941.68 sf	2,287.18 sf	6,992.67 sf	+4,705.49 sf	0%
ESTATE A 8%					

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

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

DRIVEWAY 12%	8,941.68 sf	4,409.73 sf	8,901.03 sf	+449.13 sf	0%
DRIVEWAY IN FRONT YARD 22%	5,654.25 sf	4,409.73 sf	4,887.56 sf	+477.83 sf	0%
FRONT YARD SQ. FT.	25,701.14 sf				

HARDSCAPE 8% OF LOT	5,961.12 sf	675.73 sf	4,729.87 sf	+4,054.14 sf	0%
HARDSCAPE + POOL 8%	5,961.12 sf	675.73 sf	5,873.87 sf	+5,198.14 sf	0%
POOL 2% OF LOT TOTAL	1,490.28 sf	0 sf	1,144 sf	+1,144 sf	0%
***ACCESSORY AREA	11,177.10 sf	675.73 sf	6,041.87 sf	+5,366.14 sf	0%

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

Continued on the next page



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Page Two

Complete Check List

- ☐ Plot plan 1 inch = 30 feet "Show Magnetic North"
- ☐ Show neighbor's house & measurements to it
- ☐ Landscape design
- ☐ Building envelope *highlighted*
- ☐ Highlight coverages in grade change (Inside building envelope 6% of the lot up to 48 inches), (Outside building envelope 4% of lot up to 36 inches), (20 ft. off property line up to 24 inches). Does not include grade changes needed for the foundation.
- ☐ Submittal, along with appeal fee **15 days** prior to the third Tuesday of the month.
- ☐ Show proposed structure shaded with setbacks (building envelope)
- ☐ Show all detached structures with elevations
- ☐ Survey of lot, lot square feet with contours, average natural grade
- ☐ Show all elevations, existing grade, finished grade, FFE's

***MANDATORY** – Clearly highlight the areas that will be discussed in a bright color on the plans. **INITIAL** MGD

What special circumstances or conditions, applying to the building or land in question, are peculiar to such building or land, and do not apply generally to other buildings or land in the vicinity (including size, shape, topography, location or surroundings, trees?)

This corner lot has 41 feet of elevation change across its entirety. There are also numerous significant trees

we are saving with the construction of taller than 3 feet retaining walls.

Was the condition from which relief is sought a result of action by the applicant? (i.e., self-imposed hardship such as: converted existing garage to living space and now seeking a variance to construct a new garage in a required setback?)

No.

