



City of Bartlett
David Parsons, Mayor

BOARD OF ZONING APPEALS AGENDA

Thursday, April 20, 2023 — 6:30 p.m.

Bartlett City Hall Assembly Chamber

Approval of Minutes and Findings of Fact of the February 16, 2023 meeting.

New Business

PUBLIC HEARING

1. David Bray, with the Bray Firm, on behalf of the applicant, Nicole Widmer, is requesting a variance from the minimum lot width requirement in the Bartlett Zoning Ordinance. The subject property is located at 4571 Luther Road which is located within the "RS-15" Single Family Residential Zoning District.

Discussion

Decision



City of Bartlett, Tennessee Board of Zoning Appeals Staff Report

Public Hearing: Variance

4571 Luther Road

DATE: April 20, 2023

STAFF: Kim Taylor, Planning Director; Sam Harris Senior Planner; Leslie Brock, Planner; Trey Arthur, Code Enforcement Director

APPLICANT: Nicole Widmer

SITE LOCATION: 4571 Luther Road

ACREAGE: 10.76

ZONING: "RS-15" Single Family Residential

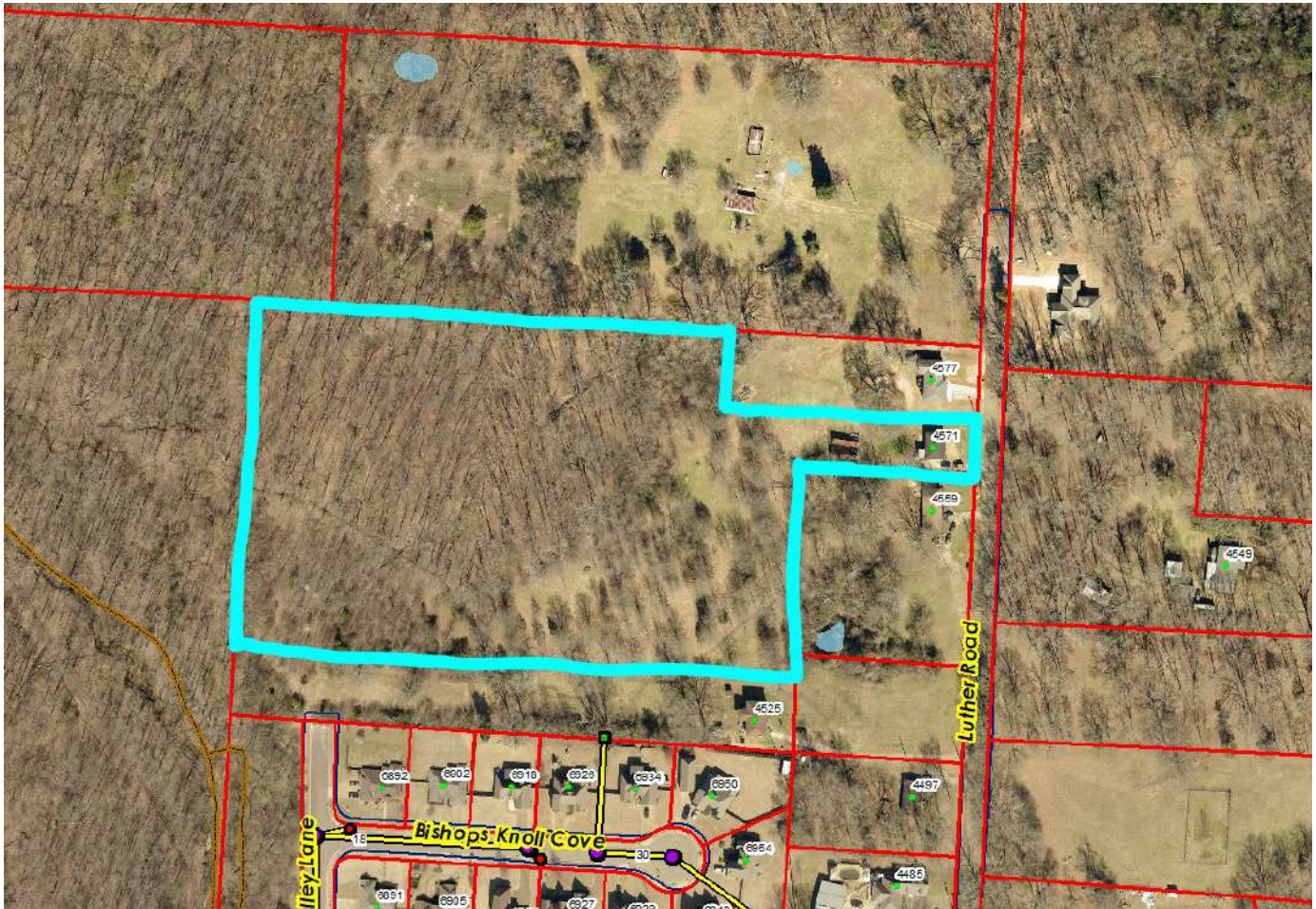
- 1. David Bray, with the Bray Firm, on behalf of the applicant, Nicole Widmer, is requesting a variance from the minimum lot width requirement in the Bartlett Zoning Ordinance. The subject property is located at 4571 Luther Road, which is located within the "RS-15" Single Family Residential Zoning District.**

