

The Town of Collierville Board of Zoning Appeals met in a regular session on Thursday, October 20, 2022, at 5:00 p.m. in the Board Chambers of Town Hall, at 500 Poplar View Parkway.

Staff members present: Town Planner, Mr. Jaime Groce; and Administrative Specialist, Sr., Ms. Lynette Denzer.

Chairman Luttrell asked Ms. Denzer to call the roll.

Roll Call:

Sledd	Frazier	O’Hare	Floyd	Luttrell
Absent	Present	Present	Present	Present

Quorum Present

Approval of the Minutes:

Chairman Luttrell asked if there were any corrections to the minutes from the July 21, 2022, meeting.

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

Motion by Commissioner O’Hare, and seconded, to approve the minutes as presented.

Hearing no discussion, Chairman Luttrell asked Ms. Denzer to call the roll.

Roll Call:

Frazier	O’Hare	Floyd	Sledd	Luttrell
Abstain	Yes	Yes	Absent	Yes

Motion approved.

Approval of the Agenda:

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

Mr. Groce stated there are no additions or changes.

Chairman Luttrell asked for a motion to approve agenda.

Motion by Commissioner O’Hare, and seconded, to approve the agenda.

Hearing no discussion, Chairman Luttrell asked Ms. Denzer to call the roll.

Roll Call:

Floyd	Sledd	O’Hare	Frazier	Luttrell
Yes	Absent	Yes	Yes	Yes

Motion approved.

Formal Agenda:

6.a Case 216727 – 211 Neely Street – Board of Zoning Appeals Variance Request

Mr. Jaime Groce explained the applicant previously requested a variance which was approved, with conditions, in June 2021. The applicant is asking for a variance to the previously approved Conditions of Approval.

Motion made by Commissioner O’Hare, and seconded, to reconsider variances and conditions of approval granted in June 2021 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.

Roll Call:

O’Hare	Frazier	Sledd	Floyd	Luttrell
Yes	Yes	Absent	Yes	Yes

Motion approved.

Case #216727 – 211 Neely Street – Reconsideration of variances and conditions of approval granted in June 2021 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.

Mr. Jaime Groce reviewed the Staff Report, which is an exhibit for the record. The applicant owns 211 Neely Street and adjacent 161 Mt. Pleasant, there is a plat pending to combine the two non-conforming lots. Mr. Groce reviewed current requirements and previously approved variance requests and conditions of approval. Due to changing business plans and merging of the two lots, the applicant has asked that previously approved conditions be amended. Items to be considered are outdoor storage within a front setback, height of proposed screening materials, and vegetation instead of fencing for required screening. The applicant has found a way to move the new building out of all required setbacks and are no longer seeking variances for that.

Chairman Luttrell asked if there were any questions for Staff.

A discussion ensued about landscaping, fencing, and the

<p style="text-align: center;">EXHIBITS</p> <p style="text-align: center;">The staff report and the following:</p> <ol style="list-style-type: none">1. Conditions of Approval with Requested Changes (10/14/22)2. Applicant’s request to change conditions (10/4/22)3. May 2017 BZA Minutes for 161 Mt. Pleasant Rd Property4. June 2021 BZA Minutes for 211 Neely Street Property5. Staff Analysis of Standards for a Variance (2022)6. Line of Sight Study (10/4/22)7. New Consolidation Plat/Conceptual Site Plan (10/10/22)8. Conceptual Site Plan from Previous Variance Request (2021)
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stacking height requirement. A Site Plan Modification Application, including a Landscaping Plan, will need to be submitted. If waivers from the design guidelines are requested, the Design Review Commission may hear the case.

Having no further comments for Staff, Chairman Luttrell asked the applicant to come forward.

Mr. James Chumney, 1146 Irwins Gate Drive, came forward.

Discussion ensued about the type of stored product and stacking.

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

Motion made by Commissioner O'Hare, and seconded, to alter the conditions of approval from the June 2021 variance granted to 211 Neely Street related to outdoor storage as depicted in Exhibit 1.

Amended Conditions of Approval from Exhibit 1: The text with a ~~striketrough~~ is to be deleted and the **bold underlined** text is to be added.

1. ~~The fenced storage area, including the fence and the storage structure, shall not~~ **The outdoor storage area is allowed to** extend into the required front yard setback.
2. The storage area shall be ~~screened with evergreen trees to the maximum extent possible per 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.
9. **The covered storage structure shall not be enclosed by adding walls and shall be used for storage of materials only and not for fabrication or assembly.**

There was discussion about size of standard materials and the height of limitations of the stored materials. Also discussed was the lower elevation of the road compared to the site, vegetation needed to restrict the view of stored product, and the existing non-conforming condition of the two lots being combined.

Hearing no further discussion, Chairman Luttrell asked Ms. Denzer to call roll.

Roll Call:

Sledd	Floyd	Frazier	O'Hare	Luttrell
Absent	Yes	Yes	Yes	Yes

Motion approved.

Announcements

Mr. Groce discussed recent staff changes and reminded the commission that four hours of required training is due 12/31/2022.

2023 Board & Commission appointments and application process will be released soon. Commissioners should let Mr. Groce and Ms. Denzer know their intent for 2023.

Remaining BZA meetings for 2022 are November 17, 2022, and December 15, 2022.

Adjournment

Hearing no further business, Chairman Luttrell adjourned the meeting at 5:38 pm.

Secretary Floyd