



Board of Appeals/Stormwater Board of Appeals
Regular Meeting Agenda
Monday, October 21, 2024, 5:30 PM
City Hall, Lakeland, Tennessee 38002

- I. CALL TO ORDER:
- II. ROLL CALL:
- III. CONSENT AGENDA:
- IV. CONSIDERATION AND POSSIBLE ACTION ON ITEMS REMOVED FROM THE CONSENT AGENDA:
- V. PUBLIC DISCUSSION:
- VI. REPORTS FROM OFFICERS AND STAFF:
- VII. UNFINISHED BUSINESS:
- VIII. NEW BUSINESS:
 1. **Action** - variance approval for a prefabricated building in Lakeland Commons Planned Development (PD).
 2. **Action** - variance approval for minimum lot size in Agriculture (AG) District on Monroe Road.
 3. **Action** - variance approval for minimum lot size in Agriculture (AG) District on Trotter Drive.
- IX. ANNOUNCEMENTS:
- X. ADJOURNMENT:

Meeting Date: Monday, October 21, 2024

Project: Lakeland Commons Planned Development – Variance to allow pre-fab buildings

Staff Contact: Alex Barthol, Staff Planner

PROJECT INFORMATION

Location: 4800 Village Market Lane

Parcel ID: L0150 00566

Zoning District: AG (Agriculture) with PD (Planned Development) overlay

Applicant: Vince Smith, Lakeland Commons, LLC

Representative: Cory Brady, PLA, AICP

STAFF RECOMMENDATION

City Staff recommends approval of the Lakeland Commons Planned Development Variance Application.

BACKGROUND

The Lakeland Commons Planned Development was originally approved in September of 2011 as a mixed-use development. Area D was amended in 2015 to replace the single family uses with a vertically integrated mixed-use concept of retail, office and multi-family residential. The BOC approved a Development Contract for Lakeland Commons PD, Phase 1 in May of 2019. Phase 2 was approved in March of 2022.

DISCUSSION

The applicant is requesting approval of a variance application to allow prefabricated buildings to be installed on the site. The approved outline plan specifically prohibits these building types:

X. ARCHITECTURAL STANDARDS

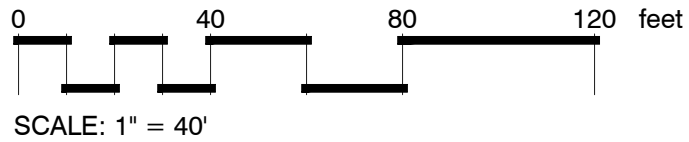
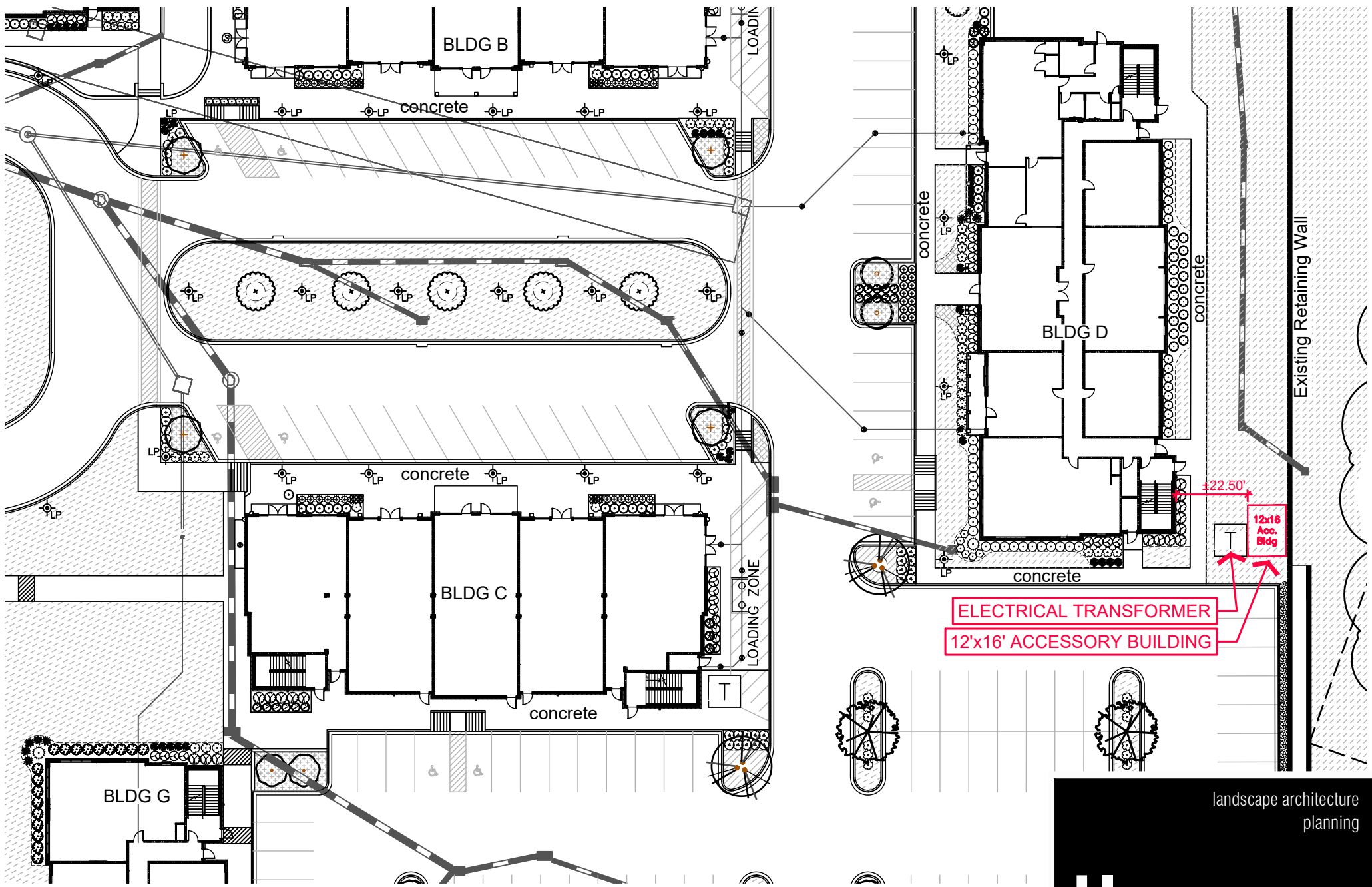
L. Outbuildings. Any and all outbuildings and detached structures shall be permitted only with full review and approval by the ARC. All outbuildings must be constructed of the same building materials and detailing as the primary structure. All plans must be reviewed and approved prior to construction. Temporary, pre-fabricated, or modular outbuildings shall not be permitted.

However the need has arisen to install a small storage building to house a golf cart for the leasing office. This building is to be installed behind Building D and will be screened by an electrical transformer.

City Staff has reviewed the approved Outline Plan for Lakeland Commons and found that the variance being requested does not negatively impact the overall development.

EXAMPLE MOTIONS

1. Motion to approve the Lakeland Commons Planned Development Variance application to allow pre-fab buildings subject to the following conditions:
 - a. Conditions as determined by the Planning Commission
 - b. Conditions listed in the Staff Report
2. Motion to approve the Lakeland Commons Planned Development Variance application to allow pre-fab buildings without conditions.
3. Motion to deny the Lakeland Commons Planned Development Variance application to allow pre-fab buildings:
 - a. Reason for denial



landscape architecture
 planning

ils

INTEGRATED LAND SOLUTIONS, PLLC
 9967 Bentwood Creek Cv. Collierville, Tn 38017
 901.493.6996 corybradford@ils.com

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Meeting Date: Monday, October 21, 2024

Project: 10275 Monroe Road – Variance to lot size minimums in the AG:
Agriculture Zoning District

Staff Contact: Alex Barthol, Staff Planner

PROJECT INFORMATION

Location: 10275 Monroe Road

Parcel ID: L0159 00036

Acreage: 10

Zoning District: AG: Agriculture

Applicant: Tom and Donna Hathaway

Representative: Tom and Donna Hathaway

STAFF RECOMMENDATION

City Staff recommends approval of the lot size Variance Application for 10275 Monroe Road.

BACKGROUND

The applicants, Tom and Donna Hathaway, reached out to the Planning Staff in August of 2024 to discuss potentially subdividing their property in order to subdivide and sell the portion of the property that has an existing home on it. After being informed of the lot size requirements for the AG: Agriculture Zoning District, it became apparent that the requirement of a minimum of five (5) acres was not a feasible option for the property owner.

