



Board of Appeals/Stormwater Board of Appeals
Regular Meeting Agenda
Monday, August 16, 2021, 5:30 PM
City Hall, Lakeland, Tennessee 38002

- I. CALL TO ORDER:
- II. ROLL CALL:
- III. APPROVAL OF MINUTES OF PREVIOUS MEETING:
 1. May 17, 2021
- IV. OLD BUSINESS:
- V. NEW BUSINESS:
 1. Action on a request for four (4) variances from Article III Sections 3.Q.1.a. and 1.b to allow four (4) encroachments to the front or corner side yard setback at 3033 Eton Cove.
- VI. ANNOUNCEMENTS:
- VII. ADJOURNMENT:

Lakeland Board Of Appeals
Stormwater Board of Appeals
Meeting Minutes

Monday, May 17, 2021
5:30 PM City Hall

I. CALL TO ORDER: Meeting was called to order at 5:30 PM.

II. ROLL CALL:

Byron Ledbetter	Present
Connie McCarter	Present
Tom Pickering	Present
Commissioner Wright	Present
(C) Patrick Kitchens	Present

Others present:

Shane Horn, City Manager

Richard Donovan, Planning Director

III. APPROVAL OF MEETING MINUTES:

Mr. Pickering moved to approve the regular meeting minutes of March 15, 2021 as written.

Commissioner Wright seconded the motion.

Motion passed unanimously, 5 in favor 0 against.

Mrs. McCarter moved to post to the web the corrected minutes of February 23, 2021, and any other revised minutes going forward.

Mr. Ledbetter seconded the motion.

Motion passed unanimously, 5 in favor 0 against.

For the record: The February 23, 2021, minutes reflects corrections as follows:

- Chairman Kitchens reason for recusal was because he lived in the subdivision.
- Chairman Kitchens vote to be recorded as recused and abstain to be stricken.

IV. OLD BUSINESS: None

V. NEW BUSINESS:

1. ***Action on a request for a variance from Article III, Section 6.G.4.d to allow a driveway closer than 25 feet to the intersection at 4511 Coltwood Drive.***

Mr. Richard Donovan, Planning Director, was given up to 30 minutes to present the city's position regarding the request. *(See Attachment)*

Mr. Trae Sterling, the applicant, was allowed up to 30 minutes to present his request.

Lakeland Board Of Appeals
Stormwater Board of Appeals
Meeting Minutes
Monday, May 17, 2021
5:30 PM City Hall

Discussion ensued.

For the record: No public comments were heard in favor or against the variance being granted.

After discussion, Mr. Pickering moved to grant the variance as requested based on interpreting the line of intersection at the property line verse the curb.

Commissioner Wright seconded the motion.

Motion passed, roll call vote, 4 in favor 1 against.

Ledbetter	Yea
McCarter	Nay
Pickering	Yea
Wright	Yea
(C) Kitchens	Yea

VI. ANNOUNCEMENTS:

VII. ADJOURNMENT:

With no other business before the board Mr. Pickering moved to adjourn the meeting, seconded by Commissioner Wright.

Motion passed unanimously, voice vote, 5 in favor 0 against.

The meeting was adjourned at 6:20 p.m.

Byron Ledbetter, *Secretary*

ATTEST:

Debra Murrell, *City Recorder*



These minutes were approved on August 16, 2021.

MEETING DATE: Monday, May 17 2021

SUBJECT: Action on a request for a variance from Article III, Section 6.G.4.d to allow a driveway closer than 25 feet to the intersection at 4511 Coltwood Drive

STAFF CONTACT: Richard Donovan, Planning Consultant

STAFF RECOMMENDATION

Staff recommends denial based on the no hardship existing and criteria for decision not being met. Upon reviewing the application, the application does not meet the following criteria for decision

- Physical or Topographical Conditions
- Special Privilege

It is the Staff's opinion that approval of these variances would cause harm to the LDR and make these sections difficult, if not impossible, to enforce corner spacing for any driveway within the City including commercial.

DISCUSSION

LOCATION: 4511 Coltwood Drive

PARCEL ID: L0150K C00037

ZONING: R1

AREA: 19,821.22 square feet

APPLICANT: Trae Sterling

BACKGROUND:

The property located at 4511 Coltwood Drive, also known as Lot 210 of the Oakwood PD, Phase 4 recorded in November 2004.

This request originated as a Codes complain. The City became aware that a driveway had been installed without a curb cut permit. The City Codes Officer visited the site and reviewed the driveways location. The driveway was found to be 16 feet from the return radius of the intersection. The permit was subsequently denied due to a lack of compliance with the Zoning Regulations.

CRITERIA FOR DECISION:

Lakeland Land Development Regulations

Article I, Section 4(O) of the Zoning Regulations authorizes the Board of Appeals to grant variance requests from provisions found in the Zoning Regulations if the following criteria are met:

1. Physical or Topographical Conditions. The physical surroundings, shape, or topographic conditions of the specific property involved would result in a hardship upon the Owner as distinguished from a mere inconvenience, if the strict application of the Land Development Regulations were carried out.
2. Relationship to other Properties within the District. The conditions upon which the Application is based would not be applicable, generally, to other property within the same district.
3. Permitted Activity. The variance shall not authorize activities in a Zoning district other than those permitted by the Land Development Regulations.
4. Financial Implications. The variance is not based solely on financial returns.
5. Self-created Hardship. The alleged difficulty or hardship has not been created by any person having an interest in the property after the date of the Land Development Regulations.
6. Special Privilege. Granting the variance will not confer on this Applicant any special privilege that is denied by the Land Development Regulations to other lands, structures, or building in the same district.
7. Minimum Variance Required. The variance is the minimum variance that will make possible the reasonable Use of the land, building, or structure.
8. Effect on Public Welfare. The variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
9. Effect on Adjacent Properties. The variance shall not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.
10. Nonconforming status. The variance is not based on the presence of nonconforming Use of neighboring lands, structures or buildings in the same district.
11. Prohibited Uses. Under no circumstances shall the Board of Appeals grant a variance to allow a Use not permissible under the terms of the Land Development Regulations in the district involved, or any Use expressly or by implication prohibited by the terms of the Land Development Regulations in said district.

