

**AN ORDINANCE TO AMEND TITLE 14, SECTION 204(1)(c) CONCERNING CHANGE IN ELEVATION TO REPEAL THAT SUB-SECTION IN ITS ENTIRETY AND SUBSTITUTE A NEW ORDINANCE THEREFOR.**

**WHEREAS**, the City of Belle Meade has adopted a Zoning Code, Title 14-201 *et seq* of its Code, which governs the construction and improvement of structures within the City;

**WHEREAS**, the City of Belle Meade in Title 14, Section 204(1)(c) contains requirement concerning the allowable in change of existing elevation by excavation, fill, or grading;

**WHEREAS**, the Commissioners of the City of Belle Meade have determined that the current provisions of the Zoning Code are impracticable, difficult of fair application, and do not achieve the purpose of preventing undesirable grade changes;

**WHEREAS**, the Commissioners, in order to effectuate the intent described above, desire to modify that section of the Zoning Code, which forbids all elevation changes of greater than twenty-one inches (21") from the natural grade, without the approval of the Board of Zoning Appeals;

**NOW, THEREFORE:**

**SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISSISONERS OF THE CITY OF BELLE MEADE** that Title 14, Section 204(1)(c) of the City Code, which currently provides:

(c) Change in Elevation. No change in the existing elevation of a lot, by excavation, fill, grading, the use of retaining walls, any combination of the foregoing or otherwise, in excess of twenty-one inches (21") may be accomplished without the approval in advance by the board of zoning appeals.

Shall be repealed in its entirety and the following substituted therefor:

(c) Change in Elevation. There shall be no change in the existing elevation of a lot, by excavation, fill, grading, the use of retaining walls, or combination of the foregoing or otherwise, except in accordance with this sub-section.

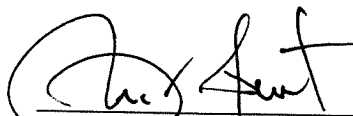
- (1) A change in elevation of up to two feet (24") shall be permitted for the entire lot.
- (2) Within the building envelope up to a total area of 6% of the entire square footage of the lot, an additional two feet (24") elevation change shall be permitted.
- (3) An additional one foot (12") of elevation change shall be permitted on an area up to four percent (4%) of the entire square footage of the lot in the area outside the building envelope but not extending into a buffer zone extending twenty feet (20') from the property sidelines, rear property line, and front property line.
- (4) There shall be no restriction whatsoever on grade change within the building footprint.
- (5) Application for increase in elevation in excess of these standards shall be appealable to the board of zoning appeals.

**SECTION TWO: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE** that this ordinance shall take effect immediately upon passage the health, safety and welfare of the citizens requiring it.

Passed on first reading:  
November 15, 2017

Reviewed and Recommended by Planning Commission:  
November 21, 2017

Passed on Second Reading:  
January 17, 2018

  
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Mayor James V. Hunt

  
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City Recorder Charlotte Hunter