



**MEMPHIS AND
SHELBY COUNTY** **DIVISION OF PLANNING
AND DEVELOPMENT**

ZV 2023-214

May 19, 2023

Cory Brady
corybrady@gmail.com

RE: Certificate of Zoning Parcel ID No.
4160 Swinnea Road / 0 Wilson 060176 00170
0 Walpole 060176 00306

Dear Applicant,

This letter is in response to your request for zoning information regarding the above referenced property.
To wit:

- **The current zoning classification for the subject property is:**

Residential Urban – 2 (RU-2) District with a small amount of Residential Single Family – 8 (R-8).

- **Is the subject property located within an Overlay District?**

No, it is not within an Overlay District.

- **Information regarding variances, special permits/exceptions, ordinances or conditions.**

The following apply to the subject property:

A variance (Docket #BOA 2020-058) approved by the Memphis and Shelby County Board of Adjustment on July 22, 2020. This case allowed the warehouse facility. See enclosed Notice of Disposition.

A variance (Docket #BOA 2022-162) approved by the Memphis and Shelby County Board of Adjustment on December 21, 2022. This case allowed associated parking and trailer storage for the warehouse facility. See enclosed Notice of Disposition.

- **The current / proposed use of the subject property as “Warehouse and Distribution” is a:**

Use permitted in accordance with the above approved Variances.

Link to the Unified Development Code:

<https://www.develop901.com/landuse-developmentservices/zoningSubdivisionAdministration>

- **What are the adjacent zoning districts?**

North:	R-8	East:	R-8
South:	RU-2	West:	PD 92-341

- **Is the site in conformance with the Unified Development Code or if constructed prior to 2011, in compliance with a previous zoning code or approved Planned Development?**

The site is undeveloped, but when developed will be:

In accordance with the approved site plan and is legal conforming to the approved site plan. If any nonconforming issues exist with respect to current zoning requirements; the subject property would be considered legal non-conforming.

- **Was the property subject to site plan approval?**

The subject property was subject to site plan approval; a copy of the approved site plan is enclosed.

- **Are there any pending zoning changes?**

The writer is not aware of any pending zoning district reclassification applications, hearings, appeals or other proceedings either administrative, legislative or judicial, which could affect the zoning or land use classification of the property or any part thereof, or, to the best of our knowledge, overtly threatened.

- **Are there any outstanding Fire Code violations?**

You will need to contact Joe Payne, Chief Fire Marshall – Fire Prevention, 2668 Avery Avenue at (901) 636-5401 or fire.prevention@memphistn.gov (email) to determine if there are any outstanding Fire Code violations.

- **Are any further approvals or licenses required?**

The current use of the property by its present owners is a permitted use under the Unified Development Code without the necessity of any rezoning, special exceptions, use permit, variance or other approval. Building permits to erect the structure would be issued subject to the payment of required fees. We are not aware of any other permit or license required by this jurisdiction that a purchaser must obtain before it may acquire the property or before the property may continue to be used in the manner in which it is presently being used.

- **Are there any Activity Use Limitations (AUL's) associated with the property? AUL's are typically in place at sites which would prevent future uses of a property.**

We are not aware of any government (local, state or federal) imposed AUL's which identifies site conditions that are the basis for maintaining a condition of 'No Significant Risk' at a property where contamination remains after a cleanup.

- **Are there any road projects that will impact the property?**

There are no current or planned condemnation proceedings or road projects that will require additional right of way from the above-mentioned property.

The above information contained herein was researched on May 19, 2023. It is believed to be accurate and is based upon, or relates to, the information supplied by the requestor. No guarantees as to the accuracy of the data and information provided above are expressed or implied. This office is not responsible for any loss of profit, indirect, incidental, special, or consequential damages arising out of the use of the information provided above and assumes no liability for error and/or omission associated with this determination. All of the information contained herein was obtained from public records, which may be inspected during regular business hours.

Further information pertaining to the Unified Development Code may be obtained by visiting <https://www.develop901.com/landuse-development-services> or by contacting staff in the Land Use and Development Services Section of the Memphis and Shelby County Division of Planning and Development.

