



City of Bartlett
David Parsons, Mayor

BOARD OF ZONING APPEALS AGENDA

Thursday, November 16, 2023 — 6:30 p.m.

Bartlett City Hall Assembly Chamber

Approval of Minutes and Findings of Fact of the October 19, 2023 meeting.

New Business

PUBLIC HEARING

1. David Bray with the Bray Firm, on behalf of Linda Ortiz, property owner of 7351 Old Brownsville Road, is requesting a variance from the minimum lot width requirement in the Bartlett Zoning Ordinance. The subject property is located within the "RS-18" Single Family Residential Zoning District.

Discussion

Decision

Open Discussion

The public shall be provided an opportunity to address the Board or Commission during an Open Discussion period at the end of each regular and special meeting of the governing body. Prior to the start of the meeting, individuals will be required to complete and present to the Clerk the Open Discussion Citizen form provided at each meeting. The Open Discussion period for regular and special meetings of the Board or Commission shall be limited to twenty (20) minutes. Individuals shall be allowed to speak for up to three (3) minutes each. Open Discussion periods will not be held for any meeting where there are no actionable items on the agenda or meetings where the governing body is conducting a disciplinary hearing for a member of the governing body or a person whose profession or activities fall within the jurisdiction of the governing body.



City of Bartlett, Tennessee Board of Zoning Appeals Staff Report

Public Hearing: Variance

7351 Old Brownsville Road

DATE: November 16, 2023

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

APPLICANT: Brenda Walls, M & B Enterprise

SITE LOCATION: 7351 Old Brownsville Road

ZONING: "RS-18" Single Family Residential

- Linda Ortiz, property owner of 7351 Old Brownsville Road, is requesting a variance from the minimum lot width requirement of the Bartlett Zoning Ordinance. The subject property is located within the "RS-18" Single Family Residential Zoning District.**

INTRODUCTION:

Linda Ortiz, property owner of 7351 Old Brownsville Road, is requesting a variance from the minimum lot width requirement established by the Bartlett Zoning Ordinance. The subject property is located at 7351 Old Brownsville Road. It is within the "RS-18" Single Family Residential Zoning District.

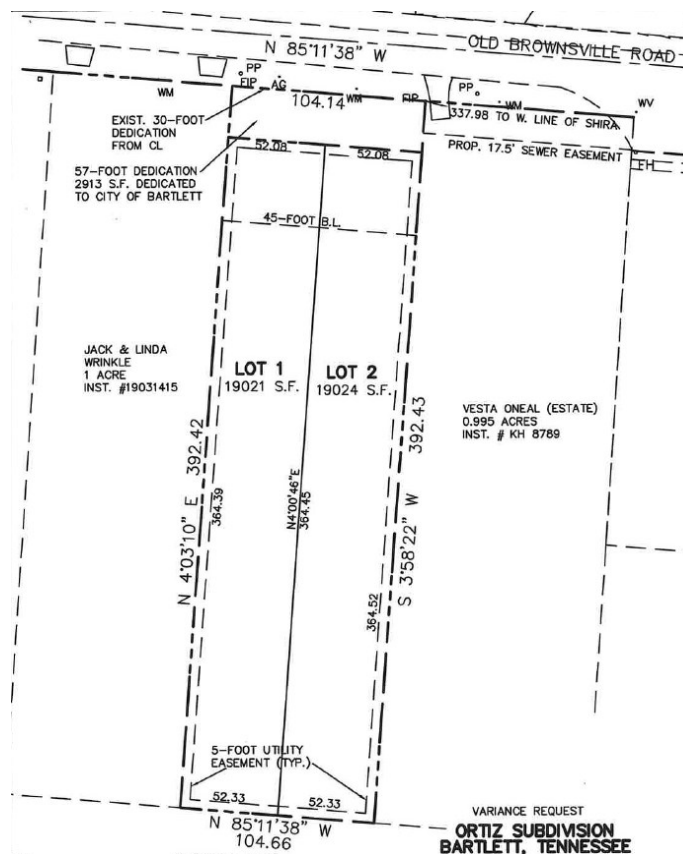
BACKGROUND:

On November 6, 2023, the Planning Commission conditionally approved the final plan for the Ortiz Subdivision as a minor two-lot subdivision contingent upon the approval of the variance for the minimum lot width requirement.

APPLICANTS' REQUEST/SUMMARY:

This application is based on special conditions and circumstances that exists which are peculiar to the lot. The lot is being subdivided to make it a legal lot of record, resulting in two lots with a lot width of fifty-two and eight hundredths (52.08) feet instead of the required one hundred (100) feet. Once this

subdivision is recorded, the owner plans to rejoin the two lots into one, and re-record the plat to build a single home. Therefore, the need for this variance will then go away.