How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

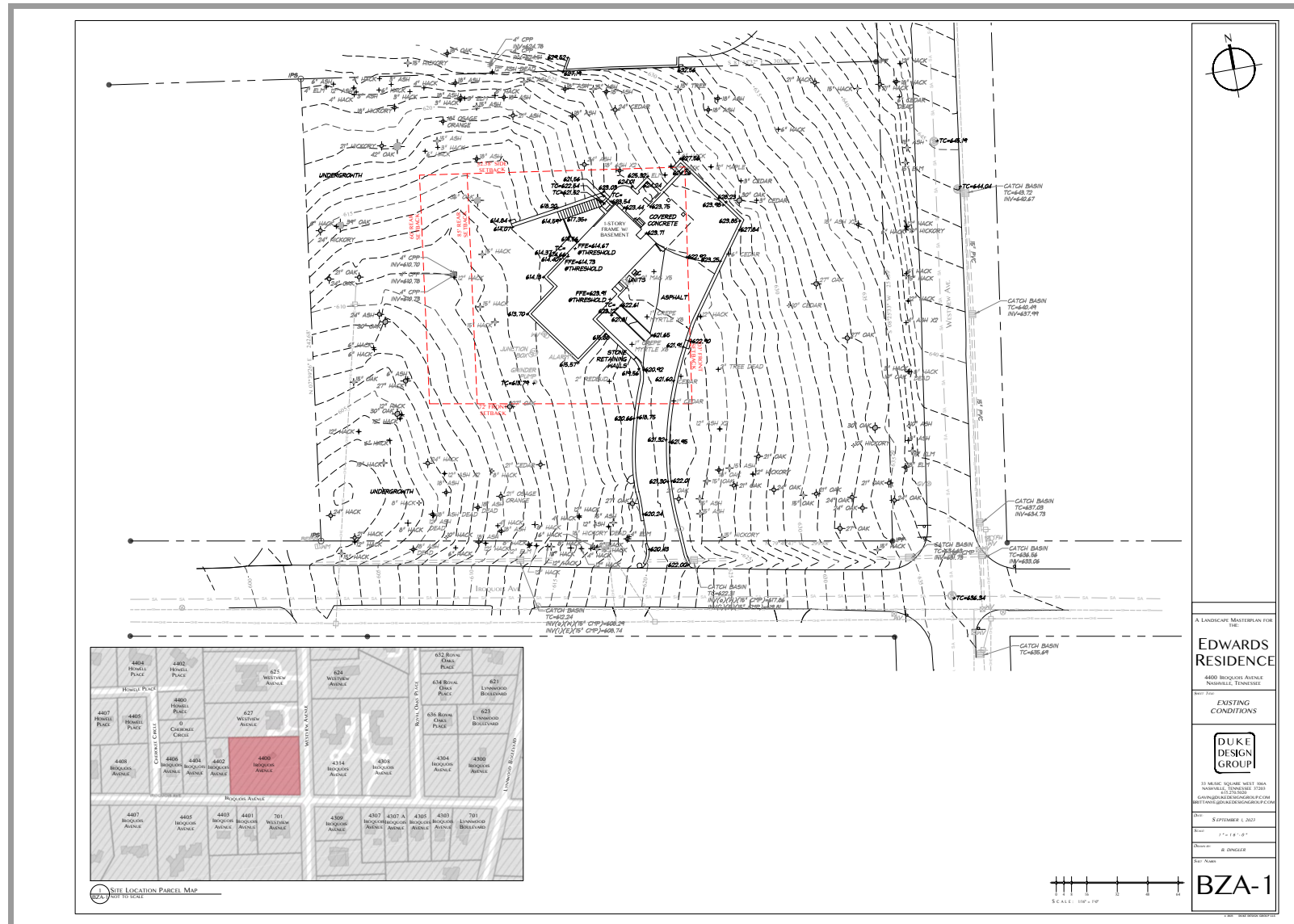
By allowing these taller retaining walls, we are preserving as many large trees on the lot

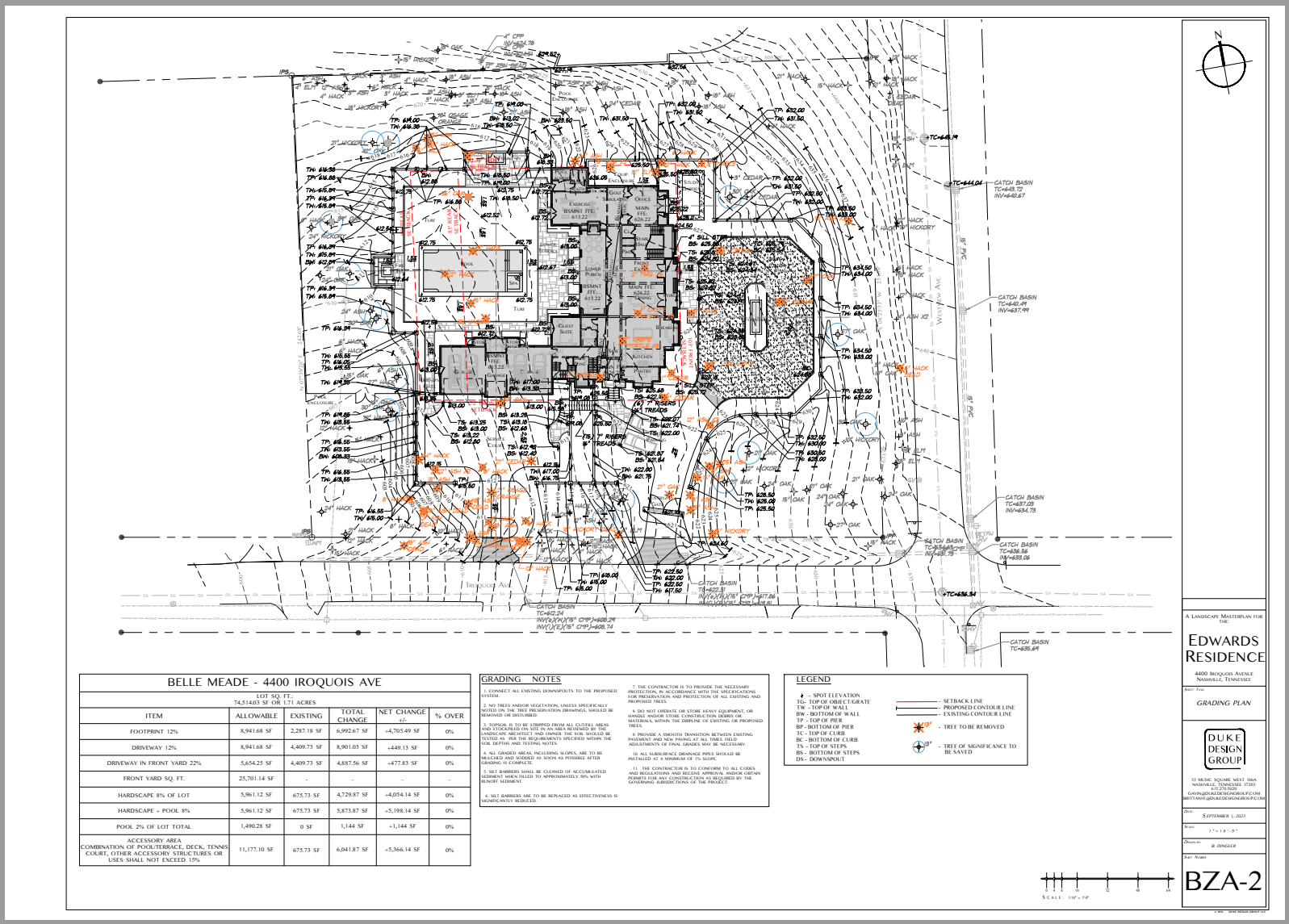
as feasible with a new house, thus preserving the character and nature of the neighborhood.

