

**ORDINANCE 2018-5**

**AN ORDINANCE TO AMEND SECTION 14-204 (1)(h)(i)(A) OF THE BELLE MEADE ZONING CODE TO CLARIFY RESTRICTIONS FOR MINIMUM WIDTH OF SIDE YARDS.**

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

**WHEREAS**, the City of Belle Meade in Title 14, Section 204(1)(h)(i)(A) contains requirements concerning the minimum widths of side yards; and

**WHEREAS**, the Commissioners of the City of Belle Meade have determined that the current provisions of the Zoning Code are capable of varying interpretation and application; and

**WHEREAS**, the Commissioners, in order clarify the of intent of the provision above described, do hereby adopt this amendment;

**NOW, THEREFORE:**

**SECTION ONE: BE IT ORDAINED BY THE BOARD OF COMMISISONERS OF THE CITY OF BELLE MEADE** that Title 14, Section 204(1)(h)(i)(A) of the Zoning Code, which currently provides:

(h) Side Yards.

(i) (A) Minimum width. The minimum width of any side yard shall be twenty percent (20%) of the lot width at the front building line: provided, however, that the sum of the widths of both side yards shall be at least fifty percent (50%) of the lot width at the front set back line, and provided further that, in the case of a lot having an irregular front lot line, the width of the lot shall be measured at the midpoint of the front setback line.

Shall be amended to add the following sentence at the end of such sub-section and sub-part :

The requirement of fifty percent (50%) of the lot width shall also apply to any nonconforming structure, regardless of whether the proposed addition is within the applicable setback, and therefore shall be subject to review by the board of zoning appeals, as provided in Section 14-206 (3)(c)(iv) (B).

**SECTION TWO: BE IT FINALLY ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BELLE MEADE THAT THIS ORDINANCE SHALL TAKE EFFECT UPON PASSAGE THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS REQUIRING IT.**

Passed on first reading:

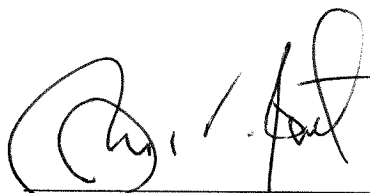
August 15, 2018

Reviewed and Recommended by Planning Commission:

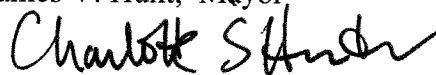
August 21, 2018

Passed on Second Reading after Public Hearing:

September 19, 2018



James V. Hunt, Mayor



Charlotte Hunter, City Recorder