



City of Bartlett
David Parsons, Mayor

BOARD OF ZONING APPEALS AGENDA

Thursday, January 16, 2025 — 6:30 p.m.

Bartlett City Hall Assembly Chamber

Approval of Minutes and Findings of Fact of the December 19, 2024 meeting.

New Business

PUBLIC HEARING

1. David Bray, with the Bray Firm, on behalf of Tony Brown, is requesting a variance from the minimum front yard setback requirement of the Bartlett Zoning Ordinance. The subject property is located at 6123 Scottsraig Cove within the "RS-10" 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.

Adjourn

BOARD OF ZONING APPEALS
THURSDAY, January 16, 2025 - 6:30 P.M.
Staff Comments

New Business
PUBLIC HEARING

- 1. David Bray, with the Bray Firm, on behalf of Tony Brown, is requesting a variance from the minimum front yard setback requirement of the Bartlett Zoning Ordinance. The subject property is located at 6123 Scottscraig Cove within the “RS-10” Single Family Residential Zoning District.**

INTRODUCTION: David Bray, with the Bray Firm, on behalf of Tony Brown, is requesting a variance from the minimum front yard setback requirement of the Bartlett Zoning Ordinance. The subject property is located at 6123 Scottscraig Cove within the “RS-10” Single Family Residential Zoning District.

BACKGROUND: The subject property is located within the Daybreak Section F Subdivision on Lot 424. The subject property has been vacant since the subdivision plat was recorded in January 1994. On September 17, 2024, the applicant submitted plans for a new single family residence. Along with the plans, the applicant submitted a site plan that was compliant with the minimum front yard setback of thirty-five (35) feet as recorded on the subdivision plat which exceeds the underlying “RS-10” zoning district minimum front yard building setback of thirty (30) feet. However, the proposed site plan placed the home right on the minimum front yard setback and the minimum side yard setback along the west property line. In December 2024, the form board survey revealed an encroachment of four point nine (4.9) feet into the required minimum front yard setback of thirty-five (35) feet on the northeast corner of this geographically challenged property.

APPLICANTS' REQUEST SUMMARY: This application request is based on the unique geographic layout of the subject property. The front yard of the property transitions from a standard road frontage into the start of the cul-de-sac bubble. This unique geographic situation reduces the depth of the front yard by ten (10) feet in a thirty-five (35) feet linear span as the road transitions into a cove. The initial site plan had the residence right on the five (5) foot minimum side yard setback along the west property line, but the form board survey showed that the residence was constructed six point five (6.5) feet off the west side yard property line. This one point five (1.5) foot building placement discrepancy along the west side yard property line caused the northeast corner of the residence to be pushed four point nine (4.9) feet into the required

minimum front yard setback of thirty-five (35) feet as required by the recorded subdivision plat which exceeds the underlying "RS-10" zoning district minimum front yard building setback of thirty (30) feet.

The applicant is requesting a variance for a new single family residence that encroaches four point nine (4.9) feet into the required minimum front yard setback of thirty-five (35) feet as required by the recorded subdivision plat which exceeds the underlying "RS-10" zoning district minimum front yard building setback of thirty (30) feet.

The specific request for the variance is from the recorded subdivision plat for Daybreak Section F Subdivision which requires a minimum front yard setback of thirty-five (35) feet which exceeds the requirements set forth in Article V, Section 6, Chart 2 (Bulk Regulations and Permitted Residential Densities) of the Bartlett Zoning Ordinance, which states, "residential properties within the "RS-10" zoning district are required to have a minimum front yard setback of thirty (30) feet.

Should the Board of Zoning Appeals grant this variance, a four point nine (4.9) foot into the required minimum front yard setback would be allowed, resulting in a thirty point one (30.1) foot front yard setback at the closest distance from the front property line.