APPLICANT'S REQUEST/SUMMARY:

This application is based on special conditions and circumstances that exists which are peculiar to the lot. The lot is being subdivided to make it a legal lot of record, resulting in two lots with a lot width of fifty-two and eight hundredths (52.08) feet instead of the required one hundred (100) feet. Once this subdivision is recorded, the owner plans to rejoin the two lots into one, and re-record the plat to build a single home. Therefore, the need for this variance will then go away.

The Zoning Ordinance regulation citing the requirement is, Article V, Section 6, Chart 2 of the Bartlett Zoning Ordinance, which states in part that, residential properties within the "RS-18" zoning district are required to have a minimum lot width of one hundred (100) feet along a public right-of-way."

Should the Board of Zoning Appeals grant this variance, then a lot width of fifty-two and eight hundredths (52.08) feet would be allowed for each lot, resulting in a forty-seven and ninety-two hundredths (47.92) foot variance for each lot at its Old Brownsville Road frontage.

Proposed Motion: To approve the request for a lot width of fifty-two and eight hundredths (52.08) feet would be allowed for each lot, resulting in a forty-seven and ninety-two hundredths (47.92) foot variance for each lot at its Old Brownsville Road frontage, for the property located at 4790 Old Brownsville 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 7351 OLD BROWNSVILLE

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

TO ALLOW TWO LOTS WITH 52.08 FEET OF FRONTAGE
WHERE 100 FEET IS REQUIRED

Property Owner LINDA ORTIZ

Phone

Company Name

Fax

Address 7351 OLD BROWNSVILLE RD ; BARTLETT, TN 38002

Applicant SAME

Phone

Company Name

Fax

Address

Submitted by DAVID BLAY
(printed name)

[Signature]
(signature)

09.29.23
(date)

Email Address djblay@comcast.net Phone 901.383.8668 Fax

2/25

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.

Linda Ortiz
(print name)

[Signature]
(signature)

09/29/23
(date)

RECEIVED

OCT 02 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.")

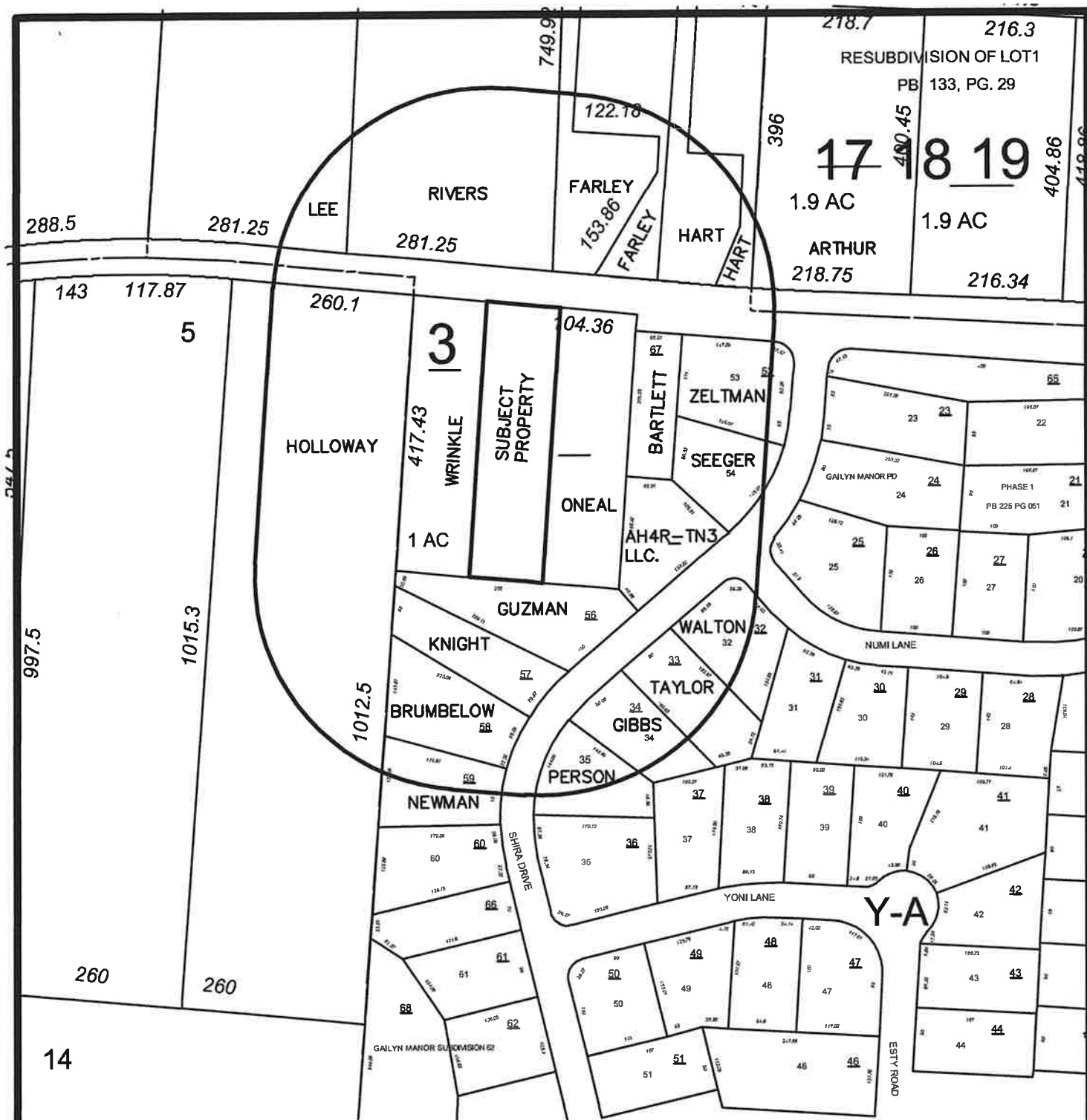
- ☐ 7. Any other information deemed necessary and requested by the Board.