INTRODUCTION:

David Bray, with the Bray Firm, on behalf of the applicant, Nicole Widmer, is requesting a variance from the minimum lot width requirement in the Bartlett Zoning Ordinance. The subject property is located at 4571 Luther Road, which is located within the "RS-15" Single Family Residential Zoning District.

BACKGROUND:

The 10.76-acre subject property was created by warranty deed October 21, 2022, with 72.59 feet of frontage along Luther Road. The property was annexed into the City of Bartlett in 1997.



APPLICANT'S REQUEST/SUMMARY:

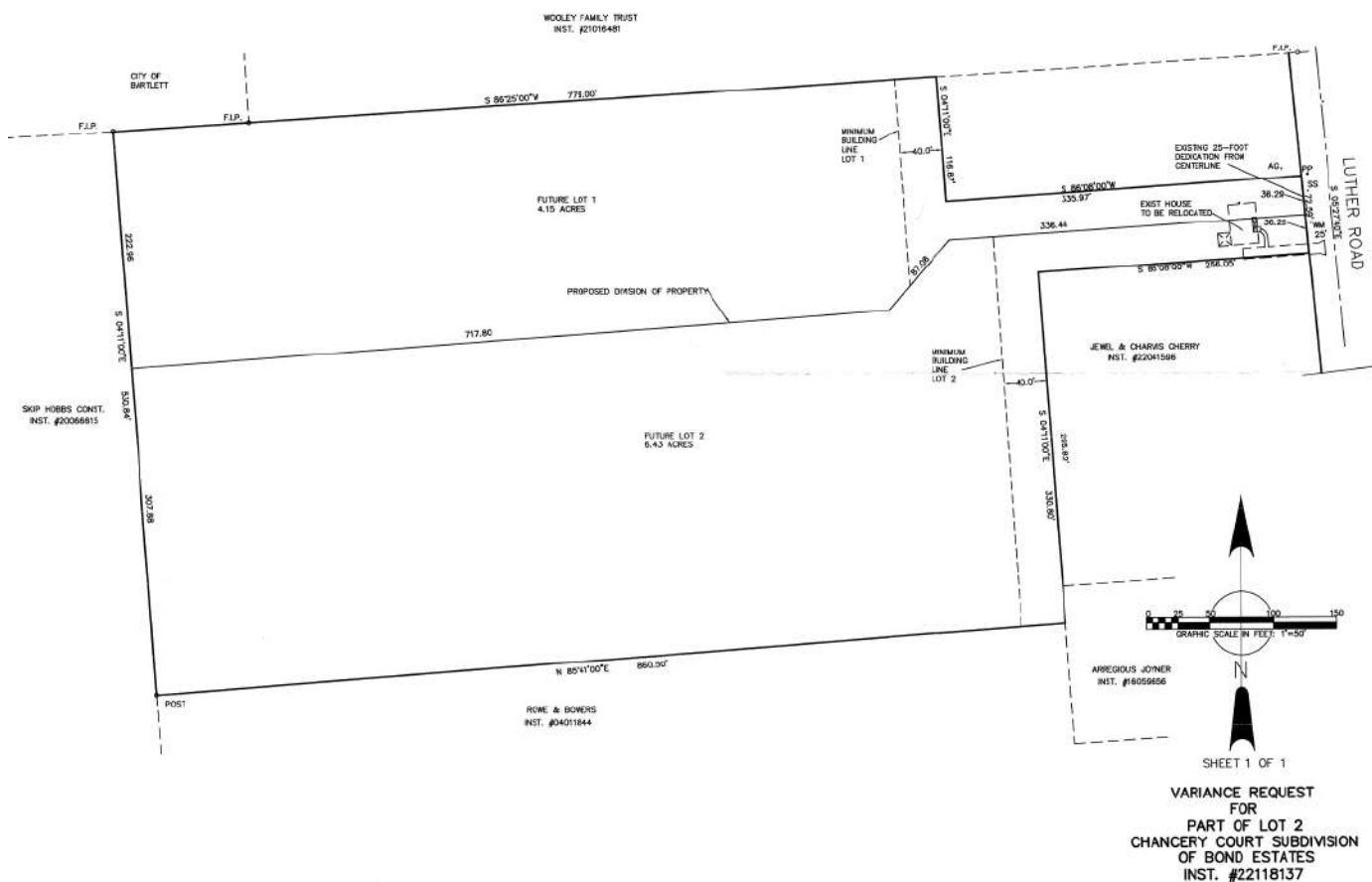
The applicant is requesting a variance from the required 100-foot lot width minimum of the "RS-15" zoning district per the Bartlett Zoning Ordinance. This application is based on extraordinary and exceptional situation resulting in practical difficulties when subdividing this lot. Lot 1 of the subject property will have a proposed total width 36.29 feet along Luther Road, while Lot 2 will have the remaining 36.29 feet lot width along Luther Road. The applicant stated that the house will either be moved and become a guest house on Lot 2 or be demoed. Each of the proposed lots require a 63.71-foot lot width variance at Luther Road.

According to Article V, Chart 2 [Bulk Regulations and Permitted Residential Densities] of the Bartlett Zoning Ordinance, the minimum lot width within the "RS-15" Residential Zoning District shall be one hundred (100) feet.

Should the Board of Zoning Appeals grant this request, then two 63.71-foot variances would be granted resulting in Lot 1 and Lot 2 each having a width of 36.29-feet at Luther Road frontage for the Widmer Subdivision.

Comments:

1. The front building line of Lot 1 will be 375.97-foot setback from the Luther Road frontage and Lot 2 will be setback 296.05-feet.
2. Article VI, Section 28.D of the Bartlett Zoning Ordinance states that the, "heated floor area of the guest unit shall not exceed one-third (1/3) of the heated floor area of the main dwelling unit or one thousand (1,000) square feet, whichever is less; but shall not be less than five hundred (500) square feet in any case." Other zoning regulations may apply.



Proposed Motion: To approve the request for two 63.71-foot variances from the minimum lot width requirement of one hundred (100) feet, to allow a lot width of 36.29-feet at the Luther Road frontage for Lots 1 & 2 of the Widmer Subdivision located at 4571 Luther Road, subject to conditions.

