



**CITY OF BELLE MEADE  
BOARD OF ZONING APPEALS  
REGULAR MEETING AGENDA PACKET  
DECEMBER 19, 2023, 05:00 PM**



**AGENDA BOARD OF ZONING APPEALS  
REGULAR MEETING  
DECEMBER 19, 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](http://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 November 21, 2023.

Attachment: [BZA Minutes Nov 21 2023.pdf](#)

**III. Old Business: None Scheduled**

**IV. New Business**

**A. The application of David Buttrey, BZA 2023-10, 307 Walnut Drive, for two Variances for a fence over 6' in height and building a fence in an alternative location.**

Attachment: [APPLICATION PAID.pdf](#)

Attachment: [2023\\_10\\_16\\_Walnut\\_Backyard\\_Designs\\_v2024\\_for\\_submission.pdf](#)

Attachment: [307\\_Walnut\\_Drive\\_-\\_Fence\\_for\\_Bathroom\\_Changing\\_Room\\_Window\\_Covering.pdf](#)

Attachment: [PHOTOS.pdf](#)

Attachment: [STAFF\\_REPORT\\_307\\_WALNUT\\_DR.pdf](#)

**B. The application of Belle Meade Historic Site and Winery, BZA 2023-11, 5025 Harding Pike, for Conditional Use approval for a new assembly use within the carriage house loft.**

Attachment: [APPLICATION PAID.pdf](#)

Attachment: [5025\\_Harding\\_Pike\\_Permit\\_6289.pdf](#)

Attachment: [STAFF\\_REPORT\\_Historic\\_Site.pdf](#)

**C. The application of Neely and Katie Coble, BZA 2023-12, 208 Paddock Lane, for three Variances for an addition that exceeds the maximum allowable building footprint, maximum allowable building area, and rear yard setback.**

Attachment: [APPLICATION PAID.pdf](#)

Attachment: [208\\_Paddock\\_Ln.BZA\\_Review.110123.pdf](#)

Attachment: [208\\_Paddock\\_Ln.BZA\\_presentation\\_photos.pdf](#)

Attachment: [Min-BZA-07212015.pdf](#)

Attachment: [STAFF\\_REPORT\\_208\\_Paddock\\_Ln.pdf](#)

**D. The application of Richard and Virginia Fitzgerald, BZA 2023-13, 1111**



**Belle Meade Boulevard, for one Special Exception to build a fence in an alternative location.**

Attachment: [APPLICATION PAID.pdf](#)

Attachment: [Fitzgerald BZA Submittal 11-03-2023.pdf](#)

Attachment: [STAFF REPORT 1111 BMB.pdf](#)

**E.The application of Amy & Richard Hammett BZA 2023-14, 1106 Nichol Lane, for Conditional Use for a swimming pool and a Variance for a fence in an alternative location.**

Attachment: [APPLICATION PAID.pdf](#)

Attachment: [2023.12.05 Revised Hammett Submittal Package.pdf](#)

Attachment: [STAFF REPORT FOR 1106 Nichol Lane.pdf](#)

**V.Other Business: None Scheduled**

**VI.Adjourn**

**The next regularly scheduled meeting of the Board of Zoning Appeals will be held January 16, 2024, 5:00 P.M. at Belle Meade City Hall, 4705 Harding Pike, Nashville, TN**



**MINUTES**  
**BOARD OF ZONING APPEALS – REGULAR MEETING**  
**NOVEMBER 21, 2023, 5:00 PM**  
**BELLE MEADE CITY HALL, 4705 HARDING PIKE**

**Call to Order**

The meeting was called to order by Chairman Joe Dughman at 5:25 p.m.

**Board Members Present**

Chairman Joe Dughman  
Vice Chairman Pete Zabaski  
Erick Clifford  
Ron Farris  
Johnny Phipps

**Staff Present**

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

**Approval of Minutes**

Consideration of the minutes of the Board of Zoning Appeals held October 17, 2023.

Following his review of the process for the evening Chairman Dughman inquired of the board members if there were any conflicts of interest, Phipps stated he would recuse himself from the application for 216 Jackson Boulevard.

**Motion to approve: Clifford Second: Farris Vote: All aye**

**Old Business**

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

This application was administratively withdrawn

**New Business**

The application of 216 Jackson Trust, BZA 2023-9, 216 Jackson Boulevard, for three Variances for a retaining wall over 3' in height, to increase the 12% maximum driveway coverage, and to build a fence in an alternative location. Ben Page, Landscape Architect Page Landscape, representing the owners, reviewed the application and submitted materials, explaining the need for the request to change the driveway. Page noted that the drive as it exists offers no way for an automobile to turn around, and backing out of the drive is extremely dangerous. Page added that the new driveway will reduce

impervious surface on the property by 200 square feet.

Page also explained the need for the variance for a fenced area in the rear of the property.

Questions from the board, answered by Page, followed the presentation.

**Public Comment Opened**

**No Public Comment**

**Public Comment Closed**

**Motion to approve:** Zabaski      **Second:** Farris      **Vote Aye:**  
Farris, Clifford, Zabaski, Dughman, Phipps recused

**Other Business: None Scheduled**

**The meeting adjourned at 5:41 p.m.**

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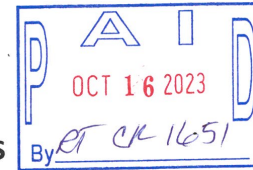
Chairman Joe Dughman

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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:

APPEAL # 2023-10

APPEAL FEE: \$300.00

APPLICANT (Owner's Name) David Buttrey

PHONE # 615 430 7562

APPLICANT EMAIL ADDRESS david@dtbadvisors.com

PROPERTY ADDRESS: 307 Walnut Drive, Nashville, TN 37205

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☒ CONDITIONAL USE ☐

**REASON FOR APPEAL – Be Specific** Bathroom window height on south side of house at at 3' and 5' from the ground level.

A 6' or 8' fence prevents yard maintenance workers from next door at 309 and at 307 from looking into the bathroom,  
changing room, and bathtub at 307 Walnut Drive.

**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: { } | 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  |  |  |  |  |  |
|----------------------|--|--|--|--|--|
| HARDSCAPE + POOL 8%  |  |  |  |  |  |
| POOL 2% OF LOT TOTAL |  |  |  |  |  |
| ***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?)

Bathroom window height on south side of house is at 3' and 5' from ground level. A 6' or 8' fence prevents yard maintenance workers from next door at 309 or 307 from looking directly into the bathroom, changing room, and bathtub at 307 Walnut Drive

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

Yes, as the fence partition is already constructed

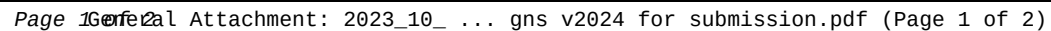
How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

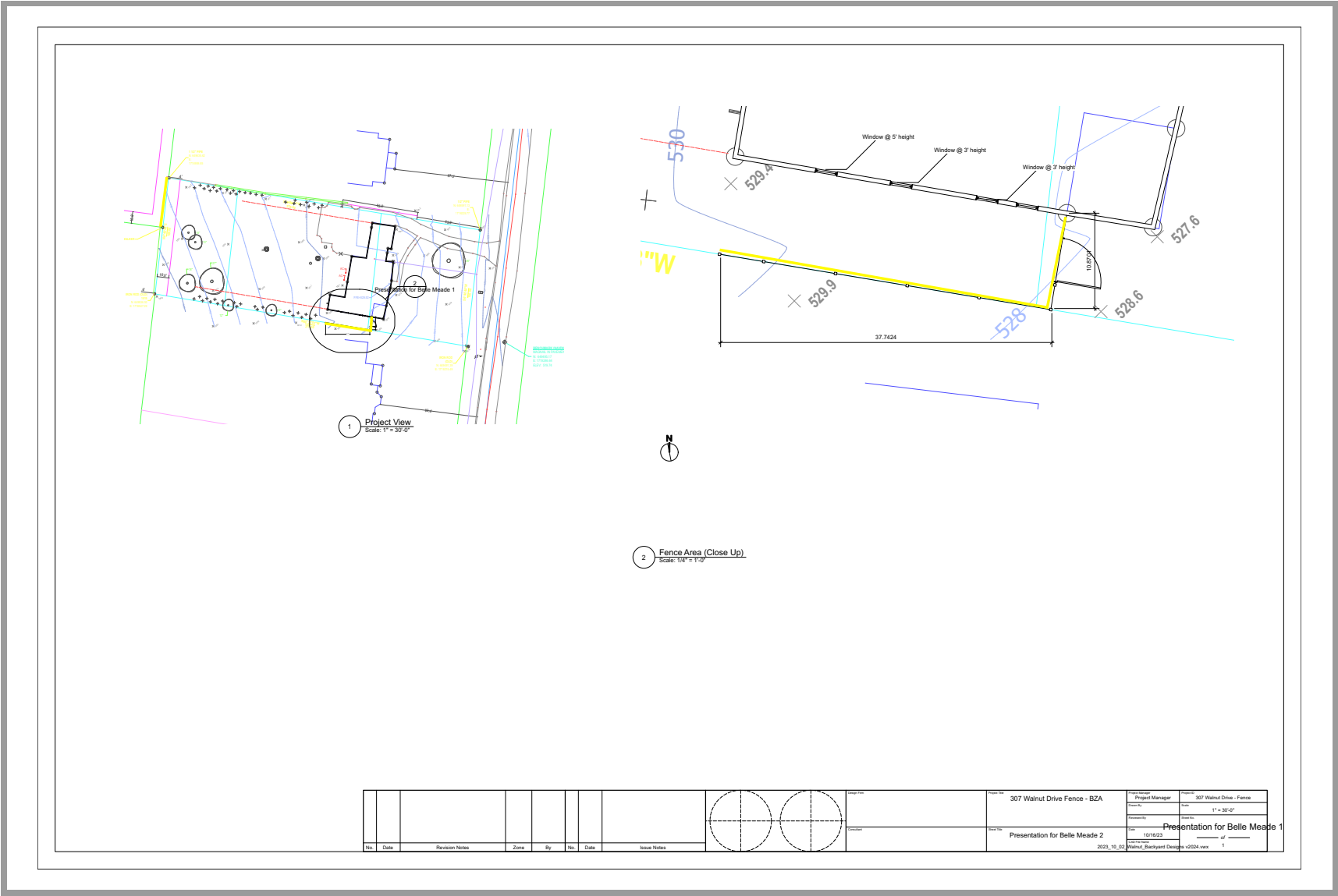
Right to privacy on home property

**SIGNATURE:** DTB (Owner/Agent) **DATE:** Oct 16, 2023

**Submit all information, plans & application via email PDF to:** [inspector@citybellemead.org](mailto: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.A.  
Case No.: BZA 2023-10  
Staff: Mary Samaniego, Planning Director  
Applicant: David Buttrey  
Request: Variances for a fence over 6' in height and in an alternative location.  
Location: 307 Walnut Drive

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#### Summary:

The applicant/property owner is requesting a Variance for an 8' high fence in an alternative location (side yard). The fence was constructed in early 2023 and is currently under Code violation.

#### 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 0.62 acres (26,967 square feet).
2. 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.
3. There are several large well-established trees on the side yards and rear yard of the property that are proposed to be maintained.

#### 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 constructed a fence that begins at the side of the existing residence. Section 14-204(1)(g) of the Zoning Ordinance requires that fences over 3' in height are prohibited in the side yards. The constructed 8' high fence is in the side yard in close proximity to the front yard.*
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and

*The constructed fence does not comply with the fence placement line as required. The intent and purpose of the fence provision, in staff's professional opinion, is to ensure that fences are placed in the rear yard as opposed to side yards to allow for greater visibility of front and side yards from the roadways and adjoining properties. The fence placement in the side yard does not meet this intention. The maximum height for any fence or wall within the City of Belle Meade is 6'. There are not any trees or topographic reason why the fence could not have been constructed at 6' in height and from the rear corner of the residence. The applicant is requesting the fence variance to provide a visual buffer to windows within the existing house as viewed from 309 Walnut Drive. There is approximately 11' from the subject residence and the side property line. Staff's professional opinion is that hedges or other forms of landscaping could be planted in this 11' wide side yard that could provide a visual buffer to the residence windows.*

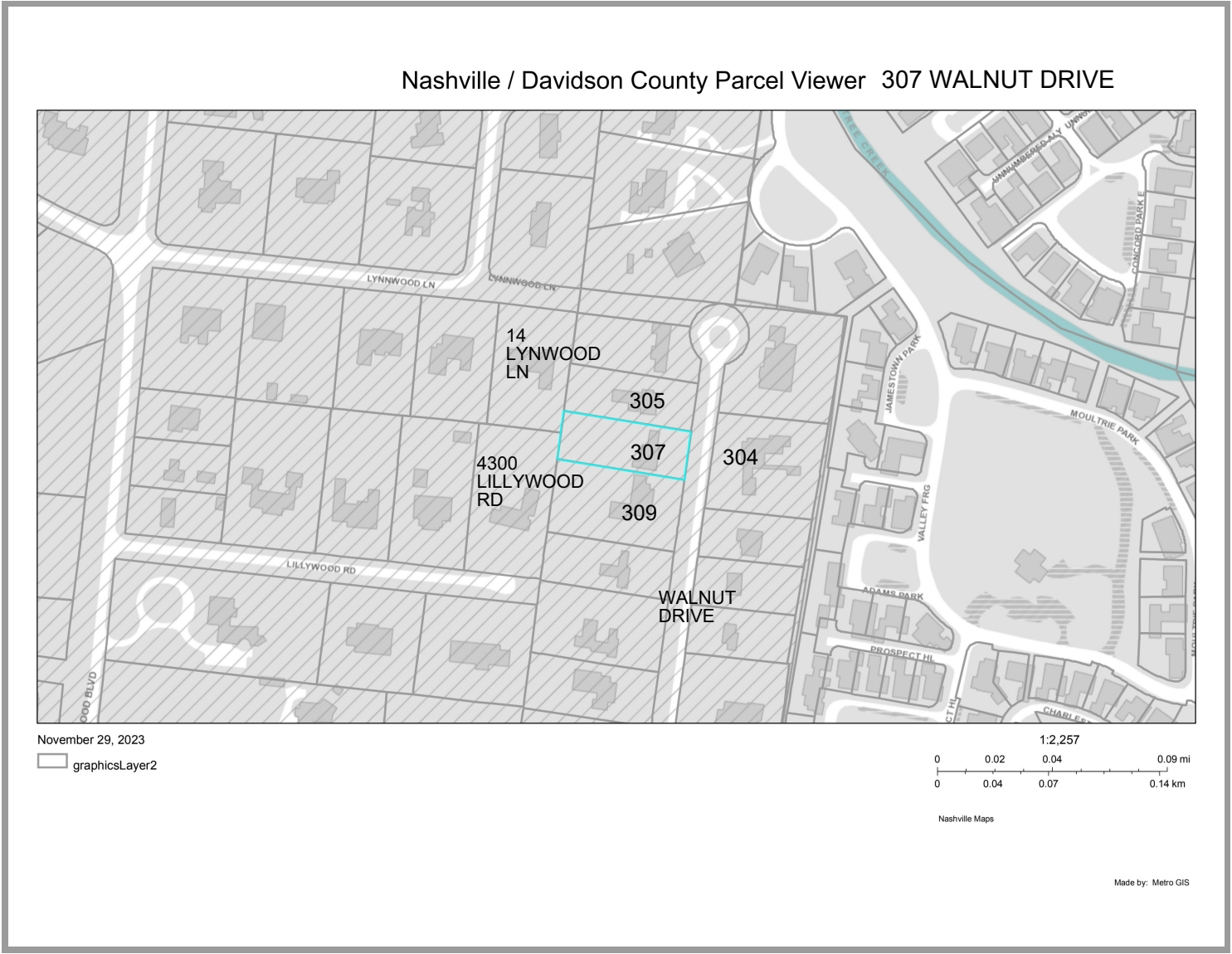
3. *The resulting home will not be out of harmony with the other homes in the neighborhood. The proposed fence was placed on the lot within sight of Walnut Drive and is the subject of a Code violation from a neighbor complaint. Given this information, the impact on surrounding properties when viewing the property from the street is out of harmony in staff's professional opinion.*

**Staff recommends denial of the Variance 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 # 2023-11

APPEAL FEE: \$300.00

APPLICANT (Owner's Name) Belle Meade Historic Site & Winery PHONE # 615-417-4990

APPLICANT EMAIL ADDRESS sheree@visitbelkmeade.com  
Keith@hoodcompanyllc.com

PROPERTY ADDRESS: 5025 Harding Pike

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☐ CONDITIONAL USE ☒

REASON FOR APPEAL – Be Specific Conditional use approval for expansion of use of historic site.

