



City of Bartlett
David Parsons, Mayor

BOARD OF ZONING APPEALS AGENDA

Thursday, May 18, 2023 — 6:30 p.m.

Bartlett City Hall Assembly Chamber

Approval of Minutes and Findings of Fact of the April 20, 2023 meeting.

New Business

PUBLIC HEARING

1. Taylor Freeland, property owner of 6071 Camelia Lane, is requesting a variance from the minimum rear yard setback requirement in the Bartlett Zoning Ordinance. The subject property is located within the "RS-10" Single Family Residential Zoning District.

Discussion

Decision



City of Bartlett, Tennessee Board of Zoning Appeals Staff Report

Public Hearing: Variance

6071 Camelia Lane

DATE: May 18, 2023

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

APPLICANT: Taylor Freeland

SITE LOCATION: 6071 Camelia Lane

ZONING: "RS-10" Single Family Residential

- 1. Taylor Freeland, property owner of 6071 Camelia Lane, is requesting a variance from the minimum rear yard setback requirement of the Bartlett Zoning Ordinance. The subject property is located within the "RS-10" Single Family Residential Zoning District.**

INTRODUCTION:

Ms. Taylor Freeland, property owner of 6071 Camelia Lane, is requesting a variance from the minimum rear yard setback requirement of the Bartlett Zoning Ordinance. The subject property is located within the "RS-10" Single Family Residential Zoning District.

BACKGROUND:

The subject property is located in the Surrey Park Subdivision on Lot 37, and the house was built in 1988. The current property owner purchased the home in December 2020. The property owner hired a contractor to expand the back patio concrete pad and add a patio cover with no side walls. The contractor communicated to the property owner that the required permits had been obtained, so the contractor proceeded to add on to the rear patio and install

the patio cover. On April 11, 2023, the Code Enforcement Department inspected the subject property based on a work without permit inquiry. The Code Enforcement inspectors notified the property owner that the work was never permitted, and the patio cover is 16 feet from the property line. The patio cover encroaches 9 feet into the required minimum rear yard setback of 25 feet, and the Code Enforcement inspectors instructed the property owner

APPLICANTS' REQUEST/ SUMMARY:

The property owner contacted a contractor to perform work and trusted that the contractor had obtained the required permits from the Code Enforcement Department. However, the contractor failed to obtain the required permits, and the property owner is requesting a variance in order to come into compliance and obtain the required permits without having to demolish the patio cover addition.

The specific request for the variance is from Article V, Section 6, Chart 2 of the Bartlett Zoning Ordinance, which states in part that, "residential

properties within the "RS-10" zoning district shall have a minimum rear yard building setback of twenty-five (25) feet. The applicant is requesting a rear yard building setback of sixteen (16) feet.

Should the Board of Zoning Appeals grant this variance, a rear yard building setback of sixteen (16) feet would be allowed, resulting in a nine (9) foot variance for the property located at 6071 Camelia Lane.



Proposed Motion: To approve the request for a variance to allow a rear yard minimum building setback of sixteen (16) feet, resulting in a nine (9) foot variance for the property located at 6071 Camelia Lane, 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 4071 Camelia LN Bartlett TN 38134

Description of Variance Requested (separate letter or sheet may be attached) _____

Property Owner Taylor Freeland Phone 901 614-3930

Company Name _____ Fax _____

Address 4071 Camelia LN Bartlett, TN 38134

Applicant ↑ same as above Phone _____

Company Name _____ Fax _____

Address _____

Submitted by Taylor Freeland Yayen Freeland 4/11/23
(printed name) (signature) (date)

Email Address TAYLORFREELAND193@yahoo.com Phone _____ 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.

Taylor Freeland Yayen Freeland 4/10/23
(print name) (signature) (date)

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. *every 5160*
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

April 18, 2023

To Whom It May Concern:

I am writing to request a variance to our property. I entrusted a construction company, Harris Landscape & Designs, in November of 2023 to build a rear back patio. I was told by the contractor proper permits were pulled when building the porch. It was not until Code Enforcement was called that I found out that it was not constructed with any permits. So, I write to you requesting a 9' variance. The rear setback is supposed to be 25' and only measures out to 16'.

I've received many compliments on the structure, including Code Enforcement officers themselves. As I drive through the neighborhood, I can see how it would only enhance the neighborhood's properties. I've spoken to many neighbors who have only had positive things to say. The neighbors that can visually see it from their backyards were happy to sign a petition in my favor. This structure ties into the house while maintaining the aesthetics. It fits the home while adding a lot of character. It's a beautiful structure that is a small part of what has made my house a home. I believe I fulfill the hardship requirements for a variance and ask you to review and grant such variance.