Comments:

1. The adjacent sections of the Daybreak Subdivision require a thirty (30) foot front yard setback along street frontages with fifty (50) foot Right-of-Way and a thirty-five (35) foot front yard setback along street frontages with sixty (60) foot Right-of-Way which conforms to the requirements set forth in Article V, Section 6, Chart 2 (Bulk Regulations and Permitted Residential Densities) of the Bartlett Zoning Ordinance.
2. The minutes of the Bartlett Planning Commission for the approval of the Final Plan of Daybreak Section F Subdivision in March 1993 state that the thirty-five (35) foot front yard setback should only apply along the Blackheath Drive frontages since Blackheath Drive has a sixty (60) foot Right of Way.
3. The subdivision plat for Daybreak Section F Subdivision was recorded in January 1994 with an erroneous front yard setback note and label for the lots with street frontage along Scottscraig Cove which has a fifty (50) foot Right-of-Way. The front yard setback along Scottscraig Cove should have been noted and labeled as thirty (30) feet, but the subdivision plat was recorded with a note and label for thirty-five (35) feet. As a result, the building permits for the homes constructed along Scottscraig Cove have been submitted to comply with the thirty-five (35) foot front yard setback shown on the

subdivision plat rather than the thirty (30) foot front yard setback required by Article V, Section 6, Chart 2 (Bulk Regulations and Permitted Residential Densities) of the Bartlett Zoning Ordinance for properties located within the "RS-10" zoning district.

4. Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board of Zoning Appeals may seek review by a court of record of such decision, in the manner provided by the laws of the State of Tennessee.

Proposed Motion: To approve the request for a variance to allow a four point nine (4.9) foot encroachment, resulting in a thirty point one (30.1) foot front yard setback for the property located at 6123 Scottscraig Cove, subject to conditions.

ACTION: MOTION BY _____ SECONDED BY: _____

VOTE:	Conroy	Burton	Hunt	King	Kaiser
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 6123 SCOTTS CRAIG COVE

Description of Variance Requested (separate letter or sheet may be attached) APPLICANT IS
REQUESTING RELIEF FROM THE 35 FOOT FRONT YARD
SETBACK AT THE NORTHEAST CORNER OF THE LOT. REQUESTED
VARIANCE IS 4.9 FEET. THE PROPOSED HOUSE IS 75.5 FEET LONG,
70.5 FEET OF THE LENGTH MEETS THE REQUIRED SETBACK.

Property Owner DANIEL & SHARON JOHNSON Phone _____

Company Name _____ Fax _____

Address 6700 BEAGLE LANE; ARLINGTON, TN 38002

Applicant TONY BROWN Phone 901.518.2614

Company Name _____ Fax _____

Address PO BOX 342715; MEMPHIS, TN 38134

Submitted by DAVID BRAY (printed name) [Signature] (signature) 12/19/24 (date)

Email Address dbray@comcast.net Phone 901.383.8668 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.

_____, (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.
- ✓ 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

Prepared For

A.F.A. ENGINEERING

P.O. BOX 129, Rossville, TN 38066

(901) 553-0291

Prepared under the authority of

TCA 62-18-126 : Not a general property

Survey as defined under Rule 0820-3-07.

SURVEY : LOT 424 OF DAYBREAK SUBDIVISION, SEC. "F"

