



CITY APPOINTEES
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BOARD OF ADJUSTMENT

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CITY HALL - 125 N. MAIN ST., STE. 468 - MEMPHIS, TENNESSEE 38103 - (901) 576-6601



COUNTY APPOINTEES
MADELEINE SAVAGE-TOWNES, ESQ., VICE CHAIR
CARSON CLAYBROOK
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PORTIA SCURLOCK

AGENDA

Wednesday, January 22, 2020

Memphis City Hall

125 N. Main Street

- A. Executive Session: 1:30, Dr. Martin Luther King, Jr. Conference Room (first floor)
- B. Public Session: 2:00, **Fifth Floor Conference Room**
- C. Approval of the Previous Meeting's Minutes
- D. Secretary's Report: [2019 Annual Report](#)

E. Approval of Consent Agenda

The purpose of the Consent Agenda is to expedite approval of those cases where there is agreement among all parties over the recommendations and conditions placed by staff. All cases placed on the Consent Agenda will be voted on by the Board as a group. As the Consent Agenda is established during the beginning of the meeting, the Secretary will ask if any member of the Board, staff or public objects, by a show of hands, to a case or the conditions as outlined in the case's Staff Report. If so, that case will be ineligible to be placed on the Consent Agenda. Also, ineligible to be placed on the Consent Agenda are those cases where staff has made a recommendation of rejection and those cases on behalf of which opposition speakers cards have been submitted.

F. Regular Agenda

All section numbers below are references to the Memphis and Shelby County Unified Development Code.

HELD CASES

- | | |
|-----------------------|---|
| 1. DOCKET: | BOA 19-105 (City) |
| LOCATION: | 5122 Crestview Road |
| APPLICANT: | Richard Pearce |
| USE DISTRICT: | Conservation Agriculture (CA), Floodway, Flood Plain Overlay, and
Fletchers Creek Overlay |
| REQUEST: | Final site plan approval for the partial filling of former sand mining
operation with immediate construction debris, based on the conditions
of Docket Number BOA 19-39 |
| STAFF PLANNER: | Jeffrey Menzes |
| STAFF RECOMMENDATION: | None |

*This item was held for periods of one month by the Board during its
October 23, 2019, November 20, 2019, and December 18, 2019,
meetings. It cannot be held again under Sub-Section 9.22.5C.*

WITHDRAWN

2. DOCKET: BOA 19-114 (City)
LOCATION: 956 S. Third Street
APPLICANT: Aundra L. White
USE DISTRICT: Commercial Mixed Use-1 (CMU-1) and Residential Urban-3 (RU-3)
REQUEST: Use variance from Section 2.5.2 to allow vehicle sales
STAFF PLANNER: Jeffrey Penzes
STAFF RECOMMENDATION: Rejection
This item was held for periods of one month by the Board during its November 20, 2019, and December 18, 2019, meetings.
3. DOCKET: BOA 19-126 (City)
LOCATION: 45 South Idlewild Street
APPLICANT: Rosecrest LLC
USE DISTRICT: Residential Urban -4 (RU-4), Midtown Overlay, PD 82-018, SUP 95-208, SUP01-219, and SUP 06-218
REQUEST: Variances from 8.45B(b), 8.4.5B(1)(c), 8.4.5B(1)(a), and 4.5.3B dealing with front setback, building height, amount of parking spaces, and design of building frontage
STAFF PLANNER: Seth Thomas
STAFF RECOMMENDATION: Approval with conditions
This item was held for periods of one month by the Board during its December 18, 2019, meeting.
4. DOCKET: BOA 19-127 (City)
LOCATION: Southeast corner of Union Avenue and Kimbrough Street
APPLICANT: Kimbrough, LLC
USE DISTRICT: Commercial Mixed Use -3 (CMU-3), Residential Single Family -6 (R-6), Central Gardens Historic District, BOA 78-095, and BOA 85-113
REQUEST: Use variance from Section 2.5.2 to legitimize the existing parking, drive aisle, and a porte cochere associated with the apartment building that lies within the Residential Single Family -6 District; variance from Sub-Section 3.2.10B to legitimize the following existing encroachments +/-5.4 feet into the front setback, and variance from 4.5.3 to legitimize the existing on-site parking ratio that is deficient by 56 spots-172 required 116 provided
STAFF PLANNER: Jeffrey Penzes
STAFF RECOMMENDATION: Approval with conditions
This item was held for a period of one month by the Board during its December 18, 2019, meeting.

5. DOCKET: BOA 19-128 (City)
LOCATION: 810 Washington Avenue
APPLICANT: Blair Tower, LLC
USE DISTRICT: Residential urban -4 (RU-4), Medical District Overlay (Z 06-117)
REQUEST: Variances from Section 8.2.4 and Sub-Section 8.2.6A to legitimize existing, "as-built" non-conformities. These include ground floor residential apartment and exceed maximum building height
STAFF PLANNER: Lucas Skinner
STAFF RECOMMENDATION: Approval with conditions
This item was held for a period of one month by the Board during its December 18, 2019, meeting.