Tennessee Code Annotated

Authorize upon an appeal a variance where by reason of exceptional

- a. narrowness
- b. shallowness
- c. shape (the time of the enactment of the zoning regulations)
- d. topographic conditions, or
- e. other extraordinary and exceptional situation or condition

the strict application of the ordinance would result in

- a. peculiar and exceptional practical difficulties or
- b. exceptional or undue hardship upon

the owner so as to relieve such difficulties or hardship; provided that such relief may be granted

- a. without substantial detriment to the public good
- b. without substantially impairing
 - i. the intent and purpose of the zone plan
 - ii. and zoning ordinance.

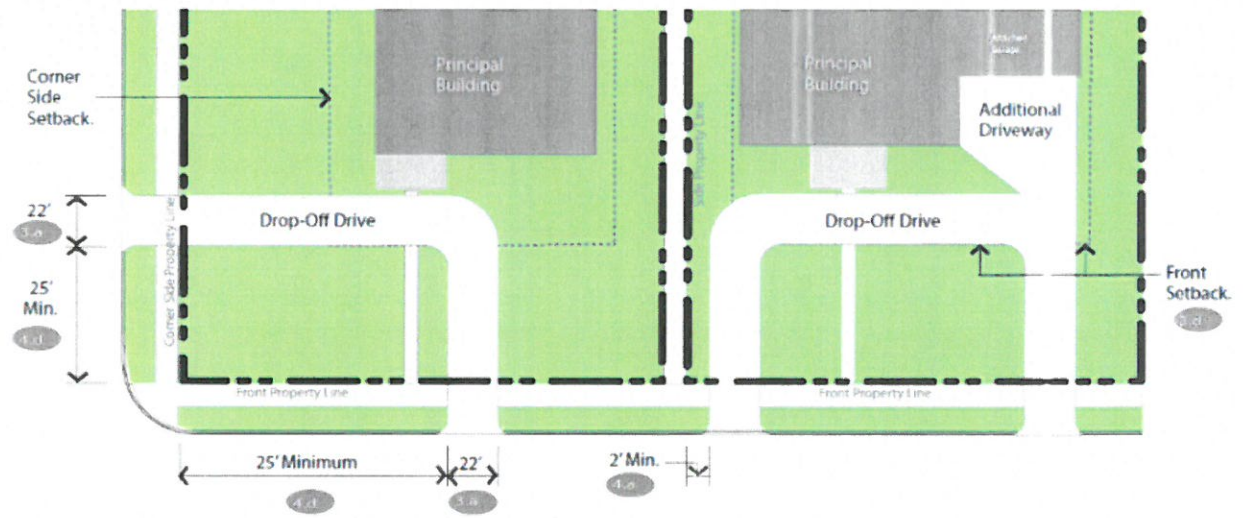
ANALYSIS:

The applicant is seeking relief from the following sections of the Zoning Regulations:

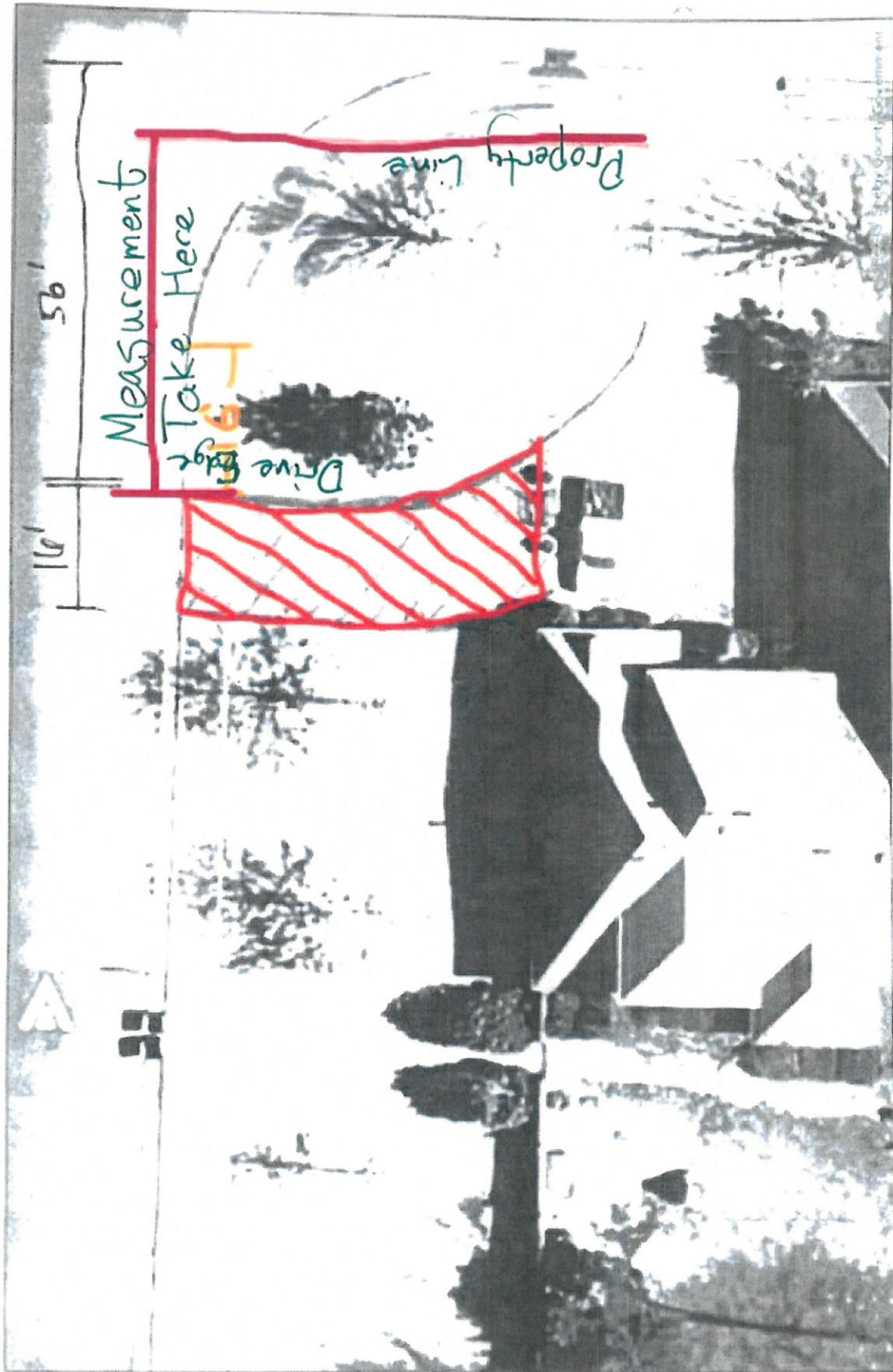
- 1. Article III, Section 6.G.4.d to decrease the distance between the corner of the street and a driveway from 25 ft. to 16 ft.