**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: { } | 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  |  |  |  |  |  |
|----------------------|--|--|--|--|--|
| HARDSCAPE + POOL 8%  |  |  |  |  |  |
| POOL 2% OF LOT TOTAL |  |  |  |  |  |
| *** 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?)

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

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

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**SIGNATURE:**

*Loch Hood*

(Owner/Agent)

**DATE:**

*10/26/23*

**Submit all information, plans & application via email PDF to:** [inspector@citybellemead.org](mailto: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.**





**CITY OF BELLE MEADE**  
**BUILDING PERMIT APPLICATION**

**AUG 29 2023**

By *ET CK 983*

PROJECT ADDRESS: 5025 Harding Pike PERMIT # 6289

OWNER NAME (LAST) Belle Meade Historic Site and Winery PHONE # 615-356-0501

CONTRACTOR: The Hood Company, LLC (construction mgr.) PHONE # 615-417-4990

APPLICANT'S E-MAIL ADDRESS: keith@hoodcompanyllc.com

CONTRACTOR LICENSE # 51480 WORKERS COMP. #

**DESCRIBE WORK** Interior renovation of carriage house loft

**CHECK ALL THAT APPLY:** ☐ SINGLE FAMILY ☐ ADDITION ☐ POOL ☐ POOL HOUSE ☐ OTHER  
☒ INTERIOR RENOVATION ☐ EXTERIOR RENOVATION ☐ REPAIR ☐ INTERIOR DEMO ☐ TERRACE ☐ DECK ☐  
☐ POOL ☐ SPA ☐ FENCE ☐ MASONRY WALL ☐ DRIVEWAY ☐ OUTDOOR FIREPLACE

SQUARE FOOTAGE: 2183 ESTIMATED CONSTRUCTION COST: \$982,350

ACTUAL COST: PERMIT FEE: \$4,075.00

**LOT SQUARE FEET:** TAKE TOTAL ACREAGE AND MULTIPLY BY 43,560

|               | ALLOWABLE | EXISTING | NET CHANGE<br>+ OR - | TOTAL WITH<br>CHANGE | % OVER<br>ALLOWABLE |
|---------------|-----------|----------|----------------------|----------------------|---------------------|
| FOOTPRINT 12% |           |          |                      |                      |                     |
| ESTATE A 8%   |           |          |                      |                      |                     |

**F.A.R. x LOT SQ. FT.**

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

LOTS <40,000 x .225

LOTS >40,000 x .196

| FAR TOTALS                                                                                                               |               |         |             |        |  |
|--------------------------------------------------------------------------------------------------------------------------|---------------|---------|-------------|--------|--|
| FIRST FLOOR-                                                                                                             | SECOND FLOOR- | GARAGE- | 5'6" ATTIC- | TOTAL= |  |
| ROOF AREA <6/12 PITCH 30%                                                                                                |               |         |             |        |  |
| DRIVEWAY 12%                                                                                                             |               |         |             |        |  |
| Front yard is figured from front property line to the front building line                                                |               |         |             |        |  |
| DRIVE IN FRONT 22%                                                                                                       |               |         |             |        |  |
| HARDSCAPE + POOL 8%                                                                                                      |               |         |             |        |  |
| *HARDSCAPE INCLUDES PORCHES, TERRACES, SCREENED PORCHES OPEN TO THE ELEMENTS, COVERED HARDSCAPE ALSO COUNTS AS FOOTPRINT |               |         |             |        |  |
| POOL 2% OF LOT                                                                                                           |               |         |             |        |  |
| ACCESSORY AREA 15%                                                                                                       |               |         |             |        |  |
| *COMBINATION OF POOL / TERRACE, DECK, TENNIS COURT AND OTHER ACCESSORY STRUCTURES OR USES, 15%.                          |               |         |             |        |  |

☐ Submit all plans and documents (PDF) to: [inspector@citybellemeade.org](mailto:inspector@citybellemeade.org)

☐ Show proposed structure in shaded area ☐ Show distance from street to each house used to determine front setback.

☐ Show any detached structures with all elevations ☐ Landscape design if needed. ☐ Distance from pool to neighbors.

☐ Survey of lot showing **highlighted** building envelope with lot square footage with contours and average natural grade.

☐ Show all elevations of the structures with contours, average natural grade, existing grade, finish grade and finished floor elevations.

Work Hours: Monday-Friday, 7:00-7:00 Saturday- 8:00-5:00 No work on Sunday or Federal Holidays

**SIGNATURE:** *Keith* (Owner/Agent) **DATE:** 25 Aug 2023

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAW AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION. CONSTRUCTION SHALL BE STRICTLY ACCORDING TO THE PLANS ON FILE WITH THE APPLICATION FOR THE PERMIT. CONSTRUCTION IN ANY WAY AT VARIANCE WITH THE PLANS WILL BE TREATED AS JUSTIFICATION FOR A STOP WORK ORDER, AND \OR ORDER FOR REMOVAL.



**CITY OF BELLE MEADE  
BUILDING PERMIT APPLICATION**

**PERMIT #** 6289

The City of Belle Meade has adopted the 2015 residential code and all inspections will comply with that code.

The Building Official upon notification from the permit holder or his agent shall make or cause to be made any necessary inspections. Inspections must be made with the Building Official during the hours of 8 a.m. and 4 p.m. Monday through Friday. **A MINIMUM OF 24-hour notice is required.**

A grade marker with the average natural grade and finish grade is to be placed on the site before the footings are put in place and remain until the building official is satisfied that all grades are correct. Height of structure shall be checked from average natural grade once the highest rafters are in place.

Stamped approved plans must be on site during the construction and readily accessible to the inspector.

Erosion and sediment control practices, as indicated on City of Belle Meade approved plans, must be in place before construction is started and kept in place until completion of job or until erosion and sediment control measures are met.

Inspections for foundation, foundation walls, slabs, pools, pool slabs, sidewalks and driveways, shall be made after poles or piers are set or trenches or basement areas are excavated, and any required forms erected, and any required reinforcement is in place and prior to the placing of concrete.

Inspections for framing shall be made after the roof, all framing, firestopping, draft stopping, window flashing, bracing, are installed and the plumbing, mechanical and electrical rough inspections are approved and prior to the placement of the veneering.

Insulation shall not be in place at time of framing inspection. Call for insulation inspections.

Final inspections shall be made after the permitted work is completed and prior to occupancy. Occupying the structure before the issuance of a Certificate of Occupancy is prohibited. Contractors who allow owners to occupy a structure or part of a structure before the final inspection is approved, may be subject to withholding of new permits within the City of Belle Meade.

The Building Official may accept reports from approved agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (check with building official first) reports and pictures must be submitted to the Building Official within 48 hours of the inspection.

It shall be the duty of the person doing the work authorized by a permit to notify the building official that such work is ready for inspection. It shall be the duty of the person requesting any inspection required by this code to provide access to and means for inspection of such work.

**No contractor business advertising signs. Grass must be kept cut and maintained.**  
As permit holder I have personally read and understand all the requirements stated above.

**Permit Holder:** Kath Hood

**Date:** 8/29/23

As Building Official, I have discussed the above requirements with the permit holder.

**Building Official:** [Signature]

**Date:** 08/28/2023

**Work hours are Monday - Friday 7:00 a.m.-7:00 p.m. Saturday 8:00 a.m.-5:00 p.m. No Sundays or federal holidays.**

**4705 HARDING ROAD NASHVILLE, TN 37205 Phone 615-2972364**

**e-mail: [inspector@citybellemeade.org](mailto:inspector@citybellemeade.org)**

### Staff Report

Agenda No.: IV.B.  
Case No.: BZA 2023-11  
Staff: Mary Samaniego, Planning Director  
Applicant: Belle Meade Historic Site and Winery  
Request: Approval for a new assembly use within the carriage house loft  
Location: 5025 Harding Pike

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#### Summary:

The applicant on behalf of the property owners are requesting an approval for an additional use at the Historic Home or Site per Zoning Ordinance Appendix C. There are no other 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 24.05 acres.
2. The Belle Meade Historic Site and Winery was last approved by the Board of Zoning Appeals (BZA) on October 18, 2022, to establish: the Icehouse, Fox Run & Pavilion, Coop n' Scoop, Loft and Outdoor Wine Venue.
3. The previously approved Loft project per item #2 above consisted of finishing half of the second story above the carriage house and stables to create an assembly space .
4. The current application is to seek BZA approval to finish the other half of the half of the second story above the carriage house and stables to create another assembly space.
5. The total area of the project is approximately 2,183 square feet.

#### 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 Historic Home or Site in the following findings of fact for the particular use and/or structure per Appendix C (2):

Construction and alteration of buildings: No addition to any building or structure on the historic site may be altered or added to, and no new building or structure shall be constructed, without approval by the Board of Zoning Appeals as to its purpose and location, and a finding that it is architecturally compatible with the original buildings or structure on this site. Applications for approval of such new buildings or structures must be accompanied by plans prepared by a registered architect.

*The property owner/applicant is proposing only an interior finishing of an existing building without any exterior additions or renovations. The building plans and permits have been reviewed and approved by the Belle Meade Building Department and applicable Metro and State of Tennessee issuing agencies.*

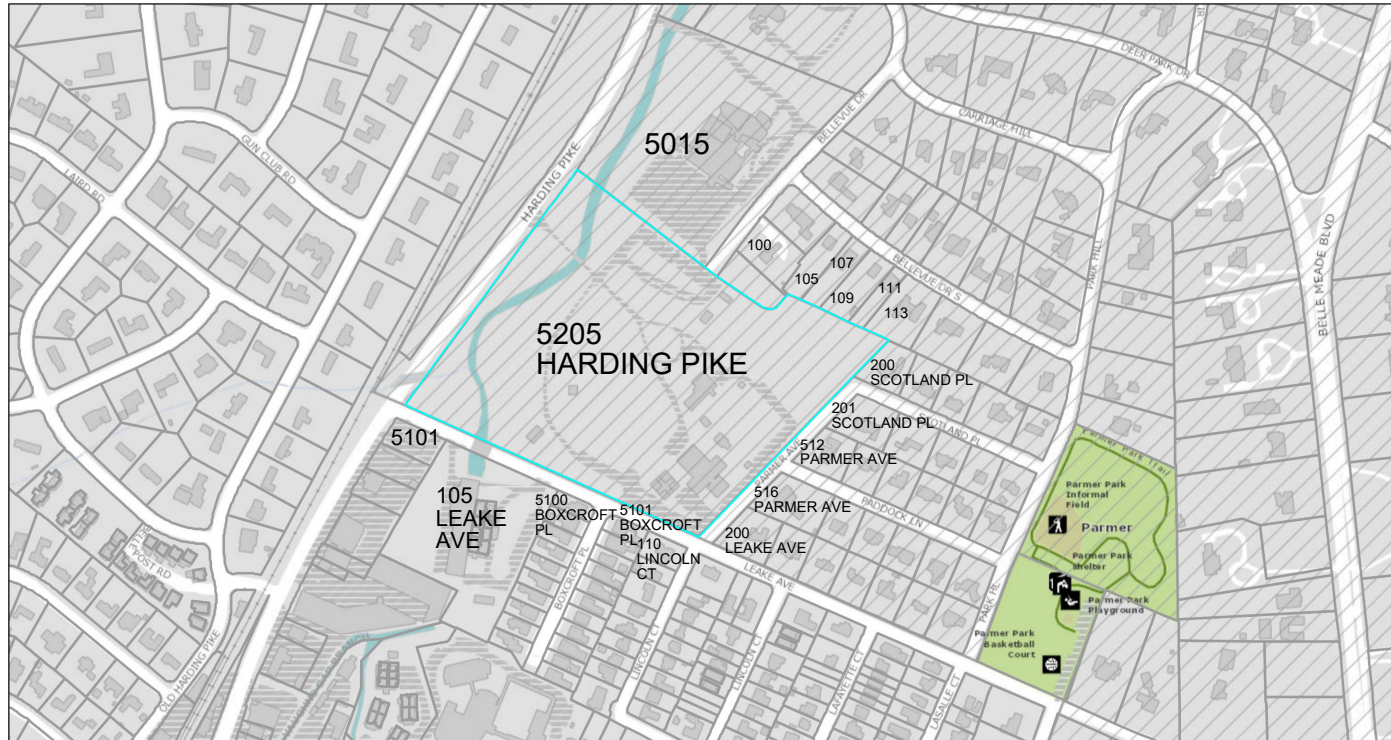
**Staff recommends approval of the conditional use request based on the written findings of fact.**

**Attachments:**

1. Application
2. Location Map

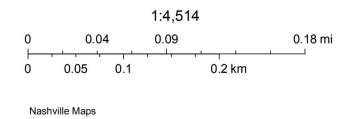


# Nashville / Davidson County Parcel Viewer 5205 HARDING PIKE



November 29, 2023

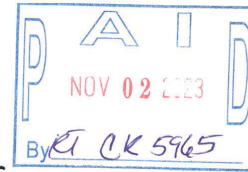
graphicsLayer2



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 2023-12

**APPEAL FEE:** \$500  
(615) 480-4102 (Neely)  
**PHONE #** (615) 540-9484 (Katie)

**APPLICANT** (Owner's Name) Neely and Katie Coble

**APPLICANT EMAIL ADDRESS** neely.coble@gmail.com & kate.l.coble@gmail.com

**PROPERTY ADDRESS:** 208 Paddock Lane, Nashville, Tennessee 37205

**REQUEST:** SPECIAL EXCEPTION ☐ VARIANCE ☒ CONDITIONAL USE ☐

**REASON FOR APPEAL – Be Specific**

Proposed screen porch for house on lot that is 17,928 square feet.

