



CITY APPOINTEES
TIMOTHY RAINEY, ESQ., VICE CHAIR
JOHN JACKSON III
ANDRE JONES
AARON PETREE

MEMPHIS AND SHELBY COUNTY
BOARD OF ADJUSTMENT

CITY BOARD EST. 1925 - COUNTY BOARD EST. 1931 - MERGED, 1970

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



COUNTY APPOINTEES
FRANK COLVETT, JR., CHAIR
DANIEL DOW
LYNDA RAIFORD
MADELEINE SAVAGE-TOWNES, ESQ.

Date: January 28, 2015

To: Frank Colvett, Jr., Chairman
Timothy Rainey, Vice Chairman
Daniel Dow, Member
John Jackson, III, Member
Andre Jones, Member
Aaron Petree, Member
Lynda Raiford, Member
Madeleine Savage-Townes, Member

From: Josh Whitehead, Secretary

RE: 2014 Annual Report

Mr. Chairman and Members of the Board:

It has been a pleasure to serve as your Secretary this past year. This four-page memorandum summarizes the attendance and case load of the Board during 2014 and shall therefore serve as your Annual Report for the year.

1. Attendance

Frank Colvett, Jr., served as Chairman during 2014 and Tim Rainey served as Vice Chair. The attendance of all members is as shown below.

Regular Members

Mr. Burditt attended 9 of 12 meetings (this position has since been filled by Mr. Petree).

Chairman Colvett attended 11 of 12 meetings.

Mr. Dow attended 7 of 12 meetings.

Mr. Jackson attended 7 of 12 meetings.

Mr. Jones attended 9 of 12 meetings.

Ms. Raiford attended 11 of 12 meetings.

Vice Chairman Rainey attended 12 of 12 meetings.

Ms. Savage-Townes attended 11 of 12 meetings.

Alternates

The following current and former members of the Land Use Control Board, all of whom are on the approved eligibility list to serve as alternates to the Board of Adjustment, attended accordingly:

Dr. Margaret Pritchard attended 3 meetings.

Mr. James Toles attended 3 meetings.

Ms. Mary Sharp attended 2 meetings.

Ms. Emily Trenholm attended 1 meeting.

Mr. Mark Yates attended 1 meeting.

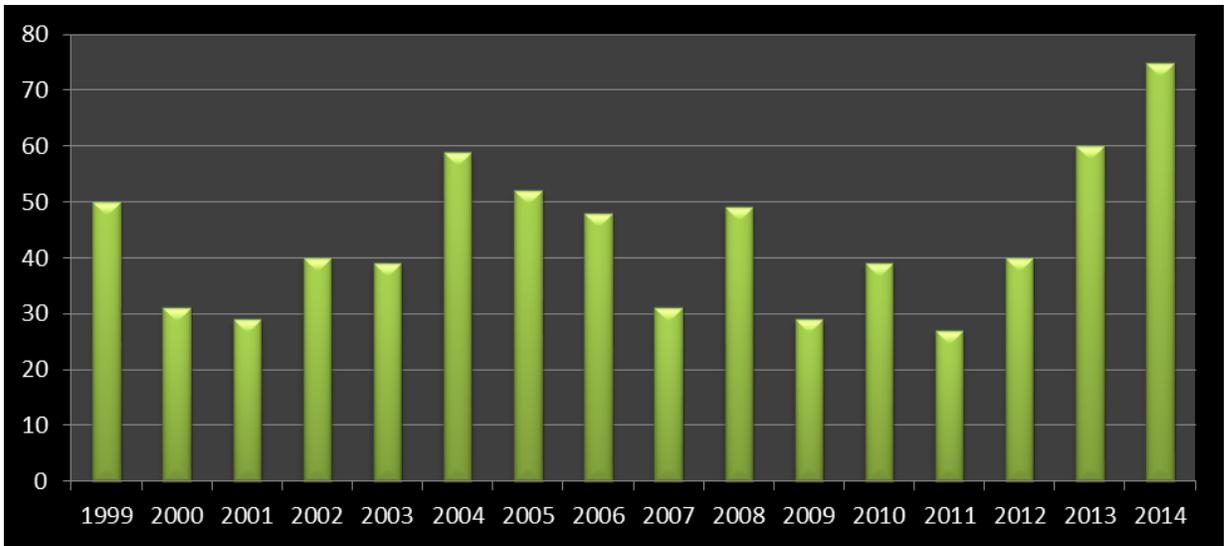
2. Caseload

The Board heard 67 requests in 2014 under the following categories:

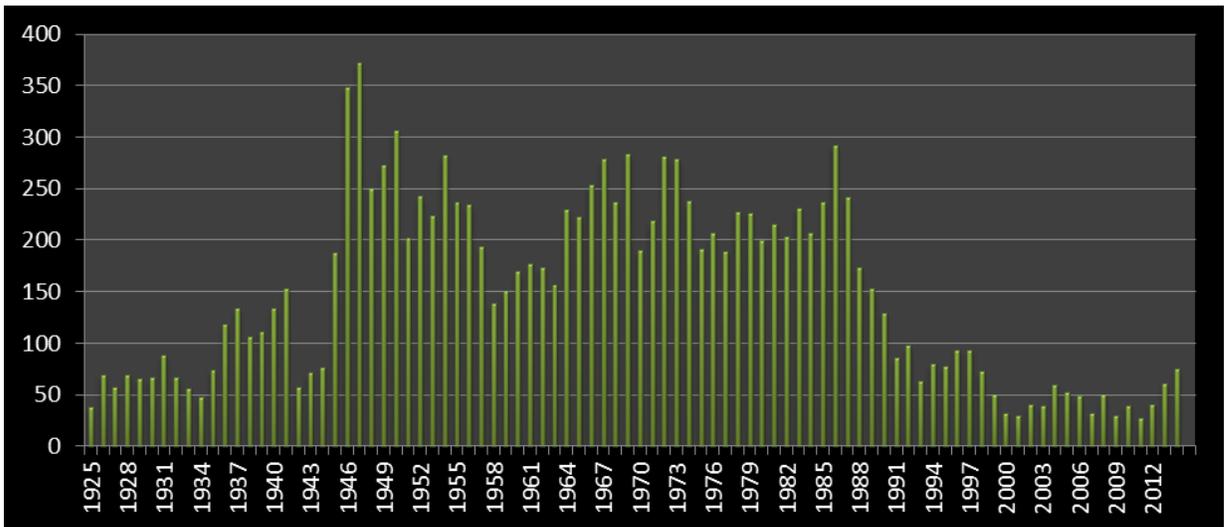
- The Board heard **4 appeals cases**. Three were approved. One was rejected.
- The Board heard **40 bulk variance requests on sites without existing billboards**. 36 were approved. One was rejected. Three have been held over into 2015.
- The Board heard **6 bulk variance requests on sites with existing billboards**. Two of these six were related to change in technology of the billboards themselves; one was approved and one was withdrawn. Four of these six were related to allowing improvements to the site; all four were approved.
- The Board heard **11 use variance** requests. Ten were approved and one was withdrawn.
- The Board heard **3 correspondence cases**. All were approved.
- The Board heard **1 condition use permit** request. It was approved.
- The Board heard **2 administrative requests** from its Secretary: a change to the Board's Rules of Procedure and a recommendation to the Memphis City Council and Shelby County Board of Commissioners on a change to its fee schedule. Both requests were approved.
- Of the 65 requests made by property owners in 2014, **64** were located in the City; **one** was located in the County.

The tables below indicate annual caseloads by case number. Since cases are assigned their annual prefix at the time of filing, rather than the time of the public hearing, the figures below vary slightly from the ones provided on this page. For instance, a case filed in December of 2012 was given a "12" prefix but heard in 2013.

There were 75 cases filed with the Board in 2014. This represents the largest case load of the Board since 1998. The table below contains the case load for each year, 1999-2014.



However, when looking at the entire history of the Board, the 75 cases received in 2014 pales in comparison with the Board’s busiest years. The table below contains the case load for each year, 1925-2014. The figures for the years 1931 to 1970 reflect the combined caseload of the then separate City and County Boards of Adjustment.



Since its founding in 1925, the Board has heard more than 13,000 cases. About 4400 of these were heard by the old City Board, about 3100 were heard by the old County Board and about the balance of 5500 have been heard by the Joint Board. The most active year for the Board, by far, was in 1947 when the City Board reviewed 202 cases and the County Board reviewed 170. 2011 represented the most inactive year; only 27 cases were heard by the Joint Board in that year.

3. Significant Cases, 2014

Of the cases heard in 2014, the following five are noteworthy due to either their economic impact or importance in the continued advancement of planning in Memphis and Shelby County:

- **Case BOA 14-18:** Duplex at Barksdale and Nelson. While the construction of a duplex could be considered relatively minor, the fact that it is replacing a structurally unsound corner store that has been vacant for nearly 20 years makes it worthy of this list. Also, due to compromise with staff and the neighbors, the applicant reduced the number of proposed residential units at this location from four to two.
- **Case BOA 14-21:** Iberia Bank at NE corner of Union and Claybrook. Although several variances were required for this project, it largely adheres to the standards of the Medical Overlay District in that the building is located directly along Union with parking located at the rear of the lot. It demonstrates the developability of a difficult urban lot that is encumbered by a pedestrian overpass and associated stairway.
- **Case BOA 14-29:** The Standard Apartments at Mynders and Brister. This seven-story apartment building required variances from the University District Overlay, including a height variance to allow for two additional floors. Its urban design shows a shift in multi-family construction in the university area and will likely assist in the transition of the University of Memphis from its historic status as a commuter school.
- **Case BOA 14-34:** McDonald's at Southern and Highland. This case was originally filed as a Planned Development with the Land Use Control Board. Due to stiff opposition to the original site plan, the applicant withdrew the case before it could be heard for final disposition by the Memphis City Council. McDonald's subsequently met with the neighbors and the University of Memphis and developed a more urban design that met many of the standards of the University District Overlay. This revised site plan was submitted to the Board for relatively minor variances, received the recommendation of the University Neighborhood District Coalition and was approved.
- **Case BOA 14-52:** Warehouse at Georgia and Fourth. When Wurzburg vacated their facilities on the south side of downtown they had occupied for nearly 100 years, there was a concern that their old buildings would be difficult to reuse. This concern was abated for one of these historic structures when ER2, a certified electronic responsible recycling company from Mesa, Arizona, received Board approval to enter the Southeast market by utilizing the building at Georgia and Fourth as a computer and electronic warehouse.