Below is the language from the Zoning Regulations that prohibits driveways from being closer than 25 feet from the intersection:

- 3. Location. Specific location information can be found in III.3 Building Type Standards.
 - d. In Single Family Residential Districts, driveways shall not be closer than twenty-five (25) feet from the intersection of two streets (corner), unless otherwise stated in this section or in III.3 Building



Driveways are required to have 25 feet spacing from the end of the radius of the intersection and the driveway. This is to preserve the line of sight for cars making turns at the corner. A driveway that is too close to the corner could block the visibility for anyone making a turn onto or off of Coltwood Drive. Approving a variance without a stated hardship will undermine this section of the code from being enforced.



**MELVIN BURGESS, ASSESSOR
SHELBY COUNTY, TENNESSEE**

DISCLAIMER: THIS MAP IS FOR PROPERTY ASSESSMENT PURPOSES ONLY. IT IS NOT CONSIDERED AS TO LOCATION OF RECORDS OR LEGAL OWNERSHIP AND THEREFORE SHOULD NOT BE USED AS A REPRESENTATION OF ANY PROPERTY FOR ANY PURPOSE.

MAP DATE: October 27, 2020



MEETING DATE: Monday, August 16 2021

SUBJECT: Action on a request for four (4) variances from Article III Sections 3.Q.1.a. and 1.b to allow four (4) encroachments into the front or corner side yard setback at 3033 Eton Cove.

STAFF CONTACT: Richard Donovan, Planning Consultant

STAFF RECOMMENDATION

Staff recommends denial based on the no hardship existing and criteria for decision not being met. Upon reviewing the application, the application does not meet the following criteria for decision

- Physical or Topographical Conditions
- Self-created Hardship
- Special Privilege

It is the Staff's opinion that approval of these variances would cause harm to the LDR and make it difficult, if not impossible, to enforce for any setback within the City.

DISCUSSION

LOCATION: 3033 Eton Cove
PARCEL ID: L0159 00201
ZONING: R2 (Suburban Manor)
AREA: 14,227 square feet
APPLICANT: Dale Hoskins

BACKGROUND:

The property is located at 3033 Eton cove, also known as Lot 1 of the Daner Properties Subdivision.

In the Fall of 2020, Staff began receiving questions about this lot after being put on the market for sale. Staff researched the lot a determined that the lot had never been properly platted and only deeded off. Staff had a discussion with the real estate agent and several parties interested in the lot. The real estate agent and all parties that called the City were notified the lot was never property platted and that there was an easement on the lot that would create issues when the lot was platted.

Staff research discovered the following on the lot:

1. Stonebridge Section B was recorded on June 16, 1978.
 - a. This is the adjacent property.
 - b. The subject lot was not included.
2. A special warranty deed was recorded on December 22, 1983.
 - a. This deed the lot off but did not plat the lot as required by State and County requirements.

Staff notified any party that inquired of the platting issue and drainage easement on the property and the challenges that would need to be overcome to build on the property. Any party that inquired was notified that the state could not support any variance that was requested because the hardship would be self-created, and they would need to build with the setbacks.

CRITERIA FOR DECISION:

Lakeland Land Development Regulations

Article I, Section 4(O) of the Zoning Regulations authorizes the Board of Appeals to grant variance requests from provisions found in the Zoning Regulations if the following criteria are met:

1. Physical or Topographical Conditions. The physical surroundings, shape, or topographic conditions of the specific property involved would result in a hardship upon the Owner as distinguished from a mere inconvenience, if the strict application of the Land Development Regulations were carried out.
2. Relationship to other Properties within the District. The conditions upon which the Application is based would not be applicable, generally, to other property within the same district.
3. Permitted Activity. The variance shall not authorize activities in a Zoning district other than those permitted by the Land Development Regulations.
4. Financial Implications. The variance is not based solely on financial returns.
5. Self-created Hardship. The alleged difficulty or hardship has not been created by any person having an interest in the property after the date of the Land Development Regulations.
6. Special Privilege. Granting the variance will not confer on this Applicant any special privilege that is denied by the Land Development Regulations to other lands, structures, or building in the same district.
7. Minimum Variance Required. The variance is the minimum variance that will make possible the reasonable Use of the land, building, or structure.
8. Effect on Public Welfare. The variance will not be detrimental to the public welfare or injurious to other property or improvements in the area in which the property is located.
9. Effect on Adjacent Properties. The variance shall not impair an adequate supply of light and air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the area.

10. Nonconforming status. The variance is not based on the presence of nonconforming Use of neighboring lands, structures or buildings in the same district.
11. Prohibited Uses. Under no circumstances shall the Board of Appeals grant a variance to allow a Use not permissible under the terms of the Land Development Regulations in the district involved, or any Use expressly or by implication prohibited by the terms of the Land Development Regulations in said district.

Tennessee Code Annotated

Authorize upon an appeal a variance where by reason of exceptional

- a. narrowness
- b. shallowness
- c. shape (the time of the enactment of the zoning regulations)
- d. topographic conditions, or
- e. other extraordinary and exceptional situation or condition

the strict application of the ordinance would result in

- a. peculiar and exceptional practical difficulties or
- b. exceptional or undue hardship upon

the owner so as to relieve such difficulties or hardship; provided that such relief may be granted

- a. without substantial detriment to the public good
- b. without substantially impairing
 - i. the intent and purpose of the zone plan
 - ii. and zoning ordinance.