**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. { 17,928 } | ALLOWABLE | EXISTING | TOTAL CHANGE | NET CHANGE +/- | % OVER |
|------------------------|-----------|----------|--------------|----------------|--------|
| FOOTPRINT 12%          | 2,151.36  | 2,386.07 | 2,716.37     | +330.3         | 20.8%  |
| ESTATE A 8%            |           |          |              |                |        |

| F.A.R. X LOT SQ. FT.           |          |          |          |        |        |
|--------------------------------|----------|----------|----------|--------|--------|
| LOTS <40,000 sq. ft. x .225 =  | 4,033.80 | 4,338.85 | 4,669.15 | +330.3 | 15.75% |
| LOTS > 40,000 sq. ft. x .196 = |          |          |          |        |        |

| TOTAL ROOF AREA                           |  |        |       |         |           |
|-------------------------------------------|--|--------|-------|---------|-----------|
| % of Low Slope Roof AREAS <6/12 Pitch 30% |  | 277.01 | 693.3 | +416.29 | (-19.75%) |

|                            |          |          |   |   |  |
|----------------------------|----------|----------|---|---|--|
| DRIVEWAY 12%               | 2,151.36 | 2,218.87 | - | - |  |
| DRIVEWAY IN FRONT YARD 22% | 1,718.81 | 1,170.37 | - | - |  |
| FRONT YARD SQ. FT.         | 7,812.78 |          |   |   |  |

|                      |          |        |        |         |        |
|----------------------|----------|--------|--------|---------|--------|
| HARDSCAPE 8% OF LOT  | 1,434.24 | 559.82 | 401.47 | -158.35 | (-72%) |
| HARDSCAPE + POOL 8%  | 1,434.24 |        |        |         |        |
| POOL 2% OF LOT TOTAL | 358.56   |        |        |         |        |
| ***ACCESSORY AREA    | 2,689.20 |        |        |         |        |

**\*\*\* 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** *JB*

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 current zoning is not meant to address lots of this small size.

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

The hardship is not self-induced because the current zoning is not meant to address lots of this small size.

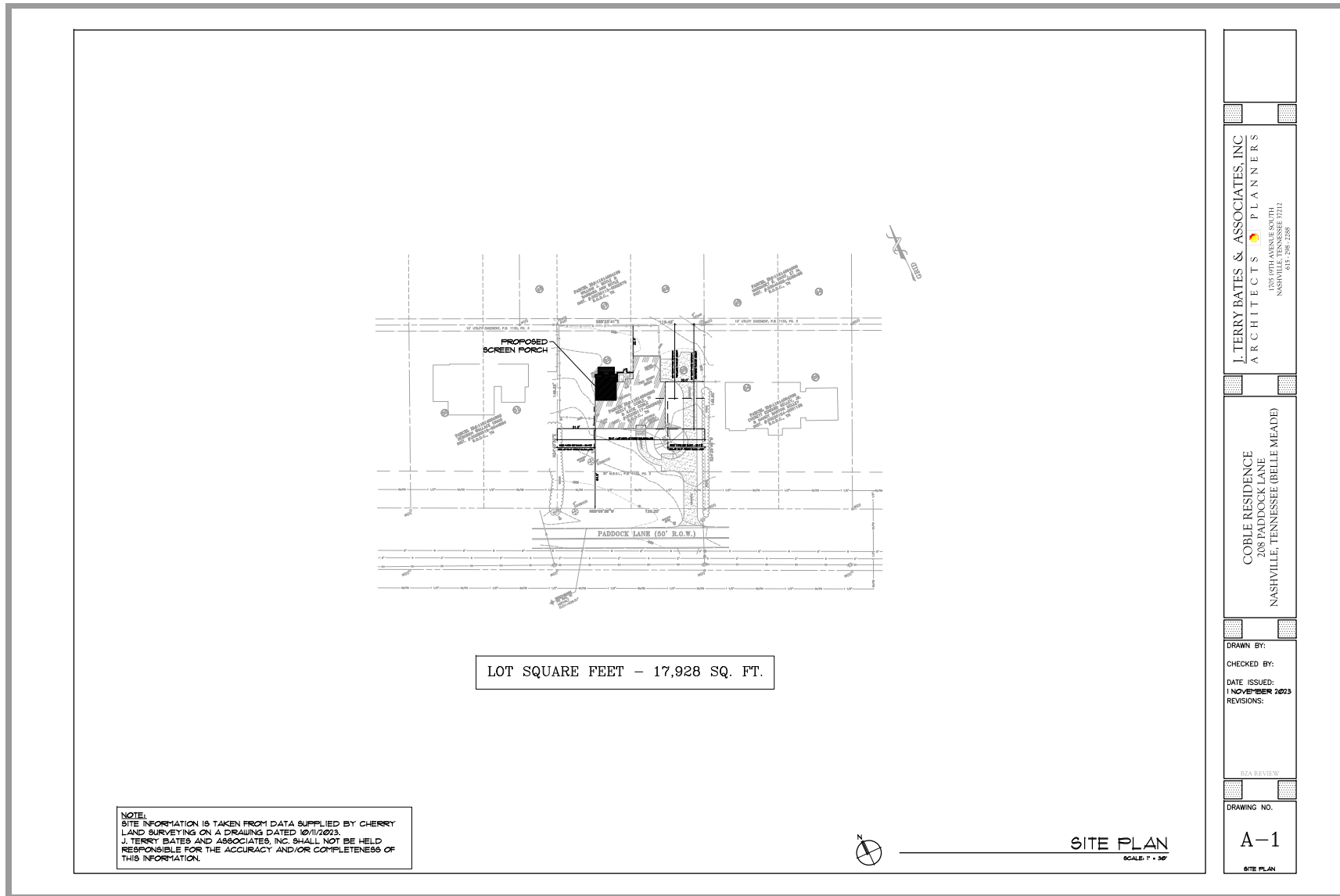
How would the granting of this variance be consistent with the purpose and intent of the Zoning Regulations?

We are still being mindful of the impervious surface total. If you add allowable footprint, driveway, and hardscape totals you have a total of 5,736.96 square feet. The proposed total is less than that at 5,495.06 square feet. The proposed addition is to the rear of the home and does not change the street facade.

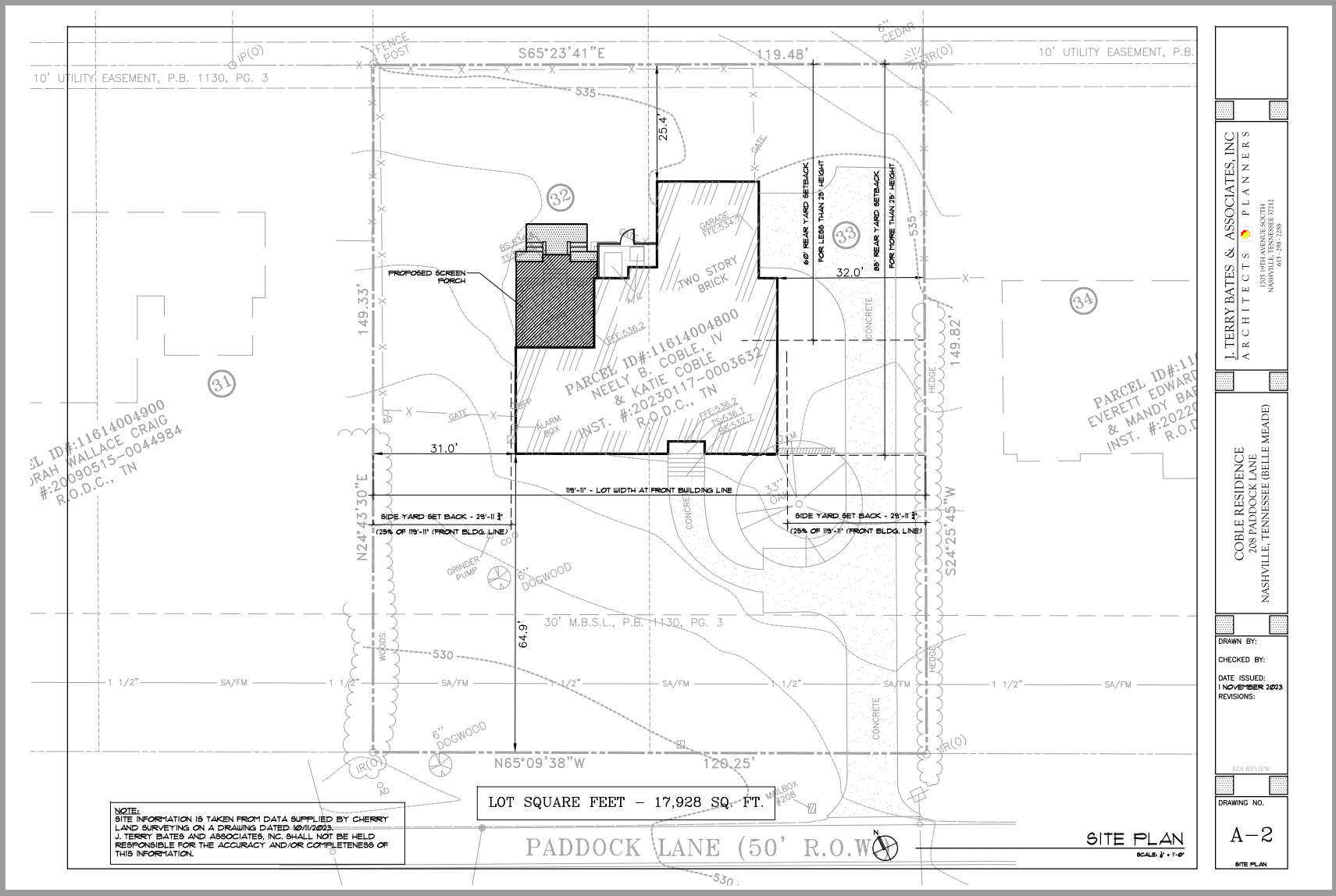
**SIGNATURE:** *[Signature]* (Owner/Agent) **DATE:** 11-1-23

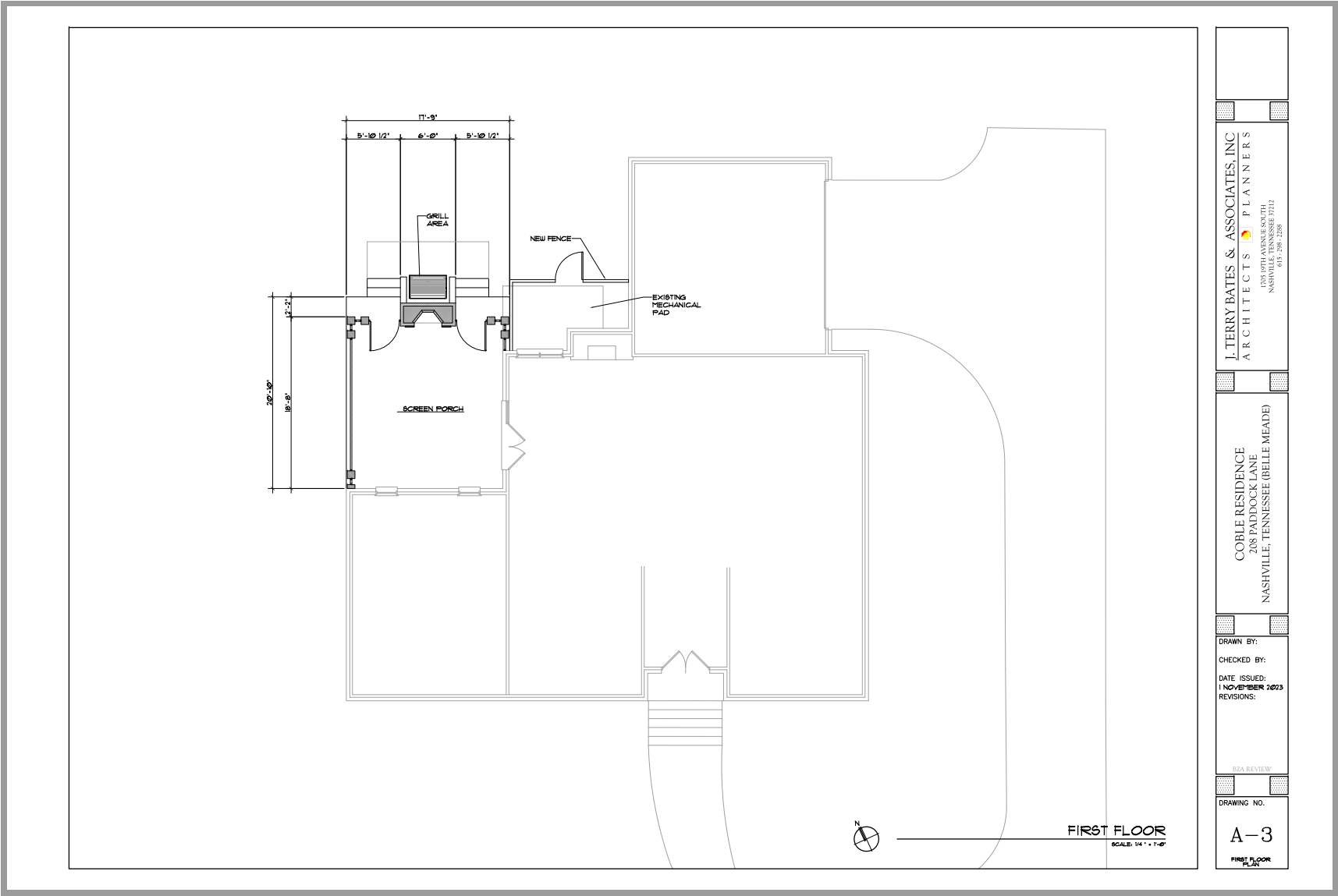
**Submit all information, plans & application via email PDF to:** [inspector@citybellemead.org](mailto:inspector@citybellemead.org)