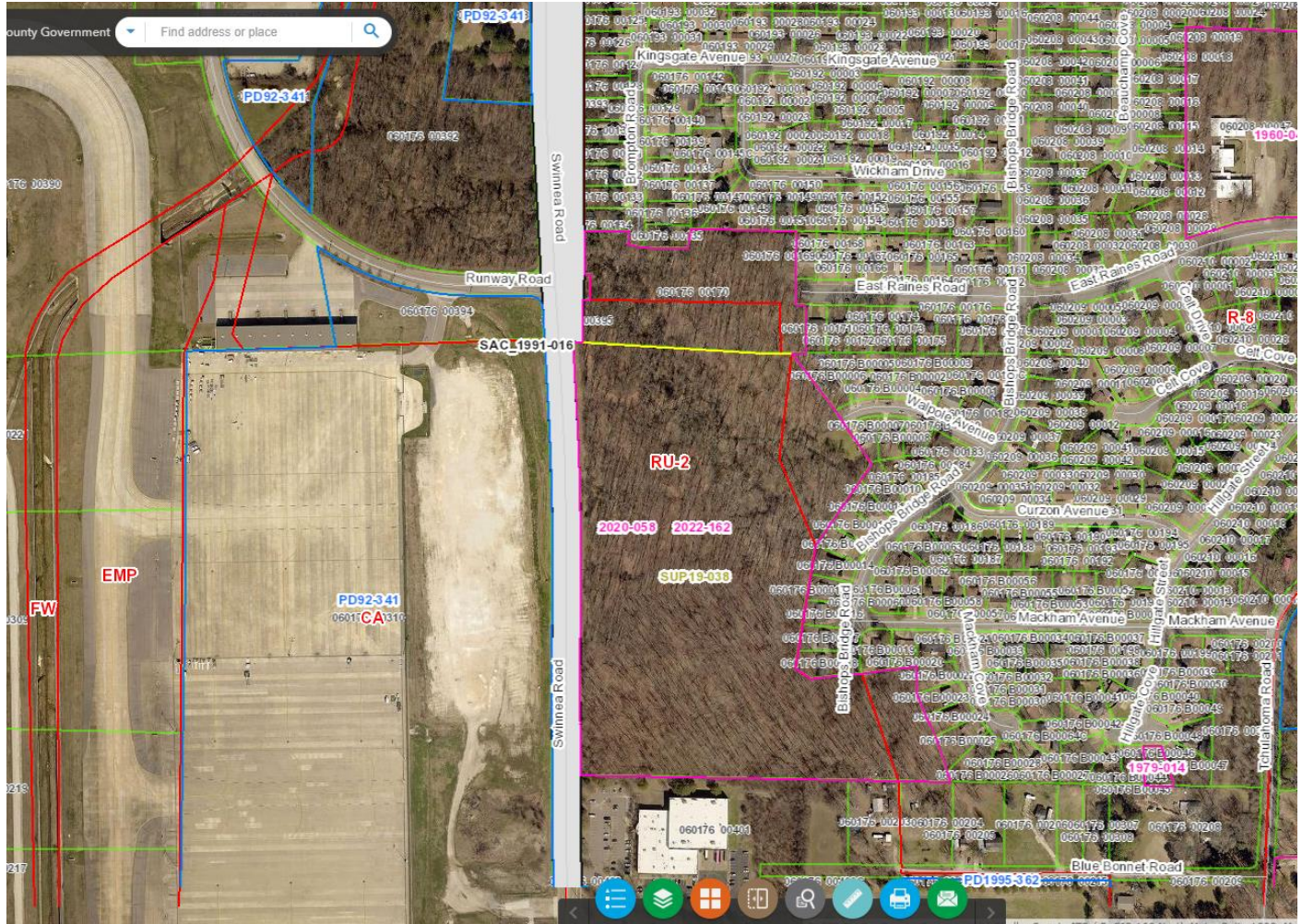
If you have questions regarding this matter, please feel free contact me at (901) 636-6619 or via email at lucas.skinner@memphistn.gov.