VOTE:	Burton	Conroy	Hunt	Kaiser	King
YES	Yes	Yes	Yes	Yes	Yes
NO	No	No	No	No	No
ABSTAIN	Abstain	Abstain	Abstain	Abstain	Abstain

Bartlett Planning and
Economic Development Department
6382 Stage Road, P.O. Box 341148
Bartlett, TN 38184-1148
901-385-6417 FAX 901-385-6419
www.cityofbartlett.org

Bartlett Board of Zoning Appeals
Application for Variance Approval

Property Address for which Variance Is Requested 4571 LUTHER

Description of Variance Requested (separate letter or sheet may be attached) APPLICANT IS SEEKING
TO DIVIDE EXISTING 10+ ACRE TRACT INTO TWO (2) PARCELS FOR
SINGLE FAMILY RESIDENCES. HOWEVER THE PRESENT TRACT HAS ONLY
72.59 FEET OF FRONTAGE ON LUTHER ROAD. VARIANCE REQUEST IS TO
ALLOW TWO (2) LOTS TO HAVE 36 FEET OF FRONTAGE IN THE R8-15
ZONING DISTRICT (100 FEET REQUIRED). 64 FOOT VARIANCE REQUEST

Property Owner NICOLE WIDMER Phone _____

Company Name _____ Fax _____

Address 8217 BARTLETT

Applicant SAME Phone _____

Company Name _____ Fax _____

Address _____

Submitted by DAVID BLAY [Signature] 03.16.23
(printed name) (signature) (date)

Email Address dchryse@comcast.net Phone 901.383.8888 Fax _____

- ☒ Attach a checked-off "Variance Checklist" and all items required therein.
- ☒ Include a fee of \$300.00 with this application (check payable to the City of Bartlett).
- ☒ Provide an electronic PDF file of the plans. Note that an updated electronic file is required when plans are revised. The electronic file shall be labeled with the project name and accurately dated.

I, the property owner(s) hereby authorize the filing of this application.

NICOLE WIDMER [Signature] 3/16/23
(print name) (signature) (date)

RECEIVED

MAR 16 2023

CITY OF BARTLETT

Variance Checklist

The applicant shall provide the following information twenty (21) days prior to the scheduled hearing date.

This information shall be provided on sheets 8½" x 11" in size or folded to that size. **Ten (10) sets of this information shall be submitted**, with each set containing one copy of each document.

- ☒ 1. This application form.
- ☒ 2. A Plot Plan showing subject property and public street rights-of-way. If the property is encumbered by easements, show the type and location on the Plot Plan.
- ☒ 3. The names and addresses of all property owners within three hundred (300) feet of the applicant's property or a minimum of ten (10) property owners, whichever is greater.
- ☒ 4. One copy of the names and addresses required in #3 above on self-adhesive mailing labels.
- ☒ 5. A Vicinity Map showing the subject property and all parcels within the distances described in #3 above. Every parcel shall indicate the owner's name and the street that each parcel fronts upon.
- ☒ 6. A written explanation demonstrating how the following requirements are met.
 - a. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
 - b. Literal interpretation of the provisions of this Ordinance would deprive the

applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance.

- c. The special conditions and circumstances do not result from the actions of the applicant.
- d. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures, or buildings in the same district.

(Note: "No non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted or non-conforming use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.")