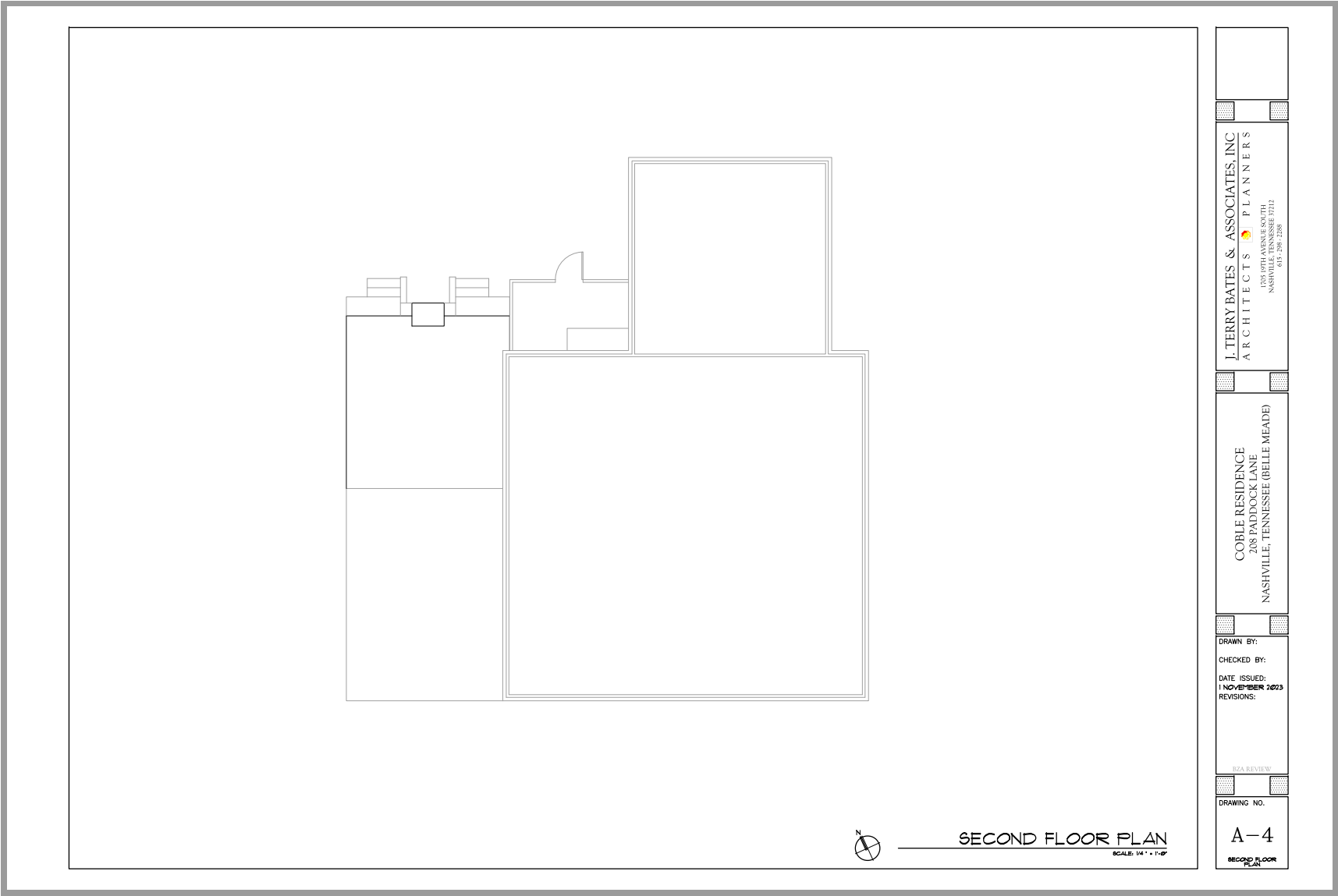
**BZA meets the third Tuesday of each month @ 5:00 p.m.**  
**Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.**



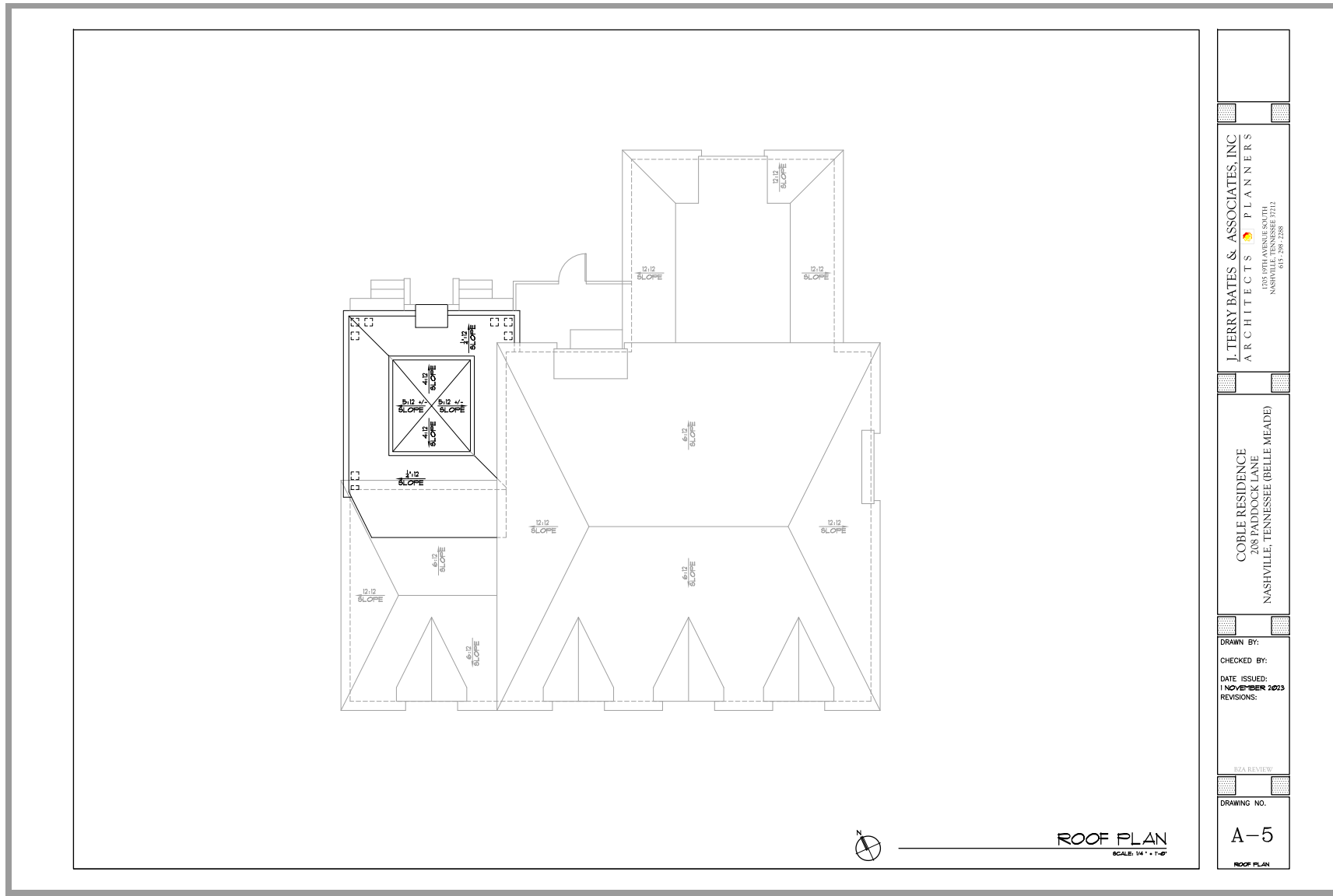




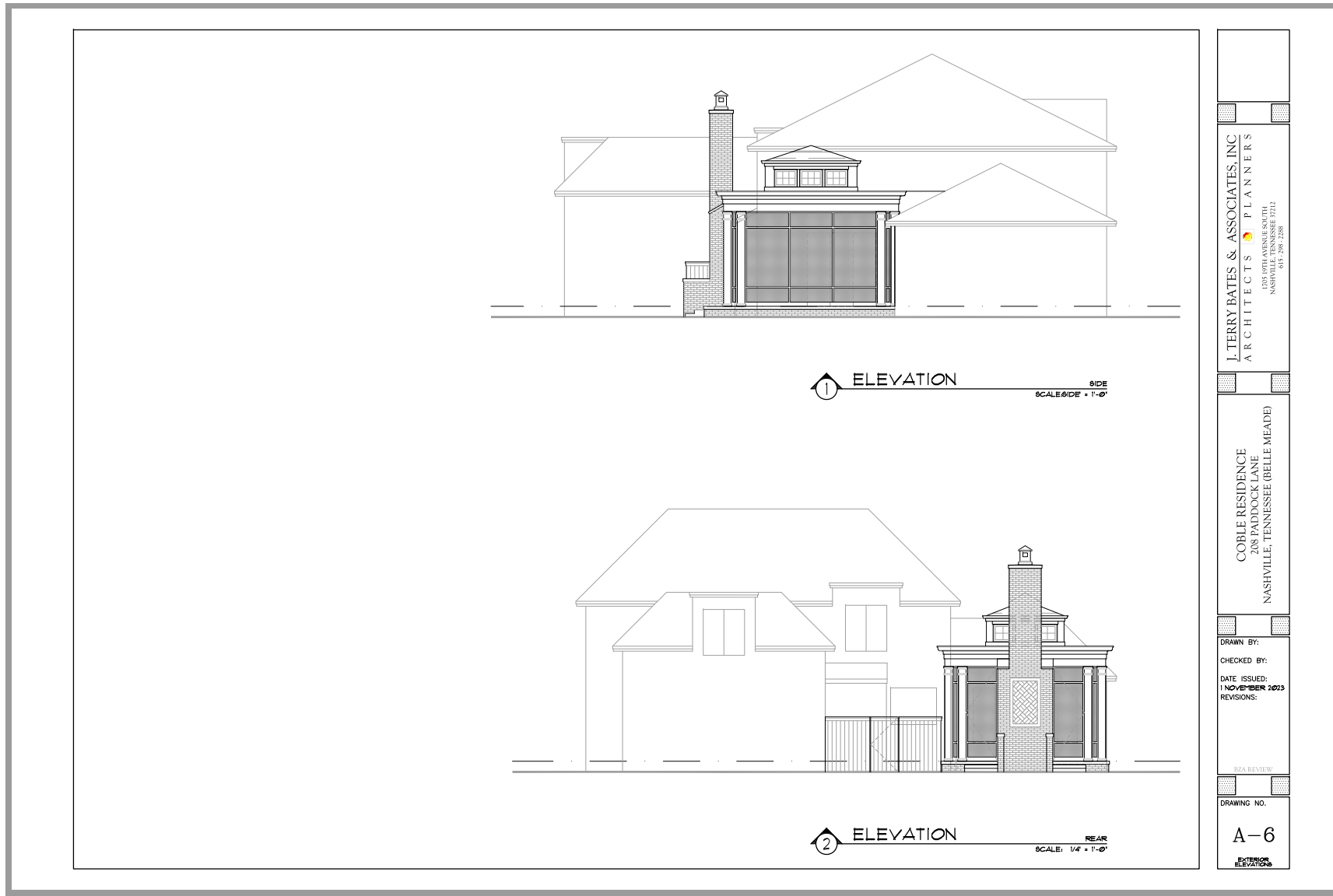




|                                                                                                                                  |  |
|----------------------------------------------------------------------------------------------------------------------------------|--|
| L. TERRY BATES & ASSOCIATES, INC.<br>ARCHITECTS PLANNERS<br>1705 10TH AVENUE SOUTH<br>NASHVILLE, TENNESSEE 37212<br>615.257.1234 |  |
| COBLE RESIDENCE<br>208 PADDOCK LANE<br>NASHVILLE, TENNESSEE (BELLE MEADE)                                                        |  |
| DRAWN BY:<br>CHECKED BY:<br>DATE ISSUED:<br>1 NOVEMBER 2023<br>REVISIONS:                                                        |  |
| BZA REVIEW                                                                                                                       |  |
| DRAWING NO.<br>A-4<br>SECOND FLOOR PLAN                                                                                          |  |









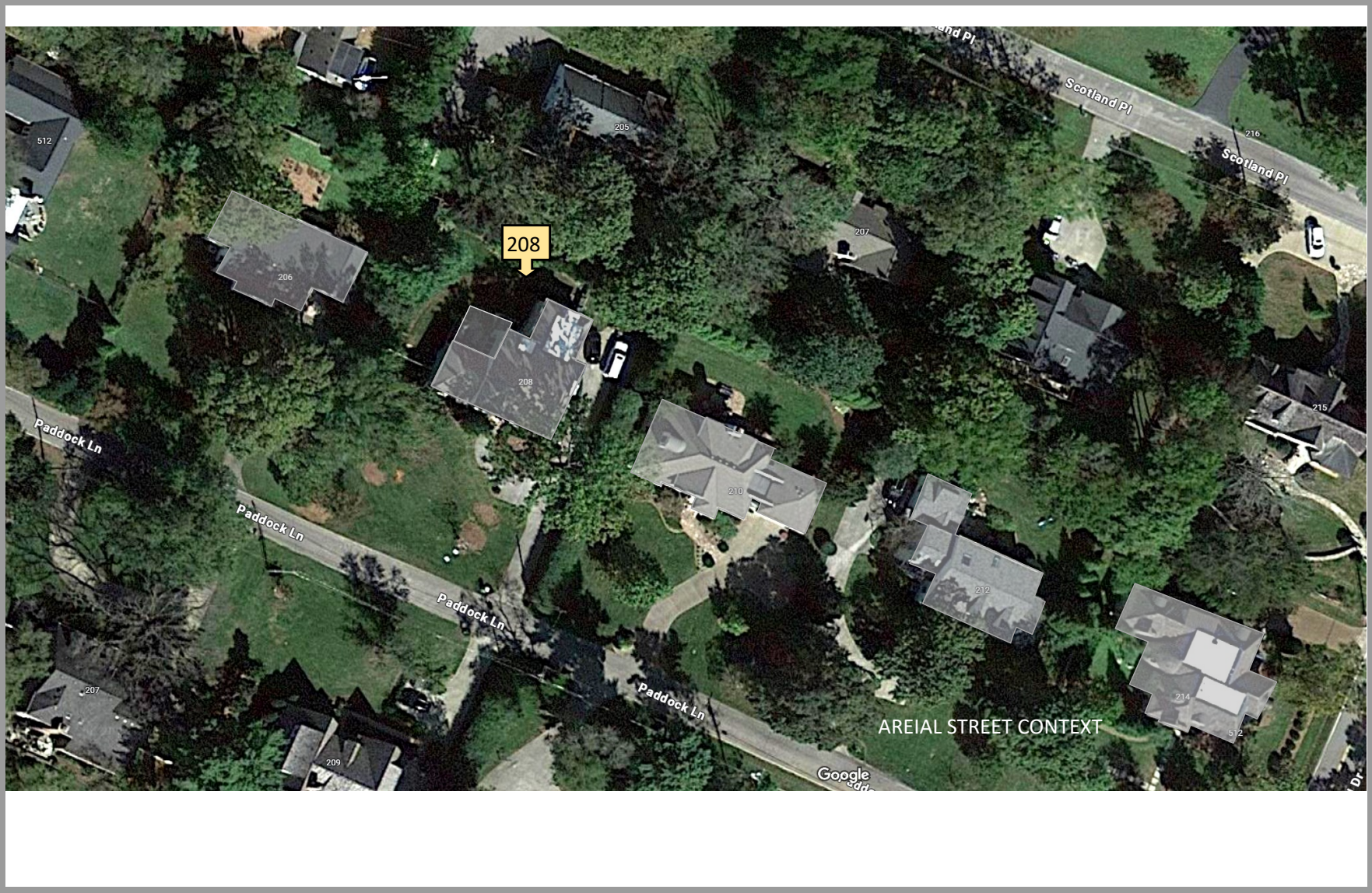
















62

MINUTES  
BOARD OF ZONING APPEALS  
THE CITY OF BELLE MEADE  
JULY 21, 2015

**Call to Order**

The meeting was called to order by Brian Smallwood, Chairman, at 7:00pm.