Respectfully,

A handwritten signature in cursive script that reads "Lucas Skinner".

Lucas Skinner
Planner III
Land Use & Development Services

Zoning Atlas



BOA 2020-058 – Notice of Disposition



**Memphis and Shelby County
Office of Planning and Development**

CITY HALL - 125 N. MAIN STREET, SUITE 468 - MEMPHIS, TENNESSEE 38103

BOARD OF ADJUSTMENT NOTICE OF DISPOSITION

TO: Applicant
Mallory Alexander International Logistics LLC

DATE: July 22, 2020
DOCKET: BOA 20-58
32.66-acre vacant property located north of and abutting 4294 Swinnea Road (known as parcel IDs 060176 00306 and 060176 00170)

Sent via electronic mail to: bobem@mallorygroup.com

On July 22, 2020, the Memphis and Shelby County Board of Adjustment *approved* your application requesting variance from Sections 2.5.2, 3.6.1, and 3.7.3 of the Memphis and Shelby County Unified Development Code to allow a warehouse and distribution facility, subject to the following conditions:

1. Any change or deviation from the site plan upon the determination of the Planning Director shall be submitted to the Board of Adjustment for review and approval or administrative review and approval by the Office of Planning and Development.
2. A final site plan, elevations, landscape plan, photometric plan, etc. shall be submitted for administrative review and approval by the Office of Planning and Development.
3. A warehouse and distribution facility shall be permitted.
4. The maximum height shall be sixty (60) feet.
5. The minimum front, side, and rear setbacks shall be as indicated on the final site plan.
6. East Raines Road shall not be connected through this site.

All appeals and applications granted are expressly conditioned upon the applicant obtaining the permit requested or other order within two years from the date of the decision of the Board of Adjustment, unless the Board explicitly provided a different time frame in its approval.

Respectfully,

Jeffrey Penzes
Principal Planner
for Josh Whitehead
Secretary

Cc: Rick Meister – Office of Construction Code Enforcement
Chris Simmons – Office of Construction Code Enforcement

Burk Renner – Office of Planning and Development
Cory Brady – Integrated Land Solutions, PLLC
File

Note that there are no approved drawings or plans enclosed as the applicant must provide all of the required drawings and plans to the Office of Planning and Development for administrative review and approval in compliance with the approved conditions.

BOA 2022-162 – Notice of Disposition



City Hall – 125 N. Main Street, Suite 468 – Memphis, Tennessee 38103 – (901) 636-6619

BOARD OF ADJUSTMENT NOTICE OF DISPOSITION

TO: Cory Brady for Integrated Land Solutions, PLLC
Mallory Real Estate, LLC

DATE: January 13, 2023
DOCKET: BOA 22-162
4294 Swinnea Road

Sent via electronic mail to: corybrady@gmail.com

On December 21, 2022, the Memphis and Shelby County Board of Adjustment approved your application requesting a modification to BOA 20-58 per Section 9.22.9 of the Memphis and Shelby County Unified Development Code to allow employee parking and trailer storage for the adjacent warehouse and distribution uses approved in BOA 20-58, subject to the following conditions:

1. Any change or deviation from the site plan or elevations upon the determination of the Zoning Administrator shall be submitted to the Board of Adjustment for review and approval or administrative review and approval by the Division of Planning and Development.
2. The final site plan shall be resubmitted for administrative review and approval by the Office of Planning and Development.

All appeals and applications granted are expressly conditioned upon the applicant obtaining the permit requested or other order within two years from the date of the decision of the Board of Adjustment, unless the Board explicitly provided a different time frame in its approval.

Respectfully,
Kendra Cobbs

Kendra Cobbs, AICP
Planner III
Land Use and Development Services
Division of Planning and Development

Cc: Chris Simmons – Zoning Enforcement
Antwone Smith – Zoning Enforcement

File

Encl: Approved plan(s)

SITE PLAN

