

The Town of Collierville **Board of Zoning Appeals** met in regular session on Thursday, June 17, 2021 at 5:00 p.m. in the Board Chambers of Town Hall, at 500 Poplar View Parkway.

Staff members present were: Development Director, Mr. Jay Cravens; Mrs. Nancy Boatwright; and Administrative Specialist, Sr., Sheryl Jones.

Chairman Luttrell asked Mrs. Jones to call the roll.

Roll Call:

Sledd – present, Frazier – present, Floyd – present, Luttrell – present, O’Hare – absent.

Quorum Present

Approval of the Minutes:

Chairman Luttrell asked if there were any corrections or deletions to the minutes from the April 15, 2021 meeting.

Hearing none, Chairman Luttrell called for a motion to approve the minutes as presented.

Motion by Commissioner Floyd, and seconded, to approve the minutes as presented.

Hearing no further discussion, Chairman Luttrell asked Mrs. Jones to call the roll.

Roll Call:

Frazier – Yes, Sledd - Yes, Floyd – Yes, Luttrell – Yes.

Motion approved.

Approval of the Agenda:

Chairman Luttrell asked if there were any additions or changes to the Agenda.

Mrs. Boatwright stated that the agenda stands as advertised.

Chairman Luttrell asked for a motion to approve the agenda.

Motion by Commissioner Sledd, and seconded, to approve the agenda as presented.

Hearing no further discussion, Chairman Luttrell asked Mrs. Jones to call the roll.

Roll Call:

Floyd – Yes, Frazier– Yes, Sledd – Yes, Luttrell – Yes.

Motion approved.

Approval of Consent Agenda

Formal Agenda:

CASE 216727 – 211 Neely Street – Request approval of a Variance to allow outdoor storage to be located in front of the principal structure, to encroach into the front and side yard setbacks and a required landscape buffer, and to allow the outdoor storage to not be fully screened from view off-site or from the public right-of-way.

Mrs. Nancy Boatwright reviewed the staff report, which is included in the record as an exhibit. She explained that Mr. James Chumney, owner of C & C Granite, represented by Mr. Jamieson, is requesting the variance related to outdoor storage, allowing outdoor storage to exceed 20% of the maximum lot coverage of 50%, to encroach 5 feet into the required 40' front yard setback, and 20' into the required side yard setback. Mr. Chumney owns the property to the east. The properties could be combined into one lot to increase the size of the property to 1.574 acres. The site and building are nonconforming. The Zoning Ordinance states that a variance may only be granted if it will not cause "substantial detriment" to the public good and it will not substantially impair "the intent of the Zoning Ordinance." The proposed variances will not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

EXHIBITS

The staff report for the 6/17/21 meeting plus the following:

1. Conditions of approval (6/11/21)
2. Applicant's cover letter with Standards for a Variance (5/27/21)
3. Staff-prepared site plan
4. Staff Analysis of Standards for a Variance
5. Applicant's exhibits (5/27/21)
6. Assessor's aerial
7. Photos of fence types

The Chairman asked if there were any questions for the staff.

Commissioner Floyd asked if the owner combined the lots, would there be a need to go through the variance process. The building would still be in front of the principal structure. The owner has agreed to fully screen it with an opaque fence and to combine the lots and to move it back out of the front yard. A discussion ensued about the owner combining the lots into one and what would take place in the future if the lots needs to be subdivided.

The Chairman asked if there were any more questions for the staff and if the applicant wanted to say anything.

The applicant offered to answer any questions.

The applicant has agreed to the conditions.

Hearing no further questions or discussion, Chairman Luttrell called for a motion.

Motion by Commissioner Floyd, and seconded to approve a variance to allow outdoor storage to exceed the maximum lot coverage, to be located in front of the principal structure, to encroach into the front and side yard setbacks, and to allow the outdoor storage to not be fully screened from view off-site or from the public right-of-way subject to the conditions of approval in Exhibit 1.

CONDITIONS OF APPROVAL:

1. The fenced storage area, including the fence and the storage structure, shall not extend into the required front yard setback.
2. The storage area shall be enclosed within an 8-foot opaque fence designed to meet the DRC's Design Guidelines. The products stored within the fence shall not exceed 6 feet in height.
3. A Site Plan Modification Application showing the location of the storage structure and fencing shall be submitted for review and approval by staff.
4. Submit a Final Plat (Minor) Application to combine the property at 211 Neely Street with the property at 161 Mt. Pleasant Road.
5. The roofed, open-air storage structure shall be designed to meet the requirements of the Design Guidelines.
6. Outdoor storage shall be stacked no higher than two feet below the height of the fence used to screen the storage area.
7. Outdoor storage shall not be placed on elevated pads, ramps or similar structures that serve primarily to increase the visibility of the items; however, outdoor storage may be elevated off the ground, not more than six inches, to allow for better maintenance and upkeep.
8. Any deviation from the approved variance shall require the approval of the Board of Zoning Appeals.

Chairman called for any discussion.

Roll Call:

Frazier – Yes, Floyd – Yes, Sledd – Yes, Luttrell – Yes.

Motion approved.

Announcements

No announcements. Chairman reminded the Commissioners of their training hours, since we are half way into the year.

Adjournment

Hearing no further business, Chairman Luttrell adjourned the meeting at 5:21pm.

Secretary Frazier