**Board members present**

|                   |                 |              |
|-------------------|-----------------|--------------|
| Mary Ann Blaufuss | Brian Smallwood | Pete Zabaski |
| Carole Nelson     | Mal Wall        |              |

**Staff members present**

|                                      |                             |
|--------------------------------------|-----------------------------|
| Lyle Patterson, Building Official    | Linda Berner, City Recorder |
| Beth Reardon, City Manager/Treasurer |                             |

**Conflicts - None**

**NEW BUSINESS**

1. Nathan Lyons - 208 Paddock Lane (15071)  
Special Exception - construction of a house  
Building permit denied:  
A. House is outside the building envelope but within existing setbacks.

**Presentation:** Nathan Lyons, owner

Lyons wants to tear down the existing house and build a new 3700 square foot home.

**Board Questions/Comments:**

Q: Same footprint?  
A: Pretty much the same.  
Q: Do you have neighbor notifications?  
A: Three were signed, the rest were not home.

**Audience question/comments:** NONE

**Board Discussion/Findings**

**Motion to Approve:** Wall Second: Zabaski Vote: All aye

\*\*\*\*\*

2. Frank Majors - 1305 Chickering Road (15072)  
Special Exception - gates/walls  
Building permit denied:  
A. Wall is other than in permitted location

**Presentation:** Mike Kaiser, landscape architect

Owners want to erect a gate to secure the property. Kaiser showed the design and stated that the gate and the columns that support it are taller than the maximum allowed height; 7'1" at its highest.

**Board Questions/Comments:**

Q: What is maximum permitted height for column at the gate?  
A: 8 inches over 6 feet (per L. Patterson)  
C: Precedents on Chickering Lane and Chickering Road that are over the allowable.  
Q: What are your reasons for not doing a 6' gate?  
A: It can be done but want gates wide enough to meet fire code access issues and want them scaled to match the house.  
Q: Where will the gates be located on the driveway?

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A: The 3' wall is 32' from the edge of the asphalt and the gate is 60' from the road at its closest point.

Audience question/comments: NONE

**Board Discussion/Findings**

- Appellants did ask for special exception and it is in harmony with the neighborhood
- Appellants are asking for 7'1" which should be 6'. There have been issues in the past with heights over that. It is not insurmountable to bring it down 5".
- The gates sit back far enough so the 5" is not noticeable.
- Concerned with setting a precedent.

Motion: Six foot wall with eight inch cap will be allowed.

Motion to **Approve**: Zabaski Second: Nelson Vote: All aye

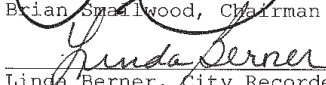
\*\*\*\*\*  
Consideration of the Minutes

Wall motioned approval, Blaufuss seconded. Vote: All aye.

Meeting adjourned at 7:28pm.

Approved at the  
September 15, 2015 meeting

  
\_\_\_\_\_  
Brian Smallwood, Chairman

  
\_\_\_\_\_  
Linda Berner, City Recorder

### Staff Report

Agenda No.: IV.C.  
Case No.: BZA 2023-12  
Staff: Mary Samaniego, Planning Director  
Applicant: Neely and Katie Coble  
Request: Three Variances for an additional that exceeds the maximum allowable building footprint, maximum allowable building area, and rear yard setback.  
Location: 208 Paddock Lane

---

#### Summary:

The applicants/property owners are requesting Three Variances for an additional that exceeds the maximum allowable building footprint, maximum allowable building area, and rear yard setback. The specific request is to construct a screened porch on to the rear of the existing residence that already exceeds that maximum allowed footprint, building area, and rear setback.

#### 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 (17,928 square feet).
2. The existing dwelling was constructed in 2016 and includes a two-car attached garage.
3. At the July 21, 2015 Board of Zoning Appeals meeting, the existing dwelling was approved for construction in excess of the required footprint, building area and rear setback provisions. Specifically, the special exception approval was for replacement of an existing residential structure with a new residential structure provided that no pre-existing non-conforming use, structure, and/or variance from the provisions of the zoning ordinance will be extended closer to the property line by reason of the construction of such a new structure.
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 2,151 square feet.
5. The existing residence has a building footprint of 2,386 square feet and the proposed screened-in porch addition of 330 square feet will then provide as overall building footprint of 2,716 square feet (565 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 4,034 square feet.
7. The existing residence has a building area of 4,339 square feet and the proposed screened-in porch addition of 330 square feet will then provide as overall building footprint of 4,669 square feet (635 square feet over the maximum allowable).



8. Per Section 14-204(2)(d)(3), the Residence B zoning district requires a rear yard setback of sixty feet (60') for those parts of any building which are twenty-five feet (25') in height or less and a minimum depth of eighty-five feet (85') for those parts of any building which are in excess of twenty-five feet(25') in height.
9. The existing residence is 25' from the rear property line and the proposed addition (under 25' in height) is 34' from the rear property line.

**Findings of Fact and Staff Recommendation:**

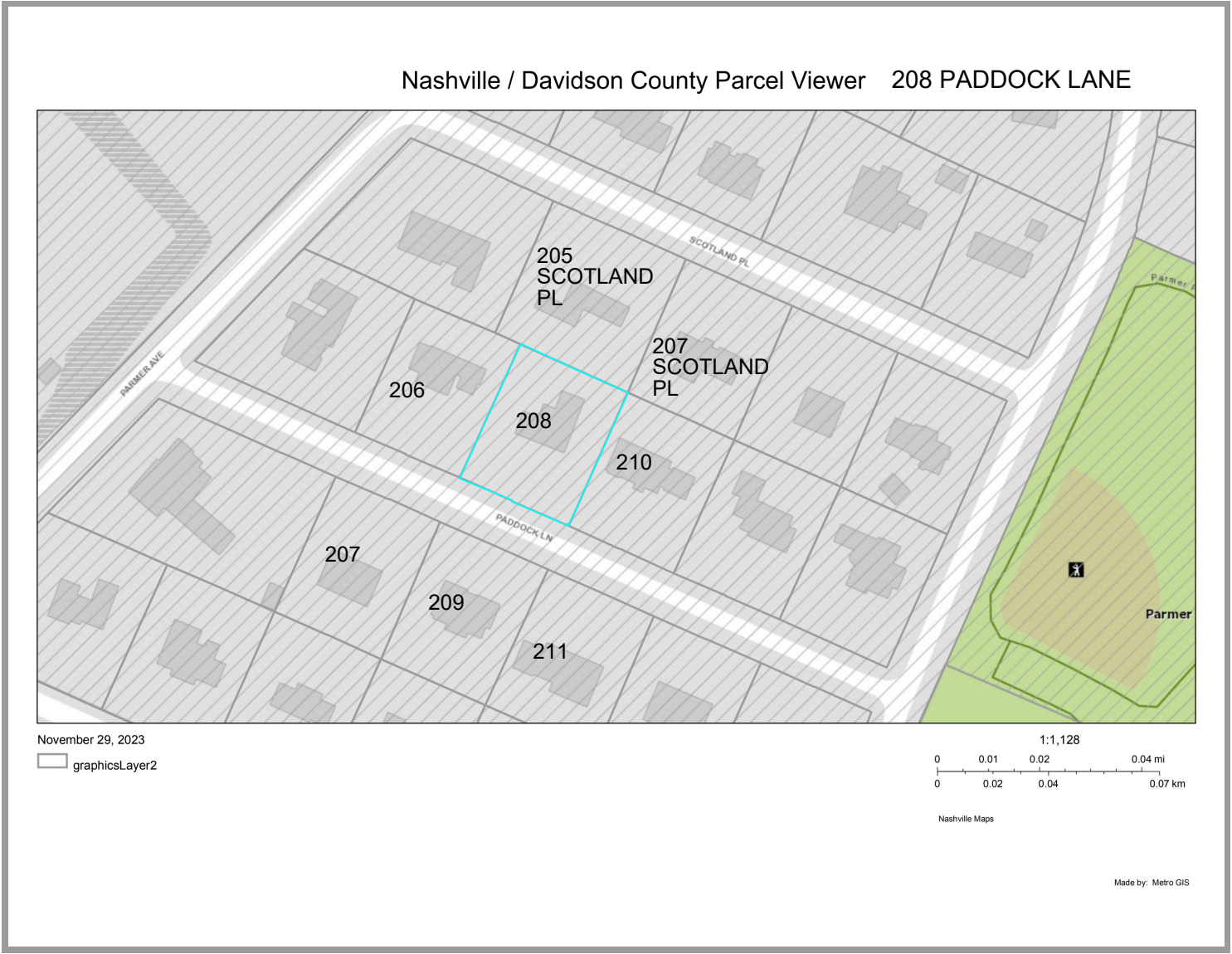
The standards of proof required for Variances are established in the Zoning Ordinance. The Board of Zoning Appeals has the authority to grant such variance as will not be contrary to the public interest and under the restrictions established with the Zoning Ordinance which states that if the property 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:

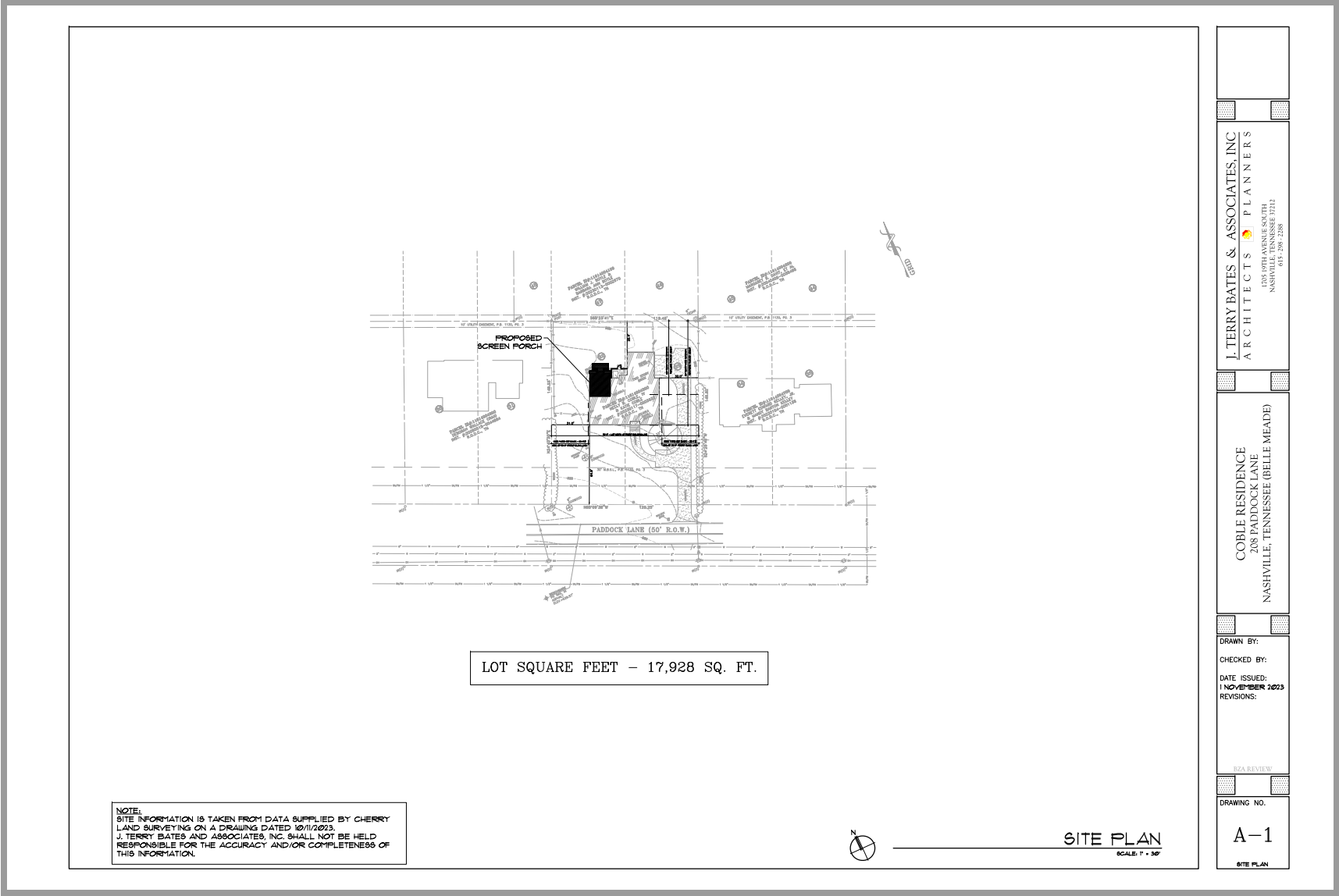
1. The variance shall be granted that will not be a detriment to the public good;  
*The applicant is proposing to exceed the maximum footprint, building area, and setbacks that were adopted in the Zoning Ordinance to benefit the public good.*
2. The variance shall be granted that will not substantially impairing the intent and purpose of the Zoning Ordinance; and  
*It is staff's professional opinion that the requirement for footprint, building area, and 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 three variances do not meet this intent as it provides a large dwelling on a smaller lot near the rear property line.*
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, most of these surrounding dwellings are either non-conforming with the footprint, building area, and setback standards of the current Zoning Code or were the result of previous Board of Zoning Appeals approvals.*

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

**Attachments:**

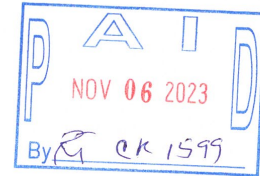
1. Location Map
2. Staff Analysis of Site Plan







**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 2023-13

APPEAL FEE: \$300.00

APPLICANT (Owner's Name) Richard and Virginia Fitzgerald PHONE # (615) 417-6180

APPLICANT EMAIL ADDRESS gavin@dukedesigngroup.com

PROPERTY ADDRESS: 1111 Belle Meade Boulevard

REQUEST: SPECIAL EXCEPTION ☒ VARIANCE ☐ CONDITIONAL USE ☐

REASON FOR APPEAL – Be Specific Due to the existence of a mature 24" caliper magnolia tree, the proposed gate and fence location needed to be moved 22 feet forward from the back corner of the house to protect the health and safety of the mature magnolia tree.