ANALYSIS:

The applicant is seeking relief from the following section of the Zoning Regulations four(4) times:

1. Article III Sections 3.Q.1.a. and 1.b to allow four (4) encroachments into the front or corner side yard setback from 30 feet to 28' 3", 23' 4", 27' 4", and 28' 6".

Below is the language from the Zoning Regulations that set the front setbacks in the Suburan Manor district:

1. Building Siting. (Refer to Figure 3.Q-1)

Street Frontage.

- 1.a Front building Facade shall be set back a minimum of thirty (30) feet from the Front Property Line.
- 1.b Corner side building Facade shall be set back a minimum of thirty (30) feet from the Corner Side Property Line.

Figure 1 shows a zoom-in of the building permit submittal with red circles showing the four (4) setback encroachments. The applicant drawing shows an encroachment on each side of the front of the house, a side porch, and an encroachment of a second floor overhang that creates a porch or extension of the second floor into the front yard.

Figure 2 shows the entire building permit submittal, with the orange line showing the setback line and easement line that gives a buildable area. Figure 3 shows the plat that was recorded on April 8, 2021.

Figure 4 shows a zoom of the lot on the recorded plat showing a home on the lot within the setbacks.

Staff has visited the site, and no hardships exist on the site. All issues on the lot were known to the City and applicant prior to the platting of this lot. Any hardship for this was created by the platting of the lot and is not eligible for the requested variances. There are two solutions to this issue 1) would be to select a floorplan better suited for the site or 2) shift the home back. Figure 5 shows that the home could fit if shifted straight back.

Figure 1: Zoom of encroachments.

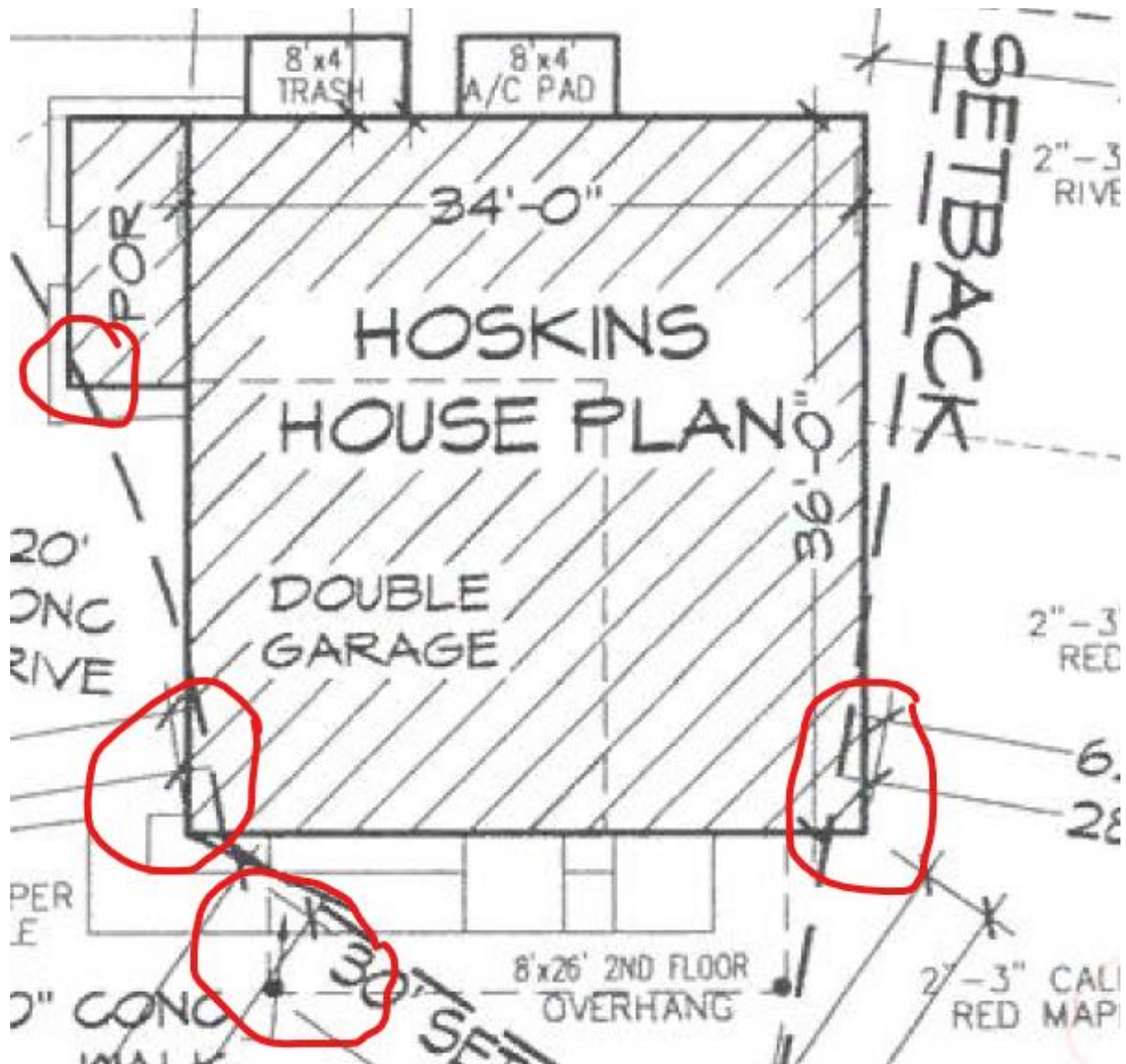


Figure 2: Building Permit Site Plan

NOTE!

HOLD REAR OF HOUSE
PARALLEL TO REAR
PROPERTY LINE



THIS PLOT PLAN IS FOR LOCATING THE HOUSE ON THE PROPERTY ONLY. THE FRONT PROPERTY LINE IS NOT NECESSARILY THE CURB LINE. THE FINAL RECORDED SUBDIVISION PLAT MAY CONTAIN CHANGES NOT SHOWN ON THE PLAT FROM WHICH THIS PLOT PLAN WAS DRAWN. BUILDER TO VERIFY, PRIOR TO CONSTRUCTION, THAT THIS BUILDING DOES NOT ENCROUGH ANY EASEMENTS OR SETBACKS. RYAN AND ASSOCIATES IS NOT LIABLE FOR ANY ENCROACHMENTS.