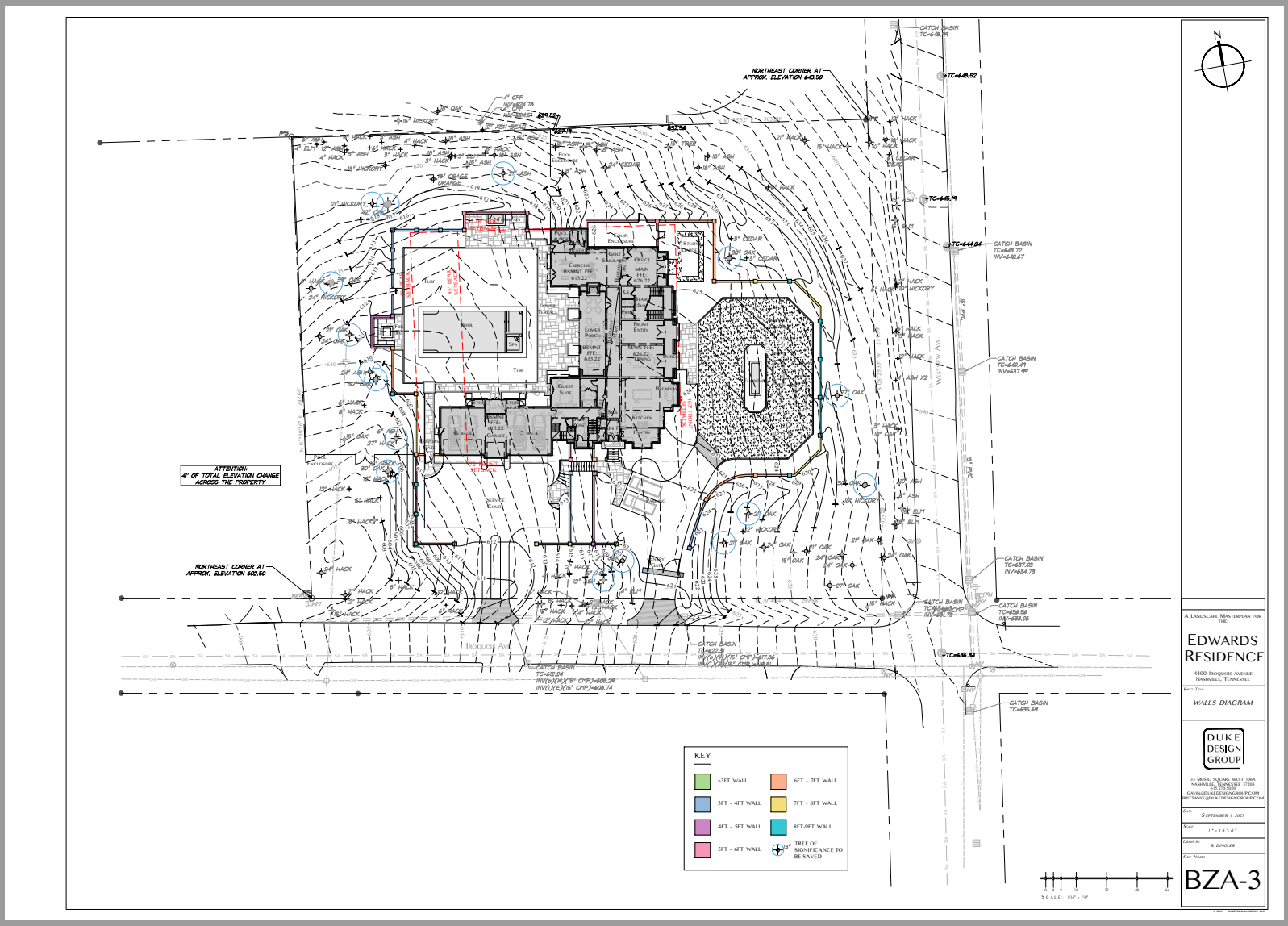
SIGNATURE: Gavin Duke (Owner/Agent) **DATE:** 09/01/2023