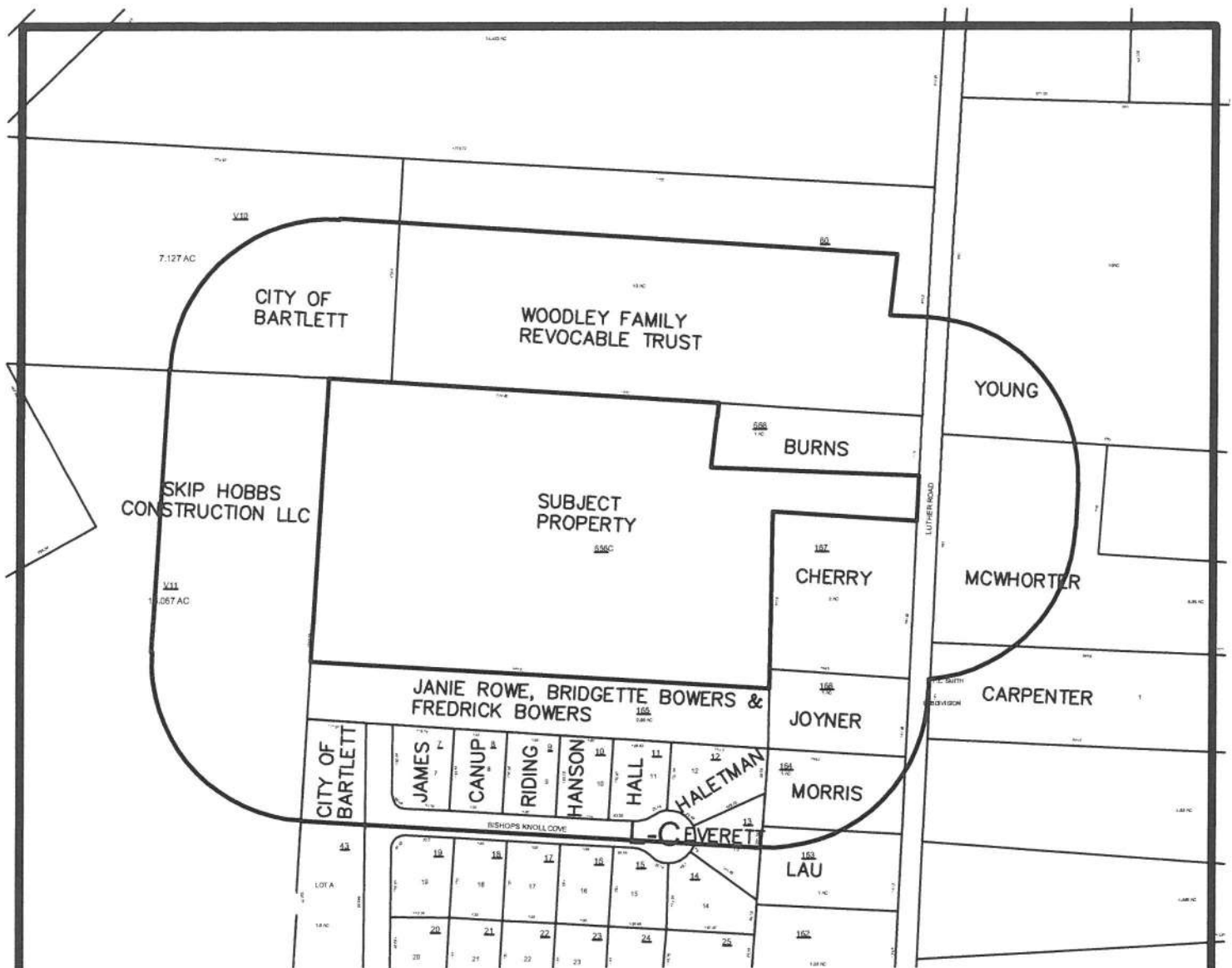
- ☒ 7. Any other information deemed necessary and requested by the Board.

The applicant should attend the meeting of the Board of Zoning Appeals, to present and answer questions on this application. The meeting is normally at 6:30 p.m. on the third Thursday of each month, at City Hall, 6400 Stage Road.

Questions also may be sent by email to the Department's planners:

- Kim Taylor, ktaylor@cityofbartlett.org
- Sam Harris, samharris@cityofbartlett.org
- Leslie Brock, leslie.brock@cityofbartlett.org

INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED



**SUBJECT PROPERTY: 4571 LUTHER
WIDMER SUBDIVISION – VARIANCE
DEVELOPER– NICOLE WIDMER**

BARTLETT, TENNESSEE

PREPARED BY THE BRAY FIRM
LAND DEVELOPMENT SERVICES

2950 STAGE PLAZA NORTH
BARTLETT, TENNESSEE
MARCH 16, 2023

TELEPHONE 901–383–8668
E–MAIL dgbray@comcast.net
SCALE 1"=300'

Nicole Widmer
8217 Bartlett Gap Dr.
Bartlett, TN 38133-5803

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Owner

Engineer

Woodley Family Revocable Trust
3901 Plum Hill Dr.
Bartlett, TN 38135-1749

City of Bartlett
6400 Stage
Bartlett, TN 38134-3739

Skip Hobbs Construction LLC
1196 Poplar View Ln S.
Ste. 4
Collierville, TN 38017

Janice Rowe, Bridgette Bowers &
Fredrick Bowers
4525 Luther Rd.
Memphis, TN 38135-1218