For DALE HOSKINS

Lot # _____ Date 2-22-21

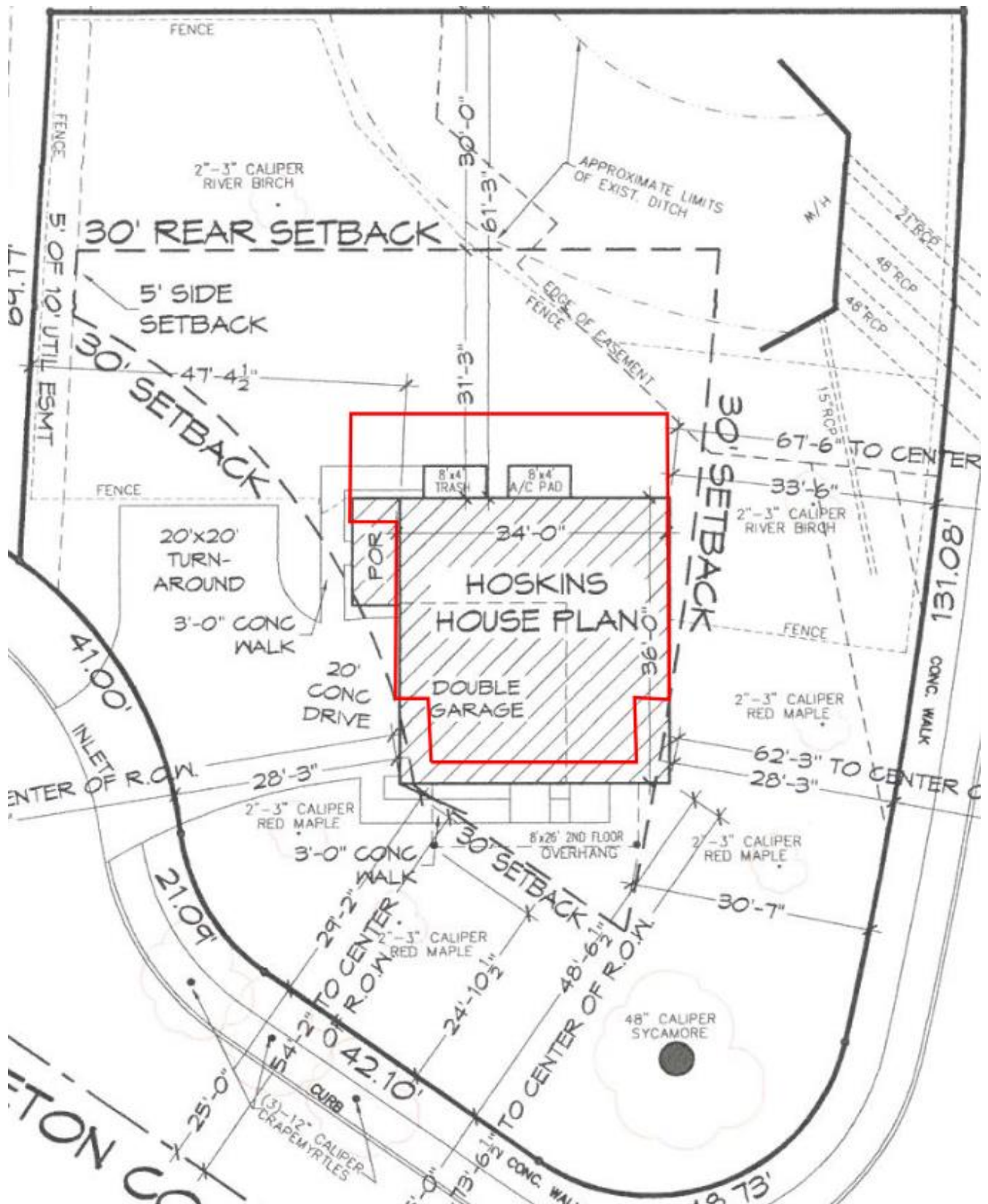
S/D DANNER PROPERTIES

County SHELBY State TN

City LAKELAND PO# 210066

Drawn by SMV Scale 1"=30'

Figure 5: Site Plan with home shifted back.





RESIDENTIAL NEW CONSTRUCTION

Construction Enforcement
Division of Planning and Development
6465 Mullins Station Road / Memphis, TN 38134
Office: 901-222-8300 / Inspections: 901-222-8400

Record No. _____

Select Submittal Type: [] Amendment [] Application

WORK LOCATION
Street No. 3033 Dir. Street Name ETON COVE Suffix
Unit Type & Number (s) [] Apartment [X] N/A [] Other [] Suite City Lakeland State TN Zip Code 38002

APPLICANT CONTACT INFORMATION
Preferred Channel [] Mail [X] E-Mail [] Home Phone [] Mobile Phone [] Business Phone [] Fax Name DAVE Hoskins
Organization Name North Star Homes
Address 4053 SEED TUCK Rd City Lakeland
State TN Zip Code 38002 Email (required) northstarhomes@yaho.com
Home Phone Mobile Phone 901-389-7578 Business Phone Fax

PROFESSIONAL INFORMATION
License Type [X] Contractor Preferred Channel [] Mail [X] E-Mail [] Business Phone [] License No. 58377
Name DAVE Hoskins Organization Name North Star Homes
Address 4053 SEED TUCK Rd City Lakeland
State TN Zip Code 38002 Email (required) northstarhomes@yaho.com
Home Phone Mobile Phone 901-389-7578 Business Phone Fax

OCCE REVIEW
New Non-Single Family Construction? [] Yes [] No Non-Industrial Expansion 1,000 Sq. Ft. or More? [] Yes [] No
Industrial Expansion 10,000 Sq. Ft. or More? [] Yes [] No Parking Lot Expansion 10 Spaces or More? [] Yes [] No
Existing Building Use Change? [] Yes [] No