DISCUSSION

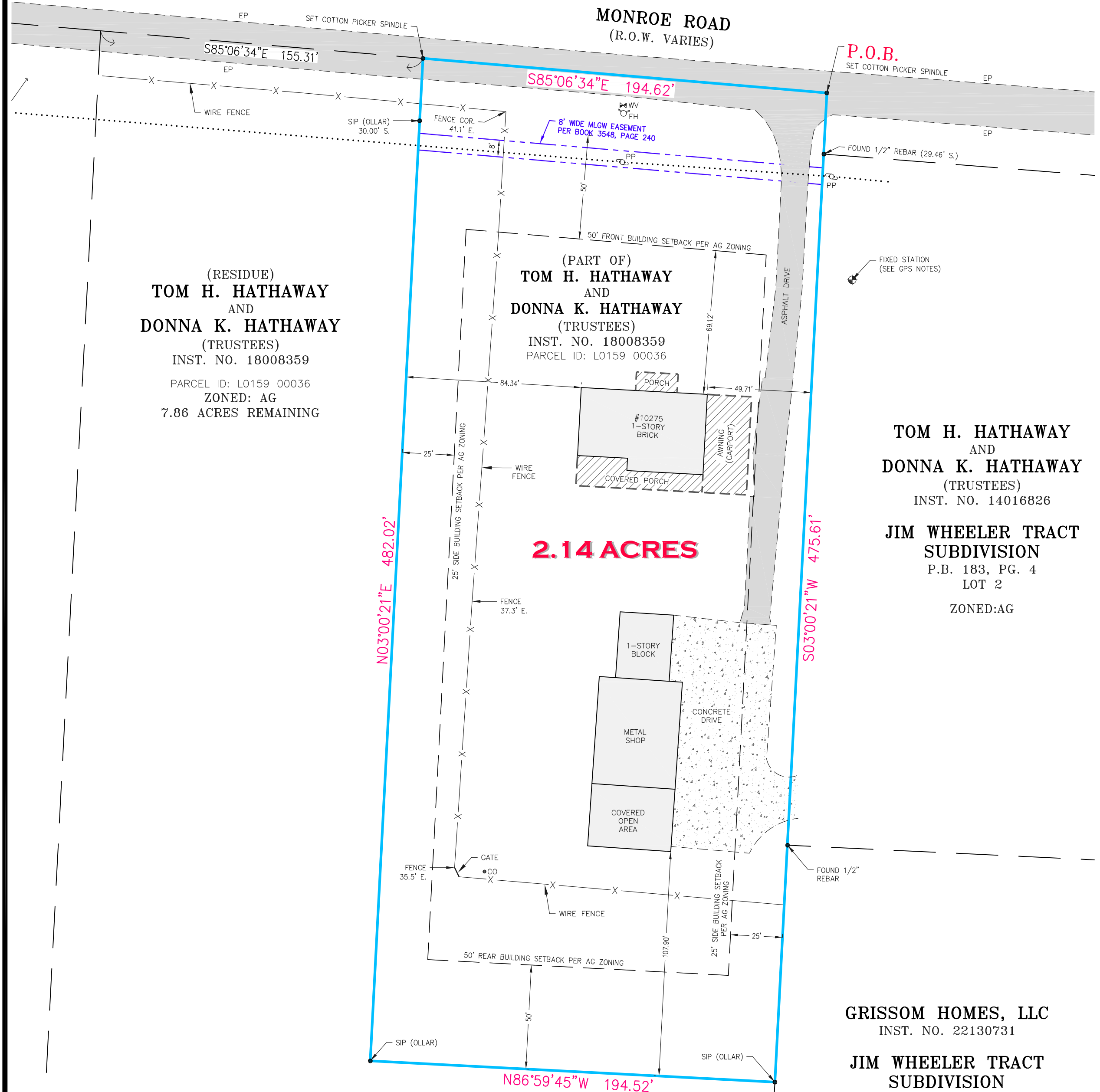
The applicant is requesting approval of a variance application to allow a deviation of the five (5) acre minimum requirement in the AG: Agriculture Zoning District. The specific request is to allow a subdivision of two (2) acres on the property.