6. DOCKET: BOA 19-132 (City)
LOCATION: 235 West Shelby Drive
APPLICANT: Mars Hill Baptist Group/ Neeraj Kumar
USE DISTRICT: Residential Single Family -6 (R-6)
REQUEST: Variance from Sub-Section 3.6.2A to permit encroachment of existing church building into the rear setback, a variance from Paragraph 2.6.2G(3) to permit offsite parking, and a variance from Paragraph 2.6.2G(5) for a class II buffer along any residential lines
STAFF PLANNER: Lucas Skinner
STAFF RECOMMENDATION: Approval with conditions
This item was held for a period of one month by the Board during its December 18, 2019, meeting.

NEW CASES

7. DOCKET: BOA 20-1 (City)
LOCATION: 735 N. Holmes Street
APPLICANT: Obispo Ramos-Ledezma
USE DISTRICT: Residential Urban -1 (RU-1)
REQUEST: Variance from Item 3.7.2B to allow an interior side setback of 3' where 5' is required and a rear setback of 8' where 20' is required
STAFF PLANNER: Somer Smith
STAFF RECOMMENDATION: Approval with conditions

8. DOCKET: BOA 20-2 (City)
LOCATION: 1615 Union Avenue
APPLICANT: Valvoline Instant Oil Change
USE DISTRICT: Commercial-Mixed Use -3 (CMU-3), with Midtown District Overlay
REQUEST: Variance from:

- Bickford's Union Terrace Subdivision to permit an encroachment into the platted front setback, per Sub-Section 3.2.9F
- Section 8.4.11 to reduce the minimum width of the required streetscape plate

STAFF PLANNER: Brett Davis
STAFF RECOMMENDATION: Approval with conditions

9. DOCKET: BOA 20-3 (City)
LOCATION: Henry Ave., N. Front St., and Saffarans Ave
APPLICANT: Keel Street, LLC and Wolf River Harbor Holdings, LLC
USE DISTRICT: Mixed Use (MU), Moderate Density Residential (MDR), Heavy Industrial (IH), Heavy Industrial/Flood Plain (IH/FP), and High Density Residential (HDR)

REQUEST: Use variance from Section 2.5.2 and bulk variances from Sub-Sections 3.2.9F, 4.3.2, and 3.10.2B to allow redevelopment of two parcels

STAFF PLANNER: Teresa Shelton
STAFF RECOMMENDATION: Approval with conditions
10. DOCKET: BOA 20-4 (City)
LOCATION: 2499 Haisch Road
APPLICANT: Carlos Ortiz
USE DISTRICT: Residential Single-Family -6 (R-6), Residential Urban -1 (RU-1), and Commercial Mixed-Use -2 (MU-2)

REQUEST: Encroachment into platted front yard pursuant to Sub-Section 3.2.9F

STAFF PLANNER: Seth Thomas
STAFF RECOMMENDATION: Approval with conditions
11. DOCKET: BOA 20-5 (City)
LOCATION: 1770 Lanier Lane
APPLICANT: Overton High School/Reginald R. Williams
USE DISTRICT: Residential -6 (R-6), SUP 98-218
REQUEST: Variance from Sub-Item 4.9.6E(2)(g)(iii) to replace existing sign with digital new and improved sign

STAFF PLANNER: Lucas Skinner
STAFF RECOMMENDATION: Approval with conditions
12. DOCKET: BOA 20-6 (City) (Correspondence to Docket BOA 18-10)
LOCATION: 4200 & 4210 Prescott Rd
APPLICANT: Gerardo Romero
USE DISTRICT: Residential Single-Family -8 (R-8) and BOA 18-10
REQUEST: Time extension to Docket Number BOA 18-10 to allow horses on a permanent basis

STAFF PLANNER: Jeffrey Penzes
STAFF RECOMMENDATION: Rejection

13. DOCKET: BOA 20-7 (City)
LOCATION: 621 S. Willett Street
APPLICANT: Eric A. Clauson/Revocable Trust
USE DISTRICT: Residential Single Family Historic (R-6[H]) District
REQUEST: Variance from Paragraph 2.7.2B(2), Item 2.7.2D(1)(b), and Paragraph 2.7.2D(6) to allow an accessory garage/dwelling unit to encroach into the required rear yard setback; and to exceed the maximum height and floor area

STAFF PLANNER: Brian Bacchus
STAFF RECOMMENDATION: Approval with conditions

14. DOCKET: BOA 20-8 (City) (Correspondence to Dockets BOA 65-22 (CO) & BOA 68-75 (City))
LOCATION: 1520 E Brooks Rd
APPLICANT: Wheel Estate MHP Memphis TN, LLC
USE DISTRICT: Employment (EMP) District
REQUEST: Modification of BOA 65-22 (CO) and 65-75 (City) to legitimize the expansion of Wheel Estates

STAFF PLANNER: Jeffrey Penzes
STAFF RECOMMENDATION: Approval with conditions

PETITION TO REHEAR

15. DOCKET: BOA 19-134 (City) (originally filed as SUP 19-32)
LOCATION: 618 Looney
APPLICANT: Shelly Rorie/ A Dwelling Place, LLC
USE DISTRICT: Moderate-Density Residential (MDR)
REQUEST: Petition to rehear a request for a use variance from Section 7.3.11 allow an assisted living facility

STAFF PLANNER: Somer Smith
STAFF RECOMMENDATION: Approval with conditions