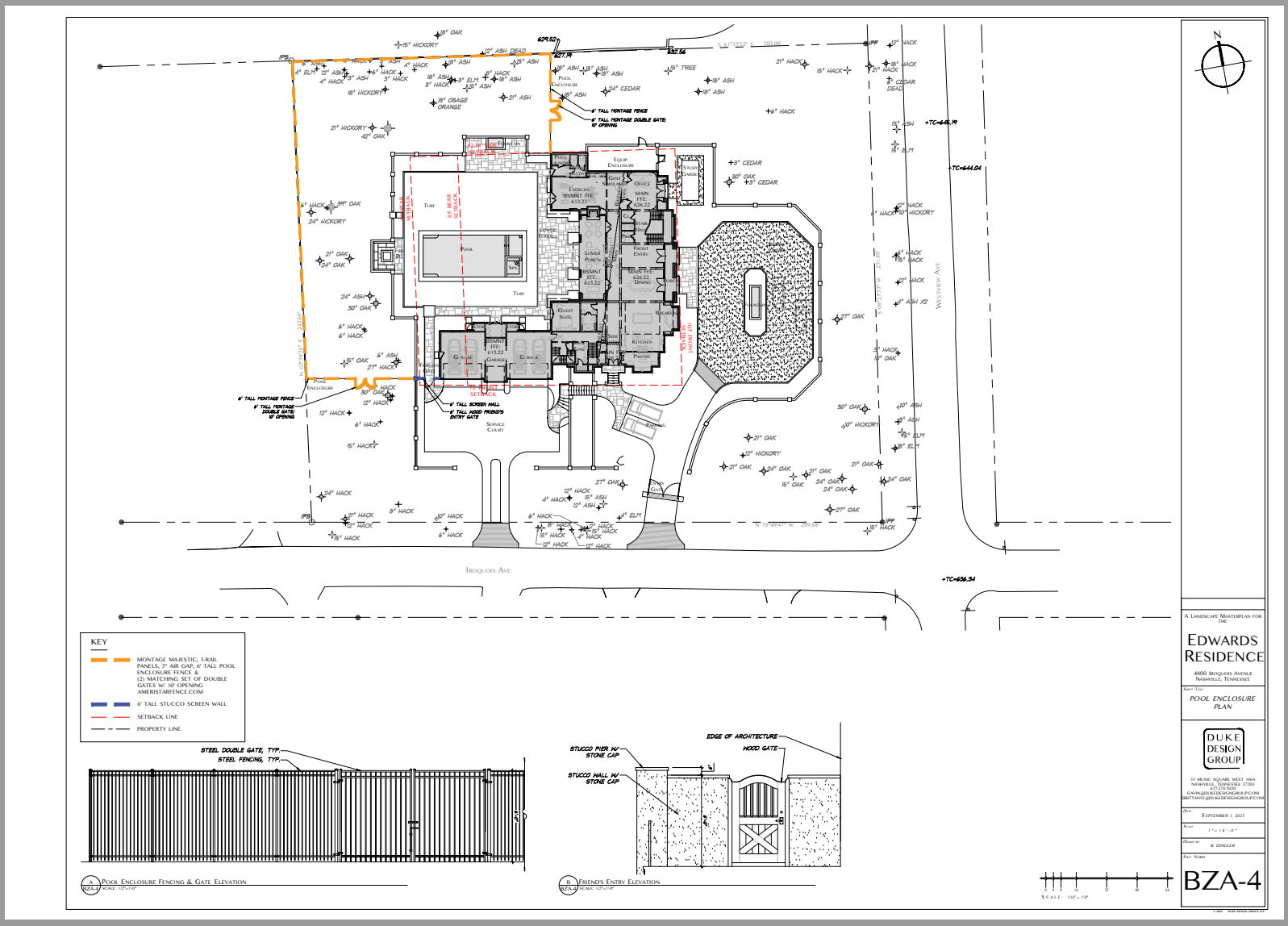
Submit all information, plans & application via email PDF to: lpatterson@citybellemeade.org