City Staff has reviewed the variance being requested and have looked at the surrounding area to determine if two (2) acres is an appropriate size lot compared to the adjacent properties. After review City Staff has determined there are several properties in the immediate area that are less than five (5) acres and the variance being requested would not negatively impact the adjacent properties.

EXAMPLE MOTIONS

1. Motion to approve the lot size Variance Application for 10275 Monroe Road subject to the following conditions:
 - a. Conditions as determined by the Planning Commission
 - b. Conditions listed in the Staff Report
2. Motion to approve the lot size Variance Application for 10275 Monroe Road without conditions.
3. Motion to deny the lot size Variance Application for 10275 Monroe Road:
 - a. Reason for denial

10275 MONROE ROAD



(RESIDUE)
TOM H. HATHAWAY
 AND
DONNA K. HATHAWAY
 (TRUSTEES)
 INST. NO. 18008359
 PARCEL ID: L0159 00036
 ZONED: AG
 7.86 ACRES REMAINING

(PART OF)
TOM H. HATHAWAY
 AND
DONNA K. HATHAWAY
 (TRUSTEES)
 INST. NO. 18008359
 PARCEL ID: L0159 00036

TOM H. HATHAWAY
 AND
DONNA K. HATHAWAY
 (TRUSTEES)
 INST. NO. 14016826

JIM WHEELER TRACT
 SUBDIVISION
 P.B. 183, PG. 4
 LOT 2
 ZONED: AG

2.14 ACRES

(RESIDUE)
TOM H. HATHAWAY
 AND
DONNA K. HATHAWAY
 (TRUSTEES)
 INST. NO. 18008359
 PARCEL ID: L0159 00036
 ZONED: AG
 7.86 ACRES REMAINING

GRISSOM HOMES, LLC
 INST. NO. 22130731

JIM WHEELER TRACT
 SUBDIVISION
 P.B. 183, PG. 4
 LOT 1

CERTIFICATE:

I hereby certify that this is a Category I Survey and that the ratio of precision of the unadjusted survey is greater than 1:10,000, and is in compliance with the current Tennessee minimum standards of practice.

OLLAR SURVEYING COMPANY, LLC.



BY

Jason Lee Harris
 Tennessee, Certificate No. 3007

DESCRIPTION:

Description of part of the Tom M. Hathaway and Donna K. Hathaway, Trustees property recorded in Inst. No. 18008359 and being located in Lakeland, Shelby County, TN:

Beginning at a set cotton picker spindle in the centerline of existing pavement of Monroe Road (R.O.W. Varies), said point being the northeast corner of said property recorded in Inst. No. 18008359; thence South 03 degrees 00 minutes 21 seconds West along the east line of said property recorded in Inst. No. 18008359, along the west line of Jim Wheeler Tract Subdivision, Lot 2 recorded in P.B. 183, Pg. 4 and along the west line of Jim Wheeler Tract Subdivision, Lot 1 recorded in P.B. 183, Pg. 4, passing a found 1/2" rebar at 29.46 feet, passing a found 1/2" rebar at 361.71 feet and continuing on for a total distance of 475.61 feet to a set 1/2" rebar with plastic cap (OLLAR); thence across said property recorded in Inst. No. 18008359 the following calls: North 86 degrees 59 minutes 45 seconds West, 194.52 feet to a set 1/2" rebar with plastic cap (OLLAR); North 03 degrees 00 minutes 21 seconds East, passing a set 1/2" rebar with plastic cap (OLLAR) at 452.02 feet and continuing on for a total distance of 482.02 feet to a set cotton picker spindle in the centerline of existing pavement of said Monroe Road, said point being in the north line of said property recorded in Inst. No. 18008359; thence South 85 degrees 06 minutes 34 seconds East along the north line of said property recorded in Inst. No. 18008359 and with said centerline of existing pavement of said Monroe Road, 194.62 feet to the POINT OF BEGINNING and containing 2.14 acres of land.

All bearings are based on the Tennessee Coordinate System of 1983.

GPS NOTES:

- For boundary and topographic (if applicable) aspects of this survey, RTK GPS positional data was observed on/between the dates of 09-13-2024 and 09-16-2024.
- A Trimble R8s dual frequency receiver was used.
- The grid coordinates of the Fixed Station(s) shown were derived using a VRS network of CORS stations referenced to NAD 83 (2011) (Epoch 2010), Geoid 12B.
- Positional accuracy of the GPS vectors does not exceed: Horizontal 0.05' - Vertical 0.10'.
- Combined Grid Factor: 1.0000097580 centered on Fixed Station 1 as shown hereon.
- It is the opinion of this surveyor that the precision of the GPS survey meets or exceeds the unadjusted survey minimum accuracy standards for a Category I Survey.