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



**BZA APPLICATION FOR 7351 OLD BROWNSVILLE RD.
APPLICANT: LINDA ORTIZ**

BARTLETT, TENNESSEE

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
2950 STAGE PLAZA NORTH
BARTLETT, TENNESSEE
SEPTEMBER 29, 2023

TELEPHONE 901-383-8668
E-MAIL dgbray@comcast.net
SCALE 1"=200'

Ortiz property
7351 Old Brownsville Road
Page 1 of 1

Linda Ortiz
7351 Old Brownsville Road
Bartlett, TN 38002

The Bray Firm
2950 Stage Plaza North
Bartlett, TN 38134

Owner

Engineer

RUBY T. LEE
7340 OLD BROWNSVILLE RD
BARTLETT TN 38002

CHERYL RIVERS
3472 MAUDE CV
BARTLETT TN 38133

JAKE FARLEY
7360 OLD BROWNSVILLE RD
BARTLETT TN 38002

KELVIN HART
7362 OLD BROWNSVILLE RD
BARTLETT TN 38002

JEFFREY & AMY ARTHUR
6972 LAGRANGE GROVE CV
CORDOVA TN 38018

CONRAD & WENDY ZELTMAN
4928 MANDARIN CT
CHINO HILLS CA 91709

MARVIN & REBA SEEGER
4969 SHIRA DR
BARTLETT TN 38002

AH4R-TN3 LLC
23975 PARK SORRENTO STE 300
CALABASAS CA 91302

IRA WALTON III
4958 SHIRA DR
BARTLETT TN 38002

TERRY & KATINA TAYLOR LIVING TR
4950 SHIRA DR
BARTLETT TN 38002

DEBRA & MAVERICK GIBBS
4942 SHIRA DR
BARTLETT TN 38002

Amanda Hall
11320 Fourwinds Dr.
Eads, TN 38028-9743

TERRY & DOROTHY PERSON
4928 SHIRA DR
BARTLETT TN 38002

NIYAH NEWMAN
4925 SHIRA DR
BARTLETT TN 38002

SCOTT & LISA BRUMBELOW
4933 SHIRA DR
ARLINGTON TN 38002

STEVEN & KAREN KNIGHT
4941 SHIRA DR
BARTLETT TN 38002

ALFREDO & ARELI GUZMAN
6073 ABIGAIL BLUFFS DR
BARTLETT TN 38135

VESTA ONEAL (ESTATE) AND
ERNESTINE ONEAL
7361 OLD BROWNSVILLE RD
BARTLETT TN 38002

JACK & LINDA WRINKLE
7343 OLD BROWNSVILLE RD
BARTLETT TN 38002

SAMMIE & ADDIE HOLLOWAY
7331 OLD BROWNSVILLE RD
BARTLETT TN 38002

N 85°11'38" W

OLD BROWNSVILLE ROAD

EXIST. 30-FOOT
DEDICATION
FROM CL

57-FOOT DEDICATION
2913 S.F. DEDICATED
TO CITY OF BARTLETT

JACK & LINDA
WRINKLE
1 ACRE
INST. #19031415

LOT 1
19021 S.F.

LOT 2
19024 S.F.

VESTA ONEAL (ESTATE)
0.995 ACRES
INST. # KH 8789

N 4°03'10" E 392.42

N 4°00'46" E
364.45

S 3°58'22" W 392.43

5-FOOT UTILITY
EASEMENT (TYP.)

N 85°11'38" W
104.66

ALFREDO & ARELI
GUZMAN
LOT 56
GAILYN MANOR P.D.
P.B. 225, PG. 51

LINDA ORTIZ
7351 OLD BROWNSVILLE RD.
BARTLETT, TN 38002
OWNER/DEVELOPER

VARIANCE REQUEST
**ORTIZ SUBDIVISION
BARTLETT, TENNESSEE**

THE BRAY FIRM
2950 STAGE PLAZA NORTH
BARTLETT, TN 38134
901-383-8668
ENGINEER