Thank you for your time and consideration,

Taylor Freeland

Hi Neighbors,

As some of you might have noticed, I recently had a back patio built in my backyard. This patio is something I have envisioned having even before moving to Bartlett. I've visualized sitting underneath watching my dogs play while reading a book, coming home after a long day of work & watching the sunset, grilling out with friends & conversing. Happiness is subjective and different for everyone, but this patio has been a factor in my peace.

I ask that if this has not affected you negatively in any way to please help sign in favor for me to keep. If you have seen it in person, please leave a message on how you feel about it. ☺

- 1.) Ashley Tucker (6029 Camelia)
- 2.) Jonathan Chambers (6021 Camelia)
- 3.) Joshua Hutchison (6029 Camelia)
- 4.) Hana Alsibahy (6021 Camelia)
- 5.) Terem V Schoep (5997 Camelia)
- 6.) Mounir SADAK (6045 Camelia Ln)
- 7.) Regina Schoep (5997 Camelia Lane)
- 8.) Scott Dargatz (6030 Camelia Ln)
- 9.) Andrew Noble (6038 Camelia Ln)
- 10.) Adam Kennedy (5998 Camelia Ln)
- 11.) [unclear] (6044 Camelia Ln)

- 12.) Tiffany Barber (6053 Camelia Ln)
13.) Sarah Kennedy (5998 Camelia Ln)
14.) Emily Nott (6038 Camelia Ln)
15.) David Stokerson 6063 Camelia Ln
16.) ~~Lyndell Fournier~~ 6004 Camelia Ln
17.) Paula Merrill 6079 Camelia Dr.
18.) BEAUTIFUL STRUCTURE
18) Stan Merrill 6079 CAMELIA LN.
19.) JOAQUIN RAMIREZ
20.) Betty + Raymond Fournier
6162 Camelia Lane, Bartlett, TN.
21.) ~~6104 CAMELIA LN~~, 407.491.9349
22.) Glenn Singleton & Lynn Singleton
(4/14/23)

Hi Neighbors,

I live on 6071 Camelia LN. As some of you may have noticed, I recently had an attached rear patio built. I reached out to a construction company, Harris Landscape & Design in November of 2023. I was told by the contractor, Matt Harris, that the right permits would be pulled and I did not personally have to do anything myself. As a fairly new home owner, I was naïve into trusting him with this process. Until last week, I believed that the whole process had been done legally and ethically. It was not until Code Enforcement accessed and let me know that the proper permits were in fact not pulled. I then went to City Hall and took out a permit for the build that was already complete, as well as a variance because the structure didn't meet the required ordinance. Shock and devastation is an understatement of how I felt knowing that I entrusted a company to meet their requirements only to be told that they have not, and that I as the homeowner am liable.

This has been heartbreaking and extremely stressful situation for me. Not only has it cost me several thousands of dollars in debt, but it's costing me my peace knowing that it may not be able to stay. A back patio is something I've always envisioned having since before even moving to Bartlett. This beautiful patio is a small part of what brings me joy and what has made my house become home. I'm asking as a fellow neighbor, to sign if this structure has not negatively impacted you in any way. If you have seen it in person, please feel free to leave a message on how you feel about it.

Sincerely,

Taylor Freeland

A handwritten signature in cursive script that reads "Taylor Freeland". The signature is written in dark ink and is positioned below the printed name.

- 1.) Ashley Tucker (6029 Camelia LN)
- 2.) Jonathan Chambers (6021 Camelia LN)
- 3.) Joshua Hutchison (6029 Camelia LN)
- 4.) Hana Alsibahy (6021 Camelia LN)
- 5.) Jeremy Schoep (5997 Camelia LN)
- 6.) Mounir Sadak (6045 Camelia LN)
- 7.) Regina Schoep (5997 Camelia LN)
- 8.) Scott Wright (6030 Camelia LN)
- 9.) Andrew Noblett (6038 Camelia LN)
- 10.) Adam Kennedy (5998 Camelia LN)
- 11.) Dawn Badowski (6004 Camelia LN)
- 12.) Tiffany Barber (6053 Camelia LN)
- 13.) Sarah Kennedy (5998 Camelia LN)
- 14.) Emily Noblett (6038 Camelia LN)
- 15.) David Stockton (6063 Camelia LN)
- 16.) Lindell (?) (6004 Camelia LN)
- 17.) Laura Therrell (6079 Camelia LN)
- 18.) "BEAUTIFUL STRUCTURE" Stan Therrell (6079 Camelia LN)
- 19.) Joaquin Ramirez
- 20.) Betty and Raymond Powell (6112 Camelia LN)
- 21.) (illegible signature) (6104 Camelia LN) (407-491-9349)
- 22.) Glenn Singleton and Lynn Singleton