**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: { 37,665 SF } | ALLOWABLE   | EXISTING    | TOTAL CHANGE | NET CHANGE +/- | % OVER |
|---------------------------|-------------|-------------|--------------|----------------|--------|
| FOOTPRINT 12%             | 4,519.80 SF | 3,724.13 SF | 0 SF         | 0 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%               | 4,519.80 SF  | 4,504.54 SF | 4,488.35 SF | -56.19 SF | 0% |
| DRIVEWAY IN FRONT YARD 22% | 3,186.56 SF  | 1,910.00 SF | 1,952.08 SF | +42.08 SF | 0% |
| FRONT YARD SQ. FT.         | 14,484.36 SF |             |             |           |    |

|                      |             |           |             |              |    |
|----------------------|-------------|-----------|-------------|--------------|----|
| HARDSCAPE 8% OF LOT  | 3,013.20 SF | 294.33 SF | 1,392.11 SF | +1,097.78 SF | 0% |
| HARDSCAPE + POOL 8%  | 3,013.20 SF | 294.33 SF | 1,392.11 SF | +1,097.78    | 0% |
| POOL 2% OF LOT TOTAL | 753.30 SF   | 0 SF      | 0 SF        | 0 SF         | 0% |
| ***ACCESSORY AREA    | 5,649.75 SF | 969.54 SF | 1,392.11 SF | +1,097.78 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** MLGD

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 hardship we face is a mature 24" caliper magnolia tree. If the proposed gate and fence were placed in the approved location off the back corner of the house, we would risk the health and safety of the mature tree. Additionally, based on the topography of the site, the proposed fence and gate would be less visible from street level with only 9 inches of the proposed height visible at street level.

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?

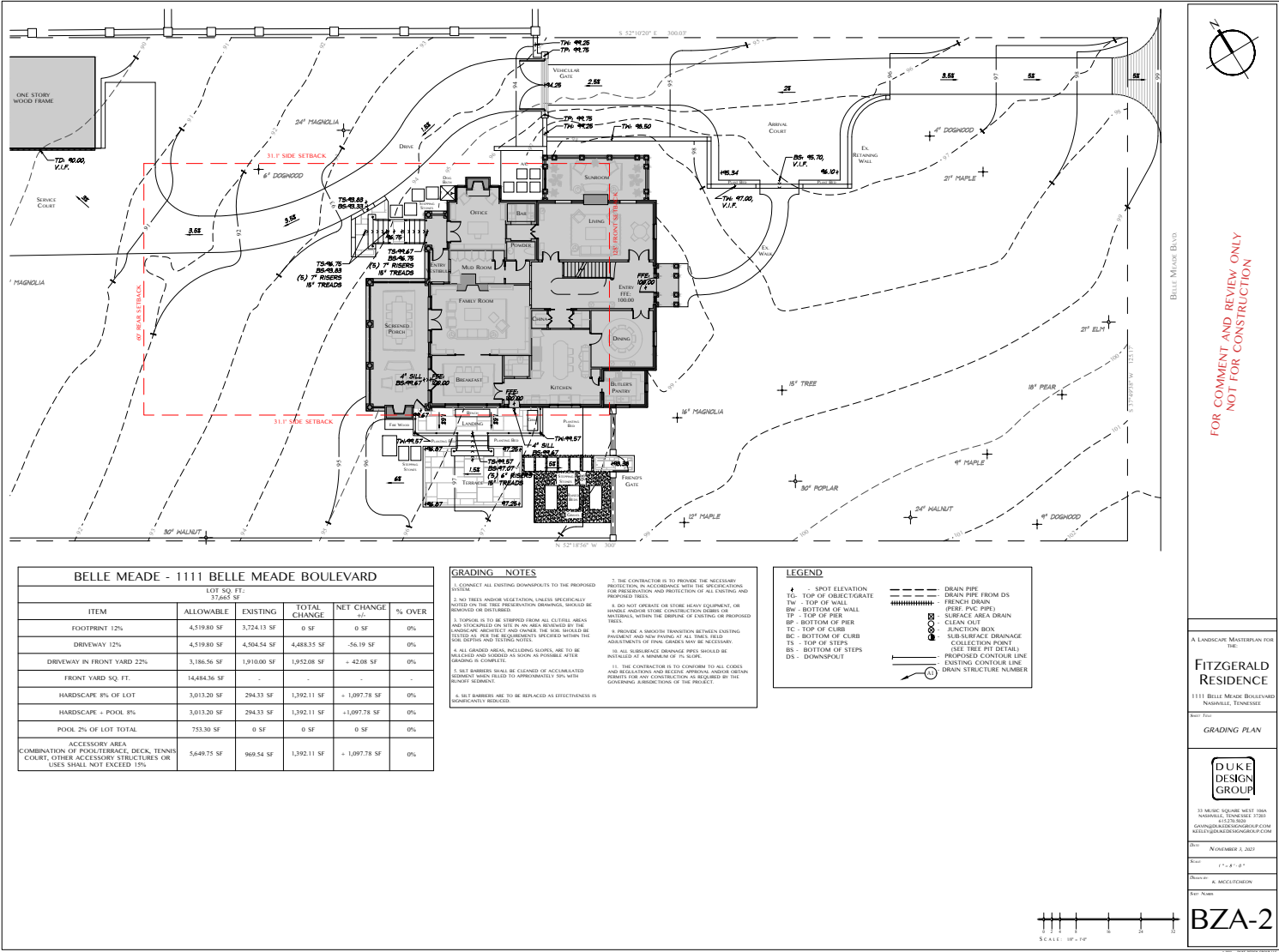
The granting of this special exception would allow us to protect the health and safety of the mature 24" caliper magnolia tree. The loss of a tree this size would change the character of the lot and neighborhood significantly. Additionally, the proposed gate and fence location is only 22 feet away from meeting the fence and gate height code requirements. Lastly, if granted, the proposed gate and fence would conform with the height and character of the existing fence at the neighboring property.

**SIGNATURE:** Gavin Duke (Owner/Agent) **DATE:** 11/03/2023

**Submit all information, plans & application via email PDF to:** [inspector@citybellemeade.org](mailto:inspector@citybellemeade.org)

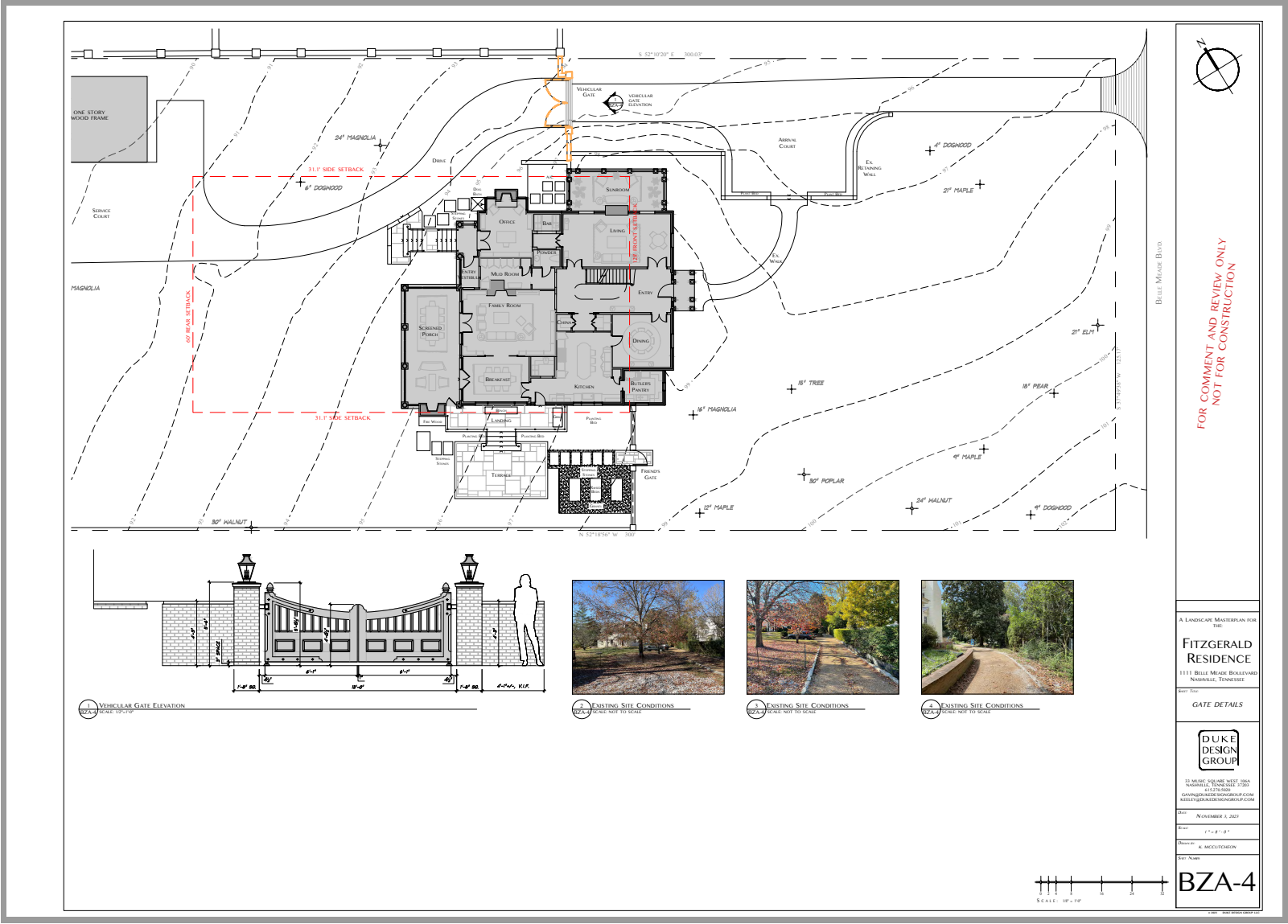
**BZA meets the third Tuesday of each month @ 5:00 p.m.**  
**Submittal deadline is the first Friday of the month prior to the month of the scheduled hearing date.**





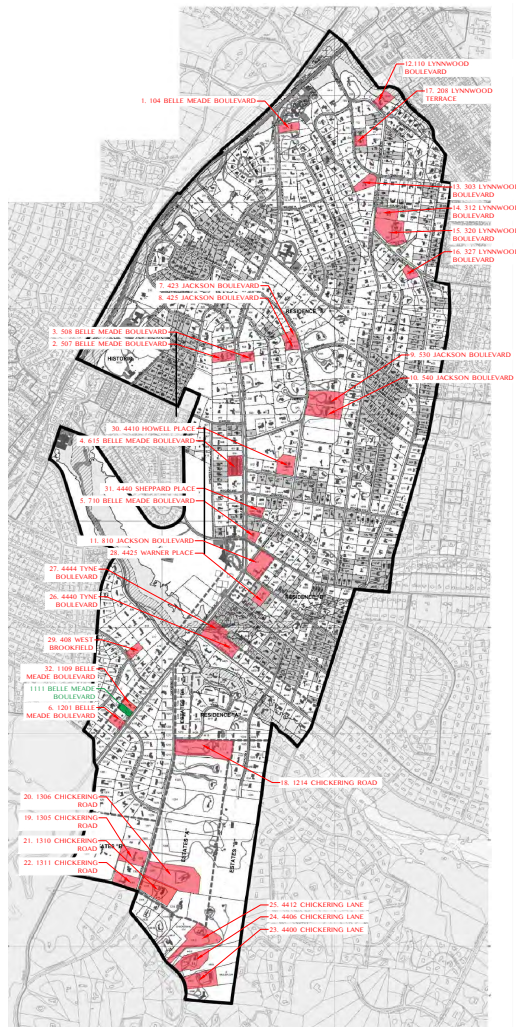




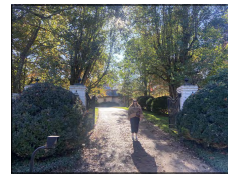








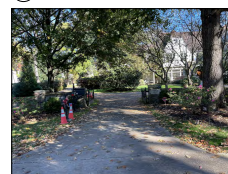
11 810 JACKSON BOULEVARD  
JLZA-6 SCALE: NOT TO SCALE



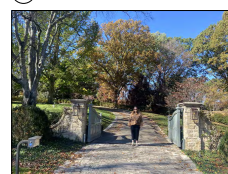
13 303 LYNNWOOD BOULEVARD  
JAZA-6 SCALE: NOT TO SCALE



15 320 LYNNWOOD BOULEVARD  
HZA-4 SCALE: NOT TO SCALE



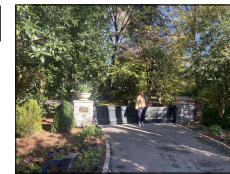
17 208 LYNNWOOD TERRACE



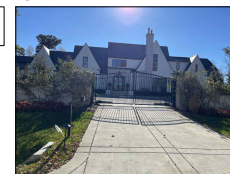
19 1305 CHICKERING ROAD



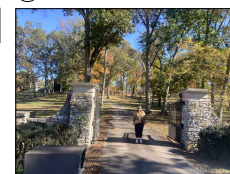
12 110 LYNNWOOD BOULEVARD  
112A-6 SCALE: NOT TO SCALE



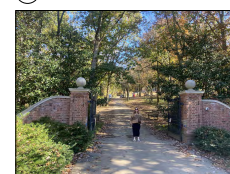
14 312 LYNNWOOD BOULEVARD  
JLZA-6 SCALE NOT TO SCALE



16 327 LYNNWOOD BOULEVARD  
DETAILED SCALE: NOT TO SCALE



18 1214 CHICKERING ROAD



20 1306 CHICKERING ROAD

FOR COMMENT AND REVIEW ONLY  
NOT FOR CONSTRUCTION

A LANDSCAPE MASTERPLAN FOR  
THE  
**FITZGERALD  
RESIDENCE**  
1111 BELLE MEADE BOULEVARD  
NASHVILLE, TENNESSEE

EXISTING GATE &  
PIER PRECEDENTS  
OVER 3 FEET



DUKE  
DESIGN  
GROUP

33 MUSIC SQUARE WEST 106A  
NASHVILLE, TENNESSEE 37203  
615.270.5000  
GAVIN@DLKIDESIGNGROUP.COM

Date: NOVEMBER 3, 2023

Source: *ibid.*

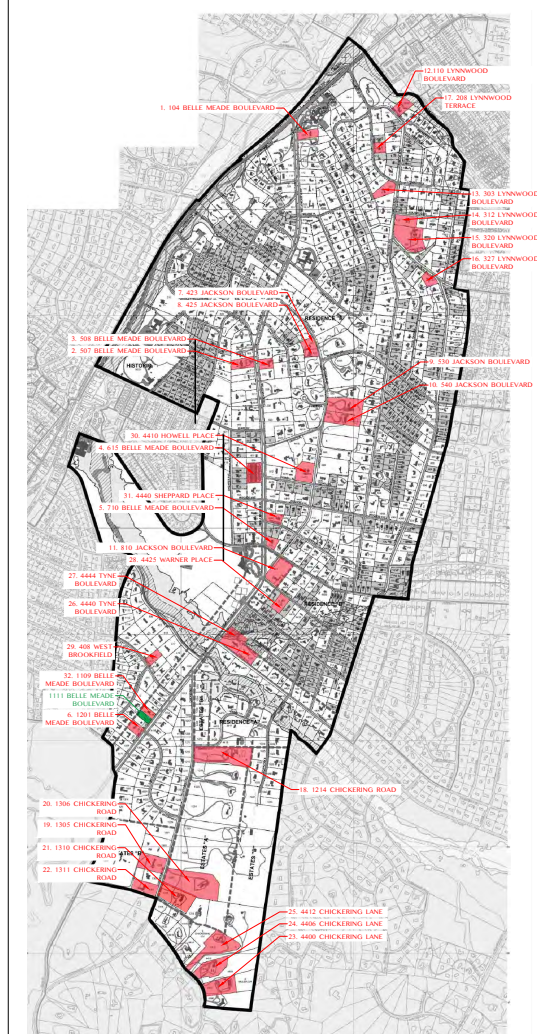
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K. MCCUTCHEON