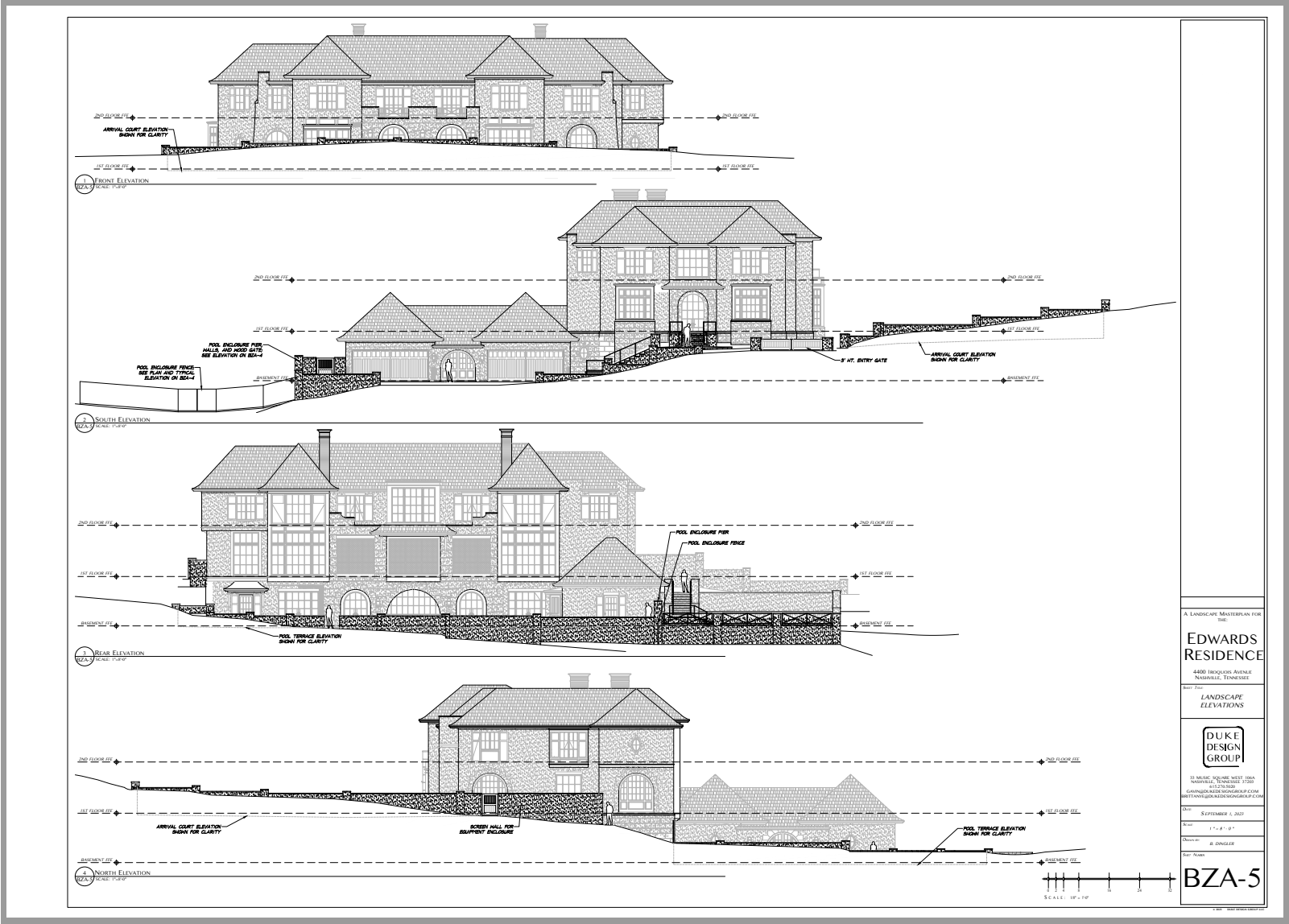
**BZA meets the third Tuesday of each month @ 5:00 p.m.
Cut off for submittal is 15 days prior by 12:00 p.m., no exceptions.**













