



CITY APPOINTEES
TIMOTHY RAINEY, ESQ., CHAIR
JOY DOSS
JOHN JACKSON III
AARON PETREE

BOARD OF ADJUSTMENT

CITY BOARD EST. 1926 - 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
DANIEL DOW
MADELEINE SAVAGE-TOWNES, ESQ.

Date: January 27, 2016

To: Timothy Rainey, Chairman
Joy Doss, Member
Daniel Dow, Member
John Jackson, III, Member
Aaron Petree, Member
Madeleine Savage-Townes, Member

From: Josh Whitehead, Secretary

RE: 2015 Annual Report

Mr. Chairman and Members of the Board:

It has been a pleasure to serve as your Secretary this past year. This Annual Report summarizes the attendance and case load of the Board during 2015.

1. Attendance

Frank Colvett, Jr., served as Chairman during 2015 and Tim Rainey served as Vice Chair. The attendance of all members is as shown below.

Regular Members

Chairman Colvett attended 12 of 12 meetings.

Ms. Doss attended 5 of 5 meetings. Ms. Doss joined the Board in August.

Mr. Dow attended 10 of 12 meetings.

Mr. Jackson attended 9 of 12 meetings.

Mr. Jones attended 3 of 7 meetings. Mr. Jones resigned from the Board in July.

Mr. Petree attended 12 of 12 meetings.

Ms. Raiford attended 10 of 12 meetings.

Vice Chairman Rainey attended 12 of 12 meetings.

Ms. Savage-Townes attended 11 of 12 meetings.

Alternates

The following current 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:

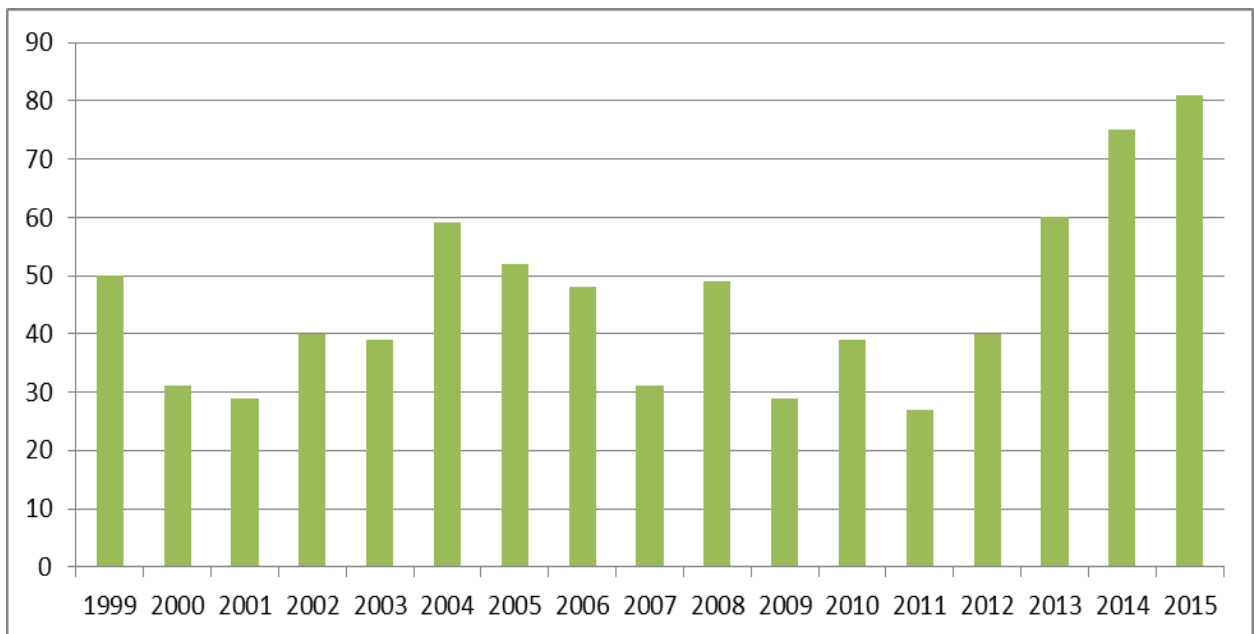
Mr. Rob Norcross, Dr. Margaret Pritchard, Mr. James Toles and Ms. Mary Sharp all attended 1 meeting.

2. Caseload

The Board heard 98 requests in 2015 under the following categories:

- The Board heard **4 appeals** of administrative opinions of either the Office of Planning and Development or the Office of Construction Code Enforcement. Two were approved, one was rejected and one was withdrawn.
- The Board heard **62 bulk variance** requests that did not involve signs or accompanying use variances. 61 were approved. One was rejected.
- The Board heard **6 on-site sign variance** requests. All six were approved.
- The Board heard **2 off-site sign variance** requests. These ranged in nature from allowing an existing sign to digitize to creating a lot for an existing sign. Both requests were approved.
- The Board heard **22 use variance** requests. 20 were approved and two were rejected.
- **25** of the cases were in the Overlay or Special Purpose Districts within the City of Memphis.
- Two cases were withdrawn prior to being heard by the Board that are *not* included in any other category cited above. Both of these requests involved use variances.
- Of the 98 requests made by property owners in 2015, **95** were located in the City; **2** were located in the County and **1** straddled the City limits.