GENERAL PROJECT INFORMATION
Detailed Description 3 bed, 3.5 bath, 2 car Attached garage, 2.5 story new home
Use Classification Residential
Use Category Residential
Principal Use Residential
Estimated Cost (Job Value) \$200,000 Total Building Area (Sq. Ft.) 2662 HIL 54 FT Building Height (Ft) 31'4"
Does this project include a new driveway or curb cut? [X] Yes [] No Square Footage of New Driveway
Manufactured Homes Approved as Permanent / Temporary Residence (Enter Square Ft) N/A Moving Structures / Portable Building Move [] Yes [X] No

BUILDING INFORMATION
Number of Floors [] 1 [X] 2.25 story 1st Floor Square Footage 744 HIL, 481 Garage 2nd Floor Square Footage 1224
Other Floor Square Footage 694 Number of Bedrooms 3 Number of Bathrooms 3.5
Front Side Setback Front Yard Setback Rear Yard Setback Side Yard Setback-1
Side Yard Setback - 2 Corner Front Yard Setback Number of Fireplaces
Number of Units Occupant Load Automatic Sprinkler System [] Yes [X] No
Balcony / Porch 289 sq ft Attached Accessory Detached Accessory N/A

Occupancy
Occupancy Classification Area (Sq. Ft.)
[] A-1 [] A-2 [] A-3 [] A-4 [] A-5 [] B [] E
[] F-1 [] F-2 [] H-1 [] H-2 [] H-3 [] H-4
[] H-5 [] I-1 [] I-2 [] I-3 [] I-4 [] M [] R-1
[] R-2 [] R-3 [] R-4 [] S-1 [] S-2 [] U
Type of Construction
[] Type I A [] Type I B [] Type II A [] Type II B [] Type III A [] Type III B
[] Type IV [] Type V A [] Type V B [] Unknown [] Not Applicable
Contract Valuation:
Plan Review Fee:
Building Permit Fee:
Data Processing Fee: \$4.00
Surcharge - \$1 (Residential): \$1.00
Total Permit Fee:
CASH [] CREDIT CARD
MO [] CHECK #

Notes: The Office of Construction Code Enforcement has reviewed the permit application and supporting documents only for their compliance with applicable local and zoning Construction code provisions. It has not investigated and does not warrant that the parcel on which this construction activity is to occur is free from pollutants or other hazardous materials, either on or below the surface of the parcel. The Owner is solely responsible for making all necessary inquiry to assure the property is free from such pollutants and is suitable for the construction activities authorized by this permit. This Building Permit does not allow for any alteration to any public right-of-way (R.O.W.). Alterations include any work performed on sidewalks, curb and gutter, driveway aprons and utility tie-ins. R.O.W. permits for such work must be obtained from the following offices depending on the location shown on the permit. City of Memphis-576-6700/City of Germantown-757-7261/Town of Arlington-867-4980/City of Lakeland-867-2717/Unincorporated Shelby County-545-4320. Separate permits are required for building, electrical, mechanical, plumbing, heating ventilation, air conditioning, sprinklers, underground fire service, and signs. This permit becomes null and void if work of construction authorized is not commenced within 6 months, or work or construction is suspended or abandoned for a period of 6 months after work is commenced. Work shall be considered suspended if an approved inspection has not been made within a 6 month period. Issuance of permit shall not be held to permit or to be an approval of the violation of any provisions of any county ordinance/resolution, or state laws. I certify that the information submitted herein is in compliance with the State of Tennessee Licensing Laws.

SIGNATURE OF CONTRACTOR Dale Hoskins

DATE 5-31-21

APPROVED FOR ISSUE

CITY OF
LAKELAND
TENNESSEE

**BUILDING / ADDITION / RENOVATION
PERMIT APPLICATION**

A BUILDING / ADDITION / RENOVATION PERMIT WILL BE ISSUED CONTINGENT UPON REVIEW AND APPROVAL OF PLANS, SPECIFICATIONS, AND DRAWINGS ATTACHED HERETO.

DATE: 6-1-21
 APPLICANT: Dale Hopkins
 APPLICANT ADDRESS: 4653 SEED TUCK Rd Lakeland, TN 38002
 PHONE: 901-389-7578 EMAIL: northstarhomes1@yahoo.com
 OWNER: Dale Hopkins
 SITE ADDRESS: 3033 ETON AVE LOT # _____

CLASS OF WORK (check one):

BUILDING ADDITION RENOVATION OTHER _____

DESCRIPTION OF WORK _____

ATTACH A SITE PLAN WITH THE FOLLOWING:

- STRUCTURE DIMENSIONS: Length 341 Width 30' Height 31'4"
- SETBACKS: Front 29'2" Side 28'3" Side 28'3" Rear 01'3"
- EXISTING AND PROPOSED GRADING
- FINISH FLOOR ELEVATION
- TREE SURVEY WITH DENSITY CALCULATIONS
- EROSION CONTROL PLAN TDEC Notice of Coverage # _____
- HOA APPROVAL LETTER (IF APPLICABLE) N/A
- SEPTIC APPROVAL LETTER (IF APPLICABLE) N/A

NOTE: Subdivision covenants are private in scope and may be more restrictive than City Ordinances. Owner/Applicant is responsible to obtain any permits required by Shelby County Code Enforcement, 901-222-8300.

