

# TOWN OF COLLIERVILLE

## Administrative Variance Checklist

Planning Division  
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**GENERAL DESCRIPTION:** §151.309 of the Zoning Ordinance allows the Development Director to grant an administrative variance of up to 5% of an applicable yard setback for all lots of record. The person seeking the administrative variance must submit an application and fee as is required for other variances. Administrative variances may be granted only when it is determined that a field error has occurred regarding the placement of the principal building on the lot. The burden is on the applicant to prove that the encroachment was a field error and that there will be no adverse impacts created from the encroachment. Appeals of decisions of the Development Director can be made to the Board of Zoning Appeals (BZA).

### Step 1- Optional Pre-Application Conference with Town Staff:

As a service to the prospective applicant/property owner, staff offers the opportunity for a Pre-application Conference with key staff. Pre-application Conferences are intended to be a "one-stop shop" for potential applicants to meet with all departments involved in the development process at the same meeting. They can prove to be very beneficial to both the applicant and staff, as the officials responsible directly for the review (Planning, Engineering, Codes, Fire, Public Services, Police, and Parks & Recreation, etc) can be in attendance if requested.

The primary purpose of the meeting is for Staff to explain the applicable development processes, permits, and fees pertinent to the project prior to applicants submitting a formal Administrative Variance application. These meetings also provide an opportunity for the developer to discuss his/her proposal with Town officials and get their input. Applicable rules and regulations will be discussed as they relate to the proposal, but the Pre-application Conference does not constitute an application nor are any preliminary staff comments binding. In addition to notes from the meeting taken by the Staff, other relevant information will be made available to the applicant at the end of the meeting (applications, checklists, forms, latest fee schedule, submittal calendar, etc). Formal notes are taken during the meeting by staff and emailed to the potential applicant after the meeting for a record of what was discussed.

Pre-application Conferences are typically scheduled every Tuesday afternoon from 1:00 pm to 5:00 pm at the Development Department located at Town Hall. Each meeting is usually an hour long. A Pre-application Conference can be scheduled by contacting the Planning Division at 901-457-2360.

**Step 2- Staff Review Submittal:** To initiate the staff review process, the applicant must submit an application package (see box above right). Cover letters for Administrative Variance applications should address, at a minimum, the following:

- Location Of The Subject Property (Street Address, Parcel Number, Etc.);
- Current Property Ownership;
- Description Of How The Building Will Be Used;
- Minimum Setback Requirement (In Feet) That Has The Encroachment;
- Extent Of The Encroachment (In Feet);
- Circumstances That Created The Field Error Regarding The Placement Of The Structure On The Lot; And
- What Steps The Property Owner Is Willing To Take To Mitigate Any Adverse Impacts Created By The Encroachment.

### Submittal Requirements for an Administrative Variance

#### Staff Review Phase:

- Completed general application form (see Preapplication Conference notes for guidance on how to complete form)
- Cover Letter (three copies)(see instructions below for required content)
- Recent Survey Showing Encroachment (three copies)
- Review Fee: \$100
- Other Information that was specifically requested at the Preapplication Conference (recent survey, photographs of the site, etc)

#### Post-Approval Phase:

- Varies based on the specific request. Consult the notes in the Preapplication Conference and/or the "Next Steps" in any correspondence from staff.

The Development Director will make his/her decision based on the determination that a field error has occurred and that there will be no negative impacts from granting the Administrative Variance.

**Step 3- Post-Approval Compliance:** When Administrative Variances are approved by the Development Director they sometimes have conditions associated with them. These conditions run with the land unless otherwise stated and vary based on the specific request. Consult the notes in the Preapplication Conference and/or the “Next Steps” in any approval correspondence from staff. Inspections may be necessary by staff to determine compliance with any conditions.



*Town of*  
**Collierville**  
Permit & Application Center

**Consider Applying Online or Using Dropbox:** Planning-related permits/development applications can be submitted through the online Permit & Application Center. This solution will allow you to upload PDF versions of the plans and documents, track the status of the permit/application, and much more! If you pay fees online there will be a 3.5% convenience fee. Otherwise, you can mail a check to Town Hall noting the case number and project. See this checklist for what needs to be uploaded. Go to the following link to get started: <https://collierville.portal.iworq.net/portalhome/collierville> In most cases, paper copies will still be needed of application materials in addition to PDFs submitted online. To avoid coming into Town Hall, feel free to use the green “Development Department Dropbox” on the east side of Town Hall next to the Codes Division entrance. To be able to check on the status of your application and upload PDF revisions later, you will need a “Contractor Code” number that will be assigned when you apply for the first time. For those that submit to the Town often, you will use the same contractor code for all new applications. Please direct questions about submitting online Planning-related applications to [planning@colliervilletn.gov](mailto:planning@colliervilletn.gov) or 901-457-2300.