B0157J L00029 - DO IT LLC
B0157E C00021 - JONES DANIEL & HEATHER
B0157E C00020 - MATTHEWS PHILLIP E & LISA J
B0157E C00019 - SPRINGER ALONZO & RITA F
B0157E C00018 - SINGLETON GLYNN E & LYNNE
B0157E C00016 - GRAY REVOCABLE LIVING TRUST
B0157E C00015 - CICERO CHARLES P & SUSAN L
B0157E C00014 - JULIAN MEREDITH B & KEVIN T MAHANEY
B0157E C00033 - STOVALL KIMBERLY
B0157E C00034 - SADAK MOUNIR & ASMA EL-HAMARNA
B0157E C00035 - BARBER SHANNON D & TIFFANY
B0157E C00037 - FREELAND TAYLOR M
B0157E C00039 - MONTGOMERY JOHN A
B0157E C00040 - BOWENS REGINALD & TRECHELLE
B0157E C00041 - MEEKS DAVID E & JUNE R
B0157E C00069 - CITY OF BARTLETT
B0157E C00057 - MATTICE HOLLY & MICHAEL
B0157E C00056 - FOSHEE FAMILY LIVING TRUST
B0157 Q00014 - GLOVER DONALD P JR & SANDRA K
B0157E C00054 - SOUTH THOMAS G & TERRI V
B0157E C00058 - ALLAGAS PHILIP & SHAWNA Y B
B0157E C00053 - CHASTAIN CHARLES R & BETTY A
B0157J M00011 - SHEARER STANLEY L
B0157J M00012 - TWO SISTERS MINISTRY INC
B0157E C00022 - NOBLETT ANDREW & EMILY

DO IT LLC
1779 KIRBY PKWY #1-310
GERMANTOWN TN 38138

BARBER SHANNON D & TIFFANY
6053 CAMELIA LN #
BARTLETT TN 38134

ALLAGAS PHILIP & SHAWNA Y B
6051 SURREY HOLLOW CV #
BARTLETT TN 38134

JONES DANIEL & HEATHER
6046 CAMELIA LN #
BARTLETT TN 38134

FREELAND TAYLOR M
6071 CAMELIA LN #
BARTLETT TN 38134

CHASTAIN CHARLES R & BETTY A
6080 SURREY HOLLOW CV #
BARTLETT TN 38134

MATTHEWS PHILLIP E & LISA J
6054 CAMELIA LN #
MEMPHIS TN 38134

MONTGOMERY JOHN A
6087 CAMELIA LN #
MEMPHIS TN 38134

SHEARER STANLEY L
P O BOX E #
EADS TN 38028

SPRINGER ALONZO & RITA F
6062 CAMELIA LN #
MEMPHIS TN 38134

BOWENS REGINALD & TRECHELLE
6097 CAMELIA LN #
BARTLETT TN 38134

TWO SISTERS MINISTRY INC
1901 WOODCHASE GLEN DR #
CORDOVA TN 38016

SINGLETON GLYNN E & LYNNE
6070 CAMELIA LN #
MEMPHIS TN 38134

MEEKS DAVID E & JUNE R
6103 CAMELIA LN #
MEMPHIS TN 38134

NOBLETT ANDREW & EMILY
6038 CAMELIA LN #
BARTLETT TN 38134

GRAY REVOCABLE LIVING TRUST
6088 CAMELIA LN #
BARTLETT TN 38134

CITY OF BARTLETT
6400 STAGE RD #
MEMPHIS TN 38134

STOCKTON DAVID M & LINDA C
6063 CAMELIA LN #
MEMPHIS TN 38134

CICERO CHARLES P & SUSAN L
6096 CAMELIA LN #
BARTLETT TN 38134

MATTICE HOLLY & MICHAEL
6052 SURREY HOLLOW CV #
MEMPHIS TN 38134

THERRELL LAURA A
6079 CAMELIA LN #
MEMPHIS TN 38134

JULIAN MEREDITH B & KEVIN T MAHANEY
6104 CAMELIA LN #
BARTLETT TN 38134

FOSHEE FAMILY LIVING TRUST
6058 SURREY HOLLOW CV #
BARTLETT TN 38134

MCCELWEE MICHAEL AND MILDRED MCCELWEE (RS)
6066 SURREY HOLLOW CV #
MEMPHIS TN 38134

STOVALL KIMBERLY
6037 CAMELIA LN #
BARTLETT TN 38134

GLOVER DONALD P JR & SANDRA K
2732 KENWOOD CV #
MEMPHIS TN 38134

WILLIAMS STEPHEN S & WENCY C
5112 STAGE RD #4
MEMPHIS TN 38134

SADAK MOUNIR & ASMA EL-HAMARNA
6045 CAMELIA LN #
BARTLETT TN 38134

SOUTH THOMAS G & TERRI V
6074 SURREY HOLLOW CV #
MEMPHIS TN 38134

FKH SFR C2 LP
1850 PARKWAY PL #900
MARIETTA GA 30067

Camelia
Lane

6063

6071

6079