Charvis & Jewel Cherry
4559 Luther Rd.
Bartlett, TN 38135-1218

Estella W Burns
4577 Luther Rd.
Memphis, TN 38135-1218

Mark C & Brittney D Young
4586 Luther Rd.
Bartlett, TN 38135-1217

Marshall D & Kathryn T McWhorter
4549 Oak Rd.
Arlington, TN 38002

Jack W & Vera C Carpenter'
4525 Oak Rd.
Arlington, TN 38002-7955

Arregious N Joyner
4728 Wellsgate Pt
Bartlett, TN 38135-0311

Gregory K & Joyce A Morris
4497 Luther Rd.
Memphis, TN 38135-1221

Jacky Lau & Change-Xiu Zheng
4485 Luther Rd.
Bartlett, TN 38135-1221

Myranda & Robert III Everett
6954 Bishops Knoll Cv.
Bartlett, TN 38135-1271

Stephen & Emmarie Haletman
6950 Bishops Knoll Cv.
Bartlett, TN 38135-1271

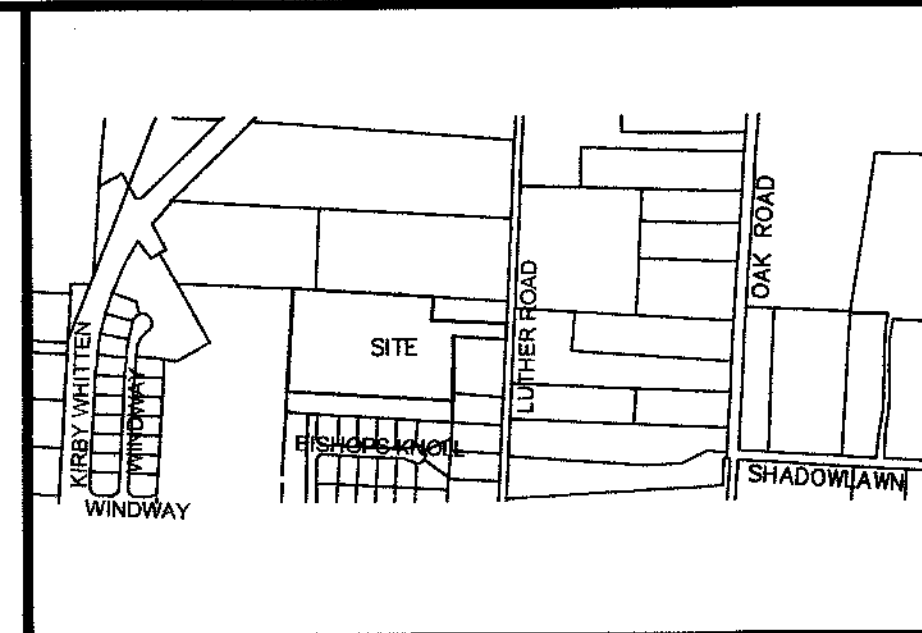
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6934 Bishops Knoll Cv.
Bartlett, TN 38135-1271

Brian & Cindy Hanson
6926 Bishops Knoll Cv.
Bartlett, TN 38135-1271

Rodney & Caitlin Riding
6918 Bishops Knoll Cv.
Bartlett, TN 38135-1271

David Canup
6902 Bishops Knoll Cv.
Bartlett, TN 38135-1271

Rodney James
6892 Bishops Knoll Cv.
Bartlett, TN 38135-1271



VICINITY MAP, N.T.S.

WOOLEY FAMILY TRUST
INST. #21016481

CITY OF
BARTLETT

F.I.P.

F.I.P.

S 86°25'00"W 779.00'

MINIMUM
BUILDING
LINE
LOT 1

S 04°11'00"E 116.87'

EXISTING 25-FOOT
DEDICATION FROM
CENTERLINE

AG.

PP

SS

S 86°08'00"W 335.97'

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TO BE RELOCATED

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