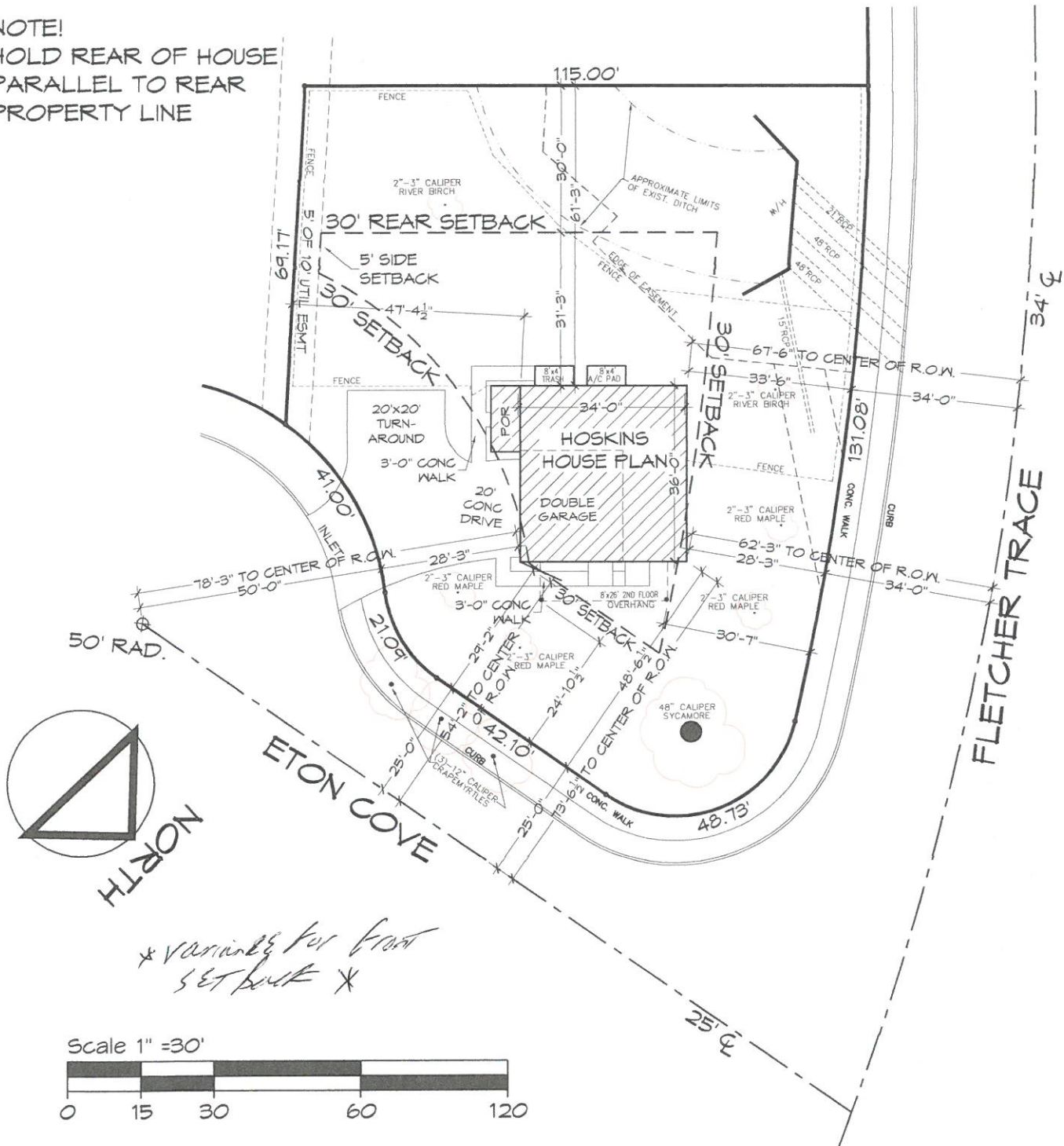
APPLICANT MUST SIGN TO INDICATE UNDERSTANDING OF CONDITIONS OF PERMIT ISSUANCE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN SIX (6) MONTHS, OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF SIX (6) MONTHS AFTER CONSTRUCTION IS COMMENCED. WORK SHALL BE CONSIDERED SUSPENDED IF AN APPROVED INSPECTION HAS NOT BEEN MADE WITHIN A SIX (6) MONTH PERIOD. ISSUANCE OF PERMIT SHALL NOT BE HELD TO PERMIT OR TO BE AN APPROVAL OF THE VIOLATION OF ANY PROVISION OF ANY CITY OR COUNTY ORDINANCE, RESOLUTION OR STATE LAW.

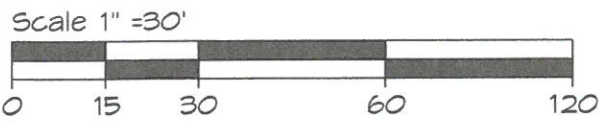
Dale Hopkins
SIGNATURE OF OWNER/APPLICANT

6-1-21
DATE

NOTE!
 HOLD REAR OF HOUSE
 PARALLEL TO REAR
 PROPERTY LINE



* variable for front
 setback *



THIS PLOT PLAN IS FOR LOCATING THE HOUSE ON THE PROPERTY ONLY. THE FRONT PROPERTY LINE IS NOT NECESSARILY THE CURB LINE. THE FINAL RECORDED SUBDIVISION PLAT MAY CONTAIN CHANGES NOT SHOWN ON THE PLAT FROM WHICH THIS PLOT PLAN WAS DRAWN. BUILDER TO VERIFY, PRIOR TO CONSTRUCTION, THAT THIS BUILDING DOES NOT ENCRoACH ANY EASEMENTS OR SETBACKS. RYAN AND ASSOCIATES IS NOT LIABLE FOR ANY ENCROACHMENTS.

Legacy
 HOME PLANS
 PLANS YOU CAN BUILD YOUR LEGACY ON
 www.LegacyHomePlans.com BARTLETT, TENNESSEE (615) 544-8874

MEMBER
A I
B D
 AMERICAN INSTITUTE OF
 BUILDING DESIGN

For DALE HOSKINS
 Lot # _____ Date 2-22-21
 S/D DANNER PROPERTIES
 County SHELBY State TN
 City LAKELAND PO# 210066
 Drawn by SMV Scale 1"=30'

NOTICE TO BUILDERS

SUBJECT: Construction Practices - City of Lakeland

In conjunction with the issuance of a building permit to construct a residence in the City of Lakeland, there are several items we would like to call to your attention to make the construction process smoother. It is mandatory that all construction projects observe the following regulations:

- All building materials; including sand, lumber, supplies, etc., should be placed at least ten (10) feet behind the curb and sufficiently away from the property line to prohibit any overflow onto neighboring lots.
- At a minimum, erosion control protection is required along any road frontage and down slope side and shall remain functional throughout all phases of construction. Erosion control devices shall be installed in accordance with T.D.E.C. specifications and other applicable codes. (Type "C" silt fencing)
- Portable sanitary facilities must be provided for your workers, such as a "Johnny on the job".
- Tree protection barriers must be maintained and located on the construction site during all phases of construction in accordance with the Tree Management Ordinance and the approved site plan.
- You must maintain and control the amount of litter and trash daily and not allow your lot or neighboring lots to become or remain in a filthy condition.
- You are required to repair any public improvements; curb & gutters, road surfaces, etc., which become damaged during the construction process.
- The home builder is responsible for verifying individual lot finish grades before house construction begins to assure the lot is graded per the approved overall subdivision grading and drainage plan.
- Driveway aprons, curb cuts, and/or sidewalks must be inspected by the City of Lakeland after forms are in place and prior to pouring concrete. Specifications are available at City Hall. Please call (901) 867-2717 for inspections.
- A seven hundred and fifty-dollar (\$750.00) deposit is required for erosion control and lot maintenance. It is non-interest bearing and will be refunded (with applicable deductions if necessary) upon final inspection by the City Manager, Planning Director, Code Enforcement Officer or Construction Manager.

Before Building Permits are issued, deposits refunded, or driveways and sidewalks poured, Code Enforcement Officers are required to inspect and approve these items. Due to the frequency of Code Enforcement Officers being requested to inspect lots and driveways that are not ready or are incorrectly prepared, the City will charge a re-inspection fee of fifty-dollars (\$50.00.)

Civil and administrative penalties per *City Ordinance 12-175*

- 1) Type "C" silt fencing as specified in the T.D.E.C. manual must be installed, and,
- 2) A 10' wide gravel exit with an underlying geotextile fabric must be constructed from the curb/edge of asphalt to the building set-back line.
- 3) Maintain all necessary documentation on site including Notice of Coverage, SWPPP, and Twice Weekly Inspections as required by the *Tennessee Construction General Permit* and by *City Ordinance 18-603*.

Your cooperation in these matters is appreciated and essential for smooth construction. Please feel free to call upon the City if we can be of any assistance. Please note, however, that compliance with Lakeland erosion control requirements does not constitute compliance with T.D.E.C. There are additional T.D.E.C. requirements that must be satisfied independently from the City of Lakeland.

Received and Acknowledged by: _____

Print Name: _____

Date



Building Permits: Single-Family Residential Information Sheet

(Refer to Article III, Section 3 of the Land Development Regulations)

Definition

Building Permit. A City of Lakeland Building Permit shall be required when an owner or authorized agent plans to construct, enlarge, or alter any principle structure, attached accessory structure, or detached accessory structure having a roofed enclosure. The purpose of City review is to verify compliance with the City's codes, regulations and ordinances. The City of Lakeland Building Permit shall accompany the Memphis/Shelby County Building Permit application.

In addition to the City of Lakeland Building Permit, it will be necessary to obtain a building permit directly from the Memphis/Shelby County Office of Construction Code Enforcement, 6465 Mullins Station Road, Memphis, TN 38134. It is suggested that you call the central permit section at (901) 222-8300, for information pertaining to the documentation required to obtain permits.

The Memphis/Shelby County Office of Code Enforcement reviews all structural, mechanical, electrical, plumbing, etc. for compliance with the adopted comprehensive building codes and standards governed by local and state laws.

City of Lakeland General Development Standards

A. General Requirements.

1. Proposed structures and uses shall be permitted within its designated district
2. One (1) principle structure is permitted per lot unless otherwise defined by the district provisions.
3. All buildings shall be permanent without features facilitating mobility.
4. Accessory structures shall be permitted in accordance with the current adopted code of ordinances.

B. Height. The maximum building height is regulated by the designated zoning district.

- | | |
|------------------------|-------------------|
| 1. AG, RE, R1, R4, R6: | 3 Story (42') |
| 2. R2, R5: | 2-1/2 Story (35') |
| 3. R3: | 1-1/2 Story (30') |

C. **Lot Coverage.** The maximum building coverage is regulated by the designated zoning district.

- 1. AG: 4%
- 2. RE: 6%
- 3. R1: 20%
- 4. R2: 35%
- 5. R3, R4: 40%
- 6. R5, R6: 45%

D. **Principle Building Setbacks.** The building envelope is regulated by the designated zoning district or conditions of the Planned development. *(Confirm with staff)*

- 1. AG, RE: 50' (front), 25' (Side), 50' (Rear)
- 2. R1: 30' (front), 10' (Side), 30' (Rear)
- 3. R2: 30' (front), 5' (Side), 25' (Rear)
- 4. R3: 15' (front), 5' (Side), 15' (Rear) OR 10' (Rear w/ alley)
- 5. R4: 10'-20' (Build to Line), 5' (Side), 5' (Rear)
- 6. R5: 7'-15' (Build to Line), 5' (Side), 5' (Rear)
- 7. R6: 10'-20' (Build to Line), 5' (Side), 5' (Rear)

E. **Building Materials.**

- 1. All facades shall be constructed of a durable, natural material, such as stone or brick.
- 2. Treated, painted, or stained wood, and fiber cement board are permitted as façade materials.
- 3. When utilized, shutters shall be appropriately sized to cover the respective opening.
- 4. Except for Agriculture properties, garage doors visible from the street shall match the color palette of the Principle Building and shall be if an upgraded design, such as carriage house style.
- 5. Attached House (R6) Building Materials: Treated, painted, stained wood and stucco shall be limited to upper floors and no more than 30% of the façade.
- 6. **Prohibited Materials:**
 - a. Bricks having a nominal dimension greater than 3-5/8" (W) x 2-3/4" (H) x 8" (L) in accordance with ASTM C216 and ASTM C652; EXCEPT when painted or slurried.
 - b. False materials intended to look like natural materials unless otherwise stated.
 - c. 3 Tab shingles.
 - d. Concrete Masonry Units (CMU)
 - e. Untreated Wood (as a façade treatment)
 - f. Exterior insulation and Finishing systems (EIFs)

Applicant signature

Dale Hoffman

Date:

6-1-21