



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

# 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  
MADELEINE SAVAGE-TOWNES, ESQ., VICE CHAIR  
CARSON CLAYBROOK  
DANIEL DOW  
PORTIA SCURLOCK

Date: January 25, 2017

To: Timothy Rainey, Chairman  
Madeleine Savage-Townes, Vice Chair  
Carson Claybrook, Member  
Joy Doss, Member  
Daniel Dow, Member  
John Jackson, III, Member  
Aaron Petree, Member  
Portia Scurlock, Member

From: Josh Whitehead, Secretary

RE: 2016 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 2016.

## 1. Attendance

Tim Rainey served as Chairman during 2016 and Madeleine Savage-Townes served as Vice Chair. The attendance of all members is as shown below.

This needs to be updated to include Dec meeting:

### Regular Members

Chairman Rainey attended 12 of 12 meetings.

Vice Chair Savage-Townes attended 12 of 12 meetings.

Ms. Doss attended 8 of 12 meetings.

Mr. Dow attended 12 of 12 meetings.

Mr. Claybrook attended 8 of 10 meetings (Mr. Claybrook joined the Board in March)

Mr. Jackson attended 11 of 12 meetings.

Mr. Petree attended 9 of 12 meetings.

Ms. Scurlock attended 7 of 10 meetings. (Ms. Scurlock joined the Board in March)

### 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:

Margaret Pritchard attended 1 meeting.

James Toles each attended 2 meetings.

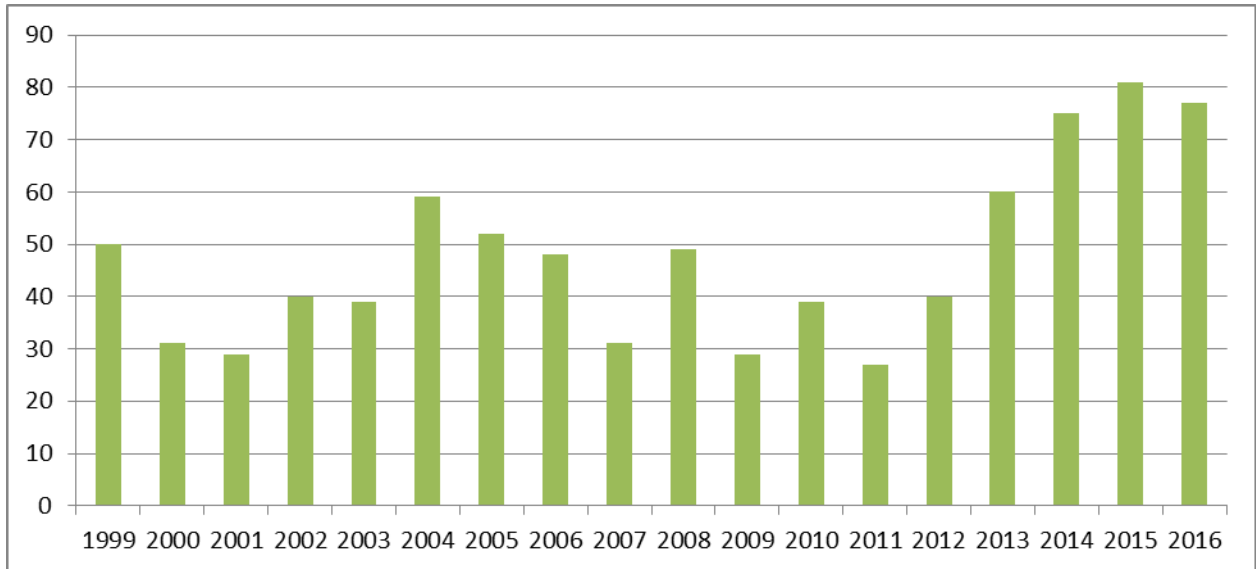
Mary Sharp attended 3 meetings

### **2. Caseload**

77 requests were filed with the Board in 2016, 76 of which were given 2016 prefixes; one of which maintained its original 1955 prefix (case BOA 55-52 City).

- The Board heard **1 appeal** of an administrative opinion of either the Office of Planning and Development or the Office of Construction Code Enforcement. It was rejected by the Board.
- The Board heard **27 residential bulk variance** requests. 23 were approved, 3 were withdrawn and 1 was held over into 2017 (case BOA 16-69).
- The Board heard **7 commercial bulk variance** requests that did not involve signs or accompany use variance requests. All 7 were approved.
- The Board heard **6 on-site sign variance** requests. 5 were approved and 1 was rejected.
- The Board heard **0 off-site sign (billboard) variance** requests.
- The Board heard **23 use variance** requests, 3 of which involved government-owned properties (County Fire maintenance in Shelby Farms, Pink Palace and Children's Museum of Memphis). 20 were approved, 2 were withdrawn and 1 was rejected.
- The Board heard **2 shipping container home** requests. One was approved and one was withdrawn.
- The Board heard **2 lot size variance** requests. Both were approved.
- The Board heard **2 livestock variance** requests. Both of these involved the keeping of horses; one was approved and one was rejected.
- The Board heard **1 road frontage variance** request. It was approved.
- The Board heard **6 site plan modification** requests (correspondence cases). All were approved.
- Of the **77** requests made by property owners in 2016, **74** were located in the City and **3** were located in the County.

The table below indicates annual caseloads from 1999-2016. For the first time since 2011, the number of cases filed with the Board decreased in 2016.



### 3. Significant Cases, 2016

Of the cases heard in 2016, the following are noteworthy due to either their economic impact or importance in the continued advancement of planning in Memphis and Shelby County:

- **Case BOA 16-07:** The case involved a density variance for a 175-unit apartment development known as Patterson Flats at GE Patterson and Hernando in the South Central Business Improvement District.



- **Case BOA 16-11:** This case involved the replacement of a structure at Sugar Services at the corner of GE Patterson and Tennessee.
- **Case BOA 16-35:** This case dealt with the adaptive reuse of the former Evergreen Presbyterian Church campus at 613 University Street for Rhodes College.
- **Case BOA 16-46:** This case involved a density variance for a 155-unit apartment development at Main and Looney in Uptown. The design was similar to that of Patterson Flats, pictured above, which was proposed by the same developer.