Staff Report

Agenda No.: IV.5
Case No.: BZA 2023-8
Staff: Mary Samaniego, Planning Director
Applicant: Trut and Jordan Edwards
Request: Conditional Use approval for a swimming pool and a Variance approval for a retaining wall over 3' in height
Location: 4400 Iroquois Avenue

Summary:

The applicant on behalf of the property owners is requesting a Conditional Use approval for the construction of a swimming pool as well as a Variance for a related retaining wall over 3' in height. The existing single-family dwelling, historically known as the Frank and Elaine Parker House, was constructed in 1951.

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 1.71 acres (74,514 square feet).
2. The existing dwelling was approved for demolition at the December 2022 Historic Zoning Commission meeting. The new dwelling design will be heard for approval by the Historic Zoning Commission in November 2023.
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 1,490 square feet.
4. The proposed area of the water in the swimming pool is 1,144 square feet.
5. 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 5,961 square feet.
6. The proposed area of the hardscape including the pool is 5,873 square feet.
7. The proposed swimming pool is inside the established building envelope (see attached Staff Analysis of Site Plan).
8. Per Section 14-204(1)(g) of the Zoning Ordinance, multiple retaining walls which alter the average existing grade in excess of three feet (3') will be treated as a single wall and may only be constructed with the approval of the Board of Zoning Appeals.
9. The proposed retaining walls range in height from 9' to less than 3'.

10. The lot has 41' elevation change from the northeast corner at 643' falling to the southwest at 602'.
11. There is a significant number of mature trees throughout the property (see aerial photograph and applicant submit Sheet BZA-1).

Findings of Fact and Staff Recommendation:

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

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

The property owner/applicant is required to illustrate compliance with this standard on the site plan and associated application at the time of building permitting. The pool is illustrated to be completely within a 6' high fence that follows the placement criteria found in Zoning Ordinance Section 14-204(1)(g).

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:

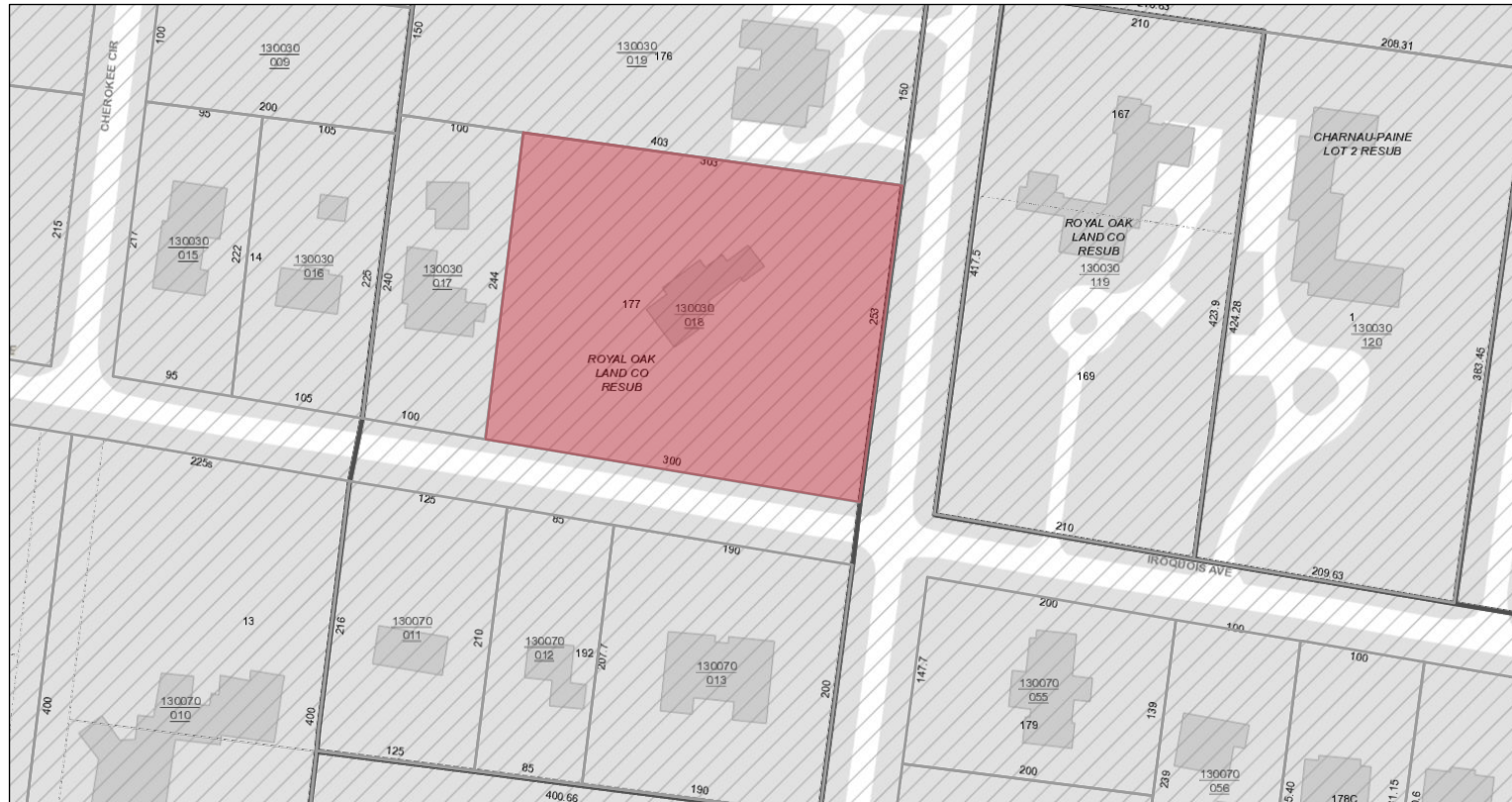
1. The variance shall be granted that will not be a detriment to the public good;
The applicant is proposing to follow the existing topographic contours for the proposed construction while at the same time creating level development areas (see application site plan).
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and
It is staff's professional opinion that the requirement for retaining wall height is to limit mass grading and elevation changes within a given site. The City of Belle Meade enjoys varying topography that contributes to the City identity. While the applicant is proposing an increase in retaining wall heights, the overall development will be placed on the lot in continuity with the existing topography.
3. The resulting home will not be out of harmony with the other homes in the neighborhood.
Upon review of the application site plan, it is evident that most of the retaining wall height will be observed from within the site. From Iroquois Avenue and Westview Avenue, the general public, and adjoining property owners will see low sections to the retaining walls that actually average to be approximately 3' in height. The most significant wall height will be observed from the rear of the property at 7' at the highest point. However, there are a significant amount of tree proposed to be retained between the retaining wall and adjoining property to the south that will serve as a visual buffer.

Staff recommends approval of the Conditional Use and Variance request based on the written findings of fact.

Attachments:

1. Location Map and Aerial Map
2. Staff Analysis of Site Plan

Nashville / Davidson County Parcel Viewer



November 29, 2022

- Override 1
- graphicsLayer2
- Zoning
- Urban Design Overlay
- Planned Unit Development

1:1,128

0 0.01 0.02 0.04 mi
0 0.02 0.04 0.07 km

Metro GIS

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