LEGEND:

- | | |
|--------|---------------------------------|
| CO | CLEANOUT |
| EP | EDGE OF PAVEMENT |
| FH | FIRE HYDRANT |
| INST | INSTRUMENT |
| N | NORTH |
| NO. | NUMBER |
| P.B. | PLAT BOOK |
| PG. | PAGE |
| POB | POINT OF BEGINNING |
| PP | POWER POLE |
| R.O.W. | RIGHT-OF-WAY |
| S | SOUTH |
| SIP | SET 1/2" REBAR WITH PLASTIC CAP |
| W | WEST |
| W/ | WITH |
| WV | WATER VALVE |
| | OVERHEAD LINES |
| -x- | FENCE |

NOTES:

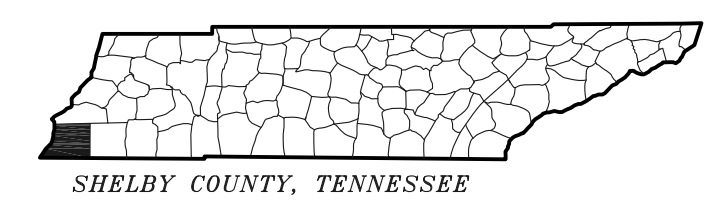
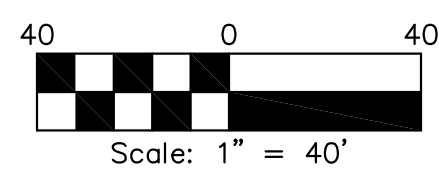
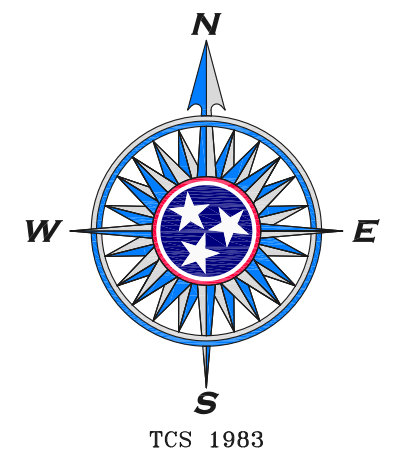
- Survey prepared for Donna Hathaway.
- Bearings are relative to TCS 1983 as defined by TCA 66-6-101,103. Coordinates shown hereon are grid coordinates expressed in U.S. foot.
- This survey was prepared without benefit of an abstract of title. No liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract or title search of the property.
- No deeds, easements, etc. were provided to Ollar Surveying Company, LLC. We have provided our own research and do not guarantee same as to accuracy or completeness.
- Adjoining property owners' and deed references and street information were provided by Ollar Surveying Company, LLC, and are not guaranteed as to accuracy or completeness.
- Adjoining property lines as shown were not surveyed at this time, unless noted by location of property corners. Adjoining property lines derived using deeds as shown.
- There may be visible/non-visible structures located on this property that were obstructed or not visible on the date of the survey and are not shown.
- There may be underground or non-visible utilities, drain and/or sewer lines across this property that are not shown. The proper utility authorities should be contacted for more specific locations and information on underground utilities.
- Subsurface and environmental conditions were not examined or considered as a part of this survey.
- Governmental jurisdictional areas, if any, which might impact on the use of the premises were not located. No liability is assumed by the undersigned for any loss resulting from the exercise of any governmental jurisdiction affecting the use of the premises.
- If this survey plat is provided in electronic form (AutoCad Drawing file), said copy must be compared to the original survey issued (either sealed hard copy or digitally sealed Adobe PDF) to insure the accuracy of the information and to further insure that no changes, alterations or modifications have been made. No reliance should be made on said AutoCad Drawing file transmitted unless first compared to the original sealed document issued at the time of the survey.
- Ollar Surveying Company, LLC will provide, if requested, printed versions of this survey and will have the original seal of surveyor. Additionally, a digitally sealed Adobe PDF version of this survey will be provided to the party(ies) listed in Note #1 as well as any party(ies) listed in the survey certification.
- This survey has been prepared for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification. Said survey, either sealed hard copy or digitally sealed Adobe PDF is the property of Ollar Surveying Company, LLC and those party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification.

