



# Memphis and Shelby County Office of Planning and Development

CITY HALL 125 NORTH MAIN STREET-SUITE 468 MEMPHIS, TENNESSEE 38103-2084 (901) 576-6601

## APPLICATION FOR SPECIAL EXCEPTION APPROVAL

Date: \_\_\_\_\_

Case #: \_\_\_\_\_

PLEASE TYPE OR PRINT

Property Owner of Record: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Property Owner E-Mail Address: \_\_\_\_\_

Applicant: \_\_\_\_\_ Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Applicant E- Mail Address: \_\_\_\_\_

Representative: \_\_\_\_\_ Phone #: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Representative E-Mail Address: \_\_\_\_\_

Engineer/Surveyor: \_\_\_\_\_ Phone # \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip \_\_\_\_\_

Engineer/Surveyor E-Mail Address: \_\_\_\_\_

Site Street Address Location: \_\_\_\_\_

Distance to nearest intersecting street: \_\_\_\_\_

	Parcel 1	Parcel 2	Parcel 3
Area in Acres:	_____	_____	_____
Existing Zoning:	_____	_____	_____
Existing Use of Property	_____	_____	_____
Requested Use of Property	_____	_____	_____
<b>Deed Instrument # (s):</b> _____	<b>Please attach a copy of all deeds.</b>		

**Requested Special Exception: (Check One)**

- A. Increased height limits above that permitted in the base district or on an officially adopted height map;**
- B. Drive-thru facilities in a RW District;**
- C. Live/works units with work space above the ground floor or units located further than 100-feet from an intersection;**
- D. Additional provisions for off-site parking;**
- E. Outside storage and display in a district not specifically allowed;**
- F. On-site creative signs that do not match the required dimensional standards;**
- G. Block provisions (Section 5.2.5)**
- H. All other special exceptions as set out in this Code.**

**Variances:** If the Office of Planning and Development (OPD) determines your submitted site plan requires Board of Adjustment (BOA) action on a particular standard of the Unified Development Code, this application will not be heard by the Land Use Control Board (LUCB) until an application is submitted to the BOA. Once a BOA application is received by OPD, OPD will proceed to send any public notices for the next available LUCB meeting. Notices will not be sent out prior to a BOA application being received. In lieu of a BOA application being filed, this application for a Special Exception may be replaced with an application for a Planned Development within 14 days of the filing deadline for this application, unless the site is located within the Medical Overlay District (see Sec. 8.2.2D of the UDC). If neither a Board of Adjustment nor a Planned Development application is received within 90 days of the filing deadline for this application, then this application shall be considered defective and withdrawn from any future consideration by the Land Use Control Board.

**I (we) hereby make application for the Special Exception Approval described above and on the accompanying materials. I (we) accept responsibility for any errors or omissions which may result in the postponement of the application being reviewed by the Memphis & Shelby County Land Use Control Board at the next available hearing date. I (We), owner(s) of the above described property hereby authorize the filing of this application and the above named persons to act on my behalf.**

\_\_\_\_\_  
Property Owner of Record

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant

\_\_\_\_\_  
Date

### **GUIDE FOR SUBMITTING SPECIAL EXCEPTION APPLICATION**

**9.14.6 Special Exception Approval Criteria**

To approve a special exception, the Land Use Control Board shall make an affirmative finding that all of the following criteria are met:

Please address each sub-section below (Provide additional information on a separate sheet of paper if needed).

- The request will not adversely affect any plans to be considered (see Chapter 1.9)
- A special exception does not injure or damage the use, value or enjoyment of surrounding property or hinder or prevent the development of surrounding property.
- A special exception does not have an adverse impact on land use compatibility.
- A special exception does not materially and adversely affect adjacent land uses and the physical character of uses in the immediate vicinity of the proposed use.
- When approving a special exception, the Land Use Control Board shall give special consideration to building and site improvements that enhance the level of pedestrian amenities.

**SIGN POSTING** – A sign or signs shall be erected on-site no more than 30 days or less than 10 days prior to the date of the Land Use Control Board hearing. See Sub-Section 9.3.4C of the UDC for further details on sign posting.

A. **THE APPLICATION** - Two (2) collated sets of this application in accordance with the requirements of the Unified Development Code and as outlined below shall be submitted to OPD. The following information is required to be submitted for consideration as a complete application, and except for copies of the Site/Concept Plan, shall be provided on sheets of 8.5"x11" in size. The application with original signatures shall be completed either with legible print or typewritten. Each application set shall be compiled in the following order:

- 1) This application, 8.5"x11" Site/Concept Plan, Plot Plan, Legal Description, Vicinity Map, 2-3 sets of gummed-backed Mailing Labels, 2 sets of paper copied Mailing Labels, Letter of Intent, 20"x24"Site/Concept Plan (folded), copy of Deed(s).
- 2) A compact disc with all submittal documents in "PDF" and any proposed conditions in "WORD."

*(For additional information concerning these requirements contact Land Use Control Section at (901) 576-6601.)*

B. **SITE PLAN/PLAT** – Two (2) copies of the site plan/plat showing each parcel as referenced to public street right-of-way. Site plan/plats shall include the following: (a) property boundary lines and dimensions, existing and proposed utilities and easements, roadways, rail lines and public rights-of-way crossing adjacent to the subject property; (b) the proposed height, dimensions and arrangements of buildings on the property; (c) the type and location of landscaping proposed; (d) the location of points of ingress to and egress from driveways, parking lots and loading areas on the site; (e) the location of roadway medians and any proposed modifications, and (f) any proposed substantial re-grading of the site and any significant topographical or physical features of the site including water courses. Site plans shall be drawn at a scale compatible with the scale of the project.

C. **LIST OF NAMES AND ADDRESSES**

- 1) Two (2) complete lists of names and mailing addresses, including zip codes, of all adjacent property owners of the subject site, typewritten on 1"x 2<sup>5/8</sup>" self-adhesive mailing labels and 2 paper sets.
- 2) Two (2) self-adhesive mailing labels (1"x 2<sup>5/8</sup>") each for the owner of record, applicant, representative and/or engineer/surveyor.

D. **FILING FEES** (*All Fees Are Subject To Change without Prior Notice*)

- 1) A fee for 5.0 Acres or less=\$750. Each additional acre or fraction thereof =\$50, Maximum =\$7,500. Make check payable to "M/SC Office of Planning and Development"

**\*ALL APPLICATIONS MUST BE SUBMITTED IN PERSON AND THE SUBMITTER MUST RECEIVE A RECEIPT OF ACCEPTANCE FROM STAFF**