PLAT BOOK 145 PAGE 11

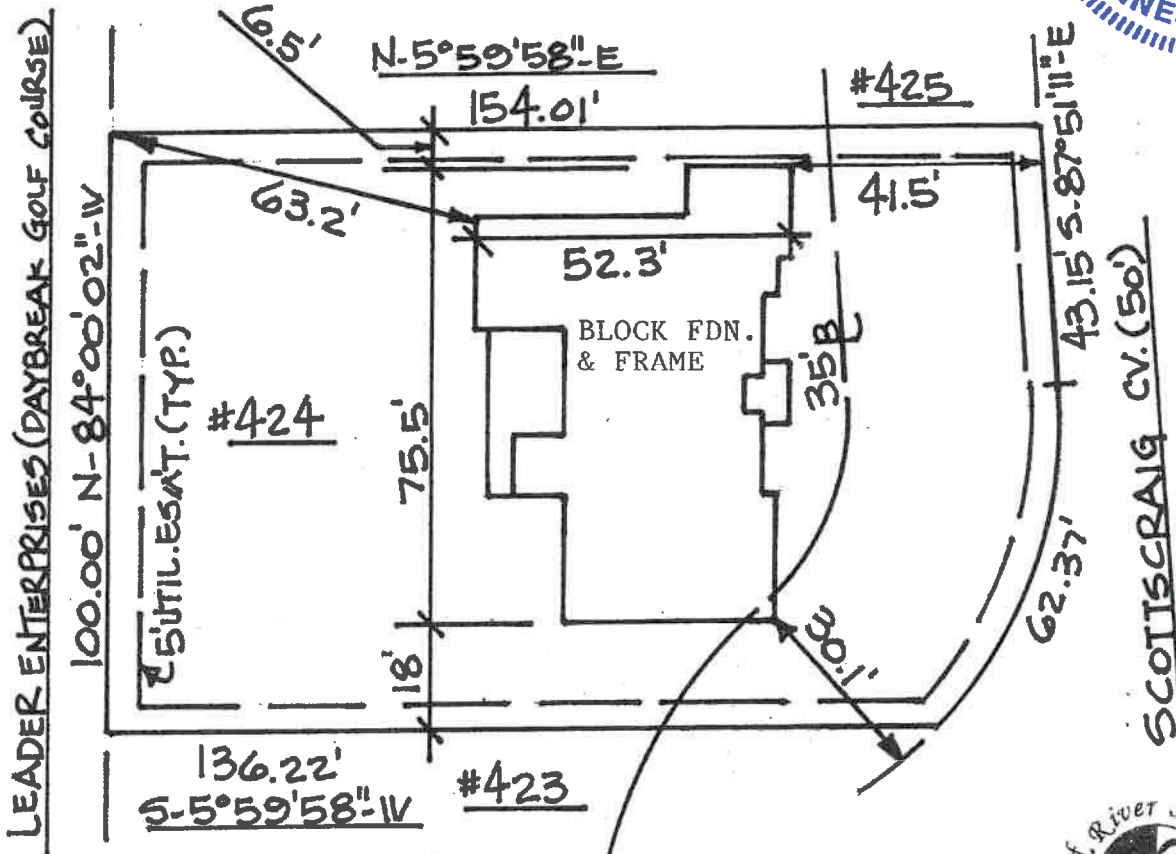
SHELBY COUNTY, TN

CONTRACTOR: TONY BROWN

(Heated)