Except for the party(ies) listed in Note #1 and/or the party(ies) listed in the survey certification, this survey may not be copied, reproduced or distributed, nor shall any alteration be made to this survey in whole or in part, without the expressed written permission of Ollar Surveying Company, LLC.

- Further, this survey, either digitally sealed Adobe PDF, photocopied replication or the like, may not be used by any person/company other than those listed in Note #1 and/or the party(ies) listed in the survey certification i.e. attorney(ies), real estate agent(s), surveying company(ies) or similar type company(ies) for the facilitation of future transactions involving this surveyed property without the expressed written permission of Ollar Surveying Company, LLC.
- I/We have not reviewed nor do we express any opinion as to if this property lies within a Special Flood Hazard Area.
- Reference is hereby made to Warranty Deed recorded in Inst. No. 18008359.

SURVEY OF
 PART OF THE
TOM H. HATHAWAY
 AND
DONNA K. HATHAWAY
 (TRUSTEES)
 PROPERTY
 RECORDED IN

INST. NO. 18008359
 PARCEL ID: L0159 00036
 LAKELAND, SHELBY COUNTY, TENNESSEE
 DATE: SEPTEMBER 16, 2024



DESCRIPTIVE LOCATION OF PROPERTY:
 The property is located on the south side of Monroe Road and 2000' +/- East of Monroe Cove/Monroe Road intersection.

Meeting Date: Monday, October 21, 2024

Project: 9460 Trotter Drive – Variance to lot size minimums in the AG: Agriculture Zoning District

Staff Contact: Alex Barthol, Staff Planner

PROJECT INFORMATION

Location: 9460 Trotter Drive

Parcel ID: L0140 00101

Acreage: 10.03

Zoning District: AG: Agriculture

Applicant: Noah and Hailey Johnson

Representative: Tarra Hendrix

STAFF RECOMMENDATION

City Staff recommends approval of the lot size Variance Application for 9460 Trotter Drive.

BACKGROUND

The applicants, Noah and Hailey Johnson, reached out to the Planning Staff in August of 2024 to discuss potentially subdividing their property in order to construct a second home on the land. After being informed of the lot size requirements for the AG: Agriculture Zoning District, it became apparent that the requirement of a minimum of five (5) acres was not a feasible option for the property owner.

DISCUSSION

The applicant is requesting approval of a variance application to allow a deviation of the five (5) acre minimum requirement in the AG: Agriculture Zoning District. The specific request is to allow a subdivision of two (2) acres on the property.

City Staff has reviewed the variance being requested and have looked at the surrounding area to determine if two (2) acres is an appropriate size lot compared to the adjacent properties. After review City Staff has determined there are several properties in the immediate area that are less than five (5) acres and the variance being requested would not negatively impact the adjacent properties.

EXAMPLE MOTIONS

1. Motion to approve the lot size Variance Application for 9460 Trotter Drive subject to the following conditions:
 - a. Conditions as determined by the Planning Commission
 - b. Conditions listed in the Staff Report
2. Motion to approve the lot size Variance Application for 9460 Trotter Drive without conditions.
3. Motion to deny the lot size Variance Application for 9460 Trotter Drive:
 - a. Reason for denial



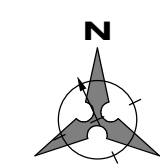
SITE DATA	
SUBDIVISION:	SALEM ROAD RANCHES
LOT NO.:	28
PARCEL ID:	L0140 00101
AREA:	10.03 ACRES
ZONING:	AG - AGRICULTURE

Drawn By: _____
 Checked By: _____
 Date: **10.15.2024**
 Issue for Permit: _____
 Issue for Pricing: _____
 Issue for Construction: _____
 Revisions: _____

Christopher E.
SPELTZ
 Ronald E.
Colin Jr. AIA

New Residence for Micheal & Bridget Green

9460 Trotter Drive
 Lakeland, Tennessee 38002



1 PROPOSED SITE PLAN
 1" = 50'-0"

Sheet Title: _____
 SITE PLAN
 Project Type: _____
 Drawing File No.: _____
 Drawn by: _____
 Date: **10-13-2024**

A-0