The table below indicates annual caseloads by case number and prefix year. For many years, cases were assigned their annual prefix at the time of filing, rather than the time of the public hearing. This means cases filed in December of each year and heard in January of the following year had the previous year's prefix. However, beginning in December of 2015, cases filed in December were given "16" prefixes. Therefore, the figure below for 2015 is somewhat *depressed*, as compared to prior years.



3. Significant Cases, 2015

Of the cases heard in 2015, 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 14-59:** The case involved setback variances for a single-family home constructed on a long-vacant lot at the northeast corner of McLean and Cowden.

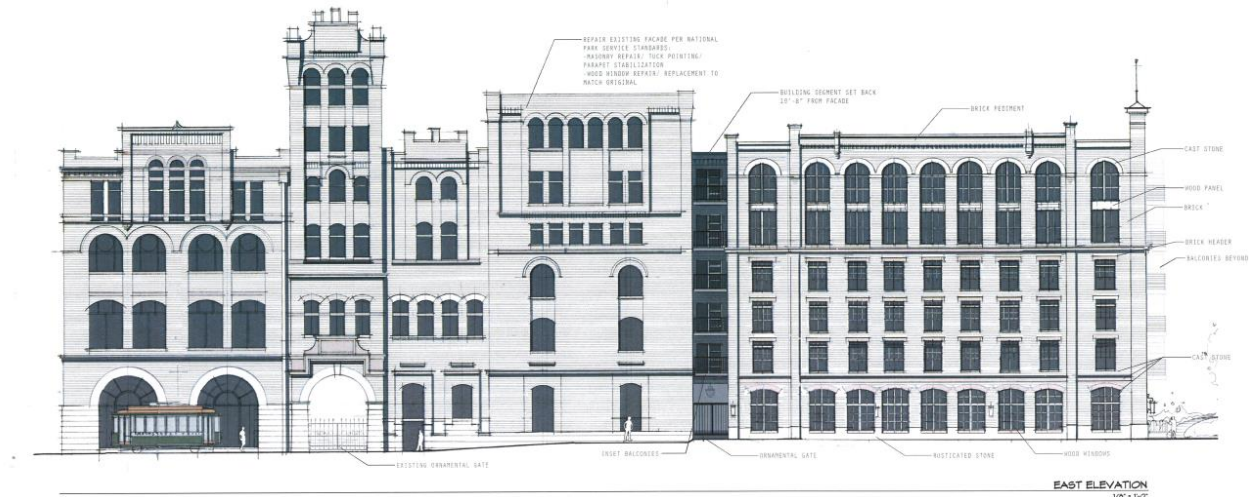


- **Case BOA 14-67:** This was a correspondence case from a use variance approved on East Parkway, just south of Young Ave., for McDonald's in 1978. The old McDonald's was torn down and replaced with a Dollar Tree (see photo below).



- **Case BOA 14-71:** This 21-unit, three-story apartment building at the southeast corner of Mynders and Brister in the University Overlay was an annex to the seven-story apartment building approved at the southwest corner of that intersection by the Board with BOA 14-29. This case was later modified greatly by replacing the apartment buildings with a parking lot (Case BOA 15-52).

- **Case BOA 15-3:** This case involved the rehabilitation of the Tennessee Brewery and a new apartment building to its north. A later case, BOA 15-43, involved the addition of balconies on the new apartment building.



- **Case BOA 15-11:** This case involved an Orion Credit Union branch at the corner of Poplar and Dunlap, across from LeBonheur Hospital, that was formerly a gas station. This case was later slightly amended with Case BOA 15-74.
- **Case BOA 15-12:** This four-story, 185-unit apartment building was approved at the southeast corner of Front and MLK.



- **Case BOA 15-22:** This case legitimized the operation of the National Metal Museum within a residential zoning district.
- **Case BOA 15-47:** This case dealt with an expansion of the Visible Music College within the triangular Commercial and Industrial Bank behind the Sterick Bldg.
- **Case BOA 15-49:** This item involved the expansion of the Memphis Jewish Home at the corner of Walnut Grove and Forest Hill-Irene, which straddles the Memphis city limits.

- **Case BOA 15-61:** This use variance involved the rehabilitation of the old Rawleigh plant at Illinois and Kansas into a U-Haul self-storage facility.



- **Case BOA 15-62:** This use variance case involved a Family Dollar at Lamar and McLean within the Rozelle-Annesdale Landmarks District. While approved by the Board, it was subsequently rejected by the Landmarks Commission.



- **Case BOA 15-71:** This case involved a height variance for a new data center for St. Jude on St. Jude Place, just east of the Danny Thomas Overpass.
- **Case BOA 15-79:** This case involved an apartment building at Tennessee Street and Mina Avenue as an annex to the Tennessee Brewery across the street (see description of Case BOA 15-3 above).