Fin. Floor Elevation = 308.8

(Unheated FFE = 307.0



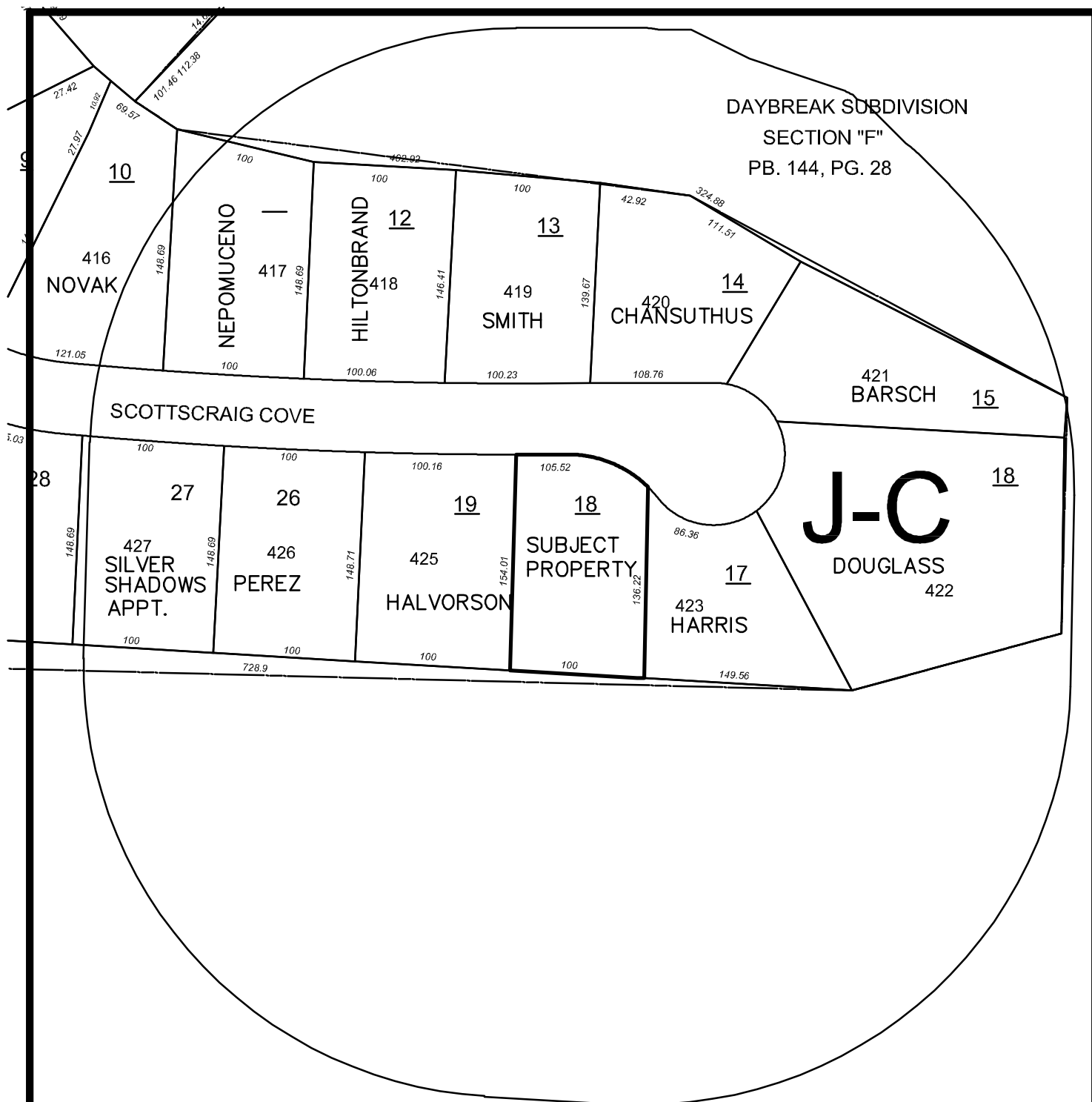
WOLF RIVER SURVEYING

600 Arena Road
Moscow, Tn 38057
901-361-0896

Tony Brown PO BOX 342715 MEMPHIS, TN 38134	The Bray Firm 2950 Stage Plaza North Bartlett, TN 38134
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Applicant	Engineer
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SILVER SHADOWS APPT. 6105 SCOTTSCRAIG CV BARTLETT, TN 38135	CANDICE PEREZ 6111 SCOTTSCRAIG CV BARTLETT, TN 38135	REBECCA HALVORSON 6117 SCOTTSCRAIG CV BARTLETT, TN 38135
MARCUS HARRIS 6127 SCOTTSCRAIG CV BARTLETT, TN 38135	SHARON DOUGLASS 422 SCOTTSCRAIG CV BARTLETT, TN 38135	KENNETH BARSCH 6134 SCOTTSCRAIG CV BARTLETT, TN 38135
TINNAKORN CHANSUTHUS 6128 SCOTTSCRAIG CV BARTLETT, TN 38135	LAURA SMITH 6122 SCOTTSCRAIG CV BARTLETT, TN 38135	DAVID HILTENBRAND 6116 SCOTTSCRAIG CV BARTLETT, TN 38135
EDWIN NEPOMUCENO 6110 SCOTTSCRAIG CV BARTLETT, TN 38135	BRIAN NOVAK 6104 SCOTTSCRAIG CV BARTLETT, TN 38135	



**BZA APPLICATION
6123 SCOTTSCRAIG CV
APPLICANT: TONY BROWN
BARTLETT, TENNESSEE**

PREPARED BY THE BRAY FIRM

LAND DEVELOPMENT SERVICES
2950 STAGE PLAZA NORTH
BARTLETT, TENNESSEE
DECEMBER 17, 2024

TELEPHONE 901-383-8668
E-MAIL dgbray@comcast.net
SCALE 1"=100'