BZA-6







31 4440 SHEPPARD PLACE  
VIZA, B.C. SCALE: NOT TO SCALE

### Staff Report

Agenda No.: IV.D.  
Case No.: BZA 2023-13  
Staff: Mary Samaniego, Planning Director  
Applicant: Richard and Virginia Fitzgerald  
Request: Special Exception for to build a fence in an alternative location  
Location: 1111 Belle Meade Boulevard

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#### Summary:

The property owner is requesting a Special Exception approval for the construction of a vehicular gate and a corresponding wall in the side yard on the subject property. The wall will be an average of 4'-3" in height, the gates will be 5'-6" in height, and the pier caps on either side of each gate will be 5'-6" in height.

#### 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 (37,665 square feet) and is located within the Residence "A" zoning district.
2. The maximum allowed driveway area in the front yard is 3,186 square feet and there is 1,953 square feet of driveway area proposed.
3. The maximum allowed driveway area for the entire property is 4,520 square feet and there is 4,488 square feet of driveway area proposed.
4. The parking area has a turnaround area in the front yard and then continues to the rear yard into a service court area with an associated detached garage.
5. The existing house was constructed in 1930 and was originally building for one of the Harding daughters.
6. 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.

#### 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

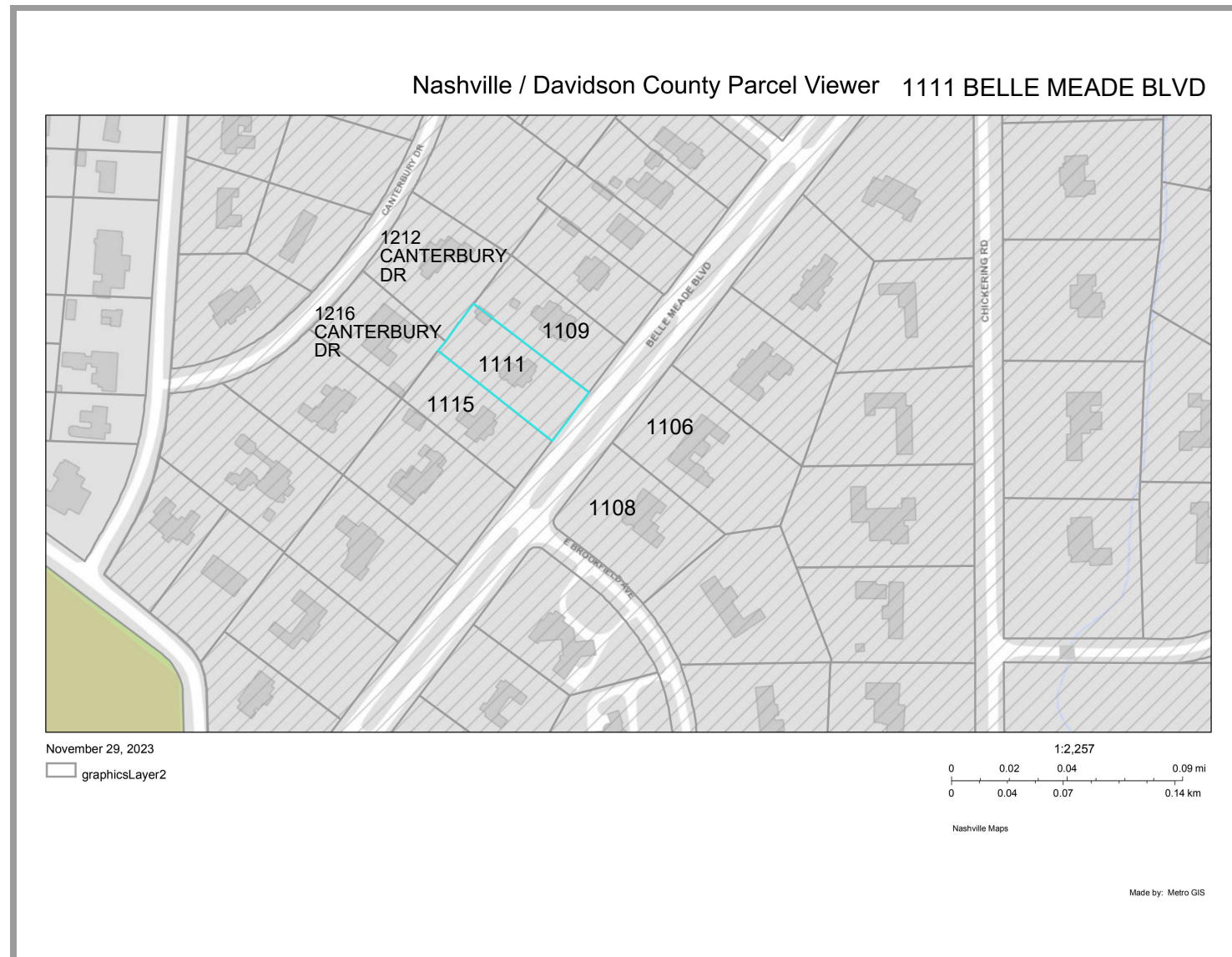
uses listed and/or described elsewhere in this chapter (collectively, the 'proposed use'); provided that the board shall determine that:

- (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 thirty-two (32) other properties within the City that have vehicular access gates in other than permitted locations. (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 and gate is over 152' away from Belle Meade Boulevard and at a lower topographic elevation. This 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. The adjoining property at 1109 Belle Meade Boulevard has an existing fence in their side yard in roughly the same location.*
- (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;  
*There is a well-established 24" dbh Magnolia tree that would be in direct conflict with a fence that would come off the rear edge the existing residence. The applicant is proposing to follow the required fence placement guidelines except for instances to preserve existing trees and to allow for vehicle maneuvering. Zoning Ordinance Section 14-204 (g)(ii) states that fences may be offset to:*
  - (A) *Provide a reasonable turning area for automobiles backing out of a garage located inside the rear corner of the dwelling, in which case the applicant may request an offset in the fencing between the rear of the corner of the dwelling and the property line; and/or*
  - (B) *Protect existing trees on the property line, provided that such offset is subject to:*
    - (1) *Access through the fence sufficient to assure maintenance of any property between the property line and fence; and*
    - (2) *Landscaping to be maintained in accordance with the property maintenance code of the City of 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. *The Planning Department will conduct an inspection to ensure compliance with the Special Exception as approved.*

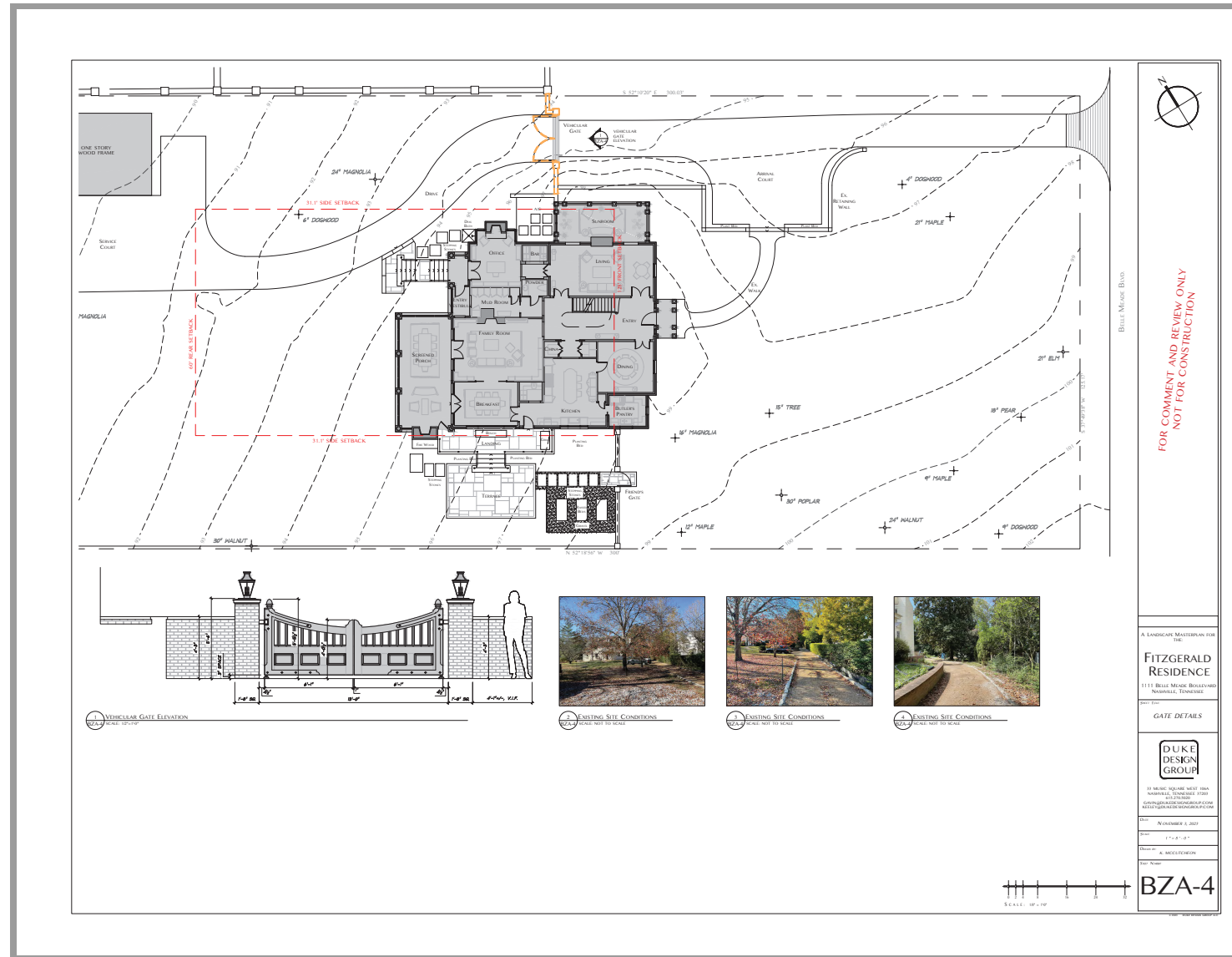
**Staff recommends approving the special exception request based on the findings of fact.**

**Attachments:**

1. Location Map
2. Staff Analysis

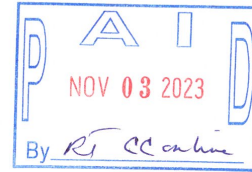








**CITY OF BELLE MEADE**  
**APPLICATION FOR BOARD OF ZONING APPEALS**



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 # 2023-14

APPEAL FEE: 900

APPLICANT (Owner's Name) Amy & Richard Hammett PHONE # 615-298-9720

APPLICANT EMAIL ADDRESS mike@kaisertrabue.com

PROPERTY ADDRESS: 1106 Nichol Lane, Nashville, TN 37205

REQUEST: SPECIAL EXCEPTION ☐ VARIANCE ☐ CONDITIONAL USE ☐

**REASON FOR APPEAL – Be Specific** Construction of swimming pool, pool needs board approval; pool fence in other area than permitted location requesting variance to install pool fencing forward of the rear corner of the residence

**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: { 38,738 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%               | 4,654 | n/a | 4,654 | 0    | 0%           |
| DRIVEWAY IN FRONT YARD 22% | 3,603 | n/a | 3,020 | -583 | under by 16% |
| FRONT YARD SQ. FT.         | 6261  |     |       |      |              |

|                      |       |     |       |      |              |
|----------------------|-------|-----|-------|------|--------------|
| HARDSCAPE 8% OF LOT  |       |     |       |      |              |
| HARDSCAPE + POOL 8%  | 3,100 | n/a | 2,290 | -810 | under by 26% |
| POOL 2% OF LOT TOTAL | 775   | n/a | 200   | -575 | under by 75% |
| ***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 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 the first Friday the month prior to the month of the scheduled hearing date.
  - ☒ 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** 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?

It is our interpretation/understanding that the intent of the relevant section of the ordinance is to prohibit fences coming off the front corner of the house such that fences recede behind the facade and do not dominate the character of the street. In this case, the fence is offset forward of the rear corner to avoid conflict with existing trees to remain, but is still recessed 37' from the front corner and is obscured with evergreen plantings

**SIGNATURE:**



Mike Kaiser (Owner/Agent)

**DATE:** 2023.11.03

**Submit all information, plans & application via email PDF to:** [inspector@citybellemeade.org](mailto: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.**

FOR THE ARCHITECT, CONTRACTOR, AND ENGINEERING CONSULTANTS IN CHARGE  
OF THE PROJECT, THE ARCHITECT, CONTRACTOR, AND ENGINEERING CONSULTANTS  
SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED  
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LANDSCAPE ARCHITECTURAL CONSTRUCTION DRAWINGS FOR

THE RESIDENCE OF

AMY & RICHARD HAMMETT

1106 NICHOL LANE - NASHVILLE, TENNESSEE

AMY & RICHARD HAMMETT

PERMIT SET

| SHEET # | SHEET TITLE                               |
|---------|-------------------------------------------|
| 1       | TITLE                                     |
| 2       | BOUNDARY & TOPOGRAPHIC SURVEY (1" = 20')  |
| 3       | PROPOSED LOT COVERAGE PLAN (1/4" = 1'-0") |
| 4       | PROPOSED SITE PLAN (1/4" = 1'-0")         |
| 5       | PROPOSED GRADING PLAN (1/4" = 1'-0")      |
| 6       | PROPOSED PLANTING PLAN (1/4" = 1'-0")     |
| 7       | ELEVATIONS & DETAILS                      |
| 8       | ELEVATIONS & DETAILS                      |

KAISER TRABUE  
Landscape Architecture

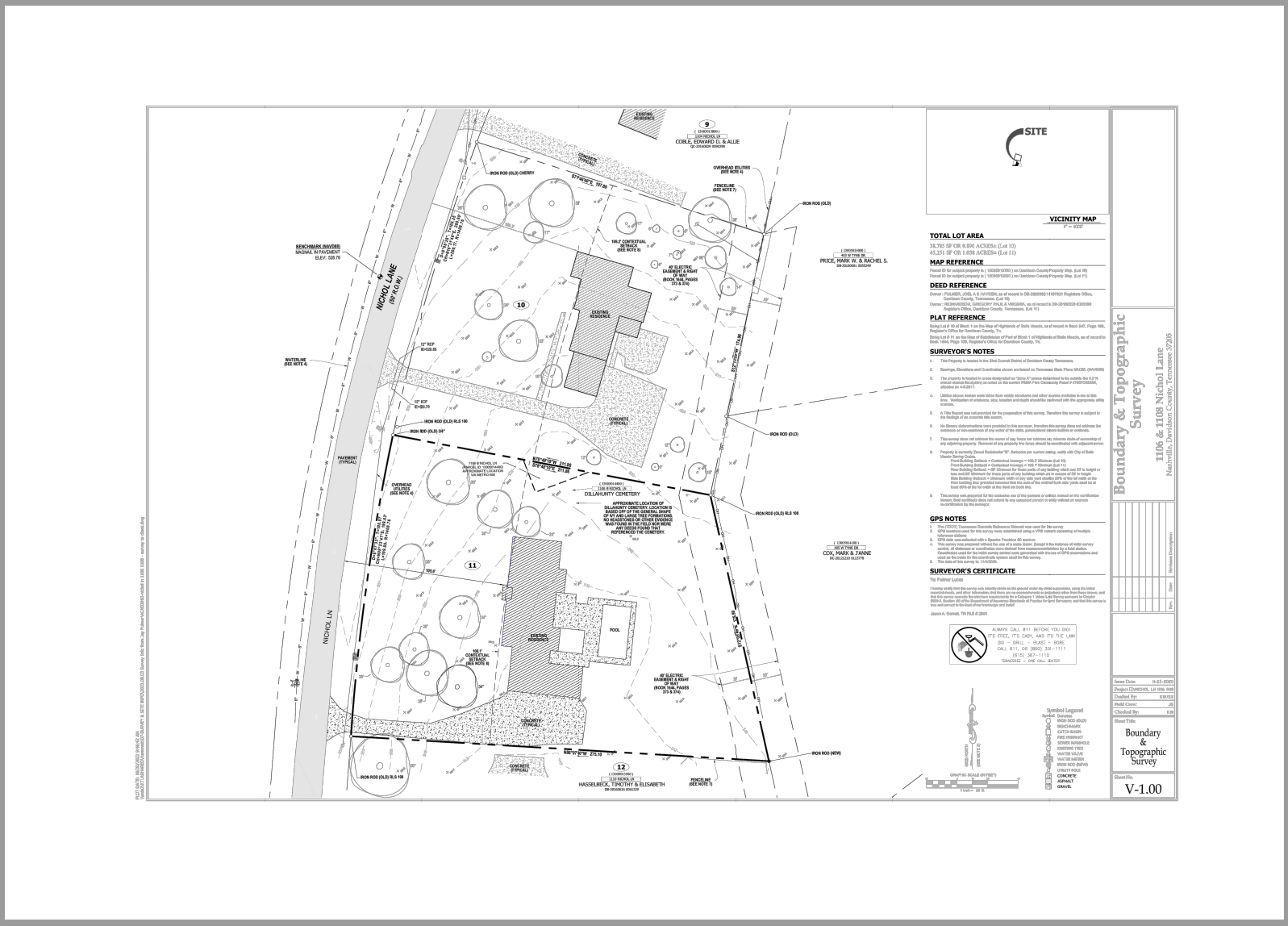
4301 HILLBURN PARK, SUITE 300  
NASHVILLE, TENNESSEE 37215  
615.558.5755  
INFO@KAISERTRABUE.COM

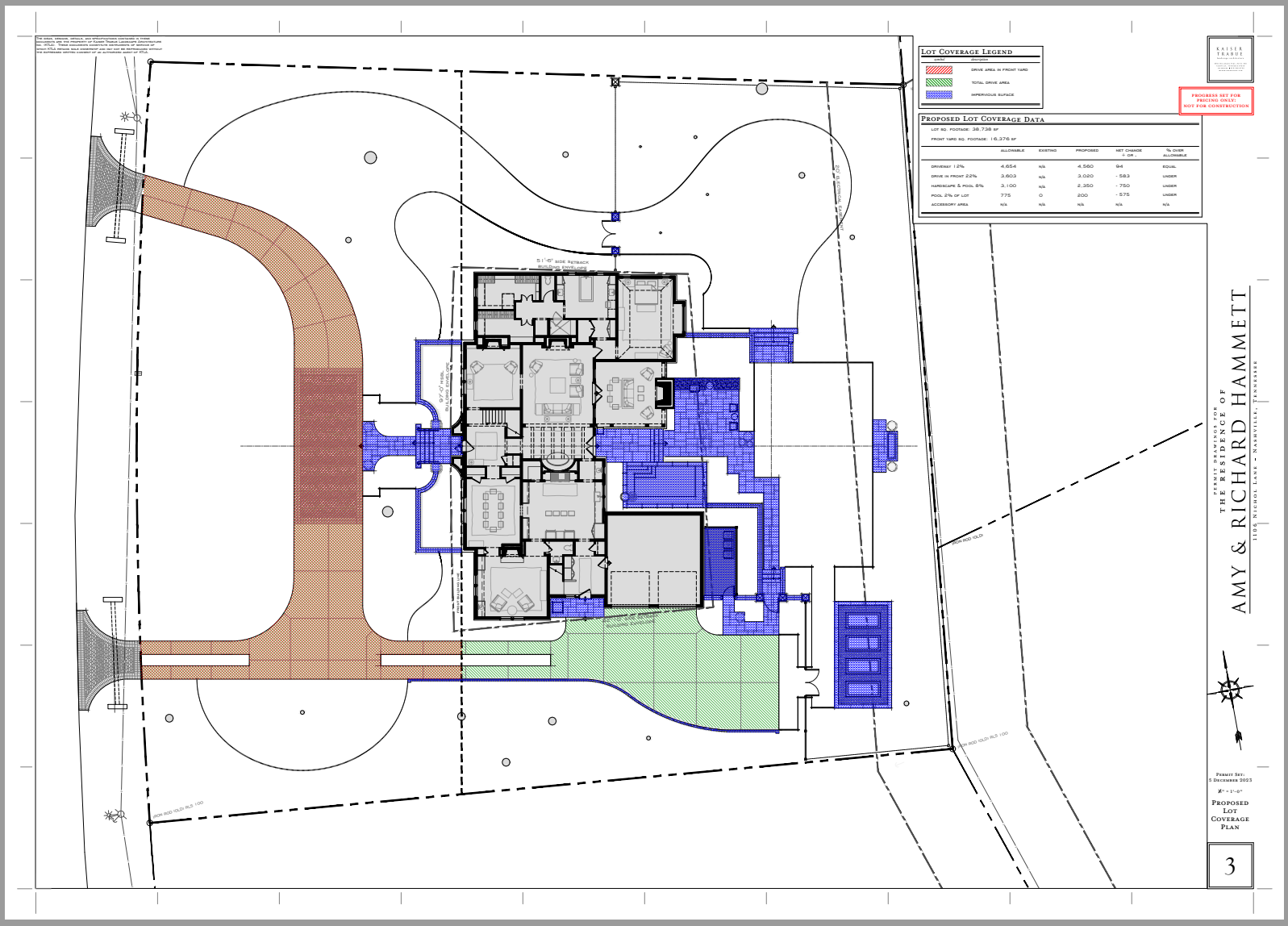
PERMIT SET:  
5 DECEMBER 2023

THE RESIDENCE OF AMY &  
RICHARD HAMMETT  
PERMIT DRAWING

1



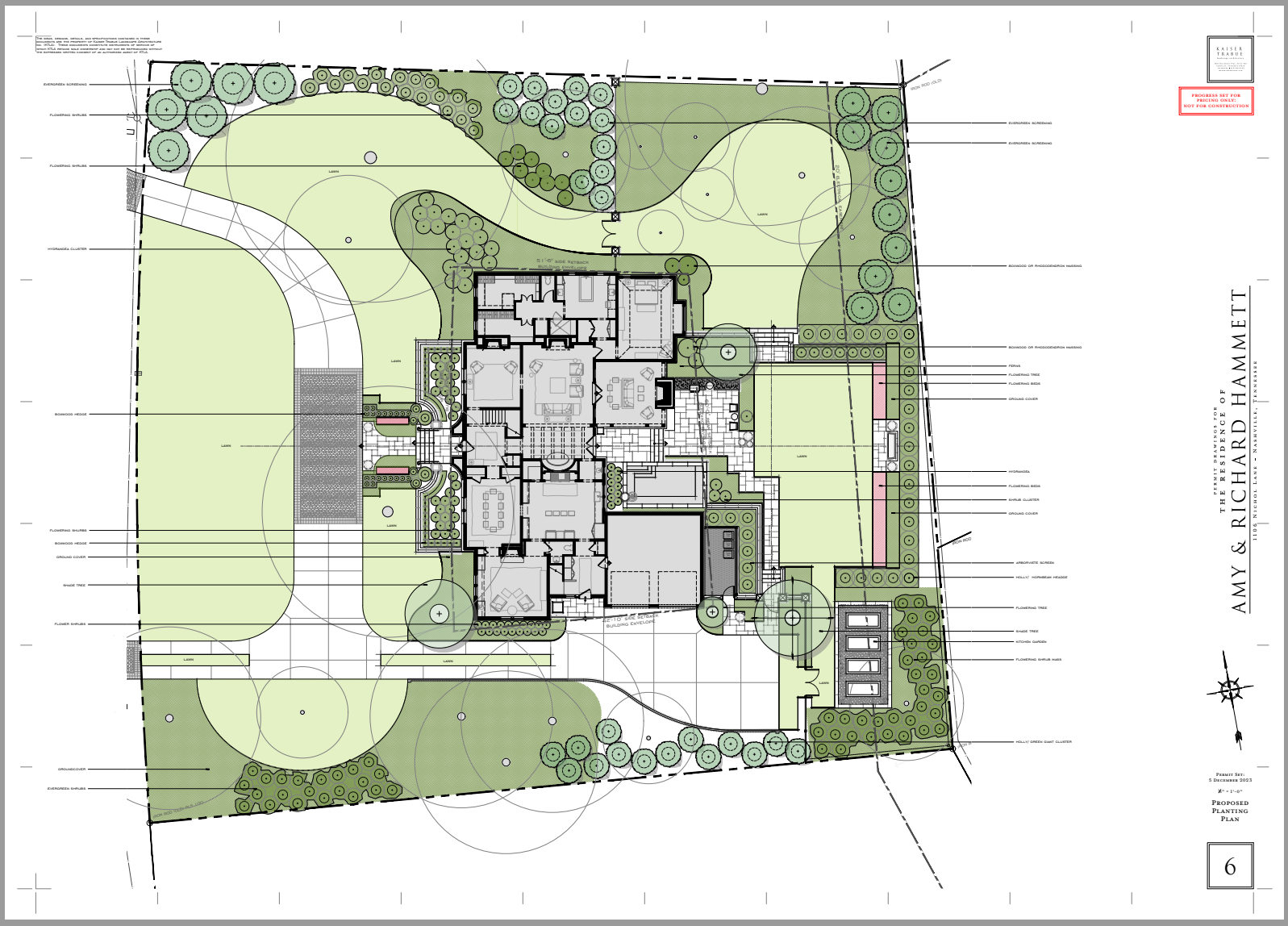
















### Staff Report

Agenda No.: IV.E.  
Case No.: BZA 2023-14  
Staff: Mary Samaniego, Planning Director  
Applicant: Amy and Richard Hammett  
Request: Conditional Use approval for a Swimming Pool and a Variance for a fence in an alternative location.  
Location: 1106 Nichol Lane

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#### Summary:

The applicants/property owners are requesting Conditional Use approval for the construction of a swimming pool on the subject property as well as a Variance for alternative fence placement. The property owners obtained a building permit for the construction of a single-family dwelling in January 2022, and it 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 0.89 acres (38,738 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 775 square feet.
3. The proposed area of water in the swimming pool is 200 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 3,100 square feet.
5. The proposed area of the hardscape including the pool is 2,350 square feet.
6. The proposed pool is entirely within the established building envelope (see attached Staff Analysis of Site Plan). The pool equipment will be in the crawlspace under the house.
7. The proposed wall and wood/wrought iron fence starts at the rear corner of the residence and jogs to provide for parking space maneuvering before continuing to the side property line. The fence then follows the side, rear, and other side property lines and ends to the side of the residence (see staff analysis).
8. There are several large well-established trees on the side yards and rear yard of the property that are proposed to be maintained.

#### 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 proposed plating plan as indicated on site plan Sheet 7 should adequately screen the pool improvements 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 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 on all sides.*
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 owners/applicants are required to illustrate compliance with this standard on the site plan and associated application at the time of building permitting.*

**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 follow the required fence placement guidelines except for instances to preserve existing trees and to allow for vehicle maneuvering. Zoning Ordinance Section 14-204 (g)(ii) states that fences may be offset to:*

*(A) Provide a reasonable turning area for automobiles backing out of a garage located inside the rear corner of the dwelling, in which case the applicant may request an offset in the fencing between the rear of the corner of the dwelling and the property line; and/or*

*(B) Protect existing trees on the property line, provided that such offset is subject to:*

*(1) Access through the fence sufficient to assure maintenance of any property between the property line and fence; and*

*(2) Landscaping to be maintained in accordance with the property maintenance code of the City of Belle Meade.*

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 the fence placement line as required. The intent and purpose of the fence provision, in staff's professional opinion, is to ensure that fences are placed in the rear yard as opposed to side yards. The proposed fence placement in the rear yard and the far portion of the side yard meets with intention while also allowing for tree preservation and safe vehicular maneuvering within the property.*
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 out of sight of Nichol Lane by the proposed and existing landscaping. 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 Variance request based on the written findings of fact.**

**Attachments:**

1. Location Map
2. Staff Analysis of Site Plan

